City of Phoenix

Minutes

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

186080

City Council Formal Meeting

Wednesday, April 6, 2022 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, April, 6, 2022 at 2:33 p.m. in the Council Chambers.

Present: 8 - Councilwoman Yassamin Ansari, Councilman Sal DiCiccio, Councilmember Carlos Garcia, Councilwoman Betty Guardado, Councilwoman Ann O'Brien, Councilwoman Debra Stark, Councilman Jim Waring, Vice Mayor Laura Pastor and Mayor Kate Gallego

Mayor Kate Gallego, Councilman DiCiccio, and Councilwoman Stark attended the meeting virtually.

Mayor Gallego acknowledged the presence of Carmen Cota, a Spanish interpreter. In Spanish, Carmen Cota announced her availability to the audience.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6952, G-6964, G-6966 and G-6975 through G-6979, S-48449 through S-48492, and Resolutions 22010 through 22012 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 items that were attached to the agenda.

MINUTES OF MEETINGS

1 **For Approval or Correction, the Minutes of the Formal Meeting on June 3, 2020**

Summary

This item transmits the minutes of the Formal Meeting of June 3, 2020, for review, correction and/or approval by the City Council.

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

Note: Vice Mayor Pastor arrived during the vote.

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

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

2 For Approval or Correction, the Minutes of the Special Formal Meeting on June 8, 2020

Summary

This item transmits the minutes of the Special Formal Meeting of June 8, 2020, for review, correction and/or approval by the City Council.

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

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

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

BOARDS AND COMMISSIONS

3 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.

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

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

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

Ahwatukee Foothills Village Planning Committtee
Re-appoint Alezander Benezra, for a term to expire Nov. 19, 2023 as recommended by Mayor Gallego.
Re-appoint Darin Fisher, for a term to expire Nov. 19, 2023 as recommended by Mayor Gallego.

Encanto Village Planning Committee
Re-appoint Ann Cothron, for a term to expire Nov. 19, 2023 as recommended by Mayor Gallego.
Re-appoint Jayson Mathews, for a term to expire Nov. 19, 2023 as recommended by Mayor Gallego.

Human Services Commission
Appoint Sheriolyn Curry, filling a vacancy on the commission, for a term to expire June 30, 2024 as recommended by Mayor Gallego.

Industrial Development Authority
Appoint Phil Gordon, for a term to expire Nov. 1, 2025 as recommended by Mayor Gallego.

North Gateway Village Planning Committee
Appoint Laura Franco French, filling a vacancy on the committee, for a partial term to expire Nov. 19, 2022 as recommended by Mayor Gallego.

North Mountain Village Planning Committee
Re-appoint Elizabeth Perez, for a term to expire Nov. 19, 2023 as recommended by Mayor Gallego.

Rio Vista Village Planning Committee
Appoint Hunter Perreira, filling a vacancy on the committee, for a partial term to expire Nov. 1, 2022 as recommended by Councilwoman Ann O'Brien.

Sister Cities Commission
Appoint Cristopher Curtin, filling a vacancy on the commission, for a term to expire April 6, 2025 as recommended by Mayor Gallego.
Appoint Amilyn Pierce, filling a vacancy on the commission, for a term to expire April 6, 2025 as recommended by Mayor Gallego.

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.

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

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

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Ansari, that items 4-14 be recommended for approval, except Item 5. The motion carried by the following voice vote:

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

4 Liquor License - Padre Murphy's

Request for a liquor license. Arizona State License Application 182572.

Summary

Applicant

David Gill, Agent

License Type
Series 12 - Restaurant

Location
4338 W. Bell Road, Ste. 1-4
Zoning Classification: PSC
Council District: 1

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

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

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

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

Tim Finnegans (Series 12)
17045 N. 59th Ave., #103, Glendale

Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have completed Title 4 Basic & Manager training for the last 13 years. I currently hold a 12 license for another company I own."

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 full service restaurant first! We have been serving the surrounding community for almost 30 years."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Padre Murphy's
Liquor License Map - Padre Murphy's

This item was recommended for approval.

6 Liquor License - Special Event - The Singletons

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

Summary

Applicant
Jody Boyd

Location
2832 E. Bell Road
Council District: 2

Function
Fundraiser

Date(s) - Time(s) / Expected Attendance
April 23, 2022 - 6 p.m. to 10 p.m. / 150 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

7 Liquor License - Fly Bye

Request for a liquor license. Arizona State License Application 007070011537.

Summary

Applicant
Samuel Fox, Agent

License Type
Series 7 - Beer and Wine Bar

Location
21001 N. Tatum Blvd., Ste. 74-1557
Zoning Classification: C-2
Council District: 2

This request is for an ownership and location transfer of a liquor license for a beer and wine bar. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in May 2022.

The 60-day limit for processing this application is April 12, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only

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

Other Active Liquor License Interest in Arizona

This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am the founder of Fox Restaurant Concepts and have opened and operated more than 20 restaurants in Arizona over the last 24 years. I act as agent on many of these licenses and have taken the Arizona Department of Liquor recommended liquor service training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We believe the public will enjoy a beer or a glass of wine with their Detroit style pizza and chicken tenders at Fly Bye, whether dining in or to-go."

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 - Fly Bye
Liquor License Map - Fly Bye

This item was recommended for approval.

8 Liquor License - Humble Bistro

Request for a liquor license. Arizona State License Application 07070363.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 7 - Beer and Wine Bar

Location
5415 E. High St., Ste. 127
Zoning Classification: C-2 DRSP
Council District: 2

This request is for an ownership and location transfer of liquor license for a beer and wine bar. This location is currently licensed for liquor sales with a Series 12, Restaurant, liquor license. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption.

The 60-day limit for processing this application is April 13, 2022.

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

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

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

Humble Bistro (Series 12)
5415 E. High St., Ste. 127, Phoenix
Calls for police service: 25
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: "Humble Bistro restaurant currently operates with a series 12 liquor license. Applicant would like to add a series 7 beer and wine bar liquor license to allow customers the opportunity to purchase beer and wines they enjoy at the restaurant for off-premises consumption as well. The restaurant will continue to offer its complete menu of homemade meals prepared with the freshest ingredients."

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 - Humble Bistro
Liquor License Map - Humble Bistro

This item was recommended for approval.

9 Liquor License - California Fish Grill

Request for a liquor license. Arizona State License Application 183525.

Summary

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
1743 E. Camelback Road, Ste. A-5
Zoning Classification: PSC CEPCSP
Council District: 6

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

The 60-day limit for processing this application is April 10, 2022.

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

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

California Fish Grill (Series 12)
1855 S. Stapley Drive, #101, Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"California Fish Grill currently owns and operates 46 restaurants in 3

states. This new location will be our 47th location and our 2nd restaurant in Arizona. They will operate with responsible alcohol services and employees will be trained to ensure compliance with all liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "California Fish Grill will be a new restaurant in the area and provide the neighboring community with a new option for dining out. We only sell seafood that is rated best choice or good alternative by the Monterey Bay Aquarium seafood watch program or Eco-Certified by a third party. All seafood offered on our menu is responsibly sourced. We believe our restaurant will be a good fit for our new 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 - California Fish Grill
Liquor License Map - California Fish Grill

This item was recommended for approval.

10 Liquor License - Torchy's Tacos

Request for a liquor license. Arizona State License Application 181352.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
1935 E. Camelback Road, Ste. C-130
Zoning Classification: PSC
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 business has plans to open in June 2022.

The 60-day limit for processing this application is April 18, 2022.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is committed to upholding the highest standards 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: "With over 90 locations across the United States, Torchy's Tacos is opening it's first location in Arizona. Torchy's Tacos is a casual family-friendly neighborhood restaurant featuring a variety of tacos made with fresh ingredients. Applicant would like to offer alcoholic beverages to guest 21 and over as an incident to the dishes served."

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 - Torchy's Tacos
Liquor License Map - Torchy's Tacos

This item was recommended for approval.

11 Liquor License - Angry Crab Shack Restaurant

Request for a liquor license. Arizona State License Application 012070011682.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
6360 S. 35th Ave.
Zoning Classification: C-2
Council District: 7

This request is for an acquisition of control of an existing liquor license

for a restaurant. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is April 18, 2022.

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:
"Angry Crab owns multiple locations throughout Arizona. We ensure our employees are Title 4 liquor law trained."

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.

This item was recommended for approval.

12 Liquor License - Lom Wong/KHLA

Request for a liquor license. Arizona State License Application 184547.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
218 E. Portland St.
Zoning Classification: DTC-West Evans Churchill ACSBO
Council District: 7

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

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

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

Other Active Liquor License Interest in Arizona
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.

Oliver's Sophisticated Bean/Jobot (Series 12)
333 E. Roosevelt St., #100, Phoenix
Calls for police service: 27
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 own and operate other establishments in the Phoenix area. We will continue to abide by Title 4 liquor law and ensure our employees have attend the training courses with ALIC."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location was previously licensed. We want to continue to serve the neighborhood with a great place to enjoy their meal."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Lom Wong/KHLA
Liquor License Map - Lom Wong/KHLA

This item was recommended for approval.

13 Liquor License - HC Dining

Request for a liquor license. Arizona State License Application 181594.

Summary

Applicant
Alex Li, Agent

License Type
Series 12 - Restaurant

Location
504 E. Roosevelt St., Ste. 1
Zoning Classification: DTC - East Evans Churchill
Council District: 8

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

The 60-day limit for processing this application is April 8, 2022.

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

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

Killer Whale Sex Club (Series 6)
922 N. 6th St., Phoenix
Calls for police service: 8
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:
"Our group has the business acumen and financial means to manage and support our proposed project on Roosevelt Row. Our group has a background in managing similar projects and currently operate another business on Roosevelt Row. We intend to do our best to adhere to the rules and regulations set in place by the City of Phoenix, County of Maricopa and State of 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 license will be used to operate a restaurant and bar concept in a currently empty building unit. We hope that opening more hospitality concepts in Roosevelt Row will drive more people and revenue into the community. The space is currently sitting empty, and we believe a restaurant and lounge will help liven up the community with additional options for food and entertainment."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - HC Dining
Liquor License Map - HC Dining

This item was recommended for approval.

14 Liquor License - R & F Liquor

Request for a liquor license. Arizona State License Application

09070729.

Summary

Applicant
Steve Delly, 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 April 18, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application was filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and the 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:
"This location has been owned and operated by our family for 24 years. We have always followed Arizona liquor laws and have never had any problems. We have proven ourselves to be good conscience business owners."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Being in business at this location for so long our neighbors and the local community have become our regular patrons. Our neighbors know we operate a reputable business with fair prices."

Staff Recommendation
Staff recommends approval of this application.

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

This item was recommended for approval.

5 Off-Track Pari-Mutuel Wagering Permit - Padre Murphy's

Request for an Off-track Pari-Mutuel Wagering Permit for a business that has a Series 12 liquor license.

Summary
State law requires City Council approval before a State Off-track Pari-Mutuel Wagering Permit can be issued. This request is for a permit for off-track betting on horse races conducted at Turf Paradise.

Applicant
David Johnson, Agent for TP Racing L.L.L.P.

Location
4338 W. Bell Road, Ste. 1-4
Zoning Classification: PSC
Council District: 1

Public Opinion
Public notice was posted at the proposed location and special notice letters were mailed to residents within a 1/8 mile radius of the proposed location. The comment period expired March 18, 2022. One letter protesting the issuance of this license has been received and is on file in the Office of the City Clerk. The letter is from Arizona Downs and states that Arizona Downs already has an existing lease and license for an OTB at that location that does not expire until 2024.

Staff Recommendation
Staff recommends approval of this application. Staff gave careful consideration to the protest letter received however, after reviewing the application in its entirety staff is recommending approval of this application.

Attachments
Off-Track Pari-Mutuel Wagering Permit Data - Padre Murphy's
Off-Track Pari-Mutuel Wagering Permit Map - Padre Murphy's

Discussion
David Gill, the applicant, spoke in favor of the item. He asked the council to approve the item to wager on the horses at Turf Paradise (TP).

Tom Author spoke on behalf of Arizona Downs in opposition of this item. He stated that the license for Padre Murphy's with Arizona Downs is active until 2024. He added that Turf Paradise encouraged the applicant to breach a valid contract with Arizona Downs.

Brian Imbornoni, from Jennings Strouss & Salmon PLC, spoke on behalf of the applicant to respond to the opposition from Arizona Downs. He explained that Arizona Downs had an off-track betting (OTB) contract with

the previous owners of Padre Murphy's named Padre Murphy's Glendale, LLC.. He added that the business was sold and the new owner signed a new OTB contract with TP Racing. He reiterated that Arizona Downs had no right to continue operations at the location given that there was no contract with the new owner. Mr. Imbornoni explained that the new owner acquired the business as an asset business and did not purchase the LLC or assume any of its contracts. He emphasized that an OTB contract did not attach to a location and changes in plan of operation required new approval which was confirmed by the Arizona Racing Division. He concluded that arguments raised by Arizona Downs are a matter for the Racing Division and not the City.

David Johnson, the applicant, spoke in favor of the item. He added that everything was in compliance with the Arizona City Code. He also explained that the Arizona Racing Commission had asked for the business to re-apply with the City of Phoenix. Mr. Johnson asked for approval of the license application.

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

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

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that items 19-73 be approved or adopted, except items 15, 30-31, 33, 48, 56, 58, 78 and 81-82; noting Item 80 is requested to be continued to the June 1, 2022 City Council Formal Meeting; Item 81 is as revised; Item 82 is as revised and corrected; and Item 83 is requested to be continued to the May 11, 2022 City Council Formal Meeting. The motion carried by the following vote:

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

No: 0

Items 19- 25, Ordinance S-48449 was a request to authorize the City Controller to disburse funds, up to amounts indicated on items, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

19 CyberSource Corporation

For $120,000.00 in additional payment authority for Contract 97062 through June 30, 2027, to continue to provide internet-based electronic credit card payment processing support services for the Finance and Information Technology Services departments. The CyberSource eCommerce solution provides one of the primary technologies for processing credit card payments for City services. Additional payment authority is needed for the annual payment of services over the next five years, which are critical to the continuation of an electronic payment solution for residents and businesses.

This item was adopted.

20 Arizona Blue Stake, Inc. doing business as Arizona 811

For $25,000.00 in additional payment authority for Contract 144146 through Nov. 30, 2023, for Arizona 811 Associate Membership for Right-of-Way Excavation Notification Services for the Information Technology Services (ITS) Department. The contract provides ITS with a computer system to receive notifications of excavation activity within the geographic area in which the City owns and operates underground facilities. Per State law A.R.S. 40-360.21-32, participation in this program is a legal requirement for all underground facility owners-operators with the right to bury underground facilities in the right-of-way. Failure to receive excavation notices may result in damages to the City-owned fiber

optic cables, which can lead to service outages to the City's internal and external customers who currently use underground communication cables for voice, data, and video service.

This item was adopted.

21 QCM Technologies, Inc.

For $413,730.00 in payment authority to purchase IBM software and support for the Information Technology Services Department. The licensing and support renewal is needed for the ongoing licensing and maintenance of the technology infrastructure supporting SAP, for the City's financial and procurement system.

This item was adopted.

22 Global Music Rights, LLC

For $10,000.00 in payment authority to purchase annual music licenses for the Parks and Recreation Department. The license allows copyrighted music to be performed publicly at various City parks and events in compliance with the non-dramatic public performances of copyrighted works. The license is for the 2022 calendar year.

This item was adopted.

23 Degan Construction, LLC

For $250,000.00 in additional payment authority for Agreement 154399, for Change Order 1 of Project ST83140081 for the Palm Lane Storm Drain: 28th Place to 32nd Street project for the Street Transportation Department. The change order is for bid items that were not captured in the original bid. It provides for additional services including traffic control devices, construction survey and layout, and an allowance for extra work and Storm Water Pollution Prevention Best Management Practices. The project uses Street Transportation Department's Capital Improvement Program budget and State Aid.

This item was adopted.

24 Union Pacific Railroad Company

For $21,729.42 in payment authority to provide on-call design and engineering services for the Street Transportation Department. The services are needed for inspection and to ensure continuity of railroad operations during the Seventh Street Bridge Bearing Pad Replacement

project. The payment will cover all costs associated with the project on-call engineering services.

This item was adopted.

25 Allterra Central, Inc.

For $35,376.00 in payment authority to purchase surveying equipment for the Street Transportation Department. The equipment is required to complete the City's Continuously Operating Reference Station monuments to be built in three proposed locations within the City of Phoenix. The stations will allow staff to easily update the City's surveying height benchmarks and the City's horizontal positioning.

This item was adopted.

26 Authorization to Sell a Strip of City-owned Land Bifurcated from 2121 N. 83rd Ave., South of an Irrigation Ditch (Ordinance S-48450)

Request to authorize the City Manager, or his designee, to sell a strip of City-owned land bifurcated from 2121 N. 83rd Ave., south of an irrigation ditch, via direct sale to the adjacent property owner. Additionally request to authorize the City Treasurer to accept all funds related to this item.

Summary

The strip of land to be sold is along the southern property boundary of the Ak Chin Pavilion outdoor concert venue located at 2121 N. 83rd Ave. and is bifurcated from the improved site by an irrigation ditch. The Parks and Recreation Department received approval from the Parks and Recreation Board on Oct. 28, 2021, to sell directly to Wiley Baker Farms Limited Partnership, an Arizona Limited Partnership, its successors, and assigns ("Purchaser"). The strip of land contains approximately 25,197 square feet adjacent to the Wiley Baker Farm located at 8002 W. McDowell Rd. and is within a gate owned by the Purchaser. The Purchaser is currently maintaining the strip of land.

The City and Purchaser will enter into an agreement for the purchase and sale of City-owned property, containing terms and conditions deemed necessary and appropriate by the City. The land will be conveyed by special warranty deed, with the purchase price based on a valuation of the land. The Purchaser will pay all closing costs, including the cost of a survey. The land will be sold subject to all existing easements and

encumbrances.

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

Concurrence/Previous Council Action
The Parks and Recreation Department received approval from the Parks and Recreation Board on Oct. 28, 2021.

Location
2121 N. 83rd Ave., within the southern boundary of Maricopa County Assessor parcel number 102-37-009.
Council District 5

This item was adopted.

27 Authorization to Acquire Easements from Roosevelt Irrigation District at 99th Avenue and McDowell Road (Ordinance S-48461)

Request to authorize the City Manager, or his designee, to acquire easements from the Roosevelt Irrigation District (RID) at 99th Avenue and McDowell Road. Further request authorization for the City Controller to disburse, and for the City Treasurer to accept, all funds related to this item.

Additionally request the City Council grant an exception pursuant to Phoenix City Code §42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code §42-18 as RID's form documents include such provisions.

Summary
Acquisition of easements over the RID canal is required for access from 99th Avenue and from McDowell Road to private property located at the northeast corner of the canal. All costs related to this acquisition will be borne by the developer with no costs to the City.

The property impacted by this acquisition is RID canal right-of-way located approximately 144 feet east of 99th Avenue and along the north

side of McDowell Road.

Location
Northeast corner of 99th Avenue and McDowell Road.
Council District: 5

This item was adopted.

28 Acceptance of Easement for Drainage Purposes (Ordinance S-48468)

Request for the City Council to accept easement for drainage purposes; further ordering the ordinance recorded.

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

Easement (a)
Applicant: Allero 59, LLC, its successor and assigns
Purpose: Drainage
Location: 5821 W. McDowell Road.
File: FN 210130
Council District: 4

This item was adopted.

29 Acceptance and Dedication of Easements and a Deed for Public Utility, Roadway and Sidewalk Purposes (Ordinance S-48475)

Request for the City Council to accept and dedicate easements and a deed for public utility, roadway, and sidewalk purposes; further ordering the ordinance recorded.

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

Easement (a)
Applicant: Allero 59, LLC, its successor and assigns
Purpose: Sidewalk
Location: 5821 W. McDowell Road.
File: FN 210130
Council District: 4

Easement (b)
Applicant: A5 Residential LLC, its successor and assigns
Purpose: Public Utility
Location: 2746 W. Pima St.
File: FN 220007
Council District: 7

Deed (c)
Applicant: A5 Residential LLC, its successor and assigns
Purpose: Roadway
Location: 2746 W. Pima St.
File: FN 220007
Council District: 7

Easement (d)
Applicant: Chamberlain Development, L.L.C., its successor and assigns
Purpose: Sidewalk
Location: 3939 W. Buckeye Road.
File: FN 220011
Council District: 7

This item was adopted.

32 Worker's Compensation Third Party Administration Claims Management Services, RFP HR 21-027 (Ordinance S-48491)

Request to authorize the City Manager, or his designee, to enter into a contract with Cannon Cochran Management Services, Inc. (CCMSI) to provide third party administration of claims management services for the City's Worker's Compensation Program in an amount not to exceed $15,000,000 for a five-year period. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The City's Worker's Compensation Program has been self-insured since April 2003. The services of a qualified Third Party Administrator (TPA) is required to provide administration of claims management services. The TPA is responsible for the investigation and evaluation of claims to ensure the proper disposition and medical management of each claim, and to follow established City's claim procedures and adhere to claims administration requirements as required by federal, state, and/or local laws. The existing contract for Worker's compensation Third Party Administration Claims Management Services is set to expire Jun. 30, 2022.

Procurement Information

RFP HR 21-027 was conducted in accordance with Administrative Regulation 3.10. The Human Resources Department received four proposals. The Notice of Solicitation was emailed to 325 vendors registered in ProcurePHX.

The offers were scored using the following criteria: Qualifications, Experience and References (250 points), Method of Approach (450 points) and pricing (300 points). Evaluation occurred by a five-person panel. The evaluation panel determined that one offer was within the competitive range. A Best and Final Offer was conducted, which resulted in a price reduction of approximately $1.6 million. After reviewing the BAFO response, it was the consensus of the evaluation committee to recommend awarding the contract to Cannon Cochran Management Services, Inc.

The consensus scores are as follows:

Cannon Cochran Management Services, Inc.	928 points
CorVel Enterprise, Comp., Inc.	706 points
Sedgwick Claims Management Services, Inc.	650 points
TRISTAR Claims Management Services, Inc.	610 points

The Acting Human Resources Director recommends the offer from Cannon Cochran Management Services, Inc., be accepted as the highest scored, responsive and responsible offer most advantageous to the City.

Contract Term
The five-year contract term shall begin on or about Jul. 1, 2022.

Financial Impact
The five-year aggregate contract value will not exceed $15,000,000. Funds are available in the Worker's Compensation Program Trust Account.

This item was adopted.

34 Emergency Call System Monitoring and Maintenance Contract (Ordinance S-48487)

Request to authorize the City Manager, or his designee, to enter into an agreement with Climatec, LLC to provide Emergency Call System Monitoring and Maintenance Service including providing all labor, material, reports, equipment, tools, replacement parts and administrative services necessary to perform all maintenance, inspections and repairs needed to keep the system operational for three Housing Department senior sites. Further request to authorize the City Controller to disburse all funds related to this item over the life of the contract in an amount not to exceed $96,000.

Summary
The Housing Department is required to provide and maintain a medical emergency call system for Senior Sites by the Arizona Department of Housing. Housing uses an existing pull cord system that meets the Department of Housing and Urban Development requirements for emergency call systems.

In accordance with Administrative Regulation 3.10, a Special Circumstances Without Competition Determination has been fully approved.

Procurement Information
The Housing Department attempted to extend the current contract beyond the five years with a determination however, the current contractor would not extend due to them leaving the monitoring business.

Invitation for Bid (IFB) FY22-086-04 Emergency Call Systems Monitoring and Maintenance was conducted in accordance with Administrative Regulation 3.10. The solicitation notification was distributed to 246 contractors registered with the City of Phoenix. No offers were received by the closing date of Jan. 6, 2022.

The Housing Department reached out to companies that had the potential to provide services and Climatec was the only company contacted that agreed to the City's contract terms and conditions.

Contract Term
The contract term shall begin on April 12, 2022, and end on April 11, 2027.

Financial Impact
The aggregate contract value will not exceed $96,000 over the life of the contract. There is no impact to the General Fund as these services are paid through federal funding from the U.S. Department of Housing and Urban Development.

Locations
Council District 3 - Sunnyslope Manor, 205 E. Ruth Ave.
Council District 5 - Maryvale Parkway Terrace, 4545 N. Maryvale Parkway
Council District 8 - Fillmore Gardens, 802 N. 22nd Place

This item was adopted.

35 Custodial Services (Parks and Recreation Department) - Requirements Contract (IFB 19-088) (Ordinance S-48457)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 150078 with Bio Janitorial Service, Inc. and Contract 150077 with Commercial Custodial Services for the provision of custodial services for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $190,000.

Summary

These contracts provide custodial services for general cleaning of interior and exterior areas of Parks and Recreation facilities. Services include all the necessary trained personnel, supervision, scheduling, equipment and tools, with maintenance, and other accessories required to perform complete custodial services. The funds are needed to add the new Cesar Chavez Community Center, which is expected to open in summer 2022.

Contract Term

The Contract term is July 7, 2019 through June 30, 2024.

Financial Impact

Upon approval of $190,000 in additional funds, the revised aggregate value of these contracts will not exceed $4,420,000. Funds are available in the Parks and Recreation Department's budget.

Concurrence/Previous Council Action

These contracts were originally approved by City Council on May 1, 2019.

This item was adopted.

36 Aquatic Rescue, Training, and Sports Equipment and Supplies - Requirements Contract IFB 22-077 (Ordinance S-48478)

Request to authorize the City Manager, or his designee, to enter into contracts with The Lifeguard Store and Water Safety Products, Inc. to purchase Aquatic Rescue, Training, and Sports Equipment and Supplies for 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 $400,000.

Summary

These contracts are for the purchase of aquatic equipment and supplies for the Parks and Recreation Department's Aquatics Division. They will supply the City pools with equipment and supplies necessary to certify lifeguards and operate the City's swim lesson program. Historically, the City hires over 650 certified lifeguards to operate 29 swimming pools annually and approximately 18,000 residents participate in swim lessons

and recreational teams.

Procurement Information
IFB 22-077 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Procurement Division on Feb. 25, 2022, which were evaluated on price, responsiveness to specifications and responsibility to provide the required goods and services. The bid notification was sent to over 130 suppliers and was publicly posted and available for download from the City's website.

The Assistant Finance Director recommends that the offers from The Lifeguard Store and Water Safety Products, Inc. be accepted as the lowest priced, responsive and responsible offers. Multiple awards are recommended to ensure the overall lowest cost to the City.

Contract Term
The one-year contract term, which includes four, one-year options to extend, will begin on or about April 11, 2022.

Financial Impact
The aggregate contract value will not exceed $400,000. Funds are available in the Parks and Recreation Department's budget.

This item was adopted.

37 Authorize Deposit Agreement with Jefferson Place Partners, LLC and a Concurrent Non-Project Activity of the South Central Extension Downtown Hub Light Rail Project located at 101 S. Central Ave. (Ordinance S-48490)

Request to authorize the City Manager, or his designee, to enter into a deposit agreement, and other agreements as necessary (Agreements), with Jefferson Place Partners, LLC, or its City-approved designee (Developer), to fund a Concurrent Non-Project Activity (CNPA) of the South Central Extension Downtown Hub (SCE-DH) Light Rail Project (Project) adjacent to the Developer’s property at 101 S. Central Ave. (Site). This authorization shall further authorize staff to enter into a CNPA Agreement with Valley Metro Rail, Inc. (Valley Metro) who is constructing the Project. Further requests authorization for the City Treasurer to

accept funds and the City Controller to disburse funds related to this item. The project will have no impact to the General Fund.

Summary

Developer intends to construct a mixed-use high-rise project at the Site and wishes for the SCE-DH Project plans to reflect changes in the public right-of-way on Central Avenue compatible with the Developer's future project. Developer has submitted plans for off-site improvements to the City and pending review and approval from the Planning and Development Department (PDD), staff would transmit those plans to Valley Metro who would review the feasibility of revising the Project plans.

Based on a preliminary review of the Developer's off-site plans, Valley Metro has indicated it can construct a new curbline, drainage, sidewalk, paving and valley gutter to the Developer's specifications. In addition, the Project can also relocate a proposed gutter to the new proposed curbline on Central Avenue. Since these improvements are not part of the current Project plans, the City must authorize this work as a CNPA. Furthermore, since the improvements are at the request of the Developer, they must be paid for by the Developer.

Without agreeing to the Developer's proposed alterations, the current Project improvements in the public right-of-way (ROW) adjacent to the Site are at risk of being removed and replaced when the Developer moves forward with its proposed project. Therefore, in order to safeguard the City's investment in the new ROW improvements, staff recommends authorizing the CNPA and a Deposit Agreement (DA) with the Developer to fund 100 percent of the new ROW improvements. In order to facilitate this work, the following business terms have been negotiated between the Community and Economic Development Department and the Developer:

Developer and City shall enter into a DA within one month of Council approval.

Upon signing the DA, the Developer shall pay to the City $131,250. This is the estimated increase in construction costs to build the new ROW improvements.

The City will transmit funds to Valley Metro per the costs outlined in the CNPA. Any unused funds shall be reimbursed to the Developer.

Valley Metro via the CNPA will deliver the new improvements on construction timelines compatible with the Project, ensuring a completed ROW condition surrounding the Site is available to the public once the SCE-DH Light Rail Project is completed.

Financial Impact
Developer shall pay all costs associated with the work. There is no impact to the General Fund as a result of this item.

Location
101 S. Central Ave.
Council District: 7

This item was adopted.

38 **Adoption of Resolution Approving the Issuance of Multifamily Housing Revenue Notes (Harmony at the Park Two Project) for Purposes of Arizona Revised Statutes, Section 35-721(B) (Resolution 22012)**

Requests City Council adoption of Resolution 22012 approving the issuance of Multifamily Housing Revenue Notes (Harmony at the Park Two Project), Series 2022, to be issued in one or more tax-exempt and/or taxable series in an aggregate principal amount not to exceed $25,000,000, solely for the purposes of complying with the Arizona Revised Statutes, section 35-721(B).

Summary
On November 3, 2021, the City Council adopted Resolution 21976 granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, AZ. (the "Phoenix IDA") had resolved to issue up to $20,000,000 of Multifamily Housing Revenue Notes (the "Revenue Notes") as required by A.R.S. 35-721(B). The proceeds from the sale of the Revenue Notes are to used by Harmony at the Park Two, LLC (the "Borrower"), an Arizona limited liability company, to

a) finance or refinance, as applicable, all or a portion of the acquisition, construction, improvement, equipping, or operation of a multifamily residential rental housing facility in Phoenix, Arizona, and

b) pay certain costs related to the issuance of the Revenue Notes.

Resolution 21976 approved the proceedings of the Phoenix IDA under which the Revenue Notes were to be issued. On March 17, 2022, the Phoenix IDA adopted a resolution amending such proceedings to reflect, among other things, an increase to the not to exceed aggregate principal amount of the Notes, from an aggregate principal amount of not to exceed $20,000,000 to an aggregate principal amount of not to exceed $25,000,000.

Because Resolution 21976 did not reflect the Phoenix IDA's subsequent proceedings, a new approval of the plan of financing and issuance of the Revenue Notes is requested by adoption of Resolution 22012.

Concurrence/Previous Council Action
The Phoenix IDA Board has previously resolved to issue the Revenue Notes at its meeting held on October 14, 2021 and March 17, 2022.

The Phoenix City Council approved Resolution 21976 at its November 3, 2021 Formal Meeting.

Location
The Project is located at or near 600 N. 20th St. in Phoenix, AZ.
Council District: 8

With the exception of certain housing bonds, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

This item was adopted.

39 Resolution to Participate In and Support Bid to Host 2029-2031 NCAA Women's Basketball Final Four Tournament (Resolution 22011)

Request to authorize a resolution to express support for the region's bid to host the NCAA Division I Women's Basketball Final Four Tournament

in one of the years from 2029 to 2031, and to authorize the City's participation in the bid if Phoenix advances in the bid process as a finalist.

Summary

The National Collegiate Athletic Association (NCAA) has requested a declaration of support from the City of Phoenix in the bid to host the NCAA Women's Basketball Final Four Tournament between 2029 and 2031. This resolution will express the City's support for the bid through the commitment of general government services (including: citywide operations liaison; ambush marketing protections; permitting assistance; public safety support/emergency preparedness; aviation arrival/departure cooperation; and provision of Fan Festival, Super Saturday Concert, Salute Presentation, Youth Bounce and Women's Basketball Coaches Convention venues).

The national semifinals and championship games would require use of the City-owned Footprint Center in downtown Phoenix as the competition venue. City staff and the Phoenix Bid Committee are currently working with the Phoenix Suns to reserve the Center for the requested dates. In addition, major fan-related events, lodging, and meeting activities associated with the tournament would also be held in downtown Phoenix. The tournament is held annually, and this bid is to host the tournament in Phoenix in one of the years spanning 2029 to 2031. If awarded, this would be the second-time that Phoenix would host the Women's Basketball Final Four.

In conjunction with the Phoenix Local Organizing Committee, Arizona State University (Host Institution), and the Greater Phoenix Convention and Visitors Bureau (Visit Phoenix), Phoenix was awarded to host the 2024 NCAA Men's Basketball Final Four for the second-time, and was awarded to host the 2026 NCAA Women's Basketball Final Four for the first-time.

This item was adopted.

40 Phoenix Police Department Hiring Software (E-SOPH) - Requirements Contract EXC 22-057 (Ordinance S-48465)

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

contract with Miller Mendel, Inc. to purchase hiring software known as E-SOPH for the Police Department. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code section 42-18 and authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $611,770.

Summary

This software will streamline background investigations on prospective applicants and electronic reference checks and will increase efficiencies when data is shared with the 11 Arizona law enforcement agencies that already use E-SOPH. This will allow the City to request and send applicant files to other law enforcement agencies to conduct file reviews. As the Police Department is currently experiencing significant staffing shortages, this new software technology will automate the business processes, streamline case management and reduce applicant processing times.

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

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which cited the software is a patented system and Miller Mendel is the only vendor who can provide the software.

Contract Term

The five-year contract term will begin on or about April 1, 2022.

Financial Impact

The aggregate contract value will not exceed $611,770. Funds are available in the Police Department's budget.

This item was adopted.

41 Wildlife Management Services - Requirements Contracts - IFB 22-006 (Ordinance S-48452)

Request to authorize the City Manager, or his designee, to enter into a contract with Loomacres, Inc. to provide wildlife management services for the Aviation Department for an aggregate five-year contract term. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $863,000.

Summary

As a Title 14, Code of Federal Regulations, Part 139 certified airport, Phoenix Sky Harbor International Airport (PHX) is required by the Federal Aviation Administration to establish a continually updated wildlife hazard management plan. To meet this requirement, the Aviation Department contracts a full time, on-site biologist stationed at PHX to administer the approved wildlife hazard management plan and to conduct a comprehensive wildlife hazard assessment at PHX. The qualified biologist will work with Aviation Department officials to prevent and mitigate safety hazards related to wild and feral vertebrate animals at PHX, as well as the Phoenix Deer Valley Airport and Phoenix Goodyear Airport.

Procurement Information

AVN IFB 22-006 was conducted in accordance with Administrative Regulations 3.10. The solicitation notification was sent to 378 supplier contacts and publicly posted and available for download from the City's website. Only one offer, shown below, was received on Dec. 1, 2021, and was evaluated on price, responsiveness, and responsibility to provide the required services:

Loomacres, Inc., $55.38 Hourly Rate, $94,545 Wildlife Hazard Assessment

The Aviation Department recommends the offer from Loomacres, Inc. be accepted as responsive, responsible, and of fair market value.

Contract Term

The five-year aggregate contract term shall begin on or about July 1, 2022 with no options to extend.

Financial Impact

The aggregate contract value will not exceed $863,000 for the five-year aggregate contract term.

Funding is available in the Aviation Department's operating budget.

Location

Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.;
Phoenix Deer Valley Airport - 702 W. Deer Valley Rd.; and
Phoenix Goodyear Airport - 1658 S. Litchfield Rd. Goodyear, Ariz.
Council Districts: 1, 8 and Out of City

This item was adopted.

42 Authorization to Apply for, Accept, and Disburse Federal Grant Funds for Aviation-Related Projects (Ordinance S-48454)

Request to authorize the City Manager, or his designee, to submit applications for grants to the United States and any of its agencies for aviation-related projects. Further request to authorize the City Manager, or his designee, to sign all certifications required for the grants, 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. These 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

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. This approval will be especially important for staff to respond quickly to opportunities for discretionary grants under the Bipartisan Infrastructure Law. 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.

This item was adopted.

43 Authorization to Apply for, Accept and Disburse Federal Non-Grant Funds for Aviation-Related Projects (Ordinance S-48455)

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 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-grants, and to amend existing agreements. These 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.

This item was adopted.

44 Authorization to Apply for, Accept, and Disburse State Grant Funds for Aviation-Related Projects (Ordinance S-48456)

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 sign all certifications required for the grants, enter into grant agreements with ADOT for the purpose of accepting money, and to

amend existing grant agreements. These 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

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 there under.

This item was adopted.

45 Rental Car Center LED Light Retrofit - Engineering Services - AV15000073 (Ordinance S-48463)

Request to authorize the City Manager, or his designee, to enter into an agreement with CR Engineers, Inc., to provide Engineering Services that include design and construction administration and inspection services for the Rental Car Center LED Light Retrofit 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 $256,000.

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

Summary

The purpose of this project is to replace the existing light fixtures at the Rental Car Center with LED fixtures which will significantly reduce operating and maintenance costs over a 20-year period and will further the City's sustainability goals by reducing carbon footprint.

CR Engineers, Inc. was previously issued Notice to Proceed to provide design services and construction administration and inspection services under the 2019-20 Engineering On-Call Services contracts. The contract has since expired and CR Engineers, Inc. was not selected under the 2021-22 Engineering On-Call Services contract. CR Engineers, Inc. had completed the design and was assisting through the bid phase and construction administration and inspection. Prior to start of construction, the project was placed on hold due to COVID-19 impact on the rental car companies' operation. Because CR Engineers, Inc. completed significant work on the project, the need to have the original designer reconstruct the original construction documents and provide construction administration and inspection is essential.

CR Engineers, Inc.'s services include, but are not limited to: repackage original plans and specifications to include complete scope of work and address recently installed changes carried out as part of other projects and Aviation Facilities and Services maintenance work; provide cost estimate backcheck, re-bid assistance and post-bid phase services;

construction administration services, and project closeout; and other tasks as required for a complete project.

Procurement Information
CR Engineers, Inc. was chosen for this project using a Direct Select process set forth in section 34-103 of the Arizona Revised Statutes. The Direct Select process will reduce the time to procure additional design and construction administration and inspection services, as opposed to an advertised selection process; therefore, meeting the project deadline and ensuring continuity and the most efficient use of staff and funding resources.

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

Financial Impact
The agreement value for CR Engineers, Inc. will not exceed $256,000, including all subconsultant and reimbursable costs.

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

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

This item was adopted.

46 United States Customs and Border Protection Facility Agreement - Amendment to Ordinance (Ordinance S-48464)

Request to authorize the City Manager, or his designee, to amend Ordinance S-44758 to increase the square footage from approximately 30,000 square feet to approximately 93,565 square feet and add Terminal 3 space in the final negotiated facility agreement with United States Customs and Border Protection.

Summary

United States Customs and Border Protection (CBP) conducts passenger processing for inbound international passengers and regulates international trade through the cargo facilities at Sky Harbor International Airport (PHX). In 2018, the City Council approved Ordinance S-44758 allowing the City to enter into an agreement with CBP covering approximately 30,000 square feet at PHX. Further evaluation of the space calculations concluded that the actual square footage reflected in Ordinance S-44758 should be approximately 93,565. The space adjustments reflect enhancements made as a result of the Terminal 4 FIS Modernization Program, the development of CBP office space in Terminal 3 to support airlines with pre-cleared flights from Canada, and miscellaneous adjustments to the South Cargo clearance office space. The Aviation Department is currently negotiating the agreement with CBP and it has not been finalized. As a result, staff recommends the Ordinance be amended to add the additional square footage of 63,565 prior to executing the final agreement.

Contract Term

In order to accommodate annual federal appropriations, the term will be one year with nine one-year options to extend at the mutual discretion of the Director of the Aviation Department and CBP.

Financial Impact

No financial impact.

Concurrence/Previous Council Action

The City Council approved Ordinance S-44758 on June 20, 2018.

Location

Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.

Council District: 8

This item was adopted.

47 Window Cleaning and High Dusting Services - Amendment (Ordinance S-48467)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 147357 with Prestige Window Cleaning Inc. dba Professional Window Cleaning, to provide additional funding for window cleaning and high dusting services for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed $350,000.

Summary

On April 18, 2018, the City Council approved this contract to provide interior and exterior window cleaning and high dusting services. This contract provides specialized services and equipment to clean windows at extreme heights, over roadways, and airside, and to maneuver equipment between parked aircraft in safety and security areas to perform services for the Aviation and Phoenix Convention Center departments.

The purpose of this amendment is to provide the Aviation Department additional cleaning and dusting services required for the modernized Terminal 3 Concourse and Processor, the new Terminal 4 South Concourse, and the new 24th Street and Rental Car Center Sky Train Stations. These modernized and new locations were not completed at the time of the original Council approval.

Contract Term

The contract term will remain unchanged, with options to extend through May 31, 2023.

Financial Impact

The initial authorization for window cleaning and high dusting services was for an expenditure not-to-exceed $1,848,750. This amendment will increase the authorization for the contract by an additional $350,000, for a

new total not-to-exceed contract value of $2,198,750.

Funding is available in the Aviation Department's budget.

Concurrence/Previous Council Action
The City Council approved Window Cleaning and High Dusting Service Contract 147357 (Ordinance S-44452) on April 18, 2018.

Location
Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.;
Phoenix Deer Valley Airport - 702 W. Deer Valley Road;
Phoenix Goodyear Airport - 1658 S. Litchfield Road, Goodyear, Ariz.; and
Phoenix Convention Center - 100 N. 3rd St.
Council Districts: 1, 7, 8 and Out of City

This item was adopted.

49 Authorization to Enter into an Intergovernmental Agreement with the Arizona Early Childhood Development Board to Administer an Airport Worker Childcare Scholarship Program (Ordinance S-48486)

Request authorization for the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Arizona Early Childhood Development and Health Board (known as First Things First) to administer a childcare scholarship program for airport workers. As part of the IGA, the City of Phoenix and First Things First agree to save and hold harmless, defend and indemnify each other from claims resulting from either's or wrongful acts or omissions. Per City Code 42-20, indemnification of another public entity requires approval from the City Council. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available through the City's allocation of the American Rescue Act Plan (ARPA) funding received from the federal government and is under the Aviation Childcare program of the ARPA strategic plan.

Summary
The aviation industry has been severely impacted by the COVID-19

pandemic. One of the most significant challenges to the return to normal operation has been the hiring and retention of airport workers. To assist in mitigating these impacts at Phoenix Sky Harbor International Airport, the City Council allocated $4 million in American Rescue Plan Act funds to establish a childcare scholarship program for airport workers that would support eligible participating families in returning to work.

To administer the program and ensure that funds are being directed to those most in need, the Aviation Department is seeking to enter into an intergovernmental agreement with First Things First, the statewide organization tasked with funding early education programs for children age birth to five-years-old. Using the established framework of First Things First's Quality First scholarship program and childcare star rating system, the airport worker childcare scholarship program will allow eligible airport workers whose families are low income (at 200 percent or below the federal poverty level) to receive scholarships for childcare. As part of this agreement, First Things First will verify income eligibility for the program, distribute funds to eligible families, and provide reporting on program participation.

Due to the lack of childcare options in the immediate vicinity of Phoenix Sky Harbor International Airport, eligible families will be able to use the scholarships at any eligible Quality First childcare program in Maricopa County.

Contract Term
The contract term will be for two years from the date this agreement is enacted by the parties, with one, one-year option to extend.

Financial Impact
The program will be funded with $4 million in American Rescue Plan Act funds, from the City's ARPA strategic plan.

Concurrence/Previous Council Action
The City Council approved ARPA Strategic Plan Update, which included the childcare scholarship program on Sept. 21, 2021.

Location

Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.
Council District: 8

This item was adopted.

50 Purchase of Residential 35-, 65- and 95-Liquid-Gallon Containers - Requirements Contract, IFB 22-SW-037 (Ordinance S-48460)

Request to authorize the City Manager, or his designee, to enter into a contract with Otto Environmental Systems, and IPL North America Inc., to provide residential 35-, 65- and 95-liquid-gallon solid waste containers for Citywide solid waste services of green organics, recyclables and refuse collections. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $20.25 million.

Summary
The agreement will provide 35-, 65-, 95-liquid-gallon containers on an as needed basis for the City's fully-automated residential refuse, recycling and green organics collection programs. Order quantities are contingent upon replacement needs for existing containers as well as new containers for service area growth.

Procurement Information
Invitation for Bid 22-SW-37 was conducted in accordance with Administrative Regulation 3.10. Four offers were received by the City on Jan. 26, 2022. The offers were evaluated based on responsiveness to all specifications, terms and conditions, and lowest bid. The offers for solid waste containers are based on estimated annual quantities; however, the final contract value factors in higher quantities needed based on expected growth.

Otto Environmental Systems: $3,953,742.00
IPL North America Inc.: $4,032,635.33
Rehrig Pacific Company: $4,410,048.42
Sierra Container Group LLC: $4,482,000.00

Contract Term
The initial one-year contract term will begin on or about May 1, 2022, and

end on April 30, 2023. Provisions of this contract include an option to extend the term for up to four additional years, in increments of up to one-year, which may be exercised by the City Manager or designee.

Financial Impact
The aggregate contract value will not exceed $20.25 million with an estimated annual expenditure of $4.05 million.

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

This item was adopted.

51 Purchase of One Cement Silo (Ordinance S-48466)

Request to authorize the City Manager, or his designee, to enter into a contract with BTE Body Company, Inc. for purchase of one Belgrade Cement Silo. Further request to authorize the City Controller to disburse all funds related to this item. The total contract value will not exceed $72,500.

Summary
The Public Works Department is seeking to purchase one Belgrade 270 cement silo for the Street Transportation Department. This silo will be used to off-load cement to trucks that are dispatched throughout the City to repair streets and sidewalks. The current cement silo has exceeded its service life and does not meet current environmental requirements set forth by Maricopa County. This silo was deemed necessary as a direct replacement to prevent additional site configuration costs, and to meet the necessary environmental requirements.

Procurement Information
In accordance with Administrative Regulation 3.10 normal competition was waived as a result of a determination memo citing sole source. BTE Body Company is the sole local distributor of the Belgrade 270 Cement Silo, with the price below.

BTE Body Company, Inc.: $72,456.31

Contract Term

This contract will begin on or about City Council approval on April 6, 2022 for the one-time purchase of a cement silo.

Financial Impact
This item will have an estimated total contract value of $72,500.

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

Location
4220 W. Glenrosa Ave.
Council District: 5

This item was adopted.

52 SR85 Landfill Tarp Purchase - IFB 22-SW-040 - Requirements Contract (Ordinance S-48469)

Request to authorize the City Manager, or his designee, to enter into a contract with ConWal Inc., dba Southwestern Sales Co., to purchase tarps for the State Route 85 Landfill. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $542,780.

Summary
The State Route 85 (SR85) Landfill is the City of Phoenix's primary waste disposal landfill, located in Buckeye, Ariz. The SR85 Landfill uses tarps for alternative daily cover and operates under a Master Facility Plan approved by the Arizona Department of Environmental Quality (ADEQ). Tarps are the preferred alternative daily cover because they save airspace, which in turn maximizes efficient use of the excavated cell and increases the useful life of the landfill. Over time, these tarps must be replaced due to normal wear and tear and degradation by light and heat.

Procurement Information
An Invitation for Bid, 22-SW-040, was conducted in accordance with Administrative Regulation 3.10. One offer was received by the City on Feb. 9, 2022. The offer was evaluated based on responsiveness to all specifications, terms and conditions, and lowest bid.

ConWal, Inc. dba Southwestern Sales Co.: $108,556

Contract Term
The initial two-year contract term will begin on or about June 1, 2022 through May 31, 2024. Provisions of the contract may include an option to extend the term for up to three years, to be taken in one-year increments, which may be exercised by the City Manager or designee.

Financial Impact
The aggregate contract value will not exceed $542,780, with an estimated annual expenditure of $108,556.

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

Location
The SR85 Landfill is located at 28633 W. Patterson Road, Buckeye, Ariz.
Council District: Out of City

This item was adopted.

53 One-time Purchase of Reachmaster Lift (Ordinance S-48473)

Request to authorize the City Manager, or his designee, to enter into a contract with Mako Equipment, LLC for purchase of one battery-electric FS95 Reachmaster Lift. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount not to exceed $286,939.

Summary
The Public Works Department seeks to purchase one battery-electric FS95 Reachmaster Falcon Lift for the Aviation Department. This supplemental lift will be used to gain access to hard to reach areas, especially in Terminal 3 and the Rental Car Center. This unit is able to self-load on trailers, fit through a standard doorway, reach up to 95 feet, and fit into areas as narrow as three feet.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a determination memo citing sole source. Mako

Equipment is the sole sales and service provider in the Southwest Region for the FS95 lift.

Contract Term
This item will be for the one-time purchase of a FS95 Reachmaster Lift to begin on or about City Council approval on April 6, 2022.

Financial Impact
The aggregate contract value will not exceed $286,939.

Funding is available in the Aviation Department's budget.

Location
Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.
Council District: 8

This item was adopted.

54 One-time Purchase of Two Raymond Reach Forklifts (Ordinance S-48474)

Request to authorize the City Manager, or his designee, to enter into a contract with Raymond West Intralogistics Solutions, dba Handling Systems, Inc. to provide two electric-powered Raymond Reach Forklifts. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of up to $108,020.

Summary
The Public Works Department is seeking to purchase two Raymond 7500 Stance Reach Forklifts for the Property Management unit at the Police property warehouse. This electric-powered make and model of forklift is the only known unit that can support impound shelving and retrieval operations at the warehouse. The two new units will replace the units that are over 30 years old and have exceeded their 15-year life span.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition

was waived as the result of a determination memo citing sole source. Raymond West is the sole distributor in Arizona of the Raymond Reach Forklifts. The price below is for one forklift:

Raymond West Intralogistics Solutions: 7500 Reach Forklift, $49,324 (tax excluded)

Contract Term
This item will be for the one-time purchase of two forklifts starting on or about City Council approval on April 6, 2022.

Financial Impact
The aggregate contract value will not exceed $108,020.

Funding is available in the Police Department's budget.

Location
Police Property Management Bureau - 100 E. Elwood St.
Council District: 7

This item was adopted.

55 56th Street: Thomas to Camelback Roads - Engineering Services - ST87210047 (Ordinance S-48451)

Request to authorize the City Manager, or his designee, to enter into an agreement with Kimley-Horn and Associates, Inc., to provide Engineering Services that include design and bid assistance services for the 56th Street: Thomas to Camelback roads 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 $994,167.97.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project. Such utility services include, but are not limited to, electrical,

water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to implement bicycle and pedestrian safety improvements along the 1.5-mile-long section of 56th Street (a collector roadway) between Thomas and Camelback roads.

Kimley-Horn and Associates, Inc.'s services include, but are not limited to: providing complete final construction plans, specifications, and engineering estimates; data collection information; topographic surveying, drainage memorandum, material reports, various utility adjustments, and geotechnical investigations; preparing the required documents for Environmental Clearance, Right-of-Way Acquisition, and Temporary Construction Easements; and post-design bid assistance through award of construction.

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: Kimley-Horn and Associates, Inc.

Additional Proposers

Rank 2: Dibble & Associates Consulting Engineers, Inc.
Rank 3: Ritoch-Powell & Associates Consulting Engineers, Inc.
Rank 4: Horrocks Engineers, Inc.
Rank 5: Project Engineering Consultants, Ltd.

Rank 6: Olsson, Inc.

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

Financial Impact
The agreement value for Kimley-Horn and Associates, Inc. will not exceed $994,167.97, 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.

Public Outreach
Kimley-Horn and Associates, Inc. will work with the City of Phoenix Public Outreach firm on public engagement.

Location
56th Street: Thomas to Camelback roads
Council District: 6

This item was adopted.

57 Environmental Site Assessment On-Call Services for Fiscal Years 2022-23 through 2023-24 (Ordinance S-48476)

Request to authorize the City Manager, or his designee, to enter into separate agreements with the consultants listed on Attachment A, to provide Environmental Site Assessment On-Call Services citywide. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to

this item. The total fee for services will not exceed $7.5 million.

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

Summary
The On-Call consultants will be responsible for providing Environmental Site Assessment On-Call Services that include, but are not limited to: performing Phase I, Phase II, and Phase III Environmental Site Assessments, biological surveys, brownfields related work, environmental program support services, and other related environmental studies and investigations on real property for the City of Phoenix.

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. Twenty-three firms submitted proposals and are listed in **Attachment A**.

Contract Term
The term of each agreement is up to three years, or up to $750,000, whichever occurs first. 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 each of the On-Call consultants will not exceed $750,000, including all subconsultant and reimbursable costs. The total fee for all services will not exceed $7.5 million.

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

This item was adopted.

59 Intergovernmental Agreement with Arizona Department of Transportation to Relocate City of Phoenix Water and Sewer Mains for Interstate 10 Broadway Curve Improvement Project (Ordinance S-48470)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Arizona Department of Transportation to relocate water and sewer mains in conflict with the Interstate 10 Broadway Curve Improvement 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 total value of this agreement will not exceed $415,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical; water; sewer; natural gas; telecommunications; cable television; railroads and other modes of transportation.

Also request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that

otherwise would be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary
The Interstate 10 (I-10) Broadway Curve Improvement Project is planned to improve a segment of I-10 between the I-10 and Interstate 17 (I-17) Split Traffic Interchange and Congressman Ed Pastor Freeway (Loop 202-South Mountain Freeway). The Water Services Department (WSD) owns water and wastewater infrastructure throughout the I-10 Broadway Curve Improvement Project area. Some of the WSD-owned facilities were installed after I-10 was constructed, therefore those facilities do not have prior rights and must be located at the expense of the City. The Arizona Department of Transportation (ADOT) will relocate the affected facilities through use of a procured contractor, and the City will reimburse ADOT for the construction costs associated with relocation of those facilities with non-prior rights.

Contract Term
This agreement will begin on or about April 1, 2022 and will end on Dec. 31, 2024.

Financial Impact
The total value for this agreement will not exceed $415,000.

Funding for this project is available in the Water Services Department Capital Improvement Program Budget.

Location
I-10, from the I-10 and I-17 Split Traffic Interchange to Congressman Ed Pastor Freeway.
Council Districts: 6 and 8

This item was adopted.

60 Intergovernmental Agreement with Arizona Department of Transportation to Fund City of Phoenix Water and Sewer Inspections for Interstate 10 Broadway Curve Improvement

Project (Ordinance S-48471)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Arizona Department of Transportation to fund water and sewer inspections associated with the Interstate 10 Broadway Curve Improvement Project. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The City will be reimbursed in an amount not to exceed $135,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical; water; sewer; natural gas; telecommunications; cable television; railroads and other modes of transportation.

Also request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The Interstate 10 (I-10) Broadway Curve Improvement Project is planned to improve a segment of I-10 between the I-10 and Interstate 17 (I-17) Split Traffic Interchange and Congressman Ed Pastor Freeway (Loop 202-South Mountain Freeway). The Water Services Department (WSD) owns water and wastewater infrastructure throughout the I-10 Broadway Curve Improvement Project area. Some of the WSD-owned facilities were installed prior to I-10 being constructed, therefore those facilities have prior rights and must be relocated at the expense of the Arizona Department of Transportation (ADOT). ADOT will relocate and protect existing WSD facilities with prior rights at their cost. The City will hire a consultant to provide inspections to affected facilities and ADOT will reimburse the City for the inspection costs associated with prior right

relocations and protection of existing prior right facilities in close proximity to the new project improvements in an amount not to exceed $135,000.

Contract Term
The agreement will begin on or about April 1, 2022 and the term of this agreement is through Dec. 31, 2024.

Financial Impact
The City will be reimbursed in an amount not to exceed $135,000.

Location
I-10, from the I-10 and I-17 Split Traffic Interchange to Congressman Ed Pastor Freeway.
Council Districts: 6 and 8

This item was adopted.

61 Salt River Project Land Use License for Royal Palm Bicycle and Pedestrian Bridge Transportation Enhancements - ST87600061 (Ordinance S-48479)

Request to authorize the City Manager, or his designee to enter into a Land Use License with Salt River Project for the continued use and maintenance of a pedestrian bridge at 15th and Dunlap avenues. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary
This Salt River Project Land License is a renewal of a License that was entered into for work associated with the Royal Palm Bicycle and Pedestrian Bridge Transportation Enhancements project and allowed the City to maintain roadways, utilities, landscaping along with other necessary purposes located within USA Fee Property. The original License was executed on May 1, 2012, and expires April 30, 2022.

Contract Term

The term of the Land License shall be for 10 years beginning May 1, 2022, and ending April 30, 2032. The license may be renewed upon written agreement by the parties.

Financial Impact
There is no financial impact to the City of Phoenix for these licenses.

Location
15th and Dunlap avenues
Council Districts: 3 and 5

This item was adopted.

62 Salt River Project Construction License for Water Main Replacement from Elwood Street to Broadway Road and 16th to 20th Streets - WS85509046 (Ordinance S-48482)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for work associated with a City of Phoenix Water Services Department project. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary
The City is constructing waterline improvements, and the purpose of this license is to allow the City to install new waterlines that will parallel Salt River Project irrigation facilities. This work is in conjunction with City Project WS85509046 Water Main Replacement in the area bounded by Elwood Street to Broadway Road and 16th to 20th streets.

Contract Term
The term of the Construction License is one year, effective when the City begins construction, expected to be May 2022.

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

Location
Area Bounded by Elwood Street to Broadway Road and 16th to 20th streets.
Council District: 8

This item was adopted.

63 Telecommunications Services and Interstate Telecommunications Services License with Teleport Communications America, LLC (Ordinance S-48480)

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license with Teleport Communications America, LLC to construct, install, operate, maintain, and use public highways in the City of Phoenix to provide telecommunications services and interstate telecommunications services in, under, over, and across public rights-of-way in the City subject to terms and conditions contained in the license and Phoenix City Code. Further request the licensee sign the license within 60 days of City Council action or this authorization will expire.

Summary
The license will be for a period of five years, contain appropriate insurance and indemnification provisions, require a performance bond and 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 right-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.

Financial Impact
There is no financial impact to the City. Per Phoenix City Code, Licensee will pay an annual fee to the City based on a formula using linear footage and the Consumer Price Index.

This item was adopted.

64 Telecommunications Services and Interstate Telecommunications Services License with McLeodUSA Telecommunications Services, LLC (Ordinance S-48481)

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license with McLeodUSA Telecommunications Services, LLC to construct, install, operate, maintain, and use public highways in the City of Phoenix to provide telecommunications services and interstate telecommunications services in, under, over, and across public rights-of-way in the City subject to terms and conditions contained in the license and Phoenix City Code. Further request that the licensee sign the license within 60 days of City Council action or this authorization will expire.

Summary
The license will be for a period of five years, contain appropriate insurance and indemnification provisions, require a performance bond and 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 right-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.

Financial Impact
There is no financial impact to the City of Phoenix. Per Phoenix City Code, Licensee will pay an annual fee to the City based on a formula using linear footage and the Consumer Price Index.

This item was adopted.

65 Telecommunications Services and Interstate Telecommunications Services License with Arcadian Infracom 1, LLC (Ordinance S-48483)

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license with Arcadian Infracom 1, LLC to

construct, install, operate, maintain and use the Public Highways in the City of Phoenix 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 that the licensee sign the license within 60 days of City Council action, or this authorization will expire.

Summary

The license will be for a period of five years, 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 request is for a five-year Telecommunications Services and Interstate Telecommunications Services License with an option for a one-time renewal.

Financial Impact

There is no financial impact to the City of Phoenix. Licensee will pay an annual fee based on a formula using linear footage and the Consumer Price Index.

This item was adopted.

66 Interstate Telecommunications Services License with MCI Communications Services, Inc. (Ordinance S-48484)

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license with MCI Communications Services, Inc. to construct, install, operate, maintain, and use public highways in the City of Phoenix to provide interstate telecommunications services in, under, over, and across public rights-of-way in the City subject to terms and conditions contained in the license and Phoenix City Code. Further request that the licensee sign the license within 60 days of City Council action or this authorization will expire.

Summary
The license will be for a period of five years, contain appropriate insurance and indemnification provisions, require a performance bond and 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 right-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.

Financial Impact
There is no financial impact to the City of Phoenix. Per Phoenix City Code, Licensee will pay an annual fee to the City based on a formula using linear footage and the Consumer Price Index.

This item was adopted.

67 **Citywide General Electrical Job Order Contracting Services - 4108JOC207 (Ordinance S-48485)**

Request to authorize the City Manager, or his designee, to enter into three separate master agreements, to provide Citywide General Electrical Job Order Contracting services. 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 fee total for services will not exceed $30 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical; water; sewer; natural gas; telecommunications; cable television; railroads; and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and

assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The Job Order Contract (JOC) contractors' services will be used on an as-needed basis to provide General Electrical services for departments citywide. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

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

Selected Firms

Rank 1: AJP Electric, Inc.
Rank 2: Sellers & Sons, Inc.
Rank 3: LLR Electric, Inc.

Additional Proposers

Rank 4: KWR Construction, Inc.
Rank 5: K2 Electric
Rank 6: Kortman, Inc.
Rank 7: Spectra Electrical Services, Inc.

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 all services will not exceed $30 million.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under these master agreements for up to $2 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

This item was adopted.

68 **Water Services Department Pavement Restoration Job Order Contract Program - Construction Administration and Inspection Support Services Amendment - 8423600000 (Ordinance S-48453)**

Request to authorize the City Manager, or his designee, to execute amendments to Agreements: 148972 with Consultant Engineering, Inc.; and 148973 with Tristar Engineering and Management, Inc. to provide additional Construction Administration and Inspection Services for the Water Services Department Pavement Restoration Job Order Contract Program. 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 additional fee for services included in the amendments will not exceed $3,356,500 for Consultant Engineering, Inc. and $3,356,500 for Tristar Engineering and Management, Inc., for a total not to exceed $6,713,000.

Summary

The purpose of this project is for the consultants to perform Construction Administration and Inspection (CA&I) services on an as-needed basis to

support the Water Services Department (WSD) Pavement Restoration Job Order Contract (JOC) Program.

The amendments are necessary due to pavement inspection work exceeding the WSD's original expectations. In 2019, WSD began managing the Pavement Restoration project to ensure compliance with the City's amended Street Pavement Cut Ordinance. The additional funding for Consultant Engineering, Inc. (CEI) and Tristar Engineering and Management, Inc. (Tristar) is based on expected inspection requirements given the pavement restoration needs through the contract timeframe and will provide the continuity of services that is needed to support the Pavement Restoration JOC Program.

Contract Term

The contract term remains unchanged. The scope of work identified and incorporated into the agreements prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreements. No additional changes may be executed after the end of the term.

Financial Impact

The initial agreements for CA&I services with CEI and Tristar were approved for an amount not-to-exceed $2.35 million each, including all subconsultant and reimbursable costs.

An amendment for Tristar was approved for an amount not-to-exceed $587,000, for a new total amount not to exceed $2,937,000, including all subconsultants and reimbursable costs.

These amendments will increase both agreements by an additional $3,356,500 each, for a new total amount not to exceed $5,706,500 for CEI and $6,293,500 for Tristar, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved:

Construction Administration and Inspection Services Agreement 148972 with CEI and 148973 with Tristar (Ordinance S-45230) on Dec. 12, 2018 and;

Amendment to Agreement 148973 with Tristar (Ordinance S-47516) on May 5, 2021.

This item was adopted.

69 CEM Moisture Microwave and Analyzers Equipment, Repairs and Maintenance Agreement - Request for Award (Ordinance S-48458)

Request to authorize the City Manager, or his designee, to enter into an agreement with CEM Corporation to provide maintenance, parts and repairs for the CEM Smart 5 and Smart 6 Moisture Analyzers. Further request authorization for the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $350,000.

Summary

The purpose of this agreement is to provide necessary maintenance, repairs, parts and consumable items for Moisture Analyzers at the Water Production and Wastewater Treatment Plants in the Water Services Department. Moisture Analyzers determine the solids percent of various treatment process samples. Results obtained from the sample analysis are used to monitor, optimize, and control the solids thickening and dewatering processes at the plants.

Direct selection is necessary because CEM Corporation is the sole authorized manufacturer, distributor and service provider for CEM Moisture Microwave Analyzers and Equipment.

CEM’s services include, but are not limited to: maintenance, repairs, parts and consumables.

Procurement Information

An exception to the procurement process was determined to select the Contractor, as set forth in City of Phoenix Administrative Regulation 3.10.

A direct selection was made because there is only one known capable supplier of goods and services due to the unique nature of the requirement, supplier, or market condition.

Contract Term
The agreement will begin on or about April 1, 2022 for a seven-year aggregate term.

Financial Impact
The agreement value for CEM Corporation will not exceed $350,000.

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

This item was adopted.

70 Central Arizona Water Clearinghouse (Martin & McCoy) - Amendment (Ordinance S-48459)

Request to authorize the City Manager, or his designee, to execute an amendment to consent to assignment of Central Arizona Water Clearinghouse Project Management Services Contract 153668 with Martin & McCoy, LLC., to AMP Insights.

Summary
The purpose of this amendment is to consent to assignment of the agreement with Martin & McCoy, LLC, to AMP Insights. The lead consultant at Martin & McCoy is leaving the company and taking a position with AMP Insights; the amendment would allow project-related work performed by both AMP Insights and the former Martin & McCoy consultant to move forward unhindered.

The contract provides project management services required to develop the Central Arizona Water Clearinghouse platform prototype. The Clearinghouse is a collaborative project developed by the City of Phoenix and an external team of water professionals, academics, and non-profit organizations. The purpose of the Clearinghouse is to create water management tools to facilitate market-based transactions that will advance water resource sustainability for the City and other water users in

Central Arizona.

Contract Term
The contract term is unchanged by this amendment and will run through Dec. 31, 2023, with an existing option for the City to extend the term for an additional three years.

Financial Impact
There is no requested change to the existing spending authorization for this contract as part of this amendment.

Concurrence/Previous Council Action
The City Council approved:
Acceptance and disbursement of U.S. Bureau of Reclamation 'WaterSMART Water Marketing Strategy' Grant (Ordinance S-45870) on June 26, 2019; and
Central Arizona Water Clearinghouse Contract 153668 (Ordinance S-47164) on Dec. 16, 2020.

This item was adopted.

71 Final Plat - Lima 8 - PLAT 210091 - North of Pasadena Avenue and West of 16th Avenue

Plat: 210091
Project: 21-1080
Name of Plat: Lima 8
Owner: Massimo Sommacapagna, TDP 16th and Camelback, LLC
Engineer: Paul M. Miller, RLS
Request: An 8 Lot Residential Plat
Reviewed by Staff: Feb. 25, 2022
Final Plat requires Formal Action Only

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

Location
Generally located north of Pasadena Avenue and west of 16th Avenue.

Council District: 4

This item was approved.

72 Final Plat - Seasons at Vista Del Sur - PLAT 210040 - Northeast Corner of 99th Avenue and Southern Avenue

Plat: 210040
Project: 20-2998
Name of Plat: Seasons at Vista Del Sur
Owner: Prestige Development Inc N W
Engineer: Ronnie E. Dorsey, RLS
Request: A 153 Lot Residential Plat
Reviewed by Staff: March 7, 2022
Final Plat requires Formal Action Only

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

Location
Generally located at the northeast corner of 99th Avenue and Southern Avenue.
Council District: 7

This item was approved.

73 Final Plat - SWC 40th Street and Southern Avenue - PLAT 210076 - Southwest Corner of 40th Street and Southern Avenue

Plat: 210076
Project: 19-3790
Name of Plat: SWC 40th Street and Southern Avenue
Owner: CRP/Brown 40th and Southern Owner, LLC
Engineer: Anthony L. Slater, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Feb. 23, 2022
Final Plat requires Formal Action Only

Summary

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

Location
Generally located at the southwest corner of 40th Street and Southern Avenue.
Council District: 8

This item was approved.

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

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

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

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

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Encanto Village Planning Committee heard this case on June 7, 2021, for information only.
VPC Action: The Encanto Village Planning Committee heard this case on Sept. 13, 2021, and recommended approval, per the staff recommendation, by a vote 11-3.

PC Action: The Planning Commission heard this case and continued the item on Oct. 7, Nov. 4, Dec. 2, 2021; and Jan. 6, 2022. The Planning Commission heard this case on Feb. 3, 2022, and recommended approval, per the Addendum A Staff Report, with an additional and modified stipulation by a vote of 6-2.
CC Action: The City Council continued the request on March 2, 2022 to April 6, 2022 to allow the item to be posted for a Public Hearing.

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

This item was continued to the June 1, 2022 City Council Formal Meeting.

83 (CONTINUED FROM MARCH 2, 2022) - Amend City Code - Ordinance Adoption - Rezoning Application Z-70-21-5 - Approximately 500 Feet South of the Southeast Corner of 75th Avenue and Camelback Road (Ordinance G-6966)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-70-21-5 and rezone the site from R1-6 (Single-Family Residence District) to R-3A (Multifamily Residence District) to allow multifamily residential.

Summary
Current Zoning: R1-6
Proposed Zoning: R-3A
Acreage: 6.50
Proposed Use: Multifamily residential

Owner: Sheri Ranger, Ranger Homes
Applicant: Daryn Murphy, Commonwealth Development
Representative: Rod Jarvis, Earl and Curley, PC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Maryvale Village Planning Committee heard this case on Jan. 12, 2022, and recommended approval, per the staff recommendation, by a vote of 9-0.
PC Action: The Planning Commission heard this case on Feb. 3, 2022, and recommended approval, per the Maryvale Village Planning Committee recommendation, with an additional stipulation, by a vote of 8-0.

Location
Approximately 500 feet south of the southeast corner of 75th Avenue and Camelback Road
Council District: 5
Parcel Addresses: 4705 and 4735 N. 75th Ave.

This item was continued to the May 11, 2022 City Council Formal Meeting.

Item 15, Ordinance S-48449 was a request to authorize the City Controller to disburse funds, up to amounts indicated on item , 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.

15 American Association of Airport Executives

For $250,000.00 in payment authority for 2022-23 American Association of Airport Executives (AAAE) Enterprise membership dues for the Aviation Department. AAAE membership will provide industry-specific professional development training and certification programs for employees to ensure Aviation Department staff are current on issues affecting the industry. AAAE also advocates on behalf of airports to prevent shifting of costs and federal responsibilities to airports, ensuring that unfunded mandates are not imposed. AAAE provides important information, alerts, updates and insight on legislation and proposed regulations, security policy, and congressional hearing reports that position the Aviation Department to proactively represent issues

important to the City of Phoenix and our region.

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

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

No: 1 - Councilman Waring

30 Amendments to Classification Plan S-5815 in Accordance with Human Resources Committee 613 Recommendations (Ordinance S-48488)

As part of a classification and compensation study, the following amendments to the Classification Plan [S-5815] are proposed in accordance with the recommendation of Human Resources Committee 613, effective April 18, 2022. The proposal will also require modifications to the City's Pay Ordinance [S-47689] which will be processed under a separate ordinance.

Establish the classification of General Apprentice - U2 (NC), Job Code 00020, Salary Plan 200, Grade 290 ($15.00 - $35.00/hourly), Benefit Category 002, Labor Unit Code: 002, EEO-4 Category: Technicians, FLSA Status: Nonexempt.

Establish the classification of General Apprentice - U3 (NC), Job Code 00030, Salary Plan 300, Grade 390 ($15.00 - $35.00/hourly), Benefit Category 003, Labor Unit Code: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt.

Establish the classification of General Apprentice - U7 (NC), Job Code 00070, Salary Plan 700, Grade 090 ($15.00 - $35.00/hourly), Benefit Category 007, Labor Unit Code: 007, EEO-4 Category: Administrative Support, FLSA Status: Nonexempt.

Summary

BACKGROUND

On Nov. 17, 2021, at the recommendation of Human Resources Committee 611, City Council approved a new model for apprenticeships, using a generic classification and an open range without steps. Specifically, General Apprentice-U1 was established at that time. This model allows for the classification and salary range to be used by a variety of disciplines within the unit, and the specific rates of pay for the apprentices, as they progress through the program, to be developed in partnership between Classification/Compensation and the Apprenticeship Committee. To date, Solid Waste Equipment Operator Apprentice and Street Maintenance Apprentice have been established within General Apprentice-U1.

The success of this model has prompted adding General Apprentice classifications for Units 2, 3, and 7, so that apprenticeships can be established within these units should the need arise.

CONCLUSIONS

Creating General Apprentice-U2, U3, and U7 will improve recruiting efforts and help create a pipeline of skilled workers that have learned a job specifically as it is done at the City of Phoenix. It will also serve the community by creating the opportunity to generate income while learning new skills. And finally, it will allow participants to earn progressively increasing wages as skills are learned, and provide well-paying, well-benefitted jobs with the City, upon successful completion of the apprenticeship.

Financial Impact

There are no budgetary impacts associated with these actions.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 613 on March 3, 2022.

Discussion

Vice Mayor Pastor thanked the staff for bringing this item forward.

Councilwoman O'Brien expressed her excitement to support the item. She explained that the item addressed the workforce shortage

challenges the City had faced. She added that the program helped hire a qualified workforce and created competitive hiring for all departments within the city.

Mayor Gallego expressed her support for the item and noted that it was a great opportunity for training and investing in employees.

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

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

No: 0

31 Amendments to Pay Ordinance S-47689 in Accordance with Human Resources Committee 613 Recommendations (Ordinance S-48489)

As part of a classification and compensation study, the following amendments to the Pay Ordinance [S 47689] are proposed in accordance with the recommendation of Human Resources Committee 613, effective April 18, 2022. The proposal will also require modifications to the City's Classification Plan [S-5815], which will be processed under a separate ordinance.

Establish the classification of General Apprentice - U2 (NC), Job Code 00020, Salary Plan 200, Grade 290 ($15.00 - $35.00/hourly), Benefit Category 002, Labor Unit Code: 002, EEO-4 Category: Technicians, FLSA Status: Nonexempt.

Establish the classification of General Apprentice - U3 (NC), Job Code 00030, Salary Plan 300, Grade 390 ($15.00 - $35.00/hourly), Benefit Category 003, Labor Unit Code: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt.

Establish the classification of General Apprentice - U7 (NC), Job Code 00070, Salary Plan 700, Grade 090 ($15.00 - $35.00/hourly), Benefit

Category 007, Labor Unit Code: 007, EEO-4 Category: Administrative Support, FLSA Status: Nonexempt.

Summary

BACKGROUND

On Nov. 17, 2021, at the recommendation of Human Resources Committee 611, City Council approved a new model for apprenticeships, using a generic classification and an open range without steps. Specifically, General Apprentice-U1 was established at that time. This model allows for the classification and salary range to be used by a variety of disciplines within the unit, and the specific rates of pay for the apprentices, as they progress through the program, to be developed in partnership between Classification/Compensation and the Apprenticeship Committee. To date, Solid Waste Equipment Operator Apprentice and Street Maintenance Apprentice have been established within General Apprentice-U1.

The success of this model has prompted adding General Apprentice classifications for Units 2, 3, and 7, so that apprenticeships can be established within these units should the need arise.

CONCLUSIONS

Creating General Apprentice-U2, U3, and U7 will improve recruiting efforts and help create a pipeline of skilled workers that have learned a job specifically as it is done at the City of Phoenix. It will also serve the community by creating the opportunity to generate income while learning new skills. And finally, it will allow participants to earn progressively increasing wages as skills are learned, and provide well-paying, well-benefitted jobs with the City, upon successful completion of the apprenticeship.

Financial Impact

There are no budgetary impacts associated with these actions.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 613 on March 3, 2022.

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

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

No: 0

33 Amendment to Pay Ordinance S-47689 to Extend the Deadlines for Premium Pay Under the American Rescue Plan Act of 2021 to Eligible City Employees (Ordinance S-48492)

Request City Council approval of amendments to Pay Ordinance S-47689 to extend the deadline from Jan. 18, 2022 to June 30, 2022 for authorized payment under the American Rescue Plan Act of 2021 (ARPA) of five hundred dollars ($500) in premium pay to eligible full-time employees and two hundred fifty dollars ($250) in premium pay to eligible non-seasonal part-time employees in Units 1, 2, 3, 4, 5, 6, 7, and 8, and authorize additional premium pay under ARPA of one thousand five hundred dollars ($1,500) to eligible full-time employees and seven hundred fifty ($750) to eligible non-seasonal part-time employees in Units 1, 2, 3, 4, 5, 6, 7, and 8, who are fully vaccinated for COVID-19 by June 30, 2022 (**Attachment A**).

Summary

The proposed amendment to Section 11 [Assignment Pay, Differential, Standby and Other Additional Compensation], paragraph (z) of the current Pay Ordinance (S-47689) would permit the City Manager to extend the deadline from Jan. 18, 2022 to June 30, 2022 to allow for the processing of authorized premium pay, in accordance with ARPA requirements, to eligible full-time employees, non-seasonal part-time employees, and non-seasonal part-time employees who are fully vaccinated by COVID-19. This would allow eligible employees who have not already received ARPA Premium Pay to have an opportunity to do so provided they meet the criteria by June 30, 2022.

Financial Impact

The cost of all actions taken related to this ordinance would be paid for from ARPA funds allocated to the City.

Concurrence/Previous Council Action
Amendment to Pay Ordinance S-47689 to Authorize Premium Pay Under the American Rescue Plan Act of 2021 to Eligible City Employees (Ordinance S- 48170) was approved by Council on Dec. 15, 2021.

Discussion
Councilwoman Guardado thanked the staff for their work on this item. She expressed her support for the item and included the importance of getting more individuals vaccinated.

Councilwoman Ansari spoke in support for the item. She recalled the increase in percentage of vaccinated employees that was shared by Assistant City Manager Lori Bays that had been reported as a result of the incentive.

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

Yes:	6 -	Councilwoman Ansari, Councilmember Garcia, Councilwoman Guardado, Councilwoman Stark, Vice Mayor Pastor and Mayor Gallego
No:	3 -	Councilman DiCiccio, Councilwoman O'Brien and Councilman Waring

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that items 16-18 be adopted. The motion carried by the following vote:

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

Items 16 - 18, Ordinance S-48449 was a request to authorize the City Controller to disburse funds, up to amounts indicated on items, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment

authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

16 Daniel David Yockey doing business as D3 Concepts LLC

For $10,973.00 in payment authority to purchase the TAC-HUB, Electronic Target Shooting System, for the Police Department. The system includes 10 Targets, one Gateway, one Android Tablet, 40 LED leads, and 40 consumable LEDs. It is the most advanced and connected live-fire training system available with LED feedback and an innovative app. The system will be used by the Firearms Training Detail to provide specialized training, improve shooting skills, and produce real-time decision-making with live fire. Currently, the Firearms Training Detail does not have a target system capable of providing this level of training.

This item was adopted.

17 WS Acquisition, LLC doing business as Western Shelter Systems

For $18,285.00 in payment authority to purchase a WSXE1200 Heating Ventilation and Air Conditioning unit for the City of Phoenix Fire Department. The unit utilizes a remote thermostat for automatic operation. It is completely self-contained and portable. The system is critical to City emergency response operations as it will be used to establish a climate-controlled shelter if a catastrophic event occurred. The unit may be used for additional purposes, such as during command post activities for large-scale special events as well.

This item was adopted.

18 Principal Bank

For $130,000.00 in payment authority from Feb. 22, 2022, through Feb. 21, 2027, for custodian services for the Medical Expense Reimbursement Plan Trust Fund and the Long-Term Disability Trust Fund and Risk Management Self Insurance Trust Fund for the Finance Department. The custody service will provide the setup and maintain separate custody platforms for each trust fund, and will include safeguarding investments, short-term investment of un-invested cash, clearing of transactions and other services deemed necessary for the

proper and efficient handling of the assets of each trust fund. The services will be paid from the applicable trust funds for each contract.

This item was adopted.

48 Deer Valley Airport Restaurant RCS Award at Phoenix Deer Valley Airport (Ordinance S-48472)

Request to authorize the City Manager, or his designee, to enter into a Food and Beverage Lease with Kind Hospitality, Inc. at Phoenix Deer Valley Airport for seven years with one three-year renewal option. Further request to authorize the City Treasurer to accept all funds and the City Controller to disburse all funds related to this item.

Summary

On Sept. 16, 2020, Phoenix City Council authorized the Aviation Department to issue a Revenue Contract Solicitation (RCS) for a new Food and Beverage operator of the restaurant at Phoenix Deer Valley Airport (DVT). The goal of the RCS was to find a viable restaurant operator to lease the Deer Valley Airport restaurant space, which had been vacant since April 2020. The RCS further sought a restaurant concept and design that would appeal to airport users and customers in the surrounding community.

Kind Hospitality, Inc. (Kind) was recommended as the successful proposer by a qualified evaluation panel.

Procurement Information

An initial RCS (RCS 21-002) was released on Oct. 20, 2020 and produced no responses. Subsequent meetings with potential proposers identified concerns with the condition of the restaurant space that would be addressed in the next RCS. This procurement (RCS 22-001) was released on July 20, 2021. One response was received and determined to be responsive.

On Dec. 16, 2021, the evaluation panel met and evaluated the proposal based on the published evaluation criteria:
Suitability of the Proposed Restaurant Concept and Design;
Quality and suitability of menu items;
Qualifications and experience;

Amount of Remodel Investment; and
Proposed First Year Minimum Annual Guarantee (MAG).

The Panel recommendation was reached by consensus in consideration of these criteria. After a local and national outreach effort and a competitive RCS process, Kind is recommended for award of the Deer Valley Airport Restaurant Concessions Lease, with 955 out of 1000 points.

In the RCS the City anticipated the replacement of non-working kitchen fixtures at a total cost to the City of approximately $20,000. Kind has agreed to procure the replacement fixtures in exchange for rent credits not to exceed $20,000. Title to the replacement fixtures valued up to $20,000, based upon the City's valuation, will revert to the City at the end of the lease term. The City also identified needed repairs to underground plumbing and the kitchen floor. Kind has agreed to make these repairs to the building, which the City would otherwise have to complete, in exchange for rent credits not to exceed $130,000 based on estimates from qualified vendors, plus reasonable contingencies. Total rent credits for these items will not exceed $150,000.

Contract Term
If approved, the term will be seven years with one three-year option to extend to be exercised at the sole discretion of the Director of Aviation Services.

Financial Impact
Rent is based on percentage of gross sales or Minimum Annual Guarantee (MAG) of $92,001, whichever is greater. Beginning with the second lease year and each year thereafter, MAG shall be adjusted to 85 percent of the prior years' annual rent payment or 100 percent of the first year MAG, whichever is greater. Expenses to the City will include rent credits not to exceed $150,000 for replacement kitchen fixtures and building repairs. Funding is available in the Aviation Department's budget.

Concurrence/Previous Council Action
The Phoenix Aviation Advisory Board recommended approval of the item on Feb. 17, 2022, by a vote of 9-0.

Public Outreach
This solicitation process included all standard and required outreach efforts including advertising in local and aviation industry publications.

Location
Phoenix Deer Valley Airport - 702 West Deer Valley Road
Council District: 1

Discussion
Councilwoman O'Brien spoke in support of this item. She explained that the space had been vacant due to the Covid-19 Pandemic. Councilwoman O'Brien added that the restaurant Barrio Brewing, a Tucson based micro-brewer, brought their industrial concept and used locally sourced materials. She noted that the restaurant would become the anchor and phase one for the reutilization of the Deer Valley Airport.

Councilwoman Stark expressed that the Deer Valley Airport was one of the most entertaining venues. She expressed her excitement for a restaurant returning to the Deer Valley Airport space.

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

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

56 Margaret T. Hance Park Improvements Phase 1B Garden Area - Construction Manager at Risk Construction Services - Amendment - PA75200700 (Ordinance S-48462)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 151798 with Haydon Building Corp., to provide additional Construction Manager at Risk Construction Services for the Margaret T. Hance Park Improvements Phase 1B Garden Area project. Further request to authorize execution of amendments to the

agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $7 million.

Summary

The purpose of this project is to transform the identity of Margaret T. Hance Park and activate the Central Plaza with day and night programming featuring visual landmarks, shade elements, gardens, a playground, an interactive water feature, a cafe pavilion, and public restrooms. Improvements have been identified at a conceptual level and include park land roughly one block east and west of Central Avenue.

This amendment is necessary to continue with the construction of the Margaret T. Hance Park Improvements. This amendment will provide additional funds and time to the agreement.

Haydon Building Corp.'s additional services include, but are not limited to: constructing Phase 1B with planting, pathways, a shade canopy, lighting, seating, donor signage, temporary site sign wall, irrigation, temporary steps and paths for the Garden area and adjacent planting areas.

Contract Term

The term of the agreement amendment is one year 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 initial agreement for Construction Manager at Risk (CMAR) Construction Services was approved for an amount not to exceed $8.6 million, including all subcontractor and reimbursable costs.

An amendment increased the agreement value by an additional $113,336.37, for a new total amount not to exceed $8,713,336.37, including all subcontractor and reimbursable costs.

This amendment will increase the agreement by an additional $7 million,

for a new total amount not to exceed $15,713,336.37, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The Park, Arts, Education and Equality Subcommittee:
Recommended approval of this item on May 24, 2017, by a vote of 3-0.

Parks and Recreation Board approved:
Sponsorship Agreement for Phase 1A with Fiesta Events, Inc. on Aug. 15, 2019.

The City Council approved:
Design Services Agreement 145602 (Ordinance S-43648) on July 6, 2017; and
Design Services Agreement 145602 - Amendment 1 (Ordinance S-44819) on June 20, 2018; and
CMAR Preconstruction Services Agreement 149558 (Ordinance S-45494) on April 3, 2019; and
Intergovernmental Agreement 151563 between State of Arizona and City of Phoenix for Margaret T. Hance Park Joint Repair Project (Ordinance S-46304) on Jan. 8, 2020; and
CMAR Construction Services Agreement 151798 (Ordinance S-46451) on Mar. 18, 2020; and
Intergovernmental Agreement 151563 between State of Arizona and City of Phoenix for Margaret T. Hance Park Joint Repair Project - Amendment (Ordinance S-46835) on July 1, 2020; and
CMAR Construction Services Agreement 151798 - Amendment (Ordinance S-47364) on March 17, 2021; and
CMAR Preconstruction Services Agreement 149558 - Amendment 1 (Ordinance S-47513) on May 5, 2021.

Location
67 W. Culver St.
Council District: 7

Discussion
Councilwoman Ansari expressed her excitement for this item that revitalized Margaret T. Hance Park. She added that the item included a complete activation of the central plaza with day and night programming. She congratulated the Parks and Recreation Department as well as the various partners that had worked with the city on the item.

Councilmember Garcia wished Councilwoman Ansari a Happy Birthday.

Mayor Gallego thanked the public and private partnerships as well as those who had donated to make the revitalization of the park possible.

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

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

58 Intergovernmental Agreement with Maricopa County Department of Transportation to Design and Construct a Traffic Signal at 67th Avenue and Vineyard Road (Ordinance S-48477)

Request authorization for the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Maricopa County Department of Transportation for a new traffic signal at 67th Avenue and Vineyard Road. Further request the City Council to grant an exception pursuant to Phoenix City Code section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18. Further request to authorize the City Controller to disburse all funds related to this item. The total estimated financial impact to the City is $70,424.

Summary
67th Avenue and Vineyard Road is an existing unsignalized intersection with stop control in all directions. The Maricopa County Department of Transportation (MCDOT) currently maintains and operates the north and south legs of 67th Avenue, and maintains and operates Vineyard Road east of the intersection as well. The City maintains and operates the west 33 feet of 67th Avenue, including a right-turn lane and pedestrian facilities, and maintains and operates Vineyard Road west of the intersection. MCDOT evaluated the intersection in June 2018 and determined the intersection met traffic signal warrants based on the warrant conditions from the 2009 Manual on Uniform Traffic Control Devices. The traffic signal cost will be shared with MCDOT contributing 75 percent and the City contributing 25 percent. The traffic signal will be installed, operated and maintained by MCDOT.

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

Financial Impact
The total estimated City contribution is $70,424 or about 25 percent of the total, which is estimated at $281,695.

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

Location
67th Avenue and Vineyard Road
Council District: 7

Discussion
Councilwoman Ansari described this item as the needed and welcomed partnership with the Maricopa County's Transit Department to deliver safer streets for the Laveen community. She noted that it was important for families who drove on 67th Avenue to get to Trail Side Point Elementary and Park. Councilwoman Ansari explained that the area was previously a four way stop and had needed a traffic signal to meet the

increase in traffic in the area.

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

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

No: 0

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that items 74-77 and 79 be adopted. The motion carried by the following vote:

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

No: 0

74 Amend City Code - Official Supplementary Zoning Map 1230 (Ordinance G-6977)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1230. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with a portion of Z-122-00-1 and the entitlements are fully vested.

Summary

To rezone land generally located approximately 348 feet east of the southeast corner of the intersection of 19th Avenue and Happy Valley Road

Application No.: Z-122-00-1

Zoning: C-2 and CP/GCP

Owner: Exul Deer Valley Project, LLC; Stormy Property Holdings 1, LLC; Cobblestone Propco, LLC; Whispering Wind, LLC; Brent and AMI Ducoing Living Trust; Bar Industries, LLC; Guliano, LLC; Palo Cristi, LLC; OFMM3, LLC; Pratte Holdings, LLC; and PRA3 Investments, LLC

Acreage: 29.74 acres of C-2 and 8.10 acres of CP/GCP

Location
Approximately 348 feet east of the southeast corner of the intersection of 19th Ave and Happy Valley Road.
Address: 1717, 1725, 1825 W. Happy Valley Road; and 1505, 1506, 1509, 1513, 1523, 1606, 1610, 1614 W. Whispering Wind Drive.
Council District: 1

This item was adopted.

75 Amend City Code - Ordinance Adoption - Rezoning Application Z-75-21-2 - Approximately 460 Feet South of the Southwest Corner of North Valley Parkway and Dove Valley Road (Ordinance G-6978)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-75-21-2 and rezone the site from C-2 M-R NBCOD (Intermediate Commercial, Mid-Rise, North Black Canyon Overlay District), CP/GCP M-R PCD NBCOD (Commerce Park/General Commerce Park, Mid-Rise, Planned Community District, North Black Canyon Overlay District), and CP/GCP M-R NBCOD (Commerce Park/General Commerce Park, Mid-Rise, North Black Canyon Overlay District) to C-2 NBCOD (Intermediate Commercial, North Black Canyon Overlay District) to allow an automotive service facility.

Summary
Current Zoning: C-2 M-R NBCOD (0.60 acres), CP/GCP M-R PCD NBCOD (0.48 acres), CP/GCP M-R NBCOD (0.18 acres)
Proposed Zoning: C-2 NBCOD
Acreage: 1.26 acres
Proposed Use: Automotive Service Facility

Owner: Quick Quack Car Wash Holdings, LLC
Applicant: Neil Feaser, RKAA Architects Inc.
Representative: Greg Clark, KCAS II, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Gateway Village Planning Committee heard this

case on Feb. 10, 2022, and recommended approval, per the staff recommendation, by a vote of 3-0.
PC Action: The Planning Commission heard this case on Mar. 3, 2022, and recommended approval, per the North Gateway Village Planning Committee recommendation, by a vote of 7-0.

Location
Approximately 460 feet south of the southwest corner of North Valley Parkway and Dove Valley Road.
Council District: 2
Parcel Address: 32880 N. North Valley Parkway.

This item was adopted.

76 **Amend City Code - Ordinance Adoption - Rezoning Application Z-1-22-6 - Southeast Corner of 32nd Place and Camelback Road (Ordinance G-6979)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-1-22-6 and rezone the site from R-O (Residential Office District) to C-O/G-O (Restricted Commercial District, General Office Option) to allow a bank office.

Summary
Current Zoning: R-O
Proposed Zoning: C-O/G-O
Acreage: 0.46 acres
Proposed Use: Bank Office

Owner: BA 32 Pacific, LLC.
Applicant: Wendy Riddell, Berry Riddell, LLC
Representative: Wendy Riddell, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee did not review the case.
PC Action: The Planning Commission heard the case on March 3, 2022, and recommended approval, per the staff recommendation, by a vote of

7-0.

Location
Southeast corner of 32nd Place and Camelback Road.
Council District: 6
Parcel Addresses: 3237 E. Camelback Road.

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

This item was adopted.

77 **Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-6-21-7 - Southeast Corner of the Loop 202 Freeway and Southern Avenue (Ordinance G-6976)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-6-21-7 and rezone the site from S-1 (Approved C-2) (Ranch or Farm Residence District, Approved Intermediate Commercial District) to C-2 SP (Intermediate Commercial District, Special Permit) to allow a self-service storage warehouse and underlying commercial uses.

Summary
Current Zoning: S-1 (Approved C-2)
Proposed Zoning: C-2 SP
Acreage: 3.29 acres
Proposal: Self-service storage warehouse and underlying commercial uses

Owner: REXCO S202, LLC
Applicant: Alan Beaudoin, Norris Design
Representative: Alan Beaudoin, Norris Design

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Laveen Village Planning Committee heard this case and recommended approval, per the staff recommendation with modified stipulations, on Feb. 14, 2022, by a vote of 5-4.
PC Action: The Planning Commission heard this case on Mar. 3, 2022, and recommended approval, per the Addendum A Staff Report with an

additional stipulation, by a vote of 7-0.

Location
Southeast corner of the Loop 202 freeway and Southern Avenue.
Council District: 7
Parcel Address: N/A

This item was adopted.

79 Amend City Code - Ordinance Adoption - Rezoning Application Z-73-21-8 - Approximately 415 Feet West of the Northwest Corner of 36th Street and McDowell Road (Ordinance G-6975)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-73-21-8 and rezone the site from C-2 HGT/WVR (Intermediate Commercial District, Height Waiver), C-2 (Intermediate Commercial District), P-1 (Parking District - Passenger Automobile Parking, Limited), and PAD-14 (Planned Area Development District) to R-3 (Multifamily Residence District) to allow a single-family attached residential development.

Summary
Current Zoning: C-2 HGT/WVR (2.06 acres), C-2 (0.49 acres), P-1 (1.69 acres), and PAD-14 (1.63 acres)
Proposed Zoning: R-3
Acreage: 5.87 acres
Proposal: Single-family attached residential

Owner: McDowell Partners I, LLC, et al.
Applicant: McDowell Partners I, LLC
Representative: Ron Harris, Norris Design

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on Feb. 1, 2022, and recommended approval, per the staff recommendation, by a vote of 17-0.
PC Action: The Planning Commission heard this case on Mar. 3, 2022, and recommended approval, per the Camelback East Village Planning Committee recommendation with an additional stipulation, by a vote of 7-0.

Location
Approximately 415 feet west of the northwest corner of 36th Street and McDowell Road.
Council District: 8
Parcel Address: 3442, 3450, 3452, 3456, 3502, and 3510 E. McDowell Road

This item was adopted.

78 **(CONTINUED FROM FEB. 2, 2022) - Amend City Code - Ordinance Adoption - Rezoning Application Z-47-21-4 - Approximately 400 Feet Northwest of the Northwest Corner of 33rd Avenue and Grand Avenue (Ordinance G-6952)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-47-21-4 and rezone the site from C-3 (General Commercial District) to C-3 DNS/WVR (General Commercial District, Density Waiver) to allow multifamily residential.

Summary
Current Zoning: C-3
Proposed Zoning: C-3 DNS/WVR
Acreage: 4.88 acres
Proposed Use: Multifamily residential

Owner: P WEST PROPERTIES XX, LLC
Applicant: Jason Morris, Withey Morris, PLC
Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard this case on Sept. 28, 2021 and recommended approval, per the staff recommendation with an additional stipulation by a vote of 12-0.
PC Action: This case was continued by the Planning Commission on Oct. 7, 2021, Nov. 4, 2021, and Dec. 2, 2021. The Planning Commission heard this case on Jan. 6, 2022 and recommended approval, per the Alhambra Village Planning Committee recommendation, with an additional stipulation by a vote of 8-0.

Location

Approximately 400 feet northwest of the northwest corner of 33rd Avenue and Grand Avenue.
Council District: 4
Parcel Address: 3400 Grand Ave.

Discussion

Vice Mayor Pastor explained the request was for a density waiver. She mentioned that the item provided additional units for individuals who experienced homelessness. Vice Mayor Pastor added that the density waiver applied if the applicant agreed to partner with Community Bridges Inc.(CBI). She expressed her support for the item and commended the applicant for working with third party nonprofit organizations like Goodwill to provide job training services to residents of the property.

Councilwoman Stark added that she appreciated the inclusion of Goodwill and expressed that the item provided wraparound services.

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

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

81 Public Hearing and Resolution Adoption - General Plan Amendment GPA-MV-1-21-5 - Area Generally Bounded By 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue (Resolution 22010)

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission's recommendation and the related resolution if approved. This is a companion case to Z-19-G-00-5 and must be heard first, followed by Z-19-G-00-5.

Summary

Application: GPA-MV-1-21-5
Current Designation: Mixed Use (Commercial / Industrial)
Proposed Designation: Residential 3.5 to 5 dwelling units per acre (228.80 acres), Residential 5 to 10 dwelling units per acre (48.13 acres), Residential 10 to 15 dwelling units per acre (49.82 acres)
Acreage: 326.75 acres
Proposed Use: To allow residential densities less than 20 dwelling units per acre

Owner: Algodon AG Revocable Land Trust
Applicant: Stephen W. Anderson, Gammage & Burnham, PLC
Representative: Stephen W. Anderson, Gammage & Burnham, PLC

Staff Recommendation: Approval.
VPC Info: The Maryvale Village Planning Committee heard this case on July 14, 2021 for information only.
VPC Action: The Maryvale Village Planning Committee heard this case on Jan. 12, 2022 and recommended denial, by a vote of 5-4.
PC Action: The Planning Commission heard this case on Feb. 3, 2022 and continued the case to Mar. 3, 2022, by a vote of 8-0. The Planning Commission heard this case on Mar. 3, 2022 and recommended approval, per the Addendum A Staff Report, by a vote of 7-0.

Location

Area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue.
Council District: 5
Parcel Addresses: 3540, 3750, 3960 N. 93rd Ave.; 3455 N. 97th Ave.; 3301, 3701 N. 99th Ave.; and 9225, 9375, 9425, 9701 W. Indian School Road.

Discussion

Mayor Gallego stated that items 81 and 82 were companion cases. She added that Planning and Development Director Alan Stephenson would introduce the items.

Mr. Stephenson explained that item 81 was the General Plan amendment

and item 82 was the correlating zoning cases. He added that the area was generally bound by 91st Avenue to 99th Avenue and Thomas Road to Campbell Avenue. Mr. Stephenson noted that item 81 was the General Plan amendment for 326 acres of the area, to add various residential densities in a portion of the Algodon Planned Unit Development (PUD). He also explained that item 82 was the corresponding major amendment to the planned community district zoning for the entire 600 acres. He recog nized that the applicant had made several revisions at the request of the Council District 5 and worked with the community on the General Plan amendment and the zoning case which were both approved by the Planning Commission. He stated that staff recommended approval of the General Plan of item 81 per the memo from the Planning Development Deputy Director dated March 30th, 2022 which reduced the overall applicable area, and then also recommended approval from the memo of the Planning Development Deputy Director, for the zoning case of April 4th, 2022 for the PUD zoning case.

Mayor Gallego declared the public hearing open.

Noting that there were no members of the public wishing to speak, Mayor Gallego declared the public hearing closed

Councilwoman Guardado stated that the items represented the development of the largest vacant parcels in the Maryvale Village. She noted that the development was approximately 350 acres. Councilwoman Guardado explained that the Algodon Town Center project is a mix of housing, commercial, and retail opportunities, office and employment, space and educational investment. She emphasized that the project included a partnership with industry leaders like LGE Design Build Firm which would bring restaurant and retail amenities that had been historically missing from the area. She also mentioned the West-MEC campus that would be housed within the development and emphasized the importance of the educational opportunity. She thanked the neighborhood leaders, Maryvale Village Planning Commission leaders and members, the team at John F. Long, the representatives at Gammage and Burnham, the team at the District 5 office and the planning commissioners for their work on this item. She also mentioned the

positive feedback from the community on the project.

Mayor Gallego congratulated Councilwoman Guardado as well as the staff at John F. Long.

The hearing was held. A motion was made by Councilwoman Guardado, seconded by Councilwoman Stark, that this item be approved per the Planning and Development Department memo dated March 30, 2022, with adoption of the related resolution. The motion carried by the following vote:

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

No: 0

82 **PCD Major Amendment and Public Hearing - Rezoning Application Z-19-G-00-5 (Algodon Center PUD) - Area Generally Bounded By 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue (Ordinance G-6980)**

Request to hold a public hearing and to approve Rezoning Application Z-19-G-00-5 and rezone the site from PUD PCD (Planned Unit Development, Planned Community District) to PUD PCD (Planned Unit Development, Planned Community District) for a major amendment to the Algodon Center PUD PCD to allow single-family and multifamily residential. This is a companion case and must be heard following GPA-MV-1-21-5.

Summary
Current Zoning: PUD PCD
Proposed Zoning: PUD PCD
Acreage: 672.92 acres
Proposed Use: Major amendment to the Algodon Center PUD to allow single-family and multifamily residential.

Owner: John F. Long Properties, LLLP, et al.
Applicant: Stephen W. Anderson, Gammage & Burnham, PLC
Representative: Stephen W. Anderson, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Maryvale Village Planning Committee heard this case on July 14, 2021, for information only.
VPC Action: The Maryvale Village Planning Committee heard this case on Jan. 12, 2022, and recommended denial, by a vote of 6-3.
PC Action: The Planning Commission heard this case on Feb. 3, 2022, and continued the case to Mar. 3, 2022, by a vote of 8-0. The Planning Commission heard this case on Mar. 3, 2022, and recommended approval, per the Addendum B Staff Report, by a vote of 6-1.

Location
Area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue.
Council District: 5
Parcel Addresses: 3000, 3100 N. 91st Ave.; 3000, 3010, 3170, 3540, 3750, 3960 N. 93rd Ave.; 2917 N. 94th Ave.; 3455, 4421 N. 97th Ave.; 3301, 3701, 4411 N. 99th Ave.; 9225, 9375, 9425, 9701, 9840 W. Indian School Road; 3020, 3223, 3248 N. Algodon Way; and 9250, 9304, 9356, 9394, 9410, 9440 W. Thomas Road.

Discussion
Councilwoman Guardado thanked the Community and Economic Development Director Cris Mackay for moving the project along and the diligent work in the district.

Mayor Gallego congratulated Councilwoman Guardado for the success of this item.

The hearing was held. A motion was made by Councilwoman Guardado, seconded by Councilwoman Stark, that this item be approved per the Planning and Development Department memos dated March 30 and April 4, 2022 for the amendment to the Planned Community District. The motion carried by the following vote:

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

No: 0

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

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

Karen Olsen spoke about a petition she submitted to enact a resolution to hold Councilman Sal DiCiccio accountable for the criminal charges filed against the protestors in 2020 as well as produce a report on the costs the Phoenix Police Department has accrued in responding to police misconduct against protestors in 2020. She detailed what was being requested within the report.

Anne Ender, President of Operations at Blue Ribbon, discussed the importance of boosting the morale and recruiting for public safety. She recommended that the Council engage, visit, and meet with the Police Departments citywide.

Mark Rodriguez wished Councilwoman Ansari a Happy Birthday and expressed appreciation for the Council. He asked Mayor Gallego to say, "yes you can".

Mayor Gallego said "yes you can".

Mark Rodriguez commented on his participation with the Council.

Councilwoman Ansari thanked Mark Rodriguez for the birthday card he sent via mail.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 3:23p.m..

MAYOR

ATTEST:

CITY CLERK

SLR

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 6th day of April, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26th day of June 26, 2024.

CITY CLERK