City of Phoenix

Minutes

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

185937

City Council Formal Meeting

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

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Jan. 3, 2024 at 2:36 p.m. in the Council Chambers.

Present:	8 -	Councilwoman Kesha Hodge Washington, Councilwoman Ann O'Brien, Councilwoman Laura Pastor, Councilman Kevin Robinson, Councilwoman Debra Stark, Councilman Jim Waring, Vice Mayor Yassamin Ansari and Mayor Kate Gallego
Absent:	1 -	Councilwoman Betty Guardado

Councilman Waring temporarily left the meeting during Item 24 and returned to the meeting during discussion on Item 62.

Mayor Gallego acknowledged the presence of Mario Barajas and Elsie Duarte, Spanish interpreters. In Spanish, Mr. Barajas announced their availability to the audience.

The City Clerk confirmed copies of the titles of Ordinances G-7172, G-7199, G-7200 and G-7207 through G-7216, S-50441 through S-50492, and Resolutions 22170 and 22179 through 22181 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.

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

MINUTES OF MEETINGS

1 **(CONTINUED FROM DEC. 13, 2023) - For Approval or Correction, the Minutes of the Formal Meeting on March 3, 2021**

Summary

This item transmits the minutes of the Formal Meeting of March 3, 2021, for review, correction and/or approval by the City Council.

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

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

Yes:	8 -	Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

BOARDS AND COMMISSIONS

2 **Mayor and Council Appointments to Boards and Commissions**

Summary

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

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

Citizens Transportation Commission

Appoint Clark Princell, replacing David Martin as an at large representative, for a term to expire June 30, 2026, as recommended by Mayor Gallego.

Industrial Development Authority

Appoint Colin Tetreault, filling a vacancy, for a term to expire Nov. 1,

2027, as recommended by Mayor Gallego.

Paradise Valley Village Planning Committee
Appoint Amber Knapp, filling a vacancy, for a term to expire Nov. 19, 2025, as recommended by Mayor Gallego.

Phoenix Employment Relations Board
Reappoint Phillip Hanley, serving his ninth term, to expire Dec. 15, 2026, as recommended by Mayor Gallego.

Phoenix Youth & Education Commission
Appoint Ashton Dolce, filling a youth vacancy, for a term to expire Aug. 31, 2026, as recommended by Mayor Gallego.
Appoint Aswita Kode, filling a youth vacancy, for a term to expire Aug. 31, 2026, as recommended by Mayor Gallego.

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

Yes:	8 -	Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

Discussion
Vice Mayor Ansari congratulated Ashton Dolce for his work with working with Vice Mayor Ansari's office and the Mayor's Office to incorporate the input of the youth in the city's climate action plan.

Mayor Gallego administered the oath of office to the following appointees:
Amber Knapp - Paradise Valley Village Planning Commission
Ashton Dolce - Phoenix Youth & Education Commission
Aswita Kode - Phoenix Youth & Education Commission

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

This item was approved.

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

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

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Stark, that items 3-18 be recommended for approval. The motion carried by the following voice vote:

Yes:	8 -	Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

3 Liquor License - Special Event - St. John the Baptist - Romanian Orthodox Church

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

Summary

Applicant
Virgil Marchis

Location
3749 W. Behrend Dr.
Council District: 1

Function
Music Concert

Date(s) - Time(s) / Expected Attendance
Jan. 27, 2024 - 7 p.m. to 2 a.m. / 150 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

4 Liquor License - Postino Kierland

Request for a liquor license. Arizona State License Application 264810.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
7030 E. Greenway Pkwy., Ste. 185E1A
Zoning Classification: C-2 PCD
Council District: 2

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

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

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

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests

held by the applicant in the State of Arizona.

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Postino is known for its delicious food and wide selection of curated wines and specialty beers. In response to capital requests, Postino would like to offer spirits to guests 21+ who prefer craft cocktails with the fresh meals they enjoy at the restaurant."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Postino Kierland - Data
Attachment - Postino Kierland - Map

This item was recommended for approval.

5 Liquor License - Special Event - Phoenix Chinese Week

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

Summary

Applicant
Eva Li

Location
300 E. Indian School Road
Council District: 4

Function
Chinese Festival

Date(s) - Time(s) / Expected Attendance
Feb. 3, 2024 - 9 a.m. to 5 p.m. / 6,000 attendees
Feb. 4, 2024 - 10 a.m. to 5 p.m. / 6,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

6 Liquor License - Special Event - 7th Avenue Merchants Association, Inc.

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

Summary

Applicant
William Moore

Location
4221 N. 7th Ave.
Council District: 4

Function
Street Fair

Date(s) - Time(s) / Expected Attendance
March 2, 2024 - 11 a.m. to 5 p.m. / 10,000 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

7 Liquor License - Cielo Rojo LLC

Request for a liquor license. Arizona State License Application 266181.

Summary

Applicant
Yesica Lee, Agent

License Type
Series 12 - Restaurant

Location
1919 N. 16th St.
Zoning Classification: C-2
Council District: 4

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

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

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

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

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

Mariscos Playa Hermosa (Series 12)
1605 E. Garfield 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:
"My family and I have owned and operated a successful restaurant in the central phoenix area for over 22 years. We have the capability to hold a liquor license because we hold ourselves accountable. We consider the privilege of holding a liquor license because we hold ourselves accountable. We consider the privilege of holding a liquor license a great responsibility and one we handle with great respect. We continually take new classes to hone our skills to be able to uphold, enforce and educate our staff, and ourselves, about the current liquor laws. We are an ownership group consisting of four adult members, of which all are responsible, good-standing members of society. Our ownership group takes our restaurant business very seriously and we participate in its operation daily. We have the reliability to hold a liquor license due to our years operating in the restaurant industry without fault, without accident and without legal incident. We take out responsibility to the consumer very seriously. Lastly, our qualifications to hold a liquor license, as referenced above, hold us in a unique position to continue our family's

business in this new restaurant we are going to be opening."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "It allows us to open another local, family-owned restaurant here in the Central Phoenix area. We take pride in the fact that our restaurants are built and created with our core family values. We like to encourage and promote family-focused dining and not a late-night ambiance. This restaurant will be serving home-made, traditional, and authentic Mexican cuisine, which we feel will add to the Phoenix food culture a great deal. Moreover, in opening this new restaurant we will directly be serving the best interest of the local community by providing several new jobs for those seeking work in the restaurant industry. Our family takes pride in not only serving great, delicious foods, but also providing opportunity."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Cielo Rojo, LLC - Data
Attachment - Cielo Rojo, LLC - Map

This item was recommended for approval.

8 Liquor License - Federal Pizza

Request for a liquor license. Arizona State License Application 264827.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
5210 N. Central Ave., Ste. 104
Zoning Classification: C-2 TOD-1
Council District: 4

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

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

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Federal Pizza is known for its wood-fired pizza and Italian favorites, complemented by an impressive selection of unique beers and wines. In response to customer requests, Federal Pizza would like to offer spirits to guests 21 + who prefer craft cocktails with the delicious meals they enjoy at the restaurant."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Federal Pizza - Data
Attachment - Federal Pizza- Map

This item was recommended for approval.

9 Liquor License - Postino Central

Request for a liquor license. Arizona State License Application 264804.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
5144 N. Central Ave.
Zoning Classification: C-2 TOD-1
Council District: 4

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

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

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

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Postino is known for its delicious food and wide selection of curated wines and specialty beers. In response to customer requests, Postino would like to offer spirits to guests 21+ who prefer craft cocktails with the fresh meals they enjoy at the restaurant."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Postino Central - Data
Attachment - Postino Central - Map

This item was recommended for approval.

10 Liquor License - Special Event - CASA Academy

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

Summary

Applicant
Tacey Cundy

Location
8047 N. 35th Ave.
Council District: 5

Function
School Concert

Date(s) - Time(s) / Expected Attendance
Feb. 23, 2024 - 7 p.m. to 10 p.m. / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Ambrogio15

Request for a liquor license. Arizona State License Application 266246.

Summary

Applicant
Amy Nations, Agent

License Type

Series 12 - Restaurant

Location
2502 E. Camelback Road, Ste. #112
Zoning Classification: C-2
Council District: 6

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 Jan. 12, 2024.

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“We are excited to welcome our guests, and we are confident that we will be able to take them on an authentic journey focused on contemporary Italian cuisine, looking to the future without forgetting the traditions, experiences and people that made us who we are.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Ambrogio15 - Data
Attachment - Ambrogio15 - Map

This item was recommended for approval.

12 Liquor License - Chevron

Request for a liquor license. Arizona State License Application 09070527.

Summary

Applicant
Chevron

License Type
Series 9 - Liquor Store

Location
4737 E. Broadway Road
Zoning Classification: C-2
Council District: 6

This request is for a new liquor license for a convenience store that does not sell gas. This request is for an ownership and location transfer of a

liquor license. 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 Jan. 23, 2024.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The owner has extensive experience in operating at this location for many years."

The public convenience requires and the best interest of the community

will be substantially served by the issuance of the liquor license because: “We have served the community for over 15 years. We would like to offer our neighbors the opportunity to purchase beer, wine and spirits.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Chevron - Data
Attachment - Chevron - Map

This item was recommended for approval.

13 Liquor License - Special Event - Alwun House Foundation

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

Summary

Applicant
Dana Johnson

Location
1209 E. Diamond St.
Council District: 8

Function
Art Show

Date(s) - Time(s) / Expected Attendance
Feb. 2, 2024 - 6 p.m. to 10:30 p.m. / 350 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

14 Liquor License - Special Event - Alwun House Foundation

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

Summary

Applicant
Dana Johnson

Location
1204 E. Roosevelt St.
Council District: 8

Function
Art Exhibit

Date(s) - Time(s) / Expected Attendance
Feb. 9, 2024 - 6 p.m. to 12:30 a.m. / 350 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - Special Event - Alwun House Foundation

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

Summary

Applicant
Dana Johnson

Location
1204 E. Roosevelt St.
Council District: 8

Function
Art Exhibit

Date(s) - Time(s) / Expected Attendance
Feb. 16, 2024 - 7 p.m. to 12:30 a.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

16 Liquor License - Special Event - Arizona Diamondbacks Foundation, Inc.

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

Summary

Applicant
Deborah Castaldo

Location
401 E. Jefferson St.
Council District: 8

Function
Family Car Event

Date(s) - Time(s) / Expected Attendance
Jan. 27, 2024 - 4 p.m. to 11 p.m. / 9,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

17 Liquor License - La Cruda Mariscos y Clamatos

Request for a liquor license. Arizona State License Application 264930.

Summary

Applicant
Maria Leyva Loya, Agent

License Type
Series 12 - Restaurant

Location
2822 N. 32nd St., Ste. 3
Zoning Classification: C-2

Council District: 8

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

The 60-day limit for processing this application is Jan. 28, 2024.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have taken the classes and submitted an application to the state for a liquor license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “We will only sell beer with the seafood. No hard liquor will be served. No alcohol outside of the building.”

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

Attachments
Attachment - La Cruda Mariscos y Clamatos - Data
Attachment - La Cruda Mariscos y Clamatos - Map

This item was recommended for approval.

18 Liquor License - Sana Sana Cerveceria

Request for a liquor license. Arizona State License Application 268066.

Summary

Applicant
Daniel Castro, Agent

License Type
Series 3 - Microbrewery

Location
915 N. 4th St.
Zoning Classification: C-2 PCD
Council District: 8

This request is for a new liquor license for a microbrewery. 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 Jan. 21, 2024.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We have the expertise, experience and required training in responsible microbrewery service and will comply with all city and state rules and regulations."

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 excited to welcome guests interested in craft beer and culture to our brewery that reflects the communities of Phoenix."

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

Attachments
Attachment - Sana Sana Cerveceria - Data
Attachment - Sana Sana Cerveceria - Map

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Note: One electronic comment was submitted in opposition to item 28 and one electronic comment was submitted with no position.

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Stark, that items 19-96 be approved or adopted, except items 24, 27, 44, 47, 62, 65, 73, 80 and 90-96; noting Item 82 is continued to the Jan. 24, 2024 City Council Formal Meeting; items 83 and 85 are withdrawn; and items 93-95 have additional information. The motion carried by the following vote:

Yes:	8 -	Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

Items 19-23, Ordinance S-50441 was a request to authorize the City Controller to disburse funds, up to amounts indicated, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

19 Various Vendors for 2024 Aviation Business Summit

For $60,000 in payment authority to purchase vendor services for the Phoenix Sky Harbor International Airport-sponsored 2024 Aviation Business Summit (Summit). The vendor services required for the initial set-up of the Summit include but are not limited to: Warehouse215 for the event venue;

Nibblers Catering for catering of food; Phoenix Technology Audio Visual for audio/visual equipment and management; and Haute Media, LLC, for photography and video production. The Summit will provide interested businesses the opportunity to learn, network, and understand the tools available for doing business with Phoenix Sky Harbor International Airport.

This item was adopted.

20 Salt River Valley Water Users' Association dba SRP

For $130,000 in payment authority to purchase irrigation water during the 2023 calendar year for the Parks and Recreation Department. The irrigation water is needed to water plants, trees, shrubs and grass at various park and recreation locations throughout the City. The service is essential for the turf and plant material at various City park locations.

This item was adopted.

21 C.M. Buck & Associates, Inc. DBA Associated Controls + Design

For $100,000 in payment authority for a new contract, entered on or about Jan. 15, 2024, for a term of five years for theatrical manual counterweight rigging system inspection, maintenance and repairs for the Phoenix Convention Center Department. The contract will provide and perform an annual on-site physical and visual inspection of the manual counterweight rigging system and its associated component parts. The annual inspections are required for maintaining safe use, industry standard performance and operation during client theatrical event activity, ensuring the manual systems are operationally reliable, efficient and safe.

This item was adopted.

22 FreshStrategies and Solutions LLC

For $150,000 in payment authority for a new contract, entered on or about Jan. 1, 2024, for a term of five-years to provide Guest Service Training for the Phoenix Convention Center Department (PCCD). This contract will provide the PCCD with expertise through customized training and hospitality services, including but not limited to: training in hospitality sales and event management, service excellence program development, volunteer, usher and venue host program development, ongoing guest experience training support, service recovery program development, in addition to other services such as process mapping, mystery shopper

program development and organizational needs assessments.

This item was adopted.

23 Irth Solutions, LLC

For $22,000 in additional payment authority for Contract 151971 for "811 One Call", formerly Arizona Blue Stake, Mobile Workforce Management System for the Water Services Department (WSD). The additional funds are necessary to continue the Utilisphere software from Irth Solutions, LLC to allow WSD to receive real-time, fact-based data, updated dashboards and reporting, and allows staff to efficiently manage work tickets and personnel resources.

This item was adopted.

25 Request to Enter into a Memorandum of Understanding with Creighton University (Phoenix Campus) for Student Placements (Ordinance S-50483)

Request to authorize the City Manager, or his designee, to allow enter into a Memorandum of Understanding with Creighton University (Phoenix Campus) for student experiential learning placements.

Summary

Creighton University (Phoenix Campus) trains and educates students working towards undergraduate, masters and doctorate degrees in health and health-related fields. At all levels of education, placements may be required or available for credit to support student learning and educational experience.

With the addition of the Office of Public Health there is an enhanced focus on opportunities for public health programming. The City of Phoenix offers a unique opportunity and setting for community and clinical placements focused on population and public health through a variety of City departments and offices.

Volunteer PHX provides coordination of the City’s volunteer opportunities, including volunteer placements and internships. Building on existing relationships, Volunteer PHX and Public Health staff will work closely with City departments to initiate and coordinate routine opportunities for health-related student placements across programs enhancing the capacity of departments to address broad social and

population health issues while supporting the education and development of the local workforce.

Examples of routine placements include:
Health Education opportunities
Research
Program evaluation
Clinical placements (e.g., health screening, vaccination)
Case management and navigation
Program planning

Contract Term
The agreement will be valid for five years from the date of execution by all parties.

Financial Impact
There is no cost or financial impact for these activities.

This item was adopted.

26 Authorization to License Vacant City-owned Land to CS Construction, Inc. Plan (Ordinance S-50444)

Request to authorize the City Manager, or his designee, to enter into a license with CS Construction, Inc., for construction staging purposes on vacant City-owned land located at 16th Street and Beardsley Road. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary
CS Construction, Inc. (CS) will license approximately 40,000 square feet of vacant land at 16th Street and Beardsley Road for six months for construction staging purposes to facilitate the Arizona Department of Transportation's State Route 101 at 16th Street screen wall project. The licensed area is within a portion of an 84.72-acre site. The license fee is $3,000 for the six-month duration, plus applicable taxes, which is within the range of market rents as determined by the Real Estate Division. The license, to be effective Jan. 15, 2024, through July 14, 2024, may be extended on a month-to-month basis for up to three additional months.

CS is responsible for all costs under the use of this license and for

restoration of the land upon expiration. The license will include insurance and indemnity provisions acceptable to the City's Risk Management Division and City Attorney. The license may be canceled pursuant to Arizona Revised Statutes section 38-511. The license may contain other terms and conditions deemed necessary by the City.

Contract Term
The license term is six months and may be extended up to three additional months.

Financial Impact
Revenue during the six-month license term is $3,000, plus applicable taxes. The license fee for any extension is $500 per month, plus applicable taxes.

Location
North 16th Street and East Beardsley Road, within Maricopa County Assessor parcel number 213-27-001
Council District: 2

This item was adopted.

28 Acquisition of Easements for Roadway Improvements Along Elm Street, West of 35th Avenue and Along Colter Street, West of 23rd Avenue (Ordinance S-50448)

Request to authorize the City Manager, or his designee, to acquire easements by donation, purchase within the City's appraised value, or by the power of eminent domain, for roadway improvements located along Elm Street, west of 35th Avenue, and along Colter Street, west of 23rd Avenue. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
Acquisition of easements is required for construction of Americans with Disabilities Act (ADA) compliant sidewalks, ramps, and streetlights to improve mobility, safety, and connectivity for all roadway users.

The parcels affected by this project and included in this request are identified by Maricopa County Assessor's parcel number (APN) 107-06-046 located at 3501 W. Elm St., and APN 153-26-004 located at

2325 W. Colter St.

Financial Impact
Funding is available under the Street Transportation Department's Capital Improvement Program budget.

Location
Along Elm Street, west of 35th Avenue, and along Colter Street, west of 23rd Avenue
Council Districts: 4 and 5

This item was adopted.

29 Acquisition of Easements for the 36th Street Relief Sewer Project (Ordinance S-50449)

Request to authorize the City Manager, or his designee, to acquire easements required by donation, purchase within the City's appraised value, or by the power of eminent domain for the 36th Street Relief Sewer Project located along 36th Street between La Salle Street and Broadway Road. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
Acquisition of easements is required for trenching of a 12-inch sewer line for the excavation and replacement of the existing 10-inch sewer line, along with adjacent manholes to improve sewer functionality. The properties impacted by this project are identified in **Attachment A**.

Financial Impact
Funding is available in the Water Services Department’s Capital Improvement Program budget.

Location
Along 36th Street from La Salle Street to Broadway Road
Council District: 8

This item was adopted.

30 Traffic Control Products and Related Solutions Contract - COOP 23-094 - Request for Award (Ordinance S-50450)

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

contract with Traffic and Parking Control Co., Inc. (TAPCO) to provide traffic control products and solutions for the Street Transportation, Aviation and Phoenix Convention Center departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $9,250,000.

Summary

This contract will provide access to solar-powered dynamic signs, speed feedback signs, parking garage equipment, sign-making equipment and other traffic products on an as-needed basis. These items will help supplement the existing speed hump, traffic signal and safety programs in the City. In addition, this contract will aid efforts to standardize equipment in the field in order to reduce maintenance cost and equipment downtime. The traffic and safety equipment in the extensive TAPCO catalog are vital to maintaining the City's signal shops.

Procurement Information

In accordance with AR 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances - Alternative Competition. The City has been utilizing TAPCO since 2017, and the Street Transportation, Aviation and Phoenix Convention Center departments would like to continue to utilize them under an OMNIA Partners contract, which was competitively solicited, and best aligns with the City's needs. TAPCO is a leading industry provider dedicated to innovative, green products.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed $9,250,000 for the five-year aggregate term.

Funding is available in the Streets Transportation, Aviation and Phoenix Convention Center departments' operating budgets.

This item was adopted.

31 Grant of Irrigation Easements to Salt River Project for the Vista del

Sur Development Located at 99th and Southern Avenues (Ordinance S-50453)

Request to authorize the City Manager, or his designee, to grant irrigation easements to Salt River Project (SRP) within the S. 99th Avenue right-of-way, north of W. Southern Avenue, for consideration in the amount of the appraised value and other consideration. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

The two irrigation easements totaling approximately 1,012 square feet, are needed to connect to SRP's existing irrigation pipe within the 99th Avenue right-of-way to the Vista del Sur Subdivision. The irrigation easements, each approximately 506 square feet, are located within the east side of S. 99th Avenue right-of-way: at Southern Avenue; and approximately 1,200 feet north of Southern Avenue.

Financial Impact

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

Location

Within the S. 99th Avenue right-of-way, north of W. Southern Avenue
Council District: 7

This item was adopted.

32 Parts, Installation & Service for Direct Current Battery - IFB 19-020 - Amendment (Ordinance S-50454)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 149250 with Power Products Services, Inc. to extend contract term and add additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $1,100,000.

Summary

This contract will provide the Information Technology Services Department with heavy duty batteries, preventative maintenance and repairs to direct current (DC) voltage battery backup systems at 65 remote radio and microwave communication sites. The DC battery

backup systems provide power in critical situations to public safety radio systems in the event of power outages. The maintenance to the DC battery plant will result in reduced costs, increased efficiencies, uninterrupted operations, risk reductions, and improved customer service.

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

Contract Term
Upon approval the contract will be extended through Jan. 22, 2025 with an option to extend though Jan. 22, 2026.

Financial Impact
Upon approval of $1,100,000 in additional funds, the revised aggregate value of the contract will not exceed $3,600,000. Funds are available in the Information Technology Services Department's budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Parts, Installation & Service for Direct Current Battery Contract 149250 (Ordinance S-45326) on Jan. 23, 2019.

This item was adopted.

33 Landfill Services - Requirements Contract - IFB 18-318 - Amendment (Ordinance S-50457)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 149216 with Calmat Co., dba Vulcan Material Co., to extend the contract term. No additional funds are needed. Staff requests to continue using Ordinance S-45314.

Summary
This contract will provide the City with landfill services to be used by various departments to dispose of specialized waste generated during the provision of City services. Specifically, departments accumulate spoils consisting of asphalt, concrete, and dirt due to excavations, removal and replacement of damaged roads and sidewalks, and subgrade improvements to the right-of-way, throughout the Phoenix metropolitan area. These removed materials are not accepted by the

City's waste service provider and must be sent to a private landfill.

Contract Term
Upon approval, the contract will be extended through Feb. 20, 2025, with an option to extend through Feb. 20, 2026.

Financial Impact
The aggregate value of the contract will not exceed $1,465,000, and no additional funds are needed.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Landfill Services - Requirements Contract - Contract 149216 (Ordinance S-45314) on Jan. 23, 2019.

This item was adopted.

34 Barricade and Warning Device Rental/Set-Up Contract - IFB-24-0015 Request for Award (Ordinance S-50460)

Request to authorize the City Manager, or his designee, to enter into contracts with Trafficade Service, LLC, dba AWP Safety and RoadSafe Traffic Systems Inc. to provide the rental and set-up of traffic warning devices and barricades. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $15 million.

Summary
This contract will provide the rental, supply and servicing of various traffic control equipment and devices for departments throughout the City. Traffic control equipment and devices are utilized by various departments to maintain safety and mobility for the public during temporary encroachments in the City of Phoenix right-of-way such as for scheduled or emergency construction, public safety incidents, special events and more. The contracts will be available to all departments, with heavy usage from the Street Transportation and Police Departments.

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

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

Selected Bidders
Trafficade Service, LLC, dba AWP Safety
Roadsafe Traffic Systems Inc.

Contract Term
The contracts will begin on or about Feb. 1, 2024, for a 5-year term with no options to extend.

Financial Impact
The aggregate contracts value will not exceed $15 million. Funding is available in the various departments' budgets.

This item was adopted.

35 Amend Ordinance S-50170 Acceptance of Easements for Drainage, Water, and Sewer Purposes (Ordinance S-50464)

Request the City Council to amend Ordinance S-50170 to correct the legal description for easement (a) for drainage purposes; further ordering the ordinance recorded.

Summary
Ordinance S-50170 authorized the acceptance of easements for drainage, water, and sewer purposes. The legal description for easement (a) for drainage purposes was revised to increase the area required for drainage. The ordinance is being amended to correct the legal description recorded with the easement.

Easement (a)
Applicant: DV Parcel A-1 Owner, LP, its successor and assigns
Purpose: Drainage
Location: 23625 N. 19th Ave.
File: FN 230007
Council District: 1

All other conditions and stipulations previously stated in Ordinance S-50170 remain the same.

Concurrence/Previous Council Action
City Council authorized the acceptance of easements for drainage, water, and sewer purposes (Ordinance S-50170) on Sept. 20, 2023.

This item was adopted.

36 Lot Maintenance Services - IFB 18-313 - Amendment (Ordinance S-50465)

Request to authorize the City Manager, or his designee, to execute amendments to contracts 14949 with OCM, LLC; 149496 with Reyes and Sons Landscaping, LLC; 149498 with Three Amigos Property; 149497 with Robert Singer; 149494 with M & J Landscaping Management, LLC; and 149493 with Live C E & J, LLC, to extend the contract terms and add additional expenditures. Further request to authorize the City Controller to disburse all the funds related to this item. The additional expenditures will not exceed $2,500,000.

Summary
These contracts provide lot maintenance and services including but not limited to clean up, landscaping, material filling, dead tree removal, provision of trespass control barriers, and soil stabilization. These services will be provided citywide.

Contract Term
Upon approval the contract will be extended through March 31, 2025, with an option to extend through March 31, 2026.

Financial Impact
Upon approval of $2,500,000 in additional funds, the revised aggregate value of the contracts will not exceed $7,000,000. Funds are available in various department budgets.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Lot Maintenance Services 14949, 149496, 149498, 149497, 149494, and 149493, S-45461 on March 20, 2019

This item was adopted.

37 Court Reporting and Transcription Services - MC171190-S - Amendment (Ordinance S-50467)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 149190 with eScribers, LLC, to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using ordinance S-45285.

Summary

This contract will provide transcription services to transcribe court proceedings. The majority of transcripts requested are for cases that are on appeal and sent to Superior Court. Transcripts are required for appeal proceedings and when a court proceeding is over 90 minutes in length. Records of live proceedings are maintained as digital recordings in the Municipal Court and parties to such proceedings are entitled by law to have the recordings transcribed for appeals and other purposes.

Contract Term

Upon approval the contract will be extended through July 9, 2024.

Financial Impact

The aggregate value of the contract will not exceed $350,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
Utilize Maricopa County Cooperative Contract for Transcription Services Contract MC171190-S (Ordinance S-45285) on Jan. 9, 2019.

This item was adopted.

38 Acceptance and Dedication of Easements and a Deed for Sidewalk, Public Utility and Roadway Purposes (Ordinance S-50468)

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

Summary

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

Easement (a)
Applicant: Mavro Properties, LLC, its successor and assigns
Purpose: Sidewalk
Location: 905 W. Peoria Ave.
File: FN 230104
Council District: 3

Easement (b)
Applicant: Michael A. Roth; Karen J. Roth, its successor and assigns
Purpose: Public Utility
Location: 1031 E. Whitton Ave.
File: FN 230055
Council District: 4

Deed (c)
Applicant: Brooklyn AZ Properties, LLC, its successor and assigns
Purpose: Roadway
Location: 2537 and 2549 E. Clarendon Ave.
File: FN 230089
Council District: 6

This item was adopted.

39 Acceptance of an Easement for Drainage Purposes (Ordinance S-50472)

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

Summary

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

Easement (a)
Applicant: ACP 3302, LLC, its successor and assigns

Purpose: Drainage
Location: 3302 W. Washington St.
File: FN 230087
Council District: 7

This item was adopted.

40 Dedication of Right-of-Way Along the East Side of 35th Avenue at the Crosswalk from Cortez Park to Eva Street (Ordinance S-50475)

Request the City Council to dedicate to public use for right-of-way purposes a portion of City-owned land located along the east side of 35th Avenue at the crosswalk from Cortez Park to Eva Street; further ordering the ordinance recorded.

Summary

The dedication of 396.58 square feet of right-of-way to public use is required to accommodate an American with Disabilities Act (ADA) compliant sidewalk and high-intensity activated crosswalk (HAWK) signal related improvements located along the east side of 35th Avenue at the crosswalk from Cortez Park to Eva Street. The dedication, within an existing sidewalk at Cortez Park, will enhance pedestrian safety.

The right-of-way is more fully described in the legal description to be recorded with the ordinance.

Location

Along the east side of N. 35th Avenue, at the W. Eva Street alignment, identified by Maricopa County Assessor parcel number 149-14-003C
Council District: 1

This item was adopted.

41 Insurance Brokerage and Related Consulting Services Contract - RFP 18-01 RMD - Amendment (Ordinance S-50490)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 149271 with Marsh USA, Inc., to extend the contract term by one year, with two one-year options to extend. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $700,000.

Summary

This contract was awarded due to a previous Request for Proposal

process, RFP 18-01 RMD. Marsh USA, Inc., was selected to provide traditional insurance broker and consulting services. Marsh USA, Inc., has been able to access global markets to secure appropriate levels of coverage and negotiate favorable pricing for the City. The extension will allow sufficient time to explore alternatives to traditional insurance programs, potentially establish a captive, revise the broker scope accordingly, and conduct a competitive process. The services are essential to ensure continuity with minimal impact to the insurance programs that protect the City from financial harm.

Contract Term

Upon approval, the contract will be extended through Jan. 29, 2025, with two one-year options to extend.

Financial Impact

Upon approval of $700,000 in additional funds, the revised aggregate value of the contract will not exceed $1,576,000. Funds are available in the Risk Management Self-Insurance Trust.

Concurrence/Previous Council Action

The City Council previously approved this request:
Insurance Brokerage and Related Consulting Services Contract (Ordinance S-45208) on Dec. 5, 2018.

This item was adopted.

42 Stop-Loss Insurance for Active Employee Medical and Pharmacy Benefits (Ordinance S-50492)

The Human Resources Department requests payment authority in the amount of $3,000,000 for required stop-loss insurance for active employee medical and pharmacy benefits.

Summary

Under the Trust Agreement for the Phoenix Health Care Benefits Trust, the Trustee (the Trust Board) appointed by the City is required to obtain and maintain stop-loss insurance. Effective Jan. 1, 2024, the stop-loss insurance policy will be under the Union Labor Life Insurance Company (Ullico).

Procurement Information

A reinsurance renewal negotiation was conducted by the City's contracted benefits consultant, Foster & Foster, a licensed insurance broker. Foster & Foster successfully negotiated a renewal premium savings of approximately $195,000 with Ullico. The Health Care Benefits Trust Board approved the renewal with Ullico for stop-loss insurance.

Contract Term

The insurance policy is effective from Jan. 1, 2024 through Dec. 31, 2024.

Financial Impact

The annual insurance premium for the 2024 term is estimated at $3,000,000. The premium is based on data submitted by the City relevant to underwriting the risk. There is no impact to the City of Phoenix General Fund or the Human Resources Department operating budget, since the annual premium is paid through the Health Care Benefits Trust Fund.

Concurrence/Previous Council Action

On Dec. 14, 2022, Phoenix City Council approved Ordinance S-49280 for the 2023 stop-loss insurance policy under Ullico.

This item was adopted.

43 Project Managers and Business Analyst - Amendment (Ordinance S-50461)

Request to authorize the City Manager, or his designee, to execute amendments to contracts with CE Wilson Consulting, LLC, Contract 144530; Envision, LLC, Contract 144528; IntraEdge, Inc., Contract 144532; KollaSoft, Inc., Contract 144531; and Scott Business Group, LLC, Contract 144533 to extend the contract term and allow additional expenditures for professional Information Technology (IT) project management and business analysis services for the Information Technology Services Department (ITS) and in support of various departments. Remaining funds previously authorized by the City Council will be applied to the extended contract term. Further request to authorize the City Controller to disburse all funds related to this item. The

additional expenditures will not exceed $4 million.

Summary

These contracts provide project managers and business analysts to augment staff in support of critical IT projects. The ability to utilize these contracts has allowed ITS to support and avoid disruption to critical projects and initiatives. Projects underway are Fire CAD Modernization, Customer Care and Billing Upgrade, Phoenix.gov website modernization, Learning Management System, Security and Access Control Replacement, Police Records Management System replacement, and various others. The additional contract term and funding allows the City to continue supporting existing engagement without delays or loss of project knowledge.

Contract Term

Upon approval the contract will be extended through Jan. 31, 2025, with an option to extend through Jan. 31, 2026.

Financial Impact

Upon approval of $4 million in additional funds, the revised aggregate value of the contract will not exceed $17 million. Funds are available in the various departments' budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Authorizing the initial contracts and expenditures, Ordinance S-43212 on Feb. 1, 2017.
• Authorizing additional expenditures, Ordinance S-47817 on July 1, 2021.
• Authorizing additional contract term and expenditures, Ordinance S-48293 on Jan. 26, 2022.
• Authorizing additional contract term and expenditures, Ordinance S-49376 on Jan. 25, 2023.

This item was adopted.

45 Authorization to Accept Funds and Materials and Enter into a Partners for Fish and Wildlife Program Landowner Agreement (Ordinance S-50463)

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

agreement with the U.S. Fish and Wildlife Service to create a pollinator habitat in the planter boxes and other outdoor planting spaces at the Phoenix Crime Lab at 7th Avenue and Washington Street. Also request approval to accept and expend funds and/or material donations, such as plants, contractor work, etc., from the U.S. Fish and Wildlife Service, or their designee, as defined in the agreement for the pollinator habitat. This pollinator habitat would support Phoenix's goals as a signatory of the National Wildlife Federation's Mayor's Monarch Pledge. By entering into this agreement, the U.S. Fish and Wildlife Service would provide financial support for the purchase and installation of native plants in this space. There is no local match requirement for the receipt of these funds. The City would agree to maintain the pollinator habitat for at least the 10-year term of the agreement.

Summary

In 2021, the City of Phoenix joined the National Wildlife Federation's Mayor's Monarch Pledge, which committed the City to taking action to support the monarch butterfly population and, by extension, other key pollinators. The City has renewed this pledge annually since 2021 and has an inter-departmental working group consisting of City departments who have agreed to take actions within their departments to support the pledge requirements. Each year, at least one pledge action taken by the City must help expand habitat on the ground.

The City of Phoenix Police Department Crime Lab is proposing to enter into a 10-year Partners for Fish and Wildlife Program Landowner's Agreement, through which the U.S. Fish and Wildlife Service would provide funding to create pollinator habitat at the southeast corner of 7th Avenue and Washington Street in support of the Monarch Pledge. Project activities supported by the U.S. Fish and Wildlife Service and other partner and volunteer efforts include the removal of non-native species at the site and the purchase and installation of native plants that support pollinator populations.

With the implementation of the project, the Phoenix Crime Lab could be registered as a Monarch Waystation and Pollinator Pathway, and bring positive interest to this area. The removal of non-native plants and replacement with native desert plants will result in needing to utilize less water and create a low to no maintenance landscape that could save the

Police Department water usage costs. This would reduce potable water irrigation needs, which is an important water conservation measure, as well.

Contract Term

The contract term will be for 10 years, which will begin upon signing of the agreement. The City is obligated to enter into a landowner agreement with the U.S. Fish and Wildlife Service to receive the funding and/or materials. This agreement requires the City to maintain the pollinator habitat for at least the term of the agreement. Partners in this project include the U.S. Fish and Wildlife Service, Police Department, Office of Environmental Programs, and Desert Botanical Garden.

Financial Impact

There is no required funding match from the City for this project.

This item was adopted.

46 Authorization to Extend Intergovernmental Agreement 158346 with Maricopa County (Ordinance S-50469)

Request to authorize the City Manager, or his designee, to extend the term of Intergovernmental Agreement (IGA) 158346 with Maricopa County (County) through Dec. 31, 2024. The total value of this IGA will remain unchanged and not exceed $1,015,000. Further request to authorize the City Treasurer to accept, and the City Controller to disburse all funds related to this item. Funding is available from Maricopa County's allocation of American Rescue Plan Act funding.

Summary

Funding awarded to the City from the County is being utilized to expand daytime heat relief services in Phoenix. Expansion includes two heat relief shelter services for people experiencing homelessness. This project expects to provide services to a minimum of 140 individuals experiencing homelessness per day. The extension will allow for the continuation of program operations through Dec. 31, 2024.

Contract Term

The term of the IGA began on or about May 1, 2023, through Dec. 31, 2023. The new IGA term will be extended through Dec. 31, 2024.

Financial Impact

The total value of the IGA will remain unchanged and will not exceed $1,015,000. Funding is available from Maricopa County. There is no impact to the General Fund.

Concurrence/Previous Council Action

On May 3, 2023, the City Council approved Contract 158346 with Ordinance S-49663.

This item was adopted.

48 Retroactive Authorization to Apply for, Accept and Disburse Arizona Department of Housing Grant Funding (Ordinance S-50480)

Request retroactive authorization for the City Manager, or his designee, to apply for and accept Arizona Department of Housing (ADOH) grant funding in an amount not to exceed $10,120,035. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item for the life of the grant.

Summary

ADOH provides funding for housing and housing related services and currently has available funding for homeless shelter and services. The available grant funding will be used for programs that provide shelter and services to unsheltered persons who are experiencing homelessness. Allowable activities include, but are not limited to: operating support; motel and hotel vouchers; the acquisition and conversion of temporary accommodations such as hotels and motels; and other quick occupancy housing solutions. Funding will be used for City-funded shelter operational costs. This request is retroactive because there was a short window to apply, and there was not adequate time to request authority prior to the submission due date.

Contract Term

The grant term will begin on or about Dec. 15, 2023, and end on or about June 30, 2026.

Financial Impact

Funding in an amount up to $10,120,035 will be provided by ADOH. No matching funds are required. There is no impact to the General Fund.

Location
Council Districts: 7, 8 and Citywide

This item was adopted.

49 Authorization to Enter into an Intergovernmental Agreement with Arizona Board of Regents on behalf of Phoenix Bioscience Core for an update to the Comprehensive Master Development Plan (Ordinance S-50442)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with Arizona Board of Regents (ABOR) on behalf of Phoenix Bioscience Core (PBC) for an update to the comprehensive master development plan (CMDP) and to participate in the funding of the plan up to $250,000. Further request to authorize the City Controller to disburse funds related to this item.

Summary
The PBC CMDP was originally adopted in 2008 and updated in 2010 and 2017. Since 2017, the PBC has seen significant growth with the opening of Arizona State University's (ASU) Health Futures Center at 850 PBC and the announcement of University of Arizona's (UA) Center for Advanced Molecular and Immunological Therapies building. In collaboration with PBC, UA, ASU, and Northern Arizona University (NAU), the Community and Economic Development Department (CEDD) is seeking to conduct an update of the CMDP. The planning area will include the formal area of the PBC bounded by Garfield Street to the north, Monroe Street to the south, 4th/5th Street to the west and 7th Street to the east, as well as consider the immediately surrounding areas to soften the PBC boundaries.

Per the IGA, the PBC will contract with a consultant(s) to provide master planning services. The scope of work of those services shall include:
Project Management
Public Engagement and Visioning
Analysis and Recommendations
Final Report Development, including:
Development Plan
Infrastructure Plan
Connectivity Plan

Art Integration Plan
Wayfinding Plan
Street Banner Plan
Monument Signage Plan along with pedestrian-level building signage plan

Financial Impact
There is no impact to the General Fund. Funding is available in the Genomic Facilities and Operations Fund and will not exceed $250,000.

Location
Phoenix Bioscience Core, approximately 4th to 7th Street and Garfield to Monroe Street.
Council District: 8

This item was adopted.

50 Alarm System Services Contract - IFB PCC 24-0027 Request for Award (Ordinance S-50452)

Request to authorize the City Manager, or his designee, to enter into a contract with Metro Fire Equipment, Inc., dba Metro Fire + Security, to provide alarm system services to the Phoenix Convention Center Department's (PCCD) West Building, North Building, and Tonto yard. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $1,200,000.

Summary
This contract will provide the labor, equipment, tools, hardware and reporting necessary to test, inspect, maintain, repair, design and modify PCCD's West Building, North Building, and Tonto yard alarm systems. This includes fire alarm control equipment, field devices, intrusion alarms, networking hardware, PC graphical interface equipment, life safety cabling/fiber, sequence of events, and the integrated voice evacuation system up to and including full system replacement. Additionally, the contract will maintain the fire alarm system that monitors the West and North Buildings. In accordance with the Phoenix Fire Code and National Fire Protection Association, a certified contractor is required to conduct work on the fire alarm system.

Procurement Information

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

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

Selected Bidder
Metro Fire Equipment, Inc., dba Metro Fire + Security: $131,000.

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

Financial Impact
The aggregate contract value will not exceed $1,200,000.

Funding is available in the Phoenix Convention Center Department's operating budget.

Location
Phoenix Convention Center: 100 North Third St., Phoenix, AZ 85004
Tonto Marshalling Yard: 1102 E Tonto St., Phoenix, AZ 85034
Council Districts: 7 and 8

This item was adopted.

51 Firefighting Nozzles, Valves, and Clamps - National Purchasing Partners - Amendment (Ordinance S-50471)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 149454 with Municipal Emergency Services, Inc. dba Lawmen Supply Company to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-45398.

Summary
This contract will provide the Fire Department with a variety of nozzles, valves, and clamps for various fire related emergencies, including interior

and exterior operations. The high quality material nozzles, valves, and clamps deliver control to the flow of water and offer maximum performance to extinguish fires by the Phoenix Fire Department. The supply of nozzles, valves, and clamps will ensure that the Fire Department has adequate stock to use in the Fire Fleet. This equipment is a critical part of the Fire Department's efforts to provide life safety services to the public.

Contract Term

Upon approval the contract will be extended through Jan. 31, 2025, with the option to extend through Jan. 31, 2026.

Financial Impact

The aggregate value of the contract will not exceed $396,191 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
Firefighting Nozzles, Valves, and Clamps Contract 149454 (Ordinance S-45398) on Feb. 20, 2019.

This item was adopted.

52 Workforce Management System Software - 14-JLR-003 - Letter of Agreement to Extend Contract for Workforce Management System Software with UKG Inc. dba UKG Kronos Systems, LLC (Ordinance S-50484)

Request to authorize the City Manager, or his designee, to enter into Letter of Agreement with UKG Inc. dba UKG Kronos Systems, LLC to continue to provide Workforce Management System Software to the Fire Department. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed. Request to continue using Ordinances S-50335 and S-45210.

Summary

The purpose of this Letter of Agreement is to continue to provide Workforce Management System Software to the Fire Department. This contract will provide a new cloud hosted solution, which offers better access to automation of scheduling, communication, and deployment of Phoenix Fire Department (PFD) personnel. In addition, the telestaff

system allows personnel in staffing positions to quickly identify vacancies that need to be filled and the qualified personnel that are available for those positions. The system can apply qualifications, certifications and negotiated labor rules to the process of filling a vacancy to ensure the appropriate employee is selected. The cloud solution will save PFD technology service providers time and equipment cost by eliminating the need for the telestaff system to be hosted in the Phoenix Fire Data Center. The Workforce Management System Software will result in improved workforce efficiency, controlled labor costs, and compliance with union rules, laws, and other agency policies. The Letter of Agreement is necessary to maintain access to this valuable resource.

Contract Term

The term of the Letter of Agreement will begin on or about Jan. 3, 2024, and expire on Dec. 4, 2024.

Financial Impact

The aggregate value of the contract will not exceed $1,119,320 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Workforce Management System Software Contract 149753 (Ordinance S-50335) on Nov. 15, 2023.

Workforce Management System Software Contract 149753 (Ordinance S-45210) on Dec. 5, 2018.

This item was adopted.

53 Arizona Mutual Aid Compact with the Department of Military Affairs (Ordinance S-50489)

Request authorization for the City Manager, or his designee, to enter into an Arizona Mutual Aid Compact with the Arizona Department of Military Affairs (AZDEMA). If approved, the term of the agreement will be from execution and continue through Dec. 31, 2033.

Summary

The purpose of the Compact is to outline the procedures to notify

participating parties of the need for emergency assistance, to identify available resources, and to provide a mechanism for compensation for those resources.

Arizona Revised Statue (A.R.S) 26-308 authorizes each county and city, during emergency situations, to appropriate and expend funds; enter into contracts; and obtain and distribute equipment, materials, and supplies for such events. Resources that may be needed at the time of an emergency include, but are not limited to fire, police, medical and health, environmental, communication, and transportation services.

Contract Term
The term of the agreement shall commence upon execution and continue through Dec. 31, 2033.

Financial Impact
There is no financial impact to the City to authorize the mutual aid compact.

This item was adopted.

54 Authorization to Enter into Agreement with The Arizona Department of Liquor Licenses and Control (AZDLLC) for Facility Access and Usage of the Phoenix Regional Police Academy (Ordinance S-50470)

Request to authorize the City Manager, or his designee, to allow the Police Department to enter into an agreement with the Arizona Department of Liquor Licenses and Control (AZDLLC), to have access and usage of the Phoenix Regional Police Academy (PRPA).

Summary
The Arizona Department of Liquor Licenses and Control (AZDLLC) seeks to use the Phoenix Regional Police Academy (PRPA) for training at the tactical training village, training involving defensive tactics in mat rooms, live firearms training and qualification, use of onsite classrooms, as well as access to PRPA video decision-making equipment for scenario training.

Contract Term

The agreement shall be effective upon approval and execution and shall remain in effect for a term of one year.

Financial Impact

There will be no financial impact for this agreement.

This item was adopted.

55 Request Authorization for Sale of Canine Doc (Ordinance S-50482)

Request to authorize the City Manager, or his designee, to approve the sale of canine Doc to Officer Bill Hardy for $1.00. Officer Hardy is assigned to the Employee Wellness Bureau, Employee Assistance Unit, and has requested to purchase and retire his assigned canine Doc in accordance with Administrative Regulation 4.21.

Summary

Canine Doc is estimated to be four years old, and has served the Employee Wellness Bureau with professionalism, dedication and exemplary effort for over three years. Canine Doc was donated by the Fetch Foundation, which rescued him from an abusive home. The Foundation evaluates the rescued dogs and trains them to become therapy dogs. These dogs are certified for one handler, and that certification serves for the handler and the dog as a team, therefore it is not recommended to try to bond Doc with another handler. The Fetch Foundation is dedicated to rescuing, training and donating therapy dogs for use in the Police Department's Communications Bureau and Employee Assistance Unit.

This request is for the authorization of the sale of canine Doc for $1.00. The purchase of canine Doc is being made by Officer Hardy, who agrees to accept full responsibility and liability for canine Doc and to care for him for the remainder of his life.

This item was adopted.

56 FARO Scanner Hardware and Software Maintenance Contract - RFA-24-0002 - Request for Award (Ordinance S-50487)

Request to authorize the City Manager, or his designee, to enter into a contract with FARO Technologies, Inc. to provide hardware and software maintenance of FARO 3D laser scanners for the Police Department. Further request to authorize the City Controller to disburse all funds

related to this item. The total value of the contract will not exceed $348,000 for the five-year aggregate amount.

Summary

This contract will provide the Police Department's Vehicular Crime Unit, Crime Lab Unit, and Information Technology Bureau the ability to purchase maintenance services for the FARO scanners previously purchased by the City. The scanners are utilized for accident diagramming and crime scene reconstruction. The adoption of this contract is necessary to maintain the equipment with up-to-date software allowing for scanner effectiveness and proper function. 3D laser scanning is an effective and accurate method for capturing specific details of crime scenes that provide detailed documentation for later analysis and presentations. The scanners are critical to the prosecution of individuals that have committed violent crimes.

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

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances - Without Competition. The Police Department currently utilizes previously purchased FARO 3D scanners from FARO Technologies, Inc., the sole developer and supplier for the software and hardware equipment, and needs to continue to procure their subscription services to keep the equipment operating with its latest software version.

Contract Term

The contract will begin on or about Jan. 5, 2024, for a three-year term with two one-year options to extend.

Financial Impact

The aggregate contract value will not exceed $348,000 for the five-year aggregate term. Funding is available in the Police Department's budget.

This item was adopted.

57 Fiscal Year 2023 Matthew Shepard and James Byrd Jr. Hate

Crimes Program Grant (Ordinance S-50488)

Request retroactive authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept, and enter into an agreement with the Bureau of Justice Assistance for the 2023 Matthew Shepard and James Byrd Jr. Hate Crimes grant program in an amount of $400,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

In 2019, the FBI ranked the City of Phoenix sixth in violent crime per capita in the nation, per 100,000 residents. Phoenix remains consistent with the national trends of increasing violent crime. In calendar year 2022, Uniform Crime Reporting Part One Violent Crime increased three percent from 2021, with a significant increase in homicides (up 12.6 percent). This data highlights the need for the Phoenix Police Department to build a comprehensive, collaborative Information Center to enhance the capacity to combat violent crime in the largest city in Arizona. The Information Center will be a place to research, analyze, and locate organized groups and a location used to educate officers, prosecutors, and community groups on violent extremist groups in the Phoenix area.

Additionally, the Phoenix Police Department was selected into the National Public Safety Partnership (PSP) Program in 2021. Through this program, technical assistance and training has been brought to the City through the Bureau of Justice Assistance to reduce violent crime utilizing constitutionally sound methods and modalities. This funding will help the City of Phoenix respond to and identify gaps identified through the PSP Program with technology and data to identify crimes, case leads, and violent criminal activity and focus resources on the people and places associated with a high concentration of those crimes and areas of high victimization.

Contract Term

The contract term is Oct. 1, 2023 through Sept. 30, 2027.

Financial Impact

The eligible funding amount is $400,000. No matching funds are required. The cost to the City is in-kind resources only.

This item was adopted.

58 Phoenix Deer Valley Airport Reconstruct Taxiway C Connectors C4-C10 - Construction Manager at Risk Preconstruction Services - AV31000096 FAA/ADOT (Ordinance S-50459)

Request to authorize the City Manager, or his designee, to enter into an agreement with J. Banicki Construction, Inc. to provide Construction Manager at Risk Preconstruction Services for the Phoenix Deer Valley Airport Reconstruct Taxiway C, Connectors C4-C10 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 $250,000.

Summary

The scope of this project is to reconstruct and reconfigure connectors between Taxiway C and Runway 7R-25L to conform with current Federal Aviation Administration guidelines and eliminate non-standard intersections at Phoenix Deer Valley Airport. Connectors C5, C6, C7, C8 and C10 will be demolished and reconstructed with a new configuration. Existing connectors between Taxiway C and Runway 7R-25L will be upgraded to address operational and safety needs and hold bar locations between the runway and taxiway. Connectors include C4, C5, C6, C7, C9 and C10. Connector C9 will also have modified filets and be renamed C8.

J. Banicki Construction, Inc. will begin in an agency support role for Construction Manager at Risk Preconstruction Services. J. Banicki Construction, Inc. will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

J. Banicki Construction, Inc.’s Preconstruction Services include, but are not limited to: detailed cost estimating and knowledge of marketplace conditions; project planning and scheduling; construction phasing and scheduling that will minimize interruption to airport and stakeholder operations; construction phasing that matches grant funding amounts; provide alternate systems evaluation and constructability studies; advise the City on ways to gain efficiencies in project delivery; provide long-lead procurement studies and initiate procurement of long-lead items; assist in

the permitting processes and protect the owner's sensitivity to quality, safety and environmental factors; and participate with the City in a process to establish a Small Business Enterprise goal for the project.

Procurement Information

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

Selected Firm

Rank 1: J. Banicki Construction, Inc.

Additional Proposers

Rank 2: Kiewit Infrastructure West Co.

Contract Term

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

Financial Impact

The agreement value for J. Banicki Construction, Inc. will not exceed $250,000, including all subcontractor and reimbursable costs.

Funding is available in the Aviation Department's Capital Improvement Program budget. The Aviation Department anticipates partial grant funding for this project. 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

702 W. Deer Valley Road
Council District: 1

This item was adopted.

59 Airport Towing and Minor Auto Assistance Contract IFB 23-031 - Request for Award (Ordinance S-50474)

Request to authorize the City Manager, or his designee, to enter into a contract with Professional Towing & Recovery, LLC to provide towing and minor auto assistance for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

This contract will provide towing and minor auto assistance services at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport as an essential element of the airport security program. Services will also include battery jump starts, flat tire assistance, fuel delivery, lockout service, and other services as deemed necessary by the Aviation Department.

Procurement Information

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

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

Selected Bidder
Professional Towing & Recovery, LLC: $834,920

Contract Term

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

Financial Impact

The total contract value will be up to $4,592,060 over the total five-year contract term.

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

Concurrence/Previous Council Action
The Business and Development Subcommittee:
Recommended approval of this item on Dec. 7, 2023, by a vote of 2-0; and

The Phoenix Aviation Advisory Board:
Recommended approval of this item on Dec. 21, 2023, by a vote of 9-0.

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

This item was adopted.

60 One-Time Purchase of Stand-Alone Food and Beverage Kiosks (Ordinance S-50478)

Request to authorize the City Manager, or his designee, to enter into separate contracts with The Grove, Inc. and Emerging Domestic Market Ventures to purchase two stand-alone mobile kiosks for the Phoenix Sky Harbor International Airport (PHX). Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will be up to $190,000.

Summary
The Aviation Department seeks to purchase two mobile food and beverage kiosks for Terminal 3 in PHX. These new locations will provide a variety of food and beverage opportunities to passengers, the general public, and airport employees visiting the relocated Airport Security Badging Office in pre-security area of Terminal 3. The Aviation Department will conduct a new Revenue Contract Solicitation (RCS) in 2024 to provide small businesses with an opportunity to participate in the procurement to operate the food and beverage kiosk concessions within the terminal.

These kiosks provide hot and cold food and beverage options and require only electrical power to operate. The purchase of these kiosks will

assist the Aviation Department in providing customer service amenity needs in the Terminal 3 pre-security area. The kiosks include all necessary equipment to operate as a food and beverage concession, including large coolers, warming ovens, sanitation stations, and cafe-style seating. The purchase of the kiosks will also reduce some of the capital financial barriers of entry for potential small business operators and reduce the time needed to start food and beverage operations.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of a Determination Memo for special circumstances. The mobile stand-alone kiosks will reduce the time to start food and beverage operations in Terminal 3 pre-security area and reduce capital startup costs for small business operators.

Contract Term

The contracts will begin upon City Council approval, for the one-time purchase of the two mobile stand-alone food and beverage kiosks and associated equipment.

Financial Impact

The contract value will be up to $190,000. Funding is available in the Aviation Department's Capital Improvement Project budget.

Location

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

This item was adopted.

61 Purchase of Utility Vehicles Contract 24-FSD-027 - Request for Award (Ordinance S-50455)

Request to authorize the City Manager, or his designee, to enter into a contract with BSE Performance LLC to provide Utility Vehicles for the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $250,000.

Summary

This contract will provide Utility Task Vehicles (UTVs) to multiple

departments within the City of Phoenix. UTVs provide agile and versatile mobility in navigating crowded urban areas, assisting in search and rescue operations, and patrolling off-road terrains. UTVs also serve as crucial tools for quick response during emergencies in challenging terrains or congested areas where larger vehicles might struggle to access. UTVs not only optimize operational effectiveness but also enhance safety and productivity across various city departments, enabling them to better serve the community's needs in Phoenix.

Procurement Information
An Invitation for Bid was processed in accordance with City of Phoenix Administrative Regulation 3.10. One vendor submitted a bid deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendor:

BSE Performance LLC:
Ranger Crew SP570, or equivalent - $14,778
Ranger Crew SP570 Premium, or equivalent - $15,103
Polaris Sportsman XP1000, or equivalent - $16,946
Polaris Ranger XP1000, equivalent or greater - $20,781

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

Financial Impact
The aggregate contract value will not exceed $250,000.

Funding is available in the Public Works Department.

This item was adopted.

63 Polymer-Modified Master Seal & Tire Rubber Modified Surface Sealer - RFA 18-133 - Amendment (Ordinance S-50456)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 146879 with Musgrove Enterprises, LLC dba SealMaster Arizona to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. No

additional funds are needed, request to continue using Ordinance S-48139.

Summary

This contract will provide Polymer-Modified Master (PMM) and Tire Rubber Modified Surface Sealer (TRMSS) to the Street Transportation Department on an as-needed basis. PMM is an environmentally friendly, mineral-filled asphalt emulsion pavement sealer and is used on residential streets. PMM provides a superior durability and years of protection against oxidation, water intrusion, and other environmental challenges which reduces the frequency of seal coating and saves maintenance costs.

Contract Term

Upon approval, the contract will be extended through Jan. 31, 2025 with an option to extend through Jan. 31, 2026.

Financial Impact

The aggregate value of the contract will not exceed $8,500,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Polymer-Modified Master Seal & Tie Rubber Modified Surface Sealer Contract 146879 (Ordinance S-44230) on Jan. 24, 2018;

Polymer-Modified Master Seal & Tie Rubber Modified Surface Sealer Contract 146879 (Ordinance S-46838) on July 1, 2020;

Polymer-Modified Master Seal & Tie Rubber Modified Surface Sealer Contract 146879 (Ordinance S-48139) on Dec. 1, 2021; and

Polymer-Modified Master Seal & Tie Rubber Modified Surface Sealer Contract 146879 (Ordinance S-49342) on Jan. 25, 2023.

This item was adopted.

64 Asbestos and Lead On-Call Consulting Services - Amendment (Ordinance S-50477)

Request to authorize the City Manager, or his designee, to execute an amendment to Master Agreement 155143 with Adams and Wendt, Inc. to provide additional Asbestos and Lead On-Call Consulting Services for projects citywide. 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 $1 million.

Summary

The purpose of this amendment is to provide continued surveying of designated facilities and/or facility components for asbestos containing materials (ACM); production of National Emissions Standards for Hazardous Air Pollutants (NESHAP) compliant surveys and reports; compliant asbestos survey reports in accordance with Asbestos Hazard Emergency Response Act (AHERA) protocol; Housing and Urban Development (HUD) type lead paint surveys and other related environmental services, construction administration services to manage abatement activities; air monitoring; monitoring and evaluation of Contractor performance; final clearance; and other project related services as requested by the City.

This amendment is necessary to provide continued environmental work at the 100 West project. This fast-tracked project requires prompt services to allow the recently acquired building and parking structures to be refurbished as expeditiously as possible to be utilized for City use. Adams and Wendt, Inc. is already working on this project and has institutional knowledge, as well as a large quantity of trained technicians to oversee the work. Not allowing continuation of services will cause numerous setbacks and schedule delays. This amendment will provide additional funds to the agreement.

Contract Term

The term of the agreement remains unchanged from the issuance of the original 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 Asbestos and Lead On-Call Consulting Services was approved for an amount not to exceed $750,000, including all subconsultant and reimbursable costs. This amendment will increase the

agreement by an additional $1 million, for a new total amount not to exceed $1,750,000, including all subconsultant and reimbursable costs.

Funding for this amendment is available in the Citywide Capital Improvement Program and Operating budgets. The Budget and Research Department will separately review and approve funding availability prior to the execution of any on-call task order of $100,000 or more. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action
The City Council approved On-Call Master Agreement 155143 (Ordinance S-47916) on Sept. 8, 2021.

This item was adopted.

66 Grant Agreement with Federal Railroad Administration for Safety Improvements at Two BNSF Railroad Crossings (Ordinance S-50491)

Request authorization for the City Manager, or his designee, to enter into a Grant Agreement with the Federal Railroad Administration (FRA) for the City to design and construct safety improvements at two intersections with BNSF railroad crossings: 43rd Avenue and Camelback Road, and 19th Avenue and McDowell 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 the City Controller to disburse all funds related to this item.

Summary
The project will upgrade two large railroad crossings to provide medians and gate arms to prevent vehicles from stopping on the tracks when a train is approaching the crossing. These crossings are not currently protected by gate arms; they only have cantilever signals. This creates a situation where cars and trucks routinely stop on the tracks while waiting for the traffic signal to change, leading to collisions along the tracks. This project has a mutual benefit for both BNSF Railway and the City by utilizing both technology and modifications to the right-of-way to improve safety. The project was awarded Fiscal Year (FY) 2020-21 Consolidated

Rail Infrastructure and Safety Improvements (CRISI) grant program funds by the FRA.

On Sept. 20, 2023, City Council approved Ordinance S-50182 to enter into an agreement with BNSF Railway. That agreement was required by the FRA in order to execute a grant agreement between the City and the FRA to accept the CRISI grant funds.

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 cost of the project including design, construction, and administration is $10,120,937. The FRA-awarded grant will contribute up to 70 percent of the total project cost, not to exceed $7,084,656. The non-federal contribution is comprised of local match funds available in the Street Transportation Department's Capital Improvement Program budget valued at $3,036,281. Any additional expenses required beyond that provided in the Agreement to complete the project will be funded by the City of Phoenix.

Concurrence/Previous Council Action
City Council approved an agreement with BNSF Railway on Sept. 20, 2023 (Ordinance S-50182).

Location
43rd Avenue and Camelback Road, and 19th Avenue and McDowell Road
Council Districts: 4, 5 and 7

This item was adopted.

67 West Anthem Lift Station 76 Phase II Expansion - Engineering Services - WS90400067 Plan Plan (Ordinance S-50443)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC to provide Engineering Services that include construction administration and inspection services for the

West Anthem Lift Station 76 Phase II Expansion 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 $658,028.

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

Summary

The purpose of this project is to expand the lift station capacity from 0.5 Million Gallon per Day (MGD) to 2.2 MGD. Work under this project includes construction of a new wet well, submersible pumps, discharge piping, 18-inch gravity sewer line, biofilter odor control system, and Calcium Nitrate odor control facility. The existing pumps and discharge piping will be removed, and the existing wet well will be abandoned in place. The new discharge piping will connect to the existing 18-inch diameter high density polyethylene force mains.

Wilson Engineers, LLC's services include, but are not limited to: provide on-site inspection and review of work to ensure the quality of the executed work and verify the work is in accordance with the construction documents and specifications; assist the contractor in obtaining permits and approvals for work; provide oversight to ensure protection against defects and deficiencies in the work of contractors and their subcontractors; perform special inspections as required by Annual Facilities Program; confirm contractor’s work progress and quantities of work completed are on schedule and meet standards; review contractor cost proposals, submittals, shop drawings, RFIs, payment applications,

change orders, and other documents as directed by the City; certify contractor payment applications; and conduct a pre-construction meeting and other project related progress meetings.

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

Selected Firm
Rank 1: Wilson Engineers, LLC

Additional Proposers
Rank 2: Stanley Consultants, Inc.
Rank 3: Consor North America, Inc.
Rank 4: Greeley and Hansen LLC

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

Financial Impact
The agreement value for Wilson Engineers, LLC will not exceed $658,028, including all subconsultant and reimbursable costs.

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

Location
General Location: Interstate I-17 and Pioneer Road
Council District: 1

This item was adopted.

68 ImageSite Software Contract - RFA 2223-WTS-344 - Request for Award (Ordinance S-50446)

Request to authorize the City Manager, or his designee, to enter into an agreement with eQuorum Corporation to provide software services and upgrades to the City's current supply of ImageSite software licenses for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $418,440.

Summary
This contract will provide the Water Services Department with ImageSite software maintenance and support services, including telephone, email technical support, software upgrades and fixes, which are provided exclusively from the eQuorum Corporation. The software, a single source engineering workflow and document management system, proprietary to eQuorum Corporation. It is run on a server used for Infrastructure Record Services (IRS) to store "As-Built's", quarter section maps, and facility drawings sets for the departments.

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

Procurement Information
In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances without Competition, as there exists a lack of available qualified products, which makes a competitive selection process impracticable, unnecessary, or contrary to the public interest.

Contract Term
This contract will begin on or about Jan. 3, 2024, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value will not exceed $418,440 for the five-year aggregate term.

Funding is available in the Water Services Departments Operating budget.

This item was adopted.

69 Wastewater Collection System Emergency Repair and Replacement Program - Job Order Contracting Services - 4108JOC222 (Ordinance S-50451)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with four contractors listed below, to provide Wastewater Collection System Emergency Repair and Replacement Job Order Contracting Services for the Water Services Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for all services will not exceed $50 million.

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

Summary

The Job Order Contracting (JOC) contractors' services will be used on an as-needed basis to provide emergency and priority sanitary sewer collection system repair and replacement. The scope of work may include, but is not limited to: working in confined spaces, vaults or shored

excavations in accordance with all applicable occupational safety regulations; backfilling and providing temporary and/or permanent pavement replacement; bypass pumping; repair or replace eight-inch to 90-inch sanitary sewer lines and force mains; disposal, clean-up, and restoration of job sites; traffic control; odor control as necessary when working on sanitary sewer lines at various locations; minor site and piping work at lift stations; new construction, repairs or replacement of manholes; vaults stations; and all other work as it relates to this JOC. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

The selection was 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. Four firms submitted proposals and are listed below:

Selected Firms

Rank 1: WaCo LLC dba WaCo Contracting
Rank 2: B&F Contracting, Inc.
Rank 3: TF Contracting Services LLC
Rank 4: Blucor Contracting Inc.

Contract Term

The term of each master agreement is for up to five years, or up to $12.5 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact

The master agreement value for each of the JOC contractors will not exceed $12.5 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $50 million.

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

Funding is available in the Water Services Department Capital Improvement Program budget. 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.

70 Cave Creek Water Reclamation Plant Electrical, Instrumentation and Control Systems Inspection and Testing Services - Amendment - WS90300009 (Ordinance S-50458)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 144945 with Arcadis U.S., Inc. to provide Professional Services for the Cave Creek Water Reclamation Plant Electrical, Instrumentation and Control Systems Inspection and Testing Services 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.

Summary

The purpose of this project is to improve the functionality, efficiency, and maintenance of electrical, instrumentation, and control systems. The City uses Electrical, Instrumentation, and Control System Inspection and Testing Services to assist the engineer and contractor with projects related to the facilities and its various systems.

This amendment is necessary as the project experienced delays due to development in the area. The additional time is needed to determine the appropriate sizing and design of the facility. This amendment will provide additional time to the agreement.

Contract Term

The term of the agreement amendment is for two years from the

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

Financial Impact
There is no financial impact associated with this amendment.

Concurrence/Previous Council Action
The City Council approved Electrical, Instrumentation, and Control Systems Inspection and Testing Services Agreement 144945 (Ordinance S-43506) on May 10, 2017.

Location
N. Cave Creek Road and E. Deer Valley Road
Council District: 2

This item was adopted.

71 Cave Creek Water (Wastewater) Reclamation Plant Rehabilitation - Construction Manager at Risk Preconstruction Services Amendment - WS90300008 (Ordinance S-50462)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 153286 with Sundt Construction, Inc. to provide continued Construction Manager at Risk Services for the Cave Creek Water Reclamation Rehabilitation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item.

Summary
The Cave Creek Water Reclamation Plant is an eight million gallons per day conventional activated sludge wastewater treatment plant with nitrogen removal and final filtration. Wastewater flow is obtained by pumping from sewers located on Cave Creek Road and Deer Valley Road. The facility was originally placed in operation in 2002 and removed from service in 2009.

The facility was initially designed with on-grade or below-grade facilities

to maintain a low-profile aesthetic for visual and noise attenuation purposes. New facilities will be designed and constructed to continue this aesthetic.

This amendment is necessary due to the construction being delayed. This amendment will provide additional time to the agreement. In addition, requesting a title name change to the original contract from Cave Creek Wastewater Reclamation Plant Rehabilitation - Construction Manager at Risk Preconstruction Services to Cave Creek Water Reclamation Plant Rehabilitation - Construction Manager at Risk Preconstruction Services.

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

There is no financial impact to the original agreement.

Concurrence/Previous Council Action

The City Council approved:

Preconstruction Services Agreement 153286 (Ordinance S-47034) on Nov. 4, 2020;

Study Services Agreement 145603 (Ordinance S-43772) on July 6, 2017; and

Study Services Agreement 145603 Amendment 1 (Ordinance S-46230) on Dec. 18, 2019.

Location

Cave Creek Water Reclamation Plant

Council District: 2

This item was adopted.

72 Customer Portal Replacement Project Contract -

RFP-2324-WCS-573 - Request for Award (Ordinance S-50473)

Request to authorize the City Manager, or his designee, to enter into a contract with i3Milestone, LLC to provide the Oracle Utility Customer Self-Service (OUCSS) replacement solution for the Water Services and Public Works departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $3,346,498.

Summary

This contract will provide the Water Services and Public Works departments with a replacement of the OUCSS application with a solution that has advanced user-friendly features, single sign-on within the City's infrastructure, secure platform, is customer centric and will have a seamless integration with Customer Care and Billing (CC&B). The OUCSS is the public-facing customer portal that allows City residents the ability to access and manage their utility billing and update information or preferences pertaining to their City services (water, sewer, and/or refuse).

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

Procurement Information

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

Eight vendors submitted proposals deemed responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1,786:

Method of Approach (0-750 points)
Capability (0-500 points)
Experience (0-336 points)
Cost (0-200 points)

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

i3Milestone, LLC (1,386 points)

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

Financial Impact
The aggregate contract value will not exceed $3,346,498. Funding is available in the Water Services Department's Operating and Capital Improvement Program budgets.

This item was adopted.

74 Water Infrastructure Finance Authority Contract - Request to Amend Ordinance S-49949 (Ordinance S-50481)

Request to amend Ordinance S-49949 to authorize the City manager, or his designee, to enter into grant fund agreements with the Water Infrastructure Finance Authority of Arizona that include an exception to the indemnity and assumption of liability provision found in Phoenix City Code 42-18.

Summary
The City Council approved a request to retroactively apply for grant funding and, if awarded, enter into grant agreements with the Water Infrastructure Finance Authority (WIFA) on June 28, 2023, by adopting Ordinance S-49949, (File 23-1470). Since adoption of that ordinance, the City of Phoenix Water Services Department was awarded the grant to include Conservation Programs such as High Efficiency Toilet Replacement, Smart Irrigation Controllers, and a Turf Conservation Rebate Program. These programs will help solidify the Conservation efforts put forth by the City of Phoenix and the Water Services Department. WIFA has also now released the draft agreements for those grants and has included indemnification and assumption of liability language that requires an exception from Council to the indemnity and assumption of liability of provision in Phoenix Code 42-18.

The Water Infrastructure Finance Authority approved the application submittal and will be providing funding towards the Conservation Programs if the agreements are approved and executed.

Financial Impact

There are no changes to the original funding. The total cost of the project remains approximately $5,700,000. The WIFA award is $3,100,000 with the cost-share portion for the City of Phoenix Water Services not to exceed $2,600,000.

This item was adopted.

75 Automated Vehicle Location Services Contract - RFA 2324-WAD-531 - Request for Award (Ordinance S-50486)

Request to authorize the City Manager, or his designee, to enter into a contract with Manhattan Telecommunications Corporation, LLC (MetTel) to provide automated vehicle locator services for the Water Services and Street Transportation departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $1,994,400.

Summary

This contract will provide telematic hardware and data monitoring services for tracking vehicles and obtaining essential data for vehicle maintenance for the Water Services and Street Transportation departments. Responsibilities include collecting and maintaining data from approximately 1,000 vehicles, which is essential for continuity of operations.

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

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances without Competition for restrictive specifications, as the hardware and the data monitoring equipment are proprietary to MetTel.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed $1,994,400 for the five-year aggregate term.

Funding is available in the Water Services and Street Transportation departments' budgets.

This item was adopted.

76 Final Plat - Park Algodon - PLAT 230040 - Northeast Corner of 99th Avenue and Indian School Road

Plat: 230040
Project: 22-556
Name of Plat: Park Algodon
Owners: CLPF Creation Park Algodon Phase I, LLC, CRE Indian School 101, LLC, & Algodon Center, LLLP
Engineer: James A. Brucci, RLS
Request: A Four-Lot Commercial Plat
Reviewed by Staff: Nov. 22, 2023
Final Plat requires Formal Action Only.

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

Location
Generally located at the northeast corner of 99th Avenue and Indian School Road
Council District: 5

This item was approved.

77 Final Plat - South Mountain Shadows - PLAT 230055 - Northeast Corner of 16th Street and Chipman Road

Plat: 230055
Project: 20-3324
Name of Plat: South Mountain Shadows
Owner: 16th & Chipman, LLC
Engineer: Timothy J. Evans, RLS
Request: A 40-Lot Subdivision Plat
Reviewed by Staff: Nov. 29, 2023

Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the northeast corner of 16th Street and Chipman Road

Council District: 8

This item was approved.

78 Final Plat - Estrella Crossing-Phases 1 & 2-Tracts PP, QQ, RR, SS & TT - PLAT 230084 - Southeast Corner of 59th Avenue and Olney Avenue

Plat: 230084

Project: 19-722

Name of Plat: Estrella Crossing-Phases 1 & 2-Tracts PP, QQ, RR, SS & TT

Owner: Brookfield Holdings (Estrella Crossing), LLC

Engineer: Robert A. Johnson, RLS

Request: Easement Dedication

Reviewed by Staff: Dec. 1, 2023

Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southeast corner of 59th Avenue and Olney Avenue

Council District: 8

This item was approved.

79 Abandonment of Easement - ABND 230025 - 3417 N 12th Place (Resolution 22181)

Abandonment: 230025

Project: 22-89
Applicant: Artin Knadjian
Request: To abandon sewer easement, Docket 1118, Page 975, Maricopa County Recorder. It is currently not in use and a new development is proposed to be built at this location.
Date of Decision: Oct. 6, 2023

Location
Generally located at 3417 N. 12th Place
Council District: 4

Financial Impact
Pursuant to Phoenix City Code Article 5, section 31-64 (e) as the City acknowledges the public benefit received by the generation of additional revenue from the private tax rolls and by the elimination of third-party general liability claims against the city, maintenance expenses, and undesirable traffic patterns, also re-platting of the area with alternate roadways and new development as sufficient and appropriate consideration in this matter.

None. No fees were collected as apart of this easement abandonment, although filing fees were paid.

This item was adopted.

81 Remove/Replace Zoning District - Ekmark - Annexation 529 - Southwest Corner of the 78th Avenue and Alta Vista Road Alignments (Ordinance G-7212)

Request to authorize the City Manager, or his designee, to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County RU-43 zoning district and replacing it with the City of Phoenix S-1 zoning district on property at the location described below, which was annexed into the City of Phoenix on Nov. 15, 2023, by Ordinance S-50339.

Location
Southwest corner of the 78th Avenue and Alta Vista Road alignments
Council District: 7

This item was adopted.

82 (CONTINUED FROM OCT. 4, NOV. 1 AND DEC. 6, 2023) - Amend

City Code - Ordinance Adoption - Rezoning Application Z-27-23-1 - Southwest Corner of 19th Avenue and Quail Avenue (Ordinance G-7172)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-27-23-1 and rezone the site from IND. PK. DVAO (Industrial Park, Deer Valley Airport Overlay District) to C-3 DVAO (General Commercial, Deer Valley Airport Overlay District) to allow electric vehicle sales and repair.

Summary
Current Zoning: IND. PK. DVAO
Proposed Zoning: C-3 DVAO
Acreage: 7.91 acres
Proposal: Electric vehicle sales and repair.

Owner/Applicant: Aztec 19th Ave., LLC
Representative: William E. Lally, Tiffany & Bosco, PA

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this case on Aug. 10, 2023, and recommended approval, per the staff recommendation with deleted stipulations, by a vote of 11-1.
PC Action: The Planning Commission heard this case on Sept. 7, 2023, and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 6-0.

Location
Southwest corner of 19th Avenue and Quail Avenue
Council District: 1
Parcel Address: 21030 and 21040 N. 19th Ave. and 1929 W. Quail Ave.

This item was continued to the Jan. 24, 2024 City Council Formal Meeting.

83 **Amend City Code - Ordinance Adoption - Rezoning Application Z-32-23-3 - Approximately 360 Feet East of the Southeast Corner of Cave Creek Road and Mescal Street (Ordinance G-7207)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the

Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-32-23-3 and rezone the site from R1-10 (Single-Family Residence District) to C-3 (General Commercial) to allow C-3 commercial use (self-service storage warehouse).

Summary
Current Zoning: R1-10
Proposed Zoning: C-3
Acreage: 1.20
Proposal: C-3 commercial use (self-service storage warehouse)

Owner: Terrance A & Paige S Maglio
Applicant/Representative: Marty Hall

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Mountain Village Planning Committee heard this case on Sept. 20, 2023, and recommended approval, per the staff recommendation, with direction, by a vote of 7-3.
PC Action: The Planning Commission heard this case on Oct. 5, 2023, and continued the case, by a vote of 7-0. The Planning Commission heard this case on Nov. 2, 2023, and continued the case, by a vote of 9-0. The Planning Commission heard this case on Dec. 7, 2023, and recommended denial, by a vote of 5-0.

Location
Approximately 360 feet east of the southeast corner of Cave Creek Road and Mescal Street
Council District: 3
Parcel Address: 1545 E. Mescal St.

This item was withdrawn.

84 **Amend City Code - Ordinance Adoption - Rezoning Application Z-51-23-3 (Resilient Living at Sunnyslope PUD) - Approximately 275 Feet East of the Southeast corner of 19th Avenue and Sahuaro Drive (Ordinance G-7213)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-51-23-3 and rezone the site from R-3 (Multifamily Residence District) to PUD (Planned Unit Development) to allow multifamily residential.

Summary
Current Zoning: R-3
Proposed Zoning: PUD
Acreage: 1.08
Proposal: Multifamily residential

Owner: Northern Office Properties, LLC
Applicant: Resilient Health
Representative: Benjamin Graff, Quarles & Brady, LLP

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The North Mountain Village Planning Committee heard this case on Oct. 18, 2023, for information only.
VPC Action: The North Mountain Village Planning Committee heard this case on Nov. 15, 2023, and recommended approval, per the staff recommendation, by a vote of 12-0.
PC Action: The Planning Commission heard this case on Dec. 7, 2023, and recommended approval, per the North Mountain Village Planning Committee recommendation, by a vote of 5-0.

Location
Approximately 275 feet east of the southeast corner of 19th Avenue and Sahuaro Drive
Council District: 3
Parcel Address: 1815 W. Sahuaro Drive

This item was adopted.

85 Amend City Code - Ordinance Adoption - Rezoning Application Z-50-23-4 - Northeast Corner of 3rd Street and Cheery Lynn Road (Ordinance G-7210)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-50-23-4 and rezone the site from R1-6 (Single-Family Residence District) and R-5 (Multifamily Residence District) to WU Code T4:3 MT, (Walkable Urban Code, Transect 4:3 District, Transit Midtown Character Area) to allow townhomes.

Summary
Current Zoning: R1-6 (0.77-acres) and R-5 (0.58-acres)

Proposed Zoning: WU Code T4:3 MT
Acreage: 1.35
Proposal: Townhomes

Owner: Kris Rigsby, Rigsby, LLC
Applicant/Representative: Kristjan Sigurdsson

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard this case on Nov. 6, 2023, and recommended denial, by a vote of 7-4.
PC Action: The Planning Commission heard this case on Dec. 7, 2023, and recommended approval, per the staff recommendation, by a vote of 4-1.

Location
Northeast corner of 3rd Street and Cheery Lynn Road
Council District: 4
Parcel Address: 3201 N. 3rd St. and 306, 310, 314, 316, 318, and 322 E. Cheery Lynn Road

This item was withdrawn.

86 **Amend City Code - Ordinance Adoption - Rezoning Application Z-70-23-5 (Helen Drake Village PUD) - Approximately 315 Feet South of the Southwest Corner of 27th Avenue and Belmont Avenue (Ordinance G-7214)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-70-23-5 and rezone the site from R1-6 (Single-Family Residence District) to PUD (Planned Unit Development) for a senior housing development.

Summary
Current Zoning: R1-6
Proposed Zoning: PUD
Acreage: 4.73
Proposal: Senior housing development

Owner: City of Phoenix, Human Services Department
Applicant: Samantha Keating, City of Phoenix, Housing Department

Representative: Nick Wood, Esq., Snell and Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Alhambra Mountain Village Planning Committee was scheduled to hear this case on Oct. 24, 2023, for information only; however, there was no quorum.
VPC Action: The Alhambra Village Planning Committee heard this case on Nov. 28, 2023, and recommended approval, per the staff recommendation, by a vote of 10-1.
PC Action: The Planning Commission heard this case on Dec. 7, 2023, and recommended approval, per the Alhambra Village Planning Committee recommendation, with a modified and additional stipulation, by a vote of 5-0.

Location
Approximately 315 feet south of the southwest corner of 27th Avenue and Belmont Avenue
Council District: 5
Parcel Address: 7600 N. 27th Ave.

This item was adopted.

87 **Amend City Code - Ordinance Adoption - Rezoning Application Z-48-23-6 - Northwest Corner of 44th Street and Earll Drive (Ordinance G-7209)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-48-23-6 and rezone the site from R1-6 (Single-Family Residence District) to R-O (Residential Office - Restricted Commercial District) to allow a chiropractic office.

Summary
Current Zoning: R1-6
Proposed Zoning: R-O
Acreage: 0.42
Proposal: Chiropractic office

Owners/Applicants/Representatives: Keiko Finnignan and Sera Sheppard

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this case on Nov. 14, 2023, and recommended approval, per the staff recommendation, by a vote of 14-0.
PC Action: The Planning Commission heard this case on Dec. 7, 2023, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 5-0.

Location
Northwest corner of 44th Street and Earll Drive
Council District: 6
Parcel Address: 4346 E. Earll Drive

This item was adopted.

88 **Amend City Code - Ordinance Adoption - Rezoning Application Z-52-23-8 - Southeast and Southwest Corners of 13th Street and Washington Street (Ordinance G-7208)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-52-23-8 and rezone the site from C-3 TOD-1 (General Commercial, Interim Transit-Oriented Zoning Overlay District One) and R-5 RI TOD-1 (Multifamily Residence District, Residential Infill District, Interim Transit-Oriented Zoning Overlay District One) to WU Code T5:7 EG (Walkable Urban Code, Transect 5:7 District, Transit Eastlake-Garfield Character Area) and WU Code T5:7 EG HP (Walkable Urban Code, Transect 5:7 District, Transit Eastlake-Garfield Character Area, Historic Preservation Overlay) to allow mixed use including multifamily residential, hotel, and general retail; and a Historic Preservation (HP) zoning overlay for the Greenlee-Hammond House/Virgil J. Berry Real Estate & Insurance Agency (1321 E. Washington St.).

Summary
Current Zoning: C-3 TOD-1 (3.77 acres) and R-5 RI TOD-1 (0.95 acres)
Proposed Zoning: WU Code T5:7 EG (4.49 acres) and WU Code T5:7 EG HP (0.23 acres)
Acreage: 4.72
Proposal: Mixed use including multifamily residential, hotel, and general retail; and a Historic Preservation (HP) zoning overlay for the Greenlee-Hammond House/Virgil J. Berry Real Estate & Insurance Agency (1321 E. Washington St.)

Owner: 1301 East Washington, LLC, et. al.
Applicant/Representative: Virgil J. Berry Jr.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Central City Village Planning Committee heard this case on Nov. 13, 2023, and recommended approval, per the staff recommendation, with a modification and an additional stipulation, by a vote of 11-3.
PC Action: The Planning Commission heard this case on Dec. 7, 2023, and recommended approval, per the staff memo dated Dec. 6, 2023, by a vote of 5-0.

Location
Southeast and southwest corners of 13th Street and Washington Street
Council District: 8
Parcel Address: 1229, 1233, 1237, 1241, 1245, 1301, 1305, 1309, 1313, 1317, and 1321 E. Washington St.; 1230, 1234, 1238, 1242, 1246, and 1310 E. Jefferson St.

This item was adopted.

89 **Amend City Code - Ordinance Adoption - Rezoning Application Z-53-23-8 - Approximately 235 Feet North of the Northeast Corner of 36th Street and McDowell Road (Ordinance G-7211)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-53-23-8 and rezone the site from R1-6 (Single-Family Residence District) to R-4 (Multifamily Residence District) to allow multifamily residential.

Summary
Current Zoning: R1-6
Proposed Zoning: R-4
Acreage: 0.76
Proposal: Multifamily residential

Owner: Edge Development, LLC
Applicant/Representative: Jason Morris, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on Nov. 14, 2023, and recommended approval, per the staff recommendation, by a vote of 14-0.
PC Action: The Planning Commission heard this case on Dec. 7, 2023, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 5-0.

Location
Approximately 235 feet north of the northeast corner of 36th Street and McDowell Road
Council District: 8
Parcel Address: 1633 N. 36th St.

This item was adopted.

24 Selection of Vice Mayor

Request to permit the City Council to select one of its members to serve as Vice Mayor, until such time of another Vice Mayor selection, pursuant to Phoenix City Charter IV, section 3. Rule 7(c) of the Rules of Council Proceedings states that "The Council shall select a new Vice Mayor once each calendar year at the first Formal meeting in January or at the next regularly scheduled meeting after a Vice Mayor vacancy occurs."

Discussion
Mayor Gallego recognized Vice Mayor Ansari and commended her for her diligent work to better the city during her tenure as Vice Mayor through climate action, getting guns off the streets and addressing issues like income discrimination, the homelessness crisis, and extreme heat. Mayor Gallego stated that Vice Mayor Ansari had a strong and consistent presence at community events mentioning the Vice Mayor's work with Mercy Care noting that Vice Mayor Ansari has had an impactful tenure.

Councilwoman Stark stated that she admired Vice Mayor Ansari's work in the City in addressing affordable housing and combating homelessness. Councilwoman Stark expressed appreciation for Vice Mayor Ansari and thanked her for her service.

Councilwoman O'Brien thanked Vice Mayor Ansari for her additional and passionate work in District seven and throughout the City.

Councilwoman Hodge Washington stated that it had been a pleasure to see Councilwoman Ansari serve in the capacity of Vice Mayor and thanked Vice Mayor Ansari for her service. She mentioned the work Vice Mayor Ansari did with the Go Bond and several community events noting her appreciation for Vice Mayor Ansari's work.

Councilwoman Pastor thanked Vice Mayor Ansari for her work throughout the city noting Vice Mayor Ansari's involvement in incorporating the youth in decision-making of the city.

During her motion, Councilwoman O'Brien, stated that Councilwoman Stark was a mentor and mentioned her involvement with various events including coffee with A Cop while thanking Councilwoman Stark for her work in collaborating to address community concerns.

Vice Mayor Ansari thanked the Mayor and Council Members for their comments and added that 2023 brought positive change to the City through raises for city employees, the ban of source of income discrimination for renters, the 500 million dollar bond program that was passed to make investments across the city, the legalization of accessory dwelling units, and the purchase of the first electric buses. She added the clearing of the Zone where 800 residents were engaged to address homelessness noting that of the 800, 69 percent of the individuals were still in a shelter and 7 percent were in permanent housing. Vice Mayor Ansari also mentioned that the City opened the first publicly funded office of heat response and mitigation in the United States and added her excitement to work with nominated Vice Mayor Councilwoman Stark.

Mayor Gallego noted her excitement to nominate Councilwoman Stark for Vice Mayor of the Phoenix City Council. Mayor Gallego added that former Planning and Development Director Councilwoman Debra Stark had worked diligently speeding up timelines in important projects, focused on public safety, and the safety of the transportation system noting her enthused anticipation to work with Councilwoman Stark in her duty as the new Vice Mayor.

Councilwoman Hodge Washington stated she looked forward to working with Councilwoman Stark in her new position as the Vice Mayor and thanked her for her ability to bring everyone together.

Mayor Gallego noted that Vice Mayor Ansari would remain the Vice Mayor until the next Formal City Council meeting.

Mayor Gallego congratulated Debra Stark for being elected Vice Mayor.

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

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

27 **Acquisition of Easements for the Mobility Area 5 - 35th Avenue and Buckeye Road Project (Ordinance S-50447)**

Request to authorize the City Manager, or his designee, to acquire easements required by donation, purchase within the City's appraised value, or by the power of eminent domain for roadway improvements for the Mobility Area 5 - 35th Avenue and Buckeye Road Project. Additionally request authorization for the City Controller to disburse all funds related to this item.

Summary

The acquisition of easements is required to facilitate construction of roadway improvements to enhance the mobility, safety, and connectivity of the neighborhood. Improvements include street lighting and Americans with Disabilities Act compliant sidewalks and curbs. The properties impacted by this project are identified in **Attachment A**.

Financial Impact

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

Location
33rd to 35th avenues and Hadley Street to Buckeye Road
Council District: 7

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the Street Transportation and Finance departments.

Note: Two electronic comments were submitted for the record in opposition of item 27.

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

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

44 Legal Services - Letter of Agreement to Extend Contract for Legal Services with Squire Patton Boggs (US) LLP (Ordinance S-50466)

Request to authorize the City Attorney, through the City Manager or his designee, to enter into a Letter of Agreement with Squire Patton Boggs (US), LLP, to continue providing outside counsel services to assist the City with legal issues on an as-needed basis. Request to continue using funds previously approved via Ordinances S-47701 and S-49864. No additional funds are needed. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The prior Letter of Agreement (154806) expired on June 30, 2023, and Squire Patton Boggs (US), LLP, has continued to provide services while the parties negotiated the Letter of Agreement. The purpose of this Letter of Agreement is to continue outside counsel services with Squire Patton Boggs (US), LLP, to assist the City with legal issues on an as-needed basis. The Letter of Agreement is required to provide the City these services until June 30, 2025.

Procurement Information
Legal services are exempt from the Procurement Code. This Letter of Agreement is required to continue legal services critical to the City.

Contract Term
The term of the Letter of Agreement will begin on or about Jan. 3, 2024, and expire on June 30, 2025.

Financial Impact
No additional funds are needed.

Concurrence/Previous Council Action
The City Council previously approved outside counsel legal services with various law firms and lawyers on an as-needed basis:
Outside Counsel Legal Services - Ordinance S-47701 on June 16, 2021.
Outside Counsel Legal Services - Ordinance S-49864 on June 14, 2023.

Note: Two electronic comments were submitted for the records for item 44.

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

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

47 Request Authorization to Enter into Contract with the Southwest Center for HIV/AIDS, Inc. (Ordinance S-50479)

Request to authorize the City Manager, or his designee, to enter into contract with Southwest Center for HIV/AIDS, Inc. (SW Center), in an amount not to exceed $1 million to provide mental and physical health services. Further request authorization for the City Controller to disburse all funds related to this item. Funding is provided from the City's allocation of American Rescue Plan Act (ARPA) funding. There is no

impact to the General Fund.

Summary

The SW Center provides affirming and inclusive services to provide health equity in diverse communities, especially people of color, LGBTQIAS+, queer individuals, and those affected by HIV. Funding will be used to provide mental and physical health services for unfunded or under funded clients seeking services through the Parson's Center for Health and Wellness. The center is located at 1101 N. Central Ave., Ste. 200.

Contract Term

The term of this contract will begin on or about Dec. 15, 2023, and run through Dec. 31, 2024.

Financial Impact

There is no impact to the General Fund. Funding is available through the City's allocation of ARPA funding.

Concurrence/Previous Council Action

On Nov. 15, 2023, the City Council approved funding through the ARPA Reallocation.

Location

1101 N. Central Ave. Ste. 200
Council District: 7

Discussion

Vice Mayor Ansari stated that the Southwest Center provided for the mental and physical health of District 7's LGBTQIA+ community that lacked health insurance or often did not have quality affordable health care. She mentioned the one million dollar ARPA grant from the city to support the item and expressed her support.

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

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

No: 0

Absent: 2 - Councilwoman Guardado and Councilman Waring

62 **Acquisition of Real Property for Mid-Block High Intensity Activated Crosswalks at Various Locations Citywide (Ordinance S-50445)**

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests required by donation, purchase within the City's appraised value, or by the power of eminent domain for the installation of mid-block high intensity activated crosswalks (HAWKs) at various locations citywide. Further request to authorize dedication of fee simple or easement land rights to public use for right-of-way or sidewalk purposes via separate recording instrument. Additionally, request to authorize the City Controller to disburse all funds related to this item.

Summary

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

The HAWKS will be installed at the following locations:

1) North 7th Street, south of east Union Hills Drive
2) West Greenway Road, west of north 25th Drive
3) West McDowell Road, west of north 51st Avenue
4) West Indian School Road, west of north 49th Avenue
5) South 35th Avenue, north of west Buckeye Road
6) North 32nd Street, north of east Earll Drive
7) East Broadway Road, west of south 18th Street

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

Financial Impact

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

Location

Various Locations
Council Districts: 3, 4, 5, 7 and 8

Discussion

Vice Mayor Ansari commented that the item addressed pedestrian safety by adding HAWK signals. Vice Mayor Ansari explained that the lights would be near the Jack L. Kuban School where students who walked to school had concerns of the large gaps between sidewalks frequented by industrial traffic noting that the HAWK signals provided a way of safely crossing the road.

Councilwoman Stark expressed her excitement of the item and her support for safe streets. She mentioned Park Terrace receiving a HAWK signal as well and expressed her support for the item.

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

Yes:	8 -	Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

65 Parks Master Plan Planning Services - Professional Services - PA75200657 (Ordinance S-50485)

Request to authorize the City Manager, or his designee, to enter into an agreement with PROS Consulting, Inc. to provide Professional Services that include planning services for the Parks Master Plan Planning Services 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 $1 million.

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

Summary

The purpose of this project is to have a citywide Parks and Recreation Master Plan as a policy document that will develop a vision and guide the direction of recreation facilities, programs, and services for the next 10 years and beyond. There will be an emphasis on water conservation strategies and Crime Prevention Through Environmental Design (CPTED).

PROS Consulting, Inc. services include, but are not limited to: evaluation and inventory of existing parks, recreation programming and facilities with an emphasis on water conservation strategies and CPTED, assess community demographics and recreation trends, evaluate and make recommendations for prioritization of department funding utilization, work with City leadership to develop a comprehensive Master Plan, and other required services as needed.

Procurement Information

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

<u>Selected Firm</u>

Rank 1: PROS Consulting, Inc.

Additional Proposers
Rank 2: Berry, Dunn, McNeil, & Parker, LLC
Rank 3: OLIN Partnership, LTD
Rank 4: Design Workshop, 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 PROS Consulting, Inc. will not exceed $1 million, including all subconsultant and reimbursable costs.

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

Discussion
Note: Two electronic comments were submitted for the records in opposition to item 65.
Jerry Van Gasse declared he had a handout to present to the Council and provided a copy to staff. He spoke on concerns regarding a records request sent to the Law Department that had still not received an answer.

Timothy Sierakowski mentioned that he had previously requested a legal opinion from the Council on the usage of 3PI. He asked for a clear understanding of the usages for the 120 million dollars noting his concern with the money being used properly. Mr. Sierakowski requested a full accounting of the 3PI money be shared with the public.

Councilwoman Pastor asked for a continuance for the item until the public records request and request for a legal opinion has been addressed.

Councilwoman Pastor asked for clarification on the Streets and Transportation Department stating that they were not required to provide public records requests.

City Attorney Julie Kriegh explained that the City had several departments that responded to public records requests, as well as public information officers, and Communications Department staff that handled multiple departments. She added that each request is evaluated to ensure classified or information violating attorney client privilege are not shared.

Councilwoman Pastor asked to verify that every department was required to respond to records requests.

Ms. Kriegh confirmed Councilwoman Pastor was correct.

Councilwoman Stark asked if there was an 3PI oversight committee that audited 3PI every year and asked for clarification on their involvement in the process involved.

Ms. Kriegh stated that staff could not respond directly to a request for legal advice but could provide city departments with a legal opinion that can be shared.

Parks and Recreation Director Cynthia Aguilar stated that the city had a Phoenix Parks Preserve Initiative 3PI fund committee as well as a third party audit committee charged with reviewing audit reports and ensuring that funds were used appropriately. She added that the Law Department had provided legal interpretation and given verbal interpretation for the use of 3PI funding to fund the Parks Master Plan. She also mentioned that the records request was in progress.

Councilwoman Stark asked that the funding is equitable amongst districts as the Council moves forward. She added that she would like to move forward with the item.

Councilwoman Pastor acknowledged she did not receive a second on her motion and rescinded her motion for a continuance. She requested that staff address the requests for public records and asked if the

documentation reviewed by the 3PI committed was public record.

Ms. Aguilar confirmed that everything was public record.

Councilwoman Pastor asked if the information was on the 3PI committee website.

Ms. Aguilar stated that she could not confirm but could direct staff to ensure the audit report and results are on the website for review.

City Manager Jeffrey Barton added context that the Parks and Preserve funds were part of the anural comprehensive financial report and was reviewed by an independent external auditor and are also part of the city checkbook noting that anyone wishing to know what was being expended against the 3PI fund the information is available for all residents.

Mayor Gallego asked Mr. Barton to confirm that the amount of funding was relatively small to do long-term planning.

Mr. Barton confirmed that Mayor Gallego was correct and added that the fund was initially the parks and preserve fund that was passed by voters in 1999 and again in 2008 for the acquisition of the land in the Sonoran Preserve and the development of additional parks emphasizing that the item was in line with the initiatives intentions.

Mayor Gallego expressed her excitement for the plan to move forward. She mentioned the recreation strategies and water conservation that could be addressed through the plan and added the importance of looking at crime prevention through environmental design. Mayor Gallego stated that she also wished to see Council work on a plan for the capital investment on vacant land owned by the city noting that the passing of this smaller expenditure would be a valuable process thanking Ms. Aguilar and the Parks Board for their leadership on the item.

Councilman Waring stated that the item was a necessary step to ensure money was spent as intended. He noted the importance of involvement from community members interested in particular amenities adding that the city intended on building something that will get the most use.

Councilman Waring added that he was in support of the item and expressed that it was needed.

Councilwoman O'Brien asked Ms. Aguilar how many parks the city had.

Ms. Aguilar responded that there were 186 parks.

Councilwoman O'Brien mentioned vacant land that was intended to be a park and expressed her excitement for the item.

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

Yes:	8 -	Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

73 Geographical Information System Boundary Shapefiles for Water Users RTO-2223-WERF-585 - Request for Award (Ordinance S-50476)

Request to authorize the City Manager, or his designee, to enter into a contract with GHD, Inc. to provide Geographical Information System Boundary Shapefiles for Water Users for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $59,295.

Summary

This contract will provide a developed Geographical Information System geodatabase of boundary spatial layers for large turf and large volume water users within the City of Phoenix water service areas to assist the Water Economics, Rates, & Forecasting (WERF) team in conducting water demand research and analysis.

Procurement Information

A Request for Proposal procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10 utilizing the Data Analytics Qualified Vendor List.

Two vendors submitted proposals deemed responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 450:

Capabilities and Experience (0-200 points)
Method of Approach (0-150 points)
Cost (0-100 points)

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

GHD, Inc., (319 points)

Contract Term
The contract will begin on or about Jan. 1, 2024, for a two-year term with three one-year options to extend.

Financial Impact
The aggregate contract value will not exceed $59,295.

Funding is available in the Water Services Departments' Operating budget.

Note: Two electronic comments were submitted in opposition to item 73.

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

Yes:	8 -	Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

80 Retroactive Approval to Apply for an Arizona State Parks & Trails Historic Preservation Heritage Fund Grant for Fiscal Year 2024 - State Funding (Resolution 22179)

This report requests that the City Council retroactively authorize City staff to apply for the Arizona State Parks & Trails Historic Preservation Heritage Fund Grant to rehabilitate the historically designated Seargeant-Oldaker House located at 649 N. 3rd Ave.

Applications were due to the State by Nov. 3, 2023. The application requires City Council resolution by no later than Jan. 3, 2024.

Summary

The Arizona State Parks & Trails Historic Preservation Heritage Fund was funded in 2023 by the State Legislature with $1.8 million in funds. Grants can request up to 20 percent of the historic preservation fund. The grant program funds brick and mortar projects for historic resources including rehabilitation, restoration, stabilization, and protection.

The City intends to submit for one grant to rehabilitate the historic Seargeant-Oldaker House. The house was constructed in 1909, and was listed in the National and Phoenix historic property registers as a significant local example of Craftsman-style architecture and for its association with prominent Phoenician Elizabeth Seargeant-Oldaker. The building, which had previously been slated for demolition, will now be relocated on the property, set on a new foundation, stabilized, and rehabilitated for adaptive reuse as a restaurant. The relocation would allow for new multi-use development on the property and provide for long-term preservation of the building through a conservation easement.

The total estimated project cost is $1,350,645, with the City to provide $400,000 in Phil Gordon Threatened Building Grant funds, the Historic Preservation Heritage Fund providing $324,329, and the property owner, 649 3rd Ave. Partners, LLC, dba LiveForward Development, paying the $626,316 balance.

The City is proposing to submit this application since the property is privately owned. Private property owners may not apply directly for Heritage Fund grants but may receive funds as a third party through an

eligible third-party applicant.

Financial Impact
If awarded the State Historic Preservation Heritage Fund Grant, the City's costs would not exceed $400,000.

Funding for the local match is available in the Historic Preservation Office Program Budget for grants and subsidies under the classification of the Phil Gordon Threatened Building Program. Approval for the match is being submitted as a separate agenda item. Potential state grant funding received is available through the State Legislature under A.R.S. 41-503 Historic Preservation Heritage Fund Fiscal Year 2024 grant opportunity.

Concurrence
The Historic Preservation Commission recommended approval of this item on Sept. 18, 2023, by an 8-0 vote.

Location
649 N. 3rd Ave.
Council District: 7

Discussion
Vice Mayor Ansari commented on the public response to the fate of the Sergeant-Oldaker house adding that a developer had been given the responsibility of moving the building and rehabilitating it. She added that the developer would also be bringing in a restaurant to Downtown Phoenix.

Mayor Gallego mentioned that there were many advocates of the grant including the members of the family who originally built the house and former leaders. She added her excitement for the Phil Gordon Threatened Building Grant also being part of the project noting that several former mayors were passionate about historic preservation.

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

Yes: 8 - Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

Absent: 1 - Councilwoman Guardado

90 **Public Hearing and Resolution Adoption - General Plan Amendment GPA-PV-1-22-2 - Southeast Corner of Kierland Boulevard and Marilyn Road (Resolution 22180)**

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 7.81 acres from Industrial to Mixed Use (Commercial / Residential 15+ dwelling units per acre). This is a companion case to Z-14-A-20-2 and must be heard first, followed by Z-14-A-20-2.

Summary

Application: GPA-PV-1-22-2
Current Designation: Industrial
Proposed Designation: Mixed Use (Commercial / Residential 15+ dwelling units per acre)
Acreage: 7.81
Proposed Use: Minor General Plan Amendment to allow mixed-use commercial and multifamily residential

Owner: Kierland Sky, LLC
Applicant/Representative: Larry S. Lazarus, Lazarus & Silvyn, P.C.

Staff Recommendation: Approval.
VPC Information Only: The Paradise Valley Village Planning Committee heard this case on Oct. 2, 2023, for information only.
VPC Action: The Paradise Valley Village Planning Committee heard this case on Nov. 6, 2023, and recommended approval, by a vote of 13-0.
PC Action: The Planning Commission heard this case on Dec. 7, 2023, and recommended approval, per the Paradise Valley Village Planning Committee recommendation, by a vote of 5-0.

Location
Southeast corner of Kierland Boulevard and Marilyn Road
Council District: 2
Parcel Addresses: 14631 and 14635 N. Kierland Blvd.

Discussion
Mayor Gallego declared the public hearing open.

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

Applicant representative, Michelle Green, stated that she was available for any questions the Council may have.

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

Yes:	8 -	Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

91 Public Hearing and Ordinance Adoption - Rezoning Application Z-14-A-20-2 (Kierland Sky PUD) - Southeast Corner of Kierland Boulevard and Marilyn Road (Ordinance G-7215)

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-14-A-20-2 and rezone the site from PUD (Planned Unit Development) to PUD (Planned Unit Development) for a Major PUD Amendment to the Kierland Sky PUD to allow commercial and multifamily residential. This is a companion case to GPA-PV-1-22-2 and must be heard following GPA-PV-1-22-2.

Summary
Current Zoning: PUD
Proposed Zoning: PUD

Acreage: 7.81
Proposal: Major PUD Amendment to allow commercial and multifamily residential

Owner: Ted Akiba, Kierland Sky, LLC
Applicant/Representative: Larry Lazarus, Lazarus & Silvyn, P.C.

Staff Recommendation: Approval, subject to stipulations.
VPC Information Only: The Paradise Valley Village Planning Committee heard this case on Oct. 2, 2023, for information only.
VPC Action: The Paradise Valley Village Planning Committee heard this case on Nov. 6, 2023, and recommended approval, per the staff recommendation, by a vote of 13-0.
PC Action: The Planning Commission heard this case on Dec. 7, 2023, and recommended approval, per the Paradise Valley Village Planning Committee recommendation, by a vote of 5-0.

Location
Southeast corner of Kierland Boulevard and Marilyn Road
Council District: 2
Parcel Address: 14631 and 14635 N. Kierland Blvd.

Discussion
Councilman Waring mentioned Larry Lazarus and commended his work on the item.

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

Yes:	8 -	Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

92 (CONTINUED FROM DEC. 6, 2023) - Public Hearing and Resolution Adoption - General Plan Amendment GPA-SM-1-23-8 - Northeast

Corner of 12th Street and Jones Avenue (Resolution 22170)

Request to hold a public hearing on a General Plan Amendment for the following item to consider adopting the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 28.32 acres from Residential 10 to 15 dwelling units per acre and Residential 15+ dwelling units per acre to Commerce/Business Park. This item is a companion case to Z-3-23-8 and must be heard first, followed by Z-3-23-8.

Summary

Application: GPA-SM-1-23-8
Current Designation: Residential 10 to 15 dwelling units per acre (25.93 acres) and Residential 15+ dwelling units per acre (2.39 acres)
Proposed Plan Designation: Commerce/Business Park
Acreage: 28.32
Proposal: Minor General Plan Amendment to allow office, industrial, and warehouse uses

Owner: Brow USA Inc., et al.
Applicant: Trammel Crow Company
Representative: Jason Morris, Withey Morris Baugh, PLC

Staff Recommendation: Approval. **(Attachment B)**
VPC Action: The South Mountain Village Planning Committee heard this case on Aug. 8, 2023, and recommended denial, by a vote of 8-1-1. **(Attachment C)**
PC Action: The Planning Commission continued this item on Sept. 7, 2023, by a vote of 6-0. The Planning Commission continued this item on Oct. 5, 2023, by a vote of 7-0. The Planning Commission heard the case on Nov. 2, 2023, and recommended approval, by a vote of 5-4. **(Attachment D)**

Location

Northeast corner of 12th Street and Jones Avenue
Council District: 8
Parcel Address: 3607, 3639, 3831 and 3839 S. 12th St.

Discussion

12 electronic comments were submitted for the record in support of item

92 and 2 electronic comments were submitted with no position for item 92.

Mayor Gallego explained that items 92 and 93 were related items that would have two votes but only one public hearing.

Mayor Gallego declared the public hearing open.

Mark Cardenas who was registered to speak expressed that he was in support and did not wish to speak.

Greg Best mentioned that he was the former owner of the land that the Salt River Flats and Dalia Village affordable housing projects were build on. He expressed his concerns for a neighboring development intended for affordable housing but had median house prices of 535,000 dollars which he expressed was too high for the intended use. He mentioned that the 28 acres of land were zoned at R-4 and were being proposed to be used for warehouses. He called on the Council to reject the warehouses and instead assist in the building of an affordable subdivision. Mr. Best also mentioned letters possibly fabricated in support of the project and asked the Council to continue with their initiative for more affordable housing.

Mousa Salahi commented that affordable housing was needed in the 28 acres being proposed for rezoning. He added his concerns for building commercial buildings next to residential buildings including industrial vehicle traffic. He mentioned a different property available for sale already zoned for commercial and asked that Council not rezone but instead purchase an already zoned area.

Business owner Guadalupe Gonzalez stated that he was a resident of the neighborhood surrounding the development and had participated in the clean up of the vacant lot. Mr. Gonzalez expressed his support for the rezoning and use of the vacant land.

Marcia Busching member of the South Mountain Village Planning Committee (VPC) and the Planning Commission expressed her opposition to rezoning the 28 acres of already zoned R-4 property from

multifamily zoning. She mentioned a discussion suggested by the South Mountain VPC to have a multiuse alternative an have only a portion of 28 acre be a commerce park.

State Representative Marcelino Quinonez resident of South Mountain called to advocate for the project mentioning that the land had a history of being vacant. He expressed his support for the project noting that it had the opportunity to create jobs and other opportunities.

Mayor Gallego thanked Mr. Quinonez for his comments.

The applicant Jason Morris stated his availability to give a presentation for the Council and address the opposition.

Councilwoman Hodge Washington asked that Mr. Morris address the comments in opposition.

Mr. Morris explained that there was a reason the applicant did not pursue multi family development despite the property's existing zoning. He added that the property was immediately adjacent to industrial zoning stopping the developers from financing and development the property as residential. Mr. Morris added that Trammell Crow Company was a nationally recognized developer that was proposing a buffer between the intensive industrial zoning and the residential properties. He made a point to explain that if housing were to be built on the land, it would have already been developed noting the many years it was left vacant. Mr. Morris mentioned the recommendation of multi-use and included that the developer had responded by adding open spaces and walking paths closer to the residential side of the development and sharing amenities. He also addressed that the property could act as mixed use but could not be developed as mixed use due to the poor access on the east and north sides of the development bound by an SRP dry canal bed.

Councilwoman Hodge Washington asked about the potential for eighteen wheelers in and out of the project and adjacent neighborhoods.

Mr. Harris explained that the property with existing zoning if developed would see a 78 percent increase in traffic if utilized as R4 property. He

added that specific to the applicant's design, Jones Street, that was on the southern boundary, was for passenger vehicles only and all of the larger traffic would be directed to 12th Street then north connecting to interstate 10 or 17.

Councilwoman Hodge Washington asked Mr. Morris to speak on the developments proximity to Arizona Fresh.

Mr. Morris explained that Arizona Fresh was an A1 and A2 industrial park immediately across the street from the development. He added that the buildings would be smaller but together the development permits open space which connect immediately to Arizona Fresh park and path systems.

Councilwoman Hodge Washington asked for Mr. Harris to respond to the suggestions that support letters had inaccurate information and asked for clarification on how the letters were gathered.

Mr. Morris stated that the individuals mentioned by Greg Best were tenants in the building in question during one of seven community outreaches in the neighborhood. He added that affidavits were available to support and mentioned that there were over 80 letters of support from business and property owners. Mr. Morris added that there was significant support from existing A1 and A2 buildings who were opposed to residential near their existing developments.

Councilwoman Stark expressed her support to have a buffer between the industrial zoning and the residential zoning. Councilwoman Stark asked staff to confirm if the intention was to provide a buffer and then develop and nearby that was also zoned for R4 into potential affordable housing.

Planning and Development Director Joshua Bednarek confirmed that Councilwoman Stark was correct in her assessment of staff's evaluation of the request to provide an adequate buffer.

Jacob Evenson expressed his support for the development noting that the land was previously vacant.

Gaby Diaz expressed her support for the business park.

Mayor Gallego thanked Ms. Diaz for her comments and ask that staff confirm if there are no other speakers. Noting that there were no additional members of the public wishing to speak Mayor Gallego declared the public hearing closed.

Councilwoman Hodge Washington read the motion for item 93.

Mr. Bednarek explained that the motion for item 92 would be to adopt the related resolution.

Councilwoman Hodge Washington restated the motion to adopt related ordinance.

Mr. Bednarek corrected Councilwoman Hodge Washington restating that the motion was to adopt related resolution.

Councilwoman Hodge Washington restated the motion to adopt related resolution.

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

Yes:	8 -	Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

93 (CONTINUED FROM DEC. 6, 2023) - Public Hearing and Ordinance Adoption - Rezoning Application Z-3-23-8 - Northeast Corner of 12th Street and Jones Avenue (Ordinance G-7199)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application

Z-3-23-8 and rezone the site from R-4 RSIOD (Multifamily Residence District, Rio Salado Interim Overlay District) to CP/GCP RSIOD (Commerce Park District/General Commerce Park Option, Rio Salado Interim Overlay District) to allow office, industrial, and warehouse. This is a companion case to GPA-SM-1-23-8 and must be heard following GPA-SM-1-23-8.

Summary

Current Zoning: R-4 RSIOD
Proposed Zoning: CP/GCP RSIOD
Acreage: 28.32
Proposal: Office, industrial, and warehouse

Owner: Brow USA Inc., et al.
Applicant: Trammell Crow Company
Representative: Jason Morris, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this case on Aug. 8, 2023, and recommend denial, by a vote of 8-1-1.
PC Action: The Planning Commission continued this item on Sept. 7, 2023, by a vote of 6-0. The Planning Commission continued this item on Oct. 5, 2023, by a vote of 7-0. The Planning Commission heard this case on Nov. 2, 2023, and recommended approval, per the staff recommendation, by a vote of 5-4.

Location

Northeast corner of 12th Street and Jones Avenue
Council District: 8
Parcel Address: 3607, 3639, 3831 and 3839 S. 12th St.

Discussion

Councilwoman Hodge Washington commented addressing the village planning committee in her district that she recognized need for affordable housing but did not agree that affordable housing be in less desirable locations noting that the land was generally not the type of location people would want to live next to given the intensive industrial projects.

The hearing was held. A motion was made by Councilwoman Hodge Washington, seconded by Councilwoman Stark, that this item be approved per the Dec. 29, 2023 memo from the Planning and Development Director with a modification to Stipulation 4 as follows, "That the maximum building height shall be 30 feet or 42 feet if the applicant enters into an agreement with the City of Phoenix where the developer makes and single $250,000 contribution to the City of Phoenix Housing Trust Fund to provide improvements and incentive housing development within a five-mile radius of this site. The motion carried by the following vote:

Yes: 8 - Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

Absent: 1 - Councilwoman Guardado

94 **(CONTINUED FROM DEC. 6, 2023) - Public Hearing and Ordinance Adoption - Rezoning Application Z-14-23-4 - Southwest Corner of 15th Avenue and McDowell Road (Ordinance G-7200)**

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-14-23-4 and rezone the site from R-5 SNSPD (Multifamily Residence District, Story Neighborhood Special Planning District) and C-1 SNSPD (Neighborhood Retail, Story Neighborhood Special Planning District) to C-1 SNSPD (Neighborhood Retail, Story Neighborhood Special Planning District) to allow retail convenience store with fuel sales.

Summary

Current Zoning: R-5 SNSPD (0.49 acres) and C-1 SNSPD (1.09 acres)
Proposed Zoning: C-1 SNSPD
Acreage: 1.58
Proposal: Retail convenience store with fuel sales

Owner/Applicant: Circle K Stores, Inc.
Representative: Land Development Consultants, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Central City Village Planning Committee heard this case on Sept. 11, 2023, and recommended approval, per staff recommendation, with an additional stipulation, by a vote of 13-1-1.
PC Action: The Planning Commission heard this case on Oct. 5, 2023, and recommended approval, per the staff recommendation with an additional stipulation, by a vote of 7-0.

Location
Southwest corner of 15th Avenue and McDowell Road
Council District: 4
Parcel Address: 1501, 1503, 1505, 1509, 1513, 1517 and 1529 W. McDowell Road

Discussion
Mayor Gallego declared the public hearing open. She added that there were two speakers who were available to speak on behalf of the applicant. She asked speakers Brennan Ray and Brent Kleinman. Noting that neither wanted to speak, Mayor Gallego declared the public hearing closed.

Prior to her motion, Councilwoman Pastor thanked Circle K for their work in collaborating with neighbors. She added that Circle K agreed to provide funding to help provide speed bumps, gate, and a possible mural. Councilwoman Pastor added a request to blend the architecture to match the neighborhood.

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

Yes:	8 -	Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	

Absent: 1 - Councilwoman Guardado

95 **Public Hearing and Ordinance Adoption - PHO-1-23--Z-9-19-4 - Northeast Corner of Central Avenue and Indian School Road (Ordinance G-7216)**

Request to hold a public hearing and authorize the City Manager, or his designee, to consider the Planning Commission recommendation by the City Council on matters heard by the Planning Commission on Dec. 7, 2023.

Summary

Application: PHO-1-23--Z-9-19-4
Existing Zoning: WU T6:HWR
Acreage: 17.72

Owner: Julia Najafi, Central Park I, LLC
Applicant/Representative: Jason Morris, Withey Morris Baugh, PLC

Proposal:
1. Request to modify Stipulation 2 regarding public pedestrian plaza.
2. Request to modify Stipulation 3 regarding a linear view corridor.
3. Request to delete Stipulation 4 regarding public pedestrian accessways.
4. Request to modify Stipulation 5 regarding public primary pedestrian accessway.
5. Request to modify Stipulation 6 regarding public open space.
6. Request to modify Stipulation 7 regarding three public open space areas.
7. Request to delete Stipulation 14 regarding alignment of ingress and egress points with the existing street network.

VPC Action: The Encanto Village Planning Committee reviewed the request on Aug. 7, 2023, and continued the case, by a vote of 17-0. The Encanto Village Planning Committee reviewed the request on Sept. 11, 2023, and recommended approval, by a vote of 9-4.
PHO Action: The Planning Hearing Officer heard the request on Sept. 20, 2023, and continued the case to Oct. 18, 2023. The Planning Hearing Officer heard the request on Oct. 18, 2023, and recommended denial as

filed, approval with modifications and additional stipulations.
PC Action: The Planning Commission reviewed the request on Dec. 7, 2023, and recommended approval, per the Planning Hearing Officer recommendation, by a vote of 5-0.
The Planning Commission recommendation was appealed by a concerned community member on Dec. 14, 2023.

Location
Northeast corner of Central Avenue and Indian School Road
Council District: 4
Parcel Address: 4141 and 4221 N. 3rd St.

Discussion
Mayor Gallego explained that there would be ten minutes of presentations on behalf of the applicant and the appellant, adding that the applicant could reserve two minutes for a rebuttal and declared the public hearing open.

Jason Morris stated that appellant could present first.

Mayor Gallego deferred to Councilwoman Pastor.

Councilwoman Pastor stated that she would prefer Mr. Morris present first.

Mr. Morris confirmed if the Council would like the full presentation.

Councilwoman Pastor stated that the applicant could present the full presentation.

Bejamin Tate presented on behalf of Mr. Morris and the applicant Pivitol Group.

Planning and Development Director Joshua Bednarek notified the applicant that there were issues with the presentation slides.

Mr. Tate continued and described the 15 acre property in the northeast corner of Indian School Road and Central Avenue adjacent to Steele Indian School Park. He explained that the site was envisioned as a

gathering place for the central corridor through an urban mixed use development. Mr. Tate explained the history of the proposal starting in 2019 and was met with challenges in March of 2020 due to the pandemic leading the developers to revisit their proposal. Mr. Tate added that the developer was willing to address any additional stipulations and questioned the scrutiny the proposal was experiencing through the hearing processes. He noted the importance of acknowledging the developers commitment to address concerns and add stipulations.

Mayor Gallego thanked Mr. Tate for his presentation.

Ken Waters spoke on the Collier Site and the history of the vision and intention for the park. He added that he had confidence in Pivitol Group's original proposal. He expressed his concerns with the open space in the updated proposal comparing the original proposal to Main Street USA in Disney. Mr. Waters explained that the land provided a blank slate for Councilwoman Pastor to develop a successful project. He mentioned the state of Steele Indian School Park and emphasized the need for a renovation. Mr. Waters added that the original proposal honored specific plan that was repealed and then nullified with the new proposal. He presented visuals of the two plans detailing the differences in open space and the changes in the footprint. Mr. Waters requested additional time to present.

Mayor Gallego stated that if the Council did not have additional questions they would be moving forward.

Wade Kempton represented the owners of the north property adjacent to the entrance to the Steele Indian School Park fronting on Central Avenue. He added that the proposal has been reviewed to modify current stipulations thanking the developers for their continued collaboration efforts. Mr. Kempton expressed his support for the item and asked that the developers build mid-rise buildings instead of high-rise buildings.

Jeremy Thacker expressed his support for the development and asked that the Council have objective standards. He mentioned the Petri Development less than 100 feet away to the northwest of the proposed development noting their similarity. He detailed the key differences

between Petri and the proposed development which was approved and provided less amenities than what was being proposed.

Brent Kleinman agreed with Mr. Thacker and expressed his support for the proposed project stating that it would provide a landmark for the community.

Ed Hermes President of the Carnation Neighborhood Association asked the Council to table the proposal to receive more feedback from the community, particularly the Native American community adding a brief history of the land.

Nick Kovacovich spoke on his concerns for the deviation from the Indian School specific plan asking the Council to hold the developer to the minimum standards in the specific plan.

Mr. Tate stated that he was available for questions.

Noting that there were not further questions, Mayor Gallego declared the public hearing closed.

Prior to her motion, Councilwoman Pastor presented slides and stated that she had been meeting with the community in the past year. She described her work in Midtown and Uptown emphasizing the growth down Central Avenue during her tenure. She explained that there were many changes in the original plans for the site and detailed the original plans for a casino. Councilwoman Pastor stated that the proposal contained 75 percent of what the community wanted mentioning that she added stipulations to address community concerns. She mentioned the discussions with staff, developer, and community to plan for restaurants and activation.

Councilwoman Stark commended Councilwoman Pastor for her work on the item. Councilwoman Stark stated that she trusted the developers to produce quality projects and expressed her support for the item.

Mayor Gallego stated that Steele Indian School Park was the gem of the City of Phoenix.

The hearing was held. A motion was made by Councilwoman Pastor, seconded by Councilwoman O'Brien, that this item be approved per the Jan. 3, 2024 memo from the Planning and Development Director with adoption of the related ordinance. The motion carried by the following vote:

Yes:	8 -	Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

96 Consideration of a Citizen Petition Related to the Procedures for Citizen Petitions

This report responds to a citizen petition submitted by Jeremy Thacker at the Dec. 6, 2023 City Council Formal meeting regarding the citizen petition process (**Attachment A**). This petition is substantially similar to the petition submitted by Mr. Thacker at the Formal Council meeting on March 2, 2022 and heard by the Transportation, Infrastructure, and Planning Subcommittee on April 20, 2022.

Summary

The submitted petition contained six requested action items:

1. Clarify the City's current process for handling citizen petitions.
2. Clarify the specific requirements to qualify as a citizen petition.
3. Can a petition be disqualified for any of the following?:
    a. Lack of jurisdiction
    b. Request illegal or unconstitutional action
    c. Existing process for the request exists
4. Decide whether the instances described above were violations of the Charter.
5. Decide whether the instances described above were violations of the Open Meeting Laws.
6. If violations have occurred, what remedy is available to those who [are] damaged by the violations?

7. If violations have occurred, what are the consequences for those responsible for the violations?

Action items #1 - #3 qualify as citizen petitions. The requested clarification on the City's current process for handling citizen petitions and the specific requirements to qualify as a citizen petition can be posted online at the direction of the City Council. The City has an internal process, but the legal review is not documented or available as a public record. A review for disqualification evaluates the specific request and whether the request is within the jurisdiction of the City Council. If the requested action is clearly unlawful or unconstitutional, such petitions may be legitimately disqualified from consideration.

The remaining action items, #4 - #7, do not qualify as actions that the City Council can take in a public meeting; determining violations of the City Charter and Arizona's Open Meeting Law are not within the purview of City Council determination and depend on the specific facts or circumstances of a case.

Recommendation

Staff recommends the City Council authorize the process for handling citizen petitions and the specific requirements to qualify as a citizen petition be posted online.

Discussion

The presenter of the petition Jeremy Thacker spoke on his citizens petition regarding the processing of citizens petition action by the Council. He mentioned his submittal on Dec. 6, 2024 noting that the date it was being heard did not adhere to the City Charter which allowed 15 days for a response. He expressed his concern with addressing violations to the charter and asked the Council to provide a response and take accountability.

Michael Norton spoke on Rogers Ranch citizen petitions that had been filed and not addressed. Mr. Norton expressed his support for a structured process to submit citizens petitions and asked that Council take administrative action to respond to the concerns submitting citizens petitions.

Councilwoman Pastor asked for clarity on item 4-7 of the petition that did not qualify as actions.

City Attorney Julie Kriegh answered that the review is based on whether Council can take an action adding that Council can direct staff but cannot act on deciding legal opinions on violations.

Councilwoman Pastor asked for confirmation on Council being able to direct staff.

Ms. Kriegh confirmed that Councilwoman Pastor was correct and staff was happy to address concerns.

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

Yes:	8 -	Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

000 CITIZEN COMMENTS

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

Aswita Kode spoke on her concerns with climate change sharing a personal journey to indicate her passion for addressing the consequences of climate change.

Rianna Rane spoke on the intense heat in Phoenix and expressed her concerns for the unsheltered and the heat crisis. She mentioned that Mayor Gallego had asked President Joe Biden for the classification of natural disaster and mentioned that the Sunrise movement launched a petition to push FEMA to

declare extreme heat as a natural disaster. She mentioned that a letter to support the petition would be sent to Vice Mayor Ansari and called on the Council to support the petition.

Mintra Waram spoke on the dangers of the heat in Phoenix to the elderly and the unsheltered populations. Ms. Warm called on the Council to act on the heat crisis.

Ashton Dolce spoke on the heat crisis emphasizing the need for a green new deal to address the needs presented from the increasing heat crisis. He noted the great progress the Council had made in addressing the crisis and asked the Council to also address climate justice. He asked for a declaration of a heat emergency stating that Tuscon had already had such declaration. He added guaranteed job training and shelter and a commitment to build green transit in low-income areas emphasizing the need to demand relief from the federal and state governments.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 4:43 p.m.

Kate G

MAYOR

ATTEST:

CITY CLERK

SLR

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 3rd day of January, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 20th day of March, 2024.

CITY CLERK