City of Phoenix

186274

City of Phoenix

Minutes

City Council Formal Meeting

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

Wednesday, June 1, 2022 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, June 1, 2022 at 2:35 p.m. in the Council Chambers.

Present: 7 - Councilman Sal DiCiccio, Councilwoman Betty Guardado, Councilwoman Ann O'Brien, Vice Mayor Debra Stark, Councilman Jim Waring, Councilwoman Laura Pastor and Mayor Kate Gallego

Councilman DiCiccio and Vice Mayor Pastor attended the meeting virtually.

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

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6964 and G-6989 through G-6994, S-48678 through S-48712, and Resolutions 22029 through 22031 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 Cris Meyer stated members of the public may speak for up to two minutes on agenda items and gave direction on appropriate decorum when providing comments.

BOARDS AND COMMISSIONS

1 Mayor and Council Appointments to Boards and Commissions

Summary

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

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

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

2 Swearing in of Municipal Court Judges

Request to permit the swearing in of Municipal Court Judges.

Summary

Administer the oath of office for the Honorable Tina Solomon to a four-year term as Judge of the Phoenix Municipal Court to end on June 29, 2026.

Administer the oath of office for the Honorable Laura Lowery to a four-year term as Judge of the Phoenix Municipal Court to end on Sept. 30, 2026.

Concurrence/Previous Council Action

On April 8, 2022 the Judicial Selection Advisory Board recommended approval to the Public Safety and Justice Subcommittee.

On May 11, 2022 the Public Safety and Justice Subcommittee recommended approval to the City Council by a vote of 4-0.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that this item be continued to the June 15, 2022 City Council Formal Meeting. The motion carried by the following

voice vote:

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

No: 0

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

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

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that items 3-8 be recommended for approval, except Item 8. The motion carried by the following voice vote:

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

No: 0

3 Liquor License - Barrio Queen

Request for a liquor license. Arizona State License Application 195290.

Summary

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
21001 N. Tatum Blvd., Ste. 98
Zoning Classification: C-2 DRSP
Council District: 2

This request is for a new liquor license for a restaurant. This location was

previously licensed for liquor sales and may currently operate with an interim permit.

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

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

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

Famous Dave's (Series 12)
3250 W. Frye Road, Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Famous Dave's (Series 12)
1011 N. Dobson Road, Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Famous Dave's (Series 12)
16148 N. 83rd Ave., Peoria
Calls for police service: N/A - not in Phoenix

Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The new ownership of Barrio Queen currently operates over 100 various restaurants throughout the United States. They are very knowledgeable is how to operate a successful business with a liquor license. All staff members will attend Arizona certified liquor law training to ensure compliance will all liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Barrio Queen is a neighborhood favorite offering authentic regional Mexican dishes. This is an award winning restaurant making family recipes using top notch ingredients and served to our patrons in a fun, engaging way."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Barrio Queen
Liquor License Map - Barrio Queen

This item was recommended for approval.

4 Liquor License - Cien Agaves Tacos & Tequila

Request for a liquor license. Arizona State License Application 1207B202.

Summary

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
7000 E. Mayo Blvd., Bldg. 18, Ste. 1072
Zoning Classification: PUD PCD
Council District: 2

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

The 60-day limit for processing this application is June 6, 2022.

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

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes 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.

Cien Agaves Tacos & Tequila (Series 12)
7228 E. 1st Ave., Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We train all of our employees in responsible liquor service. We conduct regular audits to ensure compliance. The owners have also recently taken the basic and management liquor training to stay up to date. They own and operate other restaurants and have operated for many years."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

5 Liquor License - Garden of Eden Club

Request for a liquor license. Arizona State License Application 195844.

Summary

Applicant
Ninos Malki, Agent

License Type
Series 12 - Restaurant

Location
2505 E. Bell Road
Zoning Classification: C-2
Council District: 2

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

The 60-day limit for processing this application is June 17, 2022.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a law abiding citizen that complies will all rules and regulations. I am also very aware of the responsibility as an owner/operator towards the safety of our customers."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This will be a great convenience for customers if they choose to have an adult beverage with their meal."

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

Attachments
Liquor License Data - Garden of Eden Club
Liquor License Map - Garden of Eden Club

This item was recommended for approval.

6 Liquor License - Chuck E Cheese's #621

Request for a liquor license. Arizona State License Application 189739.

Summary

Applicant
Ryan Anderson, Agent

License Type
Series 12 - Restaurant

Location
8039 N. 35th Ave.
Zoning Classification: PSC
Council District: 5

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

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

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

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

Other Active Liquor License Interest in Arizona
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:
"The applicant, CEC Entertainment (Arizona), LLC successfully and responsibly operates many liquor at its restaurants across the United States, including other locations in Arizona. CEC holds its employees to a very high standard regarding responsible compliance of liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"CEC Entertainment (Arizona), LLC d/b/a Chuck E Cheese's is a responsible business owner and good neighbor that takes alcohol compliance very seriously. Customers have come to expect and enjoy alcohol and other beverages served with meal purchases at pizza restaurants. This business has been operating for many years at this location and would like to keep alcoholic beverages as a compliment to its food and beverage offerings at the request of and for enjoyment by its customers."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Chuck E Cheese's #621
Liquor License Map - Chuck E Cheese's #621

This item was recommended for approval.

7 Liquor License - Liquor Wheel #3

Request for a liquor license. Arizona State License Application 09071014.

Summary

Applicant
Merai Aranki, Agent

License Type
Series 9 - Liquor Store

Location
2302 E. Van Buren St.
Zoning Classification: C-3
Council District: 8

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

The 60-day limit for processing this application is June 17, 2022.

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

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

Other Active Liquor License Interest in Arizona

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

Liquor Wheel #2 (Series 9)
2209 N. 16th St., Phoenix
Calls for police service: 5
Liquor license violations: None

Cork & Bottle Liquor (Series 9)
4101 E. McDowell Road, Phoenix
Calls for police service: 41
Liquor license violations: None

Liquor Wheel (Series 9)
3445 E. McDowell Road, 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:
“I have owned retail liquor stores for more than 30 years. Currently, I own three (3) other stores within the City of Phoenix. All of my stores are clean, well maintained and in full compliance with local and state laws. My two sons help me with this family business.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“The store has been run as a retail liquor store for well over 40 years. I will upgrade the exterior; it has been neglected. I will maintain this store as I maintain my other stores.”

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

Attachments
Liquor License Data - Liquor Wheel #3
Liquor License Map - Liquor Wheel #3

This item was recommended for approval.

8 Liquor License - Bandoleros Night Club

Request for a liquor license. Arizona State License Application 06070027.

Summary

Applicant
Angelica Carrillo Contreras, Agent

License Type
Series 6 - Bar

Location

3613 E. Van Buren St.
Zoning Classification: C-3
Council District: 8

This request is for an ownership and location transfer of a liquor license for a bar. This location was previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is June 4, 2022.

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

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

Club 4th Avenue (6 Series)
1901 S. 4th Ave., Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: In August 2018, a fine of $1,500 was paid for selling liquor to an intoxicated or disorderly person and for allowing the intoxicated or disorderly person to remain on the business premises for thirty minutes. In January 2022, a fine of $1,500 was paid for failure to request ID from an underage buyer and for selling, giving and furnishing

an underage person with alcohol.

Public Opinion

Two letters protesting the issuance of this license have been received and are on file in the Office of the City Clerk. The letters are from local residents. They feel that the business does not serve the needs, or the best interest of the community and that granting this license will negatively impact the neighborhood by creating parking issues and increased calls for police service. Additionally, they feel that adding this business to the neighborhood does not align with the current redevelopment efforts taking place in the area.

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been involved in the industry for many years and I have broad knowledge of liquor rules and regulations. My most recent experience was managing Club Santa Fe in Cashion, AZ from January 2016 until October 2021. During my 5 plus years serving in this location not a single liquor violation was issued. I make sure all personal was following liquor rules and that venue was properly license from all required departments."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I will provide a venue were the community can gather, enjoy the live bands performing and dance in a family oriented atmosphere."

Staff Recommendation

Staff recommends disapproval of this application based on a Police Department recommendation for disapproval and neighborhood protests. The Police Department disapproval is based on the applicant's recent history of liquor license violations at another location under the applicant's responsibility and control. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license

and that the public convenience requires and the best interest of the community will be substantially served by the issuance of this license.

Attachments
Liquor License Data - Bandoleros Night Club
Liquor License Map - Bandoleros Night Club
Liquor License Police Department Recommendation - Bandoleros Night Club

Discussion
Mayor Gallego asked for a member of the staff to explain what no recommendation did for this item.

Leah Swanton with the City Clerk Department explained that no recommendation reflected that the city would stay silent on the item. She stated that it would not mean that the application would automatically be heard by the State Liquor Board. Ms. Swanton added that state law permited the director of the DLC to issue the license without a hearing if there was no recommendation.

Mayor Gallego stated that the applicant Angelica Carrillo Contreras as well as the detective on the case were available if the Council wished to hear from them. She added that the area had experienced challenges with liquor.

After her vote Mayor Gallego thanked the detective who worked on the item.

A motion was made by Councilmember Garcia, seconded by Councilwoman Guardado, that this item be forwarded to the State with no recommendation. The motion carried by the following vote:

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

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Three electronic comments were submitted for the record in opposition of item 41.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that items 9-63 be approved or adopted, except items 13-18, 25, 34, 55 and 57-63; noting Item 25 is continued to the Sept. 21, 2022 City Council Meeting, items 57-60 are continued to the July 1, 2022 City Council Formal Meeting, Item 61 is as revised, Item 62 is continued to the Sept. 7, 2022 City Council Formal Meeting and Item 63 is continued to the Aug. 31, 2022 City Council Formal Meeting. The motion carried by the following vote, as part of an omnibus motion:

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

Items 9-12, Ordinance S-48678 was a request to authorize the City Controller to disburse funds, up to amounts indicated on items, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

9 Loomacres, Inc. doing business as Loomacres Wildlife Management

For $25,000.00 in additional payment authority for Contract 147275 for wildlife management services for the Aviation Department. The contract provides for a full time, on-site biologist to administer the airport wildlife hazard management plan and to conduct a comprehensive wildlife hazard assessment at Phoenix Sky Harbor International Airport (PHX). The biologist works with Aviation Department officials to prevent and mitigate safety hazards related to wild and feral vertebrate animals at PHX, as well

as Phoenix Deer Valley and Phoenix Goodyear airports. Additional funds are being requested for the required wildlife hazard assessment and additional hours charged for wildlife services at all three City-owned airports.

This item was adopted.

10 City of Goodyear - Water Utility Payments

For $274,500.00 in additional payment authority through June 30, 2022, to the City of Goodyear for Phoenix Goodyear Airport (GYR) water utility charges, as provided in the GYR's operating budget. The GYR is physically located in the City of Goodyear. Effective Jan. 1, 2022, the City of Goodyear implemented a new method for billing water utility charges to GYR, and GYR will be responsible for billing individual tenants for their portion of utility charges. The additional funds will allow GYR to process payments in a timely manner, while working with tenants to bill back charges.

This item was adopted.

11 Off the X, Inc.

For $23,427.00 in payment authority to purchase two Saint Model XL Breaching Tool Packages for the Special Assignments Unit (SAU) of the Phoenix Police Department. The SAU is responsible for the safe resolution of a variety of incidents including barricaded subjects, high-risk search warrants, arrests of subjects with a high violence potential, and workplace-school active shooter incidents. The Saint Model XL Breaching Tool is a hydraulic battery-operated mechanical device that is used to gain entry through metal doors, windows, and other enclosures and to secure entry points within a structure. Funding for this purchase is available through the Fiscal Year 2019 Urban Area and Security Initiative grant.

This item was adopted.

12 Xtreme Stitch Embroidery and Sports Clothing Design, LLC

For $16,290.00 in payment authority to purchase yellow and red parking meter covers for the Street Transportation Department. This is a one-time purchase for meter hoods that are used and reused throughout the City whenever a parking meter is required to be out-of-service for a special event, construction project, or development project. Meter hoods

keep citizens and contractors from parking in spaces that are needed to keep a portion of the street clear from vehicle obstruction. The purchase will replace meter covers that are currently faded, tattered, or experiencing severe wear and tear from reuse.

This item was adopted.

19 Acceptance and Dedication of Easements for Sidewalk, Trail, Public Utility and Roadway Purposes (Ordinance S-48696)

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

Summary

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

Easement (a)
Applicant: Sunbelt Rose Garden, L.P., its successor and assigns
Purpose: Sidewalk
Location: 750 W. Rose Garden Lane
File: FN 220033
Council District: 1

Easement (b)
Applicant: Sunbelt Rose Garden, L.P., its successor and assigns
Purpose: Trail
Location: 750 W. Rose Garden Lane
File: FN 220033
Council District: 1

Easement (c)
Applicant: The Thomas A. Lyons and Tracy A. Lyons Family Trust date July 24, 2007, and any amendments thereto, its successor and assigns
Purpose: Public Utility
Location: 43 E. Griswold Road
File: FN 220030
Council District: 2

Deed (d)
Applicant: The Thomas A. Lyons and Tracy A. Lyons Family Trust date July 24, 2007, and any amendments thereto, its successor and assigns
Purpose: Roadway
Location: 43 E. Griswold Road
File: FN 220030
Council District: 2

Easement (e)
Applicant: Northern Apartments LLC, its successor and assigns
Purpose: Sidewalk
Location: 3031 W. Northern Ave.
File: FN 220036
Council District: 5

Easement (f)
Applicant: Mustang Villas LLC, its successor and assigns
Purpose: Sidewalk
Location: 5959 W. McDowell Road
File: FN 220020
Council District: 7

This item was adopted.

20 Acceptance of an Easement for Vehicular Non-Access Purposes (Ordinance S-48697)

Request for the City Council to accept an easement for vehicular non-access purposes; further ordering the ordinance recorded.

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

Easement (a)
Applicant: Northern Apartments LLC, its successor and assigns
Purpose: Vehicular Non-Access

Location: 3031 W. Northern Ave.
File: FN 220036
Council District: 5

This item was adopted.

21 Amend Ordinance S-47841 for Authorization to Sell City-Owned Property Located at 3112 E. Palo Verde Dr. (Ordinance S-48687)

Request the City Council amend Ordinance S-47841 for authorization to sell City-owned property located at 3112 E. Palo Verde Dr. by direct sale.

Summary
Ordinance S-47841 authorized disposal of approximately 0.73 acres of City-owned excess land located at 3112 E. Palo Verde Dr. via sealed bid solicitation. Approximately 90 percent of the City-owned property is adjacent to one property to the west, also known as 3122 E. Palo Verde Dr., and is improved with a driveway accessing this adjacent property. This adjacent property is the only viable property for assemblage based on configuration, access and utility.

As a condition of the sale, a slope easement for drainage on the east portion of the City-owned excess land will be retained. The property will be sold based on appraised value with the buyer responsible for all closing costs. All other conditions and stipulations previously stated in the above referenced ordinance will remain the same.

Financial Impact
Revenue will be reflective of the appraised value.

Concurrence/Previous Council Action
The City Council approved Authorization to Dispose City-Owned Property (Ordinance S-47841) on Aug. 25, 2015.

The Land Use and Livability Subcommittee recommended approval of this item on May 19, 2021, by a vote of 2-0.

Location
3112 E. Palo Verde Dr.

Council District: 6

This item was adopted.

22 Agreement with Arizona Department of Transportation to Define Maintenance and Operation Responsibilities for the Installation of Conduit for the City's Intelligent Transportation System, Sleeves for Water and Sewer Future Service Lines, and Coordination of Traffic Signals at 51st and 43rd Avenues on State Route 303 Loop (Ordinance S-48711)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Arizona Department of Transportation to define maintenance and operations responsibilities to accommodate connections to the new City crossroads being constructed at 51st and 43rd avenues for the Taiwan Semiconductor Manufacturing Company development.

Summary
The Intergovernmental Agreement (IGA) defines the maintenance and operations responsibilities for the installation of conduit for future City Intelligent Transportation System, installation of sleeves for water and sewer for future City lines along 51st and 43rd Avenues, and coordination of traffic signals. The IGA additionally defines the responsibilities of each agency for future repairs, maintenance, damages, permits and right-of way encroachments.

Contract Term
The terms conditions and provisions of this IGA shall remain in full force and effect until completion of the project.

Financial Impact
There is no financial impact to the City.

Location
State Route 303 Loop between 51st and 43rd Avenues.
Council District: 1

This item was adopted.

23 Landscape Services Citywide - Requirements Contract RFP 22-108 - Request for Award (Ordinance S-48679)

Request to authorize the City Manager, or his designee, to enter into separate contracts with BrightView Landscape Services, Inc., Greenscapes Landcare, Inc., Legends Landscape Management, Inc., and Caretaker, Inc., to provide landscaping services for citywide use. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $17 million.

Summary
The City is contracting for landscaping services for over 350 City locations across the Phoenix metropolitan service area. Landscaping services support the City Manager's strategic plan to provide safe, efficient, sustainable, cost effective, well maintained, and aesthetically pleasing facilities for the delivery of municipal services to residents and visitors. Well maintained facilities preserve long-term investments and ensure uninterrupted support services.

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

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

Qualifications and Experience (0-400 points)
Capacity (0-300 points)
Price (0-200 points)
Method of Approach (0-100)

Offerors selected for award are included **Attachment A**.

Contract Term
The contracts will begin on or about June 1, 2022, for a one-year term

with four one-year options to extend, in one-year increments.

Financial Impact
The aggregate contracts value will not exceed $17 million.

Funding is available in various Department budgets.

This item was adopted.

24 Laboratory Management Information System Maintenance and Support - Amendment - RFA 16-230 (Ordinance S-48686)

Request to authorize the City Manager, or his designee, to extend and allow additional expenditures under Contract 143099 with Justice Trax, Inc. for the purchase of Laboratory Management Information System maintenance and support for the Police Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $151,000.

Summary
This contract will provide software support, maintenance, and software updates for the Laboratory Management Information System (LIMS) utilized by the Police Department Laboratory Services Bureau to track approximately 80,000 items of evidence, manage lab requests, and write reports on completed analyses. The LIMS software has annual licensing fees to allow continued use of the product and necessary software upgrades and support. The additional funds will ensure operational needs of the Police Department are not interrupted while a new procurement is completed.

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

Contract Term
Upon approval the contract will be extended through June 30, 2023.

Financial Impact
Upon approval of $151,000 in additional funds, the revised aggregate value of the contract will not exceed $1,037,205. Funds are available in the Police Department’s budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Laboratory Management Information System Maintenance and Support, Contract 143099, Ordinance S-42717 on June 22, 2016;

• Laboratory Management Information System Maintenance and Support, Contract 143099, Ordinance S-47733 on June 23, 2021.

This item was adopted.

25 Sale of Unclaimed and Forfeited Firearms Contract - Requirements Contract - RFP 22-113 (Ordinance S-48689)

Request to authorize the City Manager, or his designee, to enter into a contract with Sierra Tactical Auctions, Inc. to provide auctioneering services for unclaimed and forfeited firearms on an as-needed basis for the Phoenix Police Department (PPD). Further request to authorize the City Treasurer to accept funds related to this item.

Summary

This contract will provide auctioneering services to facilitate the sale of forfeited and unclaimed firearms. The City is required to sell forfeited and unclaimed firearms to a federally licensed firearms dealer pursuant to A.R.S. § 13-3105 and A.R.S. § 12-945, respectively, unless the firearms are prohibited from being sold under federal or state law. The contract will be paid through proceeds received from the sale of the City's property and revenue will be deposited to the City's General Fund account.

Procurement Information

RFP 22-113 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on March 11, 2022. The notification was sent to 136 suppliers and was publicly posted and available for download from the City's website.

The proposals were scored by a three-member evaluation panel on the following criteria:

Experience and Qualifications: 400 points

Method of Approach: 350 points
Price: 250 points

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

Sierra Tactical Auctions, Inc: 912.5 total points

The Assistant Finance Director recommends that the offer from Sierra Tactical Auctions, Inc. be accepted as the highest scored, responsive, and responsible offer most advantageous to the City.

Contract Term
The contract will begin on or about June 1, 2022, for a five-year term with no options to extend.

Financial Impact
The aggregate contract value of the revenue generated for the City of Phoenix is approximately $750,000, with estimated annual revenues of $150,000. No public funds will be expended.

This item was continued to the Sept. 21, 2022 City Council Formal Meeting.

26 EnvisionWare Software - Requirements Contract - RFA 16-178B (Ordinance S-48691)

Request to authorize the City Manager, or his designee, to authorize additional expenditures not to exceed $40,000 under Contract 143068 with EnvisionWare, Inc. and further request authorization to extend the term of the contract through June 21, 2023 for the continued use of software licenses and support for public computing and printing and the e-Commerce system for the Library Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $40,000.

Summary
EnvisionWare, Inc. software manages public use computers and customer self-service for 17 library locations, as well as an on-line

e-Commerce system that allows for library customers to pay their library fees online with a credit card. Through the use of these software applications, the Library Department is able to minimize the number of staff required to manage customer access to over 1,000 public computers, accurately recover costs for public printing services, and allow customers to pay library fees online. The extension and additional funds will allow time for a new procurement process to be completed.

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

Contract Term
Upon approval, the contract term will be extended through June 21, 2023.

Financial Impact
Upon approval of $40,000 in additional funds, the revised total contract value will not exceed $176,800. Funds are available in the Library Department's budget.

Concurrence/Previous Council Action
City Council approved the original contract on June 22, 2016 via Ordinance S-42695.

This item was adopted.

27 Panasonic Toughbooks, Tablets, Accessories and Services - Requirements Contract - City of Tucson 12-0471(B) (Ordinance S-48692)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 146072 with Panasonic System Communications Company (PCS) and Mobile Concepts Technology LLC (MCT) to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $5,415,800.

Summary
These contracts provide Panasonic Toughbooks, tablets, accessories and services to all City departments, primarily Police, Fire, and Water

Services Departments. The devices are used to help employees collect, organize and transfer data faster, more efficiently, and in real-time. The devices allow police officers to run license plates, scan fingerprints and check records car side so they never leave a subject unattended. Purchases of replacement Toughbooks and equipment vehicle installations have continued to rise due to staffing level demands in all departments. Extending the contracts will allow additional time for Procurement to complete the solicitation process.

Contract Term

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

Financial Impact

Upon approval of $5,415,800 in additional funds, the revised aggregate value of the contract will not exceed $19,443,800. Funds are available in the various departments' budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Panasonic Toughbooks, Tablets, Accessories and Services - Requirements Contract, Contract 146072, Ordinance S-43767 on June 28, 2017
• Panasonic Toughbooks, Tablets, Accessories and Services - Requirements Contract, Contract 146072, Ordinance S-47667 on June 16, 2021

This item was adopted.

28 Farber Specialty Vehicles Inc. Contract - EXC 22-086 Request for Award (Ordinance S-48702)

Request to authorize the City Manager, or his designee, to enter into a one time purchase with Farber Specialty Vehicles Inc. to provide a bookmobile for the Library Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the one time purchase will not exceed $400,000. Funding will be provided by the City's allocation of American Rescue Plan Act funds.

Summary

This one time purchase will provide a bookmobile specialty vehicle. The bookmobile will offer library materials and provide services, such as library card sign ups, library programs and access to some technologies. The bookmobile customization options include: book shelving with removable library book carts, moveable furniture that can be used to accommodate a variety of library programming needs, media outlets and storage and promotional material kiosks. This vehicle will support the Library's efforts to provide services to under served communities by visiting community gathering places, schools and assisted living centers.

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 Circumstance without Competition. Farber Specialty Vehicles Inc. is the premier custom specialty vehicle manufacturer with the ability to provide customized bookmobiles based on a library's specific needs.

Contract Term
This is a one time purchase to be completed on or about May 31, 2023.

Financial Impact
The total contract value will not exceed $400,000.

Funding is available from the City's allocation of American Rescue Plan Act funds.

This item was adopted.

29 Extension of Operation, Administration of City Prosecutor's Office Prostitution Diversion Program (Ordinance S-48704)

Request authorization for an extension of an existing contract for one-year with Catholic Charities Community Services, Inc. (Catholic Charities) for operation of the Prostitution Diversion program. Further request authorization for the City Controller to disburse funds related to this item.

Summary
The Prosecutor's Office Prostitution Diversion Program provides and

monitors rehabilitation services that focus on support, education, and treatment for participants who have been involved in prostitution. Both the community and offender benefit when the offender is rehabilitated. The City benefits by saving the costs the City would otherwise incur to prosecute and incarcerate the offender. In 2020-21, the City saved $217,705 in jail costs.

In February 2017, the City issued a request for proposal (RFP) to seek offers from outside organizations to operate the City's Prostitution Diversion Program. Catholic Charities was the sole organization to respond to the RFP. Catholic Charities' proposal was reviewed by an evaluation committee. The committee determined the proposal satisfied all requirements and Catholic Charities was highly qualified to provide the program services. Catholic Charities has agreed to the additional one-year extension with no changes to their program costs. The Law Department will utilize the extension period to conduct a study of the program and prepare a new RFP.

Contract Term
The contract will be for a one-year extension beginning July 1, 2022, through June 30, 2023.

Financial Impact
The Law Department budget has allocated funding in the amount of $231,845.96.

Concurrence/Previous Council Action
On June 17, 2020, City Council adopted Ordinance S-46756 authorizing the City Manager, or his designee, to exercise the option in the original contract to extend the existing contract for two years through June 30, 2022, with funding not to exceed $231,845.96 per year and further authorized the City Controller to disburse funds related to this item.

This item was adopted.

30 Request to Convert Two Temporary Full-Time Positions to Regular Full-Time in Support of the Human Services Business and Workforce Development Division (Ordinance S-48699)

Request to authorize the City Manager, or his designee, to convert two temporary full-time positions to regular full-time positions in the Human Services Department. No General Fund dollars are requested to support this request. Workforce Innovation and Opportunity Act (WIOA) grant funds are available.

Summary

The request is to convert two temporary Workforce Development Specialist positions, currently funded under the U.S. Department of Housing and Urban Development Jobs-Plus Initiative Program ending on June 30, 2022, and the Choice Neighborhoods Grant ending on June 30, 2024, to regular full-time positions. To continue the delivery of no cost training/education, job search and support services to City of Phoenix Housing Department residents at the Marcos de Niza and Aeroterra public housing properties, the Human Services Department is requesting that two temporary full-time positions be converted to regular full-time prior to the end of the grant cycle.

Financial Impact

The costs for these positions for Fiscal Year 2022-23 is estimated to be $192,380. No General Fund dollars are requested to support this request. WIOA grant funds are available in the Human Services Department’s budget.

This item was adopted.

31 Request to Accept Local Utility Assistance Funding from the Arizona Community Action Association (Ordinance S-48706)

Request to authorize the City Manager, or his designee, to enter into an agreement with the Arizona Community Action Association dba Wildfire to accept local utility assistance funds in an amount not to exceed $384,124 for the period of July 1, 2022, through June 30, 2023. Further request to authorize the City Treasurer to accept and the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

Funds provided to the City of Phoenix through this agreement will be

used to assist low-income individuals and families by removing barriers to self-sufficiency through utility bill assistance. This funding will allow the City of Phoenix to provide financial assistance to approximately 1,070 households.

Contract Term
The contract term is one year beginning July 1, 2022, through June 30, 2023.

Financial Impact
Funding for Fiscal Year 2022-23 will be provided by various local funding sources (**Attachment A**). There is no impact to the General Fund.

This item was adopted.

32 Authorization to Enter into Agreement with Enel X North America, Inc. and Enroll in the Salt River Project Business Demand Program (Ordinance S-48701)

Request to authorize the City Manager, or his designee, to enter into an agreement with Enel X North America, Inc., and enroll in the Salt River Project Business Demand Program. Further request to authorize the City Treasurer to accept all funds related to this item. There is no financial obligation to the City of Phoenix.

Summary
The Salt River Project (SRP) Business Demand Program compensates customers for reducing electrical load during demand response events, most commonly during peak hours as needed. Enel X North America, Inc. is contracted through SRP to administer the program and provide compensation to enrolled customers. During the course of this agreement, participating departments will receive compensation of $60 per kW for reducing electrical load at specific sites during a demand response event. At contract signing, only accounts from the Water Services Department will be included, however, it is anticipated that accounts from other departments will be added in the future.

Contract Term
The term of this agreement is for five years.

Financial Impact

There is no cost to the City to enter into this agreement. Based on the electrical load anticipated to be reduced, staff estimates this agreement may generate between $5,000 and $20,000 annually for the Water Services Department. Once enrolled, departments will receive compensation each month of the participating program year.

This item was adopted.

33 Authorizing Contract with Community Alliance LLC for Community Organizing Services in the Metro District (Ordinance S-48698)

Request to authorize the City Manager, or his designee, to enter into a contract with Community Alliance LLC (Consultant) and Concord Wilshire Capital, LLC (Developer), or its designee, for Consultant to provide community organizing services for the Metro District, an area bounded by Peoria Avenue to the north, Interstate 17 to the east, Dunlap Avenue to the south, and 31st Avenue to the west. Further request authorization for the City Treasurer to accept funds and the City Controller to disburse funds related to this item.

Summary

Metrocenter Mall, which permanently closed in June 2020, is the largest vacant commercial retail building in the City. This closing reduced activity from the general public and has made the mall and surrounding area an inviting target for vagrancy, graffiti, trespassing, litter and crime. The Neighborhood Services Department's open cases with violations in the area have tripled since 2018 and, according to Phoenix Police Department data, various forms of crime have also increased in the area since 2018. Cases of arson have more than tripled while commercial robberies and motor vehicle thefts have doubled. Due to the increase of crime, the City Council included the mall and surrounding area in its 27th Avenue Corridor Community Safety and Crime Prevention Plan.

Staff believes the area is in critical need of building capacity to combat crime and blight as well as positive promotion. Developer, the prospective buyer of Metrocenter Mall for redevelopment, shares the City’s public safety concerns and is willing to fund 50 percent of the costs to build this capacity for the surrounding community.

To launch services quickly, staff identified a consultant with relevant experience and knowledge of the area. In 2021, Ms. Shannon McBride, principal of the 19 North Community Alliance (19 North), led community organizing efforts in this area and formed a group called the Metro District Community Collaboration (MDCC). Ms. McBride also has five years' experience delivering similar services in the nearby 19 North neighborhood. The MDCC consisted of area businesses and property owners and Ms. McBride engaged them to market and brand the Metro District and collaborate on public safety matters; however, a consistent funding source for these services on an ongoing basis had not been identified.

If approved, Community Alliance LLC, an affiliate of 19 North, will provide the following services in the Metro District to enhance the effectiveness of the Crime Prevention Plan and better position the area for future redevelopment:

Enhance Public Safety - proactively engage the community to combat blight, litter, graffiti, trespassing and other conditions negatively impacting safety in the area.
Business Assistance - promote the general welfare of businesses in the area and work with stakeholders to raise awareness of businesses in the area through events and marketing efforts.
Building Relationships - serve as the conduit for connecting businesses and property owners with one another and with external agencies.

Procurement Information
In compliance with Administrative Regulation 3.10, an exception to the procurement process was approved to select this vendor. A direct selection was made due to the urgent need to initiate these services on a short-term basis while staff conducts a formal procurement process for a longer-term contract.

Contract Term
If approved, the term of this contract will begin on or about June 24, 2022, for a one-year term with no renewal options.

Financial Impact

This contract will not exceed $75,000. The City will pay the full value to the Consultant and the Developer will pay the City fifty percent of the cost ($37,500). Upon receipt of the Developer's funds, the City's share will not exceed $37,500. Funding for the City's share is available in the Downtown Community Reinvestment Fund (DCRF) and funding from the Developer will be returned to the DCRF.

Location

The Metro District Community Collaboration focus area is bounded by Peoria Ave. to the north, Interstate 17 to the east, Dunlap Ave. to the south and 31st Ave. to the west.
Council District: 1

This item was adopted.

35 Amend City Contract 131850-MPA with Jefferson Street Signage District, LLC (Ordinance S-48705)

Request to authorize the City Manager or his designee to amend the Management and Promotion Agreement, City Contract No. 131850-MPA (MPA), to modify definitions of Gross Revenue to exclude infrastructure costs of new signage in the Legends Entertainment District. All other terms of the MPA will remain. There is no expense impact as a result of this action.

Summary

In 2011, The City of Phoenix entered into the MPA with the Jefferson Street Signage District, LLC, dba Legends Entertainment District (Legends). This contract granted Legends rights to install signs of various types at specific identified locations in an area generally between Jefferson Street and Washington Street, and between 1st Street and 7th Street. In exchange for the right to place signage on certain City buildings and for an initial investment of $2 Million for installation of the original infrastructure, the City receives Minimum Annual Guaranteed payments that total the greater of $350,000 per year or fifteen percent of the gross revenues. In addition to the payments, the City also is granted access to unsold signage assets.

In 2018, the Jefferson Street Master Sign Plan was expanded with the

addition of Block 23, and then expanded again in 2021 with the addition of the Adeline apartment building creating new opportunities for signage within the district. Legends partners Phoenix Block 23, LLC. and Phoenix 24 Jefferson street Investors, LLC. have invested in the construction of new sign infrastructure and the revenue from the new signs will initially be used to recoup these costs. A total of six (6) signs have been installed between the two buildings. The structure of the MPA would require Legends to pay the City a portion of the revenue from the new signs that is dedicated to paying off the initial investment. Once infrastructure costs have been recovered, revenue from the new signs will be considered Gross Revenue, with fifteen percent paid to the City.

Financial Impact

Once construction and installation costs of the new signs are recouped by revenue generated by the signs, the City will receive fifteen percent of the gross revenues for the new signs. There is no expense impact as a result of this action.

Concurrence/Previous City Council Action

The City Council approved Ordinance S-37850 on May 18th, 2011.

Location

Generally between Jefferson Street and Washington Street, and between 1st Street and 7th Street.
Council District: 7 and 8

This item was adopted.

36 Intergovernmental Agreement with Arizona Department of Health Services for Immunization Services (Ordinance S-48712)

Request authorization for the City Manager, or his designee, to enter into an agreement with the Arizona Department of Health Services to accept funds to immunize children and adults residing in the City of Phoenix. Authorization also is requested for the City Treasurer to accept, and for the City Controller to disburse, all related funds.

Summary

The Arizona Department of Health Services (AZDHS) Arizona

Immunization Program Office strives to meet national immunization goals outlined by the Centers for Disease Control and Prevention. The Fire Department will work to enhance program stewardship and accountability for all publicly-purchased vaccine in support of the Vaccines for Children Program (VFC) and the Vaccines for Adults Program (VFA), provide vaccines to children and adults in accordance with recommendations of the CDC Advisory Committee on Immunization Practices (ACIP), assess and improve immunization coverage levels for children and adults, assure access to vaccines for eligible populations in Arizona, and prevent and control Vaccine-Preventable Diseases (VPD). AZDHS will provide the Phoenix Fire Department Immunization Program with reimbursement at a rate of $25.00 per hour for immunization screening and database services.

Contract Term

The term of the agreement is five years, commencing on July 1, 2022, and ending on June 30, 2027.

Financial Impact

The Fire Department will be reimbursed by AZDHS at a rate of $25.00 per hour; the aggregate reimbursement over the life the contract will depend on the number of immunization clinics hosted.

This item was adopted.

37 Airport Federal Aviation Administration Concessions Consultant - Requirements Contract - Professional Services Agreement (Ordinance S-48688)

Request to authorize the City Manager, or his designee, to enter into a contract with ACC Consulting, LLC to provide airport Federal Aviation Administration concessions consultant services for the Aviation Department for an aggregate five-year contract term. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $560,000.

Summary

As a large hub primary airport, Phoenix Sky Harbor International Airport (PHX) is required by the Federal Aviation Administration (FAA) to have an

Airport Concession Disadvantaged Business Enterprise (ACDBE) program to ensure PHX concessionaires meet federal compliance requirements and abide by the City's employee retention requirements. The City is required to submit its ACDBE program and overall goals to the FAA every three years as a condition of eligibility for FAA financial assistance. To develop triennial ACDBE goals, the City requires contractors to evaluate and develop goals based on the analysis of available opportunities and qualified ACDBE companies available to participate. Development of the triennial goal includes gathering comparative data from similar projects, cooperation with FAA civil rights officers, and organizing stakeholder participation meetings.

Procurement Information
The Aviation Department issued competitive solicitation RFP 22-003 for PHX FAA concessions consultant services in 2022 pursuant to Administrative Regulation 3.10. No offers were received and, as a result, the solicitation was canceled. The results of a post-solicitation survey allowed the Aviation Department to determine that it is in the best interests of the City to pursue a contract with the incumbent contractor, ACC Consulting, LLC.

In accordance with Administrative Regulation 3.10, a Special Circumstances Determination Memo was approved to enter into a contract with ACC Consulting, LLC.

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

Financial Impact
The aggregate contract value will not exceed $560,000.

Funding is available in the Aviation Department's budget.

Concurrence/Previous Council Action
The Phoenix Aviation Advisory Board recommended RFP 22-009 for approval on Nov. 18, 2021 by a vote of 7-0.

The Transportation, Infrastructure, and Planning Subcommittee

recommended the request to issue approval of RFP 22-009 on Dec. 15, 2021 by a vote of 3-0.

The City Council approved Request to Issue RFP 22-009 on Jan. 5, 2022.

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

This item was adopted.

38 Agreement Amendment with Regional Public Transportation Authority for Purchase of Fixed Route Transit Service for Fiscal Year 2022-23 (Ordinance S-48707)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 143071 with the Regional Public Transportation Authority for the purchase of bus transit services operated by this agency within Phoenix for Fiscal Year 2022-23. Further request to authorize the City Controller to disburse all funds related to this item. The funding for Fiscal Year 2022-23 will not exceed $10,567,317.

Summary
Transit services are customarily purchased and sold between regional transit agencies where adding service or continuing an existing bus route is most economical. Each Fiscal Year (FY), the City determines the level of service to be operated within its boundaries and executes an amendment to its Service Agreement with the Regional Public Transportation Authority (RPTA) to authorize funding for that FY's service.

In FY 2022-23, RPTA will provide the following fixed route bus service within Phoenix: Routes 30 (University Drive); 45 (Broadway Road); 56 (Priest Drive); 61 (Southern Avenue); 77 (Baseline Road); 108 (Elliot Road/48th Street); 140 (Ray Road); and 156 (Chandler Boulevard). The City also sells service to RPTA on various routes.

At the end of each FY, the City and RPTA assess the actual miles operated, gross costs incurred, federal funds credited (for preventative

maintenance), and fare revenues collected. The City and RPTA then reconcile the difference between the original estimates and actual costs through a credit memo or billing, as applicable.

Financial Impact

The anticipated number of annual fixed route miles for FY 2022-23 is 1,464,771 miles at a cost of $11,729,924. The total estimated fare box revenue is $304,547, the total estimated preventive maintenance credit is $764,985, and the estimated advertising revenue is $93,075. The total estimated net cost for RPTA's billing to the City is $10,567,317.

Funding is available in the Public Transit Department’s Operating budget using the Transportation 2050 Fund.

Concurrence/Previous Council Action

The City Council approved RPTA Service Agreement 143071 (Ordinance S-42474) on April 20, 2016.

This item was adopted.

39 Jurisdictional Bus Service Revenue Agreements - Amendments (Ordinance S-48708)

Request to authorize the City Manager, or his designee, to execute amendments to agreements: 147281 with the Gila River Indian Community; 150473 with the City of Glendale; and 150638 with the Regional Public Transportation Authority, for the purchase of Phoenix's fixed-route bus services by these agencies and the funding of Phoenix's Dial-a-Ride services with regional transportation funds managed by Regional Public Transportation Authority for Fiscal Year 2022-23. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to these amendments.

Summary

Phoenix's Public Transit Department has existing agreements with these agencies for the provision of Phoenix-operated fixed-route bus services on the following routes:
Gila River Indian Community (GRIC) - Route 51;
City of Glendale - Routes 51, 59, 60, 67, 80, 83, 90 and 186; and

Regional Public Transportation Authority (RPTA) - Routes 3, 17, 29, 41, 50, 59, 67, 70, 80, 83, 106, 138, 154 and 170.

These amendments establish the Fiscal Year 2022-23 cost estimates for the fixed-route bus services provided to these agencies by Phoenix, plus Phoenix's Dial-a-Ride services funded by regional funds.

Financial Impact

There is no cost to Phoenix. Each agency will pay Phoenix for these services. Below are the projected costs for each respective agency in Fiscal Year 2022-23:

GRIC
Gross Cost of Service: $1,059,025
American Rescue Plan Act (ARPA) Funding Credit to GRIC: $37,843
Farebox Revenue: $37,459
Net GRIC Cost (Revenue to Phoenix): $983,723

City of Glendale
Gross Cost of Service: $4,567,673
ARPA Funding Credit to Glendale: $159,020
Farebox Revenue: $305,879
Net Glendale Cost (Revenue to Phoenix): $4,102,774

RPTA
Gross Cost of Fixed Route Bus Service: $16,933,207
Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding Credit to RPTA: $5,495
ARPA Funding Credit to RPTA: $522,092
Farebox Revenue: $983,634
Net Fixed Route Bus Service Cost: $15,421,986
Net Dial-a-Ride Cost (Revenue to Phoenix): $18,712,519
Net Combined RPTA Cost (Revenue to Phoenix): $34,134,505

This item was adopted.

40 35th Avenue and Harrison Street Union Pacific Railroad Crossing - Design-Bid-Build Services - ST85100339 (Ordinance S-48685)

Request to authorize the City Manager, or his designee, to accept Combs Construction Company, Inc. as the lowest-priced, responsive and responsible bidder and to enter into an agreement with Combs Construction Company, Inc. for Design-Bid-Build Services for the 35th Avenue and Harrison Street Union Pacific Railroad Crossing project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $457,570.

Summary

The purpose of this project is to enhance the safety of the Union Pacific Railroad Company crossing at the intersection of 35th Avenue and Harrison Street. The roadway improvements are at the intersection on both sides of the railroad tracks.

Combs Construction Company, Inc.'s services include, but are not limited to: installation of new concrete medians, curbs, gutters, sidewalks and ramps, and pavement restoration.

Procurement Information

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Two bids were received on March 1, 2022 and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Disadvantaged Business Enterprise (DBE) program requirements.

The Opinion of Probable Cost and the one lowest responsive, responsible bidder are listed below:

Opinion of Probable Cost: $290,397
Combs Construction Company, Inc.: $457,570

Bidders who were deemed non-responsive are listed below, in alphabetical order:
Shada, Inc. dba Benchmark Construction, LLC

Although the bid exceeds the Opinion of Probable Cost by more than 10 percent, it has been determined the bid represents a fair and reasonable

price for the required work scope. Additionally, the bid award amount is within the total budget for this project.

Contract Term
The term of the agreement is 180 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Combs Construction Company, Inc. will not exceed $457,570, including all subcontractor and reimbursable costs.

This project will utilize federal funds and is subject to the requirements of 49 Code of Federal Regulations Part 26 and the U.S. Department of Transportation DBE Program. Funding is available in the Street Transportation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location
35th Avenue and Harrison Street
Council District: 7

This item was adopted.

41 Street (Right-of-Way) Landscape Maintenance - 2-Step Job Order Contracting Services - 4108JOC201 (Ordinance S-48690)

Request to authorize the City Manager, or his designee, to enter into a master agreement with URW, LLC dba United Right-of-Way, to provide Street (Right-of-Way) Landscape Maintenance 2-Step Job Order Contracting services for the Street Transportation Department. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item.

The fee for services will not exceed $12.5 million.

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

Summary

URW, LLC dba United Right-of-Way's services will be used on an as-needed basis to provide Street (Right-of-Way) Landscape Maintenance Job Order Contracting services Citywide within established City Right-of-Way. Additionally, URW, LLC dba United Right-of-Way will be responsible for fulfilling Small Business Enterprise program requirements.

The Scope of Work is focused on Street Right-of-Way/properties and may include:
Repair and install irrigation systems;
Herbicide/pesticide applications;
Graffiti removal;
Planting, pruning and removal of landscape;
Knowledge and ability to install trees including staking and tying; and
Coordinate traffic control per City of Phoenix Requirements.

Procurement Information

The selection was made using a two-step qualifications and price-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. One firm submitted proposals and is listed below.

Selected Firm
Rank 1: URW, LLC dba United Right-of-Way

Contract Term
The term of the 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 URW, LLC dba United Right-of-Way will not exceed $12.5 million, including all subcontractor and reimbursable costs.

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

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

42 Salt River Project Construction License for 35th Avenue, Roosevelt Street to Interstate 10 Freeway - ST85160018 (Ordinance S-48693)

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

by Phoenix City Code 42-18.

Summary
The City is installing streetlights on 35th Avenue from Roosevelt Street to Interstate 10 Freeway, and the purpose of this license is to allow the City to install five new streetlights that will parallel Salt River Project irrigation facilities. This work is in conjunction with City Project ST85160018.

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

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

Location
35th Avenue, Roosevelt Street to Interstate 10 Freeway.
Council District: 4

This item was adopted.

43 Salt River Project Construction License for 27th Avenue and Camelback Road Traffic Signal Upgrade - ST89340638 (Ordinance S-48694)

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

Summary
The City is upgrading all traffic signals, equipment and sidewalk ramps at the intersection of 27th Avenue and Camelback Road, and the purpose of this license is to allow the City to install three signal conduits that will cross under and one pole with a pull box that will parallel Salt River Project irrigation facilities. This work is in conjunction with City Project

ST89340638.

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

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

Location
27th Avenue and Camelback Road.
Council Districts: 4 and 5

This item was adopted.

44 Gas Pipeline License with Santa Fe Pacific Partners Limited Partnership Kinder Morgan (Ordinance S-48703)

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license to Santa Fe Pacific Partners Limited Partnership Kinder Morgan to install, operate, maintain, and repair gas pipeline facilities in, under, over, and across public rights-of-way in the City, subject to terms and conditions contained in the license and Phoenix City Code. Further request to authorize expiration of this authorization if the licensee does not sign the license within 60 days of Council approval.

Summary
The license will be for a period of 15 years, contain appropriate insurance and indemnification provisions, require a performance bond and security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the right-of-way.

Contract Term
The license is for a 15-year Gas Pipeline License.

Financial Impact
There is no financial impact to the City. Per Phoenix City Code, licensee

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

This item was adopted.

45 Freeway (Right-of-Way) Landscape Maintenance - 2-Step Job Order Contracting Services - 4108JOC206 (Ordinance S-48709)

Request to authorize the City Manager, or his designee, to enter into a master agreement with DLC Resources, Inc., to provide city-maintained Freeway (Right-of-Way) Landscape Maintenance Job Order Contracting services for the Street Transportation Department. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $12.5 million.

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

Summary

DLC Resources, Inc.'s services will be used on an as-needed basis to provide city-maintained Freeway (Right-of-Way) Landscape Maintenance Job Order Contracting services within established non-City Right-of-Way. Additionally, DLC Resources, Inc. will be responsible for fulfilling Small Business Enterprise program requirements.

The Scope of Work is focused on landscaping in Freeway Right-of-Way that is maintained by the City per an Intergovernmental Agreement with

the Arizona Department of Transportation (ADOT), and may include:
Repair and/or restoration of irrigation systems;
Herbicide/pesticide applications;
Graffiti removal.
Planting, pruning and removal of landscape;
Clear-cut fire line breaks and other pruning/debris removal in washes with limited access in accordance with Section 404 (Clean Water Act);
Repair and/or replace concrete pedestrian pathways and miscellaneous concrete flat work.
Repair and/or install various types of fencing and traffic control; and
Coordinate traffic control per ADOT and City of Phoenix requirements.

Procurement Information
The selection was made using a two-step qualifications and price 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. One firm submitted a proposal and is listed below.

Selected Firm
Rank 1: DLC Resources, Inc.

Contract Term
The term of the 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 DLC Resources, Inc. will not exceed $12.5 million, including all subcontractor and reimbursable costs.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under this master agreement for up to $2 million each. In no event will any job order agreement exceed this limit

without Council approval to increase the limit.

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

46 24-Inch Water Main: Cave Creek Road and Desert Peak Parkway to Booster Pump Station 5ED-B1- Engineering Services - WS85508002 (Ordinance S-48680)

Request to authorize the City Manager, or his designee, to enter into an agreement with Entellus, Inc., to provide Engineering Services that include study, design, and possible construction administration and inspection services for the 24-Inch Water Main: Cave Creek Road and Desert Peak Parkway to Booster Pump Station 5ED-B1 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 $2.93 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, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would 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 install approximately 30,000 feet of new

24-inch water transmission main from Cave Creek Road and Desert Peak Parkway to connect to an existing 54-inch transmission main near Booster Pump Station 5ED-B1. Services will include an alignment study, design, and possible construction administration and inspection.

Entellus Inc.'s services include, but are not limited to:
Gather and review information to conduct alignment study, including providing survey of the proposed pipeline alignment, researching property ownership, verifying geographic contour, requesting and reviewing as-built's and utility maps etc.;
Prepare easement documents for the proposed pipeline alignment;
Attend meetings with various entities and provide assistance as needed, such as easement acquisition, right-of-way coordination, and regulatory comments resolution;
Draft Method of Planned Operation for shut-downs and attend City shut-down operational meetings;
Provide services, as needed, for environmental/archeological assessments, aerial topography, geotechnical services, land survey and mapping, construction easements;
Drainage associated with the project; and
Other duties as assigned.

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. Five firms submitted proposals and are listed below.

Selected Firm
Rank 1: Entellus, Inc.

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

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 Entellus, Inc. will not exceed $2.93 million, including all subconsultant and reimbursable costs.

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

Location
Cave Creek Road and Desert Peak Parkway
Council District: 2

This item was adopted.

47 Clear Creek Associates, LLC Contract - RFA-2122-WRD-271 Request for Award (Ordinance S-48683)

Request to authorize the City Manager, or his designee, to enter into an agreement with Clear Creek Associates, LLC to provide groundwater modeling consulting services 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 $765,000.

Summary
The purpose of this agreement is to provide groundwater modeling consulting services required for obtaining a Designation of Assured Water Supply (DAWS) from the Arizona Department of Water Resources (ADWR). The requirements of the DAWS process have not been fully

determined by ADWR, therefore Clear Creek will help to support the City of Phoenix by analyzing previous DAWS requirements to produce new information critical for obtaining the DAWS. Furthermore, this effort will not only include groundwater modeling to address ADWR requirements but will also provide vital components for the City's well permitting compliance using Well Impact-Well Spacing Studies and the required analytical model THWells.

Procurement Information

In accordance with AR 3.10, standard competition was waived as a result of an approved Determination Memo based on Special Circumstances without Competition. The database that manages the data supply and demand statistics was created by Clear Creek Associates and the City of Phoenix. Both the numerical model and database are closely interlinked so that simulations and projections can be easily created. It would be ineffective, time-consuming, and not cost effective to teach other consultants how this numerical model works as the institutional knowledge is proprietary about the model and database upgrades that were accomplished by Clear Creek Associates.

Contract Term

The agreement will begin on or about June 1, 2022, for a three-year term with two one-year options to extend.

Financial Impact

The total agreement value will not exceed $765,000.

Funding is available in the Water Services Department Operating budget.

This item was adopted.

48 Concrete Reservoir Program - Engineering Services - WS85050019 and WS85400007 (Ordinance S-48684)

Request to authorize the City Manager, or his designee, to enter into an agreement with Entellus, Inc., to provide Engineering Services that include assessment, inspection, cleaning, and design services, and possible construction administration and inspection services for the Concrete Reservoir Program 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 $1.5 million.

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

Summary
The purpose of this project is to maintain the program's 10-year schedule plan and use the schedule to coordinate necessary assessment, inspection, and cleaning activities with Water Services Department Operations staff. Entellus, Inc. will also be responsible for preparing necessary documentation related to reservoir shutdowns for 23 concrete reservoirs.

Entellus, Inc.'s services include, but are not limited to: program planning and management; assessment, inspection, and cleaning; Arizona Department of Water Resources dam safety inspection; design services; and miscellaneous support services.

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: Entellus, Inc.

Additional Proposers
Rank 2: Black & Veatch Corporation
Rank 3: HDR Engineering, Inc.
Rank 4: Gannett Fleming, Inc.

Contract Term
The term of the agreement is three 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 Entellus, Inc. will not exceed $1.5 million, including all subconsultant and reimbursable costs.

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

This item was adopted.

49 Val Vista Water Treatment Plant Rehabilitation 2018 Construction Manager at Risk - Construction Services Amendment - WS85230052 (Ordinance S-48695)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 151260 with Sundt Construction, Inc. to provide additional Construction Services for the Val Vista Water Treatment Plant Rehabilitation 2018 project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the

City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $892,301.

Summary

The purpose of this project is to perform rehabilitation services at the Val Vista Water Treatment Plant (WTP). The Val Vista WTP is located on the south side of the Arizona Canal in the City of Mesa and has the capacity to treat 220 million gallons of water per day. The Water Services Department anticipates rehabilitation, replacement, or new construction of the following treatment systems which may include, but are not limited to: Chemical Feed Stations, East and West Plant Bar Screens, Solid Handling Facility Polymer Feed System, Sludge Collectors, East Plant Inlet Electrical Building-Switchgear, East Plant Sedimentation Basins 1-8 Launders, Ferric Chloride Bulk Storage Tanks, and East and West Plant Filters 1-8 Rebuild and Granular Activated Carbon Conversion.

This amendment is necessary for Sundt Construction, Inc. to provide additional services which include, but are not limited to: ferric chemical system, including pump room and containment area chemical resistant coatings, process controls changes including tank level indication, program logic controls upgrades and pressure sensor alteration; and the east inlet 5kV building feeder wire replacement, arc flash testing and Neta testing for alterations made to electrical gear. This amendment will provide additional funds to the agreement.

Contract Term

The term of the agreement amendment is 183 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The initial agreement for Construction Services was approved for an amount not to exceed $29.5 million, including all subcontractor and reimbursable costs.

Change Order 1 was approved for an amount not to exceed $1,503,257,

including all subcontractor and reimbursable costs.
This amendment will increase the agreement by an additional $892,301, for a new total amount not to exceed $31,895,558, including all subcontractor and reimbursable costs.

Funding for this amendment 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.

Concurrence/Previous Council Action
The City Council approved:
Preconstruction Services Agreement 147880 (Ordinance S-44756) on June 20, 2018; and
Construction Services Agreement 151260 (Ordinance S-46190) on Nov. 20, 2019; and
Construction Services Agreement 151260 - Amendment (Ordinance S-48217) on Jan. 5, 2022.

Location
Val Vista Water WTP
Council District: Out of City

This item was adopted.

50 Final Plat - 35th Avenue and Thunderbird Road - PLAT 210101 - Northeast Corner of 35th Avenue and Thunderbird Road

Plat: 210101
Project: 18-2299
Name of Plat: 35th Avenue and Thunderbird
Owner: FNS Ventures I, LLC, Francis and Sons I, LLC
Engineer: Bruce R Heyse, RLS
Request: A Two Lot Commercial Plat
Reviewed by Staff: April 26, 2022
Final Plat requires Formal Action Only

Summary

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

Location
Northeast corner of 35th Avenue and Thunderbird Road
Council District: 1

This item was approved.

51 Final Plat - Aster Ridge - PLAT 220010 - North of Anthem Way and East of 43rd Avenue

Plat: 220010
Project: 21-2880
Name of Plat: Aster Ridge
Owner(s): K Hovnanian at Aster Ridge, LLC
Engineer(s): James A. Loftis, RLS
Request: A 177 Lot Residential Subdivision Plat
Reviewed by Staff: May 7, 2022
Final Plat requires Formal Action Only

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

Location
Generally located North of Anthem Way and East of 43rd Avenue.
Council District: 1

This item was approved.

52 Final Plat - Elevate on Central - PLAT 200609 - Northwest Corner of South Mountain Avenue and Central Avenue

Plat: 200609
Project: 19-1352
Name of Plat: Elevate on Central
Owner: TSALM Services, LLC
Engineer: Robert A. Johnston, RLS
Request: A 58 Lot Attached Single-Family Planned Residential Development

Reviewed by Staff: May 13, 2022
Final Plat requires Formal Action Only

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

Location
Generally located at the northwest corner of South Mountain Avenue and Central Avenue.
Council District: 8

This item was approved.

53 Final Plat - Isola at 202 & Elliot - PLAT 210110 - Northeast Corner of 59th Avenue and Elliot Road

Plat: 210110
Project: 19-796
Name of Plat: Isola at 202 & Elliot
Owner: Isola Elliot, LLC; Miller 160, LLC; Amed Partners, LLC
Engineer: Mitchell H. Ragsdale, RLS
Request: A 6 Lot Commercial Plat
Reviewed by Staff: April 27, 2022
Final Plat requires Formal Action Only

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

Location
Generally located at the northeast corner of 59th Avenue and Elliot Road.
Council District: 8

This item was approved.

54 Abandonment of Alleyway - ABND 210044 - 602 East Lincoln Street (Resolution 22029)

Abandonment: ABND 210044
Project: 21-4209
Applicant: Mark Abromovitz

Request: The 20-foot wide alley located at 602 East Lincoln St., between APNs 112-31-048, 112-31-049A, and 112-31-088.
Date of Decision/Hearing: Oct. 28, 2021

Location
602 East Lincoln Street.
Council District: 8

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $16,000.

This item was adopted.

56 Amend City Code - Ordinance Adoption - Rezoning Application Z-40-21-7 - Approximately 1,400 Feet South of the Southeast Corner of 69th Avenue and Van Buren Street (Ordinance G-6990)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-40-21-7 and rezone the site from RE-43 (One-Family Residence District) to A-1 (Light Industrial District) to allow industrial uses.

Summary
Current Zoning: RE-43
Proposed Zoning: A-1
Acreage: 6.19 acres
Proposal: Industrial uses

Owner: Franklin E. Gilbert Properties IV, LLC, et al.
Applicant: Shaine T. Alleman, Tiffany & Bosco, P.A.
Representative: Shaine T. Alleman, Tiffany & Bosco, P.A.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Estrella Village Planning Committee heard this case on April 19, 2022, and recommended approval, per the staff recommendation, by a vote of 6-0.
PC Action: The Planning Commission heard this case on May 5, 2022, and recommended approval, per the Estrella Village Planning Committee

recommendation, by a vote of 8-0.

Location
Approximately 1,400 feet south of the southeast corner of 69th Avenue and Van Buren Street
Council District: 7
Parcel Address: 32 S. 67th Ave.; and 11, 13, 15, and 223 S. 69th Ave.

This item was adopted.

57 **Public Hearing and Ordinance Adoption - Rezoning Application Z-62-18-2 (Verdin PUD) - Southwest corner of the 24th Street Alignment and Sonoran Desert Drive (Ordinance G-6991)**

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-62-18-2 and rezone the site from S-1 DCOD (Ranch or Farm Residence District, Desert Character Overlay District), S-1 (Ranch or Farm Residence District), and RE-35 DCOD (Single-Family Residence District, Desert Character Overlay District) to PUD DCOD (Pending PUD) (Planned Unit Development, Desert Character Overlay District, pending Planned Unit Development) and PUD (Planned Unit Development) to allow single-family residential. This is a companion case to GPA-DSTV-1-18-2, Z-75-18-2, and Z-TA-5-18-2 and must be heard following Z-TA-5-18-2.

Summary
Current Zoning: S-1 DCOD (144.82 acres), S-1 (333.57 acres), RE-35 DCOD (10.24 acres)
Proposed Zoning: PUD DCOD (Pending PUD) (155.06 acres) and PUD (333.57 acres)
Acreage: 488.63 acres
Proposal: Planned Unit Development to allow single family residential

Owner: MacEwen Ranch, LLC
Applicant: Taylor Morrison/Arizona, Inc.
Representative: Susan Demmitt, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Info: The Desert View Village Planning Committee heard this case on Nov. 6, 2018, Apr. 2, 2019, and Dec. 7, 2021, for information only. The North Gateway Village Planning Committee heard this case on Nov. 8, 2018 and Dec. 9, 2021, for information only.
VPC Action: The North Gateway Village Planning Committee heard this case on March 10, 2022 and recommended approval, per the staff recommendation with a modified stipulation, by a vote of 4-1. The Desert View Village Planning Committee heard this case on April 5, 2022 and recommended approval, per the staff recommendation with modifications and additional stipulations, by a vote of 10-1.
PC Action: The Planning Commission heard this case on May 5, 2022 and recommended approval, per the staff memo dated May 5, 2022, by a vote of 7-1.

Location
Southwest corner of the 24th Street alignment and Sonoran Desert Drive.
Council District: 2
Parcel Address: 28239 N. 23rd St.; and 28231, 28235, 28241, and 28245 N. 24th St.

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

58 Public Hearing - Amend the Desert Character Overlay District - Ordinance Adoption - Z-TA-5-18-2 (Ordinance G-6993)

Request for a public hearing for a proposed text amendment to the Zoning Ordinance, Text Amendment Z-TA-5-18-2, to amend Chapter 6, Section 653 to modify the Desert Character Overlay District boundaries between the 16th Street and 32nd Street alignments.This is a companion case to GPA-DSTV -1-18-2, Z-75-18-2 and Z-62-18-2 and should be heard after Z-75-18-2.

Summary
The intent of this proposed text amendment is amend Chapter 6, Section 653 of the Zoning Ordinance to modify the boundaries of the Desert Character Overlay District.

Applicant: Susan Demmitt, Gammage & Burnham, PLC

Representative: Susan Demmitt, Gammage & Burnham, PLC

Staff recommendation: Approval, as shown in Exhibit A of the Staff Report.
VPC Info: The Desert View Village Planning Committee heard this case on Nov. 6, 2018, April 2, 2019, and Dec. 7, 2021, for information only. The North Gateway Village Planning Committee heard this case on Nov. 8, 2018 and Dec. 9, 2021, for information only.
VPC Action: The North Gateway Village Planning Committee heard this case on March 10, 2022, and recommended approval, per the staff recommendation, by a vote of 4-1. The Desert View Village Planning Committee heard this case on April 5, 2022, and recommended approval, per the staff recommendation, by a vote of 7-4.
PC Action: The Planning Commission heard the case on May 5, 2022, and recommended approval, per the Addendum A Staff Report, by a vote of 7-1.

Location
Desert Character Overlay District (DCOD) boundaries between the 16th Street and 32nd Street alignments
Council District: 2
Parcel Address: 28239 N. 23rd St.

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

59 Public Hearing and Resolution Adoption - General Plan Amendment GPA-DSTV-1-18-2 - Southwest Corner of the 24th Street Alignment and Sonoran Desert Drive (Resolution 22030)

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 474.37 acres from Preserves / Residential 0 to 1 dwelling units per acre / Residential 1 to 2 dwelling units per acre, Preserves / Residential 2 to 3.5 dwelling units per acre / Residential 3.5 to 5 dwelling units per acre, Preserves / Floodplain, and Infrastructure Phasing Overlay to Residential 2 to 3.5 dwelling units per acre and Preserves / Floodplain, and removal of the Infrastructure

Phasing Overlay. This is a companion case to Z-75-18-2, Z-TA-5-18-2, and Z-62-18-2 and must be heard first, followed by Z-75-18-2.

Summary

Application: GPA-DSTV-1-18-2
Current Designation: Preserves / Residential 0 to 1 dwelling units per acre / Residential 1 to 2 dwelling units per acre (138.83 acres), Preserves / Residential 2 to 3.5 dwelling units per acre / Residential 3.5 to 5 dwelling units per acre (312.30 acres), Preserves / Floodplain (23.24 acres), and Infrastructure Phasing Overlay (474.37 acres)
Proposed Designation: Residential 2 to 3.5 dwelling units per acre (451.13 acres), Preserves / Floodplain (23.24 acres), and Infrastructure Phasing Overlay removal (474.37 acres)
Acreage: 474.37 acres
Proposed Use: Amend the General Plan Land Use Map and remove the Infrastructure Phasing Overlay to allow single-family residential development.

Owner: MacEwen Ranch, LLC
Applicant: Robert Johnson, Taylor Morrison/Arizona Inc.
Representative: Susan E. Demmitt, Gammage & Burnham, PLC

Staff Recommendation: Approval.
VPC Info: The Desert View Village Planning Committee heard this case on Dec. 7, 2021, for information only. The North Gateway Village Planning Committee heard this case on Dec. 9, 2021, for information only.
VPC Action: The North Gateway Village Planning Committee heard this case on March 10, 2022 and recommended approval, by a vote of 4-1. The Desert View Village Planning Committee heard this case on April 5, 2022 and recommended denial as filed, approval with a modification, by a vote of 10-1.
PC Action: The Planning Commission heard this case on May 5, 2022 and recommended approval, per Addendum A of the Staff Analysis Report, by a vote of 7-1.

Location

Southwest corner of the 24th Street alignment and Sonoran Desert Drive.

Council District: 2
Parcel Addresses: 28239 N. 23rd St.; and 28231, 28235, 28241, and 28245 N. 24th St.

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

60 Public Hearing and Ordinance Adoption - Rezoning Application Z-75-18-2 - South of Sonoran Desert Drive between the 16th Street and 32nd Street Alignments (Ordinance G-6992)

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-75-18-2 and rezone the site from RE-35 DCOD-A (Single-Family Residence District, Desert Character Overlay District, Sub-District A) and S-1 DCOD-A (Ranch or Farm Residence, Desert Character Overlay District, Sub-District A) to RE-35 (Single-Family Residence District) and S-1 (Ranch or Farm Residence) to allow single-family residential. This is a companion case to GPA-DSTV-1-18-2, Z-TA-5-18-2, and Z-62-18-2 and must be heard following GPA-DSTV-1-18-2.

Summary
Current Zoning: RE-35 DCOD-A (10.25 acres) and S-1 DCOD-A (144.81 acres)
Proposed Zoning: RE-35 (10.25 acres) and S-1 (144.81 acres)
Acreage: Approximately 155.06 acres
Proposed Use: Modify the boundary of the Desert Character Overlay District to remove a portion from Sub-District A

Owner: MacEwen Ranch, LLC
Applicant: Susan Demmitt, Gammage & Burnham, PLC
Representative: Susan Demmitt, Gammage & Burnham, PLC

Staff Recommendation: Denial as filed, approval of the staff recommended area in Z-TA-5-18-2.
VPC Info: The Desert View Village Planning Committee heard this case on Nov. 6, 2018, April 2, 2019, and Dec. 7, 2021, for information only. The North Gateway Village Planning Committee heard this case on Nov.

8, 2018 and Dec. 9, 2021, for information only.
VPC Action: The North Gateway Village Planning Committee heard this case on March 10, 2022 and recommended approval, per the staff recommendation, by a vote of 4-1. The Desert View Village Planning Committee heard this case on April 5, 2022 and recommended denial as filed, approval per the staff recommendation, by a 7-4 vote.
PC Action: The Planning Commission heard this case on May 5, 2022 and recommended approval, per the Addendum A Staff Report, by a vote of 7-1.

Location
Southwest corner of the 24th Street alignment and Sonoran Desert Drive.
Council District: 2
Parcel Address: 28239 N. 23rd St.

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

62 **(CONTINUED FROM MARCH 2 AND APRIL 6, 2022) - Public Hearing and Ordinance Adoption - Rezoning Application Z-20-21-4 - Approximately 1,300 Feet North of the Northeast Corner of Central Avenue and Indian School Road (Ordinance G-6964)**

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

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

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

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Encanto Village Planning Committee heard this case on June 7, 2021, for information only.
VPC Action: The Encanto Village Planning Committee heard this case on Sept. 13, 2021, and recommended approval, per the staff recommendation, by a vote 11-3.
PC Action: The Planning Commission heard this case and continued the item on Oct. 7, Nov. 4, Dec. 2, 2021; and Jan. 6, 2022. The Planning Commission heard this case on Feb. 3, 2022, and recommended approval, per the Addendum A Staff Report, with an additional and modified stipulation by a vote of 6-2.
CC Action: The City Council continued the request on March 2, 2022 to April 6, 2022 to allow the item to be posted for a Public Hearing.

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

This item was continued to the Sept. 7, 2022 City Council Formal Meeting.

63 (CONTINUED FROM MAY 11, 2022) - Public Hearing - Certificate of Appropriateness - Appeal of Historic Preservation Commission's Decision on Certificate of Appropriateness Application HPCA 2100392 - 2215 N. 9th St. in the Coronado Historic District

Request to hold a public hearing on a Certificate of Appropriateness Decision by the Historic Preservation (HP) Commission on Certificate of Appropriateness Application HPCA 2100392 for 2215 N. 9th St. in the Coronado Historic District for a request to build two attached dwelling units, one two-story and the other single-story, on the 134 feet by 50 feet vacant parcel. Requested City Council action is to uphold, reverse or modify the HP Commission’s Certificate of Appropriateness decision.

Summary
On Jan. 11, 2022, the HP Hearing Officer held a public hearing to review

this application, which was filed by Michael Gilson of Accurate Estimating on behalf of the property owner, LG Properties Plus, LLC. The application at that time was for the construction of two, two-story dwelling units connected by a one-story carport with a total of 2,835 square feet under roof. The hearing officer approved the Certificate of Appropriateness subject to the following stipulations:

1. That any proposed gate or fencing over 3 feet in height be stepped back 3 feet from the front corners of the primary dwelling;
2. That window headers be changed to sills; and
3. That the parapet have a varied roofline - increases above existing roofline to be minimal in height and width subject to approval of Historic Preservation staff.

The Hearing Officer’s decision was appealed on Jan. 14, 2022 by five appellants: Carol Simmons, Cody Castelletti, Donna Reiner, Arthur Vigil III, and Heidi D'Angelo. After meeting with the appellants, the applicant revised the proposed plans to reduce the height of the rear dwelling unit to one-story and change the roof form of the front dwelling. The proposed modifications were supported by staff.

The appeal was heard before the HP Commission on Feb. 14, 2022 and was continued to the March 21, 2022 HP Commission meeting to allow for the applicant to meet with the appellants and compile additional information to demonstrate the compatibility of the proposed plans with the surrounding neighborhood.

Subsequent to the Feb. 14, 2022 HP Commission meeting, two of the appellants provided design suggestions to the applicant. The applicant modified the roof form and style of the dwelling and reduced the total square footage under roof to 2,697. The proposed modifications were supported by Historic Preservation staff.

At the March hearing, the HP Commission voted 6-1 to modify the Hearing Officer's decision to approve the current revised plan set (dated March 14, 2022). The HP Commission's decision was appealed on March 25, 2022 by four appellants: Carol Simmons, Donna Reiner, Arthur Vigil III, and Heidi D'Angelo.

Staff finds that the proposed work meets the Standards for Consideration of Appropriateness set forth in Section 812.D of the Zoning Ordinance. While the neighboring properties are single-story, the historic building which was previously located on the parcel was a two-story dwelling. The former building was roughly 23 feet in height and the proposed front dwelling would be roughly 26 feet at its tallest point. That peak ridge height is stepped back roughly 24 feet from the westernmost portion of the front facade which itself is stepped back 25 feet from the front property line. The westernmost portion of the dwelling has a roof height of 23 feet matching the no longer extant historic dwelling. The adjacent single-story historic buildings are set back 21 feet and 19 feet from the front property lines. This proposed design serves to meet the guideline for new construction which states that "where changes in size must occur, the visual impact of the new construction should be minimized by stepping back the new construction from the historic buildings." Staff also recognizes that the applicant reduced the height of the rear unit to be one-story and modified the overall footprint in order to reduce the size and massing of the dwelling. Design changes were also made, based on response to the appellants, to alter the roof form, windows, front door opening, and front porch, as the Historic Preservation Guidelines note, to "resemble those related forms found on adjacent or surrounding structures."

Staff recommends that the City Council uphold the HP Commission's March 21, 2022 decision to approve the most recent plan submitted by the applicant to the Historic Preservation Office on March 14, 2022.

Financial Impact

There is no financial impact to the city.

Concurrence/Previous Action

The HP Hearing Officer approved the Certificate of Appropriateness on Jan. 11, 2022 with three stipulations.

The Hearing Officer's decision was appealed on Jan. 14, 2022 by five appellants: Carol Simmons, Cody Castelletti, Donna Reiner, Arthur Vigil III, and Heidi D'Angelo.

The HP Commission voted 6-1 to modify the hearing officer's decision

on March 21, 2022 to approve the plan set submitted by the applicant in March of 2022.

The HP Commission's decision was appealed on March 25, 2022 by four appellants: Carol Simmons, Donna Reiner, Arthur Vigil III, and Heidi D'Angelo.

Location
2215 N. 9th St.
Council District: 4

This item was continued to the Aug. 31, 2022 City Council Formal Meeting.

13 Public Hearing on the 2022-27 Capital Improvement Program

As required by the City Charter, this item requests the City Council conduct a public hearing on the 2022-27 Capital Improvement Program for purposes of receiving public comments.

Discussion
Mayor Gallego declared the public hearing open.

Noting that there was no one registered to speak, Mayor Gallego declared the public hearing closed.

The hearing was held.

14 Adoption of the 2022-27 Capital Improvement Program (Resolution 22031)

Request City Council approval of a resolution adopting a 2022-27 Capital Improvement Program (CIP) for the City of Phoenix. This resolution does not appropriate or commit any public funds, but represents an endorsement of the proposed capital improvements and the five-year plan of expenditure as a reasonable and desirable plan to be accomplished by the City. A five-year capital plan is considered a best financial practice.

Summary
The Five-Year CIP is a plan for the replacement, expansion and improvement of city infrastructure, facilities and technology used to

deliver community services. It is financed from pay-as-you-go funds, property tax and revenue supported bond proceeds, federal, state and other participation funds, passenger facility charges, customer facility charges, participation by other governmental entities in certain projects, development impact fees, capital grants, capital reserves, solid waste remediation funds and other capital funding sources.

The Preliminary Five-Year CIP was presented to the City Council on March 29, 2022. The 2022-27 CIP proposed for adoption includes adjustments to reflect carryovers and known cost and resource changes.

The City Charter requires that the Five-Year CIP be adopted by resolution following the advertised public hearing, which this year will take place at the Formal meeting on June 1, 2022.

Adoption of the resolution **(Attachment A)** does not commit any funds, but represents an endorsement of the CIP as a desirable plan to be accomplished over the next five years. The first year of the CIP is adopted by ordinance as part of the annual budget adoption process, which provides the only authority to commit funds.

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

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

15 Public Hearing on Adoption of the Tentative 2022-23 Annual Budget Ordinances

As required by the City Charter and State statute, this item requests the City Council conduct a public hearing on the adoption of the tentative 2022-23 Annual Budget ordinances (see **Attachments A and B** for additional information).

Discussion

Mayor Gallego declared the public hearing open.

Eva Olivas spoke in favor of this item. She asked for support in that the budget would include support for planners to work with residents and the community on developing the work that was done by the Transit Oriented Development (TOD) committee. She also requested consideration and support from the long time supporters of the work done by the TOD committee. She emphasized the importance of having the support from the Planning Department to the TOD committee and staff for the TOD plan.

Mayor Gallego thanked Ms. Olivas for her leadership.

One electronic comment was submitted for the record in support of this item.

Mayor Gallego declared the public meeting closed.

Councilwoman Ansari inquired about the ten new positions, specifically, the 2.4 million in economic development and planning that was being allocated in the budget and how plans such as the South Central Transit Oriented Development plan implementation that residents are concerned about would be addressed through the different positions.

Deputy City Manager Alan Stephenson affirmed that within the budget there were six new positions in the Planning and Development Department relative to planners and the long range functions within the city which were TOD positions to add additional resources to the two planners already in the area. He added that the same group of planners would work on other efforts like the electric vehicle systems and the plan that the Council was working on adopting to bring the text amendments forward and address those issues as well as other planning efforts that had been requested. Mr. Stephenson added that collectively the six planners would work to implement the plans.

Councilwoman Ansari asked Mr. Stephenson if he was confident that for the upcoming year the city would have enough capacity to work on the

South Central TOD Plan.

Mr. Stephenson confirmed that he was confident that there were enough positions but would still need to find staff to fill the vacant positions. He thanked the Human Resources Department for their continued support to find the correct people to fill the positions.

Councilwoman Ansari thanked Mr. Stephenson for his commitment to getting the positions filled which she stated were important to District 7.

Councilmember Garcia asked for clarification on the implementation of the plans for the community.

Mr. Stephenson highlighted that one of the major aspects in the success of implementing the plans was the involvement and support from the community. He referenced the 27th Avenue neighbors who helped with the plan in the past prior to the City Council plan that came after and had a broader scope. He added that working with community members to be the leads and staff supporting them in their efforts to implement the plans had succeeded in the past. Mr. Stephenson reiterated that it was a partnership between the community, city staff, and elected officials.

Councilmember Garcia asked if there would be an advisory committee or any canvassing needed in support of the project.

Mr. Stephenson explained that it would be similar to the South Central TOD Steering Committee which held meetings and helped the stakeholders and the community have an active part in applications and other projects of the area. He also recalled the East Lake TOD area that the Planning and Development Department had helped provide information on rezoning cases so that the community in the area could actively participate.

Councilmember Garcia requested clarification on whether it would become an extra step in the planning process and if the city would need additional funding or if it was already addressed in the current plan.

Mr. Stephenson affirmed that the intent with the additional staff was to

allocate for the support to the community and other items within the plan.

Councilmember Garcia thanked Mr. Stephenson for his clarification on what the plan would encompass and his explanation on how the budget would fit into that plan.

Mayor Gallego commented on the broad reach of the budget as it had helped tackle a variety of issues in Phoenix.

The hearing was held.

16 Adoption of the Tentative 2022-23 Annual Budget (Ordinance S-48681)

An ordinance **(Attachment A)** adopting the tentative estimates of the amounts required for public expense for operating funds for the City of Phoenix for the fiscal year 2022-23; adopting a tentative budget; setting forth the receipts and expenditures and the amounts estimated as collectible for the fiscal year, and the amount proposed to be raised by direct property taxation for primary and secondary purposes; giving notice of the time and place for hearing taxpayers and for adoption of the budget and fixing the tax levies.

Concurrence/Previous Council Action
This reflects the budget approved by the Council on May 17, 2022 and complies with the requirements set forth in the City Charter and Code and State Statutes. Final adoption is scheduled for June 15, 2022.

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

Yes:	7 -	Councilwoman Ansari, Garcia, Councilwoman Guardado , Councilwoman O'Brien, Councilwoman Stark, Vice Mayor Pastor and Mayor Gallego
No:	2 -	Councilman DiCiccio and Councilman Waring

17 Adoption of the Tentative 2022-23 Capital Funds Budget (Ordinance S-48710)

An ordinance **(Attachment A)** adopting the tentative Capital Funds Budget for the City of Phoenix for the Fiscal Year 2022-23.

Summary

This adopts the tentative 2022-23 Capital Funds Budget for the fiscal year beginning July 1, 2022, and ending June 30, 2023. The Capital Funds Budget will be funded by property tax and revenue supported bond proceeds, federal, state and other participation funds, passenger facility charges, customer facility charges, participation by other governmental entities in certain projects, development impact fees, capital grants, capital reserves, solid waste remediation funds and other capital funding sources.

Final adoption is scheduled for June 15, 2022.

Concurrence/Previous Council Action

The 2022-23 Capital Funds Budget is included in the Five-Year Capital Improvement Program resolution, also requested for Council approval on the June 1, 2022, Formal Agenda and complies with requirements set forth in the City Charter and Code and State Statutes.

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

Yes:	7 -	Councilwoman Ansari, Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Vice Mayor Pastor and Mayor Gallego
No:	2 -	Councilman DiCiccio and Councilman Waring

18 Adoption of the Tentative 2022-23 Reappropriated Funds Budget (Ordinance S-48682)

An ordinance (**Attachment A**) adopting the tentative Reappropriation Budget for items of expenditure previously adopted as part of the 2021-22 Fiscal Year Operating and Capital Funds Budgets of the City of Phoenix but remaining as unexpended funds as of June 30, 2022.

Summary

This adopts the Tentative 2022-23 Reappropriated Funds Budget Ordinance. Council approved contracts can span multiple fiscal years and budget appropriations expire on June 30 of each fiscal year. This ordinance re-establishes the spending authority for remaining payments to vendors on outstanding contract balances for goods and services to be received during Fiscal Year 2022-23.

This complies with requirements set forth in the City Charter and Code and State Statutes.

Discussion

Councilman Waring asked Jeffrey Barton and Amber Williamson if the item was payment of bills from the previous year.

Amber Williamson affirmed that the item was to allow the City the spending authority for payment to vendors in contractual commitments incurred in the current budget year. She explained that those commitments cross over June 30th and the current appropriations are from July 1st to June 30th.

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

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

34 Amend Ordinance - Redevelopment and Purchase Agreement with Metrowest Development, LLC (Ordinance S-48700)

Request to authorize the City Manager, or his designee, to amend the Redevelopment and Purchase Agreement, City Contract 145544-0 (Agreement) with Metrowest Development, LLC (Developer) to modify performance benchmarks as needed to allow for completion of three city-owned parcels located between 2nd and 3rd avenues, on the north side of McKinley Street in downtown Phoenix. There is no expense

impact as a result of this action.

Summary

In June 2015, the Community and Economic Development Department issued a Request for Proposals (RFP) for the disposition and redevelopment of three Neighborhood Services Department-owned parcels located between 2nd and 3rd avenues, on the north side of McKinley Street (Site). On July 1, 2016, the City Council authorized the City Manager to enter into the Agreement for the sale and redevelopment of the Site through Ordinance S-42761 (Ordinance) and in August 2017 the Developer opened escrow for the transfer of the two parcels. In May 2017, the City Council authorized modifications to the Agreement to allow additional time to complete negotiations, and further granted an extension in October 2018 to modify the performance benchmarks of the Agreement.

Developer was the successful proposer and was awarded the contract. The Developer chose to develop the site in two phases: the West Phase with approximately 94 market-rate units in a five-story podium apartment building with below grade parking, and the East Parcel with six for sale three-story attached single-family homes. Staff finalized the disposition of the West Phase of the project in November 2018 through conveyance of the Special Warranty Deed and the Developer completed construction in late 2020.

On August 25, 2021, the City Council authorized modifications to the Agreement to allow additional time to commence construction on the East Phase property due to significant delays and interruptions from the COVID-19 pandemic, as well as extensive utility work related to the West Phase that prevented construction of the six single-family attached homes. This amendment extended the commencement of construction date to Feb. 25, 2022. With utility work underway and the approval of the first building permits, construction has now commenced on the project.

The Developer's Escrow Officer has since moved to a new company and transfer of the escrow money for this project to the new title agency is required. The new title agency also requires updates to the insurance terms for the project. To allow additional time to complete the escrow

transfer and the necessary insurance updates, the Developer has requested an extension to complete the purchase of the site, and for the completion of construction for the East Phase. This amendment will extend the deadline for completion of site purchase to six months after City Council Action, and an additional two years from the transfer of the property action to complete construction. Metrowest is an established local developer with approved building permits for the attached single-family homes and is ready to continue with construction upon the modification of the performance benchmarks.

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

Concurrence/Previous City Council Action
The City Council approved Ordinance S-42761 on July 1, 2016.

Location
808 N. 2nd Ave. and 801 N. 3rd Ave.
Council District: 7

A motion was made by Councilwoman Ansari, seconded by Vice Mayor Pastor, that this item be continued to the June 15, 2022 City Council Formal Meeting. The motion carried by the following voice vote:

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

55 Amend City Code - Section 32-24 Information Required For Final Plat Submittal (Ordinance G-6989)

Request to authorize the City Manager to amend section 32-24 of the City Code as it relates to the method and medium of presentation for final plat submittals.

The intent of this code amendment is to take advantage of new

technologies to simplify the plat submittal process and reduce costs to customers to submit final plats to the Planning and Development Department for review and approval. The current code requires plats to be submitted on linen, plastic or other non-shrinking material. The sole purpose of the requirement was to guarantee the physical longevity of the plat for record keeping purposes. This is no longer required, as plat records are now stored digitally and can be scanned from paper or uploaded from digital files. The proposed code change will align the plat submittal process with current industry standards.

Department policy documents providing plat submittal requirements will be updated upon the passage of the requested code amendment. The specific recommended code amendment is reflected in **Attachment A**.

Concurrence
The Development Advisory Board recommended approval of the amendment at its Jan. 20, 2022 meeting.

Financial Impact
There are no costs associated with this code amendment.

Discussion
Mayor Gallego asked the City Clerk Denise Archibald to read the title of this item.

Ms. Archibald read the title of the ordinance G-6989.

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

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

61 Public Hearing and Ordinance Adoption - Rezoning Application Z-77-21-7 - Southeast Corner of 75th Avenue and Broadway Road (Ordinance G-6994)

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-77-21-7 and rezone the site from PUD (Planned Unit Development) to R1-10 (Single-Family Residence District) to allow single-family residential.

Summary
Current Zoning: PUD
Proposed Zoning: R1-10
Acreage: 36.69 acres
Proposal: Single-family residential

Owner: DNZ Holdings, LLC
Applicant: Lennar
Representative: William E. Lally, Tiffany & Bosco, P.A.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Estrella Village Planning Committee heard this case on April 19, 2022, and recommended approval, per the staff recommendation, by a vote of 6-0.
PC Action: The Planning Commission heard this case on May 5, 2022, and recommended approval, per the Estrella Village Planning Committee recommendation, by a vote of 8-0.
The applicant appealed the Planning Commission recommendation in order to consider the stipulations recommended as part of Addendum A of the Staff Report.

Location
Southeast corner of 75th Avenue and Broadway Road
Council District: 7
Parcel Address: 7443 W. Broadway Road.

Discussion
Deputy City Manager, Alan Stephenson, gave a brief presentation on this item and noted the previous votes from the Planning Commission and Village Planning Committee. He stated that staff recommended approval subject to stipulations based on the May, 27 2022 memo from the

Planning and Development Deputy Director.

Mayor Gallego declared the public hearing open

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

A motion was made by Councilwoman Ansari, seconded by Councilwoman Stark, that this item be approved per the Planning and Development Department memo dated May 27, 2022, with adoption of the related ordinance. The motion carried by the following vote:

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

No: 0

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

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

David Robinson stated that he was present to notify the Council and the public that he was looking for his missing son, geologist Daniel Robinson. He asked for any available assistance from the city, the Council, and the public. He detailed that his son was a resident of Tempe and went missing in Buckeye. He explained that he had received aid from the City of Phoenix and wanted to create awareness for the investigation. Mr. Robsinson also added outlets where people would be able to donate to the search.

Councilmember Garcia began to ask a question.

City Attorney Cris Meyer reiterated that during public comment the Council could not discuss or respond. Staff could look into the issue and reach out but

the members of Council were unable to discuss or comment during the meeting due to the item not being included in the agenda.

Councilmember Garcia asked Mr. Robinson if he had been in touch with the Phoenix Police Department.

Mr. Robinson stated he had not yet been in contact.

Councilmember Garcia encouraged Mr. Robinson to reach out to the Phoenix Police Department so that the city could provide him with assistance.

Councilman DiCiccio expressed that his staff would be reaching out to Mr. Robinson for assistance.

Dianne Barker spoke about a request she submitted to the city that had not received a response. She also mentioned the apartment residence she lived in downtown. She expressed support for making her neighborhood more sustainable and affordable. She also discussed events in downtown Phoenix as well as the businesses in the area and advocated for participation from the public.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 3:07 p.m.

MAYOR

ATTEST:

CITY CLERK

SLR

CERTIFICATION

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

Dated this 26th day of August, 2024.

CITY CLERK