City of Phoenix

Minutes

City Council Formal Meeting

186288

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

Wednesday, February 1, 2023 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Feb. 1, 2023 at 2:33 p.m. in the Council Chambers.

Present: 9 - Councilman Sal DiCiccio, Councilmember Carlos Garcia, Councilwoman Betty Guardado, Councilwoman Ann O'Brien, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilman Jim Waring, Vice Mayor Yassamin Ansari and Mayor Kate Gallego

Councilman DiCiccio and Councilwoman Pastor attended the meeting virtually.

Mayor Gallego acknowledged the presence of Elsie Duarte, a Spanish interpreter. In Spanish, Ms. Duarte announced her availability to the audience.

The City Clerk confirmed copies of the titles of Ordinances G-7071 through G-7078, S-49382 through S-49400, and Resolutions 22096 through 22097 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

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

BOARDS AND COMMISSIONS

1 Mayor and Council Appointments to Boards and Commissions

Summary

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

The following individuals were recommended for appointment by Mayor Gallego and Councilmember Garcia:

Camelback East Village Planning Committee

Appoint John Baumer, filling a vacancy, for a partial term to expire Nov. 19, 2023, as recommended by Councilmember Garcia.

Appoint Sharon Schmieder, filling a vacancy, for a partial term to expire Nov. 19, 2023, as recommended by Councilmember Garcia.

Mayor's Human Trafficking Task Force

Appoint Rachelle Lumpp, replacing Zora Manjencich, as recommended by Mayor Gallego.

Appoint Claire Merkel, as recommended by Mayor Gallego.

Phoenix Business and Workforce Development Board

Appoint Kevin Parker, filling a Business vacancy, for a term to expire June 30, 2025, as recommended by Mayor Gallego.

Phoenix Deferred Compensation Board/Post Employment Healthcare Plan Board

Appoint Jon Super, replacing Andrew Durket, for a term to expire Sept. 20, 2024, as recommended by Mayor Gallego.

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

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

No: 0

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

John Baumer and Sharon Schmieder - Camelback East Village Planning Committee; and
Kevin Parker - Phoenix Business and Workforce Development Board.

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

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

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

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Stark, that Items 2-20 be recommended for approval. The motion carried by the following voice vote:

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

No: 0

2 Liquor License - Special Event - WR Marksman Club, Inc.

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

Summary

Applicant
Arthur Garcia

Location
4044 W. Black Canyon Blvd.
Council District: 1

Function

Awards Presentation

Date(s) - Time(s) / Expected Attendance
March 1, 2023 - 5 p.m. to 11 p.m. / 400
March 2, 2023 - 5 p.m. to 11 p.m. / 100
March 3, 2023 - 5 p.m. to 11 p.m. / 250
March 4, 2023 - 5 p.m. to 11 p.m. / 400

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

3 Liquor License - Duelies Bar & Grill

Request for a liquor license. Arizona State License Application 222878.

Summary

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
7000 E. Mayo Blvd., Building 18, Ste. 1072
Zoning Classification: PUD PCD
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 Feb. 14, 2023.

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:
"This business owner has operated many successful business before. This will be his first in Arizona. He has already taken his certified Arizona basic and management liquor training classes and will require his employees to take the training as well."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The dueling piano concept is a business currently in the area and will be a perfect fit. With great food and entertainment, it will soon be a favorite in the area."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Duelies Bar & Grill

Liquor License Map - Duelies Bar & Grill

This item was recommended for approval.

4 Liquor License - Xtaz Imports

Request for a liquor license. Arizona State License Application 222087.

Summary

Applicant
George Stantchev, Agent

License Type
Series 4 - Wholesaler

Location
12620 N. Cave Creek Road, Ste. 6
Zoning Classification: C-2
Council District: 3

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

The 60-day limit for processing this application is Feb. 11, 2023.

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

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

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are

shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“We are an importer of of high quality branded liquors, we apply for wholesale license only.”

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

This item was recommended for approval.

5 Liquor License - Pizza Hut #40981

Request for a liquor license. Arizona State License Application 222103.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 10 - Beer and Wine Store

Location
17 E. Dunlap Ave., Ste. 101
Zoning Classification: C-2
Council District: 3

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

The 60-day limit for processing this application is Feb. 11, 2023.

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 owners have extensive experience owning and managing liquor licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor law classes. The owners primary purpose is to provide a safe environment for families whether dining in or simply take out pizza. The owners have area coaches to provide oversight to all establishments and will comply will all city, county and state laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The owners have selected currently existing take out stores to allow customers to purchase beer or wine with their pizza. These stores have been existing in the community for many year sand will continue to provide the best interest to the community by allowing customers to take home their pizza and alcoholic beverages. The issuance of this license is

in the best interest."

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

Attachments
Liquor License Data - Pizza Hut #40981
Liquor License Map - Pizza Hut #40981

This item was recommended for approval.

6 Liquor License - Urban Chilli

Request for a liquor license. Arizona State License Application 220013.

Summary

Applicant
Vishnu Kotta, Agent

License Type
Series 10 - Beer and Wine Store

Location
18425 N. 19th Ave., Ste. 110
Zoning Classification: C-2
Council District: 3

This request is for a new liquor license for a convenience store that does not sell gas. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is Feb. 4, 2023.

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 assured to uphold the laws and regulations about beer and wine license. I have never been involved in any criminal activity, no record of getting in trouble with law and authorities."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This store will provide a safe and secure place for the neighborhood to buy alcohol. The location will be convenient for the people in neighborhood who may not have access to transportation. Adding the long time experience of the working in liquor store while upholding all the laws and regulations, the store will be a safe, secure and convenience place for the customers to purchase quality beer and wine."

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 - Urban Chilli
Liquor License Map - Urban Chilli

This item was recommended for approval.

7 Liquor License - Bassh Inc.

Request for a liquor license. Arizona State License Application 06070170.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 6 - Bar

Location
5030 W. McDowell Road, Ste. 29-30
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application is Feb. 5, 2023.

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

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location was previously licensed, this is simply a change in ownership. We like to continue serving the surrounding community, of legal age, with a place to gather."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Bassh Inc.
Liquor License Map - Bassh Inc.

This item was recommended for approval.

8 Liquor License - Oak on Camelback

Request for a liquor license. Arizona State License Application 222419.

Summary

Applicant
Jared Repinski, Agent

License Type
Series 12 - Restaurant

Location
111 E. Camelback Road
Zoning Classification: C-2 TOD-1
Council District: 4

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

The 60-day limit for processing this application is Feb. 10, 2023.

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

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

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

comment period.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been representing liquor licensed establishments in Arizona for over 15 years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Tourism plays an important role in our local economy and liquor licensed establishments (the sale of alcohol) is a very important aspect of tourism. Therefore, if the City of Phoenix continues to lead the State of Arizona by approving quality and diverse businesses (restaurants, bars, microbreweries, distilleries, hotels, resorts, gold courses, special events, convenience, liquor, grocery stores and gas stations) similar to this proposed liquor licensed business, all businesses will prosper."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Oak on Camelback
Liquor License Map - Oak on Camelback

This item was recommended for approval.

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

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

Summary

Applicant
Richard Garrison

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

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Feb. 17, 2023 - 6 p.m. to 10 p.m. / 450 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Special Event - Kiwanis Club of Ahwatukee Foundation, Inc.

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

Summary

Applicant
Andrea Pettyjohn

Location
4700 E. Warner Road
Council District: 6

Function
Chili Cook Off

Date(s) - Time(s) / Expected Attendance
March 11, 2023 - 11 a.m. to 5 p.m. / 100 attendees
March 12, 2023 - 10:30 a.m. to 4 p.m. / 100 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Horse & Hyde

Request for a liquor license. Arizona State License Application 218966.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
3730 E. Indian School Road
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is Feb. 11, 2023.

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.

Dapper & Stout Coffee Company (Series 12)
100 E. Camelback Road, #150, Phoenix
Calls for police service: 35
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 own and operate other businesses in Phoenix. I will continue to abide by Arizona liquor laws. I will ensure my employees attend a Title 4 liquor law training course."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location has been operational for several years. We would like to continue to offer the neighborhood a place to come and gather."

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 - Horse & Hyde

Liquor License Map - Horse & Hyde

This item was recommended for approval.

12 Liquor License - Tocaya Modern Mexican

Request for a liquor license. Arizona State License Application 220581.

Summary

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
2525 E. Camelback Road, Ste. 115
Zoning Classification: C-2 H-R SP
Council District: 6

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

The 60-day limit for processing this application is Feb. 7, 2023.

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:
"Tocaya Organica has been a responsible liquor license holder at this location since 2017. Tocaya Organica is part of larger restaurant organization with multiple locations in AZ and CA. As a license holder, the sale and consumption of alcohol is taken very seriously. The staff undergo an extensive in house training along with the state required alcohol awareness training. At all times the restaurant is open there will be a full menu of healthy organic meal options and management staff to monitor the sale of alcohol."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is a fast casual service restaurant serving the surrounding community and visiting public. The restaurant is open 7 days a week and will prove to be extremely desirable to the public, by offering fresh organic Mexican food at reasonable prices. The hours of operation are modesty and will not distrub the quite peacefully enjoyment of the community. The sale of alcohol is offered as an accomdation to the patrons who request it and has not been problematic in the history of the restaurant."

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 - Tocaya Modern Mexican
Liquor License Map - Tocaya Modern Mexican

This item was recommended for approval.

13 Liquor License - Special Event - ALEES

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

Summary

Applicant
Erin Ring

Location
18 W. Monroe St.
Council District: 7

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
March 17, 2023 - 9 a.m. to 2:30 a.m. / 1,200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

14 Liquor License - SGL Wine & Spirits

Request for a liquor license. Arizona State License Application 220158.

Summary

Applicant
John Curtis II, Agent

License Type
Series 4 - Wholesaler

Location

625 S. 27th Ave., Ste. 130B-SGL
Zoning Classification: A-2
Council District: 7

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

The 60-day limit for processing this application is Feb. 17, 2023.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“SGL Wine & Spirits is a liquor importer and wholesaler. SGL Wine & Spirits is solely owned and operated by Bethany Gattis. Ms. Gattis has more than seven years of experience in the liquor distribution industry. Her new venture will import wine and spirits from outside the United States, primarily from Italy and France, to Arizona for distribution to local retailers. Ms. Gattis has not had any liquor law violations during her many years in the industry and is familiar with the federal and Arizona state laws respecting the distribution of liquor. Her knowledge and experience make her capable, qualified and reliable to hold a Series 4 liquor license.”

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - Special Event - Alwun House Foundation

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

Summary

Applicant
Dana Johnson

Location
1204 E. Roosevelt St.
Council District: 8

Function
Art Exhibit

Date(s) - Time(s) / Expected Attendance
Feb. 10, 2023 - 6 p.m. to 1 a.m. / 350 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

16 Liquor License - Special Event - Alwun House Foundation

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

Summary

Applicant
Dana Johnson

Location
1204 E. Roosevelt St.
Council District: 8

Function
Art Exhibit Viewing

Date(s) - Time(s) / Expected Attendance
Feb. 17, 2023 - 7 p.m. to 1 a.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

17 Liquor License - Special Event - Alwun House Foundation

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

Summary

Applicant
Dana Johnson

Location
1204 E. Roosevelt St.
Council District: 8

Function
Art Exhibit Closing

Date(s) - Time(s) / Expected Attendance
March 10, 2023 - 7 p.m. to midnight / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

18 Liquor License - Special Event - Liberty Wildlife, Inc.

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

Summary

Applicant

Margaret Mosby

Location
2600 E. Elwood St.
Council District: 8

Function
Education Event

Date(s) - Time(s) / Expected Attendance
Feb. 19, 2023 - 1 p.m. to 4 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

19 Liquor License - ATL Wings

Request for a liquor license. Arizona State License Application 214985.

Summary

Applicant
Devern Woodard, Agent

License Type
Series 12 - Restaurant

Location
3320 W. Southern Ave., Ste. 120
Zoning Classification: C-1
Council District: 8

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

The 60-day limit for processing this application is Feb. 5, 2023.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have started and successfully ran several businesses in the past 20 years. I have also educated myself and taken the training necessary to be considered a qualified, capable and reliable manager and owner-operator of an establishment with a liquor license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The community will have one more great place to be able to gather and eat and enjoy spirits responsibly in a safe environment."

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 - ATL Wings
Liquor License Map - ATL Wings

This item was recommended for approval.

20 Liquor License - Topaz Bar & Lounge

Request for a liquor license. Arizona State License Application 222104.

Summary

Applicant
Ashok Parmar, Agent

License Type
Series 12 - Restaurant

Location
801 N. 3rd St.
Zoning Classification: DTC-Evans Churchill West
Council District: 8

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

The 60-day limit for processing this application is Feb. 6, 2023.

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

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

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

Classik Sports Bar & Lounge (Series 6)
4228 W. Van Buren St., Phoenix
Calls for police service: 11
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 will train all of our employees in responsible liquor service. Employees will attend the Title 4 liquor law class held by ALIC."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location was previously licensed. We want to continue to serve the neighborhood a place to come and eat and have a drink."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Topaz Bar & Lounge
Liquor License Map - Topaz Bar & Lounge

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

One electronic comment was submitted for the record in support of Item 49.

Discussion

Prior to his vote, Councilman DiCiccio commented on his long-standing involvement with the emergency clause.

Following her vote, Mayor Gallego noted that the item Councilman DiCiccio mentioned was to appoint election officials and boards for the March 14, 2023 runoff election. Mayor Gallego stated that the current agenda included infrastructure and housing of 400 housing units.

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Guardado, that Items 21-56 be approved or adopted, except Items 23, 27, 34, 40, 53-54 and 56; continuing Item 55 to the Feb. 15, 2023 City Council Formal Meeting; and noting that Item 28 has an Emergency Clause and Item 34 is as corrected. The motion carried by the following vote:

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

Items 21-22 and 24-26, Ordinance S-49382 was a request to authorize the City Controller to disburse funds, up to amounts indicated, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

21 Mark Andy, Inc. doing business as Mark Andy Print Products

For $72,003 in payment authority for a new contract, entered on or about Feb. 1, 2023, for a five-year term for a new Computer-to-Plate system for the City Clerk Department. The Computer-to-Plate system will replace the existing unit, which is now inoperable. It is used to make printing plates required for printing Citywide forms, envelopes, brochures and other printed materials used by City departments, Mayor and City Council.

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

This item was adopted.

22 SESAC, Inc. doing business as SESAC, LLC

For $60,000 in payment authority for the purchase of a five-year annual music license subscription for the Parks and Recreation Department. The license allows copyrighted music to be played at various City park locations in compliance with the non-dramatic public performances of copyrighted works. The license, to be paid annually, is for calendar years 2023 through 2027 and encompasses all who want to perform copyrighted music publicly.

This item was adopted.

24 VSS International Inc.

For $961,725 in additional payment authority for Contract 153426 for Change Order One, Project ST87400272, 2020 Congestion Mitigation and Air Quality Alley Dustproofing for Design-Bid-Build Services for the Street Transportation Department. The project will use federal funds and the Street Transportation Department's Capital Improvement Program budget. The change order is necessary due to unforeseen existing conditions that require the removal of existing material before new dust control applications can be installed.

This item was adopted.

25 Hunter Contracting Co.

For $910,891.46 in additional payment authority for Contract 154119, Change Order Two (Project ST87100162) for 3rd Street Promenade: Garfield Street to Indian School Road Modernization for the Street Transportation Department. Existing pavement conditions at various

segments within the project limits required additional pavement treatment to bring them into satisfactory condition. Hunter Contracting Co. was directed to install a pavement overlay treatment to those segments. The additional overlay required the Contractor to increase the quantity of existing bid items and costs. Additional work included sidewalk and driveway installations.

This item was adopted.

26 Settlement of Claim(s) Kahn-Rose v. City of Phoenix

To make payment of up to $75,000 in settlement of claim(s) in *Kahn-Rose v. City of Phoenix*, CV2019-009712, 18-1276-001, GL, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a bodily injury claim arising from a sidewalk accident that occurred on Dec. 8, 2018.

This item was adopted.

28 Appoint Election Officials and Boards for March 14, 2023 Runoff Election - Emergency Clause (Ordinance S-49388)

Request to appoint the required election officials and boards for early ballot processing and at the designated voting centers for the City of Phoenix Runoff Election on Tuesday, March 14, 2023; fixing the honorariums of the election officials and boards; authorizing payment thereof; and declaring an emergency.

Summary

On Tuesday, March 14, 2023 the City of Phoenix will conduct a Runoff Election in which all Phoenix voters residing in Council Districts 6 and 8 will elect a council member to represent their respective districts.

A Runoff Election is required by the City Charter on March 14 because no candidate for the offices in Districts 6 and 8 received a majority of the votes cast in the Nov. 8, 2022 Council Election.

This request asks the City Council to appoint the board workers needed for processing early ballots received in the mail and preparing those ballots for tabulation, and the board workers needed to conduct voting at the voting centers. The City Code and this ordinance authorize the City Clerk to appoint additional boards necessary to process and prepare ballots for tabulation. Board workers are paid an honorarium for their

service as provided by the City Code and related ordinance.

Emergency Clause
The emergency clause is necessary to meet legal requirements related to ballot tabulation equipment testing and early ballot processing, which requires the use of board workers.

This item was adopted.

29 Dedication of Right-of-Way for Roadway Purposes on City-Owned Property at 1824 E. McKinley St. (Ordinance S-49391)

Request for the City Council to dedicate right-of-way to public use for roadway purposes on City-owned property; further ordering the ordinance recorded.

Summary
The City-owned property will be renovated to serve as a community center for the Edison-Eastlake neighborhood. Dedication of right-of-way triangles on all corners of the site, each consisting of 200 square feet, is a requirement by the Planning and Development Department.

The right-of-way is further described in the legal descriptions in **Attachment A** to be recorded with the ordinance.

Location
1824 E. McKinley St., identified by Maricopa County Assessor parcel number 116-11-002.
Council District: 8

This item was adopted.

30 Decontamination Services - IFB 18-058 - Amendment (Ordinance S-49392)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 147546 with Clean Scene AZ, LLC; Contract 147552 with Kary Environmental Services, Inc.; and Contract 147553 with Emergency Restoration Experts, LLC to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-44372.

Summary

This contract will provide decontamination services for City vehicles, City facilities and private property, on an on-call basis. The one-year extension will allow time for Central Procurement to complete the new procurement without a lapse in this critical Citywide service.

Contract Term
Upon approval the contract will be extended through March 31, 2024.

Financial Impact
The aggregate value of the contract will not exceed $7,680,415 and no additional funds are needed.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Decontamination Services - Contracts 147546, 147552, and 147553 (Ordinance S-44372) on March 21, 2018; and
• Decontamination Services - Contracts 147546, 147552, and 147553 (Ordinance S-47542) on May 19, 2021.

This item was adopted.

31 PeopleSoft Application Development Services (Ordinance S-49390)

Request to authorize the City Manager, or his designee, to enter into a contract with Envision, LLC to provide PeopleSoft application development services for the Information Technology Services and Human Resources departments. Further request authorization for the City Controller to disburse funds related to this item. The aggregate value will not exceed $1,700,000.

Summary
PeopleSoft is the City's recruiting and applicant tracking solution and delivers a full suite of tools for applicants, recruiters, and hiring managers. The requested contract will allow the consultant to streamline the City's recruiting, application, and hiring processes. It will also assist the Human Resources Department with further enhancing the Talent Acquisition Manager and Candidate Gateway modules within PeopleSoft by leveraging existing functionality within the application. Additional needs include fully utilizing PeopleSoft functionality to produce under/non-utilized data for analysis, measurement, decision making and

branding for recruiting; adding new Human Resources and benefits functionality; upgrading the open enrollment experience; and replacing annual paper-based policy acknowledgements.

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

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo citing Envision, LLC as a Special Circumstances - Without Competition. Envision, LLC has significant experience in the PeopleSoft Human Capital Module, which includes the areas of Workforce Administration, Talent Acquisition Management/Candidate Gateway (recruiting), Benefits Administration and eBenefits, as well as with the City of Phoenix system specifically. If a new contract is not in place, upgrades to the PeopleSoft application may be delayed.

Contract Term
The contract will begin on Feb. 5, 2023 and will end Feb. 4, 2028.

Financial Impact
The aggregate value of the contract will not exceed $1,700,000 and funds are available in the Human Resources Department's budget.

This item was adopted.

32 Artists Purchase Agreements for Phoenix Sky Harbor Percent-for-Art Collections Project (Ordinance S-49397)

Request to authorize the City Manager, or his designee, to enter into several contracts with artists (see **Attachment A**), or their City-approved designees, for an aggregate amount not to exceed $289,400 to purchase and deliver artwork for the Phoenix Airport Museum at Phoenix Sky Harbor International Airport. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Fiscal Year (FY) 2022-27 Public Art Plan includes a project to purchase artworks to expand the Phoenix Airport Museum collection. The museum's collection is used to promote Arizona's unique artistic and

cultural heritage, honor aviation history, and create a memorable environment by presenting themed exhibitions in over 40 display areas throughout the airport.

On Oct. 7, 2022, a selection committee identified 44 finalists from a pool of 165 artists who had responded to a City-issued Request for Qualifications. The artists were selected based on the artistic quality of the submitted artwork, the appropriateness of the artwork for a public setting, and the ability of the artwork to compliment or enhance the existing collection. Utilizing a purchase agreement, the city will acquire a selection of work from this pre-qualified list of artists for the Phoenix Airport Museum's collection.

Financial Impact

The Phoenix Sky Harbor International Airport (PSHIA) Percent-for-Art Collections Project is one of 39 projects in the FY 2022-27 Public Art Plan that City Council approved on June 15, 2022. The proposed $289,400 will cover all costs related to the purchase and delivery of individual artworks for the PSHIA Percent-for Art Collections Project. The percent-for-art funds for this project come from the Aviation Department Capital Improvement Program.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended this item for approval on Dec. 13, 2022, by a vote of 9-0. The Community and Cultural Investment Subcommittee reviewed and approved this item by a 4-0 vote at the Jan. 4, 2023 meeting.

Location

Phoenix Sky Harbor International Airport
Council District: 8

This item was adopted.

33 Artist Design and Construction Contract for Solano Park Public Art Project (Ordinance S-49398)

Request to authorize the City Manager, or his designee, to enter into a contract with artist Haddad Drugan LLC, or their City-approved designee, for an amount not to exceed $365,000 to design, fabricate, and install

public art for the Solano Park Public Art located at 5625 N. 17th Ave. in Phoenix. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fiscal Year (FY) 2022-27 Public Art Project Plan includes a project to commission an artist to work with the Parks and Recreation Department and the local community to enhance the design of the Skate Plaza Improvements Project at Solano Park.

On Nov. 28, 2022, a five-person artist selection panel recommended Haddad Drugan LLC after reviewing a pool of 43 applicants. The pool of applicants consisted of artists who had responded to a City-issued Request for Qualifications earlier in 2022. Haddad Drugan LLC was recommended based on their experience creating site-specific public art projects, their demonstrated ability to involve the community in meaningful ways, and their potential to create skateable artwork for this park. The panelists also noted the artist's wide variety of project types, familiarity with the Arizona environment, and their knowledge of permanent and low maintenance materials.

The selection panel included: Jan Sheerwood, Deputy Director, Parks and Recreation Department; Rebecca Rothman, Public Art Program Manager, Tempe Arts and Culture; Trent Martin, Founder and Owner, Cowtown Skateboards; Robert Wollenzien, Executive Director, Legacy Foundation Chris-Town YMCA; and Meghan Wells, Cultural Arts Division Manager, City of Austin.

Financial Impact

Solano Park is one of 39 projects in the FY 2022-27 Public Art Plan that City Council approved on June 15, 2022. The Art Plan includes $400,000 for this project. The proposed $365,000 design, fabrication, and installation budget will cover all costs related to the artist's work with City staff, including the Office of Arts and Culture, project consultants, and the local community to produce a complete and buildable design, and complete installation of the project. The percent-for-art funds for this project come from the Water Services Department Capital Improvement Program.

Concurrence/Previous Council Action
The Phoenix Arts and Culture Commission reviewed and recommended this item for approval on Dec. 13, 2022, by a vote of 9-0. The Community and Cultural Investment Subcommittee reviewed and approved this item by a 4-0 vote at its Jan. 4, 2023 meeting.

Location
5625 N. 17th Ave.
Council District: 5

This item was adopted.

35 Authorization to Enter into Agreement with the United States of America to Conduct Military Training on City-Owned Property (Ordinance S-49385)

Request to authorize the City Manager, or his designee, to execute an agreement with the United States of America to conduct military training exercises and activities at Phoenix Fire Special Operations, and the Phoenix Fire Academy. Further request to authorize the City Manager, or his designee, to grant an exception pursuant to Phoenix City Code 42-20 to include indemnification and assumption of liability provisions, if required, that would otherwise be prohibited by Phoenix City Code 42-18.

Summary
The United States of America (United States) periodically conducts training on City-owned property to assist in responding to incidents that involve national security defense. The purpose of this agreement is to allow the United States access to Phoenix Fire Special Operations, and the Phoenix Fire Academy for the 160th Special Operations Aviation Regiment (SOAR) to conduct training operations at these locations. The training will include Urban MH-60 helicopter infill and exfill training, to include fast rope approach and airland.

Contract Term
The term of the agreement will be for five years.

Financial Impact
There are no costs associated with the Agreement.

Location

Phoenix Fire Special Operations, located at 2430 S. 22nd Avenue, Phoenix, AZ 85009
Phoenix Fire Academy, located at 2425 W. Lower Buckeye Road, Phoenix, AZ 85009
Council District: 7

This item was adopted.

36 Enter Into an Education Affiliation Agreement with Dignity Health for Paramedic Education (Ordinance S-49399)

Request authorization for the City Manager, or his designee, to enter into an education affiliation agreement with Dignity Health (Dignity) for Phoenix Fire Department Paramedic Education.

Summary
This agreement will allow Phoenix Fire Department paramedic students to take part in clinical rotations at Dignity facilities, and participate in patient care under the direct supervision of a designated Dignity instructor. Paramedic students are required to complete clinical rotations to be compliant with the Commission on Accreditation of Allied Health Education Programs, as recommended by the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions, a national organization that accredits paramedic program curricula training and methodology. This accreditation is a requirement of the Arizona Department of Health Services (AZDHS), which is the entity that ultimately authorizes the Phoenix Fire Department's paramedic program. The skills and experience gained from the paramedic education rotations will allow the Fire Department to continue to provide quality patient care.

Contract Term
The agreement will be for five years from the date executed.

Financial Impact
There is no cost associated with this agreement.

This item was adopted.

37 Donation from 100 Club of Arizona for the Phoenix Fire Department (Ordinance S-49400)

Request authorization for the City Manager, or his designee, to accept a

donation of StormStick Decontamination (Decon) Systems, valued at approximately $30,720, from the 100 Club of Arizona for the Phoenix Fire Department. Further request authorization for the City Treasurer to accept and the City Controller to disburse this donation. If not approved, the donation would be declined.

Summary

The 100 Club of Arizona wishes to express their appreciation for the Phoenix Fire Department's service by donating the StormStick Decon Systems to the department. The StormStick Decon System is a preliminary exposure reduction system that follows best practices and national standards to achieve effective toxic removal of contaminants from the exterior of a firefighter’s protective equipment immediately following a fire event. The StormStick Decon System has been tested extensively on frontline fire apparatus and fire training facilities and will help to support the health and safety of firefighters.

The 100 Club of Arizona is a charitable nonprofit 501(c)(3) Arizona corporation. The organization supports all police, correctional, probation and parole officers, firefighters, and federal agents who are serving and protecting the citizens of Arizona.

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

Contract Term

There is no contract term associated with this donation.

This item was adopted.

38 Ground Transportation Dispatch and Curb Monitoring Services Requirements Contract - RFP 23-007 - Request for Award (Ordinance S-49384)

Request to authorize the City Manager, or his designee, to enter into a contract with Ace Parking III, LLC to provide ground transportation dispatch and curb monitoring services for the Aviation 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 $13,700,000.

Summary

This contract will provide ground transportation dispatch and curb monitoring services for the Aviation Department's Operations Division. These services are needed 24 hours per day, seven days per week, and all year long to dispatch taxicabs from the staging lot to approved terminal pick-up locations. Taxicabs are dispatched using an automated vehicle identification system leading to reduced vehicle congestion and unnecessary taxicab trips. Approximately 400,000 taxicabs are dispatched annually at the Airport. Ace Parking III, LLC (Ace Parking), will manage the terminal rideshare curbs by monitoring the flow of rideshare vehicles and assisting rideshare customers as needed. Additionally, Ace Parking will accommodate those in the traveling public with special transportation needs, including those covered by the Americans with Disabilities Act, the elderly, and the very young.

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

Two vendors submitted proposals. One vendor was deemed responsive and responsible. An evaluation committee of City staff evaluated the offer based on the following criteria with a maximum possible point total of 1,000:

Method of Approach (0-350 points)
Qualifications and Experience of Management Team (0-275 points)
Qualifications and Experience of Firm (0-225 points)
Fee Schedule (0-150 points)

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

Ace Parking III, LLC - 930 points

Contract Term
The contract will begin on or about March 1, 2023 for an initial three-year term with two one-year options to extend for a five-year term. The options to extend may be exercised at the sole discretion of the Aviation Director.

Financial Impact

The contract value will not exceed $13,700,000 for the five-year contract term.

Funding is available in the Aviation Department's budget.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board recommended approval of this item on Dec. 15, 2022 by a vote of 7-0.

Location

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

This item was adopted.

39 Fire Alarm System, Network and Fire Sprinkler, and Suppression System Services Contract - RFP 23-002 - Request for Award (Ordinance S-49386)

Request to authorize the City Manager, or his designee, to enter into a contract with Climatec, LLC to provide fire alarm system network and fire sprinkler suppression system services for the Aviation 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 $8,050,000.

Summary

This contract will provide testing, inspection, and repair services for the fire alarm system and the fire sprinkler/suppression systems at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport (Airports) and their owned and supported properties.

These services are essential for the efficient and successful operation of the fire life safety systems, and to ensure code compliance and safety of the Airports' employees, tenants, and the traveling public. In addition, the services provided will include reporting to The Compliance Engine as required by the Phoenix Fire Department and to ensure continued compliance with Administrative Regulation 5.43 related to Facility Asset Management.

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

Four vendors submitted proposals and all were 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:

Method of Approach to Scope of Services (0-350 points)
Company Qualifications and Experience (0-300 points)
Key Personnel Qualifications (0-200 points)
Pricing (0-150 points)

After reaching consensus, the evaluation committee recommends awarding to the following vendor:
Climatec, LLC: 834 points

Contract Term
The contract will begin on or about March 1, 2023, for a five-year term with no options to extend.

Financial Impact
The contract value will not exceed $8,050,000 for the five-year contract term.

Funding is available in the Aviation Department's budget.

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

This item was adopted.

41 Apply for U.S. Environmental Protection Agency Grant Opportunities for Federal Fiscal Year 2022-23 - Federal Bipartisan Infrastructure Law Funding (Ordinance S-49387)

Request to authorize the City Manager, or his designee, to apply for, accept, and enter into agreements for the disbursement of grants from the United States Environmental Protection Agency through the Federal Fiscal Year 2022-23 Solid Waste Infrastructure for Recycling Grant and Consumer Recycling Education and Outreach Grant opportunities. If awarded, the funding will be used to upgrade the North Gateway Materials Recovery Facility, retrofit the 27th Avenue Materials Recovery Facility education room, and install utility infrastructure at the Resource Innovation Campus. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Funding for these grant opportunities is available through the Federal Bipartisan Infrastructure Law. The total grant funds applied for will not exceed $10 million.

Summary

In the 1980s, the Mayor and City Council led Phoenix to establish a comprehensive solid waste management approach with a focus on reducing, reusing, and recycling. In response to this strategy, the Public Works Department commenced a commingled curbside recycling program. On June 28, 1995, Council approved development of a Materials Recovery Facility (MRF) at the 27th Avenue Solid Waste Management Facility as part of the Phoenix Recycles Program. The facility has been operational since Sept. 1, 1998. The City's second MRF opened at North Gateway Transfer Station in 2006. The objective of Phoenix’s recycling program is to conserve landfill space, which is becoming a challenge across the United States, and to create economic value by selling select recyclable materials (commodities) to various markets. By seeing this material as a resource, Phoenix has made the paradigm shift from a linear to a circular model of waste management whereas materials are diverted from the landfill and redistributed to create economic activity.

In January 2021, the Public Works Department suspended operations at the 27th Avenue MRF due to the equipment reaching the end of its useful life and no longer being effective at capturing commodities that are

prevalent in the current recycle stream. Since the operational suspension, recyclables from the 27th Avenue facility are hauled to the North Gateway MRF for processing. Phoenix is currently investing $25 million to construct a new state-of-the-art MRF at the 27th Avenue facility that is expected to reopen in early 2024. With the increased processing demands, the North Gateway MRF equipment will require investment. The Public Works Department is requesting $4 million in grant funding for these upgrades.

In preparation for the reopening of the 27th Avenue MRF, the Public Works Department is requesting $2 million in grant funding to retrofit an education tour room at the 27th Avenue MRF to enhance public outreach and student education with the recycling sorting process. The future tour room will provide an educational opportunity for neighboring Phoenix schools significantly increasing accessibility to the schools.

The Resource Innovation Campus (RIC) is the City's regional circular economy hub with approximately 40 acres of lease-ready land for innovators with market-ready technologies and manufacturing processes that reuse or repurpose waste materials. To support economic development projects at the RIC, water, sewer and electrical connections are needed for the lease-ready land. The Public Works Department is requesting $4 million in grant funding to construct utility infrastructure at the RIC.

The Public Works Department is working to advance the City's circular economy initiatives and waste diversion goals with the implementation of these projects with grant funding assistance. The Public Works Department is requesting authorization to submit applications for the Environmental Protection Agency's Solid Waste Infrastructure for Recycling and Consumer Recycling Education and Outreach grant opportunities. If awarded, funding will support the equipment upgrades at the North Gateway MRF, retrofit of the 27th Avenue MRF education room, and development of the RIC.

The Solid Waste Infrastructure for Recycling and Consumer Recycling Education and Outreach grants submittal deadline is Feb. 15, 2023.

Financial Impact

The estimated total cost for the projects is approximately $10 million. The maximum federal participation rate is 100 percent with a minimum local match of 0 percent of the total eligible project cost. If awarded, the federal match would not exceed $10 million (100 percent).

The Public Works Department is requesting grant funds up to $10 million. If the grant funds are awarded in full, the City's cost share is estimated at $1.75 million.

Funding for the local match is available in the Public Works Department's Capital Improvement Program budget. Potential grant funding received is available through the Federal Bipartisan Infrastructure Law, from the Environmental Protection Agency through the Federal Fiscal Year 2022-23 Solid Waste Infrastructure for Recycling Grant and Consumer Recycling Education and Outreach Grant opportunities.

Location

Resource Innovation Campus - 3060 S. 27th Ave.
27th Avenue Materials Recovery Facility - 3060 S. 27th Ave.
North Gateway Materials Recovery Facility- 30205 N. Black Canyon Highway
Council Districts: 2 and 7

This item was adopted.

42 Citywide General Construction Job Order Contract Services - Amendment - 4108JOC178 (Ordinance S-49389)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 149740 with DL Norton General Contracting, Inc. to provide $1 million in additional General Construction Job Order Contracting Services, and to authorize execution of a Job Order Agreement in an amount up to $9.9 million for the Replace Phoenix City Hall Sanitary Sewer Lines and Repair Roof Drain System project. Further request to authorize execution of amendments to Master Agreement 149740 as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $1 million.

Summary

The purpose of this project is to replace the sanitary waste and vent piping and provide re-sloping of storm drain piping at Phoenix City Hall (City Hall).

In 2018, a consultant was hired to perform an assessment at City Hall which resulted in recommendation of a full system replacement to avoid a potential widespread system failure. In 2019, the same consultant was hired to complete design through its Engineering On-Call contract. In August 2020, staff pursued the specialized design and construction expertise of DL Norton General Contracting, Inc. under an existing Job Order Contract (JOC), to provide pre-construction services which included working with the design consultant to prepare final construction drawings, prepare a construction schedule which projected a timeline of 12 months for completion, and a cost estimate for construction.

Due to the complexity of the project, impact and coordination required to work with multiple departments residing in City Hall, as well as the security and logistical requirements of working within City Hall, it is imperative that the City use a contractor that can meet these requirements. DL Norton General Contracting, Inc. has assembled a specialized team of subcontractors, all of which have a vast knowledge and familiarity with the existing conditions.

Use of a JOC construction services contract allows the City to address the timeline requirements and specialized aspects of the project. To ensure DL Norton General Contracting, Inc.'s contract has sufficient capacity for replacement of the sanitary sewer line and roof drain repair project, staff recommends increasing the JOC contract capacity and spending authority of DL Norton General Contracting, Inc.’s current JOC by an additional $1 million to complete this project. This amendment will allow for issuance of a job order agreement to DL Norton General Contracting, Inc. for an amount not to exceed $9.9 million for the City Hall replacement of sanitary sewer lines and repair of the roof drain system.

This amendment is necessary because funding for this project was phased between Fiscal Years 2021, 2022, and 2023. Due to the phased funding approach, work remains to be completed and the cost of

construction industry-wide has increased at an unprecedented rate. Cost increases in commercial construction have averaged between 20 percent to 35 percent for materials and five percent to 15 percent for labor. Currently $8.9 million in contracts have been executed to lock in pricing and control further escalation. Remaining competitive bids have been received that will be used to execute the remaining $1 million of the project and avoid further cost increases.

Contract Term

The term of the agreement will not change. 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 master agreement for Job Order Contracting Services was approved for an amount not to exceed $10 million, including all subcontractor and reimbursable costs.

Amendments increased the master agreement by an additional $6.9 million, for a new total amount not to exceed $16.9 million, including all subcontractor and reimbursable costs.

This amendment will increase the master agreement by an additional $1 million, for a new total amount not to exceed $17.9 million, including all subcontractor and reimbursable costs.

Funding for this amendment is available in the Public Works Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any job order agreements. 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:

Master Agreement 149740 (Ordinance S-45604) on May 1, 2019;

Master Agreement 149740 Amendment (Ordinance S-47546) on May 19, 2021; and

Master Agreement 149740 Amendment (Ordinance S-48616) on May 25, 2022.

This item was adopted.

43 Telecommunications Services and Interstate Telecommunications Services License with Zayo Group LLC (Ordinance S-49393)

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license with Zayo Group LLC to construct, install, operate, maintain and use the Public Highways in the City of Phoenix in order to provide telecommunications services and interstate telecommunications services in, under, over, and across public rights-of way in the City, subject to the terms and conditions contained in the license and Phoenix City Code. Further request that the licensee sign the license within 60 days of Council action, or this authorization will expire. Additionally, request to authorize the City Treasurer to accept all funds related to this item.

Summary

The license will be for a period of five years, contain appropriate insurance and indemnification provisions, require a performance bond and a security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way. This license will replace previous license 143614-0.

Contract Term

The license term is for a five-year Telecommunications Services and Interstate Telecommunications Services License.

Financial Impact

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

This item was adopted.

44 Transportation 2050 Pavement Maintenance Program Update and Five-Year Pavement Maintenance Plan through Fiscal Year 2027 (Ordinance S-49395)

Request to authorize City Council approval of the proposed five-year pavement maintenance program through Fiscal Year (FY) 2027.

Summary

The arterial and major collector streets pavement maintenance program is primarily funded by Transportation 2050 (T2050), while the minor collector and local streets pavement maintenance program is funded primarily by Arizona Highway User Revenue Fund (HURF) revenues.

Background

Phoenix has a comprehensive roadway network of nearly 5,000 miles of public streets. Phoenix's roadway network is made up of arterial, collector, and local streets. Arterials are major streets, which are typically the major north/south and east/west transportation corridors spaced at each mile. Collectors are important mid-level transportation corridors, which are generally on the 1/2-mile north/south and east/west streets between the arterial streets. Local streets are typically in residential areas and provide connectivity to the collectors and arterials for local traffic.

The City's public transit system primarily utilizes the arterial and major collector streets for its bus and rail lines, and T2050 funds allocated to Streets are an essential part of proper pavement maintenance along these high-capacity transit corridors.

Attachment A, Table 1 shows the citywide distribution of the various street classifications and which street classifications are targeted for resurfacing projects using T2050 and HURF funding. Also, **Attachment A**, **Table 2** illustrates the distribution of street classification types across the City's eight council districts.

Pavement Management System and Pavement Condition Index

The foundation of the Pavement Management System (PMS) is field data obtained using a high-tech pavement management vehicle, which measures and records the condition of roads, evaluating them on surface roughness, environmental stresses, and structural condition. Based on the resulting pavement condition index (PCI) rating, which is tracked and mapped in the department's PCI database, staff uses these objective measurements of roadway conditions to develop an initial list of roads to receive asphalt overlay. Once the pavement maintenance list is developed, the initial list of roads is put through a rigorous coordination review, which includes evaluating the following:

- Americans with Disabilities Act compliance.
- Conflicts with other city projects.
- Right of way concerns.
- Environmental issues.
- Utility issues and conflicts.
- Field visual inspections.
- Pavement age.
- Roadway traffic volumes.
- Alternate pavement treatments.

Using the most recently recorded PCI data, about 32 percent of City streets are classified in good or excellent condition, while 63 percent are in fair condition and five percent are in poor or very poor condition. The PCI distribution is tabulated in **Attachment B, Figure 1.** The most recent PCI data collected are displayed by Council Districts in **Attachment F.**

Bicycle Facility Implementation

The City's Bicycle Program is a multi-faceted yet coordinated effort to ensure the City establishes a well-connected citywide bicycle network and implements the goals of the T2050 program. Implementation of the bicycle program will come from distinct, yet collaborative work efforts of different divisions and sections within Streets, including the pavement maintenance program. **Attachment E, Table 5** shows a summary of the new bicycle facilities currently planned to be implemented through the five-year pavement maintenance program. **Attachment I** lists the projects preliminarily identified for new bicycle facilities through the five-year pavement maintenance program in FY 2023 - FY 2027, as well as bicycle facilities which will be upgraded as well. Implementation will be dependent on more-detailed engineering evaluation and public outreach processes.

Financial Impact

Pavement Maintenance Goals and Budgets

With the pavement maintenance funding (HURF and T2050) for the City's street network allocated based on the street classification type, the miles of roadway treated on an annual basis should be reported and evaluated in the same manner. **Attachment C, Table 3** shows the number of roadway miles scheduled to be treated through FY 2027 as part of the

five-year pavement maintenance program. As noted earlier, HURF funding is primarily allocated to minor collector and local streets and T2050 funding is primarily allocated to arterial and major collector streets, which total 4,033 miles and 825 miles across the City, respectively.

Attachment G provides maps showing the locations of all proposed pavement maintenance projects for the FY 2023 - FY 2027 five-year pavement maintenance program funded with T2050 and HURF revenues by Council District. **Attachment H** details the lists of new projects proposed in the pavement maintenance program in FY 2025, FY 2026 and FY 2027. **Attachment D, Table 4** shows the budget and number of roadway miles for projects funded with planned T2050 and HURF funds for the five-year pavement maintenance program.

Concurrence/Previous Council Action

Council previously approved this item at the Jan. 18, 2023 Transportation, Infrastructure and Planning Subcommittee meeting by a vote of 4-0.

The Citizens Transportation Commission recommended approval of the Five-Year Pavement Maintenance Plan through FY 2027 on Dec. 15, 2022.

This item was adopted.

45 Water Main Replacement Quarter Sections 10-33, 10-24, 2-29 - Engineering Services - WS85509026, WS85509029, WS85509061 (Ordinance S-49394)

Request to authorize the City Manager, or his designee, to enter into an agreement with GHD, Inc. to provide Engineering Services that include Construction Administration and Inspection for the Water Main Replacement Quarter Sections 10-33, 10-24, 2-29 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 $500,000.

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

utility services relating to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. Further request City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction 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 replace water lines in an area bounded by Van Buren Street to Washington Street and 21st Place to 36th Place. Replacing the water lines will improve water flow and reduce operations and maintenance issues in the neighborhood. Without replacing the water lines, the aging infrastructure could increase the amount of breaks and leaks and would impact the ability to reliably provide the neighborhood with water.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the Design Services selection process.

Contract Term

The term of the agreement is for two 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 GHD, Inc. will not exceed $500,000, 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.

Concurrence/Previous Council Action

The City Council previously approved:

Engineering Services Agreement 151697 (Ordinance S-46394) on March 4, 2020.

Location

10-33: Washington Street to Van Buren Street from 20th Street to 36th Street

10-24: Buckeye Road to Van Buren Street from 23rd Avenue to 19th Avenue

2-29: Southern Avenue to Vineyard Road from 7th Street to 12th Street

Council Districts: 7 and 8

This item was adopted.

46 Laboratory Equipment and Supplies - RFP160002341 - Amendment (Ordinance S-49383)

Request to authorize the City Manager, or his designee, to execute amendments to Contract 145861 with Fisher Scientific Company, LLC, and Contract 145692 with VWR International, LLC to extend the contract terms. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $2,100,000.

Summary

These contracts will provide vital laboratory equipment and supplies for the Police and Water Services departments' daily laboratory operations. The National Association of State Procurement Officials ValuePoint Cooperative was adopted to obtain best value and in some cases achieve more favorable pricing than what is obtainable by an individual state or local government entity.

The contract extension and additional funding are necessary to maintain the operational needs of the Police and Water Services departments until a new procurement process can be completed.

Contract Term
Upon approval, the contract will be extended through March 31, 2024.

Financial Impact
Upon approval of $2,100,000 in additional funds, the revised value of the contract will not exceed $7,775,000. Funds are available in the Police and Water Services departments' budgets.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Laboratory Equipment and Supplies, Contract 145861, 145692 (Ordinance S-43659) on June 21, 2017
• Laboratory Equipment and Supplies, Contract 145861, 145692 (Ordinance S-47395) on March 17, 2021
• Laboratory Equipment and Supplies, Contract 145861, 145692 (Ordinance S-47913) on Sept. 8, 2021

This item was adopted.

47 Final Plat - Royal Palms 2 - PLAT 220086 - North of Orangewood Avenue and West of 15th Avenue

Plat: 220086
Project: 19-3562
Name of Plat: Royal Palms 2
Owner: Berry 14, LLC
Engineer: Joshua S. Moses, RLS
Request: A 14-Lot Residential Plat
Reviewed by Staff: Jan. 5, 2023

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 Orangewood Avenue and west of 15th Avenue
Council District: 5

This item was approved.

48 Amend City Code - Ordinance Adoption - Rezoning Application

Z-71-22-4 - Southeast Corner of 35th Avenue and Grand Avenue (Ordinance G-7073)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-71-22-4 and rezone the site from A-2 (Industrial District) to A-2 HGT/WVR (Industrial District, Height Waiver) to allow a height waiver up to 110 feet for a silo.

Summary
Current Zoning: A-2
Proposed Zoning: A-2 HGT/WVR
Acreage: 6.26
Proposed Use: Height waiver up to 110 feet for a silo

Owner: Drake Switching Company, LLC
Applicant: Drake Switching Company, LLC
Representative: Ashley March, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Maryvale Village Planning Committee heard this case on Dec. 14, 2022, and recommended approval, per the staff recommendation, by a vote of 8-1.
PC Action: The Planning Commission heard this case on Jan. 5, 2023, and recommended approval, per the Maryvale Village Planning Committee recommendation, by a vote of 8-0.

Location
Southeast corner of 35th Avenue and Grand Avenue
Council District: 4
Parcel Address: 3333, 3337, and 3441 Grand Ave.

This item was adopted.

49 **Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-10-22-5 - Approximately 470 Feet West of the Northwest Corner of 27th Avenue and Northern Avenue (Ordinance G-7074)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-10-22-5 and rezone the site from C-2 (Intermediate Commercial)

and C-2 (Approved C-2 SP) (Intermediate Commercial, Approved Intermediate Commercial, Special Permit) to C-2 SP (Intermediate Commercial, Special Permit) to allow a self-service storage facility and underlying C-2 commercial uses.

Summary

Current Zoning: C-2 (0.99-acres) and C-2 (Approved C-2 SP) (1.06 acres)
Proposed Zoning: C-2 SP
Acreage: 2.05 acres
Proposed Use: Self-service storage facility and underlying C-2 commercial uses

Owner: Evergreen Phoenix Investors II, LLC
Applicant: Evergreen Phoenix Investors II, LLC
Representative: William Allison, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Mountain Village Planning Committee heard this case on Dec. 21, 2022, and recommended approval, per the staff recommendation, by a vote of 10-0-1.
PC Action: The Planning Commission heard this case on Jan. 5, 2023, and recommended approval, per the North Mountain Village Planning Committee recommendation, by a vote of 8-0.

Location

Approximately 470 feet west of the northwest corner of 27th Avenue and Northern Avenue
Council District: 5
Parcel Address: 8030, 8036, 8040, 8048, and 8058 N. 27th Ave.; 2744 and 2750 W. Northern Ave.

This item was adopted.

50 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-9-22-7 - Southwest Corner of 35th Avenue and Broadway Road (Ordinance G-7072)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-9-22-7 and rezone the site from C-2 (Intermediate Commercial) to

C-2 SP (Intermediate Commercial, Special Permit) to allow a self-service storage warehouse and underlying C-2 uses.

Summary

Current Zoning: C-2
Proposed Zoning: C-2 SP
Acreage: 5.43 acres
Proposed Use: Self-service storage warehouse and underlying C-2 uses

Owner: Yee Holdings
Applicant: Stack Storage, LLC
Representative: Nathan Frame, Stack Storage, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Laveen Village Planning Committee heard this case on Dec. 12, 2022, and recommended approval, per the staff recommendation with additional stipulations, by a vote of 9-0.
PC Action: The Planning Commission heard this case on Jan. 5, 2023, and recommended approval, per the Laveen Village Planning Committee recommendation, by a vote of 8-0.

Location

Southwest corner of 35th Avenue and Broadway Road
Council District: 7
Parcel Address: 4402 S. 35th Ave. and 3525 W. Broadway Road

This item was adopted.

51 Amend City Code - Ordinance Adoption - Rezoning Application Z-60-22-8 - Northwest Corner of 25th Street and Baseline Road (Ordinance G-7071)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-60-22-8 and rezone the site from C-1 BAOD (Neighborhood Retail, Baseline Area Overlay District) to C-2 BAOD (Intermediate Commercial, Baseline Area Overlay District) to allow an automotive service facility.

Summary

Current Zoning: C-1 BAOD
Proposed Zoning: C-2 BAOD
Acreage: 0.96 acres

Proposal: Automotive service facility

Owner: Baseline, LLC
Applicant: Cassandra Ayres, Berry Riddell, LLC
Representative: Cassandra Ayres, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this case on Dec. 13, 2022, and recommended denial by a vote of 9-5.
PC Action: The Planning Commission heard this case on Jan. 5, 2023, and recommended approval, per staff recommendation, by a vote of 8-0.

Location
Northwest corner of 25th Street and Baseline Road
Council District: 8
Parcel Address: 2456 S. 25th St. and 2530 E. Baseline Road

This item was adopted.

52 **Amend City Code - Ordinance Adoption - Rezoning Application Z-66-22-8 - Northwest Corner of 37th Street and McDowell Road (Ordinance G-7075)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-66-22-8 and rezone the site from C-1 (Neighborhood Retail District) to C-1 DNS/WVR (Neighborhood Retail District, Density Waiver) to allow multifamily residential with a density waiver.

Summary
Current Zoning: C-1
Proposed Zoning: C-1 DNS/WVR
Acreage: 1.43 acres
Proposal: Multifamily residential with a density waiver

Owner: 3644 Atrium Lofts, LLC
Applicant: 3644 Atrium Lofts, LLC
Representative: Ashley Z. Marsh, Gammage & Burnham, PLC

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

case on Dec. 6, 2022, and recommended approval, per the staff recommendation, by a vote of 16-0.
PC Action: The Planning Commission heard this case on Jan. 5, 2023, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 8-0.

Location
Northwest corner of 37th Street and McDowell Road
Council District: 8
Parcel Address: 3644 E. McDowell Road

This item was adopted.

55 Public Hearing and Ordinance Adoption - Rezoning Application Z-50-22-4 - Approximately 180 Feet North of the Northeast Corner of 7th Avenue and Camelback Road (Ordinance G-7078)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, and consider adopting Rezoning Application Z-50-22-4 to rezone the site from C-2 TOD-1 (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One) to WU Code T5:5 UT (Walkable Urban Code, Transect 5:5, Transit Uptown Character Area) to allow multifamily residential.

Summary
Current Zoning: C-2 TOD-1
Proposed Zoning: WU Code T5:5 UT
Acreage: 4.79
Proposed Use: Multifamily residential

Owner: Larkspur Lane Investment Properties, LLC
Applicant: Brian Greathouse, Burch & Cracchiolo, PA
Representative: Brian Greathouse, Burch & Cracchiolo, PA

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard this case on Dec. 20, 2022, and recommended approval, per the staff recommendation, with an additional stipulation, by a vote of 12-4.
PC Action: The Planning Commission heard this case on Jan. 5, 2023, and recommended approval, per the Alhambra Village Planning

Committee recommendation, by a vote of 8-0.
The Planning Commission recommendation was appealed for a public hearing by a community member on Jan. 9, 2023, and by the adjacent property owner on Jan. 12, 2023.

Location
Approximately 180 feet north of the northeast corner of 7th Avenue and Camelback Road
Council District: 4
Parcel Address: 5015, 5025, 5027, 5031, 5033, 5035, 5037, 5041, 5043, 5049, and 5075 N. 7th Ave.

This item was continued to the Feb. 15, 2023 City Council Formal Meeting.

Item 23, Ordinance S-49382 was a request to authorize the City Controller to disburse funds, up to amounts indicated, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

23 Landis Cyclery, Inc.

For $18,664.58 in payment authority to purchase 10 Trek X-Caliber 9 ML 29 Alpine Blue bicycles and accessories for the Police Department. The additional bicycles and accessories will address the need for increased park patrols in the Black Mountain Precinct. Landis Cyclery is able to provide bicycles and accessories with the specifications required by the Phoenix Police Department. Funding for this purchase will be provided by the City Council District 1 Office.

Discussion
A motion was made and seconded to approve this item.

Councilwoman O'Brien noted there were two parks in District 1 in the Black Mountain Precinct that needed more patrolling. She expressed her excitement for the purchase of 10 new bikes for the precinct to use for patrolling the parks.

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

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

No: 0

27 Proposed Redistricting Schedule

This report provides the Mayor and City Council a proposed schedule for completing required redistricting for the City of Phoenix and requests approval of the proposed redistricting schedule.

Summary

Consistent with federal law regarding apportionment, the City Code requires the City Council to revise council district boundaries to reflect population changes at least once every 10 years based on the decennial census. The current council district boundaries became effective in January 2013, following the 2010 decennial census. Since the district system was implemented in 1983, the City Council has secured the services of a redistricting consultant to provide the technical and legal expertise required for this process.

Proposed Redistricting Schedule:

April 2023: City Council approves redistricting consultant

April - May 2023: Consultant data gathering and analysis; Public Meeting schedule development

May - August 2023: Stakeholder meetings (two rounds) and district boundary map proposals

August 2023: City Council adopts redistricting plan

January 2024: New Council District boundaries effective

November 2024: Regular City Council election using new districts

Public Outreach

The proposed schedule maintains all elements of the previous process, including securing a consultant and conducting two rounds of public

hearings to gather community comment.

The first round of public hearings is used to educate the community about the process, gather input to identify communities of interest that desire to be maintained within a single district, and receive input regarding changes to the boundaries. The consultant will use this information when drawing proposed changes to the council districts. The second round of hearings seeks comment on the proposed district boundary alternatives developed by the consultant prior to final adoption of the new district boundaries by the City Council.

Discussion

A motion was made and seconded to approve this item.

Councilwoman Guardado stated that redistricting is key to everything that is done with the City. She noted that the City has changed significantly.

A secondary motion was made by Councilwoman Guardado to approve this item adding the redistricting team assembled also include Chiefs of Staff from each City Council District Office.

Councilman DiCiccio seconded the motion.

Councilwoman Stark reiterated the importance of redistricting and included a comment on adding additional chairs on the Council to provide adequate representation to the constituents of the growing Phoenix population.

Councilman Waring agreed with Councilwoman Stark and repeated that the City of Phoenix population is rising and will continue to rise. Councilman Waring also added that the Council should plan the next census.

Councilmember Garcia asked what was necessary to change the amount of council members in the Council.

Denise Archibald, City Clerk, replied that a charter change as well as a vote of the people would be required to add additional Council seats.

Councilman DiCiccio agreed with Councilman Waring and Councilwoman Stark's comments on adding seats to the Council. He emphasized the importance of preparing for the growth in population sooner rather than later to adequately represent the constituents.

Vice Mayor Ansari noted her interest in other model cities that are similar in size to Phoenix comparing the workforce and resources available in those cities.

Councilwoman O'Brien asked Councilwoman Guardado for clarification on the role Chief's of Staff would play in the process.

Councilwoman Guardado clarified that the Chiefs of Staff for the various District offices were familiar with the boundaries and their constituents of the Districts and would be valuable assets while going through the process.

A secondary motion was made by Councilwoman Guardado, seconded by Councilman DiCiccio, that this item be approved as amended to add that the redistricting team assembled also include Chiefs of Staff from each City Council District Office . The motion carried by the following vote:

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

34 Issuance of Multifamily Housing Governmental Revenue Notes - Pueblo Apartments Project, Series 2023 (Resolution 22097)

Requests City Council approval for the issuance of Multifamily Housing Governmental Revenue Notes for the Pueblo Apartments Project, Series 2023, to be issued in one or more tax-exempt and/or taxable series, in an aggregate principal amount not to exceed $30,000,000.

Summary

Request City Council adoption of a resolution granting approval of the proceedings under which the Industrial Development Authority of the City of Phoenix (Phoenix IDA) has previously resolved to issue up to $30,000,000 of Multifamily Housing Governmental Revenue Notes

(Revenue Notes) for use by CPL Broadway and Central LIHTC, LLC an Arizona limited liability company, to:

Finance, and/or refinance, as applicable, the acquisition, construction, development, rehabilitation, improvement, equipping and/or operation of a multifamily residential rental housing project to be comprised of 161 units in Phoenix, Arizona, and

Pay certain costs related to the issuance of the Revenue Notes.

Concurrence/Previous Council Action

The Phoenix IDA Board has previously resolved to issue the Revenue Notes at its meeting held on Jan. 19, 2023.

Location

The Project is located at or near 316 W. Broadway Road.
Council District: 7

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

Discussion

Vice Mayor Ansari expressed her excitement for more units along the South Central Corridor. She noted that the Pueblo Apartments located at Martin Luther King Jr. Boulevard and Central Avenue will add 161 units of affordable housing connected to the Light Rail. Vice Mayor Pastor added that the project had the potential to be a walkable cultural hub for the City of Phoenix communities. She also thanked Chicanos Por La Causa for their involvement in the project.

Mayor Gallego noted the project included funding of up to $30 million.

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

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

No: 0

40 April 2023 Proposed Bus Service Improvements (Ordinance S-49396)

Request to authorize the City Manager, or his designee, to implement the April 2023 bus service changes. If approved, the service changes will take effect April 24, 2023.

Summary

Responding to transit riders and the public's call to expand Phoenix's transit network, the Public Transit Department (PTD) recently sought public input regarding proposed extensions of existing bus routes in north and southwest Phoenix for April 2023. PTD provided the Citizens Transportation Commission a summary of the staff proposed service changes in October and conducted outreach during November and December. Identified routes and the proposed changes, as presented during the public outreach period, are listed below:

Current Service

Route 28 (Lower Buckeye Road) - The City of Phoenix operates the seven-mile local route on Lower Buckeye Road between 22nd and 75th avenues in southwest Phoenix. The route operates at a 30-minute frequency daily and connects with five other local bus routes.

Route 35 (35th Avenue) - The City of Phoenix operates the 28-mile local route on 35th Avenue between 27th Avenue/Baseline Park-and-Ride (to the south) and Happy Valley Road and 21st Avenue (to the north). The route makes a deviation to Metrocenter Transit Center between Dunlap and Peoria avenues. The route operates at a 30-minute frequency daily, with increased frequency every 15 minutes during weekday peak hours (6 - 9 a.m. and 3 - 6 p.m.) between the Baseline Park-and-Ride and the Metrocenter Transit Center. The route currently connects with 21 other local bus routes in the region.

Route 61 (Southern Avenue) - Valley Metro operates the 28-mile local route on Southern Avenue between Superstition Springs Transit Center in Mesa and 43rd Avenue in Phoenix. The route operates in Phoenix, Tempe, and Mesa at a 30-minute frequency daily, with increased frequency every 15 minutes during weekday peak hours (6 - 9 a.m. and 3 - 6 p.m.). The route currently connects with 25 other local bus routes, three circulator routes, and four express routes.

Proposed Changes

Route 28 (Lower Buckeye Road) - Expanding the regional bus network in southwest Phoenix has long been a goal for the department and is identified in the T2050 plan. Initially, PTD had planned to propose a route extension on Lower Buckeye Road in early 2020, but the plan was interrupted by the global pandemic. As the workforce of our bus operating contractors begins to stabilize, the department is proposing this three-mile extension west towards 99th Avenue. The proposed extension will provide transit service into an area that has seen recent growth along Lower Buckeye Road between 75th and 99th avenues. The service area of the route extension is estimated to cover 15,000 residents and 3,700 households in southwest Phoenix.

Route 35 (35th Avenue) and Route 36 (35th Avenue North) - Over the years, PTD has received input from north Phoenix residents, businesses, and a medical site about the potential to expand the transit network north of Happy Valley Road. PTD engaged in a conversation with Honor Health Sonoran Crossing Medical, located at 32nd Avenue and Dove Valley Road, to explore options to provide new transit opportunities for patients and workers. The proposed seven-mile extension would utilize Norterra Parkway, Jomax Road, North Valley Parkway, Dove Valley Road, and 32nd Avenue to maximize the route’s reach to connect residences, workplaces, medical centers, grocery stores, and shops into the region’s vast transit network.

To make the proposed extension north of Happy Valley Road feasible, PTD proposed shortening Route 35 at the Metrocenter Transit Center, where the new Route 36 would then provide bus service between

Metrocenter north towards Dove Valley Road. The shortened Route 35 would continue to operate at its current frequency and service span, which includes peak hour weekday service. The proposed new Route 36 would operate daily at a 30-minute frequency and adhere to the current service span of 4 a.m. to 11 p.m. on Monday through Friday, and 5 a.m. to 11 p.m. on Saturday and Sunday.

The split route operation provides the following benefit and mitigation to transit operations:

Longer trips could become increasingly difficult to operate and maintain a reliable schedule. Currently, Route 35 is one of the longest routes in the region.

Route 36 would connect with nine other local bus routes, which would expand opportunities to reach the new segment with only one transfer. If Route 36 only operated north of Happy Valley Road, the route would only make bus connections to Routes 19 and 35.

Routes terminating at Metrocenter Transit Center provide an ideal situation to provide operators a break location and a timed transfer between routes.

The service area of the route extension is estimated to cover 8,000 residents and 2,700 households in north Phoenix.

Route 61 (Southern Avenue) - Recent roadway improvements made by Maricopa County near 43rd and Southern avenues have resulted in a detour to 51st Avenue for a bus turnaround at the end of line. To make the temporary detour permanent and provide connection between bus routes, Phoenix and Valley Metro propose extending Route 61 one mile west to 51st Avenue. The extension would add connections to two major local routes (Route 51 and Route 61).

The service area of the route extension is estimated to cover 7,600 residents and 2,200 households in southwest Phoenix.

Maps of the proposed service changes are included in **Attachment A**.

Service Equity Analysis

Per Federal Transit Administration regulations, a Title VI Service Equity Analysis on each proposed service change was conducted to analyze if the proposed change causes a disparate impact on minority populations or yields a disproportionate burden toward low-income populations. In summary, among the four proposed service change concepts, Route 35's proposed segment reduction qualifies as potentially causing disproportional burden to low-income communities. However, the impact is mitigated by having the new Route 36 cover the eliminated segment and synchronize schedules between the two routes to minimize transfer time for passengers. Details of the service equity analysis for the proposed April 2023 service change is included in **Attachment B**.

Public Input Process

The PTD used the locally adopted public outreach process to solicit public feedback on proposed service changes. Phoenix and Valley Metro staff conducted in-person and virtual outreach utilizing posters and A-Frame signs placed at key areas along each route to notify the public of the proposed changes, and direct passengers to visit Valley Metro's website to submit comments through Dec. 2. The proposed changes were also advertised via social media, interactive webinars, and a public hearing was held on Nov. 16.

Overall, 1,257 total comments and suggestions were received about Phoenix's proposed service changes, with 517 of those registering either a positive or negative opinion specifically on each proposed service change. The results of the public input by route are as follows:

Route 28 Extension to 99th Avenue:

62 Support (75%)
21 Against (25%)

Route 35 Modification to create new Route 36 extending into North Phoenix:

113 Support (28%)
287 Against (72%)

Route 61 Extension to 51st Avenue:
63 Support (66%)
32 Against (34%)

Route 35 and 36's service change proposal received significant public opposition through public comments. Most comments received opposed bus service north of Happy Valley Road due to concern over the road's capacity to handle bus service and the concern over not having enough commercial and mixed development along the extension corridor to support a transit route. While some opposition to proposed service changes may be expected, the overwhelming opposition to Route 35/36's proposal indicates that the PTD should reevaluate the proposed routing and an implementation timeline to gather public support for the route extension, including alternative timelines for implementation as well as routing scenarios in the area.

Staff Recommendation
Based on the feedback received, staff is recommending implementing proposed service changes to routes 28 (Lower Buckeye Road) and Route 61 (Southern Avenue); changes to Route 35/36 (35th Avenue) are not recommended for implementation at this time.

Financial Impact
The proposed changes to Routes 28 and 61 will increase PTD's operating expenses by approximately $966,000 annually, of which $648,000 is attributed to Route 28, and $318,000 to Route 61. Fiscal Year 2022-23 financial impact is estimated to be $180,000 for a partial year implementation (April 24 - June 30, 2023). Funding is available in the Public Transit Department's operating budget. Contract amendments for Phoenix's bus service providers will be developed to reflect the increase in contract capacity necessary to maintain these service increases in future years.

Concurrence/Previous Council Action
This item was recommended for approval at:
The Citizens Transportation Commission meeting on Dec. 15, 2022, by a vote of 8-0.
The Transportation, Infrastructure and Planning Subcommittee meeting

on Jan. 18, 2023, by a vote of 4-0.

Location

Council Districts: 1, 2 and 7

Discussion

Vice Mayor Ansari stated that the item would extend needed routes in the Tolleson and Estrella region of District 7 for more jobs and opportunity. She noted that the change would extend the Lower Buckeye route from 75th Avenue to 99th Avenue connecting more than 15,000 additional residents to the transit system. Vice Mayor Ansari thanked Jesus Zapien, Public Transit Director and the staff that worked on the item.

A motion was made and seconded to approve this item.

Francisca Montoya, resident of District 7, thanked Mayor Gallego and Vice Mayor Ansari. She expressed her excitement for the item adding that the extension provided affordable and reliable public transportation that would have a positive impact on the quality of life for the community.

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

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

53 Public Hearing and Resolution Adoption - General Plan Amendment GPA-LV-2-22-8 - Northwest Corner of 35th Avenue and Carver Road (Resolution 22096)

Request to hold a public hearing on a General Plan Amendment for the following item to consider adopting the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 58.99 acres from Future Parks/Open Space or 1 dwelling unit per acre, Residential 0 to 1 dwelling units per acre, and Residential 3.5 to 5 dwelling units per acre to Residential 1 to 2 dwelling units per acre. This item is a companion case

to Z-55-22-8 and must be heard first, followed by Z-55-22-8.

Summary

Application: GPA-LV-2-22-8
Current Plan Designation: Future Parks/Open Space or 1 dwelling unit per acre (34.03 acres), Residential 0 to 1 dwelling units per acre (5.61 acres), and Residential 3.5 to 5 dwelling units per acre (19.35 acres)
Proposed Plan Designation: Residential 1 to 2 dwelling units per acre
Acreage: 58.99 acres
Proposed Use: Single-family residential

Owner: Adrian Betts, Virtual 35th, LLC
Applicant/Representative: Paul Gilbert; Beus Gilbert McGroder, PLLC

Staff Recommendation: Denial as filed, approval of Residential 1 to 2 dwelling units per acre (19.35 acres) and Mixed Use (Residential 1 to 2 dwelling units per acre / Parks/Open Space - Future 1 dwelling unit per acre) (39.64 acres).
VPC Action: The Laveen Village Planning Committee heard the case on Dec. 12, 2022, and recommended approval, per the staff recommendation, by a vote of 9-0.
PC Action: The Planning Commission heard the case on Jan. 5, 2023, and recommended approval, per the Laveen Village Planning Committee recommendation, by a vote of 8-0.

Location

Northwest corner of 35th Avenue and Carver Road
Council District: 8
Parcel Address: N/A

Discussion

Mayor Gallego announced Items 53 and 54 would be heard together as the cases were related.

Assistant Planning and Development Director Joshua Bednarek stated that items 53 and 54 were public hearings for companion General Plan Amendment and rezoning cases and could be heard together, but have separate motions for each item. He added that the subject property for both requests is 58 .99 acres located

at the Northwest Corner of 35th Avenue and Carver Road in Council District 8. He affirmed that item 53 is GPA-LV-2-22-8 a request to amend the General Plan land use map designation from various residential designations to Residential 1 to 2 and mixed use/residential to allow for a single-family residential development. Item 54 is Z-55-22-8 request to rezone the site from R1-18 to R1-18 Hillside Density Waiver to allow for single-family residential. He stated that the Laveen Village Planning Committee heard both requests on December 12th, 2022 and recommended approval and the Planning Commission heard the requests on January 5th, 2023 and recommended per the Village Planning Committee vote. He repeated that staff recommended approval per the Planning Commission recommendation and adoption of the related resolution and ordinance for items 53 abd 54. He mentioned his availability for questions.

Mayor Gallego declared the public hearing open. Noting there was an individual to speak virtually if necessary, she declared the public hearing closed.

Councilmember Garcia noted that the item was his first case and thanked staff for their support. He also thanked residents, the developers, and Paul Gilbert their zoning attorney for their work on the item.

The hearing was held. A motion was made by Councilmember Garcia, seconded by Councilwoman Guardado, that this item be approved per the Planning Commission recommendation and adoption of the related resolution. The motion carried by the following vote:

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

54 Public Hearing and Ordinance Adoption - Rezoning Application Z-55-22-8 - Northwest Corner of 35th Avenue and Carver Road (Ordinance G-7077)

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-55-22-8 and rezone the site from R1-18 (Single-Family Residence District) and R1-8 (Single-Family Residence District) to R1-18 Hillside DNS/WVR (Single-Family Residence District, Hillside Density Waiver) to allow single-family residential. This is a companion case to GPA-LV-2-22-8 and must be heard following GPA-LV-2-22-8.

Summary
Current Zoning: R1-18 and R1-8
Proposed Zoning: R1-18 Hillside DNS/WVR
Acreage: 58.99
Proposed Use: Single-family residential with a hillside density waiver

Owner: Virtual 35th, LLC, Felipe Zubia
Applicant: Paul Gilbert, Beus Gilbert McGroder, PLLC
Representative: Paul Gilbert, Beus Gilbert McGroder, PLLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Laveen Village Planning Committee heard the case on Dec. 12, 2022, and recommended approval, per the staff recommendation, with a modification, by a vote of 9-0.
PC Action: The Planning Commission heard the case on Jan. 5, 2023, and recommended approval, per the Laveen Village Planning Committee recommendation, by a vote of 8-0.

Location
Northwest corner of 35th Avenue and Carver Road
Council District: 8
Parcel Address: N/A

NOTE: Refer to Item 53 for comments on this item.

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

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

No: 0

56 **Public Hearing and Ordinance Adoption - Rezoning Application Z-40-22-2 (Scottsdale Town Square Thunderbird Phase PUD) - Approximately 800 Feet North of the Northwest Corner of Scottsdale Road and Thunderbird Road (Ordinance G-7076)**

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-40-22-2 and rezone the site from C-2 (Intermediate Commercial), C-2 SP (Intermediate Commercial, Special Permit), and PSC (Planned Shopping Center) to PUD (Planned Unit Development) to allow multifamily residential and commercial uses.

Summary

Current Zoning: C-2 (1.06 acres), C-2 SP (0.06-acres), and PSC (7.42 acres)
Proposed Zoning: PUD
Acreage: 8.54 acres
Proposal: PUD to allow multifamily residential and commercial uses

Owner: Scottsdale Towne Square, LLC
Applicant: George Pasquel III, Withey Morris, PLC
Representative: George Pasquel III, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Paradise Valley Village Planning Committee heard this case on Aug. 1, 2022, for information only.
VPC Action: The Paradise Valley Village Planning Committee heard this case on Dec. 5, 2022, and recommended approval, per the staff recommendation, with a modification and additional stipulations, by a vote of 13-3.
PC Action: The Planning Commission heard this case on Jan. 5, 2023, and recommended approval, per the staff memo dated Jan. 5, 2023, with a modification, by a vote of 8-0.

The Planning Commission recommendation was appealed for a public hearing by a community member on Jan. 12, 2023.

Location

Approximately 800 feet north of the northwest corner of Scottsdale Road and Thunderbird Road
Council District: 2
Parcel Address: 13802, 14026, 14036, and 14046 N. Scottsdale Road

Discussion

Assistant Planning and Development Director Joshua Bednarek stated that the Paradise Village Planning Committee heard the case on December 5, 2022 and recommended approval per the staff recommendation with modification and additional stipulations. The Planning Commission heard the case on January 5, 2023 and recommended approval per the staff memo dated January 5, 2023 with a modification. He stated that staff recommends approval per the February 1, 2023 memo from the Planning and Development Assistant Director and adoption of the related ordinance.

Mayor Gallego declared the public hearing open.

Lani Harrison stated that she lived across from the proposed development on 71st Street. She spoke in support of the item adding her concern for the site lines and noted the work the developers have done to address these concerns. She expressed the project would beautify the neighborhood. She thanked the developers for working with the community to meet the needs of the neighbors.

Anthony Scerbo read a letter from Nick Cardenal addressed to Jim Waring in support of the item. He stated that the case would improve the quality of life in the area.

Mayor Gallego declared the public hearing closed.

Councilman Waring asked to hear from Jason Morris about their work with the neighborhood.

Jason Morris recognized Amy Satterfield for working with the neighborhood and community to address concerns about landscaping on the property and in the existing community.

Councilman Waring expressed appreciation to the developers as well as Amy Satterfield for their work with the community. He added that the site of the development has a frontage road which made it appropriate for the use.

Councilman DiCiccio asked if he had a conflict since he attended the church in the area.

City Attorney Julie Kriegh affirmed that there was no conflict.

Councilman DiCiccio asked Mr. Morris if there were any concerns of the project.

Mr. Morris reiterated all concerns had been addressed throughout the process.

The hearing was held. A motion was made by Councilman Waring, seconded by Councilwoman O'Brien, that this item be approved per the Feb. 1, 2023 memo from the Assistant Planning and Development Director and adoption of the related ordinance. The motion carried by the following vote:

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

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

City Attorney Julie Kriegh 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. She advised the Arizona Open Meeting Law permits the City Council to listen to the comments, but prohibits council members from discussing or acting on the matters presented.

Dana Burns, founder of A Permanent Voice, requested help from Council with rent for senior citizens in the South Phoenix community.

Sebastian Del Portillo, Phoenix Field Organizer with Unemployed Workers United, requested that Council pass a fair housing ordinance for the most vulnerable and to prohibit income discrimination. He mentioned an ordinance passed in Tuscon that protects those who rely on public assistance and have a fixed income against landlord discrimination.

Miesha Fish with Unemployed Workers United, expressed her passion for civil liberties and wanted expansion of affordable housing for the most vulnerable. She asked the Council to ensure that the most vulnerable are not harassed, discriminated against, or criminalized.

Stephanie Gonzalez Espinoza, with Poder in Action, spoke in support of Unemployed Workers United and their mission to ask the Council to address housing in Phoenix. She noted several programs the organizations had implemented to assist vulnerable populations.

April Hernandez, a barista at HMS Host at Phoenix Sky Harbor, stood in solidarity with Aramark workers as they fight for fair working conditions.

Marisa Mata, with Unemployed Workers United, expressed her concern with homelessness, gentrification and people getting pushed out due to rent. She urged the Council to keep communities together.

Scott Matos Elliott, barista for HMS Host at Phoenix Sky Harbor in Terminal 4, stood in solidarity with workers as they fight for better working conditions.

John Matselboba, a bartender for Aramark at Phoenix Convention Center, expressed his concern with his wage not sustaining for his living expenses. He noted that the annual report for Aramark reflected 2022 profits to be $162 billion

He urged Council to look into Aramark's contract to address the wage concerns.

Carla Naranjo, with Unemployed Workers United, asked the Council to make housing justice a priority. She reiterated the request for Council to pass an ordinance that would include anti-discrimination clauses for folks based on the source of income. Ms. Naranjo added that Unemployed Workers United has requested meetings with every district office and has not had a response from Councilman Waring, Councilwoman O'Brien, and Councilwoman Stark.

Yvonne Rubino shared her mother's story of homelessness whose existing medical condition was exacerbated by the lack of community resources. She detailed the various attempts to search for aid and urged Council to pass policy to protect the most vulnerable.

Carmen Terrell expressed concern about homelessness and lack of resources for vulnerable populations. She asked Council to provide solutions like rent control or subsidized housing without a voucher system and noted that the existing vouchers are unreliable.

Ricardo Villafan expressed concern for the rent crisis. He asked Council to prevent rent hikes, address discrimination, and provide housing assistance for the community.

Brianna Westbrook shared a story and expressed her concern about the rent crisis and urged Council to help.

Rochelle Woodson , with Unemployed Workers United, expressed her concern with high rent prices and having to work three jobs to pay rent that was previously manageable. She noted that she experienced housing discrimination when searching for a mortgage and urged the Council to help those who are most vulnerable.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 3:40 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 1st day of February, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18th day of September, 2024.

CITY CLERK