CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Monday, July 1, 2024 at 10:06 a.m. in the Council Chambers.

Present: 9 - Councilman Carlos Galindo-Elvira, Councilwoman Betty Guardado, Councilwoman Kesha Hodge Washington, Councilwoman Ann O'Brien, Councilwoman Laura Pastor, Councilman Kevin Robinson, Councilman Jim Waring, Vice Mayor Debra Stark and Mayor Kate Gallego

Councilwomen Hodge Washington and O'Brien attended the meeting virtually.

Prior to the meeting, Mayor Gallego asked Councilman Robinson to introduce members from the Mandela Fellows Program that were in the audience.

Councilman Robinson mentioned the Mandela Fellows Program was a program within the Arizona State University Watts College of Public Service and Community Solutions, and noted this was the tenth year of this program. He said there were 25 individuals from 17 different African countries, and they were visiting the United States to learn more about how government works at the local, state and federal levels.

Mayor Gallego thanked the members of the program, and commented it was an honor to host them.

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

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-7270 and G-7272 through G-7285, S-51069 and S-51145 through S-51165, and Resolutions 22230 through 22232 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 director on appropriate decorum when providing comments.

MINUTES OF MEETINGS

1 For Approval or Correction, the Minutes of the Formal Meeting on April 20, 2022

Summary
This item transmits the minutes of the Formal Meeting of April 20, 2022, for review, correction and/or approval by the City Council.

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

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

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

2 For Approval or Correction, the Minutes of the Formal Meeting on May 11, 2022

Summary
This item transmits the minutes of the Formal Meeting of May 11, 2022,

for review, correction and/or approval by the City Council.

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

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

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

3 **For Approval or Correction, the Minutes of the Formal Meeting on May 25, 2022**

Summary

This item transmits the minutes of the Formal Meeting of May 25, 2022, for review, correction and/or approval by the City Council.

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

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

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

4 **For Approval or Correction, the Minutes of the Formal Meeting on Sept. 20, 2023**

Summary

This item transmits the minutes of the Formal Meeting of Sept. 20, 2023, for review, correction and/or approval by the City Council.

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

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

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

BOARDS AND COMMISSIONS

5 Mayor and Council Appointments to Boards and Commissions

Summary

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

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

Citizens Transportation Commission

Reappoint Joan Berry, serving her second term to expire June 30, 2027, as recommended by Councilman Waring.
Reappoint Carolyn Chatman, serving her second term to expire June 30, 2027, as recommended by Councilman Galindo-Elvira.
Reappoint David Moody, serving his second term to expire June 30, 2027, as recommended by Vice Mayor Stark.
Reappoint Christina Panaitescu, serving her second term to expire June 30, 2027, as recommended by Councilwoman O'Brien.
Appoint Darlene Vallo, replacing Shannon McBride on the commission for a term to expire June 30, 2027, as recommended by Councilwoman Guardado.

Civil Service Board

Appoint Cris Meyer, filling a vacancy on the board for a term to expire July 1, 2027, as recommended by Mayor Gallego.

Appoint Dana Naimark, filling a vacancy on the board for a term to expire July 1, 2027, as recommended by Mayor Gallego.

Development Advisory Board
Appoint Steve Petrie, replacing John Mertens as a Fire Department Representative on the board for a term to expire July 1, 2027, as recommended by Mayor Gallego.

Mayor's Human Trafficking Task Force
Appoint Sherrie Cavalari, filling a vacancy on the task force for a term to expire July 1, 2028, as recommended by Councilman Waring.

Phoenix Aviation Advisory Board
Appoint Dan Brownlee, replacing Camilo Hanao as an Airline representative for a term to expire Oct. 7, 2025, as recommended by Mayor Gallego.

Public Safety Personnel Retirement System Local Fire Pension Board
Appoint Brian Saylor, replacing Brian Moore to serve as a representative of sworn Fire Department employees and is a Fire Engineer with the City for a term to expire June 30, 2028, as recommended by Mayor Gallego.

Public Safety Personnel Retirement System Local Police Pension Board
Reappoint Mark Schweikert, serving a second term as a representative of sworn Police Department employees and is a Lieutenant with the City for a term to expire June 30, 2028, as recommended by Mayor Gallego.

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

Yes:	9 -	Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego
No:	0	

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

Darlene Vallo - Citizens Transportation Commission;
Steve Petrie - Development Advisory Board; and
Sherrie Cavalari - Mayor's Human Trafficking Task Force.

The above appointees 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 Stark, seconded by Councilwoman O'Brien, that items 6-22 be recommended for approval. The motion carried by the following voice vote:

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

6 Liquor License - Special Event - Give 'Em A Break Foundation, Inc. (Nov. 1-3)

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

Summary

Applicant
Patrick Murphy

Location
3901 W. Pioneer Road
Council District: 1

Function

Festival

Date(s) - Time(s) / Expected Attendance
Nov. 1, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees
Nov. 2, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees
Nov. 3, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

7 Liquor License - Special Event - Give 'Em A Break Foundation, Inc. (Nov. 7-10)

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

Summary

Applicant
Patrick Murphy

Location
3901 W. Pioneer Road
Council District: 1

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 7, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees
Nov. 8, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees
Nov. 9, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees
Nov. 10, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

8 Liquor License - Special Event - Give 'Em A Break Foundation, Inc. (Nov. 14-16)

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

Summary

Applicant
Patrick Murphy

Location
3901 W. Pioneer Road
Council District: 1

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 14, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees
Nov. 15, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees
Nov. 16, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - Toso's Sports Bar & Grill

Request for a liquor license. Arizona State License Application 296618.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 6 - Bar

Location
2401 W. Union Hills Dr.
Zoning Classification: C-1
Council District: 1

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 July 22, 2024.

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

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

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

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

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

because:
“Employees are trained in Title 4 liquor law training and meetings to discuss correct practices are mandatory.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Toso's Sports Bar & Grill is a full service bar offering refreshing cocktails, a wide selection of beers and wine along with a full menu of delicious eats to enjoy for dine in or take out.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Toso's Sports Bar & Grill - Data
Attachment - Toso's Sports Bar & Grill - Map

This item was recommended for approval.

10 Liquor License - Valle Luna Lunatics Mexican Cantina

Request for a liquor license. Arizona State License Application 294155.

Summary

Applicant
William Riddle III, Agent

License Type
Series 12 - Restaurant

Location
25155 N. 67th Ave., Ste. 134, 136, 138
Zoning Classification: C-2
Council District: 1

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.

The 60-day limit for processing this application is July 20, 2024.

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

Other Active Liquor License Interest in Arizona

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

Valle Luna Mexican Food (Series 12)
3336 W. Bell Road, Phoenix
Calls for police service: 20
Liquor license violations: None

Valle Luna Mexican Food (Series 12)
16048 N. Cave Creek Road, Phoenix
Calls for police service: 22
Liquor license violations: None

Valle Luna Mexican Food Y Cantina (Series 12)
1949 W. Ray Road, Bldg. G-1, Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Having been in the business for the past 40 years my success as a business person illustrates my capability and reliability to uphold the standards and moral ethics of all licenses that I currently hold with the State of Arizona, City of Phoenix, City of Chandler, and Maricopa County. I serve on the Board for the Arizona Licensed Beverage Association, as well as, a member of the Chamber of Commerce. Supporter of various non-profits fundraising for their cause and giving back to the community through various youth athletic sponsorships."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Serving the community for more than 40 years, the family owned and managed restaurant will continue to serve its customers with the best quality menu and beverage service resulting in a successful family-style business. All employee staff for the past 40 years have been trained and certified in alcohol training to ensure that policies and procedures as required by all City, County, & State agencies are fulfilled. This liquor license will enhance the restaurant menu and dining experience."

Staff Recommendation

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

Attachments

Attachment - Valle Luna Lunatics Mexican Cantina - Data
Attachment - Valle Luna Lunatics Mexican Cantina - Map

This item was recommended for approval.

11 Liquor License - Trevor's

Request for a liquor license. Arizona State License Application 296768.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 9 - Liquor Store

Location
7000 E. Mayo Blvd, Bldg. 25
Zoning Classification: PUD PCD
Council District: 2

This request is for a new liquor license for a liquor store. This location is currently licensed for liquor sales with a Series 12 - Restaurant, a Series 7 - Beer and Wine Bar, and a Series 9S - Liquor Store with Sampling Privileges.

The 60-day limit for processing this application is July 29, 2024.

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Trevor's offers a wide-variety of beer, wine and spirits with its active series 9 liquor license. Applicant was awarded a 2nd series 9 lottery license; only one series 9 will be active."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Trevor's - Data
Attachment - Trevor's - Map

This item was recommended for approval.

12 Liquor License - Walker's Liquor

Request for a liquor license. Arizona State License Application 297299.

Summary

Applicant
Jared Repinski, Agent

License Type
Series 9 - Liquor Store

Location
11009 N. 19th Ave.
Zoning Classification: C-2
Council District: 3

This request is for an ownership transfer for a liquor store. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a variance to allow a drive-thru window for the sale of alcohol.

The 60-day limit for processing this application is Aug. 3, 2024.

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

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

A-1 Food and Liquor Store (Series 9)
6514 W. Bethany Home Road, Glendale
Calls for police service: N/A - not in Phoenix

Liquor license violations: None

A1 Stop (Series 10)
6505 N. 59th Ave., Glendale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have 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 economy and liquor licensed establishments (the sales 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, golf 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 noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments

Attachment - Walker's Liquor - Data
Attachment - Walker's Liquor - Map

This item was recommended for approval.

13 Liquor License - 5th Avenue Cafe

Request for a liquor license. Arizona State License Application 295682.

Summary

Applicant
Juanita Esparza, Agent

License Type
Series 12 - Restaurant

Location
501 W. Thomas Road
Zoning Classification: C-1
Council District: 4

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.

The 60-day limit for processing this application is July 19, 2024.

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

Other Active Liquor License Interest in Arizona

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The owners of 5th Ave Cafe are committed to upholding the highest standards for it's business practices and employees. They have been trained along with all employees in all techniques of legal and responsibility & have take the Titel IV Liquor Law Training Course. Miss Alvarado Cibrian and Mr. Delgado Arias will operate and oversee all employees & will provide a safe experience for staff and patrons."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The owner's of 5th Avenue Cafe wishes to provide the public with full restaurant dining with the service of alcohol sales at the request of the patron. In addition, Miss. Alvarado Cibrian and Mr. Delgado Arias owners of 5th Avenue Cafe will responsibly adhere to all state, city and county rules and regulations."

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

Attachments
Attachment - 5th Avenue Cafe - Data
Attachment - 5th Avenue Cafe - Map

This item was recommended for approval.

14 Liquor License - Special Event - Greek Orthodox Church - Holy Trinity

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

Summary

Applicant
Kalliopi Schneider

Location
1973 E. Maryland Ave.
Council District: 6

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
Oct. 11, 2024 - 2 p.m. to 10 p.m. / 1,500 attendees
Oct. 12, 2024 - 11 a.m. to 10 p.m. / 3,000 attendees
Oct. 13, 2024 - 11 a.m. to 8 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - Luci's at the Orchard Splurge Orchard Tavern Orchard Events & Catering (Series 10)

Request for a liquor license. Arizona State License Application 296326.

Summary

Applicant
Theresa Moore, Agent

License Type
Series 10 - Beer and Wine Store

Location
7100 N. 12th St., Bldg. 2
Zoning Classification: C-1
Council District: 6

This request is for an acquisition of control of an existing liquor license for a beer and wine store. This location is currently licensed for liquor sales.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I am the owner of several liquor licenses and have not violated any liquor laws or city ordinances. The purpose of this application is to add a partner to the existing liquor license location who has been working with me for years. He is now a percentage holder on all six of my liquor licenses. We have attended both Basic and Management Liquor Law training and will schedule Basic training for the staff as soon as possible. Nothing is changing at this location other than adding a partner (member) to fully disclose his interest in the business per State Law. We look

forward to continuing to serve the community and operate within the City of Phoenix."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

16 Liquor License - Luci's At The Orchard Splurge Orchard Tavern Orchard Events & Catering (Series 12)

Request for a liquor license. Arizona State License Application 296326.

Summary

Applicant
Theresa Moore, Agent

License Type
Series 12 - Restaurant

Location
7100 N. 12th St.
Zoning Classification: C-1
Council District: 6

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

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

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

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

Public Opinion

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am the owner of several liquor licenses and have not violated any liquor laws or city ordinances. The purpose of this application is to add a partner to the existing liquor license location who has been working with me for years. He is now a percentage holder on all six of my liquor licenses. We have attended both Basic and Management Liquor Law training and will schedule Basic training for the staff as soon as possible. Nothing is changing at this location other than adding a partner (member) to fully disclose his interest in the business per State Law. We look forward to continuing to serve the community and operate within the City of Phoenix."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

17 Liquor License - Luci's Marketplace The Coffee Bar & The Other Bar (Series 7)

Request for a liquor license. Arizona State License Application 296303.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 7 - Beer and Wine Bar

Location
1590 E. Bethany Home Road
Zoning Classification: C-2
Council District: 6

This request is for an ownership and location transfer for a beer and wine bar. This location is currently licensed for liquor sales with a Series 12 - Restaurant and a Series 10 - Beer and Wine Store, liquor license and does not have an interim permit.

The 60-day limit for processing this application is July 21, 2024.

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

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

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

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

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

because:
“I am the owner of several liquor licenses and have not violated any liquor laws or city ordinances. The purpose of this application is to add a partner to the existing liquor license location who has been working with me for years. He is now a percentage holder on all six of my liquor licenses. We have attended both Basic and Management Liquor Law training and will schedule Basic training for the staff as soon as possible. Nothing is changing at this location other than adding a partner (member) to fully disclose his interest in the businesses per State Law. We look forward to continuing to serve the community and operate within the City of Phoenix.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“The business operation at this location will be the same with a limited amount (30%) sealed package to go from the series 7 license. The community is currently frequenting this location for dining and sealed package to go beer and wine, The package to go beer and wir sales will be tracked to not exceed 30% per year. The community is pleased to have the ability to purchase sealed beer and wine at this location instead of have to travel to a liquor store for their desired product to take home. Current liquor law has been obtained.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Luci's Marketplace The Coffee Bar & The Other Bar - Data
Attachment - Luci's Marketplace The Coffee Bar & The Other Bar - Map

This item was recommended for approval.

18 Liquor License - Luci's Marketplace The Coffee Bar & The Other Bar (Series 12)

Request for a liquor license. Arizona State License Application 296318.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
1590 E. Bethany Home Road
Zoning Classification: C-2
Council District: 6

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 12 - Restaurant and a Series 10 - Beer and Wine Store, liquor license and does not have an interim permit.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am the owner of several liquor license and have not violated any liquor laws or city ordinances. The purpose of this application is to add a

partner to the existing liquor license location who has been working with me for years. He is now a percentage holder on all six of my liquor licenses. We have attended both basic and Management Liquor Law training and will schedule Basic Training for the staff as soon as possible. Nothing is changing at this location other than adding a partner (member) to fully disclose his interest in the businesses per State Law. We look forward to continuing to serve the community and operate within the City of Phoenix ."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

19 Liquor License - Cactus Cloud Cafe

Request for a liquor license. Arizona State License Application 297220.

Summary

Applicant
Quinlan Hamann, Agent

License Type
Series 12 - Restaurant

Location
111 W. Monroe St., # 121
Zoning Classification: DTC - Business Core
Council District: 7

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

The 60-day limit for processing this application is July 29, 2024.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Having worked in the restaurant industry for over a decade and having completed basic and management classes on liquor service and sales, I am capable and qualified to provide this service to the downtown community."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"At Cactus Cloud, we take the responsibility of following rules and regulations regarding the sale of alcohol seriously and will strive to create a save and secure space for the community to gather and enjoy each other. The prior owner promoted safety and community at Hidden Track Cafe (former name) and served the community for many years-- We wish to assume that mantle and continue the legacy of this wonderful cafe."

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

Attachments
Attachment - Cactus Cloud Cafe - Data
Attachment - Cactus Cloud Cafe - Map

This item was recommended for approval.

20 Liquor License - FPR Distributing Co. Inc.

Request for a liquor license. Arizona State License Application 295427.

Summary

Applicant
Ryan Anderson, Agent

License Type
Series 4 - Wholesaler

Location
431 N. 47th Ave., #59
Zoning Classification: Industrial Park
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 Aug. 3, 2024.

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

Other Active Liquor License Interest in Arizona

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

FPR Distributing Co. Inc. (Series 4)
10401 W. Van Buren St., Tolleson
Calls for police service: N/A not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"FPR Distributing Co., Inc. ("FPR") is owned by husband and wife Fabrizio Renna and Patricia D'Aquino Renna. Mr. & Mrs. Renna have been importing specialty Italian wines produced by small family-owned vineyards in rural Italy for nearly 30 years. FPR holds wholesaler/distributor licenses throughout the United States and have maintained them in good standing without any liquor violations. Mr. & Mrs. Renna have held a series 4 liquor license in Arizona for more than ten years without any violations or complaints. The current application is required only because FPR could no longer use its current warehouse and had to re-locate to a new one. Other than the location of the warehouse, nothing about the business of FPR has changed since it was last in Arizona (and throughout the United States) establishes that it has the capability, reliability and qualifications to hold a Series 4 liquor license in Arizona."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

21 Liquor License - Home2 Suites Downtown Phoenix

Request for a liquor license. Arizona State License Application 294746.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 11 - Hotel/Motel

Location
125 E. Jackson St.
Zoning Classification: PUD
Council District: 7

This request is for a new liquor license for a hotel. 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 July 29, 2024.

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

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

Aloft Tucson University (Series 11)
1900 E. Speedway Blvd., Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Cardinal Winslow (Series 11)
2206 N. Park Drive, Winslow
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Applicant will manage Home2 Suites Downtown Phoenix and would like to continue to offer alcohol beverages."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Home2 Suites Downtown Phoenix - Data
Attachment - Home2 Suites Downtown Phoenix - Map

This item was recommended for approval.

22 Liquor License - 7-ELEVEN #42313

Request for a liquor license. Arizona State License Application 296158.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 10 - Beer and Wine Store

Location
1802 S. 7th St.
Zoning Classification: A-1
Council District: 8

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. This location requires a Use Permit to allow package liquor sales. This business is currently under construction with plans to open in January 2025.

The 60-day limit for processing this application is July 20, 2024.

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

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

Other Active Liquor License Interest in Arizona

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

7-Eleven #26062H (Series 10)
2401 E. McDowell Road, Phoenix
Calls for police service: 40
Liquor license violations: None

7-Eleven #18117N (Series 10)
2651 W. Glendale Ave., Phoenix
Calls for police service: 120
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is committed to upholding the highest standards for business

and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "7-Eleven is a national convenience store chain with locations throughout Arizona. The stores offer a wide variety of goods, including fresh and ready - to eat foods, home and personal care products, snacks, and drinks. Applicant would like to offer beer and wine to customers 21 and over."

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

Attachments
Liquor License - 7-ELEVEN #42313 - Data
Liquor License - 7-ELEVEN #42313 - Map

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

A motion was made by Vice Mayor Stark, seconded by Councilwoman O'Brien, that items 23-69 be approved or adopted, except items 25-26, 35, 45, 54 and 65-68; noting Item 41 is continued to the Aug. 26, 2024 City Council Formal Meeting and Item 69 is continued to the Sept. 4, 2024 City Council Formal Meeting. The motion carried by the following vote:

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

Items 23-24, Ordinance S-51145 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 Settlement of Advantage Holdco, Inc.

To make payment of $47,500 to Advantage Rent A Car Unsecured Creditor Trust for settlement of Advantage Holdco, Inc., et al., Case No. 20-1159 (Bankr. D. Del. 2020), for the Aviation Department.

This item was adopted.

24 Settlement of Claim(s) Thinnes v. City of Phoenix

To make payment of up to $57,500 in settlement of claim(s) in *Thinnes v. City of Phoenix*, CV2021-017477, 20-1029-001, GL, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Street Transportation Department that occurred on Nov. 14, 2020.

This item was adopted.

27 Request for City Council to Call to Meet in Executive Session on Monday, Aug. 26, 2024 at 12:00 p.m.

Request for the City Council to call a meeting for the purpose of holding an Executive Session pursuant to Arizona Revised Statute section 38-431.03.A, on Monday, Aug. 26, 2024 at 12:00 p.m. in the Central Conference Room, on the 12th Floor of Phoenix City Hall, located at 200 W. Washington Street.

Public Outreach

The Notice and Agenda for this Executive Session will be posted no later than 24 hours before the scheduled meeting.

This item was approved.

28 Proposed 27th Ave. and Baseline Road Annexation - Authorization to File

Request to authorize the City Manager, or his designee, to file with the Maricopa County Recorder's Office a blank petition for a proposed annexation. This annexation was requested by Tim Rasnake with Archicon Architecture & Interiors, LC, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation.

Summary

Signatures on the proposed annexation petition shall not be obtained for a waiting period of 30 days after filing the blank petition with the Maricopa County Recorder. Additionally, a Public Hearing will be scheduled within this 30-day waiting period, permitting the City Council to gather community input regarding the annexation proposal. Formal adoption of this proposed annexation will be considered at a later date.

Location

The proposed annexation area includes parcel 105-88-982, located at 27th Ave. and Baseline Road (**Attachment A**). The annexation area is approximately 1.89 acres (0.0029 sq. mi.) and population estimate is zero individuals.
Council District: 8

This item was approved.

29 Proposed 53rd Ave. and Broadway Road Annexation - Authorization to File

Request to authorize the City Manager, or his designee, to file with the Maricopa County Recorder's Office a blank petition for a proposed annexation. This annexation was requested by Tim Priebe with Fisher Sand & Gravel Co., for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation.

Summary

Signatures on the proposed annexation petition shall not be obtained for a waiting period of 30 days after filing the blank petition with the Maricopa

County Recorder. Additionally, a Public Hearing will be scheduled within this 30-day waiting period, permitting the City Council to gather community input regarding the annexation proposal. Formal adoption of this proposed annexation will be considered at a later date.

Location
The proposed annexation area includes parcel 104-59-001N, located at 53rd Ave. and Broadway Road (**Attachment A**). The annexation area is approximately 3.2 acres (0.005 sq. mi.) and population estimate is zero individuals.
Council District: 7

This item was approved.

30 Proposed Old 27th Ave. Annexation (Ordinance S-51165)

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Arizona, by annexing an area not within the present limits of the City of Phoenix, designated as the Old 27th Ave. Annexation. Further, request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary
The annexation was requested by Tim Rasnake with Archicon Architecture & Interiors, L.C., for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach
A public hearing was conducted on May 29, 2024, to allow the City Council to gather community input regarding the annexation proposal. Notification of the public hearing was published in the Arizona Business Gazette newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

Location
The proposed annexation area includes unincorporated land within Maricopa County Assessor parcel 300-17-002B, located at 27th Ave. and Baseline Road (**Attachment A**). The annexation area is approximately .0527 acres (0.00008 sq. mi.) and the population estimate is zero individuals.
Council District: 8

This item was adopted.

31 Acceptance and Dedication of Easements and a Deed for Public Utility, Sidewalk and Roadway Purposes (Ordinance S-51152)

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

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

Easement (a)
Applicant: Rafi Hagopian and Araxie Hagopian; its successor and assigns
Purpose: Public Utility
Location: 8021 N. 14th Place
File: 240043
Council District: 6

Easement (b)
Applicant: Rafi Hagopian and Araxie Hagopian; its successor and assigns
Purpose: Sidewalk
Location: 8021 N. 14th Place
File: 240043
Council District: 6

Deed (c)
Applicant: Haro One, LLC; its successor and assigns

Purpose: Roadway
Location: 1355 N. 22nd Ave.
File: 230069
Council District: 7

This item was adopted.

32 USA Fee Land Exchange Between the City of Phoenix and United States Department of the Interior for Irrigation Facilities within Right-of-Way along Osborn Road from 91st to 93rd Avenues (Ordinance S-51151)

Request to authorize the City Manager, or his designee, to convey and accept property rights for a USA fee land exchange between the City of Phoenix and the United States Department of the Interior, Bureau of Reclamation (BOR) for the purpose of relocating irrigation facilities within the Osborn Road right-of-way from 91st to 93rd avenues. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary
The USA fee land exchange is required to relocate existing irrigation facilities within the Osborn Road right-of-way to private property owned by Algodon Center LLLP (Developer) for development of the property at the northwest corner of Osborn Road and 91st Avenue. New irrigation easements will be required within the Osborn Road right-of-way at 91st and 93rd avenues to tie into the relocated irrigation facilities.

The City will convey approximately 2,614 square feet within Osborn Road at 91st and 93rd avenues for USA fee land rights, and the Developer will convey approximately 1,306 square feet of private property along the north side of Osborn Road for USA easement land rights to the BOR. In exchange, the BOR will quit claim approximately 18,384 square feet for the USA fee land rights no longer needed within the Osborn Road right-of-way to the City.

The Developer is paying for all costs related to the easement exchange.

Location
Along Osborn Road from 91st to 93rd avenues.

Council District: 5

This item was adopted.

33 In-Building Radio Frequency Coverage Enhancement - IFB ITS 19-101 - Amendment (Ordinance S-51157)

Request to authorize the City Manager, or his designee, to execute amendments to contracts with E.F. Charles, Inc., Contract No. 150516; Engineering Wireless Services, LLC, Contract No. 150515; and Hiller Companies LLC formerly American Fire Equipment, Division of the Hiller Company, Contract No. 150512 to extend the contract term for continued equipment and services to enhance wireless radio frequency coverage for departments Citywide. 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-45825.

Summary
This contract will continue to provide equipment and services that allow enhancements to radio coverage in existing building as well as new constructions and leased space. Services include but are not limited to installation of Distributed Antenna Systems or Bi-Directional Amplifiers. Radio frequency enhancement services help to improve emergency services by first responders as well as security staff within City-owned or leased buildings.

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

Contract Term
Upon approval the contract will be extended through July 10, 2025, with a one-year option to extend.

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

Concurrence/Previous Council Action
The City Council previously reviewed this request:

In-Building Radio Frequency Coverage Enhancement contract award, Contracts 150516, 150515, and 150512, Ordinance S-45825, on June 19, 2019.

This item was adopted.

34 Aerial Ortho-Photography Imagery - Amendment (Ordinance S-51160)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 150556 with Maricopa County to extend the contract term for continued Geographic Information System (GIS) data and imagery services for Information Technology Services Department and in support of departments citywide. 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-45873.

Summary

This contract will continue to provide GIS data and imagery services, which is critical for departmental mapping applications and business operations, allowing users to zoom-in and identify items without distortion of the images. The images are provided by Maricopa County's Office of Enterprise Technology, who coordinates annually with a third-party vendor to fly and deliver the aerial imagery, making it available for purchase to its partners. Without the purchase of updated aerials, the City's business mapping application base maps would be out of date, requiring staff to go out in the field and manually verify the information.

Contract Term

Upon approval the contract will be extended through June 26, 2025, with a one-year option to extend.

Financial Impact

The aggregate value of the contract will not exceed $250,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
Aerial Ortho-Photography Imagery award Contract 150556, Ordinance

S-45873 on June 26, 2019.

This item was adopted.

36 Transcription Services Contract - COOP 24-190 Request for Award (Ordinance S-51159)

Request to authorize the City Manager, or his designee, to enter into a contract with eScribers, LLC, to provide Transcription Services for the Law Department, Municipal Court, Public Defender's Office, and other City departments as needed. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $150,000.

Summary

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

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Alternative Competition. The City has been using eScribers, LLC, since 2019 and retaining eScribers as the vendor for transcription services provides continuity of service. The Courts use For the Record software and Log Notes software to record proceedings, and eScribers are compatible with that software. eScribers transcribes recordings in accordance with the Arizona Supreme Court Manual of Transcript Procedures. This contract was awarded through a process consistent with the City's procurement requirements as set forth in the Phoenix City Code, Chapter 43, and best aligns with the City's needs.

Contract Term

The contract will begin on or about July 1, 2024, through Sept. 20, 2025,

with four one-year options to extend.

Financial Impact

The aggregate contract value for will not exceed $150,000 for the aggregate term. Funding is available in the various department budgets including Law, Municipal Court and Public Defender's Office.

This item was adopted.

37 American Rescue Plan Act Phoenix Resilient Food System Programs - Enter into Agreement for Video Production Services (Ordinance S-51164)

Request to authorize the City Manager, or his designee, to enter into an agreement with Jux Media to disburse funds for completion of two documentary videos on the American Rescue Plan Act (ARPA) funded Phoenix Resilient Food Systems Initiative Program. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available through the City's ARPA allocation of federal funding and is in the Phoenix Resilient Food System category of the strategic plan, Gila River Indian Community (GRIC) grant funds, and general funds. The additional aggregate expenditures included will not exceed $67,710.

Summary

In response to the COVID-19 pandemic, the Office of Environmental Programs (OEP) developed a food assistance plan to address the food needs of vulnerable populations and communities impacted by COVID. The plan provides:

Access to healthy foods for impacted populations;

Infrastructure assistance regarding transportation and delivery with a focus on home delivery;

Support for food banks, food pantries and community agencies;

Support for increased local food production; and

Business and employment opportunities throughout the food system spectrum.

The goal of the documentaries is to portray the City of Phoenix's innovative approach to building a resilient food system by highlighting the ARPA-funded Phoenix Resilient Food Systems Initiative and the Phoenix

Backyard Garden Program funded by ARPA and GRIC. The documentaries seek to showcase the movement toward a comprehensive and equitable food system in Phoenix, emphasizing accessibility, sustainability, and community engagement. The story will be told through the lens of the City Council approved goal in the 2025 Food Action Plan of creating a sustainable, equitable, thriving local food system with healthy, culturally relevant and affordable food for all.

The project involves the completion of two documentaries as follows:

ARPA-funded Phoenix Resilient Food System Initiative programs and projects. The documentary will highlight the work in each of the fourteen (14) programs and will include interviews with subrecipients, grantees, and residents. The documentary will showcase the implementation of the programs, including, sustainable urban agriculture, agri-food technology, food waste reduction, workforce development initiatives, and collaboration with nonprofit organizations and small businesses.

Phoenix Backyard Garden Program (BGP) funded by ARPA and by a grant from GRIC. The BGP has installed free garden systems for 246 City of Phoenix residents with education, maintenance, training, and support for one year. The BGP documentary will showcase the impact of the program through the lens of residents and the impact on the subrecipients managing the program, including a nonprofit and two small businesses.

Procurement Information

Services were procured in accordance with Administrative Regulation 3.10 to implement and administer programs intended to prevent, prepare for, and respond to the COVID-19 pandemic. The winning proposal was selected based on the lowest bid received based on the scope of work prepared by OEP, including the ability to complete the documentaries by Dec. 31, 2024.

Four offerors submitted proposals and were deemed to be responsive and responsible as follows:

New Angle: $81,000
OH Partners & Matter Films: $70,000

Skyline: $70,000
Jux Media: $67,710

Based on the lowest cost, Jux Media is recommended for award.

Contract Term
The term of the agreement will begin on or about July 1, 2024, through Dec. 31, 2024.

Financial Impact
The aggregate expenditures of this agreement will not exceed $67,710. The total project funding available is $67,710 and is from the following three funding sources:
$30,000 - ARPA funds
$17,710 - GRIC funds
$20,000 - OEP general funds

Concurrence/Previous Council Action
The City Council approved the ARPA Strategic Plan on June 8, 2021, and the ARPA Phoenix Resilient Food System allocation for the second tranche on June 7, 2022.

This item was adopted.

38 Edison Impact Hub - Architectural Services - AH20300003 (Ordinance S-51150)

Request to authorize the City Manager, or his designee, to enter into an agreement with Multistudio, Inc. to provide Architectural Services that include construction administration and inspection services for the Edison Impact Hub project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $250,000.

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

utility services related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to provide the rehabilitation of a vacant commercial structure for the future Edison Impact Hub within the Edison-Eastlake Choice Neighborhood Community.

Multistudio, Inc., formally known as Gould Evans, Inc., has extensive knowledge of this project since they were the firm that developed the building plans, scope of work and specifications through the Architectural On-Call Services 2020-2021 contract. Additionally, Multistudio, Inc. worked with the City's Historic Preservation Office on determining the historic elements that need to be preserved. They've also worked with an artist on the design of art elements that will be incorporated into the project. Due to this in-depth knowledge and experience with this project, Multistudio, Inc. is the best firm to continue on the project to perform the construction administration and inspection services.

Multistudio, Inc.'s, services include, but are not limited to: provide preconstruction observation, art installation support, construction administration, special inspections, prepare record drawings, conduct post-construction warranty site visit and consultation, and other services as needed.

Procurement Information

Multistudio, Inc. was chosen for this project using a Direct Select process set forth in section 34-103 of the Arizona Revised Statutes (A.R.S). The Direct Select process reduces time to procure architectural services as opposed to an advertised selection process, meeting project deadlines, ensuring continuity of services, and the most efficient use of staff and

funding resources. This non-competitive procurement is authorized under A.R.S section 34-103.D and 2 CFR 200.320(c)(3).

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

Financial Impact
The agreement value for Multistudio, Inc. will not exceed $250,000, including all subconsultant and reimbursable costs.

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

Location
1855 E. Garfield St.
Council District: 8

This item was adopted.

39 Video Surveillance System Licensing, Maintenance and Repair Services - IFB 20-017 - Amendment (Ordinance S-51147)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 152132 with Wilson Electrical Service Corp. dba Netsian Technologies Group to allow the Arts and Culture Department to utilize the contract to procure services/goods for the S'edav Va'aki museum. 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-46610 for the contract term.

Summary

This contract provides Video Surveillance System (VSS) licensing, installation, maintenance and repair services to VSS cameras owned and operated by the Aviation, Phoenix Convention Center, Water, and Human Services departments. The contract also provides ongoing licensing of VSS camera software and periodic maintenance to City-owned cameras to ensure continual performance in support of the security operations at City airports and facilities. The cameras maintained by this contract provide video security surveillance in support of aviation and other city facilities.

There are VSS cameras located on the premises owned and operated by the S'edav Va'aki museum which will be part of the Arts and Culture Department effective July1, 2024. The cameras enhance safety services for visitors and staff of the museum.

Contract Term
The contract term remains unchanged, ending on June 30, 2025.

Financial Impact
The aggregate value of the contract will not exceed $5,570,000 and no additional funds are needed.

Concurrence/Previous Council Action
The City Council previously reviewed this request: Video Surveillance System Licensing, Maintenance and Repair Services - Contract 152132 (Ordinance S-46610) on May 5, 2020.
The City Council previously reviewed this request: Video Surveillance System Licensing, Maintenance and Repair Services - Contract 152132 (Ordinance S-48790) on June 15, 2022.

This item was adopted.

40 (CONTINUED FROM JUNE 26, 2024) - 91st Avenue Wastewater Treatment Plant Solids Rehabilitation Phase I - Engineering Services Amendment - WS90100111 (Ordinance S-51069)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 152491 with Arcadis U.S., Inc. to provide additional Engineering Services for the 91st Avenue Wastewater

Treatment Plant Solids Rehabilitation Phase I project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $500,000.

Summary

The purpose of this project is to rehabilitate the facilities and equipment used to treat and process solids at the 91st Avenue Wastewater Treatment Plant (WWTP), including replacement of equipment throughout the solids treatment process.

This amendment is necessary to provide additional design and construction administration and inspection services to replace the dome on Digester 16. This amendment will provide additional funds to the agreement.

The 91st Avenue WWTP is owned by the Sub-Regional Operating Group (SROG) and operated by the City of Phoenix.

Contract Term

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

Financial Impact

The initial agreement for Engineering Services was approved for an amount not to exceed $5,430,000, including all subconsultant and reimbursable costs.

An amendment was approved for an additional $5,000,000, including all subconsultant and reimbursable costs, for a new total amount not to exceed $10,430,000.

This amendment will increase the agreement by an additional $500,000 for a new total amount not to exceed $10,930,000, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action
The SROG Advisors authorized the project on June 10, 2020.

The City Council approved:
Engineering Services Agreement 152491 (Ordinance S-46821) on July 1, 2020; and
Engineering Services Agreement 152491 Amendment (Ordinance S-49634) on May 3, 2023.

Location
91st Avenue Wastewater Treatment Plant
Council Districts: 7

This item was adopted.

41 Advanced Water Purification Feasibility Study - Professional Services - WS85700103 and WS90700059 (Ordinance S-51146)

Request to authorize the City Manager, or his designee, to enter into separate agreements with three consultants listed below to provide Professional Services that include assessment, study, program management, and project management services for the Advanced Water Purification Feasibility Study project. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for all services will not exceed $2 million.

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

utility services related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to proactively search for sustainable measures to secure safe, reliable, and long-term drinking water supplies for its customers.

The Professional consultants services include, but are not limited to: Package 1: Advanced Water Purification Permitting Strategy, Source Water Characterization, and Pilot/Demonstration Facility Planning; Package 2: 91st Avenue Advanced Water Purification Facility Feasibility Study; and Package 3: Hydraulic and Water Quality Modeling and Interconnect Evaluation. The services include, but are not limited to; hold progress meetings and workshops as needed to complete the work, attend other project related progress meetings as needed, actively coordinate and communicate with City staff for all related activities, coordination with other City departments, municipalities, regulators, or other jurisdictions, prepare a draft report for review, present the recommendations made in the draft report, prepare final report, prepare a final executive summary and assist with the City's public outreach effort as needed.

Procurement Information

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

Package 1 Selected Firm
Rank 1: Brown and Caldwell, Inc.

Package 1 Additional Proposers
Rank 2: Carollo Engineers, Inc.
Rank 3: Hazen and Sawyer, P.C.
Rank 4: Stantec Consulting Services, Inc.
Rank 5: Garver LLC

Package 2 Selected Firm
Rank 1: Carollo Engineers, Inc.

Package 2 Additional Proposers
Rank 2: Brown and Caldwell, Inc.
Rank 3: Hazen and Sawyer, P.C.
Rank 4: Stantec Consulting Services, Inc.

Package 3 Selected Firm
Rank 1: Black & Veatch Corporation

Package 3 Additional Proposers
Rank 2: Wilson Engineers LLC
Rank 3: Brown and Caldwell, Inc.
Rank 4: Carollo Engineers, Inc.
Rank 5: HDR Engineering, Inc.

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

Financial Impact
The agreement value for each of the consultants will not exceed: Package 1 - $550,000 for Brown and Caldwell, Inc., Package 2 - $700,000 for Carollo Engineers, Inc. and Package 3 - $750,000 for Black & Veatch Corporation. The total fee for all services will not exceed

$2 million, including all subconsultant and reimbursable costs.

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

This item was continued to the Aug. 26, 2024 City Council Formal Meeting.

42 Galvanized Water Service Line Replacements - Engineering Services - WS85504004 (WIFA) (Ordinance S-51148)

Request to authorize the City Manager, or his designee, to enter into an agreement with Entellus, Inc. to provide Engineering Services that include design and construction administration and inspection services for the Galvanized Water Service Line Replacements 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 $3.5 million.

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

Summary

The purpose of this project is to replace water service lines from the City

of Phoenix side service line from meter to water main and customer-side service lines on private property from meter to the customer spigot with the City of Phoenix water distribution system.

Entellus, Inc.'s services include, but are not limited to: general project administration, construction inspections of water service line repair and replacement, resident engineering services during construction as needed, develop plumbing design drawings for private property, preparation of design documents and details for replacement of either or both customer-side and City-side service lines, track, document and verify information required to comply with federal funding requirements, coordinate and notarize right of entry authorization documents for access to customer property, coordinate private plumbing permits and inspection with City of Phoenix Planning and Development, daily interaction with contractors to clarify job requirements, provide engineer estimates including bid tabs, and inspection of water service line repairs.

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

Selected Firm
Rank 1: Entellus, Inc.

Additional Proposers
Rank 2: Consor North America, Inc.
Rank 3: Strand Associates, Inc.

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

Financial Impact

The agreement value for Entellus, Inc. will not exceed $3.5 million, including all sub consultant and reimbursable costs.

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

This item was adopted.

43 Lower Buckeye Road: 27th Avenue to 19th Avenue Major Street Improvements - Engineering Services - ST85100411 (Ordinance S-51153)

Request to authorize the City Manager, or his designee, to enter into an agreement with T.Y. Lin International, Inc. to provide Engineering Services that include design for the Lower Buckeye Road: 27th Avenue to 19th Avenue Major Street Improvements 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 $200,000.

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 related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary
The purpose of this project is to improve roadway pavement, subgrade preparation, aggregate base, install concrete curb and gutter, concrete sidewalk improvements primarily on the north side of the road, install concrete driveways, street lighting improvements, and other miscellaneous work as required for the project.

T.Y. Lin International, Inc.'s services include, but are not limited to: completing design to 100 percent construction documents, including updating the intersection of Lower Buckeye Road and 22nd Avenue based on the Burlington Northern Santa Fe (BNSF) Railway approved option, and updating the project in compliance with the updated City of Phoenix Administrative Procedure 155, Version 2023, and any significant change modifications not identified from the City and BNSF Railway comments from 2020.

Procurement Information
The selection was made using a Direct Select process set forth in section 34-103 of the Arizona Revised Statutes. The Direct Select process will reduce the time to procure engineering services as opposed to an advertised selection process, meeting the project deadline, ensuring continuity of services due to familiarity with the project, and is the most efficient use of staff and funding resources.

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

Financial Impact
The agreement value for T.Y. Lin International, Inc. will not exceed $200,000, including all subconsultant and reimbursable costs.

Funding is available in the Street Transportation Department's Capital Improvement Program. 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
City Council approved Engineering Services Agreement 147492 (Ordinance S-44598) on May 16, 2018.

Location
This project is located on Lower Buckeye Road from 27th Avenue to 19th Avenue.
Council Districts: 7 and 8

This item was adopted.

44 Citywide Engineering On-Call Services Calendar Years 2023-2024 - Amendment (Ordinance S-51154)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 157200 with Carollo Engineers, Inc. for Citywide Engineering On-Call Services Calendar Years 2023-24. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $500,000.

Summary
The On-Call consultant will be responsible for providing On-Call Engineering Services that include, but are not limited to: studies, plan review, special inspections, programming, master plans, design, construction document development (plans, specifications and cost estimates), and construction administration and inspection services.

This amendment is necessary for the City to complete an Advanced Purification Water Treatment Pre-Feasibility Study. The pre-feasibility study will characterize potential flows and facility sizing, water quality, source water conveyance, purified water delivery, and water exchange

approaches for a regional advanced purified water facility located at the 91st Avenue Wastewater Treatment Plant. This amendment will provide additional funds to the agreement.

Contract Term

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

Financial Impact

The initial agreement for Engineering Services was approved for an amount not to exceed $1.2 million, including all subconsultant and reimbursable costs.

This amendment will increase the agreement by an additional $500,000, for a new total amount not to exceed $1.7 million, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved Citywide Engineering On-Call Services Calendar Years 2023-24, Agreement 157200, Ordinance S-49068, on Oct. 12, 2022.

This item was adopted.

46 Construction Contract Awards During City Council Summer Recess (Ordinance S-51156)

Request to authorize the City Manager, or his designee, to award up to ten contracts in support of critical construction projects during the City Council summer recess. Further request to authorize execution of

amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item.

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

Summary

The Street Transportation Department has identified the following items as urgent, critical, and requiring contract services for projects that have extremely tight deadlines. The procurements are scheduled to complete selection in late June and July 2024, which will not allow contract awards to occur prior to Council's summer recess. The scope, contract services, and corresponding cost estimates are as follows:

Item 1: AH10010002 - US Vets Facility Roofing Design-Bid-Build Services. Award to one firm in an amount not to exceed $500,000. Funding is available through the American Rescue Plan Act. Council District 1.

Item 2: AH10010002 - US Vets Facility Waste and Vent Upgrades Design-Bid-Build Services. Award to one firm in an amount not to exceed $1.7 million. Funding is available through the American Rescue Plan Act. Council District 1.

Item 3: AH20300003 - Edison Impact Hub Design-Bid-Build Services. Award to one firm in an amount not to exceed $9 million. Funding is available through the American Rescue Plan Act. Council District 8.

Item 4: AH50100070 - Edison Park Improvements and Linear Park Development Design-Bid-Build Services. Award to one firm in an amount not to exceed $11,301,050. Funding is available through the American Rescue Plan Act. Council District 8.

Item 5: ST83140119, ST83140121, ST83140122 and ST83140123 - ARPA Local Drainage Mitigation Package 1 Design-Bid-Build Services. Award to one firm in an amount not to exceed $3.1 million. Funding is available through the American Rescue Plan Act. Council Districts 3, 4 and 6.

Item 6: ST83140116, ST83140111, ST83140113, ST83140115, ST83140120 - ARPA Local Drainage Mitigation Package 2 Design-Bid-Build Services. Award to one firm in an amount not to exceed $4.2 million. Funding is available through the American Rescue Plan Act. Council Districts 4, 6 and 8.

Item 7: ST87400405 - FY2022 CMAQ Alley Dustproofing Design-Bid-Build Services. Award one firm in an amount not to exceed $3,846,492. Funding is available through Arizona Highway User Funds and Federal Aid funds. Council Districts Citywide.

Item 8: FD57100020 - Fire Station 74 Design-Bid-Build Services. Award one firm in an amount not to exceed $11,286,624. Funding is available through Housing and Urban Development. Council District 6.

Item 9: LS71100008, 7510111011 - Burton Barr Library Startup PHX and PHXWorks Expansion Design-Bid-Build Services. Award one firm in an amount not to exceed $600,000. Funding is available through the American Rescue Plan Act. Council District 7.

Item 10: LS71200110 - Outdoor Digital LED Signage Design-Bid-Build Services. Award one firm in an amount not to exceed $3 million. Funding is available through the American Rescue Plan Act. Council Districts Citywide.

Procurement Information

The City Engineer and Street Transportation Department recommend the award of contracts by the City Manager during the summer recess to the firms who provide the best value to the City based on price proposals submitted by the firms in response to the City's request for bids for the projects listed above.

Contract Term

Contract terms will vary depending on the scope of services for each project. 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

Capital Improvement Program or Operating budget funding may be utilized. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

This item was adopted.

47 State Route 85 Landfill Excavation - Construction Manager at Risk Services Amendment - PW16810006 (Ordinance S-51162)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 156392 with Rummel Construction, Inc. to provide additional Construction Manager at Risk Construction Services for the State Route 85 Landfill Excavation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $18 million.

Summary

The purpose of this project is to construct Phases Three and Four of State Route 85 Landfill Cell Two. The State Route 85 Landfill Cell Two project contains four phases and includes, but is not limited to: excavation of approximately 4,700,000 cubic years of soil, sub grade preparation work, installation of screening and safety berms, a leachate

collection system, associated drainage collection, and other ancillary features required to complete the project. The contractor will also have the opportunity to provide pricing for the geo-synthetic liner supply and installation services.

This amendment is necessary to complete Phases Three and Four of Cell Two. This amendment will provide additional funds to the agreement.

Contract Term

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

Financial Impact

The initial agreement for Construction Manager at Risk Services was approved for an amount not to exceed $16.4 million, including all subcontractor and reimbursable costs.

This amendment will increase the agreement by an additional $18 million, for a new total amount not to exceed $34.4 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 the execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved Construction Manager at Risk Preconstruction and Construction Services Agreement 156392 (Ordinance S-48722) on June 15, 2022.

Location

28361 W. Patterson Road, Buckeye, Ariz.
Council District: Out of City

This item was adopted.

48 Grand Canal Phase III - Construction Manager at Risk Construction Services Amendment - ST87600131 (Ordinance S-51163)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 156247 with Hunter Contracting Co. to provide additional Construction Manager at Risk Construction Services for the Grand Canal Phase III project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $9 million.

Summary

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

This amendment is necessary because additional construction services are needed to continue with project. This amendment will provide additional funds and time to the agreement.

Contract Term

The term of the agreement amendment is 485 calendar days from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The initial agreement for Construction Manager at Risk Services was approved for an amount not to exceed $6,910,700, including all subcontractor and reimbursable costs.

This amendment will increase the agreement by an additional $9 million,

for a new total amount not to exceed $15,910,700, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved:

Engineering Services Agreement 153853 (Ordinance S-47337) on March 3, 2021;

Construction Manager at Risk Preconstruction Services Agreement 154118 (Ordinance S-47462) on April 21, 2021; and

Construction Manager at Risk Construction Services Agreement 156247 (Ordinance S-48574) on May 11, 2022.

Public Outreach

Hunter Contracting Co. will work with the City of Phoenix public outreach firm on public engagement.

Location

Grand Canal between 75th Avenue and 47th Avenue
Council District: 4 and 5

This item was adopted.

49 Abandonment of Easements - ABND 230005 - Northeast Corner of Alta Vista Road and 8th Place (Resolution 22231)

Abandonment: 230005
Project: 22-546
Applicant: Jeffrey Williams
Request: To abandon the water easement that runs east to west across parcels; the right-of-way easement, irrigation easement, and public utility easement, also does not appear to be needed. Abandoning these easements would allow for new development on these parcels.

Date of Decision: June 8, 2023

Location
Generally located at the northeast corner of Alta Vista Road and 8th Place
Council District: 8

Financial Impact
None. No fee required as a part of this easement abandonment, although filing fees were paid.

This item was adopted.

50 Abandonment of Right-of-Way - ABND 230049 - North of Thomas Road and East of 18th Street (Resolution 22232)

Abandonment: 230049
Project: 22-3544
Applicant: Jennifer K. Boblick
Request: To abandon the cul-de-sac on 18th Place.
Date of Hearing: Oct. 12, 2023

Location
Generally located north of Thomas Road and east of 18th Street
Council District: 4

Financial Impact
An exchange of right-of-way abandonment and dedicated, along with sewer easement dedicated is an equivalent financial exchange.

This item was adopted.

51 Approval to Accept and Disburse an Arizona State Parks & Trails Historic Preservation Heritage Fund Grant for Fiscal Year 2024 - State Funding (Ordinance S-51158)

This report requests authorization for the City Manager, or his designee, to accept rehabilitation grant funds for the historically designated Seargeant-Oldaker House located at 649 N 3rd Ave., provided by the Arizona State Parks & Trails Historic Preservation Heritage Fund Grant.

Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The City of Phoenix was awarded an Arizona State Parks & Trails Historic Preservation Heritage Fund Grant in the amount of $324,329 to rehabilitate the historic Seargeant-Oldaker House. The house was constructed in 1909 and was listed in the National and Phoenix historic property registers as a significant local example of Craftsman-style architecture and for its association with prominent Phoenician Elizabeth Seargeant-Oldaker. The building, which had previously been slated for demolition, will now be relocated on the property, set on a new foundation, stabilized, and rehabilitated for adaptive reuse as a restaurant. The relocation would allow for new multi-use development on the property and provide for long-term preservation of the building through a conservation easement.

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

The City applied for the grant since the property is privately owned. Private property owners may not apply directly for Heritage Fund grants but may receive funds as a third party through an eligible third-party applicant.

Financial Impact

The City’s costs would not exceed $400,000 available from the Historic Preservation Office program budget for grants and subsidies under the classification of the Phil Gordon Threatened Building Program.

State grant funding received is available through the State Legislature under Arizona Revised Statutes 41-503 Historic Preservation Heritage Fund Fiscal Year 2024 grant opportunity.

Concurrence/Prior Action

The City Council approved Resolution 22179 to apply for the grant funding on Jan. 3, 2024.
The City Council approved use of Phil Gordon Threatened Building grant funding for the Seargeant-Oldaker House (Ordinance S-50560) on Feb. 7, 2024.

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

This item was adopted.

52 Remove/Replace Zoning District - 19th Avenue and Park View Lane - Annexation 539 - Approximately 710 Feet East of the Northeast Corner of 19th Avenue and Park View Lane (Ordinance G-7276)

Request to authorize the City Manager, or his designee, to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County RU-43 zoning district and replacing it with the City of Phoenix S-1 DVAO zoning district on property at the location described below, which was annexed into the City of Phoenix on May 1, 2024, by Ordinance S-50829.

Location
Approximately 710 feet east of the northeast corner of 19th Avenue and Park View Lane
Council District: 1

This item was adopted.

53 Amend City Code - Ordinance Adoption - Rezoning Application Z-21-24-1 - Northeast Corner of 24th Avenue and Lone Cactus Drive (Ordinance G-7274)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-21-24-1 and rezone the site from R-5 DVAO (Multifamily Residence District, Deer Valley Airport Overlay District) to A-1 DVAO (Light Industrial District, Deer Valley Airport Overlay District) to allow material and equipment storage.

Summary
Current Zoning: R-5 DVAO
Proposed Zoning: A-1 DVAO
Acreage: 1.85
Proposal: Material and equipment storage

Owner: Deer Valley Enterprises, LLC c/o Joseph Kern
Applicant: Francisco Soto Revueltas, Soto Design Studio, LLC
Representative: Kay Shepard

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this item on May 21, 2024, and recommended approval, per staff recommendation, by a vote of 9-0.
PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 8-0.

Location
Northeast corner of 24th Avenue and Lone Cactus Drive
Council District: 1
Parcel Address: 21407 and 21421 N. 24th Ave., and 2326 W. Lone Cactus Drive

This item was adopted.

55 PCD Major Amendment - Rezoning Application Z-104-K-75-3 - Approximately 325 Feet South of the Southeast Corner of 21st Avenue and Bell Road

Request to approve Rezoning Application Z-104-K-75-3 and rezone the site from PCD (Approved C-2 PCD) (Planned Community District, Approved Intermediate Commercial, Planned Community District) to A-1 PCD (Light Industrial, Planned Community District) for a major amendment to the Northgate PCD to allow industrial.

Summary
Current Zoning: PCD (Approved C-2 PCD)

Proposed Zoning: A-1 PCD
Acreage: 3.84
Proposal: Industrial

Owner: Sunbelt Bell 17, LP c/o Tyler Smith
Applicant: Andy Jochums, Gilbert Blilie, PLLC
Representative: Jeffrey Blilie, Gilbert Blilie, PLLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this item on May 21, 2024, and recommended approval, per the staff recommendation, by a vote of 8-1.
PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 8-0.

Location
Approximately 325 feet south of the southeast corner of 21st Avenue and Bell Road
Council District: 3
Parcel Address: 16801 and 16951 N. 21st Ave., 2020 W. Phelps Road, and 2001 W. Bell Road

This item was approved.

56 Amend City Code - Ordinance Adoption - Rezoning Application Z-113-23-3 - Approximately 810 Feet West of the Northwest Corner of 23rd Avenue and Townley Avenue (Ordinance G-7279)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-113-23-3 and rezone the site from C-O (Commercial Office - Restricted Commercial) to WU Code T5:5 (Walkable Urban Code, Transect 5:5 District) to allow multifamily residential.

Summary
Current Zoning: C-O
Proposed Zoning: WU Code T5:5
Acreage: 7.20

Proposal: Multifamily residential

Owner: 2445 West Dunlap, LLC
Applicant/Representative: Taylor Earl, Earl and Curley, P.C.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Mountain Village Planning Committee heard this item on May 15, 2024, and recommended approval, per the staff recommendation, with modifications, a deletion, an additional stipulation, and direction, by a vote of 13-0.
PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the North Mountain Village Planning Committee recommendation, by a vote of 8-0.

Location
Approximately 810 feet west of the northwest corner of 23rd Avenue and Townley Avenue
Council District: 3
Parcel Address: 2445 and 2449 W. Dunlap Ave., and 2530 and 2536 W. Townley Ave.

This item was adopted.

57 Amend City Code - Ordinance Adoption - Rezoning Application Z-79-23-4 (Wonderview at Highland PUD) - Southwest Corner of 14th Place and Highland Avenue (Ordinance G-7278)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-79-23-4 and rezone the site from R1-6 (Single-Family Residence District) to PUD (Planned Unit Development) to allow mixed use development with office, commercial and multifamily residential.

Summary
Current Zoning: R1-6
Proposed Zoning: PUD
Acreage: 2.49
Proposal: Mixed use development with office, commercial and multifamily residential

Owner: Wonderview Partners, LLC
Applicant: Lorenzo Perez, Venue Projects
Representative: William Allison, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Camelback East Village Planning Committee heard this item on Feb. 6, 2024, for information only.
VPC Action: The Camelback East Village Planning Committee heard this item on May 7, 2024, and recommended approval, per the staff recommendation, by a vote of 17-0.
PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 8-0.

Location
Southwest corner of 14th Place and Highland Avenue
Council District: 4
Parcel Address: 4600, 4608, 4610 and 4618 N. 14th Place; and 1410 and 1420 E. Meadowbrook Ave.

This item was adopted.

58 Amend City Code - Ordinance Adoption - Rezoning Application Z-17-23-5 (Zen @ McDowell PUD) - Northwest Corner of 81st Avenue and McDowell Road (Ordinance G-7275)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-17-23-5 and rezone the site from PSC (Planned Shopping Center) to PUD (Planned Unit Development) to allow residential and limited commercial uses per the Walkable Urban Code T4:3 district.

Summary
Current Zoning: PSC
Proposed Zoning: PUD
Acreage: 4.02
Proposal: Residential and limited commercial uses per WU Code T4:3.

Owner: Taras Holding, LLC
Applicant: Zen Investing, LLC
Representative: Adam Baugh, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Maryvale Village Planning Committee heard this item on March 13, 2024, for information only.
VPC Action: The Maryvale Village Planning Committee was scheduled to hear this item on May 8, 2024, for recommendation; however, there was no quorum.
PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the staff recommendation with modifications, a deletion and an additional stipulation, by a vote of 7-1.

Location
Northwest corner of 81st Avenue and McDowell Road
Council District: 5
Parcel Address: 1616 and 1634 N. 81st Ave.

This item was adopted.

59 Amend City Code - Ordinance Adoption - Rezoning Application Z-26-24-6 - Approximately 210 Feet West of the Southwest Corner of 10th Street and Pasadena Avenue (Ordinance G-7272)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-26-24-6 and rezone the site from C-2 (Intermediate Commercial) and P-1 (Passenger Automobile Parking, Limited) to C-2 (Intermediate Commercial) to allow commercial use. This is a companion case to Z-SP-7-23-6 and should be heard first, followed by Z-SP-7-23-6.

Summary
Current Zoning: C-2 (0.03 acres) and P-1 (0.32 acres)
Proposed Zoning: C-2
Acreage: 0.35
Proposal: Commercial use

Owner: Chapman Automotive Group, LLC c/o David Bower

Applicant: Ali Bull, Burch & Cracchiolo, P.A.
Representative: Ed Bull, Burch & Cracchiolo, P.A.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this item on May 7, 2024, and recommended approval, per the staff recommendation, with a deletion, by a vote of 19-0.
PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 8-0.

Location
Approximately 210 feet west of the southwest corner of 10th Street and Pasadena Avenue
Council District: 6
Parcel Address: 901 E. Pasadena Ave.

This item was adopted.

60 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-7-23-6 - Approximately 210 Feet West of the Southwest Corner of 10th Street and Pasadena Avenue (Ordinance G-7273)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-7-23-6 and rezone the site from C-2 (Intermediate Commercial) and P-1 (Pending C-2) (Passenger Automobile Parking, Limited, Pending Intermediate Commercial) to C-2 SP (Intermediate Commercial, Special Permit) to allow automobile sales/display and underlying C-2 commercial uses. This is a companion case to Z-26-24-6 and should be heard after Z-26-24-6.

Summary
Current Zoning: C-2 (0.43 acres) and P-1 (Pending C-2) (0.32 acres)
Proposed Zoning: C-2 SP
Acreage: 0.75
Proposed Use: Automobile sales/display and underlying C-2 commercial uses

Owner: Chapman Automotive Group, LLC c/o David Bower
Applicant: Ali Bull, Burch & Cracchiolo, PA
Representative: Ed Bull, Burch & Cracchiolo, PA

Staff Recommendation: Approval, subject to a stipulation.
VPC Action: The Camelback East Village Planning Committee heard this item on May 7, 2024, and recommended approval, per the staff recommendation, with a deletion, by a vote of 19-0.
PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 8-0.

Location
Approximately 210 feet west of the southwest corner of 10th Street and Pasadena Avenue
Council District: 6
Parcel Address: 901 E. Pasadena Ave. and 906 E. Camelback Road

This item was adopted.

61 Amend City Code - Ordinance Adoption - Rezoning Application Z-85-22-7 - Approximately 630 Feet South of the Southeast and Southwest Corners of 28th Avenue and Lincoln Street (Ordinance G-7283)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-85-22-7 and rezone the site from R-3 (Multifamily Residence District) and R-5 (Multifamily Residence District) to A-1 (Light Industrial District) to allow industrial uses.

Summary
Current Zoning: R-3 (4.79 acres) and R-5 (2.42 acres)
Proposed Zoning: A-1
Acreage: 7.21
Proposed Use: Industrial uses

Owner: GFA, LLC, Arizona Pallet, LLC, et al.
Applicant/Representative: Taylor C. Earl, Earl & Curley, P.C.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Estrella Village Planning Committee heard this item on May 21, 2024, and recommended approval, per the staff recommendation, by a vote of 8-0.
PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Estrella Village Planning Committee recommendation, by a vote of 7-1.

Location
Approximately 630 feet south of the southeast and southwest corners of 28th Avenue and Lincoln Street
Council District: 7
Parcel Address: 651, 770, 775, 815, 816, 821, and 822 S. 28th Ave.; and 803 S. 29th Ave.

This item was adopted.

62 **Amend City Code - Ordinance Adoption - Rezoning Application Z-114-23-7 - Southeast Corner of 95th Avenue and Broadway Road (Ordinance G-7281)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-114-23-7 and rezone the site from S-1 (Ranch or Farm Residence) to C-2 (Intermediate Commercial) to allow commercial uses. This is a companion case to Z-SP-9-23-7 and should be heard first, followed by Z-SP-9-23-7.

Summary
Current Zoning: S-1
Proposed Zoning: C-2
Acreage: 9.90
Proposed Use: Commercial uses

Owner: Doug Schreiber, Desert West Storage, LLC
Applicant/Representative: Benjamin Tate, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Estrella Village Planning Committee heard this item on May 21, 2024, and recommended approval, per the staff recommendation, by a vote of 8-0.
PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Estrella Village Planning Committee recommendation, by a vote of 8-0.

Location
Southeast corner of 95th Avenue and Broadway Road
Council District: 7
Parcel Address: 9349 W. Broadway Road

This item was adopted.

63 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-9-23-7 - Southeast Corner of 95th Avenue and Broadway Road (Ordinance G-7282)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-9-23-7 and rezone the site from S-1 (Pending C-2) (Ranch or Farm Residence, Pending Intermediate Commercial) to C-2 SP (Intermediate Commercial, Special Permit) to allow self-storage and underlying C-2 commercial uses. This is a companion case to Z-114-23-7 and should be heard after Z-114-23-7.

Summary
Current Zoning: S-1 (Pending C-2)
Proposed Zoning: C-2 SP
Acreage: 9.90
Proposed Use: Self-storage and underlying C-2 commercial uses

Owner: Doug Schreiber, Desert West Storage, LLC
Applicant/Representative: Benjamin Tate, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Estrella Village Planning Committee heard this item on May 21, 2024, and recommended approval, per the staff recommendation, by a vote of 8-0.

PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Estrella Village Planning Committee recommendation, by a vote of 8-0.

Location
Southeast corner of 95th Avenue and Broadway Road
Council District: 7
Parcel Address: 9349 W. Broadway Road

This item was adopted.

64 Amend City Code - Ordinance Adoption - Rezoning Application Z-76-23-8 - Northeast Corner of 23rd Avenue and Dobbins Road (Ordinance G-7280)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-76-23-8 and rezone the site from S-1 (Ranch or Farm Residence) to R1-18 (Single-Family Residence District) to allow single-family residential.

Summary
Current Zoning: S-1
Proposed Zoning: R1-18
Acreage: 25.71
Proposal: Single-family residential

Owner: Prestige Partners, LLC
Applicant/Representative: Natalie Maikoski, EPS Group, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this item on May 14, 2024, and recommended approval, per the staff recommendation, with additional stipulations, by a vote of 12-0-1.
PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per a staff memo, by a vote of 8-0.

Location
Northeast corner of 23rd Avenue and Dobbins Road

Council District: 8
Parcel Address: N/A

This item was adopted.

69 (CONTINUED FROM JUNE 12, 2024) - Public Hearing and Ordinance Adoption - Rezoning Application Z-SP-6-23-8 - Southeast Corner of 41st Street and Baseline Road (Ordinance G-7270)

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-SP-6-23-8 and rezone the site from C-2 (Intermediate Commercial) to C-2 SP (Intermediate Commercial, Special Permit) to allow a self-service storage facility and underlying C-2 uses.

Summary
Current Zoning: C-2
Proposed Zoning: C-2 SP
Acreage: 3.84
Proposal: Self-service storage facility and underlying C-2 uses

Owner: Highline Investment, LLC
Applicant: SAFStor Real Estate Co, LLC
Representative: Mike Maerowitz, Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The South Mountain Village Planning Committee heard this item for information only on March 12, 2024.
VPC Action: The South Mountain Village Planning Committee heard this item on April 9, 2024, and recommended denial, by a vote of 10-0-1.
PC Action: The Planning Commission heard this item on May 2, 2024, and recommended approval, per the staff memo dated May 1, 2024, by a vote of 5-4.

The Planning Commission recommendation was appealed by a community member on May 9, 2024.

Location

Southeast corner of 41st Street and Baseline Road
Council District: 8
Parcel Address: 4115, 4119, 4125, 4155, and 4175 E. Baseline Road

This item was continued to the Sept. 4, 2024 City Council Formal Meeting.

25 Public Hearing on Adoption of Property Tax Levy for 2024-25 Fiscal Year

Request the City Council hold a public hearing prior to the adoption of a property tax levy for the City of Phoenix for 2024-25.

Concurrence/Previous Council Action
The proposed 2024-25 property tax levy reflects actions taken by the Council on the budget at the May 21, 2024 Policy meeting, at the May 29, 2024 Formal meeting to adopt the tentative 2024-25 budget, and at the June 12, 2024 Formal meeting to adopt the final 2024-25 budget. At the June 12, 2024 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

Discussion
Mayor Gallego declared the public hearing open.

After noting there were no individuals wishing to speak on this item, Mayor Gallego closed the public hearing.

The hearing was held.

26 Adoption of Property Tax Levy for 2024-25 Fiscal Year (Ordinance S-51149)

An ordinance levying separate amounts to be raised for primary and secondary property tax levies upon each one hundred dollars ($100.00) of the assessed valuation of the property subject to taxation within the City of Phoenix for the fiscal year ending June 30, 2025.

Summary
The ordinance (**Attachment A**) provides for a primary property tax rate resulting in a levy of $217,597,043 (a General Fund revenue source)

equating to a rate of $1.2658 per $100 of assessed valuation, including $0.08 for maintenance of parks and playgrounds and $0.2658 for the operation and maintenance of libraries; and an estimated secondary property tax levy of $139,947,664 (used only for debt service) equating to a rate of $0.8141 per $100 of assessed valuation. The total rate of $2.0799 is lower than the total 2023-24 rate of $2.0992.

Concurrence/Previous Council Action

The proposed 2024-24 property tax levy reflects actions taken by the Council on the budget at the May 21, 2024 Policy meeting, at the May 29, 2024 Formal meeting to adopt the tentative 2024-25 budget, and at the June 12, 2024 Formal meeting to adopt the final 2024-25 budget. At the June 12, 2024 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

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

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

35 Wireless Communication Services, Accessories, and Equipment - Amendment (Ordinance S-51161)

Request to authorize the City Manager, or his designee, to execute amendments to contracts with AT&T Mobility National Accounts, LLC, Contract 155219; T-Mobile USA, Inc. and Sprint Solutions, Inc., Contract 155270; and Cellco Partnership dba Verizon Wireless, Contract 155221 to extend the term and allow additional funds for the continued purchase of Wireless Communication Services, Accessories, and Equipment in support of departments citywide. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $7.4 million.

Summary

These contracts will continue to allow City departments access to mobile devices, wireless services, equipment, and accessories needed to conduct City business. Existing equipment and services are used by staff to provide critical services to the public in various locations throughout the valley. Currently, the City pays for services for more than 5,000 cellular phones, 6,000 air cards, 6,000 push to talk radios, 470 tablets, and various other services and equipment. Continuation of these agreements is essential to the City, as the agreements allow the City to pay for monthly cellular services and purchase equipment and accessories, as needed while the City adopts the State of Arizona cooperative agreements. These cooperative agreements offer significant cost savings due to the benefit from national government pricing and volume discounts.

Contract Term

Upon approval the contract will be extended through Dec. 31, 2024, with an option to extend through June 30, 2025.

Financial Impact

Upon approval of $7,400,000 in additional funds, the revised aggregate value of the contract will not exceed $33,775,000. Funds are available in various Departments' budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Wireless Communication Services, Accessories, and Equipment award, Contracts 155219, 155270, and 155221, Ordinance S-47458 on April 7, 2021.

Wireless Communication Services, Accessories, and Equipment extension, Contracts 155219, 155270, and 155221, Ordinance S-48207 on Dec. 15, 2021.

Wireless Communication Services, Accessories, and Equipment extension, Contracts 155219, 155270, and 155221, Ordinance S-48586 on May 11, 2022.

Wireless Communication Services, Accessories, and Equipment extension, Contracts 155219, 155270, and 155221, Ordinance

S-49956 on June 28, 2023.

Discussion

Vice Mayor Stark made a motion to adopt Item 35.

Councilwoman Pastor seconded the motion.

Mayor Gallego mentioned this item would help the City with wireless devices, and congratulated the Information Technology Services Department who worked with the Finance Department and Bloomberg Associates to get a 42 percent decrease in wireless spending for the Fire Department year-over-year.

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

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

45 South Mountain Activity Complex Renovation - Construction Manager at Risk Services Amendment - PA75200711 (Ordinance S-51155)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 159614 with Valley Rain Construction Corporation to provide Construction Services for the South Mountain Activity Complex Renovation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $5.5 million.

Summary

The purpose of this project is to provide renovation to the South Mountain Activity Complex that includes the demolition of the existing amenities

and installation of new amenities which include: parking lot improvements, ramadas, a grand pavilion including a restroom, a shade pavilion including another restroom, hardscape improvements, landscape improvements including a terraced tree bosque and a cactus garden, landscape irrigation, site furniture, lighting improvements, trail improvements, and a small trailhead.

This amendment is necessary to provide construction services. This amendment will provide additional funds to the agreement.

Contract Term

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

Financial Impact

The initial agreement for Construction Manager at Risk Services was approved for an amount not to exceed $10 million, including all subcontractor and reimbursable costs.

This amendment will increase the agreement by an additional $5.5 million, for a new total amount not to exceed $15.5 million, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved Construction Manager at Risk Services Agreement 159614 (Ordinance S-50368) on Dec. 6, 2023.

Location

10919 S. Central Ave.

Council District: 8

Discussion
Vice Mayor Stark made a motion to adopt Item 45.

Councilwoman Pastor seconded the motion.

Jerry Van Gasse indicated he was neutral on Item 45, and commented the City was in the seventh year of a five-year renovation plan for South Mountain Park. He discussed projects that were added on to the plan, and suggested nothing had been done for several months. He noted there would be public records requested by his legal team.

Timothy Sierkaowski indicated he was neutral on Item 45, and said there was no public input on the spending for South Mountain Park. He stated the public needed to know what was going on at South Mountain Park with how much was being spent and what that money would be spent on.

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

Yes:	9 -	Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego
No:	0	

54 Amend City Code - Ordinance Adoption - Rezoning Application Z-91-23-2 - Approximately 250 Feet West of the Southwest Corner of Cave Creek Road and Quail Avenue (Ordinance G-7277)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-91-23-2 and rezone the site from S-1 DVAO (Ranch or Farm Residence, Deer Valley Airport Overlay District) to CP/GCP DVAO (Commerce Park District/General Commerce Park Option, Deer Valley Airport Overlay District) to allow storage and light manufacturing.

Summary
Current Zoning: S-1 DVAO
Proposed Zoning: CP/GCP DVAO
Acreage: 2.55
Proposal: Storage and light manufacturing

Owner: Tabarka Properties, LLC c/o Meir Zenati
Applicant/Representative: Kimberly Schroeder, ProSteel STR, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Valley Village Planning Committee heard this item on May 6, 2024, and recommended approval, per the staff recommendation, by a vote of 12-0.
PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Paradise Valley Village Planning Committee recommendation, by a vote of 8-0.

Location
Approximately 250 feet west of the southwest corner of Cave Creek Road and Quail Avenue
Council District: 2
Parcel Address: 2315 and 2319 E. Quail Ave.

Discussion
Spencer Freeman indicated he was neutral on Item 54, and mentioned this site was across the street from his home. He asked if the zoning was being completely changed because this was the last meeting.

Mayor Gallego answered yes.

Councilman Waring made a motion to adopt Item 54.

Councilwoman Pastor seconded the motion.

Mayor Gallego requested staff reach out to Mr. Freeman to explain the zoning process for him.

A motion was made by Councilman Waring, seconded by Councilwoman Pastor, that this item be adopted. The motion carried

by the following vote:

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

65 Public Hearing and Resolution Adoption - General Plan Amendment GPA-SM-13-23-8 - Southeast Corner of 19th Avenue and Baseline Road (Resolution 22230)

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 104.99 acres from Residential 1 to 2 dwelling units per acre and Residential 2 to 3.5 dwelling units per acre to Residential 2 to 3.5 dwelling units per acre, Residential 10 to 15 dwelling units per acre, Residential 15+ dwelling units per acre, and Commercial. This item is a companion case to Z-92-23-8 and must be heard first, followed by Z-92-23-8.

Summary

Application: GPA-SM-13-23-8
Current Designation: Residential 1 to 2 dwelling units per acre (76.38 acres) and Residential 2 to 3.5 dwelling units per acre (28.61 acres)
Proposed Plan Designation: Residential 2 to 3.5 dwelling units per acre (38.60 acres), Residential 10 to 15 dwelling units per acre (14.69 acres), Residential 15+ dwelling units per acre (16.67 acres), and Commercial (35.03 acres)
Acreage: 104.99
Proposal: Minor General Plan Amendment to allow for a future mix of uses including commercial, office, multifamily, and single-family residential.

Owner: River View Growers, LLC, et. al.
Applicant/Representaive: Natalie Maikoski, EPS Group, Inc.

Staff Recommendation: Approval.
VPC Action: The South Mountain Village Planning Committee heard this item on May 14, 2024, and recommended approval, per the staff recommendation, by a vote of 12-0-1.
PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the South Mountain Village Planning Committee recommendation, by a vote of 8-0.

Location
Southeast corner of 19th Avenue and Baseline Road
Council District: 8
Parcel Address: 1843 and 1775 W. Baseline Road, 1553 W. Gary Way, and 1650 W. South Mountain Ave.

Discussion
Mayor Gallego declared the public hearing open.

After noting there were no individuals wishing to speak on Item 65, Mayor Gallego closed the public hearing.

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

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

66 Public Hearing and Ordinance Adoption - Rezoning Application Z-92-23-8 - Southeast Corner of 19th Avenue and Baseline Road (Ordinance G-7285)

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-92-23-8 and rezone the site from S-1

(Ranch or Farm Residence) and R1-10 (Single-Family Residential) to C-2 (Intermediate Commercial), R-4 (Multifamily Residence District), R-3 (Multifamily Residence District), and R1-10 (Single-Family Residence District) to allow commercial, office, multifamily residential, and single-family residential. This is a companion case to GPA-SM-13-23-8 and must be heard following GPA-SM-13-23-8.

Summary
Current Zoning: S-1 (85.75 acres) and R1-10 (19.24 acres)
Proposed Zoning: C-2 (35.03 acres), R-4 (16.67 acres), R-3 (14.69 acres), and R1-10 (38.60 acres)
Acreage: 104.99
Proposal: Commercial, office, multifamily residential, and single-family residential

Owner: River View Growers, LLC, et. al.
Applicant: Brennan Maher, EPS Group, Inc.
Representative: Natalie Maikoski, EPS Group, Inc.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this item on May 14, 2024, and recommend approval, per the staff recommendation, with a modification and additional stipulations, by a vote of 12-0-1.
PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the South Mountain Village Planning Committee recommendation, by a vote of 8-0.

Location
Southeast corner of 19th Avenue and Baseline Road
Council District: 8
Parcel Address: 1843 and 1775 W. Baseline Road, 1553 W. Gary Way, and 1650 W. South Mountain Ave.

Note: For discussion on Item 66, refer to discussion on Item 65.

The hearing was held. A motion was made by Vice Mayor Stark, seconded by Councilwoman Pastor, that this item be approved per

the Planning Commission recommendation, with adoption of the related ordinance. The motion carried by the following vote:

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

67 **Public Hearing - Amend Downtown Code - Ordinance Adoption - Text Amendment Application Z-TA-10-23-7 (Ordinance G-7284)**

Request for a public hearing on a proposed text amendment to the Phoenix Zoning Ordinance, Text Amendment Z-TA-10-23-7 to amend Chapter 12, Section 1212.B (Downtown Gateway, Development Standards) to allow for a height bonus up to 30 percent within the Downtown Gateway Character Area between Portland Street and McKinley Street.

Summary

The intent of the proposed text amendment is to amend Chapter 12, Section 1212.B (Downtown Gateway, Development Standards) to allow for a height bonus up to 30 percent within the Downtown Gateway Character Area between Portland and McKinley streets.

Owner: Kell Duncan, KDCD, LLC
Applicant: Paul Kilgallon, Mainstreet Capital
Representative: Tom Chinnock, Shepley Bulfinch

Staff Recommendation: Approval, as shown in Exhibit A of the Staff Report.
VPC Information Only: The Central City Village Planning Committee was scheduled to hear this item on Feb. 12, 2024, for information only; however, there was no quorum.
DSC Action: The Design Standards Committee heard this item on March 26, 2024, and recommended denial, by a vote of 3-2.
VPC Action: The Central City Village Planning Committee heard this item on May 13, 2024, and recommended approval, per the staff

recommendation with modifications, by a vote of 13-1.
PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Central City Village Planning Committee recommendation, by a vote of 8-0.

Location
Generally located between the alley east of Central Avenue and the alley west of 1st Avenue, between Portland Street and McKinley Street
Council District: 7

Discussion
Mayor Gallego declared the public hearing open.

Joan Kelchneer noted she supported the agreement from the Central City Village Planning Committee and Planning Commission for a reduced area. She talked about how this case was confusing, and commented there was no need for this text amendment.

After noting there were no other individuals wishing to speak on this item, Mayor Gallego closed the public hearing.

Councilman Galindo-Elvira thanked Ms. Kelchneer for her leadership in the community.

The hearing was held. A motion was made by Councilman Galindo-Elvira, seconded by Councilwoman Pastor, that this item be approved per the Planning Commission recommendation, with adoption of the related ordinance. The motion carried by the following vote:

Yes:	9 -	Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego
No:	0	

68 Public Hearing and Formal Action - Planning Hearing Officer Application PHO-2-24--Z-86-06-6 - Northeast Corner of 24th Street and Camelback Road

Request to hold a public hearing and consider the Planning Commission's recommendation by the City Council on matters heard by the Planning Hearing Officer on April 17, 2024. This item requires formal action only.

Summary

Application: PHO-2-24--Z-86-06-6
Existing Zoning: PSC (Approved C-2 HR) CEPCSP
Acreage: 33.70

Owner: Biltmore Shopping Center Partners
Applicant/Representative: Ed Bull, Burch & Cracchiolo P.A.

Proposal:
1. Request to modify Stipulation 2 regarding review and approval for a tower exceeding 112 feet and proposed building elevations inconsistent with those dated June 23, 2006, through the Planning Hearing Officer process.
2. Technical corrections to Stipulations 7 and 9.

VPC Action: The Camelback East Village Planning Committee chose not to hear this item.
PHO Action: The Planning Hearing Officer heard the item on April 17, 2024, and recommended approval, with modifications and additional stipulations.
PC Action: The Planning Commission heard the item on June 6, 2024, and recommended approval, per the Planning Hearing Officer recommendation, by a vote of 8-0.
The Planning Commission recommendation was appealed by a community member on June 13, 2024.

Location

Northeast corner of 24th Street and Camelback Road
Council District: 6
Parcel Address: 5025 N. 24th St.; 2402, 2410, 2442, 2446, 2450, 2462, 2470, 2502, 2580, 2590, and 2608 E. Camelback Road

Discussion

Mayor Gallego introduced Planning and Development Director Joshua Bednarek to provide a brief staff report on Item 68.

Mr. Bednarek introduced Planning and Development Deputy Director Tricia Gomes to further explain Item 68.

Ms. Gomes explained this item was for a case at 24th Street and Camelback Road, and was located within the Camelback East Village Core and Camelback East Primary Core Specific Plan. She stated most of the site was approved for C-2 High Rise zoning in 2006 subject to 10 stipulations, and displayed a map showing several heights approved for the location. She talked about the 2006 site plan for this location, and described the two options for building height at 140 and 165 feet. She mentioned if this request was approved, the next steps would include the plan review process to ensure compliance with all stipulations, codes, ordinances and the Camelback East Primary Core Specific Plan. She noted the Planning Hearing Officer recommended approval with modifications and additions stipulations and the Planning Commission recommended approval per the Planning Hearing Officer recommendation by an 8-0 vote, and added this case was appealed by a member of the community on June 13, 2024. She stated staff recommended approval per the Planning Commission recommendation.

Councilman Robinson thanked Mr. Bednarek and Ms. Gomes for the information provided, and talked about received a number of calls from the public on revamping the process regarding the plan review process. He asked Mr. Bednarek how strict the plan review process would be based on the original agreement.

Mr. Bednarek answered this case would go through a thorough review with staff in the Planning and Development Department, along with staff in the Street Transportation and Fire departments. He said staff would look at every aspect of the Camelback East Primary Core Specific Plan, the Zoning Ordinance and review it against the stipulations to determine if this is compliant or if a public hearing would be needed.

Councilman Robinson inquired about a traffic study, and questioned if

there was an issue regarding traffic, who would take care of changes needing to be made and how that process would proceed.

Mr. Bednarek replied if the traffic study came back that would warrant additional traffic mitigation, the applicant would then work with the City traffic engineers in the Street Transportation Department to respond. He gave an example of how traffic control measures could be implemented at an intersection.

Mayor Gallego declared the public hearing open, and explained each side had five minutes to speak and the applicant could reserve time within that five minutes time frame for rebuttal.

Ed Bull spoke on behalf of the applicant, and said he was pleased with the Planning Hearing Officer's recommendation, the recommendation from the Planning Commission and the recommendation of approval by staff. He described the proposed site, and mentioned the closest single-family residence to the site was 800 feet away. He talked about the 2006 approval being unanimously approved by the Camelback East Village Planning Committee, Planning Commission and Council and included seven hearings regarding height, goals and objectives and uses. He listed the different ways this proposed site was in accordance in their Planning Hearing Officer application, and said they went above and beyond what was required for neighborhood outreach.

Robert Moreno spoke in opposition representing the Esplanade, which was a neighboring property to the proposed site. He commented they were not anti-development and were not asking for denial of this application. He requested this application go under the review of the Camelback East Village Planning Committee, and commented the Chair of that committee chose to not review this case. He suggested there be a codified requirement over what applications village planning committees choose to review and to not review, and said during the application process in 2006 that any bonus height to the development would have to go to the Camelback East Village Planning Committee for review. He asked for Council to bring this application back to the Camelback East Village Planning Committee for review.

Mayor Gallego closed the public hearing.

Councilman Robinson discussed the work that had been done on this site over the years by staff and the applicant, and acknowledged the comments made by Mr. Moreno. **He made a motion to approve Item 68 per the Planning Commission recommendation.**

Councilwoman Pastor seconded the motion.

Councilwoman Pastor discussed voting on this project in 2006, and asked for confirmation that this application came back for review and was brought forward to Council.

Mr. Bednarek explained the Chair of the Camelback East Village Planning Committee declined to hear this case, and mentioned the application did receive a full review with the Planning Hearing Officer and Planning Commission which recommended full approval.

The hearing was held. A motion was made by Councilman Robinson, seconded by Councilwoman Pastor, that this item be approved per the Planning Commission recommendation. The motion carried by the following vote:

Yes:	9 -	Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego
No:	0	

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

None.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 10:44 a.m.

MAYOR

ATTEST:

CITY CLERK

TS

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 July, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26th day of August, 2024.

CITY CLERK