City of Phoenix

Minutes

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

185982

City Council Formal Meeting

Wednesday, October 27, 2021 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Oct. 27, 2021 at 2:31 p.m. in the Council Chambers.

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

The Mayor and Councilmembers attended the meeting virtually. Councilwoman Pastor joined the voting body during Item 15. Councilman DiCiccio disconnected from the meeting during Item 72.

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

The City Clerk confirmed copies of the titles of Ordinances G-6906 through G-6907; S-48008, S-48015 through S-48071; and Resolutions 21968 through 21972 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 Cris Meyer stated members of the public may speak for up to two minutes on agenda items and gave direction on appropriate decorum when providing comments.

BOARDS AND COMMISSIONS

1 Mayor and Council Appointments to Boards and Commissions

Summary

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

The following individuals were recommended for appointment by Mayor Gallego:

Board of Adjustment

Appoint Ashley Hill, filling a vacancy, for a term to expire Oct. 27, 2025.

Parks and Recreation Board

Appoint Cynthia Aguilar, replacing Inger Erickson in the ex-officio position.

Phoenix Business and Workforce Development Board

Appoint Scott Holman, filling a vacancy, for a term to expire June 30, 2024.

Phoenix Youth and Education Commission

Appoint John Abbott, serving as a youth commissioner, for a term to expire Aug. 31, 2022.

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

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

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 Garcia, seconded by Councilwoman

Stark, that Items 2-14 be recommended for approval. The motion carried by the following voice vote:

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

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

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

Summary

Applicant
Virgil Marchis

Location
3749 W. Behrend Drive
Council District: 1

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 13, 2021 - 11 a.m. to 8 p.m. / 800 attendees
Nov. 14, 2021 - Noon to 7 p.m. / 700 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

3 Liquor License - JC Sushi & Chinese

Request for a liquor license. Arizona State License Application 150852.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
2740 W. Bell Road
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 may currently operate with an interim permit.

The 60-day limit for processing this application was July 25, 2021. However, the applicant submitted a written request for more time.

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.

Teppan Fuji (Series 12)
2500 S. Woodlands Village Blvd., #9, Flagstaff
Calls for police service: N/A - not in Phoenix
Liquor license violations: In Sept. 2019, a fine of $250 was paid for offering or furnishing prohibited inducements to purchase or consume spirituous liquor. In April 2021, a fine of $1,000 was assessed for failure to file current agent information with the AZ Department of Liquor Licenses and Control.

Asian Fang (Series 12)
16740 E. Palisades Blvd., #110, Flagstaff
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Hot Wok (Series 12)
1451 S. Milton Road, Flagstaff
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"JC Sushi & Chinese restaurant is known for its modern interpretation of classic dishes and its insistence on only using high quality fresh ingredients. We would like offer our patrons of age the ability to have an

adult beverage with their meal if they choose to have one."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - JC Sushi & Chinese
Liquor License Map - JC Sushi & Chinese

This item was recommended for approval.

4 Liquor License - Chipotle Mexican Grill #3568

Request for a liquor license. Arizona State License Application 156682.

Summary

Applicant
H J Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
3185 E. Bell Road
Zoning Classification: C-2 and C-3
Council District: 2

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor alcohol consumption. This business has plans to open in November 2021.

The 60-day limit for processing this application is Nov. 2, 2021.

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 has been a responsible licensee in Arizona since the issuance of its first license in 1999, and is committed to upholding the highest business standards for product quality, customer service, community engagement and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible management and/or service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Chipotle Mexican Grill is a quick-serve Mexican eatery enjoyed by area residents, visitors and workers. In addition to freshly-prepared tacos and burritos, Chipotle would like offer its guests beer and margaritas as an incident to their meal. Alcohol sales, which are limited to bottled beer and margaritas, account for only 2-3% of revenue; however, it is considered an integral part of the restaurant's concept."

Staff Recommendation

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

Attachments
Liquor License Data - Chipotle Mexican Grill #3568
Liquor License Map - Chipotle Mexican Grill #3568

This item was recommended for approval.

5 Liquor License - Thunderbird Bar & Grill

Request for a liquor license. Arizona State License Application 159247.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
13802 N. Scottsdale Road, Ste. 101
Zoning Classification: PSC
Council District: 2

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business has plans to open in November 2021.

The 60-day limit for processing this application is Oct. 30, 2021.

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:
"Have worked in the restaurant industry for several years. Have attended both the Basic and Management Title 4 liquor law training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is a full-service restaurant serving the surrounding area and giving our patrons the choice to have an adult beverage with their meal."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Thunderbird Bar & Grill
Liquor License Map - Thunderbird Bar & Grill

This item was recommended for approval.

6 Liquor License - Chompie's Restaurant & Bakery Deli

Request for a liquor license. Arizona State License Application 159609.

Summary

Applicant
Oren Molovinsky, Agent

License Type
Series 10 - Beer and Wine Store

Location
3212 E. Cactus Road
Zoning Classification: C-2
Council District: 3

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

The 60-day limit for processing this application is Nov. 1, 2021.

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.

Chompies (Series 12)
1160 E. University Drive, Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Chompies Rest/Deli/Bakery/Bagel Factory (Series 12)
9301 E. Shea Blvd., #129, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Chompie's Restaurant (Series 12)
3481 W. Frye Road, Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Chompies Restaurant Arrowhead (Series 12)
7700 W. Arrowhead Towne Center Drive, #1145, 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:
"We will continue to abide by Title 4 liquor laws and ensure staff is trained."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like to offer our patrons a place to sit down relax and enjoy

some amazing food. We have had a license in the area for several years and are moving to a new location."

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

Attachments
Liquor License Data - Chompie's Restaurant & Bakery Deli
Liquor License Map - Chompie's Restaurant & Bakery Deli

This item was recommended for approval.

7 Liquor License - Chompie's Restaurant & Bakery Deli

Request for a liquor license. Arizona State License Application 159618.

Summary

Applicant
Oren Molovinsky, Agent

License Type
Series 12 - Restaurant

Location
3212 E. Cactus Road
Zoning Classification: C-2
Council District: 3

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

The 60-day limit for processing this application is Nov. 1, 2021.

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.

Chompies (Series 12)
1160 E. University Drive, Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Chompies Rest/Deli/Bakery/Bagel Factory (Series 12)
9301 E. Shea Blvd., #129, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Chompie's Restaurant (Series 12)
3481 W. Frye Road, Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Chompies Restaurant Arrowhead (Series 12)
7700 W. Arrowhead Towne Center Drive, #1145, 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:
"We will continue to abide by Title 4 liquor laws and ensure staff is trained."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like to offer our patrons a place to sit down relax and enjoy some amazing food. We have had a license in the area for several years and are moving to a new location."

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

Attachments
Liquor License Data - Chompie's Restaurant & Bakery Deli
Liquor License Map - Chompie's Restaurant & Bakery Deli

This item was recommended for approval.

8 Liquor License - Special Event - Xavier College Preparatory Roman Catholic High School

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

Summary

Applicant
Maria Murphy-Fontes

Location

4710 N. 5th St.
Council District: 4

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Nov. 12, 2021 - 5 p.m. to 11:55 p.m. / 600 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - Mariscos y Mas La Finkera

Request for a liquor license. Arizona State License Application 160592.

Summary

Applicant
Jose Pena, Agent

License Type
Series 12 - Restaurant

Location
2915 N. 43rd Ave.
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application is Nov. 6, 2021.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We will hold the highest of standards in running this business with the quality and professionalism in being compliant to all laws. All staff including myself will ensure that we operate to comply to all liquor laws and receive the training in this area. Furthermore, I have owned a successful business for over 25 years and know the dedication it takes to be successful."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Mariscos y Mas La Finkera will provide a family friendly environment and affordable menu prices at a great location. In addition, the restaurant will provide jobs to the surrounding area."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Mariscos y Mas La Finkera
Liquor License Map - Marisocs y Mas La Finkera

This item was recommended for approval.

10 Liquor License - Underbelly Meat Co

Request for a liquor license. Arizona State License Application 159248 and 159248S.

Summary

Applicant
Dustin Dahlin, Agent

License Type
Series 10 - Beer and Wine Store with Sampling Privileges

Location
1605 N. 7th Ave.
Zoning Classification: DTC-McDowell-1-HP
Council District: 4

This request is for a new liquor license for a specialty market. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow liquor retail sales. This business is currently being remodeled with plans to open in March 2022.

The 60-day limit for processing this application is Oct. 30, 2021.

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:
"Between my business manager and myself, we have almost 50 years of hospitality experience. Our goal is to provide the community with quality food and mainting the trust we've already built. We understand the responsibility to the community in serving alcohol responsibly."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We will be providing quality and convenience to our community by sourcing locally and offer a variety of food and beverages to compliment our customers shopping 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
Liquor License Data - Underbelly Meat Co
Liquor License Map - Underbelly Meat Co

This item was recommended for approval.

11 Liquor License - Special Event - Central Arts Alliance

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

Summary

Applicant
Sarah Henschen

Location
67 E. Culver St.
Council District: 7

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Nov. 18, 2021 - 6 p.m. to 9 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Special Event - Central Arts Alliance

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

Summary

Applicant
Sarah Henschen

Location
67 E. Culver St.
Council District: 7

Function
Festival

Date(s) - Time(s) / Expected Attendance
Dec. 11, 2021 - 10 a.m. to 8:30 p.m. / 6,000 attendees
Dec. 12, 2021 - 10 a.m. to 5 p.m. / 6,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Throne Brewing

Request for a liquor license. Arizona State License Application 157977.

Summary

Applicant
Carlos Toma, Agent

License Type
Series 12 - Restaurant

Location
1326 N. Central Ave., Ste. 100
Zoning Classification: DTC-Downtown Gateway
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 was Oct. 15, 2021. However, the applicant submitted a written request for more time.

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.

Throne Brewing (Series 12)
17035 N. 67th Ave., #6 and #7, Glendale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Throne Brewing (Series 3)
17035 N. 67th Ave., #6 and #7, Glendale
Calls for police service: N/A - not in Phoenix
Liquor license violations: In June 2021, a fine of $250 was paid for producing less than 5,000 gallons of beer in a calendar year.

Throne Brewing (Series 3)
9299 W. Olive Ave., Ste. 513, Peoria
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I currently have 3 liquor licenses in my name 2- #3 and 1-#12 over the past 3 years with no issues with the department of liquor.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“I am a title 4 Manager certified and require all front of House employees certified with their title 4 so they are educated with Arizona Liquor Laws."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Throne Brewing
Liquor License Map - Throne Brewing

This item was recommended for approval.

14 Off-Track Pari-Mutuel Wagering Permit - American Legion #1

Request for an Off-track Pari-mutuel Wagering Permit for a business that has a Series 14 liquor license.

Summary
State law requires City Council approval before a State Off-track Pari-mutuel Wagering Permit can be issued.

Applicant
David Auther, Agent for Arizona Downs, LLC

Location
364 N. 7th Ave.
Zoning Classification: C-3
Council District: 7

Public Opinion
Public notice was posted at the proposed location and special notice letters were mailed to residents within a 1/8 mile radius of the proposed location. The comment period expired Sept. 24, 2021. No protest or support letters were received within the 20-day public comment period.

Staff Recommendation
Staff recommends approval of this application.

Attachments
Off-Track Pari-mutuel Wagering Permit Data - American Legion #1
Off-Track Pari-mutuel Wagering Permit Map - American Legion #1

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.

Two electronic comments were submitted for the record in support of Items 68 and 104.

A motion was made by Vice Mayor Garcia, seconded by Councilwoman Stark, that Items 15-104 be approved or adopted, except Items 15-17, 19, 44, 47, 54-55, 69, 72 and 73; and noting that Items 36 and 38 are withdrawn and Item 60 is as revised. The motion carried by the following vote:

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

Items 18, 20-29, Ordinance S-48015 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.

18 Pro Em Operations, LLC doing business as Pro Em

For $21,850.00 in payment authority for a new contract for the Human

Services Department. The contract is needed to continue renting shade structures and cooling systems in support of the City's Heat Relief Program. The City's Heat Relief Program was developed to reduce the effects of extreme heat on vulnerable populations. The heat respite equipment was placed at the Human Services Campus, Inc. in May 2021. Individuals experiencing homelessness or those seeking hydration may obtain water at any hydrating station within the City of Phoenix. The term of the extension will be from Oct. 1, 2021 through Nov. 30, 2021. Funding for this item is available through the City's allocation of the American Rescue Act Plan funding received from the federal government and is under the City's Summer Heat Respite category of the strategic plan.

This item was adopted.

20 SAFEWARE, INC

For $61,745.00 in payment authority to purchase Bomb Protective Suits and Helmets for the Phoenix Police Department (PPD) utilizing funding from the FY 2019 Edward Byrne Memorial Justice Assistance Grant. The PPD's current inventory of bomb suits have expired or are set to expire soon. The PPD has ten full time Bomb technicians who must wear specialized protective suits while approaching suspected explosive devices. The PPD's Bomb Squad is the largest full-time bomb squad in the State of Arizona. The Bomb Squad is responsible for providing trained personnel and equipment necessary to handle and dispose of improvised explosive and incendiary devices, old explosive chemicals, to handle or investigate bombs, bomb threats and to conduct post bomb scene investigations. All these incidents require the use of specialized equipment to mitigate hazards to the community as well as first responders.

This item was adopted.

21 DCS Management LLC

For $35,000.00 in payment authority for a new contract, entered on or about Nov. 1, 2021 for a term of five years for Courier Delivery Services for the Citywide departments. Multiple City of Phoenix departments including Finance and Planning and Development require the courier service for the delivery of important packages and documents to various locations. The requested services are time-sensitive and require delivery

within a day.

This item was adopted.

22 Applications Technology LLC doing business as APPTEK

For $14,200.00 in payment authority to purchase automated closed-captioning system for the Communications Office Department. The automated system is needed to continue to provide closed-captioning services for Mayor and Council Formal, Policy and Subcommittee meetings for individuals who are hearing-impaired in compliance with the Americans with Disability Act. The system automatically captures the verbal communication and produces a public record of transcription and can download and edit transcripts prior to dissemination to end-user. Furthermore, PHXTV will be able to have closed-captioned programming 24/7 to help improve viewer experience for the individuals who are hearing-impaired.

This item was adopted.

23 Bloomberg LP, doing business as Bloomberg Finance LP

For $225,000.00 in additional payment authority through Oct. 31, 2026 to continue essential On-Line Investment Market Information and News Service subscription used in the daily monitoring of the City's investments, track bond market activity and facilitate daily investment accounting functions for the Finance Department. The service is an investment and security information source for the financial and investment community. All City approved broker-dealers use Bloomberg to facilitate the security bidding process.

This item was adopted.

24 AFI LLC doing business as Old School City

For $56,375.00 in payment authority for a new contract, entered on or about Nov. 1, 2021 for a term of five years for hobble straps for the Police Department. The hobble straps will be used to securely detain prisoners for detention and transportation to limit subject movement. The humane restraint hobble strap is a critical piece of equipment needed by the Police Department to efficiently restrain a human subject and prevent liability and injury to the detainee or to law enforcement.

This item was adopted.

25 Jones Lang LaSalle Americas, Inc.

For $100,000.00 in payment authority for a new contract, entered on or about Oct. 28, 2021 for a term of three years for Strategic Real Estate Advisory Services related to the acquisition of 100 W. Washington St. for the Finance Department, Real Estate Division. The real estate assessment services will contribute to strategic planning related to the reorganization of facilities; specifically, the optimization of City-owned real estate focusing on City-occupied facilities in downtown Phoenix.

This item was adopted.

26 Settlement of Claim(s) Lopez v. City of Phoenix

To make payment of up to $34,048.82 in settlement of claim(s) in *Lopez v. City of Phoenix,* 20-0363-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement for a Property Damage claim arising from a water main break on Oct. 4, 2020.

This item was adopted.

27 Settlement of Claim(s) Jackson v. City of Phoenix

To make payment of up to $150,000.00 in settlement of claim(s) in *Jackson v City of Phoenix*, 20-0202-001, GL, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of bodily injury claim arising out of a police incident on Feb. 15, 2020.

This item was adopted.

28 Settlement of Claim(s) Miller v. City of Phoenix

To make payment of up to $50,000.00 in settlement of claim(s) in *Miller v. City of Phoenix*, 18-0494-003, AU, BI, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of bodily injury and property damage claim arising from a motor vehicle accident on Sept. 25, 2018 involving the Public Works Department.

This item was adopted.

29 Settlement of Claim(s) Villalobos v. City of Phoenix

To make payment of up to $3,500,000.00 in settlement of claim(s) in *Villalobos v. City of Phoenix*, 16-0887-005, BI, GL, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a

settlement of bodily injury claim arising from a negligent design on Oct. 3, 2017 involving the Street Transportation Department.

This item was adopted.

30 Proposed Cave Creek Road and Dynamite Boulevard Annexation (Ordinance S-48051)

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Ariz., by annexing an area not within the present limits of the City of Phoenix, designated as the Cave Creek Road and Dynamite Boulevard Annexation. Further request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

This annexation was requested by Donald L. Patty, 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 June 23, 2021, to allow the City Council to gather community comment 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 Maricopa County Assessor parcel 211-39-002P, located at 4328 E. Dynamite Blvd. (**Attachment A**). The annexation area is approximately 1.10 acres (0.0017 sq. mi.) and the population estimate is three individuals.

Council District: 2

This item was adopted.

31 **Proposed Ismail Annexation (Ordinance S-48052)**

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

Summary

This annexation was requested by Tim Rasnake with Archicon Architects & 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. 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 June 23, 2021, to allow the City Council to gather community comment 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 Maricopa County Assessor parcels 300-14-065 and 300-14-067, located at 3335 W. Baseline Road and 3437 W. Baseline Road (**Attachment A**). The annexation area is approximately 6.67 acres (0.0104 sq. mi.) and the population estimate is six individuals.

Council District: 8

This item was adopted.

32 **Increase Community Outreach and Enhance Administrative Oversight of Day to Day Operations (Ordinance S-48060)**

Request to authorize the City Manager, or his designee, to increase budgeted resources for City Council offices by $75,000 each for the remainder of the fiscal year ($100,000 annually) and the Mayor's office by $124,000 for the remainder of the fiscal year ($165,000 annually) to provide added resources for community engagement and involvement; constituent services; and other resources necessary for elected officials in the fastest growing major city in the United States. Also request authorization to add an additional Assistant City Manager and one administrative support position to provide necessary executive oversight over several new or recently expanded programs in the City Manager's Office. The expansion of these programs coupled with the recently announced Department of Justice Pattern and Practice investigation requires significantly more executive level leadership than is currently available. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

Reports show the population of Phoenix has grown from 1.4 million in the 2010 US Census to 1.6 million residents based on the recent 2020 US Census, an increase of 11.2 percent. As a result, each Council district serves over 200,000 residents. Administrative support staff in the Mayor and Council offices was reduced by 25 full-time employees after the Great Recession. A mid-year adjustment of resources will allow Councilmembers and the Mayor to adequately serve their constituents in the nation's fastest growing major city. The proposed additional executive level leadership will facilitate oversight and direction of recently expanded or enhanced programs and enhance coordination of new Council and community initiatives. For example, the City was awarded $398 million in State and Local Fiscal Recovery Funds under the American Rescue Plan Act (ARPA). As discussed previously these funds will be distributed in two separate allocations of $198 million each. The first allocation of $198 million of ARPA funds added over 47 new City programs. The second allocation of $198 million, which is anticipated to be received in the first quarter of 2022, will add even more programs to the City's portfolio. The additional staff support in the City Council, Mayor and City Manager offices will ensure proper coordination of these programs among Phoenix residents.

Financial Impact

Funds are available from General Fund budgetary savings in the current fiscal year.

This item was adopted.

33 Public Records Request System (Citywide) - Requirements Contract (Ordinance S-48022)

Request to authorize the City Manager, or his designee, to enter into an agreement with GovQA, LLC to purchase a Public Records Request Software as a Service (SaaS) solution to be used Citywide (excluding the Fire, Police, and Municipal Court departments). The aggregate contract value will not exceed $221,000. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The Communications Office manages more than 10,000 public records requests annually for 29 City departments, excluding the Fire, Police, and Municipal Court departments. The City's current, in-house public records request solution does not meet the business needs and security standards for the growing number of requests. The GovQA solution is a modern, enterprise solution which will allow residents to securely submit public records requests and provides secure end-to-end workflows and user-based roles for staff fulfilling the requests. The new solution provides risk reduction, improves efficiency and includes robust reporting. GovQA, LLC will provide a cloud-based SaaS solution ensuring security, transparency and flexibility.

The Information Technology Services Department (ITS) and Communications Office evaluated the current business needs related to public records request fulfillment and identified that a SaaS solution would be advantageous for the City. The departments collaborated on a competitive Request for Proposals (RFP) process.

Procurement Information

ITS RFP 21-001 was conducted in accordance with Administrative Regulation 3.10. The Notice of Solicitation was emailed to more than 800 suppliers registered in ProcurePHX and was publicly posted and available for download from the City's website. ITS received 12 offers; five were deemed non-responsive. The offers were scored based on the following criteria (1,000 points maximum):

Requirements 0-400 Points;
Pricing 0-350 Points;
Qualifications, Experience, and References 0-150 Points; and
Method of Approach 0-100 Points.

The evaluation committee short-listed three firms who were invited to participate in presentations. Once presentations concluded, the evaluation committee reconvened and a consensus was reached to move forward with a Best and Final Offer (BAFO). After the BAFO process, it was the consensus of the evaluation committee to recommend awarding the contract to GovQA, LLC.

The scores of short-listed firms were as follows:

GovQA, LLC 748 Points;
Autocene 730 Points; and
Armedia 584 Points.

The Communications Office Director and the Chief Information Officer recommend the offer from GovQA be accepted as the highest-scored, responsive and responsible offer that is most advantageous to the City.

Contract Term
The five-year contract term will begin on or about Nov. 1, 2021.

Financial Impact
The aggregate contract value will not exceed $221,000, including applicable taxes. The estimated annual expenditure is $44,000 with an aggregate value of $221,000. The funds are available in the Communications Office's operating budget.

This item was adopted.

34 Randox Laboratories - Requirements Contract - RFA 17-099 (A) (Ordinance S-48018)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 144093 with Randox Laboratories US, Limited for the purchase of reagent kits for the Police Department.

Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $20,000.

Summary

The Police Department's Laboratory Services Bureau utilizes Driving Under the Influence Drugs Investigator and Control Kits from Randox Laboratories US, Limited to test for drugs in blood and urine samples submitted by suspects and victims of driving under the influence of drug, sexual assault, and homicide cases. The kits ensure the ability to provide timely results to successfully support criminal investigations, the judicial system, and public safety. The additional funds are needed to ensure there are no interruptions in the vital operations of the Lab Toxicology Section for the remainder of the contract term.

Contract Term

The contract term is Feb. 1, 2017 through Jan. 31, 2022.

Financial Impact

Upon approval of $20,000 in additional funds, the revised aggregate value of the contract will not exceed $195,000. Funds are available in the Police Department’s budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Dec. 7, 2016.

This item was adopted.

35 Electronic Submittal and Verification Certified Payrolls - EXC 21-133 (Ordinance S-48021)

Request to authorize the City Manager, or his designee, to enter into an agreement with Askreply, Inc. DBA B2GNOW a partner of LCPtracker Incorporated, to purchase electronic submittal and verification certified payrolls for citywide use. Further, request to authorize the City Controller to disburse all funds related to this item. The total contract value will not exceed $169,229.

Summary

The Street Transportation, Public Transit, Neighborhood Services and Housing departments require the LCPtracker Pro software for electronic certified payroll submittals for federal funding to be Davis Bacon Act compliant. This web-based program eliminates paper submittals,

reduces data entry and verification time, assures the accuracy of contractors' payroll reports, and provides standardized reports for oversight. The system provides labor compliance staff with immediate feedback when violations of federal regulations are found. The software is advantageous to the City as it prevents major delays in the payroll review process which could create a risk of underpayments and/or misclassification and delay the timely release of funds.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived because of an approved determination memo stating failure to enter this agreement could expose clients to the risk of failing federal audits and ultimately the potential loss of associated federal funding. This has been a major process improvement and has been embraced by the City's vendors (prime contractors and subcontractors). The amount of time it would take to train the City's contracting community on a new program would be substantial and would result in increased costs to clients.

The Assistant Finance Director recommends that the contract with Askreply, Inc. DBA B2GNOW be accepted.

Contract Term

The five-year contract term will begin on or about Oct. 27, 2021.

Financial Impact

The total contract value will not exceed $169,229 and funds are available in the Street Transportation, Public Transit, Neighborhood Services and Housing departments' budgets.

This item was adopted.

36 Authorization to Sell City-Owned Property Located at 4815 S. 67th Ave. to Arizona Department of Transportation for State Route 30 (Ordinance S-48035)

Request to authorize the City Manager, or his designee, to sell City-owned property located at 4815 S. 67th Ave. to the Arizona Department of Transportation (ADOT) for State Route 30. Further request to authorize the City Treasurer to accept all funds related to this

item.

Summary

ADOT requires the property for construction of the proposed State Route 30 which will extend between Loop 202 and Loop 303 through southwest Phoenix, Avondale and Goodyear. The property is approximately 85.98 acres (net) of vacant land, leased for sand and gravel operations from January 2006 through February 2021. Most of the site is a sand and gravel pit that cannot be developed without significant fill.

Financial Impact

Revenue of $1,505,220 is reflective of appraised value.

Location

4815 S. 67th Ave., identified by Maricopa County Assessor parcel number 104-66-001.
Council District: 7

This item was withdrawn.

37 Authorization to Convey City-Owned Real Property at E. Shea Boulevard and N. 30th Street (Ordinance S-48028)

Request to authorize the City Manager, or his designee, to convey City-owned property at E. Shea Boulevard and N. 30th Street to Paradise Valley Unified School District No. 69 by Special Warranty Deed.

Summary

The City entered into an Intergovernmental Agreement (IGA) on April 6, 2000, with the Paradise Valley Unified School District No. 69 (District) for joint use of school facilities, authorized by Ordinance S-26956. Under the IGA, the City was granted the right to use the District's newly constructed athletic fields at Shadow Mountain High School in addition to other designated district properties used for after school and summer programs, in exchange for the District's use of an adjacent 2.94-acre City-owned parking lot. The District maintained the parking lot and a strip of land along the east side of 30th Street for the duration of the 20-year IGA.

Ordinance S-26956 provided an option for the District to purchase the City-owned land at the then appraised value diminished by 5 percent for each full year that the agreement has been in existence at the time of the

purchase. The IGA further provides an option for the District to purchase the City-owned parking lot for $1.00 at the expiration of the IGA. At the request of the District, the Parks and Recreation Department seeks to fulfill the option as provided in the IGA. The site to be conveyed has been reduced to roughly 2.8-acres and is entirely encompassed within the Shadow Mountain High School Campus because of the realignment of 30th Street (also known as 30th Place).

The plat for Shadow Mountain High School, Maricopa County Recorder number 20030518715, designates Tract "A," an approximate 10-foot strip of land along the east side to 30th Street, to be owned and maintained by the District. Additionally, Tract "A" will be included in the conveyance. The City will reserve an easement to maintain any roadway infrastructure within Tract "A."

The property will be conveyed by Special Warranty Deed with the District responsible for any and all closing costs.

Location
North of E. Shea Boulevard, along the west and east sides of N. 30th Street, identified by Maricopa County assessor parcel numbers 166-31-003 and 166-31-004.
Council District: 3

Previous Council Action
Ordinance S-26956 was adopted by City Council on March 15, 2000.

This item was adopted.

38 Authorization to Accept Real Property Located at North 31st Avenue and West Deer Valley Road (Ordinance S-48017)

Request to authorize the City Manager, or his designee, to accept approximately 30,336 square feet of vacant land at North 31st Avenue and West Deer Valley Road.

Summary
WH/Arizona Inc. of CA, a California Corporation, its successor and/or assigns, will donate approximately 30,336 square feet of vacant land located at the northwest corner of North 31st Avenue and West Deer Valley Road. The acceptance of this donation supports the Street

Transportation Department's current maintenance of a drainage wash, which runs within the property, approximately 20 feet behind a residential area maintained by the Streetscape Program. The drainage improvements on this property connect to a wash on City-owned property south of West Deer Valley Road. The real property will be accepted via a special warranty deed at no cost to the City, subject to the current owner cleaning the land and paying all outstanding taxes, assessments, and liens, if any.

The property impacted by this project is identified by Maricopa County Assessor's parcel number 206-03-110 located at 3110 W. Deer Valley Road.

Location
3110 W. Deer Valley Road
Council District: 1

This item was withdrawn.

39 Acceptance and Dedication of an Easement for Public Utility and Sidewalk Purposes (Ordinance S-48027)

Request for the City Council to accept and dedicate an easement for public utility and sidewalk purposes; further ordering the ordinance recorded.

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

Easement (a)
Applicant: West Peoria Properties, LLC, its successor and assigns
Purpose: Public Utility
Location: 1315 W. Peoria Ave.
File: FN 210077
Council
District: 3

Easement (b)
Applicant: G&J Capital, LLLP, its successor and assigns

Purpose: Public Utility
Location: 1339 W. Peoria Ave.
File: FN 210077
Council
District: 3

Easement (c)
Applicant: KK Lange Holdings, LLC, its successor and assigns
Purpose: Sidewalk
Location: 3743 E. Indian School Road
File: FN 210072
Council
District: 6

Easement (d)
Applicant: Phoenix Pipelines, Inc., its successor and assigns
Purpose: Public Utility
Location: Southeast Corner of 38th Street and Winslow Avenue
File: FN 210080
Council
District: 8

Easement (e)
Applicant: Phoenix Pipelines, Inc., its successor and assigns
Purpose: Sidewalk
Location: Southeast Corner of 38th Street and Winslow Avenue
File: FN 210080
Council
District: 8

This item was adopted.

40 Acceptance of Easements for Vehicular Non Access and Drainage Purposes (Ordinance S-48029)

Request for the City Council to accept easements for vehicular non access and drainage purposes; further ordering the ordinance recorded.

Summary
Accepting the property interests below meets the Planning and Development Department's Single Instrument Dedication Process

requirement prior to releasing any permits to applicants.

Easement (a)
Applicant: North Res Holdings, LP, its successor and assigns
Purpose: Vehicular Non Access
Location: 20350 N. 7th Ave.
File: FN 210079
Council District: 1

Easement (b)
Applicant: HHI Clark, LLC, its successor and assigns
Purpose: Drainage
Location: 1220 S. 83rd Ave.
File: FN 210068
Council District: 7

This item was adopted.

41 Easement Exchange between the City of Phoenix and USA Department of Interior for Relocation of Irrigation Facilities within Right-of-Way at 107th Avenue and Camelback Road (Ordinance S-48033)

Request to authorize the City Manager, or his designee, to execute the necessary documents to accept a quitclaim deed for an easement exchange between the City of Phoenix (City) and the United States of America (USA) through its Department of the Interior, Bureau of Reclamation for the purpose of relocating irrigation facilities. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary
An easement exchange is required to relocate irrigation facilities from an open distribution ditch to an underground pipeline for the development of the Camelback Ranch subdivision. The irrigation facilities are currently located within the City's right-of-way along 107th Avenue and Camelback Road and will be relocated to the west, partially within right-of-way and partially within private property.

The City will convey approximately 1,045 square feet, Vista Diamante Homeowners Association will convey approximately 1,045 square feet,

and Mattamy Arizona, LLC will convey approximately 23,958 square feet to the USA to accommodate the relocated irrigation facilities. In exchange, USA will quit claim to the City a portion of the existing easement within the right-of-way containing approximately 67,239 square feet.

Location
107th Avenue and Camelback Road.
Council District: 5

This item was adopted.

42 Software Services Agreement with Nextpoint (Ordinance S-48070)

Request to authorize the City Manager, or his designee, to enter into a contract with Nextpoint LLC for e-discovery software to assist the City in responding to the request for documents from the Department of Justice (DOJ), in an amount not to exceed $61,950. Also requesting a waiver of Phoenix City Code section 42-18. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
Nextpoint offers a cloud based e-discovery software tool. Many law firms and government organizations use e-discovery software to organize, sort, redact, bates label and categorize document production for litigation. The City has relied upon outside counsel and vendors for this function. The DOJ investigation will require large volume document sorting and native file categorizing. The City currently does not have the capacity to process and redact this type of large volume document production without reverting all files into Adobe Acrobat which is time consuming and not conducive to quick redaction, indexing or sorting.

This is off the shelf software and Nextpoint is asking for limitation of liability and exceptions to the City's indemnification clauses, which requires a waiver of the City Code, section 42-18. The risk is low since the City controls the data and this software is not specific to the City.

This software will save City staff hours in production time and will also assist the City to organize, index, redact and search the documents. The Law Department has worked with the Information Technology Services Department on a Business Investment Request (#4399), which has been

approved.

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

Procurement Information
In accordance with Administrative Regulation 3.10, seven quotes were obtained and Nextpoint was the best value. The cost of the software is based on up to 8 licensed users with 5 hours of support per month, for 24 months and one time $750 charge for training and implementation.

Contract Term
The contract term is 18 months with an option for a six month extension, starting on Oct. 28, 2021. If the project terminates prior to that time, then the contract will not incur charges.

Financial Impact
The contract value will not exceed $61,950 and funds are available in the Law Department's budget.

This item was adopted.

43 Apply for Local Judicial Collection Enhancement Fund Grant Funding to Fund Order of Protection Office Design Modification (Ordinance S-48066)

Request to authorize the Phoenix Municipal Court to apply for grant funding from the Arizona Supreme Court-administered Judicial Collection Enhancement Fund (JCEF) to fund the design modification of the Orders of Protection Office. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The grant funding would not exceed $75,000.

Summary
The Phoenix Municipal Court is seeking grant funding to cover costs associated with modifying the Order of Protection Office remodel plans. The Court would like to move the Protective Order Office to the second floor of the Court building in order to use the two adjacent courtrooms for ex-parte and contested hearings. This new location and re-design will also allow staff to better assist the judiciary and customers with timelier processing of protective order cases, in addition to providing greater

control and monitoring of the flow of parties in and out of the courtrooms. There will be additional benefits to moving this office to the second floor, including it being easier to locate for customers and improved response times time by interpreters, victim advocates, court security, and law enforcement. Customers routinely spend over two hours in the Court completing the steps required to obtain a protective order and staff believes expanding and moving the Order of Protection Office will help facilitate this process for our customers.

Financial Impact

Funds will be made available in the Phoenix Municipal Court local JCEF account. The Phoenix Municipal Court must submit a funding plan and application to the Arizona Supreme Court Administrative Office of the Courts to secure approval for use of JCEF funds pursuant to Arizona Revised Statutes section 12-113. No General Fund dollars will be used.

This item was adopted.

45 Senior Programs Entertainers and/or Instructors Qualified Vendor List (Ordinance S-48025)

Request to authorize the City Manager, or his designee, to award, enter into agreements and approve adding responsive offerors to the existing Qualified Vendor List (QVL) for Senior Programs Entertainers and/or Instructors. Further, request to authorize the City Controller to disburse funds in an amount not to exceed $750,000 for the life of the QVL.

Summary

Through 15 Senior Centers, the Human Services Department (HSD) provides classes and activities for senior Phoenix residents. This program uses contracted entertainers, instructors, and presenters to deliver various activities including, but not limited to, dance, physical and mental fitness, music, arts and crafts, theater, structured social interactions, computer and internet instruction, Memory Cafes, and language classes. All programming is designed to improve the cognitive and physical capacities of Phoenix senior residents and improve their overall quality of life.

Procurement Information

A Request for Qualifications, RFQu-21-CSSD-46, was conducted in accordance with City of Phoenix Administrative Regulation 3.10. HSD

received a total of 19 offers on July 15, 2021. All offers were determined to be responsive and responsible to the solicitation requirements.

The Procurement Officer evaluated all offers for pass/fail criterion on the following minimum qualifications: two years of verifiable instruction experience and certification for all services being submitted.

The following offerors met all solicitation criteria and are recommended to be added to the existing QVL:

Anuradha Goyal
Artsy Smartsy
AVID Consulting, LLC
Blakely White dba Blakely's Ceramics
Calieb Crump
Charol Balkenbush
Chen S. Realty, LLC
Darren The Guitar Guy
Dave Swaim Entertainment
Don Bae
Hema Thanki
Jay Farris
Julieann Hathaway
Norma-Jean Strickland
Phoenix Song, Inc. dba Phoenix Tech Gurus
Playback Arizona
SoSco Flute & Guitar Duo
Televeda Systems, LLC
The Center for Professional Development, Inc.

Contract Term
The existing QVL is in effect from July 1, 2020, through June 30, 2025, with no options to extend. The resulting contracts from RFQu-21-CSSD-46 will be in effect on or about Oct. 20, 2021, through June 30, 2025.

Financial Impact
The total cost of the contracts will not exceed $750,000 over the life of

the QVL. Funding is available in HSD's General Fund operating budget.

Concurrence/Previous Council Action
Ordinance S-46413 was adopted on March 4, 2020, awarding the initial QVL.

This item was adopted.

46 Head Start Birth to Five Program Professional Development Training Qualified Vendors List - RFQu-21-EDU-47 (Ordinance S-48041)

Request to authorize the City Manager, or his designee, to approve adding responsive offerors to the existing Qualified Vendors List (QVL) and enter into agreements with eligible contractors to provide professional development training services for the Head Start Birth to Five Program. Further request to authorize the City Controller to disburse all funds related to this item for the life of the agreement.

Summary
The Human Services Department is seeking to add additional vendors to the current QVL for Head Start Birth to Five parent and staff education services.

Head Start programs prepare America’s most vulnerable young children to succeed in school and life. The Head Start Birth to Five Program provides comprehensive services that focus on early learning, health, and family well-being to 3,451 children and their families. Training, workshops, and professional development opportunities are provided regularly to ensure parents and staff are well prepared to support children's learning and development.

The Head Start program provides speakers and trainers to share leading-edge ideas, inspire enlightening discussions, and engage parents and staff through adult learning styles, including multiple modalities and varying learning formats. The QVL is meant to identify highly qualified professionals with content area expertise to provide information or skill development that may lead to behavioral changes in the families, community partners, and/or staff members.

Procurement Information

On Jan. 11, 2018, the Human Services Department issued Request for Qualifications, RFQu-17-EDU-9 for Professional Development Services for the Head Start Birth to Five Program Training and Conferences. Fourteen offerors were determined to be responsive and placed on the QVL.

On Aug. 31, 2018, RFQu-18-EDU-24 for Head Start Birth to Five Program Professional Development Training was issued to solicit additional qualified trainers to expand the offerings for professional development. Nine offerors were determined to be responsive and placed on the QVL.

On July 2, 2021, RFQu-21-EDU-47 for Head Start Birth to Five Program Professional Development Training was issued to solicit additional qualified trainers to expand the offerings for professional development. The solicitation was conducted in accordance with City of Phoenix Administrative Regulation 3.10 to establish a QVL. Seven offers were received on Aug. 13, 2021. Six of the offers were determined to be responsive and responsible to the solicitation requirements.

The Procurement Officer evaluated all offers for pass/fail criterion on the following minimum qualifications:

Five years of experience;
Professional license, certificate, credential, degree in area of expertise, or publication verification;
Provided documentation of a minimum of one professional development event or five hours of technical assistance each year for the last three years;
Reference checks with positive results;
Provided a description of the training sessions and topics including measurable outcomes, process improvements, unique information, tools/takeaways, and attendee involvement;
No active exclusions found on the System for Award Management; and
In good standing with the Arizona Corporation Commission.

The following offerors met all solicitation criteria and are recommended to be included on the QVL:

Dr. Maria Church International
Imagination Yoga, Inc.
KinderLab Robotics, Inc.
Teaching Strategies, LLC
The Discovery Source
WestEd

Contract Term
The term of the QVL will be in effect through April 4, 2023, with no options to extend.

Financial Impact
Contracts will be executed on an as-needed basis and the aggregate value of all contracts will not exceed $500,000 over the life of the QVL. Funding is available from the U.S. Department of Health and Human Services, Administration of Children, Youth and Families. No additional general funds are required. The approval of this request will not change the financial impact of Ordinance S-44441. The new vendors will be paid with the funds authorized in Ordinance S-44441.

Concurrence/Previous Council Action
Ordinance S-44441 was adopted on April 4, 2018, to award the initial QVL.

Ordinance S-45151 was adopted on Nov. 14, 2018, adding nine responsive offerors to the established QVL.

This item was adopted.

48 Amendment to U.S. Department of Housing and Urban Development Neighborhood Stabilization Programs 1, 2 and 3 Action Plans

This report requests City Council approval of Amendments to the U.S. Department of Housing and Urban Development (HUD) Neighborhood Stabilization Program 1 (NSP1), Neighborhood Stabilization Program 2 (NSP2), and Neighborhood Stabilization Program 3 (NSP3) grants to facilitate necessary adjustments to program fund allocations, and to amend the HUD Action Plans to reflect the proposed changes.

Summary

The purpose of the Neighborhood Stabilization Program (NSP) grants is to address abandoned foreclosed properties through acquisition, rehabilitation, demolition and redevelopment activities. The proposed amendment will enhance continuity and consistency in the NSP program and facilitate program implementation and reporting. The City of Phoenix has prepared this Amendment to adjust our NSP1, NSP2 and NSP3 program allocations between eligible uses based on program progress and program income received to date, in addition to amending our HUD Action Plans to reflect the proposed changes.

The following summarizes the amendments (**Attachment A**) to each grant.

NSP1

This Amendment will adjust NSP1 program allocation of funds between eligible uses based on program progress and program income received to date. A future, new multi-family housing activity that will serve households at or below 50 percent Area Median Income (AMI) will be created in order to program funding to this activity. This will assist the City comply with a grant requirement to utilize at least 25 percent of grant funds to projects housing individuals or families at or below 50 percent AMI (LH25 requirement). Additionally, program income funds will be programmed to support existing activities of South Phoenix Village redevelopment project and lot maintenance of NSP properties. Funds have been increased in the following areas: Single-Family Strategies - Landbank and Redevelopment; and Multi-Family Strategies - Acquisition/ Rehabilitation.

NSP2

This Amendment will adjust NSP2 program allocation of funds between eligible uses based on program progress and program income received to date. A future, new multi-family housing activity that will serve households at or below 50 percent AMI will be created in order to program funding to this activity. This will assist the City comply with the NSP2 LH25 requirement. Additionally, program income funds will be allocated to the South Phoenix Village redevelopment project and

Program Administration to support existing activities. Funds have been increased in the following areas: Single-Family Strategies - Redevelopment; Multi-Family Strategies - Acquisition/ Rehabilitation; and Program Administration.

NSP3

This Amendment will create a new future single-family residential redevelopment project and adjust NSP3 program allocation of funds between eligible uses based on program progress and program income received to date. Program income will be programmed to facilitate the planning and budget for future redevelopment infill activities in NSP3 eligible areas. Funds have been increased in the following areas: Single-Family Strategies - Acquisition/ Rehabilitation; and Program Administration.

Procurement Information

Services may be procured, as needed, by utilizing procurement practices in accordance with Administrative Regulation 3.10 to implement and administer HUD funded programs.

Financial Impact

These activities are funded by HUD through the Neighborhood Stabilization Program. There is no impact to the General Fund.

Concurrence/Previous Council Action

The Community and Cultural Investment Subcommittee recommended this item for approval at the Oct. 6, 2021, meeting by a 3-0 vote.

Public Outreach

The proposed Amendment was posted for a 15-day public comment period per HUD's NSP grant requirements.

This item was approved.

49 2022-23 Housing and Urban Development Consolidated Plan Annual Action Plan Process

This report requests City Council approval of the 2022-23 Consolidated Plan Annual Action Plan process.

Summary

The 2022-23 Annual Action Plan examines housing and community development needs in the City of Phoenix and defines strategies for addressing those needs throughout the year. The Annual Action Plan contains the planning and application requirements for four major U.S. Department of Housing and Urban Development (HUD) programs that provide critical funds to entitlement cities such as Phoenix every year. The four fund sources are: Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). Through adoption of the 2020-24 Consolidated Plan in May 2020, City Council approved the general priorities and plans for these programs. Each year the Annual Action Plan details how federal funds will be spent during the coming year.

The Annual Action Plan process will begin in November 2021. The initial public communication and participation process will include the distribution of a community survey, social media posts and outreach, and a HUD-required public virtual hearing, all to assess community needs throughout Phoenix. Residents and neighborhood leaders will be invited to provide testimony regarding housing, homelessness, social services, and community development issues and concerns. Residents who are unable to attend the virtual public hearing will have the opportunity to submit their comments via e-mail or voice mail. This information, along with a needs assessment, will form the foundation of the draft 2022-23 Annual Action Plan. The draft plan will be available for an advertised 30-day public comment period and another public hearing will be held in spring 2022 before it is reviewed and approved by City Council. The goal of the Annual Action Plan process, per HUD requirements, is to ensure comprehensive community planning and coordinated service delivery are utilized to meet critical housing and community development needs. City Council will be asked to review and approve the draft 2022-23 Annual Action Plan in early May 2022 before it is due to HUD by May 15, 2022.

Concurrence/Previous Council Action

The Community and Cultural Investment Subcommittee recommended approval of this item on Oct. 6, 2021, by a 3 to 0 vote.

Public Outreach

The City of Phoenix's Annual Action Plan process will include holding a HUD required virtual public hearing with a two-week advance public hearing notice posted for the public.

This item was approved.

50 2022-23 Community Development Block Grant Public Service and Public Facility Request for Proposals

Request City Council approval of the Community Development Block Grant Request for Proposals process and proposed priorities for the Public Service and Public Facility program.

Summary

The Community Development Block Grant (CDBG) Request for Proposal (RFP) process for the Public Service and Public Facility (PS/PF) program provides an opportunity for nonprofits to apply for funding to implement facility improvements and deliver critical programs and services that serve low- and moderate-income communities in Phoenix. The PS/PF program is an important element of the Consolidated Plan and Annual Action (AA) Plan required by the U.S. Department of Housing and Urban Development (HUD). For Fiscal Year (FY) 2022-23, Neighborhood Services Department (NSD) staff estimates approximately $380,000 in available funds for a Public Service RFP and $480,000 in available funds for a Public Facility RFP. Exact funding availability will not be known until HUD provides notice to entitlement agencies of their FY 2022-23 funding allocations, which is anticipated to occur in Spring 2022.

The Annual Action (AA) Plan process will begin in November 2021. The initial public communication and participation process will include the distribution of a community survey, social media posts and outreach, and a HUD-required public virtual hearing, all to assess community needs throughout Phoenix. Residents and neighborhood leaders will be invited to provide testimony regarding housing, homelessness, social services and community development issues and concerns. Residents who are unable to attend the virtual public hearing will have the opportunity to submit their comments via e-mail or voice mail. This information, along with a needs assessment, will form the foundation of the FY 2022-23 AA Plan.

Staff proposes PS/PF program priorities based on feedback received

and the AA Plan. PS priorities for the FY 2022-23 RFP are based on community comments historically received by neighborhood leaders during outreach and engagement activities including community budget hearings, input from local nonprofits who serve low- and moderate-income Phoenix residents, and guidance from the Community Development (CD) Review Committee, a Mayor-appointed advisory board that provides recommendations regarding methods to address the needs of Phoenix neighborhoods and residents. The PF program is proposed to encompass a broad range of acquisition or facility improvement work for nonprofits to submit applications for. Each year, more than 100 applications for more than $3 million in funding requests are submitted, which demonstrates the need for assistance far exceeds the availability of funding.

Procurement Information

The proposed priorities for the FY 2022-23 RFPs are as follows:

Public Service Priorities

Low-Income Youth Services
Support Services to Persons with Disabilities
Senior Support Services

Staff estimates approximately $380,000 will be available for Public Service.

Public Facility Priorities

Acquisition, construction, rehabilitation, and Americans with Disabilities Act (ADA) modifications to public facilities, such as senior and youth centers, neighborhood facilities, and childcare buildings.

Staff estimates approximately $480,000 will be available for Public Facility.

Tentative Schedule for FY 2022-23 PS/PF RFPs

RFPs Available - Nov. 22, 2021
Proposals Due - Dec. 21, 2021

City Council will be asked to review and approve the CDBG RFP

allocations in early May 2022.

Concurrence/Previous Council Action
This item was recommended for approval at the Community and Cultural Investment Subcommittee meeting on Oct. 6, 2021, by a 3-0 vote.

This item was approved.

51 Rental Rehabilitation Program Project Awards (Ordinance S-48064)

Request to authorize the City Manager, or his designee, to enter into necessary agreements with the property owner, Mark Mazzucco, and other agreements as necessary, for the completion of construction activities at 2912 E. Roeser Road, under the Rental Rehabilitation Program. Further request to authorize the City Controller to disburse funds up to $120,000.

Summary
On March 17, 2021, City Council approved expanding the Rental Rehabilitation Program to facilitate the preservation of existing single- and multi-family rental properties. The program focuses on addressing structural, safety, and health related standards to ensure the property is habitable and maintains its affordability. In this manner, the Rental Rehabilitation Program supports the Housing Phoenix Plan's vision of utilizing innovative and solution-oriented policies to address housing challenges citywide.

Eligible properties include single- and multi-family rental properties of up to 24 units, occupied by, or set aside for low- and moderate-income tenants. Financial assistance of up to $40,000 per unit, with a maximum project award of $400,000, is available to property owners to complete renovation projects on their deteriorating property.

On a monthly basis, staff analyze applications for eligibility before the review panel's evaluation; the panel is comprised of City staff and external affordable housing/rental property management industry experts. On Sept. 16, the panel recommended award of up to $120,000 to improve a tri-plex located at 2912 E. Roeser Road.

Location
Council District: 8

2912 E. Roeser Road.

Financial Impact

This program is funded by the Community Development Block Grant; there is no impact to the General Fund.

Concurrence/Previous Council Action

The Community and Cultural Investment Subcommittee recommended approval of this item on Oct. 6, 2021, by a 3 to 0 vote.

This item was adopted.

52 Artist Design Contract for Eastlake Park Community Streetscape Arts Project (Ordinance S-48068)

Request to authorize the City Manager, or his designee, to enter into an agreement with artist Joshua Wiener to work with the Eastlake Park community and City departments to design up to two streetscape gateway art pieces celebrating the unique cultural heritage and identity of the Eastlake Park community as a thriving downtown Phoenix neighborhood. The agreement value will not exceed $19,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Housing Department was awarded a $30 million Choice Neighborhoods (CN) Implementation Grant from the U.S. Department of Housing and Urban Development (HUD) in July 2018. The grant, Community Development Block Grant Funds (CDBG), and additional City and private funding will assist with the revitalization of public housing, the surrounding neighborhood, and parks in the Edison-Eastlake Community (EEC). As part of this revitalization, the City issued a call for artists to design streetscape gateway art pieces to celebrate the cultural heritage of the Eastlake Park community. The sites, which would be highly visible street locations near Eastlake Park, at 16th Street and Washington Street, will be determined during the design process.

On Sept. 17, 2021, a four-person artist selection panel recommended Joshua Wiener (CO) after interviewing him and four other finalists from a pool of 47 artists who had responded to a City-issued Request for Qualifications. The panel based its decision on Mr. Wiener's ability to

work well with the community and City Departments, his expertise in creating exemplary works of public art with highly durable materials, and his potential to create designs that will suit the needs of the community and the potential sites.

The selection panel included Virgil Berry, president of the Eastlake Park Neighborhood Association; Donna Isaac, public art consultant; Rachel Johnson, former member of the Phoenix Arts and Culture Commission; and Spencer Self, Neighborhood Services Department Director.

Financial Impact

The proposed $19,000 design contract will cover all costs related to the artist working with City staff and the community to develop the design and construction documents for the streetscape gateway art pieces. Funds for project construction would be requested once the design phase is completed successfully. The funds for this project come from the Neighborhood Services Department Community Development Block Grants.

Location

Up to two street locations near Eastlake Park, at 16th Street and Washington Street.
Council District: 8

This item was adopted.

53 Septic Tank Pumping Services - Requirements Contract - IFB 22-009 (Ordinance S-48032)

Request to authorize the City Manager, or his designee, to enter into a contract with AAA AJAX Pumping Service, Inc. to purchase Septic Tank Pumping Services for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $200,000.

Summary

The City owns and operates several facilities that require the pumping of liquid and solid materials from septic tanks and vault toilets. The septic/vault systems still in use are generally older facilities with aging infrastructure or facilities without access to the public sewer and water system. This contract will provide the needed pumping service, including

clean-up of work areas at the conclusion of pumping services and all labor, equipment, materials and supplies, at various City locations.

Procurement Information
IFB 22-009 was conducted in accordance with Administrative Regulation 3.10. Three offers were received by the Procurement Division on Aug. 6, 2021, which were evaluated on price, responsiveness to specifications and responsibility to provide the required goods and services. The bid notification was sent to 223 suppliers and was publicly posted and available for download from the City's website.

The Assistant Finance Director recommends that the offer from AAA AJAX Pumping Service, Inc. be accepted as the lowest priced, responsive and responsible offer.

Contract Term
The five-year contract term will begin on or about Dec. 1, 2021.

Financial Impact
The aggregate contract value will not exceed $200,000. Funds are available in the Parks and Recreation Department’s budget.

This item was adopted.

56 Online Mobile Geo-Location Intelligence Services Contract with Placer Labs, Inc. (Ordinance S-48020)

Request to authorize the City Manager, or his designee, to enter into a contract with Placer Labs, Inc. (Placer.ai) for online mobile geo-location intelligence services to provide economic impact data. Further request to authorize the City Controller to disburse all funds related to this item. The agreement value will not exceed $175,000, plus applicable taxes, over five years. Funding is available in the Downtown Community Reinvestment Fund (DCRF).

Summary
Placer.ai technology utilizes location-based analytics to determine real time foot traffic throughout a city, region and nationally. Obtaining this service will allow Community and Economic Development Department (CEDD) to capture and better understand in depth information related to economic impact, community/tourist visitation trends, commercial

visitation trends and retail leakage. If approved, this contract will allow staff to:

Monitor and determine the economic impact of major events in Phoenix, such as the 2021 Phoenix Suns playoff games and Super Bowl LVII in 2023.
Identify retail leakage to attract and develop a more robust retail portfolio for under served markets in Phoenix.
Monitor and analyze shopping center performance and foot traffic patterns to determine the health of micro and macro retail environments to expand and revitalize Phoenix's existing retail destinations.
Create specialized marketing strategies to attract regional retail stores and centers and support Phoenix's unique retail corridors and locally owned businesses.
Use Placer.ai as a tool to determine visitation patterns and quantify the economic impact of tourism dollars within the City.
Identify missed opportunities through the discovery of points of interest within the City of Phoenix.
Use Placer.ai as a tool to aid in the continuation of strategic efforts as they relate to the revitalization of struggling shopping centers and retail spaces.
Assist in the search of creative retail solutions to fill vacant space.
Gather information to determine and alleviate the impacts of the COVID-19 pandemic on commercial spaces.
Understand the impacts online shopping on brick and mortar space.

The service includes historical data from 2017 through three days before the current date for any venue/intersection/point of interest in the U.S. Placer.ai is currently the most accurate in the marketplace with a 5-8 percent margin of error with aggregate data for 30 million mobile devices. The service includes 24/7 online access to CEDD staff. This item has been reviewed and approved by the Information Technology Services Department.

The vendor's service agreement requires an exception to Phoenix City Code Section 42-18 to limit the vendor's indemnification of, and liability to, the City at the value of the agreement.

Procurement Information
In compliance with Administrative Regulation 3.10, an exception to the procurement process was approved to select this vendor. A direct selection was made because there is only one known capable supplier due to the proprietary technology used to provide these services.

Contract Term
If approved the contract term will begin or about Nov. 1, 2021, for a one-year term with four one-year renewal options.

Financial Impact
The service is $35,000 per year, not to exceed a total of $175,000, plus applicable taxes. DCRF funds are available and will be programmed for this commitment. The General Fund will not be impacted by this action.

This item was adopted.

57 Issuance of Hotel Revenue Bonds (Provident Group - Falcon Properties LLC Project), Series 2021 (Resolution 21972)

Request City Council approval for the issuance of Hotel Revenue Bonds (Provident Group - Falcon Properties LLC Project), Series 2021, to be issued in one or more tax-exempt and/or taxable series multiple tiered series, in an aggregate principal amount not to exceed $250,000,000.

Summary
Request City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Arizona. (the "Phoenix IDA") has previously resolved to issue up to $250,000,000 of Hotel Revenue Bonds (the "Revenue Bonds") for use by Provident Group - Falcon Properties LLC (the "Borrower"), a Colorado limited liability company to:

a) finance, and/or refinance, as applicable, a portion of the acquisition, construction, improvement, and equipping of an approximately 375-room hotel and related facilities in Colorado Springs, Colorado, and
b) pay certain costs related to the issuance of the Revenue Bonds.

Concurrence/Previous Council Action
The Phoenix IDA Board previously resolved to issue the Revenue Bonds

at its meeting held on Oct. 7, 2021.

Location
The Project is located at or near 8989 N. Gate Blvd. in Colorado Springs, Colorado.

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

This item was adopted.

58 Escalator Cleaning Services (Ordinance S-48026)

Request to authorize the City Manager, or his designee, to enter into contract with West Coast Escalator Cleaning Inc. to provide escalator cleaning service at the Phoenix Convention Center Department (PCCD). The agreement is for five years and the aggregate value of the contract will not exceed $377,500. Request further authorization for the Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
The PCCD is seeking to enter into a contract with West Coast Escalator Cleaning Inc. to provide all equipment, labor, and supplies required to deep clean the escalators located at the Phoenix Convention Center's West and North Buildings on an as needed basis. There are a total of 28 escalators in the Convention Center facilities including 10 escalators in the West Building and 18 escalators in the North Building.

Procurement Information
The recommendation is in accordance with City of Phoenix Administrative Regulation 3.10, following the Invitation for Bid (IFB) procurement process. There were two bids received by the PCCD Financial and Procurement Services section on July 30, 2021. The offers were evaluated on price, responsiveness to specifications, and responsibility to provide the required service. The price was determined to be fair and reasonable. The solicitation notification was publicly posted and available for download from the City's website.

The responsive bidders were as follows:

West Coast Escalator Cleaning Inc.: Bid $65,489.40 Annually
ECC Escalator Cleaning Co. LLC: Bid $65,580.00 Annually

Contract Term
The contract term is for five years.

Financial Impact
The aggregate value will not exceed $377,500 over the life of the five-year contract. Funds are available in the Phoenix Convention Center's operating budget.

Location
Phoenix Convention Center, 100 N. 3rd St.
Council Districts: 7, 8

This item was adopted.

59 Motorized Rigging Maintenance, Service and Repair (Ordinance S-48043)

Request to authorize the City Manager, or his designee, to enter into contract with Orbit Industrial Service & Maintenance LLC. to provide motorized rigging maintenance, service and repair at Orpheum Theatre and Symphony Hall for the Phoenix Convention Center Department (PCCD). The agreement is for five years and the aggregate value of the contract will not exceed $226,000; $103,200 for annual maintenance and gear motor oil changes and $122,800 for parts and labor for as-needed repairs. Request further authorization for the treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
The PCCD is seeking to enter into a contract with Orbit Industrial Service & Maintenance LLC. to provide motorized rigging maintenance, service and repair at the Orpheum Theatre and Symphony Hall theatrical venues. The service includes annual maintenance and biannual gear motor oil changes at both locations and parts and labor on an as needed basis. The services will ensure the motorized systems are operationally reliable, efficient, and safe.

Procurement Information
The recommendation is in accordance with the City of Phoenix Administrative regulation 3.10, following the Invitation for Bid (IFB) procurement process. There was one bid received by the PCCD Financial and Procurement Services section on Aug. 20, 2021. The offer was evaluated on price, responsiveness to specifications, and responsibility to provide the required service. The price was determined to be fair and reasonable. The solicitation notification was publicly posted and available for download from the City's website.

Orbit Industrial Service & Maintenance LLC. #1: $20,640 annually.

Contract Term
The contract term is for five years.

Financial Impact
The aggregate value will not exceed $226,000 over the life of the five year contract. Funds are available in the PCCD operating budget.

Location
Orpheum Theatre, 203 W. Adams St.
Symphony Hall, 75 N. 2nd St.
Council Districts: 7, 8

This item was adopted.

60 AARP Experience Corps Phoenix Tutoring Program Intergovernmental Agreements (Ordinance S-48071)

Request authorization for the City Manager, or his designee, to enter into intergovernmental agreements with various Phoenix school districts to implement the AARP Experience Corps Phoenix Tutoring Program. The intergovernmental agreements are being updated to reflect hybrid learning opportunities and continue accessing Phoenix school districts virtual platforms.

Summary
According to the 2021 AzMERIT testing data, there are no school districts in Phoenix that have more than 70 percent of the student population passing the reading portion of the test. Only 35 percent of Arizona’s third graders scored “proficient” or “highly proficient” on the

AzMerit 3rd grade English Language Arts assessment, and Phoenix school districts fall under the statewide average at 25 percent. There are approximately 13,000 Phoenix third graders who are not reading at grade level. The Pandemic has caused a “COVID-19 Slide” learning loss, further widening the gap in literacy and math.

AARP Experience Corps, a nationally recognized volunteer tutoring program, engages older adults to provide one-on-one tutoring interventions in Phoenix schools to improve K-3 student literacy. The program is an approved evidence-based intervention that improves student achievement under the Every Student Succeeds Act (ESSA). The program targets Title 1 Phoenix schools with high percentages of students who are not reading at grade level. School districts include Creighton, Phoenix Elementary, Fowler, Roosevelt, and Tolleson. Program staff are exploring additional school district partners to implement the program in January 2022.

The program is part of Read On Phoenix, an initiative to get local students reading at grade level by 3rd grade.

Contract Term

The term of the intergovernmental agreements will be one year with three additional one-year options to extend that may be exercised in the discretion of the City Manager or designee.

Financial Impact

There is no financial impact to the city.

This item was adopted as revised.

61 Aircraft Rescue and Fire Fighting Fleet Inspection Services - Requirements Contract - IFB 22-010 (Ordinance S-48037)

Request to authorize the City Manager, or his designee, to enter into a contract with Fleet-Line Truck and Fire Equipment Repair to purchase Aircraft Rescue and Fire Fighting (ARFF) Fleet Inspection Services for the Phoenix Fire Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $108,000.

Summary

The Phoenix Fire Department's Aviation District requires ARFF fleet inspection by a third-party to assist with maintaining their Airport Operating certification under title 14 of the Code of Federal Regulation (CFR) Part 139 through the Federal Aviation Administration (FAA). The maintenance and operations of the ARFF fleet are critical to the successful operations of the Phoenix Fire Department Aviation District. The FAA's annual inspection of certificated airports includes the maintenance records and verification of vehicle operations are in accordance with title 14 of the CFR Part 139.

The ARFF fleet of six vehicles is unique, costly, and very specialized. Performing an independent third-party inspection from a contractor that specializes on ARFF apparatus is very beneficial to ensure the FAA and the, Phoenix Fire Department Aviation District, that their ARFF fleet is being adequately maintained.

Procurement Information

IFB 22-010 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Procurement Division on Aug. 5, 2021 which were evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to 90 suppliers and was publicly posted and available for download from the City's website.

The Assistant Finance Director recommends that the offer from Fleet-Line Truck and Fire Equipment Repair be accepted as the lowest priced, responsive and responsible offer.

Contract Term

The five-year contract term will begin on or about Oct. 26, 2021.

Financial Impact

The aggregate contract value will not exceed $108,000. Funds are available in the Fire Department's budget.

This item was adopted.

62 Fire Station Furniture - Requirements Contract - RFP 21-062 (Ordinance S-48040)

Request to authorize the City Manager, or his designee, to enter into a contract with Ecologic Industries, LLC doing business as Ecologic Furniture, Goodmans, Inc. doing business as Goodmans Interior Structures, and David Woods, LLC doing business as Fire Station Outfitters to purchase Fire Station Furniture for the Phoenix Fire Department (PFD). Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $625,000.

Summary

These contracts will provide PFD with fire station furniture such as seating, bed frames, and mattresses, on an as-needed basis. The contracts will be used to replace existing and future temporary sleeping arrangements for move-up crews during high call volume periods. This seating has become the national standard in fire house seating and is found in every firehouse in the country. Additionally, single twin mattresses and bed frames are provided to ensure appropriate rest and sleeping conditions for any crew or personnel that will need to work within the confines of a fire station.

Procurement Information

RFP 21-062 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on Aug. 6, 2021. The notification was sent to 87 suppliers and was publicly posted and available for download from the City's website.

The proposals were scored by a three-member evaluation panel based on the following criteria:
Conformance with the Scope of Work: Product(s) Quality, Durability, Capability, and Logistics - 300 points
Warranties and Customer Service Offerings - 250 points
Company History, Experience, and Qualifications - 200 points
Cost (Section VI - Price Schedule) - 150 points
References - 100 points

The scores are as follows:
Ecologic Industries, LLC dba Ecologic Furniture - 850.00 points
Goodmans, Inc dba Goodmans Interior Structures - 654.30 points
David Woods, LLC dba Fire Station Outfitters - 626.90 points

The Assistant Finance Director recommends that the offers from Ecologic Industries, LLC doing business as Ecologic Furniture, Goodmans, Inc. doing business as Goodmans Interior Structures, and David Woods, LLC doing business as Fire Station Outfitters be accepted as the highest scored, responsive and responsible offers that are most advantageous to the City.

Contract Term

The five-year contract term will begin on or about Nov. 1, 2021.

Financial Impact

The aggregate contract value will not exceed $625,000. Funds are available in the Fire Department's budget.

This item was adopted.

63 Intergovernmental Agreement with Maricopa County Health Care District dba Valleywise Health for Paramedic Education (Ordinance S-48047)

Request authorization for the City Manager, or his designee, to enter into an education affiliation agreement with Maricopa County Health Care District dba Valleywise Health for Phoenix Fire Department Paramedic Education.

Summary

This intergovernmental agreement (IGA) will allow Phoenix Fire Department paramedic students to take part in clinical rotations at Valleywise Health facilities, and participate in patient care under the direct supervision of a designated Valleywise Health instructor. Paramedic students are required to complete 80 hours of clinical rotations to be compliant with the Commission on Accreditation of Allied Health Education Programs, as recommended by the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions, a national organization that accredits paramedic program curricula training and methodology. This accreditation is a requirement of the Arizona Department of Health Services (AZDHS), the entity that ultimately authorizes the Phoenix Fire Department paramedic program. The skills and experience gained from the paramedic education rotations will allow the Fire Department to continue to provide quality

patient care.

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

Financial Impact
This proposed agreement does not have a cost component.

This item was adopted.

64 Donation from Phoenix Police Reserve Foundation for Motorcycles (Ordinance S-48034)

Request to authorize the City Manager, or his designee, to accept a donation of two motorcycles from the Phoenix Police Reserve Foundation, collectively valued at approximately $58,000. These new motorcycles will be used exclusively by the department's motorcycle certified reserve officers. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary
The donated vehicles consist of two motorcycles outfitted with standard police equipment that will be used exclusively by the department's reserve officers in responding to calls for service, providing additional uniformed patrol, and in delivering other police services to the Phoenix community. In fiscal year 2020-21, Phoenix reserve police officers donated more than 39,000 hours of sworn police services, valued in excess of $3 million.

The Phoenix Police Reserve Foundation is a 501(c)(3) charitable organization that was founded in 2007. The purpose of the Foundation is to provide equipment to the Phoenix Police Department’s Reserve Division, which cannot be provided by the regular City budget.

Financial Impact
These motorcycles will each come with a new vehicle warranty. Costs to the City will include standard operating and maintenance expenses. Funds for these expenditures are available in the Police Department’s budget.

Concurrence/Previous Council Action

This item was recommended for approval by the Public Safety and Justice Subcommittee on Oct. 13, 2021, by a vote of 4-0.

This item was adopted.

65 Intergovernmental Agreement with Arizona State University for Services Associated with Police-Related Projects (Ordinance S-48039)

Request to authorize the City Manager, or his designee, to allow the Police Department to enter into a Master Intergovernmental Agreement (IGA) with the Arizona Board of Regents, Arizona State University (ASU), for services associated with a specific study to assess the calls for service the police department responds to, in an amount not to exceed $76,500. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Phoenix Police Department (PPD) would like to partner with ASU on a collaborative initiative to assess the calls for service the police department currently responds to. This will be done in a methodical approach using research, best practices in other jurisdictions, viable alternative responses, and will recommend improvements to the current responses that are effective, efficient and equitable. This assessment will help the PPD to better align police responses and to adapt to increasingly constrained staffing resources regarding the types of citizen requests that should be handled by the PPD and requests that could potentially be handled by other entities. City funding will cover costs associated with this project. ASU's research related recommendations and protocols can offer insight on how to improve police practices and procedures; enhance data collection and reporting; and ensure the law enforcement procedures assessed are aligned with best practices.

Contract Term

Upon Council approval, the term of the IGA will be for one year. Provisions of this agreement include an option to renew the IGA for an additional one-year period, which may be exercised by the City Manager or his designee.

Financial Impact

The cost to fund this agreement will not exceed $76,500. Funding is

available in the 2021-22 General Fund budget set-aside approved by City Council for Police Reform.

Concurrence/Previous Council Action
This item was recommended for approval by the Public Safety and Justice Subcommittee on Oct. 13, 2021, by a vote of 4-0.

This item was adopted.

66 Request to Sell Obsolete Total Containment Vessel and Trailer to Arizona Department of Public Safety (Ordinance S-48054)

Request to authorize the City Manager, or his designee, to sell an outdated Total Containment Vessel (TCV) and trailer to the Arizona Department of Public Safety (AZDPS) Bomb Squad for $1 in accordance with Administrative Regulation 5.13. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary
The Phoenix Police Department (PPD) Bomb Squad has an older TCV and trailer that was originally purchased to transport explosives and suspected improvised explosive devices (IEDs). Since the original purchase, the City has acquired newer versions of the TCV for the Bomb Squad. With the acquisition of these newer vessels, the original TCV and trailer have become obsolete.

In discussion with AZDPS, it has been identified that their Bomb Squad would like to purchase this equipment from the City for their use across the state of Arizona. Due to the age and design of this equipment, there is no significant trade value, and the manufacturer will not provide a direct credit to the PPD.

Financial Impact
The TCV and trailer will be purchased by AZDPS for $1. The City will not incur any costs associated with this purchase.

This item was adopted.

67 Request to Sell Outdated Robots to Arizona State University (Ordinance S-48055)

Request to authorize the City Manager, or his designee, to sell outdated robots to the Arizona State University (ASU) School of Computing,

Informatics and Decision Systems Engineering (CIDSE) for $1 in accordance with Administrative Regulation 5.13. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

The Phoenix Police Department (PPD) Bomb Squad has two older bomb robots that have been in storage and unused for many years due to the fact that the technology is outdated and their capabilities are below standard for use by the Bomb Squad.

In discussion with the CIDSE, it has been identified that ASU would like to purchase this equipment from the City for use by ASU students in furtherance of their education. The robot manufacturers have indicated that the robots hold little to no resale value and are not worth the cost of necessary repairs. Neither manufacturer will provide a credit to PPD for a future purchase.

Financial Impact

The two robots will be purchased by ASU for $1. The City will not incur any costs associated with this purchase.

This item was adopted.

68 Donation of Facility Canines from The Fetch Foundation (Ordinance S-48067)

Request to authorize the City Manager, or his designee, to accept donations of facility canines from, and enter into contracts with, The Fetch Foundation. Each canine is valued at $7,900 each, and will be used in the Phoenix Police Department to assist with employee wellness. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

The Fetch Foundation is a non-profit 501(c)(3) organization that works closely with animal rescue organizations and shelters to identify dogs that have the potential to be trained to become search and service dogs or therapy dogs. The Foundation's Homeless to Heroes program takes homeless shelter dogs and repurposes them to work in situations appropriate to their abilities. The Foundation has thoroughly assessed the canines for temperament and ability to provide therapy services to employees of Phoenix Police Department (PPD) or anyone who may

come into contact with the canine during the performance of these services.

In support of the Police Department's ongoing commitment to employee wellness, the department partnered with The Fetch Foundation to provide trained facility canines to be placed at various locations within the Police Department with handlers, who are Department employees. Canines with their assigned handler will receive 35 hours training both off-site and on-site. The facility canines are expected to help alleviate some of the pressures and emotional stresses this job can have on employees. The use of facility canines was also a wellness improvement recommendation identified by the City's 911/Civilian Response Work Group.

PPD previously received facility canines from the Foundation that were placed with handlers in the Communications Bureau, where they provide benefits to employees who are dealing with high stress and sometimes traumatic incidents. Due to the success of this program, PPD would like to expand and add additional canines in other areas of the Department.

Contract Term

Upon execution of each contract, the canine will become property of the City of Phoenix, and will be the sole responsibility of the City. For as long as the City desires, the Foundation will provide yearly well-checks for each canine, as well as ongoing maintenance at the discretion of the Foundation.

Financial Impact

The donation includes the cost of the canine and their training. Minimal annual maintenance costs will be required for food, veterinary visits and miscellaneous supplies not provided by the Foundation. Funds for these expenses are available in the Police Department's budget.

This item was adopted.

70 Aviation Building Doors, Accessories Supply and Services - Agreement Recommendation (Ordinance S-48023)

Request to authorize the City Manager, or his designee, to enter into a contract with DH Pace Company, Inc. to provide building doors, accessories and related installation services for the Aviation Department

on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate value of the contract will not exceed $500,000.

Summary

This agreement will supply building doors, accessories and services for Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, Phoenix Goodyear Airport and surrounding Aviation-owned properties.

Procurement Information

The Invitation for Bid (IFB) 22-002 was conducted in accordance with Administrative Regulation 3.10. One offer was received on Aug. 2, 2021 from DH Pace Company, Inc. The bid was evaluated based on the minimum qualifications, price, responsiveness and responsibility to provide the required goods and services. The bid from DH Pace Company, Inc. is deemed fair and reasonable based on the market and previous agreement pricing.

Contract Term

The contract will begin on or about Nov. 1, 2021 for a five-year aggregate term with no option to extend.

Financial Impact

The contract value will not exceed $500,000 for the five-year aggregate contract term.

Funding is available in the Aviation Department's budget.

Location

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

This item was adopted.

71 Approval of 2021 Title VI Program Update as Required by Federal Transit Administration

Request City Council approval of the 2021 update to the Title VI Program by the City of Phoenix Public Transit Department, as required by the

Federal Transit Administration. The Program's update will be effective Dec. 1, 2021 through Nov. 30, 2024.

Summary

As required by Title VI of the Civil Rights Act of 1964: “No person in the United States shall, on the grounds of race, color, and national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

Every three years, each recipient of federal funding must submit an updated Title VI Program that documents compliance with federal guidance. As the designated recipient of Federal Transit Administration (FTA) funding for the Phoenix-Metro region, the Public Transit Department (PTD) is required to submit these triennial updates for the Program on behalf of the region. FTA guidance requires that the Program's updates be approved by the City Council.

The current Title VI Program, which was approved by Council in November 2018, will expire on Nov. 30, 2021. The updated Program will be in effect from Dec. 1, 2021 through Nov. 30, 2024.

PTD has collaborated with Valley Metro and other regional partners on this 2021 update to the Title VI Program, which PTD will submit to FTA on the region's behalf. The updated Program's elements include:

A signed Title VI assurance and governing body approval of the overall Title VI Program;

A copy of the agency’s public notice with a list of where the notice is posted;

Instructions for how to file a complaint with a copy of the complaint form;

A list of any Title VI investigations, lawsuits or complaints and how they were addressed and resolved by PTD;

A Public Participation Plan and list of outreach activities conducted since the last submission;

A Language Assistance Plan for providing language assistance, as needed;

A table depicting the racial composition of transportation-related committees, board and advisory councils;

Title VI analyses conducted for applicable facilities;

System-wide standards and policies;
Demographic and service profile maps and charts;
A fare and service equity policy;
Origin and destination data to include customer travel patterns and demographic makeup;
A service monitoring program; and
Description of how primary recipient of FTA funding monitors subrecipients.

A draft of the plan is available online at:
https://www.phoenix.gov/publictransitsite/Documents/TITLE_VI_PROGRAM_UPDATE.pdf

A printed version can be requested by: phone at 602-262-7242; email at pubtrans@phoenix.gov; or mail at 302 N. 1st Ave., Suite 900, Phoenix, Ariz. 85003.

This item was approved.

74 Solid Waste Long Haul Services - Requirements Contract - RFP 23-SW-001 (Ordinance S-48016)

Request to authorize the City Manager, or his designee, to enter into an agreement with Mr. Bult's, Inc. to provide hauling services for solid waste, recyclables and green waste on an as-needed basis between transfer stations and from the transfer stations to the City's landfill located in Buckeye, Ariz. Further request to authorize the City Controller to disburse all funds related to this agreement over the life of the contract.

Summary

The contractor's obligation will be to haul solid waste from the 27th Avenue Transfer Station and North Gateway Transfer Station to the City's landfill located in Buckeye, Ariz. where it will be unloaded for proper disposal. This contract also supports the hauling of material between sites, to include recyclables and green organics.

Procurement Information

Request for Proposal (RFP) 23-SW-001 was conducted in accordance with Administrative Regulation 3.10. Five proposals were received for the entire RFP on June 16, 2021. Two proposals for Group 1, 27th Avenue Transfer Station and three proposals for Group 2, North Gateway

Transfer Station were received. The offers were evaluated by a panel that included representation from the Public Works and Finance departments as panel experts for bid evaluation. The offers were evaluated based on criteria set forth in the RFP with 1,000 maximum points possible.

Group 1 - 27th Avenue Transfer Station
Mr. Bult's, Inc.: 986 points
Stella Environmental Services, LLC.: 888 points

Group 2 - North Gateway Transfer Station
Mr. Bult's, Inc.: 957 points
Stella Environmental Services, LLC.: 845 points
Stewart Transport, Inc.: 699 points

The evaluation panel recommends the offers of Group 1 and Group 2 from Mr. Bult's, Inc. be accepted as the responsive and responsible offer with the highest point value.

Contract Term
The term of this contract is for five years and will commence on July 1, 2022. Provisions of the contract include an option to extend the term up to three years, which may be exercised by the City Manager or designee.

Financial Impact
The estimated annual expenditure for this contract is $17,368,889 with a total of $138,951,112 for the initial five-year period including three option years. The actual cost of the contract may be higher or lower depending on need and budgeted funds.

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

Location
North Gateway Transfer Station - 30205 N. Black Canyon Hwy.
27th Avenue Transfer Station - 3060 S. 27th Ave.
Council Districts: 2 and 7

This item was adopted.

75 Annual Renewable Identification Numbers Audit (Ordinance

S-48030)

Request to authorize the City Manager, or his designee, to enter into a contract with CliftonLarsonAllen, LLP to provide annual renewable identification numbers (RINs) auditing services. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of $25,500 over the life of the contract.

Summary

The Public Works Department is responsible for purchasing the majority of fuel for use in the City's fleet vehicles. This includes renewable fuels such as ethanol and bio-diesel that have a RINs assigned during production. These numbers are used by the U.S. Environmental Protection Agency (EPA) to track and enforce compliance with renewable fuel mandates. These numbers can be traded or sold to support infrastructure needs for operations. In accordance with the EPA and the Code of Federal Regulations, an annual audit must be conducted and submitted to the EPA to ensure the RINs were generated properly and are valid.

Procurement Information

Request for Quote (RFQ) 22-FSD-027 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department sent out a notice to 68 potential vendors, and received one bid from CliftonLarsonAllen, LLP. The bid was evaluated for responsiveness and responsibility and is being recommended for award with the below annual rate for the audit to be conducted:

CliftonLarsonAllen, LLP: $8,500

Contract Term

The contract will start on or about Jan. 1, 2022 for an initial one-year contract term, with two option years to be exercised in increments of up to one year, for a total contract term of three years.

Financial Impact

This item will have an estimated annual expenditure of $8,500, with a total aggregate amount of $25,500 over the life of the contract.

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

This item was adopted.

76 Owner Representative for Energy Performance Contracts with Job Order Contract Vendors - Amendment 2 (Ordinance S-48046)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 146596 with JBA Consulting Engineers Inc. dba NV5 Consultants, to provide additional funding and time for third-party consulting and service as Owner's Representative for Energy Performance Contracts with Job Order Contract vendors. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $144,000.

Summary

The City has contracts with five Energy Service Companies (ESCO) under the Job Order Contract (JOC) program to install energy efficiency measures on a large number of City facilities, totaling approximately 11.5 million square feet of space. Owner's Representative acts as a Project Facilitator, working with all ESCOs to achieve the City's energy reduction goals and provide oversight requirements as mandated by U.S. Department of Energy. Energy Performance Contracts include ESCO review, projecting development, project implementation and construction, and post-completion performance/first year and subsequent Measurement and Verification (M&V) reviews.

An extension is necessary in order to ensure City services and projects are not interrupted while working on a new contract.

Contract Term

This amendment will extend the end date of the contract term from Oct. 31, 2021 to Oct. 31, 2023.

Financial Impact

The initial authorization for Owner Representative for Energy Performance Contracts with JOC Vendors was for an expenditure not-to-exceed $180,000. The first amendment increased the authorization for the contract by $220,000. This amendment will increase the authorization for the contract by an additional $144,000, for a new

total not-to-exceed contract value of $544,000.

Funding is available in the Office of Sustainability's budget.

Concurrence/Previous Council Action

The City Council approved:

Owner Representative for Energy Performance Contracts with JOC Vendors Contract 146596 (Ordinance S-44026) on Nov. 1, 2017.

Owner Representative for Energy Performance Contracts with JOC Vendors Contract 146596 - Amendment (Ordinance S-45818) on June 19, 2019.

This item was adopted.

77 Facility Drawing Management System with eQuorum - Amendment 2 (Ordinance S-48050)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 144877 with eQuorum Corporation to provide additional funding to the agreement for the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures for services included in this amendment will not exceed $68,000.

Summary

Management of the City's properties and facilities citywide requires a systematic process to manage documentation for the maintenance, repairs, upgrade of projects, and new construction projects. Compliance with the regulatory requirements of properties is maintained by the Public Works Department. Public Works does not currently have a system in place to act as a central repository for the necessary documents. This system will enhance security, assist with regulatory compliance, allow efficiency, and provide a log/audit trail. This system will maintain the official record of facilities' condition assessments and supporting equipment maintained by the Public Works Department.

The Water Services Department is currently the owner of this agreement. Additional funding is needed to include the Public Works Department as an authorized user of this agreement.

Contract Term

The existing agreement term is May 1, 2017 through April 30, 2022 and will remain unchanged.

Financial Impact

The initial authorization for the Facility Drawing Management System was for an expenditure not-to-exceed $100,000. The first amendment increased the authorization for the agreement by $21,000. This amendment will increase the authorization for the agreement by an additional $68,000, for a new total not-to-exceed agreement value of $189,000.

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

Concurrence/Previous Council Action

The City Council approved:

Facility Drawing Management System with eQuorum Agreement 144877 (Ordinance S-43453) on April 19, 2017; and

Facility Drawing Management System with eQuorum Agreement 144877 - Amendment (S-47079) on Nov. 18, 2020.

This item was adopted.

78 Towing Services - Slurry Seal and FAST Programs - Requirements Contract - Amendment - IFB 18-253 (Ordinance S-48061)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 148343 with Priority Towing, LLC., to provide additional funding to the contract for the purchase of towing services for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $50,000.

Summary

This contract allows the Street Transportation Department to work with the Phoenix Police Department to pick up and drop off vehicles that are in the right of way during scheduled street maintenance and repairs.

On Oct. 3, 2018, the City Council directed the Street Transportation Department to accelerate pavement maintenance on arterial and major collector streets. The additional capacity for this contract is vital for the

continued success of the five-year $200 million Transportation 2050 Accelerated Pavement Maintenance Program.

Contract Term
The contract term will remain unchanged, ending on Oct. 31, 2023.

Financial Impact
The initial authorization for the contract was for an expenditure not-to-exceed $180,000. This amendment will increase the authorization for the contract by an additional $50,000, for a new total not-to-exceed contract value of $230,000.

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

Concurrence/Previous Council Action
The City Council approved Towing Services Contract 148343 (Ordinance S-44913) on Aug. 29, 2018.

This item was adopted.

79 Project Agreement with Maricopa Association of Governments to Accept and Disburse Regional Transportation Funds (Ordinance S-48019)

Request to authorize the City Manager, or his designee, to enter into a Project Agreement with the Maricopa Association of Governments under the Arterial Life Cycle Program. Further request an exemption from the indemnification prohibition set forth in the Phoenix City Code section 42-18 for a governmental entity pursuant to Phoenix City Code section 42-20 if funding is received. Additionally request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
In November 2004, the voters of Maricopa County approved a transportation excise tax for implementing the Regional Transportation Plan. The Maricopa Association of Governments (MAG) is required by state law to adopt a program that provides for life cycle management for the funding and programming of the Arterial Life Cycle Program (ALCP).

On Sept. 7, 2021, the Street Transportation Department submitted an

updated project overview of a future arterial capacity improvement project on Happy Valley Road from 67th to 35th avenues to add the design phase funding to the agreement. The project scope involves completing full roadway improvements along Happy Valley Road from 67th to 35th avenues consistent with the planned roadway classification for a modified arterial roadway with three lanes in each direction, medians, curb, gutter, sidewalk, bike lanes and streetlights where they do not exist today. Happy Valley Road is a regional east/west arterial street in the northern city limits that has largely been built by development. This project will complete the ultimate roadway cross section for Happy Valley Road that had not previously been improved by development. Funds programmed through the ALCP are administered by the Arizona Department of Transportation (ADOT) through its Regional Arterial Road Fund (RARF). Execution of this Project Agreement to receive RARF funds and Surface Transportation Block Grant Program (STBGP) funds disbursed by ADOT through MAG will allow the City to request reimbursements through MAG for all project related costs.

MAG has programmed $1,315,373 in the ALCP for Fiscal Year (FY) 2022 using RARF funding for the design phase and $5,452,627 for FY 2023 and 2024 for the construction phase with STBGP funding for a future arterial capacity improvement on this project. The City is a self-certified agency, which allows the City to complete the required procedures for project development in a more efficient, cost-effective and timely manner.

Financial Impact

The MAG ALCP requires member agencies to participate in 30 percent or $564,571 to leverage 70 percent or $1,315,000 in regional RARF funding for design. Currently, construction is only partially funded with $5,453,000 in STBGP funds and an additional $6,446,000 is unfunded at this time due to an ALCP program budget deficit. The City intends to pursue additional regional dollars to fund the preliminary construction cost estimated at $15.4 million when regional funding becomes available through the current Regional Transportation Plan or the newly planned Regional Transportation Plan sales tax initiative, Proposition 400 Extension. Funding for the design phase of this project is available in the Street Transportation Department's Capital Improvement Program.

Concurrence/Previous Council Action

The City Council approved a Project Agreement with MAG for the pre-design and environmental phases associated with this project (Ordinance S-46149) on Nov. 6, 2019.

This item was adopted.

80 Citywide Architectural On-Call Services for Calendar Years 2022-23 (Ordinance S-48044)

Request to authorize the City Manager, or his designee, to enter into separate agreements with the 10 consultants listed in **Attachment A,** to provide Architectural On-Call services Citywide. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed $5 million.

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

Summary

The On-Call consultants will be responsible for providing On-Call Architectural services that include, but are not limited to: design, construction administration and observation and/or inspection, cost estimating, surveys, studies, project management, tenant improvements, historic preservation, facilities assessment and condition survey, programming, master planning, exterior facades, site improvements, and architectural related services Citywide.

These Agreements are essential to the health, safety, and welfare of the public and critical operations for the City.

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

Contract Term
The term of each agreement is up to two years, or up to $500,000, whichever occurs first. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for each of the On-Call consultants will not exceed $500,000, including all subconsultant and reimbursable costs. The total fee for all services will not exceed $5 million.

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

This item was adopted.

81 Asphalt Lutes - Requirements Contract IFB 16-251 (Ordinance S-48045)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 143800 with Copper State Supply, Inc., to provide additional time to the contract for Street Transportation Department use. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed.

Summary

The contract provides the Street Transportation Department's Street Maintenance Division equipment for the repair and replacement of asphalt. An asphalt lute is a tool that is used to spread asphalt, and ensures the material is applied with a smooth finish for optimum quality of the final product and creates an even surface for vehicular traffic.

Contract Term

This amendment will extend the date of the contract term from Oct. 31, 2021 to May 31, 2022.

Financial Impact

The initial authorization for the contract was for an expenditure not-to-exceed $57,000. No additional funds are needed. Any remaining funds authorized by previous City Council action will be applied to the extended contract terms.

Concurrence/Previous Council Action

The City Council approved Contract 143800 (Ordinance S-42943) on Oct. 19, 2016.

This item was adopted.

82 Salt River Project Distribution Design and Construction Contract for West Plaza Park Renovation - PA75200609-1 (Ordinance S-48038)

Request to authorize the City Manager, or his designee, to enter into a Design and Construction Contract with Salt River Project for installation of new electrical facilities and service at 6539 N. 43rd Ave. Further request a change to indemnification to authorize inclusion in the document pertaining to this transaction of indemnification and assumption of liability provisions that are prohibited by Phoenix City Code 42-18. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $19,512.58.

Summary

The City is renovating West Plaza Park and will need to install new electric facilities and an electrical service for area lighting and landscape and irrigation improvements. This Distribution Design and Construction Contract represents the cost for Salt River Project’s electrical design, as

well as installation of necessary facilities to provide power for the City's requested needs. This work is in conjunction with City Project PA75200609-1 West Plaza Park Renovation.

Contract Term

The term of the Distribution and Construction Services Contracts will begin on or about Oct. 6, 2021, and will expire when the project is completed and accepted.

Financial Impact

Funding in the amount of $19,512.58 is available in the Parks and Recreation Department's Capital Improvement Program budget through the Phoenix Parks and Preserves Initiative fund.

Location

6539 N. 43rd Ave.
Council District: 5

This item was adopted.

83 Salt River Project Land Use License for Private Residential Development - Hurley Ranch Phase 2 (Ordinance S-48056)

Request to authorize the City Manager, or his designee, to enter into a land use license with Salt River Project for a private residential subdivision development project, Hurley Ranch Phase 2, located at approximately 87th Avenue and Broadway Road. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary

The land use license is necessary to facilitate the development of property located at approximately 87th Avenue and Broadway Road. This license will allow for construction of right-of-way improvements including sidewalk, curb, gutter and landscaping and will be consistent with, and shall not interfere with, U.S. Bureau of Reclamation fee property.

Contract Term

The term of the license shall be for 25 years beginning Nov. 1, 2021, and

ending Oct. 31, 2046. The license may be renewed upon written agreement by the parties.

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

Location
87th Avenue and Broadway Road
Council District: 7

This item was adopted.

84 Salt River Project Construction License for 24th Street and Highline Canal Crossing - ST87600124 (Ordinance S-48057)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project at 24th Street and the Highline Canal, south of Baseline Road, for City of Phoenix project ST87600124. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary
The purpose of this license is to allow the City to install driveways, safety railings, curb, gutter and sidewalk improvements within the Highline Canal right-of-way. This work is in conjunction with City Project ST87600124 24th Street and Highline Canal Crossing.

Contract Term
The term of the Construction License is one year, effective when the City begins construction, expected to be November 2021.

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

Location
24th Street and the Highline Canal
Council District: 8

This item was adopted.

85 **Salt River Project Construction License for Subsurface Utility Excavation Purposes for Southern Avenue to Carter Road, 7th Street to 12th Place - WS85509061 (Ordinance S-48058)**

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

Summary

The purpose of this license is to allow the City's on-call contractor to perform Subsurface Utility Excavation (SUE) to determine the depth of Salt River Project irrigation facilities. It is expected that these facilities are within the scope of the City's design for project WS85509061 Southern Avenue to Carter Road and 7th Street to 12th Place. Depth verification allows the City to design accordingly to avoid underground utility conflicts.

Contract Term

The term of the Construction License is one year, beginning when the Notice to Proceed date is issued to the on-call SUE contractor, on or about Nov. 1, 2021.

Financial Impact

There is no financial impact to the City of Phoenix.

Location

Southern Avenue to Carter Road, 7th Street to 12th Place
Council Districts: 7 and 8

This item was adopted.

86 **Salt River Project Construction License for T2050 35th Avenue, Camelback to Bethany Home Roads - ST85100417 (Ordinance S-48059)**

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for City of Phoenix project ST85100417 T2050 35th Avenue, Camelback to Bethany Home roads.

Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary

The City is constructing roadway and intersection improvements on 35th Avenue from Camelback to Bethany Home roads. The purpose of this license is to allow the City to install streetlights, traffic signal poles and conduit that encroach into Salt River Project right-of-way. This work is in conjunction with City Project ST85100417 T2050 35th Avenue, Camelback to Bethany Home roads.

Contract Term

The term of the Construction License is one year, effective when the City begins construction, expected to be November 2021.

Financial Impact

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

Location

35th Avenue, Camelback to Bethany Home roads
Council Districts: 4 and 5

This item was adopted.

87 Salt River Project Land and Construction Licenses for 48th Street, Baseline Road to South Pointe Parkway - ST85100355 (Ordinance S-48063)

Request to authorize the City Manager, or his designee, to enter into two licenses with Salt River Project for work associated with City of Phoenix project ST85100355 48th Street, Baseline Road to South Pointe Parkway. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary

The City is constructing roadway, storm drain and intersection

improvements on 48th Street from Baseline Road to South Pointe Parkway. The purpose of the Salt River Project (SRP) Construction License is to allow the City to upgrade SRP irrigation pipe, remove and replace an SRP irrigation headwall and install City storm drain facilities, pavement, sidewalk, curb and gutter improvements within SRP right-of-way. The purpose of the SRP Land License is to allow City storm drain facilities, pavement, sidewalk, curb and gutter improvements to remain within SRP right-of-way once construction is complete. The work associated with both licenses is in conjunction with City project ST85100355 48th Street, Baseline Road to South Pointe Parkway.

Contract Term

The term of the Construction License is one year, effective when the City begins construction, expected to be November 2021. The term of the Land License shall be for 25 years beginning Dec. 1, 2021, and ending Nov. 30, 2046. The license may be renewed upon written agreement by the parties.

Financial Impact

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

Location

48th Street, Baseline Road to South Pointe Parkway
Council Districts: 6 and 8

This item was adopted.

88 Arizona Public Service Trenching Agreement for Electrical Service Zone 3D/4A Improvements - WS85100046 (Ordinance S-48062)

Request to authorize the City Manager, or his designee, to enter into a Trenching Agreement with Arizona Public Service to provide new electrical service for a booster pump station pressure reducing valve station located near Central Avenue and Deer Valley Road. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. There is no financial impact to the City of Phoenix.

Summary

The City is constructing a booster pump station that will require new electrical service for operational purposes. The Trenching Agreement is required by Arizona Public Service in order to proceed with electrical design, as well as installation of necessary facilities to provide power for the City's requested needs and is being executed with a zero-dollar cost.

Contract Term

The term of the agreement will begin on or about Nov. 1, 2021, and will expire when the project is completed and accepted.

Financial Impact

There is no financial impact to the City of Phoenix.

Location

Central Avenue and Deer Valley Road
Council District: 1

This item was adopted.

89 Sewer Manhole/Structure Replacement Rehabilitation Program - Construction Administration and Inspection Services - Amendment - WS90500012 and WS90500299 (Ordinance S-48024)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 147353 with Dibble & Associates Consulting Engineers, Inc. to provide additional Construction Administration and Inspection Services for the Sewer Manhole/Structure Replacement Rehabilitation Program project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $300,000.

Summary

The purpose of this project is to rehabilitate sanitary sewer manholes and structures primarily through surface restoration and application of corrosion-resistant coatings.

This amendment is necessary because the program is evolving and there is an increased need to support Wastewater Collections staff with the Manhole Rehabilitation Program's construction administration and

inspection (CA&I) services to monitor the Contractor. This amendment will provide additional funds to the agreement.

The Agreement is essential to the health, safety, and welfare of the public and critical operations for the City.

Contract Term

The term of the agreement has no change in duration. 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 CA&I Services was authorized for an amount not to exceed $567,328, including all subconsultant and reimbursable costs.

This amendment will increase the agreement by an additional $300,000, for a new total amount not to exceed $867,328, including all subcontractor and reimbursable costs.

Funding for this amendment is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to 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: CA&I Agreement 147353 (Ordinance S-44504) on May 2, 2018.

This item was adopted.

90 Service and Repairs for Production Wells and Related Equipment - Amendment (Ordinance S-48031)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreements: 150168 with Layne Christensen Company; 150169 with Weber Water Resources; and 150170 with Southwest

Waterworks Contractors, Inc., to provide additional funding to the agreements. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures for services and equipment included in this amendment will not exceed $600,000.

Summary

The purpose of this amendment is to add additional funding which will allow the Water Services Department to use the existing agreements to obtain services and repairs necessary to maintain the operation of various water production well locations throughout the City and purchase accessory equipment on an as-needed basis. City-owned production wells must comply with federal, state, and local regulatory requirements for groundwater monitoring.

Contract Term

The agreement's term will remain unchanged, ending on June 30, 2024.

Financial Impact

The initial agreements for Service and Repairs for Production Wells and Related Equipment Contracts were authorized for an expenditure not-to-exceed $1.35 million. This amendment will increase the agreement's value by an additional $600,000, for a new total not-to-exceed agreement value of $1.95 million.

Funding is available in the Water Services Department Operating budget.

Concurrence/Previous Council Action

The City Council approved Service and Repairs for Production Wells and Related Equipment Agreements 150168, 150169 and 150170 (Ordinance S-45702) on June 5, 2019.

This item was adopted.

91 Manhole Covers, Rings, Meter Boxes and Related Accessories Agreement - Request for Award (Ordinance S-48036)

Request to authorize the City Manager, or his designee, to enter into an agreement with Ferguson Waterworks LLC to provide manhole covers, rings, meter boxes and related accessories for the purpose of providing new installations, repair, and replacement of existing sanitary sewer infrastructure at multiple locations throughout the City of Phoenix. Further

request to authorize for the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $2,136,415.

Summary

The purpose of the agreement is to provide for new and replacement of stock inventory consisting of manhole covers, rings, meter boxes and lids that are used in both existing and newly established areas throughout the City. The Water Distribution Division installs the meter boxes, the Meters Division maintains and monitors the meters, and the Wastewater Collection Division installs, repairs and maintains the manhole covers for approximately 98,315 manholes.

Procurement Information

The recommendation was made using an Invitation for Bid procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Five vendors submitted bids which are listed below and all bids were found to be responsive and responsible.

Selected Bidder

Ferguson Waterworks LLC: $305,202

Other Bidders

Arizona Water Works: $329,140
Core and Main: $384,110
Fullerform System, Inc.: $442,183
Fortline Waterworks: $484,538

Contract Term

The agreement will begin on Dec. 15, 2021, for a seven-year aggregate term.

Financial Impact

The agreement value for Ferguson Waterworks LLC will not exceed a total aggregate value of $2,136,415.

Funding is available in the Water Services Department Operating and Capital Improvement Program budgets.

This item was adopted.

92 Exchange Implementation Agreement Among the Central Arizona Water Conservation District and the Cities of Tucson and Phoenix (Ordinance S-48048)

Request to authorize the City Manager, or his designee, to enter into an implementation agreement with the City of Tucson and Central Arizona Water Conservation District to implement the exchange of Colorado River water between the City of Phoenix and City of Tucson.

Summary

In 2017, the City of Tucson (Tucson) and City of Phoenix (Phoenix) entered into an agreement to store an unused portion of Phoenix's Central Arizona Project (CAP) water at the Southern Avra Valley Storage and Recharge Project in the Tucson Active Management Area. Phoenix accrues Long-Term Storage Credits (LTSCs) for this activity. When requested and mutually agreed upon, an exchange of water is completed such that Tucson uses its recovery wells to recover Phoenix's LTSCs and uses this stored water within Tucson's service area. In turn, Tucson orders a portion of its CAP allocation to be delivered to Phoenix's water treatment plants.

The purpose of this Implementation Agreement is to detail where Tucson will deliver the CAP exchange water for Phoenix and the process of notifying Central Arizona Water Conservation District of the exchange. This agreement also confirms that Phoenix will use the exchange water received consistent with its CAP Subcontract and that Tucson will pay Central Arizona Water Conservation District for the exchange water delivered to Phoenix.

Contract Term

The Implementation Agreement will be effective upon execution by the parties, and will terminate on Dec. 31, 2027.

Financial Impact

This Agreement does not have a direct financial impact to the City.

Concurrence/Previous Council Action

The City Council approved:

Intergovernmental Agreement (IGA) 146866 for the Storage, Recovery, and Exchange of Colorado River Water between the City of Phoenix and City of Tucson (Ordinance S-43264) on Feb. 15, 2017;
Amendment 1 to IGA 146866 with the City of Tucson (Ordinance S-44180) on Jan. 10, 2018; and
Amendment 2 to IGA 146866 with the City of Tucson (Ordinance S-46987) on Oct. 7, 2020.

Location
Out of City

This item was adopted.

93 Wachs Valve Exercising Equipment, Parts, Tools and Maintenance (Ordinance S-48049)

Request to authorize the City Manager, or his designee, to enter into an agreement with Balar Equipment, to provide Wachs equipment, parts, tools, maintenance and associated accessories. Further request to authorize the City Controller to disburse all funds related to this item. This agreement will not exceed $500,000.

Summary
The purpose of this agreement is to provide the Water Services Department with Wachs valve exercising equipment, parts, and services necessary to maintain both new and existing equipment on an as-needed basis. This equipment is used by the Water Distribution staff to maintain the useful life of up to 160,000 valves currently in operation by ensuring the valves are not rendered inoperable due to corrosion.

This direct selection is necessary because Balar Equipment is the sole authorized distributor and service provider for Wachs equipment for the State of Arizona.

Balar Equipment services include, but are not limited to new and replacement equipment, parts, maintenance, and repair services.

Procurement Information
An exception to the procurement process was determined to select the Contractor set forth in City of Phoenix Administrative Regulation 3.10. A direct selection was made because there exists a lack of authorized

contractors which makes a competitive selection process impracticable, unnecessary, or contrary to the public interest.

Contract Term
The agreement will begin on or about Nov. 1, 2021, for a five-year aggregate term with no options to extend.

Financial Impact
The agreement value for Balar Equipment will not exceed $500,000 for the five-year aggregate term.

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

This item was adopted.

94 Final Plat - Cave Creek Storage - PLAT 210038 - 2232 E. Quail Ave.

Plat: 210038
Project: 20-4315
Name of Plat: Cave Creek Storage
Owner: KEMF QCC Storage, LLC
Engineer: Premier Engineering Corporation
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Aug. 2, 2021
Final Plat requires Formal Action Only

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

Location
Generally located at 2232 E. Quail Ave.
Council District: 2

This item was approved.

95 Map of Dedication - Colter Apartments - MOD 210004 - 1247 E. Colter St.

Map of Dedication: 210004
Project: 20-2517
Name of MOD: Colter Apartments

Owner: 12th St & Colter, LLC
Engineer: Paul M. Miller, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Sept. 15, 2021
Final Map of Dedication requires Formal Action Only

Summary

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

Location

Generally located at 1247 E. Colter St.
Council District: 6

This item was approved.

96 Final Plat - Union at Roosevelt - PLAT 200551 - West of 1st Avenue and South of Roosevelt Street

Plat: 200551
Project: 08-165
Name of Plat: Union at Roosevelt
Owner: OZ-Union PII, LLC
Engineer: Jeremy Haws
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Sept. 23, 2021
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at west of 1st Avenue and south of Roosevelt Street.
Council District: 7

This item was approved.

97 Final Plat - Logic Park 91 - PLAT 210044 - Southwest Corner of 91st Avenue and Buckeye Road

Plat: 210044

Project: 15-894
Name of Plat: Logic Park 91
Owner: CRP/Marwest Logic Park Owner, LLC
Engineer: James Brucci, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Sept. 28, 2021
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southwest corner of 91st Avenue and Buckeye Road.
Council District: 7

This item was approved.

98 Final Plat - Prada - PLAT 180074 - Approximately 2,100 Feet East of the Southwest Corner of 23rd Avenue and Olney Avenue

Plat: 180074
Project: 17-3104
Name of Plat: Prada
Owner: Elevida Homes, LLC
Engineer: Dale Robinson
Request: A 16 Lot Residential Plat
Reviewed by Staff: Sept. 17, 2021
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment V180010A. The sequence of recording is that the resolution of abandonment is recorded first, and the plat recorded second.

Location

Generally located approximately 2,100 feet east of the southwest corner

of 23rd Avenue and Olney Avenue.
Council District: 8

This item was approved.

99 Final Plat - Dobbins Heights Exception - PLAT 210045 - Southwest Corner of 16th Lane and Dobbins Road

Plat: 210045
Project: 18-152
Name of Plat: Dobbins Heights Exception
Owner: Lennar Arizona, Inc
Engineer: EPS Group, Inc
Request: A Residential Subdivision Plat
Reviewed by Staff: Sept. 28, 2021
Final Plat requires Formal Action Only

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

Location
Generally located at the southwest corner of 16th Lane and Dobbins Road.
Council District: 8

This item was approved.

100 Street Name Change From Cofco Center Boulevard to Outlier Boulevard (Ordinance S-48042)

Request to authorize the City Manager, or his designee, to rename the segment of the street that is presently named Cofco Center Boulevard to Outlier Boulevard, based on a request by the property owner, 668 North LL, whose building fronts the affected street segment.

Summary
668 North LL is requesting that the Phoenix City Council change the street name for "Cofco Center Boulevard" to "Outlier Boulevard" from 44th Street to Cofco Center Court.

The portion of street that is the subject of the renaming request is a segment of Cofco Center Boulevard that lies between the west

right-of-way line of 44th Street extending west to the east right-of-way line of Cofco Center Court. This street was dedicated on the COFCO PHOENIX CENTER subdivision plat on March 7, 1997, in Book 435 of Maps, Page 49 in the official records of Maricopa County, Arizona. A portion of Cofco Center Boulevard was rededicated on the COFCO PHOENIX CENTER AMENDED subdivision plat on June 16, 2000, in Book 535 of Maps, Page 43 in the official records of Maricopa County, Arizona. Another portion of Cofco Center Boulevard was dedicated on the COFCO PHOENIX CENTER II subdivision plat on Oct. 5, 2018, in Book 1416 of Maps, Page 20 in the official records of Maricopa County, Arizona.

Though there are no other properties that front the street segment in question, the western portion is a privately owned "tract" for which emergency and public utility easements are in place. The owner of that tract, CPC Master Associates, also has consented to the renaming of the street segment. Two properties that abut the north side of the impacted street front North Cofco Center Court and 44th Street respectively and will be unaffected by this street name change. The property that fronts the affected street segment is owned by the requestor Outlier, a global equity firm, under the name 668 North LLC. The owner previously had requested, and was granted, a change in their address from 668 N. 44th St. to 4343 E. CofcoCenter Blvd. This request was granted because the building faces East Cofco Center Boulevard and switching the property address to that street is consistent with generally accepted addressing practices.

This street assignment is in accordance with the "Address and Street Name Assignment Policy," under which property owners can request to change a recorded street name. The request also meets requirements established by the Maricopa County Association of Governments and the City of Phoenix.

Location
Cofco Center Boulevard from 44th Street to Cofco Center Court.
Council District: 8

This item was adopted.

101 Abandonment of Right-of-Way - ABND 210025 - 2302 E. Weldon Ave. (Resolution 21971)

Abandonment: ABND 210025
Project: 21-2026
Applicants: Wendell and Natalie Matt
Request: To abandon the 5-feet of right-of-way adjacent to Weldon Avenue and 23rd Street abutting 2302 E. Weldon Ave.
Date of Decision/Hearing: June 10, 2021

Location
2302 E. Weldon Ave.
Council District: 4

Financial Impact
A consideration fee also was collected as part of this right-of-way abandonment in the amount of $556.67.

This item was adopted.

102 Abandonment of Right-of-Way - V180010A - Southwest Corner of 23rd Avenue and Olney Avenue (Resolution 21968)

Abandonment: V180010A
Project: 17-3104
Applicant: Scott Ward at Ward Development
Request: The west 5-feet of the 30-foot of 23rd Avenue right-of-way dedicated per Ordinance S-2068 (DKT 3706 PG 372, Maricopa County Recorder (MCR)) and per the Map of Dedication in Book 327 Page 10, MCR, adjacent to the parcel addressed 2301 W. Olney Ave. (Assessor's Parcel Number (APN) 300-16-016) and the parcel identified as APN 300-16-015; the 25-foot Lodge Drive right-of-way and the 8-foot Public Utility Easement dedicated per the same Map of Dedication in Book 327 Page 10, MCR; and the 2-feet of right-of-way dedicated per Ordinance S-33918 (07-0548205) from the parcel addressed 2315 W. Lodge Drive (APN 300-16-002C).
Date of Decision/Hearing: April 10, 2018

Summary
The resolution of the abandonment and PLAT 180074 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the

resolution is recorded first, then the plat is recorded second.

Location
Southwest corner of 23rd Avenue and Olney Avenue
Council District: 8

Financial Impact
A consideration fee was also collected as part of this right-of-way abandonment in the amount of $2,016.

This item was adopted.

103 Amend City Code - Official Supplementary Zoning Map 1225 (Ordinance G-6907)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1225. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with a portion of Z-SP-9-03 and the entitlements are fully vested.

Summary
To rezone a parcel located approximately 550 feet east of the northeast corner of 83rd Avenue and Lower Buckeye Road.
Application No.: Z-SP-9-03
Zoning: C-2 SP PCD
Owner: LAACO LTD
Acreage: 4.64

Location
Located approximately 550 feet east of the northeast corner of 83rd Avenue and Lower Buckeye Road.
Address: 8230 W. Lower Buckeye Road
Council District: 7

This item was adopted.

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

104 (CONTINUED FROM OCT. 6, 2021) Consideration of Reviewing Current Regulations on Parks

On Oct. 4, 2021, Council members Ann O'Brien, Jim Waring and Sal

DiCiccio submitted a memo to City Manager Ed Zuercher requesting to "add for discussion and possible action regarding our current regulations surrounding parks and CDC guidelines to the Oct 6th, City Council Formal Meeting agenda" (**Attachment A**). According to the Rules of Council Proceedings, Rule 2(c), the City Manager will place this item on the Oct. 6, 2021 Formal agenda.

As reference, attached is the emergency declaration under which the City has been operating since March 16, 2021 **(Attachment B)**.

This item was approved.

Item 15, Ordinance S-48015 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.

15 Maricopa Association of Governments

For $179,158.00 in payment authority for annual membership dues and assessments for FY2021-22 for the Office of Government Relations, Public Works, Finance, Water Services and Human Services departments. The Maricopa Association of Governments (MAG) is a Council of Governments that serves as the regional planning agency for the metropolitan Phoenix area. MAG is the air quality planning agency and Metropolitan Planning Organization for transportation in Maricopa County; this includes the neighboring urbanized area in Pinal County, containing the Town of Florence and City of Maricopa. MAG also provides regional planning and policy decisions in areas of transportation, air quality, water quality, and human services.

Note: Councilwoman Pastor joined the voting body.

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

Yes: 6 - Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Vice Mayor Garcia and Mayor Gallego

Abstain Yes: 1 - Councilwoman Stark

No: 2 - Councilman DiCiccio and Councilman Waring

Items 16-17 and 19, Ordinance S-48015 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.

A motion was made by Vice Mayor Garcia, seconded by Councilwoman Ansari, that Items 16, 17 and 19 be adopted. The motion carried by the following vote:

Yes: 7 - Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Garcia and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

16 National League of Cities

For $42,076.00 in payment authority for FY 2021-22 annual membership dues for the City of Phoenix for the Council Office Department. The National League of Cities (NLC) is an organization focused on strengthening local government. NLC provides training, education programs and conferences. City officials have access to information and publications on federal regulations, solutions to problems, and future challenges. The City benefits from the NLC's efforts to ensure that local governments have influence in the White House, Congress, and other federal agencies.

This item was adopted.

17 League of Arizona Cities and Towns

For $151,100.00 in payment authority for annual membership dues and assessments for FY 2021-22 for the City of Phoenix for the Office of Government Relations Department. The League of Arizona Cities and Towns provides services and resources focusing on member representation and interests of cities and towns before the legislature. It

also provides technical and legal assistance, coordinates shared services and educational conferences and events. The membership ensures Phoenix's interests are represented and advocated for at the Governor's Office, state legislature, and other state agencies.

This item was adopted.

19 Alliance for Innovation, Inc.

For $9,000.00 in payment authority to purchase FY2021-22 membership dues for the Budget and Research Department. The City of Phoenix has been a member of the Alliance for Innovation since its establishment in 2006. Located in downtown Phoenix, the Alliance for Innovation was established in cooperation with Arizona State University (ASU) and is an international network of local governments and partners committed to driving innovation to enhance organizations' operations and build stronger communities. The membership advances those values by sharing emerging practices, cutting-edge research, and professional development opportunities. The Alliance partners with ASU to promote excellence in local government and build a community of innovative local governments. With the help of ASU, the Alliance seeks to bring together the best local government practitioners along with private sector partners and academic scholars. Over the years, staff has hosted, presented, and participated in the Alliance's annual Transforming Local Government Conference. Funding is available in the Budget and Research Department budget. The item was approved by the Economic Development and Equity Subcommittee on Sept. 28, 2021.

This item was adopted.

44 Enter into Contract with 2020 COVID-19 Recovery Consultants, LLC for Public Health Advisory Services (Ordinance S-48069)

Request authorization for the City Manager, or his designee, to enter into contract with 2020 COVID-19 Recovery Consultants, LLC to provide professional consulting services on the City of Phoenix's public health efforts. The 2020 COVID-19 Recovery Consultants will advise the City with technical advice on reopening City facilities, assist staff in redesigning workspaces and provide the most up-to-date guidance from the Centers for Disease Control (CDC) related to the COVID-19 pandemic. The aggregate value of this contract shall not exceed $90,000. Further request authorization for the City Controller to disburse

all funds related to this item.

Summary

The City Council declared a local emergency due to the COVID-19 pandemic on March 20, 2020. On March 27, 2020, the federal Coronavirus Aid, Relief and Economic Security (CARES) Act was signed into law to address the economic decline resulting from the COVID-19 pandemic in the United States. The City of Phoenix's CARES Act Coronavirus Relief Fund (CRF) allocation was $293 million to support the City's pandemic response and assist with economic recovery efforts. On May 5, 2020, the City Council approved the City's Coronavirus Relief Fund Strategic Plan which included a $75 million allocation for city operations, a $75 million allocation for community investment and $143 million reserved for public safety costs. Furthermore, the City Council allocated $5 million of the $75 million for city operations to fund medical and public safety measures.

On June 8, 2021 City Council approved the proposed $198 million American Rescue Plan Act (ARPA) Strategic Plan which includes three focus areas to address the impact of the COVID-19 pandemic: Community Investment, City Operations, and Contingency. In that plan, $5 million was allocated to continue COVID-19 community testing and vaccine distribution. In collaboration with departments, the Phoenix Fire Department and Public Works Department staff, with community partners, have organized and promoted testing services at no costs to residents in underserved areas disproportionately impacted by COVID-19. By September, 220 Blitz Testing events were coordinated with eight health care providers who provided 42,000 tests. These events now include vaccination services.

Phoenix was the first Arizona municipal organization to provide COVID-19 mobile testing vans to underserved communities. The two vans operate five days a week at locations across the City including parks, community centers, schools, grocery stores, libraries, and churches. By September, Public Works provided approximately 146,000 COVID-19 tests through the mobile vans at nearly 360 events. Additionally, Phoenix Fire has assisted with COVID-19 testing and vaccinations. By September, the Baby Shots program and pop-up vaccination clinics have administered over 200,000 COVID-19

vaccinations and provided nearly 50,000 COVID-19 tests.

The 2021-22 budget includes funding for public health advisors to review mitigation efforts for different departments and advise on reopening City facilities and redesigning workspaces as well as provide information on CDC guidance.

Contract Term
The initial contract term will be for six months, with the option to extend monthly up to six months.

Financial Impact
The aggregate value of this contract shall not exceed $90,000. Funding is available in the City Manager's budget.

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

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

47 Phoenix Public Library's Annual Application for Arizona State Library's State Grants-In-Aid Funds (Ordinance S-48065)

Request to authorize the City Manager, or his designee, to apply for, accept and for the City Controller to expend Phoenix Public Library's application for Fiscal Year 2021-22 State Grants-in-Aid (SGIA) money. The amount allocated for Phoenix Public Library this year is $77,158 and will be utilized to assist Phoenix Public Library with its efforts in the areas of Workforce Assistance and Early Literacy Outreach.

Summary
Arizona State Grants-in-Aid are allocated annually to the Library based on a per capita distribution of funds by the Arizona State Legislature through the Arizona State Library, Archives and Public Records. The amount allocated for Phoenix Public Library this year is $77,158.

For the eighth year running, the above funds will be utilized to assist Phoenix Public Library with its efforts in the areas of Workforce Assistance and Early Literacy Outreach.

From the funds, $24,000 will be used for continued funding of a part-time employee to assist with the implementation of workforce literacy classes and drop-in workforce assistance at the Ocotillo Library and Workforce Literacy Center. The Ocotillo Library and Workforce Literacy Center assists job seekers by offering classes in resume writing, interviewing skills, and computer use. It also offers PhoenixWorks, which is a collection of materials to support workforce needs including resume writing, occupational testing, language learning and computer skills.

Additionally, $51,000 of the funds will be used to continue to fund two part-time Early Literacy Outreach employees to conduct outreach into the communities of the Harmon, Cesar Chavez, Palo Verde, Ocotillo and Desert Sage libraries. SGIA funds allow Phoenix Public Library to extend critical early literacy outreach into areas of the City identified with the most need.

The remaining $2,158 will be used to pay for employee mileage incurred during outreach visits.

Concurrence/Previous Council Action
This item was recommended for approval at the Community and Cultural Investment Subcommittee on Oct. 6, 2021, by a vote of 3-0.

Financial Impact
The amount allocated for Phoenix Public Library this year is $77,158 and no matching funds are required, there is no impact to the general fund.

Location
Ocotillo Library and Workforce Literacy Center, 102 W. Southern Ave.
Harmon Library, 1325 S. 5th Ave.
Cesar Chavez Library, 3635 W. Baseline Road
Palo Verde Library, 4402 N. 51st Ave.
Desert Sage Library, 7602 W. Encanto Blvd.
Council Districts: 5, 7 and 8

Discussion

A motion was made and seconded to approve this item.

Mark Rodriguez spoke in support of the public library.

Councilwoman Ansari expressed she would be voting yes on this item. She mentioned this grant money would improve workforce assistance and early literacy outreach in District 7 and other areas of need. She noted the workforce resources available at Ocotillo Library which would benefit from these funds.

Mayor Gallego stated she would also be supporting the motion as she was a big fan of libraries and their workforce efforts.

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

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

54 2022 Downtown Enhanced Municipal Services District Budget, Assessments and Set Public Hearing Date (Resolution 21969)

Request City Council approval of the 2022 Downtown Enhanced Municipal Services District (Downtown EMSD) proposed budget, assessments on the Downtown EMSD, and set the date of Nov. 17, 2021 for the public hearing on the estimated assessments, pursuant to Arizona Revised Statutes (A.R.S.) 48-575. The General Fund estimated annual expenditure for this program is $449,664.

Summary

The City Council authorized the formation of the Downtown EMSD in 1990 to provide enhanced public services, above and beyond the level of services provided in the remainder of the City. The costs for the Downtown EMSD’s services are paid through assessments on property owners within the Downtown EMSD boundaries. The City contracts directly with Downtown Phoenix, Inc. (DPI) to implement the work

program, as described in **Attachment A**, of the Downtown EMSD. The Downtown EMSD is generally bounded by Fillmore Street, 7th Street, 3rd Avenue and the railroad tracks south of Jackson Street.

2022 Downtown EMSD Proposed Budget

The work plan and budget for Calendar Year (CY) 2022 provides a variety of enhanced services in the downtown core, including business improvement services and overall business development.

In July 2021, the Downtown EMSD Board of Directors, which includes representatives of the City and other Downtown EMSD property owners, approved the proposed CY 2022 Downtown EMSD budget of $4,380,935. See **Attachment B** for a breakdown of the expense categories. This includes $162,509 for streetscape maintenance expenses, which are paid only by property owners and tenants adjacent to the Streetscape Improvement District (SID). The SID includes certain portions of Monroe Street from 3rd Avenue to 7th Street; Adams Street from 2nd Avenue to 2nd Street; 2nd Street from Jefferson to Van Buren streets; and 3rd Street from Monroe to Van Buren streets.

This proposed budget represents a 19.2 percent increase over the CY 2021 budget, or approximately $704,610. However, the CY 2022 proposed budget represents only a 5.89 percent increase over the CY 2020 budget. CY 2021 saw a 10 percent decrease in the budget over 2020, in large part because of the impacts of the COVID-19 pandemic.

The proposed CY 2022 assessment revenue of $4,230,935 represents a 15.5 percent increase over the CY 2021 assessments, or approximately $568,230. However, the CY 2022 proposed assessments represents only a 3.96 percent increase over the CY 2020 assessments. The CY 2022 assessments for the Downtown EMSD will be levied after the required Downtown EMSD approval process has been completed. Assessments are determined in proportion to the benefits received by each parcel. The proposed assessments and CY 2022 Downtown EMSD Diagram are based on the estimate of expenses and property data available as of April 26, 2021.

Estimated 2022 District Budget: $4,380,935

Estimated 2022 Assessment Revenue: $4,230,935
Estimated 2022 Non-assessment Revenue: $150,000

Public Hearing Date
It is requested that the City Council set the date of Nov. 17, 2021 as the date for the public hearing on the 2022 Downtown EMSD assessments.

Financial Impact
The City's total estimated annual expenditure for this program is $1,432,799, which includes:
$449,664 from the General Fund (approximately $110,173 increase from 2021);
$582,505 from the Phoenix Convention Center;
$139,147 from the Sports Facilities Fund;
$9,720 from the Genomics Facilities Operations and Maintenance Fund; and
$251,764 from collections from tenants on City-owned properties.

Concurrence/Previous Council Action
This item was recommended for approval at the Economic Development and Equity Subcommittee meeting on Sept. 28, 2021, by a vote of 4-0.

Public Outreach
A public hearing will be held for property owners to discuss the proposed assessments, costs, and services provided in connection with the Downtown EMSD. If approved, the public hearing would be set for Nov. 17, 2021 at 2:30 p.m., in the Phoenix City Council Chambers. All property owners are notified by mail of their annual assessment cost by the City's Street Transportation and Community and Economic Development departments 20 days prior to the public hearing. Notice of the public hearing also will be published in the Record Reporter as specified below. No further notification is required after the public hearing.

To be published:
The Record Reporter
Nov. 3, 2021
Nov. 5, 2021

Location

The Downtown EMSD is generally bounded by Fillmore Street, 7th Street, 3rd Avenue and the railroad tracks south of Jackson Street. Council Districts: 7 and 8

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

Yes: 7 - Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Garcia and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

55 **2022 Downtown Enhanced Municipal Services District Assessment Diagram (Resolution 21970)**

Request City Council approval of the 2022 Downtown Enhanced Municipal Services District (EMSD) Assessment Diagram. There is no financial impact as a result of this request.

Summary

The City Council authorized formation of the Downtown EMSD in 1990 to provide enhanced municipal services, above and beyond the level of services provided in the remainder of the City. The Downtown EMSD is generally bounded by Fillmore Street, 7th Street, 3rd Avenue and the railroad tracks south of Jackson Street. The costs for the Downtown EMSD's services are paid through assessments on property owners within the Downtown EMSD boundaries.

The proposed 2022 Downtown EMSD Assessment Diagram (**Attachment A** - 2022 Downtown EMSD Diagram), indicates the properties to be assessed and is on file in the Office of the Director of the City of Phoenix Street Transportation Department, and may also be viewed at phoenix.gov/econdev/Reports-Maps. The proposed assessments and Calendar Year (CY) 2022 Downtown EMSD Diagram are based on the estimate of expenses and property data available as of April 26, 2021. The proposed diagram was completed on Aug. 24, 2021. Per Arizona Revised Statutes (A.R.S.) 48- 575(d) the 2022 Downtown EMSD Diagram shows each separate lot numbered consecutively, the

area in square feet of each lot, and the area in square feet of any building or buildings located on each lot.

Public streets, alleys, and property utilized for residential purposes that do not benefit by the enhanced municipal services are excluded from this proposed 2022 Downtown EMSD Diagram.

This request for City Council action includes a Resolution approving the CY 2022 Downtown EMSD Diagram.

Financial Impact
There is no financial impact for approving the 2022 Downtown EMSD Diagram.

Concurrence/Previous Council Action
The Economic Development and Equity Subcommittee recommended approval of the 2022 Downtown EMSD work plan and budget on Sept. 28, 2021, by a vote of 4-0.

Public Outreach
A public hearing will be held for property owners to discuss the proposed assessments, costs, and services provided in connection with the Downtown EMSD. If approved, the public hearing would be set for Nov. 17, 2021 at 2:30 p.m., in the Phoenix City Council Chambers. All property owners are notified by mail of their annual assessment cost by the City's Street Transportation and Community and Economic Development departments 20 days prior to the public hearing. Notice of the public hearing also will be published in the Record Reporter as specified below. No further notification is required after the public hearing.

To be published:
The Record Reporter
Nov. 3, 2021
Nov. 5, 2021

Location
The Downtown EMSD is generally bounded by Fillmore Street, 7th Street, 3rd Avenue and the railroad tracks south of Jackson Street.

Council Districts: 7 and 8

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

Yes: 7 - Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Garcia and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

69 **(CONTINUED FROM OCT. 6, 2021) - Airport Concessions Relief and American Rescue Plan Act (Ordinance S-48008)**

Request to authorize the City Manager, or his designee, to apply for and accept airport-specific American Rescue Plan Act of 2021 (ARPA) funds allocated by the Federal Aviation Administration (FAA) in the amount of $15,374,984 for Small Business Concessions and $3,843,746 for Large Business Concessions. If approved, these grant funds would be applied to terminal concessionaire accounts in the form of a credit to be used toward rent payments subject to the stipulations outlined in this report. Further request to authorize the City Treasurer to accept the funds and the City Controller to disburse all funds related to this item. The total value of the funding will not exceed $19,218,730.

Summary

The COVID-19 global pandemic created a downturn in airline passenger travel by over 93 percent at Phoenix Sky Harbor International Airport (PHX). In direct correlation to the reduced passenger activity, concessions sales plummeted for PHX's concessionaires. As a result, established rents were unsustainable for concessionaires in the terminals. On April 4, 2020, the FAA provided guidance to airport sponsors encouraging them to consider business circumstances created by the public health emergency. In response, subject to stipulations the City Council approved rent relief to concessionaires and extended food, beverage and retail contracts by three years to assist Airport Concessions Disadvantaged Business Enterprise (ACDBE) business partners to refinance their existing debt.

Since April 2021, PHX has experienced significant increases in

passenger volumes. In June 2021, PHX reached 80 percent of total enplanement traffic for two consecutive months as compared to 2019. Per the stipulations contained in the City Council action on Dec. 2, 2020, all concession operators were notified that the contractual Minimum Annual Guarantee (MAG) amounts must be paid beginning Aug. 1, 2021.

Previous Federal Relief Funds for Airport Concessionaires

On April 9, 2021, the Aviation Department received notification of its allocation of Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) funds appropriated for PHX's concessions program in the amount of $4,804,683. In accordance with FAA guidance, the monies received by the FAA served as a partial reimbursement towards the more than $20 million in rent relief provided by PHX to date.

American Rescue Plan Act

On June 16, 2021, the Aviation Department received notification from the FAA regarding its concessions relief allocation of airport-specific ARPA funds in the amount of $15,374,984 for small business concessions and $3,843,746 for large business concessions.

As with CRRSAA, if an airport sponsor accepts its ARPA allocations for concession relief, "the airport sponsor must provide relief from rent and MAG to eligible small airport concessions and eligible large airport concessions in an amount that reflects each eligible airport concession's proportional share of the total amount of rent and MAG of all eligible airport concessions at the airport."

For the Aviation Department to be eligible to apply for and receive its federal concessions relief appropriation of ARPA funds, the City of Phoenix would offer rent relief in the form of grant-funded rent credits for in-terminal concessionaires. These ARPA funds would effectively pay up to 100 percent of the MAG or percentage rents owed to the City until the appropriation is exhausted.

The ARPA credits would provide rent relief subject to the following conditions:

Stipulation 1 - Concessionaires must be operating to receive rent relief

as stipulated by the FAA.

Stipulation 2 - In order to encourage reactivation of concessions with appropriate staffing levels to meet customer needs and expectations, concessionaires will receive the percentage of their ARPA allocation as a rent credit that is commensurate to their staffing percentages as compared to 2019 baseline staffing levels. For example, 60 percent staffing would enable a concessionaire to apply 60 percent of their rent for that month from ARPA rent credits.

Stipulation 3 - Rent relief recipients will be required to share these credits equitably among their sub tenants and joint venture partners. Staffing levels over 80 percent would be eligible to have 100 percent ARPA rent credit allocation.

Financial Impact

The $19,218,730 of relief funding comes directly from the federal ARPA grant. This portion of the federal airport ARPA grant will provide the funding for the credit to rent due to the City, and can only be used for the purpose of airport concessionaire relief as explained above.

Public Outreach

Aviation staff documented holding 21 different meetings with Airport Concession Disadvantaged Business Enterprise (ACDBE) small business concessionaires to discuss the certification requirements for coronavirus relief funds, where the proposed ARPA stipulations were part of the agenda of topics discussed. Staff also held nine meetings with concessions primes, including Host and SSP, to cover these same topics. In addition to these one-on-one meetings, staff presented the rent relief overview at the Aviation Department’s bi-monthly Terminal Tenant Meeting on July 20, 2021 where representatives of SSP and Host were invited, and the proposed rent relief criteria was discussed.

Aviation staff also conducted one-on-one meetings with more than 20 concessionaire primes, joint venture partners, and Airport Concession Disadvantaged Business Enterprises (ACDBEs) and a teleconference meeting with terminal concessionaires on Sept. 27, 2021. The one-on-one calls and larger teleconference were conducted in order to describe the ARPA rent relief grant, how it would be applied, and potential stipulations. These calls were helpful for staff in crafting the

proposed stipulations to be both achievable and a strong incentive to get fully staffed and operating at pre-pandemic levels.

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

Discussion
Gonzalo de la Melena, a small business operator at Sky Harbor Airport, expressed his gratitude for Council's support in allowing businesses go to percentage rent in 2020 and 2021 as well as the allocation of small business grants in 2021. He mentioned concessionaires played a role in shaping the federal grants that were given to airlines and airports. He stated these grant funds would help the small business operators cover their rent, noting the money would go directly to the airport. He added vendors were working with the banks to pay down their debt while trying to recruit and retain employees.

Stephen Douglas, Vice President of Development with HMSHost, thanked Council for their continued support during the pandemic. He indicated they had reopened 25 of 29 restaurants and were above 70 percent of 2019 staffing levels, even with the national hiring challenges. He said HMSHost and its small business partners supported this ordinance as it provided funding for its operating partners and full payments to the City.

Councilwoman O'Brien asked how many associates HMSHost had called back to work.

Mr. Douglas replied there were 785 associates on the call-back list and they had called back 763 of those associates. He stated 468 associates accepted positions while 295 declined positions, noting there were 12 associates still on the recall list. He conveyed HMSHost offered them jobs in different classifications than they had previously, but those 12 associates chose to remain on the recall list.

Councilwoman O'Brien said she wanted to know about their hiring efforts and asked how many people they scheduled for interviews and how many of them did not show up.

Mr. Douglas responded they did not track no-shows, but at recent hiring events they registered 214 people to interview and 173 did not show up for the interviews. He added HMSHost hired an external firm in late summer to assist with recruiting and out of 118 jobs offered by this firm only 15 people had been hired.

Councilwoman O'Brien questioned if HMSHost offered retention or referral bonuses.

Mr. Douglas explained they had a referral bonus program where an associate could refer an hourly person and receive $250 per referral. He stated HMSHost also had a $500 bonus plan where an associate could refer someone who is hired as a manager. He remarked they had an appreciation bonus that was $200 per month with the first payout in July, noting the payouts from July through October in Phoenix were over $330,000 in additional compensation to associates and company-wide was over $6.5 million.

Councilwoman O'Brien commented she understood cooks were the hardest position to hire and said she wanted to know the impact lack of cooks had on their business' ability to serve.

Mr. Douglas replied if there were not enough cooks then it backed up the system, especially if the restaurant offered the full menu. He stated that HMSHost streamlined their menus due to supply chain problems as well as to provide the best service possible to travelers.

Councilwoman O'Brien asked if they were having trouble getting products.

Mr. Douglas responded HMSHost was having consistent delays getting the supplies they needed, noting their supplier for milk ran out so they had to purchase milk from a local supplier. He added replacement equipment was taking longer, along with the cost for that equipment and food was substantially more.

Councilwoman Pastor recalled discussion about the recall list and

workers preferring to stay on that list.

Mr. Douglas stated there were 12 people still on the recall list because their previous positions were not back online. He conveyed HMSHost offered them jobs in other classifications, but they chose to wait for their original classification.

Councilwoman Pastor asked if the workers were waiting because the jobs offered were at a lower pay than their original classification.

Mr. Douglas replied he did not have that information, but he could provide it to Council.

Councilwoman Pastor expressed workers were choosing to stay on the recall list for their original classification instead of accepting another job that paid less.

Mr. Douglas announced he received information and confirmed workers would receive no less than their original pay or would receive an increase in pay if the position paid more than their previous job.

Councilwoman Pastor questioned if someone on the recall list took a different position, if they could go back to their original classification once it opened up.

Mr. Douglas replied yes, they could go back to their old position.

Councilman DiCiccio asked what made HMSHost unique since other businesses on the street were experiencing the same problems.

Mr. Douglas agreed HMSHost did have the same challenges as other restaurants and businesses. He emphasized they increased wages between three and eight percent on May 7 and increased cook wages another four percent in September.

Councilman DiCiccio expressed HMSHost was experiencing the same problems as other businesses on the street, yet he preferred to provide this money to businesses on the street.

Anthony Alexander stated he had been working for SSP America at multiple concepts for the commissary since 2017. He urged Council to listen to the workers and not give the airport more relief, and asked that Council vote no on this item.

Nava Singam, owner of Kind Hospitality, spoke in support and encouraged Council to vote yes on this item. He noted he had increased wages for employees and managers while his cost for products had increased. He stressed he was unable to raise menu prices as quickly as the rising cost of goods, but indicated these ARPA funds for rent would allow him to reallocate money for location enhancements and employee retention.

Gregory Torrez, with Torrez International, thanked Council for their past support on percentage rent and contract extensions as it helped companies bring back employees and continue to be part of the Sky Harbor Airport program. He supported these ARPA funds which would help airport vendors and the companies they purchased goods from. He said he hoped Council voted in support of this item.

Don Ameden mentioned Sky Harbor Airport was ranked fifth in overall customer satisfaction, down from first place in 2020, in part because of the food and beverage concessions program. He stated he was opposed to giving these corporations more rent relief and asked Council to vote no on this item.

Scott Welding, Vice President of Business Development for SSP America, spoke in favor of these relief funds which were vital to their operation at the airport.

Councilwoman O'Brien asked about the on-boarding process once an employee was offered a job.

Mr. Welding explained once an employee was offered a job, the next step was getting the associate into the badging office for their fingerprint background check, noting that could take time due to scheduling and obtaining the results. He said once they received a green light the

employee was brought on-board which included protocols and procedures followed by training with an associate or manager.

Councilwoman O'Brien questioned how long it took to schedule and get a badge.

Mr. Welding replied the timing for that varied from a couple of days up to three weeks. He stated he had been working with Aviation staff over the past three to four weeks to help in this area, but some of the potential associates found other employment because of the time it took to get results.

Councilwoman O'Brien asked where the results were coming from.

Mr. Welding responded an associate had to clear the federal background check to ensure they were able to hold a badge to access secured areas in the airport.

Councilwoman O'Brien inquired how many employees had been lost while waiting to be cleared through the federal process.

Mr. Welding replied he did not have an exact number but he knew it was a lot, adding it was difficult to keep people engaged during that time frame when other job opportunities came up.

Councilwoman Pastor asked how many people were on their recall list.

Mr. Welding replied he did not have statistical information, but he knew they were down to servers and bartenders in locations that had not reopened, noting they had the same issue as HMSHost of filling back-of-house positions. He pointed out if they could reopen all locations and get back-of-house positions filled their recall list would be exhausted.

Councilwoman Pastor stated she met with Aviation staff weekly and they discussed how SSP had not opened up while HMSHost had opened up and was serving the public. She remarked HMSHost and SSP were in a similar industry and questioned why SSP was unable to hire like HMSHost.

Mr. Welding responded SSP was way behind compared to HMSHost in terms of percentage of total locations open back in May. He indicated they had six subtenant operators in their lease that owned eight spaces of SSP's total, noting they were at 50 percent and were now just under 80 percent of total locations including subtenant ownership. He conveyed over the past five to six months they had spent about $150,000 on recruiting efforts, such as creating their own landing page for employment and putting incentives in place for new hires and existing associates. He expressed it was a trickle of applicants coming in and making it through the process, but they wanted to have all of their locations open.

Councilwoman Pastor requested clarification that SSP was at 50 percent in May and was now at 80 percent.

Mr. Welding replied yes, noting SSP had 78 percent of their total locations open, including subtenants.

Ari Berronghuber said he worked at Barrio Cafe with HMSHost in Terminal 4 at Sky Harbor Airport for about seven months. He urged Council to listen to the workers and not give these concessionaires more relief. He expressed he was doing the job of multiple workers while the business was under-stocked and was not fixing machines. He remarked he was opposed and asked that Council vote no on this item.

Lieryn Jacobs, an HR Director with SSP America, expressed her appreciation of Council considering this item.

Councilwoman O'Brien asked how many people Ms. Jacobs had signed up for interviews and how many did not show up for those interviews.

Ms. Jacobs replied since July 1, 2021, they had scheduled 482 interviews and 377 did not show.

Councilwoman O'Brien inquired how many people were offered a job and how many did not accept.

Ms. Jacobs responded of those who showed up for the interviews they

hired 91 of them, noting only 37 were actively working with SSP.

Councilwoman O'Brien asked if SSP had a recall list.

Ms. Jacobs replied they did and had exhausted every classification except for a few servers and bartenders. She conveyed no one stayed on the recall list as they either returned or chose not to come back to work, noting there was no one on that list except tip positions.

Councilwoman O'Brien questioned if people accepted a different position than what they originally had.

Ms. Jacobs responded some individuals chose to come back to cashier or cook positions while waiting to go back to their original server or bartender classification while others decided not to do so. She added SSP was just getting to the tip employee lists and waiting for the positions to become available.

Councilwoman O'Brien asked how many back-of-house positions needed to be filled to hire bartenders and servers.

Ms. Jacobs replied as of last week SSP would need 26 back-of-house employees to extend the restaurant operation and bring tip employees back.

Councilwoman O'Brien inquired if Ms. Jacobs had noticed an increase in call-outs over the past month and what happened when someone called out sick.

Ms. Jacobs responded employees calling out was a challenge and had increased in severity recently, noting in the last 30 days they had tracked 119 call-outs throughout all of their restaurants. She pointed out when call-outs occurred it was crippling, especially when they had to move staff around from other restaurants or modifying operations.

Councilwoman O'Brien asked if SSP had raised pay rates.

Ms. Jacobs replied they were currently bargaining and negotiating a

contract with Unite Here Local 11. She expressed both sides were motivated to push through and work on wages to meet the competition.

Councilwoman O'Brien inquired about SSP's on-boarding and badging process.

Ms. Jacobs responded the badging process had the biggest challenge as far as timeliness. She mentioned there was a time when walk-ins were allowed for the initial fingerprinting process which helped, but even the wait time for those appointments was three to five hours and some people would leave. She remarked the badging office had partnered with them to help get people in, noting that was more of an administrative task for SSP.

Councilwoman Pastor asked if an employee on the recall list was called back to work, if they had to pay for the badge or if SSP paid for it.

Ms. Jacobs replied SSP America paid for all badging costs unless an employee lost their badge and then had to pay the fee.

Councilwoman Pastor questioned what the cost was for the replacement.

Ms. Jacobs responded it depended on the number of occurrences, noting the first occurrence was $50 and the second occurrence was $100.

Councilwoman Pastor said she wanted to know if an employee who had been on the recall list for some time was called back to work but misplaced their badge, if they had to pay $50 a new badge.

Ms. Jacobs replied SSP had not experienced anyone having lost badge fees upon recall. She conveyed in March 2020 when the first round of furloughs occurred SSP did an audit to collect as many badges as possible to terminate them with the badging office.

Councilwoman Pastor said she asked those questions because she wanted to understand the badging and security clearance process as that was the main reason people were not getting jobs at the airport. She

recalled that SSP stated they were 78 to 80 percent operational, but she checked the numbers and found that SSP was 63 percent open at Terminal 3 and 71 percent open at Terminal 4. She added she also heard that operations would open but closed after three to four hours which was a problem. She also remembered SSP stated they rehired less than 50 percent of the workers.

Ms. Jacobs replied SSP was currently at 60 percent of their 2019 numbers and reiterated they hired 100 people in the last 100 days, but only 37 of those individuals stayed on. She stressed that was a large amount of turnover which did not include the attrition occurring in the active population. She remarked SSP attempted to recall every associate but a large majority of them did not come back to work, so it was not from lack of trying to hire associates so they could offer a full complement across the entire operation.

Councilwoman Pastor inquired why HMSHost was able to hire at a higher level than SSP.

Ms. Jacobs responded they were doing a like-for-like process with similar recruiting strategies, noting HMSHost had more on their recall list than SSP. She indicated she was willing to work with them so they could resolve this problem together.

Councilwoman Pastor expressed that was a great solution and hoped they worked together to bring the airport back and increase capacity.

Vice Mayor Garcia asked what SSP's lowest and highest wages were and if employees were working full-time or part-time.

Ms. Jacobs replied pay for team member roles started at $12.25 up to $16.55, noting when SSP recalled workers and hired new employees they were offered full-time work so there were no part-time workers. She added employees were offered overtime frequently due to staff shortage. She emphasized the hourly average rate for employees at the airport was over $27 including fringe, noting they offered more than restaurants on the street.

Vice Mayor Garcia inquired what was included in the total fringe and wanted confirmation that SSP did not have part-time workers.

Ms. Jacobs explained total fringe included paid two-week vacation when hired, health and welfare contributed by SSP, 401K offerings, and SSP paid for badging, parking, uniforms and a free meal every shift. She stated there were two part-time employees across the operation due to accommodation requests because of the normal bidding process.

Councilman DiCiccio asked if the total fringe was SSP's total compensation number or if that was a different number.

Ms. Jacbos replied when adding all of the employee's benefits, which were broken down by their total hourly rate along with the benefits, that equaled their total compensation.

Councilman DiCiccio remarked total compensation also included SSI tax and other things that SSP had to pay for employees and questioned if that was included in the number.

Ms. Jacobs responded yes.

Councilman DiCiccio expressed that could be misleading as SSI tax was required as well as other expenses that most businesses covered.

Ms. Jacobs replied SSP provided company contributed benefits as previously mentioned that outside businesses did not include.

Councilman DiCiccio remarked other restaurants provided those benefits, minus the badging and parking, especially discounted or free meals to keep employees.

Tomika Brown, a previous HMSHost worker, mentioned Sky Harbor Airport was ranked fifth in overall customer satisfaction, down from first place in 2020, in part because of the food and beverage concessions program. She expressed she was opposed to more rent relief for HMSHost.

April Hernandez said she worked at Starbucks with HMSHost at Sky Harbor Airport for four years. She urged Council to listen to the workers and not give airport concessionaires more rent relief. She added equipment was broken in her work environment and not getting fixed.

Harlie Jackson stated Sky Harbor Airport was ranked fifth in overall customer satisfaction, down from first place in 2020, in part because of the food and beverage concessions program. She urged Council to listen to the workers and to vote no on this item.

Vivien Lavely said worked for HMSHost for nine years and spoke in opposition. She claimed the recall list discussion was inaccurate as she knew someone that took a different position at lower pay.

Katie Lavra mentioned Sky Harbor Airport was ranked fifth in overall customer satisfaction, down from first place in 2020, in part because of the food and beverage concessions program. She expressed this rent relief money would be better utilized in the community for small businesses. She stated she was opposed to this item and asked Council to vote no.

Ana Martinez, an organizer with Unite Here, stated she opposed this item and urged Council to listen to the workers. She stressed she wanted HMSHost and SSP America to be held accountable for their untimely recall of workers. She added workers were willing to come back but were either being denied jobs or waiting to work because of the badging process.

Michael Martinez said Sky Harbor Airport was ranked fifth in overall customer satisfaction, down from first place in 2020, in part because of the under-staffing issue. He conveyed he was opposed based on that issue, noting these corporations had not shown good faith effort in rehiring all the workers.

Scott Matos-Elliott stated he worked as a barista at Starbucks in Terminal 4 at Sky Harbor Airport and opposed HMSHost getting additional rent relief money. He remarked employees did not received raises with those funds, plus machines were breaking down and not being replaced. He

suggested this money go to housing and small businesses.

Maico Olivares expressed he was opposed to these airport companies receiving more rent relief money and asked Council to vote no on this item.

Laura Perez, an organizer with Unite Here Local 11, urged Council to listen to HMSHost and SSP America workers who had been voicing their concerns about the working conditions. She requested that Council not give more rent relief money without measures of accountability on staffing levels.

Ms. Duarte provided Spanish translation for Ms. Placencia.

Maria Placencia de Rios stated she had worked for HMSHost for 17 years and was furloughed for 18 months during the pandemic. She conveyed HMSHost recalled some employees back to work under the cooler, noting the restrooms were not cleaned properly. She stressed the City should listen to the employees and not give more rent relief money to this company.

Councilwoman Guardado asked if workers received notification when furloughed.

Ms. Placencia de Rios replied she got a letter to collect unemployment and could not get answers as to how long she was being furloughed. She added if she did not come back to work she could be terminated.

Vice Mayor Garcia asked if she came back to a different job or the same job when she returned to work.

Ms. Placencia de Rios responded she was doing the same job as before with the condition it be done under the cooler.

Vice Mayor Garcia asked another question in Spanish that was not translated.

Ms. Placencia de Rios replied she went back to work at 33 hours per

week and asked for more hours, but was told she would get more hours eventually.

Darnell Ramirez spoke in opposition. He stated he worked for SSP America for about four and a half years until March 2020 when he was furloughed, but was recently called back.

Mike Schaeferle said he worked for HMSHost at the commissary, noting he was the last worker to be laid off in March 2020. He conveyed when he was called back in November he was assigned to the airport and just recently went back to the commissary. He expressed HMSHost should not receive more funds until they hired more workers and asked Council to vote no on this item.

Victoria Stahl stated she had worked for HMSHost as a barista for nine months, noting her home store had not yet reopened. She mentioned the store had broken machines and supply shortages. She remarked badging could take up to five hours and said the company did not pay for it. She stressed stipulations needed to be put in place to hold these companies accountable or Council needed to vote no on giving them more relief money.

Beatriz Topete spoke in opposition on behalf of Unite Here Local 11 and asked that Council listen to airport workers. She urged Council to only vote in favor of additional rent relief for airport concessionaires if the companies were open and staffed at pre-pandemic levels. She pointed out there was a rapid increase in passengers in July of this year compared to July 2019, noting nine of SSP America's locations remained closed. She added in July 2021 HMSHost not only recovered their sales but grew them by four percent when compared to pre-pandemic sales.

Mateo Vargas stated he had been a Starbucks barista in Terminal 3 with HMSHost for four months, noting they had broken machines and were under-staffed. He expressed HMSHost did not need this rent relief money.

Mari Yepez, a union representative with Unite Here Local 11, urged Council to vote no on this rent relief package unless there was

accountability for these concessionaires.

Councilwoman Guardado thanked everyone who spoke on this item, but she thought the Council's core responsibility was to ensure Sky Harbor Airport had a healthy ecosystem for travelers, businesses and workers. She indicated she had been working with concessionaires and the Aviation Department to setup COVID testing and vaccine pods at the airport, noting the Aviation Department was also working to provide more child care options. She acknowledged customer satisfaction dropped from first to fifth place due to labor shortages in the food, beverage and retail which was how airports were ranked. She conveyed the Aviation Department tracked customer complaints from the traveling public who were concerned about lack of availability, reduced business hours and overall customer satisfaction when dining at the airport. She stressed it was Council's responsibility to make sure contractors were following through on their commitments to best serve passengers at the airport. She pointed out the number of people using the airport was close to pre-pandemic levels; however, operations had not kept up and passengers were noticing as some restaurants remained closed while others had long wait times with limited menu options due to lack of staffing. She expressed she supported the small businesses that were partnering with the City to find solutions to restore full service, but this money being provided needed to include accountability measures. She emphasized she would only support this item based on the original stipulations proposed by staff in September.

Councilwoman Guardado made a motion to approve this item with the original stipulations that were previously recommended by staff in the Sept. 15, 2021 City Council Report which included the following stipulations: concessionaires must be operating to receive relief; concessionaires must have staff to at least 80 percent of 2019 levels within 90 days of accepting relief; concessionaires must operate at 100 percent of their contractual hours within 90 days of City Council approval; and concessionaires must return to full menu offerings as compared to 2019 within 90 days of accepting relief. Finally, if the FAA responds that any of these stipulations do not meet their requirements, that this item is to be brought back to City Council for additional discussions and considerations.

Vice Mayor Garcia seconded the motion.

Councilman DiCiccio expressed the motion included logical business moves that anyone in the private sector would do, noting if a business had a contract with someone they had to open up. He conveyed these companies were in a competitive work environment and the City was paying their inefficiency to not pay their workers enough to compete in the marketplace. He said he supported the stipulations in the motion, but was not supportive of giving these companies more money.

Councilwoman Guardado re-read the stipulations in her motion as requested by Councilwoman Pastor.

Councilwoman Pastor said she wanted to know, in receiving these dollars, if these companies would provide the City a plan to bring workers back to 80 percent.

Aviation Services Director Chad Makovsky replied the concessionaires would not be eligible for this funding if they did not staff to at least 80 percent of 2019 levels within 90 days of accepting relief. He added that staff would ask concessionaires for a plan to get in compliance within 90 days of accepting relief, noting if they were not compliant staff would stop disbursement of relief until they were back in compliance.

Councilwoman Pastor asked what disbursement was taking place before compliance.

Mr. Makovsky responded this particular stipulation said they had to staff to at least 80 percent of 2019 levels within 90 days of accepting relief. He clarified they would have 90 days from the first disbursement to be in compliance with the 80 percent staffing level. He stated staff would disburse monthly rent relief per their allocation from the Federal Aviation Administration (FAA), noting they would also have to be in compliance with the remaining stipulations.

Councilwoman Pastor inquired if the City was providing rent relief prior to the stipulations taking effect.

Mr. Makovsky replied if concessionaires met all of the stipulations, except the 80 percent staffing, they would be eligible for rent relief for 90 days with staff verifying the 80 percent staffing requirement.

Councilwoman Pastor asked if concessionaires had to meet all stipulations or just one stipulation.

Mr. Makovsky affirmed concessionaires would need to meet all stipulations to receive this relief.

Councilwoman Pastor questioned if concessionaires had to repay the 90 days of rent relief if they did not meet one of the stipulations.

Mr. Makovsky replied concessionaires were not required to return the rent relief to the airport; however, staff would pause the relief until they were back in compliance and continue until that relief was exhausted.

Councilwoman Ansari said she visited the airport to better understand the concerns on both sides and believed the stipulations in this motion would help reach outcomes that were in everyone's best interests. She stated she hoped increased staffing levels and providing full menu options improved the current conditions at the airport, noting customer experience was also important. She pointed out rent was one of the biggest expenses for business and the City had provided $20 million in rent relief to small and large concessionaires, but she wanted to see improved working conditions and incentives for employees to help build a sustainable workforce. She expressed she supported the motion and thanked Mr. Makovsky for his hard work on this matter.

Councilman DiCiccio suggested the motion include that concessionaires had to repay this money if they did not fulfill the terms of the agreement.

Councilwoman Pastor recommended staff have concessionaires that wanted this money in the first 90 days submit a business plan on how they would recruit workers with benchmarks on that information. She expressed concern there was no real incentive to fully open if concessionaires already received rent relief.

Mr. Makovsky said he appreciated the feedback, noting one of the stipulations said concessionaires must operate 100 percent of their contractual hours within 90 days of Council approval. He advised it would take time for staff to formally apply with the FAA and run the City's implementation plan through them for approval. He added it was possible this rent relief would not be available until 90 days after today, so staff would work with the FAA to determine when the disbursement of funds would be available to concessionaires.

Councilwoman Pastor suggested concessionaires submit a plan within these 90 days to hold them accountable.

Mr. Makovsky responded no money would go to concessionaires until they met all of the stipulations, with exception of 80 percent staffing. He indicated it would be 60 to 90 days before the FAA approved the City's plan and funding would be available to disburse to concessionaires. He agreed with the suggestion that staff work with concessionaires in the interim to develop a business recovery plan to help them meet the stipulations.

Councilwoman Pastor expressed she trusted that concessionaires would work with staff to develop such a plan.

Vice Mayor Garcia thanked the workers who called in and thought these stipulations would ensure businesses were fully staffed. He agreed that wages needed to be higher and employees should be treated fairly. He supported the motion, but hoped there were accountability measures as suggested by Councilwoman Pastor. He asked what could be done to improve the badging process as that concerned him.

Mr. Makovsky replied security at Sky Harbor Airport was the most important process when staff vetted perspective employees due to access of highly secured areas and non-permitted items at the airport. He said the badging office had felt the impacts associated with the pandemic which resulted in workforce challenges; however, staff was working hard to provide customer service to these concessionaires. He noted they would be accepting walk-ups as of today which should help the process

and also issued temporary badges to employees, in certain circumstances, while they waited for their results to come back. He added staff also offered proctored training so employees could go through the security training process more quickly.

Councilwoman O'Brien requested more information on where these funds were coming from.

Mr. Makovsky explained the funding was allocated through Congress through the American Rescue Plan Act of 2021, noting $19 million was specifically allocated by Congress to be administered by the FAA to Sky Harbor Airport concessionaires. He added the City was going to administrate it in the form of rent credits.

Councilwoman O'Brien asked if concessionaires were still receiving rent credits.

Mr. Makovsky replied they were not receiving additional rent credits or minimum annual guarantee (MAG) relief as MAG payments were reinstated in August 2021.

Councilwoman O'Brien questioned how much rent relief was issued.

Mr. Makovsky responded the airport had provided approximately $19.8 million in rent relief to concessionaires since the beginning of the pandemic. He conveyed through that time the airport was able to reimburse itself about $4.8 million through the CRRSAA grant which was the second form of grant relief funding administered by Congress.

Councilwoman O'Brien asked what airport travel looked like from March 2020 through August 2021 at Sky Harbor Airport.

Mr. Makovsky replied the airport experienced over a 90 percent drop in passenger traffic in March 2020, noting it slowly recovered in late 2020 through the holiday season into 2021 to 50-60 percent pre-pandemic. He stated during spring break of March 2021 the airport saw a dramatic increase in passenger traffic at Sky Harbor Airport with more than 90 percent pre-pandemic traffic levels in the past three to four months.

Councilwoman O'Brien said she saw a report that showed in June 2021 traffic was down about 22.9 percent from prior years.

Mr. Makovsky affirmed that was accurate, noting July came in at 99.3 percent of pre-pandemic passenger levels. He added August and September were in the 93 to 95 percent range.

Councilwoman O'Brien said a vendor informed them in February 2020 their revenue was approximately $6.3 million and in April 2020 it was $476,000.

Mr. Makovsky responded that was accurate.

Councilwoman O'Brien asked if these grant dollars could be used for anything else except for small and large concessionaires at the airport.

Mr. Makovsky replied no as this money was specifically allocated to in-terminal concessionaires at airports across the country.

Councilwoman O'Brien questioned if staff had received communication from the FAA regarding the stipulations in the motion.

Mr. Makovsky responded staff did not submit a request to the FAA for review of the first round of stipulations as noted in the motion, but it would be part of the implementation plan. He advised staff did submit the recommendation as listed in the agenda to the FAA for pre-review, noting they provided initial feedback and questioned the proportionality and equitability of this relief distribution across all concessionaires, but the FAA did not give a final opinion. He added staff would not know the answers to those questions until they formally applied.

Councilwoman O'Brien asked if the concerns raised by workers and her colleagues be related to the contracts with concessionaires.

Mr. Makovsky explained the FAA provided guidance to airports when taking action on contracts with concessionaires because of the pandemic's impact on the industry. He said the FAA asked that staff

reach out to them if enforcing terms of the contract or terminating the contract due to non-compliance. He emphasized staff gave all concessionaires latitude regarding provisions in the contract because of the pandemic's effects.

Councilwoman O'Brien recalled his response that staff submitted the stipulations listed in the agenda and that the FAA had concerns. She inquired if the stipulations in the motion were more or less stringent than staff's recommendation.

Mr. Makovsky replied there were differences between the two, noting one was there were more stipulations than what staff had proposed. He remarked the concessionaires preferred staff's approach as they would receive immediate funding versus waiting until criteria was met.

Councilwoman O'Brien commented one stipulation that was included in both suggested they would be some relief based on staffing level. She provided an example where staff's recommendation was 60 percent staffing would get them 60 percent in relief versus the stipulation in the motion was staffing had to be at 80 percent within 90 days.

Mr. Makovsky responded it would be an increase in staffing along with a stipulation that stores must be open 100 percent of their contractual hours and menu offerings which differed from staff's recommendation.

Councilwoman Pastor recalled the original stipulations were submitted in September and asked why they were not voted on at that time.

Mr. Makovsky replied a couple of days before the meeting staff received feedback from the industry about concerns with the stipulations and outreach, so staff withdrew the item to do further outreach with the industry.

Councilwoman Pastor said she understood additional outreach was done and staff came back with different stipulations in October, but she wanted to know what happened as the vote was postponed.

Mr. Makovsky affirmed staff brought the item back with revised

stipulations in October; however, they again received feedback prior to the meeting that people wanted more time for consideration so staff requested a continuance to today's meeting.

Councilwoman Pastor asked why stipulations that were not voted on yet were sent to the FAA, especially when there were two options.

Mr. Makovsky replied an airport would not typically pre-vet these items with the FAA as that would be done during the application process. He stressed in this instance, because of the interest from concessionaires and other stakeholders, staff thought it was appropriate to do a pre-review with the FAA to make sure staff's recommendation was something they could potentially support.

Councilwoman Pastor questioned why staff did not send both sets of stipulations.

Mr. Makovsky responded based on stakeholder feedback he decided to send staff's recommendation and not both sets of stipulations.

Councilwoman Pastor expressed staff should be consistent when handling these things, especially since they were the original stipulations.

Prior to her vote, Councilwoman O'Brien stressed it was important these small businesses receive this federal funding quickly. She asserted these dollars should not be stipulated or have demands placed on concessionaires, so she was voting no as the City should not say how these funds should be distributed. She recalled testimony from concessionaires about the difficulty of hiring and retaining staff, so she did not agree with demanding them to staff at a certain level to obtain relief. She expressed staff shortage was being felt in all sectors, not just at the airport. She emphasized these funds should be disbursed as dictated by the FAA.

Prior to her vote, Councilwoman Pastor said she was voting yes, and encouraged the primes and small businesses to continue making Sky Harbor Airport the friendliest airport which meant taking the necessary steps to open up as travel was at capacity.

Prior to her vote, Councilwoman Stark stated she was voting yes, noting it was important to have dialogue with the FAA and wanted these stipulations submitted to get their feedback. She added she wanted the airport fully reopened and to have funds for the primes to help the workers and the sub-primes.

A motion was made by Councilwoman Guardado, seconded by Vice Mayor Garcia, that this item be adopted as amended with the original stipulations that were previously recommended by staff in the Sept. 15, 2021 City Council Report which included the following stipulations: concessionaires must be operating to receive relief; concessionaires must have staff to at least 80 percent of 2019 levels within 90 days of accepting relief; concessionaires must operate at 100 percent of their contractual hours within 90 days of City Council approval; and concessionaires must return to full menu offerings as compared to 2019 within 90 days of accepting relief. Finally, if the FAA responds that any of these stipulations do not meet their requirements, that this item is to be brought back to City Council for additional discussions and considerations. The motion carried by the following vote:

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

72 Bus Stop and Transit Center Cleaning Services - Request for Award (Ordinance S-48053)

Request to authorize the City Manager, or his designee, to enter into a contract with Graffiti Protective Coatings, Inc. to provide cleaning services at 15 transit facilities and approximately 4,000 bus stops across the City. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the five-year contract will not exceed $17 million.

Summary

The purpose of this contract is to provide routine cleaning services at the City of Phoenix’s 15 transit facilities, including park-and-rides and transit centers, and approximately 4,000 bus stops citywide. The contractor may also perform additional services, as needed, for special events and

minor repairs.

Procurement Information

The selection was made using a Request for Proposals procurement process in accordance with Phoenix City Code Chapter 43 and Administrative Regulation 3.10. Four vendors submitted proposals as listed on the table below.

A panel of qualified staff evaluated and scored each proposal based on the following criteria (1,000 points total):
Method of Approach (400 points)
Qualifications and Experience of Key Personnel and Firm (300 points); and
Price Proposal (300 points).

The evaluation recommendations were reached by consensus in consideration of published selection criteria, with the panel selecting Graffiti Protective Coatings, Inc. for contract award. The following table summarizes the results of the evaluation panel:

Proposers	Total Points
Graffiti Protective Coatings, Inc.	796
Fleetwash, Inc.	705
Detail Xperts	580
Offsite Sweeping, Inc.	455

Contract Term

The contract's term shall be five years, beginning on Jan. 1, 2022 and ending on Dec. 31, 2026.

Financial Impact

The total value of the five-year contract will not exceed $17 million, with the first year of the contract estimated at $3.2 million.

Funding is available in the Public Transit Department’s Operating budget using T2050 funds.

Discussion

A motion was made and seconded to approve this item.

Note: Councilman DiCiccio disconnected from the meeting.

Mark Rodriguez spoke in support of buses.

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

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

73 Phoenix City Code Amendment Related to Household Hazardous Waste Program - Chapter 27 Amendments (Ordinance G-6906)

Request Council to amend Chapter 27 of the Phoenix City Code to clarify responsibilities for Household Hazardous Waste.

Summary

The Public Works Department is requesting to update Chapter 27 of the Phoenix City Code to clarify Household Hazardous Waste (HHW) is within the purpose and scope of the department as well as assigning authority and enforcement rights for HHW to the Public Works Director. These amendments include defining the hours of collection for the program and adding HHW to the list of not acceptable bulk trash materials.

These Chapter 27 Code changes will allow the Public Works Department to transition to a permanent home collection program in 2022.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Innovation Subcommittee recommended City Council approval of the HHW home pick-up six-month pilot on Dec. 2, 2020, by a vote of 4-0.

The Community and Cultural Investment Subcommittee recommended approval of this item on Oct. 6, 2021, by a vote of 3-0.

Financial Impact

There is no cost associated with this change to Phoenix City Code.

The City Clerk read the title of the ordinance for this item.

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

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

000 CITIZEN COMMENTS

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

Jon Forsythe remarked the airport should be a beacon for local businesses. He also expressed that many people wanted police to be reformed, noting the Phoenix Police Department was under investigation and should act better.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 5:11 p.m.

MAYOR

ATTEST:

CITY CLERK

SM

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 27th day of October, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 1st day of May, 2024.

CITY CLERK