City of Phoenix

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, September 16, 2020 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Sept. 16, 2020 at 2:33 p.m. in the Council Chambers.

Present: 9 - Councilman Sal DiCiccio, Councilmember Carlos Garcia, Councilman Michael Nowakowski, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilman Jim Waring, Councilwoman Thelda Williams, Vice Mayor Betty Guardado and Mayor Kate Gallego

The Mayor and Councilmembers attended the meeting virtually.

Councilman Nowakowski connected to the voting body prior to the vote on Item 1. Vice Mayor Guardado connected to the voting body during discussion on Item 4. Councilwoman Williams disconnected from the voting body after the vote on Item 43, and reconnected to the voting body during discussion on Item 54.

Mayor Gallego acknowledged the presence of Mario Barajas, a Spanish interpreter. In Spanish, Mr. Barajas announced his availability to the audience.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6736 through G-6741, S-46910 through S-46951, and Resolutions 21861 through 21864 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

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/reappointment by Mayor Gallego and Councilmembers:

Deferred Compensation & Post Employment Health Plan Boards

Reappoint Kathleen Gitkin, for a term to begin on Oct. 1, 2020 and to expire Sept. 30, 2024 as recommended by Mayor Gallego and City Manager Ed Zuercher.

Reappoint Darrell Kriplean, for a term to begin on Oct. 1, 2020 and to expire Sept. 30, 2024 as recommended by Mayor Gallego and City Manager Ed Zuercher.

Reappoint James Mullany, for a term to begin on Oct. 1, 2020 and to expire Sept. 30, 2024 as recommended by Mayor Gallego and City Manager Ed Zuercher.

Design Review Committee

Appoint Patrick Panetta, replacing Wayne Rainey as a representative of the Central City Village Planning Committee, for a term to expire Aug. 31, 2022 as recommended by Mayor Gallego.

Library Advisory Board

Appoint Jane McNamara, filling a vacancy on the board, for a term to expire Aug. 31, 2023 as recommended by Mayor Gallego.

Military Veterans Commission

Appoint Timothy Bourcet, filling a vacancy on the commission, for a term to expire Aug. 31, 2023 as recommended by Mayor Gallego.

Phoenix Sister Cities Commission

Appoint Linda Brady, filling a vacancy on the commission, for a term to expire Aug. 30, 2023 as recommended by Mayor Gallego.

Appoint Jake Heinrich, filling a vacancy on the commission, for a term to

expire Aug. 30, 2023 as recommended by Mayor Gallego.

Phoenix Women's Commission
Appoint Yalda Godusi, filling a vacancy on the commission, for a term to expire June 30, 2023 as recommended by Mayor Gallego.
Appoint Janis Pelletier, filling a vacancy on the commission, for a term to expire June 30, 2023 as recommended by Mayor Gallego.

Tourism and Hospitality Advisory Board
Appoint Steve Hart, replacing Chris Baldwin on the board, for a term to expire Sept. 30, 2021 as recommended by Mayor Gallego.

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

Yes: 8 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams and Mayor Gallego

No: 0

Absent: 1 - Vice Mayor Guardado

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 Councilwoman Williams, seconded by Councilwoman Stark, that Items 2-10 be recommended for approval, except Items 4 and 10. The motion carried by the following voice vote:

Yes: 8 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams and Mayor Gallego

No: 0

Absent: 1 - Vice Mayor Guardado

2 Liquor License - Highball

Request for a liquor license. Arizona State License Application 06070509.

Summary

Applicant
April Erickson, Agent

License Type
Series 6 - Bar

Location
1514 N. 7th Ave.
Zoning Classification: DTC-McDowell-1
Council District: 4

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

The 60-day limit for processing this application is Oct. 5, 2020.

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

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

Public Opinion

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have held a management role in various Phoenix area restaurants for seven years, and have held most other positions that handle alcohol for another five years. I hold the Title IV liquor certification, and am aware of all laws and regulations that an agent/licensee is required to adhere to."

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 continue the responsible service of food and drink in a long-established neighborhood staple location. We will observe all ordinances and become a hub for locals in the many historical neighborhoods in the area. We will be true to the era and spirit of the area and the building."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Highball
Liquor License Map - Highball

This item was recommended for approval.

3 Liquor License - Huss Brewing at Uptown Plaza

Request for a liquor license. Arizona State License Application 114938.

Summary

Applicant
Camila Alarcon, Agent

License Type
Series 12 - Restaurant

Location
100 E. Camelback Road, Ste. 160
Zoning Classification: C-2 TOD-1 WSNSPD
Council District: 4

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

The 60-day limit for processing this application is Sept. 20, 2020.

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.

Huss Brewing @ Uptown Plaza (Series 7)
100 E. Camelback Road, Ste. 160, Phoenix
Calls for police service: 55
Liquor license violations: None

Huss Brewing Company (Series 3)
1520 W. Mineral Road, #102, Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The Applicant's members have significant experience operating establishments with liquor licenses for over fifteen years. Applicant's members currently hold three other licenses: a Series 7 taproom in Tempe, a Series 3 microbrewery in Tempe, and a Series 7 taproom in Phoenix where the present application will be located. Applicant is also opening a Series 12 restaurant in downtown Phoenix. Applicant will continue to follow all Arizona liquor laws and regulations and will ensure proper training of managers and staff on the same."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Applicant intends to add a Series 12 license to its existing taproom in uptown Phoenix. This will allow the Applicant to offer a wider range of food and beverages to complement its craft beer selection. This location of Huss Brewing will continue to complement establishments currently operating in uptown Phoenix, and will continue to serve as an additional dining and craft beer option to the surrounding community."

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 - Huss Brewing at Uptown Plaza
Liquor License Map - Huss Brewing at Uptown Plaza

This item was recommended for approval.

5 Liquor License - Sip Coffee & Beer Garage

Request for a liquor license. Arizona State License Application 1207A299.

Summary

Applicant
Joshua Katz, Agent

License Type
Series 12 - Restaurant

Location
3620 E. Indian School Road
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is Sept. 25, 2020.

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

Other Active Liquor License Interest in Arizona
This 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:
"Will continue operating Sip following Arizona's Title 4 guideline. We will ensure our employees have attended a Title 4 liquor law training class."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

6 Liquor License - Embassy Suites Hotel

Request for a liquor license. Arizona State License Application 06070538.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
2630 E. Camelback Road
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is Sept. 29, 2020.

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:
"Applicant is committed to upholding the highest standards for business and to maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Embassy Suites Hotel has been a popular hotel in Phoenix for many years. Applicant would like to continue to offer alcoholic beverages to its guests 21 and over."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Embassy Suites Hotel
Liquor License Map - Embassy Suites Hotel

This item was recommended for approval.

7 Liquor License - Culichi Town

Request for a liquor license. Arizona State License Application 012070004567.

Summary

Applicant
Kevin Kramber, Agent

License Type
Series 12 - Restaurant

Location
2151 N. 83rd Ave.
Zoning Classification: C-2
Council District: 7

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

The 60-day limit for processing this application is Oct. 5, 2020.

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

Other Active Liquor License Interest in Arizona
This 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:
"1) I currently represent and am agent on 160+ licenses statewide. 2) Current licensee has had licensed issued since January 2019 without any Title IV violations. 3) All staff has current Title IV liquor training."

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

This item was recommended for approval.

8 Liquor License - Sam's Quick Stop

Request for a liquor license. Arizona State License Application 114223.

Summary

Applicant
Emmanuel Isaac, Agent

License Type
Series 10 - Beer and Wine Store

Location
3518 W. Buckeye Road
Zoning Classification: A-1
Council District: 7

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

The 60-day limit for processing this application is Sept. 27, 2020.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I worked in convenience store as a manager more than 10 years. This experience gave me the opportunity of learning the importance and significance of obtaining a liquor license. I am assured to uphold the laws and regulations about liquor license. I have never been involved in any criminal activity, no record of getting in trouble with law and authorities."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This store will provide a safe and secure place for the neighborhood to

buy alcohol. The location will be convenient for the people in neighborhood who may not have access to transportation. Adding the long time experience of the working in liquor store while upholding all the laws and regulations, the store will be a safe, secure and convenience place for the customers to purchase quality liquor."

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 - Sam's Quick Stop
Liquor License Map - Sam's Quick Stop

This item was recommended for approval.

9 Liquor License - La Sabrosa Restaurant

Request for a liquor license. Arizona State License Application 115471.

Summary

Applicant
Jared Repinski, Agent

License Type
Series 12 - Restaurant

Location
705 E. Mohave St.
Zoning Classification: C-3
Council District: 8

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

The 60-day limit for processing this application is Sept. 27, 2020.

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

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

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

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

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

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

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

economy."

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 - La Sabrosa Restaurant
Liquor License Map - La Sabrosa Restaurant

This item was recommended for approval.

4 Liquor License - Sister Helen

Request for a liquor license. Arizona State License Application 114012.

Summary

Applicant
Krystin Yee, Agent

License Type
Series 12 - Restaurant

Location
1820 W. Northern Ave., Ste. 140
Zoning Classification: C-1 HP
Council District: 5

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 dining and outdoor alcohol consumption.

The 60-day limit for processing this application is Oct. 3, 2020.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a responsible purveyor of local wine, beer and cocktails, who has completed the required trainings to serve liquor. Additionally, I am committed as a business owner and community member to the legal, safe and healthy service 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:
"The offering of a small, local restaurant in the area provides not only a place for community members to partake in local fare, but also to support the 19 North area with an additional business/community member. This will only serve to enhance the area and bring attention to the opportunities that exist for small businesses in North Central Phoenix, specifically, the 19 North corridor."

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 - Sister Helen
Liquor License Map - Sister Helen

Discussion

Note: Vice Mayor Guardado connected to the voting body.

Vice Mayor Guardado commented she was excited to present this for Sister Helen located on 14th Avenue, and thanked the owner and her team for working hard on this project. She mentioned her office was focused on bringing additional dining options to the neighborhood. She also thanked the Community and Economic Development Department for their support. She made a motion to recommend approval of Item 4.

Councilwoman Stark seconded the motion.

Mayor Gallego congratulated those involved with this item.

Note: One electronic comment was submitted in favor of Item 4.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that this item be recommended for approval. The motion carried by the following voice vote:

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

10 Liquor License - Santo Mar Mexican Grill

Request for a liquor license. Arizona State License Application 112634.

Summary

Applicant
Carolina Fuentes, Agent

License Type
Series 12 - Restaurant

Location
2445 E. Thomas Road
Zoning Classification: C-2
Council District: 8

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

The 60-day limit for processing this application is Sept. 26, 2020.

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

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

Mariscos Camaron Pelao (Series 12)
350 N. Dysart Road #201, Goodyear
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion
Two letters protesting the issuance of this license have been received and are on file in the Office of the City Clerk. The letters are from local residents. They feel that live music would deprive their families and neighbors of enjoying their property on a daily basis and that noise polluting is not conducive to their well being and value of their properties.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"My name is Carolina Fuentes. I am qualified because I have been in the restauant business for over 5 years. I currently have a small restaurant in Goodyear. I also have anathe income tax ana dccuanting business in the city of Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We are going to create stable jobs in a heathy Job environment. As well serve great sonoran Mexican Seafood style. We also are going to and bring free salsa, cumbia and bachata classes from 8 p.m. to 9 p.m. Free. this will translate into sells, therefore more sales. We will have a traditional mexican sefood line sushi streets tacos and pasta bowls. All this in a family friendly restaurant."

Staff Recommendation
Staff recommends approval of this application. Staff gave careful consideration to the protest letters received, however after reviewing the application in its entirety staff is recommending approval of this application.

Attachments
Liquor License Data - Santo Mar Mexican Grill
Liquor License Map - Santo Mar Mexican Grill

Discussion

Mayor Gallego announced there was one member of the public wishing to address the Council on Item 10, and asked Councilmember Garcia for comments.

Councilmember Garcia requested to hear from the public first.

Mayor Gallego stated Karen Crowe was having difficulty with connecting to the meeting, and mentioned Ms. Crowe wrote she was in opposition due to concerns about live music disrupting the neighborhood.

City Clerk Denise Archibald stated applicant Carolina Fuentes was available to provide testimony.

Ms. Fuentes stated she was the owner of Santo Mar Mexican Grill, and said she was available to address any questions the neighborhood might have. She talked about how she never had any problems with music at this restaurant or the other restaurant she owned. She said she wanted to provide great food and would not play music loud enough to interrupt the neighborhood.

Councilmember Garcia noted he had a conversation with Ms. Fuentes, and added there were issues with the previous owner. He mentioned Ms. Fuentes was willing to work with the neighborhood, and made a motion to recommend approval of Item 10.

Councilman Nowakowski seconded the motion. He said he had worked with Ms. Fuentes in the past, and discussed how she was involved with the community doing good work during Thanksgiving and Christmas.

Note: One electronic comment was submitted in opposition of Item 10.

A motion was made by Councilmember Garcia, seconded by

Councilman Nowakowski, that this item be recommended for approval. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 11-80 be approved or adopted, except Items 25-26, 28-31, 34-35, 39-41, 43, 49, 54, 55, 62 and 81; noting Item 29 is as revised. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

Items 11-17, Ordinance S-46910 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.

11 Emerging Growth Enterprise dba NoFoam Systems

For $47,000.00 in payment authority for a one-time purchase of an Aqueous Film Forming Foam testing equipment for the Aviation Department. System equipment consists of one portable system, one portable tank with hoses, five retrofit kits and one portable hydrant meter

which will test the foam on five apparatuses for Station 19 for the 14CFR139 required foam testing and confirm the correct consistency per Federal Aviation Administration requirements.

This item was adopted.

12 Surveyors Source LLC

For $66,000.00 in payment authority to purchase Global Navigation Satellite System (GNSS) Smart Antenna Packages for the Police Department. The Vehicle Crimes Unit will use the smart antenna packages in mapping and measuring homicide scenes, fatal traffic collisions, and police involved shooting scenes to ensure accurate investigations are performed. The package includes the GNSS Smart Antenna, GPS mapping system, and the Data Collector and Total Station. The smart antenna, which includes GNSS Rover and GNSS Base Software Packages, overlays measure points and turns the information into a 3D model. The GPS mapping system utilizes satellite technology to accurately measure plot points to effectively reconstruct traffic collisions. The Data Collector and Total Station packages are handheld devices which maps and measures all dimensions of traffic collisions, homicide, and police shooting scenes into realistic and workable 3D models. Without the requested devices, evidentiary components can be lost at the scene resulting in the inability to prosecute and file charges.

This item was adopted.

13 Emerging Tactical Solutions, LLC

For $14,200.00 in payment authority to purchase nine Galvion CAIMAN Ballistic Helmets for the Phoenix Police Department Threat Mitigation Unit (TMU). The helmets create an additional protective layer by preventing traumatic brain injuries in reducing the impact of force to the head. The helmets are a critical part of the Police Department's efforts to provide public safety services to the public.

This item was adopted.

14 Relus Technologies, LLC

For $9,000.00 in annual payment authority to purchase three months of maintenance and support for two of the City's Hitachi storage arrays for the Information Technology Services Department. The two storage arrays are no longer supported by Hitachi. Maintenance and support are

critical, as approximately 40 percent of all city data is stored in this environment. Service interruptions could cause system failures and significant loss of data.

This item was adopted.

15 Family Tree Health Care, LLC

For $250,000.00 in payment authority for Contract 152654 with Family Tree Health Care for additional COVID-19 testing events for the Public Works Department.

This item was adopted.

16 Equality Health Foundation and Valle Del Sol

For $250,000.00 in total additional payment authority for Contract 152430 with Equality Health Foundation and Contract 152764 with Valle Del Sol for COVID-19 testing events for the Public Works Department.

This item was adopted.

17 CrafCo, Inc.

For $55,000.00 in payment authority for a new contract, entered on or about Sept. 16, 2020 for a term of five years for Hot Applied Bituminous Marker Adhesive for the Street Transportation Department. Hot Applied Marker Adhesive is an adhesive that when properly applied, bonds markers, reflectors and delineators to both asphalt and concrete pavement surfaces. The material is a product that is used continuously in daily operations to install raised pavement markers and delineators, such as those being installed for the pilot scooter program or for any other uses deemed necessary.

This item was adopted.

18 Grant of Public Utility Easements on City-owned Property for a Booster Pump Station Located at Baseline Road and 42nd Street (Ordinance S-46912)

Request City Council to grant public utility easements, for the consideration of $1.00 and/or valuable consideration, for replacement electrical facilities that are on City-owned property in the Salt River Project (SRP) service area, and further ordering the Ordinance recorded. The public utility easements are required for upgraded electrical facilities necessary for the expansion of a Booster Pump Station located at

Baseline Road and 42nd Street.

Summary

The public utility easements, are more fully described in the legal descriptions within Exhibit "A" ("Easement Premises"), and will be granted to all public service corporations, agricultural improvement districts, and telecommunication corporations providing utility service (collectively "Grantee") to the property located at Baseline Road and 42nd Street, in perpetuity so long as Grantee uses the Easement Premises for the purposes herein specified, for an indefinite period, subject to the following terms and conditions:

Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate and maintain utility facilities together with appurtenant fixtures for use in connection therewith (collectively "Grantee Facilities") to, through, across and beyond Grantor's property within the Easement Premises. Subject to the notice requirements provided in paragraph "I," Grantee shall at all times have the right of full and free ingress and egress to and along the Easement Premises for the purposes herein specified. Grantee acknowledges and accepts that Grantee shall share the Easement Premises with other Grantees and shall use such Easement Premises with other Grantees in accordance with and consistent with industry standards and customs for shared use. Grantor agrees to coordinate the location of Grantee's Facilities within the Easement Premises and to pay costs for relocation of Grantee's Facilities as provided in paragraph "F."

Grantor shall not locate, erect or construct, or permit to be located or erected or constructed, any building or structure within the limits of the Easement Premises. However, Grantor reserves all other rights, interests, and uses of the Easement Premises that are not inconsistent with Grantee's easement rights herein conveyed and which do not interfere with or endanger any of the Grantee Facilities. Notwithstanding the foregoing, Grantor shall not have the right to lower by more than one foot or raise by more than two feet the surface grade of Easement Premises without the prior written consent by the Grantee whose facilities will be affected by the change of elevation.

Grantee shall not have the right to use the Easement Premises to store gasoline or petroleum products, hazardous or toxic substances, or flammable materials; provided however, that this prohibition shall not

apply to any material, equipment or substance contained in, or a part of, the Grantee Facilities, provided that Grantee must comply with all applicable federal, state and local laws and regulations in connection therewith. Additionally, the Easement Premises may not be used for the storage of construction related materials or to park or store construction-related vehicles or equipment except on a temporary basis to construct, reconstruct, replace, repair, operate, or maintain the Grantee Facilities.

Grantor shall maintain an appropriate three-foot clear area around all edges of all equipment pads for Grantee Facilities in addition to a clear operational area that extends 12 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstruction, trees, shrubs, fixtures, or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs, or other obstruction within said areas.

Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work or use by Grantee within the Easement Premises, the affected area, including without limitation, all pavement, landscaping, concrete and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.

Grantor reserves the right to require the relocation of Grantee Facilities to a new location within Grantor's property; provided however, that: (1) Grantor pays the entire cost of redesigning and relocating existing Grantee Facilities to the new location; and (2) Grantor provides Grantee with a new and substantially similar public utility easement at no cost to Grantee. After relocation of Grantee Facilities to the new easement area, Grantee shall abandon its rights to use the Easement Premises granted in this easement without cost or consequence to Grantor.

Each public service corporation and telecommunication services corporation as a Grantee shall coordinate and work with other Grantees in the use of the Easement Premises. In the event that a third party or other Grantee requests the relocation of existing Grantee Facilities to a new location (whether or not) within the Easement

Premises, the requesting party shall pay the entire cost of redesigning and relocating the existing Grantee Facilities.

Grantee shall not have the right to transfer, convey or assign its interests in this easement to any individual, corporation, or other entity without the prior written consent of Grantor, which consent shall not be unreasonably withheld. Grantee shall notify Grantor of any proposed transfer, conveyance or assignment of any rights granted herein at address listed below.

Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where the Easement Premises are located: (1) on a site that includes Aviation Department facilities; (2) water and wastewater treatment facilities; (3) Police Department headquarters located at 620 W. Washington St.; (4) Fire Department headquarters located at 150 S. 12th St.; (5) City Hall located at 200 W. Washington St.; (6) City Court Building located at 300 W. Washington St.; (7) Calvin C. Goode Building located at 251 W. Washington St.; (8) Transit Operations Center located at 320 N. 1st Ave. or West Transit Facility located at 405 N. 79th Ave.; or (9) in a secured or fenced area.

Location

Baseline Road and 42nd Street
Council District: 8

This item was adopted.

19 Grant of Public Utility Easement on City-owned Property for Well Site 301 (Ordinance S-46916)

Request City Council to grant a public utility easement, for consideration of $1.00 and/or other valuable consideration, for electrical facilities and the installation of a pad-mounted transformer on City-owned property in the Arizona Public Service (APS) service area, and further ordering the Ordinance recorded. The public utility easement is required for construction of improvements to Well Site 301.

Summary

This public utility easement is for the area more fully described in the legal description within Exhibit A ("Easement Premises") and will be granted to all public service corporations, agricultural improvement

districts, and telecommunication corporations providing utility service (collectively "Grantee") to Well Site 301 in perpetuity so long as Grantee uses the Easement Premises for the purposes herein specified for an indefinite period, subject to the following terms and conditions:

Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate and maintain utility facilities together with appurtenant fixtures for use in connection therewith (collectively "Grantee Facilities") to, through, across and beyond Grantor's property within the Easement Premises. Subject to the notice requirements provided in paragraph "I," Grantee shall at all times have the right of full and free ingress and egress to and along the Easement Premises for the purposes herein specified. Grantee acknowledges and accepts that Grantee shall share the Easement Premises with other Grantees and shall use such Easement Premises with other Grantees in accordance with and consistent with industry standards and customs for shared use. Grantor agrees to coordinate the location of Grantee's Facilities within the Easement Premises and to pay costs for relocation of Grantee's Facilities as provided in paragraph "F."

Grantor shall not locate, erect or construct, or permit to be located or erected or constructed, any building or structure within the limits of the Easement Premises. However, Grantor reserves all other rights, interests, and uses of the Easement Premises that are not inconsistent with Grantee's easement rights herein conveyed and which do not interfere with or endanger any of the Grantee Facilities. Notwithstanding the foregoing, Grantor shall not have the right to lower by more than one foot or raise by more than two feet the surface grade of Easement Premises without the prior written consent by the Grantee whose facilities will be affected by the change of elevation.

Grantee shall not have the right to use the Easement Premises to store gasoline or petroleum products, hazardous or toxic substances, or flammable materials; provided however, that this prohibition shall not apply to any material, equipment or substance contained in, or a part of, the Grantee Facilities, provided that Grantee must comply with all applicable federal, state and local laws and regulations in connection therewith. Additionally, the Easement Premises may not be used for the storage of construction-related materials or to park or store construction-related vehicles or equipment except on a temporary

basis to construct, reconstruct, replace, repair, operate, or maintain the Grantee Facilities.

Grantor shall maintain an appropriate three-foot clear area around all edges of all equipment pads for Grantee Facilities in addition to a clear operational area that extends 10 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstruction, trees, shrubs, fixtures, or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs, or other obstruction within said areas.

Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work or use by Grantee within the Easement Premises, the affected area, including without limitation, all pavement, landscaping, concrete and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.

Grantor reserves the right to require the relocation of Grantee Facilities to a new location within Grantor's property; provided however, that: (1) Grantor pays the entire cost of redesigning and relocating existing Grantee Facilities to the new location; and (2) Grantor provides Grantee with a new and substantially similar public utility easement at no cost to Grantee. After relocation of Grantee Facilities to the new easement area, Grantee shall abandon its rights to use the Easement Premises granted in this easement without cost or consequence to Grantor.

Each public service corporation and telecommunication services corporation as a Grantee shall coordinate and work with other Grantees in the use of the Easement Premises. In the event that a third party or other Grantee requests the relocation of existing Grantee Facilities to a new location (whether or not) within the Easement Premises, the requesting party shall pay the entire cost of redesigning and relocating the existing Grantee Facilities.

Grantee shall not have the right to transfer, convey or assign its interests in this easement to any individual, corporation, or other entity without the prior written consent of Grantor, which consent shall not be unreasonably withheld. Grantee shall notify Grantor of any proposed

transfer, conveyance or assignment of any rights granted herein at address listed below.

Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where the Easement Premises are located: (1) on a site that includes Aviation Department facilities; (2) water and wastewater treatment facilities; (3) Police Department headquarters located at 620 W. Washington St.; (4) Fire Department headquarters located at 150 S. 12th St.; (5) City Hall located at 200 W. Washington St.; (6) City Court Building located at 300 W. Washington St.; (7) Calvin C. Goode Building located at 251 W. Washington St.; (8) Transit Operations Center located at 320 N. 1st Ave. or West Transit Facility located at 405 N. 79th Ave.; or (9) in a secured or fenced area.

Location

Near 47th Avenue and Bell Road

Council District: 1

This item was adopted.

20 Authorization to Grant Electrical Easements to Salt River Project for Tres Rios Substation Improvements at 91st Avenue Wastewater Treatment Plant (Ordinance S-46919)

Request to authorize the City Manager, or designee, to grant electrical easements to Salt River Project (SRP) across City-owned property for Tres Rios Substation improvements at the 91st Avenue Wastewater Treatment Plant for consideration in the amount of $1.00 and/or other valuable consideration.

Summary

The electrical easements are required by SRP for installation of a 68kV bus divider breaker and associated equipment pursuant to City Contract 139425-003. The improvements are necessary to mitigate the risk of a complete plant shutdown in the event of a power failure.

Location

91st Avenue Wastewater Treatment Plant

Council District: 7

This item was adopted.

21 Acceptance of an Easement for Waterline Purposes (Ordinance S-46921)

Request for the City Council to accept an easement for waterline 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: GTT Bell Canyon, LLC, its successor and assigns
Purpose: Waterline
Location: 2834 W. Bell Road
File: FN 200561
Council District: 1

This item was adopted.

22 Acceptance and Dedication of Deeds and Easements for Roadway, Transit Pad and Public Utility Purposes (Ordinance S-46923)

Request for the City Council to accept and dedicate deeds and easements for roadway, transit pad and public utility 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.

Deed (a)
Applicant: Washington School District No. 6, its successor and assigns
Purpose: Roadway
Location: 10444 N. 39th Ave.
File: FN 190106
Council District: 1

Deed (b)
Applicant: Demergasso Family Marital Deduction Share Trust, its successor and assigns

Purpose: Roadway
Location: 2775 S. 75th Ave.
File: FN 200543
Council District: 7

Easement (c)
Applicant: Pan-American Elementary Charter School (dba Pan-American Charter School), its successor and assigns
Purpose: Transit Pad
Location: 8305 W. Thomas Road
File: FN 200567
Council District: 7

Easement (d)
Applicant: Dorrit Karasek, its successor and assigns
Purpose: Public Utility
Location: 2245 W. Thomas Road
File: FN 200560
Council District: 7

Deed (e)
Applicant: Dorrit Karasek, its successor and assigns
Purpose: Roadway
Location: 2245 W. Thomas Road
File: FN 200560
Council District: 7

Easement (f)
Applicant: Jobs Asset Management, LLC, its successor and assigns
Purpose: Public Utility
Location: 4635 S. 7th St.
File: FN 200565
Council District: 8

This item was adopted.

23 Dust Palliative Stabilizer - MCC 190217 - Requirements Contract (Ordinance S-46926)

Request to authorize the City Manager, or his designee, to access

Maricopa County Contract 190217 and enter into a contract with EarthCare Consultants, L.L.C. to provide dust palliative stabilizer services on an as-needed basis for the Aviation Department in an amount not to exceed $1 million. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The contract will provide the dust palliative and soil stabilizer services required for dust control and soil stabilization on the airside and landside areas of Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport and Phoenix Goodyear Airport. The services are necessary to comply with Maricopa County air quality requirements; accessing and utilizing this contract will help minimize the needed City staff time and resources to comply.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts. Maricopa County Contract 190217 covers dust palliative stabilizer services and was awarded on Aug. 1, 2019.

Contract Term

The term of the contract is five years and will begin on or about Sept. 16, 2020.

Financial Impact

The aggregate contract value shall not exceed $1 million (including applicable taxes), with an estimated annual expenditure of $200,000. Funds are available in the Aviation Department's budget.

Location

Phoenix Sky Harbor International Airport at 3400 E. Sky Harbor Blvd.; Phoenix Deer Valley Airport at 702 W. Deer Valley Road; Phoenix Goodyear Airport at 1658 S. Litchfield Road, Goodyear, Ariz.

Council Districts: 1, 8 and Out of City

This item was adopted.

24 Contract Extension for Acquisition Services and Additional Funding for Relocation Services for Citywide Contracts (Ordinance S-46946)

Request authorization for the City Manager, or his designee, to (a) extend the term of the acquisition services contracts on a month-to-month basis for up to a six-month period and to (b) add funding to the relocation services contracts. Further request authorization for the City Controller to disburse funds in an amount not to exceed $330,000 for acquisition services and $90,000 for relocation services, not to exceed $420,000 over the six-month period.

Summary

This extension of contracts for acquisition services and additional funding for relocation services contracts is necessary to complete a Request for Qualifications (RFQ) solicitation to create a Qualified Vendor List (QVL); and enter into new, combined, acquisition - relocation service contracts. Services are to acquire real property and relocated businesses for large infrastructure projects.

The acquisition contracts for Acquisition Sciences, Ltd. (Contract 141563) and Tierra Right of Way Services, Ltd. (Contract 141564) will be extended on a month-to-month basis for up to six months.

Additional funding for the relocation contracts for Acquisition Sciences, Ltd. (Contract 146064) and Tierra Right of Way Services, Ltd. (Contract 146065) is necessary to accommodate increased relocation needs requested for City projects.

Contract Term

The contract term for the acquisition contracts will be extended month-to-month for up to six months, beginning Oct. 1, 2020 through April 30, 2021. The relocation contract expires Aug. 31, 2021.

Financial Impact

Expenditures for acquisition and relocation services are not to exceed $420,000 during the six-month period. Funds are available in various

departments' budgets.

Concurrence/Previous Council Action
Ordinance S-42023 was adopted on Sept. 9, 2015 for acquisition services; and Ordinance S-43830 was adopted on Aug. 30, 2017 for relocation services.

This item was adopted.

27 Request to Change Executive Session Start Time on Specific Dates through December 2020

Request for the City Council to change the Executive Session start time from 1 p.m. to noon on the following dates: Sept. 22, 2020, Oct. 13, 2020, Oct. 27, 2020, Nov. 10, 2020, and Dec. 8, 2020.

Public Outreach
The Notice and Agenda for these Executive Sessions will be posted no later than 24 hours before each scheduled meeting.

This item was approved.

32 Extend Guest Services and Customer Volunteer Management Services Contracts (Ordinance S-46911)

Request to authorize the City Manager, or his designee, to extend the five-year terms of Contract 142662 with ABM Aviation, Inc. (ABM) and Contract 142663 with Airport Terminal Services, Inc. (ATS) for up to one year on a month-to-month basis, and to authorize the expenditure of an additional amount not to exceed $1.6 million over the one-year extension of the terms for guest services and customer volunteer management services. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
ABM provides staff for the information counters throughout Phoenix Sky Harbor International Airport (PHX) and the Rental Car Center (RCC) with guest services members, who provide passenger assistance with international arrivals, administer the live music program in the terminals, and distribute Federal Emergency Management Agency masks to passengers traveling through PHX. ATS provides management services for more than 450 volunteers in the Phoenix Navigators Programs. The

volunteers respond to customer questions and provide directions and friendly assistance throughout PHX and the RCC.

Due to the ongoing worldwide COVID-19 pandemic, current conditions do not allow for accurate airline traffic and passenger level projections for the next 12 months. The Contract extensions will allow the Aviation Department to develop a new procurement based on the development and distribution of a COVID-19 vaccine, airline traffic and passenger level trends, and projected economic conditions.

Contract Term
The terms of the Contracts will be extended for one year on a month-to-month basis beginning on or about June 1, 2021.

Financial Impact
Additional money in the amount of $1.6 million is needed: approximately $400,000 for ATS's Contract and approximately $1.2 million for ABM's Contract. The additional money will increase the aggregate cost of the Contracts by an amount not to exceed $9.6 million over the six-year aggregate terms of the Contracts. Funds are available in the Aviation Department's operating budget.

Concurrence/Previous Council Action
Contracts 142662 and 142663 were authorized by ordinance on May 18, 2016 with an aggregate cost of $8 million over the original five-year terms of the Contracts.

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

This item was adopted.

33 Continued COVID-19 Incident Response Efforts (Ordinance S-46931)

Request to ratify contracts executed by the City Manager, or his designee, necessary to acquire emergency services, personal protective equipment, cleaning supplies, teleworking/E-Government equipment and other COVID-19 expenses up to $10 million and further request

authorization for the City Controller to expend and accept all funds necessary to mitigate further health incidents related to the COVID-19 pandemic.

Summary

The City Council declared a local emergency due to the COVID-19 pandemic on March 20, 2020. Immediately after the confirmation of the emergency, the City engaged with specialized vendors to ensure the health and safety of staff and members of the public. The COVID-19 pandemic has resulted in additional procurement and contracting complications due to the need to respond timely coupled with the lack of supplies and a deterioration in supply chains failing to support the heightened national demand, especially for Personal Protective Equipment (PPE) and teleworking equipment.

Most of the costs associated with the City's response to the COVID-19 pandemic will be recovered through funding from the Coronavirus Aid, Relief and Economic Security (CARES) Act signed into law on March 27, 2020 to address the economic decline resulting from the COVID-19 pandemic in the United States. The City’s allocation of funding from the CARES Act Coronavirus Relief Fund (CRF) was $293 million and is intended to recover the necessary expenditures associated with the City’s pandemic response. On May 5, 2020, the City Council approved a strategic plan for the utilization of the City's CRF funds which included a $75 million allocation for City Operations, a $75 million allocation for Community Investment and $143 million reserved for public safety costs. The City has implemented a process to ensure staff has a full accounting of all COVID-19 related expenditures for the purposes of recovering these expenditures through all possible sources of available funding.

On May 6, 2020, the City Council approved Ordinance S-46605 providing authority to execute contracts, expend and accept all funds necessary to mitigate further health incidents related to the COVID-19 pandemic up to $20 million. Since the start of the COVID-19 crisis the City has utilized this funding to actively procure $20 million of personal protective equipment, testing supplies, teleworking resources and other items supporting the City’s response efforts.

The State of Arizona experienced a resurgence of the Coronavirus

throughout the months of June and July. The Finance Department is sourcing goods to support the Community Investment and City Operation portions of the CRF strategic plan along with estimated values through Sept. 30, 2020:

Teleworking / E-Government:	$4,500,000
Personal Protective Equipment:	$400,000
Enhanced Cleaning:	$300,000
PPE for Schools:	$2,500,000
Estimated Future COVID Procurement: (PPE, teleworking, public building retrofits, etc.)	$2,300,000
Total:	$10,000,000

Financial Impact

City staff is tracking all expenses related to the COVID-19 pandemic separately and regularly reporting these expenses to the City Council. The estimated value of $10 million is based on the actual goods received, purchase orders processed and estimated future testing, additional PPE and teleworking expenses. The City may request future authorizations based on the longevity of the COVID-19 pandemic. These amounts are part of the CRF funds allocated to city operations not to exceed $75 million and of the funds allocated to community investment not to exceed $75 million.

Concurrence/Previous Council Action

On May 6, 2020, the City Council approved Ordinance S-46605 providing authority to execute contracts, expend and accept all funds necessary to mitigate further health incidents related to the COVID-19 pandemic up to $20 million.

This item was adopted.

36 Tent Rentals for Cesar Chavez Park COVID-19 Testing Site - Emergency Request (Ordinance S-46929)

Request to authorize the City Manager, or his designee, to enter into an agreement with A to Z Equipment Rentals & Sales for the rental of tents, tables and chairs for use at the Cesar Chavez Park COVID-19 Testing Site. This item has an aggregate amount of $22,183. Further request

authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department rented tents, tables and chairs from A to Z Equipment Rentals & Sales for use at the Cesar Chavez Park COVID-19 Testing Site beginning July 27, 2020. Public Works partnered with the American Legion to set up the COVID-19 testing site. The testing site ran from July 27, 2020 through Aug. 8, 2020. The site was available to the public to perform testing for the COVID-19 virus. These rentals are directly related to public health and the mitigation of the COVID-19 virus by providing the necessary equipment to perform testing at the COVID-19 testing site. This item will provide payment to A to Z Equipment Rentals & Sales for the items rented for the testing site.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived citing a determination memo - emergency.

Contract Term

The agreement will begin on or about Council approval on Sept. 16, 2020.

Financial Impact

This item will have an aggregate amount of $22,183. Funds are available in the Coronavirus Relief Fund.

Emergency Clause

Due to the COVID-19 pandemic, it is crucial for the City to provide resources to assist in testing for virus for the health and safety of employees and the public.

Location

Cesar Chavez Park, 7858 S. 35th Ave.
Council District: 7

This item was adopted.

37 Container Repair and Maintenance Service - Emergency Request

(Ordinance S-46918)

Request to authorize the City Manager, or his designee, to enter into an agreement with CDSRVS, LLC known as Can Do Services, for Container Repair and Maintenance Service of residential refuse and recycle containers. This item will have an aggregate amount of $150,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

To ensure compliance with State and County requirements for provision of sanitary storage containers and to provide acceptable levels of customer service, Public Works Department - Solid Waste Division endeavors to maintain a container delivery and repair schedule averaging five days or less. Currently the delivery and exchange service timeframes are 7-14 days or longer. This delay in service is due to staffing levels being severely impacted due to the COVID-19 pandemic. Under normal conditions the delivery service timeframe is 1-3 days. This company will be responsible for maintenance and replacement of residential containers for refuse and recycling materials to assist with restoring acceptable service levels.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived citing a determination memo - emergency.

Contract Term

This agreement is retroactive beginning on July 1, 2020 and has an anticipated use up to 12 weeks.

Financial Impact

This item will have an aggregate amount of $150,000. Funds are available in the Public Works Department Budget.

Emergency Clause

Due to the COVID-19 pandemic, there is a shortage in staff levels. It is crucial for the City to ensure it is meeting state and county requirements to provide sanitary containers and ensure they are readily available.

This item was adopted.

38 **Request Retroactive Authorization for Agreement for Child and Family Advocacy Center Grant Funds (Ordinance S-46936)**

Request retroactive authorization for the City Manager, or his designee, to apply for, and, if awarded, accept Child and Family Advocacy Center grant funds and enter into an agreement with the State of Arizona, Office of Attorney General. Funds will be allocated statewide to advocacy centers based on the number of clients served in calendar years 2018 and 2019. Further request authorization to take all other action necessary or appropriate to carry out the terms of the grant. Request authorization for the City Treasurer to accept, and City Controller to disburse all funds related to this item for the life of the grant.

Summary

On July 6, the Arizona Attorney General's Office (AGO) announced the availability of Child and Family Advocacy Center grant funds with the application due on Aug. 17, 2020. The AGO worked with the Arizona Legislature to re-appropriate monies from civil settlements for the purpose of establishing a fund to provide grant support to Child and Family Advocacy Centers. To address this need, the AGO is providing up to $600,000 for multiple, one-time grants. The sum of $100,000 is available to the City of Phoenix based on the number of victims serviced in calendar year 2018, and $500,000 is available based on the number of victims served in 2019.

If awarded, this funding will provide essential items to victims of crime who are in dangerous, emergency situations. These items may include clothing, hygiene items, and gift cards for food and/or gas. In addition, the funding may be used to improve space within the Family Advocacy Center such as waiting areas, restrooms, and forensic medical exam rooms.

Contract Term

The grant period shall commence upon award and shall remain in effect until June 30, 2021.

Financial Impact

There is no impact to the General Fund. Funding is provided by the State of Arizona and does not have a match requirement.

This item was adopted.

42 FY 2020 Edward Byrne Memorial Justice Assistance Grant (Ordinance S-46925)

Request retroactive authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept and enter into an agreement with the Bureau of Justice Assistance and Intergovernmental Agreements with Maricopa County and the City of Mesa, for the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) in an amount not to exceed $1,024,557. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The City has received funding through this grant program for the past several years. The Police Department was informed of the availability of these funds on July 9, 2020. The Police Department will manage this grant, which will involve administering the funding to the eligible local agencies, programmatic and financial reporting, as well as initiating the intergovernmental agreements associated with the grant awards.

The 2020 JAG grant application was submitted by the Police Department on behalf of the City of Phoenix and eligible partnering agencies. In addition to the City of Phoenix, requests were included for Maricopa County and the City of Mesa. It is proposed the City of Phoenix will receive $801,923, Maricopa County will receive $87,887, and the City of Mesa will receive $134,747, for a total award of $1,024,557.

The proposed budgetary allocations for the City of Phoenix include: $166,109 to the Parks and Recreation Department for Project BRAVE (Bringing Reality About Violence Education). Project BRAVE is a violence prevention and education program that was created with the goal of decreasing violence in our community through awareness and leadership training activities. The project provides comprehensive workshops held at various sites, non-profit agencies, and after school programs.

The Police Department proposes to use the funding to purchase equipment that is instrumental in the continued dedication to the service

of the community. Items include camera equipment, tactical equipment, forensic equipment for the Crime Laboratory and personal protective equipment to augment investigations and crime suppression.

The grant application was due Aug. 19, 2020. If authorization is denied, the grant application will be rescinded.

Contract Term
The contract term is Oct. 1, 2019 through Sept. 30, 2023.

Financial Impact
No matching funds are required.

This item was adopted.

44 Contribution from Sanderson Ford for Virtual Block Watch Program (Ordinance S-46939)

Request authorization for the City Manager, or his designee, to accept a contribution from Sanderson Ford consisting of the use of a new Ford vehicle with an estimated value of $31,780 for the Police Department's Virtual Block Watch (VBW) program.

Summary
In 2017, the Police Department launched the VBW program as a new tool to enhance criminal investigations through community participation. This program enables Phoenix residents and businesses to voluntarily register their closed-circuit television (CCTV) and Internet Protocol (IP) security cameras with the City of Phoenix VBW database. If criminal activity is captured by participants' cameras, the footage may assist the Police Department in solving crimes and insignificantly reducing investigative time.

Sanderson Ford has offered to sponsor the department's VBW program by contributing the use of a new 2020 Ford Mustang, with an estimated value of $31,780. If this contribution is approved, the vehicle will be wrapped with approved Phoenix Police Department VBW program graphics and messaging, as well as Sanderson Ford logos. The VBW vehicle will be driven, displayed and featured throughout the City by the VBW coordinator during the normal course of business and presentations. The VBW coordinator will feature the vehicle at various

community events to provide a professional and constant visualization as a subject matter expert while promoting the VBW program. In addition, the VBW program coordinator will also attempt to appear at 20 designated Sanderson Ford events with the vehicle to publicly recognize the sponsorship and to advertise the VBW program.

Contract Term
One year beginning on or about Sept. 16, 2020.

Financial Impact
Costs to the City will include expenditures for fuel to operate the vehicle and insurance against liability and property damage. Funds for these expenses are available in the Police Department's budget.

This item was adopted.

45 Authorization to Enter into Agreements with Drug Enforcement Administration for Reimbursement for Police Services (Ordinance S-46942)

Request authorization for the City Manager, or his designee, to allow the Police Department to enter into agreements with the Drug Enforcement Administration (DEA) to accept funds in the amount of $19,180.25 per year, per officer, not to exceed $192,000, for approved overtime. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
The Police Department has participated in DEA task forces via similar agreements for the past several years. The purpose of these task force groups is to disrupt the illegal trafficking of drugs in the State of Arizona by immobilizing targeted violators and trafficking organizations. The task force groups conduct undercover operations where appropriate and engage in other traditional methods of investigation in an effort to effectively prosecute offenders in federal and state courts. Through these agreements, five experienced Phoenix police officers will continue to be assigned to the DEA Phoenix Task Force for a period of not less than two years. This agreement provides the City with reimbursement for the officers' overtime related to task force investigations.

Contract Term
Oct. 1, 2020 through Sept. 30, 2022.

Financial Impact
The cost to the City is related fringe benefits and in-kind resources.

This item was adopted.

46 Billboard Outdoor Advertising Request to Issue Revenue Contract Solicitation at Phoenix Sky Harbor International Airport

Request to authorize the City Manager, or his designee, to issue a revenue contract solicitation (RCS) for the upgrading of two existing billboards and the installation of three new billboards on land located at Phoenix Sky Harbor International Airport.

Summary
Five billboards are located on Aviation Department (AVN) property. Two of those billboards are static billboards located along Interstate 10 (I-10). AVN has identified underutilized, non-aeronautical land along State Route 143 (SR 143) that is suitable for the installation of three new digital billboards. The RCS will award two packages. The first package will award a lease for the two billboards along I-10 to the successful respondent and require that the billboards be upgraded from static to digital. The second package will award a lease for land located along SR-143 for the installation, maintenance, and repair of three new digital billboards.

Procurement Information
AVN will conduct an RCS to select a successful respondent for each package. Responsive and responsible respondents will be evaluated according to the following evaluation criteria:
Proposed Minimum Annual Guarantee (MAG)
Business and Marketing Plan
*Maintenance plan
*Sales plan, including approach to managing advertising requests and strategies to maximize revenue
Qualifications and Experience of Respondent
*Number of years of experience
*Type of experience in managing outdoor advertising

The highest ranked respondent for each package will be recommended for the award of a lease.

AVN intends to issue the RCS at the appropriate time based on the national and regional economy performance.

The City's Transparency Policy will be in effect when the RCS is released and throughout the RCS process.

Public Outreach
The RCS process will include all standard and required outreach efforts and will conduct targeted outreach efforts to attract interest for each of these unique contracting opportunities.

Contract Term
The term of each lease will be 10 years and will include one, 10-year option to extend the term that may be exercised at the sole discretion of the Aviation Director or his designee.

Financial Impact
Each respondent shall propose a MAG. In the first year of the lease, the successful respondent shall pay the proposed MAG or percentage rent at 60 percent of gross sales, whichever is greater. For every year thereafter, MAG shall be adjusted to 75 percent of the prior years' annual rent payment or 100 percent of the previous year's MAG, whichever is greater.

Concurrence/Previous Council Action
This item was recommended for approval at the Transportation, Infrastructure and Innovation Subcommittee meeting on Sept. 2, 2020, by a vote of 4-0.

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

This item was approved.

47 Phoenix Deer Valley Airport Restaurant Revenue Contract Solicitation

Request to authorize the City Manager, or his designee, to issue a revenue contract solicitation (RCS) to develop, remodel, and operate a full-service restaurant at Phoenix Deer Valley Airport (DVT).

Summary

The terminal building at DVT has a vacant restaurant space suitable for the operation of a full-service restaurant. The previous restaurant operator vacated DVT at the end of the lease term on May 31, 2020. The RCS will procure a new operator that will remodel the space and operate a restaurant concept suitable for DVT and its patrons. The current restaurant layout includes a lounge and patio dining space.

Respondents will also be offered the opportunity to develop and operate a separate retail space in the terminal building.

Procurement Information

The Aviation Department will conduct an RCS to select the most suitable respondent.

Responsive and responsible respondents will:

Submit a restaurant concept suitable for the general aviation airport environment.

Provide evidence of at least three years of experience in the last five years owning or operating a full-service restaurant.

Demonstrate the financial wherewithal to implement the approved concept.

Demonstrate the ability to procure a license for the sale of alcoholic beverages.

Propose a minimum annual guarantee (MAG) of revenue to DVT that exceeds $92,000 for the first year of operation.

Responsive and responsible respondents will be evaluated according to the following evaluation criteria:

Suitability of the proposed restaurant concept and design for the existing space and for DVT.

Amount of remodel investment.

Quality and suitability of menu items.
Proposed MAG.
Qualification and experience of ownership and management team.

Contract Term
The term of the lease will be seven years and include one, three-year option to extend the term that may be exercised at the sole discretion of the Aviation Director.

Financial Impact
Rent will be a MAG, no less than $92,000, or a percentage of gross sales, whichever is greater. MAG for subsequent years will be the minimum of the first year MAG or 85 percent of gross sales for the previous year.

Concurrence/Previous Council Action
This item was recommended for approval at the Transportation, Infrastructure and Innovation Subcommittee meeting on Sept. 2, 2020, by a vote of 4-0.

Location
Phoenix Deer Valley Airport, 702 E. Deer Valley Road
Council District: 1

This item was approved.

48 Aviation Glass Repair, Replace and Maintenance Services - Contract Recommendation (Ordinance S-46913)

Request to authorize the City Manager, or his designee, to enter into a contract with True View Windows and Glass Block, Inc. (True View Windows) for glass repair, replacement, and maintenance services for the Aviation Department in an amount not to exceed $1 million over the five-year term of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
True View Windows will provide glass repair, replacement, installation, and maintenance services for facilities throughout Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport. True View Windows will also supply frame components and

various types of glass for windows, plate glass, tabletops, storefronts, passageway doors, and shower doors.

Procurement Information
Invitation for Bid 21-003 was conducted in accordance with Administrative Regulation 3.10. True View Windows' bid was received on July 27, 2020. The bid was evaluated based on minimum qualifications, price, responsiveness, and responsibility to provide the required goods and services. The bid from True View Windows was deemed fair and reasonable based on the market and previous contract pricing.

Contract Term
The term of the contract is five years and will begin on or about Oct. 1, 2020. The contract will not contain an option to extend the term.

Financial Impact
The cost of the contract will not exceed $1 million. Funds are available in the Aviation Department's budget.

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

This item was adopted.

50 Salt River Project Agricultural Improvement and Power District Corporate Hangar Lease Amendment (Ordinance S-46934)

Request to authorize the City Manager, or his designee, to amend Corporate Hangar Lease Agreement 148473 (Lease) with Salt River Project Agricultural Improvement and Power District (SRP) by extending the term two years and adding three one-year options to extend the term that may be exercised at the sole discretion of the Aviation Director.

Summary
SRP occupies a corporate hangar located at 2601 E. Air Lane at Phoenix Sky Harbor International Airport. SRP uses the hangar to store and conduct light maintenance on its aircraft. The Lease will expire on Sept. 30, 2023. SRP wants to extend the term of the Lease two years (to Sept.

30, 2025) and add three one-year options to extend the term that may be exercised at the sole discretion of the Aviation Director.

Contract Term
The term will be extended two years and the Lease will be amended to add three one-year options to extend the term that may be exercised at the sole discretion of the Aviation Director.

Financial Impact
Rent for the first year of the extended term will be approximately $129,197 ($8.92 per square foot), plus applicable tax. Rent will be adjusted annually thereafter based on the Consumer Price Index. Total anticipated revenue over the term, if all options are exercised, will be approximately $645,986.

Location
2601 E. Air Lane
Council District: 8

This item was adopted.

51 American Airlines Passenger Boarding Bridges (Ordinance S-46937)

Request to authorize the City Manager, or his designee, to purchase seven passenger boarding bridges (Bridges) from American Airlines in exchange for $4.1 million in rent credits under American Airlines' leases at Phoenix Sky Harbor International Airport (Airport).

Summary
American Airlines currently leases 25 passenger boarding bridges as part of its Terminal 4 operations at the Airport. The bridges are of varying age and condition. The bridges are owned by the City of Phoenix and were installed in 1990. The bridges have frequent mechanical failures that lead to aircraft delays. As an integral part of American Airlines' operation, it has proposed the structure of this transaction in order to actively manage the Bridge specifications and installation. American Airlines is also able to quickly purchase the Bridges at a significant discount due to its purchasing volume. If approved, the Aviation Department will purchase the Bridges from American Airlines with rent credits in the amount of $4.1 million that will be applied to its leases at the

Airport. The City will then lease the Bridges to American Airlines at the rate of $3,014 per month per Bridge.

Contract Term

The term of the lease for each Bridge will be month-to-month and will be consistent with American Airlines' lease of the associated gate.

Financial Impact

$4.1 million in rent credits will be amortized over the 30-year life of the Bridges at the imputed interest rate of 4.7 percent and charged to American Airlines at the rate of $3,014 per month per Bridge.

Concurrence/Previous Council Action

This item was recommended by the Phoenix Aviation Advisory Board on Aug. 20, 2020.

This item was recommended for approval at the Transportation, Infrastructure and Innovation Subcommittee meeting on Sept. 2, 2020, by a vote of 4-0.

Location

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

This item was adopted.

52 Arizona Department of Public Safety Corporate Hangar Lease Extension (Ordinance S-46941)

Request to authorize the City Manager, or his designee, to amend Department of Public Safety (DPS) Corporate Hangar Lease Agreement 142410 (Lease) at Phoenix Sky Harbor International Airport by extending the term three years and adding one, one-year option to extend the term that may be exercised at the sole discretion of the Aviation Director. Total anticipated revenue over the term, if the option is exercised, will be approximately $501,816.

Summary

DPS has occupied the corporate hangar under its current lease since Nov. 1, 2013. DPS uses the hangar to store and maintain its aircraft. DPS has asked to extend the term of the Lease until Oct. 31, 2023 and add one one-year option to extend the term.

Contract Term
The term will be extended three years and the Lease will be amended to add one, one-year option to extend the term that may be exercised at the sole discretion of the Aviation Director.

Financial Impact
Rent for the first year of the extended term will be approximately $125,454 ($8.70 per square foot). Total anticipated revenue over the term, if the option is exercised, will be approximately $501,816. Rent will be adjusted annually based on the Consumer Price Index.

Concurrence/Previous Council Action
This item was recommended for approval at the Transportation, Infrastructure and Innovation Subcommittee meeting on Sept. 2, 2020, by a vote of 4-0.

Location
2615 E. Air Lane
Council District: 8

This item was adopted.

53 Transit Furniture Manufacturing and Installation - Request for Award (Ordinance S-46933)

Request to authorize the City Manager, or his designee, to enter into an agreement with Talis Construction Corporation to construct and install new bus shelters. Further request to authorize execution of amendments to the agreement, as necessary within the Council-approved expenditure authority provided below, and for the City Controller to disburse all funds related to this item. The agreement's total cost will not exceed $2,265,612.

Summary
The design is the result of a collaboration between the Phoenix Public Transit Department (PTD) and students from ASU’s Institute for Design and Arts to design new bus shelters that provide improved shade for bus riders and are, in the long run, estimated to be more cost-effective to

manufacture.

Phoenix has 4,050 bus stops, 2,650 of which currently utilize one of four shade structure designs. The bus shelters currently in use provide maximum shade when the sun is directly overhead. The purpose of the new shade structures is to achieve higher shade coverage when the sun is at different angles. The new design can be particularly effective for bus stops where shelter placement makes it difficult to block the sun, such as west-facing stops.

Improving shade for transit riders is a priority identified in the voter-approved Phoenix Transportation 2050 (T2050) plan. The result of the collaboration with ASU helps to achieve this with three new shelter options that offer a more flexible platform to provide shade for riders throughout the City.

The three shelter models which resulted from the collaboration are as follows:
Shelter 1: T2050 shelter - the base, standard shelter.
Shelter 2: The kit-of-parts shelter and seats - A flexible shelter base that allows staff to install either a scaled-down version in areas with limited right-of-way (ROW), or install a series of shelters side-by-side to offer additional shade where allowed by the available ROW. This shelter has a smaller footprint than the standard T2050 shelter.
Shelter 3: The larger version - this shelter utilizes components from the kit-of-parts model to form a larger shelter that can be installed in areas that call for a unique shelter design or placement.

The Public Transit Department will utilize the following protocol as a basis for the placement of the new shelter design, recognizing that the current design will also continue in tandem with the new model:
West-facing bus stops (new and existing with high ridership)
Locations with limited ROW or other structural barriers
High ridership locations in need of additional shade
Replacing current bus shelters that can no longer be repaired or have sustained damage

Procurement Information

The City issued an Invitation for Bid (IFB PTD19-010) on Feb. 3, 2020, to award a maximum two-year Transit Furniture Manufacturing and Installation contract. A two-year contract provides staff with a suitable time frame by which the new design can be manufactured, installed and tested against the use and wear it will experience in the field.

On March 5, 2020, two bids were received from the following offerors:
Southwest Fabrication, LLC
Talis Construction Corporation

Both bids were determined to be responsive to the solicitation. The bids were evaluated based on price, as set forth in IFB:
Talis Construction Corporation - $2,265,612
Southwest Fabrication, LLC - $2,931,036

Contract Term
The agreement's term will begin on or about Sept. 16, 2020, with an end date no later than May 30, 2022.

Financial Impact
The agreement's total cost will not exceed $2,265,612. Funding is available in the Public Transit Department's Capital Improvement Program Budget, using T2050 funds.

Concurrence/Previous Council Action
The Citizens Transportation Commission considered this item on Aug. 27, 2020 and recommended approval by a vote of 11-0.

This item was recommended for approval at the Transportation, Infrastructure and Innovation Subcommittee meeting on Sept. 2, 2020, by a vote of 4-0.

This item was adopted.

56 Wacker Neuson Parts and Service - Agreement Recommendation (Ordinance S-46920)

Request to authorize the City Manager, or his designee, to enter into an agreement with A to Z Equipment Rental and Sales, Inc. to provide parts and service for Wacker Neuson brand equipment. This agreement will

have an aggregate amount of $320,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department owns 25 various Wacker Neuson units, with the majority being used by the Solid Waste Division for bulk trash pick-up. Having an agreement with A to Z Equipment to provide original equipment manufacturer parts and service will expedite repairs and get the equipment back into service to provide essential City services.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo, citing sole source. A to Z Equipment is the sole equipment service and parts provider for Wacker Neuson in Maricopa County.

Contract Term

This agreement will begin on or about Oct. 1, 2020, with four contract option years to be extended in increments of up to one year, with a total contract term of five years.

Financial Impact

This item will have an estimated annual expenditure of $64,000, with a total aggregate amount not to exceed $320,000 over the life of the agreement. Funds are available in the Public Works Department's budget.

This item was adopted.

57 Water Main Replacement Program Engineering/Consulting On-Call Services (Ordinance S-46917)

Request to authorize the City Manager, or his designee, to enter into separate agreements with eight consultants listed on **Attachment A** to provide Water Main Replacement Program Engineering/Consulting On-Call Services for the Water Services Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed $16 million.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project and to include disbursement of funds. Utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Summary

The On-Call consultants will be responsible for providing Water Main Replacement Program Engineering/Consulting On-Call Services that include, but are not limited to: data collection and field survey, preparation of plans and specifications, asset preparation, cost estimates, and construction administration and inspection for various water main replacement projects.

This Agreement is 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. Twenty five firms submitted proposals and are listed in **Attachment A**.

Contract Term

The term of each agreement is up to two years, or up to $2 million, 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 $2 million, including all subconsultant and reimbursable costs. The total

fee for all services will not exceed $16 million.

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

58 Water Main Replacement for Area Bounded by: Harrison Street to Van Buren Street and 27th Avenue to 23rd Avenue - Construction Manager at Risk Construction Services Amendment 1 - WS85509032 (Ordinance S-46924)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 149802 with Haydon Building Corp. (Haydon) to provide additional Construction Manager at Risk (CMAR) construction services for the Water Main Replacement Area Bounded by: Harrison Street to Van Buren Street and 27th Avenue to 23rd Avenue 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 $990,000.

Summary

The purpose of this project is to evaluate and replace aging water mains within the City of Phoenix. The current primary focus of the program is on water mains in alleys and easements, which historically have had high breakage rates and are difficult to repair. Work for the projects typically includes: replacing 6-inch, 8-inch and 12-inch water mains; plugging abandoned mains; and installing or relocating fire hydrants.

The amendment is necessary due to unexpected increases in cost of work from the time the project was estimated to the time its design was completed, that reflect a change in market conditions during that time period. This amendment will provide additional funds to the agreement, which will increase the Guaranteed Maximum Price (GMP) cost for construction services, which has not yet been executed.

This 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 remains unchanged with this amendment.

Financial Impact

The CMAR construction services agreement was approved for an amount not-to-exceed $5,010,000, which included the GMP Preparation Construction Services agreement, including all subcontractor and reimbursable costs.

Amendment 1 for GMP construction services will increase the agreement value by an additional $990,000, for a new total not-to-exceed agreement value of $6 million, including all subcontractor and reimbursable costs. An increase in cost to the GMP prior to execution led to the request for an additional $990,000.

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:

CMAR Preconstruction Services Agreement 147303 (Ordinance S-44460) on April 18, 2018; and

CMAR Construction Services Agreement 149802 (Ordinance S-45653) on May 15, 2019.

Location

The project is located in an Area Bounded by: Harrison to Van Buren streets and 27th to 23rd avenues.

Council District: 7

This item was adopted.

59 **91st Avenue Wastewater Treatment Plant, Plant 2B Rehabilitation - Construction Manager at Risk Preconstruction Services - WS90100112 (Ordinance S-46930)**

Request to authorize the City Manager, or his designee, to enter into an agreement with McCarthy Building Companies, Inc., (McCarthy) to provide Construction Manager at Risk (CMAR) Preconstruction Services for the 91st Avenue Wastewater Treatment Plant (WWTP), Plant 2B Rehabilitation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $675,000.

Summary

The purpose of this project is to rehabilitate or replace assets throughout Plant 2B at the 91st Avenue WWTP and incorporate current technologies and equipment.

McCarthy will begin in an agency support role for CMAR Preconstruction Services. McCarthy will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

McCarthy's services include, but are not limited to: providing detailed cost estimating, project planning and scheduling; performing alternate systems evaluation and constructability studies; advising on methods to gain efficiencies in project delivery and long-lead procurements; and assisting with the permitting process. A Small Business Enterprise goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

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

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

Procurement Information

The selection was made using a qualifications-based selection process

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

Selected Firm
Rank 1: McCarthy Building Companies, Inc.

Additional Proposers
Rank 2: PCL Construction, Inc.
Rank 3: Kiewit Infrastructure West Co.
Rank 4: Archer Western Construction, LLC

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

Financial Impact
The agreement value for McCarthy Building Companies, Inc. will not exceed $675,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action
The SROG Advisors authorized the project on Aug. 20, 2020.

Location
91st Avenue WWTP
Council District: 7

This item was adopted.

60 Intergovernmental Agreement with Maricopa County and City of Glendale for Installation and Maintenance of Fiber Infrastructure for Indian School Road Fiber Transportation Enhancement Project (Ordinance S-46927)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Maricopa County Department of Transportation (MCDOT) and the City of Glendale for the installation and maintenance of fiber and conduit infrastructure being installed as part of the Indian School Road Fiber Transportation Enhancement Project. Further request an exemption of the indemnification prohibition set forth in Phoenix City Code section 42-18 for a governmental entity pursuant to Phoenix City Code section 42-20. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item. The total estimated financial impact to the City is $250,000.

Summary

In association with the Maricopa Association of Governments (MAG) Systems Management and Operations Plan, the project consists of the installation of fiber and conduit infrastructure along 12.5 miles of fiber optic infrastructure located in Maricopa County within the City of Glendale and the City of Phoenix from 99th Avenue and Cardinals Way to 99th Avenue and Indian School Road and then to 27th Avenue and Indian School Road. Approximately 11 miles of the 12.5 miles of fiber optic infrastructure is located within the City of Phoenix. The work includes the installation of conduit, fiber, pull box infrastructure, splice enclosures, and ethernet switches; a layer 3 network switch at two locations and connection to City of Phoenix and neighboring agency existing fiber communications cable. The project will connect to existing traffic signals along the fiber route and will provide a direct fiber connection between the Phoenix Traffic Management Center (TMC), the Glendale TMC, and the MCDOT TMC as well as provide for the opportunity to connect the Phoenix Emergency Response Center and the Glendale Emergency Response Center with a direct fiber connection. The IGA sets forth the responsibilities of the three participating agencies for the construction and maintenance of the project.

Contract Term

The term of the IGA will be five years and will begin on or about Sept. 17, 2020. The IGA will expire at the end of the five-year term or when the project is completed and accepted, whichever comes first.

Financial Impact

The project is funded from local and federal funds through the MAG Transportation Improvement Program (TIP). The estimated construction cost is $4.77 million, with approximately $4.49 million of federal funds and a local match of $280,000. The City of Phoenix will fund $250,000; the City of Glendale will fund $30,000; and Maricopa County will fund $0. This agreement is contingent upon the availability of federal funds through the MAG TIP. Funding is available in the Street Transportation Department's Capital Improvement Program.

Concurrence/Previous Council Action

On Sept. 4, 2019, City Council authorized the Street Transportation Department to submit applications for federal funding for transportation projects through MAG as well as accept and enter into agreements with MAG for approved projects (Ordinance S-45998). This project was submitted as one of the qualifying applications.

Location

Within the City of Glendale and the City of Phoenix from 99th Avenue and Cardinals Way to 99th Avenue and Indian School Road to 27th Avenue and Indian School Road.
Council Districts: 4, 5, 7 and Out of City

This item was adopted.

61 Electrical Substation Services Agreement with Salt River Project Agricultural Improvement and Power District (Ordinance S-46915)

Request to authorize the City Manager, or his designee, to enter into four separate sole source Electric Facilities Service Agreements with the Salt River Project Agricultural Improvement and Power District (SRP) to provide preventative maintenance services, repair and emergency services to City-owned electrical substation equipment serving the Cortez, Tres Rios, Unified, and Val Vista substations located within the Water Services Department Water and Wastewater Treatment facilities.

Further request to authorize execution of amendments to the contracts 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 aggregate value of the agreements will not exceed $812,106.

Summary

SRP has been involved with the design, construction and on-going maintenance of the noted substation sites. Accordingly, SRP has the expertise to provide the City of Phoenix with the most responsive and cost-effective preventative maintenance, repair and emergency services in a timely manner. SRP will assume all responsibility of power supply reliability so that the electrical service to the substations continues with minimal interruptions should an electrical outage occur. Funding included in the agreements also includes assistance for repair services that may occur unexpectedly outside of the routine maintenance conducted in an effort to proactively prevent any substation failure.

Procurement Information

The selection was made using a direct selection process set forth in City of Phoenix Administrative Regulation 3.10. The competitive process was waived because SRP is the sole source provider for these services.

Contract Term

The terms of each of the agreements are for six years, beginning on or about Sept. 1, 2020.

Financial Impact

The value of each agreement is listed below, by substation location:

Cortez - $209,706;
Tres Rios - $198,324;
Unified - $194,370; and
Val Vista - $209,706.

The total aggregate value of each of the agreements will not exceed $812,106.

Funding is available in the Water Services Department's Operating and

Capital Improvement Program budgets.

This item was adopted.

63 Liquid Lime One-Time Purchase (Ordinance S-46932)

Request to authorize the City Manager, or his designee, to purchase Liquid Lime for the Water Services Department's (WSD's) Water Production division. Further request to authorize the City Controller to disburse all funds related to this item. The total agreement value will not exceed $60,000.

Summary

The purpose of this purchase is to provide Liquid Lime for the Water Production division. Liquid Lime is injected into the water treatment process in order to counteract the effects of runoff from watersheds that are affected by wildfires. Due to the recent impacts of the Bush fire on the Verde and Salt Rivers' watersheds, WSD will require Liquid Lime to prepare for treatment of water from these sources. To help ensure safe treatment of water WSD has made the emergency purchase for Liquid Lime from the vendor, with payment subject to ratification by Council.

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

Procurement Information

The selection was made using a Request for Quote (RFQ) procurement process set forth in the City of Phoenix Administrative Regulation 3.10. The RFQ was sent to seven vendors grouped by Product Category. Three quotes were received.

Selected Vendor

Lhoist North America of Arizona Inc.

Contract Term

This is a one-time purchase.

Financial Impact

The total agreement value will not exceed $60,000. Funding is available in the Water Services Department's Operating budget.

Emergency Clause

Due to the Bush fire, it is crucial for WSD to ensure Liquid Lime is purchased for the continued treatment of Salt and Verde Rivers water at its Water Treatment Plants.

This item was adopted.

64 Final Plat - Saguaro Trails - PLAT 180017 - East of 42nd Street and South of Peak View Road

Plat: 180017
Project: 16-800
Name of Plat: Saguaro Trails
Owner(s): Ecovista Saguaro Trails, LLC
Engineer(s): Phillip C. Williams, RLS
Request: A 22 Lot Residential Plat
Reviewed by Staff: Aug. 19, 2020
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 east of 42nd Street and south of Peak View Road.
Council District: 2

This item was approved.

65 Final Plat - Quail Avenue Development - PLAT 190082 - South of Lone Cactus Road and East of 22nd Street

Plat: 190082
Project: 15-982
Name of Plat: Quail Avenue Development
Owner(s): Quail Equities, LLC
Engineer(s): Paul P. Quagge, RLS
Request: A 5 Lot Commercial Plat
Reviewed by Staff: Aug. 19, 2020
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 south of Lone Cactus Road and east of 22nd Street.
Council District: 2

This item was approved.

66 Final Plat - Bungalows at 99th Avenue and Camelback Road - PLAT 200508 - South of Camelback Road and East of 99th Avenue

Plat: 200508
Project: 19-1953
Name of Plat: Bungalows at 99th Avenue and Camelback Road
Owner(s): Bungalows on Camelback, LLC
Engineer(s): HilgartWilson, LLC
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Aug. 19, 2020
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 south of Camelback Road and east of 99th Avenue.
Council District: 5

This item was approved.

67 Final Plat - Hatfield Ranch - PLAT 170117 - Northwest of Broadway Road and 83rd Avenue

Plat: 170117
Project: 17-59
Name of Plat: Hatfield Ranch
Owner(s): Newcastle Development, LLC
Engineer(s): Michael A. Banta, RLS
Request: A 63 Lot Residential Plat
Reviewed by Staff: Aug. 13, 2020

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 approximately 650 feet north of Broadway Road, west of 83rd Avenue.
Council District: 7

This item was approved.

68 Final Plat - Encanto Row - PLAT 190111 - Southwest Corner of Thomas Road and 19th Avenue

Plat: 190111
Project: 18-1642
Name of Plat: Encanto Row
Owner(s): Cryptomonde, LLC
Engineer(s): Keogh Engineering, Inc.
Request: A 6 Lot Plat
Reviewed by Staff: June 17, 2020
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 Thomas Road and 19th Avenue.
District: 7

This item was approved.

69 Final Plat - St. Ambrose Apartments - PLAT 200535 - Southwest Corner of Van Buren Street and 12th Street

Plat: 200535
Project: 15-1083
Name of Plat: St. Ambrose Apartments

Owner(s): 220 North Twelfth, LLC
Engineer(s): Superior Surveying Services, Inc.
Request: A 1 Lot Plat
Reviewed by Staff: Aug. 13, 2020
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 south of Van Buren Street, west of 12th Street.
Council District: 8

This item was approved.

70 Final Plat - Curve at Alta Vista - PLAT 200536 - Northwest Corner of Alta Vista Road and 16th Street

Plat: 200536
Project: 19-2230
Name of Plat: Curve at Alta Vista
Owner(s): Cyrene at South Mountain, LLC
Engineer(s): Sustainability Engineering Group
Request: A 72 Lot Residential Subdivision Plat
Reviewed by Staff: Aug. 20, 2020
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the northwest corner of Alta Vista Road and 16th Street.
Council District: 8

This item was approved.

71 Modification of Stipulation Request for Ratification of Aug. 19, 2020 Planning Hearing Officer Action - PHO-2-20_Z-220-83-6 - Southwest

Corner of 32nd Street and Campbell Avenue

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Aug. 19, 2020. This ratification requires formal action only.

Summary

Application: PHO-2-20--Z-220-83-6
Existing Zoning: C-O
Acreage: 4.98

Applicant: Wendy Riddell, Berry Riddell LLC
Owner: Levine Investments Limited Partnership
Representative: Wendy Riddell, Berry Riddell LLC

Proposal:
Deletion of Stipulation 10 limiting ingress and egress to 32nd Street and requiring non-vehicular access easements on the north and west property lines.

Concurrence

Village Planning Committee (VPC) Recommendation: The Camelback East Village Planning Committee heard this case on Aug. 4, 2020 and recommended approval by an 18-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Aug. 19, 2020, and recommended denial as filed and approval with a modification. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Southwest corner of 32nd Street and Campbell Avenue
Council District: 6
Parcel Address: N/A

This item was approved.

72 Modification of Stipulation Request for Ratification of Aug. 19, 2020 Planning Hearing Officer Action - PHO-3-20_Z-43-80-7 - Southeast Corner of 60th Drive and Thomas Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Aug. 19, 2020. This ratification requires formal action only.

Summary

Application: PHO-3-20--Z-43-80-7
Existing Zoning: PAD-14
Acreage: 6.86

Applicant: Doug McCord
Owner: Michael Rasooly
Representative: Brandon Ryckman

Proposal:
Modification of Stipulation 1 regarding general conformance to the site plan date stamped Nov. 21, 2016 and elevations date stamped Nov. 3, 2016.
Modification to Stipulation 2 regarding conditional approval.

Concurrence

Village Planning Committee (VPC) Recommendation: The Maryvale Village Planning Committee chose not to hear this request.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Aug. 19, 2020, and recommended approval with a modification and an additional stipulation. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Southeast corner of 60th Drive and Thomas Road
Council District: 7
Parcel Address: N/A

This item was approved.

73 Modification of Stipulation Request for Ratification of Aug. 19, 2020 Planning Hearing Officer Action - PHO-1-20_Z-42-98-8 - Southwest Corner of 24th Street and Brill Street

Request to authorize the City Manager, or his designee, to approve

Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Aug. 19, 2020. This ratification requires formal action only.

Summary

Application: PHO-1-20--Z-42-98-8
Existing Zoning: C-1
Acreage: 2.36

Applicant: Quik Trip Corporation
Owner: 1420 North 24th Street LLC
Representative: Charles Huellmantel, Huellmantel & Affiliates

Proposal:
Deletion of Stipulation 1 limiting vehicular access to 24th Street.
Modification of Stipulation 2 limiting the placement of pedestrian entryways.
Modification of Stipulation 4 restricting building height to one story and 15 feet.
Modification of Stipulation 5 regarding structures within 50 feet of the west and south property lines.
Deletion of Stipulation 7 regarding vesting zoning.
Deletion of Stipulation 8 regarding conditional approval.

Concurrence

Village Planning Committee (VPC) Recommendation: The Central City Village Planning Committee heard this case on Aug. 10, 2020 and recommended approval by a 16-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Aug. 19, 2020, and recommended approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Southwest corner of 24th Street and Brill Street
Council District: 8
Parcel Address: N/A

This item was approved.

74 Abandonment of Easement - ABND 200519 - Northwest Corner of 22nd Avenue and Carol Ann Way (Resolution 21862)

Abandonment: 200519
Project: 17-2576
Applicant: Ed Smith
Request: To abandon 17-foot public utility easement, north of lots 1 - 6; per Final Plat for "Sierra Prieta 3", recorded with Maricopa County Recorder, Book 1430, Page 42.
Date of Decision: July 15, 2020

Location
Northwest corner of 22nd Ave and Carol Ann Way
Council District: 3

Financial Impact
None. Easement to be abandoned is located on private property.

This item was adopted.

75 Abandonment of Right-of-Way - V190033A - Southeast Corner of Buckeye Road and 24th Street (Resolution 21861)

Abandonment: V190033A
Project: 01-20316
Applicant: City of Phoenix, Aviation Department
Request: To abandon 24th Street right-of-way, running north to south, between Buckeye Road and Sky Harbor Circle and also Buckeye Road right-of-way, running east to west, between 24th Street and Copperhead Drive; recorded per Final Plat "Phoenix Sky Harbor Center East", Book 702, Page 49.
Date of Hearing: June 13, 2020

Location
Southeast corner of Buckeye Road and 24th Street
Council District: 8

Financial Impact
None. The abandonment is requested to facilitate the construction of the Sky Train extension over 24th Street. Maintenance of the street will

transfer from Streets to Aviation per a separate existing Memorandum of Understanding.

This item was adopted.

76 Waiver of Federal Patent Easement - V180050A - 18120 N. 14th St. (Resolution 21863)

Abandonment: V180050A
Project: 02-2509
Applicant: Colleen A.TeBrake
Request: To waive the City's interest in the northern 33-feet Federal patent easement, running West to East, of lot addressed 18120 N. 14th St.; APN 214-11-005J.
Date of Hearing: Sept. 11, 2018

Location
18120 N. 14th St.
Council District: 3

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

This item was adopted.

77 Amend City Code - Official Supplementary Zoning Map 1201 (Ordinance G-6738)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1201. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-189-05-8 and the entitlements are fully vested.

Summary
To rezone a parcel located approximately 1,350 feet east of the northeast corner of 32nd Street and Southern Avenue.

Application No.: Z-189-05-8
Zoning: R-5
Owner: Evergreen-34th & Southern, LLC
Acreage: 3.04

Location
Approximately 1,350 feet east of the northeast corner of 32nd Street and Southern Avenue.
Council District: 8
Address: 3400 E. Southern Ave.

This item was adopted.

78 Amend City Code - Official Supplementary Zoning Map 1202 (Ordinance G-6737)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1202. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-161-99 and the entitlements are fully vested.

Summary
To rezone a parcel located on the northeast corner of Cave Creek Road and Lone Mountain Road.
Z-161-99
Zoning: C-1
Owner: Kendra Boyd Trust, c/o Jones Osborn, II
Acreage: 22.58

Location
Northeast corner of Cave Creek Road and Lone Mountain Road
Council District: 2

This item was adopted.

79 Amend City Code - Official Supplementary Zoning Map 1203 (Ordinance G-6739)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1203. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with

Z-56-04 and the entitlements are fully vested.

Summary

To rezone a parcel located approximately 180 feet east of the northeast corner of 15th Drive and Thunderbird Road.
Z-56-04-3
Zoning: R-3
Owner: Newcor Development, LLC
Acreage: 2.15

Location

Approximately 180 feet east of the northeast corner of 15th Drive and Thunderbird Road
Council District: 3

This item was adopted.

80 Amend City Code - Ordinance Adoption - Rezoning Application Z-23-20-8 - Approximately 600 Feet North of the Northwest Corner of 38th Street and Southern Avenue (Ordinance G-6736)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-23-20-8 and rezone the site from S-1 to CP/GCP for warehousing with general office and assembly/manufacturing use.

Summary

Current Zoning: S-1
Proposed Zoning: CP/GCP
Acreage: 9.81 acres
Proposed Use: Warehousing with general office and assembly/manufacturing

Owner: Thomas and Olivia Duvall
Applicant: Adam Baugh, Withey Morris, PLC
Representative: Adam Baugh, Withey Morris, PLC

Staff Recommendation: Approval, per staff recommendation.
VPC Action: The South Mountain Village Planning Committee heard this case on Aug. 11, 2020, and recommended approval, per the staff recommendation by an 8-4 vote.
PC Action: The Planning Commission heard this case on Sept. 3, 2020,

and recommended approval, per the South Mountain Village Planning Committee recommendation by a 9-0 vote.

Location
Approximately 600 feet north of the northwest corner of 38th Street and Southern Avenue
Council District: 8
Parcel Addresses: 5604 and 5824 S. 38th St.

This item was adopted.

25 Amend Classification Ordinance S-5815 in Accordance with Human Resources Committee 606 Recommendations (Ordinance S-46947)

At the request of the City Manager's Office, the following amendments to the Classification Ordinance (S-5815) are recommended in accordance with Human Resources Committee 606, effective Sept. 21, 2020. The amendments also require the City's Pay Ordinance (S-45840) to be updated. Those will be processed under a separate ordinance. The Human Resources Department is requesting the following actions:

Establish the classification of Office of Accountability and Transparency Director (NC), Code 06800, Salary Plan 018, Grade 906 ($45.91 - $78.04 hourly; $95,493 - $162,323 annually), Benefit Category 010, Unit Code 008, EEO-4 Category/Group: 1 - Officials/Administrators, FLSA: Exempt.

Establish the classification of Office of Accountability Attorney (NC), Code 06810, Salary Plan 013, Grade 845 ($45.19 - $72.29 hourly; $93,995 - $150,363 annually), Benefit Category 009, Unit Code 008, EEO-4 Category/Group: 2 - Professionals, FLSA: Exempt.

Establish the classification of Office of Accountability and Transparency Executive Administrative Assistant, Code 06850, Salary Plan 001, Grade 035 ($26.89 - $40.95 hourly; $55,931 - $85,176 annually), Benefit Category 008, Unit Code 008, EEO-4 Category/Group: 5 - Paraprofessionals, FLSA: Exempt.

Summary
At the request of the City Manager's Office, job descriptions were

developed for critical positions that will be needed for the newly proposed Office of Accountability and Transparency. This Office will provide oversight and monitoring of possible misconduct and complaints against sworn personnel of the Phoenix Police Department. The three new classifications will be needed as the first steps toward staffing this new office.

Financial Impact

There is no estimated cost of establishing these classifications; budgetary estimates will be provided when positions are established.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 606 on Sept. 3, 2020.

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

Yes:	7 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	2 -	Councilman DiCiccio and Councilman Waring

26 Amend Pay Ordinance S-45840 in Accordance with Human Resources Committee 606 Recommendations (Ordinance S-46948)

At the request of the City Manager's Office, the following amendments to the Pay Ordinance (S-45840) are recommended in accordance with Human Resources Committee 606, effective Sept. 21, 2020. The amendments also require the City's Classification Ordinance (S-5815) to be updated. Those will be processed under a separate ordinance. The Human Resources Department is requesting the following actions:

Establish Classifications

Establish the classification of Office of Accountability and Transparency Director (NC), Code 06800, Salary Plan 018, Grade 906 ($45.91 - $78.04 hourly; $95,493 - $162,323 annually), Benefit Category 010, Unit Code 008, EEO-4 Category/Group: 1 - Officials/Administrators, FLSA:

Exempt.

Establish the classification of Office of Accountability Attorney (NC), Code 06810, Salary Plan 013, Grade 845 ($45.19 - $72.29 hourly; $93,995 - $150,363 annually), Benefit Category 009, Unit Code 008, EEO-4 Category/Group: 2 - Professionals, FLSA: Exempt.

Establish the classification of Office of Accountability and Transparency Executive Administrative Assistant, Code 06850, Salary Plan 001, Grade 035 ($26.89 - $40.95 hourly; $55,931 - $85,176 annually), Benefit Category 008, Unit Code 008, EEO-4 Category/Group: 5 - Paraprofessionals, FLSA: Exempt.

Establish Positions

Establish three full-time positions, one in each of the classifications noted above. The actual position numbers will be designated by the Budget and Research Department after approval has been secured.

Summary

The City Council responded to community concerns earlier this year by allocating $3 million in the 2020-21 budget to fully fund the approved Office of Accountability and Transparency. This Office will provide police oversight and monitoring of possible misconduct and complaints against sworn personnel of the Phoenix Police Department. A work study team was assembled to guide the initial steps in establishing this new office, including identifying the first three positions that will need to be filled. Establishing these classifications and positions now will enable the recruiting and selection process to begin. It is expected that as many as 15 full-time positions will be added as the Office becomes fully staffed. The newly hired Director will have guidance and influence on the actual classifications and positions necessary for the new Office.

Financial Impact

Funds are available in the City Manager’s Office budget.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 606 on Sept. 3, 2020.

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

Yes: 7 - Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

28 Consideration of Renaming Robert E. Lee Street (Ordinance S-46949)

Request to formally consider renaming Robert E. Lee Street in accordance with the city's Street Naming Policy that allows City Council members to request a change to a recorded street name when it is considered derogatory or offensive based on City Code Section 18-1. Staff requests approval to change the name of Robert E. Lee Street, as well as approval of the proposed new street name selection process outlined in this report, and of the proposed cost reimbursement policy for impacted residents, businesses and property owners outlined in this report. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

In accordance with the City of Phoenix Street Naming Process approved by the City Council on June 27, 2017 **(Attachment A)**, the City Council on July 1, 2020 voted to direct staff to begin the process to consider renaming of Robert E. Lee Street. The Street Naming Process requires conducting two community meetings, which the July 1, 2020 action authorized to be done virtually due to the pandemic. The process also requires a technical review process of proposed new names to ensure conformity to adopted street naming criteria. The Council approved process requires that within 90 days of the request an item be placed on a Council agenda to decide on the proposed street renaming. This report contains detailed information on public input, the technical review of proposed alternate names, a proposed process for additional involvement by Robert E. Lee Street property owners in the selection of a new street name, and a detailed plan to assist residents to update their

addresses, including an outline of the cost reimbursement process, should the Council approve renaming of the street.

Public Input

On July 1, 2020 , the Council approved the initiation of the process for consideration of renaming of Robert E. Lee Street. That Council action included a temporary process revision to allow the two required community meetings to be conducted virtually due to the COVID-19 pandemic. As stated in the July 1, 2020 Council-approved action: “The current process as approved by Council requires two public meetings to be conducted in the vicinity of each of the streets proposed for renaming. However, because of the COVID-19 pandemic, staff requests as part of this action Council approval to revise the process to allow virtual public meetings to obtain public input from the affected neighbors and community.” Staff conducted two web forums to discuss the proposed renaming of Robert E. Lee Street and obtain community input. Residents were able to participate online or use their phones, including traditional landline telephones, which is similar to public participation at Council meetings during the pandemic. Residents and property owners of Robert E. Lee Street were notified of the opportunity to participate in the meetings through certified mailings, as well as multiple signs placed at various locations along the street. The live community web forums were held on July 28 and Aug. 3, 2020.

The community was also notified of the opportunity to provide input in other ways the City made available. These included:
Telephone to directly speak with staff
Comment form on dedicated street renaming webpage:
www.phoenix.gov/street-renaming <http://www.phoenix.gov/street-renaming>
Postal mail

In all, 121 people participated in the community forums. In addition to the spoken comments, there were 45 submitted written comments related to the proposed Robert E. Lee Street renaming. Also, to accommodate a request by residents who stated they were not comfortable meeting on the web forums, staff held a socially distanced, mask-required, in-person meeting with a group of 10 Robert E. Lee Street residents in the

Paradise Valley Community Center Multipurpose Room on Aug. 10.

For all comments submitted, either in writing or through a forum, slightly more people favored renaming the street. For comments from people that indicated they lived on or immediately adjacent to Robert E. Lee Street, slightly more indicated they opposed renaming than supported it.

Attachment B includes all the public input gathered at the web forums, including the attendees' positions on renaming, and a compilation of all comments submitted via email, web comment form, telephone and in writing. Comments from people who indicated they lived on or immediately adjacent (within one block) to the street are listed first and highlighted in yellow on all the meeting and comment spreadsheets.

Proposed Names

During the public comment process participants proposed more than 80 alternative names for Robert E. Lee Street. City staff performed a technical review of all the proposed names to determine which ones met the criteria outlined in the Maricopa Association of Governments Address and Street Assignment Policy Manual. The proposed names that met the established criteria are listed in **Attachment C**.

The criteria used to assess alternate name proposals first examines availability. If the proposed name is already in use on a street elsewhere in the greater Phoenix area, then it is determined to be not eligible; 41 proposed street names were excluded because of non-availability. This standard excludes those names to avoid adding to the list of duplicate street names and increasing the potential for confusion in emergency calls for Fire or Police services. Staff must also examine street names that may be overly difficult to pronounce or spell; no proposed street names for Robert E. Lee Street were excluded due to this standard. This standard is also related to avoiding confusion for emergency dispatchers and first responders in critical life-safety situations. Lastly, if a name was submitted that was considered obscene or referred to illegal/controlled substances, it was excluded; five submitted names were excluded for this reason.

Proposed Process for Selection of New Street Name

The proposed new street names listed in **Attachment C** were proposed both by residents living on and adjacent to Robert E. Lee St. and by members of the broader community. Several of the Robert E. Lee St. residents/owners indicated a desire to make the decision or at least have a larger say in the selection of the new street name by being allowed to vote on the new name. Because by ordinance the City Council must take action to vote on the new name, any vote by property owners would be an advisory recommendation to the City Council who would then make the final decision.

In responding to the request from residents, staff proposes the following process for selection of the new street name, if the City Council approves renaming the street:

The City would conduct a process to allow property owners along Robert E. Lee Street to provide an advisory vote to the City Council for the new name of the street. The City Council would still be required to take the final action on an ordinance to change the name of the street.

Certified letters would be mailed to property owners of Robert E. Lee Street with a survey containing the list of eligible proposed names that met the City criteria. Each letter would include a unique code that would allow the survey to be returned by mail or be submitted online.

The survey would use a weighted ranking form of tabulation that would require residents to rank their top five name choices in their order of preference.

A top-ranked choice would earn the highest numerical value with second, third and later ranked choices yielding correspondingly lower values.

These ranking values would be totaled at the end of the vote to show the aggregate preference among property owners along Robert E. Lee Street.

To ensure adequate time is provided, staff estimates this process may take approximately six weeks before returning to the Council for final action on the new street name.

The results of the vote would be provided to the City Council at a future meeting along with a request to approve a new street name, along with an effective date.

Staff will recommend that the effective date of the new name not occur before Jan. 11, 2021 to ensure sufficient time for residents, property owners and the City to make necessary changes.

Street Background

Robert E. Lee Street has 131 individual parcels that consists of 88 single-family residential, 29 town homes, two four-unit apartment buildings (eight total units), one charter school (on a residentially zoned parcel) and 11 HOA-owned common-area tracts. The street runs east to west from 52nd Street to State Route 51 with Union Hills Drive the major cross street to the north and Grovers Avenue the major cross street to the south. There is a small non-contiguous section of the street just east of Cave Creek Road (**Attachment D**).

The parcels that make up the current-day street were developed in stages over a 38-year period from 1954 until 1992 (**Attachment E**). The street was unincorporated Maricopa County land until 1988, when it was annexed into the City of Phoenix, as the annotations in **Attachment E** show. Three stretches of the road were dedicated as Lee Street in 1954, 1958 and 1960. Sometime between 1960 and 1961, Maricopa County changed the name to Robert E. Lee Street, which appeared for the first time as a recorded street name in 1961 (**Attachment E, page 4**). All street dedications made after that date were as Robert E. Lee Street.

Costs

The Street Transportation Department (Streets) estimates it will cost the City approximately $3,200 to fabricate and install new signs on Robert E. Lee Street, which will come from funds available in Streets' current fiscal year budget.

The Street Renaming Policy also stipulates that the City cover residents documented direct costs to update their address on personal documents and records, which staff estimates could be approximately $150 per address. Households are likely to have multiple residents that are impacted, which the estimate intends to account for. Homes that use their address for a registered business also may experience additional costs that exceed a typical residence.

An accurate estimate of resident/owner costs is difficult because in some instances residents have discretion on which documents to replace. For example, banks contacted by the City have explained that checks with the

prior address can still be used as long as the account and routing numbers are the same. Residents can continue to use those checks as is, or simply handwrite in a corrected street name until they exhaust their existing supply. Also, the state Motor Vehicle Services Department (MVD) does not require driver's licenses to be replaced for an address change; the address only needs to be updated in the agency's system within ten days at no cost. However, many people use their driver's license as a form of identification that shows their current address. If a resident chooses to replace their driver's license, per the process outlined below, the City will reimburse the cost to replace it, which is currently $12.

In some cases, both a property owner who leases their property and tenants will be impacted. Based on the most recent Maricopa County property records available, 27 properties are owned by people with different mailing addresses, which likely indicates properties that are occupied by renters. Should all properties and tenants incur costs at the high end of the estimate, combined costs would be approximately $24,000. Based on Council approval, the funding will be allocated to the Planning and Development Department budget to cover the reimbursement cost.

Proposed Cost Reimbursement Policy

Staff proposes the following policy to reimburse expenses for impacted Robert E. Lee Street residents and property owners:

Property or business owners located on, or any individuals who live on, Robert E. Lee Street as of the effective date of the change are eligible to be reimbursed by the City for any costs directly associated with address changes related to renaming Robert E. Lee Street. The reimbursement will not include any cost for time spent making changes.

City staff will be available to assist residents with any changes, as needed.

As outlined later in this report, there are also several changes and notifications which the City is making on behalf of residents to reduce the time spent by impacted individuals.

For reimbursement, affected individuals will need to complete a simple City request form along with receipts or other documentation to the

City.

The forms will be available in paper form for those who prefer to mail hard copies, as well as web forms, through which they can attach scanned receipts and submit reimbursement requests electronically.

The City standard will be for residents to be reimbursed for eligible costs within three weeks of the City receiving the request.

There is no time limit for impacted residents to submit for or receive reimbursement of eligible costs.

There is also no limit to the number of times an impacted resident can submit for and receive reimbursement if all reimbursements are for different eligible costs.

The Planning and Development Department (PDD) will work with the Finance Department to process reimbursements. If for any reason a resident or property owner is denied reimbursement, the decision may be appealed to the City Manager representative within the Planning and Development Department. Staff has created a working draft of a form that residents would use to request reimbursement (**Attachment F**). When finalized, this will be adapted as an online form for those residents that wish to submit request forms and receipts electronically.

City Staff Updating Responsibilities

Should the Council approve a new street name, city staff will send official notification of the name change to an extensive list of agencies so they can update customer addresses in their respective systems. City staff is currently in communication with the Maricopa County Recorder’s Office, which will work with the City to record a street name change notification for purposes of deed, deed of trust and voter registration records for impacted residents and property owners. PDD staff will formally notify these City departments: Police, Fire, City Clerk, Finance, Law, Neighborhood Services, Street Transportation, and Water Services. PDD staff also will complete an important notification to the United States Postal Service (USPS). At staff request, the USPS will create a "change alias" in their computer system that ties any new street name for each property to the old street name. Thus, any mail addressed using an old street name will automatically be re-routed to the address with the new name. These change aliases do not expire and will ensure mail sent

through USPS will be re-routed indefinitely. All property address numbers will remain unchanged.

Planning and Development Department staff will also send official street name change notifications to the Maricopa County Assessor's Office, Arizona Public Service, Salt River Project, Southwest Gas, Cox Communications, CenturyLink, Federal Express, United Parcel Service (UPS), as well as private mapping services including Google, Bing, Yahoo, MapQuest and Wide World of Maps.

If the Council approves renaming Robert E. Lee Street, staff will send via certified mail a third set of documents to residents and property owners that includes a formal letter of approval, a copy of the recorded ordinance, and a completed address change notification. Residents can keep these documents in their records should they need to document or show proof of the street name change for any reason in the future.

Resident Assistance

Phoenix Public Library staff will continue to be available to directly assist impacted residents. Staff researched address update processes for multiple agencies to assist residential property owners, rental residents and business owners. Library staff created quick reference lists, complete with hyperlinks, on the street renaming webpage for updating addresses with the MVD, the Internal Revenue Service (IRS), Maricopa County Recorder - Voter Registration and Property Deed/Title, the Social Security Administration and Department of Veterans Affairs. The online guide also has suggestions for updating addresses with insurance companies; cell phone providers; employers; banks, credit reporting bureaus and other financial institutions; schools and childcare providers and online shopping sites. The resource guide for business owners includes quick reference address update links for the IRS, Arizona Department of Revenue, Arizona Secretary of State, Arizona Corporation Commission and business credit reporting agencies. It adds suggestions for updating addresses with customers; banks and other financial institutions; and on websites, social media and other online local search tools. Residents that need or prefer live assistance can speak by phone to Library staff during normal library hours.

Timing of Change

If the City Council approves a new name at the Sept. 16 Formal Meeting, staff recommends that the effective date of a new street name be no earlier than Jan. 11, 2021. This will ensure sufficient time to process changes and avoid any address uncertainty during the upcoming election and holidays.

Financial Impact

The Street Transportation Department estimates a total cost of $3,200 to fabricate and install new signs on Robert E. Lee Street; the department will use existing fiscal year budgeted funds to cover this cost. Staff estimates approximately $24,000 is needed to cover costs to reimburse residents and property owners for direct expenses incurred related to changing their address. These funds will be allocated to the Planning and Development Department from the General Fund.

Location

Robert E. Lee Street
Council District: 2

Responsible Departments

This item is submitted by Deputy City Manager Mario Paniagua; the Planning and Development, Street Transportation, Finance, and Budget and Research departments; and the Phoenix Public Library.

Discussion

Deputy City Manager Mario Paniagua presented on Item 28, and noted the process for this renaming started on July 1 of this year by Council initiation. He talked about the outreach where staff notified residents on July 9 and conducted community forums virtually due to COVID-19. He mentioned there was a second notification sent to residents about today's meeting, and stated this had to be done within a 90-day period from the July 1 City Council Formal Meeting. He stated there was a community meeting held Aug. 10 that was not hosted by the City to meet City requirements for community forums, but was attended by staff to accommodate the request that came from community input for those who had difficulty with technology.

Planning and Development Director Alan Stephenson presented a map showing 131 properties affected by the street re-naming, and talked about the history of how the street was originally named Lee Street before it was annexed in 1988. He discussed how Council requested this to be a robust process, and highlighted the dedicated web page that was created to allow residents to access all of the information they needed. He stated the overall summary of comments received were slightly in favor of the name change, and residents on this street or adjacent to the street were slightly opposed.

Mr. Paniagua mentioned residents requested additional in-person meetings, but the City denied those because of the COVID-19 pandemic. He talked about the process for property owners located on Robert E. Lee Street to provide their preference of new names, and the results were able to show Council their desired preferences for the recommendation on the name change. He stated Council action to adopt a new name would happen at a later meeting, and added the list of names for recommendation could have some names removed if Council decided they were inappropriate. He said Council formally adopts the new street name, and commented there was a reimbursement policy for property owners, residents and business owners who were affected by the name change. He stated the City allocated $24,000 for the street re-naming with no cap on individual reimbursements, and mentioned if needed staff would seek a budget adjustment to make adjustments to that number if it was not correct. He talked about how there was a form for residents to use to submit receipts online or in-person for reimbursement with no time limit. He mentioned Library Department staff would be available to walk residents through the address changing process, and concluded staff requested approval to change the name of Robert E. Lee Street with a delayed decision on the new name.

Vice Mayor Guardado made a motion to approve Item 28.

Councilman DiCiccio seconded the motion.

Mayor Gallego announced there were three members of the public wishing to address the Council, and noted there were six electronic comments submitted in favor and one indicating a neutral position on

Item 28.

Councilwoman Stark mentioned a letter submitted by a gentleman that lived on the street regarding notification requirements. She wanted to make sure this document was seen by staff.

Mr. Paniagua replied staff had seen the letter. He mentioned staff made it clear the City was not limiting the types of address changes needed, and the website detailing these changes would be updated regularly. He stated if the cost was directly related as a result of the renaming of Robert E. Lee Street, the City would reimburse the cost, and added the City would not be reimbursing for people's time.

Mayor Gallego said Council would now hear testimony from the public, and mentioned Jeremy Helfgot would speak first.

Mr. Helfgot spoke in favor on behalf of the Human Relations Commission (HRC), and noted the HRC studied this issue closely over the past several years. He said the street name was not reflective on the inclusion in Phoenix communities, and stated on behalf of the HRC he would ask Council to vote yes on Item 28. He thanked Council for their leadership on this issue.

Christine Piotrowski spoke in opposition due to the amount of changes she would need to make and the amount of time and money that would take. She mentioned she lived on Robert E. Lee Street for 20 years, and said it bothered her that from the beginning it was decided the name change would happen. She mentioned the residents that lived on this street, and repeated it bothered her that this issue was already decided.

Jacob Raiford spoke in favor, and talked about the history of slavery in the United States. He stated he felt nothing but anger when he would see emblems romanticizing the history of slavery, and added Phoenix should not emulate the mistakes made by other areas in the country.

Mayor Gallego thanked those who had been involved in the process, and expressed appreciation to councilmembers for what they have done to move this forward.

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

29 Consideration of Renaming S** Peak Drive (Ordinance S-46950)**

Request to formally consider renaming S**** Peak Drive in accordance with the City's Street Naming Policy that allows City Council members to seek a change to a recorded street name when it is considered derogatory or offensive based on City Code Section 18-1. Staff requests approval to change the name of S**** Peak Drive, as well as approval of the proposed new street name selection process outlined in this report, and of the proposed cost reimbursement policy for impacted residents, businesses and property owners outlined in this report. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

In accordance with the City of Phoenix Street Naming Process approved by the City Council on June 27, 2017 **(Attachment A)**, the City Council on July 1, 2020 voted to direct staff to begin the process to consider renaming of S**** Peak Drive. The Street Naming Process requires conducting two community meetings, which the July 1, 2020 action authorized to be done virtually due to the pandemic. The process also requires a technical review process of proposed new names to ensure conformity to adopted street naming criteria. The Council approved process requires that within 90 days of the request an item be placed on a Council agenda to decide on the proposed street renaming. This report contains detailed information on public input, the technical review of proposed alternate names, a proposed process for additional involvement by S**** Peak Drive property owners in the selection of a new street name, and a detailed plan to assist residents to update their addresses, including an outline of the cost reimbursement process,

should the Council approve renaming of the street.

Public Input

On July 1, 2020, the Council approved the initiation of the process for consideration of renaming S**** Peak Drive. That Council action included a temporary process revision to allow the two required community meetings to be conducted virtually due to the COVID-19 pandemic. As stated in the July 1, 2020 Council-approved action: "The current process as approved by Council requires two public meetings to be conducted in the vicinity of each of the streets proposed for renaming. However, because of the COVID-19 pandemic, staff requests as part of this action Council approval to revise the process to allow virtual public meetings to obtain public input from the affected neighbors and community." Staff conducted three web forums to discuss the proposed renaming of S**** Peak Drive and obtain community input. Residents were able to participate online or use their phones, including traditional landline telephones, which is similar to public participation at Council meetings during the pandemic. Residents and property owners of S**** Peak Drive were notified of the opportunity to participate in the meetings through certified mailings and signs placed at two locations along the street. A third community web forum was scheduled to provide members of the Native American community and the public an opportunity to comment on the renaming proposal. The live community web forums were held on July 30, Aug. 5 and Aug. 11, 2020.

The community was also notified of the opportunity to provide input in other ways the City made available. These included:
Telephone to directly speak with staff
Comment form on dedicated street renaming webpage:
www.phoenix.gov/street-renaming
Postal mail

In all, 117 people participated in the community forums. In addition to the spoken and written comments from forum attendees, there were 73 submitted written comments related to the proposed S**** Peak Drive renaming.

Attachment B includes all of the public input gathered at the web

forums, including the attendees' positions on renaming, and a compilation of all comments submitted via email, web comment form, telephone and in writing. Comments from people who indicated they lived on or immediately adjacent (within one block) to the street are listed first and highlighted in yellow on all of the meeting and comment spreadsheets. Given the small number of total parcels on the street, there is not a large respondent population from which to generalize feedback. Some commented that the decision to rename should be solely up to residents. Residents in support of renaming did express concern about potential costs of updating their address, while others suggested alternate names.

Proposed Names

During the comment period, residents proposed a total of 20 alternative names for S**** Peak Drive. City staff performed a technical review of all the proposed names to determine those that met the criteria outlined in the Maricopa Association of Governments Address and Street Assignment Policy Manual. The proposed names that met the established criteria are listed in **Attachment C**.

The criteria used to assess alternate name proposals first examines availability. If the proposed name is already in use on a street elsewhere in the greater Phoenix area, then it is determined to be not eligible; 12 proposed street names were excluded because of non-availability. This standard excludes those names to avoid adding to the list of duplicate street names and increasing the potential for confusion in emergency calls for Fire or Police services. Staff must also examine street names that may be overly difficult to pronounce or spell; one proposed street name was identified as not recommended due to not meeting this standard. This standard is also related to avoiding confusion for emergency dispatchers and first responders in critical life-safety situations. During the public input process, a statement was made that one of the proposed names, Piestewa, may be difficult to pronounce or spell; however "Piestewa" is currently a very familiar name in the Phoenix area. Piestewa is the name of the adjacent Mountain Peak, as well as the name of the Arizona State Route 51 Freeway, both named in honor of Lori Piestewa. Piestewa Peak Drive was proposed more than 20 times by members of the community to replace S**** Peak Drive during the

public input process.

Proposed Process for Selection of New Street Name

The proposed new street names listed in **Attachment C** were proposed both by residents living on and adjacent to S**** Peak Drive and by members of the broader community. Several of the S**** Peak Drive residents/owners indicated a desire to make the decision or at least have a larger say in the selection of the new street name by being allowed to vote on the new name. Because by ordinance the City Council must take action to vote on the new name, any vote by property owners would be an advisory recommendation to the City Council who would then make the final decision.

In responding to the request from residents, staff proposes the following process for selection of the new street name, if the City Council approves renaming the street:

The City would conduct a process to allow property owners along S**** Peak Drive to provide an advisory vote to the City Council for the new name of the street. The City Council would still be required to take the final action on an ordinance to change the name of the street.

Certified letters would be mailed to property owners of S**** Peak Drive with a survey containing the list of eligible proposed names that met the City criteria. Each letter would include a unique code that would allow the survey to be returned by mail or be submitted online.

The survey would use a weighted ranking form of tabulation that would require residents to rank their top five name choices in their order of preference.

A top-ranked choice would earn the highest numerical value with second, third and later ranked choices yielding correspondingly lower values.

These ranking values would be totaled at the end of the vote to show the aggregate preference among property owners along S**** Peak Drive.

To ensure adequate time is provided, staff estimates this process may take approximately six weeks before returning to the Council for final action on the new street name.

The results of the vote would be provided to the City Council at a future meeting along with a request to approve a new street name, along with an effective date.

Staff will recommend that the effective date of the new name not occur

before Jan. 11, 2021 to ensure sufficient time for residents, property owners and the City to make necessary changes.

Street Background

S**** Peak Drive has 20 single-family residential parcels. The street runs east to west from Lincoln Drive to the boundary of the Phoenix Mountains Park and Preserve. The entrance to the street is approximately 1/2 mile east of State Route 51 (**Attachment D**).

As seen in **Attachment D**, the first parcels on what is now S**** Peak Drive were developed in 1962 with the dedicated street name of "Flyn" Lane. A second dedication in May 1964 listed "Flynn" as the recorded street name. In July 1964, the Phoenix City Council changed the name from "Flyn" or "Flynn" Lane to S**** Peak Drive. The Indian Hills Four subdivision, approved by the City Council in November 1965, was the first to be recorded with the new name of S**** Peak Drive.

Costs

The Street Transportation Department estimates it will cost the City approximately $600 to fabricate and install news signs on S**** Peak Drive, which will come from funds available in the Street Transportation Department's current fiscal year budget.

The Street Renaming Policy also stipulates that the City cover residents' documented direct costs to update their address on personal documents and records, which staff estimates could be approximately $150 per address. Households are likely to have multiple residents that are impacted, which the estimate intends to account for. Homes that use their address for a registered business also may experience additional costs that exceed a typical residence.

An accurate estimate of resident/owner costs is difficult because in some instances residents have discretion on which documents to replace. For example, banks contacted by the City have explained that checks with the prior address can still be used as long as the account and routing numbers are the same. Residents can continue to use those checks as is, or simply handwrite in a corrected street name until they exhaust their existing supply. Also, the state Motor Vehicle Services Department

(MVD) does not require driver's licenses to be replaced for an address change; the address only needs to be updated in the agency's system within ten days at no cost. However, many people use their driver's license as a form of identification that shows their current address. If a resident chooses to replace their driver's license, per the process outlined below, the City will reimburse the cost to replace it, which is currently $12.

In some cases, both a property owner who leases their property and tenants will be impacted. Based on the most recent Maricopa County property records available, five properties are owned by people with different mailing addresses, which could indicate that the properties are occupied by renters. Should all properties and tenants incur costs at the high end of the estimate, combined costs would be approximately $4,000. Based on Council approval, the funding will be allocated to the Planning and Development Department budget to cover the reimbursement costs.

Proposed Cost Reimbursement Policy

Staff proposes the following policy to reimburse expenses for impacted S**** Peak Drive residents and property owners:

- Property or business owners located on, or any individuals who live on, S**** Peak Drive as of the effective date of the change are eligible to be reimbursed by the City for any costs directly associated with address changes related to renaming S**** Peak Drive. The reimbursement will not include any cost for time spent making changes.
- City staff will be available to assist residents with any changes, as needed.
- As outlined later in this report, there are also several changes and notifications which the City is making on behalf of residents to reduce the time spent by impacted individuals.
- For reimbursement, affected individuals will need to complete a simple City request form along with receipts or other documentation to the City.
- The forms will be available in paper form for those who prefer to mail hard copies, as well as web forms, through which they can attach scanned receipts and submit reimbursement requests electronically.

The City standard will be for residents to be reimbursed for eligible costs within three weeks of the City receiving the request.

There is no time limit for impacted residents to submit for or receive reimbursement of eligible costs.

There is also no limit to the number of times an impacted resident can submit for and receive reimbursement if all reimbursements are for different eligible costs.

The Planning and Development Department (PDD) will work with the Finance Department to process reimbursements. If for any reason a resident or property owner is denied reimbursement, the decision may be appealed to the City Manager representative within the Planning and Development Department. Staff has created a working draft of a form that residents would use to request reimbursement (**Attachment E**). When finalized, this will be adapted as an online form for those residents that wish to submit request forms and receipts electronically.

City Staff Updating Responsibilities

Should the Council approve a new street name, city staff will send official notification of the name change to an extensive list of agencies so they can update customer addresses in their respective systems. City staff is currently in communication with the Maricopa County Recorder’s Office, which will work with the City to record a street name change notification for purposes of deed, deed of trust and voter registration records for impacted residents and property owners. PDD staff will formally notify these City departments: Police, Fire, City Clerk, Finance, Law, Neighborhood Services, Street Transportation, and Water Services. PDD staff also will complete an important notification to the United States Postal Service (USPS). At staff request, the USPS. will create a "change alias" in their computer system that ties any new street name for each property to the old street name. Thus, any mail addressed using an old street name will automatically be re-routed to the address with the new name. These change aliases do not expire and will ensure mail sent through USPS will be re-routed indefinitely. All property address numbers will remain unchanged.

PDD staff also will send official street name change notifications to the Maricopa County Assessor's Office, Arizona Public Service, Salt River

Project, Southwest Gas, Cox Communications, CenturyLink, Federal Express, United Parcel Service (UPS), as well as private mapping services including Google, Bing, Yahoo, MapQuest and Wide World of Maps.

If the Council approves renaming S**** Peak Drive, staff will send via certified mail a third set of documents to residents and property owners that includes a formal letter of approval, a copy of the recorded ordinance, and a completed address change notification. Residents can keep these documents in their records should they need to document or show proof of the street name change for any reason in the future.

Resident Assistance

Phoenix Public Library staff will continue to be available to directly assist impacted residents. Staff researched address update processes for multiple agencies to assist residential property owners, rental residents and business owners. Library staff created quick reference lists, complete with hyperlinks, on the street renaming webpage for updating addresses with the MVD, the Internal Revenue Service (IRS), Maricopa County Recorder - Voter Registration and Property Deed/Title, the Social Security Administration and Department of Veterans Affairs. The online guide also has suggestions for updating addresses with insurance companies; cell phone providers; employers; banks, credit reporting bureaus and other financial institutions; schools and childcare providers and online shopping sites. The resource guide for business owners includes quick reference address update links for the IRS, Arizona Department of Revenue, Arizona Secretary of State, Arizona Corporation Commission and business credit reporting agencies. It adds suggestions for updating addresses with customers; banks and other financial institutions; and on websites, social media and other online local search tools. Residents that need or prefer live assistance can speak by phone to Library staff during normal library hours.

Timing of Change

If the City Council approves a new name at the Sept. 16 Formal Meeting, staff recommends that the effective date of a new street name be no earlier than Jan. 11, 2021. This will ensure sufficient time to process changes and avoid any address uncertainty during the upcoming election

and holidays.

Financial Impact
The Street Transportation Department estimates a total cost of $600 to fabricate and install new signs on S**** Peak Drive; the department will use existing fiscal year budgeted funds to cover this cost. Staff estimates a total cost of approximately $4,000 to cover costs to reimburse residents and property owners for direct expenses incurred related to changing the address. These funds will be allocated to the Planning and Development Department from the General Fund.

Location
S**** Peak Drive
Council District: 6

Responsible Departments
This item is submitted by Deputy City Manager Mario Paniagua; the Planning and Development, Street Transportation, Finance, and Budget and Research departments; and the Phoenix Public Library.

Discussion
Deputy City Manager Mario Paniagua mentioned there were similar elements in the following presentation to that of Item 28, and said Planning and Development Director Alan Stephenson would cover the unique things that apply to S**** Peak Drive.

Mr. Stephenson presented on Item 29, and mentioned there were 20 single-family residential parcels that were addressed on S**** Peak Drive. He noted the City followed the same public comment process as the re-naming of Robert E. Lee Street, and said there were 117 participants in the community forums. He stated there were 129 total comments for this street name change, and mentioned the process for outreach and comment submission. He commented a majority of comments submitted were in favor of renaming the street, and added for residents opposed there was a verbatim of all comments listed in Attachment B.

Mr. Paniagua stated this request was similar to Item 28 in terms of approving changing the street name and approving the proposed new street name selection process, proposed cost reimbursement policy for

impacted residents, business owners and property owners.

Mayor Gallego thanked Mr. Paniagua and Mr. Stephenson for their hard work on this item, and stated the City received 22 electronic comments in support, six in opposition and two indicating a neutral position on Item 29. She mentioned there were 10 speakers wishing to address the Council.

Vice Mayor Guardado made a motion to approve Item 29.

Councilman DiCiccio seconded the motion.

Mayor Gallego announced Council would begin to hear testimony from the public, and noted Ginger Sykes Torres would speak first.

Ms. Torres spoke in favor, and mentioned she was a homeowner in north central Phoenix and was a member of the Navajo nation. She said the street name change would be healthy for the community by eliminating the term and replacing it with something respectful and inclusive. She thanked Mayor Gallego for her leadership and staff for holding extensive public input opportunities.

Jared Ogden spoke in favor, and talked about a gentleman he knew who was a Navy S.E.A.L. who passed away in combat. He suggested changing the street name to support Charles H. Keating IV because it would be a wonderful way to honor his life.

Anne Ender spoke in favor, and added she supported everything said by Mr. Ogden to support changing the street name to honor Charles H. Keating IV.

Jacob Raiford spoke in favor, and described why the current name of S**** Peak Drive was considered offensive to indigenous women and where the name originated from. He commented Phoenix in 2020 needed to advocate for inclusion and serve to represent marginalized communities.

Javier Torres spoke in favor, and suggested it was improper to not consider this term offensive to Native Americans. He mentioned other

words that were considered offensive to other groups of people, and added it was not proper to tell a community what they should or should not find offensive.

Ernest Martinez spoke in favor, and mentioned he had been a homeowner at the base of the peak for 30 years. He stated he attended all three public meetings, and added this was a once in a lifetime opportunity to give this street a meaningful and permanent name. He said he was not in favor of the proposal for a new additional process of a certified survey limited to the 20 homeowners on the street, and commented he supported the name change to Piestewa Peak Drive.

Jeremy Helfgot spoke in favor on behalf of the Human Relations Commission (HRC), and acknowledged the contributions made by the indigenous communities in the community. He asked Council to vote yes on behalf of the HRC, and thanked Mayor Gallego for her leadership.

Linda Grass spoke in opposition, and clarified she was in opposition because of the way the process had been handled since 2017. She suggested the name change could not be used anywhere else in the city, and asked Council to let the homeowners choose the name. She commented there were names missing from Attachment C, and listed the issues residents would have to deal with if the street name would be changed.

Souta Callinglast spoke in favor, and said she was the Executive Director of an educational nonprofit. She described two instances where this offensive term was directed at her, and noted there were Native American women who were still dealing with violent repercussions.

James Covarrubiass spoke in favor, and said the street name was derogatory and should be changed. He commented Council should make a decision worthy of honoring those who sacrificed their lives in defense of this country.

Mayor Gallego stated that was the final speaker from the public, and asked if Piestewa Peak Road would be an eligible name for the street.

Mr. Stephenson responded the issue mentioned by a previous commenter referred to an opportunity for emergency vehicles to mistakenly go to a different place. He said Piestewa Freeway is referred to as State Route 51 by most people, and added he was confident it would not be likely that any conflict would happen with that.

Mayor Gallego thanked Mr. Stephenson and staff who ensure first responders have the ability to find and reach addresses.

Councilman DiCiccio commented he was happy Council was doing this because it had been brought up for some time, and mentioned the City needed to listen to residents in the neighborhood when it comes to the name change. He concluded the current name was problematic and offensive.

Mayor Gallego stated Phoenix was home to one of the largest Native American communities, and added she wanted streets that young Native American women could feel proud of and move forward.

A motion was made by Vice Mayor Guardado, seconded by Councilman DiCiccio, that this item be approved as revised. The motion carried by the following vote:

Yes:	9 -	Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	

30 Phoenix City Code Amendment Related to Chapter 37 - Water (Ordinance G-6741)

Request Council to amend the Phoenix City Code by repealing the existing Chapter 37-Water and adopting a revised Chapter 37-Water, as was recommended by the City of Phoenix Citizens' Water / Wastewater Rate Advisory Committee and the Transportation, Infrastructure and Innovation Council Subcommittee.

Summary

Chapter 37 of Phoenix City Code was reviewed for the purposes of:

Streamlining and, where possible, simplifying language for enhanced transparency; and
Revising code to reflect the recommendations of the Citizens' Water / Wastewater Rate Advisory Committee's Water Equity Initiative.

The proposed changes to Chapter 37 are summarized below:

General Clean-up: Revisions to clarify definitions, policies and procedures, and to ensure consistency between City Code Chapters 28 - Sewer and 37 - Water.

Water Equity Recommendations: Revisions to allow the Water Services Director to limit water flows to single-family residential customers, rather than disconnect them entirely as is currently required for purposes of enforcing City Services Bill revenue; and revisions to cease the accrual of late fees for single-family residential customers once their water service has been either disconnected or restricted for purposes of enforcing City Services Bill revenue. Both revisions favor the customer and are meant to enhance access to water and wastewater services (37-85 and -88).

Other Notable changes:
Clarifying that Chapter 37 applies to all Phoenix water customers, whether inside or outside City boundaries (37-29);
Removing erroneous provisions charging excise tax to customers outside of the City (37-63.1; 37-64.1);
Adding an option for landlords to maintain the water account in the landlord's name (37-90);
Clarifying the process for customer's seeking review of the accuracy of the water bill (37-95);
Clarifying that public emergencies are grounds for Director implementing alternate payment methods for customers (37-95.1);
Amending provisions for the Appraisal Review Board so that members are appointed and serve as needed instead of as a standing committee (37-96);
Streamlining and simplifying water conservation requirements; making conservation requirements more consistent with state requirements;

eliminating permit requirements for turf facilities and bodies of water (37-110 through -120);

Adding a provision for civil penalties for violations of Chapter 37 ranging from $100-$2,500 for violations (37-99.1);

Clarifying process for designating a stage of water emergency (37-130); and

Repealing limited exemption for use of reclaimed water during Water Use Reduction Stage (37-130.2).

Concurrence/Previous Council Action

The City of Phoenix Water / Wastewater Rate Advisory Committee recommended approval of Water Equity updates to Phoenix City Code on June 23, 2020 by a 7-1 vote.

The Transportation, Infrastructure and Innovation Subcommittee recommended approval of this item on Sept. 2, 2020 by a 4-0 vote.

Discussion

City Clerk Denise Archibald read the title of Ordinance G-6741.

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

31 Phoenix City Code Amendment Related to Chapter 28 - Sewer (Ordinance G-6740)

Request Council to amend Phoenix City Code Chapter 28 - Sewer, as was recommended by the City of Phoenix Citizens' Water / Wastewater Rate Advisory Committee and the Transportation, Infrastructure and Innovation Council Subcommittee.

Summary

Chapter 28 of Phoenix City Code was reviewed for the purposes of:

Conforming code to new requirements under the federal Clean Water Act;

Streamlining and, where possible, simplifying language for enhanced transparency; and

Revising code to reflect the recommendations of the Citizens' Water / Wastewater Rate Advisory Committee's Water Equity Initiative.

The proposed changes to Chapter 28 are summarized below:

General Clean-up: Revisions to clarify definitions, policies and procedures, and to ensure consistency between City Code Chapters 28 - Sewer and 37 - Water.

Conformance with the Clean Water Act: The new federal rule, Streamlining the General Pretreatment Regulations for Existing and New Sources of Pollution, revises several provisions of the General Pretreatment Regulations (40 CFR Part 403). The Pretreatment Program requires industrial wastewater dischargers to use treatment techniques and management practices to reduce or eliminate the discharge of harmful pollutants to sanitary sewers. Substantial revision to and reorganization of portions of Chapter 28 were made to incorporate the provisions and requirements of the federal regulations (28-6 through -20 and 28-27 through -33).

Water Equity Recommendations: Revisions to allow the Water Services Director to limit water flows to single-family residential customers, rather than disconnect them entirely as is currently required, for purposes of enforcing City Services Bill revenue; and revisions to cease the accrual of late fees for single-family residential customers once their water service has been either disconnected or restricted for purposes of enforcing City Services Bill revenue. Both revisions favor the customer and are meant to enhance access to water and wastewater services. (28-41).

Other Notable Changes:

Adding language on development and implementation of Best Management Practices (28-9.1);

Clarifying the maintenance and capacity obligations of facilities using interceptors (28-15);

Revising, clarifying, and removing redundant language on sewer main extensions and repayment agreements (28-21 through -24);
Allowing for issuance of a temporary discharge authorization (28-27.1);
Clarifying the process for customers to request a sewage discharge volume adjustment to their bill (28-35(d));
Removing language for charging and billing other cities for use of the Publicly Owned Treatment Works (28-39);
Clarifying the billing and collection process for sewer accounts and allowing for the filing of liens (28-41);
Clarify the role of the Citizens' Wastewater Rate Advisory Committee (28-58); and
Adding language clarifying the range of civil penalties for violations of Chapter 28 and the enforcement notices the Director may issue (28-83).

Concurrence/Previous Council Action

The City of Phoenix Water / Wastewater Rate Advisory Committee recommended approval of Water Equity updates to Phoenix City Code on June 23, 2020 by a 7-1 vote.
The Transportation, Infrastructure and Innovation Subcommittee recommended approval of this item on Sept. 2, 2020 by a 4-0 vote.

Discussion

City Clerk Denise Archibald read the title of Ordinance G-6470.

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

34 Request Authorization to Amend Contract with The Diocesan Council for the Society of St. Vincent de Paul for COVID-19 Heat Relief Services (Ordinance S-46940)

Request authorization for the City Manager, or his designee, to amend

Contract 152710 with The Diocesan Council for the Society of St. Vincent de Paul (SVdP) to provide heat relief services for individuals experiencing homelessness. An additional amount up to $80,000 in Coronavirus Relief Fund money is needed to increase the value of the contract. The revised aggregate value will not exceed $380,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

As a result of the COVID-19 pandemic, the majority of heat relief locations have been closed, leaving many of the most vulnerable exposed to the sun all day. In response to the critical need by many of the most vulnerable, the City has set up a Heat Respite Center at the Phoenix Convention Center to provide refuge and access to water. In addition to the Heat Respite Center, SVdP has setup shade structures, misters and swamp coolers at the Human Services Campus (HSC) dining hall, the SVdP Sunnyslope dining room, and at SVdP Watkins Campus. SVdP has increased staff at the Human Services Campus dining hall for heat relief services with proper social distancing to comply with COVID-19 safety guidelines to provide the maximum amount of service to those seeking respite. In addition to the efforts at the HSC and at the Watkins Campus, SVdP currently is delivering lunch and dinner to the Heat Respite Center.

In response to the extended time the Heat Respite Center will be open and the continued utilization of the facility an increase in funding is necessary to accommodate the expansion of meals and services at the Convention Center through Sept. 30, 2020.

Procurement Information

Services were procured in accordance with Administrative Regulation 3.10 to implement and administer programs intended to prevent, prepare for and respond to the COVID-19 national pandemic. The City of Phoenix has obtained all necessary federal waivers to ensure compliance.

Contract Term

The contract began June 24, 2020 and will end Sept. 30, 2020. The contract may be extended based on continuous need and available

funding, which may be exercised by the City Manager or designee.

Financial Impact
The initial contract aggregate was for $300,000. This amendment will increase the contract value by up to $80,000 for a new not-to-exceed aggregate value of $380,000. There is no impact to the General Fund. Funding will be provided through one-time Coronavirus Relief Funds.

Concurrence/Previous Council Action
The City Council approved Agreement 152710 under Ordinance S-46816 on June 24, 2020.

Discussion
Vice Mayor Guardado made a motion to adopt Item 34.

Councilwoman Stark seconded the motion.

Mayor Gallego commented this was a great partnership as the City had been working with St. Vincent de Paul for relief services for people experiencing homelessness. She thanked St. Vincent de Paul, and added the partnership would continue with extending the heat relief in the Convention Center. She mentioned with record-setting heat, people would be able to access water, meals and a place to cool down and socially distance, and stated she would be voting in favor. She announced there were two individuals wishing to address the Council.

Elizabeth Veneble spoke in favor, but noted the allocations were not enough and that funding did not always come from the City. She suggested there could be more cooling centers throughout the city set up, and said there were areas without shade where people have died.

Elishyah McKinley spoke in favor, but commented she wanted to speak on the lots.

Mayor Gallego responded this item was related to food relief at the Convention Center.

Ms. McKinley said food and water were not enough, and added she did not want those who were hungry to have food taken away from them.

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

35 Authorization to Accept Additional Rental and Eviction Prevention Assistance Funding from the Arizona Department of Housing for COVID-19 (Ordinance S-46922)

Request authorization for the City Manager, or his designee, to amend Contract 151977 with the Arizona Department of Housing (ADOH) to accept additional rental and eviction prevention assistance funding in the amount of $672,200 for a new aggregate amount not to exceed $1,322,200 for the period beginning March 27, 2020 through Dec. 31, 2020. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. There is no impact to the General Fund.

Summary

Funds provided to the City of Phoenix from ADOH will be used to provide immediate rental and eviction prevention assistance to families that have been impacted directly or indirectly by the COVID-19 pandemic. Households eligible to receive assistance must be able to document that their current financial hardship is due to COVID-19 and have a total household income at or below 100 percent of the Area Median Income during the month for which they are seeking assistance. Area Median Income is currently $77,800 for a family of four.

Contract Term

The term of the contract is from March 27, 2020 through Dec. 31, 2020, which may be extended based on continuous need and available funding. Any extension term may be exercised in the discretion of the City Manager or his designee.

Financial Impact

Funding for ADOH is provided from a combination of the State Housing Trust Fund and State Crisis Contingency Safety Net Fund. There is no impact to the General Fund.

Concurrence/Previous Council Action

On April 15, 2020, City Council authorized staff to enter into contract with ADOH to provide rental and eviction prevention assistance, and authorizing the City Treasurer to accept and City Controller to disburse funds with Ordinance S-46549.

Discussion

Vice Mayor Guardado made a motion to adopt Item 35.

Councilwoman Stark seconded the motion.

Mayor Gallego announced this was another important program to help residents impacted in the community.

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

Yes:	9 -	Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	

39 Fiscal Year 2020-25 Public Art Plan (Ordinance S-46943)

Request approval of the Phoenix Office of Arts and Culture's Fiscal Year (FY) 2020-25 Public Art Plan.

Summary

The Phoenix Office of Arts and Culture was established in 1985 to champion and sustain the City's arts and culture community to make Phoenix a great place to live, work, and visit. It manages the City's public art program, funded through the percent-for-art ordinance that City Council adopted in December 1986. The ordinance requires one percent

of City Capital Improvement Program funds to be invested to enhance the design and experience of public infrastructure, buildings and spaces through public art. These funds must be used for capital purposes.

The percent-for-art ordinance requires the Phoenix Office of Arts and Culture, upon the recommendation of the Phoenix Arts and Culture Commission, to submit an annual Public Art Plan in advance of each new fiscal year. The plan is developed by staff of the Phoenix Office of Arts and Culture in consultation with City departments, City Council offices and community groups. Projects must be sited at or near the City construction projects.

The $10,388,509 plan includes 33 public art projects funded in FY 2020-25 (**Attachment A**). This total includes 31 continuing and two new projects. The proposed FY 2020-25 Public Art Project Plan is $612,914 higher than the $9,775,595 FY 2019-24 Public Art Project Plan approved by City Council in 2019. It follows the priorities established in the Phoenix Public Art Program Master Plan, which designates a wide variety of opportunities for art to improve public spaces and infrastructure throughout Phoenix (**Attachment B**).

Arizona Artist Involvement

Of the 33 projects in the FY 2020-25 Art Plan that will involve hiring artists and contractors, 21 (68 percent) either currently involve Arizona artists and design professionals or are expected to involve Arizona professionals. Arizona artists and designers are encouraged to apply for all projects.

Public Involvement

Public involvement is critical to the success of percent-for-art projects. Neighborhood organizations, Village Planning Committees, schools, and City departments are included as important participants in the public art process. The Phoenix Office of Arts and Culture staff works closely with City Council offices and numerous City departments to ensure that neighborhoods near public art projects are involved in the project's development.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and unanimously recommended the FY 2020-25 Public Art Plan at its May 12, 2020 meeting. The Land Use and Livability Subcommittee reviewed and approved it at its May 20, 2020 meeting by a 3-0 vote.

Discussion

Vice Mayor Guardado made a motion to adopt Item 39.

Councilwoman Williams seconded the motion.

Mayor Gallego thanked the arts commissioners for their hard work, and commented this would help maintain some of the most popular art programs.

Prior to her vote, Councilwoman Pastor said she appreciated placing artwork around the city.

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

Yes:	7 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	2 -	Councilman DiCiccio and Councilman Waring

40 Agreements with XSC Acquisitions, LLC for Development of Property at 625 N. 2nd Ave. (Ordinance S-46935)

Request to authorize the City Manager, or his designee, to enter into a development agreement, lease agreement, easements and other agreements as necessary (Agreements), with XSC Acquisitions, LLC, or its City-approved designee (Developer), for the development of a 19-story, multi-family rental residential and commercial project located at 625 N. 2nd Ave. in downtown Phoenix. There is no impact to the General Fund.

Summary

On Dec. 31, 2019, the Developer submitted a proposal in response to the 2017-2018 Downtown Development Request for Proposals (RFP) requesting the City's consideration of a Government Property Lease

Excise Tax (GPLET) transaction for the development of a 19-story, 375-unit multi-family rental residential project that will incorporate 6,000 square feet (SF) of commercial space and 144 parking spaces (Project) on approximately 0.64 acres of vacant land at 625 N. 2nd Ave. in downtown Phoenix. The project will incorporate a large number of studio units to provide a lower, more affordable price point in the area and will include a minimum of 10 percent of the total units for workforce housing during the term of the Lease.

If approved, the proposed Project will bring a capital investment of approximately $92 million to the downtown community and create approximately 300 construction jobs and eight permanent jobs. Upon issuance of a certificate of occupancy (C of O) for the Project, and other terms and conditions specified in the Agreements, the Developer will convey title of the property to the City, and the City will lease the property back to the Developer for a term not to exceed eight years. The GPLET will be abated for up to eight years from the date of the C of O. The Developer also has agreed that the Project will generate to the City and other taxing jurisdictions new revenue in the form of certain minimum tax payments (in the construction and leasing of the project, and in ad valorem property taxes after the lease term). These minimum tax payments would be estimated by a third party economic impact study. Details regarding those minimum tax payments will be specified in the Agreements, as well as other terms and conditions deemed necessary by City staff.

Procurement Information

An evaluation panel, consisting of a representative from the Roosevelt Action Association and City staff from both the Community and Economic Development and the Planning and Development departments, was convened earlier this spring to review the proposal. The panel recommended the City begin negotiations with the Developer.

Contract Term

The lease term will be for a maximum of eight years upon issuance of the C of O. There are no extensions to the proposed lease, and upon conclusion of the term, ownership of the property will be transferred back to the Developer. The Developer will have the ability to terminate the

lease at any time subject to the conditions of the Agreements.

Financial Impact
The Project will have no expense impact to the General Fund. The estimated one-time construction sales tax revenue to the City is $1,025,000, plus an estimated annual commercial rental tax revenue generation of approximately $170,000 at stabilization.

Public Outreach
Staff presented to the Downtown Voices Coalition on Aug. 8, 2020 and provided information to the Roosevelt Action Association.

Location
625 N. 2nd Ave.
Council District: 7

Discussion
Councilman Nowakowski made a motion to adopt Item 40.

Councilwoman Stark seconded the motion.

Bramley Paulin spoke in opposition, and suggested a recent court ruling determined this residential tower was unconstitutional. He talked about how abating the property tax for eight years was found in the court that the City did not receive sufficient return for taxpayer investments, and continued to discuss how this development did not benefit taxpayers. He asked what the difference was between existing high-rise projects that did not have Government Property Lease Excise Tax (GPLET) assistance, and this project that required assistance.

Nicholas Wood spoke in favor on behalf of the developer, and added he was available to Council for any questions.

Prior to her vote, Vice Mayor Guardado said she would be voting yes and when it came to GPLETs she would like to increase the amount of housing that would be available. She asked to have a conversation on how the City could expand past 10 percent of affordable housing, and noted this was a huge need for Phoenix. She noted west Phoenix could use some of this housing, and added this was a great project.

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

Yes: 7 - Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

41 Foreign-Trade Zone Application for Kuehne+Nagel, Inc. (Resolution 21864)

Request to authorize the City Manager, or his designee, to submit a Minor Boundary Modification application to the Foreign-Trade Zones Board of the U.S. Department of Commerce. Also, request authorization to enter into a Foreign-Trade Zone (FTZ) Operations Agreement and any other necessary documentation with Kuehne+Nagel, Inc. (K+N), or City-approved nominee. Further request authorization for the City Treasurer to accept funds related to this item.

Summary

The City of Phoenix, as Grantee of Foreign-Trade Zone No. 75, has the right and authority to apply for FTZ site designations. Over the last 130 years, K+N has evolved from a traditional shipping company to a global logistics partner that offers highly specialized solutions for major industries worldwide. K+N is headquartered in Switzerland, with a presence all over the world. The company has requested a FTZ designation for the property it leases at 7210 W. Van Buren St., where it plans to warehouse and distribute finished goods for a single client. The proposed FTZ site consists of approximately 12 acres. Consistent with City of Phoenix policy, K+N does not intend to seek property tax reclassification for existing property within the City of Phoenix pursuant to Arizona law (A.R.S. 42-12006).

City staff will prepare a FTZ Operations Agreement with K+N requiring the company to:

Comply with U.S. Department of Commerce Foreign-Trade Zones Board standards.

Maintain record keeping satisfactory to the U.S. Customs and Border Protection.
Obtain business bonding and insurance satisfactory to the City and the U.S. Customs and Border Protection.
Indemnify the City against claims arising from their FTZ operations.
Pay to the City all fees pursuant to the current zone fee schedule.

The Agreement will contain other terms and conditions deemed necessary or appropriate.

Contract Term
The term of the agreement, if approved, will be for 20 years unless the FTZ designation terminates sooner. Provisions of the contract may include an option to extend for as long as the FTZ designation exists which may be exercised by the City Manager or designee.

Financial Impact
The City will incur no costs associated with K+N's application.

Location
7210 W. Van Buren St.
Council District: 7

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

Yes:	8 -	Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	1 -	Councilman Waring

43 Donation from Phoenix Police Foundation for Ballistic Shields (Ordinance S-46938)

Request authorization for the City Manager, or his designee, to accept a donation of three ballistic shields valued at approximately $25,000 from the Phoenix Police Foundation.

Summary

Ballistic shields are a basic officer safety tool utilized in patrol and selected specialty assignments on a routine basis to reduce the chance of injury or death to officers and members of the public during particularly dangerous incidents involving armed subjects.

This donation consists of three ballistic shields for the South Mountain Precinct Resource Team, which is comprised of two Neighborhood Enforcement Teams and one Community Action Officer squad. This team conducts numerous search warrants and assists in a multitude of dynamic tactical incidents assisting both patrol and investigative units. In many of these tactical incidents it is essential that ballistic shields be readily available to provide protective cover for involved personnel and members of the community who may be in harm's way from potentially lethal projectiles. These three squads currently do not have ballistic shields available to support their daily operations.

The ballistic shields being donated match the specifications of the ballistic shields currently in use by other patrol personnel. If this request is not approved, the donation will not be accepted.

The Phoenix Police Foundation is a 501(c)(3) charitable organization. The Foundation is committed to addressing unmet capital needs of the Phoenix Police Department, providing financial assistance in crisis situations and recognizing those who protect our communities.

Financial Impact
This donation does not incur any costs to the City.

Discussion
Vice Mayor Guardado made a motion to adopt Item 43.

Councilwoman Stark seconded the motion.

Mayor Gallego mentioned five electronic comments were submitted, with two in support and three in opposition. She said there was one member of the public wishing to speak.

Jacob Raiford spoke in opposition, and talked about issues regarding the

Police Department using excessive force. He said this donation was unnecessary, and mentioned he had witnessed unjustified use of force against protesters.

Prior to his vote, Councilmember Garcia mentioned he would be voting yes and requested staff figure out how these donations happen. He talked about an instance where a basketball league wasn't able to accept a donation and it was given to the General Fund.

Note: After the vote, Councilwoman Williams disconnected from the voting body.

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

49 **Fine Art Cleaning and Maintenance - RFQu 20-015 (Ordinance S-46914)**

Request to authorize the City Manager, or his designee, to enter into contracts with Freer Waters LLC, Erma Duran & Co. LLC, and Brian Stevenson, a sole proprietor doing business under the trade name Hammercraft, to provide fine art cleaning and maintenance services for the Aviation Department and the Phoenix Office of Arts and Culture in an amount not to exceed $210,000 over the five-year aggregate terms of the contracts. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Under the contracts, the vendors will provide periodic and emergency cleaning and maintenance services that are imperative for the long-term preservation of artwork throughout the City. The services will also ensure the safety of all employees and citizens that may be in the vicinity of large-scale artwork. The City's collection of more than 200 large-scale,

site-specific public art includes ceramic mosaic murals, glass mosaic murals, metal ceiling and wall installations, suspended art glass installations, and outdoor sculptures at locations throughout the City, including airport buildings, parks and transit sites, community centers, canal trails and destinations, freeway bridges, streetscapes, overpasses, recycling centers, and other key infrastructure.

Procurement Information

Request for Qualifications 20-015, Fine Art Cleaning and Maintenance, was conducted in accordance with Administrative Regulation 3.10 with the intent of establishing a qualified vendor list (QVL) to provide fine art cleaning and maintenance services. Three offers were received and all were deemed responsive and responsible.

Offers were evaluated and assigned a pass or fail determination to each of the following qualification criteria: (1) a minimum of three consecutive years of experience within the last five years providing fine art cleaning and maintenance services, (2) a branch office or operating facility located in Arizona, and (3) a project manager with a minimum of three consecutive years of experience within the last five years providing fine art cleaning and maintenance services.

The following offerors met the qualifications criteria and are recommended for placement on the QVL:
Freer Waters LLC
Erma Duran & Co. LLC
Brian Stevenson, a sole proprietor doing business under the trade name Hammercraft

Contract Term

The terms of the contracts will be three years and will begin on or about Oct. 1, 2020. The contracts will contain two one-year options to extend the terms that may be exercised at the sole discretion of the Aviation Director.

Financial Impact

The cost of the contracts will not exceed $210,000 over the five-year

aggregate terms of the contracts. Funds are available in the Aviation Department's and Phoenix Office of Arts and Culture's budgets.

Concurrence/Previous Council Action
This item was recommended for approval at the Transportation, Infrastructure and Innovation Subcommittee meeting on Sept. 2, 2020, by a vote of 4-0.

Discussion
Vice Mayor Guardado made a motion to adopt Item 49.

Councilwoman Stark seconded the motion.

Mayor Gallego stated she would be supporting this item, and mentioned the fabulous public art at Sky Harbor Airport needed to be maintained. She commented the grass art mural at the rental car center needed specialized cleaning.

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

Yes:	6 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Guardado and Mayor Gallego
No:	2 -	Councilman DiCiccio and Councilman Waring
Absent:	1 -	Councilwoman Williams

54 Northwest Extension Phase II Funding, Design and Construction Agreement Amendment (Ordinance S-46944)

Request to authorize the City Manager, or his designee, to approve an amendment to the current funding, design, and construction agreement with Valley Metro Rail (VMR) for the Northwest Extension Phase II (NWEII) Project to add an amount not-to-exceed $200 million to fund the remainder of the project costs. Federal Capital Investment Grant (CIG) funded costs will be reimbursed by the Federal Transit Administration (FTA) over several years, potentially beyond the construction schedule.

Summary
The NWEII Project is a 1.6-mile light rail project extending west from the current system terminus at 19th Avenue and Dunlap Avenue. The

extension will run west along Dunlap Avenue to 25th Avenue, then north to Mountain View Road, and then west across Interstate 17, via an elevated structure over the freeway, to its terminus adjacent to Metrocenter Mall.

This Project includes three new stations at the following locations:
Near the intersection of Dunlap Avenue and 25th Avenue;
On the south end of the Rose Mofford Sports Complex; and
At the terminus (with an expanded multi-modal transit center and park-and-ride).

See **Attachments A and B** for visuals of the project, which provide an overall representation of the NWEII Project and the end-of-line station and transit center.

On Oct. 16, 2019, City Council approved an amendment to the funding, design, and construction agreement in the amount of $79.4 million for design and construction services for the project. The Council Report explained: “Because the schedule for the disbursement of federal funding is based on a reimbursement process and is expected to exceed the project construction schedule, a future amendment to the agreement will be required to advance the necessary additional funding to VMR for project completion. The future amendment will be requested after the City receives authorization for the financing needed to cover costs that will be later reimbursed through federal CIG funding.”

Although the FTA approves the total CIG funding when executing the Full Funding Grant Agreement, CIG New Starts grant funds are typically allocated over multiple years due to the federal budget process. This may result in the receipt of some grant funds after project completion. Due to this timing of annual CIG allocations, it is expected that Phoenix will need to advance funds.

Financial Impact
The amount of this amendment is $200 million and funds are available in the Public Transit Department Capital Improvement Program current year budget using FTA funds and bond funds.

Concurrence/Previous Council Action

The Citizens Transportation Commission voted 9-1 to recommend Transportation, Infrastructure and Innovation Subcommittee and City Council approval of this item at the meeting on Aug. 27, 2020.

The Transportation, Infrastructure and Innovation Subcommittee voted 4-0 to recommend Council approval of this item at the meeting on Sept. 2, 2020.

Location

The extension will run west along Dunlap Avenue to 25th Avenue, then north to Mountain View Road, and then west across Interstate 17, via an elevated structure over the freeway, to its terminus adjacent to Metrocenter Mall.

Council Districts: 1, 3 and 5.

Discussion

Note: Councilwoman Williams reconnected to the voting body.

Mayor Gallego commented Councilwoman Williams had been working hard on this item for quite awhile.

Councilwoman Williams said it was exciting to get construction underway, and thanked staff and everyone involved for so many years to keep this moving forward. She made a motion to adopt Item 54.

Councilwoman Stark seconded the motion.

Mayor Gallego thanked Councilwoman Williams for her hard work, and added this was one of the many ways she would change Council District 1 for the better.

Prior to her vote, Vice Mayor Guardado commented she was very excited for this project extending into north Phoenix. She said constituents were very excited, and added she was glad to see the increased enthusiasm for this from Council. She stated she hoped this could begin a discussion to expand light rail into Maryvale with the same enthusiasm as seen today, and noted she would be voting yes.

A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, that this item be adopted. The motion carried by

the following vote:

Yes: 7 - Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

55 Amendment to South Central Extension/Downtown Hub Project Funding Agreement (Ordinance S-46945)

Request to authorize the City Manager, or his designee, to approve an amendment to the current funding agreement with Valley Metro Rail (VMR) for the South Central Extension/Downtown Hub Project to add an amount not-to-exceed $350 million to fund the remainder of the project costs. Federal Capital Investment Grant (CIG) funded costs will be reimbursed by the Federal Transit Administration (FTA) over several years, potentially beyond the construction schedule.

Summary

The South Central Extension/Downtown Hub Project is a 5.5-mile light rail project extending south along Central Avenue from Jefferson Street to Baseline Road. This Project also includes the creation of a transfer hub in downtown Phoenix. The Project includes nine new stations and two park-and-rides (one located at the existing Ed Pastor Transit Center on the northwest corner of Central Avenue and Broadway Road, and the other located at the end-of-line on the northwest corner of Central Avenue and Baseline Road).

Attachments A and B provide a graphical representation of the South Central Extension/Downtown Hub Project and the end-of-line park-and-ride, which can be expanded into a transit center in the future if necessary.

On Oct. 16, 2019, City Council approved an amendment to the funding agreement in the amount of $159 million for design and construction services for the Project. The Council Report explained: “Because the schedule for the disbursement of federal funding is based on a reimbursement process and is expected to exceed the project construction schedule, a future amendment to the agreement will be

required to advance the necessary additional funding to VMR for project completion. The future amendment will be requested after the City receives authorization for the financing needed to cover costs that will be later reimbursed through federal CIG funding."

Although the FTA approves the total CIG funding when executing the Full Funding Grant Agreement, CIG New Starts grant funds are typically allocated over multiple years due to the federal budget process. This may result in the receipt of some grant funds past project completion. Due to this timing of annual CIG allocations, it is expected that Phoenix will need to advance funds.

Financial Impact

The amount of this amendment is $350 million and funds are available in the Public Transit Department Capital Improvement Program current year budget using FTA funds and bond funds.

Concurrence/Previous Council Action

The Citizens Transportation Commission voted 9-1 to recommend Transportation, Infrastructure and Innovation Subcommittee and City Council approval at the meeting on Aug. 27, 2020.

The Transportation, Infrastructure and Innovation Subcommittee voted 4-0 to recommend Council approval at the meeting on Sept. 2, 2020.

Location

The extension will run south along Central Avenue from Jefferson Street to Baseline Road.

Council Districts: 7 and 8

Discussion

After the vote, Mayor Gallego commented this was a big day for light rail in Phoenix, and added she agreed with Vice Mayor Guardado that expansion needed to go west.

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

Yes: 7 - Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

62 **Haas CNC Lathe One-Time Purchase (Ordinance S-46928)**

Request to authorize the City Manager, or his designee, to purchase a Haas CNC Lathe with Y Axis for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total agreement will not exceed $180,788.

Summary

The purpose of this purchase is to provide a Haas ST-30Y Precision Lathe for the machine shop at the Remote Facilities South facility. The Haas computer controlled machine fabricates parts out of brass, aluminum and stainless steel for various repairs required to maintain water supply infrastructure, which will increase efficiency and reduce the need to transport equipment from other locations.

Procurement Information

The selection was made using a Request for Quote (RFQ) procurement process set forth in the City of Phoenix Administrative Regulation 3.10.

The RFQ was sent to 145 vendors, grouped by Product Category. One quote was received.

Selected Vendor

Ellison Machinery Co., LLC

Contract Term

This is a one-time purchase.

Financial Impact

One-time purchase in the amount of $180,788. Funding is available in the Water Services Department's Operating Budget.

Discussion

Vice Mayor Guardado made a motion to adopt Item 62.

Councilwoman Stark seconded the motion.

Councilman DiCiccio said he had a question for the Water Services Department.

City Manager Ed Zuercher noted Assistant Director Troy Hayes and Deputy City Manager Karen Peters were available.

Councilman DiCiccio mentioned he heard Water Services Director Kathryn Sorensen would be retiring, and added it would be a huge loss to the City because she was a nationally and state renowned individual. He said his office looked up the cost of this item and found this exact machine available online for over $20,000 cheaper than what was presented in the report for this item. He asked if it was okay to get rid of this contract and buy the machine online, and noted this was the same machine from the same company.

Mr. Hayes responded the issue would be a delay in the procurement process to go out to solicit bids again, and would delay a new unit getting to the City.

Councilman DiCiccio inquired why the City would do that if the same machine could be bought online, and added Council could give authorization to save the $20,000.

Mr. Zuercher invited Procurement Manager TJ Martin to answer that question.

Ms. Martin explained the cost online did not reflect additional costs including delivery, installation, taxes and maintenance.

Councilman DiCiccio commented his office checked on that and the cost was still cheaper.

Mr. Zuercher said Councilman DiCiccio raised a good question and good point, and suggested to continue this item to the Oct. 7, 2020 City Council Formal Meeting. He noted staff would follow up on those

questions with the manufacturer.

Councilman DiCiccio said that would be great.

Mr. Zuercher mentioned there was no reason for the City to pay more if it is unnecessary.

Councilman DiCiccio stated he understood the procurement process, and commented if Council gave direction to buy the machine online the City would be better off.

Mr. Zuercher thanked Councilman DiCiccio, and suggested continuing this item to the Oct. 7, 2020 City Council Formal Meeting. He noted if it was cheaper online, staff would come back to Council with that request.

Mayor Gallego asked Councilman DiCiccio if he had a substitute motion to continue this item.

Councilman DiCiccio made a motion to continue Item 62 to the Oct. 7, 2020 City Council Formal Meeting.

Councilwoman Stark seconded the motion.

After the vote, Mayor Gallego thanked Ms. Martin for the work she has done in procurement, including protective equipment for City employees and 29 school districts. She said her team were some of the unrecognized heroes of the City during the pandemic.

A motion was made by Councilman DiCiccio, seconded by Councilwoman Stark, that this item be continued to the Oct. 7, 2020 City Council Formal Meeting. The motion carried by the following voice vote:

Yes:	9 -	Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	

81 **Request Authorization to Enter into Contract with 2020 COVID-19 Recovery Consultants, LLC for Public Health Advisory Services (Ordinance S-46951)**

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 on application review from organizations seeking to hold special events in excess of 50 individuals, provide 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. 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 29, 2020, Governor Doug Ducey signed Executive Order 2020-43: Pausing of Arizona's Reopening - Slowing The Spread of COVID-19, which prohibited organized public events of more than 50 people unless a city has approved the event, and only if adequate safety precautions are implemented, including physical distancing measures. In response to this Executive Order, the City has developed a team

comprised of staff from numerous departments to review permit applications for special events with over 50 individuals in attendance. In order to ensure adequate safety precautions are implemented, as required by the Governor's Executive Order, staff requests authorization to enter into contract with 2020 COVID-19 Recovery Consultants, LLC and requests an exemption from PCC Sec. 42-19 to the extent necessary to indemnify the contractor. The 2020 COVID-19 Recovery Consultants, LLC will serve as public health advisors to review special event permit applications, 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 two additional years.

Financial Impact
The aggregate value of this contract shall not exceed $80,000. Funding will be provided through the City of Phoenix's Coronavirus Relief Fund. There is no impact on the General Fund.

Discussion
Vice Mayor Guardado made a motion to adopt Item 81.

Councilwoman Pastor seconded the motion.

Councilman Nowakowski questioned how the City found or selected these consultants.

Assistant City Manager Milton Dohoney, Jr. responded this was not a sole source and was not a bid. He talked about how the Governor's executive order put the City in a position to approve special events in excess of 50 people. He noted there were sentiments expressed about the City not having public health expertise within the government, and stated what the City needed was ongoing support because the City was only able to get some support in a one-off fashion. He stated staff were asked to look within the valley to find a number of individuals who might be qualified to provide consultative services, and added the doctor on the list was

affiliated with the University of Arizona and was willing to provide consultative services. He mentioned recent conversations were about reopening decisions and wanting to have public health adviser assistance as City operations reopen.

Councilman Nowakowski asked if as of today, the City was not allowed to give special event licenses for greater than 50 people.

Mr. Dohoney answered the City was still in the business of approving special events because the Governor's executive order had not been rescinded.

Councilman Nowakowski inquired what would this service be providing, and questioned if the City would be looking at licensing restaurants. He requested. Mr. Dohoney provide examples of what this person would be doing.

Mr. Dohoney answered the City was not providing licensing to restaurants or any kind of ongoing business that had approval to operate under the current executive orders and Center for Disease (CDC) guidelines. He provided examples of events that would be occurring only a handful of times, and talked about the process these groups use to work with the City on seeking approval. He noted these requests were reviewed by internal staff and the public health advisors, and mentioned the meetings and site visits required in the review. He talked about how some City facilities could be reopened after departments submit their reopening plan and after review. He commented this process was beneficial because when brought to Council, the plans would have been reviewed by staff and public health advisors where suggestions could be made.

Councilman Nowakowski asked if there is more than 50 people at park facilities for sports, would there be a process that this consultant group would go through.

Mr. Dohoney replied theoretically yes, and noted there were discussions about park fields that had not included the advisors yet. He mentioned the Parks and Recreation Department did consult with guidance from within the industry on how to reopen those facilities.

Councilman Nowakowski commented this item was an add-on and there wasn't enough time to ask these types of questions, and thanked Mr. Dohoney for answering the questions he had sent in writing.

Councilmember Garcia stated this was a frustrating conversation, and talked about how Parks and Recreation Department staff had to make the right decision with their own data from the CDC and Maricopa County. He noted the county did not work for the City, and added he was glad the City was moving in this direction. He discussed the risks of opening libraries as an example, and said south and west Phoenix had high levels of infection. He mentioned the issue with taking numbers solely from the county, and that decisions made would be discriminatory to those communities because those numbers did not take into account those infection cases. He asked Mr. Dohoney how much time the City would need to be able to make those decisions as Phoenix continued to open up.

Mr. Dohoney replied the health advisors would not tell the City they need to open up or need to close, and clarified the health advisors start from what the City would consider reopening. He discussed how the process would go with an example of opening the libraries, and noted the health advisors would be available with advanced notice if Council wanted to raise their questions to them.

Mayor Gallego thanked staff, and mentioned the City response to the executive order sped up the procurement for this consultant as discussions on parks reopening and need for medical advice were happening.

Councilman DiCiccio suggested this item was being rushed through, and expressed issues with this group not having an epidemiologist on board. He stated he would not be supporting this item.

Mr. Dohoney clarified Dr. Saskia Popescu was an epidemiologist that was based at the University of Arizona and was part of the team reviewing what the City was doing.

Mayor Gallego mentioned the doctor was one of the leading infectious disease epidemiologists nationwide, and was a resident with a very impressive background.

Councilwoman Pastor commented this item arrived in a timely manner and expressed appreciation for staff getting this item on the agenda. She mentioned this was asked by Council from the very beginning in March or mid-February, and said she would like to see this contract review each department's COVID-19 reopening plan to create a City master plan with a timeline for each department to reopen using a uniform metric. She stated this could be updated as needed based on CDC guidelines and hotspots within Phoenix and the county, and asked if this contract would be able to do that.

Mr. Dohoney replied the public health advisors can look at any department's plan for reopening, but it would take time to do that. He noted there were only a handful of departments that had closed facilities, and added the contract could look at those departments with closed facilities. He commented he was not sure on reviewing hot spots with the contract as it was constructed, but mentioned there could be a review of each department that would be shared with Council.

Councilwoman Pastor said she asked to take each department's COVID-19 reopening plan to create a master plan, and clarified the hot spots mentioned would be based on data in each zip code. She commented each department was using different metrics for reopening, and noted there needed to be uniform metrics on how to reopen. She suggested it was not wise to reopen spots at different times without these uniform metrics.

Mr. Mohoney responded that was certainly doable.

Vice Mayor Guardado expressed concern with the high amount of cases in the Maryvale area, and noted the Cartwright School District would not be reopening their schools in October because of the pandemic. She said the City could look at opening some areas in Phoenix, but she was not comfortable with opening up areas in Maryvale. She asked for details from departments who would be looking at reopening facilities, and noted

some parts of Phoenix were hit harder with COVID-19 infections than other areas.

Councilwoman Stark said she would be supporting this item because Maricopa County was the City's public health agency and they did not have the time. She took issue with Councilmember Garcia saying the county did not work for the City, and gave an example of how the county solved a vector control problem in one of her neighborhoods in Council District 3.

Councilwoman Pastor requested Mr. Dohoney come back to Council with an answer on how quickly the City could look at the master plan of reopening because there was a lot of pressure to reopen libraries, parks and senior centers. She noted she wanted to have that discussion when a master plan was created.

Mr. Dohoney replied he could not give a certain date when that would happen, and said departments would need to submit their plan in writing to the doctors where they would have a period of time to review each plan. He noted the doctors would then formulate their questions or concerns, and added the City would need to be involved with them in those discussions. He talked about how the City would tell the doctors Council would be asking for a master plan strategy for reopening facilities, and said he couldn't give an answer today.

City Manager Ed Zuercher mentioned he spoke with the Chair of the Parks and Recreation Board, and said next week the board would discuss the remaining outdoor facilities in the park system that were closed, including basketball courts. He noted after that meeting the City would be able to come to Council with specific recommendations on those facilities. He stated the Library Department was working on a plan to reopen libraries citywide, and added he would make sure the doctors would be included in reviewing those plans. He stated the City would work with the doctors on a uniform opening plan across Phoenix, and said senior centers specifically would be the last facilities to reopen given the population.

Councilwoman Pastor stated this discussion was why she advocated for

a master plan strategy, and added she would prefer the Parks and Recreation Board have that discussion in October because it would give departments enough time to submit their reopening plans. She mentioned different metrics were being used and she concluded that was why she wanted a master plan that is reviewed by the consultants.

City Manager Ed Zuercher responded the City could do that, and noted the decision would ultimately come from Council. He said if there was a desire for a larger master plan, the City could put that together and bring that to Council.

Mayor Gallego commented it made sense for Council to look at outdoor activities first, and to then transition to indoor activities. She agreed with Mr. Zuercher that parks were a good first step, and senior centers would be the final step.

Councilmember Garcia said he agreed with Councilwoman Pastor that there needed to be consistency with metrics, and stated Phoenix was the fifth-largest city in the country but did not have a public health department. He advocated for creating an office at the City that would be responsible for public health. He said Phoenix deserved and needed long-term expertise in public health for all decisions.

Prior to his vote, Councilman Nowakowski explained he would vote no because of the timing this item was placed on the agenda. He said he didn't understand the purpose, and asked if the City would follow the Governor's Office, the county and state to ensure the City would not be violating any executive orders. He stated he wanted to make sure everything was in line with a plan in place, and asked what steps would need to be done to open up the Convention Center. He advocated for more time to develop a matrix and guidelines for individuals to follow to make sure the city is safe, and added he agreed with Councilmember Garcia that a public health department should be established that would look at the health of all departments and services provided by the City. He commented these people were an excellent group of individuals, but noted he was not sure his questions were being answered.

Prior to her vote, Councilwoman Pastor said she would be voting yes with

the understanding that the City would build a master plan strategy that would include reopening of departments. She noted specifically the City would be looking at parks, and added it was very important to have a strategy and a plan not going department to department.

Councilwoman Williams asked if this was for a limited time.

Mr. Dohoney replied this was for a limited time of three months, with an ability to extend to six months. He mentioned these services were paid using COVID-19 dollars and would run out by Dec. 31, 2020, and added if the City needed this help beyond that date a funding source would need to be identified.

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

Yes:	6 -	Councilmember Garcia, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	3 -	Councilman DiCiccio, Councilman Nowakowski and Councilman Waring

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

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

Summer Bagley talked about park closures for the past seven months, and asked the City to reopen parks for the mental and physical health of families and their children. She mentioned exercise improved mental health by reducing anxiety, depression and negative mood by improving self-esteem and cognitive functions. She requested Council look at opening parks as soon as possible.

Michael Rogers stated he was the Chair of the Papago Vista Neighborhood

Association and supported the Madison Pioneers Coalition. He asked Council to meet with his group to work towards constructive, real-world solutions to homelessness, and added this was a city-wide issue. He thanked Council for considering his remarks, and asked Council to consider their request to meet.

Laurel Langmade mentioned she agreed with everything Mr. Rogers said, and suggested Council meet with him. She suggested the City get the Department of Homeland Security involved in this issue of homelessness because it was threatening neighborhoods and businesses, and added the Immigration and Customs Enforcement facilities to house immigrants could be used to house homeless people.

Joel Coplin thanked the Mayor and Council for their work during these difficult times, and suggested the City should follow up with the request from Mr. Rogers as well as neighborhood groups to discuss the health, welfare and safety of communities.

Bill Morlan commented he was speaking on behalf of the Madison Pioneer Coalition, and asked Mayor Gallego to meet with Ms. Langmade to address the homeless situation at the Human Services Campus. He mentioned the coalition had a lot of ideas, and asked Council to solve these issues together.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 4:57 p.m.

MAYOR

ATTEST:

CITY CLERK

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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 16th day of September, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 12th day of October, 2022.

CITY CLERK