City of Phoenix

Minutes

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

185934

City Council Formal Meeting

Wednesday, June 2, 2021 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, June 2, 2021 at 2:41 p.m. in the Council Chambers.

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

The Mayor and Councilmembers attended the meeting virtually. Councilman DiCiccio left the voting body following Item 86. Councilwoman O'Brien left the voting body following Item 124.

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

The City Clerk confirmed copies of the titles of Ordinances G-6718, G-6853 through G-6865; S-47590 through S-47638, S-47640 through S-47648, and S-47650 through S-47657; and Resolutions 21925 through 21928 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

MINUTES OF MEETINGS

1 **For Approval or Correction, the Minutes of the Formal Meeting on March 18, 2020**

Summary

This item transmits the minutes of the Formal Meeting of March 18, 2020, for review, correction and/or approval by the City Council.

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

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

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

No: 0

2 For Approval or Correction, the Minutes of the Formal Meeting on April 1, 2020

Summary

This item transmits the minutes of the Formal Meeting of April 1, 2020, for review, correction and/or approval by the City Council.

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

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

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

No: 0

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

BOARDS AND COMMISSIONS

3 Mayor and Council Appointments to Boards and Commissions

Summary

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

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

Fire Safety Advisory Board

Appoint Gurvinder Aujla, filling the Petroleum Industry vacancy, for a term to expire June 2, 2025, as recommended by Mayor Gallego

Mayor's Human Trafficking Task Force

Appoint Rosemary Wilson, as recommended by Mayor Gallego and Councilman Waring

Neighborhood Block Watch Fund Oversight Committee

Appoint Jeff Tisot, for a term to expire Aug. 31, 2022, as recommended by Councilwoman Stark

Paradise Valley Village Planning Committee

Appoint Patricia Diane Petersen, for a term to expire Nov. 19, 2022, as recommended by Councilman Waring

Phoenix Business and Workforce Development Board

Appoint John Soto, replacing Edward Abramowitz as the Department of Economic Security Title III Employment Services representative, for a term to expire June 30, 2023, as recommended by Mayor Gallego

Rio Vista Village Planning Committee

Appoint Chris Gonzalez, for a term to expire Nov. 19, 2022, as recommended by Councilwoman O'Brien

Appoint Scott Lawrence, for a term to expire Nov. 19, 2022, as recommended by Councilwoman O'Brien

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

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

No: 0

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

A motion was made by Vice Mayor Garcia, seconded by Councilwoman Stark, that Items 4-7 be recommended for approval. The motion carried by the following voice vote:

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

No: 0

4 Liquor License - The Mexicano

Request for a liquor license. Arizona State License Application 148349.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
4801 E. Cactus Road
Zoning Classification: C-2 PCD
Council District: 3

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

The 60-day limit for processing this application is June 12, 2021.

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like the ability of offer our patrons an adult beverage with their meal if they choose to have one."

Staff Recommendation

Staff recommends approval of this application.

Attachments
Liquor License Data - The Mexicano
Liquor License Map - The Mexicano

This item was recommended for approval.

5 Liquor License - Smashers Eats

Request for a liquor license. Arizona State License Application 148319.

Summary

Applicant
Kevin Babcock, Agent

License Type
Series 12 - Restaurant

Location
16816 N. Cave Creek Road
Zoning Classification: C-2
Council District: 3

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

The 60-day limit for processing this application is June 12, 2021.

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

use for more than 180 days.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We have held liquor licenses in Nevada for aprox. 4 years, with out incident. We are trained and understand how to safely serve the public."

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 serve mostly food in our establishment with the option to have an alcoholic beverage with a meal. We have purchased and are taking over an existing restaurant that has an existing Series 12 liquor license."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Smashers Eats
Liquor License Map - Smashers Eats

This item was recommended for approval.

6 Liquor License - Ainsworth Phoenix

Request for a liquor license. Arizona State License Application 148384.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
3 S. 2nd St., Ste. 117
Zoning Classification: DTC - Business Core
Council District: 7

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

The 60-day limit for processing this application is June 13, 2021.

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

Other Active Liquor License Interest in Arizona
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.

McFadden's Restaurant & Saloon (Series 6)

9425 W. Coyotes Blvd., Bldg H, Glendale
Calls for police service: N/A - not in Phoenix
Liquor license violations: In Aug. 2018, a fine was paid for allowing an underage person on the premises without a parent. In Nov. 2019, a fine was paid for having a person take or solicit orders for spirituous liquors who was not a licensed salesperson.

Lola (Series 6)
6770 N. Sunrise Blvd., Glendale
Calls for police service: N/A - not in Phoenix
Liquor license violations: In Oct. 2019, a fine was paid for purchasing alcohol from other than a primary source.

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like the ability to offer our patrons an adult beverage with their meal if they choose to have one."

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 - Ainsworth Phoenix
Liquor License Map - Ainsworth Phoenix

This item was recommended for approval.

7 Liquor License - Bacanora

Request for a liquor license. Arizona State License Application 148026.

Summary

Applicant
Rene Andrade Jr., Agent

License Type
Series 12 - Restaurant

Location
1301 Grand Ave. #1
Zoning Classification: C-3 HP SP ACOD
Council District: 7

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

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

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

Other Active Liquor License Interest in Arizona

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.

Tacos Chiwas (Series 12)
1923 E. McDowell Road, Phoenix
Calls for police service: 3
Liquor license violations: In Aug. 2018, a fine of $750.00 was paid for selling without a license and on sale retail personnel records.

Tacos Chiwas (Series 12)
127 W. Main St., Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I been working on this industry 15 + years have help the comunity to be a bletter place."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"It willo bring nore busness to this side of town also more opportunity for othet people to have more jobs open in this comunity."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Bacanora
Liquor License Map - Bacanora

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

The following electronic comments were submitted for the record: 25 opposed, 1 neutral and 1 with no position on Item 125; and 31 opposed to Item 126.

A motion was made by Vice Mayor Garcia, seconded by Councilwoman Stark, that Items 8-127 be approved or adopted, except Items 29-35, 64, 66, 68, 70, 86, 119-124 and 127; continuing Items 55, 56 and 95 to the June 16, 2021 City Council Formal Meeting; and noting that Items 125-126 are withdrawn and Item 109 is as corrected. The motion carried by the following vote:

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

Items 8-28, Ordinance S-47590 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.

8 K.M. Facility Services, LLC

For $25,000.00 in payment authority for a one-time purchase of commercial cleaning services for the Aviation Department. The qualified

vendor will clean an estimated 3,000-square-foot commercial restaurant kitchen at the temporarily closed Deer Valley Airport Restaurant. The scope of work will include cleaning and degreasing of all kitchen and food preparation surfaces to meet current industry health and safety standards.

This item was adopted.

9 John C Kliethermes doing business as KW Construction LLC

For $17,376.00 in payment authority to pay for repairs to a portion of the Echo Canyon Trailhead perimeter fence for the Parks and Recreation Department. The fence was damaged by a private vehicle collision. Parks and Recreation staff contacted construction vendors who are on contract to locate the matching block and none were found. KW Construction constructed the original wall and had block to match.

This item was adopted.

10 Concept Development Corporation

For $16,000.00 in payment authority to purchase adaptors and accessories for the ICOR Mini Robot for the Police Department. The equipment will be used by the Homeland Defense Bureau's (HDB) bomb squad technicians to remotely and safely dispose of suspected improvised explosive devices. The items are small, light, and portable and will enhance interoperability, allowing bomb squad technicians to rapidly respond to incidents. Similar items are being used by other bomb squads in the valley and Concept Development Corporation is the only vendor who provides custom mounting kits that are interchangeable with the mini-caliber robot already in use by the HDB. The purchase will be funded by the FY 2020 State Homeland Security Grant Program Explosive Ordnance Disposal Enhancement Grant.

This item was adopted.

11 SecureLink, Inc.

For $23,285.00 in additional payment authority for software upgrades, maintenance and support of the SecureLink Enterprise license subscription, for the Police Department. SecureLink encrypts all traffic protecting the City's sensitive information and provides a secure and reliable remote connection for vendors to connect to the Police Department's applications for support. Continuous maintenance and

support are needed to keep the remote access secure and to protect the traffic flowing through the Police Department's computer network.

This item was adopted.

12 LN Curtis & Sons doing business as Curtis Blue Line

For $30,000.00 in payment authority for a new contract, entered on or about June 15, 2021 for a term of five years for Purple K dry chemicals for the Fire Department. Purple K dry chemical is a fire extinguishing agent required by the Federal Aviation Administration for the Code of Federal Regulations Part 139, Aircraft Rescue and Fire Fighting (ARFF). The product will be used by the ARFF fire trucks to put out fuel fires at Sky Harbor International Airport. The contract will be funded by the Aviation Department.

This item was adopted.

13 ZOLL Medical Corporation

For $40,083.00 in payment authority for the purchase of an X series manual monitor-defibrillator, warranty and maintenance services for the Police Department. The department's Emergency Medical Services staff responds to emergency calls which at times require the need for cardiopulmonary resuscitation, to resuscitate victims of sudden cardiac arrest in response to opioid overdose situations. This is a one-time purchase of the cardiac monitor equipment, which includes a maintenance service plan. The equipment will provide basic vital signs, perform 12 lead electrocardiogram cardioversion and manual defibrillation diagnostic information on a patient and provide the information to the emergency care services. The purchase of the cardiac monitor equipment, accessories and maintenance service plan is vital and necessary for use on community members.

This item was adopted.

14 National Tactical Officers Association

For $17,611.00 in payment authority to purchase training for Rescue Task Force Instructor Certification for the Fire Department. The three-day training course will certify 20 instructors within the Phoenix region to instruct Rescue Task Force courses. The Rescue Task Force course is designed to teach students the four main methods of warm zone care during active violence incidents. The ability to teach and train public

safety partners throughout the Phoenix Metropolitan region on Rescue Task Force response and methodology will ensure a continuous and consistent level of standardized training. The training has been approved by Federal Emergency Management Agency and will be funded through the 2016 Complex Coordinated Terrorist Attack Grant program.

This item was adopted.

15 Leeds Precision Instruments, Inc.

For $26,282.00 in payment authority for the one-time purchase of a one-year warranty for the continued support and maintenance of the Evofinder Scanner Automated Ballistics Identification System used by and for the Police Department. The Evofinder Scanner is a 3D digital bullet comparison scope system that aids the Department in the comparison of forensic evidence. The extended warranty will provide repair services and necessary software updates to the system.

This item was adopted.

16 Settlement of Claim(s) Lee v. City of Phoenix

To make payment of $425,000.00 in settlement of claim(s) in *Lee v. City of Phoenix*, 2:20-CV-02456-SMB, 20-0631-001, GL, BI, for the Finance Department pursuant to Phoenix City Code chapter 42. This is a settlement of a bodily injury claim arising out of a police incident on June 1, 2019.

This item was adopted.

17 Settlement of Claim(s) Balyan v. City of Phoenix

To make payment of $2,500,000.00 in settlement of claim(s) in *Balyan v. City of Phoenix*, 18-0280-001, AU, BI, for the Finance Department pursuant to Phoenix City Code chapter 42. This is a settlement of bodily injury claim arising out of a police incident on March 11, 2018.

This item was adopted.

18 Ametek Arizona Instrument LLC dba Ametek Brookfield

For $50,000.00 in payment authority to purchase hazardous material mercury meters for the Fire Department. The mercury meters are used by the Fire Department’s emergency response personnel at residential occupancies, education and medical facilities, or any location that mercury may be present and are at end of life. These are the only meters

in the department's hazardous materials meter fleet that detect mercury. The hazardous materials meters are a critical part of the department's ability to identify dangerous substances and mitigate those hazards to protect the public and firefighters.

This item was adopted.

19 Bureau of Reclamation

For $55,000.00 in payment authority for the annual administrative fee for the Parks and Recreation Department for the Bureau of Reclamation's administrative costs associated with the agreement for the land use of the 1,200-acre Reach 11 Recreation Area.

This item was adopted.

20 Noregon Systems, Inc.

For $10,000.00 in additional payment authority for existing JPro Diagnostic Software licenses for the Public Works Department. The software is utilized by Public Works fleet technicians to diagnose heavy duty equipment including fire apparatus. The diagnoses information is used to identify needed repairs to ensure equipment is returned into service in a timely manner.

This item was adopted.

21 U.S. Environmental Protection Agency

For $113,000.00 in payment authority for reimbursement to the U.S. Environmental Protection Agency (USEPA) for oversight of the 19th Avenue Landfill for the Public Works Department. The payment request is necessary for the City to pay costs to the USEPA for compliance review and site inspections for the annual regulatory oversight process and the Five-Year Review.

This item was adopted.

22 Maricopa County Air Quality Department

For $118,000.00 for annual payment authority of various mandated regulatory environmental permit fees for the solid waste landfill sites and transfer stations for the Public Works Department. The department is responsible for the maintenance and operations of the landfills and transfer stations and must maintain various permits, pay user fees and to adhere to regulatory requirements mandated by the Maricopa County Air

Quality Department.

This item was adopted.

23 Arizona Department of Environmental Quality

For $257,000.00 for annual payment authority of regulatory fees for the Public Works Department. The City operates and maintains one open landfill, five closed landfills and two transfer stations that must meet regulatory requirements as mandated by the Arizona Department of Environmental Quality (ADEQ). The ADEQ requires the City to pay several routine fees including landfill and transfer station registration fees, quarterly landfill fees, storm water permit fees, superfund program oversight fees, aquifer protection permit administration fees and financial assurance fees.

This item was adopted.

24 Cubic Corporation and Subsidiaries doing business as Cubic ITS, Inc.

For $95,000.00 in payment authority for a new contract to be entered on or about June 3, 2021 for a term of five years for Synchro software which models traffic signal operations, evaluates traffic flow and determines roadway capacity for the Street Transportation Department. The Synchro software is considered a standardized tool for traffic engineers and transportation planners within the transportation industry. The department already utilizes Synchro and the contract will ensure that the latest versions and enhancements to the software are upgraded annually.

This item was adopted.

25 Rummel Construction, Inc.

For $450,181.22 in additional payment authority for Agreement 153980, for Change Order 1, Project PW16810006-1 for SR85 Landfill Cell 1 Phase 5 Excavation and Liner Plan Design-Bid-Build Services for the Public Works Department. The Change Order is to cover a force majeure event that led to a significant increase in the cost of material due to adverse weather conditions that led to production delay and material shortages.

This item was adopted.

26 City of Buckeye

For $570,000.00 in payment authority for Contract 100744 to continue the operation of the City of Phoenix landfill within the City of Buckeye, for the Public Works Department. Payment of royalties is based on 7.5 percent of the gate revenue generated from solid waste received at each transfer station and disposed of at the SR85 Landfill in Buckeye. The Intergovernmental Agreement requires Phoenix to reimburse Buckeye for its solid waste collection and disposal fees paid on behalf of the prison adjacent to the SR85 Landfill.

This item was adopted.

27 City of Mesa

For $100,000.00 for annual payment authority for the water, wastewater, solid waste, and gas costs associated with the Val Vista Water Treatment Plant, including yearly maintenance and repair shutdown for the Water Services Department. During the shutdown, services are purchased from the City of Mesa for the site, including potable water, wastewater services, solid waste services for removing debris from the Salt River Project South Canal, and natural gas services to power standby generators.

This item was adopted.

28 Veolia North America, Inc., doing business as Veolia Water North America Operating Services, LLC

For $7,050,000.00 for annual payment authority for Contract 107745 from July 1, 2021, through June 30, 2022, for operating costs for the Lake Pleasant Water Treatment Plant for the Water Services Department. The water treatment plant came online in early 2007 and primarily serves the northwest area of the City. The City of Phoenix entered into a 15-year agreement for operation and maintenance of this facility, which is operational 24-hours-per-day, seven-days-per-week, to treat raw water, produce and supply finished water, and transport and dispose of plant by-products and operating wastes.

This item was adopted.

36 Proposed Ismail Annexation - Authorization to File

Request to authorize the City Manager, or his designee, to file with the Maricopa County Recorder's Office a blank petition for a proposed annexation. This annexation was requested by Tim Rasnake with

Archicon Architects and Interiors, LC, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation.

Summary

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

Location

The proposed annexation area includes parcels 300-14-067 and 300-14-065, located at 35th Avenue and Baseline Road (**Attachment A**). The annexation area is approximately 6.67 acres (0.0104 sq. mi.) and the population estimate is six individuals.

This item was approved.

37 Proposed Cave Creek Road and Dynamite Boulevard Annexation - Authorization to File

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

Summary

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

Location

The proposed annexation area includes parcel 211-39-002P, located at 4328 E. Dynamite Blvd. (**Attachment A**). The annexation area is

approximately 1.10 acres (0.0017 sq. mi.) and the population estimate is three individuals.

This item was approved.

38 Computer Hardware and Support Services, State of Arizona Cooperative Purchasing Agreements - COOP 21-031 (Ordinance S-47594)

Request to authorize the City Manager, or his designee, to enter into linking agreements with the following vendors who have executed cooperative purchasing agreements with the State of Arizona for the purchase of computer hardware and support services as-needed for citywide use: Dell Marketing, LP (contract ADSPO16-098163); HP Inc., (contract ADSPO16-098209); International Business Machines (IBM) (contract ADSPO16-098793); HPE, Inc (contract ADSPO16-098209); NetApp, Inc. (contract ADSPO16-098203) and Transource Services Corporation (contract ADSPO16-098200). Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code Section 42-18. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of these contracts will not exceed $17,500,000.

Summary

The computer hardware and support services contracts provide a wide variety of technology needs for all City departments. Purchases made under these contracts include on-going replacement of end user computer hardware, peripheral equipment, devices, laptops, tablets, monitors, power cables, other end of life user devices and support services.

Procurement Information

In accordance with Administrative Regulation 3.10, a linking agreement is required when the City uses a cooperative agreement from another public agency. The computer hardware and support services contracts were awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43.

Both the American Bar Association and National Institute of Government Purchasing endorse the use of cooperative purchasing agreements by

municipalities and other public institutions. An established best practice in government procurement, cooperative purchasing agreements provide extensive benefits to procurement officials by leveraging volume purchasing for maximum cost benefit and ensuring best value.

The Deputy Finance Director recommends that the City Council approve linking agreements to the cooperative purchasing agreements with Dell Marketing, LP; HP Inc.; IBM; HPE, Inc; NetApp, Inc. and Transource Services Corporation.

Contract Term

The initial contract term will be through July 31, 2022, with one additional one year option to extend.

Financial Impact

The aggregate contract value will not exceed $17,500,000. Funds are available in the various departments' budgets.

This item was adopted.

39 Increase Expenditure Authority for Police Department Air Support Unit Equipment, Parts and Services - Requirements Contract - RFA 19-011A (Ordinance S-47595)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 152013 with FLIR Surveillance Inc. for the purchase of aircraft parts, accessories, maintenance and repairs for the Police Department, Air Support Unit. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $400,000.

Summary

This contract provides the Star SAFIRE 380-HD U-8000 System, Single LRU EO/IR Imaging System, U-800 with parts, accessories, warranties, labor and repairs for Air Support's Astar Helicopter and PC12 Pilatus Airplane. This equipment assists pilots in detecting warm objects against cooler backgrounds when searching for suspects involved in criminal activity during poor or obstructed visibility. Additional funds are needed to continue providing preventative routine maintenance in order to remain in compliance with Federal Aviation Administration regulations for the safety, performance and operations of the aircraft.

Contract Term

The contract term is March 18, 2020 through Feb. 28, 2025**.**

Financial Impact

Upon approval of $400,000 in additional funds, the revised aggregate value of the contract will not exceed $800,000. Funds are available in the Police Department’s budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on March 18, 2020.

This item was adopted.

40 Aircraft Parts and Services - Requirements Contract - IFB 18-137A (Ordinance S-47600)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 148977 with Precision Heli-Support, Contract 148978 with Able Aerospace Services, Inc., Contract 148979 with Westwind Aviation, Inc., Contract 148991 with Agusta Westland Philadelphia Corp, and Contract 148992 with Airbus Helicopters for the purchase of aircraft parts and services for the Police Department, Air Support Unit. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $1,700,000.

Summary

These contracts provide various aircraft parts and services to operate and maintain fixed-wing and rotary aircraft for the Police Department's Air Support Unit. The helicopters are critical as they support patrol officers, provide crime suppression and are used for mountain rescue services. Additional funds are needed due to increased wear and tear on the department's aging fleet, resulting in higher maintenance and replacement parts costs. It is critical for the aircraft to remain operational to avoid negative effects on public safety. The Federal Aviation Administration (FAA) mandates routine maintenance and overhauls be performed to ensure the safe operation of the aircraft fleet.

Contract Term

The contract term is Dec 1, 2018 through Nov. 30, 2023.

Financial Impact

Upon approval of $1,700,000 in additional funds, the revised aggregate value of the contract will not exceed $5,200,000. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Nov. 14, 2018.

This item was adopted.

41 Amend License with Maricopa County for Air Quality Monitors at Phoenix Fire Station 40 (Ordinance S-47608)

Request to authorize the City Manager, or his designee, to amend a non-exclusive license agreement, City Contract 131584, with Maricopa County, a political subdivision of the State of Arizona (County), to extend the license term for a five-year period, with two additional five-year options.

Summary

The license is for the placement of air quality monitors and shelters at Fire Station 40 located at 3838 N. 83rd Ave. The County's air quality monitors are to sample and analyze the ambient air in the vicinity. The County is responsible for all costs related to the monitors, including utility service.

Contract Term

The term of the license will be five years, with two additional five-year options to extend. The agreement may be terminated by either party upon receipt of a 30-day written notice.

Location

3838 N. 83rd Ave.
Council District: 5

This item was adopted.

42 Various Metals Supply - Requirements Contract - IFB 21-065 (Ordinance S-47609)

Request to authorize the City Manager, or his designee, to enter into an agreement with Southwest Steel Sales, LLC to purchase various metal

supply for citywide use. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate agreement value will not exceed $750,000.

Summary

The purpose of this contract is to provide various metals to citywide departments on an as-needed basis to fabricate, maintain and/or repair various grates, handrails, and fences throughout the City of Phoenix. The Water Services and Fire departments are the primary users of this contract. The requested materials are critical to citywide facility operations.

Procurement Information

IFB 21-065 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Finance Department Procurement Division on April 9, 2021, one of which was found to be non-responsive. The responsive offer was evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to 229 suppliers and was publicly posted and available for download from the City's website.

The Deputy Finance Director recommends the offer from Southwest Steel Sales, LLC be accepted as the lowest-priced, responsive and responsible offer.

Contract Term

The five-year agreement term will begin on or about July 1, 2021.

Financial Impact

The total agreement value will not exceed $750,000. Funding is available in the various departments' budgets.

This item was adopted.

43 Acceptance and Dedication of Easements for Public Utility and Sidewalk Purposes (Ordinance S-47611)

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

Summary

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

Easement (a)
Applicant: United Services Automobile Association, its successor and assigns
Purpose: Public Utility
Location: 26300 N. Norterra Parkway
File: FN 200613
Council District: 1

Easement (b)
Applicant: US Relp Norterra East I, LLC, its successor and assigns
Purpose: Public Utility
Location: 26300 N. Norterra Parkway
File: FN 200613
Council District: 1

Easement (c)
Applicant: Southern Avenue Development, LLC, its successor and assigns
Purpose: Public Utility
Location: 3610 & 3614 W. Taylor St.
File: FN 210024
Council District: 4

Easement (d)
Applicant: John Song Trust dated October 10, 1994 and restated August 10, 2012, Song Four Investments, Inc, Richard Steven Kent, Jeffrey Joseph Kent, Bryan Chan Kent, JS Song Properties, LLC, its successor and assigns
Purpose: Public Utility
Location: 6834 N. 23rd Drive
File: FN 210021
Council District: 5

Easement (e)
Applicant: Aldi (Arizona) LLC, its successor and assigns
Purpose: Sidewalk
Location: 5775 W. Baseline Road
File: FN 210015
Council District: 7

Easement (f)
Applicant: 2812 N 29th, LLC, its successor and assigns
Purpose: Public Utility
Location: 2530 N. 28th Place
File: FN 210020
Council District: 8

Easement (g)
Applicant: Juan Martinez, its successor and assigns
Purpose: Public Utility
Location: 835 E. Apollo Road
File: FN 210023
Council District: 8

This item was adopted.

44 Acceptance of Easements for Drainage Purposes (Ordinance S-47612)

Request for the City Council to accept easements for drainage 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: United Services Automobile Association, its successor and assigns
Purpose: Drainage
Location: 26300 N. Norterra Parkway
File: FN 200613
Council District: 1

Easement (b)
Applicant: US Relp Norterra East I, LLC, its successor and assigns
Purpose: Drainage
Location: 26300 N. Norterra Parkway
File: FN 200613
Council District: 1

This item was adopted.

45 Diversity RX Solution Camera Downlink Antenna - EXC 21-114 (Ordinance S-47613)

Request to authorize the City Manager, or his designee, to enter into a contract for a one-time purchase with Helinet Aviation Services, LLC to purchase one, 6-way Diversity RX Solution Camera Downlink Antenna for the Police Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate agreement value will not exceed $119,305.

Summary
The purpose of this contract is to purchase one, 6-way Diversity RX Solution Camera Downlink Antenna for the Police Department. The Phoenix Police Department's Air Support Unit currently utilizes a portable antenna system for downlinking aerial surveillance from aircraft. This system is several years old, no longer reliable and is not serviceable by the manufacturer. It also has numerous limitations including poor reception strength, line-of-sight requirements and temperature sensitivity. Additionally, this system is not capable of sending the received signal to the City network. The requested antenna would be mounted on top of City Hall, which would provide nearly unlimited reception across the City of Phoenix and beyond, while simultaneously allowing the received signal to be input to the City network. This network access would allow the video feed to be viewed both onsite and off-site by authorized personnel as events unfold, as well as provide temporary recording on network servers. While video will be temporarily recorded on network drives, evidentiary video will be recorded in the aircraft, to be downloaded and impounded as evidence per Criminal Justice Information Services and Phoenix Police Department policies. The downlink video feed has been found to be vital during major events and high-priority surveillance of criminal activity. All live-feeds will be encrypted. This purchase includes a

two-year warranty of the system.

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

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated that with a more reliable, permanently mounted antenna, the Police Department would be provided with added security and safety for officers on the ground and the City will further reduce its liability in high-profile situations. The Diversity RX Solution Camera Downlink Antenna is the only available system that meets this need.

The Deputy Finance Director recommends the contract with Helinet Aviation Services, LLC be accepted.

Contract Term
The one-year contract term will begin on or about May 20, 2021.

Financial Impact
The aggregate contract value will not exceed $119,305. Funds are available in the Police Department's budget.

This item was adopted.

46 Foreign Language Interpretation and Translation Services - Requirements Contract (Ordinance S-47614)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with Language Line Services, Inc. for as-needed Interpretation and Translation Services for citywide use. A cooperative contract was established by the State of Arizona under solicitation number ADSPO18-00008136. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $250,000.

Summary
The contract will provide City departments access to certified interpreters and/or translators. As-needed services will include in-person interpretation services, telephone interpretation services, and document

translation services. Interpretation and Translation services are needed to provide the public the ability to communicate in more than 70 languages with public safety personnel during emergency and non-emergency scenarios. Document translation services of legal documents, forms, booklets, and pamphlets are needed by city departments.

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 competitive processes consistent with the City's procurement processes, as set forth in the Phoenix City Code, chapter 43.

The State of Arizona ADSPO18-212895 contract for Interpretation and Translation services as required by the City of Phoenix's departments. The contract was awarded on Aug. 28, 2018. The use of this cooperative will provide the City national discounts on these services. Additionally, review of pricing and availability from registered small and local businesses indicates that this cooperative contract offers the best value to the City.

Upon City Council approval of this item, a purchasing agreement incorporating the City's terms and conditions will be fully executed between Language Line Services, Inc. and the City.

Both the American Bar Association and National Institute of Government Purchasing endorses the use of Cooperative Agreements by municipalities and other public institutions. As established best practice in government procurement, Cooperative Agreements provide extensive benefits to procurement officials by leveraging volume purchasing for maximum cost benefit and ensuring best value.

The Deputy Finance Director recommends that the cooperative participating agreement with Language Line Services, Inc. be accepted.

Contract Term
The one-year contract term will begin on or about June 1, 2021. Provisions of the contract include an option to extend the term up to one

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

Financial Impact

The aggregate contract value will not exceed $250,000. Funds are available in various departments' budgets.

This item was adopted.

47 Part-Time Television Engineering Services - RFQu 19-070 (Ordinance S-47628)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 150025 with Engineering and Recording, Inc. for the purchase of television engineering services and equipment for the Communications Office. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $141,000.

Summary

The Communications Office supports various departments and programming through the operation of PHXTV, the City's municipal cable station available to inform Phoenix residents. This includes the broadcast and streaming support for all City Council meetings and special events.

The station broadcasts programming both on-air and online which requires occasional television engineering services. This contract provides the Communications Office with required part-time engineering services, including but not limited to, maintenance of all station and engineering facilities, video production software, technology infrastructure, software and equipment upgrades, live-streaming, emergency equipment failure, and server support; as well as equipment technical research, and installation and operation of equipment.

Additional funds are needed due to usage that has been higher than originally anticipated as engineering needs have increased considerably with the change to virtual City Council Meetings during the COVID-19 pandemic.

Contract Term

The five-year contract term began on May 15, 2019, and is valid through

May 14, 2024.

Financial Impact

Upon approval of $141,000 in additional funds, the revised aggregate value of the contract will not exceed $228,000. Funds are available in the Communications Office's budget.

Concurrence/Previous Council Action

This contract was originally approved by the City Council on May 15, 2019.

This item was adopted.

48 Xerox Multifunction Devices, Products, Maintenance - ADSPO13-050377(A) - Requirements Contract (Ordinance S-47637)

Request to authorize the City Manager, or his designee, to extend and continue using Ordinance S-42303 under Contract 148114 with Xerox Corporation for the lease of two Xerox high-volume black and white production devices, products and maintenance for the City Clerk Department. Further request authorization for the City Controller to continue to disburse all existing funds related to this item. No additional funds are needed.

Summary

This contract is required to lease two high-volume black and white production printers that are outside the scope of the Unified Print Project. This equipment is used to print customer account statements for the Finance Department, liquor and regulated business license statements and bills, sex offender notifications, training and recruitment materials and other large volume projects for City departments. The equipment has allowed the City to minimize costs and modernize processes while taking advantage of more current technology to continue to produce more than 2.4 million impressions annually at the highest level of efficiency.

Contract Term

Upon approval, the contract term will be extended through Oct. 31, 2021.

Financial Impact

The contract was approved on March 2, 2016 with an original aggregate value of $900,000; no additional funds are needed. Any remaining funds

authorized by previous Council action will be applied to the extended contract term. Funds are available in the City Clerk Department's budget.

Concurrence/Previous Council Action
This contract was originally approved by City Council on March 2, 2016.

This item was adopted.

49 Hazardous Material Meters, Parts, Service, and Maintenance - Requirements Contract (Ordinance S-47642)

Request to authorize the City Manager, or his designee, to enter into a contract with Bascom-Turner Instruments Inc., Proengin Inc., CAM2 Technologies LLC dba Redwave Technology and Rigaku Analytical Devices Inc., to purchase hazardous material meters, parts, service and maintenance for the Fire Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $688,000.

Summary
The hazardous material meters are used by the Fire Department's emergency response personnel to detect dangerous chemicals, explosive gasses, radiation, white-powders and many other substances. The hazardous material meters are a critical part of the Fire Department's ability to identify dangerous substances and mitigate those hazards to protect the public and the firefighters.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated that the need for consistent training throughout the agencies, delicate nature of the detection devices, the dangerous conditions in which they are used, and the sole manufacturers of these specific meters requires the Fire Department to utilize specific meters supplied by Bascom-Turner Instruments Inc. (EXC 21-101), Proengin Inc. (EXC 21-124), CAM2 Technologies LLC dba Redwave Technology (EXC 21-125) and Rigaku Analytical Devices Inc. (EXC 21-120).

The Deputy Finance Director recommends that the contract with Bascom-Turner Instruments Inc., Proengin Inc., CAM2 Technologies LLC dba Redwave Technology and Rigaku Analytical Devices Inc. be

accepted.

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

Financial Impact
The aggregate contract value will not exceed $688,000 and funds are available in the Fire Department's budget.

This item was adopted.

50 Hazardous Materials Meters - Requirements Contract - IFB 21-085 (Ordinance S-47644)

Request to authorize the City Manager, or his designee, to enter into a contract with Advetage Solutions LLC, All Safe Industries, Inc., and Safeware, Inc. to provide hazardous materials meters and accessories for the Fire Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $1,165,000.

Summary
The City of Phoenix Fire Department (PFD) Special Operations division requires the use of hazardous materials meters as a critical part of their operation. These meters are used by emergency response personnel to detect dangerous industrial chemicals, explosive gasses, radiation, white powders, and many other substances. Hazardous materials meters allow PFD to identify dangerous substances and mitigate those hazards to protect the public. PFD's current fleet of meters are outdated, both physically and technologically, and would pose a risk to emergency personnel and the public if not replaced. The contract will allow the Fire Department to purchase meters from the manufacturers FLIR, MX908, Thermo Fisher Scientific, and RAE Systems.

Procurement Information
IFB 21-085 was conducted in accordance with Administrative Regulation 3.10. There were seven offers received by the Procurement Division on April 9, 2021 which were evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to 321 suppliers and was publicly posted and available for download from the City's website. Two offers

were deemed non-responsive to the requirements of the solicitation.

The Deputy Finance Director recommends that the offers from Advetage Solutions LLC, All Safe Industries, Inc., and Safeware, Inc. be accepted as the lowest-priced, responsive, and responsible offers. Multiple awards are recommended to ensure the lowest overall cost to the City.

Contract Term
The five-year contract term shall begin on or about June 2, 2021.

Financial Impact
The aggregate contract value will not exceed $1,165,000. Funds are available in the Fire Department's operating budget.

This item was adopted.

51 Digital Color Production Press - Requirements Contract - RFP 21-102 (Ordinance S-47646)

Request to authorize the City Manager, or his designee, to enter into a contract with Dahill Office Technology Corporation, dba Xerox Business Solutions Southwest, to lease a digital color production press for the City Clerk Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $1,150,000.

Summary
The City Clerk Department's Print, Design and Mail Services Division requires the use of a high-volume digital color production press to print thousands of brochures, flyers, door hangers, postcards, manuals, and other educational materials for critical City programs. This press is outside the scope of the Unified Print Program and is a documented exception. The current press, leased under Contract 139280, has surpassed its useful life. A new digital color production press will allow the City to reduce costs, modernize processes and adopt updated technology. The Print, Design and Mail Services Division operates on a cost recovery basis. Therefore, any achieved cost savings will directly benefit the internal City departments utilizing their services.

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

Procurement Information
RFP 21-102 was conducted in accordance with Administrative Regulation 3.10. Five offers were received by the Procurement Division on Dec. 4, 2020. The bid notification was sent to 45 suppliers and was publicly posted and available for download from the City's website. One offer was deemed non-responsive to the requirements of the solicitation.

The offers were scored by a five-member evaluation panel based on the following criteria worth 1,000 points:

Publishing System Capabilities - 250 points
Digital Workflow Solution - 150 points
Training - 150 points
Full-Service Maintenance - 150 points
Firm and Key Personnel Experience, Qualifications, and References - 100 points
Pricing, Financing and Lease Agreement - 200 points

The offeror scores are as follows:

Xerox Business Solutions Southwest - 689 points
Konica Minolta - 657 points
Indigo America (HP 7eco) - 640 points
Indigo America (HP 7K) - 618 points

The Deputy Finance Director recommends the offer from Xerox Business Solutions Southwest be accepted as the highest-scored, responsive and responsible offer.

Contract Term
The five-year contract shall begin on or about June 15, 2021.

Financial Impact
The aggregate contract value will not exceed $1,150,000. Funds are available in the City Clerk Department's operating budget.

This item was adopted.

52 **Pension Actuarial Software - EXC 20-098 (Ordinance S-47616)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 153021 with GovInvest, Inc., for the purchase of Pension Actuarial Calculation Software for the Finance Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $150,000.

Summary

This contract provides the Finance Department with a cloud-based pension actuarial calculator that is used to perform real-time analysis related to proposed changes and their potential impacts to the City's pension obligations, including the Public Safety Personnel Retirement System and the City of Phoenix Employees' Retirement System. The additional expenditures are for two years of services allowing the Finance Department to utilize the calculator to analyze options related to the City's pension obligations.

Contract Term

The contract term is July 1, 2020 through June 30, 2023.

Financial Impact

Upon approval of $150,000 in additional funds, the aggregate value of the contract will not exceed $225,000. Funds are available in the Finance Department's budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on May 20, 2020.

This item was adopted.

53 **Carrier and Broadband Provider Services (Ordinance S-47655)**

Request to authorize the City Manager, or his designee, to enter into a Letter of Agreement with CenturyLink Communications LLC - Lumen Technologies Group, Cox Arizona TelCom LLC - Cox Communications, Verizon Business Network Services, Inc. and Zayo Group to continue to purchase carrier and broadband provider services for departments Citywide in an amount not to exceed $3,150,000. This authorization is needed to continue existing carrier and broadband provider services

while the City adopts the new State of Arizona cooperative agreements. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

City departments utilize carrier and broadband provider services for telecommunication lines, circuits and services used across the City. Services include internet, phone lines, data circuits and distributed denial of service protection. The usage of these technologies is critical to the operations of all City departments. Services are procured utilizing the State of Arizona cooperative agreements, which offer significant cost savings due to the benefit from local government pricing and volume discounts. This request is for authorization for an interim agreement to allow the City to pay for monthly carrier and broadband services while the City adopts the new State of Arizona cooperative agreements. These expenses are essential to the operations of the City, as they provide telecommunication lines, circuits, and services used to satisfy a variety of needs across the City.

Contract Term

The term will extend through Dec. 31, 2021. This request will allow adequate time for the City to enter into and negotiate linking agreements and obtain City Council authorization to adopt them.

Financial Impact

The $3,150,000 request is based on current usage to cover a seven-month period. Funds are available in various City departments' budgets.

This item was adopted.

54 Authorization for Additional Payment Authority for Outside Counsel - RFP 19-LAW-001 (Ordinance S-47657)

Request to authorize the City Manager, or his designee, to add additional payment authority in an amount of $1.7 million to provide outside counsel services to the City on an as-needed basis as determined by the City Attorney. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

On June 5, 2019 Council authorized the City Attorney to enter into agreements with firms who were placed on a list to be engaged to represent the City on a case-by-case basis through Letters of Engagement. The City Code authorizes the City Attorney to enter into agreements to provide legal services for the City of Phoenix. As needed, the City Attorney may also contract for other legal services, including services of attorneys, expert witnesses, and other legal advisors or consultants consistent with the authority granted in the Phoenix City Code, sections 2-10 and 43-2. The City has had unexpected large claims and lawsuits including cases going to the Arizona Supreme Court that have resulted in an increase in expenditures over the last year. June is the final month of a two-year contract and the additional spending authority is necessary to timely pay the incurred legal fees owed to outside counsel to defend the City.

Financial Impact

With the $1.7 million in additional funds, the revised aggregate value is now $18,700,000. Funds are available in various department budgets, including the Law Department and Self-Insurance Fund.

This item was adopted.

55 Gila River Indian Community Gaming Grants (Ordinance S-47639)

Request to authorize the City Manager, or his designee, to apply, accept, and if awarded, enter into related agreements for up to $6,870,730.76 in new funding from the Gila River Indian Community (GRIC) under the 2021 funding cycle. Further request authorization for the City Treasurer to accept and the City Controller to disburse funds as directed by GRIC in connection with these grants.

Summary

If awarded, these monies would be applied, as directed by GRIC, towards the following:

City Applications

Housing Department: $65,450 for the Phoenix Housing Connect Digital Literacy Training, which will develop a digital literacy training program for residents who recently received a device and two years of free internet service. Additionally, training will be provided to onsite residents interested in becoming Tech Ambassadors to assist their

neighbors who need individual assistance.

Neighborhood Services Department: $203,600 (over three years) for the Love Your Block Project, which will heighten neighborhood, business and community engagement.

Office of Environmental Programs: $298,356 (over three years) for the Seeding Abundance and Growing Our Future project, which will provide equipment and training for consumers located in food deserts to grow their own food and develops new urban farmers resulting in improved health, reduced food insecurity and increased economic opportunities.

Office of Sustainability: $192,000 (over three years) for the Cool Kids Cool Corridors - A Children's Health Project, which will implement cooling strategies and vegetation to improve the public health of students.

Parks and Recreation Department: $20,100 for the Pueblo Grande Museum Outdoor Exhibits Renovation, which will renovate two outdoor exhibit areas, the reconstructed pit houses and the demonstration archeological dig site on the grounds of Pueblo Grande Museum.

Phoenix Fire Department: $76,189.42 for the Special Events Emergency Response Vehicle program, which will enhance emergency medical response capabilities within the footprint of special events with limited vehicle access due to crowd congestion or space restriction.

Phoenix Police Department: $269,043.34 for the Officer Safety Package, which will provide additional night vision goggles and protective equipment needed to effectively protect officers and citizens within the Phoenix Metropolitan area.

Public Transit Department: $85,000 for the 302 N. 1st Avenue Parking Garage Electric Vehicle (EV) Charging Stations project, funding will be used to purchase and install six EV charging stations in the Public Transit owned 302 N. 1st Avenue (Public Transit headquarters) parking garage.

Public Transit Department: $299,850 (over two years) for the Transit Bus Shelter Safety Lighting Program, which will expedite and improve lighting systems for transit bus shelters to provide and improve customer experience and increased public safety for the transit-dependent populations in Phoenix.

Public Works Department: $9,920 for the Virtual Compost Facility Tour in the Solid Waste Section, which will fund an educational tour of a

compost facility to be posted online to the public.

Non-Profit Applications

19North Community Alliance: $237,000 for the Accelerating Economic Development through Transit Oriented Development, which will implement the recommendations outlined by the City of Phoenix in the 19North Transit Oriented Development Policy Plan.

A New Leaf, Inc.: $100,000 for A New Leaf's Workforce Development Services, which will expand service capacity through a Workforce Central program office location in Phoenix to promote and assist with employment, job readiness, and economic security for community members.

Arizona Center for Nature Conservation/Phoenix Zoo: $150,000 (over three years) for The Pride Campaign-Predator Passage, the Predator Passage, the Africa Trail Expansion will be the Zoo's largest capital project to date, spanning six acres and resulting in an immersive experience for guests featuring new, up-close animal viewing of lions, hyenas, leopards, meerkats, wart hogs, fennec fox and more. To include educational components and conservation, species survival efforts.

Amanda Hope Rainbow Angels: $25,000 for the Moms Mentoring Program, which will provide mentoring for moms whose children are battling cancer and other life-threatening diseases.

Arizona Foundation for Women: $25,000 for the SHE Leads program, a Women's Leadership Development Certificate Program.

Assistance League of Phoenix: $50,000 for the Operation School Bell Wardrobes for Children in Poverty program, which will provide new school wardrobes, including a hygiene kit and new book to very low-income grade K-8 children attending over 90 Phoenix Metro Area high-poverty, Title 1 schools.

Arizona Helping Hands: $100,000 (over two years) for the Basic Needs Program, a signature program of Arizona Helping Hands by providing beds and other essential items for children in foster care so they can lead healthy and safe lives.

Arizona Humane Society: $500,000 (over two years) for Arizona Humane Society's Campaign to Transform Animal Welfare, which will transform Maricopa County from the second-worst place to be a homeless pet in the nation to the best, the Arizona Humane Society (AHS) proposes a

replacement of its deteriorating Sunnyslope Campus with the Central Campus & Animal Medical Center. Working as a comprehensive system of care with the Nina Mason Pulliam Campus for Compassion, the Central Campus & Animal Medical Center will enhance AHS' life-saving abilities.

Arizona Science Center: $50,000 for the STEM Education Programs for Under Served Youth program, which will help deliver essential STEM education programs including Focused Field Trips and Science on Wheels to children from Title I schools in 2022.

Arizona Sustainability Alliance: $47,499 for the Sow It Forward: Vertical Garden Program, which will mitigate food insecurity by improving access to fresh, healthy produce and provide food and farmers market education to students in low-income and Title I K-12 schools.

Arizona Autism United: $120,000 (over two years) for the Bilingual Family Support Specialist to serve more local families affected by developmental disabilities and to strengthen access to critical service among under served communities.

Ballet Arizona: $30,000 (over three years) for the DanceAZ Program, which will deliver high-quality arts education during the next three school years, annually engaging approximately 100 low-income, under served students (grades 3-5) attending Maricopa County Title I elementary schools.

Banner Health Foundation: $500,000 (over three years) for the Center for Clinician Resiliency program, which will seek to build resiliency and reduce burnout in clinicians across their health care system. This project will reduce the stigma of mental/behavioral health concerns and build wellness into regular routines and work flows through education and training of resiliency champions, retreats, respite opportunities and counseling.

Barrow Neurological Foundation: $50,000 for The Barrow Concussion & Brain Injury Center Domestic Violence Program, which will provide medical treatment and community outreach support, in the form of cognitive retraining and education, for the victims of domestic violence, living in shelters, in Maricopa County.

Big Brothers Big Sisters of Central Arizona: $30,000 for the Making More Matches: Getting Youth off the Wait List program, which will provide youth mentoring.

Boys & Girls Club of the Valley (BGCAZ): $100,000 for the Safe, Healthy

and Successful Kids Program, which will help to improve the academic success, life skills, safety, health and well-being of at least 10,000 youth attending BGCAZ's 24 Clubs throughout the Valley.

Boys Hope Girls Hope of Arizona: $35,000 for the Scholar Success program, which will help high achieving students living in poverty get to and through college.

Children's Museum of Phoenix: $300,000 (over three years) for the Children's Museum of Phoenix's Free First Friday Nights and Innovation Fund Initiatives. This initiative opens the museum to the public for ten free nights per year serving 25,000 people, as well their Innovation Fund, which enables the museum to routinely create and update imaginative and research-based exhibits, activities and programs.

Cihuapactli Collective: $300,000 (over three years) for the Nurturing Community Wellness through Comadrismo program, which will provide capacity building and general support aimed at promoting health and wellness among urban Indigenous Peoples.

Civitan Foundation, Inc.: $125,884 for the MIDTOWN: Employment and Life-Skills Opportunities for Developmentally Disabled Arizonans, which will address the disproportionate challenges and barriers to employment, displacement from quality programs due to the pandemic, and barriers to life-skills development that intellectually and developmentally disabled Arizonans face. Funding will support a large capital project at MIDTOWN that will transform the Northeastern corner of the Coronado Neighborhood, and provide major economic development for disabled Arizonans.

Duet: Partners in Health & Aging: $30,000 for the Support for Non-English-Speaking Kinship Families. Funding will help secure a full-time bilingual social worker to meet the increased demand of Duet's non-English speaking kinship families in crisis who need a coordinated approach to navigating the holistic needs of their families and provide case management to grand families in crisis.

Educare Arizona: $50,000 for the Child Development Association Certificate: A Two-Generation Anti-Poverty Program, which will enable low-income individuals, primarily mothers, to begin new careers while improving early childhood education for thousands of young children in Arizona.

Elevate Phoenix: $30,000 for the Improving the Lives and Futures of

Low-Income Urban Youth and Families program, which will help Elevate Phoenix improve the academic success, life skills, literacy skills, health, well-being and future outcomes for low-income, at risk, urban youth and their families.

Esperanca, Inc.: $10,000 for the Health Literacy Education for Low-Income Latino Children, Adults, and Seniors program, which will support the delivery of health literacy programs regarding nutrition, physical activity, chronic disease self-management, such as diabetes, and oral health to reduce the prevalence of obesity, diabetes, and poor oral health that disproportionably affect low-income Latino children, adults, and seniors.

Foundation for Senior Living (FSL): $25,000 for the FSL Nutrition Program for Low-Income Seniors, which will support FSL's efforts to reduce food insecurity and improve the health outcomes of an estimated 1,000 unduplicated low-income seniors, adults with disabilities, and homebound adults through the provision of 70,000 hot, nutritious meals.

Furnishing Dignity: $20,000 for the Essential Home Furnishings program, which will provide complete home furnishings for low-income children, youth, adults and families successfully transitioning out of homelessness or foster care into self-reliance. Everyone deserves the comforts of home. Through in-kind donations of gently used home furnishings and community support, Furnishing Dignity's Essential Home Furnishings program makes this a reality for those on their pathway to self-sufficiency and success.

Girl-Scouts-Arizona Cactus-Pine Council: $25,000 for the Girl Scout Program, which will support Girl Scout programming that promotes academic achievement, mental wellness, and overall positive life outcomes for girls in Maricopa County.

Greater Phoenix Chamber Foundation: $100,000 (over two years) for the Workforce Collaboratives program, which will strengthen the alignment between education and businesses, addressing the talent shortage for high wage, high demand careers and improving the economic prospects of 2,000 individuals.

Greater Phoenix Urban League, Inc.: $300,000 (over three years) for the Summer Youth Empowerment Program, which will support funding for a five-year program.

Hope Community Services: $25,000 for the Horses Healing Kids Equine

Therapy Program, which will expand HCS's successful equine therapy for children who have experienced extreme trauma including severe violence, neglect and/or sexual, physical and emotional abuse.

Hushabye Nursery: $28,228 for the Healthy Families, Healthy Communities program, which will provide neonatal abstinence syndrome (NAS) infant and caregiver treatment for five families.

Justa Center: $30,000 for the Improving the Health of Homeless Seniors program which will hire a full-time nurse for Justa Center's on-site clinic to provide needed services for homeless seniors in Phoenix.

Life More Abundantly: $15,000 for the Family Health and Wellness STD Testing Program, which will support staffing, STD testing kits and processing, supplies, and brochures for STD testing in the South Phoenix Community where the rates are highest and the health care resources are scarce and costly.

Lights Camera Discover: $195,000 (over three years) for the Lights Camera Discover Youth STEAM Workshops, which will allow them to purchase much needed supplies to facilitate their youth programs and assist with program implementation.

Live and Learn Program: $20,000 for the COVID-19 Relief Program, which will provide funding to continue the COVID-19 Relief Program, the program offers women in poverty a path back to stability and employment, and demand remains high.

Los Ninos Hospital Inc., DBA Innovative Home Health Nursing Services: $64,348 (over two years) for the Home Health Nursing Technology Services, which will create efficiency and improve patient care by converting patient paper processes to patient electronic processes.

Lost Boys Center for Leadership Development: $205,500 (over three years) for the Youth Education & Leadership Development for Second-Generation Sudanese Refugees program, which will provide a breadth of educational, social, and leadership opportunities for second-generation Sudanese refugees so they may thrive within their families, schools, and Arizona communities.

Maggie's Place, Inc.: $40,000 for the Family Success Center for Homeless Pregnant Women program, which will provide supportive services to more than 250 mothers and children.

MentorKids USA: $20,000 for the iLEAD Program, which will help youth (9th - 12th grade) become leaders in their lives, their families, and their neighborhoods.

Million Dollar Teacher Project: $90,000 (over three years) for the Title 1 Tech program, which funding will be used to purchase and distribute computers, laptops, hotspots to disadvantaged students in the Phoenix metro area to facilitate their distance learning.

Native American Connections: $25,000 for the Phoenix Indian School Visitor Center, which will provide funding for the Phoenix Indian School Visitor Center, whose purpose is to tell the untold story of the Phoenix Indian School and its alumni to a wide community audience and to show how this story relates to larger history of American Indian Boarding schools and Indian history in the Southwest and nationally.

OCJ Kids: $25,000 for the Cuddle Bags Distribution program, which will reduce children's trauma after they are removed from abusive homes and as they transition into foster care.

Phoenix AKArama Foundation: $193,048 (over four years) for the Ultimate Technology Extra-Curricular Education Programs, which will provide extra-curricular educational programs for under-served communities with an emphasis on STEM education.

Phoenix Public Library Foundation: $100,000 for the Investing in Literacy, Learning and Creativity program, which will support Phoenix Public Library Foundation's Capital Campaign to bring exceptional preschool learning environments to our libraries. Funding would be used to improve and enhance Children's Place at Burton Barr Central Library. The first five years is a critical time in a child's life; 90 percent of a child's brain development happens by age five. Providing free, stimulating, and interactive environments for children is key to supporting school readiness skills. This funding would enhance and update the Storybook Garden at Burton Barr Central Library.

ResilientME, Inc.: $40,000 (over two years) for the R's of Resilient Me program, which will provide prevention programming rooted in evidence-based practices for developing resiliency to youth transitioning from foster care, a population particularly vulnerable to homelessness and incarceration.

Rosie's House: $100,000 (over four years) for the $5 million More than Music Campaign, which will support the purchase, renovation and equipping of a permanent facility that will help Rosie's House increase enrollment and create relevant programs that encourage young people from low-income neighborhoods to think critically, solve problems in inventive ways, collaborate, and ultimately become the well-rounded

intellectual talent needed to ensure Arizona's future.

Southern Arizona Association for the Visually Impaired (SAAVI): $35,000 for the Real Empowerment through Achievement and Learning (REAL) Program for Blind Children program, which will continue to expand educational programming for blind children throughout Phoenix.

SEED SPOT: $103,875 for the Accelerating Economic Recovery through Entrepreneurship program, which will ensure that entrepreneurs and small business owners in the Phoenix metro area can access the support they need to accelerate an equitable economic recovery.

SOUNDS Academy: $40,000 (over two years) for the Comprehensive Music Education program, which will extend high quality music education programming to 395 youth traditionally under-represented in classical music and under-served through music education opportunities in school.

St. Joseph the Worker: $15,000 for the Employment Without Barriers program, which will provide quality employment opportunities to individuals experiencing homelessness and those facing extreme poverty across Maricopa County.

St. Mary's Food Bank: $100,000 for the St. Mary's Food Bank Skills Center, which will improve the lives of homeless, formerly incarcerated, and other vulnerable people by training them for jobs in the food industry or a warehouse and helping with job placement.

Televerde Foundation: $100,000 (over two years) for the Prepare Achieve and Transform for Healthy Success (PATHS) program, a workforce development program for currently and formerly incarcerated women focusing on personal wellness, workplace readiness, employment strategies financial literacy, lifelong learning and mentoring.

The Opportunity Tree: $25,000 for the Youth Transition Program - Self Sufficiency for Youth with Intellectual and Developmental Disabilities (IDD) program, which will continue to expand the program and provide employment training for youth with IDD.

The Sagrado: $60,840 for the Conscious Development program, which will activate and replicate an outdoor meditation space created to connect community members with nature, each other, and themselves through healing arts.

Upward for Children and Families: $30,000 for the Lifting Children Upward Nursing Program, which will provide medically vulnerable children, and potentially adults, who have disabilities with on-site nursing care so they can attend Upward's Special Education School, Child Care program and Adult Day Treatment program.

USO Arizona: $90,000 (over three years) for USO Youth Programs and USO Phoenix Military Entrance Processing Station (MEPS), which will strengthen and connect military service members and their families through programs and services that boost morale, provide a sense of community, and build resiliency among children and families. Funding will support USO Arizona's youth programming including Kids Camp programs (arts, recreation, and educational programs) and services for military service members through their Phoenix MEPS location.

Valley of the Sun YMCA: $50,000 (over two years) for the Childcare, Preschool, and Meal Programs for low-income Phoenix children program, which will provide childcare, preschool, and meals to children from low-income Phoenix families.

Year Up Arizona: $20,000 for the Supporting Youth Employment and Economic Mobility: Year Up Arizona's Workforce Development Program, which will support Year Up Arizona's core Academics, Program, and Student Services program elements to prepare their students to compete for careers and thrive in a rapidly evolving economy.

The gaming compact entered into the State of Arizona and various tribes calls for 12 percent of gaming revenue to be contributed to cities, towns and counties for government services that benefit the general public including public safety, mitigation of impacts of gaming and promotion of commerce, and economic development. The Gila River Indian Community will notify the City, by resolution, of the Tribal Council, if it desires to convey to the City a portion of its annual 12 percent local revenue-sharing contribution.

Financial Impact

There is no budgetary impact to the City of Phoenix and no general purpose funds are required. Entities that receive gaming grants are responsible for the management of those funds.

This item was continued to the June 16, 2021 City Council Formal

Meeting.

56 Fort McDowell Yavapai Nation Gaming Grants (Ordinance S-47649)

Request to authorize the City Manager, or his designee, to apply, accept, and if awarded, enter into related agreements for up to $836,200 in new funding from Fort McDowell Yavapai Nation under the 2021 funding cycle. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, funds by Fort McDowell Yavapai Nation in connection with these grants.

Summary

If awarded, these monies would be applied, as directed by Fort McDowell Yavapai Nation towards the following:

City Applications

Community and Economic Development Department: $50,000 for the Reinvest Maryvale Campaign, which will attract meaningful investment and development interest in the Maryvale Village, that will provide education, recreational and economic opportunity to the residents and visitors of Maryvale.

Housing Department: $27,460 for the PHXHousing Connect Tech Ambassador Program, which will develop a new program for up to 800 senior residents at the city's public housing properties who recently received a device and free internet service. Funding will be used to develop a Tech Ambassador program to provide continued support to the city's senior public housing residents by supporting one year of peer-to-peer digital literacy skill training and isolation-reducing social activities.

Human Services Department: $149,479 for the Phoenix Youth R.I.S.E. program, which will provide youth of Phoenix, ages 16 to 24, an opportunity to participate in a paid, four-week work experience/internship with a community business during the summer months. Funding will allow for 107 more youth to be served and in turn support the economic and community development needs in Phoenix.

Office of Environmental Programs and Community and Economic Development Department: $289,000 (over two years) for the Phoenix Urban Agriculture, Climate Resilience, and Entrepreneurship (ACRE) program, which will strengthen the food production step of the local food system by helping farms increase climate resilience, growing

new farm entrepreneurs and worker cooperatives, and training the next generation of growers through a fellowship program that embeds fellows with farms and other entrepreneurs.

Phoenix Fire Department: $84,361 for the Phoenix Fire Department Regional Paramedic Training Unit Vehicle, funding will be used to acquire a dedicated paramedic training vehicle that will provide a consistent and reliable apparatus for paramedic students to respond to EMS incidents to practice response, apply knowledge and perform skills necessary to effectively provide medical treatment in a pre-hospital setting prior to certification.

Nonprofit Applications

Aunt Rita's Foundation: $10,000 for the Ending the HIV Epidemic: Prevention, Education, Testing, and Outreach program, which would educate individuals about HIV, prevent HIV transmission, promote HIV testing, provide resources to access health care, medications, housing, substance use treatment, legal aid, etc., and heighten the awareness of HIV through virtual and in-person community events.

Arizona Educational Foundation: $25,000 for the Our World: Educators for Indigenous Students program, which will provide training for teachers and administrators serving Indigenous students throughout the City of Phoenix and Maricopa County.

Arizona Foundation for Women: $25,000 for the SHE Leads! Leadership Development for Women program, which seeks to amplify its impact by creating a cohort of SHE Leads! participants from BIPOC communities who have often been marginalized by past leadership programs.

Arizona Helping Hands: $10,000 for the Basic Needs program, which will provide beds and other essential items for children in foster care so they can lead healthy and safe lives.

Arizona Humane Society: $8,000 for the Humane Teens for a Humane Future program, which will benefit the Humane Teens program during the 2022-2023 school year, allowing Arizona Humane Society to enroll up to 40 teens in their STEM-related internship program.

Camp Colley: $27,900 for the Phoenix Youth to Camp Colley 2021 program, which will fund undeserved Phoenix children to attend Camp Colley in 2021 for their positive learning and growth in nature. Program objectives include increasing social-emotional skills and environmental

education/learning.

Esperanca, Inc.: $10,000 for the Health Literacy Education for Low-Income Latino Children, Adults and Seniors program, which will support Esperanca's delivery of evidence-based health literacy programs regarding nutrition, physical activity, chronic disease self-management, such as diabetes, and oral health to reduce the prevalence of obesity, diabetes and poor oral health that disproportionately affect low-income Latino children, adults, and seniors. Esperanca also delivers meals and food items to Latino seniors in the programs to reduce food insecurity and promote healthy eating.

Foundation for Senior Living (FSL): $15,000 for the FSL Nutrition Program for Low-Income Seniors program, which will support FSL's efforts to reduce food insecurity and improve the health outcomes of an estimated 1,000 unduplicated low-income seniors and homebound adults with disabilities through the provision of 70,000 hot, nutritious meals in Fiscal Year 2022.

New Pathways for Youth: $50,000 for the Holistic Youth Transformation Program, which will provide a comprehensive, evidence-based programming to improve the educational outcome of at-risk students attending Title I schools in Maricopa County. Funding will serve more than 600 new Title I students over the next five years, more than doubling their organizational impact.

Ronald McDonald House Charities of Central and Northern Arizona: $25,000 for the Keeping Families Together program, which will offer families a welcoming and safe place to stay, meals, and a support system of other families who are also experiencing a difficult time. Funding would fund 234 nights of rest for families and would allow them to stay close to their ill or injured children receiving specialized care at a Phoenix-area hospital.

Valley of the Sun YMCA: $20,000 for the Childcare, Preschool, and Meal Programs for low-income Phoenix children program, which will provide childcare, preschool, and meals to children from low-income Phoenix families at no cost.

Year Up Arizona: $10,000 for the Closing the Opportunity Divide in Phoenix: Support for Year Up Arizona's Workforce Development Program, which support Year Up Arizona's Gateway Community College location. They will enroll up to 160 young adults in the

program preparing them to compete for careers and thrive in a rapidly evolving economy.

The gaming compact entered into by the State of Arizona and various tribes calls for 12 percent of gaming revenue to be contributed to cities, towns, and counties for government services that benefit the public including education, public safety, health, environment, economic and community development. The Fort McDowell Yavapai Nation will notify the City, by resolution of the Tribal Council, if it desires to convey to the City a portion of its annual 12 percent local-revenue-sharing contribution.

Financial Impact

There is no budgetary impact to the City of Phoenix and no General Fund dollars are required. Entities that receive gaming grants are responsible for the management of those funds.

This item was continued to the June 16, 2021 City Council Formal Meeting.

57 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47627)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Debbie Foster in the amount of $81,420.32 to the Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

Summary

Pursuant to Arizona Revised Statutes, sections 38-730 and 38-922, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System (ASRS) upon approval by the Council. The following former City of Phoenix employee has requested transfer of the balance of their credited service:

Foster, Debbie: $81,420.32

Concurrence/Previous Council Action

This item was approved by the COPERS Board at its May 6, 2021 meeting.

This item was adopted.

58 **Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47635)**

Request to authorize the City Manager, or his designee, to transfer retirement funds for Ildiko Palmer in the amount of $101,605.92 to the Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

Summary

Pursuant to Arizona Revised Statutes, sections 38-730 and 38-922, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System (ASRS) upon approval by the Council. The following former City of Phoenix employee has requested transfer of the balance of their credited service:

Palmer, Ildiko: $101,605.92

Concurrence/Previous Council Action

This item was approved by the COPERS Board at its May 6, 2021 meeting.

This item was adopted.

59 **Fiscal Year 2021-2022 Head Start Birth to Five Coronavirus Response and Relief Supplemental Appropriations Act Funding (Ordinance S-47604)**

Request to authorize the City Manager, or his designee, to apply for, accept, and, if awarded, enter into any necessary agreements for the Head Start and Child Care Partnership grants in the amount of $1,038,644. Further request to authorize the City Treasurer to accept, and the City Controller to disburse all funds related to this item. One-time funding is provided through the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act.

Summary

The Office of Head Start received $25 million as a portion of the CRRSA Act and has allocated $1,038,644 of those funds to the City of Phoenix, as the grantee, to use in the prevention, preparation and response to the COVID-19 pandemic. This funding will be used on activities, materials, and supplies that may include but are not limited to mental health and

wellness for families and staff, employment of additional staff, professional development, provisions to deliver meals and snacks to children in school, and sanitizing the learning and work environments. This is a non-competitive supplemental application.

The funding will be allocated based on the number of slots per program listed below:

Head Start Education Service Providers (2,963 slots) = $888,900
Early Head Start Home-Based (300 slots) = $90,000
Early Head Start Child Care Partners (188 slots) = 56,400

As the grantee, the City of Phoenix will retain $3,344 to be used for personal protective equipment and sanitizing solutions for city staff to use when meeting with parents, visiting school campuses and participating in community events.

The contracted Head Start Education Service Providers and Early Head Start - Child Care Partners are listed below:

Education Service Providers
Alhambra Elementary School District
Booker T. Washington Child Development Center
Deer Valley Unified School District
Fowler Elementary School District
Greater Phoenix Urban League
Roosevelt Elementary School District
Washington Elementary School District

Child Care Partners
Cactus Kids Child Care Center
Fusion Minds dba Immanuel Care for Children
Out of This World Christian Child Care

Contract Term
The CRRSA funding will be received July 1, 2021, and must be expended by March 31, 2023.

Financial Impact

The estimated aggregate contract total for the remaining three years is $123,587,802. There is no impact on the General Fund. One-time funding is provided through the CRRSA Act.

This item was adopted.

60 Head Start Birth to Five Program Behavior and Educational Coaching Services Qualified Vendor List - RFQu-20-EDU-40 (Ordinance S-47610)

Request authorization for the City Manager, or his designee, to award and enter into contracts with responsive offerors to the Request for Qualifications (RFQu) for classroom behavior, educational coaching, and professional development services. Further request authorization for the City Controller to disburse funds in an aggregate amount not to exceed $655,000 over the life of the Qualified Vendor List (QVL). Funding is available from the U.S. Department of Health and Human Services, Administration of Children, Youth and Families. There is no impact to the General Fund.

Summary

The Human Services Department's Head Start Birth to Five program is committed to providing positive learning environments for children to learn and grow. In collaboration with the Head Start Birth to Five behavior support specialist, behavioral and educational coaches will work together to support children and teachers by implementing positive age-appropriate interventions in classrooms, socialization sites, and childcare centers to ensure safe and nurturing environments. Coaches will work with teachers to implement effective classroom management techniques and strategies for supporting children with challenging behaviors. Coaches will also help children learn to regulate their behaviors, role-model appropriate behaviors, and facilitate positive social interactions among groups of children. Professional development will include training for teachers on understanding the significance of different types of behaviors and how to effectively and appropriately manage those behaviors.

Procurement Information

Request for Qualifications, RFQu-20-EDU-39 was issued on Nov. 20, 2020. The solicitation was conducted in accordance with Administrative

Regulation 3.10 to establish a QVL. The Human Services Department received two offers on Jan. 4, 2021. Per Phoenix City Code § 43-15 (I), all statements of qualifications were rejected.

RFQu-20-EDU-40 was issued on Jan. 29, 2021. The solicitation was conducted in accordance with Administrative Regulation 3.10 to establish a QVL. The Human Services Department received five offers on March 19, 2021. One offer was determined non-responsive.

The Evaluation Committee evaluated all offers based on the evaluation criteria, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The Evaluation Criteria was as follows:

Criteria and Possible Points:

Method of Approach - 400 possible points.
Experience and Expertise of Key Personnel - 300 possible points.
Cost/Budget - 300 possible points.

Evaluation Committee Scoring Consensus:

Touchstone Behavioral Health DBA Touchstone Health Services: 883 points.
Southwest Human Development, Inc.: 679 points.
Life Health and Wellness Health Care: 602 points.
Arizona Autism United, Inc.: 580 points.

The Evaluation Committee recommends the following offerors be added to the QVL:

Southwest Human Development, Inc.
Touchstone Behavioral Health DBA Touchstone Health Services.

Contract Term
The initial contract term will begin on or about July 1, 2021 and end June 30, 2024 with one two-year option to extend. The extension option may be exercised at the discretion of the City Manager or designee.

Financial Impact

Estimated annual expenditures are $131,000. Expenditures are not to exceed $655,000 over the life of the QVL. Funding is available from the U.S. Department of Health and Human Services, Administration of Children, Youth and Families. No General Funds are required.

Concurrence/Previous Council Action

The Head Start Birth to Five Parent Policy Council approved the request to release the Classroom Behavior and Education Coach Services RFQu on July 31, 2020.

This item was adopted.

61 Retroactive Authorization to Accept and Disburse Grant Funding from JPMorgan Chase & Co. (Ordinance S-47624)

Request to authorize the City Manager, or his designee, to retroactively accept JPMorgan Chase & Co. grant funds totaling $150,000. Further request authorization to enter into an agreement with the Phoenix Parks Foundation to serve as the fiscal agent to receive these funds. Additionally, request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item for the life of the grant.

Summary

Since 2013, the City of Phoenix Youth Reach and Invest in Summer Employment (Phoenix Youth RISE) program has placed more than 600 youth between the ages of 16 to 24 in summer work experiences. The program provides subsidized wages for youth to work up to 80 hours with an employer during the summer and includes work readiness training, career exploration and mentorship. The program was paused in 2020 due to the COVID-19 pandemic and will return this summer. This year, Phoenix Youth RISE anticipates placing 300 qualified youth applicants in paid internships due to increased philanthropic support. In 2019, the program placed 143 youth applicants in paid summer work experiences.

Annually, JPMorgan Chase & Co. partners with U.S. cities to increase the number of youth who have access to quality summer work experiences to place them on a path to greater economic mobility. In order to be a recipient of the funds, JPMorgan Chase & Co. requires that a

Memorandum of Understanding (MOU) be executed with a 501 (c)3 nonprofit partner that agrees to serve as the applicant and fiscal agent for the grant.

In March 2021, the Human Services Department executed a one-year MOU with the Phoenix Parks Foundation, to serve as the fiscal agent for grant funds awarded on behalf of the Phoenix Youth RISE program.

If awarded, $150,000 will support summer work experiences for 117 youth. The cost per youth is approximately $1,200, including the cost of wages, interest and skill assessments, training, mentoring and supportive services.

Contract Term

The grant period is from May 1, 2021, through June 30, 2022.

Financial Impact

There is no impact to the General Fund. Funding will be provided by JPMorgan Chase & Co. No matching funds are required.

This item was adopted.

62 Retroactive Application for Human Services Department to Apply for Pacific Premier Bank Grant Funds (Ordinance S-47626)

Request to authorize the City Manager, or his designee, to retroactively apply for and, if awarded, accept Pacific Premier Bank grant funds totaling $10,000. Further request authorization to enter into an agreement with the Phoenix Parks Foundation to serve as the fiscal agent to receive these funds. Additionally, request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item for the life of the grant.

Summary

Since 2013, the City of Phoenix Youth Reach and Invest in Summer Employment (Phoenix Youth RISE) program has placed more than 600 youth between the ages of 16 to 24 in summer work experiences. The program provides subsidized wages for youth to work up to 80 hours with an employer during the summer and includes work readiness training, career exploration and mentorship. The program was paused in 2020 due to the COVID-19 pandemic and will return this summer. This year,

Phoenix Youth RISE anticipates placing 300 qualified youth applicants in paid internships due to increased philanthropic support. In 2019, the program placed 143 youth applicants in paid summer work experiences.

Annually, Pacific Premier Bank's Charitable Giving Program addresses economic disparities by supporting opportunities which enable socioeconomic advancement through job training and workforce development initiatives. In order to be a recipient of the funds, Pacific Premier Bank requires that a 501 (c)3 nonprofit partner agree to serve as the fiscal agent for the grant.
In March 2021, the Human Services Department executed a one-year Memorandum of Understanding with the Phoenix Parks Foundation to serve as the fiscal agent for grant funds awarded on behalf of the Phoenix Youth RISE program.

If awarded, $10,000 will support summer work experiences for eight youth. The cost per youth is approximately $1,200 including the cost of wages, interest and skill assessments, training, mentoring and support services.

Contract Term
The grant period is from May 1, 2021 to April 30, 2022.

Financial Impact
There is no impact to the General Fund. Funding will be provided by Pacific Premier Bank. No matching funds are required.

This item was adopted.

63 Authorization to Enter into Contract with Arizona Community Action Association dba Wildfire (Ordinance S-47643)

Request to authorize the City Manager, or his designee, to enter into a contract with the Arizona Community Action Association dba Wildfire to accept emergency utility assistance funds in an amount not to exceed $288,937 beginning July 1, 2021 through June 30, 2022. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
Through Wildfire, Arizona Public Service, Salt River Project and

Southwest Gas provide funds to the City of Phoenix for emergency utility assistance. This funding will allow the City to provide assistance to approximately 1,100 households.

Contract Term

The term of the contract will be for one year beginning July 1, 2021, through June 30, 2022.

Financial Impact

The contract total amount shall not exceed $288,937. There is no impact to the General Fund.

This item was adopted.

65 Basketball Backboard Systems Preventative Maintenance and Repair - Requirements Contract - IFB 21-015 (Ordinance S-47621)

Request to authorize the City Manager, or his designee, to enter into an agreement with Arizona Courtlines, Inc. to purchase Basketball Backboard Preventative Maintenance and Repair Services for the Parks and Recreation Department. Further request to authorize the City Controller to disburse all funds related to this item. The agreement value will not exceed $178,500.

Summary

This contract will provide preventative maintenance, inspection and repair services on motorized basketball backboard systems and gym dividers, including motors, winches, cabling and other critical safety features. The Parks and Recreation Department has 62 retractable backboards, 50 height adjusters and 6 mechanical gym dividers located in 14 gymnasium sites at various locations throughout the City, which will be serviced under this contract. The basketball backboard systems and related equipment are heavily used by numerous youth and adult sports leagues and require regular maintenance and repair services to ensure their safety.

Procurement Information

IFB 21-015 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Finance Department Procurement Division on April 16, 2021, which were evaluated on price, responsiveness to specifications and responsibility to provide the required goods and services. The bid notification was sent to 58

suppliers and was publicly posted and available for download from the City's website.

The Deputy Finance Director recommends acceptance of the offer from Arizona Courtlines, Inc. as the lowest-priced, responsive and responsible offer.

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

Financial Impact
The total agreement will not exceed $178,500. Funding is available in the Parks and Recreation Department's budget.

This item was adopted.

67 Development Agreement with CapRock Partners for Installation of Public Infrastructure Improvements (Ordinance S-47629)

Request to authorize the City Manager, or his designee, to negotiate and enter into a development agreement, and any other agreements as necessary, with CapRock Partners, LLC, dba CRP LDF 55th Avenue LLC or its City-approved designee, and Southern Cross, LLC for the installation of public infrastructure improvements located along 55th Avenue from Roosevelt to Van Buren streets. Further request to authorize future City acceptance and maintenance of the public infrastructure along this alignment.

Summary
CapRock Partners, LLC, dba CRP LDF 55th Avenue LLC or its City-approved designee (Developer) has negotiated a long-term lease with the Southern Cross, LLC (Owner) of an approximately 184-acre site generally bounded by Roosevelt Street to the north, Van Buren Street to the south, Loop 202 to the west, and the 53rd Avenue alignment to the east (Site). Developer plans to develop approximately 3.3 million square feet of industrial buildings (Project). This employment-generating development could add several thousand new jobs to the Site over the next 10 years. The Project is currently under plan review in the City's Planning and Development Department with site plan approval anticipated towards the end of May 2021.

To accommodate for these new jobs and the additional traffic to the area resulting from the creation of the Project, the Street Transportation Department has required the developer to construct 55th Avenue from Van Buren Street to Roosevelt Street. The new 55th Avenue alignment will provide critical access to attract and retain new development and is listed as a future street on the City's Street Classification Map.

In order to develop 55th Avenue, an irrigation channel controlled by the U.S. Bureau of Reclamation will need to be relocated to an area outside of the future right of way (ROW). The relocation of an irrigation channel controlled by the federal government may take an excessive amount of time and is not within the City's control. In order to construct the new industrial development in a timely fashion, through a development agreement (DA), the Developer will construct the required infrastructure improvements as private improvements, but will meet all the City's public infrastructure standards. Upon completion of the infrastructure construction, relocation of the irrigation channel outside of the ROW, the City's approval of the infrastructure improvements, and the dedication of the infrastructure improvements to the City, the required infrastructure improvements may be accepted by the City as public infrastructure improvements in the future. Terms of the DA are as follows:

Developer will construct a new street alignment along 55th Avenue, from Van Buren Street to Roosevelt Street, to the City's reasonable satisfaction, at the Developer's sole, up-front cost and expense;

Although 55th Avenue will initially be a private street, Developer agrees to construct the street in accordance with the City's public street standards including water and wastewater infrastructure;

City staff will review and inspect all infrastructure improvements with the understanding that 55th Avenue, including water and sewer mains along the alignment, may ultimately become public infrastructure;

Developer shall work with the federal government, Salt River Project (SRP) and the City (collectively, the "Parties") to relocate the irrigation channel along this future 55th Avenue alignment to an area that is outside ROW and/or is acceptable to the Parties;

Upon relocation of the irrigation channel to its approved location and the final Plat for the Site is accepted and approved by the City, and all infrastructure improvements relating to 55th Avenue are constructed and approved by the City, the Developer may request in writing that the

City accept dedication of 55th Avenue as a public street;

Transfer of the new 55th Avenue alignment to the City shall be completed solely by the Developer;

Should the City accept dedication of the new 55th Avenue alignment after it is completed, the City will be responsible for all future repairs and maintenance according to City Standards, as with other public streets; and

The DA, and any other agreements as necessary, will include other terms and conditions as deemed necessary by the City.

This Project is an important economic development opportunity for Phoenix and will create several thousand new jobs over time for the community, yielding significant financial and public benefits to the City of Phoenix.

Contract Term

If approved, all public infrastructure improvements, and dedication of such improvements to the City, must be completed within 10 years.

Financial Impact

There is no immediate financial impact to the City. If the public infrastructure improvements are transferred to the City, they will be maintained by the City according to City standards.

Location

Southeast of Interstate 10 and the Loop 202 South Mountain Freeway.
Council District: 7

This item was adopted.

69 Phoenix Convention Center Service Provider Relief - Consideration of Contract Term Extensions (Ordinance S-47596)

Request to authorize the City Manager, or his designee, to amend multiple Phoenix Convention Center (PCC) service provider agreements to extend the term of the contracts for two additional years, to help offset business and financial impacts of the Coronavirus pandemic.

Summary

The hospitality industry continues to struggle amidst the challenging circumstances of the global Coronavirus pandemic. In early 2020, the

spread of COVID-19 began to directly impact the convention and meetings industry. Meeting planners and national associations began cancelling conventions and trade shows out of an abundance of caution. In early March 2020, the World Health Organization declared the Coronavirus outbreak a global health pandemic. This was followed by similar declarations from federal, state, and local government agencies as well as public health agencies including the Centers for Disease Control and the Arizona Department of Health Services. Additionally, the Governor's office has issued COVID-19 Executive Orders establishing guidance and criteria for hosting events. The declarations and guidance referenced above have resulted in cancellations and postponements of all large gatherings including conventions, meetings, and public events.

The Coronavirus pandemic has impacted the entire visitor and hospitality industry which includes convention centers, hotels, performing arts venues, stadiums and arenas.

At the time of the outbreak the PCC was on pace to host a record number of citywide convention groups in 2020. Since that time, a total of 247 events at the PCC have cancelled or postponed including 79 citywide conventions contracted for future years. The event cancellations equate to a loss of more than 290,000 convention attendees, 342,000 hotel room nights and $448 million in direct visitor spending. While the overall economy has begun to recover from the pandemic, the meetings and hospitality industry remains largely stalled and faces a longer road to full recovery.

The loss of convention business has significantly impacted top-line revenues for the PCC as well as the service contractors who provide exclusive services to convention center clients. These contractors provide critical and integral services as a part of our business, acting as an extension of the PCC in hosting conventions and trade shows. In Fiscal Year 2018-19, these service provider agreements generated $12.7 million in commissions to the PCC.

A majority of the service provider contracts require significant capital investments into the Phoenix Convention Center venues. The investments generally include furniture, fixtures, equipment and building

infrastructure. The return on these investments would typically be achieved over the term of the contracts.

In order to offset the loss of business and allow additional time to realize a return on investment, staff recommends extending the contract term for five PCC revenue generating service provider agreements for two additional years as outlined in **Attachment A**.

Financial Impact
Extending the contract term(s) for the service providers listed in Attachment A for two additional years would result in no additional cost to the Phoenix Convention Center, however it would defer the future solicitation and implementation of new contracts.

Concurrence/Previous Council Action
The Workforce and Economic Development Subcommittee recommended approval of this item by unanimous vote at its April 28, 2021 meeting.

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

This item was adopted.

71 Authorization to Enter into Affiliated Personnel Agreements for Arizona Task Force One (Ordinance S-47654)

Request authorization for the City Manager, or his designee, to enter into agreements with Fred Nelson, David Troxell, Dan Hogan, and Dennis Wipf to serve as Affiliated Personnel of the Arizona Task Force One (AZ-TF1). Affiliated Personnel will be reimbursed through Federal Emergency Management Agency (FEMA) funds. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Phoenix Fire Department (PFD) is the sponsoring agency of AZ-TF1, one of 28 national Urban Search and Rescue response system task forces that can rapidly deploy skilled personnel and state-of-the-art equipment to sites of natural disasters, terrorist attacks, and building

collapses.

AZ-TF1 consists of individuals occupying certain specified positions plus additional support personnel, all of whom have been properly trained with the requisite skills and capabilities required for urban search and rescue operations and/or deployment of the AZ-TF1. As a requirement of the Urban Search and Rescue Readiness Cooperative Agreement, PFD is charged with the recruitment and training of new task force members to an operation-ready state of deployment.

Contract Term
The agreements shall be effective upon approval and execution and shall remain in effect for a term of five years.

Financial Impact
Affiliated Personnel will be reimbursed through FEMA funds.

This item was adopted.

72 Purchase of New and Replacement Fitness Equipment (Ordinance S-47653)

Request to authorize the City Manager, or his designee, to enter into a contract with Team Marathon Fitness Inc. for a one-time purchase to provide the Phoenix Fire Department with new and replacement fitness equipment in the amount not to exceed $146,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
This purchase will allow the Phoenix Fire Department to continue to provide exercise and conditioning equipment in fire stations and facility gym settings in support of the health and wellness of the firefighters. Exercise and conditioning equipment is utilized by the firefighters to meet and maintain National Fire Protection Association (NFPA) standards and Occupational Safety and Health Administration (OSHA) requirements as part of the medical and physical fitness condition levels needed to perform their essential job tasks. This purchase will provide new additional fitness/conditioning equipment of various sizes and types. Replacement equipment will be consistent in model and specifications with existing aerobic fitness/conditioning equipment in fire stations. In

addition, funding for the replacement of irreparable aerobic fitness/conditioning equipment, or equipment that has been identified as too costly to repair, is available as part of the current Local-493 Memorandum of Understanding and the Fire Department Health Center's budget. There is a time restriction for this purchase as the funding allocated for this purchase must be encumbered this fiscal year.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Special Circumstance Without Competition Determination Memo citing Team Marathon Fitness Inc. as the exclusive authorized distributor for the State of Arizona of the Precor fitness equipment. A special Circumstance Without Competition Determination Memo was completed and approved by the Deputy Finance Director recommending the Procurement with Team Marathon Fitness Inc. be accepted.

Contract Term

The contract term will begin on or about June 2, 2021 and end on or about June 1, 2022.

Financial Impact

Expenditures against this one-time contract shall not exceed the amount of $146,000. Funds are available in the Fire Department's budget.

This item was adopted.

73 Helicopter Pilot Training and Certification - RFP 17-011A (Ordinance S-47599)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 143815 with Delta Leasing, dba Quantum Helicopters, for the purchase of helicopter pilot training and certification for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $150,000.

Summary

This contract provides the Phoenix Police Department's Air Support Unit with helicopter pilot training and certification, including flight instruction, pilot certification and instrument rating. The flight training requirements

meet all Federal Aviation Administration (FAA) regulations Code of Federal Regulations (CFR) 14, Parts 141 and 61 for pilots, flight and ground instruction. Additional funds are needed due to new pilots being trained to replace retiring staff.

Contract Term
The contract term is Nov. 1, 2016 through Oct. 31, 2021.

Financial Impact
Upon approval of $150,000 in additional funds, the revised aggregate value of the contract will not exceed $800,000. Funds are available in the Police Department’s budget.

Concurrence/Previous Council Action
This item was originally approved by Council on Oct. 19, 2016.

This item was adopted.

74 Forensic DNA Analysis Software, Maintenance and Technical Support - Requirements Contract - EXC 21-032 (Ordinance S-47623)

Request to authorize the City Manager, or his designee, to enter into a contract with NicheVision Forensics, LLC to provide deoxyribonucleic acid (DNA), analysis software upgrades, maintenance and technical support to the Police Department's Laboratory Services Bureau. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $549,205.

Summary
The Police Department's Laboratory Services Bureau currently utilizes ArmedXpert and STRmix DNA analysis software, provided by NicheVision Forensics, LLC. This specialized software, software upgrades, maintenance and technical support is necessary for the Laboratory Services Bureau to perform proper DNA analysis. The two software systems are used in conjunction for quality control and ease of importing data into the Combined DNA Index System (CODIS). The software calculates statistics to support the conclusions which are required per federal standards as set by Quality Assurance Standards for Forensic DNA Testing Laboratories and is accepted as validated testimony in court. The added software, upgrades, maintenance and

technical support will afford updates as new research methods become available and will increase the efficiency of the Laboratory Services Bureau.

Additionally, request the City Council to grant an exception to Phoenix City Code Section 42-18 to authorize inclusion of indemnification and assumption of liability provisions that otherwise would not be allowed.

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

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated NicheVision Forensics, LLC is the exclusive distributor and provider of Armed Xpert and STRmix DNA software, upgrades, maintenance and technical support in the United States. This DNA software is recommended on a national level for DNA analysis, including the President's Council Advisors on Science and Technology on Forensic Science.

The Deputy Finance Director recommends that the contract with NicheVision Forensics, LLC be accepted.

Contract Term
The five-year contract term will begin on or about June 2, 2021.

Financial Impact
The aggregate contract value will not exceed $549,205 and funds are available in the Police Department's budget.

This item was adopted.

75 Fleet Vehicle Accessories and Installation Services - Amendments (Ordinance S-47632)

Request to authorize the City Manager, or his designee, to amend Agreements: (1) No. 148571 with Hyper Customs, LLC dba Arizona Truck Pros; (2) No. 148573 with Drake Equipment of AZ, Inc.; (3) No. 148574 with Creative Communications; (4) No. 148575 with Kenco OR,

LLC dba LSH Lights; (5) No. 148576 with Pride Group, LLC dba Pride Outfitting; (6) No. 148577 with Don Chalmers Ford dba MHQ of Arizona; (7) No. 148578 with Arizona Emergency Products, Inc.; and (8) No. 148579 with Jar Capital Group dba Quality Vans and Specialty Vehicles, collectively referred to as the "Agreements," to include the Aviation Department to provide the fleet vehicle accessories and installation services required for vehicle up-fitting for Aviation Department fleet on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures for services included in these amendments will not exceed $162,500.

Summary

The Agreements were originally awarded to the Public Works Department. The Aviation Department requests to be added as one of the users under the Agreements. The Aviation Department is responsible for maintaining a fleet of 480 vehicles. The Agreements will provide the ability to purchase parts, accessories, and installation services to up-fit vehicles and equipment with auxiliary lighting, toolboxes, lift gates, and other operational equipment that are unique to meet the Aviation Department's operational needs.

Contract Term

The terms of the Agreements began on Oct. 1, 2018 and have two one-year options to extend the terms for five-year aggregate terms. The Agreements' terms will remain unchanged by the amendments.

Financial Impact

The initial authorization for Fleet Vehicle Accessories and Installation Services Agreements were for an expenditure not-to-exceed $15 million. The amendments will increase the authorization for the Agreements by an additional $162,500 for the Aviation Department for a new total not-to-exceed Agreements value of $15,162,500. Funding is available in the Aviation Department's budget.

Concurrence/Previous Council Action

The City Council approved Fleet Vehicle Accessories and Installation Services Agreements Nos. 148571 and 148573 to 148579 (Ordinance S-45025) on Oct. 3, 2018.

This item was adopted.

76 Solid Waste and Recycling Collection and Transport Equipment with Related Equipment, Supplies and Accessories - Requirements Agreement - COOP 20-053 (Ordinance S-47593)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with Anco Sanitation Systems, Inc., the authorized local vendor for Marathon Equipment Company, to purchase solid waste and recycling collection and transport equipment with related equipment, supplies, and accessories for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate agreement value will not exceed $300,000.

Summary

The Aviation Department has 23 trash compactors and one baler located throughout Phoenix Sky Harbor International Airport. The majority of these compactors are between five to 10 years old and are in need of replacement. In addition, new balers will be needed for all loading docks throughout the airport campus. The new balers will assist in keeping the Aviation Department's recycle diversion rate above the City's goal of 40 percent. This agreement will give the Aviation Department the ability to purchase new and replacement trash compactors and balers on an as-needed basis and assist with the Department's waste removal and recycling needs.

Marathon Equipment Company is the leading manufacturer and installer of waste handling and recycling equipment and provides one of the largest selections of trash compactors and vertical balers through its local dealer/distributor Anco Sanitation Systems, Inc.

The use of this cooperative agreement will provide the City national discounts on these products. Additionally, review of pricing and availability from registered small and local businesses indicates that this cooperative agreement offers the best value to the City.

Upon City Council approval of this item, a purchasing agreement(s) incorporating the City's terms and conditions will be fully executed between the referenced vendor(s) and the City.

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 agreement was awarded through competitive processes consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43.

A cooperative agreement was established by Sourcewell under solicitation number 041217-MEC. Agreement 041217-MEC between Marathon Equipment Company and Sourcewell includes terms that allow the City to enter into a linking agreement directly with the local dealer/distributor. Marathon Equipment Company directed the City to contract directly with Anco Sanitation Systems, Inc. to receive the pricing found in Agreement 041217-MEC. Anco Sanitation Systems, Inc. has agreed to be bound by the City’s terms and conditions and the terms of Agreement 041217-MEC.

The Deputy Finance Director recommends that the cooperative participating agreement with Anco Sanitation Systems, Inc. be accepted.

Contract Term

The five-year agreement term will begin on or about May 19, 2021.

Financial Impact

The aggregate agreement value will not exceed $300,000. Funding is available in the Aviation Department’s budget.

This item was adopted.

77 Street Furniture and Bus Advertising Services Procurement - Request to Issue Revenue Contract Solicitation

Request to authorize the City Manager, or his designee, to issue a Revenue Contract Solicitation for the procurement of transit vehicle advertising and transit street furniture advertising services.

Summary

The Transit Street Furniture and Transit Vehicle (Bus) Advertising programs are revenue-generating programs for the City. The purpose of these programs is to generate revenue for the City to then enhance the

various passenger services it provides as components of the regional public transit system. This solicitation will replace existing advertising agreements which will expire on Dec. 13, 2021.

The evaluation criteria for the Revenue Contract Solicitation (RCS) will be based on a 1,000-point schedule as listed below:
Method of Approach (450 points)
Price Proposal (350 points)
Qualifications and Experience (200 points)

This solicitation may result in one or more contracts with vendor(s), as proposers have the ability to submit for one, or both, advertising programs (furniture and bus).

Financial Impact
This is a revenue-generating contract. Contractors will be responsible for all costs associated with installation, maintenance, and restoration of advertising spaces pertaining to bus and/or transit furniture. The RCS and resultant contract(s) provide that the City will be paid the percentage of net sales revenue submitted in the bids, or a minimum annual guarantee, whichever is greater.

The most recent data shows that revenue under the current contracts has resulted in annual amounts of approximately $1.95 million and $1.4 million remitted to the city for transit furniture and bus advertising, respectively.

This item was approved.

78 Issue Request for Proposals for Paratransit Services (Phoenix Dial-a-Ride)

Request to authorize the City Manager, or his designee, to issue a Request for Proposals for Paratransit Services (Phoenix Dial-a-Ride).

Summary
The City of Phoenix provides shared-ride Dial-a-Ride service for individuals who, because of a disability, cannot access or navigate local bus or light rail services. This origin-to-destination service is mandated by the federal government as required with the enactment of the Americans with Disabilities Act (ADA) of 1990. Commonly known as "paratransit

service," Phoenix Dial-a-Ride acts as a safety net for individuals with disabilities and affords them the same level of transit service as other passengers, operating during the same hours and covering the same areas as bus and light rail services. While the ADA requires the provision of paratransit services only within a three-quarter mile buffer around local bus routes and light rail stations, Phoenix Dial-a-Ride operates within the entirety of Phoenix's incorporated city limits south of Jomax Road.

In May 2016 the Phoenix City Council approved an agreement for the operation of Phoenix Dial-a-Ride Services. The current agreement expires June 30, 2022 and a new agreement is needed to ensure the continuity of this federally mandated service. Once the solicitation process is complete, staff will return to City Council for approval to enter into an agreement with the successful proposer.

Procurement Information

The Request for Proposals (RFP) will contain evaluation criteria and processes, as well as a transparency in lobbying clause. The RFP evaluation criteria will include the following:
Cost - 0-400 points;
Qualifications, experience and past performance - 0-250 points;
Method of approach and transition plan - 0-200 points; and
Proposed organizational structure and personnel - 0-150 points.

A tentative procurement schedule is shown below:
October 2021 - RFP released.
October 2021 - Proposals due.
November 2021 - Panel evaluations.
November 2021 - Best and final offers due.
January 2022 - Award recommendation.
July 1, 2022 - Agreement start date.

The resulting agreement term will be a five-year period, with one, two-year option to extend. The two-year extension option will be exercised only if it is in the City's best interest to do so and the proposed contractor has performed satisfactorily during the five-year base period. The agreement is expected to commence on July 1, 2022.

Financial Impact

The current agreement has an estimated value of $99,812,000 and will be funded through regional Public Transportation funds.

This item was approved.

79 Building Property Management Services Agreement for Public Transit Department Office Building (Ordinance S-47650)

Request to authorize the City Manager, or his designee, to execute an amendment to Property Management Services Agreement 139423 with Lincoln Property Company to extend the agreement for a period of one year, from July 1, 2021 through June 30, 2022. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures for services included in this amendment will not to exceed $400,000.

Summary

In September 2014, the City awarded Agreement 139423 to Lincoln Property Company for the management of the City's owned building located at 302 N. First Ave. in downtown Phoenix, which serves as the primary offices of the Public Transit Department (PTD), as well as the offices of the building’s tenants, the Maricopa Association of Governments (MAG) and the Community and Economic Development Department's Business and Workforce Development Center. The initial agreement was authorized for a five-year term at a total cost of $7.5 million for the services, which included administrative functions; general building maintenance; interior and exterior repairs; preparation of the annual operating budget with related financial accounting services, record keeping, and reports; and management of below-ground parking levels and associated functions.

Since the conclusion of the initial agreement in 2019, PTD has twice issued RFPs for property management services in accordance with Phoenix’s Administrative Regulation 3.10. In December 2019, an RFP for property management services of the PTD’s downtown headquarters resulted in just one submission, and due to this lack of adequate marketplace competition, the evaluation panel determined it was in the City's best interest to cancel the solicitation and reissue the RFP when other City-owned property management opportunities could be included to generate more commercial interest.

In June 2020, City Council approved an agreement amendment (Ordinance S-46745) to extend Lincoln Property Company as the ongoing Property Manager of the PTD downtown office building for one year until June 30, 2021.

In January 2021, an RFP was issued for property management services of PTD's downtown headquarters and the City-owned Village Shopping Center at 19th and Dunlap avenues. That solicitation was cancelled on April 2 after the only two bidders were disqualified due to being found non-responsive and non-responsible.

This amendment will provide another one-year extension which will enable staff to identify additional contract management efficiencies and issue a new RFP for standalone property management services in a future solicitation that would generate commercial interest and ensure marketplace competition. This further extension will be for a one-year period from July 1, 2021 to June 30, 2022.

Contract Term
This amendment will extend the end date of the agreement term from June 30, 2021 to June 30, 2022.

Financial Impact
The total cost related to this item will not exceed $400,000 over one year. Funding is available in the Public Transit Operating budget.

Concurrence/Previous Council Action
The City Council approved:
Property Management Services Agreement 139423 (Ordinance S-41137) on Aug. 27, 2014;
Property Management Services Agreement 139423 - Amendment (Ordinance S-45608) on May 1, 2019; and
Property Management Services Agreement 139423 - Amendment (Ordinance S-46745) on June 17, 2020.

Location
302 N. First Ave.

Council District: 7

This item was adopted.

80 Enter into Agreement with RPTA to Receive Public Transportation Funds (Ordinance S-47651)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Regional Public Transportation Authority to receive regional Public Transportation Funds. Further request to authorize the City Treasurer to receive all funds related to this item. The City will receive approximately $26,375,400 in funds from this agreement.

Summary

The purpose of this Intergovernmental Agreement (IGA) is to provide regional Public Transportation Fund (PTF) funding as the local match to federal funding for various capital projects programmed in the Transit Life Cycle Program of the Regional Transportation Plan through Dec. 31, 2025. The Regional Public Transportation Authority (RPTA) administers PTF funding and is charged with distributing these funds to Phoenix for management and implementation of the capital projects.

Financial Impact

No Phoenix funds are involved in the performance of this IGA. RPTA will disburse the funding to reimburse Phoenix for its non-federal share of the following:
$22,913,200 - Purchase of local fixed route buses;
$334,400 - Purchase of neighborhood circulator vehicles;
$1,891,400 - Purchase of paratransit (Dial-a-Ride) vehicles; and
$1,236,400 - Design and construction of a future park-and-ride facility.

This item was adopted.

81 Rental Services for Trench Safety Equipment - Amendment (Ordinance S-47606)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 151420 with United Rentals (North America), Inc. to provide additional funding to the agreement for use by the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $108,000.

Summary

Additional funding is needed to include the Public Works Department as an authorized user of this agreement. The Water Services Department is currently the owner of this agreement. The purpose is for the inspections and maintenance team to perform maintenance and repairs on landfill infrastructure throughout the City. Repairs and maintenance are typically performed in trenches and are under safety regulations that require safety equipment to be installed to prevent work site hazards.

Contract Term

The existing agreement term is Feb. 29, 2020 through Feb. 28, 2025 and will remain unchanged.

Financial Impact

The initial authorization for Rental Services for Trench Safety Equipment was for an expenditure not-to-exceed $550,000. This amendment will increase the authorization for the agreement by an additional $108,000, for a new total not-to-exceed agreement value of $658,000.

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

Concurrence/Previous Council Action

The City Council approved Agreement 151420 (Ordinance S-46234) on Dec. 18, 2019.

This item was adopted.

82 Intergovernmental Agreement with Maricopa County Animal Care and Control Services for FY2021-22 (Ordinance S-47615)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with Maricopa County Animal Care and Control Services to serve as the City of Phoenix’s enforcement agent for the animal control provisions of the Phoenix City Code from July 1, 2021, through June 30, 2022. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

Maricopa County Animal Care and Control Services (MCACCS) acts as the City’s enforcement agent for the animal control provisions of the City Code, including bite animal at large, animal on property while school in

session, animal bite investigations, vicious animal petitions, and similar enforcement actions. In addition, MCACCS provides community-requested neighborhood sweeps, and attends community events to educate residents about the City's animal control laws.

Contract Term
The term of this agreement is July 1, 2021, through June 30, 2022, with two option years to be exercised in increments of up to one year, for a total agreement option term of three years.

Financial Impact
The costs shall not exceed $2,866,986. Funding is available in the Public Works Department's budget.

Location
Enforcement of the animal control provisions of the Phoenix City Code are provided Citywide.

This item was adopted.

83 Home Pick-Up Household Hazardous Waste Collection Service - Requirements Agreement (Ordinance S-47622)

Request to authorize the City Manager, or his designee, to enter into an agreement with Kary Environmental Services, Inc. (KES) to continue providing home pick-up Household Hazardous Waste (HHW) collection service to residents for a term of six months, which will include an option to extend for an additional six months. Further request to authorize the City Controller to disburse all funds related to this item. This agreement will have an aggregate amount of $800,000.

Summary
This agreement will allow KES to continue performing at-home collection of HHW materials for Phoenix residents. Due to the COVID-19 health pandemic and related safety concerns, HHW collection events are postponed. Continuing to offer home collection utilizing KES will ensure the materials are collected, stored and/or properly disposed of and will ensure adherence to all applicable federal, state, and local laws.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition

was waived as the result of a determination memo, citing special circumstance, without competition. KES is the only known vendor proving this type of collection in surrounding cities.

Contract Term

This agreement will be for six months beginning on July 1, 2021 through Dec. 31, 2021 with an option to extend the agreement through June 30, 2022.

Financial Impact

This agreement will not exceed $800,000 over the term. Funding is available in the Public Works Department's budget.

This item was adopted.

84 Americans with Disabilities Act Facility Assessments - Agreement Award (Ordinance S-47638)

Request to authorize the City Manager, or his designee, to enter into an agreement with Life Quest Training and Consulting, LLC to provide consulting services to assist the City in meeting the Americans with Disabilities Act requirements set forth by the U.S. Department of Justice. This item will have an aggregate amount of $2.5 million. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The Public Works Department is responsible for ensuring that all City-owned facilities are in compliance with Americans with Disabilities Act (ADA) standards. The U.S. Department of Justice (DOJ) requires all government entities to ensure accessibility compliance is provided for all facilities owned by that entity. The City owns more than 1,900 facilities that are required to be in compliance with ADA standards. These assessments will identify deficiencies and will be used to develop an ADA transition plan to address the accessibility deficiencies at all City-owned facilities.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing unusual nature due to the DOJ's assessment and transition plan requirements of all government entities.

Contract Term

The initial three-year contract term will begin on or about July 1, 2021, with two one-year options to extend in increments of up to one year, for a total contract term of up to five years.

Financial Impact

The aggregate value of the contract including all option years is $2.5 million including all applicable taxes, with an estimated annual expenditure of $500,000. Funding is available in the Public Works Department's Capital Improvement Program budget.

This item was adopted.

85 Intergovernmental Agreement with Arizona Department of Transportation for Purchase and Installation of Intelligent Transportation System Equipment Adjacent to Interstate 10 Broadway Curve Improvement Project (Ordinance S-47603)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Arizona Department of Transportation for the purchase and installation of Intelligent Transportation System equipment for the traffic management of arterial corridors located within the City of Phoenix surrounding the Interstate 10 Broadway Curve Improvement Project. Further request the City Council to grant an exception pursuant to Phoenix City Code section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The purpose of this Agreement is to allow the State to provide funding to the City for the procurement and installation of Intelligent Transportation System (ITS) equipment for the traffic management of arterial corridors surrounding the Interstate 10 (I-10) Broadway Curve Improvement Project (Broadway Curve). The City will purchase and install the equipment within one year of the execution of this Agreement and will be reimbursed for costs incurred not to exceed $1,223,000.

The Broadway Curve project is planned to improve I-10 between the

I-10/Interstate 17 (I-17) Split Traffic Interchange and the Congressman Ed Pastor Freeway (Loop 202-South Mountain Freeway). The project will represent the region's first urban freeway reconstruction project with construction estimated to begin in early fall 2021.

In November 2019, the Maricopa Association of Governments (MAG) approved a study to identify strategies to mitigate construction impacts. After one year of data collection, analysis, infrastructure inventory, and coordination, a comprehensive mitigation strategy was identified. In 2020, MAG launched a study to inventory and analyze traffic signal systems at seven traffic interchanges and fifteen arterial corridors surrounding the Broadway Curve. Technical staff from the Arizona Department of Transportation (ADOT) and Phoenix collaborated with MAG throughout the study and provided detailed information about the traffic signal systems within the City. The overall goal of the study was to assess the traffic management capabilities of the corridors and identify achievable traffic signal system enhancements that could be implemented prior to the start of the Broadway Curve project. Several vital ITS elements were evaluated including detection, monitoring, preemption, intersection capacity, and traffic signal controllers.

Enhancing the City arterial traffic signals within the area of the Broadway Curve will help ease congestion during construction detours and closures.

Contract Term
The City will purchase and install the equipment within one year of the execution of this Agreement and will be reimbursed for costs incurred not to exceed $1,223,000.

Financial Impact
The City will be reimbursed for costs not to exceed $1,223,000.

Location
Interstate 10, from the Congressman Ed Pastor Freeway (Loop 202-South Mountain Freeway) and the I-10/I-17 Split Traffic Interchange.
Council Districts: 6 and 8

This item was adopted.

87 **Salt River Project Agreement for Construction of Irrigation Facilities at 43rd Avenue and McDowell Road - ST85100410 (Ordinance S-47618)**

Request to authorize the City Manager, or his designee, to enter into an Agreement for construction of facilities with Salt River Project. This Agreement is for the relocation and modification of existing Salt River Project irrigation facilities for City of Phoenix project ST85100410 - 43rd Avenue from McDowell Road to Virginia Avenue. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. Additionally request to authorize the City Controller to disburse all funds related to this item in an amount not to exceed $102,543.

Summary

The City is constructing roadway and intersection improvements along 43rd Avenue from McDowell Road to Virginia Avenue which directly impact an existing Salt River Project (SRP) irrigation delivery structure. This Agreement represents the cost for the portion of SRP’s construction and materials for which the City is financially responsible.

Contract Term

The term of the Agreement will begin on or about June 2, 2021, and will expire when the project is completed and accepted.

Financial Impact

Funding in the amount of $102,543 is available in the Street Transportation Department's Capital Improvement Program budget.

Location

43rd Avenue from McDowell Road to Virginia Avenue
Council District: 4

This item was adopted.

88 **Salt River Project Construction License for 24-Inch Water Main on Dobbins Road from 35th to 27th Avenues - WS85500429-2 (Ordinance S-47630)**

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for installation of a new 24-inch waterline on Dobbins Road from 35th to 27th avenues. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

Summary

The purpose of this license is to allow the City to install a new waterline that will run parallel with Salt River Project irrigation facilities. This work is in conjunction with City Project WS85500429-2 Dobbins Road 24-inch Water Main; 35th to 27th avenues.

Contract Term

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

Financial Impact

There is no financial impact for this license.

Location

Dobbins Road, 35th to 27th avenues
Council Districts: 7 and 8

This item was adopted.

89 Salt River Project Construction License for Streetlights on 32nd Street Between McDowell and Thomas Roads - ST85160014-1 (Ordinance S-47631)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for installation of new streetlights on 32nd Street between McDowell and Thomas roads. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

Summary

The purpose of this license is to allow the City to install 17 new

streetlights on 32nd Street between McDowell and Thomas roads that will run parallel with and adjacent to Salt River Project irrigation facilities. This work is in conjunction with City Project ST85160014-1 for Streetlights on 32nd Street between McDowell and Thomas roads.

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

Financial Impact
There is no financial impact for this license.

Location
32nd Street between McDowell and Thomas roads
Council District: 8

This item was adopted.

90 Salt River Project Construction License for Lift Station 43 - WS90501000 (Ordinance S-47636)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for repair and replacement of a force sewer main that serves City of Phoenix Lift Station 43. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

Summary
The purpose of this license is to allow the City to repair and replace the end portion of a sewer force main located at 75th Avenue and Broadway Road that crosses Salt River Project irrigation facilities. This work is in conjunction with City Project WS90501000 Lift Station 43.

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

Financial Impact
There is no financial impact for this license.

Location
75th Avenue and Broadway Road
Council District: 7

This item was adopted.

91 Salt River Project Construction and Service Agreement for Booster Pump Station 1-B3 Rehabilitation and Replacement (Ordinance S-47602)

Request to authorize the City Manager, or his designee, to enter into an agreement with Salt River Project for the Booster Pump Station 1-B3 Rehabilitation and Replacement. Further request to authorize the City Controller to disburse all funds related to this item. Additionally request the City Council to grant an exception pursuant to Phoenix City Code Section 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code Section 42-18. The agreement will not to exceed $552,928.

Summary
To provide electrical redundancy and resiliency for the Booster Pump Station (BPS) 1-B3, to replace the aging infrastructure, reduce peak loading on the electrical equipment, and increase the electrical capacity, the City worked with Salt River Project (SRP) during the design phase of the BPS 1-B3 Rehabilitation and Replacement project.

The SRP Enhanced Distribution Services Agreement authorizes SRP to provide design and construction services to install two automatic transfer switches (ATS), two four-way switches, and two transformers. The new electrical equipment will be fed by two new services to provide redundancy for the infrastructure. The existing equipment and Service Entrance Station (SES) will remain in service until the new equipment has been energized.

Contract Term
The agreement term is for one year starting on or about Oct. 15, 2021.

Financial Impact
Funding in the amount of $552,928 is available in the Water Services

Department's Capital Improvement Program budget.

Location
44th Street and University Drive
Council District: 8

This item was adopted.

92 Salt River Project Distribution Design and Construction Services Contract for Lift Station 41 - WS90400082 (Ordinance S-47625)

Request to authorize the City Manager, or his designee, to enter into a Distribution Design and Construction Services Contract with Salt River Project for installation of new electrical equipment for City of Phoenix Lift Station 41. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary
The City is constructing electrical modifications and improvements at Lift Station 41, which has created a need to swap an existing radial transformer feeding the site for a new looped transformer. This is a zero-dollar contract as there is no cost to the City for the new transformer.

Contract Term
The term of the contract will begin on or about June 2, 2021, and will expire when the project is completed and accepted.

Financial Impact
There is no financial impact to the City.

Location
48th Street, south of Pecos Road
Council District: 6

This item was adopted.

93 Citywide Engineering/Consulting On-Call Services (Agreement 153170) for Calendar Years 2021-22 - Amendment (Ordinance S-47640)

Request to authorize the City Manager, or his designee, to execute an

amendment to Agreement 153170 with Kimley-Horn and Associates, Inc. to provide additional Engineering/Consulting On-Call Services citywide for various projects. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $500,000.

Summary

The purpose of this amendment is to increase contract capacity to provide services that may include studies, plan review, special inspections, programming, master planning, design, construction document development, and construction administration and inspection services.

This amendment is necessary because contract capacity has already been expended and additional funds are needed to allow continuity of services to departments citywide in support of the City's Capital Improvement Program. This amendment will provide additional funds to the agreement.

Contract Term

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

Financial Impact

The initial agreement for Engineering/Consulting On-Call Services was executed for a fee not-to-exceed $1.2 million, including all subconsultant and reimbursable costs.

Amendment 1 will increase the agreement by an additional $500,000, for a new total not-to-exceed agreement value of $1.7 million, including all subcontractor and reimbursable costs.

Funding for this amendment is available in the various Citywide departments' Capital Improvement Program or Operating budgets. The Budget and Research Department will separately review and approve

funding availability prior to the execution 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.

Concurrence/Previous Council Action
The City Council approved Engineering/Consulting On-Call Services Agreement 153170 (Ordinance S-47024) on Oct. 21, 2020.

This item was adopted.

94 Citywide Engineering/Consulting On-Call Services (Agreement 153184) for Calendar Years 2021-22 - Amendment (Ordinance S-47641)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 153184 with Ritoch-Powell & Associates Consulting Engineers, Inc. to provide additional Engineering/Consulting On-Call Services citywide for various projects. 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 $250,000.

Summary
The purpose of this amendment is to increase contract capacity to provide services that may include studies, plan review, special inspections, programming, master planning, design, construction document development, and construction administration and inspection services.

This amendment is necessary because contract capacity has already been expended and additional funds are needed to allow continuity of services to departments Citywide in support of the City's Capital Improvement Program. This amendment will provide additional funds to the agreement.

Contract Term
The term of the Master Agreement remains unchanged. Work scope identified and incorporated into the agreement prior to the end of the term

may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The initial agreement for Engineering/Consulting On-Call Services was executed for a fee not-to-exceed $1.2 million, including all subconsultant and reimbursable costs.

Amendment 1 will increase the agreement by an additional $250,000, for a new total not-to-exceed agreement value of $1.45 million, including all subcontractor and reimbursable costs.

Funding for this amendment is available in the various citywide departments' Capital Improvement Program or Operating budgets. The Budget and Research Department will separately review and approve funding availability prior to the execution 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.

Concurrence/Previous Council Action

The City Council approved Engineering/Consulting On-Call Services Agreement 153184 (Ordinance S-47024) on Oct. 21, 2020.

This item was adopted.

95 Citywide Asbestos and Lead Abatement Job Order Contracting Services - 4108JOC198 (Ordinance S-47647)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with four contractors to provide Citywide Asbestos and Lead Abatement Job Order Contracting services. 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 $10 million.

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

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

Summary

The Contractors' services will be used on an as-needed basis to provide Citywide Asbestos and Lead Abatement Job Order Contracting (JOC) that includes abatement, transport and disposal, documentation, "put back" of materials, and other environmental services as requested.

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

Procurement Information

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

Selected Firms

Rank 1: East Valley Disaster Services Inc.
Rank 2: Comprehensive Risk Services, LLC
Rank 3: Spray Systems of Arizona Inc.
Rank 4: Southwest Hazard Control, Inc.

Additional Proposers

Rank 5: ATI Holdings, LLC
Rank 6: Viking Specialty Services, LLC
Rank 7: Kary Environmental Services, Inc.
Rank 8: Belfor Environmental, Inc.
Rank 9: Square One Builders LLC

Contract Term

The term of each master agreement is for up to four years, or up to $2.5 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact

The master agreement values for each of the JOC contractors will not exceed $2.5 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $10 million. The value for each job order agreement performed under this master agreement will be up to $1 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

Funding is available in the Citywide Capital Improvement Program and/or Operating budgets. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

This item was continued to the June 16, 2021 City Council Formal Meeting.

96 Happy Valley Road: 67th to 35th Avenues Improvements - Engineering Services - ST85100437 (Ordinance S-47648)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson & Company Inc., Engineers & Architects, to provide Engineering Services that include design and post-design services for the Happy Valley Road: 67th to 35th Avenues Improvements project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed $1.56 million.

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

Summary

The purpose of this project is to improve Happy Valley Road from 67th Avenue to 35th Avenue to be in compliance with the current City of Phoenix Street Planning and Design Guidelines, Administrative Procedure 155, the American Association of State Highway and Transportation Officials, and City of Phoenix Storm Drain Manual design criteria. The scope of work includes improving cross sections with median islands, revised travel lane widths, curb and gutter modifications, buffered bike lanes, bus pads, milling and paving, street lighting, utility adjustments, drainage, traffic signal upgrades, and landscaping enhancements.

Wilson & Company Inc., Engineers & Architect's services include, but are not limited to: data collection and field survey; construction plans, engineer's cost estimates and special provisions; prepare a drainage memorandum, geotechnical report and documents needed for Right-of-Way Acquisition and Temporary Construction Easements; provide post-design assistance through construction contract award; and work with the City's public outreach firm on project public engagement.

This agreement 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 qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In

accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Five firms submitted proposals and are listed below:

Selected Firm
Rank 1: Wilson & Company Inc., Engineers & Architects

Additional Proposers
Rank 2: Entellus, Inc.
Rank 3: Premier Engineering Corporation, a wholly owned subsidiary of Olsson
Rank 4: Project Engineering Consultants

Contract Term
The term of the agreement is four 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 Wilson & Company Inc., Engineers & Architects will not exceed $1.56 million, including all subconsultant and reimbursable costs.

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

Location
Happy Valley Road from 67th to 35th avenues
Council District: 1

This item was adopted.

97 **Resolution to Re-Open Alley (Resolution 21925)**

Request City Council approval of a Resolution allowing for the reopening of a portion of the alley south of Jackson Street, between Central Avenue and 1st Street and repealing part of Resolution 17627 relating to such portion of the alley originally closed.

Summary

The official plat of the Original Townsite of Phoenix approved by the City Council on Oct. 22, 1895, dedicated 25 feet of alley south of Jackson Street between Central Avenue and 1st Street to be open to public use as an alley. On Jan. 31, 1990, the City Council passed Resolution 17627, closing the alley south of Jackson Street between Central Avenue and 1st Street.

Staff requests City Council approval to reopen the alley, described in **Attachment A**, in order to comply with Chapter 12 of the Downtown Code, sec. 1206.4a Parking and Loading Access, which requires private access to be taken from adjacent alleys to reduce conflicts on pedestrian designated streets. Reopening the alley is necessary for the proposed Phoenix Opportunities Industrialization Center development.

Financial Impact

This action has no financial impact to the City of Phoenix.

Concurrence/Previous Council Action

The City Council approved closing the alley south of Jackson Street between Central Avenue and 1st Street (Resolution 17627) on Jan. 31, 1990.

Location

The alley located south of Jackson Street between Central Avenue and 1st Street.
Council District: 7

This item was adopted.

98 **38th Street Relief Sewer: Phase 2 - 38th Street - Design-Bid-Build Services - WS90500302 (Ordinance S-47598)**

Request to authorize the City Manager, or his designee, to accept Archer

Western Construction, LLC as the lowest-priced, responsive and responsible bidder and to enter into an agreement with Archer Western Construction, LLC for Design-Bid-Build Services for the 38th Street Relief Sewer: Phase 2 - 38th Street project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $2,213,877.

Summary

The purpose of this project is to install approximately 3,500 linear feet of new 8-inch sanitary sewer line along 38th Street and 38th Place from Lincoln Drive to Bethany Home Road. The proposed 8-inch gravity sewer main will also tie into the existing City of Phoenix wastewater collection system upstream of Lift Station 54 and allow for its abandonment.

Archer Western Construction, LLC's services include, but are not limited to: installing approximately 3,500 linear feet of new 8-inch sanitary sewer line, 21 new sewer manholes, 400 linear feet of 6-inch sewer services, two drainage inlets with 80 linear feet of new 18-inch storm drain crossing, work to adjust the intersection of 38th Place and Berridge Lane to a “T” intersection, restoration of signing and striping, and miscellaneous landscaping restoration. This project is within Town of Paradise Valley right-of-way.

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

Procurement Information

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Two bids were received on April 13, 2021, and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Small Business Enterprise program requirements.

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

Opinion of Probable Cost: $3,214,131
Archer Western Construction, LLC : $2,213,877

Bidders who were deemed non-responsive are listed below, in alphabetical order:
Action Direct LLC dba Redpoint Contracting

The bid award amount is within the total budget for this project.

The reason for the variance from the Opinion of Probable Cost to the lowest responsive, responsible bid could be an indication that they anticipate completing the work with higher production under better conditions than Phase 1. The OPC conservatively estimated the rate of pipeline production to be 50 linear feet per day based on review of the geotechnical report.

Contract Term
The term of the agreement is 240 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Archer Western Construction, LLC will not exceed $2,213,877, 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.

Location
38th Street to 38th Place from Lincoln Drive to Bethany Home Road
Council District: 6 and Out of City

This item was adopted.

99 PVC and CPVC Pipe, Valves and Fittings - Request for Award

(Ordinance S-47597)

Request to authorize the City Manager, or his designee, to enter into an agreement with Harrington Industrial Plastics to provide PVC and CPVC pipe, valves and fittings on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item. The agreement amount will not exceed $850,000.

Summary

The purpose of this agreement is to purchase PVC and CPVC pipe, valves and fittings on an as-needed basis. This agreement will allow the Water Services Department (WSD) to maintain the infrastructure of various facilities. WSD uses PVC and CPVC pipe, valves and fittings for a wide variety of projects, including indoor and outdoor plumbing maintenance and repairs, plant process air and water lines, above and below ground irrigation, and chemical handling systems.

Procurement Information

The recommendations were made using an Invitation for Bids procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Three vendors submitted bids and are listed below, and all bids were found to be responsive and responsible.

Selected Bidder
Harrington Industrial Plastics

Other Bidders
Ferguson Waterworks
Ryan Herco Flow Solutions

Contract Term

The agreement will begin on or about June 2, 2021, for a five-year aggregate term with no options to extend.

Financial Impact

The agreement value for Harrington Industrial Plastics will not exceed $850,000.

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

This item was adopted.

100 Parts and Services for Cues-Brand Equipment, Parts and Related Services - Amendment (Ordinance S-47601)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 144417 with Arizona Wastewater Industries, Inc., to provide additional funding to the agreement. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures for services and goods included in this amendment will not exceed $123,200.

Summary

The purpose of this amendment is to continue preventive maintenance and repairs of the existing Cues sewer and pipeline inspection equipment that the Water Services Department uses to assess the condition of the wastewater infrastructure. Due to the necessity of a software upgrade, the purchase of additional software licenses and repairs of the Cues equipment, it is necessary to add funds to continue to perform preventive maintenance, upgrades and repairs of the existing systems.

The additional goods and services include, but are not limited to supply of Cues inspection equipment and products, replacement parts, and repair services.

Contract Term

The Agreement's term will remain unchanged, ending on Jan. 31, 2022.

Financial Impact

The initial authorization for the Cues-Brand Equipment, Parts and Related Services Agreement was for an expenditure not-to-exceed $350,000. An amendment increased the authorization for the agreement by $73,000. This amendment will increase the authorization for the agreement by an additional $123,200, for a new total not-to-exceed agreement value of $546,200.

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

Concurrence/Previous Council Action

The City Council approved:

Parts and Services for Cues-Brand Equipment, Parts and Related Services Agreement 144417 (Ordinance S-43202) on Jan. 25, 2017; and

Parts and Services for Cues-Brand Equipment, Parts and Related Services Agreement 144417 - Amendment (Ordinance S-45851) on June 26, 2019.

This item was adopted.

101 Water Softener Exchange Rental Services Agreement - Request for Award (Ordinance S-47607)

Request to authorize the City Manager, or his designee, to enter into an agreement with Rayne of Phoenix, to provide water softener exchange rental services for the purpose of removing dissolved hard materials. Further request authorization for the City Controller to disburse all funds related to this item. The agreement will not exceed $125,000.

Summary

Water softener exchange rental services and maintenance are required to soften water for disinfection systems at the water treatment plants and remote facilities. These systems are used to disinfect the water per water treatment regulations. Water must be softened in order for the disinfection system to function properly. The purpose of this agreement is to provide the Water Services Department with water softener exchange tanks to remove calcium and magnesium ions during this water treatment process.

Rayne of Phoenix's services include but are not limited to monitoring water softening resin levels, draining, cleaning and tank refills, and removal of tanks. The contract also provides all labor, materials, supplies, and associated services necessary for water softener tanks, equipment and maintenance and repair.

Procurement Information

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

One vendor submitted a bid and is listed below and was found to be responsive and responsible.

Selected Bidder
Rayne of Phoenix

Contract Term
The agreement will begin on or about Nov. 1, 2021, for a five-year aggregate term.

Financial Impact
The agreement value for Rayne of Phoenix will not exceed $125,000.

Funding is available in the Water Services Department's Operating Budget.

This item was adopted.

102 Agreement with Enerwise Technologies, LLC d/b/a CPower and Enroll in Arizona Public Service Peak Solutions Program (Ordinance S-47617)

Request to authorize the City Manager, or his designee, to enter into an agreement with Enerwise Technologies, LLC d/b/a CPower and enroll in the Arizona Public Service Peak Solutions Program. Further request to authorize the City Treasurer to accept all funds related to this item. Estimated revenues are anticipated to be between $5,000 and $20,000 annually.

Summary
The Arizona Public Service (APS) Peak Solutions Program compensates customers for reducing electrical load during demand response events, most commonly during peak hours as needed. CPower is contracted through APS to administer the program and provide compensation to customers enrolled in the APS Peak Solutions Program. The Water Services Department (WSD) seeks to enter into a five-year agreement, which will terminate May 31, 2026, with an option to renew.

Participating in the Program, in addition to the payment terms set forth in the Service Agreement, CPower (Provider) will pay to the City (Customer)

$10.00 per kW/month of performance as defined in the Program Rules. Provider will also pay an energy payment, if applicable. Energy payments are earned based on the Curtailment Value, up to and not to exceed, Customer's Enrollment Value for each Event Hour. The energy payment will be based on the following:
Called events and tests;
A rate of $0.09/kWh; and
Average monthly performance must be over 70 percent of Enrollment Value.

Contract Term
The term of this agreement is five years and will terminate on May 31, 2026.

Financial Impact
There is no cost to the City to enter into this agreement. Based on the electrical load anticipated to be reduced, staff estimates this agreement may generate between $5,000 and $20,000 of revenue annually. WSD will receive compensation each December of the participating program year.

This item was adopted.

103 Sandblasting and Coating Services Agreement - Request for Award (Ordinance S-47620)

Request to authorize the City Manager, or his designee, to enter into an agreement with Pipeline Video Inspection dba AIMS Companies, to provide sandblasting and coating services for the purpose of removing rust and debris to extend the life of equipment at multiple Water Services Department facilities. Further request authorization for the City Controller to disburse all funds related to this item. The agreement will not exceed $402,500.

Summary
The purpose of this agreement is to provide sandblasting and coating services for various equipment such as pumps, valves and other process equipment at Water Services Department (WSD) Water Production facilities, Wastewater facilities and Remote facilities.

The Offeror's services include, but are not limited to: sandblasting,

re-coating for epoxy coat or paint, pickup and deliver equipment to be serviced, and completing a written service report documenting the work performed.

This agreement will replace Sandblasting and Coating Services Agreement 151895 with Riddle Painting and Coatings Company which was approved by City Council on March 18, 2020. Riddle Painting and Coatings Company requested to cancel their agreement due to their inability to provide onsite sandblasting services at its new location.

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

Three vendors submitted bids and are listed below, and all bids were found to be responsive and responsible.

Selected Bidder:
Pipeline Video Inspection dba AIMS Companies

Other Bidders:
Riley Industrial Services
Revolution Industrial

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

Financial Impact
The agreement value for Pipeline Video Inspection dba AIMS Companies will not exceed $402,500.

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

This item was adopted.

104 Agreement with National Forest Foundation (Ordinance S-47633)

Request to authorize the City Manager, or his designee, to enter into an agreement with the National Forest Foundation, which has partnered with the City of Phoenix since 2015 to conduct forest restoration and watershed enhancement projects that protect the water quality in the Salt and Verde Rivers. Further request to authorize the City Controller to disburse all funds related to this item. The agreement amount will not exceed $600,000.

Summary

The Water Services Department obtains more than half of its raw water supply from the highly-forested Salt and Verde watershed and its suitable water quality is critical to the City. Experts advise that in the future, forest fires will ensue over longer seasons, be larger, and more numerous. These conditions have a high potential to degrade source water quality and negatively impact the City's water production processes. It is in the City's best interest to enter into this strategic partnership to mitigate these risks. The National Forest Foundation (NFF) will help create water security that supports continued public safety and economic development by designing and implementing cost-effective and protective Salt-Verde watershed projects. Funds invested from the City of Phoenix have been involved with NFF projects that have received both the Crescordia and President's Award for sustainability from Arizona Forward. The City will continue to work collaboratively with NFF on projects such as sediment reduction, soil stability, fire and flood risk reduction, hydrologic improvement, riparian restoration and other watershed-based improvements.

Procurement Information

In accordance with City of Phoenix Administrative Regulation 3.10, competitive procurement was waived as a result of a Determination Memo citing NFF has the only congressionally-chartered partnership with the U.S. Forest Service and expertise in projects that reduce erosion and sedimentation. NFF provides a singular opportunity for the City to participate in funding projects that lessen wildfire-related impacts which impair near- and long-term water quality.

Contract Term

The agreement term is for three years effective July 1, 2021, through June 30, 2024.

Financial Impact

The agreement value of the contract is not to exceed $600,000, with annual expenditures of $200,000.

Funding for this contract is available in the Water Services Department's Operating budget and Colorado Water Resiliency Fund.

This item was adopted.

105 Agreement with The Nature Conservancy (Ordinance S-47634)

Request to authorize the City Manager, or his designee, to enter into an agreement with The Nature Conservancy, which has partnered with the City of Phoenix since 2017 to fund projects designed to protect the flows and improve water quality in the Salt and Verde rivers. Further request to authorize the City Controller to disburse all funds related to this item. The agreement amount will not exceed $450,000.

Summary

The Water Services Department obtains more than half of its raw water supply from the Salt and Verde watershed. Reliable flows are critical to the City. Disruptions could result in increased water treatment costs and/or service interruptions. It is in the City's best interest to enter into this strategic partnership to mitigate risks to the rivers and in doing so, to provide leadership to other Valley water providers. By designing and implementing cost-effective and protective Salt-Verde watershed projects, The Nature Conservancy (TNC) will help create water security that supports continued public safety and economic development. Funds for these projects will be committed to TNC's Salt and Verde Alliance: Healthy Rivers, Healthy Communities.

Procurement Information

In accordance with City of Phoenix Administrative Regulation 3.10, competitive procurement was waived as a result of a Determination Memo citing there is an unusual nature of the goods or services that require a specific vendor due to TNC's network of private and public partners funding the project on the Verde River. TNC provides a one-of-a-kind opportunity for the City to fund collaborative projects that positively impact Phoenix's original water supply.

Contract Term
The agreement term is for three years effective July 1, 2021, through June 30, 2024.

Financial Impact
The agreement value will not to exceed $450,000, with annual expenditures estimated at $150,000.

Funding for this agreement is available in the Water Services Department's Operating budget.

This item was adopted.

106 Final Plat - Frys 96 - PLAT 200631 - Southwest Corner of Jomax Road and Norterra Parkway

Plat: 200631
Project: 15-3108
Name of Plat: Frys 96
Owner(s): US Real Estate, Limited Partnership, and Smith Food & Drug Centers, Inc.
Engineer(s): Daniel D. Armijo, RLS
Request: A 6 Lot Commercial Plat
Reviewed by Staff: April 30, 2021
Final Plat requires Formal Action Only

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

Location
Generally located at the southwest corner of Jomax Road and Norterra Parkway.
Council District: 1

This item was approved.

107 Final Plat - The Mint - PLAT 200634 - 500 W. Misty Willow Lane

Plat: 200634
Project: 20-3294
Name of Plat: The Mint

Owner: Happy Valley II, LLC
Engineer: Dennis F. Keogh, RLS
Request: A 3 Lot Commercial Plat
Reviewed by Staff: April 26, 2021
Final Plat requires Formal Action Only

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

Location
500 W. Misty Willow Lane
Council District: 1

This item was approved.

108 Final Plat - Hillstone-West - PLAT 210001 - 24500 N. Cave Creek Dam Road

Plat: 210001
Project: 16-3288
Name of Plat: Hillstone-West
Owner(s): D.R. Horton, Inc., a Delaware Corporation
Engineer(s): Kirk J. Pangus, RLS
Request: A 33 Lot Residential Plat
Reviewed by Staff: April 23, 2021
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. Note: This plat cannot be recorded until the Flowage Easement has been recorded and recording information is written in by the Registered Land Surveyor.

Location
Located at 24500 N. Cave Creek Dam Road
Council District: 2

This item was approved.

109 Final Plat - Biltmore on Turney - PLAT 200621 - 180 Feet East of

the Southeast Corner of 20th Street and Turney Avenue

Plat: 200621
Project: 20-2241
Name of Plat: Biltmore on Turney
Owner(s): DL Dalton, LLC, Cambridge Apartments White Center LLC, and Turney Biltmore, LLC
Engineer(s): Alliance Land Surveying, LLC
Request: A 2 Lot Residential Plat
Reviewed by Staff: April 26, 2021
Final Plat requires Formal Action Only

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

Location
Generally located 180 Feet east on the southeast corner of 20th Street and Turney Avenue.
Council District: 3

This item was approved as corrected.

110 Final Plat - McClellan Ranch - Parcels 4 & 5 - PLAT 200622 - North of Dobbins Road and West of 67th Avenue (Alignment)

Plat: 200622
Project: 17-1627
Name of Plat: McClellan Ranch - Parcels 4 & 5
Owner(s): Pulte Home Company, LLC and Meritage Homes of Arizona, Inc.
Engineer(s): Brian J. Benedict, RLS
Request: A 144 Lot Residential Subdivision Plat
Reviewed by Staff: April 26, 2021
Final Plat requires Formal Action Only

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

Location

Generally located north of Dobbins Road and west of 67th Avenue (alignment).
Council District: 7

This item was approved.

111 Final Plat - Laveen Vistas Parcel Three, Phase 2 - PLAT 200587 - Northeast Corner of 51st Avenue and Carver Road

Plat: 200587
Project: 05-2131
Name of Plat: Laveen Vistas Parcel Three, Phase 2
Owner(s): HBT of Laveen, LLC
Engineer(s): Clouse Engineering, Inc.
Request: An 80 Lot Residential Plat
Reviewed by Staff: April 20, 2021
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the northeast corner of 51st Avenue and Carver Road.
Council District: 8

This item was approved.

112 Final Plat - Harmony at the Park One - PLAT 210024 - Northwest Corner of Polk Street and 20th Street

Plat: 210024
Project: 20-907
Name of Plat: Harmony at the Park One
Owner(s): City of Phoenix
Engineer(s): Richard Stockman, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: May 6, 2021
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the northwest corner of Polk Street and 20th Street.
Council District: 8

This item was approved.

113 Modification of Stipulation Request for Ratification of April 21, 2021 Planning Hearing Officer Action - PHO-1-21--Z-141-97-6 - Approximately 400 Feet Southeast of the Intersection of 50th Avenue and Thistle Landing Drive

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 April 21, 2021. This ratification requires formal action only.

Summary

Application: PHO-1-21--Z-141-97-6
Existing Zoning: CP/GCP
Acreage: 30.64

Applicant: Jason Morris, Withey Morris PLC
Owner: Kyrene Elementary School District
Representative: Jason Morris, Withey Morris PLC

Proposal:

Modification of Stipulation 1 regarding general conformance to the site plan dated November 17, 1997.
Modification of Stipulation 4 regarding access points onto 50th Street.
Deletion of Stipulation 5 regarding right-of-way for a box culvert crossing 50th Street.
Deletion of Stipulation 6 regarding a drainage channel and related construction details and right-of-way.
Deletion of Stipulation 7 regarding retention for the 100-year 2-hour rainfall event in a single common retention basin.
Technical correction to Stipulation 2.

Concurrence/Previous Council Action
Village Planning Committee Recommendation: The Ahwatukee Foothills Village Planning Committee opted not to hear this case.
PHO Action: The Planning Hearing Officer heard this case on April 21, 2021 and took the case under advisement. On May 11, 2021, the Planning Hearing Officer took the case out from under advisement and recommended approval with modifications and additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location
Approximately 400 feet southeast of the intersection of 50th Avenue and Thistle Landing Drive
Council District: 6
Parcel Address: N/A

This item was approved.

114 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-7-20-3 - Approximately 140 Feet North of the Northeast Corner of 19th Avenue and Cheryl Drive (Ordinance G-6857)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-7-20-3 and rezone the site from C-2 to C-2 SP to allow a Special Permit for auto sales and rental, and all underlying C-2 uses.

Summary
Current Zoning: C-2
Proposed Zoning: C-2 SP
Acreage: 2.37
Proposed Use: Auto sales and rental with all underlying C-2 uses

Owner: Native Arizonan Acquisitions V, LLC
Applicant: Grant L. Olds Architects
Representative: Drew Wood

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Mountain Village Planning Committee heard this case on April 21, 2021 and recommended approval, per the staff recommendation, by a vote of 13-1.

PC Action: The Planning Commission heard this case on May 6, 2021 and recommended approval, per the North Mountain Village Planning Committee recommendation with an additional stipulation, by a 9-0 vote.

Location

Approximately 140 feet north of the northeast corner of 19th Avenue and Cheryl Drive
Council District: 3
Parcel Addresses: 10233 N. 19th Ave.

This item was adopted.

115 Amend City Code - Ordinance Adoption - Rezoning Application Z-4-21-4 - Northeast Corner of 3rd Street and Clarendon Avenue (Ordinance G-6859)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-4-21-4 and rezone the site from C-2 to WU Code T4:3 MT to allow multifamily residential.

Summary

Current Zoning: C-2 (Intermediate Commercial)
Proposed Zoning: WU Code T4:3 MT (Walkable Urban Code, Transect 4:3 District, Midtown Character Area)
Acreage: 0.73
Proposed Use: Multifamily residential

Owner: BHABK Holdings 1, LLC
Applicant: Amy Malloy, Evolve Ventures
Representative: Amy Malloy, Evolve Ventures

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard this case on April 5, 2021 and recommended approval, per the staff recommendation, by a vote of 10-0.
PC Action: The Planning Commission heard this case on May 6, 2021 and recommended approval, per the Encanto Village Planning Committee recommendation with an additional stipulation, by a vote of 9-0.

Location
Northeast corner of 3rd Street and Clarendon Avenue
Council District: 4
Parcel Addresses: 3801 and 3805 N. 3rd St.

This item was adopted.

116 Amend City Code - Ordinance Adoption - Rezoning Application Z-9-21-5 - Approximately 800 Feet West of the Southwest Corner of 83rd Avenue and Indian School Road (Ordinance G-6858)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-9-21-5 and rezone the site from PSC to C-2 and R-3A to allow commercial and multifamily residential.

Summary
Current Zoning: PSC (Planned Shopping Center District)
Proposed Zoning: C-2 (Intermediate Commercial District) (1.15 acres) and R-3A (Multifamily Residence District) (3.20 acres)
Acreage: 4.35 acres
Proposed Use: Commercial and multifamily residential

Owner: 8415 West Indian School Road, LLC
Applicant: Ashley Z. Marsh
Representative: Ashley Z. Marsh

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Maryvale Village Planning Committee heard this case on April 14, 2021 and recommended approval, per the staff recommendation, by a vote of 8-0.
PC Action: The Planning Commission heard this case on May 6, 2021 and recommended approval, per the Maryvale Village Planning Committee recommendation with an additional stipulation, by a vote of 9-0.

Location
Approximately 800 feet west of the southwest corner of 83rd Avenue and Indian School Road
Council District: 5
Parcel Addresses: 8411, 8415, 8419, and 8455 W. Indian School Road

This item was adopted.

117 Amend City Code - Ordinance Adoption - Rezoning Application Z-13-21-6 - Southwest Corner of 44th Street and Calle Feliz (Ordinance G-6855)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-13-21-6 and rezone the site from R1-10 (Single-Family Residence District) to R-O (Residential Office - Restricted Commercial District) to allow a medical office.

Summary

Current Zoning: R1-10 (Single-Family Residence District)
Proposed Zoning: R-O (Residential Office - Restricted Commercial District)
Acreage: 0.43 acres
Proposal: Medical office

Owner: Holly Mueller
Applicant: Holly Mueller
Representative: Brian Greathouse, Burch & Cracchiolo, PA

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on May 4, 2021 and recommended approval, per the staff recommendation, by a vote of 17-0.
PC Action: The Planning Commission heard this case on May 6, 2021 and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 9-0.

Location

Southwest corner of 44th Street and Calle Feliz
Council District: 6
Parcel Address: 4337 E. Calle Feliz and 4750 N. 44th St.

This item was adopted.

118 Amend City Code - Ordinance Adoption - Rezoning Application Z-11-21-8 - Southwest Corner of 19th Street and McDowell Road (Ordinance G-6856)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-11-21-8 and rezone the site from C-2 and P-1 to C-2 HP and P-1 HP to allow a Historic Preservation Overlay for the Valley National Bank Branch #10 (now McDowell Place Senior Center).

Summary

Current Zoning: C-2 (Intermediate Commercial District) (0.56 acres) and P-1 (Parking District) (0.78 acres)
Proposed Zoning: C-2 HP (Intermediate Commercial District, Historic Preservation) (0.56 acres) and P-1 HP (Parking District, Historic Preservation) (0.78 acres)
Acreage: 1.34 acres
Proposed Use: Historic Preservation Overlay for the Valley National Bank Branch #10 (now McDowell Place Senior Center).

Owner: City of Phoenix
Applicant: City of Phoenix, Historic Preservation Commission
Representative: Kevin Weight, City of Phoenix, Planning and Development Department

Staff Recommendation: Approval.
VPC Action: The Central City Village Planning Committee heard this case on April 12, 2021 and recommended approval, per the staff recommendation, by a vote of 10-0.
HPC Action: The Historic Preservation Commission heard this case on April 19, 2021 and recommended approval, per the staff recommendation, by a vote of 8-0.
PC Action: The Planning Commission heard this case on May 6, 2021 and recommended approval, per the Central City Village Planning Committee and Historic Preservation Commission recommendations, by a vote of 9-0.

Location

Southwest corner of 19th Street and McDowell Road.
Council District: 8
Parcel Addresses: 1838 E. Brill St. and 1845 E. McDowell Road

This item was adopted.

125 Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-60-20-8 (Carver Canyon PUD) - Northwest Corner of 35th Avenue and Carver Road (Ordinance G-6861)

Request to hold a public hearing on a proposal to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-60-20-8 and rezone the site from R1-8 (Single-Family Residence District) to PUD (Planned Unit development) to allow single-family residential.

Summary

Current Zoning: R1-8 (Single-Family Residence District)
Proposed Zoning: PUD (Planned Unit Development)
Acreage: 19.35 acres
Proposal: Planned Unit Development to allow single-family residential

Owner: Virtua 35th, LLC
Applicant: Virtua 35th, LLC
Representative: Paul E. Gilbert, Beus Gilbert McGroder

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Laveen Village Planning Committee heard this case for information only on Dec. 14, 2020.
VPC Action: The Laveen Village Planning Committee heard this case on April 12, 2021 and recommended approval, per the staff recommendation with additional stipulations, by a vote of 5-2-1.
PC Action: The Planning Commission heard this case on May 6, 2021 and recommended approval, per the Laveen Village Planning Committee recommendation with modified stipulations, by a vote of 5-4.

Location

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

This item was withdrawn.

126 (CONTINUED FROM JULY 1, AUG. 26, AND OCT. 7, 2020, AND APRIL 7, 2021) - Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application PHO-1-19--Z-165-06-7(8) - Northwest Corner of 35th Avenue and Carver Road (Ordinance

G-6718)

Request to hold a public hearing on the Planning Hearing Officer application for the following item and consider adoption of the Planning Commission recommendation on June 4, 2020.

Summary

Application: PHO-1-19--Z-165-06-7(8)
Existing Zoning: R1-8 and R1-18
Acreage: 59.48

Owner: Virtua 35th LLC
Applicant: Jennifer Hall, Rose Law Group
Representative: Tom Galvin, Rose Law Group

Proposal:

Modification of Stipulation 1 regarding general conformance to the site plan date stamped Oct. 8, 2007 and elevations date stamped Feb. 20, 2007.

Modification of Stipulation 7 regarding the landscape setback adjacent to 35th Avenue.

Deletion of Stipulation 19 regarding conditional development approval.

Modification of Stipulation 27 regarding height of terraced berms along the quarry cut slope base.

Modification of Stipulation 31 regarding raised, vertical curbs within the R1-18 portion of the site.

Modification of Stipulation 37 regarding detached sidewalks and landscape strips within the R1-8 portion of the site.

Deletion of Stipulation 39 regarding one-story homes along 35th Avenue.

Technical corrections to Stipulations 4, 5, 6, 8, 9, 15, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 33, 34, 36, 38, and 40.

9. Modification of Stipulation 3 (proposed Stipulation 5) regarding the maximum number of lots in the R1-8 portion of the site.

Concurrence

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Jan. 13, 2020 and recommended denial by an 11-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer

heard this case on Jan. 15, 2020 and took this case under advisement. On Feb. 13, 2020 the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications and additional stipulations. See **Attachment B** for a complete list of the Planning Hearing Officer's recommended stipulations.
PC Action: The Planning Commission heard this case on May 7, 2020, and the case was continued to June 4, 2020 Planning Commission by an 8-0 vote and the applicant and neighbors concerned about the request were asked to try to work on a compromise.
The Planning Commission heard this case again on June 4, 2020, and recommended approval per the staff memo dated June 4, 2020 with a modified stipulation, and with direction to the applicant to modify the application prior to the City Council meeting by an 8-0 vote.

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

This item was withdrawn.

29 Public Hearing on the 2021-26 Capital Improvement Program

As required by the City Charter, this item requests the City Council conduct a public hearing on the 2021-26 Capital Improvement Program for purposes of receiving public comments.

Discussion
Mayor Gallego declared the public hearing open. Noting there was no one on the line to speak, she declared the public hearing closed.

The hearing was held.

30 Adoption of the 2021-26 Capital Improvement Program (Resolution 21928)

Request City Council approval of a resolution adopting a 2021-26 Capital Improvement Program (CIP) for the City of Phoenix. This resolution does not appropriate or commit any public funds, but represents an endorsement of the proposed capital improvements and the five-year plan of expenditure as a reasonable and desirable plan to be accomplished by the City. A five-year capital plan is considered a best

financial practice.

Summary

The Five-Year CIP is a plan for the replacement, expansion and improvement of city infrastructure, facilities and technology used to deliver community services. It is financed from pay-as-you-go funds, property tax and revenue supported bond proceeds, federal and state participation funds, passenger facility charges, customer facility charges, participation by other governmental entities in certain projects, development impact fees, capital grants, capital reserves, solid waste remediation funds and other capital funding sources.

The Preliminary Five-Year CIP was presented to the City Council on March 16, 2021. The 2021-26 CIP proposed for adoption includes adjustments to reflect carryovers and known cost and resource changes.

The City Charter requires that the Five-Year CIP be adopted by resolution immediately following the advertised public hearing, which this year will take place at the Formal meeting on June 2, 2021.

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

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

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

31 Public Hearing on Adoption of the Tentative 2021-22 Annual Budget Ordinances

As required by the City Charter and State statute, this item requests the City Council conduct a public hearing on the adoption of the tentative

2021-22 Annual Budget ordinances (see **Attachments A and B** for additional information).

Discussion

Mayor Gallego declared the public hearing open.

Anne Ender spoke in support of the 2021-22 budget, especially the funds allocated to public safety. She said the Phoenix Police Department needed money to hire and retain more civilian and sworn personnel to serve the communities. She added the Department needed resources, such as technology that facilitated and expedited investigations, as well as behavioral health programs to assist in staff's well-being.

Court Rich, Vice President of Arizona Solar Energy Industries Association, spoke in support of the proposed budget, specifically funds for new materials and staffing to improve the permitting experience. He expressed Phoenix would be among the national leaders in helping residents implement rooftop solar solutions in an effective and inexpensive way.

RJ Shannon, representing the Phoenix Chapter of Moms Demand Action, spoke in support of the 2021-22 budget, especially funds to expand the CAP program to better serve the needs of residents experiencing behavior and mental health crises.

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

Mayor Gallego declared the public hearing closed. She said she appreciated the testimony about the City's Community Assistance Program as it would save money and lives. She remarked the budget would also help the City move forward in the solar industry with energy code updates and additional resources.

The hearing was held.

32 Adoption of the Tentative 2021-22 Annual Budget (Ordinance S-47591)

An ordinance **(Attachment A)** adopting the tentative estimates of the amounts required for public expense for operating funds for the City of

Phoenix for the fiscal year 2021-22; adopting a tentative budget; setting forth the receipts and expenditures and the amounts estimated as collectible for the fiscal year, and the amount proposed to be raised by direct property taxation for primary and secondary purposes; giving notice of the time and place for hearing taxpayers and for adoption of the budget and fixing the tax levies.

Concurrence/Previous Council Action

This reflects the budget approved by the Council on May 18, 2021 and complies with the requirements set forth in the City Charter and Code and State Statutes. Final adoption is scheduled for June 16, 2021.

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

Yes:	6 -	Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark and Mayor Gallego
No:	3 -	Councilman DiCiccio, Councilman Waring and Vice Mayor Garcia

33 Adoption of the Tentative 2021-22 Capital Funds Budget (Ordinance S-47652)

An ordinance (**Attachment A**) adopting the tentative Capital Funds Budget for the City of Phoenix for the fiscal year 2021-22.

Summary

This adopts the tentative 2021-22 Capital Funds Budget for the fiscal year beginning July 1, 2021, and ending June 30, 2022. The Capital Funds Budget will be funded by property tax and revenue supported bond proceeds, federal and state participation funds, passenger facility charges, customer facility charges, participation by other governmental entities in certain projects, development impact fees, capital grants, capital reserves, solid waste remediation funds and other capital funding sources.

Final adoption is scheduled for June 16, 2021.

Concurrence/Previous Council Action

The 2021-22 Capital Funds Budget is included in the Five-Year Capital

Improvement Program resolution also requested for Council approval on the June 2, 2021 Formal Agenda and complies with requirements set forth in the City Charter and Code and State Statutes.

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

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Garcia and Mayor Gallego

No: 1 - Councilman Waring

34 Adoption of the Tentative 2021-22 Reappropriated Funds Budget (Ordinance S-47592)

An ordinance (**Attachment A**) adopting the tentative Reappropriation Budget for items of expenditure previously adopted as part of the 2020-21 fiscal year Operating and Capital Funds Budgets of the City of Phoenix but remaining as unexpended funds as of June 30, 2021.

Summary

This adopts the Tentative 2021-22 Reappropriated Funds Budget Ordinance. Council approved contracts can span multiple fiscal years and budget appropriations expire on June 30 of each fiscal year. This ordinance re-establishes the spending authority for remaining payments to vendors on outstanding contract balances for goods and services to be received during Fiscal Year 2021-22.

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

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

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

No: 0

35 Amendments to Rules of Council Proceedings (Ordinance G-6860)

An ordinance amending Phoenix City Code, Chapter 2, Article II, section 2-60, Rules of Council Proceedings, to incorporate updates and feedback received from councilmembers.

Summary

The proposed ordinance would amend existing Rules 2, 7 and 15.

Proposed changes detailed in the draft ordinance **(Attachment A)** include:

- Modifying the rule regarding Use of Staff (8-Hour Rule) to include additional detail that clarifies the conditions upon which the approval of the full City Council is required for staff projects or work.
- Clarifying when the City Manager includes an item on the Formal meeting agenda at the written request of the Mayor or at least three councilmembers, the item may be withdrawn before the meeting or before any vote occurs related to the item by written request from the Mayor (if the request was from the Mayor) or by one of the council members who requested the item. Otherwise, an item can only be withdrawn from the agenda by a majority vote of the City Council.
- Providing that an item placed on the agenda by the City Manager (not by request of the Mayor or councilmembers) may be withdrawn by the City Manager before any vote occurs. Otherwise, it can only be withdrawn from the agenda by a majority vote of the City Council.
- Permitting councilmembers to make a request during a meeting to receive a typed or written copy of a motion made by a councilmember prior to voting on the item, and stipulating that the chair may pause the meeting or table the item while staff is obtaining and distributing the motion.

Discussion

The City Clerk read the title of the ordinance for this item.

Councilwoman Pastor recalled the discussion and purpose of the eight-hour rule was to figure out at what point it was supposed to come into play. She asked how an individual council member would know if they were asking staff to work over eight hours and would have to seek full Council approval.

City Manager Ed Zuercher replied that burden lied with him to inform Council of that since they would not know if their request would take over eight hours. He conveyed if that happened he would work with staff and inform the council member that it would require an eight-hour rule vote by the Council.

Councilwoman Pastor expressed the issue of at what point was an eight-hour rule triggered was not being resolved because it was still subjective and up to staff which was the reason why the rule came about.

Mr. Zuercher specified staff was trying to clarify the rule by giving more parameters, such as ordinance development and coordinating and holding listing sessions, which took large blocks of time or staff. He conveyed there was no specific formula as it was a judgment call he had to make, but he would inform Council if it was something that required more than eight hours.

Councilwoman Pastor asked if the first sentence of Rule 15(A) could read "a council member" instead of "no individual council member".

City Attorney Cris Meyer affirmed the sentence could be modified to a more positive statement, noting the intent of adding the word "individual" was to distinguish it from paragraph B which addressed subcommittees as that was a group of council members.

Councilwoman Pastor suggested just taking the word "no" out so that it said "individual council member" as she did not want the negative tone.

Mr. Meyer advised that change could be made if approved by the city manager.

Councilwoman Pastor clarified paragraph B permitted items to be placed on the subcommittee agenda by the chair or mayor that do not require an eight-hour vote request and specified what kind of request could happen before triggering an eight-hour rule.

Mr. Zuercher recommended Rule 15(A) read, "An individual council member shall only request a staff project requiring over eight hours of

staff work by first seeking approval of the full city council."

Councilwoman Pastor agreed with the amended language.

A motion was made by Vice Mayor Garcia, seconded by Councilwoman Guardado, that this item be adopted as amended to change the first sentence of Rule 15(A) to read, "An individual Council member shall only request a staff project requiring over eight hours of staff work by first seeking approval of the full city council." The motion carried by the following vote:

Yes: 8 - Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 1 - Councilman DiCiccio

64 **2020-21 and 2021-22 Community Development Block Grant Public Service Subrecipient Recommendations (Ordinance S-47645)**

Request to authorize the City Manager, or his designee, to enter into 2020-21 and 2021-22 Community Development Block Grant (CDBG) contracts for Public Service programs for an amount not to exceed $781,550. Further request to authorize the City Controller to disburse all funds related to this item over the life of the contracts. These contracts will be funded by the U.S. Department of Housing and Urban Development (HUD).

Summary

In October 2019, the Land Use and Livability Subcommittee approved the issuance of a Request for Proposals (RFP) for CDBG funded Public Service programs for Fiscal Year (FY) 2020-21. The Public Service program provides an opportunity for nonprofits to apply for funding to deliver critical programs and services serving low- and moderate-income communities in Phoenix. The RFP priorities were Low-Income Youth Services, Support Services for Persons with Disabilities, and Senior Support Services. The process was interrupted in the spring of 2020 when the COVID-19 pandemic changed the way many nonprofits were able to provide services and programs to members of the public. On Feb. 25, 2021, the Public Service programs RFP was reissued by the Neighborhood Services Department (NSD) and closed on March 25,

2021. A total of 33 responsive applications, requesting more than $936,000, was received. Applications were evaluated and scored by the Community Development Review Committee, an 11-member independent and volunteer committee appointed by the Mayor.

Due to the number of proposals received by NSD seeking CDBG funding from the 2020-21 RFP process, on May 5, 2021, City Council approved combining the 2020-21 and 2021-22 CDBG Public Service allocations for a total allocation of $781,550 ($400,688 for the 2020-21 allocation and $380,862 for the 2021-22 allocation). This allowed the Community Development Review Committee to recommend approving a greater number of nonprofit organizations to be awarded grant funds to deliver critical public service programs beginning July 1, 2021.

Proposals were rated on a 1,000-point scale: project description/need (250 points), proposed outcomes and objectives (250 points), program budget (250 points) and track record and capacity (250 points). Funding recommendations were developed based on the overall committee's scores.

The following lists identify the 26 organizations administering the 28 proposals the Community Development Review Committee recommended funding for a total of $781,550.

CDBG Public Service Grant Program Awardees

Low Income Youth Services:
1N10, Inc. dba One-N-Ten: $30,000
Arizona Recreation Center for the Handicapped: $30,000
Assistance League of Phoenix: $30,000
Be A Leader Foundation: $29,325
Big Brothers Big Sisters of Central Arizona: $30,000
Boys & Girls Clubs of the Valley: $30,000
Chicanos Por La Causa, Inc.: $30,000
Child Crisis Arizona: $30,000
Desert Mission Lincoln Learning Center: $26,000
Elevate Phoenix: $30,000
Future for Kids: $20,000

G Road: $27,750
Homeless Youth Connection: $30,000
LifeologyAZ, Inc.: $20,703
Neighborhood Ministries: $30,000
New Pathways for Youth, Inc.: $30,000
Phoenix Indian Center, Inc.: $30,000
Sounds Academy: $20,000
Technical Assistance Partnership of Arizona (TAP): $20,000
TigerMountain Foundation: $30,000
Valley of the Sun YMCA: $30,000
Wesley Community & Health Centers: $30,000

Support Services for Persons with Disabilities:
Raising Special Kids: $20,061
Southern Arizona Association for the Visually Impaired: $30,000

Senior Support Services:
Chicanos Por La Causa, Inc.: $30,000
Duet: Partners in Health & Aging: $30,000
Father Matters, Inc.: $27,711
Valley of the Sun YMCA: $30,000

Contract Term
Contract terms will commence on or about July 1, 2021, through June 30, 2022, with an option to extend through Dec. 31, 2022 that may be exercised in the discretion of the City Manager or designee.

Financial Impact
There is no impact to the General Fund. These programs are funded by CDBG funding.

Concurrence/Previous Council Action
The 2020-21 CDBG Public Service and Public Facility RFP was approved by the City Council on Nov. 6, 2019.

The 2021-22 CDBG Public Service and Public Facility RFP was approved by the City Council on May 5, 2021.

The Land Use and Livability Subcommittee approved this item by a 3 to 0 vote at the May 19, 2021, subcommittee meeting.

Discussion

Vice Mayor Garcia stated at the May 19 Land Use and Livability Subcommittee meeting, the members asked staff if additional federal money could be identified to fund the remaining proposals submitted for this process. He remarked staff provided an update and he made a motion to fund the 28 programs recommended by the Community Development Review Committee and City staff as well as fully fund 3 partial proposals, fund 5 additional responsible proposals and increase the not-to-exceed amount of funded awards.

Councilwoman Stark thanked Vice Mayor Garcia for fighting to get additional funding when this came before the subcommittee.

Councilwoman Pastor asked if this was for additional funding for awardees or for those that were not funded.

Vice Mayor Garcia replied it was both, so funding for those that did not make it and adding more to those that did make it.

Neighborhood Services Director Spencer Self added that was correct, noting this would fully fund 3 of the awards that were only partially funded prior to finding additional funds as well as funding 5 additional agencies.

A motion was made by Vice Mayor Garcia, seconded by Councilwoman Stark, that this item be adopted as amended to award grant funding for the 28 programs recommended by the Community Development Review Committee and City staff with the following modifications: use $155,168 of available prior year CDBG funds to: 1) fully fund the 3 proposals included in the item for partial award as follows: $30,000 for LifeologyAZ, Inc. and Raising Special Kids and $29,671 for Father Matters, Inc.; 2) fund additional 5 responsible proposals as follows: $30,000 each for Ekklesia Christian Church, MO-Energee Youth Foundation and Rob Foundation, $22,562 for Refugees and Immigrants Community for Empowerment (RICE), and $21,410 for Chrysalis Veterans Services, Inc. and 3) based on fully funding the proposals mentioned, increase the not-to-exceed amount to $936,718 for the 33 total funded awards. The motion carried by the

following vote:

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Garcia and Mayor Gallego

No: 1 - Councilman Waring

66 Greater Phoenix Economic Council Annual Contract (Ordinance S-47605)

Request to authorize the City Manager, or his designee, to enter into a one-year contract with the Greater Phoenix Economic Council for Fiscal Year 2021-22 for business attraction and development services. Further request to authorize the City Controller to disburse all funds related to this item. The total fee will not exceed $800,200.

Summary

The Greater Phoenix Economic Council's (GPEC's) mission is to attract and grow quality businesses and advocate for Greater Phoenix's competitiveness. Its efforts include marketing the region, coordination of regional prospect proposals and real estate tours, domestic and international sales missions and other strategic activities resulting in business investment in the region.

The City of Phoenix has been a member of GPEC since the organization's inception in 1989. The fee for each GPEC member in Maricopa County is calculated using the per capita rate of $0.4897, which is the same as last year, and is based on the most current population estimates from the Arizona Office of Economic Opportunity. The 2020 population estimate for Phoenix is 1,634,061. Based on this formula, the Fiscal Year (FY) 2021-22 contract amount is $800,200, which will be shared equally by the Aviation, Public Works, Water Services, and Community and Economic Development (CED) departments.

GPEC specifically collaborates with CED every year to generate prospects and attract new business investment from outside the region. As of March, for FY 2020-21, GPEC has helped locate 27 companies to the region, expecting to create more than 5,300 jobs and make capital investments totaling more than $558 million. So far, 14 of those

companies have chosen to locate in Phoenix.

GPEC represents 23 municipalities in the region including Maricopa County and conducts a variety of diverse and value-added services and activities on behalf of its members. In addition to the public sector members, more than 170 private investors contribute resources to support GPEC's efforts.

Contract Term
The term of this one-year contract is July 1, 2021 to June 30, 2022.

Financial Impact
Based on the formula, the FY 2021-22 contract amount is $800,200, which will be shared equally by the Aviation, Public Works, Water Services, and CED departments.

Concurrence/Previous Council Action
The Workforce and Economic Development Subcommittee recommended approval of this item on April 28, 2021, by a vote of 3-0.

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

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

68 Amend Redevelopment and Purchase Agreement with 3DC Partners, LLC (Ordinance S-47656)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 149707 with 3DC Partners, LLC to extend the Construction Commencement Date for one additional year, to June 3, 2022. There is no expense impact as a result of this action.

Summary
In April 2019, a Redevelopment and Purchase Agreement (RPA), City Agreement 149707, was entered into with the 3DC Partners, LLC

(Developer) for the sale and development of approximately 26,000 square feet of City-owned land located on the southeast corner of Central Avenue and Adams Street at 30 N. 1st St. (Site) as authorized by Ordinance S-44791. The RPA was amended on June 3, 2020 by the First Amendment to the RPA, Agreement 149707-1 (First Amendment), which extended the Commence Construction Date to June 3, 2021, updated the project description and modified the parking requirements.

The Developer intends to construct a mixed-use tower consisting of a boutique hotel with approximately 220 hotel rooms including 20 hospitality suites, approximately 50,000 gross-square-feet of commercial office space and ground floor retail. In addition, Developer will make improvements to Adams Street consistent with the City's Adams Street Activation Study. Collectively these improvements are referred to as the "Project."

The RPA included typical performance benchmarks such as commencement of construction and completion of construction. The Developer is nearing completion of the design and permitting of the Project and has spent significant funds toward the redevelopment of the Site. However, the hotel and office markets have been especially impacted by the pandemic and the financing process for the construction of the Project has taken longer than expected. As a result, Developer has requested to extend the Commence Construction Date by one additional year.

If approved, this amendment will modify Section 401.3 of the RPA to change the Commence Construction Date to June 3, 2022. All other terms and conditions of the RPA shall remain in full force and effect.

Financial Impact

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

Concurrence/Previous Council Action

The City Council approved Agreement 149707 (Ordinance S-44791) on June 20, 2018.

Location

30 N. 1st St.
Council District: 7

Discussion

Ryan Boyd spoke in support of the one-year extension.

John Graham, the applicant, stated he was committed to the project and was excited to be part of the downtown renaissance.

Councilwoman Ansari said she supported extending the construction commencement date for this project, noting 3DC Partners was committed to bringing a thoughtful project to downtown Phoenix. She conveyed the project was in line with the Adams Street activation study and would expand the pedestrian experience with shade, lighting, street furniture and art. She emphasized this project was not receiving any financial incentive from the City, noting it was bought at full market value that was now a $97 million investment. She expressed while she was not on the Council at the beginning of this project, she was excited to see it through and would be voting yes.

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

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

70 (CONTINUED FROM MAY 19, 2021) - Amendment to Phoenix Fire Code and Modification of Fire Prevention Fee Schedule (Ordinance G-6854)

Request City Council authorization to adopt an ordinance making amendments to the Phoenix Fire Code and modifications to the Phoenix Fire Prevention Fee Schedule, Phoenix City Code, Chapter 15, Appendix A.

Summary

The 2018 International Fire Code with Phoenix amendments was adopted by the Phoenix City Council on March 4, 2020 and codified on

April 4, 2020. As with any large code that is actively utilized by the community, clarifications, adjustments and amendments are often implemented to ensure the code language is clear, understandable, concise, and provides consistent outcomes for renewable energy contractors, fire protection contractors, construction contractors, radio communications, the high-rise community, developers, and other industry groups. The clarifications, adjustments, and amendments that have been identified in the Phoenix Fire Prevention Fee Schedule are intended to provide clarified language to meet our residents, businesses, and development community's needs in order to provide consistent outcomes of fire code interpretation. This action will ensure the City of Phoenix is utilizing a progressive code that reflects the current evolution of building materials, technologies, and industry practice to provide safety and reduce the cost of construction and compliance.

The Fire Safety Advisory Board (FSAB) has reviewed the attached amendments to the Phoenix Fire Code and modifications to the Phoenix Fire Prevention Fee Schedule and has approved the changes in a public meeting.

The full details of the proposed amendments to the Fire Code are provided in the attachment, "Proposed Clarifications, Adjustment, and Amendments to the City of Phoenix 2018 Fire Prevention Code" and proposed modifications to the Fee Schedule are provided in the attachment, "Proposed Adjustment to the City of Phoenix Fire Prevention Fee Schedule."
On March 16, 2021, pursuant to Arizona Revised Statutes section 9-499.15, the City of Phoenix provided notice to the public of proposed adoptions of, or changes to, municipal taxes or fees. Specifically, the Phoenix Fire Department posted notice of its intent to standardize and alter fees charged for Fire Prevention permits and associated activities. These fees cover administrative, educational, investigative and inspection-related costs related to enforcement of the Phoenix Fire Code, Chapter 15 Revision on March 4, 2020 by Ordinance G-6677, effective April 4, 2020. The Fee Schedule can be viewed at <https://www.phoenix.gov/fire/prevention/fire-code>.
The effective date of the Phoenix Fire Prevention Fee Schedule, Appendix A, if adopted by Council, would be approximately 30 days

following City Council Formal approval.

Public Outreach

On March 16, 2021, pursuant to Arizona Revised Statutes section 9-499.15, the City of Phoenix provided notice to the public of proposed adoptions of, or changes to, municipal taxes or fees.

Discussion

The City Clerk read the title of the ordinance for this item.

Mayor Gallego mentioned the solar industry worked with the City to improve the ability to have solar and said she appreciated everyone who helped move this forward.

Tyler Boshard, with SunPower, spoke in support as aligning the international fire code standards would make for a more efficient operation and get more solar on roofs.

Charles Picard, with Tesla, thanked the Phoenix Fire Department for a collaborative process throughout the development of this language and he urged the Council to vote in favor of this item.

Mark Rodriguez, senior jurisdiction specialist for Sunrun, spoke in support of these amendment which would expand access to streamline permitting processes for the installation of solar and storage systems. He indicated the proposed changes would help the city's residents adopt more rooftop solar while reducing the red tape, cost and time associated with permitting and maintaining the highest standard for public safety. He thanked the Phoenix Fire Department for the on-going collaboration with the industry and looked forward to the constructive dialogue as these policies were implemented. He encouraged Council to vote in favor of the amendment.

Councilwoman Stark commended the Fire Department and solar industry for working together to solve the problem and to hopefully increase solar use.

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

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

No: 0

86 **Intergovernmental Agreement with City of Tempe for Installation of Fiber Infrastructure Along Baseline Road from Congressman Ed Pastor Freeway (Loop 202-South Mountain Freeway) to Interstate 10 (Ordinance S-47619)**

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement between the City of Phoenix and the City of Tempe for the installation of fiber infrastructure along Baseline Road from the Congressman Ed Pastor Freeway (Loop 202 South Mountain Freeway) to Interstate 10. Further request the City Council to grant an exception pursuant to Phoenix City Code section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18. There is no financial impact associated with this Agreement.

Summary

The City of Phoenix intends to install fiber and conduit infrastructure along 13 miles of Baseline Road located within the City of Phoenix and the City of Tempe from Congressman Ed Pastor Freeway (Loop 202 South Mountain Freeway) to Interstate 10 (I-10). The project will connect to existing City of Phoenix and City of Tempe traffic signals along the fiber route and will provide the City of Phoenix with a connection to Arizona Department of Transportation fiber at both the Congressman Ed Pastor Freeway and I-10.

Each of the traffic signals will connect to new fiber infrastructure while maintaining existing operations and maintenance responsibilities over traffic signals. New City of Phoenix fiber and conduit infrastructure installed along Baseline Road from the Congressman Ed Pastor Freeway to I-10 will be owned and maintained by the City of Phoenix. New City of Tempe fiber, conduit, and conduit sweeps into the Tempe traffic signal infrastructure installed along Baseline Road from Calle Los Cerros Drive to its traffic signal at I-10 will be owned and maintained by the City of

Tempe.

Contract Term
Unless otherwise lawfully terminated by the Parties, the Agreement expires upon completion and acceptance of the project and fulfillment of all terms of the Agreement.

Financial Impact
There is no financial impact associated with this Agreement.

Location
Baseline Road from the Congressman Ed Pastor Freeway to Interstate 10.
Council Districts: 6, 7 and 8

Discussion
Mark Rodriguez spoke in support of this item.

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

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

No: 0

119 Public Hearing and Resolution Adoption - General Plan Amendment GPA-DV-1-21-1 - Southeast Corner of I-17 and Pinnacle Peak Road (Resolution 21926)

Request to hold a public hearing on the request for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved. This file is a companion case to Z-3-21-1 and should be heard first, followed by Z-3-21-1.

Summary
Current Plan Designation: Industrial
Proposed Plan Designation: Mixed Use (Commercial/Commerce/Business Park/Residential 5 to 10 dwelling units per acre and Residential 15+ dwelling units per acre)

Acreage: 44.00
Reason for change: Minor General Pan Amendment to a mix of Commercial, Commerce/Business Park, Residential 5 to 10, and Residential 15+ dwelling units per acre.

Owner: DV 20 AC Limited Liability Partnership
Applicant: George Pasquel III, Withey Morris, PLC
Representative: George Pasquel III, Withey Morris, PLC

Staff Recommendation: Approval.
VPC Action: The Deer Valley Village Planning Committee heard the case on April 8, 2021 and recommended approval, per the staff recommendation, by a vote of 11-0.
PC Action: The Planning Commission heard the case on May 6, 2021 and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 9-0.

Location
Southeast corner of I-17 and Pinnacle Peak Road
Council District: 1
Parcel Addresses: 23500 N. 23rd Ave.; 2321, 2335, and 2355 W. Pinnacle Peak Road; and 22635 and 23201 N. Black Canyon Highway

Discussion
NOTE: Councilman DiCiccio left the voting body.

Planning and Development Director Alan Stephenson stated Items 119 and 120 were companion cases at the southeast corner of Pinnacle Peak Drive and I-17. He conveyed Item 119 was a general plan amendment on an approximately 44-acre site that was currently zoned commerce park with a proposed mixed-use of residential and commercial. He said Item 120 was the rezoning case for the southern portion which was only 20 acres, noting it was within the Deer Valley Airport Overlay area. He indicated the proposed site plan was a residential request and showed the buildings and open space areas along with the proposed apartment elevations. He indicated the Deer Valley Village Planning Committee recommended approval by an 8-0 vote on both items, noting the Planning Commission recommended approval by a vote of 9-0 on both items. He stated staff recommended approval per the Planning Commission and

adoption of the related resolution for Item 119, and approval per the Planning Commission and adoption of the related ordinance for Item 120.

Mayor Gallego declared the public hearing open. She noted the applicant, George Pasquel, was on the line to speak if necessary on Item 119. Noting there were no questions for the applicant, she declared the public hearing closed.

The hearing was held. A motion was made by Councilwoman O'Brien, seconded by Councilwoman Stark, that this item be approved per Planning Commission's recommendation, with adoption of the related resolution. The motion carried by the following vote:

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

120 Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-3-21-1 - Approximately 825 Feet South of the Southwest Corner of 23rd Avenue and Pinnacle Peak Road (Ordinance G-6862)

Request to hold a public hearing on the request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-3-21-1 and rezone the site from RE-43 DVAO (One-Family Residence District, Deer Valley Airport Overlay) to R-3 DVAO (Multifamily Residence District, Deer Valley Airport Overlay) for multifamily residential. This is a companion case to GPA-DV-1-21-1.

Summary
Current Zoning: RE-43 DVAO
Proposed Zoning: R-3 DVAO
Acreage: 20.72 acres
Proposed Use: Multifamily residential

Owner: DV 20 AC Limited Liability Partnership

Applicant: George Pasquel III, Withey Morris, PLC
Representative: George Pasquel III, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard the case on April 8, 2021 and recommended approval, per the staff recommendation, by a 10-1 vote.
PC Action: The Planning Commission heard the case on May 6, 2021 and recommended approval, per the Deer Valley Village Planning Committee recommendation and staff memo, with an additional stipulation by a 9-0 vote.

Location
Approximately 825 feet south of the southwest corner of 23rd Avenue and Pinnacle Peak Road
Council District: 1
Parcel Addresses: 2321 W. Pinnacle Peak Road, and 22635 and 23201 N. Black Canyon Highway

NOTE: See Item 119 for discussion related to this item.

The hearing was held. A motion was made by Councilwoman O'Brien, seconded by Councilwoman Stark, that this item be approved per Planning Commission's recommendation, with adoption of the related ordinance. The motion carried by the following vote:

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

121 Public Hearing and Resolution Adoption - General Plan Amendment GPA-PV-1-20-2 - Southeast Corner of Kierland Boulevard and Greenway Parkway (Resolution 21927)

Request to hold a public hearing on the request for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved. This file is a companion case to Z-63-20-2 and should be heard first.

Summary

Current Plan Designation: Industrial (7.14 acres)
Proposed Plan Designation: Mixed Use (Commercial/Commerce Park/Residential 15+ dwelling units per acre)
Acreage: 7.14 acres
Reason for change: Minor General Pan Amendment to allow multifamily residential and commercial uses.

Owner: York Street Inn, Inc.
Applicant: Trey Brandt, RD Kierland
Representative: Nick Wood Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval.
VPC Action: The Paradise Valley Village Planning Committee heard the case on April 5, 2021 and recommended approval, per the staff recommendation, by a 13-0 vote.
PC Action: The Planning Commission heard the case on May 6, 2021 and recommended approval, per the Paradise Valley Village Planning Committee recommendation, by a 9-0 vote.

Location

Southeast corner of Kierland Boulevard and Greenway Parkway
Council District: 2
Parcel Addresses: 14811 N. Kierland Blvd. and 7025 E. Greenway Parkway

Discussion

Planning and Development Director Alan Stephenson displayed an aerial of the subject site related to companion Items 121 and 122 located at the southwest corner of Greenway Parkway and Kierland Boulevard. He conveyed Item 121 was a general plan amendment that was currently zoned commerce park and proposed to go to a mix of commercial, commerce park and multifamily residential. He added it was part of the larger Kierland PCD zoning district and showed the proposed site plan and elevations for the multifamily residential project which had a maximum height of 68 feet. He stated the Paradise Valley Village Planning Committee recommended approval by a 13-0 vote on both items and the Planning commission recommended approval by a vote of 9-0 on both items. He advised staff recommended approval per the

Planning Commission and adoption of the related resolution for Item 121 and approval per the Planning Commission and adoption of the related ordinance for Item 122.

Mayor Gallego declared the public hearing open. Noting there was no one on the line to speak, she declared the public hearing closed.

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

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

122 Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-63-20-2 - Southeast Corner of Kierland Boulevard and Greenway Parkway (Ordinance G-6863)

Request to hold a public hearing on the request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-63-20-2 and rezone the site from CP/GCP PCD (Commerce Park/General Commerce Park, Planed Community District) to PUD (Planned Unit Development) for multifamily residential and commercial uses. This is a companion case to GPA-PV-1-20-2.

Summary
Current Zoning: CP/GCP PCD
Proposed Zoning: PUD
Acreage: 7.14 acres
Proposed Use: Multifamily residential and commercial uses

Owner: York Street Inn, Inc.
Applicant: Trey Brandt, RD Kierland
Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Valley Village Planning Committee heard the case on April 5, 2021 and recommended approval, per the staff recommendation, by a 13-0 vote.
PC Action: The Planning Commission heard the case on May 6, 2021 and recommended approval, per the Paradise Valley Village Planning Committee recommendation with an additional stipulation by a 9-0 vote.

Location
Southeast corner of Kierland Boulevard and Greenway Parkway
Council District: 2
Parcel Addresses: 14811 N. Kierland Blvd. and 7025 E. Greenway Parkway

NOTE: See Item 121 for discussion related to this item.

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

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

123 Public Hearing and Ordinance Adoption - Rezoning Application Z-61-20-8 - Northeast Corner of 16th Street and Chipman Road (Ordinance G-6864)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-61-20-8 and rezone the site from R1-6 SPVTABDO (Single-Family Residence District, South Phoenix Village and Target Area B Design Overlay) and R-5 SPVTABDO (Multifamily Residence District, South Phoenix Village and Target Area B Design Overlay) to C-1 SPVTABDO (Neighborhood Retail, South Phoenix Village and Target Area B Design Overlay) to allow multifamily or single-family residential. This file is a companion case to Z-62-20-8 and

should be heard first, followed by Z-62-20-8.

Summary

Current Zoning: R1-6 SPVTABDO and R-5 SPVTABDO
Proposed Zoning: C-1 SPVTABDO
Acreage: 2.50
Proposed Use: Multifamily or single-family residential

Owner/Applicant: Ran Edelman
Representative: John Connelly

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this case on March 9, 2021 and recommended a continuance to April 13, 2021, by a vote of 16-3.
PC Action: The Planning Commission heard this case on April 1, 2021 and recommended approval, per the staff recommendation with an additional stipulation, by a vote of 8-0.

Location

Northeast corner of 16th Street and Chipman Road
Council District: 8
Parcel Address: No address

Discussion

Planning and Development Director Alan Stephenson noted Items 123 and 124 were companion cases, noting both were rezoning requests with one being a rezoning request and the other a density waiver. He added it was within the South Phoenix Village Target Area B design overlay district. He displayed the existing zoning in the area which was a mix of multifamily, R-5 residential, industrial, commercial and single-family to the east. He showed the proposed site plan of the single-family homes with elevations, noting it was a single-family attached or townhouse product which the applicant had not yet determined.

Mr. Stephenson stated the South Mountain Village Planning Committee recommended a continuance as they did not hear it based on a controversial item, but the applicant moved forward to the Planning Commission which recommended approval by an 8-0 vote. He advised

this request did come before the Council where the applicant requested a continuance to have additional discussions regarding improvements for Chipman Road. He specified pursuant to prior stipulations a required public road was to be dedicated and improved by the applicant; however, pursuant to the memo revised stipulations allowed the applicant to explore a private drive that would provide access to their property, put in a cul-de-sac and do improvements at the end of Chipman Road. He conveyed staff had been working with the Street Transportation Department on that request along with the applicant, noting there was no known opposition. He stated staff recommended approval per the memo from himself dated today for Items 123 and 124.

Mayor Gallego declared the public hearing open. She confirmed the applicant, Ran Edelman, did not wish to speak. Noting there was no one else on the line to speak, she declared the public hearing closed.

The hearing was held. A motion was made by Vice Mayor Garcia, seconded by Councilwoman Stark, that this item be approved per the June 1, 2021 memo from the Planning and Development Director, with adoption of the related ordinance. The motion carried by the following vote:

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

124 Public Hearing and Ordinance Adoption - Rezoning Application Z-62-20-8 - Northeast Corner of 16th Street and Chipman Road (Ordinance G-6865)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-62-20-8 and rezone the site from R1-6 SPVTABDO, pending C-1 SPVTABDO (Single-Family Residence District, South Phoenix Village and Target Area B Design Overlay, pending Neighborhood Retail, South Phoenix Village and Target Area B Design Overlay) and R-5 SPVTABDO, pending C-1 SPVTABDO

(Multifamily Residence District, South Phoenix Village and Target Area B Design Overlay, pending Neighborhood Retail, South Phoenix Village and Target Area B Design Overlay) to C-1 DNS/WVR SPVTABDO (Neighborhood Retail, Density Waiver, South Phoenix Village and Target Area B Design Overlay) to allow multifamily or single-family residential with a density waiver up to 40 units. This file is a companion case to Z-61-20-8 and should be heard immediately following.

Summary

Current Zoning: R1-6 SPVTABDO, pending C-1 SPVTABDO and R-5 SPVTABDO, pending C-1 SPVTABDO
Proposed Zoning: C-1 DNS/WVR SPVTABDO
Acreage: 2.50
Proposed Use: Multifamily or single-family residential with a density waiver up to 40 dwelling units

Owner/Applicant: Ran Edelman
Representative: Jon Connelly

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this case on March 9, 2021 and recommended a continuance to April 13, 2021, by a vote of 19-0.
PC Action: The Planning Commission heard this case on April 1, 2021 and recommended approval, per the staff recommendation with an additional stipulation, by a vote of 8-0.

Location

Northeast corner of 16th Street and Chipman Road
Council District: 8
Parcel Address: No address

NOTE: See Item 123 for discussion related to this item.

The hearing was held. A motion was made by Vice Mayor Garcia, seconded by Councilwoman Stark, that this item be approved per the June 1, 2021 memo from the Planning and Development Director, with adoption of the related ordinance. The motion carried by the following vote:

Yes: 8 - Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

Absent: 1 - Councilman DiCiccio

127 **(CONTINUED FROM MAY 19, 2021) - Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-56-20-4 - Southeast Corner of 3rd Avenue and Coolidge Street (Ordinance G-6853)**

Request to hold a public hearing on a proposal to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-56-20-4 and rezone the site from R-3 (Multifamily Residence District) and R-5 (Multifamily Residence District) to PUD (Planned Unit Development) for multifamily residential.

Summary

Current Zoning: R-3 (Multifamily Residence District) (0.18-acres) and R-5 (Multifamily Residence District) (3.11 acres)
Proposed Zoning: PUD
Acreage: 3.29 acres
Proposed Use: A Planned Unit Development to allow multifamily residential

Owner: Donor Network of Arizona
Applicant: Trinsic Residential Group, Todd Gosselink
Representative: Withey Morris, PLC, Jason Morris

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard this case for WU Code zoning on Jan. 26, 2021 and recommended approval, per the staff recommendation, by a vote of 15-1.
PC Action: The Planning Commission heard this case for WU Code zoning on Feb. 4, 2021 and recommended approval, per the Alhambra Village Planning Committee recommendation with an additional stipulation, by a vote of 7-1.
The Planning Commission recommendation was appealed on Feb. 10,

2021 and a petition for a 3/4 vote was submitted on Feb. 11, 2021.
Council Action: Item was continued from March 3 and 17, 2021. On April 7, 2021 the City Council remanded the request back to the Planning Commission with direction to amend the request to a Planned Unit Development (PUD) zoning application.
PC Action: The Planning Commission heard this case for PUD zoning on May 6, 2021 and recommended approval per the Addendum A Staff Report, with a modified stipulation and additional stipulations, by a vote of 6-3.

Location
Southeast corner of 3rd Avenue and Coolidge Street
Council District: 4
Parcel Addresses: 201 W. Coolidge St.

Discussion
NOTE: Councilwoman O'Brien left the voting body.

Planning and Development Director Alan Stephenson conveyed this was a rezoning case that Councilwoman Pastor remanded back to the Planning Commission about six weeks ago to change the request from a Walkable Urban Code to a Planned Unit Development. He stated this case was located at the southeast corner of 3rd Avenue and Coolidge with existing zoning of R-5 and R-3 which were both multifamily residential zoning districts. He specified the R-5 zoning permitted a height of 48 feet by right and a maximum of approximately 43.5 dwelling units per acre. He mentioned the applicant addressed some of the neighbors privacy concerns, building height, additional landscape and building setbacks along 3rd Street and Coolidge, and additional open space provisions. He displayed a rendering that showed the lowered mezzanine levels and juliet balconies along 3rd Avenue. He presented another slide that showed additional open space area along the canal bank, noting the applicant would improve their property and the SRP canal to take advantage of the grand canal improvements. He indicated there were additional setbacks to the curb line along Coolidge and 3rd Avenue to match the apartment building to the east.

Mr. Stephenson remarked the Planning Commission voted to approve this case on May 6, 2021 by a 6-3 vote. He showed an exhibit of the

Planning Commission's request to put in additional open space adjacent to Coolidge and 3rd Avenue and abandonment of portions of 3rd Avenue adjacent to the canal as well as improve that area with an additional grass park which had resident only open space and areas that were accessible to the public. He displayed the landscape plan which showed the improvements that would be done off 3rd Avenue that had a restricted height of 48 feet pursuant to the addendum memo, noting the only portion that could go up to 56 feet was the parking garage which was clustered inside the residential development. He added the applicant was providing additional parking spaces as part of the additional height that would be open to the public. He advised staff recommended approval per his memo dated today and adoption of the related ordinance.

Mayor Gallego declared the public hearing open.

Jason Morris, representative for the applicant, remarked this case had changed significantly since its origins, but it was the right type of housing at the right location. He pointed out this case returned to the Planning Commission and went from Walkable Urban Code to a PUD to look at the open space regarding the parking calculations for the new density as the applicant agreed to eliminate units which brought the parking ratio to 1.4 spaces per unit. He conveyed the setbacks and open space were addressed so that they matched other existing buildings in the area, noting this site had multifamily development on three sides and single-family on the west side. He emphasized public open space was significantly increased with the applicant landscaping vacant land and making it part of the project as a portal to the 3rd Avenue pedestrian bridge. He stated this site was proximate to light rail on Central along with other large scale buildings. He pointed out the site was currently zoned R-5, noting the General Plan showed the highest permissible density. He mentioned the original proposal for the current office building was for multifamily with 218 units at 56 feet on all four sides and smaller setbacks.

Mr. Morris conveyed the case was approved by the Village Planning Committee, twice by the Planning Commission and was in front of Council for the second time, plus a greater amount of neighborhood meetings throughout the process. He said the changes as referenced by

staff were reducing the height of the building and removing balconies to ensure privacy, and adhering to the neighborhood's request that the setback not be closer than the other existing buildings along Coolidge. He remarked the overall open space was increased as well as preserving existing landscaping when possible or replacing it with mature trees when necessary along with improvements of the canal scape. He indicated there would be more public open space, almost 25,000 square feet, than private open space, noting a new pocket and linear park would be created along the canal as well as detaching the sidewalks on all sides of the building adjacent to the right-of-way. He showed slides of Coolidge frontage, which was the only garage entrance, the lower profile on 3rd Avenue and entrance to the pedestrian bridge, and views of the canal scape and utility corridor which was a significant upgrade to the neighborhood.

Mr. Morris summarized the applicant reduced the density and height, increased the setback, enhanced the canal scape, improved and expanded the landscape area and made sure the parking ratio exceeds what was required at one per bedroom with over 12 percent excess parking in the garage at full occupancy. He added the applicant agreed to work with the neighborhood for permit parking to ensure residents cars did not impact the community as well as designed the garage so access was most proximate to Central Avenue. He expressed the work done created a better project and he thanked Councilwoman Pastor for leading this effort and bringing both sides to the table.

Ron Szematowicz, the appellant, said the neighbors had hoped to find middle ground; however, with the exception of the juliet balconies none of their concerns were resolved. He indicated over 170 homeowners were opposed to this project and wanted to keep the precedent that their voices mattered. He asserted their priorities had been consistent from the beginning which were setbacks, height, traffic which was relative to density and parking. He remarked he was not happy that the applicant removed 11 parking spots after the last Council meeting which was not ample parking as R-5 zoning would be 305 spots. He claimed this project was closer to Walkable Urban zoning as the setbacks were closer to the street, there was more building height, there was a gain of 45 units without an approved traffic study and it was 13 parking spots short of R-5

zoning.

Mr. Szematowicz stated the neighborhood felt they achieved additional setbacks since the last Council meeting which were critical to neighbors privacy. He added the safety of the Sonoran bike path and traditional feel of the historic neighborhood interior would make them more agreeable to the PUD. He alleged he was told there would be 20-foot setbacks which would provide 10 feet of space between the building and neighborhood which was the minimum requirement of R-5 zoning. He emphasized he agreed to the 20-foot setback as measured from the property line versus back of curb which changed the measuring point and he asked that Councilwoman Pastor move the building an additional 10 feet. He showed an aerial of homes affected by this project as it was within a historic neighborhood. He added setbacks were critical to them because it was a floodplain and they did not know where water would go once the building was constructed.

Mr. Szematowicz remarked the traffic study estimated there would be about 1,200 cars per day from this site, noting the Street Transportation Department sent the study back with comments. He pointed out one of the comments was that the intersection at 3rd Avenue and Camelback had not been studied which was one of the main ways in and out as well as one of two lights in and out of this neighborhood. He expressed this development was within the neighborhood and adding this many cars would create a dangerous situation. He added the parking garage's single entrance and exit was located towards Central, but because of the light rail it would be right-turn only so cars would cut through the neighborhood to head north.

Mr. Szematowicz stated density was another concern as this development would be 37 units over the regular R-5 density for this particular parcel. He said the neighbors wanted no parking on 3rd Avenue and only residential parking on the streets around this development as part of the PUD. He mentioned the apartments along the Central corridor already cluttered the roads as there were not enough parking spots which reduced visibility and safety. He also claimed that plants could not be added along the SRP easement to enhance the canal scape as it was federal property.

Audri Coble stated she was an operations manager for a local business that relied on the local talent of residents who resided in the area. She remarked rental housing located in desirable areas near transit lines allowed local businesses to thrive and urged Council to approve this project.

Sydney Davie spoke in support of this project as it would improve the canal and said she hoped it produced similar projects in the area. She requested that Council support this project.

Shane Essert spoke in support as a resident and business owner in the area. He remarked the developer made concessions to appease the surrounding residents, noting this apartment project would activate the canal and provide much needed housing. He urged Council to support this project.

Samantha Figueroa spoke in favor as this unique community would showcase the canal area and offer metro housing.

John Gardner spoke in favor as he thought Phoenix should incorporate developments near the canal.

Ethan Joerz spoke in support as a biking enthusiast and said improving facilities for cyclists was a great idea. He urged Council to allow this project to go forward.

Charles Jones spoke in support of this project and asserted he did not have a conflict of interest on this case as was previously stated at different meetings. He remarked this project was good for the neighborhood as the front doors blended with adjacent housing and helped with crime prevention. He said he appreciated what the developer had done to change the roof line to keep it interesting, but suggested the sidewalk along 3rd Avenue from Coolidge to the canal scape be wider due to heavy pedestrian traffic. He urged Council to approve this project.

Tom Bilsten spoke in support as a business owner that specialized in community outreach, noting he reached out to the surrounding

businesses to get their feedback on this project. He conveyed businesses were looking forward to new people coming in their doors as they struggled to survive the pandemic. He added he had signed letters of support from big and small businesses.

Joseph Seriale spoke in support as a business owner in close proximity to this project. He remarked this project would beautify the neighborhood, especially the canal, noting more lighting on the canal would create less challenges with homeless people in the area. He indicated he had experienced positive outcomes from previous projects in the area and looked forward to serving these new residents.

Robert Donat stated he lived down the street from the subject property and requested that additional setback be put in to match the neighborhood.

Adam Ghiz spoke in opposition based on setbacks from back of curb, noting it would not align with other buildings on Coolidge but make it the closest building on the street. He asked that Council not pass this PUD in its current form and give the neighborhood 20-foot setbacks as promised or vote against the PUD and allow the property to be developed under existing zoning which protected the neighborhood. He expressed voting no on this project would still bring in new residents that supported businesses in the area under the current zoning.

Kim Grennan, a business owner of a marketing agency in the area, spoke in opposition and asked that Council approve permitted street parking to ensure residents and their visitors could park on the street, decrease the building height and 20-foot setbacks so tenants of the new building were not looking directly into existing residents backyards.

Matthew Hanson stated he opposed this project and urged that Council refer this back to the Planning Commission to revise the PUD and restore the 20-foot setbacks as originally agreed.

Teresa Hayes spoke in opposition as she resided directly north of this project and said she was concerned about the setbacks, parking and increased traffic.

Monica Medina spoke in opposition as she concerned about the size of the building and said she wanted something that was fair for both sides.

Yiorgos Makris stated he was opposed to the project in its current form. He mentioned he was concerned about the 20-foot setback as it should be from the property line and not back of curb. He also requested a decrease in units or an increase in parking to prevent parking on the street.

Karen McCasland said she opposed this project, noting her concerns were traffic, parking and setbacks. She added if this project was approved the neighborhood needed permitted parking.

Nancy McMillan spoke in opposition and said her main issue was that there was no traffic study which should be addressed before building started. She indicated parking was another element that should be looked at as this development could make the issue worse. She expressed she wanted the historic neighborhood to be kept intact with proper setbacks. She also mentioned there was no affordable housing built into this plan.

Diane Mihalsky spoke in opposition and urged Council to deny this project and have the developer build under the current zoning or sent it back to the Planning Commission and allow the neighbors to have input into the PUD.

Jennifer Owens stated she was opposed to this proposal in its current form, noting her main concerns were increased traffic and parking. She asked that Council vote no on this proposal in its current form and include the traffic study as well as widen the sidewalks.

Frank Paoletti spoke in opposition, noting his issues were parking, increased traffic, height and setbacks. He expressed this project should not go through until everything was agreed to by the neighborhood.

Pam Perry spoke in opposition and said the neighborhood had evolved in the last 60 years. She urged Council to revisit this and make it something that influenced the neighborhood long term.

Ken Waters spoke in opposition, noting this would set a precedent for the rest of canal scape. He stated the increase of 1,200 cars per day would be in the neighborhood as there were no arterial streets. He emphasized the setbacks should be 20 feet from the property line which would save open space that was not being provided by the developer.

Pamela Pawlowski spoke in support and mentioned her concern was how in-fill happened, noting the process was just as important as the outcome. She pointed out in this case the process lacked substantial outreach in the beginning and recognized the residents efforts. She remarked the compromise to change this to a PUD was welcomed and several stipulations to the developer were encouraging; however, the developer needed to be accountable. She supported Councilwoman Pastor's decision on this project.

Five electronic comments were submitted for the record in opposition of this item.

Mayor Gallego declared the public hearing closed.

Councilwoman Pastor stated there were concerns about this project being built in a flood zone and asked what would happen if there were issues with the flood zone in the future.

Mr. Stephenson replied the zoning had to be approved by Council first as part of the development process. He advised the developer would then need to submit a grading and drainage plan and civil improvement plans to address the floodplain issues on the site and ensure it did not exacerbate existing conditions in the area. He pointed out the developer was allowed to build on a floodplain, noting the plans were reviewed by City engineers who were licensed and familiar with those issues.

Councilwoman Pastor requested staff speak about the submitted letter regarding land that was owned by SRP.

Mr. Stephenson stated the applicant had discussions with SRP about the concept of their improvements and SRP had conceptually agreed. He

indicated they would have to enter into a license agreement with the City, noting staff would include the PUD requirements that the current developer and future owners of the site would have to maintain.

Councilwoman Pastor asked if the PUD was meeting the parking requirement, plus additional parking for the neighborhood.

Mr. Stephenson replied the applicant met the minimum parking requirements per their proposal as well as providing additional parking spaces. He conveyed the applicant reported their excess parking above 100 percent occupancy was 12.4 percent, so they would have additional parking spaces available for the public.

Councilwoman Pastor requested staff explain the setback related to back of curb which she understood was from the sidewalk further back to the property line.

Mr. Stephenson recalled from previous meetings that the neighbors wanted the building setbacks to match the adjoining multifamily development to the east. He remarked the applicant did measurements and reported that could be done if it was measured from the back of curb to have the same appearance. He pointed out the applicant was improving the right-of-way outside of the curb line with landscaping and doing a detached sidewalk, so it was from the curb to allow those improvements to be counted.

Councilwoman Pastor said she understood the sidewalk was 5 feet so the building would be placed 15 feet away from the sidewalk.

Mr. Stephenson responded he did not know the measurement of the sidewalk, but it would be measured from the curb as it was staying, noting the developer would need to build a new detached sidewalk. He confirmed the width of the sidewalk was 5 feet, but he was unsure when the applicant rebuilt the sidewalk where that was in relation to the future building and setback. He also affirmed the sidewalk was included in the area which equaled the 20 feet.

Councilwoman Pastor asked if she was able to add a stipulation into the

PUD regarding permitted parking.

Mr. Stephenson replied she could add language relative to on-street parking and a prohibition from the existing residents, but that was a process administered by the Street Transportation Department. He advised that process was spelled out in the City Code relative to putting up no parking signs, noting the applicant would have to work with Streets and the other property owners to follow those requirements.

Councilwoman Pastor recalled when she entered office this site was proposed for redevelopment as part of Reinvent PHX which was a public adoption process. She expressed she was happy that the outreach to build the plan included neighborhoods. She indicated the request also helped implement the grand canal scape improvement program which benefited all residents in the area as well as people that walked and biked along the grand canal. She said she understood the concerns of the neighbors, but she thought they had come to a good compromise which included the following points:
- limited residential building height to 48 feet except for the parking structure that would go to 56 feet to provide additional public parking;
- lowered the density and height;
- provided additional open space that was accessible to the public;
- increased setbacks;
- one driveway access point on Coolidge; and
- added juliet balconies to address privacy concerns.

Councilwoman Stark confirmed the new stipulation recognized the sidewalk was detached.

The hearing was held. A motion was made by Councilwoman Pastor, seconded by Councilwoman Guardado, that this item be approved per the June 2, 2021 memo from the Planning and Development Director and adopt the related ordinance with the following additional stipulations: Stipulation 1.h., To modify the setback standards on Page 8 of the PUD narrative to increase the minimum space between the curb and the building facade from a minimum of 20 feet to also average 21 feet 8 inches along Coolidge Street and 3rd Avenue. This is so the building aligns with the icon on Coolidge Street. Also, add a new stipulation requiring the applicant work with the neighborhood

and the Street Transportation Department regarding no parking signs along Coolidge Street and 3rd Avenue. The motion carried by the following vote:

Yes:	7 -	Councilwoman Ansari, Councilwoman Guardado, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego
No:	0	
Absent:	2 -	Councilman DiCiccio and Councilwoman O'Brien

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

There was no one on the line to provide testimony.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 5:06 p.m.

MAYOR

ATTEST:

CITY CLERK

SM

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 2nd day of June, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 20th day of March, 2024.

CITY CLERK