City of Phoenix

Minutes

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

185975

City Council Formal Meeting

Wednesday, August 25, 2021 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Aug. 25, 2021 at 2:32 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. Councilmen DiCiccio and Waring disconnected from the meeting during Citizen Comments.

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-6871, G-6875 through G-6883; S-47834 through S-47904; and Resolutions 21947 through 21952 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 April 15, 2020**

Summary

This item transmits the minutes of the Formal Meeting of April 15, 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.

Discussion

Councilwoman Stark stated she reviewed the minutes and noted one correction in the ordinance, resolution and new business omnibus motion regarding exclusion of Item 38 for public comment.

A motion was made by Councilwoman Stark, seconded by Councilwoman Ansari, that this item be approved as revised. 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

BOARDS AND COMMISSIONS

2 Mayor and Council Appointments to Boards and Commissions

Summary

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

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

Audit Committee

Appoint Kathleen Gitkin, replacing Denise Olson for the ex-officio position, as recommended by Mayor Gallego

Camelback East Village Planning Committee

Appoint Jerryd Bayless, replacing Marc Sher, for a term to expire Nov. 19, 2022, as recommended by Councilman DiCiccio

Central City Village Planning Committee

Appoint Alex Cano, filling a vacancy, for a partial term to expire Nov. 19, 2021, as recommended by Councilwoman Ansari

Encanto Village Planning Committee
Appoint Jorge Picos, filling a vacancy, for a term to expire Nov. 19, 2022, as recommended by Councilwoman Ansari

Fast-Track Cities Ad Hoc Committee
Appoint Raulina Simango, as recommended by Mayor Gallego

Human Services Commission
Appoint Andrew Nelson, replacing Tomas E. Robles, for a partial term to expire Dec. 31, 2022, as recommended by Councilwoman Ansari

Laveen Village Planning Committee
Appoint Francisco Barraza, replacing Robert Branscomb, for a term to expire Nov. 19, 2022, as recommended by Councilwoman Ansari
Appoint Toni Buggs, replacing Cinthia Estela, for a partial term to expire Nov. 19, 2021, as recommended by Councilwoman Ansari
Appoint Elijah Flores, filling a vacancy, for a term to expire Nov. 19, 2022, as recommended by Councilwoman Ansari
Appoint Rebecca Perrera, filling a vacancy, for a partial term to expire Nov. 19, 2021, as recommended by Councilwoman Ansari
Reappoint Jennifer Rouse, for a fourth term to expire Nov. 19, 2022, as recommended by Councilwoman Ansari

Mayor's Commission on Disability Issues
Appoint Meaghan Kramer as Vice Chair, as recommended by Mayor Gallego

North Mountain Village Planning Committee
Appoint Frank Steinmetz, filling a vacancy, for a term to expire Nov. 19, 2022, as recommended by Councilwoman O'Brien

Neighborhood Block Watch Fund Oversight Committee
Appoint Stan Bates, filling a vacancy, for a term to expire Aug. 31, 2022, as recommended by Councilwoman O'Brien

Phoenix Deferred Compensation Board/Post Employment Healthcare Plan Board
Appoint Andrew Durket, replacing Kathleen Gitkin as of Sept. 1, 2021, for

the remainder of the term to expire Sept. 20, 2024, as recommended by City Manager Zuercher and Mayor Gallego

South Mountain Village Planning Committee
Appoint Fatima Muhammad Roque, replacing Joseph Larios, for a partial term to expire Nov. 19, 2021, as recommended by Councilwoman Ansari
Appoint Ashley Hare, replacing Martin Hayime Monge Kotake, for a partial term to expire Nov. 19, 2021, as recommended by Councilwoman Ansari

A motion was made by Vice Mayor Garcia, seconded by Councilwoman Stark, that this item be approved as revised. 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

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

A motion was made by Vice Mayor Garcia, seconded by Councilwoman Stark, that Items 3-32 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

3 Liquor License - Sonoran Spirits

Request for a liquor license. Arizona State License Application 01073029.

Summary

Applicant
John Wittman Jr., Agent

License Type
Series 1 - In-State Producer

Location
1725 W. Williams Drive, Bldg. F Ste. 61
Zoning Classification: A-1
Council District: 1

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

The 60-day limit for processing this application was Aug. 18, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“Decorated Vetran and Sergent of Marines. A decade and a half of executive management expierance with multi-state operations And a masters in buesniss from pepperdine university demonstrate the capacity, reliability, and quilifications to hold a liquor license.”

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

4 Liquor License - Pad Thai Cafe

Request for a liquor license. Arizona State License Application 150813.

Summary

Applicant
Matthew Andres, Agent

License Type
Series 12 - Restaurant

Location
18425 N. 51st Ave., Ste. I
Zoning Classification: C-1
Council District: 1

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

The 60-day limit for processing this application was Aug. 23, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am financially stable veteran, with no bankruptcies and no arrests or convictions."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We will be providing a nice, neighborhood, family friendly Thai restaurant. For the liquor license, will only server beer and wine and will not have a full bar or bartender."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Pad Thai Cafe
Liquor License Map - Pad Thai Cafe

This item was recommended for approval.

5 Liquor License - Fat Willy's Family Sports Grill

Request for a liquor license. Arizona State License Application 151399.

Summary

Applicant

Jason Kafcas, Agent

License Type
Series 12 - Restaurant with Growler Privileges

Location
34406 N. Black Mountain Pkwy.
Zoning Classification: C-2
Council District: 2

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

The 60-day limit for processing this application was Aug. 24, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been managing & operating full service restaurants for 25 yrs. I currently own/operate 6 locations all with #12 licenses. I have never had a violation. I am always current on certifications and changing laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This business will generate 50 or more jobs in the community. It will be a gathering place for familys and groups. It will generate TPT revenue for the City and State."

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 - Fat Willy's Family Sports Grill
Liquor License Map - Fat Willy's Family Sports Grill

This item was recommended for approval.

6 Liquor License - Bad Habits #601

Request for a liquor license. Arizona State License Application 09070049 & 09070049S.

Summary

Applicant
Amy Nations, Agent

License Type
Series 9 & 9S - Liquor Store with Sampling Privileges

Location
10612 N. Cave Creek Road
Zoning Classification: C-2
Council District: 3

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

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

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

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

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

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

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

because:
"The new owner of Bad Habits founded his company in 1975 and holds 230+ convenience store locations is 6 western states. Eleven of these locations are here in Arizona. The new operator is very knowledgeable is running these types of successful businesses with liquor licenses."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location has operated as a liquor store since 1982. We would like to continue to provide a full service liquor store to serve our neighborhood. Bad Habits will add to the tax base as well as create jobs in our community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Bad Habits #601
Liquor License Map - Bad Habits #601

This item was recommended for approval.

7 Liquor License - Christopher J. Lapka American Legion Post 105

Request for a liquor license. Arizona State License Application 152228.

Summary

Applicant
Michael Davison II, Agent

License Type
Series 14 - Club

Location
1818 W. Bell Road, Ste. 100
Zoning Classification: C-2, C-3
Council District: 3

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

permit. This location requires a Use Permit to allow patron dancing. This business has plans to open in Sept. 2021.

The 60-day limit for processing this application was Aug. 7, 2021. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona
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.

Christopher J. Lapka American Legion Post #105 (Series 14)
12450 N. 35th Ave., #20, Phoenix
Calls for police service: 45
Liquor license violations: In May 2021, a fine of $250 was paid for failure to limit sales and service of alcohol to only club members and bona fide guests on the licensed premises.

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:
"Retired United States Air Force, 22 years. Past business owner. Several years as a training manager and security manager for government contractors. Holds both bachalorette and masters degree in information

systems. Have been part of the American Legion for 10 years, where jobs included working liquor license, maintaining State & City law's."

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

This item was recommended for approval.

8 Liquor License - Furious Brewing Company

Request for a liquor license. Arizona State License Application 153588.

Summary

Applicant
Michael Mathis, Agent

License Type
Series 3 - Microbrewery

Location
13825 N. 32nd St., Ste. 32
Zoning Classification: C-2
Council District: 3

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

The 60-day limit for processing this application is Aug. 27, 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:
"I am knowledgable about and currently involved in the brewing community. I am up to date with the legal peramiters and have completed all required State certifications for sales and management."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I am already in the local craft brewing community and I am ready to share that love and passion for the craft with our local community. A main goal is to bring the city together through the preparation and sale of our own high quality product. Something that our community, city and state can be proud of."

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 - Furious Brewing Company

Liquor License Map - Furious Brewing Company

This item was recommended for approval.

9 Liquor License - Homewood Suites Hotel

Request for a liquor license. Arizona State License Application 07070439.

Summary

Applicant
Amy Nations, Agent

License Type
Series 7 - Beer and Wine Bar

Location
2536 W. Beryl Ave.
Zoning Classification: A-1
Council District: 3

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

The 60-day limit for processing this application was July 10, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have multiple years of experience operating the food and beverage business and operating hotels and resorts located across the Unites States. We have extensive experience providing alcoholic beverage service to our guests and will operate the business in a safe and professional manner."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Today's business and leisure travelers expect a high level of service, convenience, and amenities when choosing a destination and hotel. There is continued expected demand for hotel occupancy in the Phoenix area. The hotel will support area businesses and residences by offering full service accommodations combined with limited food & beverage options."

Staff Recommendation
Staff recommends approval of this application.

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

This item was recommended for approval.

10 **Liquor License - Special Event - St. Francis Xavier Roman Catholic Parish Phoenix**

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

Summary

Applicant
Anne Sanford

Location
4715 N. Central Ave.
Council District: 4

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Oct. 16, 2021 - 5:00 p.m. to 11:00 p.m. / 425 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 **Liquor License - Special Event - St. Francis Xavier Roman Catholic Parish Phoenix**

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

Summary

Applicant
Anne Sanford

Location
4715 N. Central Ave.
Council District: 4

Function

School Festival

Date(s) - Time(s) / Expected Attendance
March 5, 2022 - 9 a.m. to 3 p.m. / 450 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Barba Roja Restaurant and Bar

Request for a liquor license. Arizona State License Application 153106.

Summary

Applicant
Ivette Hernandez, Agent

License Type
Series 12 - Restaurant

Location
2050 W. Camelback Road, Ste. 102 & 103
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application was Aug. 20, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am certify and I have experience needed to obtain a liquor license and am aware of the consequences of not being in compliance with the City of Phoenix when serving alcohol to the public. I am a great candidate to hold a liquor license, a responsible member of the community and an advocate for responsible alcohol decisions. I will strictly follow all polices and laws regarding alcohol distribution to the patrons of Barba Roja Restaurant and bar. Please consider me as I have all the qualifications and awareness needed for this license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is a full-service restaurant serving the surrounding community and visiting public patrons every single day of the week. While alcoholic beverages sales will generate a small percentage of the overall sales, the investment in a Alcohol license is requested as a service and convenience to the customers as an integral part of the dining experience. Barba Roja Restaurant and Bar is restaurant located in the heart of Phoenix that specializes in the preparation of unique Mexican

dishes. The restaurant is open for business and continues to be extremely desirable to the public by providing are residents, visitors and workers with a selection of authentic food at a reasonable price.The inclusion of a license for incidental alcohol sales with food will allow patrons the same service that they would experience at other local restaurants. We strive to become a valuable member of the community and continue to work hard to help the neighborhood achieve their development goal and continually improve the character of the neighborhood."

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 - Barba Roja Restaurant and Bar
Liquor License Map - Barba Roja Restaurant and Bar

This item was recommended for approval.

13 Liquor License - The Coronado Phx

Request for a liquor license. Arizona State License Application 150293.

Summary

Applicant
Elizabeth Tavarez, Agent

License Type
Series 12 - Restaurant

Location
2245 N. 12th St.
Zoning Classification: C-1 HP
Council District: 4

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

The 60-day limit for processing this application was Aug. 6, 2021. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona
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 currently hold a series - 12 liquor license in good standing for the past 6 years. We receive periodic training and have received completion certificates for both the Title 4 Basic Liquor law training and the Title 4 Management liquor law training from the Arizona Business Council for Alcohol Education. Each owner is in good standing and has no judgements or convictions for any criminal law or ordinance."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "This building has been long loved and enjoyed by the neighborhood, though it has been vacant for the past 14 months. We currently have a restaurant in the neighborhood which hosts many community outreach events, and are excited to stay within the neighborhood. We will be creating 25-35 jobs and contributing to the positive energy of the neighborhood to make it more enjoyable to the people who live there."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - The Coronado Phx
Liquor License Map - The Coronado Phx

This item was recommended for approval.

14 Liquor License - Special Event - Hermandad del Senor de los Milagros (Mesa, AZ)

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

Summary

Applicant
Sofia Vasquez Diaz

Location
7610 W. Indian School Road
Council District: 5

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
Sept. 17, 2021 - 7 p.m. to 1:30 a.m. / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - Special Event - Veterans Transportation

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

Summary

Applicant
Eric Morales

Location
4344 W. Indian School Road, Ste. 100
Council District: 5

Function
Concert / Dance

Date(s) - Time(s) / Expected Attendance
Sept. 3, 2021 - 7 p.m. to 2 a.m. / 500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

16 Liquor License - Special Event - Veterans Transportation

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

Summary

Applicant
Eric Morales

Location
4344 W. Indian School Road, Ste. 100
Council District: 5

Function
Concert/Dance

Date(s) - Time(s) / Expected Attendance
Sept. 18, 2021 - 7:00 p.m. to 2:00 a.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

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

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

Summary

Applicant
Kalliopi Schneider

Location
1973 E. Maryland Ave.
Council District: 6

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
Oct. 8, 2021 - 5 p.m. to 10 p.m. / 1,500 attendees
Oct. 9, 2021 - 11 a.m. to 10 p.m. / 3,000 attendees
Oct. 10, 2021 - 11 a.m. to 8 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

18 Liquor License - Special Event - Keystone Montessori Charter School, Inc.

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

Summary

Applicant
Melissa Risinger-Sutton

Location
1025 E. Liberty Lane
Council District: 6

Function
Festival & Auction

Date(s) - Time(s) / Expected Attendance
Nov. 13, 2021 - 3 p.m. to 9 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

19 Liquor License - Special Event - St. Joseph Maronite Catholic Church

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

Summary

Applicant
Wissam Akiki

Location
5406 E. Virginia Ave.
Council District: 6

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 5, 2021 - 5:00 p.m. to 10:00 p.m. / 300 attendees
Nov. 6, 2021 - 10:00 a.m. to 10:00 p.m. / 400 attendees
Nov. 7, 2021 - 11:00 a.m. to 7:00 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

20 Liquor License - Bluewater Grill

Request for a liquor license. Arizona State License Application 149298.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
1525 E. Bethany Home Road
Zoning Classification: C-2
Council District: 6

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

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

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Bluewater Grill is moving from its longtime Camelback location to 16th Street and Bethany Home Rd. The restaurant will continue to offer delicious, fresh, sustainable seafood in a family-friendly atmosphere. Applicant would like to offer guests 21 and over the opportunity to order alcoholic beverages as an incident to the meals they enjoy."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Bluewater Grill
Liquor License Map - Bluewater Grill

This item was recommended for approval.

21 Liquor License - Daily Stop

Request for a liquor license. Arizona State License Application 151431.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 10 - Beer and Wine Store

Location
1201 E. Missouri Ave.
Zoning Classification: C-1
Council District: 6

This request is for a new liquor license for a convenience store that sells gas. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow package liquor sales.

The 60-day limit for processing this application is Aug. 28, 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:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Daily Stop (previously known as Sal's Neighborhood Market) has offered fuel, grocery, household and convenience items, including beer and wine for many years. Applicant would like to continue to offer beer and wine to its customers 21 and over."

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

Attachments
Liquor License Data - Daily Stop
Liquor License Map - Daily Stop

This item was recommended for approval.

22 Liquor License - Native Grill & Wings

Request for a liquor license. Arizona State License Application 151506.

Summary

Applicant
Jared Repinski, Agent

License Type
Series 12 - Restaurant

Location
1339 E. Chandler Blvd., Ste. 101
Zoning Classification: C-2 PCD
Council District: 6

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

The 60-day limit for processing this application was Aug. 3, 2021. However, the applicant submitted a written request for more time.

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

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

Native Grill & Wings (Series 12)
3100 E. Speedway Blvd., Tucson
Calls for police service: N/A - not in Phoenix

Liquor license violations: None

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

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

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

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

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Native Grill & Wings
Liquor License Map - Native Grill & Wings

This item was recommended for approval.

23 Liquor License - The Neighborly .St Urban

Request for a liquor license. Arizona State License Application 151130.

Summary

Applicant
Christopher Collins, Agent

License Type
Series 12 - Restaurant

Location
5538 N. 7th St., Ste. 130
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application was Aug. 16, 2021. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona
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:
“Currently hold 5 liquor licenses in Maricopa County. I have been in business for 11 years and have 20 years of restuarant operations experience. I have strong ties with my community, no criminal background and participate in several local charities.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“I employ over 250 team members, contribute to our city, county and state by generating and contributing taxes. Through my restaurants we promote and participate in several local charitable organizations.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - The Neighborly .St Urban
Liquor License Map - The Neighborly .St Urban

This item was recommended for approval.

24 Liquor License - Sushi 32

Request for a liquor license. Arizona State License Application 152569.

Summary

Applicant
Sunney Ju, Agent

License Type
Series 12 - Restaurant

Location
3146 E. Camelback Road
Zoning Classification: C-1

Council District: 6

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow the sale of alcoholic beverages and outdoor dining.

The 60-day limit for processing this application was Aug. 13, 2021. However, the applicant submitted a written request for more time.

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

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

Saketini Sushi & Bar (Series 12)
1120 S. Dobson Road, 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 am currently holding a liquor license (Series #12) in Mesa, AZ for last 15 years. And I am well aware of the requirents and regulations of the AZ Depart. of Liquor and License Control. Lastly, my experiences in managing companies has made me to possess those prerequisites."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This existing business that had become known in the community for serving Japanese foods will provide great dining experiences with new concept of introducing asian foods to the community."

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

Attachments
Liquor License Data - Sushi 32
Liquor License Map - Sushi 32

This item was recommended for approval.

25 Liquor License - Found: RE Phoenix

Request for a liquor license. Arizona State License Application 154105.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 7 - Beer and Wine Bar

Location
1100 N. Central Ave.
Zoning Classification: DTC Gateway
Council District: 7

This request is for a new liquor license for a beer and wine bar. This location is currently licensed for liquor sales with a Series 11 - Hotel/Motel, liquor license.

The 60-day limit for processing this application is Aug. 31, 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 train all of our employees in responsible liquor service. We also conduct regular audits to ensure they comply.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“We would like the ability to continue to offer our guests of age, beer, wine or spirits if they choose to have one.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Found: RE Phoenix
Liquor License Map - Found: RE Phoenix

This item was recommended for approval.

26 Liquor License - Found: RE Phoenix

Request for a liquor license. Arizona State License Application 154097.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
1100 N. Central Ave.
Zoning Classification: DTC Gateway
Council District: 7

This request is for a new liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 11 - Hotel/Motel, liquor license.

The 60-day limit for processing this application is Aug. 31, 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 train all of our employees in responsible liquor service. We also conduct regular audits to ensure they comply."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like the ability to continue to offer our guests of age, beer, wine or spirits if they choose to have one."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Found: RE Phoenix
Liquor License Map - Found: RE Phoenix

This item was recommended for approval.

27 Liquor License - Northwest Drip Coffee

Request for a liquor license. Arizona State License Application 152578.

Summary

Applicant
Cherrelle Frazier, Agent

License Type
Series 12 - Restaurant

Location
1325 Grand Ave., Ste. 3
Zoning Classification: C-2 M-R DNS/WVR
Council District: 7

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

The 60-day limit for processing this application was Aug. 15, 2021. However, the applicant submitted a written request for more time.

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

presumption shall not apply once the licensed location has not been in use for more than 180 days.

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

Public Opinion
One letter protesting the issuance of this license has been received and is on file with the Office of the City Clerk. The letter is from a resident in the neighborhood who stated that the space of the suite is too small for both food and alcohol to be served. The resident also stated the establishment floor plan resembles a bar more than a restaurant and that they do not need or want more alcohol in the plaza.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have a clean background, have served liquor in state of Arizona previously without issues."

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 obey all laws."

Staff Recommendation
Staff gave careful consideration to the protest letter received, however after reviewing the application in its entirety staff is recommending 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 - Northwest Drip Coffee

Liquor License Map - Northwest Drip Coffee

This item was recommended for approval.

28 Liquor License - Tru Ultra Lounge

Request for a liquor license. Arizona State License Application 06070712.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
915 N. Central Ave.
Zoning Classification: DTC - Downtown Gate HP
Council District: 7

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

The 60-day limit for processing this application was Aug. 9, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Located in the heart of the Roosevelt district, Tru Ultra Lounge will offer a unique entertainment venue. Applicant would like to offer alcoholic beverages to its guests 21 and over."

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

Attachments
Liquor License Data - Tru Ultra Lounge
Liquor License Map - Tru Ultra Lounge

This item was recommended for approval.

29 Liquor License - Special Event - Alwun House Foundation

Request for a Series 15 - Special Event liquor license for the temporary

sale of all liquors.

Summary

Applicant
Dana Lee Johnson

Location
1209 E. Diamond St.
Council District: 8

Function
Art Show

Date(s) - Time(s) / Expected Attendance
Oct. 1, 2021 - 6 p.m. to 10:30 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

30 Liquor License - Special Event - Alwun House Foundation

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

Summary

Applicant
Dana Lee Johnson

Location
1204 E. Roosevelt St.
Council District: 8

Function
Art Event

Date(s) - Time(s) / Expected Attendance
Oct. 30, 2021 - 7:00 p.m. to 1:00 a.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

31 Liquor License - Special Event - Alwun House Foundation

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

Summary

Applicant
Dana Lee Johnson

Location
1209 E. Diamond St.
Council District: 8

Function
First Friday Art Event

Date(s) - Time(s) / Expected Attendance
Nov. 5, 2021 - 6 p.m. to 10:30 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

32 Bingo License - Christopher J. Lapka American Legion Post 105

Request for a Class B Bingo License.

Summary
State law requires City Council approval before a State Bingo License can be issued.

Bingo License Types
Class A - gross receipts shall not exceed $15,600 per year
Class B - gross receipts shall not exceed $300,000 per year
Class C - anticipated gross receipts may exceed $300,000 per year

Applicant

Michael Davison

Location
12450 N. 35th Ave., Ste. 20
Zoning Classification: PSC
Council District: 1

Staff Recommendation
Staff recommends approval of this application.

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: one in support of Item 75 and one in support of Item 144.

A motion was made by Vice Mayor Garcia, seconded by Councilwoman Stark, that Items 33-147 be approved or adopted, except Items 42, 45, 65, 73, 76-77, 86, 89-91, 115 and 147; and noting that Item 96 is as revised. 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 33-41, Ordinance S-47834 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.

33 Phoenix-Mesa Gateway Airport Authority

For $6,500,000.00 in additional payment authority for Contract 119025

for membership on the board of the Phoenix-Mesa Gateway Airport Authority (PMGAA) for the Aviation Department. On May 10, 2006 the City Council authorized the City Manager to enter into an intergovernmental agreement with the City of Mesa, Town of Queen Creek, Town of Gilbert and the Gila River Indian Community for the purpose of the City of Phoenix becoming a member of the board of directors of PMGAA. In 2014, the City of Apache Junction became the sixth member of the board of directors. Since Fiscal Year 2007, Phoenix has made an annual contribution of $1,300,000.00. The payment ordinance is for Fiscal Years 2022 through 2026 for an aggregate five years.

This item was adopted.

34 Fiberquant Inc. doing business as Fiberquant Analytical Services

For $62,000.00 in payment authority for a new contract, entered on or about Sept. 1, 2021, for a term of five years, to provide Laboratory Testing Services for the Parks and Recreation and Human Resources departments. Laboratory services are required for the City of Phoenix to provide specific analysis and reporting of bulk samples for asbestos, lead paint-coatings and mold throughout City facilities. The services are essential to guarantee the City always keeps facilities safe and up to code.

This item was adopted.

35 Nichevision Forensics, LLC

For $48,045.00 in payment authority to purchase maintenance, upgrades and support for ArmedXpert and STRmix software used by the Police Department. The Laboratory Services Bureau is currently utilizing ArmedXpert and STRmix software systems for analysis of DNA profiles. The software assists in the interpretation of DNA profiles and generates statistical frequencies to assist in investigations, which are required per federal standards. The two software systems require continued maintenance from the vendor to increase and maintain the efficiency of the analysis process. The software is upgraded throughout the year to stay up to date with trends in forensics. In addition, the vendor provides support in operation of the software and writes additional computer code specific for the Police Department's Laboratory Services Bureau as necessary. The maintenance, upgrades, and support are critical to

keeping the software systems running at optimal performance and to meet the federal standards.

This item was adopted.

36 Pride Group LLC

For $62,500.00 in payment authority for a new contract, entered on or about Sept. 1, 2021, for a term of five years for event equipment rental services for the Parks and Recreation Department. The services will be used for rental, transportation, set up and take down of equipment such as canopies, chairs, tables and lighting. The equipment is rented in support of large-scale City sponsored events such as the Fabulous Phoenix 4th and the Arizona Public Service Electric Light Parade.

This item was adopted.

37 BVDA America Inc.

For $76,860.00 in payment authority to purchase a GLScan LP Gellifter Imaging System and accessories for the Police Department. The GLScan LP is designed to digitally record traces lifted with a low-tack gelatin layer and allows traces to be lifted from almost every surface-Gellifters. The Laboratory Services Bureau will use the imaging system to preserve various lifted print impressions, reduce the number of photographs being stored, and to produce higher quality comparative images. The system will be purchased with funding from the FY20 Paul Coverdell Forensic Sciences Improvement Grant.

This item was adopted.

38 Skaggs Companies, Inc. doing business as Skaggs Public Safety Uniforms & Equipment

For $85,000.00 in payment authority for a new contract, entered on or about Sept. 1, 2021, for a term of five years for Park Ranger Safety Equipment for the Parks and Recreation Department. The contract will provide safety equipment for park rangers, such as ballistic vests, batons and oleoresin capsicum spray. Park rangers encounter many dangerous situations in their daily patrols, such as aggressive dogs. It is imperative for park rangers to have this gear to protect themselves and others, and to stay safe while enforcing park rules, regulations and ordinances related to City park use.

This item was adopted.

39 Arizona State Fire Training Committee, Inc.

For $50,700.00 in payment authority for a new contract, entered on or about Sept. 1, 2021 for a term of five years, to provide Firefighter 1 and 2 certifications for the Fire Department. The vendor will administer workshops, certification programs, and written and practical exams necessary for Fire Department personnel to achieve State Firefighter 1 and 2 certifications. The certifications cover service qualifications and teaching techniques pertaining to fires, emergency situations and damage mitigation. Ultimately, all Fire personnel must be accredited, and both certifications are crucial to become full-fledged Firefighters for the City of Phoenix.

This item was adopted.

40 Allen Instruments and Supplies, LLC

For $37,155.00 in payment authority to purchase survey items for the Street Transportation Department. The equipment is needed to perform the survey field work necessary to perform the NGS 2022 Datum transition as part of the extensive survey control network reform.

This item was adopted.

41 State of Arizona doing business as Arizona Department of Water Resources

For $36,400.00 in payment authority for Fiscal Year 2021-22 to pay fees associated with water storage permit applications, groundwater withdrawal, groundwater production, long-term storage credit recovery, and de-watering for the Water Services and Parks and Recreation departments.

This item was adopted.

43 Proposed 19th Avenue and Yearling Road Annexation - Authorization to File

Request to authorize the City Manager, or his designee, to file with the Maricopa County Recorder's Office a blank petition for a proposed annexation. This annexation was requested by Charles E. Eckert Jr. with Red Hawk Development Corporation 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 210-11-003F and 210-11-003G located at 19th Avenue and Yearling Road (**Attachment A**). The annexation area is approximately 2.02 acres (0.0032 sq. mi.) and the population estimate is zero individuals.

Council District: 1

This item was approved.

44 Proposed 35th Avenue and Carter Road Annexation - Authorization to File

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

Summary

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

Location

The proposed annexation area includes parcel 105-89-013L located at 35th Avenue and Carter Road (**Attachment A**). The annexation area is approximately 4.93 acres (0.0077 sq. mi.) and the population estimate is zero individuals.

Council District: 7

This item was approved.

46 Additional Expenditures For Commercial Flooring Products and Services - State of Arizona Cooperative Contract - Requirements Contract - CTR043427 and CTR043521 (Ordinance S-47837)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract Agreement 150146 with Diversified Flooring Services - Phoenix, LLC and 150217 with Continental Flooring Company for the purchase of additional materials, equipment and labor services necessary to perform the removal and replacement of deteriorated flooring at various City of Phoenix facilities, on an as-needed basis for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $6,000,000.

Summary

This citywide contract agreement provides materials and labor including all supervision labor, equipment, materials storage, transportation, and incidentals necessary to remove, replace, install and repair various types of flooring materials in accordance with conditions and specifications included in this contract on an as-needed basis. The City owns buildings, houses and apartments and also manages and maintains conventional housing, apartments and senior housing facilities throughout the City. Additional funds are needed due to usage that has been higher than originally anticipated as a result of citywide flooring deterioration that had not been reported.

Contract Term

The contract term is June 5, 2019 through May 31, 2024.

Financial Impact

Upon approval of $6,000,000 in additional funds, the revised aggregate value of the contract will not exceed $9,000,000. Funds are available in the various departments' budgets.

Concurrence/Previous Council Action

These contracts were originally approved by City Council on June 5,

2019.

This item was adopted.

47 Dedication of Easements on City-Owned Land for Public Utility and Sidewalk Purposes Along North Central Avenue, South of West Deer Valley Drive (Ordinance S-47838)

Request for the City Council to dedicate easements on City-owned land to public use for utility and sidewalk purposes along North Central Avenue, south of West Deer Valley Drive; further ordering the ordinance recorded.

Summary

The dedication of public utility and sidewalk easements is required to accommodate the construction of Booster Pump Station 4A-B9 and Pressure Reducing Valve Station 3D-R12. The 2,852 square foot public utility and 3,565 square foot sidewalk easements are located within the western 10 feet of the property along North Central Avenue. The easements are more fully described in the legal descriptions to be recorded with the ordinance.

Location

North Central Avenue, south of West Deer Valley Drive.
Council District: 1

This item was adopted.

48 Acceptance and Dedication of Deeds and Easements for Roadway, Public Utility and Sidewalk Purposes (Ordinance S-47842)

Request for the City Council to accept and dedicate deeds and easements for roadway, 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: Amerco Real Estate Company, its successor and assigns
Purpose: Sidewalk
Location: 16218 & 16220 N. 32nd St.

File: FN 210046
Council District: 2

Easement (b)
Applicant: Society of Maria SS. Lauretana, its successor and assigns
Purpose: Public Utility
Location: 2929 E. Eberle Lane
File: FN 210052
Council District: 2

Easement (c)
Applicant: Mission Housing, LP, its successor and assigns
Purpose: Sidewalk
Location: 621 W. Mission Lane
File: FN 210050
Council District: 3

Easement (d)
Applicant: 4202 N 10th Street, LLC, its successor and assigns
Purpose: Public Utility
Location: 4202 & 4206 N. 10th St.
File: FN 210029
Council District: 4

Easement (e)
Applicant: 4202 N 10th Street, LLC, its successor and assigns
Purpose: Sidewalk
Location: 4202 & 4206 N. 10th St.
File: FN 210029
Council District: 4

Easement (f)
Applicant: Joshua Rhodes and Sarah Rhodes, its successor and assigns
Purpose: Public Utility
Location: 1807 W. Osborn Road
File: FN 210039
Council District: 4

Easement (g)
Applicant: Ivan J. Dominguez, its successor and assigns
Purpose: Public Utility
Location: 4234 N. 31st Drive
File: FN 210042
Council District: 4

Easement (h)
Applicant: Nathaly Soberanis, its successor and assigns
Purpose: Public Utility
Location: 4229 N. 32nd Ave.
File: FN 210042
Council District: 4

Deed (i)
Applicant: Verano Housing, LLC, its successor and assigns
Purpose: Roadway
Location: 1320 W. Indian School Road
File: FN 210049
Council District: 4

Easement (j)
Applicant: CBDG 28, LLC, its successor and assigns
Purpose: Sidewalk
Location: 2747 E. Indian School Road
File: FN 210041
Council District: 6

Deed (k)
Applicant: Paul Van Hofwegen and Sheila Van Hofwegen, its successor and assigns
Purpose: Roadway
Location: 4007 S. 107th Ave.
File: FN 210045
Council District: 7

Easement (l)

Applicant: Paul Van Hofwegen and Sheila Van Hofwegen, its successor and assigns
Purpose: Public Utility
Location: 4007 S. 107th Ave.
File: FN 210045
Council District: 7

Easement
(m)
Applicant: Fen Investments, Inc., its successor and assigns
Purpose: Sidewalk
Location: 1034 N. 24th St.
File: FN 210032
Council District: 8

Deed (n)
Applicant: Plaza de Vista, L.L.C., its successor and assigns
Purpose: Roadway
Location: 1220 N. 44th St.
File: FN 210054
Council District: 8

Easement (o)
Applicant: Plaza de Vista, L.L.C., its successor and assigns
Purpose: Sidewalk
Location: 1220 N. 44th St.
File: FN 210054
Council District: 8

This item was adopted.

49 Acceptance of Easements for Water, Drainage and Vehicular Non Access Purposes (Ordinance S-47845)

Request for the City Council to accept easements for water, drainage and vehicular non access 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: Kierland SDL, LP, its successor and assigns
Purpose: Water
Location: 15826 N. Scottsdale Road
File: FN 210043
Council District: 2

Easement (b)
Applicant: John M. Sassano and Kelley S. Sassano, its successor and assigns
Purpose: Drainage
Location: 2701 E. Victor Hugo Ave.
File: FN 210059
Council District: 3

Easement (c)
Applicant: PHX Buckeye Partners, LLC and HP Buckeye, LLC, its successor and assigns
Purpose: Vehicular Non-Access
Location: 930 S. 37th Drive
File: FN 210034
Council District: 7

This item was adopted.

50 Acquisition of Real Property for Roadway Improvements Along West Mountain View Road from 7th to 4th Avenues (Ordinance S-47851)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests required by donation, purchase within the City's appraised value, or by the power of eminent domain for roadway improvements along West Mountain View Road from 7th to 4th avenues. Further request to authorize dedication of land with roadway improvements to public use for right-of-way purposes via separate recording instrument. Additionally request to authorize the City Controller to disburse all funds related to this item.

Summary

Various sections of the roadway within the project area will be improved with roadway and sidewalk enhancements for pedestrians, bicyclists, and vehicular traffic. The acquisition of property rights is needed to widen the right-of-way and construct curb, gutter, American's with Disabilities Act (ADA) compliant sidewalks and bike lanes.

The parcels affected by this project and included in this request are identified by Maricopa County Assessor's parcel number (APN) 159-52-178 located at 9643 N. 7th Ave. and APN 159-52-058 located at 9638 N. 4th Ave.

Financial Impact

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

Location

Along West Mountain View Road from 7th to 4th avenues.
Council District: 3

This item was adopted.

51 Value Line Publishing - Requirements Contract - EXC 22-005 (Ordinance S-47840)

Request to authorize the City Manager, or his designee, to enter into a contract with Value Line Publishing, LLC to provide access to Value Line's Research Center, an on-line database that Library patrons can use to search for information about stocks, mutual funds, options and convertibles for the Phoenix Public Library. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $110,000.

Summary

The Phoenix Public Library has Value Line in print format at a few libraries and would like to expand its offerings to include this on-line database, Value Line's Library Research Center, which will be available to all customers with a library card from any computer or mobile device. The Library Research Center gives access to stocks (approximately 1,700 large and 1,700 small and mid-cap company reports), mutual funds, exchange traded funds, and options - all utilizing their proprietary Ranking System for Timeliness, Performance, and Safety. The Library Research

Center streamlines company information and its financial data so users can quickly make an evaluation.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated that Value Line Publishing, LLC is the sole developer and authorized source of the Value Line Research Investment Survey, Small/Mid Cap Survey, and other digital investment information services. The database is not available through any other company. The subscription service is necessary for the Phoenix Public Library to offer current and accurate materials and services on investing to Library customers in a timely and cost-efficient manner. The on-line subscription service will expand the Library's offerings, provide the service in real time, save money over providing the same information in printed format by reducing Library staff handling labor, and eliminate the need to discard out-of-date printed materials.

The Assistant Finance Director recommends that the contract with Value Line Publishing, LLC be accepted.

Contract Term
The five-year contract term will begin on or about Sept. 15, 2021.

Financial Impact
The aggregate contract value will not exceed $110,000, and funds are available in the Library Department's budget.

This item was adopted.

52 Upside Down Marking Paint Supply - Requirements Contract - IFB 21-129 (Ordinance S-47846)

Request to authorize the City Manager, or his designee, to enter into a contract with Arizona Water Works Supply LLC to purchase upside down marking paint for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $225,000.

Summary
The purpose of this contract is to provide upside down marking paint to

citywide departments on an as-needed basis to complete field markings on a variety of surfaces during events and projects throughout the City of Phoenix. The upside down paint is used for layout lines on new black top asphalt to guide the application of permanent traffic paint.

Procurement Information

IFB 21-129 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on June 10, 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 that the offer from Arizona Water Works Supply LLC be accepted as the lowest priced, responsive and responsible offer.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed $225,000. Funds are available in the various departments' budgets.

This item was adopted.

53 Traffic Signing Materials Requirements Contract - Maricopa County Contract 16136-C - Amendment (Ordinance S-47850)

Request to authorize the City Manager, or his designee, to execute amendments to Contracts: 144614 with Centerline Supply West; 144592 with Interwest Safety Supply, LLC; and 144591 with Zumar Industries, Inc., to provide additional time to the contracts for the purchase of traffic signing materials for the Aviation and Street Transportation departments. Further request to authorize the City Controller to disburse all funds related to this item. No additional expenditures are requested.

Summary

These contracts provide traffic signing materials to the Aviation and Street Transportation departments' sign shops in order to fabricate and maintain the signage at Phoenix Sky Harbor International Airport, Deer

Valley Airport, and Goodyear Airport, as well as the street signage for infrastructure Citywide. The purpose of these amendments is to allow additional time to issue a new solicitation.

Contract Term
These amendments will extend the end date of the contracts' terms from Sept. 30, 2021 to March 31, 2022.

Financial Impact
No additional funding is requested. Funding authorized by previous City Council action will be applied to the extended contract terms.

Funding is available in the Aviation and Street Transportation departments' budgets.

Concurrence/Previous Council Action
The City Council approved Traffic Signing Materials Contracts 144591, 144592 and 144614 (Ordinance S-43228) on Feb. 1, 2017.

This item was adopted.

54 Event Security Guard Services - Requirements Contract - IFB 21-115 (Ordinance S-47856)

Request to authorize the City Manager, or his designee, to enter into a contract with Total Events and More LLC doing business as T.E.A.M. Security, to purchase Unarmed Event Security Guard Services. The contract will be available for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $130,000.

Summary
This contract will provide scheduled and on-call unarmed security guard services for the City's larger scale events such as the Fabulous Phoenix 4th. Guard services will be used to secure City's larger-scale events, public and private properties, outside and inside premises, monitor attendee safety, maintain order, direct foot traffic, and investigate all on-premises accidents and incidents, complete investigations and file written reports.

Procurement Information

IFB 21-115 was conducted in accordance with Administrative Regulation 3.10. There were six offers received by the Procurement Division on June 24, 2021. Two offers were deemed non-responsive for non-compliance with solicitation requirements, and four were evaluated on price, responsiveness to specifications, and responsibility to provide the required services. The bid notification was sent to 1,095 suppliers and was publicly posted and available for download from the City's website.

The Assistant Finance Director recommends that the offer from Total Events and More LLC doing business as T.E.A.M. Security be accepted as the lowest-priced, responsive and responsible offer.

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

Financial Impact
The aggregate contract value will not exceed $130,000. Funds are available in the various departments' budgets.

This item was adopted.

55 Small Package Delivery Services Contract - ADSPO17-153699A (Ordinance S-47859)

Request to authorize the City Manager, or his designee, to extend and continue using Ordinance S-43896 under Contract 146083 with Federal Express Corporation for the purchase of small package delivery services for Citywide use. Further request authorization for the City Controller to disburse all funds related to this item. No additional funds are needed.

Summary
The contract provides delivery services as required for all departments to send and receive small packages.

Contract Term
Upon approval, the terms of the contract will be extended through March 31, 2022.

Financial Impact
The contract was originally approved on Sept. 20, 2017 with an

aggregate value of $400,000. No additional funds are needed. Any remaining funds authorized by previous City Council action will be applied to the extended contract terms.

Concurrence/Previous Council Action

The contract was originally approved by City Council on Sept. 20, 2017.

This item was adopted.

56 Scholastic, Inc. Teachables and Books Agreement - RFA 20-004 (Ordinance S-47861)

Request to authorize the City Manager, or his designee, to add the City Manager's Office and Human Services Department as authorized users of Ordinance S-46404 under Contract 151761 with Scholastic, Inc. for the purchase of children's books for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. No additional expenditures are needed.

Summary

This contract provides a subscription to Scholastic Teachables for education materials for pre-kindergarten through grade six and books for children from birth to age five. The Phoenix Public Library has an existing intergovernmental agreement with the Arizona Early Childhood Development and Health Board, known as First Things First (FTF). Through this agreement, the Phoenix Public Library receives funding from FTF and is required to give away 11,000 books during a fiscal year. The Phoenix Public Library entered Contract 151761 with Scholastic to help meet this obligation. Now, the City Manager's Office and Human Services Department wish to be able to purchase children's education materials under this contract to meet the needs of their own programs. No additional funds are needed to add the City Manager's Office and Human Services Department as authorized users. The Phoenix Public Library currently utilizes these contracted services.

Contract Term

The contract term is March 4, 2020 through March 3, 2025.

Financial Impact

The contract was approved on March 4, 2020, with an original aggregate value of $1,095,000. No additional funding is needed to add the City

Manager’s Office and Human Services Department as authorized users. Funds are available in the City Manager’s Office's and Human Services Department’s budgets.

Concurrence/Previous Council Action
This contract was originally approved by the City Council on March 4, 2020 via S-46404.

This item was adopted.

57 AmeriCorps VISTA Program - Requirements Contract - EXC 22-008 (Ordinance S-47862)

Request to authorize the City Manager, or his designee, to enter into a contract with HandsOn Greater Phoenix to provide AmeriCorps Volunteers in Service to America (VISTA) members for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $500,000.

Summary
HandsOn Greater Phoenix provides AmeriCorps Volunteers in Service to America (VISTA) members for City of Phoenix departments. HandsOn Greater Phoenix recruits, places, and manages a team of AmeriCorps VISTA members, who serve full-time in nonprofits and government agencies for one year to develop sustainable programs and build the community's capacity to alleviate poverty.

City departments will identify programs and projects that meet the guidelines of the program that allow VISTA members to focus their efforts on building the organizational, administrative, and financial capacity of the City to fight illiteracy, improve health services, foster economic development, and otherwise assist low-income communities. VISTA members may be required to develop programs to meet a need, write grants, or recruit and train volunteers.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated The Corporation for National and Community Service (CNCS), a federal agency, has identified HandsOn Greater Phoenix as the sole provider of

VISTA members for the City of Phoenix. In addition, the AmeriCorps State Office has confirmed HandsOn is the only local intermediary vendor in the Maricopa County region to support the AmeriCorps VISTA Program.

The Assistant Finance Director recommends that the contract with HandsOn Greater Phoenix be accepted.

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

Financial Impact
The aggregate contract value will not exceed $500,000, and funds are available in the various departments' budgets.

This item was adopted.

58 Laboratory and Medical Equipment, Supplies, Services, and Reagents - COOP 21-128 (Ordinance S-47863)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with Arrowhead Scientific Inc., doing business as Arrowhead Forensics, to purchase laboratory and medical equipment, supplies, services, and reagents for the Police Department. A cooperative agreement was established by Maricopa County under solicitation 210001-C. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $1.5 million.

Summary
This contract will provide a wide variety of laboratory and medical equipment, supplies, chemicals, reagents, and related services for the Police Department. Forensic equipment and supplies are an integral part of the Police Department to accurately and efficiently process crime scenes, collect and impound evidence, and analyze items of evidence related to criminal investigations. In addition, this equipment is a critical part of the Police Department's efforts to provide life safety services to the public and for use in critical incidents and complicated scenes.

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 Maricopa County contract covers the purchase of laboratory and medical equipment, supplies, services, and reagents as required by the Police Department. The contract was awarded on Aug. 27, 2020. The use of this cooperative 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 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 the referenced vendor 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. An 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 Assistant Finance Director recommends that the cooperative participating agreement with Arrowhead Scientific Inc. doing business as Arrowhead Forensics be accepted.

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

Financial Impact
The aggregate contract value will not exceed $1.5 million. Funds are available in the Police Department’s budget.

This item was adopted.

59 Online Language Learning Resources - Requirements Contract - RFP 16-217 (Ordinance S-47864)

Request to authorize the City Manager, or his designee, to allow additional expenditures and to extend Contract 143582 for one year with Pronunciator LLC for the purchase of Online Language Learning Resources for the Library Department in the amount of $19,500. Further request authorization for the City Controller to disburse all funds to this item.

Summary

The Library Department currently utilizes web-based database products and digital content that provide language learning resources for all City of Phoenix library branches. The resource provides access to language learning materials for at least 30 languages, including Spanish and English as a Second Language, and can be used in a variety of formats such as a web browser or mobile application. A one-year extension and additional funds are necessary to allow for additional time to conduct a formal procurement process for a new contract.

Contract Term

Upon approval, the contract term will be extended through Aug. 31, 2022.

Financial Impact

Upon approval of $19,500 in additional funds, the revised aggregate value of the contract will not exceed $126,750. Funds are available in the Library Department's budget.

Concurrence/Previous Council Action

The contract was originally approved by City Council on Aug. 31, 2016.

This item was adopted.

60 Bottled Water and Associated Products - Requirements Contract - IFB 18-215A (Ordinance S-47868)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 148572 with Nestle Waters North America for the purchase of bottled water and associated products for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $100,000.

Summary

The bottled water contract provides the City with bottled water and related

products where a water supply is not readily accessible to help prevent heat-related illnesses for Police Officers, Firefighters, and other City employees and residents. Bottled water is also used at public gatherings, marches or walks, and City-funded public events. The primary user departments of this contract are the Aviation, Fire, Water Services, Public Works, and Police departments. This contract is critical to the safety and health of the City's employees and residents by helping prevent heat-related issues, especially during the City's hotter months of the year.

Contract Term

The contract term is Nov. 1, 2018 through Oct. 31, 2023.

Financial Impact

Upon approval of $100,000 in additional funds, the revised aggregate value of the contract will not exceed $600,000. Funds are available in various departments' budgets.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Sept. 19, 2018.

This item was adopted.

61 Fitness Equipment with Related Accessories and Services - COOP 21-081 (Ordinance S-47869)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with Team Marathon Fitness Inc., the authorized local distributor for Precor Inc., and with Fitness 4 Home Superstore Inc., the authorized local distributor for True Fitness Technology Inc., to purchase fitness equipment with related accessories and services for the Phoenix Fire Department. A cooperative contract was established by Sourcewell under solicitation number RFP 081120. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $750,000.

Summary

These contracts will allow the Fire Department to continue to provide exercise and conditioning equipment in the fire stations and facility gym settings throughout the City of Phoenix, 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. These contracts will provide new additional fitness/conditioning equipment of various makes, sizes, models and uses on an as-needed basis. Replacement equipment will be consistent in model and specifications with existing aerobic fitness/conditioning equipment in fire stations.

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 process consistent the City's procurement process, as set forth in the Phoenix City Code, Chapter 43.

The Sourcewell contract covers the purchase of fitness equipment with related accessories and services as required by the Phoenix Fire Department. The contract was awarded on Oct. 1, 2020. The use of this cooperative will provide the City national discounts on these products. Additionally, review of pricing and availability from registered small and local businesses indicated that this cooperative contract offers the best value for 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.

Both the American Bar Association and National Institute of Government Purchasing endorses the use of Cooperative Agreements by municipalities and other public institutions. An 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 Assistant Finance Director recommends that the cooperative participating agreement with Team Marathon Fitness Inc., and Fitness 3

Home Superstore Inc. be accepted.

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

Financial Impact
The aggregate contract value will not exceed $750,000. Funds are available in the Fire Department's budget.

This item was adopted.

62 Mobility Vehicles and Vehicle Conversion Services - COOP 22-003 (Ordinance S-47871)

Request to authorize the City Manager, or his designee, to enter into a cooperative purchasing contract with Creative Bus Sales, Inc. under State of Arizona Cooperative Agreement CTR054848 to procure mobility vehicles and vehicle conversion services for the Public Transit Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $25 million over five years.

Summary
The cooperative purchasing contract will provide Public Transit Department (PTD), as the designated recipient of federal funds, the ability to procure new mobility vehicles on behalf of grant subrecipients of the Federal Transit Administration's Enhanced Mobility of Seniors and Individuals with Disabilities Section 5310 program. This contract will also provide for the purchase of Dial-a-Ride and circulator vehicles that are currently used in programs managed by PTD.

Procurement Information
In accordance with Administrative Regulation 3.10, a cooperative purchasing contract 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 Phoenix City Code, Chapter 43.

The State of Arizona contract, which was awarded by ADOT on May 1, 2021, covers the purchase of mobility vehicles and vehicle conversion services as required by PTD. 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 contract offers the best value to the City.

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

The Deputy Finance Director recommends that the cooperative purchasing contract with Creative Bus Sales be accepted.

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

Financial Impact
The aggregate contract value will not exceed $25 million. Funding is available in the Public Transit Department's Capital Improvement Program budget.

This item was adopted.

63 Authorization to Sell City-Owned Property at 1950 E. Buckeye Road Identified as Excess Real Property Inventory (Ordinance S-47873)

Request to authorize the City Manager, or his designee, to sell, by broker, City-owned real property located at 1950 E. Buckeye Road (Property), which has been identified by Aviation as excess real property inventory. Further request to authorize the City Manager, or his designee, to negotiate with the offerer(s) in order to yield the highest return to the City, as deemed acceptable by the City Manager or his designee. The City Manager, or his designee, will select the highest responsive and responsible offer for the Property based on its fair market value, and enter into an agreement for the purchase and sale of the Property, which will contain terms and conditions deemed necessary and appropriate by the City. The subsequent fee simple conveyance will be by special warranty deed. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary
1950 E. Buckeye Road is improved with an approximate

164,000-square-foot industrial building and parking lots previously owned by American Airlines under a ground lease. The improvements reverted to the City when the ground lease expired on Feb. 4, 2021. Aviation desires to sell the improvements subject to a new ground lease to be executed by the buyer of the Property as a condition of the sale. The City will retain ownership of the underlying land identified by Maricopa County Assessor's parcel number 115-14-186B.

Financial Impact

Revenue from the Property will reflect its fair market value.

Location

1950 E. Buckeye Road.
Council District: 8

This item was adopted.

64 Portable Construction Equipment - 041719-TER (Ordinance S-47877)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with H&E Equipment Services, Inc., the authorized local vendor for TEREX USA, LLC to purchase portable construction equipment and services for the Public Works Department. A cooperative contract was established by Sourcewell under solicitation number 041719-TER. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $150,000.

Summary

This agreement is required by the Public Works Department to purchase new replacement portable construction equipment and services including mobile elevated work platforms, telescopic booms, articulated booms, trailer mounted booms, scissor lifts, material lifts, personnel lifts, telehandlers and light towers for citywide use. Currently, there are six lifts in service assigned to four departments that have exceeded their 12-year life cycle; one with Police, three with Fire, one with the Convention Center, and one with Water Services. This agreement would support the immediate and any future needs of the City. Approximately 85 percent of the contract spend is used by enterprise funds.

The use of this cooperative 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 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 the referenced vendor 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 contract 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 agreement number 041719-TER and covers the purchase of portable construction equipment as required by the Public Works Department. Agreement 041719-TER between Sourcewell and TEREX USA, LLC was awarded on June 17, 2019 and includes terms that allow the City to enter into a linking agreement directly with the local dealer/distributor. TEREX USA, LLC directed the City to contract directly with H&E Equipment Services, Inc. to receive the pricing found in Agreement 041719-TER. H&E Equipment Services, Inc. has agreed to be bound by the City's terms and conditions and the terms of Agreement 041719-TER.

Both the American Bar Association and National Institute of Government Purchasing endorses the use of Cooperative Agreements by municipalities and other public institutions. An 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 Assistant Finance Director recommends that the cooperative participating agreement with H&E Equipment Services, Inc. be accepted.

Contract Term

The five-year contract term will begin on or about Aug. 25, 2021.

Financial Impact

The aggregate contract value will not exceed $150,000 Funding is available in the Public Works Department's budget.

This item was adopted.

66 Auditing and Consulting Services for Regional Wireless Cooperative - Requirements Contracts - MCC 180241 C (Ordinance S-47892)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 150616 with Eide Bailly LLP; Contract 150617, Berry, Dunn, McNeil & Parker, LLC; Contract 150635, MGT of America Consulting, LLC; Contract 150640, Heinfeld, Meech, & Co.; Contract 150641, REDW, LLC; Contract 150642, Myers and Stauffer LC; and Contract 150660 with Clifton, Larson, Allen, LLP for the purchase of auditing and consulting services for the Regional Wireless Cooperative (RWC) under the Office of Government Relations and the Information Technology Services Department (ITS). Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $386,700.

Summary

These contracts provide external expertise for auditing and consulting services. The RWC, per its governance, must be financially audited annually by an external auditor. It is budgeted for each year and its findings are shared with the Board of Directors. In addition, the Information Technology Services Department, in support of maintaining a citywide secure and Payment Card Industry (PCI) compliant payment system(s), utilizes an external auditor to obtain a PCI certified Qualified Security Assessor. The initial payment ordinance (S-45691), approved by City Council, was for $580,000 for three years. On May 26, 2021, the City Auditor Audit Committee authorized the City Auditor to seek a payment ordinance for the remaining two-year terms totaling $386,700. This request is for additional funds only for the existing contracts. The City Auditor, ITS, and RWC currently utilize these contract services.

Contract Term

The contract term is June 1, 2019 through May 31, 2024.

Financial Impact

Upon approval of $386,700 in additional funds, the revised aggregate value of the contracts will not exceed $1,370,700. Funds are available in the City Auditor Department's budget.

Concurrence/Previous Council Action

These contracts were originally approved by City Council on June 5, 2019. ITS and RWC were added with additional funds of $404,000 (S-47336) to the contracts as approved by City Council on March 3, 2021.

This item was adopted.

67 Software Value-Added Reseller Services - State of Arizona Cooperative Contract (B) (Ordinance S-47903)

Request to authorize the City Manager, or his designee, to add additional expenditures and extend the terms for Contract 144228 with CDW Government LLC and Contract 151721 with SHI International Corporation to purchase software, volume licenses, and enterprises license agreements through Aug. 30, 2022. The total amount will not exceed $24,675,000 for purchases made from these contracts. Further request authority to grant an exception to the indemnification and limitation of liability provisions of Phoenix City Code section 42-18 for software and services agreements under these contracts. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City utilizes the Software Value-Added Reseller Services State Cooperative Contract to purchase software and services for all City departments. The amount requested is based on a recent citywide strategic initiative to more accurately reflect technology investment costs from all departments. Departments indicated which purchases would be made utilizing this cooperative contract during the current fiscal year. Additional term and funding are requested because the State of Arizona extended the term of the current cooperative contract. Most purchases under these contracts are for annual ongoing license and maintenance costs for current business solutions, and approximately 75 percent of the spend under these contracts is for software and services that support

citywide technologies managed by the Information Technology Services Department. Some of the largest and most critical software solutions purchased under these contracts are for email, the internet and intranet, software for servers and other IT infrastructure, database software, and critical security tools for protecting, monitoring, and responding to threats to the City's network or data.

In addition to providing cost savings from volume discounts, utilizing the value-added reseller contract provides the City with additional benefits for implementing and upgrading software solutions, including providing evaluation copies, product comparisons, proofs-of-concept, needs analysis, product information and application recommendations.

This request includes approval to enter into software and service agreements requiring an exception to the indemnification and limitation of liability provisions set forth in the City Code section 42-18. As software companies provide increasingly complex products, such as Software as a Service (SAAS) and cloud-based software, providers will not agree to fully indemnify the City nor accept unlimited liability. Instead, the vendors offer terms that align to standard IT industry practices. Granting an exception would authorize the City to negotiate indemnification and assumption of liability provisions when necessary to best protect the City while still being acceptable to the vendors.

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

Contract Term
Upon approval the contract terms will be extended through Aug. 30, 2022.

Financial Impact
With the $24,675,000 in additional funds, the contract's revised aggregate value is approximately $83.3 million. The amount requested is based on a recent citywide strategic initiative to more accurately reflect technology investment costs from all departments. Funds are available in City departments' budgets with the most expected usage from the Information Technology Services, Police, Water, Aviation, Public Transit

and Fire departments.

Concurrence/Previous Council Action
These contracts were originally approved by City Council on Dec. 14, 2016; and additional expenditures were authorized on Jan. 20, 2020.

This item was adopted.

68 Authorization to Dispose City-Owned Property for Water Services and Street Transportation Departments (Ordinance S-47841)

Request to authorize the City Manager, or his designee, to dispose by broker or sealed bid solicitation three City-owned properties identified by the Water Services and Street Transportation departments as excess real property inventory. Further request to authorize negotiation with the offerer(s) in order to yield the highest dollar return to the City, as deemed acceptable by the City Manager or his designee. The City Manager, or his designee, will select the highest responsive and responsible offer for each property based upon market value, and enter into an agreement for the purchase and sale of City-owned property, containing terms and conditions deemed necessary and appropriate by the City. The subsequent fee simple conveyance will be by special warranty deed. Additionally request to authorize the City Treasurer to accept all funds related to this item.

Summary
The Water Services and Street Transportation departments have identified three vacant real properties that are considered excess and appropriate for disposal at market value to be determined by an appraisal, broker's opinion of value, or other valuation method accepted by the City.

Water Services Department
Approximately 0.76 acres of vacant land located on South Desert Foothills Parkway north of the Loop 202 Congressman Ed Pastor Freeway, identified by assessor's parcel number (APN) 311-04-001C.

The City acquired this land in 2000 for the purpose of a future water booster pump station. However, after analyzing demands, water quality and system pressures in the area, it was determined that the booster pump station was not needed. This property will be advertised on the

open market by a City-contracted broker.

Street Transportation Department
Approximately 0.62 acres of vacant land located at 1199 E. Greenway Parkway, identified by APN 214-15-025N (portion).

This is a remnant from land acquired by the City in 1985 for the Camino Via Verde (Greenway Road Connector) from 19th Avenue to 32nd Street project. Staff determined that this remnant is not needed for roadway purposes. This property will be advertised on the open market by a City-contracted broker.

Approximately 0.73 acres of vacant land located at 3112 E. Palo Verde Drive, identified by APN 164-11-001A (portion).

This is a remnant from land acquired in 1981 to extend and improve 32nd Street between Camelback Road and Lincoln Drive. Staff determined that the remnant is not needed for roadway purposes. As a condition of sale, a slope easement (for drainage) on the east portion will be recorded. Due to the narrow shape of the remnant, requirement for a slope easement and current zoning, the Planning and Development Department has determined that the remnant is not developable on its own. Therefore, this property will be disposed via sealed bid solicitation open to adjoining property owners.

Financial Impact
Revenue from the sold properties will be reflective of their market values.

Concurrence/Previous Council Action
The Land Use and Livability Subcommittee recommended approval of this item on May 19, 2021, by a vote of 2-0.

Location
Various locations.
Council Districts: 3 and 6

This item was adopted.

69 Transfer of Retirement Funds to Arizona State Retirement System

(Ordinance S-47847)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Keith Kaplan in the amount of $14,786.58 to the Arizona State Retirement System. Further request to authorize 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 upon approval by the City Council. The following former City of Phoenix employee has requested transfer of the balance of their credited service:

Kaplan, Keith: $14,786.58

Concurrence/Previous Council Action

This item was approved by the COPERS Board at its July 1, 2021 meeting.

This item was adopted.

70 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47848)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Robin Sobotta in the amount of $141,221.23 to the Arizona State Retirement System. Further request to authorize 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 upon approval by the City Council. The following former City of Phoenix employee has requested transfer of the balance of their credited service:

Sobotta, Robin: $141,221.23

Concurrence/Previous Council Action

This item was approved by the COPERS Board at its July 1, 2021 meeting.

This item was adopted.

71 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47866)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Deborah Gullett in the amount of $17,807.10 to the Arizona State Retirement System. Additionally request to authorize 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 upon approval by the City Council. The following former City of Phoenix employee has requested transfer of the balance of their credited service:

Gullett, Deborah: $17,807.10

Concurrence/Previous Council Action

This item was approved by the COPERS Board at its Aug. 5, 2021 meeting.

This item was adopted.

72 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47870)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Kelsi Nowak in the amount of $18,142.79 to the Arizona State Retirement System. Further request to authorize 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 upon approval by the City Council. The following former City of Phoenix employee has requested transfer of the balance of their credited service:

Nowak, Kelsi: $18,142.79

Concurrence/Previous Council Action
This item was approved by the COPERS Board at its Aug. 5, 2021 meeting.

This item was adopted.

74 National Endowment for the Arts American Rescue Plan Act Grant (Ordinance S-47894)

Request authorization for the City Manager, or his designee, to apply for, accept, and, if awarded, enter into an agreement for up to $500,000 in National Endowment for the Arts (NEA) American Rescue Plan Act (ARPA) funding. Further authorize the City Treasurer to accept, and the City Controller to disburse, the funds for purposes of this ordinance. The grant funds would be used by the Phoenix Office of Arts and Culture in FY 2021-22 to award one-time grants to Phoenix nonprofit arts and culture organizations to help these entities and their employees endure the economic hardships caused by the force closure of their operations due to the COVID-19 emergency.

Summary
The ARPA recognizes that the nonprofit arts industry is an important sector of America's economy. The NEA will award funds to nonprofit arts organizations across the country to help these entities and their employees endure the economic hardships caused by the force closure of their operations due to the COVID-19 emergency. As part of this important investment, the NEA has designed a plan to expedite distribution of critical funds to the national, regional, state, and local levels to help retain as many jobs as possible, as quickly as possible. These funds are intended to help save jobs in the arts sector and keep the doors open to the thousands of organizations that add value to America's economy and the creative life of our communities.

This NEA program will be carried out through one-time grants to eligible nonprofit organizations, local arts agencies, arts service organizations, state arts agencies, federally recognized tribal communities or tribes, and a wide range or other organizations that can help advance the goals of the NEA and this program.

Due to the Phoenix Office of Arts and Culture's experience in local arts grant making and being a steward of NEA funds, the agency has been deemed eligible to sub-grant NEA funds. These funds would be restricted to emergency relief funding and would not supplant the city's current community arts grants program, nor will it jeopardize the department's current neighborhood arts grant from the NEA.

The deadline to apply was Thursday, July 22, 2021. The NEA released grant guidelines on Friday, June 25, 2021. The department is seeking a retroactive approval to apply for these funds, as there wasn't an opportunity to get this request on the Thursday, July 1, 2021 City Council Formal agenda.

Financial Impact

There is no match required for this grant opportunity. There would be no impact to the General Fund.

This item was adopted.

75 Retroactive Authorization for Agreement with Maricopa Association of Governments for Grant Funding (Ordinance S-47855)

Request to authorize the City Manager, or his designee, to retroactively apply for, accept and enter into an agreement with the Maricopa Association of Governments (MAG) for the Gives Back sponsorship grant to purchase bottled water for distribution in an amount not to exceed $10,000. Further 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

In partnership with the Arizona Lottery, MAG was provided $50,000 in a Gives Back sponsorship to purchase bottled water for distribution through MAG’s Heat Relief Network, a community effort bringing together the Maricopa Regional Continuum of Care, cities and towns, nonprofit agencies, faith based-organizations, businesses, and individuals to provide resources to vulnerable populations. MAG accepted applications and selected five Heat Relief Network partners to receive $10,000 each to purchase and distribute bottled water.

This retroactive approval is requested due to the timing of the application period and gathering of the detailed information required. Notification of the grant opportunity was provided to staff on June 24, 2021, with the application due June 30, 2021. On July 2, 2021, staff was notified the City of Phoenix was awarded one of the $10,000 grants for the purchase of bottled water.

Contract Term
The grant period will be from July 2, 2021 through Oct. 31, 2021.

Financial Impact
Grant funding will be provided by MAG with no matching funds required. There is no impact to the General Fund.

This item was adopted.

78 Amend Ordinance - Disposition and Purchase Agreement with Metrowest Development, LLC (Ordinance S-47867)

Request to authorize the City Manager, or his designee, to amend Ordinance S-42761, to modify performance benchmarks as needed to allow for the completion of three City-owned parcels located between 2nd and 3rd avenues, on the north side of McKinley Street in downtown Phoenix.

Summary
In June 2015, the Community and Economic Development Department issued a Request for Proposals (RFP) for the disposition and redevelopment of three Neighborhood Services Department-owned parcels located between 2nd and 3rd avenues, on the north side of McKinley Street (Site). Metrowest Development, LLC (Developer) was the successful proposer and was awarded the contract. The Developer chose to develop the site in two phases: the West Phase with approximately 94 market-rate units in a five-story podium apartment building with below grade parking, and the East Parcel with six for sale three-story townhomes.

On July 1, 2016, the City Council authorized the City Manager to enter into a development agreement (Agreement) for the sale and redevelopment of the Site through Ordinance S-42761 (Ordinance) and

in August 2017 the Developer opened escrow for the transfer of the two parcels. In May 2017, the City Council authorized modifications to the Agreement to allow additional time to complete negotiations, and further granted an extension in October 2018 to modify the performance benchmarks of the Agreement. Staff finalized the disposition of the West Phase of the project in November 2018 through conveyance of the Special Warranty Deed.

The Developer has completed construction on the West Phase and has started the lease up phase of the project. Due to significant delays and interruptions from the COVID-19 pandemic, as well as extensive utility work related to the West Phase that prevented construction of the townhomes on the East Phase property, the Developer also has requested an extension for the commencement of construction of the East Phase. This amendment will extend the commencement of construction date to Feb. 25, 2022.

Furthermore, the amendment would extend the complete construction date, allowing 24 months to complete the project. Metrowest is an established local developer with approved building permits for the townhomes and is ready to begin construction upon the modification of the performance benchmarks.

Concurrence/Previous Council Action
City Council approved Ordinance S-42761 on July 1, 2016.

Location
The Site is located at 808 N. 2nd Ave. and 801 N. 3rd Ave. in downtown Phoenix.
Council District: 7

This item was adopted.

79 Amendment to Phoenix Business and Workforce Development Board Bylaws (Ordinance S-47896)

Request to authorize the City Manager, or his designee, to amend the Bylaws for the Phoenix Business and Workforce Development (PBWD) Board of the City of Phoenix. There is no financial impact with this action.

Summary

The PBWD Board was established in accordance with the federal Workforce Innovation and Opportunity Act (WIOA) of 2014. The Bylaw amendments incorporate provisions consistent with the WIOA legislation and Workforce Arizona Council policies. The PBWD Board is responsible for the legislated responsibilities under the WIOA and addressing the workforce development needs of the local workforce area. The local workforce area, known as the ARIZONA@WORK City of Phoenix, serves as a jurisdiction for the administration of workforce development activities, and execution of adult, dislocated worker, and youth funds allocated by the State. The following sections are proposed to be amended primarily for administrative purposes and also to incorporate the Board's recently adopted strategic plan language so that the Bylaws match with the plan, and to incorporate the PBWD Board's newly created subcommittees.

Significant revisions are as follows:

Article I, Name and Establishment: Added language that includes compliance with all Federal and State regulations, policies and procedures as outlined in WIOA.

Article V, Section II: Added language to clarify nomination process. Board members are nominated and appointed by the Mayor.

Article V, Section III: Provided a graph to clarify how membership terms are staggered to ensure only a portion of terms expire within a given year.

Article VII, Section III: Adding clarification of standing committee membership positions.

Article IX, Ethics and Conflict of Interest: added Workforce Arizona Council Policy No. 1 Local Governance reference.

The complete draft Bylaws are included as **Attachment A**.

Financial Impact

There is no financial impact with this action.

Concurrence/Previous Council Action

The proposed Bylaw amendments were approved at the public meeting of the PBWD Board on July 8, 2021. The most recent City Council action to approve the PBWD Board Bylaw amendments occurred on Aug. 26,

2020. On April 22, 2015, the City Council approved establishing the PBWD Board under WIOA, Phoenix City Code Ordinance G-6021.

This item was adopted.

80 Issuance of Community Development Revenue Bonds (CPLC PM Redevelopment Project), Series 2021 (Resolution 21952)

Request City Council approval for the issuance of Community Development Revenue Bonds (CPLC PM Redevelopment Project), Series 2021, to be issued in one or more tax-exempt and/or taxable series in an aggregate principal amount not to exceed $50,000,000.

Summary

Request City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix (Phoenix IDA) has previously resolved to issue up to $50,000,000 of Community Development Revenue Bonds (the "Revenue Bonds") for use by CPLC PM Redevelopment, LLC (the "Borrower"), an Arizona limited liability company to:

a) finance, refinance, or reimburse acquisition, renovation, improvement, and equipping of a facility providing medical services in Phoenix, Arizona, and
b) pay certain costs related to the issuance of the Revenue Bonds.

Concurrence/Previous Council Action

The Phoenix IDA Board previously resolved to issue the Revenue Bonds at its meeting held on Aug. 6, 2021.

Location

The Project is located at or near 1201 and 1301 S. 7th Ave., and 515 W. Buckeye Road, in Phoenix, Ariz.
Council District: 8

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

This item was adopted.

81 Interior Signage Programming and Maintenance (Ordinance S-47895)

Request to authorize the City Manager, or his designee, to enter into contract and any other agreement as necessary with Four Winds Interactive, LLC (FWI) to provide interior signage, programming and maintenance at the Phoenix Convention Center (PCC). The agreement is for five years and the aggregate value of the contract will not exceed $412,742. Request further authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The Phoenix Convention Center is seeking to enter into an equipment and service agreement with FWI, for a period of five years for the Advanced Enterprise Software Subscription Service which includes maintenance and support of the FWI proprietary software operating the PCC's interior digital signage and interactive virtual concierge applications, and any additional equipment or professional services that the City may require with respect to PCC's visual communications platform.

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

Procurement Information

The recommendation is in accordance with City of Phoenix Administrative Regulation 3.10, following the Request for Agreement procurement process.

Contract Term

The contract term is for five years beginning on Sept. 1, 2021.

Financial Impact

The aggregate value will not exceed $412,742 over the life of the five-year contract. Funds are available in the Phoenix Convention Center Department's operating budget.

Location

Phoenix Convention Center, 100 N. 3rd St.

Council Districts: 7 and 8

This item was adopted.

82 Amendment to Intergovernmental Agreement with Arizona Department of Health Services for Immunization Services Provided by Fire Department (Ordinance S-47858)

Request authorization for the City Manager, or his designee, to enter into an amendment to Intergovernmental Agreement (IGA) 147956 with the Arizona Department of Health Services to accept funds to immunize children and adults residing in the City of Phoenix. Authorization also is requested for the City Treasurer to accept, and for the City Controller to disburse, all related funds.

Summary

The Arizona Department of Health Services (AZDHS) Arizona Immunization Program Office strives to meet national immunization goals outlined by the Centers for Disease Control and Prevention. The Fire Department will assist in Vaccine-Preventable Diseases (VPD) outbreaks and pandemic responses in coordination with equivalent county public health preparedness programs and other relevant partners. Preparedness activities may include mass vaccination exercises, identification of priority groups and hard-to-reach populations for immunization, and identification of critical infrastructure personnel. AZDHS has revised the IGA to increase the following on an as-needed basis through June 30, 2022: capacity for data entry, reminder recall activities, and vaccine cold storage capacity at an allocation not to exceed $10,000, supplemental adult flu vaccination activities at an allocation not to exceed $10,000, and enhance COVID-19 vaccination capability/capacity throughout at an allocation not to exceed $40,000.

Contract Term

The contract term will end on June 30, 2022.

Concurrence/Previous Council Action

This contract was originally approved by City Council on June 6, 2018.

Financial Impact

The Fire Department will be reimbursed at various rates by AZDHS. The

aggregate reimbursement over the life the contract will depend on the number of immunization clinics hosted.

This item was adopted.

83 Donation from 100 Club of Arizona for the Phoenix Fire Department (Ordinance S-47890)

Request authorization for the City Manager, or his designee, to accept a donation of 30 Stormstick decontamination systems, valued at approximately $38,000 total, from the 100 Club of Arizona for the Phoenix Fire Department. Further request authorization for the City Treasurer to accept this donation. If not approved, the donation would be turned down.

Summary

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

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

This request adheres to the Fire Department's Charitable Donations Process that was presented to the Public Safety and Veterans Subcommittee on Sept. 12, 2018.

Contract Term

There is no contract term associated with this donation.

Financial Impact

This donation does not require any matching funds.

This item was adopted.

84 Request Authorization for Sale of Canine Guero (Ordinance S-47860)

Request to authorize the City Manager, or his designee, to approve the sale of Police canine Guero to Sergeant Zach Wright for $1.00. As an officer, Sergeant Wright was assigned to the Tactical Support Bureau's Canine Unit and has requested to retire and purchase his assigned canine Guero in accordance with Administrative Regulation 4.21. Sergeant Wright recently promoted and will be returning to patrol.

Summary

Canine Guero is 7 years old and has served the Phoenix Police Department and the citizens of Phoenix with unwavering bravery and distinction in his capacity as a police service dog since 2016.

This request is for the authorization of the sale of Police canine Guero for $1.00. Sergeant Wright has requested to retire and purchase canine Guero and has agreed to accept full responsibility and liability for him until his death.

This item was adopted.

85 Authorization to Pay Public Safety Personnel Retirement System for FY2021-22 Police Sworn Cancer Insurance Coverage (Ordinance S-47893)

Request to authorize the City Manager, or his designee, to make a payment to the Public Safety Personnel Retirement System (PSPRS) in the amount of $145,300 to purchase cancer insurance for FY2021-22 for the sworn personnel of the Police Department. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fire Fighter Cancer Insurance Policy Program (FFCIPP) was established in 1997. The FFCIPP offers supplemental cancer insurance for fire fighters, helping to offset additional costs if a fire fighter is diagnosed with cancer after enrollment. The insurance is administered under the PSPRS. In 2007, HB2268 changed the name of the Fire Fighter Cancer Insurance Policy Program to the Fire Fighter and Peace Officer Cancer Insurance Policy Program and extended coverage to

certified peace officers under this program.

Financial Impact

The cost for FY2021-22 is $50 per peace officer; this item requests authorization to pay up to $145,300. This payment will provide cancer insurance coverage for Police sworn personnel for FY2021-22.

This item was adopted.

87 FY 2021 Edward Byrne Memorial Justice Assistance Grant (Ordinance S-47900)

Request retroactive authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept and enter into an agreement with the Bureau of Justice Assistance and Intergovernmental Agreements with Maricopa County, Town of Gilbert and the cities of Avondale, Chandler, Glendale, Goodyear, Mesa, Peoria, Scottsdale, Tempe and Surprise, for the 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) in an amount not to exceed $1,554,900. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The City has received funding through this grant program for the past several years. The Police Department was informed of the availability of these funds on June 9, 2021. The Police Department will manage this grant, which will involve administering the funding to the eligible local agencies, programmatic and financial reporting, as well as initiating the intergovernmental agreements associated with the grant awards.

The 2021 JAG grant application was submitted by the Police Department on behalf of the City of Phoenix and eligible partnering agencies. It is proposed the City of Phoenix will receive $981,079, Maricopa County $79,485, Town of Gilbert $18,989 and the cities Avondale $21,386, Chandler $49,722, Glendale $87,458, Goodyear $15,757, Mesa $151,536 Peoria $32,564, Scottsdale $33,211, Tempe $72,320, and Surprise $11,393 for a total award of $1,554,900.

The proposed budgetary allocations for the City of Phoenix include: $187,105 to the Parks and Recreation Department for Project BRAVE (Bringing Reality About Violence Education). Project BRAVE is a

violence prevention and education program that was created with the goal of decreasing violence in our community through awareness and leadership training activities. The project provides comprehensive workshops held at various sites, non-profit agencies, and after school programs.

The Police Department proposes to use the remainder of the funding ($793,974) to assist the department in its efforts to achieve FBI required National Incident-Based Reporting System (NIBRS) compliance and to offset the cost of replacing the Records Management System (RMS). Replacement of the RMS is necessary to meet the various requirements of policing, such as gathering and sharing accurate data, performing efficient case management, providing accurate reporting and adhering to local, state and federal reporting requirements. RMS replacement will also be critical to achieving full NIBRS compliance.

The grant application was due Aug. 16, 2021. If authorization is denied, the grant application will be rescinded.

Contract Term

The contract term is Oct. 1, 2021 through Sept. 30, 2024.

Financial Impact

No matching funds are required.

This item was adopted.

88 **Phoenix Sky Harbor International Airport Terminal 4 Retro Commissioning - Engineering Services Amendment - AV21000098 (Ordinance S-47853)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 146518 with IMEG Corp. to provide additional engineering services for the Phoenix Sky Harbor International Airport Terminal 4 Retro Commissioning 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. There is no additional fee for services required for this amendment.

Summary

The purpose of this project is for IMEG Corp. to perform retro-commissioning services on all mechanical systems and system controls for Terminal 4 (T4), including concourses, connector bridges, and the T4 Sky Train Station. The retro-commissioning effort will likely recommend new capital improvements, as well as further operations-and-maintenance activities, and diagnostic testing to design repairs to or replacement of inadequate or defective mechanical systems identified in the investigation.

This amendment is necessary because the project was only 39 percent complete when suspended in March 2020 due to the COVID-19 pandemic. The remaining work cannot be completed under the existing agreement term. This amendment will provide additional time to the agreement.

Contract Term
The amendment will extend the contract term for an additional three years for a maximum of five years total. 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
No additional funding is requested for this amendment.

Concurrence/Previous Council Action
The City Council approved Engineering Services Agreement 146518 (Ordinance S-44124) on Dec. 13, 2017.

Location
3400 E. Sky Harbor Blvd.
Council District: 8

This item was adopted.

92 Transit Scheduling Software Maintenance and Support Agreement (Ordinance S-47875)

Request to authorize the City Manager, or his designee, to enter into an agreement with GIRO, Inc. for the maintenance and support of HASTUS

scheduling and dispatch software used by the City and its regional transit partners for bus and light rail operations. Also request to exempt the provisions of Phoenix City Code sections 42-18(B) and (C) to limit indemnity, legal remedies, and damages. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $5,607,188 over nine years, recognizing that the City recovers a portion of the costs associated with providing this software for the region through agreements with its regional transit partners.

Summary

HASTUS is a proprietary product of GIRO, Inc., and is the current transit scheduling and dispatch software used by the City and its regional transit partners for bus and light rail service. HASTUS software enables regional transit planners and schedulers to create bus and light rail schedules and plan transit services. Transit schedules created in HASTUS are imported into the regional computer-aided dispatch and automatic vehicle location system, which then provides information to the fare collections system, enabling the City and its regional transit partners to correctly allocate transit fares and track transit ridership for the region. City transit staff, regional transit partners, and contractors rely on this information to ensure efficient service planning and delivery to transit passengers.

In addition, HASTUS allows the region’s multiple transit operations contractors to manage their daily operations and work assignments. The software provides them with the following functionality:
Processing operator check-in/check-out at dispatch windows;
Creating operator work schedules;
Managing bus assignments;
Enabling operator bidding on work schedules via the internet; and
Generating transit personnel payroll using operator assignment and shift data.

The City currently uses the HASTUS 2013 version and an upgrade to HASTUS 2021 by GIRO is in progress. Current maintenance and support of HASTUS software ends on Feb. 9, 2022 under the existing maintenance and support agreement 140238. The new agreement ensures continuity of transit operations for Phoenix and the region.

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

Procurement Information

An exception to the procurement process was determined to select GIRO as set forth in the City of Phoenix's Administrative Regulation 3.10. A direct selection was made because HASTUS is a proprietary software to GIRO and no other company can support or upgrade the current HASTUS software.

The City requests a waiver from Phoenix City Code section 42-18(B) for the new maintenance and support agreement. In negotiating these agreements, GIRO seeks to limit the City's ability to obtain legal remedies and damages. If the City Council approves this waiver, GIRO's liability under this agreement would be exempted from financial losses and restricted to no more than the annual fees received by GIRO from the City for the annual term in which the liability arises, with no limitation of liability for bodily, intentional, or reckless injuries caused by GIRO. Also, the City's recourse for any breach of warranty would be limited to having GIRO reperform the defective services.

Public Transit Department also requests a waiver from Phoenix City Code section 42-18(C) for the new agreement. In negotiating this agreement, GIRO seeks to restrict the standard indemnification terms. GIRO will agree to defend and indemnify the City for liability arising out of GIRO's negligent or willful acts, but not liability attributed to the City's conduct. If the City Council approves this waiver, allegations of any City wrongdoing arising out of this agreement will require the City to pay for defense and resolution of any resulting claims asserted against the City.

Financial Impact

The new agreement includes the cost of maintenance and support for three years with two optional three-year extensions. The agreement's total cost will not exceed $5,607,188, including taxes, and provides for maintenance and support of HASTUS software through Feb. 9, 2031 (if all options are exercised).

Funds in the amount of $463,598 are available in the Public Transit

Department operating budget in the Transportation 2050 fund for the first-year cost of this agreement. The City will recover a portion of the costs associated with providing and maintaining this software for the region through support agreements with its regional transit partners.

This item was adopted.

93 Request Retroactive Authorization to Submit Annual Federal Transit Administration Grant Application and Enter into Grant Agreement on Behalf of City of Mesa (Ordinance S-47897)

Request to retroactively authorize the City Manager, or his designee, to submit an application to the Federal Transit Administration for grant assistance from the Fiscal Year 2021 Pilot Program for Transit-Oriented Development Planning on behalf of the City of Mesa. Further request to authorize the execution of an agreement with the Federal Transit Administration for the purpose of accepting the grant if awarded, and to enter into an agreement with Mesa for receiving its pass-through share of the awarded grant. Additionally request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item in accordance with the terms of the aforementioned grant and agreements. The total of all grant funds in the application is $920,000.

Summary

The City of Phoenix is the designated recipient of Federal Transit Administration (FTA) grant funds for the Phoenix-Mesa Urbanized Area. As such, Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region.

Mesa seeks authorization concerning its application for the FTA's FY 2021 Pilot Program for Transit-Oriented Development Planning to receive grant funding for planning and study of a potential five-mile streetcar route in west Mesa, which will connect four major activity centers within that city and potentially link to the route for Tempe Streetcar in 2030.

FTA announced this grant funding opportunity on April 21, 2021, and Phoenix was notified by Mesa in late May. Due to the short deadline of June 21, 2021 for grant applications, the Public Transit Department is requesting retroactive authorization for Mesa's application. That application was submitted on behalf of Mesa on June 17, 2021 and can

be withdrawn if not approved by Council.

Financial Impact
The project will be utilizing pass-through funding from the FTA and local funding provided by Mesa. No Phoenix funds are included in the application.

Location
City of Mesa
Council District: Out of City

This item was adopted.

94 Request Authorization to Submit Federal Transit Administration Areas of Persistent Poverty Grant Application and Enter into Grant Agreement (Ordinance S-47898)

Request to authorize the City Manager, or his designee, to: submit an application to the Federal Transit Administration for grant assistance from the Areas of Persistent Poverty Program; execute an agreement with the Federal Transit Administration for the purpose of accepting the grant, if awarded; and enter into an agreement with Valley Metro for receiving its pass-through share of the awarded grant. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item in accordance with the terms of the aforementioned grant and agreements. The total of all grant funds in the application is $850,000.

Summary
The City of Phoenix is the designated recipient of Federal Transit Administration (FTA) grant funds for the Phoenix-Mesa Urbanized Area. As such, Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region.

The Public Transit Department is requesting authorization to apply for FTA's Areas of Persistent Poverty Program to receive grant funding for Phoenix and Valley Metro to study High Capacity Transit options in West Phoenix, approximately from 35th to 67th avenues and from McDowell to Camelback roads. This area not only has high levels of current transit ridership, but much of the area is made up of communities that are federally-designated as "areas of persistent poverty," with a poverty rate

of at least 20 percent of the population. The study will be a continuation of previous transit planning studies in the area, and through the research of existing data and extensive public outreach, the study will analyze multiple alternatives to identify a locally preferred alternative.

FTA announced this funding opportunity on June 30, 2021, and the application deadline is Aug. 30, 2021.

Financial Impact

The project will be utilizing pass-through funding from the FTA, in addition to $95,000 of Public Transportation Funds, provided through Proposition 400 and managed by Valley Metro. No Phoenix funds are included in the application.

Location

An approximate area from 35th to 67th avenues and from McDowell to Camelback roads.
Council Districts: 4, 5 and 7

This item was adopted.

95 Request Authorization to Submit Annual Federal Transit Administration Grant Application and Enter into Grant Agreement on behalf of City of Tempe (Ordinance S-47899)

Request to authorize the City Manager, or his designee, to: submit an application to the Federal Transit Administration for grant assistance from the Small Starts Section 5309 Capital Investment Grant program on behalf of the City of Tempe and Valley Metro Rail; execute an agreement with the Federal Transit Administration for the purpose of accepting the grant, if awarded; and enter into an agreement with Valley Metro Rail for receiving its pass-through share of the awarded grant. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item in accordance with the terms of the aforementioned grant and agreements. The total of all grant funds in the application is $17,406,412.

Summary

The City of Phoenix is the designated recipient of Federal Transit Administration (FTA) grant funds for the Phoenix-Mesa Urbanized Area. As such, Phoenix submits FTA grant applications on behalf of all local

governments and agencies in the region.

The FTA allocated Small Starts Section 5309 Capital Investment Grant funds in the amount of $17,406,412, funded through the American Rescue Plan Act, to the Tempe Streetcar Project. The FTA announced this grant funding on July 1 and the Public Transit Department is requesting authorization to submit the application on behalf of Tempe and Valley Metro Rail.

Financial Impact
The funding is provided through an existing FTA formula program at 100 percent federal share, with no local match required. No Phoenix funds are included in the application.

Location
City of Tempe
Council District: Out of City

This item was adopted.

96 Intergovernmental Agreement Between City of Buckeye and City of Phoenix for City of Phoenix Municipal Solid Waste Landfill Located in Buckeye - Amendment (Ordinance S-47904)

Request to authorize the City Manager, or his designee, to amend Intergovernmental Agreement 100744 between the City of Buckeye and the City of Phoenix, for the City of Phoenix Municipal Solid Waste Landfill located in Buckeye, to allow for Phoenix to raise the height of the landfill to 225 feet above the existing grade from the previous maximum of 150 feet above the existing grade.

Summary
In August of 2002, the City of Buckeye annexed the property where SR85 Landfill is now located. The purpose of the original Intergovernmental Agreement (IGA) between the City of Buckeye and the City of Phoenix was to clarify responsibilities related to the operation and management of the SR85 landfill, operated by the City of Phoenix, but located in the City of Buckeye.

The IGA includes 12 site design and operational conditions. A modification to the first condition is proposed. This condition currently

limits the height of the landfill to a maximum of 150 feet above the existing grade. The requested change of this design stipulation would allow for Phoenix to raise the height of the landfill to 225 feet above the existing grade.

The reason for this request is to address the current levels of excess soil stockpiled, while maintaining landfill volume after waste settlement. As currently designed and permitted, construction of the landfill will generate approximately 17,000,000 cubic yards of excess soil, which has a capital requirement to excavate and stockpile and would ultimately lead to an expense to haul off the site. Amending this design requirement allows the landfill to balance the soil surplus generated and maintain the airspace volume required for disposal.

Some of the benefits of this modification include reduction of the depth below ground surface for excavation, to bring soil surplus into balance and ensure the landfill capacity is not reduced. This agreement with the City of Buckeye will result in better management of the soil surplus at SR85.

On July 6, 2021, the City of Buckeye City Council approved the request to amend the IGA with the City of Phoenix to raise the maximum height of the landfill to 225 feet above the existing grade.

Financial Impact
There is no cost associated with this amendment.

Concurrence/Previous Council Action
The City Council approved:
IGA 100744 on Jan. 6, 2002;
IGA 100744 - Amendment on Dec. 4, 2002; and
IGA 100744 - Amendment (Ordinance S-40745) on April 16, 2014.

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

This item was adopted as revised.

97 United States Department of Agriculture Grant Opportunity for Improved Community Compost and Food Waste Reduction for Fiscal Year 2021 (Ordinance S-47844)

Request to authorize the City Manager, or his designee, to retroactively apply for, accept, enter into an agreement, and disburse grants from the United States Department of Agriculture through its Cooperative Agreements for Community Compost and Food Waste Reduction Program, to support development of food waste reduction strategies and compost program improvements throughout the City of Phoenix. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The City match for grant funds is 25 percent of the grant award up to $90,000 or $22,500 in total City funds required.

Summary

In February 2017, the Public Works Department began operations of a newly-constructed compost facility designed to process food and yard waste to manufacture a certified compost. The facility was designed with a feedstock capacity of up to 55,000 tons of organic material per year. In partnership with the Office of Environmental Programs, the Public Works Department is seeking innovative opportunities to expand composting access, reduce food waste sent to landfill, and create a circular economy around composting and food waste initiatives.

In 2017, to support multi-family recycling, Phoenix introduced eight recycling drop off containers called ECO-Stations in eight parks across the City (each Council District included). Since being rolled out they have shown to have successful participation. Building upon that success, if awarded, the grant funds would be used to similarly implement a program designed to offer residents the opportunity to drop off food waste at ECO-stations. This will allow Phoenix to easily pilot a food waste drop off system and study contamination levels to determine scalability.

Another component of this program is to expand marketing and education to those who participate in the program. This marketing initiative aimed to use compost at-home or in community gardens will close the loop in this circular waste-to-resource process. Parks, schools, community gardens and City facilities will be considered as locations for

this food waste collection pilot.

United States Department of Agriculture's Office of Urban Agriculture and Innovative Production will accept applications until July 16, 2021.

Financial Impact

The amount requested for this proposal is $90,000. If grant funds are awarded in full, Phoenix would need to match up to 25 percent in funding or $22,500. Funding for the Phoenix cost share is available in the Public Works Department's budget. Other costs may be incurred by the department to support critical program deliverables such as program evaluation.

Location

Composting facility at 27th Avenue Transfer Station - 3060 S. 27th Ave.
Council District: 7

This item was adopted.

98 Material Recovery Facilities Inspection and Maintenance Program - Requirements Contract - RFP 22-SW-009 (Ordinance S-47852)

Request to authorize the City Manager, or his designee, to enter into an agreement with Enviro-Services & Constructors, Inc. dba RRT Design & Construction, to conduct operational maintenance inspections of the recycling processing equipment located at the 27th Avenue and North Gateway Material Recovery Facilities. Further request to authorize the City Controller to disburse all funds related to this item. The total agreement value will not exceed $450,000 over the life of the contract.

Summary

This contractor will be responsible for conducting a comprehensive inspection program of the City's two Material Recovery Facilities to ensure that the current and future operating contract vendor is performing proper operation and maintenance of the recycling processing systems and also to ensure that the equipment is able to meet current and future market standards and conditions. This agreement also will ensure that the equipment is in compliance with manufacturer recommendations and contractual specifications.

Procurement Information

Request for Proposal (RFP) 22-SW-009 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Public Works Department on May 12, 2021. The offer was evaluated based on the following criteria set forth in the RFP: responsiveness to all specifications, terms and conditions and responsible to provide all the required services.

The Public Works Department recommends the offer from Enviro-Services & Constructors, Inc. dba RRT Design & Construction, be accepted as the responsive and responsible offer.

Contract Term
The term of this contract is for three years and will commence on or about Sept. 1, 2021 or after Council approval. Provisions of the contract may include an option to extend the term up to two years, which may be exercised by the City Manager or designee.

Financial Impact
The estimated annual expenditure for this contract is $90,000, with an aggregate total of $450,000. Funding is available in the Public Works Department's budget.

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

This item was adopted.

99 Intergovernmental Agreement with Arizona Department of Transportation to Reimburse City of Phoenix for Street Repairs Along Liberty Lane and Additional Traffic Signage Adjacent to South Mountain Freeway/Congressman Ed Pastor Freeway Loop 202 (Ordinance S-47835)

Request that the City Council authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Arizona Department of Transportation to reimburse the City of Phoenix for street repairs along Liberty Lane and the cost of additional signage fabrication and installation adjacent to the South Mountain Freeway/Congressman

Ed Pastor Freeway Loop 202 corridor.

Summary

The purpose of this Intergovernmental Agreement is for the Arizona Department of Transportation (ADOT) to reimburse the City for two freeway related expenses: street repairs that were a direct result of the waterline relocation and the installation of additional roadway signage.

As part of the construction of the South Mountain Freeway/Congressman Ed Pastor Freeway Loop 202 (Loop 202), ADOT was required to relocate a 48-inch wide City waterline from Pecos Road to Liberty Lane between Desert Foothills Parkway and 15th Street. Due to the condition of the street after the new waterline was installed, the City elected to mill and overlay Liberty Lane instead of using micro seal. After ADOT performed the waterline relocation and the City performed the street repairs, ADOT agreed to reimburse the City for the pavement preservation measures.

After the Loop 202 opened, the City identified missing signage along the freeway corridor. To ensure public safety and a quick installation, the City purchased and installed signage in the median islands at Van Buren Street, Buckeye Road, Lower Buckeye Road, and 59th Avenue (south of Lower Buckeye Road). ADOT agreed to reimburse the City for this work.

Financial Impact

The City will be reimbursed in an amount not to exceed $60,413.

Location

Liberty Lane between Desert Foothills Parkway and 15th Street, and Loop 202 corridor.
Council Districts: 6, 7 and 8

This item was adopted.

100 Agreement with Arizona Department of Transportation for Aesthetic Enhancements for Pedestrian Overpass Near Elwood Street and 63rd Avenue - Amendment 1 (Ordinance S-47836)

Request to authorize the City Manager, or his designee, to amend the existing Intergovernmental Agreement with the Arizona Department of Transportation to add funds from the City for aesthetic enhancements for

the east-to-west pedestrian overpass located near Elwood Street and 63rd Avenue. This pedestrian overpass project is a part of the Congressman Ed Pastor South Mountain Freeway Loop 202. Further request authorization for the City Controller to disburse all funds related to this item. The estimated financial impact to the City is $1,762,734.

Summary

This agreement continues the City of Phoenix and the Arizona Department of Transportation (ADOT) partnership as set forth in the Intergovernmental Agreement (IGA) 15-0005526-I dated Jan. 12, 2016.

The original agreement allowed the City to select a public artist to work with ADOT and the contracted design and construction team to incorporate public art enhancements as part of the pedestrian overpass. The public artist and the Office of Arts and Culture worked with the community, school officials and neighborhoods on the aesthetics and safety components of the overpass.

The multiuse overpass structure has linked the Rio Del Rey Units I and II subdivision and provides safe access to Kings Ridge Elementary and the Riverside Elementary School District. The City will assume typical maintenance responsibilities for the overpass such as graffiti removal, debris removal, lighting replacement and general upkeep.

City funding comes from the Congressman Ed Pastor South Mountain Freeway Loop 202 Pedestrian Bridge at Elwood Street public art project (AR63850017). It is one of 33 projects in the Fiscal Years 2020-25 Public Art Plan that City Council approved on Sept.16, 2020 (Ordinance S-46943). The approved Public Art Plan includes Street Transportation Department Capital Improvement Program (CIP) funds for this project.

Financial Impact

The cost associated with this agreement is $1,762,734. The approved Art Plan includes Street Transportation Department CIP funds for this project.

Concurrence/Previous Council Action

The City Council approved the original IGA (Ordinance S-42187) on Dec. 2, 2015.

Location
This project is located near the Elwood Street alignment and 63rd Avenue as part of the South Mountain Freeway/Congressman Ed Pastor Freeway Loop 202.
Council District: 7

This item was adopted.

101 Planning and Development Department Grading/Drainage, Sewer, Water, Storm Drain Civil Field Inspection On-Call Services - Amendment (Ordinance S-47879)

Request to authorize the City Manager, or his designee, to execute amendments to Agreements: 151703 with Consultant Engineering, Inc.; 151704 with Tristar Engineering & Management, Inc.; and 151705 with Quality Testing, L.L.C. to provide additional Planning and Development Department Grading/Drainage, Sewer, Water, Storm Drain Civil Field Inspection On-Call 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 additional fee for services included in these amendments will not exceed an aggregate value of $500,000.

Summary
The purpose of this project is to provide on-call civil field inspection services on an as-needed basis that include, but are not limited to: civil field inspections of site and civil infrastructure construction associated with private developments for grading and drainage, sewer, water, storm drain, concrete, and paving projects for submissions to local jurisdictions.

These amendments are necessary because development activity in the City of Phoenix has continued to increase over the past year and the local economy continues to strongly attract private investment. During last fiscal year the Planning and Development Department (PDD) completed approximately 275,000 inspections. Plan review and permitting activity in several areas is approaching levels not seen since the housing and construction boom of the mid-2000s. To maintain customer service levels in plan review and inspections, PDD proposes an increase in several areas to add peak inspections capacity.

Contract Term

The term of each agreement will not change. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The initial agreement for each of the consultants for the Planning and Development Department Grading/Drainage, Sewer, Water, Storm Drain Civil Field Inspection On-Call Services was authorized for an aggregate fee not to exceed $3,510,000, including all subconsultant and reimbursable costs.

These amendments will increase the aggregate authorization by an additional $500,000, for a new aggregate total not to exceed $4,010,000, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved Planning and Development Department Grading/Drainage, Sewer, Water, Storm Drain Civil Field Inspection On-Call Services Agreements 151703, 151704, and 151705 (Ordinance S-46398) on March 4, 2020.

This item was adopted.

102 Planning and Development Department Residential and Commercial Building Plan Review On-Call Services Amendment (Ordinance S-47880)

Request to authorize the City Manager, or his designee, to execute amendments to Agreement: 151709 with Willdan Engineering, Inc.; 151710 with Onsite Engineering, P.L.C.; 151711 with Stantec Consulting

Services, Inc.; 151712 with Bureau Veritas North America, Inc.; and 151713 with MZ Engineering LLC to provide additional Planning and Development Department Residential and Commercial Building Plan Review On-Call 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 additional fee for services included in these amendments will not exceed an aggregate value of $1 million.

Summary

The purpose of this project is to provide on-call residential and commercial building plan review services on an as-needed basis that include, but are not limited to: new construction, alterations, and repairs submitted by commercial and residential property owners for compliance with the Phoenix Building Construction Code and Fire Code.

These amendments are necessary because development activity in the City of Phoenix has continued to increase over the past year and the local economy continues to strongly attract private investment. During last fiscal year, the Planning and Development Department (PDD) completed approximately 275,000 inspections. Plan review and permitting activity in several areas is approaching levels not seen since the housing and construction boom of the mid-2000s. To maintain customer service levels in plan reviews, PDD proposes an increase in several areas to add peak plan review capacity.

Contract Term

The term of each agreement will not change. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The initial agreement for each of the consultants for the Planning and Development Department Residential and Commercial Building Plan Review On-Call Services was authorized for an aggregate fee not to exceed $3 million, including all subconsultant and reimbursable costs.

These amendments will increase the aggregate authorization by an additional $1 million, for a new aggregate total not to exceed $4 million, including all subconsultant and reimbursable costs.

Funding for these amendments are available in the Planning and Development Department's Operating budget. The Budget and Research Department will review and approve funding availability prior to issuance of any On-Call task order of $100,000 or more. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved Residential and Commercial Building Plan Review On-Call Services Agreements 151709, 151710, 151711, 151712, and 151713 (Ordinance S-46401) on March 4, 2020.

This item was adopted.

103 Planning and Development Residential and Commercial Building Field Inspection On-Call Services Amendment (Ordinance S-47881)

Request to authorize the City Manager, or his designee, to execute amendments to Agreements: 151803 with Onsite Engineering, P.L.C.; 151804 with Willdan Engineering, Inc.; 151805 with Bureau Veritas North America, Inc.; and 151806 with Shums Coda Associates, Inc. to provide additional Planning and Development Residential and Commercial Building Field Inspection On-Call 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 additional fee for services included in these amendments will not exceed an aggregate value of $1 million.

Summary

The purpose of this project is to provide on-call residential and commercial building field inspection services on an as-needed basis that include, but are not limited to: inspections of new construction, alterations, and repairs submitted by commercial and residential property owners for compliance with the Phoenix Building Construction and Fire Codes.

These amendments are necessary because development activity in the City of Phoenix has continued to increase over the past year and the local economy continues to strongly attract private investment. During last fiscal year, the Planning and Development Department (PDD) completed approximately 275,000 inspections. Plan review and permitting activity in several areas is approaching levels not seen since the housing and construction boom of the mid-2000s. To maintain customer service levels in inspections, PDD proposes an increase in several areas to add peak inspections capacity.

Contract Term

The term of each agreement will not change. Work scope identified and incorporated into the agreement prior to the end of the original two-year 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 each of the consultants for the Planning and Development Residential and Commercial Building Field Inspection On-Call Services was authorized for an aggregate fee not to exceed $3 million, including all subconsultant and reimbursable costs.

This amendment will increase the aggregate authorization by an additional $1 million, for a new aggregate total not to exceed $4 million, including all subconsultant and reimbursable costs.

Funding for this amendment is available in the Planning and Development Department's Operating budget. The Budget and Research Department will separately review and approve funding availability prior to issuance of any On-Call task order of $100,000 or more. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved Planning and Development Department Residential and Commercial Building Field Inspection On-Call Services Agreements 151803, 151804, 151805 and 151806 (Ordinance

S-46456) on March 18, 2020.

This item was adopted.

104 48th Street: South Pointe Parkway to Baseline Road - Design-Build Services Amendment - ST85100355 (Ordinance S-47882)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 137514 with FNF Construction, Inc. to provide Design-Build Construction Services for the 48th Street: South Pointe Parkway to Baseline Road project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $1.2 million.

Summary

The purpose of this project is to improve the segment of 48th Street for the purposes of accepting its dedication as public right-of-way. This amendment is necessary because the project is moving from design into construction. This amendment will provide additional funds and time to the agreement.

FNF Construction, Inc.’s services include, but are not limited to, construction and installation of a new storm drain system, traffic signal at 48th Street and Baseline Road, sidewalk on the west side of 48th Street; extend bicycle lanes that currently exist north of Baseline Road; improve pavement conditions; and assist with conversion from private street to public street classification maintained by the City of Phoenix. FNF Construction, Inc. will be responsible for construction means and methods related to the project and fulfilling the Small Business Enterprise program requirements. FNF Construction, Inc. will be required to solicit bids from pre-qualified subcontractors and to perform the work using the City’s subcontractor selection process. FNF Construction, Inc. may also compete to self-perform limited amounts of work.

Contract Term

The term of the agreement amendment is 425 calendar days from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the

agreement. No additional changes may be executed after the end of the term.

Financial Impact

The initial agreement for Design-Build services was authorized for an amount not to exceed $50,000, including all subconsultant and reimbursable costs.

Amendments 1 and 2 increased the agreement value by $5,043,547, including all subconsultant and reimbursable costs.

This amendment will increase the agreement by an additional $1.2 million, for a new total amount not to exceed $6,293,547, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved:

Design-Build Services Agreement 137514 (Ordinance S-40491) on Dec. 18, 2013;

Design-Build Services Agreement 137514 - Amendment 1 (Ordinance S-43513) on May 10, 2017; and

Design-Build Services Agreement 137514 - Amendment 2 (Ordinance S-45696) on June 5, 2019.

Location

48th Street from the round-about on South Pointe Parkway to Baseline Road.

Council District: 6

This item was adopted.

105 Salt River Project Construction License for FY2020 Federal TAP HAWK Installation - ST89330233 (Ordinance S-47883)

Request to authorize the City Manager, or his designee, to enter into a

Construction License with Salt River Project for Sidewalk and Ramp Improvements at 7th Avenue and Colter Street. 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 City is installing a new High Intensity Activated CrossWalK (HAWK) signal on the north side of the 7th Avenue and Colter Street intersection and improving sidewalk, curb and gutter at all four corners of the intersection. The purpose of this license is to allow sidewalk, curb and gutter improvements above Salt River Project irrigation facilities on the southwest corner of 7th Avenue and Colter Street. This work is in conjunction with City Project ST89330233 FY2020 Federal Transportation Alternatives Program (TAP) HAWK Installation.

Contract Term

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

Financial Impact

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

Location

7th Avenue and Colter Street
Council District: 4

This item was adopted.

106 Salt River Project Land Use License at 24th Street and the Highline Canal - ST87600124 (Ordinance S-47884)

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

Summary

The land use license is necessary for the City's installation of a High Intensity Activated CrossWalK (HAWK) signal on 24th Street that will create a pedestrian crossing adjacent to the Highline Canal. The license will allow construction, access and maintenance of the HAWK signal and will be consistent with, and shall not interfere with, U.S. Bureau of Reclamation fee property.

Contract Term

The term of the license shall be for 25 years beginning Oct. 1, 2021, and ending Sept. 30, 2046. The license may be renewed upon written agreement by the parties.

Financial Impact

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

Location

24th Street and the Highline Canal
Council District: 8

This item was adopted.

107 Salt River Project Construction License for Water Main Replacement Area Bounded by Van Buren to Washington Streets and 21st Place to 36th Street - WS85509026-1 (Ordinance S-47885)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for water main installations in the area bounded by Van Buren to Washington streets and 21st Place to 36th Street. 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 water lines that will include four Salt River Project (SRP) irrigation crossings and will run parallel with SRP irrigation facilities. This work is in conjunction with City Project WS85509026-1 Water Main Replacement Area Bounded By: Van Buren to Washington streets from 21st Place to 36th Street.

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

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

Location
Van Buren to Washington streets, 21st Place to 36th Street
Council District: 8

This item was adopted.

108 Salt River Project Construction License for Baseline Road Fiber Optic Cable and Equipment from Loop 202 to Interstate 10 - ST89360036 (Ordinance S-47886)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for fiber optic installations on Baseline Road from Loop 202 to Interstate 10. 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 fiber optic cable that will require 39 irrigation crossings, 1 canal crossing, and include 8 pull boxes as well as 13,325 feet of cable that will run parallel with Salt River Project irrigation facilities. This work is in conjunction with City Project ST89360036 Baseline Road Fiber Optic Cable and Equipment Loop 202 to Interstate 10.

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

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

Location

Baseline Road from Loop 202 to Interstate 10.
Council Districts: 6, 7 and 8

This item was adopted.

109 Salt River Project Distribution Design and Construction Services Contracts and Construction License for 2019 Federal TAP HAWK Installations - ST89330184 (Ordinance S-47887)

Request to authorize the City Manager, or his designee, to enter into two Distribution Design and Construction Services Contracts and one Construction License with Salt River Project for installation of new electrical facilities at 2520 N. 32nd St. and 4310 N. Maryvale Pkwy. 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. Additionally request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $7,275.43.

Summary

The City is constructing two new High Intensity Activated CrossWalK (HAWK) signals which will require installation of conduit, transformers and electrical meters to provide electrical service. Each of these locations requires its own Distribution Design and Construction Services Contract. The cost of work at 2520 N. 32nd St. is $3,274.14, and the cost of work at 4310 N. Maryvale Pkwy. is $4,001.29. In addition, construction of the site at 2520 N. 32nd St. will require a Construction License for new conduit that will be crossing under existing Salt River Project irrigation lines. This work is in conjunction with City Project ST89330184 2019 Federal Transportation Alternatives Program HAWK Installations.

Contract Term

The term of the Distribution and Construction Services Contracts will begin on or around Aug. 25, 2021, and will expire when the project is completed and accepted. The term of the Construction License is one year, effective when the City begins construction, expected to be late August 2021.

Financial Impact

Funding in the amount of $7,275.43 is available in the Street Transportation Department's Capital Improvement Program budget.

Location
4310 N. Maryvale Pkwy.
2520 N. 32nd St.
Council Districts: 5 and 8

This item was adopted.

110 Salt River Project Construction License for Water Main Replacement Camelback Road to Campbell Avenue, 36th to 40th Streets - WS85509041 (Ordinance S-47888)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for water main installations in the area bounded by Camelback Road to Campbell Avenue and 36th to 40th streets. 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 water lines that will include nine irrigation crossings and run parallel with Salt River Project irrigation facilities. This work is in conjunction with City Project WS85509041 Water Main Replacement Camelback Road to Campbell Avenue, 36th to 40th streets.

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

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

Location
Camelback Road to Campbell Avenue, 36th to 40th streets.
Council District: 6

This item was adopted.

111 Salt River Project Facility Relocation Agreement - Camelback Road: Medlock Drive to 41st Street - Salt River Project Aesthetics (Ordinance S-47889)

Request to authorize the City Manager, or his designee, to enter into a Facility Relocation Agreement with Salt River Project for electrical facilities along Camelback Road from Medlock Drive to 41st Street. 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.

Summary

Salt River Project (SRP) currently has overhead electrical facilities on Camelback Road from Medlock Drive to 41st Street, which will be relocated underground in accordance with an approved SRP Aesthetics Road Project. SRP Municipal Aesthetics Program funding is being used to convert the overhead electrical facilities to underground.

A Facility Relocation Agreement (FRA) will be executed to include addressing potential future relocation costs if future relocation of underground electrical facilities is caused by a City project. Because the project uses SRP Municipal Aesthetics Program funds to underground the existing electrical facilities, the FRA states the City will pay 100 percent of any potential future relocation costs. The FRA will contain additional terms and conditions deemed necessary and appropriate to facilitate future electrical relocations.

Financial Impact

There is no financial impact to the City of Phoenix.

Location

Camelback Road from Medlock Drive to 41st Street
Council District: 6

This item was adopted.

112 Manhole Pest Control Services for Roach Treatment Agreement - Request for Award (Ordinance S-47849)

Request to authorize the City Manager, or his designee, to enter into an

agreement with Proficient Pest Specialists, LLC to provide treatment of sanitary sewer manholes and clean outs for roach control for the Water Services Department. Further request to authorize for the City Controller to disburse all funds related to this item. The agreement will not exceed $2 million.

Summary

The purpose of the agreement is to provide treatment of sanitary sewer structures with an insecticide paint for roach control for the Water Services Department (WSD) Wastewater Collection Division. There are currently 98,315 manholes and 8,297 clean outs that require treatment every two years, in addition to preventing a significant number of roach complaints from the public regarding the City sewers.

WSD staff are not certified pest control applicators and are not legally permitted to apply the insecticide in accordance with federal and state regulations.

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. All bids were found to be responsive and responsible.

Selected Bidder

Proficient Pest Specialists, LLC: $838,800

Other Bidders

City Wide Pest Control: $1,158,750

Peoria Pest Control: $911,550

Contract Term

The agreement will begin on or about Sept. 15, 2021, for a five-year aggregate term.

Financial Impact

The agreement value for Proficient Pest Specialists, LLC will not exceed

a total aggregate value of $2 million.

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

This item was adopted.

113 Authorization to Enter into Groundwater Savings Facility Agreement with Roosevelt Irrigation District (Ordinance S-47857)

Request to authorize the City Manager, or his designee, to enter into a Groundwater Savings Facility Agreement with the Roosevelt Irrigation District to store effluent, Central Arizona Project water, and New Conservation Space water. Since 2000, the City and Roosevelt Irrigation District have been parties to a Groundwater Savings Facility agreement to store City effluent at the Roosevelt Irrigation District-permitted Groundwater Savings Facility. This new agreement expands, amends and restates the original agreement to include Central Arizona Project and New Conservation Space water. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

The Water Services Department produces more reclaimed water at the 23rd Avenue Wastewater Treatment Plant than can be exchanged under the current arrangements, and that reclaimed water can be stored for future use through the Roosevelt Irrigation District (RID) Groundwater Savings Facility (GSF). Further, under the Agreement, the City will have the opportunity to use the RID Groundwater Savings Facility to store Central Arizona Project (CAP) water and New Conservation Space (NCS) water from Modified Roosevelt Dam for future use, providing increased flexibility for the City's use of those waters in the future.

Contract Term

The contract automatically renews on a year-to-year basis, but either party may terminate the Agreement at the end of any year by providing timely notice to the other party.

Financial Impact

For each acre-foot of water delivered by the City to the RID Groundwater Savings Facility, RID will pay the City $15, adjusted each year by the CPI-U (All Urban Consumers, U.S. City Average).

This item was adopted.

114 Environmental Lab Testing - Request for Award (Ordinance S-47865)

Request to authorize the City Manager, or his designee, to enter into separate agreements with Legend Technical Services of Arizona and Eurofins NDSC Environment Testing Americas, Inc., to provide Environmental Lab Services for the purpose of providing routine environmental testing and analyses on an as-needed basis. Further request to authorize for the City Controller to disburse all funds related to this item. The aggregate agreements value will not exceed $2.5 million.

Summary

The purpose of this agreement is to provide water quality testing and analysis services for the Water Services Department's Environmental Services Division (ESD), to ensure the City is providing safe drinking water and processing wastewater in compliance with federal, state and local regulations. Contractor services also ensure ESD's laboratory maintains National Environmental Laboratory Accreditation Conference accreditation.

Offeror's services include but are not limited to: performing analytical testing to ensure compliance with federal, state and local regulations, providing backup to ESD's in-house laboratory, and providing analytical testing methods for which ESD's laboratory is not accredited.

Procurement Information

The recommendations were made using a Request for Proposal procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Three vendors submitted proposals and are listed below. All responses, except for one, were found to be responsive and responsible.

The evaluation panel recommendations were reached by consensus in consideration of published selection criteria with total points ranging from 0-1,000:

Qualifications and Experience (0-350 points)

Laboratory Capability and Capacity (0-250 points)
Quality Assurance and Quality Control (0-250 points)
Pricing (0-150 points)

Offerors Selected for Award
Legend Technical Services of Arizona - 830.9 points
Eurofins NDSC Environment Testing Americas, Inc. - 749.2 points

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

Financial Impact
The total aggregate value for the agreements with Legend Technical Services of Arizona and Eurofins NDSC Environment Testing Americas, Inc. will not exceed $2.5 million.

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

This item was adopted.

116 Final Plat - Waterwalk Corporate Lodging - PLAT 200523 - 1905 W. Pinnacle Peak Road

Plat: 200523
Project: 19-821
Name of Plat: Waterwalk Corporate Lodging
Owner(s): WWOZ Phoenix Pinnacle Peak, LLC
Engineer: Eric Snyder, Stantec Consulting
Request: 2 Lot Commercial Plat
Reviewed by Staff: June 7, 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
Located at 1905 W. Pinnacle Peak Road.

Council District: 1

This item was approved.

117 Final Plat - Middle Vistas - PLAT 200619 - West of North Black Canyon Highway Along Dixileta Drive Alignment

Plat: 200619
Project: 13-1972
Name of Plat: Middle Vistas
Owner(s): Lennar Arizona, Inc.
Engineer: Richard G. Alcocer, RLS
Request: A 228 Lot Residential Plat
Reviewed by Staff: July 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 west of North Black Canyon Highway along the Dixileta Drive alignment.
Council District: 1

This item was approved.

118 Final Plat - Amended Optima Kierland Center - Plat 200557 - Northwest Corner of Scottsdale Road and Kierland Boulevard

Plat: 200557
Project: 18-182
Name of Plat: Amended Optima Kierland Center
Owner(s): Kierland Center LLC & Optima Kierland Center Condominium Association, Inc.
Engineer: James G Spring, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: July 8, 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 Scottsdale Road and Kierland Boulevard.
Council District: 2

This item was approved.

119 Final Plat - The Puget Enclave - PLAT 200584 - 3030 East Puget Avenue

Plat: 200584
Project: 19-470
Name of Plat: The Puget Enclave
Owner: Bing Hu
Engineer: John Ware
Request: A 4 Lot Residential Plat
Reviewed by Staff: June 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
Located at 3030 East Puget Avenue
Council District: 3

This item was approved.

120 Map of Dedication - 20th St & Osborn Rd - MOD 210003 - 3232 North 20th St.

MOD: 210003
Project: 20-754
Name of MOD: 20th St & Osborn Rd
Owner: 20th Street-Osborn, LLC
Engineer(s): Miller and Sons Surveying
Request: A 2-Lot Commercial Map of Dedication
Reviewed by Staff: July 8, 2021
Map of Dedication requires Formal Action Only.

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

Location
Located at 3232 North 20th St.
Council District: 4

This item was approved.

121 Final Plat - 5300 & 5308 E. Polk Street - PLAT 200576 - Northeast Corner of 53rd Street and Polk Street

Plat: 200576
Project: 19-2299
Name of Plat: 5300 & 5308 E. Polk Street
Owner(s): Tudo Holdings 1, LLC
Engineer(s): David S Klein
Request: A 1-Lot Commercial Plat
Reviewed by Staff: July 1, 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 53rd Street and Polk Street
Council District: 6

This item was approved.

122 Final Plat - 5226 E. Exeter Boulevard - PLAT 200627 - 5212 E. Exeter Blvd.

Plat: 200627
Project: 15-2350
Name of Plat: 5226 E. Exeter Boulevard
Owner(s): Phoenix Dragon FEI, LLC
Engineer: David S. Klein, RLS
Request: A 2 Lot Residential Plat

Reviewed by Staff: July 16, 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 5212 E. Exeter Blvd.
Council District: 6

This item was approved.

123 Final Plat - Sunset Place Phase 2 - PLAT 200504 - Northwest Corner of 67th Avenue and Broadway Road

Plat: 200504
Project: 18-2043
Name of Plat: Sunset Place Phase 2
Owner(s): Meritage Homes of Arizona, Inc.
Engineer(s): EPS Group, Inc.
Request: A 1 Lot Residential Subdivision Plat
Reviewed by Staff: July 23, 2021
Final Plat requires Formal Action Only.

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

Location
Generally located at the northwest corner of 67th Avenue and Broadway Road.
Council District: 7

This item was approved.

124 Final Plat - 83rd Ave & Broadway Rd - PLAT 200599 - West of 83rd Avenue and North of Broadway Road

Plat: 200599
Project: 18-3146
Name of Plat: 83rd Ave & Broadway Rd

Owner: KB Home Phoenix Inc.
Engineer: Richard Alcocer
Request: A 133-Lot Detached Single-Family Planned Residential Development Plat
Reviewed by Staff: June 25, 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 on the west side of 83rd Avenue 1/3 mile north of Broadway Road
Council District: 7

This item was approved.

125 Final Plat - Birdsong Phoenix - PLAT 210004 - 6626 W. McDowell Road

Plat: 210004
Project: 20-836
Name of Plat: Birdsong Phoenix
Owner: Birdsong Phoenix, LLC
Engineer: Bowman Consulting
Request: A 1 Lot Commercial Plat
Reviewed by Staff: July 22, 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
Located at 6626 W. McDowell Road
Council District: 7

This item was approved.

126 Final Plat - Southern Garden Industrial Park No. 2 - PLAT 200623 -

2450 East Southern Avenue

Plat: 200623
Project: 19-1802
Name of Plat: Southern Garden Industrial Park No. 2
Owner(s): 25th St and Southern, LLC
Engineer: 10 West Land Surveying and Mapping
Request: A 2 Lot Commercial Plat
Reviewed by Staff: June 1, 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 2450 East Southern Avenue
Council District: 8

This item was approved.

127 Final Plat - Liberty 2 - PLAT 200630 - Southeast Corner of 27th Avenue and Roeser Road

Plat: 200630
Project: 17-430
Name of Plat: Liberty 2
Owner(s): Lennar Arizona, Inc. and KB Home Phoenix, Inc.
Engineer(s): Dennis Harmon, Jr., RLS
Request: A 315 Lot Residential Plat
Reviewed by Staff: July 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 at the southeast corner of 27th Avenue and Roeser Road.

Council District: 8

This item was approved.

128 Final Plat - Moon Tower - PLAT 210026 - 811 N. 3rd St.

Plat: 210026
Project: 20-2619
Name of Plat: Moon Tower
Owner(s): Anthos Anemone Oz Fund, LLC and BBD, LLC
Engineer(s): Ritoch-Powell & Associates
Request: A 1-Lot Commercial Plat
Reviewed by Staff: July 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 811 N. 3rd St.
Council District: 8

This item was approved.

129 Abandonment of Right-of-Way - ABND 210016 - 24th Avenue and Avalon Drive (Resolution 21947)

Abandonment: ABND 210016
Project: 19-39
Applicant: Ryan Hatch
Request: The five feet of right-of-way approximately 900 feet north of the intersection at Thomas Road and 24th Avenue on the west side of 24th Avenue adjacent to 3030 and 3020 North 24th Avenue.
Date of Decision/Hearing: May 13, 2021

Summary

The resolution of the abandonment and PLAT 210030 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Financial Impact

A consideration fee was also collected as part of this abandonment in the amount of $7,700.

Location
24th Avenue and Avalon Drive
Council District: 4

This item was adopted.

130 Abandonment of Right-of-Way - ABND 200565 - Georgia Avenue and 29th Avenue (Resolution 21951)

Abandonment: ABND 200565
Project: 99-817
Applicant: Grand Canyon University
Request: To abandon the full width of Georgia Avenue right-of-way from 29th Avenue to its terminus, located approximately 462 feet to the west on the Grand Canyon University campus.
Date of Decision/Hearing: Feb. 4, 2021

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $66,000.

Location
Georgia Avenue and 29th Avenue
Council District: 5

This item was adopted.

131 Abandonment of Easement - ABND 200558 - 930 South 37th Drive (Resolution 21950)

Abandonment: ABND 200558
Project: 00-810
Applicant: D.F. Properties Inc
Request: To abandon the one-foot vehicular non-access easement dedicated with Ordinance S-12908, together with the 33-foot-wide right-of-way easement for the west side of 37th Drive located adjacent the property addressed 930 South 37th Drive. This abandonment must be recorded concurrently with DEDI 210034, on the same day. The sequence of recording is as follows: the resolution of abandonment is recorded first, then the dedication of the easement second.

Date of Decision/Hearing: Dec. 10, 2020

Financial Impact

A fee was also collected as part of this abandonment in the amount of $16,700.

Location

930 South 37th Drive
Council District: 7

This item was adopted.

132 Abandonment of Easement - ABND 210019 - 3939 and 3901 West Buckeye Road (Resolution 21948)

Abandonment: ABND 210019
Project: 21-1023
Applicant: Kimberly Shroeder; KAEKO Inc.
Request: 30’ non-buildable easement on the west side of 3939 W. Buckeye Road and the 30’ non-buildable easement on the east side of 3901 W. Buckeye Road.
Date of Decision/Hearing: May 6, 2021

Financial Impact

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

Location

3939 and 3901 West Buckeye Road
Council District: 7

This item was adopted.

133 Abandonment of Right-of-Way Easement - ABND 210007 - Southwest Corner of 7th Street and Euclid Avenue (Resolution 21949)

Abandonment: ABND 210007
Project: 94-0008906
Applicant: Deborah Ellison
Request: To abandon the 25-foot right-of-way easement adjacent to 7th Street.
Date of Decision/Hearing: April 15, 2021

Financial Impact

None. No consideration fee was required as a part of this right-of-way easement abandonment, although filing fees were paid.

Location
Southwest corner of 7th Street and Euclid Avenue
Council District: 8

This item was adopted.

134 Modification of Stipulation Request for Ratification of June 16, 2021 Planning Hearing Officer Action - PHO-2-21--Z-SP-37-85-2 - Approximately 248 Feet East of the Northeast Corner of 15th Avenue and Bell Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on June 16, 2021. This ratification requires formal action only.

Summary
Application: PHO-2-21--Z-SP-37-85-2
Existing Zoning: C-2 SP
Acreage: 4.83

Applicant: Ed Bull, Burch & Cracchiolo PA
Owner: Tom Hiller, Chapman Bell Road LLC
Representative: Ed Bull, Burch & Cracchiolo PA

Proposal:
1. Deletion of Stipulation 1 prohibiting a body or paint shop.
2. Modification of Stipulation 3 regarding days and hours of service.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee opted not to hear this request.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on June 16, 2021, and recommended approval. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Approximately 248 feet east of the northeast corner of 15th Avenue and Bell Road
Council District: 2
Parcel Address: N/A

This item was approved.

135 Modification of Stipulation Request for Ratification of July 21, 2021 Planning Hearing Officer Action - PHO-4-21--Z-137-86-7(4) - Approximately 315 Feet South of the Southeast Corner of 51st Avenue and McDowell Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on July 21, 2021. This ratification requires formal action only.

Summary
Application: PHO-4-21--Z-137-86-7(4)
Existing Zoning: C-2
Acreage: 3.46

Applicant: Nordean Moussalem
Owner: Raising Cane's Restaurant LLC
Representative: Luaron Foster

Proposal:
1. Modification of Stipulation 1 regarding general conformance to the site plans dated Oct. 9, 1996 and May 7, 1997 and elevations dated June 4, 1997.
2. Technical corrections to Stipulations 4 and 5.d.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The Maryvale Village Planning Committee heard this case on July 14, 2021 and recommended approval by a 9-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on July 21, 2021, and recommended approval with a modification and an additional stipulation. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location
Approximately 315 feet south of the southeast corner of 51st Avenue and McDowell Road
Council District: 4
Parcel Address: N/A

This item was approved.

136 Modification of Stipulation Request for Ratification of July 21, 2021 Planning Hearing Officer Action - PHO-2-21--Z-16-00-5 - Northeast Corner of 45th Avenue and Indian School Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on July 21, 2021. This ratification requires formal action only.

Summary
Application: PHO-2-21--Z-16-00-5
Existing Zoning: C-2
Acreage: 3.00

Applicant: MGS Plaza LLC
Owner: MGS Plaza LLC
Representative: Ashley Marsh, Gammage & Burnham PLC

Proposal:
1. Deletion of Stipulation 1 regarding general conformance to the site plan dated March 16, 2000, wall and landscape treatments, and elevations submitted to the zoning file.
2. Deletion of Stipulation 2 regarding the color, materials, and height of the pump island canopy.
3. Deletion of Stipulation 3 regarding the design of pump island canopy columns.
4. Deletion of Stipulation 4 regarding light fixtures on the pump island canopy.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The Maryvale Village Planning Committee heard this case on July 14, 2021 and

recommended approval by a 9-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on July 21, 2021, and recommended denial as filed and approval with a modification and additional stipulation. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location
Northeast corner of 45th Avenue and Indian School Road
Council District: 5
Parcel Address: 4420 W. Indian School Road

This item was approved.

137 Modification of Stipulation Request for Ratification of July 21, 2021 Planning Hearing Officer Action - PHO-3-21--Z-155-01-7 - Northeast Corner of 103rd Avenue and Broadway Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on July 21, 2021. This ratification requires formal action only.

Summary
Application: PHO-3-21--Z-155-01-7
Existing Zoning: PCD (Approved R-2 PCD)
Acreage: 20.39

Applicant: Andy Jochums, Beus Gilbert McGroder PLLC
Owner: VTLG Sunset Farms Land Company LLC
Representative: Andy Jochums, Beus Gilbert McGroder PLLC

Proposal:
1. Modification of Stipulation 5 regarding detached sidewalks, landscape strip, and planting standards along arterial, collector, and transitions onto local streets.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on July 20, 2021 and recommended approval by a 7-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on July 21, 2021, and recommended approval with a modification. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location
Northeast corner of 103rd Avenue and Broadway Road
Council District: 7
Parcel Address: N/A

This item was approved.

138 Remove/Replace Zoning District - 11th Avenue and Jomax Road - Annexation 503 (Ordinance G-6875)

Request to authorize the City Manager, or his designee, to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County RU-43 zoning district and replacing it with the City of Phoenix S-1 zoning district on property at the location described below, which was annexed into the City of Phoenix on May 19, 2021 by Ordinance S-47558.

Location
26506 N. 11th Ave.
Council District: 2

This item was adopted.

139 Remove/Replace Zoning District - Central Avenue and Jomax Road - Annexation 505 (Ordinance G-6876)

Request to authorize the City Manager, or his designee, to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County RU-43 zoning district and replacing it with the City of Phoenix S-1 zoning district on property at the location described below, which was annexed into the City of Phoenix on May 19, 2021 by Ordinance S-47559.

Location
26238 N. Central Ave.
Council District: 2

This item was adopted.

140 Amend City Code - Official Supplementary Zoning Map 1222

(Ordinance G-6877)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1222. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-81-06-5 and the entitlements are fully vested.

Summary

To rezone a parcel located approximately 250 feet west of the northwest corner of 27th and Glendale avenues.
Application No.: Z-81-06-5
Zoning: C-2
Owner: Structured RES-Glendale Storage, LLC; LCF Car Wash Glendale, LLC; and O'Reilly Automotive Stores, Inc
Acreage: 1.88

Location

Approximately 250 feet west of the northwest corner of 27th and Glendale avenues.
Address: 2714, 2718 and 2720 W. Glendale Ave.
Council District: 5

This item was adopted.

141 Amend City Code - Official Supplementary Zoning Map 1223 (Ordinance G-6878)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1223. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-SP-13-06-5 and the entitlements are fully vested.

Summary

To rezone a parcel located approximately 304 feet north of the northwest corner of 27th and Glendale avenues.
Application No.: Z-SP-13-06-5
Zoning: C-2 SP
Owner: Structured REA-Glendale Storage, LLC
Acreage: 2.15

Location

Approximately 304 feet north of the northwest corner of 27th and Glendale avenues.
Address: 2718 W. Glendale Ave.
Council District: 5

This item was adopted.

142 Amend City Code - Official Supplementary Zoning Map 1224 (Ordinance G-6879)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1224. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by the City Council with a portion of Z-109-97-2 and the entitlements are fully vested.

Summary

To rezone a parcel located approximately 410 feet north of the northeast corner of the Interstate-17 Freeway and Dynamite Boulevard.
Application No.: Z-109-97-2
Zoning: R-3A PCD
Owner: Dynamite Development Company of Sage, LLC
Acreage: 14.19

Location

Approximately 410 feet north of the northeast corner of the Interstate-17 Freeway and Dynamite Boulevard
Address: 28425 N. Black Canyon Highway
Council District: 2

This item was adopted.

143 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-51-20-2 - Approximately 4,000 Feet North of the Northeast Corner of Black Canyon Highway and Jomax Road (Ordinance G-6882)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on July 21, 2021.

Summary

Application: PHO-1-21--Z-51-20-2
Existing Zoning: R-3A
Acreage: 20.08

Applicant: Chuck Chisholm, K. Hovnanian Homes
Owner: Fred Bishop, et al.
Representative: Nick Wood Esq., Snell & Wilmer

Proposal:
1. Modification of Stipulation 6 regarding the minimum landscape setback required along the west property line and along the frontage road.
2. Modification of Stipulation 7 regarding the minimum landscape setback required along the south property line.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee was scheduled to hear this case on July 8, 2021 but did not have a quorum.
PHO Action: The Planning Hearing Officer heard this case on July 21, 2021 and took this case under advisement. Only July 28, 2021, the Planning Hearing Officer took this case out from under advisement and recommended approval with modifications. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location
Approximately 4,000 feet north of the northeast corner of Black Canyon Highway and Jomax Road
Council District: 2
Parcel Address: N/A

This item was adopted.

144 Amend City Code - Ordinance Adoption - Rezoning Application PHO-2-21--Z-12-11-2 - Approximately 1,320 Feet South of the Southeast Corner of North Valley Parkway and Sonoran Desert Drive (Ordinance G-6881)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on July 21,

2021.

Summary
Application: PHO-2-21--Z-12-11-2
Existing Zoning: C-2 HGT/WVR NBCOD
Acreage: 23.45

Applicant: Miandra Cash, EMC Management LLC
Owner: The Novak Family LLC
Representative: Alan Beaudoin

Proposal:
1. Review of site plan and elevations by the Planning Hearing Officer per Stipulation 1.
2. Review of site plan and elevations by the North Gateway Village Planning Committee per Stipulation 18.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The North Gateway Village Planning Committee heard this case on July 8, 2021 and recommended approval, by a vote of 6-0.
PHO Action: The Planning Hearing Officer heard this case on July 21, 2021 and recommended approval with modifications and additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location
Approximately 1,320 feet south of the southeast corner of North Valley Parkway and Sonoran Desert Drive
Council District: 2
Parcel Address: N/A

This item was adopted.

145 Amend City Code - Ordinance Adoption - Rezoning Application Z-65-20-6 (Broadstone on 7th PUD) - Approximately 180 Feet South of the Southeast Corner of 7th Street and Palo Verde Lane (Ordinance G-6880)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application

Z-65-20-6 and rezone the site from P-1 (Parking District) and C-2 (Intermediate Commercial District) to PUD (Planned Unit Development) to allow multifamily residential.

Summary

Current Zoning: P-1 (1.38 acres) and C-2 (1.85 acres)
Proposed Zoning: PUD
Acreage: 3.23
Proposed Use: Multifamily residential

Owner: Phoenix 7th Street, LLC, et al.
Applicant: ORB Architecture, LLC
Representative: ORB Architecture, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on July 6, 2021 and recommended approval with a modification by a vote of 11-0.
PC Action: The Planning Commission heard this case on Aug. 5, 2021 and recommended approval, per the Camelback East Village Planning Committee recommendation with an additional stipulation by a vote of 7-1.

Location

Approximately 180 feet south of the southeast corner of 7th Street and Palo Verde Lane
Council District: 6
Parcel Address: 5717, 5727, and 5733 N. 7th St.; and 5726, 5730, and 5734 N. 8th Place

This item was adopted.

146 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-14-19-8 - Approximately 776 Feet North of the Northeast Corner of 59th Avenue and Elliot Road (Ordinance G-6883)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on July 21, 2021.

Summary
Application: PHO-1-21--Z-14-19-8
Existing Zoning: R-3
Acreage: 22.87

Applicant: Isola Elliot LLC
Owner: Isola Elliot LLC
Representative: Benjamin Tate, Withey Morris PLC

Proposal:
1. Modification of Stipulation 2 regarding general conformance to the site plan and elevations date stamped May 3, 2019.
2. Modification of Stipulation 2.c regarding a maximum of 249 units.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on July 12, 2021 and recommended approval with a modification by a vote of 5-3-1.
PHO Action: The Planning Hearing Officer heard this case on July 21, 2021 and recommended approval with additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location
Approximately 776 feet north of the northeast corner of 59th Avenue and Elliot Road
Council District: 8
Parcel Address: N/A

This item was adopted.

Item 42, Ordinance S-47834 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.

42 Arizona Municipal Water Users Association - Annual Payment

Authorization

For $428,367.00 in payment authority for membership renewal to the Arizona Municipal Water Users Association for the Water Services Department. The Arizona Municipal Water Users Association supports the development of urban water policy and works collaboratively with water stakeholders to devise practical solutions to water problems to ensure sustainable growth for Arizona.

Discussion

Mayor Gallego expressed she supported this item, especially with the events happening on the Colorado River.

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

Yes: 8 - Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 1 - Councilman DiCiccio

45 **Proposed 51st Avenue and Baseline Road Annexation (Ordinance S-47878)**

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Ariz., by annexing an area not within the present limits of the City of Phoenix, designated as the 51st Avenue and Baseline Road Annexation. Further request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

This annexation was requested by Ernie and Miya Linsenmeyer, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach

A public hearing was conducted on May 19, 2021, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the Arizona Business Gazette newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

Location

The proposed annexation area includes Maricopa County Assessor parcels 104-89-007J, 104-89-007B, 104-89-007G and 104-89-007F, located at 51st Avenue and Baseline Road (**Attachment A**). The annexation area is approximately 6.56 acres (0.0103 sq. mi.) and the population estimate is zero individuals.

Council District: 7

Discussion

Mayor Gallego noted that Mark Rodriguez submitted a request to speak in support of this item, but was not on the line.

One electronic comment was submitted for the record in support of this item.

A motion was made by Councilwoman Ansari, 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

65 Appraisal Services for Citywide and Public Transit Projects (Ordinance S-47891)

Request to authorize the City Manager, or his designee, to enter into contracts with the appraisers listed below. Further request authorization for the City Controller to disburse funds related to this item. There is no financial impact for this action.

Summary

These contracts will be added to the Finance Department Real Estate Division's Qualified Vendor List (QVL) for appraisal services for Citywide projects on an as-needed basis for the contract period beginning Feb. 1, 2021 through Jan. 31, 2026. The Real Estate Division contracts with appraisers are for appraisal, appraisal review and other valuation services of real and personal property, as requested by City departments.

Procurement Information

The Finance Department released a Request for Qualifications (RFQu) for Appraisal Services on Oct. 21, 2020. As a result, 21 proposals were received, deemed responsive to the RFQu, and received contract approval by City Council at the Jan. 6, 2021 City Council Formal Meeting (Ordinance S-47229). Due to the high demand for appraisal services and the need for appraisals of unique properties, a second RFQu was necessary to avoid delays in service and project timelines.

On May 12, 2021 the Finance Department released a second RFQu for Appraisal Services. The RFQu was conducted in accordance with Administrative Regulation 3.10. Two proposals were received in response to the RFQu and both were deemed responsive to the requirements of the RFQu. The evaluation panel reviewed submittals according to the following criteria set forth in the RFQu and determined that all proposers met the established criteria to be placed on the Appraisal Services for Citywide and Public Transit Projects QVL.

Appraisal service providers to be added to the QVL are:

1. Accurate Appraisals U.S.A.
2. Kalinowski Neal & Associates

Contract Term

The contract term will begin upon execution of the contract(s) through Jan. 31, 2026.

Financial Impact

There is no new financial impact. Funding for these services was approved by Ordinance S-47229 in an amount not to exceed $3,250,000, with an estimated annual expenditure of $650,000.

Concurrence/Previous Council Action

The City Council approved contracts with 21 appraisal service providers (S-47229) on Jan. 6, 2021.

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

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

No: 2 - Councilman DiCiccio and Councilman Waring

73 **Extend Contract for Heat Relief Equipment Rental (Ordinance S-47854)**

Request to authorize the City Manager, or his designee, to extend an agreement with Pro EM Operations, LLC (Pro EM) for the rental of heat relief equipment in support of the City's Heat Relief Program through the end of September 2021. Further request authorization for the City Controller to disburse all funds related to this item. The value of the extension will not exceed $25,500, and funding is available through the American Rescue Plan Act.

Summary

The City's Heat Relief Program was developed to reduce the effects of extreme heat on vulnerable populations. Due to the COVID-19 pandemic, many City and community buildings continue to be closed, limiting the number of available heat respite locations. The Heat Relief Program begins when temperatures reach triple digits, operating usually mid-May through the end of September. As part of the Heat Relief Program, the Human Services Department (HSD) contracted with Pro EM for the rental of shade structures and cooling systems, and had the equipment placed at St. Vincent de Paul's Watkins Road facility. HSD received authorization to enter in to the agreement for six weeks under summer payment authority. This request is to extend the contract with Pro EM for the rental of heat respite equipment through Sept. 30, 2021, and to request authority to make payment in an amount not to exceed $25,500 for this extension.

Contract Term
The contract began on or about July 9, 2021, and, if extended, will end on Sept. 30, 2021. If not extended, the contract will terminate on Aug. 27, 2021.

Financial Impact
Expenditures are not to exceed $25,500 over the period of the extension. Funding is available through the City's allocation of American Rescue Plan Act funding and is under the City's Summer Heat Respite category. There is no impact to the General Fund.

Previous Council Action
On July 1, 2021, the City Council passed Ordinance S-47790, granting the City Controller summer payment authority for business operating expenditures through Aug. 24, 2021. Under this authority, the City Controller authorized HSD to rent the heat relief equipment for a period of six weeks.

Location
320 W. Watkins Road
Council District: 8

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

Councilwoman Ansari expressed she supported using ARPA funds to extend cooling and shade efforts at St. Vincent de Paul, especially for the unsheltered community. She emphasized the need was urgent and said she wanted to be involved in planning steps earlier next year. She recognized two individuals who put in a lot of work on this, noting everyone's efforts had saved lives.

Vice Mayor Garcia stated he also supported this continued effort and looked forward to working with the new staff in the Heat Relief Office. He thanked staff who worked on this and said he was committed to having a better plan with more resources next year.

One electronic comment was submitted for the record in support of this

item.

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

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

No: 0

76 Request Retroactive Authorization to Submit Annual Federal Communications Commission's Emergency Connectivity Fund Application and Enter Into Agreement (Ordinance S-47901)

Request to authorize the City Manager, or his designee, to submit an application to the Federal Communications Commission’s (FCC) Emergency Connectivity Fund (ECF) for funding assistance and enter into an agreement with the ECF for the purpose of accepting funds awarded. Additionally request to authorize the City Treasurer to receive, and the City Controller to disburse, all funds related to this item for the life of the Emergency Connectivity Fund. The total of all funds in the application is $258,300.

Summary

The ECF is a $7.17 billion program funded by the American Rescue Plan Act of 2021 to help schools and libraries support remote learning. The program will provide funding to schools and libraries for the reasonable costs of eligible equipment and services that can be provided to students, teachers, and library patrons who lack connected devices, such as laptop or tablet computers, and/or lack of broadband access during the pandemic.

The ECF would reimburse Phoenix Public Library for equipment purchases and monthly service costs purchased/delivered between July 1, 2021 and June 30, 2022. Phoenix Public Library currently lends 285 hotspots and 425 laptops to library cardholders. If awarded, Phoenix Public Library will acquire and provide broadband service for approximately 700 additional wifi hotspots through June 30, 2022, totaling approximately $258,300. Securing additional funds through the

Emergency Connectivity Fund will allow the library laptop/wifi hotspot lending program to increase its capacity to address the community's "connectivity gap", offering library customers internet access for basic educational opportunities, remote learning, and library resources/services.

The ECF application filing window opened from June 29, 2021 through Aug. 13, 2021. Due to the short application window, Phoenix Public Library is requesting retroactive authorization. If not approved, the application will be withdrawn.

Contract Term
The funding period is July 1, 2021 through June 30, 2022.

Financial Impact
There is no impact to the General Fund. Phoenix Public Library and City of Phoenix will be reimbursed the costs of providing equipment and internet access service through this program by the Emergency Connectivity Fund from July 1, 2021 through June 30, 2022. No matching funds are required.

Discussion
Councilwoman O'Brien stated she supported this item, especially with schools teaching in a virtual setting which was difficult for families to find resources and keep their children's education on track. She said she supported the Phoenix Public Library getting more resources to supply an additional 700 hot spots which would increase access for children to connect with online learning. She remarked these hot spots would also help residents connect to the many resources offered by the Library.

A motion was made and seconded to approve this item.

Mayor Gallego added she met people who got into college with help from the Library and these hot spots.

A motion was made by Councilwoman O'Brien, 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

77 Sale and Redevelopment of City-Owned Property at 723 W. Polk St. to Cardinal Capital Management, Inc. (Ordinance S-47839)

Request to authorize the City Manager, or his designee, to enter into a disposition and redevelopment agreement, and other agreements as necessary (Agreements), with Cardinal Capital Management, Inc., or its City-approved designee (Developer), for the sale and redevelopment of the American Legion site located at 723 W. Polk St. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. Sale of the property will result in payment to the City of $1,605,000.

Summary

The City owns a parcel comprised of approximately 73,220 square feet (SF), or 1.68 acres, located at 723 W. Polk St., at the southwest corner of 7th Avenue and Polk Street (Site). The Site, zoned C-3 (General Commercial), is located within the Downtown Phoenix Redevelopment Area as well as the Arts, Culture, and Small Business and Capital Mall overlays. The Site was deeded to the City in 1920 to allow the establishment of the American Legion Post No. 1 (Legion). The original agreement allowed the Legion to use the Site, subject to certain limitations and contract provisions, for 99-years with an end date of Feb. 20, 2019. In September 2018, the City Council approved an 18-month lease extension allowing the Legion to continue operations while the City determined the future of the Site. City staff sent a lease amendment to the Legion for execution; however, the Legion did not execute the amendment. On July 1, 2021, the City Council via Ordinance S-47830 amended the Legion's lease of the Site to retroactively extend the term of the least until Aug. 1, 2022. The lease amendment with the Legion has been executed and provides that once the Developer is ready to take title to the Site and commence construction, the City will terminate the lease with the Legion.

The property is not designated on the Phoenix Historic Property Register or the National Register of Historic Places. A National Register Nomination was prepared by individuals not associated with the Legion, however, the Legion does not support the nomination moving forward.

In June 2019, the City Council authorized the Community and Economic Development Department (CEDD) to issue a Request for Proposals (RFP) seeking offers for the disposition and redevelopment of the Site for a compatible, infill, mixed-use, mixed-income development. The City received two proposals in response to the RFP, which was issued in October 2019. Only one of the proposals was responsive as the other proposal was received after the published proposal deadline and staff entered into negotiations with the responsive proposer. If approved, the redevelopment will result in a mixed-use, mixed-income development consisting of one building ranging between four and five stories with approximately 160,000 gross SF of building space (Project), which will include:

Approximately 132 multifamily residential units offered in a mix of Market, Affordable and Workforce units with a preference for veterans, and distributed as follows:
Approximately 36 percent of the total units will be dedicated as Affordable Housing, restricted to households with incomes less than or equal to 50 percent of Phoenix-Mesa-Scottsdale, AZ MSA Area Median Income Limits (AMI).
Approximately 17 percent of the total units will be dedicated as Income Restricted Housing, restricted to households with incomes that are less than or equal to 80 percent of Phoenix-Mesa-Scottsdale, AZ MSA AMI.
Approximately 17 percent of the total units will be dedicated as Workforce Housing, restricted to households with incomes that are between 80 to 120 percent of Phoenix-Mesa-Scottsdale, AZ MSA AMI.
Approximately 30 percent of the total units will be dedicated as Market Rate Housing.
Attempt to maintain the historic eligibility of the property by preserving the pre-1949 portions of the structure.
Minimum 3,000 SF for community support services for veterans.

A pedestrian gateway into the Project at the southwest corner of 7th Avenue and Polk Street.
An interpretative feature documenting the history of the Luke-Greenway American Legion Post No. 1, to be located in a prominent, publicly accessible area of the Site.
Preservation of the existing flagpole or, if preservation of the existing flagpole is not possible, construction of a comparable flagpole of at least the same size.
Preservation and re-purposing of the existing meeting hall as a community meeting space.
Creation of an approximately 6,500 SF gathering space.
Sufficient parking spaces provided in a mix of covered and surface parking.

Subject to City Council approval, the following major business terms have been negotiated with the Developer and would be implemented through the Agreements:

Purchase price $1,605,000, equal to the appraised value.
99-year deed restriction guaranteeing the income restrictions, with a preference for veterans, on the Site.
City will provide a minimum of 25 project-based Veterans Affairs Supportive Housing (VASH) Vouchers for a term of 20 years, subject to future fund allocations to the City from the U.S. Department of Housing and Urban Development.
Developer will work with the Office of Historic Preservation to preserve the pre-1949 portions of the structure and maintain the historic eligibility of the property if possible. If the Developer is successful in maintaining the historic eligibility of the property, the City will:
Provide a one-time contribution of $300,000 for rehabilitation of the historically-eligible building after completion and acceptance of improvements, as well as execution of a 99-year conservation easement for the 7th Avenue frontage and the pre-1949 portions of the structure.
City will reimburse the City's share of Construction Sales Tax paid during the construction of the Project, in an amount not to exceed $265,000, in exchange for Developer executing a 99-year public access easement, enforceable by the City, to provide public access to at least

2,000 SF of the Site on which the interpretive feature documenting the history of the Luke-Greenway American Legion Post No. 1 is located.
Developer will preserve existing memorabilia at the Site.
Developer will apply to rezone the Site within 90 days of the Authorization Date and diligently pursue rezoning.
Developer will commence construction within 18 months of completion of the rezoning process.
Developer will complete construction within 24 months of construction commencement.
Agreements may contain other terms and conditions deemed necessary by City staff.

The Project will adaptively reuse a portion of the existing building and preserve key elements of the Legion property while adding veteran preference housing aimed at a mix of income levels. The Project will create approximately 100 construction jobs and approximately 20 permanent jobs after completion. In addition, the Project will create other new revenues through construction sales tax, new property tax and rental sales tax.

The Developer continues to work closely with the Legion to ensure their ability to remain on the site with the American Legion Post No. 1, up to the commencement of construction and again following the redevelopment of the property.

Financial Impact
Sale of the property will result in payment to the City of $1,605,000. Funding for the one-time historic preservation activities to maintain the historic integrity will not exceed $300,000 for which funding is available in the Downtown Community Reinvestment Fund. Construction Sales Tax reimbursement will not exceed $265,000.

Public Outreach
Staff presented to the following organizations:

Downtown Voices Coalition - May 8, 2021
Central City Village Planning Committee - May 10, 2021
Grand Avenue Members Association - May 11, 2021

Grand Avenue Arts & Preservation - May 11, 2021
Historic Preservation Commission May 17, 2021
Roosevelt Action Association - May 18, 2021
Military Veterans Commission - June 17, 2021

Staff also contacted the Capital Neighborhood Association and the Triangle Neighborhood Association to provide information, and worked with the American Legion to gather feedback.

Concurrence/Previous Council Action
This item was recommended for approval by the Workforce and Economic Development Subcommittee at the June 23, 2021 meeting by a vote of 3-0.

Location
723 W. Polk St.
Council District: 7

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

Councilwoman Ansari expressed this was an important building in downtown Phoenix, especially for veterans across the valley. She conveyed this was the first American Legion post which held hundreds of community events and was a haven for service members. She said this was a win-win solution, noting there would be 132 multifamily units offered at market, affordable and workforce rates with veteran preference, plus a 99-year deed restriction which guaranteed the income rates. She added all pre-1949 portions of the structure would be preserved as well as the notable flag pole and memorabilia. She stated 3,000 square feet would also be dedicated to veteran support services and a civic memory component would be part of this adaptive reuse project.

Councilwoman Pastor recalled at the last meeting there was robust dialogue about preserving this building and said she was happy to see this matter moving forward. She expressed she was highly supportive of this item.

Mayor Gallego noted this was coming about before the American Legion national conference and she welcomed talking about veteran housing and members having a place to go.

Larry Busser spoke in support on behalf of the members of Luke-Greenway American Legion Post 1. He mentioned the post served the Phoenix community for the past 100 years through various activities and honored veterans and first responders with ceremonies. He stated they had been working with the developer to create a vision that included rebuilding their post home and housing for veterans, noting the developer agreed to preserve historical aspects of the buildings, such as the meeting hall, kitchen, cantina area and memorabilia. He requested that Council support this item.

Dana Krieger stated American Legion Post 1 had been active in its support of the downtown Phoenix community for the past 100 years and he asked Council to help them continue their mission. He stressed housing affordability for veterans needed to be a priority and said he supported this RFP being awarded to Cardinal Capital to allow the continued activities of Post 1 as well as provide affordable housing. He urged Council to vote in support of this item.

Beatrice Moore thanked Councilwoman Ansari for her assistance and the subcommittee members who created an important discussion about this project. Ms. Moore stated she supported this item based on the historic preservation of a majority of the building. She said she welcomed this affordable housing project for veterans, but the height in a historic commercial district with small scale buildings had risks. She remarked preservation of the historic building would set an example for other residential projects that might want height in this part of the neighborhood. She asked that Council stay involved to ensure rezoning was earned by the developer for the best project possible and the best outcome with the least risk to the adjoining neighborhood.

Julie Rees said she had worked with Cardinal Capital Management for 14 years and attested to the quality of their affordable and workforce housing. She pointed out this development would provide a new home for Post 1 so they could continue their work and expand their mission to

include housing for veterans. She noted there had been an extensive community engagement process to ensure Post 1's vitality. She thanked community members and City staff for their efforts in getting to this point and asked for Council's support of this item.

Erich Schwenker, the developer, stated the 132 units was a remarkable outcome, noting affordable housing was difficult for communities to do. He conveyed the income mix was important as more people took care of others who needed assistance. He thanked Council for the way incentives were set up and the flexibility with historic preservation.

The following electronic comments were submitted for the record: 12 in support and 2 with no position.

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 FY 2021 BJA Smart Policing Initiative Grant (Ordinance S-47902)

Request retroactive authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept and enter into an agreement with the Bureau of Justice Assistance and the National Police Foundation. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The grant amount requested is $500,000. No matching funds are required.

Summary

The Police Department is seeking federal funding to implement a project to advance the state of policing, accountability and science by leveraging innovative technology to facilitate the rapid and accurate collection of Pointed Gun at Person (PGP) data. The project objective is to improve investigations, officer and civilian safety, training and policies in response to resistance. The project has five main components:

Conduct a technical evaluation and implementation of firearm-based sensor hardware, that can passively collect PGP and Officer Involved Shooting (OIS) data.

Develop and implement a response to force dashboard that incorporates PGP, OIS and a variety of contextual datasets.

Explore the concurrence between PGP data firearm-based sensors and officer self-report PGP data, to assess potential variations in reporting accuracy.

Test the use of firearm-based sensors for improving officer training and enhancing early warning and intervention systems.

Conduct a naturalistic and closed-setting study, to evaluate the value of firearm sensor hardware for conducting OIS investigations.

If awarded, grant funding will be utilized for travel, overtime, purchasing equipment, and providing funding to the National Police Foundation to conduct project oversight, ensuring all tasks are executed efficiently and effectively and all scientific standards are met. The grant application was due July 20, 2021. If the request is denied, the grant application will be rescinded.

Contract Term

The contract term is Oct. 1, 2021 through Sept. 30, 2024.

Financial Impact

No matching funds are required.

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

89 Additional Expenditure for Custodial Services at Phoenix Sky Harbor International Airport (Ordinance S-47876)

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

additional expenditures under Custodial Services Contract 148570 (Contract) with Flagship Airport Services, Inc. (Flagship) to provide custodial services at Phoenix Sky Harbor International Airport and its maintained facilities, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport (collectively, Airports). Further request to authorize the City Controller to disburse all funds related to this item. The total value of the additional expenditures will not exceed $30 million for the remainder of the term of the contract.

Summary

On Oct. 3, 2018, the City Council approved two contracts to provide custodial services at the Airports to be awarded in the large and small company categories. Flagship was awarded the large company category to provide staff, equipment, supplies, and supervision necessary to furnish custodial cleaning services for 1.7 million square feet of facilities at the Airports.

Custodial services are critical to the Airports to maintain a clean, sanitary, and safe environment for the traveling public. Activity at the Airports has rebounded to near pre-pandemic passenger volume. However, the nationwide labor shortage in the job market has posed a challenge for Flagship to recruit and retain adequate staffing. The City anticipates opening new facilities in the next three years, including two new Sky Train Stations and the Terminal 4 South 1 Concourse. The additional contract expenditures will provide capacity to support these new facilities and provide Flagship additional resources to attract and retain skilled custodial cleaning staff.

Contract Term

There is no change to the current five-year term of the contract, which began on Nov. 5, 2018 and includes two, one-year options to extend the term that may be exercised at the sole discretion of the Aviation Director.

Financial Impact

The additional expenditure will not exceed $30 million through the remainder of the contract term, including the option years. Funding is available in the Aviation Department's budget.

Concurrence/Previous Council Action

The contract was originally approved by the City Council on Oct. 3, 2018.

Location

Phoenix Sky Harbor International Airport and surrounding airport properties - 3400 E. Sky Harbor Blvd.;
Phoenix Deer Valley Airport - 702 W. Deer Valley Road; and
Phoenix Goodyear Airport - 1658 S. Litchfield Road Goodyear, Ariz.

Council Districts: 1, 8, Out of City

Discussion

Councilwoman Guardado thanked Aviation staff for bringing this item forward as janitors continued to work through the pandemic and said she hoped this contract increase was used to support these airport workers. She asked that the company sit down with employees and their labor representatives to discuss where these additional resources are most urgently needed. She also requested the Aviation Department set up a meeting with all those involved to address airport employees concerns. She expressed she looked forward to hearing about the improvements this item brought to frontline airport janitors.

A motion was made and seconded to approve this item.

Councilwoman Ansari said she recently toured the airport and learned about the workforce challenges the airport was facing as the biggest economic generator in the state. She conveyed it was important to treat workers fairly and said she was happy to see these increase expenditures.

A motion was made by Councilwoman Guardado, seconded by Councilwoman Ansari, 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

90 Authorization to Enter into Access Easement Agreement with Millennium Park Central, LLC for Valley Metro Light Rail Traction

Power Sub-Station (Ordinance S-47843)

Request to authorize the City Manager, or his designee, to enter into an easement agreement and other agreements as necessary (Agreements) with Millennium Park Central, LLC or its City-approved designee for continued access to a Valley Metro Light Rail Traction Power Sub-Station located at 1st Avenue and Catalina Drive. There is no financial impact to the City for this item.

Summary

Millennium Park Central, LLC (Developer) is currently constructing the Millennium Park Central Apartments (Project) at Park Central. The Traction Power Sub-Station (TPSS) is on City-owned property acquired in 2006 to support the original light rail line that opened in 2008. The TPSS remains in operation and is maintained by Valley Metro for light rail operations. Prior to the Developer's Project, the TPSS could be accessed via the Park Central surface parking lot. Upon the Developer receiving site plan approval for its Project, staff from the City, Developer, and Valley Metro discussed the need for continued access to the TPSS. As a result of negotiations, the Developer incorporated an area for Valley Metro to build a driveway and thus grants under the Agreements the necessary access to the City, Valley Metro, and the City's/Valley Metro's designee(s) at no cost. Upon Council authorization, the City will execute the Agreements, and Valley Metro will fund and build the access driveway to be completed later this year in tandem with the Project's completion.

The parcels affected by this Project and included in this request are identified as Maricopa County Assessor's parcels 118-37-034 and 118-37-030B, located at 108 W. Catalina Drive.

Financial Impact

There is no financial impact to the City for this item.

Location

108 W. Catalina Drive
Council District: 4

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

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

No: 2 - Councilman DiCiccio and Councilman Waring

91 **Fare Policy Amendment - Use of ARPA Funds to Purchase Transit Passes (Ordinance S-47872)**

Request the City Council to amend the City's Public Transit Fare Policy and Uniform Fare Structure "Fare Policy" to provide for the City to purchase full-fare transit passes at a half-price fare rate, so that the City can purchase twice as many passes for distribution to groups identified by the Council in need of relief. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The total cost of the pass purchases will not exceed $1 million. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) from the federal government and is under the City's Bus Card Subsidy Program category of the City's strategic plan.

Summary

For relief during the COVID-19 pandemic, the City will be receiving federal ARPA funding that may be allocated at the discretion of the City Council. From these funds, the City intends to use $1 million to purchase transit passes for the needy, although this expenditure would help more people with an amendment to the Fare Policy to allow the City to purchase full-fare transit passes at a reduced-fare rate.

Over the past 10+ years, a number of Council-approved fare policy changes have been implemented by the Public Transit Department, including changes to the fares charged to public transit users. The current Fare Policy, as amended, is located in the office of the Public Transit Director and reflects regional fare policies implemented regionally in partnership with Valley Metro and its member agencies.

Among its provisions, the Fare Policy provides that homeless service providers are eligible to receive full fare transit passes at a half-price rate. The proposed Fare Policy amendment would provide for the City to similarly purchase, with federal relief funding, full-fare passes at half price

for needy passengers experiencing financial or other difficulties as identified by Council. See **Attachment A - Final Version (Fare Policy)**. This amendment would facilitate the purchase of twice as many passes, which the Public Transit Department and other City departments would distribute as directed by Council to ensure that those transit-dependent passengers can continue to ride transit in these challenging times.

Financial Impact

Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the Federal Government, which falls under the City's Phoenix Bus Card Subsidy Program Category of the strategic plan. The City will use $1 million in federal ARPA funds to purchase 31,250 full-fare, 31-day transit passes at the reduced-fare rate of $32 each.

Discussion

Councilwoman Ansari expressed she was excited this program was rolling out as it would greatly serve Phoenix residents, especially working families, students and seniors. She said she wanted the City to pledge a vision toward free transit for every Phoenix resident by 2050. She indicated this pilot would provide better data on who in the community and from where benefited from this effort. She cited recent data that showed the average American spent about 25.9 minutes traveling to work and approximately 16 percent of their budget on transit costs. She acknowledged this program already offered some students and seniors with reduced fare, but she wanted to see significantly more outreach done with community colleges, libraries, heat relief centers, refugee communities, Circle Ks, QTs, public housing and non-profits that served the most vulnerable.

Councilwoman Guardado stated she supported the proposed efforts of getting transit passes out to the community, especially for community colleges to distribute to their students. She recalled recently participating in a discussion at Gateway Community College where students shared their hurdles were access to child care and transportation as well as wages. She said she was excited about this program rolling out and filling the transportation gap for students.

Vice Mayor Garcia agreed with his colleagues comments and directed

staff to distribute these passes in community colleges, public housing community centers, libraries and heat relief centers. He said he also wanted staff to market these free transit cards in places where people purchase them now, such as Circle Ks and QTs. He remarked he wanted as little red tape as possible and to make it a simple application available to non-profits that were able to distribute them. He expressed he was excited to give these cards to those who most needed them and stated he would be voting yes on this item.

A motion was made by Councilwoman Ansari, 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

115 Amendment to Planning, Zoning, Plan Review, and Permitting Application - Requirements Contract - RFP 19-019A (Ordinance S-47874)

Request to authorize the City Manager, or his designee, to approve an amendment to the scope of work of the Planning, Zoning, Plan Review, and Permitting Application, Contract 151139 with Accenture. The amendment includes scope changes for enhanced DevOps software and services, to enter into a new Master Services Agreement with Copado; and to waive, or make an exception to, Phoenix City Code, section 42-18 (Chapter 42 Risk Management, Contract Provisions; Indemnification Prohibition) for the Master Services Agreement and the Accenture Reseller Agreement. Further request authorization for the City Controller to disburse all funds related to this item. No additional funds are needed.

Summary

The Kiva application tracks development citywide, including Plan Review, Inspections, Permitting and Historic Preservation activity. Planweb is a separate application that tracks planning, rezoning and zoning adjustment activity. Kiva and Planweb support over 500 PDD staff responsible for all zoning and construction plan review and permitting in the City of Phoenix. The intent of the project and contract with Accenture is to replace Kiva.

This new contract and amendment will support the SHAPE PHX Project and will replace the PDD land management applications, including Kiva, PlanWeb, and other supporting applications. The new Copado services agreement reflects an agreed upon change for a new approach to DevOps tools to support configuration management for the project. The Copado software requires a separate software license. For a waiver of Phoenix City Code, 42-18 - Copado requires a limitation of liability of three times the contract amount for the past year, and indemnification and defense by the city for all claims; Accenture is also requiring indemnification and defense by the city for its role as a third-party reseller of the software.

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

Contract Term
The contract term is Nov. 1, 2019 through Oct. 31, 2026.

Financial Impact
Funding for these contracts was previously approved by Council on Nov. 1, 2019 (S-46102). No additional funds are needed for this amendment and new software master services agreement.

Concurrence/Previous Council Action
This contract was originally approved by City Council on Nov. 1, 2019.

Discussion
Councilwoman O'Brien expressed she was excited to support this item and bring government into the 21st century. She mentioned that she championed the software system update in the Human Services Department which allows residents to submit applications and schedule appointments online. She conveyed she was happy to champion this endeavor to create a new digital customer service system for the Planning and Development Department. She emphasized the Department has seen a record increase in submitted applications, permits and requests for inspections, and the current 1996 system has struggled to keep up with those demands. She remarked it was time to connect City services to residents and upgrade how government does

business.

A motion was made and seconded to approve this item.

Mayor Gallego added this item included an extensive hiring effort for the Department along with an important and overdue update.

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

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

No: 0

147 (CONTINUED FROM JULY 1, 2021) - Public Hearing and Ordinance Adoption - Rezoning Application Z-49-20-3 - Located Approximately 970 Feet North of the Northeast Corner of 34th Street and Sweetwater Avenue (Ordinance G-6871)

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-49-20-3 and rezone the site from R1-6 (Single-Family Residence District) to R-3 (Multifamily Residence District) for a Community Residence Center.

Summary
Current Zoning: R1-6
Proposed Zoning: R-3
Acreage: 1.11 acres
Proposed Use: Community Residence Center

Owner: Fedzin Enterprises, LLC
Applicant: Matt Ihms
Representative: Matt Ihms

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Valley Village Planning Committee heard the

case on May 3, 2021 and recommended approval, per the staff recommendation by a vote of 11-6.
PC Action: The Planning Commission heard the case on June 3, 2021 and recommended approval, per the Paradise Valley Village Planning Committee recommendation, with an additional stipulation by a vote of 8-0.

The Planning Commission recommendation was appealed and a petition for a three-quarter vote was submitted on June 10, 2021. A three-quarter vote is not required.

Location
Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue
Council District: 3
Parcel Addresses: 13225 N. 34th St.

Discussion
Councilwoman Stark requested to continue this item to the Nov. 3, 2021 formal meeting. She stated she spoke with the applicant who wanted to retain neighborhood specialists to help work with the neighborhood. She said there was misunderstanding that this could be any kind of use, such as multifamily or a behavioral health center instead of assisted living. She pointed out those could be uses based on the current zoning, but she wanted the neighborhood to talk with whoever the applicant hired.

Mayor Gallego noted there were two individuals who wished to speak and advised comments could only be made based on support or opposition to the continuance.

City Clerk Denise Archibald announced neither individual was on the line.

Two electronic comments were submitted for the record in opposition of this item.

A motion was made by Councilwoman Stark, seconded by Councilwoman O'Brien, that this item be continued to the Nov. 3, 2021 City Council Formal Meeting. 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

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

City Attorney Cris Meyer stated during Citizen Comment, members of the public may address the City Council for up to three minutes on issues of interest or concern to them. He advised the Arizona Open Meeting Law permits the City Council to listen to the comments, but prohibits council members from discussing or acting on the matters presented.

Ari Berronghuber said he worked for HMS Host as a host at Barrio Cafe in Terminal 4. He pointed out there were more passengers at the airport, but HMS Host businesses were under-staffed and asked that Council support the workers.

Jiya Gauba stated she was a Starbucks barista. She expressed when she was working it was stressful as orders were rushed through while Starbucks was under-staffed. She urged Council to support the workers.

April Hernandez said she worked for HMS Host as a Starbucks barista in Terminal 3. She pointed out two of the four Starbucks locations exceeded their pre-pandemic sales numbers while Starbucks was under-staffed. She asked that Council support the workers.

Faith Kearns expressed she wanted to see sustainable housing without obstacles as most who were homeless did not have birth certificates or IDs.

Mr. Barajas provided Spanish interpretation for Ms. Quintana and Ms. Rios.

Carmen Quintana stated she had worked for HMS Host for 33 years, but had been laid off since March 2020. She noted she had the most seniority but was the last one called to return to work. She said she lost insurance in May 2020

and was unable to pay for her medications until she was approved for AHCCCS. She urged Council to unite with HMS Host employees.

Maria Rios said she had worked for HMS Host for 15 years, but was laid off in March 2020 due to the pandemic and had been waiting for a call to return to work for over a year. She expressed she had struggled the past year and had to pay for insurance to cover her cancer treatments. She asked that Council not give more relief to entities like HMS Host unless there was a plan in place that would benefit the employees who needed the relief. She urged Council to unite with HMS Host employees.

Note: Councilman DiCiccio disconnected from the meeting.

Matthew Vargas stated he worked for HMS Host as a Starbucks barista in Terminal 3. He asked that Council not provide more relief to HMS Host until a plan was in place that benefited the workers. He noted Starbucks was under-staffed and had inadequate scheduling of both workers and managers which made for a difficult work environment. He urged Council to stand with HMS Host workers.

Frank Urban said he had been homeless and had his possessions taken by Phoenix police officers during raids. He also stated he had been arrested while standing on the sidewalk when he was homeless. He expressed he wanted to see more compassion from Phoenix police officers toward homeless people.

Note: Councilman Waring disconnected from the meeting.

Elizabeth Venable stated the City needed to follow court rulings regarding homeless people's civil rights. She also commented the City should follow the 4th, 8th and 14th amendments with regard to law enforcement not seizing and destroying people's property, and not using cruel and unusual punishment on homeless people.

Mari Yepez, a lead organizer with Unite Here Local 11, said she represented HMS Host workers at Phoenix Sky Harbor Airport. She expressed workers were still waiting to be called back to work while those who returned to work were stressed due to working conditions. She urged Council to have HMS Host invest more money in its workers by settling a liberal contract that included wage

increases, healthcare benefits and appropriate staffing.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 3:41 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 25th day of August, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 3rd day of April, 2024.

CITY CLERK