City of Phoenix

186085

City of Phoenix

Minutes

City Council Formal Meeting

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

Wednesday, May 25, 2022 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, May 25, 2023 at 2:30 p.m. in the Council Chambers.

Present: 7 - Councilwoman Yassamin Ansari, Councilman Sal DiCiccio, Councilmember Carlos Garcia, Councilwoman Betty Guardado, Councilwoman Ann O'Brien, Councilwoman Debra Stark, Councilman Jim Waring and Mayor Kate Gallego

Absent: 1 - Vice Mayor Laura Pastor

Councilman DiCiccio and Councilwoman O'Brien attended the meeting virtually. Councilman DiCiccio connected to the meeting and joined the voting body during Roll Call at the start of the meeting.

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

The City Clerk confirmed copies of the titles of Ordinances G-6986 through G-6988; S-48615 through S-48677; and Resolutions 22020 through 22028 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

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

BOARDS AND COMMISSIONS

1 Mayor and Council Appointments to Boards and Commissions

Summary

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

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

Human Relations Commission

Appoint Michael Mazzocco as Vice Chair for a term to expire May 25, 2023 as recommended by Mayor Gallego.

Human Services Commission

Appoint Alejandro Flores as Chair for a term to expire June 30, 2023 as recommended by Mayor Gallego and Re-appoint Alejandro Flores for a term to expire June 30, 2025 as recommended by Mayor Gallego.
Appoint Jayson Mathews as Vice Chair for a term to expire June 30, 2023 as recommended by Mayor Gallego.
Re-appoint Itoro Elijah for a term to expire June 30, 2024 as recommended by Mayor Gallego.
Re-appoint Roberta Mack for a term to expire June 25, 2025 as recommended by Mayor Gallego.
Re-appoint Bonnie Temme for a term to expire June 30, 2024 as recommended by Mayor Gallego.
Appoint Petra Flacon for a term to expire June 25, 2025 as recommended by Councilmember Garcia.
Appoint Guy Mikkelson for a term to coincide with Councilwoman O'Brien's term or until replaced as recommended by Councilwoman O'Brien.
Appoint Cecilia Maes for a term to coincide with Councilwoman Guardado's term or until replaced as recommended by Councilwoman Guardado.

Maryvale Village Planning Committee

Appoint JJ Bazzi to fill a vacancy for a partial term to expire November 19, 2022 as recommended by Councilwoman Guardado.
Appoint Delbert Hawk to fill a vacancy for a partial term to expire

November 19, 2022 as recommended by Councilwoman Guardado.

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

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

2 Reappointment of Phoenix Municipal Court Judges and Chief Presiding Judge

Request City Council to reappoint Judge Tina Solomon to a four-year term as Judge of the Phoenix Municipal Court, expiring June 29, 2026 and Judge Laura Lowery to a four-year term as Judge of the Phoenix Municipal Court, expiring Sept. 30, 2026. Further request to reappoint Judge B. Don Taylor III to an annual term as Chief Presiding Judge, expiring June 30, 2023.

Summary

On April 8, 2022, the Judicial Selection Advisory Board recommended reappointment of Judge Tina Solomon as a Judge of the Phoenix Municipal Court for a four-year term expiring June 29, 2026 and Judge Laura Lowery as Judge of the Phoenix Municipal Court for a four-year term expiring Sept. 30, 2026.

On April 8, 2022, the Judicial Selection Advisory Board also recommended the reappointment of Judge B. Don Taylor III to an annual term as Chief Presiding Judge, expiring June 30, 2023.

Concurrence/Previous Council Action

On May 11, 2022, the Public Safety and Justice Subcommittee unanimously recommended these reappointments to the City Council.

Discussion

Mayor Gallego expressed appreciation of the Municipal Court system for their innovation and being solution orientated while navigating difficult times during the pandemic. Mayor Gallego stated she looked forward to supporting the reappointment of the judges.

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

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring and Mayor Gallego

No: 0

Absent: 1 - Vice Mayor Pastor

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

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

Present: 7 - Councilman Sal DiCiccio, Councilwoman Betty Guardado, Councilwoman Ann O'Brien, Councilman Jim Waring, Councilwoman Debra Stark, Vice Mayor Yassamin Ansari and Mayor Kate Gallego

Absent: 1 - Vice Mayor Laura Pastor

Discussion

Mayor Gallego stated that the Council had a great agenda for economic development, adding 39 housing units, and so much more.

A motion was made by Councilmember Garcia, seconded by Councilwoman Ansari, that items 3-11 be recommended for approval. The motion carried by the following voice vote:

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring and Mayor Gallego

No: 0

Absent: 1 - Vice Mayor Pastor

3 Liquor License - Koi Sushi & Wok

Request for a liquor license. Arizona State License Application 192872.

Summary

Applicant
Lorena Hughes, Agent

License Type
Series 12 - Restaurant

Location
4205 W. Anthem Way, Ste. 109
Zoning Classification: C-2 PCD
Council District: 1

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

The 60-day limit for processing this application is June 1, 2022.

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 run a restaurant business with a liquor License for the last decade, understand and implement the most appropriate way to serve customers as well, as follow the instruction and restriction enforced by the law."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"As a local restaurant business, we have received a high demand to serve liquor to the Local, our restaurant has a great ambiance, music, and finger food. perfect for friends and family gatherings. It's in the community's best interest to provide a hangout place for the neighbors."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Koi Sushi & Wok
Liquor License Map - Koi Sushi & Wok

This item was recommended for approval.

4 Liquor License - Rosati's Pizza & Sports Pub

Request for a liquor license. Arizona State License Application 191085.

Summary

Applicant

Jeffrey Nachtweih, Agent

License Type
Series 12 - Restaurant

Location
28325 N. Tatum Blvd., Ste. 7
Zoning Classification: C-1
Council District: 2

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 May 29, 2022.

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

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

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

Applicant's Statement
The applicant submitted the following statement in support of this

application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“We have operated businesses for some time and have done well. We will work hard to ensure a successful business. Our employee's and ourselves will attend liquor training to make sure all liquor laws are followed.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Rosati's pizza has been in this location since 2014. Our neighbors love the restaurant as it has become one of cave creek's most popular restaurants.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Rosati's Pizza & Sports Pub
Liquor License Map - Rosati's Pizza & Sports Pub

This item was recommended for approval.

5 Liquor License - Trevors

Request for a liquor license. Arizona State License Application 192983.

Summary

Applicant
Christopher Hanna, Agent

License Type
Series 9 - Liquor Store

Location
7000 E. Mayo Blvd., Bldg. 25

Zoning Classification: PUD
Council District: 2

This request is for a new liquor license for a liquor store. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow package liquor sales. This business has plans to open in November 2022.

The 60-day limit for processing this application is June 1, 2022.

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.

Hudson Eatery & Bar (Series 7 & Series 12)
1601 E. Apache Blvd., Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"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:
"Trevor's is a neighborhood bar offering customers the opportunity to sit and enjoy their beverage. Applicant would like to offer alcoholic beverages to 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 - Trevors
Liquor License Map - Trevors

This item was recommended for approval.

6 Liquor License - Jinya Ramen Bar

Request for a liquor license. Arizona State License Application 192998.

Summary

Applicant
Daradee Olson, Agent

License Type
Series 12 - Restaurant

Location
5120 N. Central Ave., Ste. 100
Zoning Classification: C-2 TOD-District Uptown
Council District: 4

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in September 2022.

The 60-day limit for processing this application is June 1, 2022.

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.

Jinya Ramen Noodle Bar (Series 12)
130 S. Arizona Ave., #1, Chandler
Calls for police service: N/A - not in Phoenix

Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am an upstanding citizen in the local community. I am extremely reliable and have high moral standards. I will ensure all of my employees are knowledgeable and fully understand all of the liquor rules and regulations."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I will make sure my establishment provides an amazing dining and drinking atmosphere for the community. The community will enjoy amazing food and a fun laid back environment. Our few specialty cocktails pair nicely with our ramen."

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 - Jinya Ramen Bar
Liquor License Map - Jinya Ramen Bar

This item was recommended for approval.

7 Liquor License - The Joy Lush Club

Request for a liquor license. Arizona State License Application 192951.

Summary

Applicant
Michael Fasel, Agent

License Type
Series 7 - Beer and Wine Bar

Location
24 W. Camelback Road, Ste. D and E
Zoning Classification: C-2
Council District: 4

This request is for a liquor license for a beer and wine bar. 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 June 2022.

The 60-day limit for processing this application is June 1, 2022.

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 worked the bar, restaurant and beverage industries for 10+ years. I hold 2 undergraduate degrees and a law degree and am a current small business owner/operator in Arizona. I understand the monetary, legal, tax and municipality requirements needed to successfully run a viable business and will do the same for this new venture. Thank you for your support of a new, small, Mom & Pop, beer and wine bar in North Central Phoenix."

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 creating a space and bar for our neighborhood and community, the neighborhood I am raising my 2 kids in with my wife Kate. I understand the need for respect and preservation of the neighborhood feel when there's a bar nearby from my experience listed above. This place will be one for everyone in our community, and will feature local Phoenix events, holiday celebrations of all sorts, Phoenix sports, and will be a gathering place for the residents in the North Central Corridor."

Staff Recommendation

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

Attachments

Liquor License Data - The Joy Lush Club
Liquor License Map - The Joy Lush Club

This item was recommended for approval.

8 Liquor License - Gogi &

Request for a liquor license. Arizona State License Application 192858.

Summary

Applicant
Kim Sunok, Agent

License Type
Series 12 - Restaurant

Location
4905 E. Ray Road, Ste.102
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is June 1, 2022.

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 many experience with liquor well."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Liquor should be well controled served property."

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 - Gogi &
Liquor License Map - Gogi &

This item was recommended for approval.

9 Liquor License - Nello's

Request for a liquor license. Arizona State License Application 07070234.

Summary

Applicant
Amy Nations, Agent

License Type
Series 7 - Beer and Wine Bar

Location
4710 E. Warner Road, Ste.10
Zoning Classification: C-1
Council District: 6

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 is June 6, 2022.

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.

Cien Agaves Tacos & Tequila (Series 12)
7228 E. 1st Ave., Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Cien Agaves Tacos & Tequila (Series 12)

7000 E. Mayo Blvd. Bldg. #18, Ste. 1072, Phoenix
Calls for police service: 211
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We train all of our employees in responsible liquor service. We also conduct regular audits to ensure compliance. The owners have also recently taken the basic and management training again to stay up to date. The own and operate other restaurants and have operated for many years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Nello's Ahwatukee opened in 1996. Customer loyalty is what helped Nello's long standing and continued success. The new owners have been longtime customers and did not want to see this restaurant change. As longtime Arizona residents, the new owners knew of the reputation Nello's has and would like to continue to be a part of it."

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 - Nello's
Liquor License Map - Nello's

This item was recommended for approval.

10 Liquor License - Grab N Go 909

Request for a liquor license. Arizona State License Application 192668.

Summary

Applicant
Vaneet Sapra, Agent

License Type
Series 10 - Beer and Wine Store

Location
8802 S. Central Ave.
Zoning Classification: C-2
Council District: 8

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

The 60-day limit for processing this application is May 31, 2022.

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:
"Already owns 10 locations. Very involve in all businesses. Follow all laws and regulation. Trained all my employees."

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 involve in neighborhod community. We will do community donation. Card ID. We will keep store all clean and very safe for all customers."

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 - Grab N Go 909
Liquor License Map - Grab N Go 909

This item was recommended for approval.

11 Liquor License - The Lost Leaf

Request for a liquor license. Arizona State License Application 07073003.

Summary

Applicant
Amy Nations, Agent

License Type
Series 7 - Beer and Wine Bar

Location
914 N. 5th St.
Zoning Classification: DTC- East Evans Churchill
Council District: 8

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 is June 4, 2022.

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.

Chars Live (Series 6)
4631 N. 7th Ave., Phoenix
Calls for police service: 3
Liquor license violations: None

Handle Bar & Grill (Series 6)
680 S. Mill Ave. #B1-109, Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The new owner of The Lost Leaf owns and operates several businesses mostly in the Phoenix area. Many of these businesses hold liquor licenses as well. He believes in giving back to the community and purchases struggling businesses for historical value to the area's which they are located. He has attended basic and management training to ensure liquor law compliance. His employees will be attending in the near future."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The original 1922 building has had a long history in Phoenix Culture. Inside you will still see the original wood floors and handmade brick that forged the early days of Phoenix. We provise a place for artists and musicians to be free to the public. The Lost Leaf is a must for first Friday's and we encourage people to explore the neighborhood for all its hidden secrets."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - The Lost Leaf
Liquor License Map - The Lost Leaf

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

A motion was made by Acting Vice Mayor Garcia, seconded by Councilwoman Stark, that items 12-111 be approved or adopted, except items 14, 30, 43, 46, 50, 52, 62 and 67; noting Item 52 is as revised, Item 62 is being continued to the June 15, 2022 City Council Formal Meeting, and Item 105 is as corrected. The motion carried by the following vote:

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

Items 12-13, 15-29, Ordinance S-48615 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.

12 Lift Him Higher Productions, doing business as Excellent Wearables

For $75,000.00 in payment authority for a new contract to be entered into

on or about July 1, 2022, for a five-year aggregate contract term for screen printed and embroidered blazers, volunteer vests, and dog volunteer vests on an as-needed basis for the Aviation Department. The blazers and vests are for the customer service volunteers and volunteer dogs for the Navigator Volunteer Program at Phoenix Sky Harbor International Airport.

This item was adopted.

13 Hospital Forms Services of Arizona, Inc. doing business as Forms Management Services

For $49,750.00 in payment authority for a new contract, entered on or about June 1, 2022, for a term of five years for check stock for the Accounts Payable Division in the Finance Department. The Accounts Payable Division requires check stock for various payment applications citywide and make payments to fulfill the City's payment obligation to its many outside vendors.

This item was adopted.

15 Cuattro, LLC

For $50,504.00 in payment authority to purchase one portable X-Ray system for the Police Department. The specific kit includes the Cuattro HD-EOD Wireless AED, Glass Free TFT-Flat Panel Detector 35cm x 43cm, Cuattro tactical software, and related accessories. The Cuattro image processing system utilizes the newest available technology to increase service life and compatibility. The Bomb Squad will use it to obtain rapid images of suspected hazardous devices and IEDs. The X-Ray system is light and small and will allow bomb technicians to respond to in-progress incidents quickly and safely. Funds are available under the Fiscal Year 2021 State Homeland Security Grant Program's Enhancement Response Vehicle Grant.

This item was adopted.

16 Aviation Specialties Unlimited, Inc.

For $58,578.00 in payment authority to purchase four new AN/AVS-9 - M949 White Phosphor Night-Vision Goggles for the Air Support Unit of the Police Department. The goggles are certified military-grade and meet all required FAA compliance standards. In addition, the specific goggles meet the most advanced technical standard in aviation night-vision

goggles. The goggles will allow the Air Support Unit to provide effective airborne surveillance, such as patrol support, search and rescue, high-speed pursuits, observation, air patrol, and control of large-scale public events and incidents. The devices will be purchased utilizing funds from the Fiscal Year 2021 Gila River Indian Community Grant.

This item was adopted.

17 BlasterOne Energetic System Controls, Inc.

For $11,000.00 in payment authority to purchase a custom-built Blaster One Remote Firing System Kit and accessories for the Police Department. The kit includes two remote blasting systems and two remote blasting receivers explicitly configured to the specifications requested by the Homeland Defense Bureau Bomb Squad. Bomb Technicians will use the kit to initiate electric and non-electric blasting caps in training and rendering safe procedures for suspected hazardous devices and IEDs. The purchase provides the Bomb Squad with a reliable, modern, remote firing system. In addition, it reduces overall costs by wirelessly connecting the ends of the system instead of using electric wires or an expensive non-electric shock tube. Funding is available under the Fiscal Year 2021 State Homeland Security Enhancement Response Vehicle grant.

This item was adopted.

18 FirstTwo, Inc.

For $14,400.00 in payment authority to purchase a one-year license renewal for the Homeland Defense Bureau (HDB) for the Phoenix Police Department. HDB responds to a variety of calls involving search warrants, hostage-barricade situations, major fires, officer-involved shootings, injured officers, and threats to law enforcement and public officials. The license will provide access to a powerful web application that compiles open-source data from a variety of sources to deliver real-time visual intelligence to public safety professionals. The renewal of the license supports the continued use of the online platform, up to 350 users on any smart device from July 1, 2021, to June 30, 2022. The platform will provide first responders with real-time updates and critical information to ensure the appropriate response to incidents.

This item was adopted.

19 J&N Tactical, LLC doing business as J&N Tactical

For $22,550.00 in payment authority to purchase the patented Draco Gas Delivery System for the Special Assignments Unit (SAU) for the Phoenix Police Department. The SAU responds to various high-risk scenarios including barricaded subjects, high-risk search warrants, arrests of potentially violent subjects, and active shooter incidents. The system is equipped with hardened break tips to breach fortified structures or vehicles, and mounting hardware for armored vehicles. It will enable officers to deploy in a controlled manner from the safety of an armored truck. The system will support safe surrender outcomes and peaceful resolutions to high-risk incidents, as well as increased safety measures for law enforcement and the public. Funds are available in the Police Department's budget.

This item was adopted.

20 Microception, Inc.

For $14,760.00 in additional payment authority to purchase Microception Video Oversight Software Services for the Police Department. The service includes annual maintenance, upgrades, telephone, and online support. Microception Video Oversight Software is used by the Violent Crimes Bureau to record interviews which are securely archived in a central repository. The system allows for video verification confirming the recordings are unedited and ensuring admissibility.

This item was adopted.

21 Gabriel, Roeder, Smith & Company

For $80,000.00 in additional payment authority on Contract 155166-0 for actuarial services for the Finance Department. The services are required to determine asset and liabilities for other post-employment benefits and compensated absences as required by Governmental Accounting Standards 16, 74 and 75 and other special studies as needed.

This item was adopted.

22 Resolution Video, Inc.

For $10,500.00 in payment authority to purchase customized training on retrieval and examination of video evidence for the Police Department. The training topics will include understanding the best practices for Image Comparison using still images and videos. The Phoenix Police

Department's Forensic Imaging Unit is responsible for the collection, archiving, enhancement and analysis of video surveillance. The detectives must continually educate themselves on processing techniques and teaching comparison methods. Funding is available in the Police Department's budget.

This item was adopted.

23 FARO Technologies, Inc.

For $82,024.00 in payment authority to purchase software and hardware updates, additional scanners, freestyle kits, accessories, and warranties for the Faro 3D laser scanning systems for the Laboratory Services and Traffic Bureaus for the Police Department. The 3D scanners are used to create detailed 3D imagery and documentation of violent crime scenes and serious traffic collisions resulting in injuries for the adjudication of criminal cases. Funds are available in the Police Department's budget and through a grant with the Arizona Governor's Office of Highway Safety.

This item was adopted.

24 State of Arizona Department of Environmental Quality

For $308,000.00 in payment authority for annual payment of regulatory fees for the Public Works Department. The City operates and maintains one open landfill, five closed landfills and two transfer stations that must meet regulatory requirements as mandated by the Arizona Department of Environmental Quality (ADEQ). ADEQ requires the City to pay several routine fees including but not limited: landfill and transfer station registration fees, quarterly landfill fees, storm water permit fees, superfund program oversight fees, aquifer protection permit administration fees, underground storage tank fees and financial assurance fees.

This item was adopted.

25 Goldman Sachs Renewable Power Operating Company LLC doing business as Solar Star Arizona III, LLC

For $1,300,000.00 for annual payment authority for Contract 132993 to provide solar power services to the Lake Pleasant Water Treatment Plant for the Water Services Department. The 7.5-megawatt solar facility produces approximately 75 percent of the plant's power needs.

This item was adopted.

26 **EPCOR Water USA, Inc.**

For $196,000.00 for annual payment authority for Contract 93040 to provide water and wastewater treatment services for the West Anthem service area for the Water Services Department.

This item was adopted.

27 **Settlement of Claim(s) Canney v. City of Phoenix**

To make payment of up to $550,000.00 in settlement of claim(s) in *Canney v. City of Phoenix*, CV2019-011516, 18-0894-002, GL, BI, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement for a bodily injury and property damage claim arising from a Police incident on Aug. 22, 2018.

This item was adopted.

28 **Settlement of Claim(s) Herrera v. City of Phoenix**

To make payment of up to $60,000.00 in settlement of claim(s) in *Herrera v. City of Phoenix,* CV2020-094734, 19-1239-001, GL, BI, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a bodily injury and property damage claim arising from a motor vehicle accident on Dec. 2, 2019, involving the Public Works Department.

This item was adopted.

29 **Settlement of Claim(s) Selbst v. City of Phoenix**

To make payment of up to $138,500.00 in settlement of claim(s) in *Selbst v. City of Phoenix*, CV2020-016295, 19-0599-002, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement for a property damage claim arising from a sewage backup on Dec. 13, 2019.

This item was adopted.

31 **Acceptance and Dedication of an Easement and Deeds for Public Utility and Roadway Purposes (Ordinance S-48641)**

Request for the City Council to accept and dedicate an easement and deeds for public utility and roadway 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: OMAZ, LLC, its successor and assigns
Purpose: Public Utility
Location: 16039 N. 40th Place
File: FN 220022
Council District: 2

Deed (b)
Applicant: Russell E. Moore who acquired title as Russel E. Moore, its successor and assigns
Purpose: Roadway
Location: 5535 E. Earll Drive
File: FN 220028
Council District: 6

Deed (c)
Applicant: Carson 52, LLC, its successor and assigns
Purpose: Roadway
Location: 246 W. Carson Road
File: FN 220040
Council District: 7

Deed (d)
Applicant: West Phoenix Holdings, LLC, its successor and assigns
Purpose: Roadway
Location: 301 W. Elwood St.
File: FN 220027
Council District: 7

This item was adopted.

32 Acceptance of an Easement for Sewer Purposes (Ordinance S-48647)

Request for the City Council to accept an easement for sewer purposes; further ordering the ordinance recorded.

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

Easement (a)
Applicant: D.B. Chamberlin & Associates, LLC, its successor and assigns
Purpose: Sewer
Location: 500 E. Thomas Road
File: FN 220026
Council District: 4

This item was adopted.

33 Grant of Public Utility Easement on City-Owned Property near 23rd Avenue and Durango Street (Ordinance S-48625)

Request the City Council to grant a public utility easement, for consideration of $1 and/or other valuable consideration, for installation of a fiber communication line to accommodate Qwest Corporation dba CenturyLink QC on City-owned property within the Arizona Public Service (APS) service area; and further ordering the Ordinance be recorded. This easement is required to provide utilities for construction of the Microgrid near 23rd Avenue and Durango Street.

Summary
This public utility easement is more fully described in the legal description ("Easement Premises") recorded with the ordinance and will be granted to all public service corporations, agricultural improvement districts, and telecommunication corporations (collectively "Grantee") providing utility service to the property located at 2304 W. Lower Buckeye Rd. for an indefinite period, subject to the following terms and conditions:

Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate and maintain utility facilities together with appurtenant

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

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

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

Grantor shall maintain an appropriate three-foot clear area around all edges of all equipment pads for Grantee Facilities in addition to a clear operational area that extends 12 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstruction, trees, shrubs, fixtures or permanent

structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs or other obstruction within said areas.

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

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

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

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

Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where the Easement Premises are located: 1) on a site that includes Aviation Department facilities; 2) water and wastewater treatment facilities; 3) Police Department headquarters located at 620 W. Washington St.; 4)

Fire Department headquarters located at 150 S. 12th St.; 5) City Hall located at 200 W. Washington St.; 6) City Court Building located at 300 W. Washington St.; 7) Calvin C. Goode Building located at 251 W. Washington St.; 8) Transit Operations Center located at 320 N. 1st Ave. or West Transit Facility located at 405 N. 79th Ave.; or 9) in a secured or fenced area.

Location
23rd Avenue Wastewater Treatment Plant
Council District: 7

This item was adopted.

34 Fertilizers - Requirements Contract - IFB 22-070 (Ordinance S-48619)

Request to authorize the City Manager, or his designee, to enter into a contract with Scruggs Industries, LLC dba Ameriturf; DAJ Enterprises, LLC dba Eco Works Supply; Simplot AB Retail, Inc dba Simplot Turf and Horticulture; and SiteOne Landscape Supply, LLC to provide fertilizers for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $1,775,000.

Summary
This contract will provide the Parks and Recreation Department with fertilizers to promote the growth of turf and plants in various parks and sports fields. The fertilizers ensure that the turf grass areas are being maintained at the standards required to provide quality parks to Phoenix residents.

Procurement Information
IFB 22-070 was conducted in accordance with Administrative Regulation 3.10. The Finance Department Procurement Division received five offers on March 15, 2022, which were evaluated on price, responsiveness to specifications and responsibility to provide the required goods and services. The bid notification was sent to 171 suppliers, publicly posted and available for download from the City's website.

The Assistant Finance Director recommends that the offers from

Scruggs Industries, LLC dba Ameriturf; DAJ Enterprises, LLC dba Eco Works Supply; Simplot AB Retail, Inc dba Simplot Turf and Horticulture; and SiteOne Landscape Supply, LLC be accepted as responsive and responsible offers that are most advantageous to the City.

Multiple awards are recommended to ensure competitive pricing, overall lowest cost and continuous service to the City.

Contract Term
The three-year contract term will begin on or about July 1, 2022. Provisions of the contract include an option to extend up to an additional two years, in one-year increments.

Financial Impact
The aggregate contract value will not exceed $1,775,000.

Funds are available in the Parks and Recreation Department's budget.

This item was adopted.

35 Authorization to Enter into a License with the State of Arizona for Use of the Ben Avery Shooting Facility (Ordinance S-48633)

Request to authorize the City Manager, or his designee, to enter into a license with the State of Arizona, by and through the Arizona Game and Fish Commission, for the Ben Avery Shooting Facility. Further request authorization for the City Controller to disburse all funds related to this item.

Further request the City Council to grant an exception pursuant to Phoenix 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 Code 42-18, which is a necessary condition of the license.

Summary
The City is currently licensing a portion of the Ben Avery Shooting Facility, under License Agreement 132558, for conducting employment related firearms training and qualifying police officers. The current 10-year license will expire June 30, 2022.

The City and the Arizona Game and Fish Commission will enter into a new license beginning July 1, 2022, for a five-year period with one, five-year option to renew. The annual fee of $30,000, plus applicable taxes is based on the City's average number of users over the prior three years multiplied by a daily fee of $8.00. The annual license fee will be recalculated every two and one-half years based on the average number of users over the prior three years and the current daily rate at the time of adjustment.

The State and City are self-insured governmental entities and will be responsible for their respective tort and property damage liabilities. The license may be canceled pursuant to A.R.S. 38-511, or upon 30-day written notice from either party. The license may contain other terms and conditions deemed necessary by the City.

Contract Term
The term is five years with one five-year option to renew.

Financial Impact
The annual license fee for the first year is $30,000, plus applicable taxes. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action
Ordinance S-38335 adopted on Nov. 11, 2011, authorized License Agreement 132558.

Location
4044 W. Black Canyon Blvd.
Council District: 1

This item was adopted.

36 Metlang - Requirements Contract- EXC 22-064 (Ordinance S-48634)

Request to authorize the City Manager, or his designee, to enter into a contract with Metlang LLC to purchase certified monitoring, transcription, and translation services for the Phoenix Police Department. 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
The Phoenix Police Department (PPD) participates in a joint task force with the United States Drug Enforcement Administration (DEA) to conduct sensitive electronic surveillance investigations targeting Drug Trafficking Organizations requiring certified monitoring, transcription, and translation services. Metlang LLC is a translation and interpreting services provider dedicated to supporting the law-enforcement community. The continued partnership between the DEA and PPD's Drug Enforcement Bureau (DEB) requires the use of Metlang LLC translation and interpreting services by both agencies. This service is essential to PPD in order to continue its cooperative investigative partnership with the DEA of the US Department of Justice.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated the need to continue the DEB's cooperative investigation partnership with the DEA by using a DEA-certified vendor for linguistic service, which is currently Metlang LLC.

The Assistant Finance Director recommends that the contract with MetLang LLC be accepted.

Contract Term
The 5-year contract term will begin on or about June 1, 2022.

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

This item was adopted.

37 RFP 22-097 - Growth Projections and Land Use Assumption Update - Requirements Contract (Ordinance S-48639)

Request to authorize the City Manager, or his, designee, to enter into a contract with Applied Economics, LLC to purchase services for the Growth Projection and Land Use Assumptions Update for the Planning

and Development Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $414,000.

Summary
The Planning and Development Department leads the efforts to establish the Infrastructure Financing Plan (IFP), consisting of the Impact Fee Report, Land Use Assumptions, and the Infrastructure Improvements Plans. The assumptions, values, and methodologies from IFP are used to update development impact fees every five years. The development impact fees are assessed on new developments to help pay for public infrastructure.

Additionally, the Contractor will assist with organizing development and land use data, reporting on existing and planned development profiles, and preparing growth projections for the City and specific sub-regions within the City. This work will help prepare the City for the subsequent development impact fee update and other infrastructure planning purposes, as the City of Phoenix intends to update development impact fees in 2025.

Procurement Information
RFP 22-097 was conducted in accordance with Administrative Regulation 3.10. There was one offer received by the Procurement Division on March 28, 2022. The notification was sent to 291 suppliers and was publicly posted and available for download from the City's website.

The proposal was scored by a five-member evaluation panel on the following criteria:

Method of Approach - 375
Experience and Qualifications - 300
Capability - 200
Price - 125

The Assistant Finance Director recommends that the offer from Applied Economics, LLC be accepted as the highest scored, responsive and

responsible offer most advantageous to the City. The price was determined to be fair and reasonable based on market research and the current contract information for the similar services.

Contract Term

The initial term of the contract will be for two-years beginning on or about June 1, 2022. Provisions of the contract include an option to extend up to an additional three years, in one-year increments.

Financial Impact

The aggregate contract value will not exceed $414,000. Impact Fee Administration funds are available in the Planning and Development Department's operating budget.

This item was adopted.

38 Purchase of Property and Casualty Insurance Policies for the City of Phoenix (Ordinance S-48661)

Request to authorize the City Manager, or his designee, to purchase various property and casualty insurance policies on behalf of the City for July 2022 through June 2023. Further request authorization for the City Controller to disburse funds, not to exceed $22,036,000.

Summary

Competitive quotes are sought from all viable commercial insurance markets to assure the best coverage and cost available. The total estimated cost for all insurance is approximately $22,036,000 for Fiscal Year 2022-23, up from $14,785,387 in the current year. The increase of $7,250,613 is due to: (1) a high demand for insurance coverage in the property and excess liability coverage and a reduced supply of capacity in the commercial insurance market throughout the country; (2) the City experienced a large property loss over the last 10 years that exceeded $10 million; (3) the City experienced its first loss that pierced the excess liability insurance; (4) claims are increasing in frequency and severity throughout the country; (5) insurers are hesitant to underwrite public entity insurance programs; (6) the former Wells Fargo Plaza at 100 W. Washington St. was added to the City's schedule of covered properties; and (7) ransomware and other cyber attacks globally are driving

unprecedented increases in the cyber liability market.

Citywide insurance policies are purchased from the Risk Management Self-Insurance Fund or the Workers' Compensation Self-Insurance Fund and are then allocated to each department's budget. Funds for special policies purchased are available from those departments' budgets. The insurance quote process is ongoing, and staff will continue to gather bids through mid-June. The amount requested is based on estimated rate increases as advised by the City's contracted insurance broker, Marsh USA, Inc. Depending on final quotes, staff may need to return to Council for a retroactive increase in spending authority.

Insurance Policy Type	Department	Estimated Cost
Blanket Property and Boiler and Machinery Insurance	Citywide	$8,701,000
Excess Liability Insurance (Multiple Layers)	Citywide	$8,456,000
Excess Workers' Compensation Insurance	Citywide	$405,000
Network Security and Cyber	Citywide	$3,052,000
Police Aircraft Liability and Hull Insurance	Police	$210,000
Aviation Airport Liability Insurance	Aviation	$714,000
Miscellaneous Property and Casualty Insurance	Citywide	$498,000

Financial Impact

The amount will not exceed $22,036,000, comprised of funds from the Risk Management Self-Insurance Fund, and are included in the Fiscal

Year 2022-23 budget.

This item was adopted.

39 Annual Expenditure Limitation Report Designee to Arizona Auditor General (Resolution 22026)

Request City Council approval to designate Chief Financial Officer Kathleen Gitkin for purposes of submitting the fiscal year 2022 Annual Expenditure Limitation Report (AELR) to the Arizona Auditor General on the governing body's behalf.

Summary
Arizona Revised Statutes 41-1279.07 (E) requires each county, city, town and community college district to annually provide to the Auditor General by July 31 of each year the name of the Chief Fiscal Officer that the governing board designates to submit the current year's AELR on the governing body's behalf.

This item was adopted.

41 Intergovernmental Agreement with Maricopa County for Telecommunications Facilities Site Sharing (Ordinance S-48624)

Request to authorize the City Manager, or his designee, to extend the established Intergovernmental Agreement (IGA) No. 90036 with Maricopa County for continued shared use of telecommunication facilities, and the addition of a site specific supplemental agreement for a 10-year period with an option to extend for one additional 10-year period, at no cost, not to interfere basis. There is no financial impact to the City of Phoenix.

Summary
This IGA permits and supports sharing of telecommunication facilities owned and operated by the City of Phoenix (City) and/or Maricopa County. The City and Maricopa County both operate extensive telecommunication systems within the City and Maricopa County. Potential electronic sites are limited, and in order to avoid a proliferation of site development by a number of users, it is in the public's interest for both agencies to share those facilities that service a common good. The

City and Maricopa County agree that sharing telecommunication facilities reduces duplication of efforts, is cost effective and improves service.

Procurement Information
In accordance with Administrative Regulation 3.10, IGA's are excluded and subject to Arizona Revised Statutes.

Contract Term
The City of Phoenix is exercising a 10-year option to extend through Jan. 31, 2032, with an option to extend for one additional 10-year period.

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

This item was adopted.

42 Oracle Software, Hardware, Support and Maintenance Contract (Ordinance S-48632)

Request to authorize the City Manager, or his designee, to authorize additional expenditures under the Master Services Agreement 142562AR 2021 with Oracle America Inc. for the purchase of citywide products, services, software licensing, support and maintenance for the Information Technology Services (ITS) Department, in support of multiple departments' applications, databases, computing hardware, maintenance agreements and technologies. The additional expenditures will be for one year and will not exceed $9.5 million including taxes. Further request to authorize the City Controller to disburse all funds related to this item.

Summary
The City uses Oracle applications and technologies in multiple departments for various technology systems that are an integral part of the daily operations of the City. Oracle applications and technologies are used in several citywide critical systems, such as the Police Department's Records Management System, the Water Services Department’s Customer Care and Billing system used for water and solid waste billing, the Human Capital Management system used for human resources and payroll functions, and the citywide Business Intelligence

infrastructure. ITS has consolidated the management of agreements under the Master Services Agreement and works closely with departments on payments and to evaluate licensing, support, and maintenance for Oracle software in use by the City. ITS requests funding for continued support and maintenance on behalf of all City departments.

Contract Term
The Master Services Agreement is valid for a five-year term, which will end on or about April 21, 2026. This funding is for multiple license and support agreements under the Master Services Agreement and is projected to cover one year of various renewals. Due to various end dates of agreements, and potential savings from license consolidations, this funding would be valid through the term of the Master Services Agreement.

Financial Impact
Upon approval of $9.5 million in additional funds, the revised aggregate value of the contract will not exceed $16,504,000. Funds are available in various departments' budget.

Concurrence/Previous Council Action
The Master Services agreement was originally approved by City Council on Feb. 17, 2021, through Ordinance S-47326.

This item was adopted.

44 Transfer of Collections to Tribal Repositories and Museums

Request authorization for the City Manger, or his designee, to transfer collections belonging to the Bureau of Indian Affairs and the former Phoenix Museum of History, along with the associated archival documentation, at the Pueblo Grande Museum to Tribal repositories or museums.

Summary
Pueblo Grande Museum (Museum) is the archaeological repository for the City. The Museum has in its possession, collections belonging to the Bureau of Indian Affairs (BIA) and collections from the former Phoenix Museum of History. During Tribal consultation, the Museum received

requests from the BIA, the Gila River Indian Community and the Salt River Pima-Maricopa Indian Community (SRP-MIC) to transfer the aforementioned collections to Tribal repositories or museums.

The Museum has held collections belonging to the BIA since 1939. Objects were collected, under a Department of the Interior permit, from lands within the borders of the Gila River Indian Reservation, Salt River Reservation and Gila Bend Indian Reservation. The BIA Solicitor has determined that ownership (or control) of these collections remains with the BIA. The BIA and the SRP-MIC have requested the Museum transfer these collections to a Tribal repository.

Collections from the former Phoenix Museum of History were transferred from the Arizona Science Center to the Museum in 2012 and 2013. These collections consist of approximately 600 artifacts, mostly from unknown archaeological sites. The majority of these objects have not been added to the Museum's permanent collection and less than 20 of these objects have been used for educational purposes.

The Parks and Recreation Department believes it is in the best interest of the objects, City, BIA and Tribes to transfer these collections to a Tribal repository or museum.

Financial Impact
There is no impact to the General Fund.

Concurrence/Previous Council Action
This item was heard by the Community and Cultural Investment Subcommittee on May 4, 2022, and recommended for City Council approval by a vote of 4-0.

Location
Pueblo Grande Museum, 4619 E. Washington St.
Council Districts: 8

This item was approved.

45 Special Event Cleaning Services - Requirements Contract IFB 22-013 (Ordinance S-48651)

Request to authorize the City Manager, or his designee, to enter into contracts with Jani-Serv, Inc and S. Sarkissian Company, LLC to purchase Special Event Cleaning Services for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $125,000.

Summary

The City's Parks and Recreation Department hosts multiple events and parades throughout the year, including the Fabulous Phoenix 4th and APS Electric Light Parade. This contract will supply the labor and materials necessary for pre-event, during event and post-event cleaning services that includes parks, streets, neighborhoods, roadways and parking lots located within the surrounding event area, as well as fireworks display debris cleanup.

Procurement Information

IFB 22-013 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Procurement Division on April 15, 2022, which were evaluated on price, responsiveness to the specifications and responsibility to provide the required goods and services. The bid notification was sent to over 255 suppliers and was publicly posted and available for download from the City's website.

The Assistant Finance Director recommends that the offers from Jani-Serv, Inc and S. Sarkissian Company, LLC be accepted as the lowest priced, responsive and responsible offers.

Multiple awards are recommended to ensure the overall lowest cost to the City.

Contract Term

The five-year contract term will begin on or about June 1, 2022.

Financial Impact

The aggregate contract value will not exceed $125,000. Funds are available in the Parks and Recreation Department's budget.

This item was adopted.

47 Authorization to Host a Familiarization Tour in 2023 with VisitPhoenix (Ordinance S-48635)

Request authorization for the City Manager, or his designee, to enter into an agreement with VisitPhoenix for the coordination of a familiarization tour for national site selectors and developers during the time of the Super Bowl LVII in February 2023. Further request authorization for the City Controller to disburse funds related to this action. There is no General Fund impact from this action.

Summary

In the coming few years, Phoenix will be hosting several mega events including the Super Bowl and Final Four. To capitalize on the interest of these events, staff proposes to implement tours with national commercial real estate executives, developers, consultants, site selectors and real estate investment trusts. This effort will showcase Phoenix as a place to do business, a solid location for both new residential and commercial development, as well as a strong place to make significant capital investments and create jobs.

Economic development and location decisions by both real estate developers, and companies is fiercely competitive. These significant investments have a multitude of locations to select from when they are ready to make a national investment. To remain competitive, it is necessary for the City of Phoenix to showcase all that it has to offer which could result in new investment into the market and new jobs into Phoenix.

Staff proposes a familiarization tour to include up to 16 industry leaders and a guest, in a multi-day tour of Phoenix in February 2023. The program would include a presentation by city staff and our partners, an overall tour of Phoenix, tours of key buildings and sites, meetings with City dignitaries, attendance at the celebration events in Downtown Phoenix, and culminating with attendance at the Super Bowl game.

Hosting costs for this initiative will include: hotel accommodations in Downtown Phoenix, airfare and ground transportation, event tickets and reception costs.

Although not guaranteed, staff would expect to see a significant return on investment, over time for this program.

Contract Term
The contract will be for a term of one year with no extensions.

Financial Impact
The total cost for this agreement will be $75,000. There will be no impact to the General Fund, funding is available and programmed in the Downtown Community Reinvestment Fund.

Concurrence/Previous Council Action
This item was unanimously approved by the Economic Development and Equity Subcommittee on March 23, 2022.

This item was adopted.

48 Contract Extension with CO+HOOTS LLC to Continue Small Business Community Platform (Ordinance S-48653)

Request to authorize the City Manager, or his designee, to extend a contract with CO+HOOTS LLC to continue PHXbizConnect, a technology-driven Small Business Community Platform, to support small businesses impacted by and recovering from the COVID-19 pandemic. Further request authorization for the City Controller to disburse all funds related to this item. There is no impact to the General Fund. Funding will not exceed $265,500 and is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the federal government and is under the City's Small Business Workforce Program category.

Summary
In May 2020, City Council approved $100,000 in federal Coronavirus Relief Funds to invest in a small business program to assist Phoenix businesses with their pandemic recovery efforts. On Nov. 4, 2020, City

Council authorized a six-month contract with CO+HOOTS LLC to implement this program.

The Community and Economic Development Department (CEDD) and CO+HOOTS LLC launched PHXbizConnect by HUUB in March 2021. PHXbizConnect is a social media platform where business owners connect with like-minded business owners, ask questions, share successes, and find solutions to business related issues. The platform is available in both English and Spanish, streamlines support for small businesses in one central, virtual location and helps to boost the resilience of Phoenix small businesses.

In July 2021, City Council authorized a one-year $295,000 contract extension that included a technical assistance consulting program to provide one on one consulting from business advisors. By April 2022, more than 580 businesses had registered on the platform. Eighty percent of these businesses have fewer than 10 employees; many are restaurants, retail shops and professional services providers. Marketing and sales are the highest need requested for technical assistance. Registered businesses have indicated PHXbizConnect has been vital in helping them navigate through the pandemic, connect to resources, learn new skills, find grants and grow their businesses.

The City's contract with CO+HOOTS LLC is due to expire on July 1, 2022. If approved, the proposed extension would begin in July 2022 and expire in one year. CO+HOOTS LLC will continue to provide reporting and performance metrics to CEDD to track assistance to Phoenix small businesses.

Procurement Information
CO+HOOTS LLC was selected through Alternative Competition based on its experience creating a similar program for the City of Mesa.

Contract Term
If approved, the proposed extension would begin in July 2022 and expire after one year.

Financial Impact

Funding to extend the Small Business Community Platform via CO+HOOTS LLC will not exceed $265,500. There is no impact to the General Fund. Funding is available through the City's allocation of ARPA funds.

Concurrence/Previous Council Action

At the May 5, 2020 City Council Policy meeting, City Council approved $100,000 to create a tool that would provide small businesses with expertise on key business topics, guidelines to assist with business recovery and on-demand solutions during this unprecedented time. On Nov. 4, 2020, City Council authorized staff to enter in a contract with CO+HOOTS LLC. On July 1, 2021, City Council authorized a contract extension for $295,000 with CO+HOOTS LLC.

This item was adopted.

49 Amend City Contract No. 111 a Lease of City-owned Property at 723 W. Polk St with the American Legion Post No. 1 (Ordinance S-48654)

Request to authorize the City Manager, or his designee, to amend City Contract No. 111, and any other agreements as necessary (Amendment), with the American Legion Post No. 1, a nonprofit service organization for military veterans (Legion), to extend the lease term for the Legion's use of City-owned property located at 723 W. Polk Street, also known as 364 N. 7th Avenue (Site). Further request authorization for the City Treasurer to accept funds related to this item. There is no expense impact to the General Fund as a result of this action. The lease extension will generate $100 in annual revenue to the General Fund.

Summary

On Feb. 20, 1920, the City and Legion entered into a 99-year lease of the 1.7 acre Site for the purpose of creating a location and facility for the Frank Luke Jr. Post No. 1 of the American Legion. The lease agreement terminated on Feb. 20, 2019, pursuant to the terms of the contract. On Sept. 5, 2018, the City Council authorized an extension to the lease which terminated on Aug. 1, 2020; however, the amendment was never executed. On July 1, 2021 the City Council authorized an amendment to the lease to retroactively extend the Legion's term from Feb. 20, 2019

until August 1, 2022. Concurrently, the Community and Economic Development Department is negotiating the terms of a disposition and redevelopment agreement for the Site, pursuant to a Request for Proposal authorized by City Council on June 26, 2019.

This amendment will allow for month-to-month extensions of the lease on an as needed basis until the developer is prepared to act on the property and allows the Legion to remain undisturbed in their current location for as long as possible.

Contract Term
This Amendment will extend the lease term on a month-to-month basis, as needed, beginning Aug. 1, 2022, unless earlier terminated by the City.

Financial Impact
There is no expense impact to the General Fund as a result of this action. The Amendment will create a pro-rated annual lease payment of $100 which will be deposited into the General Fund.

Concurrence/Previous Council Action
Resolution 524, authorizing this contract, was passed by the Commission of the City of Phoenix on March 3, 1920. Ordinance S-44976, authorizing the first amendment, was passed by the City Council on Sept. 5, 2018, but the amendment was never executed. Ordinance S-47830, authorizing the retroactive amendment, was passed by the City Council on July 1, 2021.

Location
723 W. Polk Street (also known as 364 N. 7th Ave.)
Council District: 7

This item was adopted.

51 Authorization to Enter into Contract with the Greater Phoenix Economic Council (Ordinance S-48666)

Request to authorize the City Manager, or his designee, to enter into a one-year contract with the Greater Phoenix Economic Council for Fiscal Year (FY) 2022-23 for business attraction and development services.

Further request to authorize the City Controller to disburse all funds related to this item. The contract will not exceed $798,306.

Summary

Greater Phoenix Economic Council's (GPEC) mission is to attract and grow quality businesses and advocate for Greater Phoenix's competitiveness. Its efforts include marketing the region, coordination of regional prospect proposals and real estate tours, domestic and international sales missions and other strategic activities resulting in business investment in the region.

The City of Phoenix has been a member of GPEC since the organization's inception in 1989. The fee for each GPEC member in Maricopa County is calculated using the per capita rate of $0.4897, which is the same as last year, and is based on the most current population estimates from the Arizona Office of Economic Opportunity. The 2021 population estimate for Phoenix is 1,630,195. Based on this formula, the FY 2022-2023 contract amount is $798,306, which will be shared equally by the Aviation, Public Works, Water Services, and Community and Economic Development (CED) departments.

GPEC specifically collaborates with CED every year to generate prospects and attract new business investment from outside the region. As of April 2022, GPEC has helped locate 38 companies to the region, expecting to create more than 8,628 jobs and make capital investments totaling more than $2.9 billion. So far, 12 of those companies have chosen to locate in Phoenix.

GPEC represents 23 municipalities in the region including Maricopa County and conducts a variety of diverse and value-added services and activities on behalf of its members. In addition to the public sector members, more than 170 private investors contribute resources to support GPEC's efforts.

Contract Term

The contract will begin on or about July 1, 2022 to June 30, 2023.

Financial Impact

The FY 2022-2023 contract amount is $798,306, which will be shared equally by the Aviation, Public Works, Water Services, and CED departments.

Concurrence/Previous Council Action
This item was recommended for approval by the Economic Development and Equity Subcommittee at the April 27, 2022 meeting by a vote of 4-0.

This item was adopted.

53 Event Services Contracted Labor Contract - IFB 20-004 Request for Award (Ordinance S-48638)

Request to authorize the City Manager, or his designee, to enter into contracts with On Target Staffing, L.L.C. and 3H Service Systems Inc. to provide contracted event services labor for the Phoenix Convention Center Department (PCCD). Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $4,000,000 over the term of the agreements.

Summary
This contract provides temporary labor resources on an as-needed basis to support events at six separate venues including the West, North and South Convention Center Buildings, Symphony Hall, Orpheum Theatre and Herberger Theatre Center. This supplemental labor will provide general cleaning, event support, including set-up and take-down.

Procurement Information
An Invitation for Bid procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Two vendors submitted bids deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendor(s):

Selected Bidders
On Target Staffing L.L.C.

3H Service Systems Inc.

Contract Term
The contracts will begin on or about July 1, 2022 for a 5-year term with no options to extend.

Financial Impact
The aggregate value of both contracts will not exceed $4,000,000. Funding is available in the Phoenix Convention Center Department operating budget.

Location
Phoenix Convention Center, 100 N 3rd St., Phoenix AZ 85004.
Symphony Hall, 75 N. 2nd St., Phoenix AZ 85004.
Orpheum Theatre, 203 W. Adams St. Phoenix AZ 85003.
Herberger Theater Center, 222 E. Monroe St., Phoenix AZ 85004.
Council Districts: 7&8

This item was adopted.

54 Edwards Fire Life Safety Systems Ordinance - Requirements Contract (Ordinance S-48646)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 148842 with Southwest Integrated Solutions to provide testing, inspection, and repair services for the Networked Edwards Fire Life Safety System for the Phoenix Convention Center Department (PCCD). Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $130,000.00.

Summary
This contract provides annual testing, maintenance, and repair of the Edwards Fire Alarm System in Symphony Hall, Herberger Theater Center, Orpheum Theatre, Phoenix Convention Center South Building, Regency Garage, Heritage Garage, and East Garage. The current contract to replace discontinued smoke and duct detectors requires additional funding. Funds will also be used for requested projects and items including maintenance and repairs of the fire alarm system due to

acts of nature, damage, or vandalism.

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

Financial Impact
Upon approval of $130,000.00 in additional funds, the revised aggregate value of the contract will not exceed $430,000.00. Funds are available in the Phoenix Convention Center Department's budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request on November 17, 2018:

Edwards Fire Life Safety Systems Contract 148842 (Ordinance S-45095)

Location
Phoenix Convention Center, 100 N. 3rd St. and 33 S. 3rd St. Phoenix, AZ.
Symphony Hall 75, N. 2nd St. Phoenix, AZ.
Herberger Theater, 22 E. Monroe St, Phoenix, AZ 85004.
Orpheum Theatre, 203 W. Adams St. Phoenix, AZ 85003.
Regency Garage, 40 N. 2nd St. Phoenix, AZ 85004.
Heritage Garage, 123 N. 5th St. Phoenix, AZ 85004.
East Garage, 601 E. Washington St. Phoenix, Az 85004.
Council Districts: 7 and 8

This item was adopted.

55 Custodial Services Contract RFP 20-002 - Request for Award (Ordinance S-48660)

Request to authorize the City Manager, or his designee, to enter into a contract with Universal Building Maintenance, LLC. dba Allied Universal Janitorial Services to provide custodial services for the Phoenix Convention Center Department (PCCD). Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $9,668,436.00

Summary
This contract will provide professional custodial services including labor, cleaning supplies, equipment and the necessary supervision to clean the Phoenix Convention Center facilities, Symphony Hall, Orpheum Theatre and the Herberger Theater Center. The PCCD campus encompasses more than two million square feet of interior space, which includes lobbies, restrooms, dining areas, audience chambers and dressing rooms that require cleaning before and after use. Since the onset of COVID-19, cleaning and sanitization standards have become a focal point for meeting planners and guests that attend conventions and events at the Phoenix Convention Center and Venues. This contract will replace the previous custodial services contract that was terminated as the vendor was unable to fulfill the terms of the agreement.

Procurement Information
A Request for Proposal procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Contract Term
The contract will begin on or about June 1, 2022, for a five-year term with no options to extend.

Financial Impact
The aggregate contract value will not exceed $9,668,436.00.

Funding is available in the Phoenix Convention Center Department operating budget.

Location
Phoenix Convention Center, 100 N. 3rd Street and 33 S. 3rd Street.
Symphony Hall, 75 N. 2nd Street.
Orpheum Theatre, 203 W. Adams Street.
Herberger Theater Center, 222 E. Monroe Street.

This item was adopted.

56 Agreement with State of Arizona Department of Administration for

9-1-1 Program (Ordinance S-48626)

Request authorization for the City Manager, or his designee, to authorize the Phoenix Fire Department to apply for, accept, and enter into an agreement with the State of Arizona Department of Administration Office of Grants and Federal Resources to receive a 9-1-1 grant not to exceed $12,743,062. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Arizona Department of Administration requires 9-1-1 planning be done at a local level as referenced in the State of Arizona Administrative Code, Title 2, Chapter 1, Article 4 Emergency Telecommunications Services Revolving Fund (https://aset.az.gov/administrative-code). The State of Arizona Office of Grants and Federal Resources, Arizona 9-1-1 Program Office, has announced the availability of funds for the Arizona 9-1-1 Program to be distributed during FY 2023. Funding will be available for multiple grants and allocated to each System Administrator Agency to pay, on behalf of the Public Safety Answering Points (PSAP), 9-1-1 system costs and approved projects that support the goals of the Arizona 9-1-1 Program.

The System Administrator Agency for the Maricopa Region is the City of Phoenix (Fire Department). The City of Phoenix is the contracting agent of ongoing operations of the 9-1-1 system. This authority is given through signed resolutions by Maricopa Association of Governments (MAG) member agencies. These agreements act as the governing documents for the oversight of the 9-1-1 system design, implementation, and management in the MAG Region.

The 9-1-1 Grant funding would be used to support:

9-1-1 networking, telecom, and IP infrastructure.
9-1-1 related hardware, software, and maintenance equipment.
9-1-1 related services and support.
Regional 9-1-1 Services section staffing.

Procurement Information
The Fire Department will administer the grant in accordance with Administrative Regulation 3.10.

Contract Term
The grant Period of Performance is projected to begin on or around July 1, 2022 and end one year later.

Financial Impact
There is no cost to the City of Phoenix. All equipment, services, and personnel-related costs are reimbursed by the State of Arizona.

Location
The Phoenix Fire Department Regional 9-1-1 Services section provides 9-1-1 service, and related technical support, across the Valley.

This item was adopted.

57 Donation from Royal Palm Women's Club for Phoenix Fire Department Paramedic Restricted Fund (Ordinance S-48665)

Request authorization for the City Manager, or his designee, to accept a donation of $2,025 from the Royal Palm Women's Club for the Phoenix Fire Department Paramedic Restricted Fund. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this donation. If not approved, the donation would be turned down.

Summary
The Royal Palm Women's Club wishes to express their appreciation for the Phoenix Fire Department's service by donating $2,025 to the Department. The donation will be used to fund training, equipment, and/or conferences related to paramedic certification.

Contract Term
There is no contract term associated with this donation.

Financial Impact
This donation does not require any matching funds. The funds will be

used in accordance with City policies.

This item was adopted.

58 Phoenix Police Department Hiring Software (E-SOPH) -Requirements Contract EXC 22-057 (Ordinance S-48669)

Request to authorize the City Manager, or his designee, to approve an adjustment to Ordinance S-48465 for Agreement EXC 22-057 with Miller Mendel, Inc. to include an exception to Phoenix City Code section 42-18. Further request authorization for the City Controller to disburse all funds related to this item. No additional funds are needed.

Summary

The Police Department requires this software, which will streamline background investigations of prospective applicants and electronic reference checks and will increase efficiencies when data is shared with the 11 Arizona law enforcement agencies that already use E-SOPH. This software allows the City to request and send applicant files to other law enforcement agencies to conduct file reviews. As the Police Department is currently experiencing significant staffing shortages, this new software will automate business processes, streamline case management and reduce applicant processing times.

For the waiver of Phoenix City Code section 42-18, the contract provisions include language regarding indemnification and limitation of liability that otherwise would not be permitted.

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

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived because of an approved Determination Memo, which noted the relevant software is a patented system and that Miller Mendel, Inc is the sole vendor able to provide the software.

Contract Term

The five-year contract term will begin on or about April 1, 2022.

Financial Impact

No additional funds are needed. The previously approved aggregate contract value will not exceed $611,770. These funds are available in the Police Department's budget.

Concurrence/Previous Council Action

The contract was originally approved by City Council on April 6, 2022.

This item was adopted.

59 Ammunition Products Statewide - CTR043473(A) (Ordinance S-48644)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 150510 with Diamondback Police Supply Co, Inc. for the purchase of ammunition products statewide for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $400,000.

Summary

The Police Department's Special Assignment Unit and Training Bureau utilize Combined Tactical Systems (CTS) ammunition and less lethal products on a routine basis. The CTS products include flash bang diversionary devices, flash bang diversionary training device components, chemical de-escalation agents, smoke and less lethal impact products. The Advanced Less Lethal Pilot Program (ALLPP) was created to provide front-line officers with contemporary less lethal options for use in de-escalating dynamic encounters. The goal of the program is to equip officers with additional options to utilize during high stress incidents to help reduce violent encounters between police officers and community members. Additional funds are being requested to expand the program to two remaining precincts to assist in daily operations.

Contract Term

The contract term is June 26, 2019 through June 25, 2024.

Financial Impact

Upon approval of $400,000 in additional funds, the revised aggregate value of the contract will not exceed $825,000. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action
The contract was originally approved by City Council on June 26, 2019. (Ordinance S-45871).

This item was adopted.

60 Randox Laboratories-US Limited Liability Company - Requirements Contract EXC 22-074 (Ordinance S-48620)

Request to authorize the City Manager, or his designee, to enter into a contract with Randox Laboratories-US Ltd. to purchase toxicology quality control materials and services for the Phoenix Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $344,508.

Summary
The contract will provide ultra-blood kits, ultra-blood controls, an evidence investigator analyzer and an annual maintenance package to ensure the ability to provide timely results to successfully support criminal investigations. The ultra-blood kits, ultra-blood controls and evidence investigator analyzer serve as the preliminary drug screening instruments for all blood specimens and can provide analysis of a large scope using a small sample volume. The Police Department's Toxicology Section of the Laboratory Services Bureau provides support for traffic, sexual assault and homicide investigations through analysis of biological samples for substances that influence human performance. Procuring Randox's instruments has ensured efficient and effective continuity of operations.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated that Randox Laboratories US-Ltd. is the sole producer, manufacturer and authorized provider of the ultra-blood kits, ultra-blood controls, evidence investigator analyzer and annual maintenance services.

The Assistant Finance Director recommends that the contract with Randox Laboratories-US Ltd. be accepted.

Contract Term
The five-year contract term will begin on or about Aug. 1, 2022.

Financial Impact
The aggregate contract value will not exceed $344,508 and funds are available in the Phoenix Police Department's budget.

This item was adopted.

61 IBIS Brasstrax System Maintenance and Support Services - Requirements Contract - RFA 17-134A (Ordinance S-48627)

Request to authorize the City Manager, or his designee, to extend and allow additional expenditures under Contract 145221 with Ultra Electronics Forensic Technology, Inc. for the purchase of Integrated Ballistic Identification System (IBIS) Brasstrax System for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $78,000.

Summary
This contract provides maintenance and support services for the IBIS Brasstrax System for the Phoenix Police Department Laboratory Services Bureau (LSB) and Violent Crimes Bureau (VCB). The LSB and VCB operate the IBIS Brasstrax System to collect data and access the National Integrated Ballistic Information Network (NIBIN) operated by the United States Bureau of Tobacco, Firearms, and Explosives (ATF). Ballistic evidence is entered into the IBIS Brasstrax System and the findings are compared against other captured ballistic exhibits stored in the NIBIN database which enables law enforcement to link weapons and casings to crime scenes and provide investigative leads throughout the State of Arizona. Extending the contract will allow additional time for a new solicitation to be developed.

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

Contract Term
Upon approval, the contract term will be extended through May 31, 2023.

Financial Impact
Upon approval of $78,000 in additional funds, the revised aggregate value of the contract will not exceed $369,500. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action
This contract was originally approved by City Council on June 7, 2017 (Ordinance S-43613)

This item was adopted.

62 Authorization to Enter into Agreement with Arizona Humane Society (Ordinance S-48672)

Request to authorize the City Manager, or his designee, to enter into an agreement with the Arizona Humane Society (AHS) to provide shelter, appropriate veterinary care, and other necessary services for animals held in protective custody during the course of Phoenix Police Department operations. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of the contract will not exceed $5,085,548.

Summary
The City lacks a suitable facility for sheltering animals and does not employ trained personnel who can provide appropriate veterinary care and other necessary services to animals held in protective custody. The non-competitive provision is necessary because the AHS is the only animal care organization in the Phoenix Metropolitan area that has the facilities and staff that can provide appropriate care and other necessary services to animals.

Contract Term
This agreement shall commence on July 1, 2022, and the term will be for

five years.

Financial Impact
The estimated expenditure for FY 2022-23 shall not exceed $833,000. The aggregate amount of the five-year contract shall not exceed $5,085,548.

This item was continued to the June 15, 2022 City Council Formal Meeting.

63 Authorization to Enter into Agreement with U.S. Department of Agriculture for Police Services (Ordinance S-48673)

Request to authorize the City Manager, or his designee, to allow the Police Department to enter into an agreement with the U.S. Department of Agriculture - Office of Inspector General (OIG) to reimburse the Police Department up to $30,000 per-fiscal-year for police services. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary
The purpose of this agreement is to receive reimbursement for police services associated with joint law enforcement operations, involving Supplemental Nutrition Assistance Program (SNAP) fraud. The goal is to identify and locate individuals and businesses involved in SNAP fraud, conduct investigations and effectuate prosecution. In turn, the OIG will reimburse for police overtime incurred in support of the investigations. The OIG will not reimburse for fringe benefits associated with the overtime, therefore, the City will incur that expense as an in-kind component.

Contract Term
From date of execution through Sept. 30, 2022.

Financial Impact
The U.S. Department of Agriculture - Office of Inspector General will reimburse the Police Department up to $30,000 per-fiscal-year.

This item was adopted.

64 FY 2022 Law Enforcement Mental Health and Wellness Act Grant (Ordinance S-48674)

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 U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), for the FY 2022 Law Enforcement Mental Health and Wellness Act Grant (LEMHWA) in an amount not to exceed $175,000. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The LEMHWA Grant provides funding to improve the delivery of and access to mental health and wellness services for law enforcement officers through the implementation of peer support, training, family resources, suicide prevention, and other promising practices for wellness programs. Good mental and psychological health is just as essential as good physical health for law enforcement officers to be effective in keeping our communities safe from crime and violence. The funds requested on this grant would be used for equipment to support a public safety officer coaching platform. Applications were due by April 29, 2022.

Contract Term

Two years beginning Sept. 1, 2022 through Aug. 31, 2024.

Financial Impact

The total funding request is $175,000. No matching funds are required.

This item was adopted.

65 FY 2023 Full Service Forensic Crime Laboratory Grant (Ordinance S-48676)

Request to authorize the City Manager, or his designee, to allow the Police Department to apply for, accept, and enter into an agreement for state grant funds through the Arizona Criminal Justice Commission's FY 2023 Full Service Forensic Crime Laboratory grant program. Funding provided under this grant will not exceed $500,000. Further request

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

Summary

The Police Department's Laboratory Services Bureau has applied for and been awarded funds through this grant program for several years. The purpose of this grant is to improve the efficiency and effectiveness of the state's various full-service crime laboratories. If awarded, grant funding will be used to pay for overtime, related fringe benefits, travel/training, and equipment.

Contract Term

One-year beginning July 1, 2022 through June 30, 2023.

Financial Impact

The eligible funding amount is $500,000. No matching funds are required.

This item was adopted.

66 Phoenix Sky Harbor International Airport Utility Vault Upgrade and Infield Paving - Construction Manager at Risk Preconstruction Services - AV08000074 (Ordinance S-48617)

Request to authorize the City Manager, or his designee, to enter into an agreement with J. Banicki Construction, Inc. to provide Construction Manager at Risk Preconstruction Services for the Phoenix Sky Harbor International Airport Utility Vault Upgrade and Infield Paving project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $300,000.

Summary

The purpose of this project is to upgrade utility vaults and manholes across Phoenix Sky Harbor International Airport’s south airfield by raising the City’s airfield lighting vaults, replacing vault lids as necessary, adjusting the Federal Aviation Administration’s utility and communication vaults, and grading the immediate area around them to improve drainage.

The project will also include infield asphalt paving to ensure proper elevations and drainage in the infields to divert water runoff around the utility structures and minimize, if not eliminate, water intrusion within each vault. This project is necessary to improve drainage so water does not pond or infiltrate utility vaults; and reduce loose material that could become foreign object debris which could damage aircraft.

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

J. Banicki Construction, Inc.'s services include, but are not limited to: cost estimating; project planning and scheduling; assisting in the permitting process; providing alternate systems evaluation and constructability studies; providing long-lead procurement studies and initiating procurement of long-lead items; protecting the City's sensitivity to quality, safety, and environmental factors; and ensuring compliance with all federal, state, and local requirements for grant funded projects.

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

Selected Firm
Rank 1: J. Banicki Construction, Inc.

Additional Proposers
Rank 2: ViaSun Corporation
Rank 3: Ames Construction, Inc.
Rank 4: Rummel Construction, Inc.
Rank 5: William Charles Construction Company, LLC

Contract Term

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

Financial Impact

The agreement value for J. Banicki Construction, Inc. will not exceed $300,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved:

CMAR Design Phase Agreement 142157 (Ordinance S-42335) on Feb. 17, 2016; and

CMAR Construction Phase Agreement 142741 (Ordinance S-42612) on June 1, 2016; and

CMAR Construction Phase Agreement 142741 - Amendment 1 (Ordinance S-45686) on June 5, 2019.

Location

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

This item was adopted.

68 Request Authorization to Submit Federal Transit Administration Low- or No-Emission Grant Program and Buses and Bus Facilities Grant Applications and Enter into Grant Agreements - Federal Bipartisan Infrastructure Law Funding (Ordinance S-48658)

Request to authorize the City Manager, or the City Manager's designee,

to submit applications to the Federal Transit Administration (FTA) for grant assistance from the FTA's Low- or No-Emission Program and Buses and Bus Facilities Program and to enter into an agreement with FTA to accept any grants awarded. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Funding for these grant opportunities is available through the Federal Bipartisan Infrastructure Law. The total grant funds applied for will not exceed $16,362,600.

Summary

The City of Phoenix is the designated recipient of FTA grant funds for the Phoenix-Mesa Urbanized Area. The City is requesting grant funding from the Section 5339 Low- or No-Emission Program and Buses and Bus Facilities Program. Grants under these programs are provided for capital projects that: replace, rehabilitate, purchase, or lease buses (including zero- and low-emission transit buses) and related equipment; or rehabilitate, purchase, construct, or lease bus-related facilities. These programs support local and federal initiatives to build modern infrastructure and an equitable, clean-energy future.

The Public Transit Department will seek to utilize a combination of local-match and grant funding for the City's purchase of zero-emission bus technology (including battery electric and hydrogen-fuel-cell electric buses), spare parts, specialized tools, and infrastructure required to support the vehicles; as well as for workforce training needed to maintain the vehicles.

The grant submission will be a scalable request so that FTA may award grant funding for the purchase of either three, six or 18 zero-emission buses, and associated infrastructure and workforce training, depending on funding availability.

The FTA's application deadline is May 31, 2022.

Financial Impact

The maximum total grant request will not exceed $16,362,600, with $2,474,400 local match.

The local match portion will be a mixture of regional Public Transportation Funds (Proposition 400) and Public Transit Transportation 2050 (T2050) funds. Potential grant funding received is available through the Bipartisan Infrastructure Law.

This item was adopted.

70 Holiday Decorations on Central Avenue Agreement (Ordinance S-48621)

Request to authorize the City Manager, or his designee, to enter into an agreement with Saguaro Summit, LLC doing business as Christmas Light Decorators for the annual installation and removal of holiday decorations on Central Avenue between Baseline and Camelback Road. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $290,000.

Summary

The Public Works Department is responsible for the holiday decorations that are displayed on Central Avenue from the week of Thanksgiving through early January. This agreement will provide materials, installation, maintenance, and removal of the holiday decorations annually. The decorations are installed in an alternating combination of lit and unlit banners, skyline, and pole decorations along Central Avenue between Baseline and Camelback roads.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing unusual nature. Christmas Light Decorators have acquired decorations for the City and are familiar with the design and requirements, and have the proven quality necessary to provide this service.

Contract Term

The one-year term of the agreement will begin on or about July 1, 2022. The agreement contains four one-year options to extend the term, for a total agreement term of up to five years if all options are exercised.

Financial Impact

The aggregate value of the agreement, including all options years is $290,000, including all applicable taxes, with an estimated annual expenditure of $58,000.

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

Location
Central Avenue between Baseline and Camelback Roads
Council Districts: 4, 7 and 8

This item was adopted.

71 Programming Consulting Services for Budget Database Agreement (Ordinance S-48622)

Request to authorize the City Manager, or his designee, to enter into an agreement with Dredger & Associates, Inc. to purchase technical support and maintenance of the Operating and Capital Improvement Program Budget Databases on an on-call basis. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $800,000.

Summary
Public Works uses Operating and Capital Improvement Program (CIP) Budget databases to manage financial information. The purpose of this agreement is to provide ongoing technical support and maintenance of the databases on an as-needed basis. The services provided by Dredger & Associates, Inc. include responding to software and hardware related issues, generating customized reports and functions, and providing occasional training. These services are in support of a previous agreement in which the vendor installed, designed and built custom databases, and configured new databases to interface with the City's financial and budget systems. The budget databases are used by the Aviation, Parks and Recreation, Water Services, and Public Works departments' Fiscal staff to meet various needs for financial information.

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

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a determination memo citing that Dredger & Associates, Inc. is the sole source provider for the technical support and maintenance of the Operating and CIP Budget databases.

Contract Term
The three-year term of the agreement will begin on or about July 1, 2022. The agreement will include two one-year options to extend the term, for a total agreement term of up to five years if all options are exercised.

Financial Impact
The aggregate value of the agreement, including all option years, is $800,000, including all applicable taxes, with an estimated annual expenditure of $160,000.

Funding is available in the Aviation, Parks and Recreation, Water Services, and Public Works departments' budgets.

This item was adopted.

72 Recycled Content Uniforms - RFQ 22-SW-047 - Requirements Contract (Ordinance S-48631)

Request to authorize the City Manager, or his designee, to enter into a contract with International Corporate Apparel to provide high-visibility and standard uniforms created from post-consumer and sustainable material on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item over the life of the contract. The aggregate value of the contract will not exceed $100,000.

Summary
This contract is for purchase of uniforms made from post-consumer and sustainable materials. Solid Waste employees are required to wear uniforms while performing their job duties. The uniforms are made from post-consumer polyethylene terephthalate (PET) and Airlume combed, ring-spun cotton and recycled PET. The department is dedicated to reducing, reusing, recycling and being environmentally responsible. This contract will also allow for Public Works to explore alternative uniform

samples that could help meet the sustainability goals and long-term vision of a sustainable uniform program.

Procurement Information
Request for Quote, RFQ 22-SW-047, was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received one offer on March 28, 2022. This offer was determined to be responsive and responsible to the solicitation requirements.

The Procurement Officer evaluated the quote based on price, responsiveness to all specifications, terms and conditions and the responsibility to provide the required goods. Group One was evaluated on a quantity of one uniform by size small through 6XL, with an estimated annual quantity of 1,860. Groups Two and Three were evaluated on a quantity of 12 uniforms by size small through 3XL for both men and women.

International Corporate Apparel Inc.
Group One - Portwest: $100.26
Group Two - Next Level Apparel: $634.80
Group Three - Bella Canvas - $1,167.24

Contract Term
The contract term will be for one year, beginning on or about June 1, 2022. Provisions of this contract include two options to extend to be taken in one-year increments.

Financial Impact
The total aggregate value will not exceed $100,000 for the term of the contract including option years. The estimated annual expenditure of the contract is $33,333.

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

This item was adopted.

73 Purchase and Installation of Overhead Hoists and Crane - Contract Recommendation (Ordinance S-48636)

Request to authorize the City Manager, or his designee, to enter into a contract with American Equipment, LLC for purchase and installation of a new hoist and crane system. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of $82,413.

Summary
The Public Works Department seeks to remove and replace an existing 10-ton overhead hoist and crane system with a new 10-ton hoist and crane to maintain operations. The current hoist and crane failed an equipment inspection and parts are no longer available to repair the system. The hoist and crane located at the Okemah Service Center is in high demand and used for fleet maintenance to remove and replace heavy duty equipment parts for the citywide fleet including solid waste refuse trucks.

Procurement Information
Invitation for Bid (IFB) 22-FSD-046 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department reached out to 87 vendors, and received one bid that was evaluated on responsiveness and responsibility with the below bid for the cost of the hoist and crane system.

American Equipment, LLC: $82,413

Contract Term
This item will be for the one-time purchase of an overhead hoist and crane that will begin on or about Council approval on June 1, 2022.

Financial Impact
This will be for the one-time purchase of an overhead hoist and crane with an aggregate amount of $82,413.

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

Location
Okemah Service Center - 3828 E. Anne St.
Council District: 8

This item was adopted.

74 One-time Purchase of Hunter Elite Tire Balancer (Ordinance S-48640)

Request to authorize the City Manager, or his designee, to enter into a contract with Arizona Automotive Equipment, dba Mohawk Automotive Lifts SW for purchase of one Hunter Elite Tire Balancer. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of up to $25,571.

Summary

The Public Works Department repairs and maintains fire apparatus equipment used by the Phoenix Fire Department. This tire balancer will be used to ensure proper tire balance on equipment such as fire pumper trucks and ladder trucks. This balancer will help identify potential balance problems with tires, which could reduce wear on tire treads.

Procurement Information

Request for Quote (RFQ) was conducted in accordance with Administrative Regulation 3.10. The Public Works Department reached out to 118 vendors, and received three responsive and responsible quotes. The vendors below were evaluated based on price, responsiveness, and responsibility with Mohawk Automotive Lifts SW being recommended for award:

Offeror Selected for Award
Mohawk Automotive Lifts SW: $25,570.07

Additional Offerors
NAPA Auto Parts: $26,263.73
OGMIS Group: $30,139.24

Contract Term

This contract will be for one-time purchase of a Hunter Elite Tire Balancer that will begin on or about June 1, 2022.

Financial Impact

This item will have an aggregate amount of up to $25,571.

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

Location
Fleet Services Fire Operations Service Center - 2625 S. 19th Ave.
Council District: 8

This item was adopted.

75 Exhaust System Maintenance Agreement (Ordinance S-48656)

Request to authorize the City Manager, or his designee, to enter into an agreement with K.M. Facility Services, LLC, to provide exhaust system maintenance and repair services at the solid waste transfer stations on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to the item. The total value of the agreement will not exceed $250,000.

Summary
The Public Works Department is responsible for maintenance and repairs of the exhaust systems at the solid waste transfer stations. This service is necessary to ensure the rooftop exhaust fans at the 27th Avenue and North Gateway Transfer Stations are clean and in proper working order. These critical systems provide proper ventilation at these locations for the health and safety of employees and the public. Maintaining these systems also helps minimize equipment failure, costly repairs, and an unsafe work environment at these facilities.

Procurement Information
Invitation for Bid 23-FMD-011 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Public Works Department on March 30, 2022. The offer was evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offer submitted by K.M. Facility Services, LLC is deemed to be fair and reasonable. The following bid was submitted for as-needed maintenance and repair services at the solid waste transfer stations.

K.M. Facility Services, LLC: $48,816

Contract Term
The initial one-year term of the agreement will begin on or about Sept. 1, 2022. The agreement contains four one-year options to extend the term, for a total agreement term of up to five years if all options are exercised.

Financial Impact
The aggregate value of the agreement, including all option years is $250,000, including all applicable taxes, with an estimated annual expenditure of $50,000.

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.

76 Test and Balance Services Agreement (Ordinance S-48662)

Request to authorize the City Manager, or his designee, to enter into separate agreements with Arizona Air Balance Company and Omega Test & Balance, LLC, for test and balance services on heating, ventilation, and air conditioning (HVAC) systems in City-owned facilities. Further request to authorize the City Controller to disburse all funds related to this item. The total aggregate value of the agreements will not exceed $750,000.

Summary
The Public Works Department is responsible for maintaining HVAC systems and equipment in City-owned facilities. The test and balance services help ensure proper airflow and heat transfer throughout the system. Testing and balancing HVAC systems will help the heating and cooling equipment to operate more efficiently and improve the comfort of personnel in the facilities. These services will also help provide improved energy efficiency and performance while minimizing costly repairs.

Procurement Information
Invitation for Bid 23-FMD-012 was conducted in accordance with Administrative Regulation 3.10. Two offers were received by the Public Works Department Procurement Services Division on April 6, 2022. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offers submitted by Arizona Air Balance Company and Omega Test & Balance, LLC were deemed fair and reasonable.

Arizona Air Balance Company: $16,725 bid total
Omega Test & Balance, LLC: $11,655 bid total

Contract Term
The three-year term of the agreements will begin on or about July 1, 2022. The agreements will contain two one-year options to extend the term, for a total agreement term of up to five years if all options are exercised.

Financial Impact
The aggregate value of the agreements, including all option years, is $750,000, including all applicable taxes, with an estimated annual expenditure of $150,000.

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

This item was adopted.

77 Roof Anchorage Annual Inspections and Repairs Agreement (Ordinance S-48663)

Request to authorize the City Manager, or his designee, to enter into an agreement with ECS Southwest, LLP for roof anchorage annual inspections and repair services on City-owned facilities. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $162,500.

Summary
The Public Works Department is responsible for maintaining the roof

anchorage systems on City-owned facilities. Roof anchorage systems are installed on high-rise buildings that are above 75 feet to allow workers to safely perform essential maintenance, repairs, and cleaning operations on the exterior of the buildings. These services will provide annual inspections and necessary repairs to these systems to ensure the systems do not have any deficiencies that may reduce their carrying capacity. The Phoenix Convention Center is responsible for ensuring annual inspections, repairs, and maintenance of the roof anchorage system on its facilities.

Procurement Information
Invitation for Bid 23-FMD-009 was conducted in accordance with Administrative Regulation 3.10. Two offers were received by the Public Works Department Procurement Services Division on March 30, 2022. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offer submitted by ECS Southwest, LLP was deemed fair and reasonable.

ECS Southwest, LLP: $11,500 bid total

Contract Term
The one-year term of the agreement will begin on or about July 1, 2022. The agreement will include four one-year options to extend the term, for a total agreement term of up to five years if all options are exercised.

Financial Impact
The aggregate value of the agreement, including all option years, is $162,500, including all applicable taxes, with an estimated annual expenditure of $32,500.

Funding is available in the Phoenix Convention Center and Public Works department's budgets.

Location
Phoenix City Hall - 200 W. Washington St.
Municipal Court - 300 W. Washington St.
Burton Barr Library - 1221 N. Central Ave.

Desert Broom Library - 29710 N. Cave Creek Road
100 West Washington Building - 100 W. Washington St.
Phoenix Convention Center - 100 N. 3rd St.
Council Districts: 2 and 7

This item was adopted.

78 Intergovernmental Agreement with City of Peoria for Processing Recyclable Materials - Amendment (Ordinance S-48670)

Request to authorize the City Manager, or his designee, to execute an amendment to Intergovernmental Agreement 149287 with the City of Peoria, to accept an additional infrastructure investment from the City of Peoria for the North Gateway Transfer Station Material Recovery Facility equipment upgrade and provide for credits for the investment. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The additional funding received in this amendment will not exceed $200,000.

Summary
The purpose of this amendment is to update the terms of the Intergovernmental Agreement (IGA) in consideration of City of Peoria's $200,000 investment for the North Gateway Transfer Station Material Recovery Facility (MRF) equipment upgrades. With Peoria's investment, in a market with low commodity prices, the City of Phoenix will credit the portion of processing fees owed by the City of Peoria up to a maximum of $200,000 over the term of the IGA. The City of Peoria pays the City of Phoenix for each ton of recyclables accepted and processed at the MRFs. The processing fee per ton that Peoria pays applies a blended rate per ton shipped from the City of Phoenix MRFs to different commodity brokers.

Contract Term
The IGA term will remain unchanged, ending on Dec. 31, 2023.

Financial Impact
This amendment is not adding any new expenses. Actual fees and revenues from this IGA and amendment may be higher or lower depending on recycling tonnage collected and commodity sales.

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

Concurrence/Previous Council Action
The City Council approved IGA 149287 (Ordinance S-45286) on Jan. 9, 2019.

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

This item was adopted.

79 Apply for Highway Safety Improvement Program Funding for Road Safety Improvement Projects in Federal Fiscal Years 2024-25 and 2025-26 - Federal Bipartisan Infrastructure Law Funding

Request to authorize the City Manager, or his designee, to apply for, accept and if awarded, enter into agreements for federal funding from the Highway Safety Improvement Program through the Arizona Department of Transportation for road safety improvement projects. If awarded, the funding will be used to construct a new traffic signal at one intersection and improve traffic signal visibility at eight intersections. Further request to authorize the City Treasurer to accept, and the City Controller to disperse, all funds related to this item. Funding for these grant opportunities is available through the Federal Bipartisan Infrastructure Law. The total grant funds applied for will not exceed $6 million.

Summary
The Arizona Department of Transportation (ADOT) is soliciting applications for the Highway Safety Improvement Program (HSIP) for improving road safety. On Feb. 28, 2022, ADOT announced a Call for Projects for the Federal Highway Administration's HSIP for two fiscal years. The City is eligible to compete for up to $24 million in federal funding available for Federal Fiscal Year (FFY) 2024-25 and up to $35 million for FFY 2025-26. The Street Transportation Department will submit three applications for the HSIP funding opportunity to construct a new traffic signal at one intersection (43rd and Missouri avenues) and

improve traffic signal visibility at eight intersections (43rd Avenue and Thunderbird Road, 53rd Avenue and Indian School Road, 43rd Place and Broadway Road, Jesse Owens Parkway and Baseline Road, 52nd Street and McDowell Road, 7th Street and McDowell Road, Cave Creek Road and Greenway Parkway, and 27th Avenue and McDowell Road). Traffic signal visibility improvements at the eight intersections will include yellow flashing arrows for left-turn movements, additional traffic signal heads for each through lane, and additional intersection lighting.

The Street Transportation Department aims to pursue federal funding whenever solicitations are made by ADOT that align with the City's transportation goals and objectives. This recent ADOT Call for Projects is an opportunity to leverage City dollars while increasing the City's ability to complete more transportation related projects that enhance the community. This program funding has its own competitive review and ranking process managed by ADOT.

Between now and the application due date of Aug. 1, 2022, staff will continue to refine the locations, costs, and scope of each grant submittal to be competitive with other local regional submittals.

Financial Impact

The maximum federal participation rate is 94.3 percent with a minimum local match of 5.7 percent of the total construction cost. The funding covers construction only and does not cover any design, environmental studies, or other federal clearances that are required as a part of the federal delivery process. The total costs for the projects are approximately $11 million of which $6 million is eligible for the HSIP federal funding. Of the remaining $5 million, the City's costs will be approximately $500,000 for the HSIP federal match and $4.5 million for non-HSIP eligible costs.

Funding is available in the Street Transportation Department's Capital Improvement Program budget. Potential grant funding received is available through the Federal Bipartisan Infrastructure Law.

Location

43rd and Missouri avenues, 43rd Avenue and Thunderbird Road, 53rd

Avenue and Indian School Road, 43rd Place and Broadway Road, Jesse Owens Parkway and Baseline Road, 52nd Street and McDowell Road, 7th Street and McDowell Road, Cave Creek Road and Greenway Parkway, and 27th Avenue and McDowell Road.

This item was approved.

80 Citywide General Construction Job Order Contract Services - Amendment - 4108JOC178 (Ordinance S-48616)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 149740 with DL Norton General Contracting, Inc. to provide $2.9 million in additional General Construction Job Order Contracting Services, and to authorize execution of a Job Order Agreement in an amount up to $8.9 million for the Replace Phoenix City Hall Sanitary Sewer Lines and Repair Roof Drain System project. Further request to authorize execution of amendments to Master Agreement 149740 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 $2.9 million.

Summary

The purpose of this project is to replace the sanitary waste and vent piping and provide re-sloping of storm drain piping at Phoenix City Hall (City Hall).

In 2018, a consultant was hired to perform an assessment at City Hall which resulted in recommendation of a full system replacement to avoid a potential widespread system failure. In 2019, the same consultant was hired to complete design through its Engineering On-Call contract. In August 2020, staff pursued the specialized design and construction expertise of DL Norton General Contracting, Inc. under an existing Job Order Contract (JOC), to provide pre-construction services which included working with the design consultant to prepare final construction drawings, prepare a construction schedule which projected a timeline of 12 months for completion, and a cost estimate for construction.

Due to the complexity of the project, impact and coordination required to

work with multiple departments residing in City Hall, as well as the security and logistical requirements of working within City Hall, it is imperative that the City use a contractor that can meet these requirements. DL Norton Contracting, Inc. has assembled a specialized team of subcontractors, all of which have a vast knowledge and familiarity with the existing conditions.

Use of a JOC construction services contract allows the City to address the timeline requirements and specialized aspects of the project. To ensure DL Norton Contracting, Inc.'s contract has sufficient capacity for replacement of the sanitary sewer line and roof drain repair project, staff recommends increasing the JOC contract capacity and spending authority of DL Norton Contracting, Inc.’s current JOC by an additional $2.9 million to complete this project. This amendment will allow for issuance of a job order agreement to DL Norton Contracting, Inc. for an amount not to exceed $8.9 million for the City Hall replacement of sanitary sewer lines and repair of the roof drain system.

This amendment is necessary because funding for this project was phased between Fiscal Year 2021 and Fiscal Year 2022. Due to the phased funding approach, work remains to be completed and the cost of construction industry-wide has increased at an unprecedented rate. Cost increases in commercial construction have averaged between 20 percent to 35 percent for materials and five percent to 15 percent for labor. Currently $6 million in contracts have been executed to lock in pricing and control further escalation. Remaining competitive bids have been received that will be used to execute the remaining $2.9 million of the project and avoid further cost increases.

Contract Term

The term of the 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 master agreement for Job Order Contracting Services was approved for an amount not to exceed $10 million, including all subcontractor and reimbursable costs.
An amendment increased the master agreement by an additional $4 million, for a new total amount not to exceed $14 million, including all subcontractor and reimbursable costs.
This amendment will increase the master agreement by an additional $2.9 million, for a new total amount not to exceed $16.9 million, including all subcontractor and reimbursable costs.

Funding for this amendment is available in the Public Works Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any job order agreements. 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:
Master Agreement 149740 (Ordinance S-45604) on May 1, 2019; and
Master Agreement 149740 Amendment (Ordinance S-47546) on May 19, 2021.

This item was adopted.

81 Grant Writing Consulting - On-Call Services (Ordinance S-48623)

Request to authorize the City Manager, or his designee, to enter into separate agreements with the six consultants listed below, to provide Grant Writing Consulting On-Call Services citywide related to the federal Infrastructure Investment and Jobs Acts, also called the Bipartisan Infrastructure Law, as well as other grant opportunities. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for all services will not exceed an aggregate value of $3 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all

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

Summary

The On-Call consultants will be responsible for providing On-Call Grant Writing Consulting services that include, but are not limited to: reviewing grant application guidelines and identifying tasks to be completed, by whom, and by what dates; establishing deadlines for completing 1) the initial grant application for City staff's review, and 2) the revised draft grant application reflecting City staff's edits; conducting necessary research, such as population statistics or demographic information, and other relevant data to support the grant application; ensuring all grant application requirements are met; and preparing and submitting the final grant application documentation to City staff prior to the grant application deadline in accordance with the established timeline.

Procurement Information

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

Selected Firms

Rank 1: HDR Engineering, Inc.
Rank 2: Hazen and Sawyer, P.C.
Rank 3: Y.S. Mantri & Associates LLC
Rank 4: Wilson & Company Inc.
Rank 5: Ayres Associates Inc.

Rank 6: LSI Business Development, Inc.

Additional Proposer
Rank 7: iParametrics, LLC

Contract Term
The term of each agreement is up to five years, or up to $3 million aggregate, whichever occurs first. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for the On-Call consultants will not exceed $3 million aggregate, including all subconsultant and reimbursable costs. The total fee for all services will not exceed an aggregate value of $3 million.

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

This item was adopted.

82 Barricade Stock Type I and Vertical Panels - Requirements Contract- IFB 22-092 (Ordinance S-48628)

Request to authorize the City Manager, or his designee, to enter into a contract with Construction Guide, LLC to purchase Barricade Stock - Type I and Vertical Panels for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate value will not exceed $150,000.

Summary
This contract is for the purchase of barricades, equipment, parts and accessories utilized by the Street Transportation Department in

maintaining the City's roadways. Barricades assist with the traffic flow during area maintenance in the roads and rights-of-way citywide. In addition, this contract will supply the ancillary equipment and replacement parts necessary to maintain safety and traffic flow throughout the City.

Procurement Information
IFB 22-092 was conducted in accordance with Administrative Regulation 3.10. There was one offer received by the Procurement Division on March 16, 2022 which was evaluated on responsiveness to the specifications and responsibility to provide the required goods and services. The bid notification was sent to over five hundred suppliers and was publicly posted and available for download from the City's website.

The price was determined to be fair and reasonable compared to other contracts and market research. The Assistant Finance Director recommends that the offer from Construction Guide, LLC be accepted as the responsive and responsible offer.

Contract Term
The five-year contract term will begin on or about May 25, 2022.

Financial Impact
The aggregate contract value will not exceed $150,000.

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

This item was adopted.

83 Deer Valley Airport Precision Approach Path Indicator System Upgrade - Design-Bid-Build Services - AV31000091 ADOT (Ordinance S-48637)

Request to authorize the City Manager, or his designee, to accept Rural Electric, Inc. as the lowest-priced, responsive and responsible bidder, and to enter into an agreement with Rural Electric, Inc. for Design-Bid-Build Services for the Phoenix Deer Valley Airport System Upgrade project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $725,895.

Summary
The purpose of this project is to upgrade existing two-box Precision Approach Path Indicators (PAPI) at Deer Valley Airport to four-box LED PAPIs.

Rural Electric, Inc.'s services include, but are not limited to: demolition of the existing PAPI systems, purchase, install and flight check support of new four-box LED PAPI systems on both ends of both runways, for a total of four compete PAPI systems; replacement of existing power cabling and transformers from the lighting vault to each site location; conduit and duct banks necessary to complete the installation and facilitate the proper operation of the new systems, and other work as required for a complete project.

Procurement Information
The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Three bids were received on April 12, 2022 and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Disadvantaged Business Enterprise (DBE) program requirements.

The Opinion of Probable Cost and the two lowest responsive, responsible bidders are listed below:

Opinion of Probable Cost: $794,906
Rural Electric, Inc.: $725,895
Vellutini Corporation: $1,027,777

Bidders who were deemed non-responsive are listed below, in alphabetical order:
Utility Construction Company, Inc.

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

Contract Term
The term of the agreement is 365 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the

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

Financial Impact

The agreement value for Rural Electric, Inc. will not exceed $725,895, including all subcontractor and reimbursable costs.

This project is receiving Arizona Department of Transportation grants and is subject to the requirements of 49 Code of Federal Regulations Part 26 and the U.S. Department of Transportation DBE program. Funding is available in the Aviation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved:

Engineering Services Agreement 152896 (Ordinance S-46895) on Sept. 2, 2020; and

Engineering Services Agreement 152896 Amendment (Ordinance S-48352) on Feb. 16, 2022.

Location

Deer Valley Airport - 702 W. Deer Valley Road

Council District: 1

This item was adopted.

84 2021 Local Drainage Mitigation Program - Engineering Services - ST83140125 (PW27070001) (Ordinance S-48643)

Request to authorize the City Manager, or his designee, to enter into separate agreements with the three consultants listed below, to provide Engineering Services that include completing a study, final design, environmental services, post-design services, and possible construction administration and inspection services for the 2021 Local Drainage Mitigation Program. Further request to authorize execution of

amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for all services will not exceed $2.93 million.

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

Summary

The purpose of this project is to complete several priority flood control projects by mitigating localized drainage issues caused by existing surrounding topography, and designing the solution to address the drainage.

The Engineering Consultant’s services include, but are not limited to: complete updated drainage reports if the studies were completed more than five years ago, prepare final construction plans, National Environmental Protection Agency assessment reports, associated specifications, engineering estimates, public involvement services, provide post-design assistance with the construction bid selection process, and possible construction administration and inspection services. The team will also be expected to provide data collection information, topographic surveying, utility investigation for conflict identification and relocations, geotechnical testing, and preparing proper documents for right-of-way acquisition and temporary construction easements, if necessary.

Procurement Information

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

Selected Firms
Rank 1: AZTEC Engineering Group, Inc.
Rank 2: Ritoch-Powell & Associates, an Ardurra Company
Rank 3: Wood, Patel & Associates, Inc.

Additional Proposers
Rank 4: AECOM Technical Services, Inc.
Rank 5: Michael Baker International, Inc.
Rank 6: J2 Engineering and Environmental Design, LLC
Rank 7: Entellus, Inc.
Rank 8: Coe and Van Loo II, LLC
Rank 9: Wilson & Company, Inc. Engineers & Architects

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

Financial Impact
The agreement value for AZTEC Engineering Group, Inc. will not exceed $1,078,500, including subconsultant and reimbursable costs.
The agreement value for Ritoch-Powell & Associates, an Ardurra Company will not exceed $930,000, including subconsultant and reimbursable costs.
The agreement value for Wood, Patel & Associates, Inc. will not exceed $921,500, including subconsultant and reimbursable costs.
The total fee for all services will not exceed $2.93 million, including subconsultant and reimbursable costs.

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

Public Outreach
Public outreach will be completed by each firm through information dispersal to community stakeholders as needed for feedback.

This item was adopted.

85 IT Consulting and Programming Services - RFP 63-0026 - Amendment (Ordinance S-48652)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 145512 with CyberTech Systems and Software, Inc., to provide additional funding and time to the contract. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed $715,000.

Summary
The purpose of this amendment is to provide the necessary time to explore other options and complete the solicitation process for a new contract. The amendment will allow the continued use of three IT contract programmers to support critical business applications, and to provide programming support for several other functions. The request to extend the term and for additional funding is required to continue to provide contracted information technology programmers who have an in-depth knowledge of Street Transportation's applications, including an IT consultant dedicated to working on T2050 projects. A month-to-month agreement is requested for up to one year with CyberTech Systems and Software, Inc.

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

Contract Term

This amendment will extend the end date of the contract term, on a month-to-month basis from June 30, 2022 through June 30, 2023.

Financial Impact

The initial authorization for Contract 145512 was for an expenditure not-to-exceed $2.5 million. An amendment increased the authorization for the contract by $1,192,000. This amendment will increase the authorization for the contract by an additional $715,000, for a new total not-to-exceed contract value of $4,407,000.

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

Concurrence/Previous Council Action

The City Council approved:

IT Consulting and Programming Services Contract 145512 (Ordinance S-43571) on May 31, 2017;

IT Consulting and Programming Services Contract 145512 - Amendment (Ordinance S-43988) on Oct. 18, 2017.

This item was adopted.

86 Salt River Project Construction License for Broadway Road, 17th to 20th Streets - ST85160017 (Ordinance S-48659)

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

Summary

The City is installing streetlights on Broadway Road from 17th to 20th streets, and the purpose of this license is to allow the City to install 11 new streetlights that will parallel Salt River Project irrigation facilities. This work is in conjunction with City Project ST85160017.

Contract Term
The term of the Construction License is one year, effective when the City begins construction, expected to be June 2022.

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

Location
Broadway Road, 17th to 20th streets.
Council District: 8

This item was adopted.

87 **Authorization to Enter into an Intergovernmental Agreement with Roosevelt School District for Funding Participation (Ordinance S-48664)**

Request authorization for the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Roosevelt School District for funding participation on a Capital Improvement Program project near Sunland Elementary School located at 5401 S. 7th Ave. Further request the City Council to grant an exception pursuant to Phoenix City Code section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item.

Summary
The Street Transportation Department is partnering with the Roosevelt School District to design and build a half street improvement including curb, gutter, sidewalk and Americans with Disabilities Act (ADA) ramps. The project is located at the southwest corner of 5th Avenue and Chambers Street near Sunland Elementary School. The project is estimated at $700,000. The school district has agreed to contribute $200,000 in funding towards the project cost. The project is set to initiate design in Fiscal Year (FY) 2022-23 with construction to begin in FY 2023-24.

Financial Impact

The cost to fund this project is estimated at $700,000. Funding for the City share in the amount of $500,000 is currently available in the Street Transportation Department's Capital Improvement Program (ST87500054).

Location

5th Avenue and Chambers Street.
Council District: 7

This item was adopted.

88 **Media Buying Service Contract - Request for Award - IFB 2122-WPP-507 (Ordinance S-48618)**

Request to authorize the City Manager, or his designee, to enter into a contract with M&M Media Solutions, Inc., to provide media buying services for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The agreement value will not exceed $100,000.

Summary

The purpose of this agreement is to provide media buying services for purposes of researching, recommending, planning, buying, and tracking of all media purchases for the summer of 2022 Drought Awareness and Water Conservation Campaign.

Procurement Information

This recommendation was made using an Invitation for Bid procurement and was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Six vendors submitted bids deemed to be responsive and responsible. Following an evaluation based on price, the procurement officer recommends award to the following vendor:

Selected Bidder
M&M Media Solutions, Inc. 8 percent ($8,000)

Other Bidders	
Esser Design, LLC	11 percent ($11,000)
Commit Agency	12 percent ($12,000)
The Colibri Collective, LLC	15 percent ($15,000)
The Lavidge Company	15 percent ($15,000)
Northern Arizona Partners, LLC	$45,000

Contract Term
The contract will begin on or about June 1, 2022, for a one-year term with no options to extend.

Financial Impact
The aggregate value for M&M Media Solutions, Inc. will not exceed $100,000.

Funding is available in the Water Services Department Operating budget.

This item was adopted.

89 Roofing Analysis Consultant - Requirements Contract - RFP 21-004 - Amendment to Ordinance S-48176 (Ordinance S-48629)

Request to authorize the City Manager, or his designee, to execute an amendment to Ordinance S-48176 to replace Tremco Roofing, Inc., and to enter into a contract with its wholly-owned subsidiary, Weatherproofing Technologies, Inc., for purchase of roofing analysis and consultative services Citywide. There are no additional expenditures included in this amendment.

Summary
The purpose of this amendment is to address an administrative error from the original award that was authorized by Council which listed the parent company, rather than the subsidiary.

This contract provides roofing consulting services to inspect and assess current roofing structures of City-owned buildings to ensure roofs are properly maintained and repaired in accordance with building codes for the safety of occupants, employees, and the public. In addition, a roofing assessment is necessary for building maintenance to ensure that

buildings meet the City's building codes and are available to the public.

Contract Term
The contract term will remain unchanged, ending on Dec. 14, 2026.

Concurrence/Previous Council Action
The City Council approved (Ordinance S-48176) on Dec.15, 2021.

This item was adopted.

90 End Shores - Requirements Contract - Request for Award (Ordinance S-48630)

Request to authorize the City Manager, or his designee, to enter into an agreement with OGMIS Group Inc., to provide hydraulic shoring systems for the purpose of keeping workers in trenches safe. Further request to authorize the City Controller to disburse all funds related to this item. The agreement will not exceed $1,710,129.75.

Summary
The purpose of this agreement is to provide hydraulic shoring systems on an as-needed basis. The personnel protective devices must be specifically designed and professionally engineered to provide excavation safety protection for workers in trenches.

OGMIS Group Inc.'s services include, but are not limited to: providing end shores, corrugated sheets, struts, and sheeting guides.

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

Two vendors submitted bids and one bid was found to be responsive and responsible. The bid is listed below:

Selected Bidder
OGMIS Group Inc.: $342,025.95

Contract Term
The agreement will begin on or about June 1, 2022, for a five-year aggregate term.

Financial Impact
The total agreement value will not exceed $1,710,129.75.

Funding is available in the Water Services Department operating budget.

This item was adopted.

91 Liquid Copper Sulfate Agreement - IFB 2122-WPP-506 - Request for Award (Ordinance S-48645)

Request to authorize the City Manager, or his designee, to enter into an agreement with TR International Trading Company, to provide Liquid Copper Sulfate for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $1.25 million.

Summary
The purpose of this agreement is to provide Liquid Copper Sulfate for treatment of water. TR International Trading Company will also sell and deliver Liquid Copper Sulfate.

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

Two vendors submitted bids and one bid was deemed to be responsive and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendor:

Selected Bidder
TR International Trading Company: $244,636

Contract Term

The contract will begin on or about June 1, 2022, for a five-year aggregate term.

Financial Impact
The agreement value for TR International Trading Company will not exceed $1.25 million.

Funding is available in the Water Services Department Operating Budget.

This item was adopted.

92 **Water Main Replacement Risk Model Evaluation - Engineering Services - WS85509098 (Ordinance S-48648)**

Request to authorize the City Manager, or his designee, to enter into an agreement with HDR Engineering, Inc., to provide Engineering Services that include study and programming services for the Water Main Replacement Risk Model Evaluation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority, and for the City Controller to disburse all funds related to this item. This agreement will not exceed $400,000.

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

Summary
The purpose of this project is to evaluate and update the asset management system used to assess risk for water mains 16-inch and

smaller in diameter. The risk model incorporates multiple factors to predict the likelihood of failure and the consequences to determine a risk score.

HDR Engineering, Inc.'s services include, but are not limited to: evaluate internal procedures and accuracy to provide updated optimization of our model and to automate some of the manual steps; update recommendation to the risk model; assist with evaluation of existing external water main asset management software packages or services; implement selected asset management vendor and assist in exporting and importing needed model data; and provide a final recommendation on internal risk and future improvements verses continuing with external risk model services.

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

Selected Firm
Rank 1: HDR Engineering, Inc.

Additional Proposer
Rank 2: GHD, Inc.

Contract Term
The term of the agreement is 365 calendar days from issuance of the Notice to Proceed. The work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for HDR Engineering, Inc. will not exceed $400,000, including subconsultant and reimbursable costs.

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

This item was adopted.

93 Lake Pleasant Water Treatment Plant Service Agreement - Amendment (Ordinance S-48649)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 107745 with Contract Services, LLC which is an affiliate of Veolia North America, Inc., to exercise the City's renewal option to extend the service agreement for five years, and to execute other documents as may be necessary or appropriate to implement the provisions of this Ordinance and the extension. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed $38 million.

Summary

The purpose of this amendment is to extend the contract to continue operation and maintenance of the Lake Pleasant Water Treatment Plant (WTP).

The Water Services Department (WSD) originally contracted with American Water Services, Inc., subsequently known as American Water Enterprises, Inc. (American Water) to operate and maintain the Lake Pleasant WTP. American Water then assigned the contract to Contract Services, LLC as approved by Council in 2018. The initial fifteen-year term of the contract with Contract Services, LLC expires June 30, 2022. WSD seeks authorization to exercise the City's renewal option and to execute the five-year extension as outlined in the original contract.

Contract Term

This amendment will extend the end date of the contract term from June 30, 2022 to June 30, 2027.

Financial Impact
This amendment will authorize an amount not to exceed $38 million in spending authority over the term of the extension.

Funding is available in the Water Services Department Operating Budget.

Concurrence/Previous Council Action
The City Council approved:
Service Agreement with American Water Services, Inc., - Lake Pleasant WTP Design Build Operate Contract 107745 on July 2, 2003;
Service Agreement with American Water Services, Inc., - Lake Pleasant WTP Design Build Operate Contract 107745 - Amendment (Ordinance S-32365) on Sept. 14, 2005; and
Lake Pleasant WTP Service Contract 107745 - Amendment (Ordinance S-44899) on July 5, 2018.

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on May 18, 2022, by a vote of 3-0.

Location
Lake Pleasant WTP
Council District: 1

This item was adopted.

94 Northwest Wastewater Master Plan Package 2A - Construction Manager at Risk Construction Services - Amendment - WS90400094 (WS85500455 and WS90500307) (Ordinance S-48650)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 154037 with Felix Construction Company to provide additional Construction Services for the Northwest Wastewater Master Plan Package 2A Construction Manager at Risk 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 expenditures included in this amendment will not exceed $4,947,779.

Summary

The purpose of this project is to construct new wastewater infrastructure for potential growth in the area north of the Central Arizona project canal, south of Carefree Highway, west of Interstate-17 all the way to the City of Phoenix limits.

This amendment is necessary because additional work was required by the Contractor to complete lift station construction and commissioning including addressing revisions between the 90 percent drawings, conformed construction documents, addition of a discharge header, and underground piping, which added the option and flexibility to pump to the south.

Felix Construction Company's additional services include, but are not limited to: asphalt paving, subgrade preparation, concrete flatwork, site finish grading, structural excavation, site signage, shade canopy installation, programming, influent manhole revisions, additional wire and conduit, and the addition of a discharge header and underground piping.

Contract Term

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

Financial Impact

The initial agreement for Construction Services was approved for an amount not to exceed $22 million, including all subcontractor and reimbursable costs.

This Amendment will increase the agreement by an additional $4,947,779, for a new total amount not to exceed $26,947,779, including all subcontractor and reimbursable costs.

Funding for this amendment is available in the Water Services

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

Concurrence/Previous Council Action

The City Council approved:

Engineering Services Agreements 153380 and 153381 (Ordinance S-47069) on Nov. 18, 2020;

Preconstruction Services Agreement 154036 (Ordinance S-47422) on April 7, 2021; and

Construction Services Agreement 154037 (Ordinance S-47422) on April 7, 2021.

Location

Northwest corner of 51st Avenue and the Loop 303
Council District: 1

This item was adopted.

95 Salt River Project Construction License for 48th Street and McDowell Road, Cross Cut Canal - WS85509099 (Ordinance S-48657)

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

Summary

The City is constructing waterline improvements on 48th Street north of McDowell Road, and the purpose of this license is to allow the City to install waterlines that will cross both over and under Salt River Project irrigation facilities. This work is in conjunction with the Water Main Replacement Distribution Relocation Project WS85509099.

Contract Term
The term of the Construction License is for one year from the date when the construction begins, which is expected to be no later than June 30, 2022.

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

Location
48th Street and McDowell Road
Council District: 6

This item was adopted.

96 Authorization to Execute a Memorandum of Understanding to Include a License Agreement with the United States of America for Access on City-Owned Property (Ordinance S-48668)

Request to authorize the City Manager, or his designee, to execute a Memorandum of Understanding (MOU) to include a license agreement with the United States of America for access onto City-owned property between June 6, 2022 through June 11, 2022 to conduct realistic urban military training exercises for and on behalf of the United States Department of the Navy, I Marine Expeditionary Force. Further request to authorize the City Manager, or his designee, to grant an exception pursuant to Phoenix City Code section 42-20 to include indemnification and assumption of liability provisions in the MOU if required that would otherwise be prohibited by Phoenix City Code section 42-18.

Summary
The United States Department of the Navy, I Marine Expeditionary Force (IMEF) is requesting use of a City-owned property and personnel resources between June 6, 2022 through June 11, 2022 for training to assist in responding to incidents that involve national security defense. The MOU including the license to access City-owned property may be terminated at any time upon the mutual written consent of both parties. The MOU will contain insurance and indemnification acceptable to the Finance Department's Risk Management Division and the Law

Department. The MOU may contain other terms and conditions deemed necessary by the City. There is no fee associated with this MOU, with IMEF responsible for all costs related to its use.

Contract Term
The MOU will be for the period between June 6, 2022 through June 11, 2022.

Location
Near 24th Street and Lincoln Drive.
Council District: 6

This item was adopted.

97 Final Plat - 21 Vista Villas - PLAT 170118 - Southeast Corner of 21st Place and Sharon Drive

Plat: 170118
Project: 16-648
Name of Plat: 21 Vista Villas
Owner(s): TBBG Sharon, LLC
Engineer(s): Robert J. Blake, RLS
Request: A 20 Lot Residential Plat
Reviewed by Staff: March 17, 2022
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with the resolution of abandonment for ABND V180014A and ABND 200515. The sequence of recording is as follows: the resolutions are recorded first, then the plat.

Location
Generally located at the southeast corner of 21st Place and Sharon Drive.
Council District: 3

This item was approved.

98 **Final Plat - Aura Uptown - PLAT 220005 - Southeast Corner of Coolidge Street and 3rd Avenue**

Plat: 220005
Project: 20-3452
Name of Plat: Aura Uptown
Owner: CH DOF I-TRG MF PHoenix Coolidge, LLC
Engineer: Adrian Burcham
Request: A 1-Lot Commercial Plat
Reviewed by Staff: April 13, 2022
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
Southeast corner of Coolidge Street and 3rd Avenue
Council District: 4

This item was approved.

99 **Final Plat - 32nd Street and Highline Canal - PLAT 210105 - North of South Mountain Avenue and West of 32nd Street**

Plat: 210105
Project: 21-1526
Name of Plat: 32nd Street and Highline Canal
Owner: Plhaz Holdings, LLC
Engineer: Brian J. Diehl, RLS
Request: A 19 Lot Residential Subdivision Plat
Reviewed by Staff: February 16, 2022
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment 210060.

Location

Generally located north of South Mountain Avenue and west of 32nd Street.
Council District: 8

This item was approved.

100 Map of Dedication - Parcel 23 - MOD 220001 - Southeast Corner of 99th Avenue and Campbell Avenue

MOD: 220001
Project: 20-4725
Name of Plat: Parcel 23
Owner: Alta 99th Ave, LP
Engineer: Robert J Blake
Request: A 1-Lot Commercial Map of Dedication
Reviewed by Staff: April 14, 2022
Map of Dedication 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 map of dedication dedicates the streets and easements as shown to the public.

Location
Generally located at the Southeast corner of 99th Avenue and Campbell Avenue
Council District: 5

This item was approved.

101 Abandonment of Easement - ABND 200549 - North Happy Valley Road and East 21st Avenue (Resolution 22023)

Abandonment: ABND 200549
Project: 16-86
Applicant: Chandra McCarty, EPS Group Inc.
Request: To abandon drainage easement, recorded with document number 2017-0464524; located Northeast Corner of 21st Avenue and Happy Valley Road.
Date of Decision/Hearing: Nov. 17, 2020

Location
North Happy Valley Road and East 21st Avenue.

Council District: 1

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

This item was adopted.

102 Abandonment of Right-of-Way - ABND 210033- 9015 North 15th Place (Resolution 22021)

Abandonment: ABND 210033
Project: 02-3987
Applicant: Teresa Duhancik
Request: The partial circular right-of-way area adjacent to 9015 N. 15th Place and 1521 East Eva St., south of the 15th Place cul-de-sac.
Date of Decision/Hearing: July 15, 2021

Location
9015 N. 15th Place.
Council District: 3

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $658.00.

This item was adopted.

103 Abandonment of Easements - V180014A - Southeast Corner of 21st Place and Sharon Drive (Resolution 22027)

Abandonment: V180014A
Project: 16-648
Applicant(s): Noah Brocious c/o Thomas Weber, Clouse Engineering, Inc.
Request: All public easements dedicated on Lot 1 (APN 166-10-099) per plat Verde Vista Villas II as recorded in Book 959 Page 46, MCR; the easements include Water/Sewer, Refuse Collection, Pedestrian Access, Sidewalk, Emergency & Service Vehicles, and a 16-foot Alley easement.
Date of Decision/Hearing: April 16, 2018

Summary
The resolution of this abandonment as well as abandonment ABND 200515 and PLAT 170118 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 resolutions are recorded first, then the plat is recorded second.

Location
Southeast Corner of 21st Place and Sharon Drive.
Council District: 3

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

This item was adopted.

104 Abandonment of Alleyway - ABND 200515 - Southwest Corner of Cave Creek Road and Sharon Drive (Resolution 22028)

Abandonment: ABND 200515
Project: 16-648
Applicant: Noah Brocious, Sharon 18, LLC
Request: To abandon a portion of 16-foot by 181-foot alley, running north to south between addresses identified as APN 166-10-078 and 166-10-099. Recorded on Book 712 Page 27 and Book 959 Page 46.
Date of Decision/Hearing: August 6, 2021

Summary
The resolution of this abandonment as well as ABND V180014A and PLAT 170118 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 resolutions are recorded first, then the plat is recorded second.

Location
Southwest Corner of Cave Creek Road and Sharon Drive.
Council District: 3

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $13,000.00.

This item was adopted.

105 Abandonment of Alleyway - ABND 210038 - Kaler Drive and 7th Place (Resolution 22025)

Abandonment: ABND 210038
Project: 98-0005479
Applicant: Julian Lucas
Request: The alley south of Kaler Drive and east of 7th Place.
Date of Decision/Hearing: Aug. 12, 2021

Location
Kaler Drive and 7th Place.
Council District: 3

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $1,748.00.

This item was adopted as revised.

106 Abandonment of Right-of-Way - ABND 210037 - Northeast Corner of 17th Avenue and Clarendon Avenue (Resolution 22024)

Abandonment: ABND 210037
Project: 99-40793
Applicant: Carlos and Kimberly Villabon
Request: 112.83 - feet of 7-foot wide right-of-way adjacent to the west side of 1646 West Clarendon Ave.
Date of Decision/Hearing: Aug. 12, 2021

Location
Northeast Corner of 17th Avenue and Clarendon Avenue.
Council District: 4

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $506.41.

This item was adopted.

107 Abandonment of Alleyway - ABND 200557 - Northwest Corner of 12th Street and Van Buren Street (Resolution 22022)

Abandonment: ABND 200557
Project: 03-195
Applicant: Lindsay C. Schube, Gammage & Burnham PLC
Request: To abandon the “L” shaped alley located north and west of the northwest corner of 12th and Van Buren streets.
Date of Decision/Hearing: Jan. 14, 2021

Location
Northwest Corner of 12th Street and Van Buren Street.
Council District: 7

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $17,000.00.

This item was adopted.

108 Abandonment of Right-of-Way - ABND 210002 - 8th Place and Euclid Avenue (Resolution 22020)

Abandonment: ABND 210002
Project: 20-4356
Applicant: Adam Baugh, Withey Morris
Request: The entirety of 8th Place right-of-way, south of Euclid Avenue.
Date of Decision/Hearing: March 4, 2021

Location
8th Place and Euclid Avenue.
Council District: 8

Financial Impact

A consideration fee was also collected as part of this abandonment in the amount of $3,093.68.

This item was adopted.

109 Amend City Code - Ordinance Adoption - Rezoning Application PHO-2-22--Z-48-07-1- Northeast and Southeast Corners of I-17 and Arroyo Norte Drive (Ordinance G-6986)

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 April 20, 2022.

Summary
Application: PHO-2-22--Z-48-07-1
Existing Zoning: C-2
Acreage: 18-87

Owner: AV 203 LLC
Applicant: Trammell Crow Residential
Representative: Nick Wood, Snell & Wilmer LLP

Proposal:
1. Review of conceptual site plan and elevations per Stipulation 1.
2. Technical corrections to Stipulations 2, 3, and 7.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The Rio Vista Village Planning Committee heard this case on April 12, 2022, and recommended approval by a vote of 3-1.
PHO Action: The Planning Hearing Officer heard this case on April 20, 2022, and recommended approval with a modification and an additional stipulation. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location
Northeast and southeast corners of I-17 and Arroyo Norte Drive.
Council District: 1

Parcel Address: N/A

This item was adopted.

110 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-22--Z-51-08-7- Approximately 1,500 Feet South of the Southwest Corner of 35th Avenue and Southern Avenue (Ordinance G-6987)

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 April 20, 2022.

Summary
Application: PHO-1-22--Z-51-08-7
Existing Zoning: R-4, C-1
Acreage: 14.38

Applicant/Owner: Laveen 12 LLC
Representative: Benjamin Graff, Quarles & Brady LLP

Proposal:
1. Modification of Stipulation 1 regarding general conformance with the residential elevations date stamped May 20, 2008, and the site plan date stamped Aug. 11, 2008.
2. Deletion of Stipulation 1.a regarding the maximum size of the commercial building to the north.
3. Deletion of Stipulation 1.b regarding the maximum size of the commercial building to the south.
4. Deletion of Stipulation 2 regarding the Planning Hearing Officer approval of elevations for the commercial pads.
5. Modification of Stipulation 3 regarding general conformance with the conceptual landscaping plan date stamped July 25, 2008.
6. Modification of Stipulation 4 regarding perimeter wall material and textural differences.
7. Modification of Stipulation 5 regarding shading and connectivity of pedestrian walkways.

8. Modification of Stipulation 12 regarding a maximum number of 276 residential units.
9. Deletion of Stipulation 13 regarding fencing, landscaping, and parking standards for the western property area.
10. Deletion of Stipulation 15 regarding a minimum 15-foot landscape setback along the southern perimeter of the property.
11. Modification of Stipulation 16 regarding Laveen Village Planning Committee review and comment on final landscape plans, lighting plans, and sign packages.
12. Deletion of Stipulation 17 regarding parking lot screen and landscape along 35th Avenue.
13. Deletion of Stipulation 19 regarding commercial monument signs.
14. Technical corrections to Stipulations 8, 9, 10, and 14.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on April 11, 2022, and recommended approval by a vote of 8-0.
PHO Action: The Planning Hearing Officer heard this case on April 20, 2022, and recommended approval with a modifications and additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location
Approximately 1,500 feet south of the southwest corner of 35th Avenue and Southern Avenue.
Council District: 7
Parcel Address: N/A

This item was adopted.

111 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-22--Z-58-19-7- Northeast Corner of 6th Avenue and Broadway Road (Ordinance G-6988)

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 April 20,

2022.

Summary
Application: PHO-1-22--Z-58-19-7
Existing Zoning: PUD RSIO
Acreage: 10.90

Owner: Chicanos Por La Causa
Applicant/Representative: Prince Twumasi

Proposal:
1. Modification of Stipulation 6 regarding undergrounding and relocation of existing irrigation facilities.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee opted not to hear this request.
PHO Action: The Planning Hearing Officer heard this case on April 20, 2022 and recommended approval. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location
Northeast corner of 6th Avenue and Broadway Road.
Council District: 7
Parcel Address: N/A

This item was adopted.

Item 14, Ordinance S-48615 was a request to authorize the City Controller to disburse funds, up to amounts indicated, for the purposeof paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing pay ment 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.

14 **Race Forward**

For $17,500.00 in payment authority for City membership to the Government Alliance on Race and Equity (GARE) for Fiscal Year 2022-23. GARE membership will provide leadership and staff access to a national network of governments providing resources and tools to achieve racial equity and advance opportunities for all. The Office of Diversity, Equity and Inclusion will manage membership and take leadership for the City to meet its diversity, equity and inclusion goals.

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

Yes:	6 -	Councilwoman Ansari, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark and Mayor Gallego
No:	2 -	Councilman DiCiccio and Councilman Waring
Absent:	1 -	Vice Mayor Pastor

Items 30, Ordinance S-48615 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.

30 **Settlement of Claim(s) Udofia v. City of Phoenix**

To make payment of up to $250,000.00 in settlement of claim(s) in *Udofia v. City of Phoenix*, CV2021-018285, 20-0550-002, GL, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement for a bodily Injury claim arising from a Police incident on Nov. 30, 2020.

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

Yes: 6 - Councilwoman Ansari, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

Absent: 1 - Vice Mayor Pastor

40 Cancer Screening Services Contract RFP HR 21-020 - Request for Award (Ordinance S-48667)

Request to authorize the City Manager, or his designee, to enter into a contract with Vincere Physicians Group to provide cancer screening services to City employees. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $15,000,000.

Summary

This contract is needed to provide cancer screening services to city employees whose occupations make them a high risk for cancer. As an example, cancer is the number one cause of death among firefighters, accounting for approximately 32 percent of firefighter deaths. The City has approximately 1,687 firefighting staff ranging from firefighter recruit to the Fire Chief that may be eligible for these cancer screening services.

The initial assessment of an employee will consider the occupational risk of cancer to determine if a consultation is warranted. Appointments will be prioritized by occupational risk factors and employees at greater risk will be prioritized over those with less risk. Services include dermatology exams, low-dose CT scans, MRIs, ultrasounds, endoscopies, colonoscopies, blood draws and other testing to screen for cancers.

Procurement Information

A Request for Proposal procurement, RFP HR 21-020, was processed in accordance with City of Phoenix Administrative Regulation 3.10.

One vendor submitted a proposal deemed responsive and responsible. The Notice of Solicitation was emailed to 732 vendors registered in procurePHX. An evaluation committee of City staff evaluated the offer based on the following criteria with a maximum possible point total of

1,000.
Qualifications and Experience 0 - 350 points
Method of Approach 0 - 350 points
Pricing 0 - 300 points

After reaching consensus, the evaluation committee recommends award to the following vendor:
Vincere Physicians Group 930 points
A Best and Final Offer (BAFO) was conducted but a price reduction did not result.

Contract Term
The contract will begin on or about Jul. 1, 2022, for a five-year term.

Financial Impact
The aggregate contract value will not exceed $15,000,000. Funding is available in the Human Resources department's operating budget.

Discussion
Councilwoman Stark made a motion to adopt item 40.

Councilman Ansari seconded the motion.

Prior to his vote acting Vice Mayor Garcia expressed gratitude of firefighters, adding the need for support from the Council for better health outcomes due to dangerous nature of their jobs.

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

Yes:	7 -	Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark and Councilman Waring
No:	0	
Absent:	2 -	Vice Mayor Pastor and Mayor Gallego

43 ARPA Phoenix Resilient Food System Programs - Enter into Agreements for Resilient and Sustainable Agriculture Grants (Ordinance S-48671)

Request to authorize the City Manager, or his designee, to enter into individual agreements with: The Food Forest Cooperative; Society of St. Vincent de Paul; Maya's Farm; Creighton Community Foundation; YoBro Farms; and Recycled City LLC, to disburse funds for the Resilient and Sustainable Agriculture Grant program. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the federal government and is in the Phoenix Resilient Food System category of the strategic plan. There is no impact to the General Fund. The additional aggregate expenditures included in this amendment will not exceed $245,000.

Summary

In response to the COVID-19 pandemic, the Office of Environmental Programs (OEP) developed a food assistance plan to address the food needs of vulnerable populations and communities impacted by COVID-19. The plan provides: 1) access to healthy foods for impacted populations; 2) infrastructure assistance regarding transportation and delivery with a focus on home delivery; 3) support for food banks, food pantries and community agencies; 4) support for increased local food production; and 5) business and employment opportunities throughout the food system spectrum.

Resilient Food System

Resilient and Sustainable Agriculture Grant

The Resilient and Sustainable Agriculture Grant will provide funds to five private and non-profit farms implementing projects accelerating the transition toward a resilient, sustainable, equitable, and thriving food system, as follows:

The Food Forest Cooperative, located at Spaces of Opportunity, South Phoenix, will use the grant funds to strengthen and enhance the existing food forest by increasing their ability to grow and sell products and connect with community members. The grant funds will be used for a greenhouse, shade infrastructure, solar pump, water tank, signage, pathway supplies, stipends, and insurance;

Society of St. Vincent de Paul will use the grant funds to install permanent seasonal shade structures over two existing South Phoenix urban farms that provide free fresh food to food-insecure and low-income community members and people experiencing homelessness;

Maya's Farm, a 3.3-acre farm in South Phoenix, will use the grant funds to increase efficiency by purchasing a tractor and soil amendments. Additionally, the farm will initiate an agroforestry project to increase shade and additional produce;

Creighton Community Foundation's Ascension Urban Farm Project located in East-Central Phoenix addresses hunger and increases access to local food and nutrition. The grant funds will be used to support expansion of the existing food growing operation at a new 1.5-acre site at New Valley/Ascension Church by purchasing construction materials, farm startup supplies, tools, rentals, and funds for a Master Gardener;

YoBro Farms, a small farm in West Phoenix, will expand its mushroom growing business by implementing an outdoor, solar-powered vertical mushroom farming system that will enhance resiliency and expand sustainable food production practices by purchasing photovoltaic supplies, a shed, air conditioning units, production and operations supplies, sales equipment, and materials; and

Recycled City, LLC, a composting and farm in South Phoenix, will offer composting services and a fresh produce farm box for 38 weeks to 26 households located in food deserts in South Phoenix. This award is partial funding of the total request made by Recycled City due to the amount of funds that were available.

The grant awards were selected following criteria identified in the grant application and were evaluated by a panel consisting of City staff and external stakeholders.

Procurement Information

Services may be procured, as needed, in accordance with Administrative Regulation 3.10 to implement and administer programs intended to prevent, prepare for, and respond to the COVID-19 pandemic.

Contract Term

The term of the agreements will begin on or about June 1, 2022 to June 30, 2023. Agreements may be extended based on continuous need and available funding, which may be exercised by the City Manager, or his designee.

Financial Impact

There is no impact to the General Fund. Funding is available through the City's allocation of ARPA funding received from the federal government and is in the Phoenix Resilient Food System category of the ARPA Strategic Plan approved by Mayor and Council.

The funding breakdown is as follows:
Food Forest Cooperative - $75,000;
Society of St. Vincent de Paul - $41,000;
Maya's Farm - $30,000;
Creighton Community Foundation - $35,000;
YoBro Farms - $49,000; and
Recycled City, LLC - $15,000.

Concurrence/Previous Council Action

The City Council approved the ARPA Strategic Plan on June 8, 2021.

Discussion

Councilwoman Guardado made a motion to adopt item 43.

Councilwoman Ansari seconded the motion.

During her vote, Councilwoman Guardado thanked Nancy Allen, Rosanne Albright, and the team of the Office of Environmental Programs for their work on the item. She emphasized their exceptional focus on The Phoenix Resilient Food System portion of the American Rescue Plan Act allocation. She also included her appreciation for their work in connecting small farmers across the city such as YoBro Farms.

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

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

46 Authorization to Issue Request for Proposals for Hermosillo Mexico Trade Development Consulting Services

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for Hermosillo Mexico Trade Development Consulting Services.

Summary

In 2019 with City Council authorization, the Community and Economic Development Department issued a solicitation and subsequently entered into a professional services contract for Mexico trade development representative services to position the City and its partners to be proactive, focused and committed to long term, bilateral and strategic economic engagement in and around Hermosillo, Mexico. Due to the City's focus on combating COVID-19 and its negative impacts in the community in 2020 and part of 2021, the City did not execute the contract for the trade services until Nov. 27, 2021. This contract expires on Nov. 26, 2022.

Mexico is recognized as the top trading partner for both the City of Phoenix and the State of Arizona. Mexico direct investments in Phoenix have increased exponentially in diverse sectors in recent years. The City has established a recognized leadership position in Mexico as it relates to key relationships and economic opportunity. Maintaining this leadership position requires a sustained effort to leverage the success to date, and position Phoenix for increased economic opportunity. The Phoenix Metro region has experienced record exports to Mexico, most recently totaling over $11 billion in 2021. Active engagement with Mexico is important and necessary to further expand these exports, which will result in new job creation.

With approval, staff will issue an RFP for Hermosillo Mexico Trade Development Consulting Services to facilitate economic activity between Hermosillo and Phoenix. These services will focus on:

Expanding the City's footprint in Hermosillo through the existing trade office.

Developing and enhancing business to business connections between

Hermosillo-based companies and companies operating in Phoenix.
Fostering Phoenix business expansion connections for Hermosillo-based companies seeking growth opportunities in the United States.
Identifying perspective Phoenix investments from Hermosillo-based investors seeking both development investment opportunities and business ventures in the United States.

The successful proposer will also conduct outreach to support strong relationships between the City and local, state, and federal government agencies in and around Hermosillo Mexico.

It is anticipated the RFP will be open at least 30 days and will require each proposer and its primary consultant to have three years' experience providing Mexico trade development consulting services.

Responsive proposals will be evaluated by a panel based on the following evaluation criteria (1,000 possible points):

Primary Consultant's Qualifications & Experience (0-300 points).
Approach to Scope of Work (0-250 points).
Proposer's Qualifications & Experience (0-250 points).
Fees (0-200 points).

Staff will return to the Economic Development and Equity Subcommittee and full City Council for contract award approval. Should the new contract not be executed prior to the current contract's expiration of Nov. 26, 2022, staff requests authority to extends the current consultant's contract on a month-to-basis to ensure the Hermosillo office remains open and operational until the new contract is executed and operational.

Additionally, staff will return to City Council in the future with a separate action that outlines a plan for an additional office in Mexico City, among others.

Contract Term
If approved, the contract term will be for a one-year term with four one-year renewal options that may be exercised by the City Manager or his designee.

Financial Impact
There is no impact to the General Fund by this action.

Concurrence/Previous Council Action
On Dec. 10, 2019, City Council authorized staff to issue an RFP for Trade Development Services in Hermosillo and Mexico City to facilitate economic activity between Mexico and Phoenix. On March 23, 2022 the Economic Development and Equity Subcommittee unanimously recommended approval of this item.

Discussion
Acting Vice Mayor Garcia made a motion to adopt item 46.

Councilwoman Stark seconded the motion.

Acting Vice Mayor Garcia mentioned the experience he had in the discussion with business in Hermosillo with Councilwoman Guardado. He added that he hoped to see ongoing support for businesses in the City of Phoenix and in Hermosillo, allowing them to thrive.

Councilwoman Guardado explained the opportunities of partnership and being able to bring a piece of Mexico to Phoenix for those who could not make the trip to Mexico. She also added her appreciation for the businesses in Hermosillo who welcomed them during their trip. Councilwoman Guardado thanked Community and Economic Development Director, Chris Mackay, for her work through the pandemic towards the success of the partnerships with Hermosillo.

Councilwoman Ansari congratulated Councilwoman Guardado and Acting Vice Mayor Garcia in their delegation for partnership with Hermosillo. She emphasized that Mexico was one of the strongest trade partners. Councilwoman Ansari included that this partnership is particularly impactful for the Electric Vehicle Roadmap for the City of Phoenix which had opened up its services to the manufacturing powerhouse of Sonora, Mexico. She noted that Hermosillo was the first city in Mexico that had started to electrify their city fleets. She also thanked Ms. Mackay for her rededication of the office.

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

Yes:	7 -	Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark and Mayor Gallego
No:	1 -	Councilman Waring
Absent:	1 -	Vice Mayor Pastor

50 Enhanced Municipal Services District Financial Analysis Services Informal Solicitation Contract Award (SOL-CED-21-FAS) (Ordinance S-48655)

Request to authorize the City Manager, or his designee, to enter into a contract with Applied Economics, LLC for financial analysis services for the Enhanced Municipal Services District (EMSD). The total aggregate contract value will not exceed $36,875. Funding is available in the Community Reinvestment Fund. Further request authorization for the City Treasurer to accept funds and the City Controller to disburse funds related to this item.

Summary

City Council authorized the formation of the Downtown EMSD in 1990 to provide enhanced public services, above and beyond the level of services provided in the remainder of the City. Costs for Downtown EMSD services are paid through assessments on property owners within the Downtown EMSD boundaries, between 3rd Avenue and 7th Street and from Fillmore Street to Buchanan Street. The City contracts directly with Downtown Phoenix, Inc. (DPI) to implement and provide services to the Downtown EMSD. The Downtown EMSD annual budget provides a variety of enhanced services in the downtown core, including business improvement services and overall business development. The Downtown EMSD reimburses the City for all expenses related to this contract.

In compliance with Title 48 of the Arizona Revised Statutes (ARS), the City requires financial analysis services that include assessment calculations based on property valuation data provided by the Maricopa County Assessor, the City and DPI. The data must be analyzed to

determine the annual EMSD assessment for each property located within the Downtown EMSD. The assessment calculations are based on property type, usage, lot square footage, and linear square footage. The financial analysis services must also include an annual EMSD Assessment Diagram, based on the details described in the calculations. The diagram must also include property type, usage, lot square footage, building square footage, and linear square footage pursuant to ARS 47-575 (D).

Procurement Information
An informal solicitation, SOL-CED21-FAS, was issued on March 8, 2022 and conducted in accordance with Administrative Regulation 3.10. The City received one responsive proposal from Applied Economics, LLC by the proposal deadline. Staff recommends moving forward with Applied Economics, LLC, the sole responsive proposer, for EMSD financial analysis services.

Contract Term
The initial term of the contract will be 18 months beginning on or about June 24, 2022, and will include three one-year renewal options.

Financial Impact
Estimated annual expenditure for the contract is approximately $7,375, not to exceed $36,875 over the span of the contract. There will be no impact to the General Fund; funding is available in the Downtown Community Reinvestment Fund and reimbursed to the City by the Downtown EMSD.

Location
Council District(s): 7 and 8

Discussion
Acting Vice Mayor Garcia made a motion to adopt item 50.

Councilwoman Ansari seconded the motion.

Prior to his vote Councilman Jim Waring asked for clarification from the Community and Economic Development Director Chris Mackay to clarify

if the item was part of the Enhanced Municipal Services District (EMSD) which he voted in opposition for or if it was an audit or oversight of the District.

Ms. Mackay clarified that the item was not part of the EMSD and was an oversight and audit of the financial information that comes out of the EMSD.

Councilman Waring explained that although he voted against the EMSD program, he wanted to ensure tax dollars were being spent appropriately and expressed his support for the item.

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

Yes:	7 -	Councilwoman Ansari, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring and Mayor Gallego
No:	1 -	Councilman DiCiccio
Absent:	1 -	Vice Mayor Pastor

52 Authorization to Enter into Development Agreement and other Agreements with Concord Wilshire Capital, LLC for the Redevelopment of Metrocenter Mall and the Acquisition and Construction of Public Parking Garages (Ordinance S-48677)

Request to authorize the City Manager, or his designee, to enter into a development agreement with Concord Wilshire Capital, LLC or its City-approved designee (Developer) for the redevelopment of the former Metrocenter Mall and the construction and acquisition of up to nine public parking garages, as well as a garage asset management agreement and other agreements as necessary. Further requests authorization for the City Controller to disburse funds related to this item.

Summary

Developer is under contract to purchase five parcels, totaling an estimated 79 acres, located at the former Metrocenter Mall located at 9817 N. Metro Pkwy. W (Site). Developer intends to demolish the former mall, which closed in June 2020 and redevelop the property transforming it into a mixed-use project (Project) supporting City redevelopment goals.

Site is located in the North Mountain Redevelopment Area established by Council in 2014, which contemplates revitalization of the former mall. At full build-out, the project will contain an estimated 2,800 multi-family units, 383,000 square feet of retail & commercial space, a public greenspace and an estimated 5,786 parking spaces located in up to nine (9) parking garages throughout the Site. The Project is intended to be built in three (3) phases and at full-build-out will represent a total capital investment of $935.9 Million.

The City recognizes the significant economic impact of the redevelopment, and has identified a need for public parking facilities to accommodate additional densities as authorized by the Planned Unit Development (PUD) approved by Council in 2016. To assist with the redevelopment, staff recommends the City enter into a Development Agreement (DA) with the Developer. The proposed DA shall contain the following business terms that have been negotiated by Staff and the Developer:

Developer shall have six (6) months from Council authorization to enter into the DA and secure additional parcels to construct the Project. Any deviation to the parcels composing the Site and the resulting Project must be approved by the Community and Economic Development Director.

Developer shall finance, develop and construct all Project improvements and must comply with the applicable provisions of Title 34 of the Arizona Revised Statutes for any improvements proposed to be transferred to City ownership.

The Developer shall have the right to transfer parking garage assets constructed by Developer to City ownership once it has received a Certificate of Occupancy (CofO) and Developer has satisfied all environmental and real estate due diligence on each garage parcel to the City's satisfaction. Each garage will be built on the Site, but the exact locations of each garage parcel will be subject to further negotiation between the Developer and City staff.

Each parking garage asset, land and structure, has an estimated value of $16.4 Million. City shall reimburse Developer the cost of construction, a commercially reasonable management fee of up to 4.5 percent, and the fair market value of the land as verified by a City-approved

appraisal. City also may reimburse Developer for the cost to build a public greenspace and other City-approved public amenities, if Developer elects to make the greenspace and amenities publicly available and executes a public access easement or similar instrument to the City.

Upon transfer of the first garage of the Project, a Metrocenter Garage Revenue Fund shall be established to collect all user revenue. The fund shall be utilized to pay all annual operations and maintenance (O&M) costs as well as fund a capital reserve for long-term capital needs.

Each garage shall contain easement agreements with the property owners within the Site. Easements shall contain terms & conditions obligating properties who benefit from the easements to pay at least sufficient annual O&M and capital costs to operate and maintain each garage. These annual amounts shall be determined by an independent third-party feasibility analysis.

Upon the initial date of transfer to the City of first garage constructed through the agreement, the City shall dedicate 100 percent of the General Fund share of transaction privilege tax dollars (TPT) generated from the construction, lease, retail and other eligible transactions from the Project, as verifiable by the City, to the Garage Revenue Fund for a period of 25 years, from two geographies described below:

Project Site Area: Includes the Site location upon completion of each phase improvements as described above. Within the Project Site Area, 100 percent of the General Fund share of TPT generated from eligible activities will be dedicated to the Metrocenter Garage Revenue Fund for a period of 25 years from the completion of each garage. The term for each phase will begin upon completion of the phase and continue for a period of 25 years after, except that the initial phase shall also include the General Fund portion of TPT generated from the commencement of the demolition of the existing mall. The eligible TPT generated by all phases is estimated at $58.6 Million total over the term of the agreement. This amount includes an estimated $3.43 Million of construction sales tax, which will be generated prior to the 25-year term, but will not be deposited into the Metrocenter Garage Revenue Fund until the Developer receives a CofO for a Parking

Garage Asset.

Benefited Area: Bounded by 35th Avenue to the West, Peoria Ave. to the North, I-17 to the East and the Arizona Canal to the South. This area is designed to capture increased economic activity resulting from the Project, but beyond the boundaries of the Site. In this area, for a period of 25 years from the completion of the first phase, 100 percent of the General Fund share of TPT generated from eligible economic activity over and above the current baseline amount of TPT generated as of FY 2021-22 will be deposited into the Metrocenter Garage Revenue Fund. The total eligible TPT in this area is estimated at $9.2 Million total over the 25-year period.

Once annual O&M and capital requirements for all garages are satisfied, the City shall make an annual payment to the Developer for a period of not longer than 25 years for each phase in the amount of the TPT deposited into the Metrocenter Garage Revenue Fund plus the user generated revenue, less the O&M and capital expenses. The aggregate value of these payments shall not exceed the acquisition value of the garages. Any additional funds remaining in the Metrocenter Garage Revenue Fund after completion of the payments for the last garage would be the property of the City.

Should the revenues pledged by the City from TPT collections and annual payments from the Garage Revenue Fund over the term of the DA not equal the acquisition cost for any garage or public amenity at the end of the applicable 25-year period, the City shall have no obligation to address any shortfall. The City's financial contribution is limited to these aforementioned sources.

Developer shall have the option to enter into a management agreement with the City to manage the garages.

Parking Garages shall be open to public and parking revenue generated by public parking, special event parking, surface parking revenue, etc., will be contributed towards the Metrocenter Garage Revenue Fund.

Developer shall have the following construction performance benchmarks:

Within twenty-four (24) months of signing the DA, Developer shall obtain demolition permits for the existing mall structure and receive the first building permit for the Project.

Within eighteen (18) months of receiving the demolition permits,

Developer shall complete the demolition and commence construction on the first phase of the Project.

Within forty (40) months of commencing construction on the first phase, Developer shall receive CofO for the first phase of the Project, which shall include the greenspace.

Following completion of the first phase, Developer shall have an additional forty (40) months to receive a CofO for the second phase of the Project and an additional forty (40) months thereafter to receive a CofO for the third phase in order to retain eligibility for any reimbursements. Any previously conveyed Parking Garages

Public access to the greenspace constructed adjacent to the future LRT Station shall be secured through a perpetual easement agreement with the Developer.

Developer will have a first right of refusal to purchase any garages from the City at fair market value at the conclusion of the 25-year reimbursement period.

The DA will include other terms and conditions as needed, and performance benchmarks may be modified at the .

Developer and the City are discussing the potential of the establishment of a Community Facilities District (CFD) to facilitate development of the Project. Should Developer intend to utilize a CFD, the Developer shall file an application with the City pursuant to Arizona Revised Statutes (ARS), title 48, chapter 4, article 6 (A.R.S. Sections 48-701 to 48- 724) and the City's CFD Financial Policy and Process Guidelines. Should the Developer file and complete the CFD application process, staff will review and an item will be placed on a future Council Agenda to request the formal creation of the CFD. Staff requests to collaborate with Developer on this application should the Developer select this option for the Project.

Project Timeline

Summer 2022 - Developer completes real estate transactions to acquire Site

Winter 2023 (to Summer 2024) - Demolition of former Metrocenter Mall

Early 2023 (to Late 2025) - Commence Construction of Phase 1

Early 2025 (to Summer 2029) - Completion of Phase 1

2025 - 2027 (to Summer 2032) - Phase 2 Construction and Completion

2027 - 2029 (to Late 2035) - Phase 3 Construction and Completion
2029 (to Late 2035) - Completion of All Phases
2054 (to 2060) - End of City Reimbursement of Garage/Amenity Costs

Financial Impact
The City's financial impact will be the contribution the General Fund share of TPT generated from the properties located within the Project Site and new sales taxes generated in the surrounding Benefited Area. Staff estimates the following TPT proceeds (General Fund portion only) to be generated and pledged to acquisition of the Garage Assets:

Project Area Generated TPT
An estimated total of $58.6 Million for Project Area Generated TPT. The first phase is anticipated to receive a Certificate of Occupancy in FY 2024-25. Construction Sales Tax will be generated as early as FY 2022-23, but will not be reimbursed until CofO is received.

Benefited Area Generated TPT
An estimated total of $9.2 Million.

The estimated TPT generated and pledged to the project from the above categories is $67.8 Million.

Only revenue generated by the Project within the Project Site or the Benefited Area shall be used for reimbursements. No other City revenues beyond these two geographies and the revenue from the garages shall be utilized.

The Project is expected to generate $89.4 Million in non-General Fund TPT Revenues over 25 years. Furthermore, the Project will be at the center of an important economic development opportunity that will create several thousand new jobs for the community.

Concurrence/Previous Council Action
This item was recommended for approval by the Economic Development and Equity Subcommittee on April 27, 2022 by a vote of 4-0.

Public Outreach

Staff and the Developer presented the Project to the North Mountain Village Planning Committee on April 20, 2022, a meeting of District 1 Residents on April 25, 2022, and a meeting of the Metro District Community Collaboration Group on April 27, 2022.

Location
9817 N Metro Pkwy N.
Council District: 1

Discussion
Acting Vice Mayor Garcia made a motion to adopt item 52.

Councilwoman Stark seconded the motion.

Mary Grace McNear spoke in favor.

Councilman Waring asked Community and Economic Development Director Chris Mackay to explain the item.

Ms. Mackey explained that the item was a development agreement that would provide an opportunity for the redevelopment of Park Central Mall. She stated that the challenges of old mall redevelopment were the cross access parking easements and infrastructures.

Councilman Waring asked for clarification on whether it was Park Central Mall or Metro Center Mall that was part of the project.

Ms. Mackey clarified that it was Metro Center Mall and not Park Central Mall. She clarified that the item would allow the city to enter into a public-private partnerships to participate financially with any new general fund revenue that is created by the project or the district around the project. She added that the item would reimburse the city for the cost of the public parking garage and any public amenities that would be open and available to the public with public easements over the top of them. Ms. Mackay said the day that construction begins, the project would be paid for by Title 34 through the developer themselves. She noted that at the end of construction the certificate of occupancy would transfer to the City's ownership. She emphasized that the project is not a Community Facilities District or a special taxing jurisdiction. The project is the city

using the general fund revenue to cause redevelopment of a mall and in return the city will own a public asset, the parking garage, and have public rights over a public amenities space.

Councilman Waring asked follow-up question referencing the pay lot parking structures the City owned in downtown Phoenix, asking if the parking garage would generate revenue.

Ms. Mackay responded, describing a hypothetical scenario where if the garage took $17 million dollars to build, there would be an account that the city's Transaction Privilege Tax money goes into and any parking revenue or any other revenue collected from the garage. She mentioned the revenue would be used first for operation and maintenance and a long term capital program, secondarily used to pay off the debt service on the garage itself. Ms. Mackay added that when the garage is paid, then it would become a revenue generator for the city. She stated that the use of the garage and decicision regarding generation of revenue from the garage would be the decision of the Council.

Councilman Waring summarized the developer builds the garage, the city collects the revenue, the city would satisfy the debt and then own the garage.

Ms. Mackay explained that there would be participation between the Finance Department and the developer by which there would be a financial account that both parties would have access to. She added that the account would be where revenue is paid off from referring to the assets in the account. Ms. Mackay stated that the city would collect the asset money on the garage that would go into a fund. She stated that anything that was not needed for operation and maintenance and capital of the garage would go to the developer to pay off the debt service. She emphasized that the city would not control or have an obligation to the debt service.

Councilman Waring restated Ms. Mackay's explanation and described that the developer was responsible to pay the garage off and tax payers and those who park in the garage were responsible for running the operation. He added that when there is excess in revenue that would be used to pay off the debt and at the end of the project the city would have

a revenue generating asset.

Ms. Mackay affirmed that Councilman Waring was correct in his understanding and description of the item.

Councilwoman Stark thanked Steve Betts and Ms.Mackay for their work on the item. She expressed her support and also included that former Councilwoman Thelda Williams and Councilwoman Ann O'Brien were determined to move the project forward.

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

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

67 Visual Interpreting Services for Phoenix Sky Harbor International Airport (Ordinance S-48642)

Request to authorize the City Manager, or his designee, to enter into a contract with Aira Tech Corp to provide visual interpretation services for individuals at Phoenix Sky Harbor International Airport who are blind or visually-impaired. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $50,000.

Summary

The Aviation Department strives to provide a welcoming and inclusive experience for all its customers. This includes providing accessible accommodations for people with disabilities to support their independence while traveling or conducting business at Phoenix Sky Harbor International Airport. As part of this commitment to our customers, the Aviation Department has researched ways to expand offerings for those individuals who are blind or visually-impaired. After conducting research on options available, the Department is requesting to enter into

an agreement with Aira Tech Corp (Aira) to provide visual interpretation services at the Airport.

Aira's service allows individuals to use their smartphones to connect with a specially trained professional agent. The agent uses the video from the customer's phone camera, optical character recognition, GPS and other data to provide visual descriptions to assist passengers with a variety of needs, including moving through crowds, avoiding obstacles, finding gates, using self-service kiosks and navigating through Transportation Security Administration checkpoints.

The Aviation Department will pay an annual fee for this service, making it free to all users at Phoenix Sky Harbor International Airport. The fee is arranged through an agreement with Aira to include unlimited minutes. The fee is based on airport size as defined by the Federal Aviation Administration. The rate for large hub airports is currently set at $10,000 annually.

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

Procurement Information
In accordance with Administrative Regulation 3.10, a sole source Determination Memo was approved to contract with Aira. Aira is the sole source provider for this professional service for blind and visually-impaired customers.

Contract Term
The initial contract term is for one year, with four one-year options to extend for a five-year aggregate contract term at the sole discretion of the Aviation Director.

Financial Impact
The cost for services is estimated to be $10,000 annually, or not to exceed $50,000 for the five-year aggregate contract term.

Funding is available in the Aviation Department budget.

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

Discussion
Councilwoman Stark expressed her support for the item and mentioned her experience with Steve Chucri who was previously the Board of Supervisor and invited Councilwoman Stark to meet one of Mr. Chucri's constituents who was blind and a frequent user of the Phoenix Sky Harbor International Airport. She stated that the constituent told Ms. Stark of a mobile app that provided visual assistance to find gates, read arrivals, look at menus in the restaurants, and the like. She added that after learning of the services Ms. Stark requested that a similar service be offered at the Phoenix Sky Harbor International Airport. Councilman Stark thanked Chad and Matt for their service on the project.

Mayor Gallego mentioned Chad Makovsky's position as the Phoenix Aviation Director. She also included that Matt Heil is the project manager on the project aimed to make Sky Harbor more inclusive and referenced previous work done to make Sky Harbor a dementia friendly airport including the Compassion Cacti lanyard. Mayor Gallego added that the additional investments would lead to making Sky Harbor more accessible. Mayor Gallego thanked Matt and Chad for their leadership in making sure that Sky Harbor is the friendliest airport for everyone.

Councilman DiCiccio expressed gratitude for Chad Makovsky in his ability to bring back to Phoenix a cutting edge mentality which he stated had allowed the city to move forward into a new era.

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

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring and Mayor Gallego

No: 0

Absent: 1 - Vice Mayor Pastor

69 **Request to Submit Annual Federal Transit Administration Grant Applications and Enter into Grant Agreements (Ordinance S-48675)**

Request to authorize the City Manager or his designee to: submit applications to the Federal Transit Administration for grant assistance; enter into agreements with the Federal Transit Administration for the purpose of accepting any grants awarded; and enter into agreements with any local governments and agencies receiving a pass-through share of the awarded grant funds. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The total of all grant funds in the application is $433,753,791.

Summary

The City of Phoenix is the designated recipient of Federal Transit Administration (FTA) grant funds for the Phoenix-Mesa Urbanized Area (UZA) and the direct recipient of FTA grant funds for the Avondale-Goodyear UZA. Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region. All projects are in the MAG-approved Transportation Improvement Plan (TIP) and the ADOT-approved State Transportation Improvement Plan (STIP). Grant funds directly allocated to Phoenix will be used to:

Purchase replacement transit fleet vehicles;

Perform preventative maintenance for vehicles and transit assets/systems; and

Conduct program administration.

Financial Impact

All grant funds to be sought in the applications total $433,753,791. Within this total, Phoenix’s direct allocation amounts to $49,367,014, for which the matching funds of $10,411,130 are available from the Transportation

2050 Plan and the Proposition 400 Public Transportation Fund in the Public Transit Department's Fiscal Year 2022-23 operating budget and five-year Capital Improvement Program for Fiscal Years 2022-23 through 2026-27.

The applications and total federal amounts by fund type are:

FTA Section 5307 Phoenix-Mesa UZA Formula funding for capital, planning, and operating assistance projects benefiting the entire Phoenix-Mesa region: $75,652,370;

FTA Section 5307 Avondale-Goodyear Urbanized Area Formula funding apportioned to the Avondale-Goodyear urbanized UZA: $4,290,529;

Federal Congestion Mitigation and Air Quality Improvements funding and Surface Transportation Block Grant Program funding transferred from the Federal Highway Administration to FTA for capital projects: $24,806,264 and $14,378,688;

FTA Section 5339 Bus and Bus Facilities Formula funding to include capital projects benefiting the Phoenix-Mesa UZA: $5,913,157;

FTA Section 5337 State of Good Repair - High Intensity Motorbus Program funding to include capital projects benefiting the Avondale-Goodyear UZA: $405,558;

FTA Section 5337 State of Good Repair - High Intensity Motorbus Program funding to include capital projects benefiting the Phoenix-Mesa UZA: $7,351,885;

FTA Section 5337 State of Good Repair - Fixed Guideway Program funding to include capital projects benefiting the Phoenix-Mesa UZA: $5,535,554;

FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities funding to include capital projects benefiting the Phoenix-Mesa UZA: $5,178,379;

FTA Section 5309 Capital Investment Grant for New Starts Projects - Northwest Extension Light Rail Phase II: $58,122,079; and

FTA Section 5309 Capital Investment Grant for New Start Projects - South Central Extension/Downtown Hub: $232,119,328.

Discussion

Councilman Waring makes a motion to reconsider item 69, seconded by Councilwoman Stark.

Mayor Gallego expressed her support for the item. She thanked the Infrastructure and Jobs Act as well as the partnership with the Federal Government and the support of Phoenix voters with T2050 and Proposition 400 for the maintenance of the transit system.

Councilmember Garcia made a motion to adopt item 69.

Councilwoman Ansari seconded the motion.

Prior to his vote Councilman DiCiccio explained that the project had many benefits that he was in support of.

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

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

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

Yes:	7 -	Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, and Mayor Gallego
No:	1 -	Councilman Waring
Absent:	1 -	Vice Mayor Pastor

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.

Joel Ericson spoke on behalf of the Support Sky Harbor Coalition. He refered to Sky Harbor International Airport as the largest economic engine in the state. He expressed his concern for the proposed Tempe Entertainment District that is directly east from Sky Harbor's busiest departure runway due to the proposition for a high rise residential building which went against agreements between the City of Phoenix and the City of Tempe which dictated flight paths of planes departing to the east of Sky Harbor. He referenced the City of Denver adding that building the high rise residential building in Tempe less than two thousand feet from the Sky Harbor runway was in direct violation of the existing agreements and could lead to a similar situation of having to relocate a major source of transportation infrastructure to a location outside of the city.

Anne Ender, President of Operation Blue Ribbon, expressed her concern on the decision to fill the position of the Phoenix Interim Police Chief with someone outside the Phoenix Police Department. She explained that this decision should come with the expectation of a loss of officers, inability to attract candidates, and a continued rise in crime. Ms Ender reiterated that the public safety was at risk.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 3:05p.m.

MAYOR

ATTEST:

CITY CLERK

SLR

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 May, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 1st day of July, 2024.

CITY CLERK