City of Phoenix

Minutes

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

186082

City Council Formal Meeting

Wednesday, October 18, 2023 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Oct. 18, 2023 at 2:44 p.m. in the Council Chambers.

Present: 9 - Councilwoman Betty Guardado, Councilwoman Kesha Hodge Washington, Councilwoman Ann O'Brien, Councilwoman Laura Pastor, Councilman Kevin Robinson, Councilwoman Debra Stark, Councilman Jim Waring, Vice Mayor Yassamin Ansari, and Mayor Kate Gallego

Councilwomen Guardado and O'Brien participated in the meeting virtually.

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

The City Clerk confirmed copies of the titles of Ordinances G-7177 through G-7180, S-50234 through S-50276, and Resolutions 22157 through 22164 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

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

MINUTES OF MEETINGS

1 **For Approval or Correction, the Minutes of the Formal Meeting on Jan. 6, 2021**

Summary

This item transmits the minutes of the Formal Meeting of Jan. 6, 2021, for review, correction and/or approval by the City Council.

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

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

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

BOARDS AND COMMISSIONS

2 **Mayor and Council Appointments to Boards and Commissions**

Summary

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

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

Neighborhood Block Watch Fund Oversight Committee

Appoint Lois Stansbury, for a term to expire Oct. 18, 2025, as recommended by Councilwoman O'Brien.

Phoenix Aviation Advisory Board

Appoint David Shilliday, for a term to expire Oct. 18, 2027, as recommended by Mayor Gallego.

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

Yes: 9 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

Discussion

Mayor Gallego administered the oath of office to the following appointees:
David Shilliday - Phoenix Aviation Advisory Board

Mr. Shilliday was invited to approach the dais so Council could extend their appreciation.

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

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

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Stark, that items 3-24 be recommended for approval. The motion carried by the following vote:

Yes: 9 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

3 Liquor License - Special Event - A Stepping Stone Foundation

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

Summary

Applicant
Jon Williams

Location
4320 W. Thunderbird Road

Council District: 1

Function
Award Ceremony

Date(s) - Time(s) / Expected Attendance
Nov. 4, 2023 - 5:30 p.m. to 9 p.m. / 170 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

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

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

Summary

Applicant
Virgil Marchis

Location
3749 W. Behrend Dr.
Council District: 1

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 11, 2023 - 11 a.m. to 10 p.m. / 800 attendees
Nov. 12, 2023 - Noon to 8 p.m. / 700 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

5 Liquor License - Charley's Place

Request for a liquor license. Arizona State License Application 06070503.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 6 - Bar

Location
4324 W. Thunderbird Road
Zoning Classification: C-2
Council District: 1

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

The 60-day limit for processing this application is Oct. 28, 2023.

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 owned and operated other bars throughout the valley. We will ensure our employees attend their title 4 training class.

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Charley's Place is a small community bar and grill. Great place for people to hang out with friends and family to enjoy Nascar, football and all sporting events.

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Charley's Place
Liquor License Map - Charley's Place

This item was recommended for approval.

6 Liquor License - Filibertos Mexican Food

Request for a liquor license. Arizona State License Application 256228.

Summary

Applicant
Julia Rubio, Agent

License Type
Series 12 - Restaurant

Location
15602 N. 35th Ave.
Zoning Classification: C-2
Council District: 1

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

The 60-day limit for processing this application is Oct. 29, 2023.

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 managed restaurants with and with out a liquor licenses for over 15 years. During the course of my employment I have been trained and attended classes regaeding the liquor laws of the state of Arizona”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“A liquor license at our restaurant will allow us to prvide a safe family oriented restaurant where families can eat together in a pleasant envornment. We wish to provide alcholic beverages to our clients as a compliment to their meal.”

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 - Filibertos Mexican Food
Liquor License Map - Filibertos Mexican Food

This item was recommended for approval.

7 Liquor License - Turmeric Cash and Cary

Request for a liquor license. Arizona State License Application 255593.

Summary

Applicant
Anjal Nimma, Agent

License Type
Series 10 - Beer and Wine Store

Location
1209 E. Bell Road
Zoning Classification: C-1
Council District: 3

This request is for a new liquor license for a convenience store that does

not sell gas. 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 Oct. 24, 2023.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am assured to uphold the laws and regulations about liquor license. I have never been involved in any criminal activity, no record of getting in trouble with law and authorities."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

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

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Turmeric Cash and Cary
Liquor License Map - Turmeric Cash and Cary

This item was recommended for approval.

8 Liquor License - La Pasadita Hot Dogs

Request for a liquor license. Arizona State License Application 255380.

Summary

Applicant
Rocio Rodriguez, Agent

License Type
Series 12 - Restaurant

Location
3801 N. 43rd Ave.
Zoning Classification: Industrial Park
Council District: 4

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

The 60-day limit for processing this application is Oct. 30, 2023.

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:
"Over 23 years of being in business and dealing with customers and business in general I have acquired the experience, responsibility, tenacity and skills required to maintain our restaurants while expanding new markets. We endured through COVID and are now looking to venture into offering beer to our patrons who repeatedly inquire about it. We will still offer a safe environment to all our customers while providing the same level of customer satisfaction we are known for."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We have been in business at this location for 5 years and will be maintaining the same menu service and customer care. Due to customer

demand, the only change will be providing alcoholic beverages when requested along with their food. We commit to abiding by strict measures to ensure only patrons who are legally allowed to drink can do so."

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

Attachments
Liquor License Data - La Pasadita Hot Dogs
Liquor License Map - La Pasadita Hot Dogs

This item was recommended for approval.

9 Liquor License - ARCO AM PM 42445

Request for a liquor license. Arizona State License Application 255894.

Summary

Applicant
Siv Dieb, Agent

License Type
Series 10 - Beer and Wine Store

Location
7849 N. 43rd Ave.
Zoning Classification: C-2
Council District: 5

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

The 60-day limit for processing this application is Oct. 22, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
" I am a respectable business owner in Phoenix since 2015. I am fully qualified because my business is very successful and I don't have any complaints against my business. So I am fully capable of all responsibilities that come with owning a liquor license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
" I am a qualified business owner for many years in the community. Also as a small business owner running a convenience store, it brings equal competition to the market."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - ARCO AM PM 42445
Liquor License Map - ARCO AM PM 42445

This item was recommended for approval.

10 Liquor License - Special Event - Childsplay Inc.

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

Summary

Applicant
Steven Dale Martin

Location
3515 E. Hialea Court
Council District: 6

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 4, 2023 - 4 p.m. to 8 p.m. / 150 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

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

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

Summary

Applicant
Melissa Risinger-Sutton

Location
1025 E. Liberty Lane
Council District: 6

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Nov. 11, 2023 - 3 p.m. to 9 p.m. / 600 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Special Event - St. Benedict Roman Catholic Parish Phoenix

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

Summary

Applicant
Mary Jane Livens

Location
16035 S. 48th St.
Council District: 6

Function
Dinner and Dance

Date(s) - Time(s) / Expected Attendance
Nov. 3, 2023 - 5 p.m. to 10:30 p.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Special Event - St. Thomas the Apostle Roman

Catholic Parish Phoenix

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

Summary

Applicant
Steven Kunkel

Location
4510 N. 24th St.
Council District: 6

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Nov. 9, 2023 - 6 p.m. to 8 p.m. / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

14 Liquor License - OHSO Brewery

Request for a liquor license. Arizona State License Application 255836.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 3 - Microbrewery

Location
2144 E. Indian School Road
Zoning Classification: C-3
Council District: 6

This request is for a new liquor license for a microbrewery. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption.

The 60-day limit for processing this application is Oct. 24, 2023.

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:
"OHSO has several locations throughout the valley. We will continue to abide by Arizona's Title 4 liquor laws."

The public convenience requires and the best interest of the community

will be substantially served by the issuance of the liquor license because: "This location will be a production brewery and a neighborhood meeting place with food and beverage for one and all. OHSO has an inviting space for families, singles and all ages. It will also be the production brewery for our outside sales locations, including, but not limited to Safeway, Camelback Inn, W Hotel and our sister restaurants and a few more."

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 - OHSO Brewery
Liquor License Map - OHSO Brewery

This item was recommended for approval.

15 Liquor License - Special Event - Central Arts Alliance

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

Summary

Applicant
Sandra Bassett

Location
1202 N. 3rd St.
Council District: 7

Function
Art Festival

Date(s) - Time(s) / Expected Attendance
Dec. 9, 2023 - 11 a.m. to 5:30 p.m. / 1000 attendees
Dec. 10, 2023 - 11 a.m. to 5:30 p.m. / 750 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

16 Liquor License - Special Event - Phoenix Community Alliance, Inc.

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

Summary

Applicant
Devney Majerle

Location
1202 N. 3rd St
Council District: 7

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 11, 2023 - 11 a.m. to 6 p.m. / 3,000 attendees
Nov. 12, 2023 - 11 a.m. to 4 p.m. / 3,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

17 Liquor License - Downtown Spirits

Request for a liquor license. Arizona State License Application 09070587.

Summary

Applicant
Jared Repinski, Agent

License Type
Series 9 - Liquor Store

Location
1340 Grand Ave.
Zoning Classification: C-3 ACOD
Council District: 7

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

The 60-day limit for processing this application is Oct. 27, 2023.

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

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

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

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

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

because:
“I have been representing liquor licensed establishments in Arizona for over 15 years.”

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

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 - Downtown Spirits
Liquor License Map - Downtown Spirits

This item was recommended for approval.

18 Liquor License - La Estacion Mex Kitchen

Request for a liquor license. Arizona State License Application 255429.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
906 N. 15th Ave. #B
Zoning Classification: C-3
Council District: 7

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

The 60-day limit for processing this application is Oct. 24, 2023.

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 6 years of experience in the liquor industry as I worked for the Scottsdale Plaza Resort. Many people believe that this resort is without disorderly people or people that are not intoxicated. I have had to deal with many guests at the location who needed to be removed from the

premises and on some occasions required intervention of law enforcement. My experience at the Scottsdale Plaza resort has prepared me for operating this restaurant in Phoenix. The customers have been extremely polite."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Customers from the community patronize the restaurant or call for 'ubereats' and other delivery services to have food delivered. I am aware that I am not allowed to sell any alcoholic beverages to go. The community has been very supportive and are happy to have a restaurant within walking distance from their homes. I believe the restaurant will be an asset to the neighborhood."

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

Attachments
Liquor License Data - La Estacion Mex Kitchen
Liquor License Map - La Estacion Mex Kitchen

This item was recommended for approval.

19 Liquor License - Special Event - Artist Relief Fund, Inc.

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

Summary

Applicant
Jillian Barrell

Location
2835 E. Washington St.
Council District: 8

Function

Performance

Date(s) - Time(s) / Expected Attendance
Nov. 4, 2023 - 6 p.m. to 11:30p.m. / 350 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

20 Liquor License - Special Event - Children's Museum of Phoenix

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

Summary

Applicant
Kelley Ames Fitzsimmons

Location
215 N. 7th St.
Council District: 8

Function
Annual Gala

Date(s) - Time(s) / Expected Attendance
Nov. 4, 2023 - 6 p.m. to 11 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

21 Liquor License - Special Event - Girl Scouts - Arizona Cactus - Pine Council, Inc.

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

Summary

Applicant
Alycia I. Elfstrom

Location
1611 E. Dobbins Road
Council District: 8

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Nov. 4, 2023 - 6 p.m. to 10 p.m. / 650 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

22 Liquor License - Special Event - State Forty Eight Foundation

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

Summary

Applicant
Elizabeth Mok

Location
113 N. 6th St.
Council District: 8

Function
Community Celebration

Date(s) - Time(s) / Expected Attendance
Nov. 3, 2023 - 3 p.m. to 11 p.m. / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

23 Liquor License - Grab N Go 909

Request for a liquor license. Arizona State License Application 256416.

Summary

Applicant
Rajkamal Gill, 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 convenient store that does not sell gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Oct. 31, 2023.

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

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests

held by the applicant in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I bought business and I am a responsible citizen."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Conveinence, neighborhood store."

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.

24 Liquor License - Urban Bricks Kitchen

Request for a liquor license. Arizona State License Application 255923.

Summary

Applicant
Anthony Pomykala, Agent

License Type
Series 12 - Restaurant

Location
4750 S. 48th St., Ste. 107
Zoning Classification: C-2
Council District: 8

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

The 60-day limit for processing this application is Oct. 29, 2023.

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

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

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

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

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

because:
"We train all employees in responsible liquor sales. I personally am not a drinker myself, neither are my partners, but we respect the casual drinker enhancing their dining experience with an alcoholic beverage."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Many diners enjoy a casual experience that includes a sage environment to relax in, while enjoying a refreshing alcoholic beverage with their meal."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Urban Bricks Kitchen
Liquor License Map - Urban Bricks Kitchen

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 Vice Mayor Ansari, seconded by Councilwoman Stark, that items 25-87 be approved or adopted, except items 29, 39, 41-43, 45-46, 49, 70 and 85-87. The motion carried by the following vote:

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

Items 25-27, Ordinance S-50234 was a request to authorize the City Controller to disburse funds, up to the 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 request 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 the Phoenix City Code section 42-13.

25 **Salt River Project Agricultural Improvement and Power District, dba SRP**

For $76,707.52 in payment authority for SRP crews to remove one area light, install 155 feet of 6DX, and connect and install 12 streetlights on existing SRP poles for Grand Canalscape streetlights along Turney Avenue from 19th to 15th avenues, SRP intersection T3164199, Street Transportation Department Project ST85160026; and for SRP crews to energize 23 streetlights and de-energize 15 streetlights at SRP intersection T1264752, along Lower Buckeye Road from 51st to 43rd avenues for Street Transportation Department Project ST85100249.

This item was adopted.

26 **Professional Towing and Recovery, LLC**

For $186,000 in payment authority for a new contract, entered into on or about Nov. 1, 2023, for a term of five years for Towing Services for Slurry Seal and Fractured Aggregate Surface Treatment (FAST) programs for the Street Transportation Department. The department requires a contract for all labor, equipment, materials, and transportation necessary to provide towing services for the City of Phoenix's Slurry Seal and FAST programs to move unanticipated vehicles in a timely fashion as the crews come through.

This item was adopted.

27 **Settlement of Claim(s) O'Connell v. City of Phoenix**

To make payment of up to $101,687 in settlement of claim(s) in *O'Connell v. City of Phoenix*, 22-0448, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Water Services Department that occurred on Oct. 17, 2022.

This item was adopted.

28 **Print and Mail Election Materials - IFB 19-046 - Amendment (Ordinance S-50273)**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 149011 with Courier Graphics Corp. to extend contract term and add additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $1,171,000.

Summary

This contract will provide print and mailing of election materials for the November 2023 election and future elections through the term of the contract. The City is required by law to mail publicity pamphlets to households, with at least one registered voter, before ballots are mailed for each election.

Contract Term

Upon approval the contract will be extended through Nov. 30, 2024 with the option to extend through Nov. 30, 2025.

Financial Impact

Upon approval of $1,171,000 in additional funds, the revised aggregate value of the contract will not exceed $1,741,000. Funds are available in the City Clerk Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
Print and Mail Election Materials Contract 149011 (Ordinance S-45214) on Dec. 5, 2018.

This item was adopted.

30 Authorization to Amend Lease with Bio-Medical Applications of Arizona, LLC, to Extend Term (Ordinance S-50237)

Request to authorize the City Manager, or his designee, to amend Lease 130171 with Bio-Medical Applications of Arizona, LLC, to extend lease term for one year, with two additional, one-year options to extend. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

Bio-Medical Applications of Arizona, LLC (Bio-Medical), leases approximately 10,350 square feet of City-owned space located at 1957 W. Dunlap Ave., Suite 6. The space is utilized as an outpatient dialysis facility and general office. The term of the lease expires Nov. 30, 2023. The lease will be amended to extend the term for one year beginning Dec. 1, 2023, through Nov. 30, 2024, and provide for two additional, one-year options to extend. Base rent during the one-year extension is $12,506.25 per month, plus applicable taxes, which is within the range of market rents as determined by the Real Estate Division. Base rent will be adjusted three percent at the beginning of each option period.

All other terms and conditions will remain the same. Bio-Medical is a long-term tenant in good standing.

Contract Term
The term of the lease will be extended for one year, with two additional, one-year options to extend.

Financial Impact
Revenue during the first year of the extended term will be $150,075, plus applicable taxes.

Concurrence/Previous Council Action
Lease 130171-001 through 130171-006, authorized by Ordinance S-37261 on July 7, 2010.

Location
1957 W. Dunlap Ave., Suite 6.
Council District: 5

This item was adopted.

31 Playground Fitness and Related Equipment Contract - COOP 24-0031 Request for Award (Ordinance S-50248)

Request to authorize the City Manager, or his designee, to allow the use of Sourcewell cooperative contracts with Landscape Structures, Inc. and Miracle Recreation Equipment Company d.b.a PlayPower, Inc. to provide a wide range of playground fitness and related equipment, accessories and services for the Parks and Recreation Department. Further request

to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $6,000,000.

Summary

These contracts will support efforts to repair and replace current playground and outdoor fitness equipment throughout the City. The existing playground equipment is at the end of its lifecycle and these contracts will ensure the department can purchase a wide variety of new equipment. The purchase of playground equipment will enhance and support the quality of recreational programs and services provided to the residents of Phoenix. The playground equipment and accessories will be used in various park locations throughout the City. This contract will also be utilized for Parks and Recreation capital improvements serving qualifying census tracts as approved by the City Council in the American Rescue Plan Act (ARPA) Strategic Plan. The ARPA funding being requested is to be used on ARPA projects.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reasons: Special Circumstances Alternative Competition. The City of Phoenix is a member of Sourcewell cooperative and these contracts were awarded through the competitive process, consistent with the City's procurement process, as set forth in the Phoenix City Code, Chapter 43. Utilization of this agreement allows the City to benefit from national government pricing and volume discounts.

Contract Term

The contracts will begin on or about Oct. 18, 2023 for a five-year term with no options to extend.

Financial Impact

The aggregate contracts value will not exceed $6,000,000 for the five-year aggregate term. Funding is available in the Parks and Recreation Department's Operating and Capital Improvement Program budget; and through the City's allocation of the ARPA received from the federal government and is under the Phoenix Parks Improvements program of the strategic plan.

This item was adopted.

32 Ready Mix Concrete- IFB 18-264 - Letter of Agreement to Extend Contract for Concrete Supply with Cemex Construction Material South (Ordinance S-50249)

Request to authorize the City Manager, or his designee, to enter into Letter of Agreement with Cemex, Inc., dba Cemex Construction Materials South, to continue to provide Ready Mix Concrete to various City departments. $270,000 in funds are needed, in addition to the $2,024,080 previously approved via Ordinance S-44837. The aggregate value will not exceed $2,294,080. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The purpose of this Letter of Agreement is to continue to provide a wide variety of ready mix concrete materials to City departments, including the Aviation, Parks and Recreation, Street Transportation, and Water Services departments. This contract is necessary for maintenance and upkeep of sidewalks, curbs, gutters, concrete pavements, slabs and construction projects throughout the City.

The Letter of Agreement is required to provide the various City departments these services until June 30, 2024.

Contract Term

The term of the Letter of Agreement will begin on or about Oct. 19, 2023, and expire on June 30, 2024.

Financial Impact

Upon approval of $270,000 in additional funds, the revised aggregate value of the contract will not exceed $2,294,080. Funding is available in various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Ready Mix Concrete Contract 148122 (Ordinance S-44837) on June 27, 2018.

This item was adopted.

33 Acceptance and Dedication of an Easement for Public Utility Purposes (Ordinance S-50252)

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

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

Easement (a)
Applicant: Phoenix Plaza 75, LLC, its successor and assigns
Purpose: Public Utility
Location: 7307 W. Indian School Road
File: FN 230081
Council District: 5

This item was adopted.

34 Acceptance of an Easement for Drainage Purposes (Ordinance S-50258)

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

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

Easement (a)
Applicant: TJH Arizona Series, LLC, Series A, its successor and assigns
Purpose: Drainage
Location: 5124, 5128, 5132, 5136 and 5140 N. 10th Way
File: FN 230017
Council District: 6

This item was adopted.

35 Bicycles, Parts, Accessories, Repair and Maintenance - IFB 18-174 - Amendment (Ordinance S-50264)

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

amendment to Contract 148637 with Landis Cyclery, Inc., to extend the contract term and add additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $80,000.

Summary

This contract will provide the City's essential workers with bicycles, parts, accessories and repair, and maintenance services to ensure that bicycles are in optimal working condition for the safety of employees who use bicycles in performance of daily responsibilities. The main users of this contract are the City Clerk, Police, and Phoenix Convention Center departments.

Contract Term

Upon approval the contract will be extended through Oct. 31, 2024, with an option to extend through Oct. 31, 2025.

Financial Impact

Upon approval of $80,000 in additional funds, the revised aggregate value of the contract will not exceed $246,000. Funds are available in various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Bicycles, Parts, Accessories, Repair and Maintenance Contract 148637 (Ordinance S-45023) Oct. 3, 2018;

• Bicycles, Parts, Accessories, Repair and Maintenance Contract 148637 (Ordinance S-49124) Nov. 2, 2022.

This item was adopted.

36 Industrial-Commercial Doors Service and Supply - IFB 18-205 - Amendment (Ordinance S-50270)

Request to authorize the City Manager, or his designee, to execute amendment to Contracts 148635 with D.H. Pace Company, Inc., and 148636 with Miner, LTD, to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-45068.

Summary

This contract will provide the City of Phoenix with equipment, labor and materials to perform all operations necessary to implement a preventative maintenance program, as-needed repairs, and replace existing door systems, as necessary, to approximately 800 industrial-commercial doors for Citywide buildings/facilities protection and security. The extension will allow for the continuation of the maintenance and repair for these doors.

Contract Term

Upon approval the contract will be extended through April 30, 2024.

Financial Impact

The aggregate value of the contract will not exceed $5,078,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
Industrial-Commercial Doors Service and Supply Citywide Contract 148635 and 148636 (Ordinance S-45068) on Oct. 17, 2018;
Industrial-Commercial Doors Service and Supply Citywide Contract 148635 and 148636 (Ordinance S-48236) on Jan. 5, 2022.

This item was adopted.

37 Maintenance Repair and Operating Supplies and Services - 16154RFP - Amendment (Ordinance S-50274)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 146367 with HD Supply Facilities Maintenance, to extend contract term. No additional funds are needed, request to continue using Ordinance S-43967.

Summary

This contract will provide maintenance, repair and operating supplies and related services. The contract is available for Citywide use and primary users of this contract are the Housing, Parks and Recreation, Fire, Public Works, and Water Services departments.

Contract Term
Upon approval the contract will be extended through Oct. 31, 2024.

Financial Impact
The aggregate value of the contract will not exceed $4,500,000 and no additional funds are needed.

This item was adopted.

38 Affordable Care Act (ACA) Reporting Services RFP HR 22-018 - Request for Award (Ordinance S-50241)

Request to authorize the City Manager, or his designee, to enter into a contract with UnifyHR, LLC to manage and monitor the Affordable Care Act (ACA) compliance for the Human Resources Department. Further authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $450,000.

Summary
This contract is needed to manage and monitor ACA compliance for the City and comply with ACA reporting requirements. The ACA mandates employers with more than 50 full-time employees to track medical plan coverage for employees meeting the 30-hour-per-week test, report plan of affordability based on employee-rate-of-pay, and prepare and issue the "medical W-2" (Form 1095c) to all employees annually. Penalties assessed by the IRS for non-compliance are $2,320 per year, per eligible employee or more than $20 million per year for the City.

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

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

Two vendors submitted proposals deemed responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1,000:
Qualifications and Experience (0-300 points)

Method of Approach (0 - 400 points)
Price (0-300 points)

After reaching consensus, the evaluation committee recommends an award to UnifyHR, LLC.
UnifyHR: 910 points
BenefitScape: 841 points

Contract Term
The contract will begin on or about Nov. 1, 2023, for a five-year term with no options to extend.

Financial Impact
The aggregate contract value will not exceed $450,000.

This item was adopted.

40 Authorization to Amend and Extend Contract for Fiscal Monitoring Services (Ordinance S-50251)

Request to authorize the City Manager, or his designee, to amend Contract 149307 with PUN Group, LLP (PUN Group) to extend the term for an additional year, beginning on or about Dec. 15, 2023 and ending Dec. 31, 2024, and approve funding for this vendor to continue to provide contracted services through the extended term. The contract value will not exceed $200,000 during the extension period. Further request authorization for the City Controller to disburse all funds related to this item for the life of the contract. Funds are available from Workforce Innovation and Opportunity Act, Head Start, and General Funds.

Summary
PUN Group conducts annual fiscal monitoring of subcontractors accountable to the City to facilitate the Human Services Department programs. These fiscal monitoring activities are required to comply with grant stipulations, including the Workforce Innovation and Opportunity Act, Head Start, Victim Services, and Homeless Services programs. The Request for Proposals process can take up to six months to complete, and this extension will allow the Human Services Department staff sufficient time to conduct the procurement process.

Contract Term

The extended contract term will begin on or about Dec. 15, 2023 and run through Dec. 31, 2024.

Financial Impact

Expenditures will not exceed $200,000 during the extension period of the contract. Funds are available from Workforce Innovation and Opportunity Act, Head Start, and General Funds.

Concurrence/Previous Council Action

On Nov. 8, 2018, the Phoenix Business and Workforce Development Board approved the Workforce Development funding Program funding portion of this contract.

On Dec. 12, 2018, City Council approved staff entering into contract with PUN Group with Ordinance S-45232.

On Jan. 26, 2022, City Council approved additional funding for Contract 149307 with Ordinance S-48269.

On Jan. 25, 2023, City Council approved additional funding for Contract 149307 with Ordinance S-49362.

This item was adopted.

44 Phoenix Kiva Hub and Better Business Bureau Serving the Pacific Southwest Premier Partnership Sponsorship Contract (Ordinance S-50261)

Request to authorize the City Manager, or his designee, to enter into a contract as a Premier Partnership sponsor of the Phoenix Kiva Hub administered by the Better Business Bureau Serving the Pacific Southwest (BBB) for a three-year total amount not to exceed $100,000. Further request the City Controller to disburse all funds associated with this item. Funding is available in the Community and Economic Development Department's budget.

Summary

Kiva Inc. launched in 2005 as the world's first personal lending website. Because of Kiva, the opportunity for small businesses and entrepreneurs to have affordable and equitable access to financial products and services that help them chase their dreams became an achievable reality.

Kiva allows everyday people to pool lending contributions in as little as $25 increments to provide financial access to entrepreneurs in communities that are underserved and underrepresented within traditional lending spaces. This is done through crowdfunded micro-loans from $1,000 to $15,000 for start-ups and entrepreneurs with a zero percent interest rate and a guaranteed $0 in fees. There are no minimum credit or cash flow document requirements to qualify, which further helps remove a barrier to entry that limits affordable and equitable financial access.

In 2021, with the financial support of the City and GoDaddy.com, the BBB launched the Phoenix Kiva Hub and began crowdfunding microloans focused on women and minority entrepreneurs who would otherwise not qualify for a traditional or low interest loan to start their businesses. While the Phoenix Kiva Hub services all of Maricopa County, the results within Phoenix have been impactful:
19 - Phoenix Loans Funded (12 outside Phoenix)
$132,500 - Disbursed to Phoenix entrepreneurs ($66,000 outside Phoenix)
$6,974 - Average Loan Size ($6,266 outside Phoenix)

The Phoenix Kiva Hub's focus on women and minority entrepreneurs has been impactful based on the 19 loans funded between Feb. 2020 and April 2023 to Phoenix entrepreneurs:
14 Credit scores below 650 (most bank loans require scores between 680-720)
17 Women-Owned Businesses
15 Minority-Owned Businesses
9 Black-Owned Businesses
3 Latino or Hispanic Owned Businesses
1 Native American, Asian or Pacific Islander-Owner Business

If approved, the City's new Premier Partner Sponsorship will continue to pay for the annual licensing fee associated with hosting the Phoenix Kiva Hub, which includes a ten percent administration fee. The City will be recognized as the title program partner/trustee in all branded materials, digital products and media mentions alongside the BBB and GoDaddy.com (also a Premiere sponsor).

Phoenix Kiva Hub will provide a biannual report to City staff that will include the following items:
Demographic data of Kiva loan portfolio
Average credit score of borrowers,
Repayment rate
Total number of loans
Borrower related data by zip code
Success stories
Marketing: Impact (clicks, views, etc.) and traffic to Kiva landing page
Events, webinars, and networking opportunity tracking

Contract Term
The contract will begin on or about March 1, 2024 for a three-year term.

Financial Impact
The total sponsorship contract will not exceed $100,000. Funding is available in the Community and Economic Development Department's General Fund budget.

Concurrence/Previous Council Action
Item approved unanimously at Economic Development and Housing Subcommittee Meeting on Sept. 13, 2023.

This item was adopted.

47 Amend Ordinance Authorizing Mayo Clinic Arizona Development Agreement for Installation for Public Infrastructure Improvements (Ordinance S-50275)

Request to authorize the City Manager, or his designee, to amend Ordinance S-48386 to extend Transaction Privilege Tax (TPT) reimbursement period in contemplated Development Agreement with Mayo Clinic Arizona (Mayo) or its affiliates from 35 to 40 years.

Summary
At its March 2, 2022, meeting, City Council approved the terms of a Development Agreement (DA) with Mayo for the construction of Discovery Oasis, including reimbursement of public infrastructure approved by the City. Discovery Oasis is planned to be a 228-acre bioscience park that will bring a significant number of high-wage jobs and capital investment in the bioscience and health care arena. The funds for

reimbursement will come from the eligible General Fund share of the TPT created by the project, not to exceed $40 million.

As Mayo has conducted further research and analysis of the public infrastructure needed for development of the property immediately adjacent to its existing north Phoenix campus, it has been determined that extensive flood mitigation infrastructure is required to maximize development. To facilitate the installation of this flood control infrastructure, staff proposes extending the DA reimbursement period from 35 years to 40 years to allow Mayo more time to recover the funds to be expended up-front on the public infrastructure, which will include the flood mitigation. All other terms and conditions of the DA will remain in place.

Contract Term
The term of the Development Agreement will increase from 35 years to 40 years after the City's acceptance of the public infrastructure improvements and drainage solutions.

Financial Impact
There is no additional financial impact to the General Fund. The maximum reimbursement from the eligible General Fund share of TPT revenue will remain at $40 million.

Concurrence/Previous Council Action
The terms of the initial Development Agreement were approved at the March 2, 2022, City Council by a vote of 9-0.

Location
Generally located on approximately 228 acres south of Loop 101; east of 56th St.; west of 64th St., and as described in the Arizona State Land Department Auction No. 53-122049
Council District: 2

This item was adopted.

48 Mayo Clinic Arizona Hospital Development Agreement Amendment (Ordinance S-50276)

Authorization for the City Manager, or his designee, to amend the 1996

Mayo Clinic Development Agreement (DA) with Mayo Clinic Arizona (Mayo) to allow any unused construction sales tax credit to be applied to public infrastructure reimbursement in accordance with the terms and conditions of the Discovery Oasis development agreement (Discovery Oasis DA) in addition to existing authorized reimbursement for permit/plan review fees under the 1996 Mayo DA.

Summary

The City and Mayo entered into the DA on January 3,1996, City Contract No. 72047. The DA provided for the construction of the Mayo Hospital Campus, which continues new phases today. Mayo is currently completing construction on a new $748 million capital investment into the Hospital Campus. Modifications to the DA have been approved by the City Council on five separate occasions. The original DA represents a 50-year term.

At its March 2, 2022 Formal Meeting, City Council approved the terms of a subsequent development agreement with Mayo for the construction of Discovery Oasis. Discovery Oasis is planned to be a 228-acre bioscience and healthcare park surrounding the Hospital Campus. The terms of the Discovery Oasis DA provide for reimbursement of public infrastructure that is approved by the City. The funds for reimbursement will come from the General Fund share of the Transaction Privilege Tax (TPT) created by the project. The amount of reimbursement to Mayo for the public infrastructure improvements will not exceed $40 million.

As part of the 1996 DA, the City committed to constructing 64th St. from the Loop 101 freeway to Bell Road when certain conditions were met. Given the new development of Discovery Oasis and the continued Hospital Campus expansion, the need for the construction of 64th St. is imminent. Further, significant amounts of public infrastructure including additional construction on Mayo Blvd., 56th St. and 64th St., as well as drainage, water and wastewater infrastructure are required for the future development of this Mayo/Discovery Oasis campus and will benefit the surrounding area.

Contract Term

Due to the significant amounts of public infrastructure required to allow both the Hospital Campus and Discovery Oasis to maximize their

development, staff proposes amending the 1996 Hospital Agreement with following terms:

In addition to any use by Mayo of the construction sales tax credit under the DA, the construction sales tax credit may be used to reimburse Mayo for the following: (1) any portion of the cost to construct the 64th St. improvements that Mayo is required to pay under the Discovery Oasis Agreement; and (2) for any of the Public Infrastructure Reimbursements as defined in the Discovery Oasis Agreement. Mayo can use the Unused Reimbursement Credit under the DA until any one of the following is triggered (a) the date the Discovery Oasis DA expires or (b) the date the Unused Reimbursement Credit is exhausted or (c) the $40 million Discovery Oasis DA cap is met.

For the purposes of public infrastructure improvement reimbursement only, the Hospital Development Agreement termination date will be modified to automatically terminate with the earlier of the date the Discovery Oasis Agreement expires or the date the construction sales tax credit is exhausted.

During the additional term created by this action, only public infrastructure improvements will be reimbursable. All other terms and conditions of the 1996 DA will remain in effect and sunset with the original date of that agreement.

Financial Impact

There is no additional financial impact to the General Fund. The maximum reimbursement from the eligible General Fund share of TPT revenue from the Discovery Oasis DA will remain at $40 million.

Concurrence/Previous Council Action

Authorization to enter into the original Mayo Clinic Development Agreement was received on Sept. 20, 1995, through Ordinance S-23079.

Location

Generally located on approximately 225 acres at the southeast corner of 56th St. and Mayo Blvd.

Council District(s): 2

This item was adopted.

50 Elevator and Escalator Maintenance IFB PCC 22-006 - Request for Award (Ordinance S-50243)

Request to authorize the City Manager, or his designee, to enter into a contract with TK Elevator Corporation to provide complete elevator and escalator maintenance and repair services for the Phoenix Convention Center 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 $5 million.

Summary

This contract will provide preventative and predictive maintenance, repair services, and inspections, as required, for 42 traction and hydraulic elevators, 28 escalators, and five stage/wheelchair lifts located throughout Phoenix Convention Center Department facilities.

Procurement Information

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

Three 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:

Selected Bidder:
TK Elevator Corporation: $47,368.78 - Monthly

Additional Bidders:
Otis Elevator Company $48,230 - Monthly
Kone Inc. $64,892 - Monthly

Contract Term

The contract will begin on or about Dec. 1, 2023, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value will not exceed $5 million.

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

Location
General Location: Phoenix Convention Center and Venues
Council Districts: 7 and 8

This item was adopted.

51 Event Security Services Contract - Request for Award (Ordinance S-50244)

Request to authorize the City Manager, or his designee, to enter into a contract with Pride Group, LLC. to provide event security services for the Phoenix Convention Center and Venues. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The gross sales for the contract are estimated to produce $9,701,629 over the five-year term, resulting in approximately $776,130 in revenue to the City.

Summary
This contract will provide event security services to the Phoenix Convention Center Department (PCCD) clients. Services include exclusive event security services for shows open to the general public and non-exclusive event security for events not open to the general public. On a limited basis, event security services are provided for PCCD or other City departments for various City-sponsored events.

Procurement Information
A Revenue Contract Solicitation procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Five vendors submitted responses and were evaluated after deemed to be responsive and responsible.

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

Method of Approach (0-300 points)
Company Resources (0-300 points)
Qualifications and Experience (0-200 points)
Financial Return to the City (0-200 points)

The following Proposer is selected for award:

Selected Vendor
Pride Group, LLC. - 964.20

Additional Proposers:
Contemporary Services Corporation - 849
Best Crowd Management - 601.40
Providers International - 435
Professional Protection Services International - 319.60

Contract Term
The contract will begin on or about Jan. 1, 2024, for a five-year term with no options to extend.

Financial Impact
The Contractor will pay eight percent commission over the five-year term, resulting in approximately $776,130 in revenue to the City.

Location
General Location Phoenix Convention Center and Venues
Council Districts: 7 and 8

This item was adopted.

52 Fire Department Mutual Aid Agreement for Palo Verde Nuclear Generating Station (Ordinance S-50272)

Request City Council authorization for the City Manager, or his designee, to enter into an agreement with Arizona Public Service Company (APS) as operating agent for Palo Verde Nuclear Generating Station. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary
The purpose of this agreement is for the Phoenix Fire Department to

provide back-up fire suppression services at Palo Verde Nuclear Generating Station (PVNGS), and for PVNGS to provide technical expertise to Fire staff in the event of a radiological or related emergency, or in planning for these types of emergencies. In addition, PVNGS and Fire staff will participate in joint drills and exercises, training programs, pre-incident planning, post-incident critique, and other activities to enhance safe and effective emergency operations when practical and feasible to participate.

Contract Term

The agreement shall commence on Jan. 1, 2024, and shall remain in effect through Dec. 31, 2028.

Financial Impact

PVNGS will reimburse the City of Phoenix for all services per the terms of the agreement.

This item was adopted.

53 Arizona Criminal Justice Commission Project Safe Neighborhoods Grant (Ordinance S-50236)

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 Arizona Criminal Justice Commission (ACJC) for the Project Safe Neighborhoods (PSN) grant. Funding provided under this grant will not exceed $13,500. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The PSN grant is a nationwide initiative that brings together federal, state, local, tribal and territorial law enforcement officials, prosecutors, community-based partners and other stakeholders to identify the most pressing violent crime problems in a community and develop comprehensive solutions to address them.

The U.S. Department of Justice, Bureau of Justice Assistance, has awarded each State funding to implement a PSN Project within their jurisdiction. The Police Department is applying for funding in the amount of $13,500 for communications and surveillance equipment that will

assist Violent Crimes detectives in investigating and solving crimes. City Council request was paused while the ACJC reviewed and approved the proposed use of grant funds.

Contract Term
The contract began on April 11, 2023 and will terminate on Dec. 30, 2023.

Financial Impact
The amount of funding available is $13,500. No matching funds are required.

This item was adopted.

54 Intergovernmental Agreement for Facility Access and Usage of Phoenix Police Department Emergency Operations Center (Ordinance S-50268)

Request retroactive authorization for the City Manager, or his designee, to authorize the Police Department to enter into an agreement with the Maricopa County Sheriff's Office to use the City's driving track to train their cadets and officers on proper driving techniques.

Summary
The Maricopa County Sheriff's Office (MCSO) does not have a location to provide proper driving techniques to their cadets and officers and have utilized the Phoenix Police Department's Emergency Vehicle Operation Center to train their cadets and officers for several years.

The use of the driving track does not interfere with any training involving Phoenix Police personnel and does not use any Phoenix Police vehicles. MCSO provides their own vehicles when training their cadets and/or officers as well as provides additional driving instructors to assist Phoenix Police training, specifically driving instructor school training.

Contract Term
The Intergovernmental Agreement will be effective for one year beginning Aug. 9, 2023, terminating on Aug. 8, 2024.

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

Location
Emergency Vehicle Operation Center
8645 W. Broadway Rd. Tolleson, Ariz. 85353
Council District: 7

This item was adopted.

55 Airport Security Guard Services Contracts AVN RFP 23-033 - Request for Award (Ordinance S-50247)

Request to authorize the City Manager, or his designee, to enter into contracts with Covenant Aviation Security, LLC and Universal Protection Security Systems, LP dba Allied Universal Security Services to provide airport security guard services for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will be up to $45 million.

Summary
These contracts will provide licensed, unarmed uniformed security guards, equipment, supplies and supervision as necessary to provide high quality security services on an as-needed basis for Phoenix Sky Harbor International Airport (PHX), Phoenix Deer Valley Airport (DVT), and Goodyear Airport (GYR) and their owned and maintained facilities. PHX is regulated under the Code of Federal Regulations Title 49, Parts 1500 through 1580. As a regulated entity, the Transportation Security Administration requires airports to maintain a federally-approved Airport Security Plan. The scope of security services in these contracts are necessary to ensure compliance with the approved plan.

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

Four vendors submitted proposals and three proposals were deemed responsive and responsible for both Group 1 (Regulatory - External) and Group 2 (Regulatory - Internal) contracting opportunities. An evaluation committee of City staff and airport stakeholders evaluated the proposals based on the following criteria with a maximum possible point total of 1,000:

Business and Operations Plan and Method of Approach to Scope of Work (0-350 points)
Company Qualifications and Experience (0-275 points)
General Manager Qualifications and Experience (0-225 points)
Fee Schedule (0-150 points)

After reaching consensus, the evaluation committee recommends award to the following vendors:

Group 1 - Airport Security Guard Services (Regulatory - External)
Covenant Aviation Security, LLC - 947.5 points

Group 2 - Airport Security Guard Services (Regulatory - Internal)
Universal Protection Security Systems, LP dba Allied Universal Security Services - 947.75 points

Contract Term
The contracts will begin on or about Jan. 1, 2024, for a two-year term with three one-year options to extend at the sole discretion of the Director of Aviation Services.

Financial Impact
The total contract value will not exceed $45 million for the five-year term.

Funding is available in the Aviation Department Operating Budget.

Concurrence/Previous Council Action
The Phoenix Aviation Advisory Board (PAAB):
• Recommended approval of this item on Sept. 21, 2023, by a vote of 6-0.

Location
Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road
Phoenix Deer Valley Airport, 702 W. Deer Valley Road
Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz.
Council Districts: 1, 8, and Out of City

This item was adopted.

56 **Escalator Cleaning Services IFB 20-002 - Amendment (Ordinance S-50250)**

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 155470 with West Coast Escalator Cleaning, Inc. to add the Aviation Department for deep cleaning of the escalators and moving walkways at Phoenix Sky Harbor International Airport. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will be up to $377,500.

Summary

This contract will provide all equipment, labor, and supplies required to deep clean the escalators and moving walkways located at the Phoenix Convention Center and Phoenix Sky Harbor International Airport on an as needed basis. Cleaning service will include removing excess grease on the escalators and moving walkways to prevent slipping hazards for the traveling public.

Contract Term

The Contract term remains unchanged, ending on Nov. 30, 2026.

Financial Impact

Upon approval of $377,500 in additional funds, the revised total value of the Contract will be up to $755,000. Funds are available in the Aviation and Phoenix Convention Center departments' budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Escalator Cleaning Service Contract No. 155470 (Ordinance S-48026) on Oct. 27, 2021

Location

Phoenix Convention Center, 100 N. 3rd St.
Phoenix Sky Harbor International Airport, 2485 E Buckeye Road
Council Districts: 7 and 8

This item was adopted.

57 **Terminal 4 South 1 Concourse Retail Concessions Phase II at Phoenix Sky Harbor International Airport - Request for Award**

(Ordinance S-50253)

Request to authorize the City Manager, or his designee, to execute a lease agreement with Paradies Lagardere @ PHX 2022 LLC dba Paradies Lagardere (Paradies) for the development, operation, and management of retail concessions in the new Terminal 4 South 1 (T4S1) Concourse at Phoenix Sky Harbor International Airport (PHX) with a term of 10 years with no options to extend. Further request to authorize the City Manager, or his designee, to execute a lease of up to 1,500 square feet as additional support space in Terminal 4 for Paradies's operational needs. Further request to authorize the City Treasurer accept all funds related to this item.

Summary

On March 17, 2021, the Phoenix City Council authorized the Aviation Department to issue a revenue contract solicitation (RCS) for retail concessions in new T4S1 Concourse. The RCS was divided into two contract award phases. Phase One of the RCS was issued on May 27, 2021, and contract awards were approved on Dec. 2, 2021, for two retail concession operations to Marshall Retail Group LLC dba Uptown Phoenix and InMotion. This action is for award of Phase Two.

The goals of the RCS were to optimize sales and revenue over the term of the lease, provide quality and unique retail merchandise to passengers, emphasize local culture in the design of the facility, and select respondents with experience operating successful retail concessions in the U.S. and abroad.

Procurement Information

The Aviation Department issued Phase Two of the RCS on Sept. 21, 2022, and responses were due on Dec. 9, 2022. Two responses were received and deemed responsive and responsible. The evaluation panel met for the initial consensus meeting on Feb. 21, 2023, and respondent interviews were held on March 9, 2023. The panel's award recommendation was published on the City's public award website on April 11, 2023. The RCS was processed in accordance with Administrative Regulation 3.10.

An evaluation panel evaluated the responses based on the following published criteria in the RCS with total points ranging from 0 to 1,000:
Proposed concepts and merchandise plans for each concessions space 0-250 points
Design and quality of tenant improvements 0-200 points
Management, marketing, operations, and technology plans 0-200 points
Experience and qualifications of the Respondent 0-150 points
Proposed business plan 0-100 points
Financial return to the City 0-100 points

The consensus score and ranking for each respondent by the evaluation panel is shown below in consideration of the above criteria:

Respondent	Points
Paradies Lagardere @ PHX 2022 LLC dba Paradies Lagardere	925
HG PHX Concessions JV dba Hudson	835

The evaluation panel selected for award: Paradies Lagardere @ PHX 2022 LLC dba Paradies Lagardere

Public Outreach
The RCS process included all standard and required outreach efforts, including advertising in aviation industry publications.

Contract Term
The term of the lease will be 10 years with no options to extend.

Financial Impact
The estimated annual revenue to the City will be the established minimum annual guarantee (MAG) or percentage of gross sales, whichever is greater. MAG for the first year will be $400,000. The MAG will be adjusted annually thereafter at 85 percent of the prior year's annual rent or 100 percent of MAG for the first Lease year, whichever is greater.

Concurrence/Previous Council Action
The Phoenix Aviation Business and Development Subcommittee recommended approval of this item on Aug. 3, 2023, by a vote of 2-0

and the Phoenix Aviation Advisory Board recommended approval of the item on Aug. 17, 2023, by a vote of 7-0. The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Sept. 20, 2023, by a vote of 3-0.

Location
Phoenix Sky Harbor International Airport - 2485 E. Buckeye Road
Council District: 8

This item was adopted.

58 Terminal 4 South 1 Concourse Food and Beverage Concessions Phase II at Phoenix Sky Harbor International Airport - Request for Award (Ordinance S-50255)

Request to authorize the City Manager, or his designee, to execute a lease agreement with PHX S1 Restaurant Partners, LLC. for the development, operation, and management of food and beverage concessions in the new Terminal 4 South 1 (T4 S1) Concourse at Phoenix Sky Harbor International Airport for 10 years with no options to extend. Further request to authorize the City Manager, or his designee, to lease up to 1,500 square feet as additional support space in T4 for PHX S1 Restaurant Partners, LLC's operational needs. Further request to authorize the City Treasurer accept all funds related to this item.

Summary
On March 17, 2021, Phoenix City Council authorized the Aviation Department to issue a revenue contract solicitation (RCS) for food and beverage concessions in the new T4 S1 Concourse. The RCS was divided into two contract award phases. Phase One of the RCS was issued on May 27, 2021, and contract awards were approved on March 2, 2022, for two food and beverage concession operations to The Grove, Inc. and Emerging Domestic Market Ventures, LLC. This action is for award of Phase Two.

The goals of the RCS were to optimize sales and revenue over the term of the lease, provide quality food and beverage offerings to passengers, emphasize local culture in the design of the facility, and select respondents with experience operating successful food and beverage concessions in the United States and aboard.

Procurement Information

The Aviation Department issued Phase Two of the RCS on Sept. 21, 2022, and responses were due on Dec. 9, 2022. Three responses were received, and all responses were deemed responsive and responsible. The evaluation panel met for the initial consensus meeting on Feb. 14, 2023, and respondent interviews were held on March 20, 2023. The panel's award recommendation was posted on the City's public award website on April 11, 2023. The RCS was processed in accordance with Administrative Regulation 3.10.

An evaluation panel evaluated the responses based on the following published criteria in the RCS with total points ranging from 0 to 1,000:
Proposed concepts and menu plans for each concessions space
0-250 points
Design and quality of tenant improvements
0-225 points
Management, marketing, operations, and technology plans
0-175 points
Experience and qualifications of the respondent
0-150 points
Proposed business plan 0-100 points
Financial return to the City 0-100 points

The consensus score and ranking for each respondent by the evaluation panel is shown below in consideration of the above criteria:

Respondents	Points
PHX S1 Restaurant Partners, LLC.	980
SSP America, Inc.	935
High Flying Foods PHX, LLC.	900

The evaluation panel selected for award: PHX S1 Restaurant Partners, LLC.

Public Outreach

The RCS solicitation process included all standard and required outreach

efforts, including advertising in aviation industry publications.

Contract Term
The term of the Lease will be 10 years with no options to extend.

Financial Impact
The estimated annual revenue to the City will be the established minimum annual guarantee (MAG) or percentage of gross sales, whichever is greater. MAG for the first year will be $344,625. The MAG will be adjusted annually thereafter at 85 percent of the prior year's annual rent or 100 percent of MAG for the first lease year, whichever is greater.

Concurrence/Previous Council Action
The Phoenix Aviation Business and Development Subcommittee recommended approval of this item on Aug. 3, 2023, by a vote of 2-0 and the Phoenix Aviation Advisory Board recommended approval of the item on Aug. 17, 2023, by a vote of 7-0. The City Council Transportation, Infrastructure, and Planning Subcommittee recommended approval of this item on Sept. 20, 2023, by a vote of 3-0.

Location
Phoenix Sky Harbor International Airport - 2485 E. Buckeye Road
Council District: 8

This item was adopted.

59 Hangar Lease Amendments with State of Arizona Department of Public Safety at Phoenix Sky Harbor International Airport (Ordinance S-50265)

Request to authorize the City Manager, or his designee, to amend Corporate Hangar Lease 142410 and Executive Hangar Lease 152019 with the State of Arizona Department of Public Safety at Phoenix Sky Harbor International Airport to extend the Term until Jan. 31, 2026, with two one-year options.

Summary
State of Arizona Department of Public Safety (DPS) entered into Corporate Hangar Lease 142410 in April 2016 and Executive Hangar Lease 152019 in March 2020. Lease 142410 is scheduled to terminate in October 2024 and Lease 152019 is scheduled to terminate in

February 2024. DPS is requesting that the Leases be extended until Jan. 31, 2026, with two one-year options. The hangars are used for the storage and allowed maintenance of DPS's approved aircraft and for no other use or purpose without the consent of the Director of Aviation Services.

Contract Term

The amended lease term will be extended until Jan. 31, 2026, with two one-year options to extend that may be exercised at the sole discretion of the Director of Aviation Services.

Financial Impact

Current rent for Lease 142410 is approximately $143,965 per year ($11,997 monthly) and Lease 152019 is approximately $17,663 per year ($1,472 monthly). Combined annual rent is approximately $161,628 ($13,469 monthly). Rent will be adjusted per the Phoenix-Mesa-Scottsdale Consumer Price Index or three percent, whichever is greater, each year of the extension. The total anticipated revenue over the extension, if all options are exercised, will be approximately $537,067.

Concurrence/Previous Council Action

The City Council approved:
Lease 142410 (Ordinance S-40238) on Oct. 2, 2013;
Lease 142410 - Amendment (Ordinance S-46941) on Sept. 16, 2020; and
Lease 152019 (Ordinance S-46215) on Dec. 2, 2019.

The Phoenix Aviation Advisory Board recommended approval of this item on Sept. 21, 2023, by a vote of 6-0.

Location

Phoenix Sky Harbor International Airport - 2615 & 2629 E. Air Lane
Council District: 8

This item was adopted.

60 Passenger Boarding Bridges Maintenance and Repair Services Contract AVN RFP 23-035 - Request for Award (Ordinance S-50267)

Request to authorize the City Manager, or his designee, to enter into a contract with Oxford Electronics, Inc dba Oxford Airport Technical Services to provide passenger boarding bridge maintenance and repair services for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will be up to $6,475,000.

Summary

This contract will provide passenger boarding bridge (PBB) repair and maintenance services at Phoenix Sky Harbor International Airport. The contractor will manage and service the PBB system and is required to have the PBB system fully operational 24 hours a day, 7 days a week, 365 days a year. The contractor will provide preventative maintenance as specified in the Original Equipment Manufacturer maintenance manuals for all PBB equipment to ensure protection of all passengers, peak performance, and minimal downtime.

Procurement Information

In accordance with Administrative Regulation 3.10 a Request for Proposal was issued and one proposal was received and deemed responsive and responsible.

An evaluation committee of City staff evaluated the offer based on the following criteria with a maximum possible point total of 1000:

Operations Plan (0-300 points)
Qualifications and Experience (0-275 points)
Quality Assurance Program (0-250 points)
Pricing (0-175 points)

After reaching consensus, the evaluation committee recommends award to the following vendor:

Oxford Electronics, Inc dba Oxford Airport Technical Services, 725 points

Contract Term

The contract will begin on or about Dec. 1, 2023, for a three-year term

with two one-year options to extend for a five-year contract.

Financial Impact
The total contract value will be up to $6,475,000 for the five-year contract term.

Funding is available in the Aviation Department's Operating budget.

Location
Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road
Council District: 8

This item was adopted.

61 Dial-a-Ride Trip Scheduling and Dispatch Software Contract Amendment (Ordinance S-50260)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 148851 with Trapeze Software Group, Inc. to extend maintenance and support and provide professional services and training. Further request to authorize the City Controller to disburse all funds related to this item. The total cost of the amendment, including optional extensions and taxes, will not exceed $1,108,545 through 2028.

Summary
The City of Phoenix provides paratransit (Dial-a-Ride) services for disabled residents. The Public Transit Department utilizes Trapeze software for scheduling and dispatch, rider notification services, and a passenger web portal for booking and managing Dial-a-Ride accounts and trips. Phoenix's regional partners utilize the same software to ensure multi-jurisdictional trips operate seamlessly.

This request is to extend licensing and maintenance for the software, as well as utilize the vendor's professional services to migrate the database environment, in preparation for upgrading the software to the latest version. This request includes training needed to ensure a successful upgrade and utilization of the enhancements in the upgraded software version.

This item has been reviewed and approved by the Information

Technology Services Department.

Contract Term
This amendment will extend the contract term for an additional two years through Nov. 30, 2025, with three optional one-year extensions to Nov. 30, 2028.

Financial Impact
This request is for an additional $1,108,545 (including tax), for a total aggregate contract value of $2,123,327.

Concurrence/Previous Council Action
The City Council previously approved this request:
Contract for Maintenance of Software and Licensing Services with Trapeze Software Group, Inc. (Ordinance S-45099) on Nov. 7, 2018;
Dial-A-Ride Service Web Portal Software License and Passenger Notification License/Services Agreement Amendment (Ordinance S-47587) on May 19, 2021.

This item was adopted.

62 Fuel Terminal Services Contract - RFA 24-FSD-024 Request for Award (Ordinance S-50246)

Request to authorize the City Manager, or his designee, to enter into a contract with Caljet of America, LLC to provide fuel storage and pipeline space for the Public Works 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 $972,000.

Summary
The City of Phoenix Public Works Department is responsible for procuring fuel for the majority of the City. This fuel must be moved through a pipeline, as well as stored and blended locally for fuel trucks to distribute to designated citywide fuel sites. This contract will provide pipeline receipts, guaranteed storage space, as well as loading services at the rack with additive injection capabilities.

Procurement Information
In accordance with Administrative Regulation 3.10, standard competition

was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition, citing unusual nature. The City of Phoenix requests storage space, blending and loading capabilities that are only provided by a limited number of vendors, and due to the volume of fuel purchased, fuel storage terminal services connected to the pipeline are currently required.

Contract Term

The contract will begin on or about Dec. 1, 2023, for a two-year term with no options to extend.

Financial Impact

The contract value for will not exceed $972,000 for the two-year term.

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

This item was adopted.

63 Carrier Brand Heating, Ventilation, and Air Conditioning Parts and Equipment Agreement (Ordinance S-50254)

Request to authorize the City Manager, or his designee, to enter into an agreement with Russell Sigler, Inc. to purchase heating, ventilation, and air conditioning (HVAC) parts and equipment on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item. The value of the agreement will not exceed $510,000.

Summary

The Public Works Department is responsible for maintaining HVAC equipment in City-owned facilities. Carrier brand HVAC systems are currently installed in various City facilities and require brand specific parts to maintain and repair the systems. This agreement will provide essential Carrier brand parts and equipment necessary to maintain functional operation and longevity of existing HVAC systems in these facilities. This agreement will also provide Carrier brand parts and equipment for the Aviation and Phoenix Convention Center departments.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing that Russell

Sigler, Inc. is the sole source provider in Arizona for Carrier brand HVAC parts and equipment.

Contract Term

The five-year term of the agreement will begin on or about Jan. 1, 2024.

Financial Impact

The value of the agreement will not exceed $510,000, including all applicable taxes, with an estimated annual expenditure of $102,000.

This item was adopted.

64 Apply for U.S. Department of Energy Consumer Electronics Battery Recycling, Reprocessing, and Battery Collection Grant Opportunity for Federal Fiscal Year 2022-23 - Federal Bipartisan Infrastructure Law Funding (Ordinance S-50269)

Request to retroactively authorize the City Manager, or his designee, to apply for, accept and, if awarded, enter into an agreement for disbursement of Federal funding from the U.S. Department of Energy (USDOE) through the Federal Fiscal Year 2022-23 Consumer Electronics Battery Recycling, Reprocessing, and Battery Collection Grant opportunity. If awarded, the funding will be used to conduct a multi-media and education campaign focused on proper battery recycling and disposal. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Funding for this grant opportunity is available through the Federal Bipartisan Infrastructure Law. The total grant funds applied for will not exceed $1.25 million, and the City would not be required to provide a local match.

Summary

The increasing prevalence of batteries in the national solid waste stream and the introduction of more recycling markets present a unique opportunity to divert batteries from the landfill. Additionally, lithium-ion batteries can pose a fire risk to the City's solid waste collection trucks, transfer stations and material recovery facilities when individuals improperly dispose of them. To protect human health and the environment while advancing the City's circular economy initiatives and waste diversion goals, the Public Works Department is working to increase residential recycling and proper disposal of batteries.

The USDOE Consumer Electronics Battery Recycling, Reprocessing, and Battery Collection Grant program aims to expand participation in consumer electronics battery recycling programs. On Sept. 18, 2023, USDOE notified the City that they encourage the submittal of a full grant application based on the City's submitted concept paper. The grant application submittal was due within 30 days from this notification, or no later than Oct. 18, 2023.

The Public Works Department is requesting retroactive authorization to submit an application for grant funds of up to $1.25 million. If awarded, funding would be used by the Public Works Department to implement a Citywide multi-media and education campaign in partnership with the Communications Office and the City's marketing contractor, O.H. Partners. The two-year campaign will educate residents about the dangers of improper battery disposal and increase awareness of the City's Household Hazardous Waste Home Collection Program. The grant was submitted prior to the deadline of Oct. 18, 2023. If not authorized, the grant application can be withdrawn. The Public Works Department is also requesting authorization to enter into agreements to accept the funding if awarded.

Financial Impact

The estimated total project cost is approximately $1.25 million. The maximum federal participation rate is 100 percent, with a minimum local match of zero percent of the total eligible cost. If awarded, the federal match would not exceed $1.25 million and the City’s costs would be approximately $0 for the local match.

There is no required cost share for the City. Potential grant funding received is available through the Federal Bipartisan Infrastructure Law, from USDOE through the Federal Fiscal Year 2022-23 Consumer Electronics Battery Recycling, Reprocessing, and Battery Collection Grant program.

This item was adopted.

65 Name Change on City Agreement to CONSOR North America, Inc. - Amendment (Ordinance S-50238)

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

amendment with Project Engineering Consultants, LTD. to Agreement 157885 for Sub-Regional Operating Group (SROG) Southern Avenue Interceptor Condition Assessment Engineering Services, to approve a name change to Consor North America, Inc. 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.

Summary

On Aug. 29, 2023, the City and Project Engineering Consultants, LTD. entered into Agreement 157885 for the SROG Southern Avenue Interceptor Condition Assessment Engineering Services.

This amendment is necessary because on Dec. 3, 2022, Project Engineering Consultants, LTD. notified the City of Phoenix of its name change from Project Engineering Consultants, LTD. to Consor North America, Inc. and is now operating under the name of Consor North America, Inc.

The Southern Avenue Interceptor is owned by SROG and operated by the City of Phoenix.

Contract Term

The term of the agreement remains unchanged.

Financial Impact

The agreement value remains unchanged.

Concurrence/Previous Council Action

The SROG Advisors authorized the project on June 16, 2022.
The City Council approved Engineering Services Agreement #157885 (Ordinance S-49451) on March 1, 2023.

Location

Southern Avenue from 48th Street to 51st Avenue, continuing to 91st Avenue between Southern Avenue and Broadway Road
Council Districts: 7, 8 and Out of City

This item was adopted.

66 **Drought Resiliency Groundwater Program - Engineering Services - WS85010030, WS85010054, WS85010059, WS85400007 (Ordinance S-50240)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC to provide Engineering Services that include planning, design, construction administration and inspection, system evaluation, and plan updates for the Drought Resiliency Groundwater 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 $20 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception 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 purpose of this project is to provide engineering services for the installation of up to six new production wells and potentially rehabilitate or re-drill up to four existing inactive production wells. The new wells will be used to augment the City's potable water resources during time of long-term water shortages, emergency outages, and meeting potable system demand balancing.

Wilson Engineers, LLC's services include, but are not limited to: assisting the City with siting of the new production wells, providing assistance and coordination with Water Services staff and other consultants and

contractors as required for the drilling of boreholes and test wells at the candidate sites, providing assessments and recommendations of select inactive wells to evaluate potential rehabilitation and reactivation, and coordinating with City Water Resources staff and the Arizona Department of Water Resources on permitting of the new sites.

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

Selected Firm
Rank 1: Wilson Engineers, LLC

Additional Proposers
Rank 2: Carollo Engineers, Inc.
Rank 3: Hazen and Sawyer, P.C.
Rank 4: Brown and Caldwell, Inc.
Rank 5: Black & Veatch Corporation

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

Financial Impact
The agreement value for Wilson Engineers, LLC will not exceed $20 million, including all 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.

67 Hot Mix Asphalt Products Requirements Contract - RFQu 18-206 - Letter of Agreement to Extend Contract with CalMat, Co. (Ordinance S-50242)

Request to authorize the City Manager, or his designee, to execute a letter of agreement with CalMat, Co. for the limited purpose of creating an interim term to continue to conduct business while new contracts are procured. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed; request to continue using Ordinance S-44479.

Summary

This contract provides cold and hot mix asphalt and emulsion binder material throughout the City for regular patching, paving, and street maintenance projects. The existing contract expired on April 30, 2023. The City and vendor agreed to continue operations under the existing terms until a new competitive procurement process was completed and new contracts were issued on June 15, 2023. This action will allow the City to administratively reconcile outstanding invoices in the system as part of the contract close-out process.

Contract Term

The term of the Letter of Agreement will administratively extend the contract from April 30, 2023, through Nov. 30, 2023, for the purpose of reconciling outstanding invoices.

Financial Impact

The five-year aggregate contract value of $11,232,500 as originally approved will not be exceeded by this action. Funds are available in the Street Transportation Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Asphalt Binder Emulsion, Cold Mix and Hot Mix Asphalt Contract RFQu 23-078 (Ordinance S-49835) on June 14, 2023;

Hot Mix Asphalt Products, Requirements Contract, RFQu 18-206

(Ordinance S-44479) on April 18, 2018.

This item was adopted.

68 Val Vista Water Treatment Plant Rehabilitation 2023 - Engineering Services - WS85230059 (Ordinance S-50256)

Request to authorize the City Manager, or his designee, to enter into an agreement with Carollo Engineers, Inc. to provide Engineering Services that include assessment, design, and possible construction administration and inspection services for the Val Vista Water Treatment Plant Rehabilitation 2023 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 $11.8 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception 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 purpose of this project is to rehabilitate the following treatment systems at the Val Vista Water Treatment Plant: Chemical Feed Stations, West Plant Bar Screens, Solid Handling Facility Polymer Feed System, Sludge Collectors, Reservoir Electrical Building, East Plant Sedimentation Basins 4-6 launders, and East Plant Raw Water Pumps.

Carollo Engineers, Inc. will work together with the selected Construction Manager at Risk, City of Phoenix Water Services Engineering Division, and the operating staff to design and construct a project that is within budget and meets the City's needs. The firm will perform a

comprehensive condition assessment and provide recommendations for repairs and/or rehabilitation which may include mechanical, electrical and/or structural assets.

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: Carollo Engineers, Inc.

Additional Proposer
Rank 2: Black & Veatch Corp.

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

Financial Impact
The agreement value for Carollo Engineers, Inc. will not exceed $11.8 million, including all 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.

Location
Intersection of McDowell Road and Lindsay Road in Mesa, Ariz.

Council District: Out of City

This item was adopted.

69 24th Street Water Treatment Plant Rehabilitation 2021 - Construction Manager at Risk Construction Services Amendment - WS85290032 (Ordinance S-50257)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 154723 with PCL Construction, Inc. to provide additional Construction Services for the 24th Street Water Treatment Plant Rehabilitation 2021 project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $24.3 million.

Summary

The purpose of this project is to address the repair or replacement of raw water pump station valves, flow meters, flocculation basin inlet channel hydraulic modifications, gates and probes, sedimentation basin weir plate, filter effluent pipes, meters, chemical feed area piping, chemical and maintenance building minor repairs, solids handling backwash equalization basin pumps, sludge blanket monitoring, backwash clarifier mechanism, various electrical equipment such as transformers, standby generators, electrical panels, and modifications at the administration building area, electrical building, and chemical building.

This amendment is necessary to provide continued construction services focused on rehabilitation and improvements at solids handling facilities, chemical feed area, pre-sedimentation basin pump station, and miscellaneous electrical modifications associated with the rehab work. This amendment will provide additional funds to the agreement.

Contract Term

The term of the agreement remains unchanged.

Financial Impact

The initial agreement for Preconstruction and Construction Services was approved for an amount not to exceed $300,000, including all subcontractor and reimbursable costs.

An amendment was approved for an additional $10,242,943, including all subcontractor and reimbursable costs, for a new total amount not to exceed $10,542,943, including all subcontractor and reimbursable costs.

This amendment will increase the agreement by an additional $24.3 million, for a new total amount not to exceed $34,842,943, 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:

Preconstruction and Construction Services Agreement 154723 (Ordinance S-47776) on July 1, 2021; and

Construction Services Agreement 154723 Amendment (Ordinance S-49494) on March 22, 2023.

Location

24th Street Water Treatment Plant

Council District: 6

This item was adopted.

71 Authorization to Enter into an Agreement with the Salt River Project Agricultural Improvement and Power District, Honeywell International, Inc., and the Arizona Department of Environmental Quality (Ordinance S-50263)

Request to authorize the City Manager, or his designee, to enter into an agreement with Salt River Project Agricultural Improvement and Power District (SRP), Honeywell International, Inc. (Honeywell), and the Arizona Department of Environmental Quality (ADEQ) to facilitate sampling of up to 180 groundwater wells within the West Van Buren Water Quality Assurance Revolving Fund (WQARF) site area. Further request authorization for the City Controller to disburse all funds related to this

item.

Summary

As part of the ongoing remediation and monitoring of water quality at the WQARF site, SRP, Honeywell and Phoenix have agreed to fund water quality sampling in the area. ADEQ will procure a contractor for the sampling program and will be reimbursed by the other parties. ADEQ's contractor will sample water from up to 180 wells in and around the site. Groundwater level data, monthly performance reports, groundwater sample analytical data (including raw data), validation reports and a final groundwater monitoring report will be provided to all parties.

Contract Term

This agreement will commence on the date of execution by all parties and continue in full force and effect until June 30, 2024, unless otherwise terminated pursuant to the terms of the agreement.

Financial Impact

The total agreement cost will be up to $189,823.00 for the contract term, of which Phoenix will be responsible for one third, or a maximum of $63,275.00. Funding is available in the Water Services Department's operating budget.

Concurrence/Previous Council Action

On July 3, 2019, the City Council approved Ordinance S-45909 authorizing the City Manager to enter into a similar groundwater sampling agreement with ADEQ .

Location

West Van Buren WQARF Site
Council Districts: 4, 7, and 8

This item was adopted.

72 Oracle Customer Care and Billing (Ordinance S-50271)

Request to authorize the City Manager, or his designee, to grant an exemption from the indemnification and liability provisions of section 42 - 18 of the City Code and allow inclusions of indemnification and limitation of liability provisions in the agreement with Ernst & Young U.S., LLP as previously authorized by Ordinance S-49720 for the technical upgrade to

the Oracle Customer Care and Billing (CC&B). No additional funds are needed.

Summary

Ernst & Young U.S., LLP was selected through a competitive process to perform a technical upgrade to Oracle CC&B software. The Water Services Department, in conjunction with the Information Technology Services, Public Works and Finance departments, provide a customer information and billing system for water, wastewater, solid waste services, and other applicable taxes and fees.

This CC&B upgrade aims at optimizing the base features while minimizing the customizations to strategically enhance security, streamline processes, increase interoperability/intergration, increase customer satisfaction, improve flexibility to meet changing needs, and leverage best practices.

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

Contract Term

This is a three-year contract term, with two one-year options to extend for a maximum five-year contract term.

Financial Impact

There is no financial impact related to this request, as funding for this agreement was approved as part of Ordinance S-49720. This request is only for authorization to grant an exception from the indemnification and liability provisions of City Code section 42 - 18.

Concurrence/Previous Council Action

This contract was originally approved by City Council on May 31, 2023 (Ordinance S-49720).

This item was adopted.

73 Final Plat - 3233 W. Peoria Avenue - PLAT 230043 - Southeast Corner of 33rd Avenue and Peoria Avenue

Plat: 230043

Project: 21-1748
Name of Plat: 3233 W. Peoria Avenue
Owner: Simoncre Buddy III, LLC
Engineer: James M. Williamson, RLS
Request: A Three-Lot Commercial Plat
Reviewed by Staff: Sept. 11, 2023
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southeast corner of 33rd Avenue and Peoria Avenue
Council District: 1

This item was approved.

74 Final Plat - Indian School and 91st Avenue - PLAT 230050 - Southwest Corner of Indian School Road and 91st Avenue

Plat: 230050
Project: 21-4275
Name of Plat: Indian School and 91st Avenue
Owner: BTR at 91st Ave and Indian School
Engineer: Douglas B. Toney, RLS
Request: A One-Lot Commercial Plat
Reviewed by Staff: Aug. 24, 2023
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southwest corner of Indian School Road and 91st Avenue
Council District: 5

This item was approved.

75 Final Plat - 99th & McDowell Mixed Use - PLAT 230057 - North of McDowell Road and East of 99th Avenue

Plat: 230057
Project: 21-1694
Name of Plat: 99th & McDowell Mixed Use
Owner: TT AZ Phoenix 99th McDowell, LLC
Engineer: Robert A. Johnston, RLS
Request: A Seven-Lot Commercial Plat
Reviewed by Staff: Sept. 11, 2023
Final Plat requires Formal Action Only

Summary

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

Location

Generally located north of McDowell Road and east of 99th Avenue
Council District: 5

This item was approved.

76 Final Plat - McKinney Vehicle Services - PLAT 230044 - Southeast Corner of Van Buren Street and 67th Avenue

Plat: 230044
Project: 01-889
Name of Plat: McKinney Vehicle Services
Owner: 67th & Van Buren, LLC
Engineer: James G. Spring, RLS
Request: A One-Lot Commercial Plat
Reviewed by Staff: July 25, 2023
Final Plat requires Formal Action Only

Summary

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

Location
Generally located at the southeast corner of Van Buren Street and 67th Avenue
Council District: 7

This item was approved.

77 Abandonment of Easement - ABND 230044 - 3629 East Dunlap Ave. (Resolution 22161)

Abandonment: ABND 230044
Project: 04-2519
Applicant: Camelback Keller, LLC
Request: To abandon the drainage easement Book 238 Page 29 per Maricopa County Recorder.
Date of Decision/Hearing: Aug. 11, 2023

Location
3629 East Dunlap Ave.
Council District: 3

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

None. No fees were collected as apart of this easement abandonment, although filing fees were paid.

This item was adopted.

78 Abandonment of Right-of-Way - V180023A - Black Canyon and Mariposa Street (Resolution 22160)

Abandonment: V180023A
Project: 17-2334
Applicant: Black Canyon Self-Storage
Request: To abandon the alley right-of-way bounded by Mariposa and Pierson Streets, 26th Avenue and Black Canyon Highway access road.

Date of Decision/Hearing: May 22, 2018

Location
Black Canyon and Mariposa Street
Council District: 4

Financial Impact
A consideration fee was also collected as part of this right-of-way abandonment in the amount of $24,026.

This item was adopted.

79 Abandonment of Easement - ABND 230016 - Southwest Corner of 31st Street and Coolidge Street (Resolution 22162)

Abandonment: ABND 230016
Project: 99-37221
Applicant: Lauren Proper Potter / Huellmantel & Affiliates
Request: To abandon cross-retention/cross-drainage easements along the east, south, and west boundaries of the project as well as down the center of the shared private driveway extending from Coolidge Street south approximately 100 feet.
Date of Decision/Hearing: Aug. 31, 2023

Location
Southwest corner of 31st Street and Coolidge Street
Council District: 6

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

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

This item was adopted.

80 Abandonment of Easement - ABND 220067 - Southeast Corner of

Buckeye Road and 27th Avenue (Resolution 22164)

Abandonment: ABND 220067
Project: 21-3589
Applicant: Jeff Hunter
Request: To abandon sewer easements 300 feet south of Buckeye Road, DKT 3921, PG 20 and DKT 3921, PG 22 and DKT 3973, PG 233.
Date of Decision/Hearing: June 21, 2023

Location
Southeast Corner of Buckeye Road and 27th Avenue
Council District: 7

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

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

This item was adopted.

81 Abandonment of Alley - ABND 220058 - Northwest Corner of Garfield Street and 24th Street (Resolution 22163)

Abandonment: ABND 220058
Project: 94-002750
Applicant: Hanamaki Investments LLC
Request: To abandon the alley located at the Northwest corner of Garfield Street and 24th Street.
Date of Decision/Hearing: Feb. 23, 2023

Location
Northwest corner of Garfield Street and 24th Street
Council District: 8

Financial Impact

A consideration fee was also collected as part of this abandonment in the amount of $14,307.

This item was adopted.

82 Amend City Code - Official Supplementary Zoning Map 1253 (Ordinance G-7178)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1253. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with a portion of Z-SP-15-86-1(3).

Summary

To rezone property located at the northwest corner of 54th Street and Shea Boulevard and approximately 820 feet west of the northwest corner of 54th Street and Shea Boulevard
Application Number: A portion of Z-SP-15-86-1(3)
Zoning: C-O SP and PAD-2 SP
Owners: GHJ Investments, LLC and Store Capital Acquisitions, LLC
Acreage: 7.33

Location

Northwest corner of 54th Street and Shea Boulevard and approximately 820 feet west of the northwest corner of 54th Street and Shea Boulevard
Address: 5310 and 5320 E. Shea Blvd.
Council District: 3

This item was adopted.

83 Amend City Code - Official Supplementary Zoning Map 1252 (Ordinance G-7177)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1252. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with a portion of Z-8-90-7 and the entitlements are fully vested.

Summary

To rezone a parcel located on the south side of Sunland Drive, beginning approximately 208 feet east of 39th Avenue.
Application No.: Z-8-90-7

Zoning: R1-6
Owner: Multiple owners
Acreage: 5.00

Location
Located on the south side of Sunland Drive, beginning approximately 208 feet east of 39th Avenue
Address: Multiple addresses
Council District: 7

This item was adopted.

84 Approval of Historic Preservation Demonstration Project Grant - Hotel San Carlos - 202 N. Central Ave. (Ordinance S-50266)

Request to authorize the City Manager, or his designee, to enter into necessary agreements and conveyances with Rockbridge (RB Phoenix LLC), related to a Demonstration Project Grant of up $500,000 to assist with rehabilitation of the historic Hotel San Carlos at 202 N. Central Ave. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The building at 202 N. Central Ave. was constructed in 1928 as the Hotel San Carlos. The seven-story building is constructed of reinforced concrete with a stucco surface made to resemble stone. The hotel was one of the first in Phoenix to include steam heat, elevators, and air cooling, making it significant in its support of tourism in the 1920s. Alterations to the main building since initial construction include the construction of a rear concrete block addition, replacement of the original storefronts and upper windows, and the addition of a rooftop pool and penthouse mechanical and storage rooms.

The property was listed in the Phoenix Historic Property Register in 1987. In 1993, the City provided $25,000 in Demonstration Project funds for the exterior rehabilitation of the building, which included new roofing; rehabilitation of the penthouse walls, windows and doors; restoration of missing canopies, exterior lighting and signage; and cleaning of exterior walls.

The building is currently owned by Rockbridge (RB Phoenix LLC), who is

undertaking a complete rehabilitation of the historic hotel. RB Phoenix LLC is seeking City assistance for exterior work, including the selective demolition of alterations and enlargements constructed outside of the building's period of significance; structural repairs; façade restoration and repair; reinstatement and unification of historically accurate window and storefront systems; roof restoration and repair; and the replacement in-kind of exterior lighting fixtures.

Financial Impact

This item will have no impact on the General Fund. The requested grant amount is $500,000, and the funding for the grant is available and has been programmed in the Community and Economic Development Department's budget within the Downtown Community Reinvestment Fund. In exchange for the grant funds, the project will create net new jobs and tax revenues and support the further revitalization of downtown Phoenix through the increased utilization of a historic property that has been a landmark in Phoenix's history for 95 years. The property owner has also agreed to record a new 40-year conservation easement on the entire property that will replace the previous easement.

Concurrence/Previous Council Action

The Historic Preservation Hearing Officer approved a Certificate of Appropriateness for the project on July 12, 2023.

The Historic Preservation Commission recommended approval of the grant funding on Aug. 21, 2023, by a vote of 8-0.

The Transportation, Infrastructure, and Planning Subcommittee heard the item on Sept. 20, 2023, and recommended approval by a vote of 4-0.

Location

202 N. Central Ave.
Council District: 7

This item was adopted.

29 Acquisition of Real Property for Roadway Improvements Along 56th Street from Thomas to Camelback Roads (Ordinance S-50235)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests required by donation, purchase

within the City's appraised value, or by the power of eminent domain for roadway improvements along 56th Street, from Thomas to Camelback roads. Further request to authorize dedication of land with roadway and/or public improvements to public use for right-of-way purposes via separate recording instrument. Additionally, request authorization for the City Controller to disburse all funds related to this item.

Summary

Acquisition of real property is required to accommodate roadway improvements along 56th Street, from Thomas to Camelback roads. The roadway improvements will complete pedestrian and bicycle gaps along the corridor and will enhance the safety of pedestrians and bicyclists. Improvements will include upgraded lighting, storm drain, landscaping, traffic signals, and Americans with Disabilities Act compliant sidewalks and ramps.

The properties impacted by this project are identified in **Attachment A.**

Financial Impact

Funding is available in the Street Transportation Department's Capital Improvement Program budget using Arizona Highway User Revenue Funds.

Location

Along 56th Street from Thomas to Camelback roads
Council District: 6

Discussion

Prior to making a motion, Councilman Robinson spoke about the land acquisition to allow for roadway improvements along 56th Street and Thomas. These improvements will make the well used area safer not only for vehicles but also for pedestrians and bicyclists. He thanked staff as well as the Arcadia-Camelback Neighborhood Association for their work to make this project possible.

Mayor Gallego thanked Mr. Kini Knudson, Street Transportation Director, for his work and leadership not only in this particular project but also many others in an endeavor to move the City to a better transportation system.

Prior to her vote, Councilwoman Pastor thanked Mr. Knudson for his service to the city and wished him well in his next opportunity.

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

Yes: 9 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

39 Enterprise License Agreement for GIS Mapping - Amendment (Ordinance S-50245)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 148203 with Environmental Systems Research Institute to provide additional contract term and funding for the Geographic Information Systems Mapping Enterprise License Agreement for Information Technology Services Department in support of various departments. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $7,015,000.

Summary

The Contract 148203 with Environmental Systems Research Institute (ESRI) provides Geographic Information Systems (GIS) software Enterprise License Agreement (ELA) and professional services under the ESRI Enterprise Advantage program used by the Information Technology Services, Aviation, Fire, Police, Street Transportation, Planning & Development, Water Services, Public Transit, and other offices and departments. This contract provides benefits, value, and substantial cost savings to City departments. These benefits include: a lower cost-per-unit for licensed software, substantially reduced administrative and procurement expenses, premium support and software maintenance, and provide the flexibility to deploy software and professional services when and where needed.

The ELA provides City GIS users with unlimited access to ESRI products identified in the agreement, including maintenance on all

software for the term of the agreement. The ability to utilize this contract allows Information Technology Services Department to support departmental engagements, and obtain professional services, which will help avoid disruption to critical projects and initiatives. ESRI software products are currently used in public facing applications which includes the City Manager's Dashboard and Open Data site. ESRI professional services are being used to assist departments with their GIS product creation and business operations.

The ESRI Enterprise Advantage program provide professional services to accomplish the identified department GIS project goals that are currently underway and planned. Departments are empowered to generate applications, maps, dashboards, field location awareness, and then manage this geospatial content, hosted by the Information Technology Services Department. Engagements currently underway or upcoming include: Water Services' Utility Network (UN) Planning, Analysis and Implementation, Aviation airfield inspections, Street Transportation's maintenance of centerlines and monumentation, Police compliance and oversight dashboard, and Phase II City Manager's Performance Dashboard, Neighborhood Services Tidemark updates, Parks and Recreation archaeology mapping, Environmental Programs water project mapping, and many more.

Contract Term
Upon approval the contract will be extended through July 29, 2027.

Financial Impact
Upon approval of $7,015,000 in additional funds, the revised aggregate value of the contract will not exceed $11,105,450. Funds are available in the various department's budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Enterprise License Agreement for GIS Mapping Contract 148203 (Ordinance S-44741) on June 6, 2018;
• Enterprise License Agreement for GIS Mapping Contract 148203 amendment (Ordinance S-47794) on July 1, 2021.

Discussion

Denise Babayan spoke against this item and opined it is a violation of the Fourth Amendment as it is a surveillance on citizens. She urged council members to consider their votes.

Jeff Caldwell spoke in opposition of this item as it is a violation for the Fourth Amendment. He questioned what kind of surveillance the contractor will be providing.

Lezlie Shepherd advocated against this item as it is against the Fourth Amendment. She urged the council to not pass this item.

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

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

41 2024-25 Housing and Urban Development Consolidated Plan Annual Action Plan Process

This report requests City Council approval of the 2024-25 Consolidated Plan Annual Action Plan process.

Summary

The 2024-25 Annual Action Plan examines housing and community development needs in the City of Phoenix and defines strategies for addressing those needs throughout the year. The Annual Action Plan contains the planning and application requirements for four major U.S. Department of Housing and Urban Development (HUD) programs that provide critical funds to entitlement cities like Phoenix every year. The four fund sources are: Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). Through adoption of the 2020-24 Consolidated Plan in May 2020, the City Council approved the general priorities and plans for these programs. Each year the Annual Action Plan details how federal funds will

be spent during the coming year.

The Annual Action Plan process began in September 2023. The initial public communication and participation process will include the distribution of a community survey, social media posts and outreach, and a HUD-required public in-person hearing, all to assess community needs throughout Phoenix. Residents and neighborhood leaders will be invited to provide testimony regarding housing, homelessness, social services, and community development issues and concerns. Residents who are unable to attend the in-person public hearing will have the opportunity to submit their comments via email or voicemail. This information, along with a needs assessment, will form the foundation of the draft 2024-25 Annual Action Plan. The draft plan will be available for an advertised 30-day public comment period and another public hearing will be held in spring 2024 before it is reviewed and approved by the City Council. The goal of the Annual Action Plan process, per HUD requirements, is to ensure comprehensive community planning and coordinated service delivery are utilized to meet critical housing and community development needs. The City Council will be asked to review and approve the draft 2024-25 Annual Action Plan in early May 2024 before it is due to HUD by May 15, 2024.

Concurrence/Previous Council Action
The Economic Development and Housing Subcommittee recommended approval of this item on Oct. 11, 2023, by a 4-0 vote.

Public Outreach
The City of Phoenix's Annual Action Plan process will include holding two HUD required in-person public hearings with the notice of public hearings posted two weeks in advance.

Discussion
Dianne Barker expressed support for this item and the partnership with the U.S Department of Housing and Urban Development (HUD). She advocated for more affordable housing in the Phoenix area to provide shelter to residents during the summer heat.

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Stark, that this item be approved. The motion carried

by the following vote:

Yes: 9 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

42 Purchase of Golf Merchandise for Direct Resale to the Public (Ordinance S-50262)

Request to authorize the City Manager, or his designee, to purchase various golf merchandise for direct resale to the public at pro shops located at Cave Creek, Encanto, Palo Verde and Aguila golf courses. Items may include, but are not limited to; protective gear, golf balls, range balls, golf clothing, hats, golf clubs and golf shoes. Further request authorization for the City Controller to disburse all funds related to this item. The two-year aggregate value will not exceed $1.2 million, with an estimated annual expenditure of $600,000. There is no impact to the General Fund. Revenue from the resale of merchandise at the pro shops fund the expenditure request.

Summary

The City operates five municipal golf courses, four of which has a pro shop where golfers have the ability to purchase golf merchandise such as golf balls, clothing and shoes. To supply the pro shops, the Parks and Recreation Department purchases merchandise for resale directly from more than 190 various wholesale and specialty manufacturers to obtain discounts and the lowest prices. Vendor pricing is based on a variety of factors and changes seasonally; therefore, a low-bid process is not suitable for the purchase of golf merchandise.

Financial Impact

Payment authority in the amount of $1.2 million for a two-year period, from Sept. 8, 2023, through Sept. 7, 2025, is requested. There is no impact to the General Fund. Revenue from the resale of merchandise at the pro shops funds the Parks and Recreation Department's purchase of golf merchandise.

Location
Cave Creek Golf Course - 15202 N. 19th Ave.
Encanto Golf Course - 2775 N. 15th Ave.
Palo Verde Golf Course - 6215 N. 15th Ave.
Aguila Golf Course - 8440 S. 35th Ave.
Council Districts: 3, 4, 5 and 7

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

Yes: 8 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego

No: 1 - Councilman Waring

43 Fiscal Year 2023-24 Bioscience Healthcare Strategic Initiative (Ordinance S-50239)

Request to authorize the City Manager, or his designee, to implement the Fiscal Year (FY) 2023-24 Bioscience Healthcare Strategic Initiative, including authorization of an Arizona Bioindustry Association (AZBio) membership for FY 2024-25 and participation at the annual BIO International Convention in 2024. Further request to authorize the City Treasurer to accept funds from the City's BIO International Convention partners to offset costs associated with the 2024 Convention expenses, and for the City Controller to disburse funds associated with this request to future identified convention vendors. Funding for the AZBio membership and convention efforts will not exceed $110,000. There is no impact to the General Fund. Funding is available in the Genomics Facilities and Operations Fund.

Summary
Phoenix has grown to be a hub of bioscience activity in the Southwestern U.S. CBRE, a national commercial real estate firm, ranked Phoenix fifth in the nation as an Emerging Life Science Market in their 2020 annual U.S. Life Science Report and first for Life Science Job Growth in Emerging Life Science Markets in their 2021 report. Much of this success is due to Phoenix’s world-class medical centers, innovative research institutions,

pro-business environment, a growing educated population, dedicated universities and community colleges, and spirit of entrepreneurship. In order to build upon these strengths, staff is continuing to implement a strategic plan introduced in 2018 designed to grow, strengthen and sustain a healthy bioscience industry. Since the launch of this effort, there has been an acceleration of investment and growth in the bioscience industry in Phoenix. By the end of 2022, more than $4 billion will have been invested in new and expanded bioscience and healthcare facilities, and more than 6 million square feet of primary facility space for discovery, development and care delivery creating more than 10,000 jobs for Phoenix residents.

Staff has focused its economic development efforts in the areas of research, development, precision medicine, healthcare delivery, health-tech and education. Focusing on these areas strengthens and solidifies Phoenix as a leader in the nation’s bioscience healthcare industry. The Community and Economic Development Department (CEDD) will continue to ensure there is a world-class real estate inventory that meets the unique needs of bioscience companies. This commitment includes support of the downtown Phoenix Bioscience Core (PBC), Mayo Clinic’s Discovery Oasis, the Phoenix Medical Quarter in addition to other submarkets within the City. Specifically, CEDD has been working closely with Arizona State University (ASU) and its development partner, Wexford Science & Technology, to bring prospective tenants to the first phase development on the PBC north of Fillmore Street, the 850 PBC building. In the 850 PBC building, ASU is a major tenant in the building along with the expansion of the Center for Entrepreneurial Innovation with its new LabForce program to train individuals with the skills needed to work in a lab setting. Other tenants within the new building include bioscience companies and a co-working accelerator lab supporting the growth of early-stage companies and creating new, quality jobs in Phoenix.

In order to maintain the City's position in the bioindustry, CEDD is requesting to continue the City's annual membership with the AZBio, the only statewide organization exclusively focused on building Arizona’s bioindustry. AZBio is committed to building a top-tier life science industry in Arizona and is a critical partner for Phoenix. As specialists, AZBio provides industry insight, programs specifically designed for life science

organizations, visibility into investment opportunities, and a voice for the industry in the media, across the community, and with elected leaders and government agencies at the local, state, and federal levels. The AZBio annual membership cost is $15,000 for FY 2024-25.

Another key effort is the promotion of Phoenix's bioscience efforts nationally and internationally by attending the 2024 BIO International Convention to be held in San Diego. The 2023 BIO Convention was held in Boston, with more than 20,000 attendees and 73 countries represented. As a sponsor of Start- Up Stadium, the City of Phoenix was able to kick off one of the pitch days at the event this year and nominate three Phoenix-based companies that were selected as finalists. These three early-stage companies were able to engage with key members of the investment community, venture philanthropy groups, and BIO attendees. This year’s Phoenix delegation included 52 attendees, representing 31 Phoenix companies and organizations. The delegation held more than 300 productive meetings along with continuous engagement with BIO conference attendees in the Phoenix Pavilion. More than 150 people attended this year’s Rapid Fire, Fireside Chat featuring 15 Phoenix life science leaders sharing their innovations with the audience. Attendance at the event provided valuable networking and partnership opportunities and synergy with the City's attending partners looking to promote their research and products to a global audience. The knowledge and contacts generated by attending this convention will be used in communicating the City's competitive advantage, existing ecosystem and resources in Phoenix to attract and grow companies in this industry to thrive and generate quality jobs for the community.

Planning is currently underway, subject to City Council authorization of funding, for the 2024 BIO Convention. Preliminary estimates for participation such as sponsorships, advertising, equipment, and shipping costs total approximately $95,000. Staff will also work with industry partners, such as the University of Arizona, ASU, and the Translational Genomics Research Institute (TGen) to co-locate at the convention. This shared effort may allow the City to reduce its costs and boost visibility while assisting its partners in promoting Phoenix.

These continued efforts enable CEDD staff to showcase Phoenix's

citywide assets and ensure success of future projects. CEDD and its partners continue to generate qualified prospects to create a pipeline of businesses considering expansions and/or relocations to Phoenix through a multi-faceted marketing approach targeted at this industry. Phoenix's involvement and partnership with AZBio and the BIO International Convention elevates the City's visibility as a hub for bioscience, building a critical mass of bioscience and healthcare-related companies and attracting and developing top talent vital to sustain the long-term growth of this thriving industry. As the convention vendors are currently unknown to staff, the vendors will be identified when the information is released by the convention .

Financial Impact

There is no impact to the General Fund. Funding for the AZBio membership and to participate in BIO International 2024 will not exceed $110,000 total for both efforts. Funding is available in the Genomic Facilities and Operations Fund. Funding received from the City's BIO International Convention partners shall reimburse the Genomic Facilities and Operations Fund.

Concurrence/Previous Council Action

This item was recommended for approval by the Economic Development and Housing Subcommittee at the Sept. 13, 2023 meeting by a vote of 4-0.

Discussion

Mayor Gallego stated this item is an exciting partnership that has helped Phoenix become number one in the nation for bioscience job growth. The Community and Economic Development Department staff along with partnership with AZ Bio, Universities, and companies that have done a great job with business attraction. This partnerships have identified 26 very promising prospects. She illustrated one recent success with a German clinical research company that provides very advanced support for clinical trials. In addition, Mayor Gallego expressed her support for this item.

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

Yes: 7 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilman Robinson, Vice Mayor Stark, Vice Mayor Ansari and Mayor Gallego

No: 1 - Councilman Waring

Conflict: 1 - Councilwoman Pastor

A motion was made by Vice Mayor Ansari, seconded by Mayor Gallego, that items 45-46 be adopted. The motion carried by the following vote:

Yes: 8 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego

No: 1 - Councilman Waring

45 **2024 Downtown Enhanced Municipal Services District Budget, Assessments and Set Public Hearing Date (Resolution 22158)**

Request City Council approval of the 2024 Downtown Enhanced Municipal Services District (Downtown EMSD) proposed budget, assessments on the Downtown EMSD, and set the date of Nov. 15, 2023, for the Public Hearing on the estimated assessments, pursuant to Arizona Revised Statutes (A.R.S.) 48-575. The General Fund estimated annual expenditure for this program is $439,123.

Summary

The City Council authorized the formation of the Downtown EMSD in 1990 to provide enhanced public services, above and beyond the level of services provided in the remainder of the City. The costs for the Downtown EMSD's services are paid through assessments on property owners within the Downtown EMSD boundaries. The City contracts directly with Downtown Phoenix, Inc. (DPI) to implement the work program, as described in **Attachment A**, of the Downtown EMSD. The Downtown EMSD is generally bounded by Fillmore Street, 7th Street, 3rd Avenue and the railroad tracks south of Jackson Street.

2024 Downtown EMSD Proposed Budget

The work plan and budget for calendar year (CY) 2024 provides a variety of enhanced services in the Downtown core, including business improvement services and overall business development.

In May 2023, the Downtown EMSD Board of Directors, which includes representatives of the City and other Downtown EMSD property owners, approved the proposed 2024 Downtown EMSD budget of $4,706,256. See **Attachment B** for the breakdown of the expense categories. This includes $167,222 for streetscape maintenance expenses, which are paid only by property owners and tenants adjacent to the Streetscape Improvement District. The Streetscape Improvement District includes certain portions of Monroe Street from 3rd Avenue to 7th Street; Adams Street from 2nd Avenue to 2nd Street; 2nd Street from Jefferson to Van Buren streets; and 3rd Street from Monroe to Van Buren streets.

The proposed CY 2024 assessment revenue of $4,556,256 represents no change over the CY 2023 assessments. The CY 2024 assessments for the Downtown EMSD will be levied after the required Downtown EMSD approval process has been completed. Assessments are determined in proportion to the benefits received by each parcel. The proposed assessments and 2024 Downtown EMSD Diagram are based on the estimate of expenses and property data available as of April 27, 2022.
Estimated CY 2024 District Budget: $4,706,256
Estimated CY 2024 Assessment Revenue: $4,556,256
Estimated CY 2024 Non-assessment Revenue: $150,000

Public Hearing Date
It is requested that the City Council set the date of Nov. 15, 2023, as the date for the Public Hearing on the 2024 Downtown EMSD assessments.

Financial Impact
The City's total estimated annual expenditure for this program is $1,497,935, which includes:
$439,123 from the General Fund (approximate $15 increase from 2023);
$626,579 from the Phoenix Convention Center;
$150,123 from the Sports Facilities Fund;
$10,486 from the Phoenix Bioscience Core; and
$271,623 from collections from tenants on City-owned properties

Concurrence/Previous Council Action

The Economic Development and Housing Subcommittee meeting approved the 2024 Downtown EMSD work plan and budget on Oct. 11, 2023, by a vote of 4-0.

Public Outreach

A Public Hearing will be held for property owners to discuss the proposed assessments, costs, and services provided in connection with the Downtown EMSD. If approved, the public hearing would be set for Nov. 15, 2023, at 2:30 p.m., in the Phoenix City Council Chambers. All property owners are notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development departments 20 days prior to the public hearing. Notice of the public hearing also will be published in the Record Reporter as specified below. No further notification is required after the public hearing.

To be published:
The Record Reporter
Nov. 1, 2023
Nov. 3, 2023

Location

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

Discussion

Mayor Gallego stated items 45-46 are related to the Downtown Enhanced Municipal Services and will be heard and voted together.

Dianne Barker expressed her support for these items. She spoke about all the different enhancements to the area and advocated for a more walkable and shaded areas, biking sidewalk and a sense of a downtown community.

This item was adopted.

46 2024 Downtown Enhanced Municipal Services District Assessment Diagram (Resolution 22157)

Request City Council approval of the 2024 Downtown Enhanced

Municipal Services District (EMSD) Assessment Diagram. There is no financial impact as a result of this request.

Summary

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

The proposed 2024 Downtown EMSD Assessment Diagram (**Attachment A** - 2024 Downtown EMSD Diagram), indicates the properties to be assessed and is on file in the Office of the Director of the City of Phoenix Street Transportation Department, and may also be viewed at https://www.investinphoenix.com/why-phoenix/downtown/downtown-phoenix. The proposed assessments and calendar year (CY) 2024 Downtown EMSD Diagram are based on the estimate of expenses and property data available as of April 26, 2023. The proposed diagram was completed on Sept. 21, 2023. Per Arizona Revised Statutes (A.R.S.) 48-575(d), the CY 2024 Downtown EMSD Diagram shows each separate lot numbered consecutively, the area in square feet of each lot, and the area in square feet of any building or buildings located on each lot.

Public streets, alleys, and property utilized for residential purposes that do not benefit by the enhanced municipal services are excluded from this proposed CY 2024 Downtown EMSD Diagram.

This request for Council action includes a Resolution approving the CY 2024 Downtown EMSD Diagram.

Financial Impact

There is no financial impact for approving the CY 2024 Downtown EMSD Diagram.

Cuncurrence/Previous Council Action

The Economic Development and Housing Subcommittee meeting

approved the CY 2024 Downtown EMSD work plan and budget on Oct. 11, 2023, by a vote of 4-0.

Public Outreach

A public hearing will be held for property owners to discuss the proposed assessments, costs, and services provided in connection with the Downtown EMSD. If approved, the public hearing would be set for Nov. 15, 2023, at 2:30 p.m., in the Phoenix City Council Chambers. All property owners are notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development departments 20 days prior to the public hearing. Notice of the public hearing also will be published in the Record Reporter as specified below. No further notification is required after the public hearing.

To be published:
The Record Reporter
Nov. 1, 2023
Nov. 3, 2023

Location

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

Discussion

Refer to Item 45.

This item was adopted.

49 Series 2023 Single Family Mortgage Revenue Bond Program (Resolution 22159)

Request City Council approval for (1) the issuance and sale of single family mortgage revenue bonds, (2) the related Standards and Requirements (**Attachment A**) and General Plan (**Attachment B**), and (3) the execution of a Cooperative/Intergovernmental Agreement (**Attachment C**).

Summary

Request City Council adoption of a resolution (Attachment D) granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Arizona (the “Phoenix IDA”) has

previously resolved to issue up to $200,000,000 of the Series 2023 Single Family Mortgage Revenue Bonds (the “Series 2023 Program Bonds”), to be jointly issued with The Industrial Development Authority of the County of Maricopa (the “Maricopa IDA”) in multiple series pursuant to a plan of finance (the “Series 2023 Program”).

The Phoenix IDA and Maricopa IDA propose to use the proceeds of the Series 2023 Program Bonds to finance mortgage loans and homebuyer assistance for single family homes to be owned and occupied by persons of low and moderate income in Maricopa County, including the City of Phoenix.

In accordance with the Industrial Development Financing Act, the Standards and Requirements and General Plan adopted by the Phoenix IDA for the Series 2023 Program Bonds and Series 2023 Program require the approval of City Council.

The Phoenix IDA and Maricopa IDA intend to jointly issue the Series 2023 Program Bonds to implement the Series 2023 Program benefiting the citizens of their combined jurisdictions pursuant to the Cooperative/Intergovernmental Agreement.

Pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, City Council must approve the issuance of the Series 2023 Program Bonds after a public hearing following reasonable public notice. The public hearing is being held by a representative of the Phoenix IDA on Oct. 10, 2023.

Concurrence/Previous Council Action

The Phoenix IDA Board has previously resolved to issue the Series 2023 Program Bonds, approve the Standards and Requirements and General Plan, and approve entering into the Cooperative/Intergovernmental Agreement at its meeting held on Sept. 21, 2023.

Discussion

Vice Mayor Ansari commended the Phoenix Industrial Development Authority (IDA) for being a wonderful partner in this program. She spoke about the rise home prices and more unaffordable buying a home has become. This program will help issue more than $200 million in bonds to

low and moderate income homebuyers. She advocated to make attainable housing easier to build in an effort to increase the number of affordable homes as well as work to increase wages.

Councilwoman Hodge Washington congratulated and thanked the IDA for being a valuable partner in this program. She expressed her agreement with Vice Mayor Ansari that the $200 million in bonds for low and moderate income individuals to help them attain housing is part of the tools to help recognize and address the critical need families have in Phoenix. She is proud to support this measure.

Denise Babayan questioned how the selecting process for potential individuals to receive the loans will be. She expressed her opposition to this item as she believes it is a government overreach.

Jeff Caldwell spoke in opposition to this item, as well as how this program will disrupt the way the loan market works. He urged council members to vote against this item.

Lezley Shepherd spoke about her opposition to this item. She expressed agreement that this program will disrupt the private market as well as being a government overreach.

Councilwoman O'Brien request Titus Mathew, Housing Department Director, to come to the table to address some of the questions posed by the speakers.

Mr. Mathew stated this is an assistance program the City is working with the Maricopa County and the Phoenix IDAs. He deferred to Mr. Juan Salgado, IDA CEO, who will talk about the program.

Deputy City Manager Ginger Spencer introduced Mr. Salgado. She stated this program, the single family mortgage bonds, is a program that existed in 2012 and the City is bringing it back. She said this is a Home in Five program and the additional funding for this program will allow for an increased number of affordable housing available to residents.

Mr. Salgado stated this program is not a government program. He

informed the IDA is participating with the Maricopa County IDA to provide this program. He communicated that as a housing finance authority, the IDA is presenting a program that will provide lower cost financing for not only first time homebuyers, but also residents living in targeted areas. He said this program is available to anyone who qualifies and more than 100 lenders are participating and that the IDA will continue to market the program to residents in the Phoenix and Maricopa County area. He emphasized that this program is not the government taking loans and that it is a market program that the lending community is excited about as it creates another opportunity to provide financing to homebuyers. He stated the IDA has provided down payment assistance for many years and since 2007, 25,000 families throughout Maricopa County have received assistance to acquired homes by way of down payment assistance or low cost financing. He said the program presented today creates another opportunity as interest rates continue to rise. He reported the IDA had not issued bonds since 2007 because interest rate had been low and that this program is an alternative to keep interest rates as low as possible for qualified home buyers in Maricopa County.

Councilwoman O'Brien asked Mr. Salgado if the Phoenix IDA or the Maricopa IDA were the financial lenders.

Mr. Salgado answered no, the IDA is not a lender. He stated both the Phoenix and Maricopa County IDA are the conduit issuer that is passing through the opportunity for lenders to participate. He said lenders participating in this program are mortgage lenders who, as normal course of business, provide mortgage-backed securities to sell to investors. He relayed that ultimately the investors will provide financing for these loans. Mr. Salgado reported the Home in Five program website contains a full list of mortgage lenders participating in this program.

Councilwoman O'Brien stated Council has had many discussions about how it is getting more difficult to be a first-time homebuyer in Phoenix given the rising price of homes. She asked Mr. Salgado if that was correct.

Mr. Salgado stated that was correct.

Mr. Salgado stated because this is a tax-exempt program it involves issuing bonds. He said the program has restrictions due to tax laws and regulations. He spoke about the restrictions and definitions of first time homebuyers, the housing availability in the local market, and read a sample list of mortgage companies participating in the program.

Ms. Spencer reported that recently, at the Economic Outlook, the economist reported that locally, the average mortgage interest rate for new homes is around eight percent, which is up from three percent. She stated programs like this will help bring that percentage down and make housing more affordable for individuals, specially for first time homebuyers.

Councilwoman Guardado spoke about how this program has helped residents in her district purchase homes. She asked Mr. Salgado how residents are using this program today in comparison to 10-years ago.

Mr. Salgado stated the most challenge young residents face when buying a home is the downpayment. He said over the years, the IDA has created an opportunity to provide downpayment assistance to those who do not have the resources for a downpayment. He added since 2007, the delinquency rate in this program is below the national average. Mr. Salgado emphasized homeowners have choices as there are more than 135 lenders throughout Maricopa County participating in this program. He communicated that as part of the outreach, the IDA works closely with realtors as well as mortgage companies.

Councilwoman Guardado thanked Mr. Salgado for the information presented. She reported numerous residents in District 5 are excited for this program to move forward to be able to participate, purchase a home, and live their American dream.

Councilwoman Pastor asked that, as a teacher making $49,000.00 annually, if she would qualify for the Home in Five program. She also asked if this was the program before Council today. In addition, she also asked who qualified for the Home in Five program listed on the IDA website

Mr. Salgado clarified the program being presented today is the Neighborhood Platinum tax-exempt first-time home buyers. The program Councilwoman Pastor referenced is the Home in Five Advantage program, which is still in effect. Even though the interest rates are a little higher, the benefits are provided to teachers, first responders, military, and low-income residents receive an additional one percent downpayment assistance.

Councilwoman Pastor asked what would qualify her for this program.

Phoenix City Manager Jeffrey Barton read the qualifications of the Neighborhood Platinum program according to the IDA website.

Councilwoman Pastor stated she asked who qualified for this program to make very clear to the public that there are qualifications of who can apply for this program in order to receive any type of assistance in purchasing a home. She asked if the participating lenders listed on the IDA website were market lenders.

Mr. Salgado confirmed all lenders participating in this program are market lenders. He stated all these lenders are active mortgage bankers and are in the business of lending. He said participating lenders go through a qualification process and need to meet standard guidelines to participate.

Councilwoman Pastor asked if this program is part of the market.

Mr. Salgado stated this program was developed to address market conditions with rising interest rates. He communicated the IDA's interest is to work within the market to build sustainability, to work with standard products, and address the items that are keeping residents from purchasing a home. He said this program is an enhancement to what is happening in the marketplace and in no way impacts mortgage lenders.

Councilwoman Pastor asked if a teacher who had previously purchase a first-time home, or if they had a home and sold t it for any number of reasons, and now would like to purchase a home, would be able to be helped by this program by receiving financing to purchase a home and be able to make mortgage payments

Mr. Salgado stated the program not only helps teachers but also any prospective borrowers who qualify and are interested in homeownership. He added that these programs, in addition to provide an opportunity for residents to have a choice in the financing market, require homeownership counseling to ensure applicants understand the process.

Mayor Gallego asked Mr. Salgado to confirm that in addition to the current Home in Five program program, today the Council will vote on the Single Family Mortgage Revenue Bond program. The IDA will still have two programs to help homebuyers to purchase a home.

Mr. Salgado confirmed Mayor Gallego's statement was correct. He stated the IDA will continue to provide a number of products to assist homebuyers and this is an additional one. Mr. Salgado said because the IDA is a conduit issuer of tax-exempt financing and or a mortgage revenue bond, they need to have Council approval. He reiterated the financing of these programs represent no cost to the City or taxpayers.

Mayor Gallego thanked Mr. Salgado for the information provided.

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

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

70 Apply for U.S. Department of Transportation Reconnecting Communities and Neighborhoods Grant Opportunity for Federal Fiscal Year 2022-23 - Federal Bipartisan Infrastructure Law Funding (Ordinance S-50259)

Request to retroactively authorize the City Manager, or his designee, to apply for, accept and, if awarded, enter into agreement(s) for disbursement of Federal funding from the U.S. Department of Transportation (USDOT) through the Federal Fiscal Year (FFY) 2022-23

Reconnecting Communities and Neighborhoods (RCN) Program grant opportunity. If awarded, the funding will be used to initiate a planning grant and/or a capital construction grant. 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 and the Inflation Reduction Act. The total grant funds applied for will not exceed $31 million, and the City's local match would not exceed $5.5 million for both grants.

Summary

The RCN grant is a new funding program under the Bipartisan Infrastructure Law, which was signed into law on Nov. 15, 2021. The USDOT issued a Notice of Funding Opportunity on July 5, 2023. The RCN grant is a re-branded program in its second year which combined Reconnecting Communities Pilot and Neighborhood Access and Equity programs into a single funding opportunity for FFY 2022-23. Together, this combined program now known as RCN aims to fund projects that consider these specific goals and objectives:

Prioritize disadvantaged communities;

Aim to improve access to daily needs such as jobs, education, health care, food, and recreation;

Foster equitable development and restoration; and

Reconnect communities by removing, retrofitting, or mitigating highways or other transportation facilities that create barriers to community connectivity, including mobility, access or economic development.

The City intends to submit for two grants: a planning grant to study important connections within the Maryvale Village; and a capital construction grant to focus on connectivity and improvements 1) from the future Rio Reimagined Bicycle and Pedestrian Bridge, funded by the City’s FFY 2021-22 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant award and 2) to future PHX Cultural Corridor project, funded by the City’s FFY 2022-23 RAISE grant award.

<u>Planning Grant Application</u>

The planning grant application will study important connections within the Maryvale Village, approximately bounded by: Camelback Road to the north, Encanto Boulevard to the south, 75th Avenue to the west, and 43rd

Avenue to the east. The Reconnecting Maryvale project is estimated to cost up to $6 million, with no local match required, due to the proposed project boundary being located 100 percent within a disadvantaged community.

Capital Construction Grant Application

The capital construction grant will focus on connectivity from the future Rio Reimagined Bicycle and Pedestrian Bridge along the 3rd Street alignment to Jefferson Street, including improvements to Buckeye Road from Central Avenue to 7th Street, connecting to the future PHX Cultural Corridor. The capital construction project for the 3rd Street Connector from the Rio Salado to Jefferson Street and Buckeye Road is estimated up to $25 million, with a minimum local match requirement of 0-20 percent of the total project cost, due to the majority of the boundary (94.4 percent) being in a disadvantaged community.

The RCN grant submittal deadline was Sept. 28, 2023. Since internal selection of the specific grants was carefully considered, this impacted staff's ability to request authorization ahead of the grant submittal deadline.

Financial Impact

The estimated total costs for the projects are up to $6 million for the planning grant and up to $25 million for the capital construction grant. The maximum federal participation rate for the planning grant is 100 percent with a minimum local match of 0 percent of the total eligible project cost and the maximum federal participation rate for the capital construction grant is 80-100 percent with a minimum local match of 0-20 percent of the total eligible project cost. If awarded the planning grant, the federal match would not exceed $6 million and the City’s costs would be approximately $0 for the local match. If awarded the capital construction grant, the federal match would not exceed $20-25 million and the City’s costs would be approximately $0-5.5 million for the local match, if match is required.

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

Law, from USDOT through the FFY 2022-23 RCN grant opportunity.

Location

Planning Grant

75th to 43rd avenues, Encanto Boulevard to Camelback Road

Capital Construction Grant

3rd Street from the Rio Salado to Jefferson Street; and Buckeye Road from Central Avenue to 7th Street

Council Districts: 4, 5, 7 and 8

Discussion

Councilwoman Guardado thanked the Street Transportation and Government Relations departments teams for their work on this federal grant opportunity. She stated over the years she has worked to support the Stay Connected Communities not only in the heart of Maryvale but throughout her district. She spoke about attending the Grand Canal streetscape phase-3 project groundbreaking ceremony that will create a walkable connection between 75th and 47th avenue along the canal. She also spoke about working with the Street Transportation and the Parks and Recreation departments as well as the Office of Heat Mitigation to create a walkable cool corridor on 55th Avenue between Camelback and Indian School roads, needed improvements and amenities. She stated she was supportive of this item and was looking forward to continue to find ways to keep up creating safe and connected neighborhoods in the Maryvale area. In addition, Councilwoman Guardado thanked Mr. Knudson for his service to the city and wished him well in his new adventures.

Councilman Waring stated this grant reconnected communities by removing highways. He requested staff to provide information on which highways or freeways were being removed, how the communities were affected, as well as residents feedback.

Vice Mayor Ansari temporarily left the dais.

Denise Babayan expressed her opposition to this item. She thanked Councilman Waring for his comments as she had the same concerns. She stressed the City needs more roads, not less and urged the Council to vote against this item.

Vice Mayor Ansari returned to the dais.

Jeff Caldwell spoke in opposition to this item and noted a big city removed a highway in September 2022. He expressed concerns about the history with this funding and urged the Council to vote against it.

Lezley Shepherd spoke in opposition of this item.

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

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

85 Public Hearing and Ordinance Adoption - General Plan Amendment GPA-DSTV-1-23-2 - Generally Located South of the 101 Freeway, East of 56th Street, West of 64th Street, and North of the Reach 11 (Ordinance G-7179)

Request to hold a public hearing on a General Plan Amendment for the following item and to consider the Planning Commission's recommendation and the related ordinance if approved. Request to amend the Desert Ridge Specific Plan.

Summary

Application: GPA-DSTV-1-23-2
Proposal: Amendment to the Desert Ridge Specific Plan for Development Parcels 3.CP/BP.1 and 3.CP/BP.2 to facilitate the Mayo Clinic expansion including integrated clinical practice, education and research, as well as the creation of a new "Discovery Oasis" biotech and healthcare corridor.
Acreage: 417.63 acres

Owner: Arizona State Land Department
Applicant/Representative: Nick Wood, Snell & Wilmer, LLP

Staff Recommendation: Approval, as shown in the recommended text in Exhibit A.
VPC Information Only: The Desert View Village Planning Committee heard this case on April 4, 2023, for information only.
VPC Action: The Desert View Village Planning Committee heard this case on May 2, 2023, and continued the case, by a vote of 9-0. The Desert View Village Planning Committee heard this case on June 6, 2023, and continued the case, by a vote of 10-0. The Desert View Village Planning Committee heard this case on Aug. 1, 2023, and recommended approval, per the staff recommendation, by a vote of 10-1.
PC Action: The Planning Commission heard this case on Oct. 5, 2023, and recommended approval, per the Addendum A Staff Report, by a vote of 6-0.

Location
Generally located south of the 101 Freeway, east of 56th Street, west of 64th Street, and north of the Reach 11.
Council District: 2
Parcel Addresses: Several

Discussion
Mayor Gallego stated items 85 and 86 are located in the Mayo Clinic corridor and noted they would be heard together but have separate votes. She welcomed Racelle Escolar, with the Planning and Development Department (PDD), to the table.

Ms. Escolar provided an overview of the items via a PowerPoint presentation. She listed the applicant's request and recited the recommendations.

Mayor Gallego thanked the Planning and Development and the Community and Economic Development (CED) departments for their work on these items and she looked forward to moving this project forward.

Mayor Gallego declared the public hearing open.

Nick Wood, representing the applicant, provided information about the applications and the project. He recognized the Planning, CED, and

Streets Transportation departments staff for their work with this project.

Richard Gray, Mayo Clinic CEO, thanked staff for their assistance and provided testimony about aspects of the project.

Mayor Gallego declared the public hearing closed.

Mayor Gallego thanked additional staff, including Mr. Knudson, for their work.

Councilman Waring noted Phoenix, as well as Scottsdale, would benefit from this project by improving the quality of life of residents.

Mayor Gallego noted Phoenix Fire Department staff have received cancer care from Mayo Clinic. She pointed out the campus had natural landscaping.

The hearing was held. A motion was made by Councilman Waring, seconded by Councilwoman Stark, that this item be approved per the Planning Commission recommendation, with adoption of the related ordinance. The motion carried by the following vote:

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

86 Public Hearing and Ordinance Adoption - Rezoning Application Z-4-23-2 (Mayo Clinic PUD) - Approximately 530 Feet South of the Southwest Corner of 64th Street and Mayo Boulevard (Ordinance G-7180)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-4-23-2 and rezone the site from R1-18 (Approved CP/BP PCD) (Single-Family Residence District) (Approved Commerce Park, Business Park Option, Planned Community District) to PUD (Planned Unit Development) to allow commercial/commerce-business park uses.

Summary

Current Zoning: R1-18 (Approved CP/BP PCD)
Proposed Zoning: PUD
Acreage: 76.76 acres
Proposal: Commercial/Commerce-Business Park uses

Owner: Mayo Clinic Arizona
Applicant/Representative: Nick Wood, Snell & Wilmer, LLP

Staff Recommendation: Approval per Addendum A, subject to stipulations.
VPC Information Only: The Desert View Village Planning Committee heard this case on April 4, 2023, for information only.
VPC Action: The Desert Village Planning Committee heard this case on May 2, 2023, and continued the case, by a vote of 9-0. The Desert View Village Planning Committee heard this case on June 6, 2023, and continued the case, by a vote of 10-0. The Desert View Village Planning Committee heard this case on Aug. 1, 2023, and recommended approval, per the staff recommendation (Addendum A), by a vote of 9-2.
PC Action: The Planning Commission heard this case on Oct. 5, 2023, and recommended approval, per the Addendum B Staff Report, by a vote of 6-0.

Location

Approximately 530 feet south of the southwest corner of 64th Street and Mayo Boulevard
Council District: 2
Parcel Address: 6175 E. Mayo Blvd.

Discussion

Refer to Item 85.

The hearing was held. A motion was made by Councilman Waring, seconded by Councilwoman Stark, that this item be approved per the Planning Commission recommendation, with adoption of the related ordinance. The motion carried by the following vote:

Yes: 9 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

87 **Consideration of Citizen Petition by Ms. Elizabeth Venable**

This report provides the City Council with information in response to the citizen petition submitted by Ms. Elizabeth Venable at the Sept. 20, 2023, Formal Meeting (**Attachment A**).

Summary

On Sept. 20, 2023, Ms. Elizabeth Venable submitted a citizen petition to request that the City of Phoenix “continuously record and regularly report data”, “retroactively and moving forward”, related to the Office of Homeless Solution’s (OHS) engagement efforts around the Human Services Campus. Upon review by the Law Department, this submittal was determined to qualify as a citizen petition requiring action by the City Council.

Ms. Venable requests the following data be reported to Council and the “public/media” on a biweekly or monthly basis:

Locations of placements for each cleanup (engagement) in terms of name.

Number of constituents transported to each individual facility and location of each facility.

Number of constituents accepting/rejecting initial offers of shelter from each cleanup (engagement).

Length of stay of constituents in each facility in the following categories-Less than 1 whole day (24 hours), 1-7 whole days (1 week), 8-14 days (2 weeks), 15-21 days (3 weeks), 22-28 days (4 weeks), 29+ days (one month or more).

Reason for exit of the facility including but not limited to: 1. No exit; 2. Transfer to another facility; 3. Personal voluntary exit/choice to leave; 4. Disciplinary/violations of rules/emotional-behavioral disruption/drugs/weapons/other non-voluntary exit/not choice to leave;

5. End of program limitations on time.

Staff Response

The Office of Homeless Solutions provides aggregate data (Items 2 and 3) related to its engagement efforts near the Human Services Campus. Most recently, this information was provided during the September 13, 2023 report and presentation to the City Council Economic Development and Housing Subcommittee. Updated data is included in **Attachment B**. In the future, this information will continue to be provided via the Office of Homeless Solutions Program report provided to the City Council in the General Information Packet which is available to the public online.

With respect to information on individuals and families served including demographic information, shelter placements and outcomes (Items 1, 4, and 5), OHS is not able to release client-level data or personal identifiable information (PII). The City is legally obligated to protect personal information of any resident for whom services are provided, such as addresses of water and sanitation customers. Clients served through OHS have the same right to privacy and safety.

In addition, once clients enter shelter or homelessness-related service, they cease to become a client of OHS and become a client of the program entered. Homeless service programs funded by the U.S. Department of Housing and Urban Development must use a common database called the Homeless Information Management System ("HMIS") for tracking information on individuals and families served including demographic information, shelter placements and outcomes, which is the information sought in Items 1, 4, and 5 of Ms. Venable's petition. The Maricopa Association of Governments (MAG) is responsible for the maintenance, confidentiality, and security of regional HMIS records. HMIS policies require confidentiality of client PII and prohibit public disclosure of the location where a particular client is housed. Additional confidentiality obligations apply in cases of family or domestic violence victims and shelters that serve these populations.

OHS intends to evaluate the overall success of clients receiving services through engagement efforts. Staff requested aggregate and anonymous information regarding clients served and will be providing a report to City

Council and the public when that data becomes available.

Location
7th Avenue to 15th Avenue, Jefferson Street to the railroad tracks
Council District: 7

Recommendations

1. Approve the citizen petition in part by direction staff to provide additional requested information that can be publicly shared through regular reporting process.

2. Deny the citizen petition; information is already publicly available, while other information is with other agencies or is personal identifying information that cannot be publicly shared.

Discussion
Jeff Caldwell spoke in support of adopting this petition, noting people needed to know how homeless people were being helped. He stressed personal identifiable information (PII) could be redacted on the information provided.

Lezley Shepherd stated her concerns about Mayor Gallego being a member of Maricopa Association of Governments (MAG) and opined it was a conflict.

Denise Babayan agreed Mayor Gallego had a conflict especially given the tax dollars.

Elizabeth Venable stated she received her information from first-hand resources which she kept confidential. She agreed PII could be redacted on the information provided so people had metrics of homelessness.

Councilwoman Pastor stated her support for this petition based on the same questions on metrics for movement and success rate of independence. She said there was a way to protect who was being served and use the data to make decisions. Councilwoman Pastor made a motion to accept the citizen petition.

Vice Mayor Ansari commended Ms. Venable for her petition and asked staff to provide current information regarding accessibility.

Deputy City Manager Gina Montes offered to show a presentation detailing the types of information the City makes available regarding statistics about homeless individuals.

Mayor Gallego agreed that the presentation would provide a good basis of knowledge for discussion. She also asked if Councilwoman Pastor had a more clarifying question.

Councilwoman Pastor stated she made a motion.

City Attorney Julie Kriegh clarified that a motion had been made and there was no second to that motion and a second would be required to vote on the motion made by Councilwoman Pastor.

The motion was seconded by Councilman Waring.

Before the presentation, Ms. Montes acknowledged the interest in what the City was doing and committed to providing accurate information.

Rachel Milne, Director of the Office of Homeless Solutions, provided information about the citizen petition's five points via a PowerPoint presentation.

Vice Mayor Ansari asked if the publicly shareable information was the only piece of information that was of concern due to privacy issues.

Ms. Montes stated she had asked Ms. Milne, if the opportunity arose, to talk about the client level data specifically and the issue of redacting the name and being able to reset the said data, and why that still falls under what the agreement is under the homeless management information system.

Ms. Milne affirmed redaction was not possible but staff could provide aggregate information.

Mayor Gallego stated privacy was not only a safety issue but also a rule of law. She opined that having data by provider was very helpful as the Council would want to put more resources into programs that are working.

Councilwoman O'Brien agreed with getting additional information, especially long-term recidivism. She supported the recommendation but wanted to look at obtaining other possible information. She asked for clarification on Councilwoman Pastor's motion.

Councilwoman Pastor replied her motion was to accept the citizen petition.

Councilwoman Hodge Washington stated her support for the petition but wanted to go outside "The Zone." She wanted Council to have a say in what information could be shared.

Vice Mayor Ansari stated she wanted to see more of the dashboard online for the public to see. She noted the website was a good first step.

Councilman Robinson temporarily left and returned to the dais during Councilman Waring's comments.

Councilman Waring stated none of the requests were unreasonable. He noted homelessness was not a successful issue. He agreed with getting information on recidivism as it would provide more information to effectively resolve this issue. He said he supported the citizen petition as it was necessary to get more information.

Councilwoman O'Brien made a substitute motion to accept staff's recommendation and take it to the next policy session to discuss points with staff.

Mayor Gallego asked if the motion was for the official staff recommendation.

Councilwoman O'Brien confirmed the motion was for the official staff recommendation.

Councilwoman Stark seconded the motion.

Mayor Gallego stated the next policy session was scheduled for Oct. 24, 2024.

Councilwoman Pastor indicated she would not be present at the Oct. 24 policy session and requested it be scheduled for a session she will be present for.

Councilwoman Hodge Washington stated metrics were needed to make decisions which this dialogue proved. She recognized staff for doing what was possible, but more was needed. She emphasized the sooner this came back to Council the better.

Councilwoman Guardado stated she wanted to be transparent but also wanted to protect the most vunerable. She asked if individuals' information would be protected.

Ms. Montes replied yes, individuals' information would be protected. She noted staff planned to take data and outcomes to the next Economic Development and Housing (EDH) Subcommittee meeting.

Councilwoman Guardado expressed it was important to protect individuals' information while being transparent with needed data.

Councilwoman Pastor thanked Ms. Venable for bringing the petition and noted both motions would achieve the end goal. She recalled petition items 2, 3 and 4 could be done, Item 5 was being worked on, but Item 1 could not be done. She questioned how the city could change Item 1.

Ms. Milne replied Item 1 of the petition could not be done because of client names were being requested. However, it could be done in aggregate. Ms. Milne clarified the information would aggregate data.

Councilwoman Pastor asked if the placement of locations information could be collected without the names of the individuals.

Ms. Milne clarified that the data already provided captures the percentage

of people that have gone to each location. She reiterated that client level date cannot be provided.

Councilwoman Pastor stated that all items in the petition could be accomplished with a modification to item 1.

Phoenix City Manager Jeffrey Barton clarified that staff recommendation was to accept the petition and deny the pieces that required providing client level information.

Councilwoman Pastor stated her motion was to accept the citizen petition, not staff's recommendation.

Ms. Montes reiterated the information had to be aggregate.

Councilwoman Stark stated she was concerned with providing information regarding the location of placements on a citywide level because of the vulnerable populations that would be included. She gave an example about shelters that house children and victims of domestic abuse.

Councilwoman Pastor stated she wanted to make sure the information provided was legal but at the same time wanted information to make sound decisions.

Councilwoman Stark agreed with the substitute motion as it would allow for more discussions on this matter.

Mayor Gallego stated the petition did not ask for PII information.

Councilwoman Guardado asked for clarification on the motions.

Councilwoman O'Brien restated her substitute motion.

Before his vote, Councilman Waring questioned the intent of the substitute motion.

A motion was made by Councilwoman O'Brien, seconded by Councilwoman Stark, that this petition be approved per staff recommendation, with direction to staff to provide additional

information to be shared at the Oct. 24, 2023 City Council Policy Session. The motion carried by the following vote:

Yes: 9 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Concilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

000 CITIZEN COMMENTS

City Attorney Julie Kriegh 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. She 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.

Michael Norton spoke about the growing number of burrowing owls and requested protection for them.

Mark Rodriguez wished Mayor Gallego a happy birthday.

Luis Acosta spoke regarding the lack of plants and trees but was most concerned about the cost of water leaks.

Denise Babayan voiced concerns about homelessness.

Jeff Caldwell asked for written policy restricting public comment to five items. He also voiced concerns about the housing market.

Lezlie Shepherd expressed concerns about the Maricopa Association of Governments.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 5:00 p.m.

MAYOR

ATTEST:

CITY CLERK

MW

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 18th day of October, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26th day of June, 2024.

CITY CLERK