City of Phoenix

Minutes

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

186281

City Council Formal Meeting

Wednesday, October 26, 2022 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Oct. 26, 2022 at 2:37 p.m. in the Council Chambers.

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

Councilman Waring attended the meeting telephonically. Mayor Gallego temporarily left the voting body during Item 26 and Vice Mayor Pastor assumed the Chair. Mayor Gallego returned to the voting body during Item 32 and resumed as Chair. Councilman DiCiccio left the meeting after Item 69.

Mayor Gallego acknowledged the presence of Carmen Cota, a Spanish interpreter. In Spanish, Ms. Cota announced her availability to the audience.

The City Clerk confirmed copies of the titles of Ordinances G-7042, S-49080 through S-49118, and Resolutions 22074 through 22079 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

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

MINUTES OF MEETINGS

1 For Approval or Correction, the Minutes of the Formal Meeting on Oct. 7, 2020

Summary

This item transmits the minutes of the Formal Meeting of Oct. 7, 2020, for review, correction and/or approval by the City Council.

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

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

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

Central City Village Planning Committee

Appoint Ian O'Grady, filling a vacancy, for a term to expire Nov. 19, 2023, as recommended by Councilmember Garcia.

Appoint Edward Vargas, filling a vacancy, for a term to expire Nov. 19, 2023, as recommended by Councilmember Garcia.

Maryvale Village Planning Committee

Appoint Rosa Berrelleza, filling a vacancy, for a term to expire Nov. 19, 2023, as recommended by Councilwoman Ansari.

Public Defender Review Committee

Appoint Grace Myers, filling a vacancy, for a term to expire April 15, 2026, as recommended by Mayor Gallego.

Phoenix Women's Commission
Appoint Anjali Abraham, filling a vacancy, for a term to expire Oct. 26, 2025, as recommended by Mayor Gallego.
Appoint Miriam Weisman, filling a vacancy, for a term to expire Oct. 26, 2025, as recommended by Mayor Gallego.

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

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

No: 0

Mayor Gallego administered the oath of office to the following appointees:

Ian O'Grady and Edward Vargas - Central City Village Planning Committee;
Rosa Berrelleza - Maryvale Village Planning Committee; and
Anjali Abraham and Miriam Weisman - Phoenix Women's Commission.

The above individuals were invited to approach the dais so Council could extend their appreciation.

3 Swearing in of Municipal Court Judges

Request to permit the swearing in of Municipal Court Judges.

Summary
Administer the oath of office for the Honorable Alexander Benezra and Honorable Heidi Gilbert each to a four-year term as Judge of the Phoenix Municipal Court to end on Jan. 17, 2026.

Concurrence/Previous Council Action
On Sept. 2, 2022, the Judicial Selection Advisory Board recommended approval to the Public Safety and Justice Subcommittee.

On Sept. 14, 2022, the Public Safety and Justice Subcommittee

recommended approval to the City Council by a vote of 4-0.

On October 12, 2022, the City Council approved appointment of Judge Benezra and Judge Gilbert by a vote of 9-0.

Municipal Court Judges sworn in.

Mayor Gallego administered the oath of office to Phoenix Municipal Court Judges Alexander Benezra and Heidi Gilbert. The judges were 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 Pastor, seconded by Councilwoman Stark, that Items 4-13 be recommended for approval. The motion carried by the following voice vote:

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

No: 0

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 Drive
Council District: 1

Function
Food Festival

Date(s) - Time(s) / Expected Attendance
Nov. 12, 2022 - 11 a.m. to 9 p.m. / 800 attendees
Nov. 13, 2022 - Noon to 6 p.m. / 700 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

5 Liquor License - Special Event - Horses Help Foundation

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

Summary

Applicant
Gregg Goodman

Location
15215 N. Kierland Blvd.
Council District: 2

Function
Wine Tasting Event

Date(s) - Time(s) / Expected Attendance
Feb. 4, 2023 - 11 a.m. to 8:30 p.m. / 2,000 attendees
Feb. 5, 2023 - 11 a.m. to 5:30 p.m. / 1,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

6 Liquor License - Ancla Distilled Spirits

Request for a liquor license. Arizona State License Application 203372.

Summary

Applicant
Jonathan Galvez, Agent

License Type
Series 4 - Wholesaler

Location
10425 N. 25th Ave., Ste. 2326
Zoning Classification: A-1
Council District: 3

This request is for a new liquor license for a wholesaler. 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 Nov. 1, 2022.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications, and not to the location.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“Applicant has obtained the proper education and training to hold a Series 4 wholesaler license, and has applied for all requisite federal permits.”

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

7 Liquor License - Special Event - Southwest Center for HIV/AIDS, Inc.

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

Summary

Applicant
Lauren Rumbaugh

Location
3121 N. 3rd Ave.
Council District: 4

Function
Reception

Date(s) - Time(s) / Expected Attendance
Nov. 12, 2022 - 5 p.m. to 8 p.m. / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

8 Liquor License - Pizza Hut #26984

Request for a liquor license. Arizona State License Application 207705.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 10 - Beer and Wine Store

Location
1839 W. Indian School Road

Zoning Classification: C-2
Council District: 4

This request is for a new liquor license for a beer and wine store. 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 Nov. 1, 2022.

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

Other Active Liquor License Interest in Arizona
This 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:
"There are multiple owners of this business who hold liquor licenses in Arizona as well as other states. The owners consistently ensure that all

staff receives Arizona liquor law training to protect the health safety and welfare of Arizona citizens. The owners have never had any liquor violations at any of their businesses due to their policy and procedures as well as closely monitoring all of their sites."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "This is an existing store serving the local community with pick up or delivery orders. The business will continue to serve the community in he same manner, however, they will be offering packaged to go beer in orders. Their policy is very strict to ensure no person underage or obviously intoxicated is sold by alcoholic beverage. There will not be any consumption of alcohol on the site or adjacent property to conform with Arizona Liquor Law. Furthermore the legislature modified the statue allowing #10 to be within 300 feet of churches."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Pizza Hut #26984
Liquor License Map - Pizza Hut #26984

This item was recommended for approval.

9 Liquor License - Kwik Corner 5402

Request for a liquor license. Arizona State License Application 204024.

Summary

Applicant
Nitin Gupta

License Type
Series 10 - Beer and Wine Store

Location
5402 W. Indian School Road
Zoning Classification: C-1
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. 30, 2022.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have over 20 years of experience with Convenience Store and Gas Station businesses ranging from operations to management and during this time have learnt the ins and outs of handling the liquor license in a responsible manner providing due care of the laws while being mindful of

the needs to the community and serving the local community to the best of my abilities."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "It's a business that is already currently operational. I am purchasing the business from the current owner who has been serving the local community from this location for over 15 years and I intend to continue the tradition of ensuring that this business continues to provide a safe and friendly environment and service to the same local community while assisting with the safety of the families living in the area by continuing to follow the liquor laws and safety protocols."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Kwik Corner 5402
Liquor License Map - Kwik Corner 5402

This item was recommended for approval.

10 Liquor License - Special Event - Arizona Parks and Recreation Association

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

Summary

Applicant
Samantha Christiani

Location
10919 S. Central Ave.
Council District: 6

Function
Festival

Date(s) - Time(s) / Expected Attendance

Nov. 12, 2022 - 12:30 p.m. to 7 p.m. / 1,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Special Event - Shemer Art Center and Museum Association, Inc.

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

Summary

Applicant
Shonna James

Location
5005 E. Camelback Road
Council District: 6

Function
Dinner Gala

Date(s) - Time(s) / Expected Attendance
Nov. 18, 2022 - 6 p.m. to 10 p.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Special Event - Downtown Phoenix, Inc.

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

Summary

Applicant
Devney Preuss

Location

1202 N. 3rd St.
Council District: 7

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 12, 2022 - 11 a.m. to 6 p.m. / 3,000 attendees
Nov. 13, 2022 - 11 a.m. to 4 p.m. / 3,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Breakfast Bitch

Request for a liquor license. Arizona State License Application 204409.

Summary

Applicant
Derrell Hutsona, Agent

License Type
Series 12 - Restaurant

Location
330 E. Roosevelt St.
Zoning Classification: DTC - East Evans Churchill ACSBOD
Council District: 8

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

The 60-day limit for processing this application is Oct. 29, 2022.

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

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

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

Breakfast Bitch (Series 12)
222 E. Portland St.
Calls for police service: 76
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have responsibly held a liquor license in CA since 2019, and in AZ since 2020. I have never received a citation, and regularly schedule DLLC recommended proctors to train and certify our serving staff on responsible serving and Title 4 certifications. We have strict policies in place to ID everyone who orders alcohol. We have a proven and

successful operation, and promote inclusivity in community, as well as high sales which we report, file and pay as scheduled."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "We act responsibly on every instance. We are known for promoting a positive and inclusive atmosphere, and do not allow patrons to enter who appear to be intoxicated. Nor do we overserve our guests. We are very community-centric, and use local vendors including brewers and farmers."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Breakfast Bitch
Liquor License Map - Breakfast Bitch

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.

One electronic comment was submitted for the record in support of Item 31.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that Items 14-72 be approved or adopted, except Items 24-26, 32-34, 37, 40, 42, 55, 60 and 69. The motion carried by the following vote:

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

Items 14-16, Ordinance S-49080 was a request to authorize the City Controller to disburse funds, up to amounts indicated, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing

payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

14 Applications Technology (Apptek), LLC.

For $19,500.00 in payment authority for a new contract, entered on or about Nov. 1, 2022, for a term of five years for Closed-Captioning System Annual Maintenance and Support for the Communications Office. The contract will provide a maintenance and support agreement for the Apptek Closed-Captioning System beyond its initial warranty period. The Apptek application was acquired to continue to provide closed-captioning services for Mayor and Council Formal, Policy, and Subcommittee meetings for individuals who are hearing-impaired in compliance with the Americans with Disabilities Act.

This item was adopted.

15 Industrial Commission of Arizona

For $64,998.53 in payment authority for the Human Resources Department to pay taxes to the Industrial Commission of Arizona for Workers Compensation injuries. The City of Phoenix has been self-insured for Workers Compensation injuries since 2003 and taxes are due quarterly based on premiums that would have been paid by an employer if the employer had been fully insured by a Workers Compensation insurance carrier.

This item was adopted.

16 Degan Construction, LLC

For $12,363.28 in additional payment authority for Contract 154399 for Change Order 4, Project ST83140081 Palm Lane and 30th Street Storm Drain for the Street Transportation Department. The project will use the Street Transportation Department's Capital Improvement Program budget and State aid.

This item was adopted.

17 Proposed I-17 and Jenny Lin Road Annexation - Authorization to File

Request to authorize the City Manager, or his designee, to file with the Maricopa County Recorder's Office a blank petition for a proposed

annexation. This annexation was requested by Adam Baugh with Withey Morris, PLC for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation.

Summary

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

Location

The proposed annexation area includes parcel 202-22-001B, located at I-17 and Jenny Lin Road (**Attachment A**). The annexation area is approximately 7.91 acres (0.0124 sq. mi.) and population estimate is zero individuals.

Council District: 1

This item was approved.

18 Grant of Public Utility Easement on City-owned Property Near North 27th Avenue and West Dixileta Drive (Ordinance S-49086)

Request City Council to grant a public utility easement, for consideration of $1.00 and/or other valuable consideration, for installation of an underground distribution electrical line to serve a City facility; and further ordering the Ordinance recorded. This easement is needed to provide utilities to Lift Station 66 located near North 27th Avenue and West Dixileta Drive.

Summary

This public utility easement will be for the area more fully described in the legal description ("Easement Premises") recorded with the ordinance and will be granted to all public service corporations, agricultural improvement districts, and telecommunication corporations providing utility service to the property located near North 27th Avenue and West Dixileta Drive (collectively "Grantee") for an indefinite period, subject to the following terms and conditions:

Grantee is hereby granted the right to construct, reconstruct, replace,

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

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

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

Grantor shall maintain an appropriate three-foot clear area around all edges of all equipment pads for Grantee Facilities in addition to a clear operational area that extends 12 feet immediately in front of all transformer or switching cabinet openings, within the Easement

Premises. No obstruction, trees, shrubs, fixtures or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs or other obstruction within said areas.

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

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

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

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

Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where the Easement Premises are located: (1) on a site that includes

Aviation Department facilities; (2) water and wastewater treatment facilities; (3) Police Department headquarters located at 620 W. Washington St.; (4) Fire Department headquarters located at 150 S. 12th St.; (5) City Hall located at 200 W. Washington St.; (6) City Court Building located at 300 W. Washington St.; (7) Calvin C. Goode Building located at 251 W. Washington St.; (8) Transit Operations Center located at 320 N. 1st Ave. or West Transit Facility located at 405 N. 79th Ave.; or (9) in a secured or fenced area.

Location
Near North 27th Avenue and West Dixileta Drive, identified by Maricopa County Assessor parcel number 204-13-002E.
Council District: 2

This item was adopted.

19 Acceptance and Dedication of an Easement for Multi-Use Trail Purposes (Ordinance S-49090)

Request for the City Council to accept and dedicate an easement for multi-use trail purposes; further ordering the ordinance recorded.

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

Easement (a)
Applicant: RJ7 2021 Dobbins, LLC, its successor and assigns
Purpose: Multi-use Trail
Location: 9225 S. 19th Ave.
File: FN 220065
Council District: 8

This item was adopted.

20 Locking Systems and Parts Contract - Request for Award - IFB 23-029 (Ordinance S-49088)

Request to authorize the City Manager, or his designee, to enter into contracts with Anixter, Inc. and Intermountain Lock and Security Supply, dba IML Security Supply, to provide locking systems and parts Citywide. Further request to authorize the City Controller to disburse all funds

related to this item. The total value of the contracts will not exceed $5,000,000.

Summary

The City is responsible for maintaining its buildings and ensuring they are secure for the public and internal staff who have access to them. As part of those efforts, various departments within the City need to replace, upgrade, and provide preventative maintenance to the locking systems at their buildings. The performance of day-to-day operations, maintenance, or replacement of critical systems is essential to prevent liability to the building, its occupants, and procedures. This contract will support the City's Infrastructure Strategic Plan to provide safe, well-maintained, and aesthetically pleasing public facilities to deliver municipal services to residents and visitors; maintain and manage capital assets to preserve long-term investment, and ensure uninterrupted support services.

Procurement Information

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

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

Selected Bidders:
Anixter, Inc.
Intermountain Lock and Security Supply, dba IML Security Supply

Contract Term

The contracts will begin on or about Nov. 1, 2022, for a five-year term with no options to extend.

Financial Impact

The aggregate contracts value will not exceed $5,000,000.

Funding is available in the various Citywide departments' budgets.

This item was adopted.

21 **Maintenance Repair and Operation Supplies and Services - Amendment - 16154 - RFP (Ordinance S-49093)**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 146367 with HD Supply Facilities Maintenance, Ltd to extend the contract term for an additional year. 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-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. This extension is necessary to provide time for a new solicitation to be completed.

Contract Term

Upon approval the contract will be extended through Oct. 31, 2023.

Financial Impact

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

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Maintenance Repair and Operation Supplies and Services Contract 146367 (Ordinance S-43967) on Oct. 18, 2017.

This item was adopted.

22 **New Vehicles - State of Arizona Contract - ADSPO17-00006937 (Ordinance S-49104)**

Request to authorize the City Manager, or his designee, to execute amendments to Contracts 146167 with Courtesy Chevrolet, 146168 with LHM Ram Chrysler Jeep Dodge, 146169 with Larry Miller Toyota, and 146170 with Sanderson Ford, Inc. to extend the contract term for an additional year. 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-43943.

Summary
This contract term extension will allow the City to continue general purchases of light and medium duty vehicles on behalf of various departments on an as-needed basis due to accidents, damage, or end of useful life. The majority using departments are the Police and Water Services departments.

Contract Term
Upon approval the contract will be extended through April 30, 2023.

Financial Impact
The aggregate value of the contract will not exceed $5.6 million and no additional funds are needed.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
-New vehicles 146167,146168,146169 and 146170 (S-Ordinance 43943) on Oct. 4, 2017.
-New vehicles 146167,146168, 146169 and 146170 (S-Ordinance 44962) on Sept. 5, 2018.

This item was adopted.

23 Request for City Council to Call to Meet in Executive Session on Nov. 2, 2022

Request for the City Council to call to meet in Executive Session pursuant to Arizona Revised Statutes, section 38-431.03.A, on Nov. 2, 2022 at noon (12:00 p.m.) in the Central Conference Room, 12th Floor of Phoenix City Hall, 200 W. Washington St., Phoenix, Arizona.

Public Outreach
The Notice and Agenda for this meeting will be posted no later than 24 hours before the scheduled meeting.

This item was approved.

27 2023-24 Community Development Block Grant Public Service and Public Facility Notice of Funding Opportunity

This report requests City Council approval of the Community Development Block Grant (CDBG) Notice of Funding Opportunity

(NOFO) process and proposed priorities for the Public Service and Public Facility (PS/PF) program.

Summary

The CDBG NOFO process for the PS/PF program provides an opportunity for nonprofits to apply for funding to implement facility improvements and deliver critical programs and services that serve low- and moderate-income communities in Phoenix. The PS/PF program is an important element of the Consolidated Plan and Annual Action (AA) Plan required by the U.S. Department of Housing and Urban Development (HUD). For Fiscal Year (FY) 2023-24, Neighborhood Services Department (NSD) staff estimates approximately $176,092 in available funds for a Public Service NOFO and $483,273 in available funds for a Public Facility NOFO. Exact funding availability will not be known until HUD provides notice to entitlement agencies of their FY 2023-24 funding allocations, which is anticipated to occur in spring 2023.

Staff proposes PS/PF program priorities based on feedback received and the AA Plan process. PS priorities for the FY 2023-24 NOFO are based on community comments historically received by neighborhood leaders during outreach and engagement activities including community budget hearings, input from local nonprofits who serve low- and moderate-income Phoenix residents, and guidance from the Community Development (CD) Review Committee, a Mayor-appointed advisory board that provides recommendations regarding methods to address the needs of Phoenix neighborhoods and residents. The PF program is proposed to encompass a broad range of acquisition or facility improvement work for nonprofits to submit applications for.

Procurement Information

The proposed priorities for the FY 2023-24 NOFO are as follows:

<u>Public Service Priorities</u>
Low-Income Youth Services;
Support Services to Persons with Disabilities; and
Senior Support Services.

Staff estimates approximately $176,092 will be available for Public Service.

Public Facility Priorities

Acquisition, construction, rehabilitation, and Americans with Disabilities Act modifications to public facilities, such as senior and youth centers, neighborhood facilities, and childcare buildings.

Staff estimates approximately $483,273 will be available for Public Facility.

Tentative Schedule for FY 2023-24 PS/PF NOFO

NOFO Released - Nov. 4, 2022
Submissions Due - Dec. 20, 2022
Eligibility and Technical Reviews - January 2023
Funding Recommendations to Subcommittee - April 2023
City Council Approval - May 2023
Funding Available/Agency Contracts Executed - July 2023

Financial Impact

The programs will be funded using CDBG grant funds. There is no impact to the General Fund.

Concurrence/Previous Council Action

This item was recommended for approval at the Community and Cultural Investment Subcommittee meeting on Oct. 5, 2022, by a 3-0 vote.

This item was approved.

28 2023-24 Housing and Urban Development Consolidated Plan Annual Action Plan Process

This report requests City Council approval of the 2023-24 Consolidated Plan Annual Action Plan process.

Summary

The 2023-24 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 will begin in November 2022. 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 virtual 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 virtual 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 2023-24 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 2023 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 2023-24 Annual Action Plan in early May 2023 before it is due to HUD by May 15, 2023.

Public Outreach

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

Concurrence/Previous Council Action

The Community and Cultural Investment Subcommittee recommended approval of this item on Oct. 5, 2022, by a 3-0 vote.

This item was approved.

29 2015-20 Consolidated Plan and 2019 Annual Action Amendment

CARES Act Amendment (Ordinance S-49106)

Request City Council approval of an Amendment to the 2015-20 Consolidated Plan's 2019-20 Annual Action Plan to include the third award of Emergency Solutions Grant CARES Act (ESG-CV) funds in the amount of $155,938, and approval to take all necessary actions and execute all documents and agreements required by the U.S. Department of Housing and Urban Development (HUD) authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, enacted March 27, 2020, for the specific purpose of preventing, preparing for, and responding to the Coronavirus (COVID-19) public health crisis. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item.

Summary

The City of Phoenix received two rounds of CARES Act ESG-CV funding to help Phoenix residents, businesses, and neighborhoods prevent, prepare for, and respond to the COVID-19 pandemic. Since May 2020, the City Council has authorized the Human Services Department (HSD) to implement multiple programs by allocating the CARES Act ESG-CV funds to provide services and support to people experiencing homelessness.

The 2015-20 Consolidated Plan's 2019 Annual Action Plan defines how the City's Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) funds will be used to address the priorities and goals outlined in the five-year Consolidated Plan.

The amendment to the 2015-20 Consolidated Plan and 2019-20 Annual Action Plan includes an allocation of ESG-CV funds in the amount of $155,938 authorized by the CARES Act to support the City's effort to prevent, prepare for, and respond to the COVID-19. HUD recaptured these funds from other entitlement agencies who did not meet expenditure deadlines and reallocated these funds to the City of Phoenix to further respond to the COVID-19 pandemic.

Financial Impact

These programs are funded by HUD through the CARES Act. There is no impact to the General Fund.

Concurrence/Previous Council Action
On May 6, 2020, the City Council authorized a Substantial Amendment to the 2015-20 Consolidated Plan's 2019-20 Annual Action Plan to include the first release of allocations and waivers authorized by the CARES Act.

On Feb. 17, 2021, the City Council authorized a Substantial Amendment to the 2015-20 Consolidated Plan's 2019-20 Annual Action Plan to include the second release of allocations and waivers authorized by the CARES Act.

On Dec. 1, 2021, the City Council authorized a Substantial Amendment to the 2015-20 Consolidated Plan's 2019-20 Annual Action Plan to include the reallocation of $6 million in CARES Act CDBG funding.

On Jun. 15,2022, the City Council authorized an Amendment to the 2015-20 Consolidated Plan's 2019-20 Annual Action Plan to amend the first allocation of CARES Act CDBG funding.

Public Outreach
As part of the CARES Act, HUD approved an expedited public outreach process to allow flexibility to institute more streamlined requirements to address immediate needs relative to COVID-19. The HUD abbreviated process includes the following:

The reduction of a 30-day public comment period and the implementation of a public comment period of no less than five days in an effort to expedite the Consolidated Plan Substantial Amendment process and allow the City to respond as quickly as possible to the immediate needs in the community; and
The elimination of the in-person public hearings and the implementation of virtual public hearings when: National and/or local health authorities recommend social distancing and limiting public gatherings for public health reasons; and virtual hearings provide reasonable notification and access for citizens in accordance with Phoenix certifications, timely responses from local officials to all citizen questions and

issues, and public access to all questions and responses.

The comment period for this amendment is from Oct. 19 through Oct. 25, 2022.

This item was adopted.

30 Authorization to Amend Farming Lease with Hart Farms, LLC to Extend Term (Ordinance S-49085)

Request to authorize the City Manager, or his designee, to amend Lease 127914 with Hart Farms, LLC to extend the term for one year beginning Jan. 1, 2023 and to add three additional one-year options to extend. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

Hart Farms currently leases approximately 12.59 acres of vacant City-owned property located at 79th and Virginia avenues and is a long-term tenant in good standing. Extending the existing lease as an interim farm use will generate revenue to the City while reducing maintenance and liability costs. The lease allows the City to cancel without cause upon 90-day written notification, allowing reasonable time for harvesting crops.

The lease will be extended for one year beginning Jan. 1, 2023, through Dec. 31, 2023, and will include three additional one-year options to extend through Dec. 31, 2026. Rent during the first year of the extended term will be $210 per acre, plus applicable taxes, which is within the range of market rents as determined by the Real Estate Division. Rent will be adjusted to market rent, not to exceed five percent, at the beginning of each option period.

All other terms and conditions will remain the same.

Contract Term

One-year extension from Jan. 1, 2023, through Dec. 31, 2023, plus three additional one-year options to extend through Dec. 31, 2026.

Financial Impact

Revenue during the first year of the extended term will be $2,643.90,

plus applicable taxes.

Concurrence/Previous Council Action
Lease Agreement 127914, authorized by Ordinance S-36765 on Dec. 16, 2009.
Lease Agreement Amendments 127914-001, 002 and 003, authorized by Ordinance S-39316 on Oct. 26, 2012.
Lease Agreement Amendments 127914-004 through 009, authorized by Ordinance S-43088 on Dec. 14, 2016.

Location
West of 79th Avenue, along the south side of Virginia Avenue, identified by Maricopa County Assessor parcel number 102-38-005L.
Council District: 7

This item was adopted.

31 Tamper-Proof Trash Containers for the Downtown Area Purchase (Ordinance S-49087)

Request to authorize the City Manager, or his designee, to purchase trash containers from Lex Motorsports LLC. Further request the City Controller to disburse all funds related to this item. There is no impact to the General Fund as a result of this action. The maximum value of this one-time purchase will not exceed $79,000. Funding is available in the Downtown Community Reinvestment Fund.

Summary
In late 2021, the lack of trash cans in areas outside the Downtown Enhanced Municipal Services District was identified as a problem through meetings with the Downtown Voices Coalition and other downtown stakeholders. The lack of trash cans has been contributing to litter and blight among the affected neighborhoods. The nature and frequency of the litter could also lead to public health issues for the area. Staff and community members identified 21 locations needing trash containers.

Procurement Information
Staff conducted an informal solicitation in accordance with Administrative Regulation 3.10. Lex Motorsports offered the lowest price for trash containers that met the required specifications:

Tamper-proof
50+ gallon size - to avoid overflow
Wrappable - sides of containers can be wrapped to support installation of local art
Weather resistant - suitable for outdoor installation
Foot pedal - for contact free use

Financial Impact

The aggregate value of this purchase will not exceed $79,000. There is no impact to the General Fund; funding is available in the Downtown Community Reinvestment Fund.

Location

Bound approximately by Van Buren Street, Moreland Street, 2nd Avenue, and 7th Street
Council Districts: 7 and 8

This item was adopted.

35 Advertising and Marketing Services Contract - Request for Award - RFP- 20-005 (Ordinance S-49109)

Request to authorize the City Manager, or his designee, to enter into a contract with Kitchen Sink Creative, LLC to provide Advertising and Marketing Services for the Phoenix Convention Center Department (PCCD). Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $2,425,000.

Summary

This contract will provide Advertising and Marketing Services for the Phoenix Convention Center, Symphony Hall, and Orpheum Theatre. The PCCD operates the largest meeting and exhibition venue in the state of Arizona. The department contracts with a private agency to market and promote the Convention Center venues for local meetings, public shows, banquets and receptions, theatrical performances and social functions. The advertising and marketing firm provides consultation and creative services for print and digital advertising campaigns and programs targeting meeting, convention and trade show planners; promoters; and attendees.

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

Eleven vendors submitted proposals deemed responsive and responsible. An evaluation committee comprised of City staff and industry stakeholders evaluated those offers based on the following criteria with a maximum possible point total of 1,000.

Method of Approach (300 points)
Company and Staff Qualifications (300 points)
Creativity (200 points)
Total Cost of Services and Paid Media Placements (200 points)

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

Kitchen Sink Creative, LLC, total score 808.80

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

Financial Impact
The aggregate contract value will not exceed $2,425,000.

Funding is available in the PCCD operating budget. Approximately 60 percent of the cost for this contract will be funded with Greater Phoenix Convention and Visitors Bureau Marketing Funds, and approximately 40 percent will be funded with PCCD operating funds.

Location
Phoenix Convention Center, 100 N. 3rd St.
Symphony Hall, 75 N. 2nd St.
Orpheum Theatre, 203 W. Adams St.
Council Districts: 7 and 8

This item was adopted.

36 **Whelen Automotive Products - Amendment - IFB 18-316 (Ordinance S-49081)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 148506 with KENCO OR, LLC dba LSH Lights for the purchase of Whelen Automotive Products for the Fire Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $175,000.

Summary

This contract will provide the Fire Department with emergency lighting and associated products for fire apparatus and for use at emergency scenes. The emergency lighting on the apparatus warns other drivers that an emergency vehicle is approaching or is stopped for an emergency. Lighting at an emergency scene is critical in ensuring the safety of firefighters, the public and patients. The department has been approved for additional budget to replace existing apparatus and will need to purchase required parts from the vendor to outfit new equipment. The additional funds will also allow for adjustments in price to align with the market.

Contract Term

The contract term remains unchanged, ending on Sept. 30, 2023.

Financial Impact

Upon approval of $175,000 in additional funds, the revised aggregate value of the contract will not exceed $415,000. Funds are available in the Fire Department’s budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Whelen Automotive Products, Contract 148506, S-44990 on Sept. 19, 2018

This item was adopted.

38 **Fiscal Year 2022 Internet Crimes Against Children Task Force Program (Ordinance S-49092)**

Request retroactive authorization for the City Manager, or his designee,

to allow the Phoenix Police Department to apply for, accept, and enter into an agreement with the Office of Juvenile Justice and Delinquency Prevention for the 2022 Internet Crimes Against Children (ICAC) Task Force Program for an amount not to exceed $543,906. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Police Department commands the Arizona ICAC Task Force and has received funding through this source annually for the past several years. The goal of the task force is to improve effectiveness to prevent, interdict, investigate, and prosecute internet crimes against children and child exploitation. The Arizona ICAC Task Force is partnered with 58 law enforcement agencies statewide. Since 2006, the Arizona ICAC Task Force has conducted more than 39,483 investigations resulting in the incarceration of hundreds of offenders and provided preventative training presentations to children, parents, and community groups to educate them on how to protect children from internet crimes.

If awarded, grant funds will be used to continue reimbursing the City for the salary and fringe benefits for one sergeant position, overtime and related fringe benefits for various task force personnel, supplies, travel, training, equipment, and contracts/consultants to support the task force investigations. Funds are also shared statewide through a program that assists agencies throughout Arizona to purchase equipment and attend training.

The grant application was due on Sept. 30, 2022. If authorization is denied, the grant application will be rescinded.

Contract Term

The contract term is Oct. 1, 2022 through Sept. 30, 2023.

Financial Impact

No matching funds are required. Cost to the City would be in-kind resources only.

This item was adopted.

39 Authorization to Amend Ordinance for Fiscal Year 2021 Internet

Crimes Against Children Task Force Program Grant (Ordinance S-49113)

Request to authorize the City Manager, or his designee, to allow the Police Department to amend Ordinance S-47960 to extend the agreement with the Office of Juvenile Justice and Delinquency Prevention for the 2021 Internet Crimes Against Children (ICAC) Task Force Program for an amount not to exceed $469,451. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

In September 2021, the City Council approved the agreement for Fiscal Year 2021 Internet Crimes Against Children Task Force Program, in the amount of $469,451 from the Office of Juvenile Justice and Delinquency Prevention. The purpose of this grant was to improve effectiveness to prevent, interdict, investigate, and prosecute Internet crimes against children and child exploitation.

Funding from the Fiscal Year 2021 grant, will be used to continue reimbursing the City for the salary and fringe benefits for one sergeant position, overtime and related fringe benefits for various task force personnel, supplies, travel, training, equipment, and contracts/consultants to support the task force investigations. Funds are also shared statewide through a program that assists agencies throughout Arizona to purchase equipment and attend training.

Contract Term

The current term of this grant agreement from Oct. 1, 2021 through Sept. 30, 2022, will be extended through Dec. 31, 2022.

Financial Impact

No matching funds are required and no additional funds are awarded.

This item was adopted.

41 Victim Center Renovation Funding (Ordinance S-49114)

Request to authorize the City Manager, or his designee, to approve Police Department funding for the Victim Center Renovation up to $550,000. Further request authorization for the City Controller to disburse

all funds related to this item.

Summary

The Police Department's Family Investigation Bureau (FIB) sees over 2,400 sexual and domestic violence victims every year, the most victims anywhere in the state, yet have one of the oldest facilities in the state. Victims of all races, gender identities, and ages visit the facility, often within hours after encountering severe physical and mental trauma. The FIB also serves vulnerable victims in the LGBTQ+ community, homeless populations, and sex trafficking victims. Trauma-informed care practices have advanced over the years and highlight the need for a safe comfortable environment for victims to recount the assault to officers and collect forensics related to these traumatic experiences. The FIB needs to continue to lead the state by facilitating an advocacy center that meets the unique and fragile needs of victims of domestic and sexual violence.

The standard practice changes made by the newer advocacy centers have not been incorporated into the Phoenix Family Advocacy Center. Currently, victims do not have a private location and must wait in a public waiting area with high foot traffic. This is not ideal, as many victims are experiencing a traumatic event and are attempting to gain a sense of dignity and control of their lives that have been turned upside down. Victims must also walk past the employee break rooms, offices, file rooms, and detective cubicles to reach the interview rooms. The victim center renovation will provide a more welcoming environment, with warmer interview rooms and a pass-through entryway into the Forensic Nurse Examination rooms, allowing victims to feel more safe and secure. The private rooms will also be the central area from which victims will be walked through the investigative process. The goal is to lead the state in how we serve, protect, and mend victims of sexual and domestic violence with our various partners and the Family Advocacy Center.

A donation of $550,000 from the Phoenix Police Foundation for the Victim Center Renovation was approved at the City Council formal meeting July 1, 2022. The Police Department would match the donation amount to allow for renovation of additional areas within the Family Investigation Bureau, to offset rising costs and to purchase cubicles, furniture, and technology for the renovations.

Financial Impact
Funding up to $550,000 is available in the Police Department's Budget.

Location
2120 N. Central Ave.
Council District: 4

This item was adopted.

43 Aviation Retro-Reflective Glass Beads - Request for Award (Ordinance S-49116)

Request to authorize the City Manager, or his designee, to enter into a contract with Swarco Reflex, LLC for the supply of retro-reflective glass beads (glass beads), to enhance the airfield markings for the Aviation Department on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $2,200,000.

Summary
Airport pavement markings are a critical component of airfield visual aids and must be properly maintained. Glass beads are necessary for the airfield striping operations on runways, taxiways and ramps to enhance airfield markings at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport and Goodyear Airport. The glass beads provided under the resultant contract are required to meet Federal Aviation Administration (FAA) regulations and specifications.

Procurement Information
A Request for Qualifications RFQu 22-036 Retro-Reflective Glass Beads procurement was processed in accordance with Administrative Regulation 3.10 to establish a Qualified Vendor List (QVL).

One offeror submitted qualifications and was deemed to be responsive and responsible. The Procurement Officer evaluated the offer as pass or fail based on the following minimum qualification criteria:

Offeror had a minimum of 5 consecutive years of experience in the last 10 years in the manufacturing and/or supplying of retro-reflective glass beads
Offeror's products comply with FAA Specifications TT-B-1325D

Offeror's products comply with FAA advisory specifications for beads as specified in Advisory Circulars 150/5370-10H, 150/5340-1M

After review, the Offeror, Swarco Reflex, LLC, met the minimum qualification criteria and is being recommended for placement on the QVL.

Contract Term

The contract will begin on or about Nov. 1, 2022 for an aggregate five year term with no option to extend.

Financial Impact

The contract value will not exceed $2,200,000 for the aggregate five year contract term. Funding is available in the Aviation Department Budget.

Location

Phoenix Sky Harbor International Airport - 2485 E. Buckeye Road;
Council District: 8
Phoenix Deer Valley Airport - 702 W. Deer Valley Road;
Council District: 1
Goodyear Airport - 1658 S. Litchfield Road, Goodyear
Council District: Out of City

This item was adopted.

44 Request to Issue Air Cargo Development Revenue Contract Solicitation at Phoenix Sky Harbor International Airport

Request to authorize the City Manager, or his designee, to issue an Air Cargo Development Revenue Contract Solicitation (RCS) to solicit a developer to redevelop approximately 1,219,680 square feet (approximately 28 acres) within the northwest corner of Phoenix Sky Harbor International Airport (PHX) into an air cargo services development.

Summary

The northwest corner at PHX currently consists of hangars, covered aircraft parking, and other buildings. Most of the buildings and asphalt in this area are at the end of their useful life. In October 2021, the Aviation Department (AVN) issued a Request for Information (RFI) to potential users and developers for possible redevelopment ideas for this aging

and underutilized land in the northwest corner of PHX. The RFI received six responses: three for the development of hangars and aircraft support facilities, and three for air cargo development. AVN is now seeking a qualified developer to develop approximately 28 acres for air cargo, including air cargo buildings (warehouse), aircraft aprons, and supporting structures. The successful respondent will enter into a ground lease with AVN.

Procurement Information
AVN will conduct an RCS to select a successful respondent. Responsive and responsible respondents will be evaluated according to the following evaluation criteria:
Qualifications and Experience
Experience of Key Personnel
Method of Approach to Design, Build and Operate an Air Cargo Facility
Proposed Design Concepts
Sustainability

The highest ranked respondent will be recommended for award of a ground lease.

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

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

Contract Term
The term of the contract will be 30 years with one ten-year option to extend at the sole discretion of the Director of Aviation Services.

Financial Impact
Current rent for undeveloped land at PHX is $1.05 per square foot. Annual revenue for this ground lease will be approximately $1,280,664 per year. Rent shall be adjusted every three years on the rent commencement date according to the Phoenix-Mesa-Scottsdale

Consumer Price Index, or three percent, whichever is greater. Rent will never be adjusted to an amount less that the first year's rent or rent for the previous year. Total anticipated rent over the term of the lease will be approximately $38,419,920 if the extension option is exercised.

Concurrence/Previous Council Action
The Business and Development Subcommittee recommended approval of this item on Sept. 1, 2022 by a vote of 2-0.
The Phoenix Aviation Advisory Board recommended approval of this item on Sept. 15, 2022 by a vote of 6-0.
The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Oct. 19, 2022 by a vote of 4-0.

Location
Phoenix Sky Harbor International Airport, 2415-2799 E. Air Lane
Council District: 8

This item was approved.

45 Ground Lease with Eclat Countertops, LLC (Ordinance S-49097)

Request to authorize the City Manager, or his designee, to execute a ground lease with Eclat Countertops, LLC.

Summary
Eclat Countertops, LLC (Tenant), is located at 13 S. 32nd St. Tenant currently leases City-owned property at 3214 E. Jefferson St. (Assessor Parcel Number (APN) 121-21-020). Tenant requests to lease the City owned property at 3218 E. Jefferson St. (APN 121-21-021) for the purposes of storing granite and stone slabs as it relates to Tenant's business.

Contract Term
The term will be for two years, with two one-year options to renew. The options will be exercised at the sole discretion of the Director of Aviation Services.

Financial Impact
Rent for the first year will be approximately $7,612.50 ($1.05 per square foot) and will be adjusted based on the Phoenix-Mesa-Scottsdale Consumer Price Index. Total anticipated revenue over the term of the

lease will be approximately $30,450, if all options are exercised.

Location
Phoenix Sky Harbor International Airport - 3218 E. Jefferson St.
Council District: 8

This item was adopted.

46 Certificate of Insurance Monitoring (Ordinance S-49082)

Request to authorize the City Manager, or his designee, to enter into a contract with Exigis, LLC to provide Certificate of Insurance (COI) Monitoring 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 not exceed $230,000.

Summary
This contract will provide online comprehensive insurance certificate monitoring and tracking services. If approved, Exigis, LLC will host the web-based application and make it available to the City. Additionally, the services include necessary maintenance and support. These Certificate of Insurance services include support of the 500+ contracts within the airport system that includes Sky Harbor International Airport, Deer Valley Airport, and Goodyear Airport. Staff will oversee the compliance of insurance for all contracts and vendors using the web-based application provided by Exigis, LLC.

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

Procurement Information
A Request for Proposals for Certificate of Insurance monitoring was conducted in accordance with Administrative Regulation 3.10. Two proposals were received and one proposal was deemed responsive.

The proposal was evaluated by an evaluation panel and scored based on the following criteria, with a point range of 0-1,000 points:
Overall Qualifications and Experience of the Vendor and Key Personnel: 0-300 points.
Method of Approach: 0-275 points.
Customer Service and Training: 0-250 points.

Fee Schedule and Invoicing: 0-175 points.

The evaluation panel recommends Exigis, LLC for contract award as the best value to the City based on the consensus scores:
Exigis, LLC - 915 points.

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

Financial Impact
The contract value will not exceed $230,000 for the five-year aggregate contract term. Funding is available in the Aviation Department's budget.

Location
Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd., Phoenix, Ariz. 85034
Council District: 8

This item was adopted.

47 Used Oil and Miscellaneous Removal Services - Contract Recommendation (Ordinance S-49091)

Request to authorize the City Manager, or his designee, to enter into a contract with Agritech International, Ltd., dba Cleantech Environmental for the purpose of pick-up, off-site removal, and recycling of used and waste petroleum products from various City of Phoenix facilities. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of the contract will not exceed $112,290.

Summary
The Aviation and Public Works departments seek a contract to provide all labor, materials, equipment, transportation, reimbursements, and other incidental items necessary for the pick-up, off-site removal, and recycling of used and waste petroleum products from various City of Phoenix facilities in the metropolitan area. The used and waste petroleum products will include various oils, diesel, jet fuel, gasoline, oil filters, antifreeze and petroleum products mixed with water. The collection of used petroleum under this contract aligns with the City's Climate Action

Plan.

Procurement Information
Invitation for Bid (IFB) 23-FSD-023 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department reached out to 77 vendors and received one bid. The bid was evaluated based on responsiveness and responsibility, with Cleantech Environmental recommended for award, with grand total price as follows:

Cleantech Environmental: $8,295.00

Contract Term
The contract will begin on or about Dec. 1, 2022 for an initial three-year term, with two option years to be exercised in increments of up to one year, for total contract term of five years.

Financial Impact
The estimated annual expenditure of the contract is $22,458. The total aggregate value will not exceed $112,290 including option years.

Funding is available in the Aviation and Public Works departments' budget.

This item was adopted.

48 XT-3 Caterpillar Hose Replacement - Contract Recommendation (Ordinance S-49094)

Request to authorize the City Manager, or his designee, to enter into a contract with Empire Southwest, LLC for hydraulic hose replacement. Further request authorization for the City Controller to disburse all funds related to this item. This item will have an aggregate contract value of $3,900,000.

Summary
The Public Works Department is responsible for maintenance and repair of 249 side loader and rear loader refuse trucks. Approximately 141 of the refuse trucks will be maintained using the XT-3 caterpillar hoses as replacements. Empire Southwest will conduct a full system re-hose for each unit as well as catalog the hose to ensure size, fitting, and routing are manufactured to original equipment manufacturer specifications. The

XT-3 hose is an exclusive, Caterpillar-designed polyethylene cover that has successfully passed two million abrasion cycle tests without failure. These hoses are highly resistant to chemicals and weathering and eliminate the need for nylon and plastic, which can significantly reduce material and labor costs over time.

Procurement Information

In accordance with Administrative Regulation 3.10 normal competition was waived in lieu of a determination memo, citing sole source. Empire Southwest is the only local Caterpillar dealer in the state of Arizona, with the XT-3 hose technology being patented by Caterpillar.

Contract Term

This contract will begin on or about Dec. 1, 2022, with an initial one-year contract term, with four option years to be exercised in increments of up to one year, for a total contract term of five years.

Financial Impact

This item will have estimated annual expenditures of $780,000, with a total contract value of $3,900,000.

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

This item was adopted.

49 Security Systems Design, Installation, and Maintenance Services - Amendment (Ordinance S-49096)

Request to authorize the City Manager, or his designee, to allow additional expenditures and agreement extension for security systems design, installation, and maintenance contracts with: MSE Corporate Security doing business as ADT, LLC (Contract 140041); Climatec, LLC (Contract 140043); and Corporate Technology Solutions, LLC (Contract 140045). Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $7.7 million.

Summary

The Public Works Department is responsible for managing the security and access control systems in Citywide facilities and critical infrastructure sites. The agreements with MSE Corporate Security doing business as

ADT, LLC; Climatec, LLC; and Corporate Technology Solutions, LLC are used for preventative maintenance, troubleshooting, and system repairs to existing systems that are used throughout the City. Security maintenance services are required to maintain critical assets and infrastructure for approximately 360 buildings throughout the City. The additional funds and contract extension will allow the Public Works Department to continue ongoing maintenance and repairs of the existing systems in coordination with the Citywide Security Access and Control Project.

Procurement Information

Request for Proposal (RFP) 15-ASD-002 was conducted in accordance with Administrative Regulation 3.10. Five proposals were received by the Public Works Department on Nov. 17, 2014. An evaluation committee of City staff evaluated the offers based on the following criteria: project approach and procedures, quality management plan, statement of qualifications, certifications, and price. The evaluation committee recommended the contract award to the five firms as having highly scored, responsive, and responsible offers that were advantageous to the City.

Contract Term

The contract had an initial contract term of two years beginning Feb. 1, 2015, with three option years to be exercised in increments of up to one year. Previous City Council action approved the contracts to be extended for an additional three years, ending on Jan. 31, 2023. This request will extend the contract term for an additional one-year beginning Feb. 1, 2023, with two option years to be exercised in increments of up to one year. The contracts will expire on Jan. 31, 2026.

Financial Impact

The initial authorization for this agreement was for an expenditure not-to-exceed $15 million. The additional funds approved by previous City Council action increased the not-to-exceed amount to $19,660,000. This request will increase the authorization of the agreement by an additional $7.7 million, for a new total not-to-exceed agreement of $27,360,000.

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

Concurrence/Previous Council Action
The City Council approved agreements with MSE Corporate Security doing business as ADT, LLC (Contract 140041); Climatec, LLC (Contract 140043); and Corporate Technology Solutions, LLC (Contract 140045) on Dec. 17, 2014 (Ordinance S-41386). The City Council approved an extension and additional funding on Sept. 18, 2019 (Ordinance S-46010).

This item was adopted.

50 Purchase of Fire Tender Trucks - Contract Recommendation (Ordinance S-49098)

Request to authorize the City Manager, or his designee, to enter into a contract with Rosenbauer South Dakota, LLC for the purchase of fire tender trucks. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value will be up to $1,007,503.

Summary
The Public Works Department is seeking to purchase ladder tender trucks for the Phoenix Fire Department. These response units are imperative to the residents and visitors of the City as they respond to medical emergencies and vehicle extractions resulting from automobile accidents. With the current truck build time of 18-24 months, the units being replaced will exceed the average life span of 12 years when the new tender trucks are delivered.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived in lieu of a determination memo citing special circumstance. Due to the unique build specifications reviewed and deemed acceptable by the Phoenix Fire Department and the Public Works Department, the manufacturer Rosenbauer South Dakota is being used.

Ladder Tender: $420,114 each

Contract Term
This item will be for the one-time buy of fire tender trucks, starting on or about Council approval Oct. 26, 2022.

Financial Impact

This item will have an aggregate value of up to $1,007,503.

Funding is available in the Fire Department's budget.

This item was adopted.

51 Purchase of Fire Utility Truck - Contract Recommendation (Ordinance S-49099)

Request to authorize the City Manager, or his designee, to enter into a contract with Rosenbauer Minnesota, LLC for the purchase of a fire utility truck. Further request authorization for the City Controller to disburse all funds related to this item. This item will have an aggregate amount of up to $906,057.

Summary

The Public Works Department is seeking to purchase a fire utility truck for the Phoenix Fire Department. This unit is replacing an aging unit that is used to respond to structure fires and other multi-unit incidents, providing air from a large on-board compressor for breathing apparatus, as well as provide drinking fluid and scene lighting.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived in lieu of a determination memo citing special circumstance. Due to the unique build specifications reviewed and deemed acceptable by the Phoenix Fire Department and the Public Works Department, the manufacturer Rosenbauer Minnesota is being used.

Utility Truck: $745,820 each

Contract Term

This contract will start on or about Council approval Oct. 26, 2022 for the one-time purchase of a fire utility truck.

Financial Impact

This item will have an aggregate value of up to $906,057.

Funding is available in the Fire Department's budget.

This item was adopted.

52 Traffic Signal Control Cabinets - Amendment - IFB 18-265 (Ordinance S-49089)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 149214 with Econolite Control Products, Inc. for the purchase of traffic signal control cabinets for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $1.2 million.

Summary

This contract will provide the Street Transportation Department traffic signal control cabinets for use in new installations of signals and High-Intensity Activated CrossWalKs (HAWKS) associated with capital improvement and development projects. The cabinets will also be used to replace existing cabinets as they near end of life or are damaged. The cabinets house the components which operate traffic signals and also serve as the main distribution of voltage to the field devices. The cabinets are a vital part of the traffic signal infrastructure throughout the City, thereby supporting the safe movement of vehicular/non-vehicular traffic and pedestrians. Additional funds are needed due to increases in construction projects and accident damages.

Contract Term

The contract term remains unchanged, ending on Feb. 28, 2024.

Financial Impact

Upon approval of $1.2 million in additional funds, the revised aggregate value of the contract will not exceed $7.5 million. Funds are available in the Street Transportation Department’s budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Traffic Signal Control Cabinets, Contract 149214 (Ordinance S-45338) on Jan. 23, 2019.

This item was adopted.

53 Salt River Project Land Use License for Private Commercial

Development at 635 W. Glenrosa Ave. (Ordinance S-49095)

Request to authorize the City Manager, or his designee, to enter into a land use license with Salt River Project for a private commercial development project, The Royale, at 635 W. Glenrosa Ave. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary

The land use license is necessary to facilitate the development of property located at 635 W. Glenrosa Ave. This license will allow for construction of onsite and right-of-way improvements including sidewalk, curb, gutter and landscaping and will be consistent with, and shall not interfere with, U.S. Bureau of Reclamation fee property.

Contract Term

The term of the license shall be for 25 years beginning Nov. 1, 2022, and ending Oct. 31, 2047. The license may be renewed upon written agreement by the parties.

Financial Impact

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

Location

6th Drive and Glenrosa Ave.
Council District: 4

This item was adopted.

54 Blank Out Signs - Requirements Contract - Amendment - IFB 16-201 (Ordinance S-49107)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 143159 with SES America, Inc. to extend the contract term though Oct. 31, 2023, for the purchase of blank out signs for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $271,000.

Summary

This contract will provide blank out signs needed for traffic control during construction projects performed by the Street Transportation Department. Blank out signs are illuminated signs, which reinforce traffic signals or other traffic control devices, and discourage undesirable or unsafe motorist movements. Blank out signs can be illuminated at all times providing easily visible messages in all weather and daylight conditions, or can be illuminated only when traffic control conditions warrant their activation. The Street Transportation Department uses blank out signs for a variety of situations, but primarily to provide signage for turning movement restrictions and for additional warning around light rail train operations.

The amendment is necessary to afford the department time to develop a new scope of work to include both Downtown Message Signs and Dynamic Message Signs. This contract extension will allow time for a new competitive process and award of contract.

Contract Term

Upon approval the contract will be extended through Oct. 31, 2023.

Financial Impact

Upon approval of $271,000 in additional funds, the revised aggregate value of the contract will not exceed $1,896,000. Funds are available in the Street Transportation Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
Blank Out Signs, Contract 143159 (Ordinance S-42778) on July 1, 2016;
Blank Out Signs, Contract 143159 (Ordinance S-47692) on June 16, 2021;
Blank Out Signs, Contract 143159 (Ordinance S-48173) on Dec. 15, 2021.

This item was adopted.

56 Arizona Public Service Line Extension Agreement for Northwest Valley Transportation Project - ST85100449 (Ordinance S-49101)

Request to authorize the City Manager, or his designee, to enter into a Line Extension agreement with Arizona Public Service for installation of

electric distribution facilities associated with City of Phoenix Project ST85100449. Further request to authorize the City Controller to disburse all funds related to this item. The value of this Agreement will not exceed $178,804.63.

Summary

The City is constructing approximately three miles of arterial streets, including street lighting and landscaping that will require new electrical service for operational purposes. The Line Extension Agreement is required by Arizona Public Service in order to complete electrical design and construction to provide power for the City's requested needs along Dove Valley Road, 51st Avenue and 43rd Avenue.

Contract Term

The term of the contract will begin on or about Oct. 1, 2022, and will expire when the project is completed and accepted.

Financial Impact

Funding in the amount of $178,804.63 is available in the Street Transportation Department's Capital Improvement Program budget.

Location

Dove Valley Road from 51st Avenue to 43rd Avenue
51st and 43rd Avenues from Dove Valley Road to Carefree Highway
Council District: 1

This item was adopted.

57 Arizona Public Service Trenching Agreement for City of Phoenix Booster Pump Station 9A-B1 - WS85400007 (Ordinance S-49110)

Request to authorize the City Manager, or his designee, to enter into a Trenching Agreement with Arizona Public Service (APS), to install underground distribution facilities and relocate a transformer for project WS85400007 9A-B1, Booster Pump Station Modifications. Additionally, request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary

The City is constructing modifications to existing Booster Pump Station

9A-B1 at Cave Creek Road and Desert Willow Parkway that will require the installation of new underground electrical facilities and the relocation and replacement of a transformer. The Trenching agreement is required by APS to proceed with electrical design, as well as installation of necessary facilities to provide power for the City's requested needs.

Contract Term

The term of the agreement will begin on or about Nov. 1, 2022 and expire when the project is completed and accepted.

Financial Impact

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

Location

Cave Creek Road and Desert Willow Parkway
Council District: 2

This item was adopted.

58 Roosevelt Irrigation District Right of Way Crossing Permit for City of Phoenix Project ST87100161 - 107th Avenue; Indian School Road to Camelback Road (Ordinance S-49111)

Request to authorize the City Manager, or his designee, to enter into a Right of Way Crossing Permit with Roosevelt Irrigation District (RID) for work associated with City Project ST87100161 on 107th Avenue, from Indian School Road to Camelback Road. Additionally, request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary

The City is constructing drainage facilities at the northeast corner of 107th Avenue and Indian School Road that will convey stormwater runoff into an existing catch basin structure. A portion of this work is within Right of Way that falls under the jurisdiction of the RID. The Right of Way Crossing Permit is necessary as the approved design to complete the City's work requires crossing RID Right of Way.

Contract Term

The term of the agreement will begin on or about Nov. 1, 2022 and will expire when the project is completed and accepted.

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

Location
107th Avenue and Indian School Road
Council District: 5

This item was adopted.

59 Programmable Logic Controllers and Parts, Services - Amendment (Ordinance S-49084)

Request to authorize the City Manager, or his designee, to execute amendment to Agreement 146462 with Summit Electric Supply Company, Inc., to provide additional time, funding, and to modify the scope of work. Further request to authorize the City Controller to disburse all funds related to this item. The total cost of the Programmable Logic Controllers and Parts, Services agreement in this amendment will not exceed $2,300,000.

Summary
The purpose of the amendment is to extend the term of the agreement for an additional two years to continue to purchase Programmable Logic Controllers (PLC), Parts and Services. This amendment provides the Water Services Department (WSD) an extension of time on the current contract in lieu of a new solicitation, in light of existing supply chain issues with microchips. The current contracted vendor has established a supply chain plan for supporting WSD with the microchips needed for the PLCs. This strategy has been developed to ensure there are no interruptions in the servicing and replacement of the PLCs.

The PLCs are automated and highly complex systems that are used at water and wastewater treatment facilities as well as over 200 remote sites throughout the City. The systems allow WSD to meet regulatory performance requirements, comply with federal, state and county regulations and reporting requirements, while producing high-quality water and effluent minimizing costs through the effective use of chemicals and energy.

This amendment also allows WSD to modify the scope of work to include a consultant service component. The Posture Assessment and Consultation Services would be used by WSD Industrial Control Systems (ICS). The intent of the Posture Assessment and Consultation Services assessment is to certify the current Operational Technology security program in accordance with ICS standards. Posture Assessment and Consultation Services ensures compliance with industry-wide security policies and procedures to obtain a high-level certification for the ICS.

The additional funds requested with this amendment will provide funding for the extended two-year term as well as funding for modification of the scope of work to include the consultant service component.

Contract Term
Upon approval, the contract will be extended through Nov. 30, 2024.

Financial Impact
Upon the approval of $2,300,000 in additional funds, the revised aggregate value of the contract will not exceed $6,323,068.

Funding is available in the Water Services Department budget.

Concurrence/Previous Council Action
The City Council approved:

• Agreement with Summit Electric Supply Company, Inc. - Programmable Logic Controllers and Parts Agreement 146462 on Nov. 1, 2017;
• Amendment for additional funds add to Agreement 146462 on Oct. 2, 2019.

This item was adopted.

61 Final Plat - Bell & 34th Way Multifamily - PLAT 220031 - Northwest Corner of Bell Road and 34th Way

Plat: 220031
Project: 21-1160
Name of Plat: Bell & 34th Way Multifamily
Owner: KIW Phoenix Bell Venture, LLC

Engineer: Eric L. Sostrom, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Sept. 25, 2022
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment 220033. The sequence of the recording is that the resolution of abandonment is recorded first, and the plat second.

Location

Generally located at the northwest corner of Bell Road and 34th Way.
Council District: 2

This item was approved.

62 Final Plat - 3131 Camelback Estate - PLAT 210016 - Southwest Corner of 32nd Street and Camelback Road

Plat: 210016
Project: 99-4264
Name of Plat: 3131 Camelback Estate
Owner: 3131 Camelback Rd, LLC
Engineer: Geoffrey K. Brimhall, RLS
Request: A 2 Lot Commercial Plat
Reviewed by Staff: Sept. 20, 2022
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southwest corner of 32nd Street and Camelback Road.
Council District: 6

This item was approved.

63 Final Plat - Alphagraphics - PLAT 220058 - Southwest Corner of

Campbell Avenue and 24th Street

Plat: 220058
Project: 21-2511
Name of Plat: Alphagraphics
Owner: Campbell and 24, LLC
Engineer: James A. Brucci, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Sept. 30, 2022
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southwest corner of Campbell Avenue and 24th Street.
Council District: 6

This item was approved.

64 Final Plat - Halcyon I - PLAT 220048 - 1580 W. Garfield St.

Plat: 220048
Project: 21-5155
Name of Plat: Halcyon I
Owner: Halcyon Development Fund II, LLC
Engineer: Paul M. Miller, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Sept. 28, 2022
Final Plat requires Formal Action Only

Summary

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

Location

Located at 1580 W. Garfield St.
Council District: 7

This item was approved.

65 Abandonment of Easement - ABND 210048 - 69th Street, 70th Street and Presidio Road (Resolution 22078)

Abandonment: ABND 210048
Project: 00-4972
Applicant: Todd Ludwig
Request: To abandon the overlapping 20-foot public utility easement and 16-foot equestrian easement.
Date of Decision/Hearing: May 12, 2022

Location
69th Street, 70th Street and Presidio Road.
Council District: 2

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

This item was adopted.

66 Abandonment of Easement - ABND 220033 - 3420 E. Bell Road (Resolution 22079)

Abandonment: ABND 220033
Project: 21-1160
Applicant(s): Derek Clayton, KIW Phoenix Bell Venture, LLC
Request: A 20-foot drainage easement recorded in document 2000-678550 Maricopa County Recorder located west of 34th Way, north of Bell Road, and south of Danbury Road.
Date of Decision/Hearing: Aug. 23, 2022

Location
3420 E. Bell Road.
Council District: 2

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

This item was adopted.

67 Abandonment of Right-of-Way Easement - ABND 220020 - 2030 and

2036 E. Michigan Ave. (Resolution 22074)

Abandonment: ABND 220020
Project: 21-2889
Applicant(s): GCHI Landholding LLC
Request: Portions of 5-foot wide right-of-way easement near the southern property lines of 2030 and 2036 E. Michigan Ave.
Date of Decision/Hearing: May 12, 2022

Location
2030 and 2036 E. Michigan Ave.
Council District: 3

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

This item was adopted.

68 **Abandonment of Right-of-Way - ABND 210002 - 8th Place and Euclid Avenue (Resolution 22077)**

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

Summary
This request is to complete the abandonment as originally approved by the hearing officer as case ABND 210002. Resolution 22020, approved by City Council on May 25, 2022, resulted in the abandonment of just the western portion of the 8th Place right-of-way. This request will abandon the remaining east 25-feet of the right-of-way for 8th Place approved with ABND 210002.

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

Financial Impact

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

This item was adopted.

70 Modification of Stipulation Request for Ratification of Aug. 17, 2022 Planning Hearing Officer Action - PHO-2-22--206-86-8(7) - Approximately 340 feet north of the northwest corner of Jesse Owens Parkway and Baseline Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Aug. 17, 2022. This ratification requires formal action only.

Summary
Application: PHO-2-22--Z-206-86-8(7)
Existing Zoning: C-2 BAOD
Acreage: 1.93

Owner: Herbert and Patricia Dreiseszun Trust
Applicant: Andrew Biskind, TBBG Acquisitions LLC
Representative: Benjamin Tate, Withey Morris PLC

Proposal:
1. Deletion of Stipulation 2 regarding general conformance to the site plan submitted.
2. Modification of Stipulation 19 regarding general conformance to the site plan presented to the Planning Hearing Officer on July 26, 1989.
3. Technical corrections to Stipulations 3, 6, 8, 11, 16 and 20.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee opted not to hear this case.
Planning Hearing Officer Recommendation: The Planning Hearing Officer took the case under advisement. On Sept. 14, 2022, the Planning Hearing Officer took the case out from under advisement and recommended approval with a modification and additional stipulations.

Location
Approximately 340 feet north of the northwest corner of Jesse Owens

Parkway and Baseline Road.
Council District: 7
Parcel Address: 7400 S Jesse Owens Pkwy.

This item was approved.

71 Modification of Stipulation Request for Ratification of Sept. 21, 2022 Planning Hearing Officer Action - PHO-4-22--Z-6-04-7 - Approximately 300 feet south of the southeast corner of 107th Avenue and Lower Buckeye Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Sept. 21, 2022. This ratification requires formal action only.

Summary
Application: PHO-4-22--Z-6-04-7
Existing Zoning: C-2
Acreage: 1.68

Owner: QuikTrip Corporation
Applicant: M3 Design
Representative: M3 Design

Proposal:
1. Review of commercial elevations per Stipulation 7.
2. Technical corrections to Stipulations 1, 3, 4, 8, and 9.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard the request on Sept. 20, 2022 and recommended approval by a vote of 12-0-1.
Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with a modification and additional stipulations.

Location
Approximately 300 feet south of the southeast corner of 107th Avenue and Lower Buckeye Road.
Council District: 7
Parcel Address: N/A

This item was approved.

72 Amend City Code - Official Supplementary Zoning Map 1236 (Ordinance G-7042)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1236. 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-17-02 and the entitlements are fully vested.

Summary

To rezone a parcel located approximately 660 feet south of the southeast corner of 51st Avenue and Baseline Road
Application No.: Z-SP-17-02
Zoning: R-3 SP
Owner: Cheatham, et al., c/o Greg Alpert
Acreage: 1.43

Location

Approximately 660 feet south of the southeast corner of 51st Avenue and Baseline Road
Address: 7755 S. 51st Ave.
Council District: 8

This item was adopted.

Discussion

A motion was made and seconded to approve Items 24 and 25.

Leonard Clark thanked St. Vincent de Paul for helping the City with the homeless issue and urged Council to support these items so homeless people would have a safe place to go.

Councilmember Garcia said he supported both items, noting Item 24 was the shelter which had helped 547 unduplicated people. He conveyed the shelter was originally a heat respite site and now a successful shelter. He stated Item 25 was a program that had an 80 percent success rate of moving people to permanent housing. He acknowledged the City's investment in wrap-around services, especially expansion of this facility.

Councilman DiCiccio stated he was going to support these items as it could help people, but his concern related to the millions of dollars the City had already spent on homelessness. He requested staff provide a report to Council with measurements of success based on American Rescue Plan Act and Coronavirus Aid, Relief and Economic Security Act funds. He mentioned his other concern was the City not addressing the root cause of someone's drug and alcohol abuse when providing assistance.

Councilwoman Ansari expressed support for Item 24 and thanked Councilmember Garcia and City staff who worked on this exemplary model to homelessness solutions. She pointed out the success of the 28th and Washington streets shelter, noting people preferred that facility over other City shelters. She also thanked staff for the weekly emails with data as it was helpful as well as St. Vincent de Paul for the care they provided to this community. She mentioned a gap analysis study her office used to review homelessness addiction and food insecurities.

Councilwoman Guardado thanked everyone involved in this project and encouraged people to tour this facility. She conveyed unsheltered people needed help to get back on their feet and this was a great example of what the City should continue doing moving forward.

Vice Mayor Pastor asked what type of wrap-around services would be provided and whether this was a workforce project concerning Item 25.

Deputy City Manager Gina Montes replied this was funding for Ozanam Manor, or "Oz II," which was not part of the workforce program, but there were many wrap-around services being provided.

Office of Homeless Solutions Director Rachel Milne stated the wrap-around services at this facility consisted of case management. She conveyed the contract required every person at this facility be case managed so each individual will have a housing plan. She noted behavioral health and employment services will also be provided at Ozanam Manor II.

Vice Mayor Pastor recalled a provision about cleaning the community and she wanted to know which project required it.

Ms. Montes responded the City had plans for a sprung structure and the Arizona Department of Housing was requiring a workforce development component because of their contribution to the project. She stated community cleaning would be an example of that component, noting St. Vincent de Paul would also be administering it.

Vice Mayor Pastor requested clarification that St. Vincent de Paul and the sprung structure were subjects discussed at a prior meeting.

Ms. Montes affirmed St. Vincent de Paul would be the provider of the workforce development services at the sprung structure.

Mayor Gallego asked staff to talk about the prioritization level of people in Phoenix and if there would be outreach to homeless people near Ozanam Manor II.

Ms. Milne replied there was language in the contract that St. Vincent de Paul agreed to for prioritization of unsheltered individuals in Phoenix. She pointed out St. Vincent de Paul did outreach around the Watkins Campus, noting Ozanam Manor II would be located on that campus. She added her office had prioritization to focus on the area outside the Human Services Campus.

Mayor Gallego expressed her appreciation that each person would have a case worker and inquired what the ratio would be of case workers to people served.

Ms. Milne responded best practice was no more than 1 to 25, noting she did not have that information for Ozanam Manor II but 100 percent of those clients would be case managed.

A motion was made by Vice Mayor Pastor, seconded by Councilmember Garcia, that Items 24-25 be adopted. The motion carried by the following vote:

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

24 Request to Enter Into an Agreement with the Diocesan Council for

the Society of St. Vincent de Paul for Emergency Shelter Services (Ordinance S-49102)

Request to authorize the City Manager, or his designee, to enter into an agreement with Diocesan Council for the Society of St. Vincent de Paul (SVdP) to provide emergency shelter services at the 2739 E. Washington St. shelter (Shelter). The total value of the contract will not exceed $4 million. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available from the City's allocation of the American Rescue Plan Act (ARPA).

Summary

SVdP is currently providing emergency shelter services at the Shelter under a funding agreement with Maricopa County, who provided operational funding for the shelter from its opening in May 2022 through Oct. 31, 2022. Approval of this contract will allow for continued operations at the Shelter, via an ongoing partnership with Maricopa County to jointly fund the operations. Maricopa County will provide $4.8 million in operational funding and the City of Phoenix will supplement with up to $4 million. SVdP will continue to provide emergency shelter services for those experiencing homelessness at the Shelter. The services include: day and night time operations, including 24/7 security, beds for up to 200 individuals, three meals per day for all residents, connection to services related to ending homelessness, laundry, clothing and hygiene supplies, support of case conferencing efforts, and coordination with all other providers to connect individuals to needed services and housing.

Contract Term

The term of the contract will begin on or about Nov. 1, 2022, and end on Dec. 31, 2024.

Financial Impact

The total value of the contract will not exceed $4 million. Funding is available from ARPA. There is no impact to the General Fund.

Concurrence/Previous Council Action

This item was presented and approved as part of the ARPA Second Tranche Strategic Plan on June 7, 2022.

Location
2739 E. Washington St.
Council District: 8

This item was adopted.

25 Request to Enter Into Agreements with the Diocesan Council for the Society of St. Vincent de Paul and its Wholly-Owned Subsidiary for Transitional Housing and Associated Intergovernmental Agreements (Ordinance S-49103)

Request to authorize the City Manager, or his designee, to enter into agreements with Diocesan Council for the Society of St. Vincent de Paul (SVdP) and its wholly-own subsidiary to provide up to $6 million in funding to assist with the construction of a new 100-bed transitional housing facility for individuals experiencing homelessness. The total value of the contract will not exceed $6 million. Further request to authorize the City Controller to disburse all funds related to this item. Further request to authorize the City Manager, or his designee, to enter into Intergovernmental Agreements (IGAs) with other public entities funding this project, including Maricopa County and the State of Arizona, as necessary and appropriate to coordinate efforts and funding related to this project. There will be no funding associated with any IGA entered into in connection with this project. Funding for the agreement with SVdP and its wholly-owned subsidary is available from the City's allocation of the American Rescue Plan Act (ARPA).

Summary
SVdP or its wholly-owned subsidiary will increase the number of available beds for individuals experiencing homelessness by supplementing the existing 60-bed Ozanam Manor transitional housing program. SVdP or its wholly-owned subsidiary will construct a new Ozanam Manor or "Oz II" facility (308 W. Watkins Rd.) on the same campus. This expansion will include 100 additional beds where the agency will be able to provide wrap-around supportive services. The program's goal is to support residents of the new transitional housing program with securing permanent positive housing that ends their cycle of homelessness. The program will foster a sense of community through safety, stability, support, and structure. SVdP is contemplating using a wholly-owned

subsidiary for aspects of the project. Staff have included the option to contract with an SVdP wholly-owned subsidiary in this action to preserve flexibility to complete this transaction in a manner acceptable to the various interested parties. This project is critical to the overall health and safety of the Phoenix community and will target individuals experiencing homelessness in the community due to the adverse effects caused by COVID-19 and will help reduce the likelihood of further spread of the virus.

Contract Term
The term of the contract will begin on or about Oct. 1, 2022, and end on Dec. 31, 2024.

Financial Impact
The total value of the contract will not exceed $6 million. Funding is available from ARPA. There is not impact to the General Fund.

Concurrence/Previous Council Action
This item was approved as part of the ARPA Second Tranche Strategic Plan at Policy Session on June 7, 2022.

Location
Council District: 8

This item was adopted.

26 Homeless Services Sprung Structure II - Architectural and Engineering Services - HS99990003 (Ordinance S-49118)

Request to authorize the City Manager, or his designee, to enter into an agreement with RPM Team, LLC, to provide Architectural and Engineering Services that include assessment, design, and possible construction administration and inspection services for the Homeless Services Sprung Structure II 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 $270,000. Funding is available from the City's allocation of the American Rescue Plan Act (ARPA) received from the federal government and is part of the Homelessness Projects program of

the strategic plan.

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

Summary

The purpose of this project is to provide the City's Homeless Services Division with the architectural and engineering design for a warm shell, insulated Sprung Structure, and 25-50 non-congregate modular units with supporting modular facilities for showers and restrooms, and site development to offer respite, sleeping quarters, and services infrastructure for individuals experiencing homelessness.

This congregate and non-congregate shelter site will offer unsheltered individuals with cool, safe shelter and support services ahead of the 2023 heat season. The Sprung Structure campus will be located on a City-owned parcel and is a more rapid and cost-effective way to shelter individuals than a traditional building.

RPM Team, LLC's services include, but are not limited to: architectural services; civil, mechanical, electrical and plumbing engineering services; landscape architectural services; and construction administration and inspection services. RPM Team, LLC will help to expedite this project with pre-engineered and pre-fabricated building products as a turnkey program management firm which previously provided invaluable management for the City's first experience with a Sprung Structure located at the Human Services Campus in downtown Phoenix.

Procurement Information

RPM Team, LLC was chosen for this project using a Direct Select process set forth in section 34-103 of the Arizona Revised Statutes (A.R.S.). The Direct Select process reduces time to procure architectural and engineering services as opposed to an advertised selection process, meeting project deadlines, ensuring continuity, and the most efficient use of staff and funding resources. This non-competitive procurement is authorized under City Administrative Regulation 3.25, subsections (VII)(C), A.R.S. Section 34-103D, and 2 CFR 200.320(c)(3).

Contract Term

The term of the agreement is 250 calendar days from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for RPM Team, LLC will not exceed $270,000, including all subconsultant and reimbursable costs.

Funding is available from ARPA and is part of the Homelessness Projects program. 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

2225 W. Lower Buckeye Road
Council District: 7

Discussion

A motion was made and seconded to approve this item.

Councilwoman Ansari remarked this was another sprung structure with plans to incorporate another 25-50 smaller homes that would house 1 individual each which would equal up to 250 people served with this new addition. She recently asked for a 2022 preliminary report from staff which showed the County confirmed 331 heat deaths with 128 still under

investigation. She continued 80 percent of heat deaths occurred outside and out of the 66 indoor heat-related deaths, 62 were due to lack of air-conditioning, electricity and something preventable. She concluded of the 183 heat-related deaths identified in Phoenix, 91 were unsheltered individuals and 122 of those involved drug or alcohol use. She suggested the City modify its outreach strategies and wanted to make sure expertise in substance abuse were in place as well as detox facilities around the City. She also requested the City prioritize outreach in the area around "The Zone" for this new shelter to reduce the number of homeless people in the area. She expressed she looked forward to working with staff to make this new shelter a success and point of pride in the community. She inquired about lessons learned from the first sprung structure project by "The Zone" and any implementation changes with this new project.

Office of Homeless Solutions Director Rachel Milne responded one of things staff has learned from the first sprung structure on the Human Services Campus was there was not enough community space. She conveyed this new site would have multiple structures and more community space. She added another lesson learned was bunk beds did not always work, noting the City wanted to achieve the 200 capacity in the congregate setting but bunk beds would be limited.

Deputy Human Services Director Scott Hall added another lesson was the City was looking to be more diverse in where shelters were located because concentrating them in one location had consequences. He stated staff wanted to pilot non-congregate settings within the sprung structure to see if things could be accomplished in smaller environments with different entities. He remarked staff was also looking at transportation issues to mitigate the impact of accessibility and walking issues of the unsheltered population. He emphasized staff was taking all the lessons learned and improving with this new shelter project.

Councilwoman Ansari asked how the sprung structures and modular homes would work together.

Ms. Milne replied this would be one large project, noting staff was using the qualified vendor list to select an operator. She pointed out the

operator would be in charge of the entire shelter, both the congregate settings and smaller modular units.

Councilwoman Ansari said it was important to get this done before the peak heat season next year and wanted to know the timeline for this project.

Ms. Milne responded staff had a detailed timeline of all the goals that needed to be met, but this action was the first step to move forward with planning. She emphasized the goal was to have this project open by May 2023, noting it would take nine months so this project had tight deadlines.

Councilwoman Ansari thanked staff for their work on this item and expressed her excitement for this project.

NOTE: Mayor Gallego temporarily left the voting body. Vice Mayor Pastor assumed the Chair.

Councilmember Garcia recognized City staff and Councilwoman Ansari for their efforts as this mobile shelter was important. He questioned what access to services would look like and storage at this shelter.

Mr. Hall replied the City started a property project several years ago and donated storage bins that were immediately used at the Human Services Campus. He stated the City had a pilot program with a shipping container which would be used during cleanups around the Human Services Campus. He emphasized any shelter project going forward would have a storage component because no one should have to give up their belongings to obtain a shelter bed. He remarked the City would not interrupt connection to existing services an individual had prior to entering a shelter. He added the City would mitigate transportation for individuals who had appointments for apartment searching or getting identification, noting this shelter location had bus service.

Councilmember Garcia reiterated his thanks to City staff for their efforts as there were two models, one was repurposing a facility and the other was this sprung structure on an empty lot. He stressed these models should be shared with the county or other cities as examples of how to

improve people's lives throughout the state.

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

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

No: 0

Absent: 1 - Mayor Gallego

32 Hermosillo, Mexico Trade Development Services Contract Award - RFP-CED22-HTDS (Ordinance S-49105)

Request to authorize the City Manager, or his designee, to contract with Discover Phoenix and Arizona LLC to provide trade development consulting services in and around Hermosillo, Mexico. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate amount for the first two years this contract will not exceed $280,000. Funding is available in Community and Economic Development Department's General Fund budget.

Summary

In May 2022, City Council authorized staff to issue a Request for Proposals (RFP) for Hermosillo, Mexico Trade Development Services to facilitate activity between Hermosillo and Phoenix. A one-year contract for Trade Development Services was approved last year and expires on Nov. 26, 2022. This contract award will allow trade development services to continue beyond the expiration of the current contract.

If approved, Discover Phoenix and Arizona, LLC will:

Operate the City's trade development services office in Hermosillo, Mexico.

Assist Phoenix companies with supply chain sourcing opportunities in Mexico.

Develop and enhance business to business connections between Mexico-based companies and Phoenix-based companies.

Foster Phoenix business expansion connections for Mexico-based companies seeking growth opportunities in the U.S.

Identify perspective Phoenix investments for Mexico-based investors seeking both development investment opportunities and business ventures in the U.S.

Procurement Information

RFP-CED22-HTDS, Hermosillo Trade Development Services, was issued on June 13, 2022 and conducted in accordance with Administrative Regulation 3.10. The City received one responsive proposal for this solicitation. Staff recommends moving forward with Discover Phoenix and Arizona LLC, the sole responsive proposer, as the recommended proposer for this business opportunity.

Contract Term

If approved, the term of the contract will be one year with four one-year renewal options to be exercised at the City's discretion. Staff will return to Council for approval of additional funding before subsequent option years, three, four, and five are exercised.

Financial Impact

The aggregate amount for the first two years of this contract will not exceed $280,000. Funding is available in Department's General Fund budget.

Concurrence/Previous Council Action

On May 25, 2022, City Council authorized staff to issue an RFP for Hermosillo, Mexico Trade Development Services to facilitate economic activity between Mexico and Phoenix. This item was recommended for approval by the Economic Development and Equity Subcommittee at its Sept. 28, 2022 meeting by a vote of 4-0.

Discussion

A motion was made and seconded to approve this item.

NOTE: Mayor Gallego returned to the voting body and resumed as Chair.

Councilwoman Guardado said she supported this item and thanked Community and Economic Development Department staff for their hard work on this contract. She mentioned she recently attended the Arizona Fresh ground-breaking ceremony in South Phoenix with Councilmember

Garcia, noting this project would help address the agricultural supply chain issues. She conveyed this item would strengthen the trade relationship through business expansions in Mexico and investment opportunities in Phoenix.

Councilmember Garcia also thanked staff, including the two individuals representing the City in Hermosillo, for their work on this item. He recalled himself and Councilwoman Guardado attending the re-opening of the office in Hermosillo. He remarked the City needed to continue strengthening this relationship and said he looked forward to growing the Arizona Fresh project. He expressed his excitement about Mexico businesses coming to Phoenix as well as City residents and partners working in Hermosillo and the region.

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

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

No: 1 - Councilman Waring

Discussion

A motion was made and seconded to approve Items 33 and 34.

Mayor Gallego remarked Downtown Phoenix was going into a major season which included Super Bowl events. She mentioned a representative from the Downtown Enhanced Municipal Services District was present to speak, if needed.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that Items 33-34 be adopted. The motion carried by the following vote:

Yes: 7 - Councilwoman Ansari, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Vice Mayor Pastor and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

33 2023 Downtown Enhanced Municipal Services District Budget, Assessments and Set Public Hearing Date (Resolution 22075)

Request City Council approval of the 2023 Downtown Enhanced Municipal Services District (Downtown EMSD) proposed budget, assessments on the Downtown EMSD, and set the date of Nov. 16, 2022 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 $439,108.

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. 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.

2023 Downtown EMSD Proposed Budget

The work plan and budget for calendar year (CY) 2023 provides a variety of enhanced services in the downtown core, including business improvement services and overall business development.

In July 2022, the Downtown EMSD Board of Directors, which includes representatives of the City and other Downtown EMSD property owners, approved the proposed CY 2023 Downtown EMSD budget of $4,706,256. See **Attachment B** for a 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 2023 assessment revenue of $4,556,256 represents a 7.69 percent increase over the CY 2022 assessments, or approximately $325,321. The CY 2023 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 CY 2023 Downtown EMSD Diagram are based on the estimate of expenses and property data available as of April 19, 2022.

Estimated 2023 District Budget: $4,706,256
Estimated 2023 Assessment Revenue: $4,556,256
Estimated 2023 Non-assessment Revenue: $150,000

Public Hearing Date
It is requested that the City Council set the date of Nov. 16, 2022 as the date for the public hearing on the 2023 Downtown EMSD assessments.

Financial Impact
The City's total estimated annual expenditure for this program is $1,497,884, which includes:

- $439,108 from the General Fund (approximate $10,556 decrease from 2022);
- $626,558 from the Phoenix Convention Center;
- $150,118 from the Sports Facilities Fund;
- $10,486 from the Phoenix Bioscience Core; and
- $271,614 from collections from tenants on City-owned properties.

Concurrence/Previous Council Action
The Economic Development and Equity Subcommittee approved the 2023 Downtown EMSD work plan and budget on Sept. 28, 2022, 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. 16, 2022 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. 2, 2022
- Nov. 4, 2022

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

This item was adopted.

34 2023 Downtown Enhanced Municipal Services District Assessment Diagram (Resolution 22076)

Request City Council approval of the 2023 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 2023 Downtown EMSD Assessment Diagram (**Attachment A** - 2023 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 phoenix.gov/econdev/Reports-Maps. The proposed assessments and Calendar Year (CY) 2023 Downtown EMSD Diagram are based on the estimate of expenses and property data available as of April 19, 2022. The proposed diagram was completed on Sept. 15, 2022. Per Arizona Revised Statutes (A.R.S.) 48- 575(d) the 2023 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 from the enhanced municipal services are excluded from this proposed 2023 Downtown EMSD Diagram.

This request for City Council action includes a Resolution approving the CY 2023 Downtown EMSD Diagram.

Financial Impact
There is no financial impact for approving the 2023 Downtown EMSD Diagram.

Concurrence/Previous Council Action
The Economic Development and Equity Subcommittee approved the 2023 Downtown EMSD work plan and budget on Sept. 28, 2022, 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. 16, 2022 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 City's 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. 2, 2022
Nov. 4, 2022

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

This item was adopted.

37 Motorcycles and Off Highway Vehicles - Amendment - ADSPO 18-202493 (Ordinance S-49117)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contracts 149453 with Go AZ Motorcycle/LZ Delta LLC, and 149452 with C & W Motors Inc (D.B.A Ridenow Powersports Chandler) for the purchase of police motorcycles and off highway vehicles by the Public Works Department on behalf of the Police Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $1,650,000.

Summary

This contract will provide the Public Works Department the ability to purchase motorcycles on behalf of the Police Department as well as other small off-road vehicles if needed by other departments. These motorcycles will replace aging units averaging 12 years old and allow the officers to safely respond to emergency situations. The small off-road equipment also allows City employees to perform their job duties in a safe and efficient manner.

Contract Term

The contract term remains unchanged, ending on Feb. 29, 2024.

Financial Impact

Upon approval of $1,650,000 in additional funds, the revised aggregate value of the contracts will not exceed $4,170,000. Funding is available in the Police Department’s budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Motorcycles and Off Highway Vehicles Contracts 149452,149453 (Ordinance S-45401) on Feb. 20, 2019;

• Motorcycles and Off Highway Vehicles Contracts 149452,149453 (Ordinance S-47573) on May 19, 2021.

Discussion

A motion was made and seconded to approve this item.

Leonard Clark spoke in support and expressed Phoenix should be the

leader in technology, especially with drones as they could be used in rescue efforts.

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

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

No: 0

40 Authorize Recommended Changes to 2023 Neighborhood Block Watch Grant Application Guide and Program Process (Ordinance S-49108)

Request to authorize the City Manger, or his designee, to approve of changes to the 2023 Neighborhood Block Watch Grant Program (NBWGP) application guide and program process, as recommended by the Neighborhood Block Watch Oversight Committee.

Summary

The NBWGP Oversight Committee was established to solicit, evaluate, and recommend, to the Mayor and City Council, appropriate proposals to expend funds for the expansion of the Block Watch programs within the limits of the Neighborhood Protection Ordinance. This ordinance, known as Proposition 301, was adopted at a special election held on Oct. 5, 1993. The City Council adopted the format and guidelines for this process on April 26, 1994. The NBWGP is administered by the Police Department.

The NBWGP Oversight Committee reviewed and approved requests to change the NBWGP grant application and program process during their meeting on Sept. 22, 2022. The NBWGP Oversight Committee is recommending the following changes become effective for the 2023 Neighborhood Block Watch Grant application process, which opens on Nov. 1, 2022.

The following is a list of the significant NBWGP Oversight Committee recommended changes to the 2023 NBWGP Application Guide

(Attachment A):

1. Amend the application guide to close the grant application process Monday, December 5, 2022 at 4:00 p.m., Arizona time.

2. On page 5, **Evaluation of Application**, replace "NOTE: LINE-ITEM VETOES ARE PROHIBITED," with the following language, "The purpose of a grant is to enhance crime prevention, safety, and quality of life issues in the City of Phoenix. Line-item vetoes can be applied when at least two-thirds of attending committee members agree that the item does not meet these criteria."

3. One page 6, **Responsible Party Contact Information/ Grant Contract Signers**, add "A Co-Applicant Group is limited to one grant application per grant year, unless it is a City of Phoenix Department."

4. On pages 7 and 8, **Budget Categories and Description**

- **Personnel -** add “to pay Block Watch members for any services is strictly prohibited.”
- **Volunteer hour contributions -** add "These hours should be directly related to grant projects to include but not limited to, Phoenix Neighborhood Patrol; Alley Cleanups; GAIN; and/or Newsletters."
- **Operational expenses -** add "Events funded by grant funds cannot solicit and/or accept funds such as admission or booth fees for that event."
- **Equipment/Supplies -** add "Supplies necessary to maintain gates for the Gated Alley Program."

5. On page 11, **Multiple Applications**, add "In the case where more than two applications are submitted under the same NSD listing number, the application(s) with the primary applicant recognized as primary contact by the Neighborhood Services Department will take precedence."

6. On page 11, **Required Documents**, change “Applicants requesting between $1 and $1,000 to **“$1 and $3,000”**; $1,001 and $12,000 to **“$3,001 to $15,000”**.

7. On page 12, **Grant Dollar Limitations**, change $12,000 to **$15,000**.

8. On page 14, **Prohibited and Restricted Use of Funds**, add “All expenditures from provided grant funds shall be made only in accordance with Grantee’s budget as set forth in the approved grant application and proposal, or as modified by agreement in writing signed by City and Grantee.”

9. On pages 14 and 15, **Prohibited Items List**

- Remove “Entertainment, parties, and recognition dinners not designated as a GAIN event"
- Remove “Food or beverages of any kind, including consumable prizes or incentives in the form of food or beverages"
- Add “Entertainment, parties, and recognition dinners, unless they include a crime prevention, safety, and/or quality of life improvement component, such as a GAIN event"
- Add “Police Scanners”

10. On pages 16, 17, and 18, **Restricted Items Chart**

- Change to, “Laptops, computers, tablets, or notebooks **($1,500** per grant year **$750** per item; no more than two items per grant year; **limited to a purchase of two items total every three grant years**"
- Change to, "Two-way Radios, **including accessories (per radio)**"
- Remove, “Police Scanners (per item)"
- Change to, "**Entertainer/Entertainment group to include** Face Painter(s), Disc Jockey(s), or Balloon Artist(s) (each artist/group, per event)"
- Add, “Food or beverages of any kind; must be for the use of crime prevention, safety, quality of life, or Wake-Up Clubs”
- Add, “Generators”
- Add, "Bicycles ($500 per item; no more than two items per grant year)"
- Remove, “Craft/ Gardening Supplies"
- Change to, "Sports Equipment and Supplies"
- Change to, "Laptops, computers, tablets, or notebooks are

restricted to a maximum of **$1,500** per application (in addition to **$750** per item restriction); **no more than two items per grant year; limited to a purchase of two items total every three grant years"**

11. **Insurance Requirement**, add, (for Primary Applicant Group Only).

Contract Term
The funding period for the 2023 NBWGP grants is July 1, 2023 through June 30, 2024.

Financial Impact
No matching funds are required.

Concurrence/Previous Council Action
This item was recommended for approval by the Public Safety and Justice Subcommittee at the Oct. 12, 2022, meeting by a vote of 4-0.

Discussion
A motion was made and seconded to approve this item.

Mayor Gallego thanked the committee for their hard work on both the guide book and process.

Councilwoman Stark thanked the committee for recommending these revisions to the application guide. She noted the revisions to the grant dollar limitation from $12,000 to $15,000 and line-item veto which would help in the decision-making process. She expressed her excitement for the line-item veto because the committee could strike a line that did not comply and approve the rest of the application. She also thanked Executive Assistant Police Chief Michael Kurtenbach for his hard work on this committee and said she would be supporting this item.

Councilwoman O'Brien thanked committee members for their countless hours of work reviewing the guide and applications. She stated she appreciated the line-item veto recommendation as it would provide more flexibility in approving more applications by striking lines that were non-compliant. She provided a document to Council about adding an appeal process to the guide so organizations and block watches could

appeal line-item vetoes and requested the committee chair talk about that process.

Neighborhood Block Watch Grant Program (NBWGP) Oversight Committee Chair Carmen Arias thanked Councilwoman Stark for the kind words as the committee members were a dedicated group. Ms. Arias stated the line-item veto provided the committee an opportunity to approve a grant that would not have been denied due to a non-compliant item. She conveyed the ability to appeal was done in the past and could continue that in the future, especially with the language provided by Councilwoman O'Brien.

Councilwoman O'Brien requested a friendly amendment to add the language she provided to Council in the guide.

Vice Mayor Pastor and Councilwoman Stark accepted the friendly amendment.

Councilwoman O'Brien thanked staff for assisting her with the language.

Councilwoman Ansari wished to echo her thanks to the committee members, especially Ms. Arias and Vice Chair Jennifer Rouse for all of their work on this item. Councilwoman Ansari expressed her excitement the City would be supporting more groups and increasing the award allocation, noting the line-item veto would resolve a lot of issues in the future.

Mayor Gallego recalled a debate during Getting Arizona Involved in Neighborhoods (G.A.I.N.) events was whether food could be included and confirmed it could be part of a group's application as food brought people together which increased community building. She pointed out this program was approved by voters, noting it could be impacted if residential rental tax was eliminated. She emphasized this program was important for investing in neighborhoods.

Vice Mayor Pastor asked if lighting in alleys was part of the block watch grant application.

Ms. Arias affirmed it was; however, alley cameras were not included.

Vice Mayor Pastor inquired about gated alleys.

Ms. Arias replied the committee added to the new grant the ability to request payment for repair and maintenance of gated alleys.

Vice Mayor Pastor said she appreciated that piece as they needed to be maintained and that would give neighborhoods access to money for it. She thanked Ms. Arias and the committee for their hard work.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that this item be adopted as amended to add an appeal process to the guide as follows: the NBWGP Oversight Committee has an appeal process in place for applications that were not awarded either the entire grant amount requested or portions of the grant amount requested. Only the application contact and/or grant signers are allowed to present the appeal. Appeals must be submitted via e-mail to mbwgrants.ppd@phoenix.gov by date TBD by 5:00 p.m. Appeals will be heard in the order the e-mail (requesting an appeal) is received by NBW Grant staff. Appeals will be heard at the NBWGP Oversight Committee meeting(s). The motion carried by the following vote:

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

No: 0

42 Add Civilian Positions in Police Department for Staffing Relief (Ordinance S-49115)

Request to authorize the City Manager, or his designee, to allow the Phoenix Police Department to add eight civilian positions, eight vehicles, and related equipment to the Patrol Division to provide staffing relief. The estimated cost of these additions is $795,000.

Summary

The Phoenix Police Department (PPD) requests to add eight Police Assistant positions, eight vehicles, and related equipment **(Attachment A)** to the Patrol Division to respond to non-emergency call types. The

Police Department collaborated with Arizona State University (ASU) to assess current responses to citizen requests for police services through research of best practices by other jurisdictions and viable alternative responses. This research was conducted to recommend improvements that will ensure responses are effective, efficient, and equitable. The study focused on alternative responses to citizen requests for police services for eight non-emergency calls for services.

Of the eight different call types discussed in the study, ASU and PPD identified four types that can be responded to in a more optimal manner in the near-term. The four call types include found property, abandoned vehicles, parking complaints, and minor damage/non-injury vehicle collisions. The Police Assistants will respond to these type of calls, which make up roughly 25,000-30,000 calls for service annually.

Found Property

Arizona statute §12-940 defines found property as "means recovered, lost, surrendered, abandoned, or otherwise received property that is turned over to a public agency where the owner may or may not be known and not classified as evidence." Property that is found has liability for the finder. In certain situations, a police response is necessary since the items are illegal to possess, dangerous, known, or likely to be stolen, or match a report of lost property. Some property that is illegal to possess includes firearms, narcotics, or items that might be dangerous to handle.

Recommendations:

PPD will continue to dispatch officers to found property involving firearms, narcotics, identifiable stolen items, and/or items that could be dangerous to the public.

For items not described above, PPD will request the finder to bring the property to a PPD precinct.

PPD will enhance online community messaging related to information and resources on this topic.

Abandoned Vehicles

According to current PPD Operations Orders related to an inoperable vehicle on a public right of way, employees will check the vehicle through the Arizona Crime Information Center (ACIC) and National Crime

Information Center (NCIC) then issue a Notice of Violation if the owner can be established. The employee will request a contracted tow company to have the vehicle towed as soon as possible. An operable vehicle left on a public street is considered abandoned if it has been left for 72 continuous hours. The employee will contact the owner to ask them to move it and the vehicle will be “red tagged” with a vehicle removal notification. The employee must recheck the vehicle 48-72 hours later and contact a towing company if the owner cannot be contacted.

Recommendations:

PPD will work to enhance the capacity of the Police Assistant job classification to be the primary responder to abandoned vehicle calls for service.

Parking Complaints

Illegal parking is a Priority 3 call. Citizens can report vehicles parked illegally by calling the traffic hotline, the non-emergency line, or reporting it through an online form. The online format allows for a specific description of the problem. If the vehicle is on the street and there is a posted "no parking" sign, an officer will be dispatched to tag the vehicle. If the vehicle is on private property, the officer will ask the property owner to call a towing company.

Recommendations:

PPD will work to enhance the capacity of the Police Assistant job classification to be the primary responder to parking complaints.

PPD will draft a new policy for parking enforcement to clearly define what is considered a Road Safety Hazard (RSH). A RSH is currently described as a vehicle parked in the way that could impact public safety.

If a call is deemed by dispatchers to be a RSH, per policy, it will be dispatched to a sworn officer or a Police Assistant.

If a call is not deemed to be a RSH, then it will be sent to a Police Assistant between 8:00 a.m. and 6:00 p.m.

PPD will enhance online community messaging related to information and resources on the topic.

Minor-Damage/Non-Injury Vehicle Collisions

These collisions are commonly referred to as "fender-benders" and include accidents that result in minor damages to the vehicles. PPD classifies minor collision calls for service as Priority 2. Most of the investigation and documentation of minor collisions serves the interests of the automobile insurance industry in their claims-adjusting process.

Recommendations:

PPD will work to enhance the capacity of the Police Assistant job classification to be the primary responder to minor-damage/non-injury vehicle collisions.

Concurrence/Previous Council Action

The Public Safety and Justice Subcommittee recommended approval for this item on Oct. 12, 2022 by a vote of 4-0.

Financial Impact

The additional cost of $795,000 for the Police Department's eight positions, vehicles, and related equipment will be added to the Police Department's budget in the budget development process.

Discussion

A motion was made and seconded to approve this item.

Councilwoman O'Brien stated the police force was critically under-staffed, noting lack of recruits and high turnover was a consistent issue for all precincts resulting in active officers unable to meet the City's demand. She remarked she held monthly community meetings and many in attendance were neighborhood and block watch leaders who want to see more civilian staff support. She conveyed civilian staff could be an asset by taking over administrative and clerical tasks which would keep uniformed officers on patrol, and said she supported this item.

Councilwoman Stark recalled the City already had a program of volunteers who helped with parking and wanted to know if this would complement those volunteers.

Assistant Police Chief Sean Connolly replied the department had a group of professional civilian staff who helped augment the daily duties of police officers, noting there were 130 police assistants throughout the

department with 18 of them in the patrol division. He advised these 8 police assistants would be assigned to the patrol division to further assist police officers and focus on crime fighting versus non-criminal calls. He added these police assistants would have a vehicle and equipment to assist in the field, especially with non-injury accidents.

Councilwoman Stark said she was glad the department used volunteers for motorist assistance.

Mr. Connolly mentioned the department had a volunteer program that was run by the community engagement bureau which included the motorist assistance.

Councilwoman Ansari stated she supported this item, noting the Arizona State University (ASU) study being done to look at functions within the Police Department that do not require uniformed officers. She expressed she wanted to see more of this work being done to hire civilian positions as it could help with recruitment and staffing issues.

Mayor Gallego thanked the Public Safety and Justice Subcommittee members for bringing this item forward. She remarked this was an example of the City's partnership with ASU which helped set up best practices and policy options to serve citizens more effectively.

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

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

No: 0

55 Salt River Project Distribution Design and Construction Contract for Palo Verde Golf Course Maintenance Building - PA75300226 (Ordinance S-49100)

Request to authorize the City Manager, or his designee, to enter into a Distribution Design and Construction Contract with Salt River Project

(SRP) for design and construction of electrical facilities at Palo Verde Golf Course for City of Phoenix Project PA75300226. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. Additionally request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $18,726.37.

Summary

The City is demolishing and constructing a new golf cart maintenance building at Palo Verde Golf Course located at 6215 N. 15th Ave. which will require design and construction of new electrical facilities. This contract represents the cost for Salt River Project's design and construction in order to provide power services to the new golf cart maintenance building.

Contract Term

The contract will begin on or about Oct. 31, 2022 and will expire when the project is completed and accepted.

Financial Impact

Funding in the amount of $18,726.37 is available in the Parks and Recreation Department's Capital Improvement Program budget.

Location

6215 N. 15th Ave.
Council District: 5

Discussion

A motion was made and seconded to approve this item.

Jeremy Thacker said he was opposed to any additions to City golf courses as it was misappropriation of funds for a small percentage of users.

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

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

No: 1 - Councilman Waring

60 **Memorandum of Understanding Among Denver Water, the Southern Nevada Water Authority, the Metropolitan Water District of Southern California, and others to Commit to Further Water Conservation in the Colorado River Basin (Ordinance S-49112)**

Request to authorize the City Manager, or his designee, to sign a Memorandum of Understanding by, and among, Colorado River Basin Municipal and Public Water Providers, including Denver Water, the Southern Nevada Water Authority, the Metropolitan Water District of Southern California, and other water providers to commit to further water conservation measures.

Summary

The Colorado River is in serious decline. In June 2022, the United States Bureau of Reclamation requested that Colorado River water users reduce their demand beginning in 2023. The request was for reduction in use by 2 to 4 million acre-feet in order to stop the declines in the two major reservoirs on the Colorado River, Lake Mead and Lake Powell. While there is no plan to accomplish that reduction to date, cities throughout the Western United States are signing a Memorandum of Understanding (MOU), committing to take additional actions to increase water efficiency and conservation. These commitments include continuing and expanding water conservation programs, introducing a program to reduce non-functional turf grass by 30 percent, increasing water reuse and recycling programs, implementing best practices to accelerate efficiency strategies, and collaborating with other water users in the Colorado River basin to bring supply and demand into balance.

Phoenix has a proven history of water conservation, reducing per capita use by 30 percent over the last 30 years. The Phoenix City Council renewed that commitment to water efficiency in 2019 by adopting the recommendations of the Ad Hoc Water Conservation Committee to enhance or initiate 12 water conservation programs. Since that time, Phoenix has hired 5 additional staff members and started implementation

of those recommendations. While municipal conservation alone cannot yield sufficient water savings to meet the request of the Bureau of Reclamation, this MOU offers Phoenix an opportunity to collaborate with other municipal water providers throughout the seven Colorado River basin states in sharing best practices and committing to improving water conservation efforts.

The MOU has an indefinite term, but staff anticipates significant action will be required in the next two years by the basin states or the Federal Government to avoid a catastrophic collapse of the Colorado River system.

Financial Impact

There are no specific financial impacts resulting from the MOU. It does not require a specific investment and the Water Services Department is already conducting many of the water conservation measures referred to in the MOU. Additional investments in water conservation will be forthcoming in the Water Services Department's annual budget.

Discussion

A motion was made and seconded to approve this item.

Councilwoman O'Brien stated this Memorandum of Understanding (MOU) was first introduced and signed by Denver Water then Southern Nevada Water Authority and Metropolitan Water District of Southern California. She conveyed those parties expanded the MOU and invited other regional entities, including cities in Arizona, to participate. She emphasized the MOU requires municipal providers re-double their efforts to conserve water by increasing water conservation and water re-use programs and implementing best practices. She said she supported this MOU because it was important to preserve the Colorado River for the vitality of the Arizona region.

Mayor Gallego pointed out Phoenix had prioritized water conservation and reduced per capita water usage by 30 percent over the last 30 years with an increase in population of over 400,000 people. She specified in the 1970s over 80 percent of Phoenix residential properties were landscaped with majority turf, whereas today it was less than 10 percent. She expressed the City would continue to innovate and lead in this area

as well as work with many partners. She remarked this MOU would help with regional communication and collaboration, including the sharing of best practices and better aligning and advocating for investment in cities. She said she looked forward to supporting this item.

Councilmember Garcia stated he also supported this item and encouraged staff to continue looking at the turf reduction programs, but not interfere with efforts for expansion of the tree canopy. He noted an item in the MOU regarding the increase in water re-use and recycling programs and wanted staff to make investments and come up with innovative ways of re-using and recycling water.

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

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

No: 0

69 **Termination of the Public Use Dedications of the Grand Paseo Trail via Plat from Lincoln Drive to the Phoenix Mountains Preserve in the Arizona Biltmore Estates Development (Ordinance S-49083)**

Request City Council to terminate the public use dedications of the Grand Paseo trail via plats from Lincoln Drive to the Phoenix Mountains Preserve boundary in the Arizona Biltmore Estates development; further ordering the ordinance recorded.

Summary

In 1975, the City bought land north of Arizona Biltmore Estates to add to the Phoenix Mountains Preserve. At the time, the developer of the adjacent residential subdivision, Arizona Biltmore Estates (ABE), Inc., entered into Use and License Agreement 15484 with the City for certain trails within the Estates boundaries to allow public access to the preserve. The trails were subsequently dedicated to public use by plat.

Biltmore Mountain Estates Owners Association, successor in interest to

ABE, and the City executed a Mutual Termination of Use and License Agreement 15484-MTU-0, which sets forth that the trail "...is hereby terminated in its entirety and shall be of no further force or effect whatsoever and all rights, responsibilities and obligations of the parties are extinguished hereby, including but not limited to the public easements over the Trails that are subject of such agreement."

This action to terminate the public trail dedications via plat map will complete the terms of the termination agreement and allow the current homeowners association to develop areas in and around the Grand Paseo as they see fit within the parameters of the Zoning Ordinance.

The public use dedications to be terminated are:
1) 30 foot wide trail easement dedicated as a public easement via plat 208/14, Maricopa County Recorder (MCR) 19790042745
2) 30 foot wide easement dedicated to the public by plat 316/16, MCR 19870625219
3) 30 foot wide easement dedicated to the public via plat 380/24, MCR 19940551280

Location
North of East Lincoln Drive, east of North Arizona Biltmore Circle and east of North 29th Place.
Council District: 6

Financial Impact
There is no financial impact for this item.

Discussion
A motion was made and seconded to approve this item.

Leonard Clark expressed concern about whether community meetings were held because people would not be allowed to use this trail that was open to the public.

Councilman DiCiccio requested staff talk to and explain the situation with Mr. Clark.

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

the following vote:

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

No: 0

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

NOTE: Councilman DiCiccio left the meeting.

City Attorney Cris Meyer stated during Citizen Comments, members of the public may address the City Council for up to three minutes on issues of interest or concern to them. He advised the Arizona Open Meeting Law permits the City Council to listen tot he comments, but prohibits council members from discussing or acting on the matters presented.

Leonard Clark thanked the Council for working with Maricopa County Sheriff Paul Penzone and expressed concern about groups intimidating people from voting in elections. He asked the City propose funding for elderly people whose Social Security could be cut by new Congress members. He mentioned groundwater comes down into empty aquifers but evaporated so he suggested grant funds be used so solar power stations could move the groundwater.

Jeremy Thacker submitted a second citizen petition regarding an ethics violation by Charlie Jones. He conveyed his first citizen petition was reviewed by staff who determined there was no violation. He expressed ethics violation complaints should be heard by the Council since the Ethics Commission was not yet in place. He asked that his second citizen petition be reviewed and determined by Council.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 3:45 p.m.

MAYOR

ATTEST:

CITY CLERK

SM

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 26th day of October, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 4th day of September, 2024.

CITY CLERK