185927

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, December 16, 2020 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Dec. 16, 2020 at 2:35 p.m. in the Council Chambers.

Present: 9 - Councilman Sal DiCiccio, Councilmember Carlos Garcia, Councilman Michael Nowakowski, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilman Jim Waring, Councilwoman Thelda Williams, Vice Mayor Betty Guardado and Mayor Kate Gallego

The Mayor and Councilmembers attended the meeting virtually. Councilman DiCiccio left the voting body after Item 48.

Mayor Gallego acknowledged the presence of Mario Barajas, a Spanish interpreter, who was available to the audience.

The City Clerk confirmed that copies of the titles of Ordinances G-6778 through G-6781; S-47159 through S-47206; and Resolutions 21885 through 21887 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

MINUTES OF MEETINGS

1 **For Approval or Correction, the Minutes of the Formal Meeting on Nov. 20, 2019**

Summary

This item transmits the minutes of the Formal Meeting of Nov. 20, 2019, for review, correction and/or approval by the City Council.

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

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

BOARDS AND COMMISSIONS

2 Mayor and Council Appointments to Boards and Commissions

Summary

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

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

Central City Village Planning Committee

Appoint Ryan Boyd, for a term to expire Nov. 19, 2021, as recommended by Councilmember Garcia

Civil Service Board

Appoint Elisa de la Vara, replacing Robert Lord, for a term to expire Dec. 16, 2023, as recommended by Mayor Gallego and Councilwoman Pastor

Development Advisory Board

Appoint Tim Keil, replacing Peter Rasmussen, representing the Design Professionals category, for a term to expire July 1, 2023, as recommended by Mayor Gallego

Paradise Valley Village Planning Committee

Appoint Jennifer Maggiore, replacing Allison Barnett, for a term to expire Nov. 19, 2022, as recommended by Councilwoman Stark

Phoenix Business and Workforce Development Board
Appoint Meghan McGilvra, serving in the Community Based Organizations category, for a term to expire June 30, 2023, as recommended by Mayor Gallego

Phoenix Employment Relations Board
Reappoint Phillip Hanley, representing the Arizona Employers Council, for a seventh term to expire Dec. 15, 2023, as recommended by Mayor Gallego

Phoenix Sister Cities Commission
Appoint Dr. Quinn Snyder, replacing Janielle Penner, for a term to expire Dec. 1, 2023, as recommended by Mayor Gallego

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

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

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

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that Items 3-16 be recommended for approval. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

3 Liquor License - ARCO AM/PM

Request for a liquor license. Arizona State License Application 10075602.

Summary

Applicant
Sandra Aguilar, Agent

License Type
Series 10 - Beer and Wine Store

Location
3501 W. Peoria Ave.
Zoning Classification: C-2
Council District: 1

This request is for an acquisition of control of an existing liquor license for a convenience store that sells gas. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is Jan. 2, 2021.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I currently hold a bachelor's degree in legal studies since 2016 and know the importance of being a law abiding citizen. I have completed the basic training and manager training and feel fully competent to become the agent and owner of a liquor license in the operation of my gas station and convenience store. I look forward to serving our community with excellent customer service and convenience in their purchases of their desired beverages. In obtaining this liquor license I am accepting the full responsibility in properly training all my employees to also comply with all laws in the sales of alcohol.”

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

4 Liquor License - 76 Station

Request for a liquor license. Arizona State License Application 124426.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 10 - Beer and Wine Store

Location
4102 N. 27th Ave.
Zoning Classification: C-2
Council District: 4

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 Jan. 3, 2021.

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

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

That One Mini Mart (Series 10)
2720 W. Indian School Road, Phoenix
Calls for police service: 16
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will

be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The gas station/market at 76 Station (fka: 27 Shell) has offered fuel, grocery, household and convenience items, including beer and wine for many years. Applicant would like to offer beer and wine to its customers 21 and over."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - 76 Station
Liquor License Map - 76 Station

This item was recommended for approval.

5 Liquor License - Maskadores Taco Shop

Request for a liquor license. Arizona State License Application 123414.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
53 W. Thomas Road, Ste. B
Zoning Classification: C-2, P-1 TOD-1 WNSPD
Council District: 4

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

The 60-day limit for processing this application is Dec. 22, 2020.

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:
"The restaurant owner is also a surgical technician. He works both jobs and he and his employees will attend Arizona Liquor Law increasing their knowledge and understanding as what identification is valid and checking all young looking customers who request to purchase alcohol. No alcohol will be sold to intoxicated customers and training will be provided to assist in identifying these individuals . The owner is capable, qualified and reliable to operate a business with a liquor license and that it is a privilege to have a license."

The public convenience requires and the best interest of the community

will be substantially served by the issuance of the liquor license because: "Many people who work at local businesses in the area have expressed that they are happy to have a Mexican Food restaurant in the area. The alcoholic beverages is simply to complement the service of food. Due to the comments from within the community, the issuance of the liquor license will be an asset and in the best interest of the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Maskadores Taco Shop
Liquor License Map - Maskadores Taco Shop

This item was recommended for approval.

6 Liquor License - Nomada Provisions

Request for a liquor license. Arizona State License Application 123871.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 10 - Beer and Wine Store

Location
3410 N. 24th St.
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. This location requires a Use Permit to allow package liquor sales.

The 60-day limit for processing this application is Jan. 9, 2021.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only

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

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

Nonna Urban Eatery (Series 12)
7240 E. Main St., Ste. C-100
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

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

service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Featuring creations by world-renowned chef Gian Brugaletta, Nomada Provisions will offer carefully curated and sourced food and pantry items, cheese, charcuterie, hand-crafted dished for at-home dining, baking products, teas, coffee, and other specialty beverages and food items geared to the gourmet connoisseur. Applicant would like to offer beer and wine for off-premises consumption to complement the market's unique variety of epicurean delicacies. ."

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

Attachments
Liquor License Data - Nomada Provisions
Liquor License Map - Nomada Provisions

This item was recommended for approval.

7 Liquor License - Maskadores Taco Shop

Request for a liquor license. Arizona State License Application 124312.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
6135 N. 35th Ave., Ste. 133
Zoning Classification: C-2
Council District: 5

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 Jan. 2, 2021.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The owner has a long history working in the food industry. He also has relatives who have restaurants with liquor license and is familiar with the laws. He will be attending liquor law training to ensure he and his employees comply with all State, City and County laws. He has no criminal history and has worked continually to have an opportunity to own a restaurant in the City of Phoenix. He is capable, reliable and qualified to

hold a liquor license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "This establishment is unique in the shopping plaza. The owner is supportive of the community and offers discounts on food to Grand Canyon University College students. The business is an authentic Mexican food restaurant with the primary purpose to sell food. The alcohol is merely to complement the food. The restricted hours of business are not likely to interfer with any residential property in the surrounding area. The issuance of this liquor license is in the best interest of the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Maskadores Taco Shop
Liquor License Map - Maskadores Taco Shop

This item was recommended for approval.

8 Liquor License - Pizza Hut #26986

Request for a liquor license. Arizona State License Application 123495.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 10 - Beer and Wine Store

Location
3602 W. Camelback Road
Zoning Classification: C-2
Council District: 5

This request is for a new liquor license for a restaurant/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 Dec. 22, 2020.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The owners have extensive experience owning and managing liquor licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor law classes. The owners primary purpose is to provide food and beer & wine as an accessory to take-out pizza /wings & deliver the same. The area coaches provide oversight to all employees and establishments. Furthermore, the owners are diligent to ensure all ID is checked and

alcohol is not sold to intoxicated customers .”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “The owners have selected this existing store to allow customers to purchase beer or wine with their food to go only. The license permits delivery of beer/wine as well as food. The owners are mindful of the community including GCU and they support their cause to abide by all laws and participate in community action. The issuance of this license is in the best interest of the community.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Pizza Hut #26986
Liquor License Map - Pizza Hut #26986

This item was recommended for approval.

9 Liquor License - Artichoke Basille's Pizza

Request for a liquor license. Arizona State License Application 125207.

Summary

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
6031 N. 16th St., Ste. 1
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is Jan. 5, 2021.

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

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

Artichoke Basille's Pizza (Series 12)
1120 E. Baseline Road, Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

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

because:
“Artichoke Basille's Pizza owners have opened and operated 8 successful restaurants operators and bars in California. They are experienced in the restaurant operators and will require employees to go through liquor law training to ensure compliance.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Artichoke Basille's Pizza is a New York restaurant and has a large following. The business will be the first to their kind in the area. They are thrilled to add another community to the Artichoke family and the community will be thrilled to have them.”

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

Attachments
Liquor License Data - Artichoke Basille's Pizza
Liquor License Map - Artichoke Basille's Pizza

This item was recommended for approval.

10 Liquor License - Kahvi Coffee + Cafe

Request for a liquor license. Arizona State License Application 124535.

Summary

Applicant
Julian Wright, Agent

License Type
Series 12 - Restaurant

Location
214 E. Roosevelt St., Ste. 2
Zoning Classification: DTC - West Evans Churchill
Council District: 7

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

The 60-day limit for processing this application is Jan. 4, 2021.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have held many in the past including in the City of Phoenix. I'm 51 and a 20 year veteran of the restaurant and bar industry. I fully understand the responsibility of serving alcohol."

The public convenience requires and the best interest of the community

will be substantially served by the issuance of the liquor license because: "We are creating a community amenity that brings people together in a fun and safe environment."

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

Attachments
Liquor License Data - Kahvi Coffee + Cafe
Liquor License Map - Kahvi Coffee + Cafe

This item was recommended for approval.

11 Liquor License - Pedal Haus Brewery

Request for a liquor license. Arizona State License Application 124654.

Summary

Applicant
Julian Wright, Agent

License Type
Series 12 - Restaurant

Location
214 E. Roosevelt St., Ste. 4
Zoning Classification: DTC - West Evans Churchill
Council District: 7

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

The 60-day limit for processing this application is Jan. 8, 2021.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have held many in the past including in the City of Phoenix. I'm 51 and a 20 year veteran of the restaurant and bar industry. I fully understand the responsibility of serving alcohol."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We are creating a community amenity that brings people together in a fun and safe environment."

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

Attachments
Liquor License Data - Pedal Haus Brewery
Liquor License Map - Pedal Haus Brewery

This item was recommended for approval.

12 Liquor License - Pizza Hut #35859

Request for a liquor license. Arizona State License Application 123415.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 10 - Beer and Wine Store

Location
5233 S. Central Ave., Ste. 9
Zoning Classification: C-2 SPVTABDO
Council District: 7

This request is for a new liquor license for a restaurant/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 Dec. 22, 2020.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The owners have extensive experience owning & managing liquor licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor law classes regularly. The owners primary purpose is to provide food for take-out and delivery. The liquor license also allows customers to purchase beer & wine to go or have it delivered. The area coaches provide additional oversight to the establishment. The owners and employees will comply with city, county and state laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The owners have selected their existing restaurant to allow customers to purchase beer or wine with their pizza to go. This store has been in existence in the community for many years. Employees will be diligent to check ID and refuse sales of alcohol to intoxicated customers. The issuance of this license is in the best interest of the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Pizza Hut #35859
Liquor License Map - Pizza Hut #35859

This item was recommended for approval.

13 Liquor License - Sake Haus

Request for a liquor license. Arizona State License Application 124552.

Summary

Applicant
Julian Wright, Agent

License Type
Series 12 - Restaurant

Location
214 E. Roosevelt St., Ste. 3
Zoning Classification: DTC - West Evans Churchill
Council District: 7

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit. This business is currently being remodeled with plans to open in February 2021.

The 60-day limit for processing this application is Jan. 4, 2021.

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

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

held by the applicant in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have held many in the past including in the City of Phoenix. I'm 51 and a 20 year veteran of the restaurant and bar industry. I fully understand the responsibility of serving alcohol."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We are creating a community amenity that brings people together in a fun and safe environment."

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

Attachments
Liquor License Data - Sake Haus
Liquor License Map - Sake Haus

This item was recommended for approval.

14 Liquor License - Golden Imperial Products LLC

Request for a liquor license. Arizona State License Application 122516.

Summary

Applicant
Brandon Jurkovich, Agent

License Type
Series 4 - Wholesaler

Location
3021 S. 35th St., Ste. B4
Zoning Classification: A-2
Council District: 8

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 Dec. 22, 2020.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not 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:
“We have adequate warehouse space to store and distribute alcohol from our office/whse location on 35th St. I have 2 years experience selling liquor, and over 20 years of business experience.”

Staff Recommendation

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

This item was recommended for approval.

15 Liquor License - AC Hotel Phoenix Downtown

Request for a liquor license. Arizona State License Application 118894.

Summary

Applicant
Brian Robinson, Agent

License Type
Series 11 - Hotel/Motel

Location
414 N. 5th St.
Zoning Classification: DTC-Business Core
Council District: 8

This request is for a new liquor license for a hotel. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in January 2021.

The 60-day limit for processing this application is Dec. 25, 2020.

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:
"Our Hotels, LLC is a well established Hotel Managment company with many years of operating hotels and resorts located across the United States. We have extensive experience providing alocholic beverage service to our guests and will operate the business in a safe and professional manner."

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

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

Attachments
Liquor License Data - AC Hotel Phoenix Downtown

Liquor License Map - AC Hotel Phoenix Downtown

This item was recommended for approval.

16 Liquor License - Maskadores Taco Shop

Request for a liquor license. Arizona State License Application 124005.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
4539 E. Thomas Road #B105
Zoning Classification: C-2
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 Dec. 29, 2020.

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:
"The owner has relatives who own and operate restaurants with liquor licenses and he became familiar with food and sales of alcohol. Even so, the owner will be attending a certified Basic and Management class on 11/16/2020. His employees will also be trained to identify underage and intoxicated customers along with procedures to refuse these sales. The owner has not been involved in any criminal activity and has had a stable work history. He is capable, reliable and qualified to hold a liquor license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The previous owners of this business operated a taco shop however their business model was not successful. This is a franchise business and since it has opened many residents and business owners frequent the establishment. The quality of food is very good and the liquor license will only be to complement the service of food. There have been customers from the community who have inquired about service of alcohol with their meal. The issuance of a liquor license at this location will be in the best interest of the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Maskadores Taco Shop
Liquor License Map - Maskadores Taco Shop

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.

Note: Individuals submitted electronic comments for the record on the following items:
Item 51: 1 in support
Item 87: 1 in support
Item 91: 3 in support, 128 in opposition and 4 with no position

Prior to his vote, Councilmember Garcia stated he was concerned with Item 91 as he thought it should be voted on and approved per the Planning Hearing Officer's recommendation. He remarked Council passed a comprehensive plan to address the issue of not criminalizing folks, noting what was presented to both the neighbors and homeless people was not viable per the City's legal team. He said he hoped when this item was heard in February that Council voted to deny it.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that Items 17-92 be approved or adopted, except Items 21, 23, 27-28, 31, 34-37, 44-45, 47-49, 52, 55-56, 67 and 92; continuing Item 60 to the Jan. 20, 2021 City Council Formal Meeting and Item 91 to the Feb. 3, 2021 City Council Formal Meeting; and noting that Items 37-38 are as revised. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

Items 17-20, 22 and 24, Ordinance S-47159 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.

17 AZ Wastewater Industries, Inc.

For $9,500.00 in additional payment authority to add the Aviation Department to Contract 150202 for the Water Services Department. The additional funds will provide Good for Gas (GfG) multi-gas monitors, parts, accessories and services. The GfG multi-gas monitors are necessary to detect hazardous gases when working in confined spaces. The need to utilize the contract will also allow the Aviation Department to obtain monitors, parts, accessories and required repair services on an as needed basis.

This item was adopted.

18 Cummins-Allison Corp.

For $15,000.00 in payment authority to purchase two Cummins Allison money count machines for vault currency and coins for the Phoenix Police Department. The coin and currency counter are an integral part of property management operations to accurately count large amounts of impounded currency and coins. The current currency machine has been in use for approximately 7 years and the coin machine has been in use for approximately 15 years. Neither machine have the required capabilities to detect the most up to date counterfeit trends.

This item was adopted.

19 Healthy Outcomes, Inc. doing business as Engaged Public

For $13,500.00 in payment authority for a new contract, entered on or about Dec. 16, 2020 for a term of three years for Balancing Act Software Tool for the Budget and Research Department. The software is an online budget balancing tool branded for the City of Phoenix as “FundPHX” which is designed to educate and engage the public in the City’s annual budget development process. Comments on the budget received from the community via the tool are reported regularly to the City Council so it can be used to guide development of the annual General Fund operating budget.

This item was adopted.

20 FARO Technologies Inc.

For $25,000.00 in payment authority to purchase a Freestyle 2 Core Kit

for the Police Department. The Freestyle 2 Core Kit includes a mobile computer and accessories, rugged transport case, one-year subscription to Scene software, and one-year manufacturer's warranty. The Laboratory Services Bureau Crime Scene Unit, in conjunction with the Violent Crimes Bureau Homicide Unit, will begin using 3-D laser scan documentation for officer-involved shootings and homicide scenes. The kit will ensure the highest level of detailed documentation and transparency for officer-involved shootings and homicide investigations. Funds for the purchase are available from the Department of Justice Grant through the Paul Coverdell Forensic Science Improvement Grants Program.

This item was adopted.

22 Global Music Rights, LLC

For $10,000.00 in payment authority to purchase annual music licenses for the Parks and Recreation Department. The license allows copyrighted music to be performed publicly at various City parks and events in compliance with the non-dramatic public performances of copyrighted works. The license is for the 2021 calendar year.

This item was adopted.

24 Arizona Public Service Company doing business as APS

For $11,700.00 in payment authority for the Street Transportation Department. The funds are needed to reimburse Arizona Public Service Company for third quarter trip charges (July 2020 to September 2020) to disconnect or reconnect service to streetlights for maintenance and non-maintenance purposes. Payment authority is critical because the work is required for City capital improvement projects to continue. Funding for these projects is budgeted in the fiscal year the work is completed. The work was budgeted for Fiscal Year 2020-21.

This item was adopted.

25 Form of the Ballot for March 9, 2021 Runoff Election for Districts 3 and 7 - Emergency Clause (Ordinance S-47192)

An ordinance establishing the form of the ballot for the City of Phoenix Runoff Election in City Council District 3 and District 7 to be held on Tuesday, March 9, 2021 and declaring an emergency. This election is necessary as no candidate received a majority of the votes cast for these offices in the November 2020 Mayor and Council Election.

Emergency Clause
The emergency clause is necessary to meet legal requirements for the start of early voting.

This item was adopted.

26 Designation of Voting Centers for the March 2021 Runoff Election (Ordinance S-47184)

Request for the City Council to designate voting centers for the City of Phoenix Runoff Election for Council Districts 3 and 7 to be held on March 9, 2021 and establish the days and hours for voting.

Summary
There are 12 voting center locations being proposed for the March 9, 2021 Runoff Election. For the proposed voting centers, all 12 sites are commonly used locations in City-conducted elections. Registered voters in the City of Phoenix Council Districts 3 and 7 can go to any of the voting center locations to cast a ballot.

The voting centers will be open on the following dates and times:
Saturday, March 6, 2021 from 10 a.m. to 4 p.m.
Monday, March 8, 2021 from 9 a.m. to 6 p.m.
Tuesday, March 9, 2021 (Election Day) from 6 a.m. to 7 p.m.

Public Outreach
Households with one or more registered voters will receive a Sample Ballot Pamphlet (SBP) in early February 2021. The SBP will contain information about the election, a list and map showing the voting center locations, and the days and hours the voting centers will be open. Information also will be available online at phoenix.gov/elections. All election information will be provided in English and Spanish.

An interactive voting center locator will be available online at phoenix.gov/elections. The locator will allow a voter to enter an address or use their current location on a mobile device to identify the nearest voting centers and see the level of voting activity at each location.

Location
A map of the proposed voting center locations is attached (**Attachment**

A).

This item was adopted.

29 Request for City Council to Meet in Executive Session on Dec. 18, 2020 at 9 a.m.

Request for the City Council to call to meet in Executive Session pursuant to Arizona Revised Statutes, Section 38-431.03.A, on Friday, Dec. 18, 2020 at 9 a.m. at Phoenix City Hall, 200 W. Washington St., Phoenix, Arizona, in an online meeting.

Public Outreach

The Notice and Agenda for the Executive Session will be posted no later than 9 a.m. on Thursday, Dec. 17, 2020.

This item was approved.

30 SAP Infrastructure and Database Upgrade

This report requests City Council approval to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for an Infrastructure as a Service contractor to provide a comprehensive service package for SAP. This service package will include licensing, cloud hosting and database upgrade implementation of SAP for the Finance Department. This enhancement alleviates the need for a full system replacement and would not require staff to purchase, maintain and support new hardware and other infrastructure. The aggregate five-year contract value is estimated to not exceed $21.5 million, which is an incremental increase of $1.5 million per year for five years over currently budgeted costs.

Summary

The City currently utilizes the SAP system for critical financial accounting and reporting processes, procurement, accounts payable and receivables, grant management, asset management, work order management, inventory management, plant maintenance, and overall financial reporting and analytics. SAP has more than 3,000 users across all City departments and interfaces with numerous other citywide systems and applications.

The SAP software system is over 20 years old and requires significant upgrades necessary to support evolving work processes, advanced

analytics and to interface with citywide functions. Additionally, the hardware for the system was installed in November 2013 and is currently at the end of life with extended support expiring in 2021.

Recently, through a partnership between the Finance, Information Technology Services and Human Resources departments, an Enterprise Resource Planning roadmap study was conducted by Gartner, Inc. This study recommended moving the SAP environment to the cloud using a service provider along with migration to the new SAP HANA database cloud environment. The migration to a cloud-based system mitigates the risk of aging hardware while providing an ongoing secure and stable SAP environment. Upgrading the software for a new database environment will also allow modernization to SAP in the areas of system speed, user experience and data analytics.

The proposal will include the following:

- Continued licensing for the current SAP modules and database upgrade,
- Migration to the cloud,
- Cloud hosting and cloud hosting support,
- Implementation of the new database environment; and
- Full disaster recovery and business continuity support for the entire SAP environment.

Maintenance and hardware on the existing system over a five-year period would amount to an estimated $14.0 million. Alternatively, the proposed upgrade including the cloud solution over a five-year period is estimated to be $21.5 million. The incremental amount of $7.5 million, or $1.5 million annually over a five-year period, would allow staff to extend and enhance the life of the City’s existing city-wide financial and procurement system. This enhancement alleviates the need for a full system replacement and would not require staff to purchase, maintain and support new hardware and other infrastructure.

Procurement Information

If approved, staff will conduct a procurement process consisting of a Request for Proposals (RFP) as set forth in Phoenix City Code, chapter 43. As part of the procurement process, staff requests an exception from

Phoenix City Code section 42-19 to the extent necessary to indemnify the contractor. Responsive proposals will be evaluated according to the following evaluation criteria (1,000 possible points):

1. Consultant's Qualifications and Experience (0-300 points)
2. References (0-150 points)
3. Approach to Scope of Work (0-250 points)
4. Consultant's Price (0-300 points)

Staff anticipates the RFP will be issued in January 2021, with staff seeking City Council approval for the contract award in the spring of 2021.

Financial Impact

The aggregate budget shall not exceed $21.5 million. Funds are available from existing excise tax bond proceeds and from the Finance Department's operating budget.

This item was approved.

32 Acquisition of Real Property for Roadway Improvements Along Jomax Road at the 67th Avenue and Pyramid Peak Parkway Intersection (Ordinance S-47194)

Request to authorize the City Manager, or his designee, to acquire real property and all related property interests by donation, purchase within the City's appraised value, or by the power of eminent domain for roadway improvements along Jomax Road at the 67th Avenue and Pyramid Peak Parkway intersection. Further request authorization to dedicate land with public improvements to public use via separate recording instrument. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Acquisition of real property is required for roadway and intersection improvements to accommodate increased vehicular traffic as a result of the Aloravita development. Pulte Homes has agreed to reimburse the City for all costs related to the acquisition of real property. The land acquired will be dedicated for public use for roadway purposes.

The parcel affected by the acquisition and included in this request is identified by Maricopa County Assessor's parcel number 201-07-129

located at 26615 N. 67th Ave.

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

Location
West Jomax Road at North 67th Avenue and North Pyramid Peak Parkway.
Council District: 1

This item was adopted.

33 3M Bibliotheca Equipment Maintenance and Support - Maricopa County Contract Serial 16015 - Requirements Contract (Ordinance S-47172)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 147966 with Bibliotheca LLC for the purchase of 3M equipment, maintenance, and repair services for the Library Department. The additional amount of $807,000 is needed for operating system upgrades, repairs, replacement, and to purchase additional equipment due to protocols implemented by the Library Department due to the pandemic. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $807,000.

Summary
This contract currently provides the library branches with equipment, maintenance, and support for the Library's existing 3M, which is used for self-check kiosks, radio-frequency identification (RFID) tags and pads, and building occupancy management. Additional maintenance and support funding is necessary due to unanticipated upgrades to operating systems and security replacements. Due to the Library Department's pandemic response measures, additional equipment and services are needed to continue operating self-check kiosks, building occupancy management software, accommodate the increased demand for RFID tags and pads, and replace inoperable RFID gates. Building occupancy management software, cameras, and sensors are crucial in maintaining social distancing measures as the software and equipment will continually

monitor customer counts in a given area of a library branch.

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

Contract Term
The contract term is May 25, 2016 through Sept. 30, 2021.

Financial Impact
Upon approval of $807,000 in additional funds, the revised aggregate value of the contract will not exceed $2,607,000. Funds are available in the Library Department's budget.

Concurrence/Previous Council Action
The contract was originally approved by City Council on March 23, 2016.

This item was adopted.

38 Amendments to Classification Ordinance S-5815 in Accordance with Human Resources Committee 607 Recommendations (Ordinance S-47181)

As part of a study requested by AFSCME Local 2384, the following amendments to the Classification Ordinance [S-5815] are recommended in accordance with the recommendation of Human Resources Committee 607, effective Dec. 28, 2020. The amendments also require the City's Pay Ordinance (S-45840) to be updated. Those will be processed under a separate ordinance.

Modify the EEO-4 Category/Group of Electrician Apprentice (NC), Job Code 74100, Salary Plan 004, Grade 214 ($16.68 - $21.58), Benefit Category 002, Labor Unit Code 002, from Skilled Craft to Service Maintenance.

Modify the Salary Plan of Electrician Helper, Job Code 74090, Benefit Category 002, Labor Unit Code 002, from Salary Plan 005 to 004, and modify the Grade from 215 ($18.43 - $22.51) to 215 ($17.28 - $22.51).

Modify the Salary Plan of Electrician, Job Code 74120, Benefit Category 002, Labor Unit Code 002, from Salary Plan 005 to 004, and modify the

Grade from 222 ($24.50 - $29.89) to 225 ($25.52 - $34.18).

Modify the Salary Plan of Electrician*Lead, Job Code 74121, Benefit Category 002, Labor Unit Code 002, from Salary Plan 005 to 004, and modify the Grade from 223 ($25.52 - $31.10) to 226 ($26.64 - $35.93).

Abolish the Electrician*Safety classification, Job Code 74122, Salary Plan 005, Grade 223 ($25.52 - $31.10), Benefit Category 002, Labor Unit Code 002.

Modify the Class Title of Electrical Maintenance Foreman, Job Code 74140, Benefit Category 007, Labor Unit Code 007, to Electrical Maintenance Crew Chief and modify the Grade from 032 ($23.11 - $35.26) to 035 ($26.89 - $40.95).

Modify the Grade of Electrical Facilities Supervisor, Job Code 74160, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, from Grade 034 ($25.61 - $38.97) to 037 ($29.74 - $45.29).

Modify the Grade of Traffic Signal Supervisor, Job Code 74070, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, from Grade 034 ($25.61 - $38.97) to 036 ($28.32 - $43.05).

Summary

Pursuant to Section 1-6(E) of AFSCME Local 2384's (Unit 2's) current Memorandum of Understanding, the Human Resources Department conducted a study on the Electrician job classification, subsequent classifications in the job series, as well as other classifications where the supervisory reporting relationship were impacted.

There are 97 Electrician positions citywide. All departments indicated they had difficulty with both recruiting and retention. Specifically, departments had issues with the quality of candidates, candidates turning down job offers due to pay concerns and employee turnover. Staff used data from eCHRIS and conducted research using a combination of public sector and private sector resources such as Payfactors, Economic Research Institute, Salary.com, and Bureau of Labor Statistics. Additionally, staff conducted a local salary survey of public sector employers in the Valley.

The job duties and level of complexity for the Electrician classification were found to be most comparable to our local market. Data indicates that the City is approximately 16 percent below the current market, and according to the U.S. Bureau of Labor Statistics, by industry, government, or utilities, the average turnover is less than 5 percent. The Electricians' citywide turnover, however, is substantially higher, and Departments continue to experience high vacancy rates.

Changing the pay grade of the Electrician, and subsequent classifications in the job series reflects proper placement in the market for this job family and would mitigate pay compression issues. Additionally, changing pay plans from Salary Plan 005 to Salary Plan 004 would change the range from 6 to 8 steps giving departments more flexibility when hiring staff. Finally, changing the pay grades for the supervisory positions from 034 to pay grades 036 and 037 will help mitigate any pay disparity and maintain grade progression within the series.

Financial Impact

The estimated costs of these actions for a full fiscal year, including benefits, is approximately $181,689.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 607 on Oct. 27, 2020.

This item was adopted as revised.

39 Benefits Consultant and Actuarial Services (Ordinance S-47185)

Request to authorize the City Manager, or his designee, to enter into a contract with Foster & Foster Consulting Actuaries, Inc. to provide benefits consulting and actuarial services in an amount not to exceed $3,000,000 for a five-year period. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The benefits consulting and actuarial services agreement is needed to provide expert guidance to the Health Care Benefits Trust Board, Task Force and Human Resources management on the City's employee and retiree medical and dental plans. Deliverables include but are not limited

to developing comprehensive benefits strategies to attract and retain employees while utilizing cost containment strategies without significantly impacting the integrity of the plans; claims analysis; website development and maintenance; calculating annual premiums; evaluating Trust Fund solvency and project plan costs; informing of pending legal requirements; ensuring program compliance with legal requirements; and creating open enrollment materials and other communications.

Procurement Information

RFP HR 20-117 was conducted in accordance with Administrative Regulation 3.10. The solicitation included both benefits consulting and actuarial services. Offerors could submit for one or both services. The Human Resources Department received seven proposals all of which offered to provide both benefits consulting and actuarial services. Two Offerors were deemed nonresponsive for not meeting the requirements of the solicitation, and one Offeror was deemed nonresponsive for not meeting the requirements of the Best and Final Offer (BAFO).

The Notice of Solicitation was emailed to 404 vendors registered in ProcurePHX.

The offers were scored on the following criteria: Qualifications and Experience (300 points), Method of Approach (500 points) and Price (200 points). Evaluation occurred by a six-person panel. The evaluation committee determined that three proposals were within the competitive range, and those proposers were invited to participate in presentations. At the completion of the presentations, all proposals within the competitive range moved forward to the BAFO process. After reviewing the BAFO responses, one Offeror was deemed nonresponsive and it was the consensus of the evaluation committee to recommend awarding the contract to Foster & Foster Consulting Actuaries, Inc.

The following are the scores of the finalists:

Foster & Foster Consulting Actuaries, Inc.	851.04
The Segal Company	733.39

The Human Resources Director recommends the offer from Foster & Foster Consulting Actuaries, Inc. be accepted as the highest scored,

responsive, and responsible offeror.

Contract Term
The five-year contract shall begin on or about Jan. 5, 2021.

Financial Impact
The aggregate five-year contract value for these services shall not exceed $3,000,000. Funds are available in the Health Care Benefits Trust Fund.

This item was adopted.

40 Affordable Care Act Reporting Services (Ordinance S-47199)

Request to authorize the City Manager, or his designee, to enter into a contract with UnifyHR, LLC to manage and monitor Affordable Care Act (ACA) compliance for the Human Resources Department. The aggregate value of the contract shall not exceed $270,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
This contract is needed to manage and monitor ACA compliance for the City and comply with ACA reporting requirements. The ACA mandates employers with more than 50 full-time employees to track medical plan coverage for employees meeting the 30-hour-per-week test, report of plan affordability based on employee rate-of-pay, and prepare and issue the "medical W-2" (Form 1095c) to all employees annually. Penalties assessed by the IRS for non-compliance are $2,320 per year per eligible employee or more than $20 million per year for the City. This company has previously provided these services to the City and selecting another company will require months of technical reprogramming and transition. The Human Resources Department will conduct a competitive procurement process in 2021 for these services.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing the time restriction and critical need to comply with ACA requirements.

Contract Term

The initial two-year contract term shall begin on or about Dec. 16, 2020 and end on Dec. 15, 2022. Provisions of the contract include an option to extend the term of the contract for an additional one year which may be exercised by the Human Resources Director or designee.

Financial Impact

The aggregate contract value will not exceed $270,000. Funds are available in the Health Care Benefits Trust Fund.

This item was adopted.

41 Ratification of Four-Year Update of Fast-Track Cities Ad Hoc Committee Recommendations

This item seeks City Council ratification of the recommendations discussed in the four-year update of the Fast-Track Cities Ad Hoc Committee presentation at the City Council Policy Session on Dec. 8, 2020. This item also responds to Councilmember questions at the Dec. 8, 2020 Policy Session regarding coverage for City employees in the City's health care plans.

Summary

On Oct. 25, 2016, the Mayor and City Council authorized the City of Phoenix to join the Fast-Track Cities Initiative (FTCI) to establish the City of Phoenix as a model in addressing and ending HIV/AIDS in Phoenix. FTCI is a global partnership between the City of Paris, Joint United Nations Program on HIV/AIDS (UNIAIDS), United Nations Human Settlement Program (UN-Habitat), and the International Association of Providers of AIDS Care (IAPAC), in collaboration with the local, national, regional and international partners and stakeholders. There are currently 27 Fast-Track Cities (FTC) in North America, 25 of which are in the United States. Fast-Track Cities work towards ending AIDS as a public health threat by 2030 building upon, strengthening and leveraging HIV-related programs and resources. Fast-Track Cities agree to achieve the following 90-90-90-0 targets by 2020:

90 percent of people living with HIV (PLHIV) knowing their HIV status
90 percent of PLHIV who know their HIV-positive status on antiretroviral therapy (ART)
90 percent of PLHIV on ART achieving viral suppression
Zero discrimination and stigma against people living with HIV

In January 2017, a 23-member Ad Hoc Committee was created representing people living with HIV, medical providers, community-based organizations, local HIV advocacy groups, and government departments in the HIV field. Councilwoman Laura Pastor and Councilwoman Debra Stark currently serve as Co-Chairs.

FTCI is framed around a five-element implementation plan, supported by IAPAC which addresses key aspects necessary for a robust citywide AIDS response that promotes continuum of care from HIV diagnosis to viral suppression:

Process and Oversight
Monitoring and Evaluation
Program and Interventions
Communications
Resource Mobilization

Three subcommittees were created to reach these goals: 1) On HIV Medication and Virally Suppressed, 2) Knowing HIV Status, and 3) Zero Stigma. Below are highlights from the previous four years in each of the subcommittees:

<u>On HIV Medication and Virally Suppressed Subcommittee</u>

Developed the City of Phoenix Rapid Start Protocol in partnership with the Arizona Department of Health Services (ADHS) and local stakeholders. The created name of this process is "State of Arizona Rapid Treatment" (START) which is to have newly diagnosed HIV patients start on Antiretroviral Therapy (ART) within 0-5 days after diagnosis or after reengaging in care. This goal is being successfully met.

Created and distributed brochures on “Let’s End HIV”, “Medical Care” and “START” to the community.

In June 2019, FTC Ad Hoc Committee Member Dr. Thanes Vanig presented at the 14th International Conference on HIV Treatment and Prevention Adherence in Miami. The presentation was on "Implementation Strategies for Citywide Rapid Start Program: Collaboration Among Stakeholders Organized by the City of Phoenix

Fast-Track Cities Initiative".

In September 2019, FTC Ad Hoc Committee Member Dr. Thanes Vanig presented at the Global Fast-Track Cities Conference in London on the implementation and results of the START program.

Knowing HIV Status Subcommittee

Partnered with the ADHS HIV Prevention, Care and Surveillance program to implement a prevention and care needs assessment which included the ADHS Hispanic assessment completed in April 2018 and the ADHS African American assessment completed in September 2018.

In September 2018, the ADHS HIV Prevention, Care and Surveillance program released an interactive map which allows individuals to locate HIV incidence information from 1983 to present by zip code, customized using any combination of data including age, gender, ethnicity, risk factor, viral suppression rate, number of new and/or repeat HIV testing, location of HIV-specific providers and community-based services, hospitals and federally-qualified health centers and HIV pharmacies. Additionally, the ADHS HIV Prevention, Care and Surveillance program has developed specific HIV continuums of care for each target population quarterly with updated data.

In March 2019, FTC Ad Hoc Committee Members Kenja Hassan and Debbie Rubenstrunk coordinated a panel presentation on "HIV and the Faith Based Community" at the ADHS Fifth Annual HIV Integrated Symposium. A panel of local pastors/clergy discussed how faith leaders are working with the HIV community.

In June 2019, based upon a call to action by the FTC Ad Hoc Committee, the Arizona Christian Communities of Faith participated in the National HIV testing day with the theme "Oh Test and Know". The purpose was to show support for those living with the HIV/AIDS virus, to raise awareness of the current epidemic in local communities, to reduce the numbers of the untested, and inspire the community to "know your status". An HIV/AIDS Resource Toolkit for Religious Leaders was created by the International Alliance for the Prevention of AIDS (IAPA) and Arizona State University. The toolkit contains links and resources to enable religious organizations to incorporate the topic of HIV/AIDS into messaging and outreach. Also highlighted in the toolkit are examples of how some churches are currently

supporting their congregations in this effort.

As part of the HIV Training/Education goal, a 35-minute online course developed by IAPA, providing fact-based information on HIV/AIDS while addressing myths about the disease is offered to City of Phoenix employees. Since January 2019, 50 employees have taken this course.

In October 2019, the FTCI Dashboard was officially launched by the IAPAC, which is the global organization overseeing the Fast-Track Cities. This dashboard tracks the 90-90-90-0 data for the City of Phoenix.

Zero Stigma Subcommittee

Implemented Project HHHOME (Housing, HIV, Health Outcomes and EmployMEnt/Education), a program designed to improve housing, employment, education and health outcomes for people living with HIV. Administered through the Housing Department, this is a partnership with Ryan White HIV/AIDS Program, Maricopa Integrated Health System, Southwest Behavioral and Health Services, Area Agency on Aging and the City of Phoenix Housing, Human Services and Library departments.

During Spring 2018, Ad Hoc members from Arizona State University and Vital Insight Public Relations developed the “Undetectable = Untransmittable" or “U=U" campaign. Promoted locally and nationally using print, television and social media tools, this campaign was designed to reach those living with HIV, partners and friends, and health care professionals. U=U indicates that if a person with HIV is on HIV meds or (ART) with a consistently undetectable HIV viral load, the virus cannot be transmitted.

In early 2019, Arizona State University conducted a People Living with HIV (PLWHIV/AIDS) survey to identify issues relating to HIV stigma among individuals who reside in Maricopa County. The results of the survey are being used at conferences addressing the stigma of HIV/AIDS in the community. The report is available on the Fast-Track Cities website at Phoenix.gov/HIVPHX.

The Fast-Track Cities Ad Hoc Committee will continue to reach out to the private sector and the community in order to: (1) demonstrate the City's commitment to this issue, (2) garner media attention, (3) form

collaborations to streamline and improve services for people diagnosed with HIV, and (4) enlist the community in ending stigma and changing attitudes toward HIV. It is this strategic combination of reforms and community action that will continue to make Phoenix a national leader in addressing this important issue.

The FTC Ad Hoc Committee requests the City Council adopt a declaration **(Attachment A)** called "Ending the Epidemic," which calls upon medical systems and providers throughout the city and health insurance providers to implement policies that will better enable the City of Phoenix to achieve the 90-90-90-0 goals.

In response to Councilmember questions at the Dec. 8, 2020 City Council Policy Session, staff researched City employee health care plan coverage related to HIV screening. Staff confirmed that City employee health care plans include policies that will better enable the City to achieve the 90-90-90-0 goals. Under the City's current health care plans, HIV screening is covered as part of routine screening and all of the FDA approved therapies are included in the pharmacy plan approved formulary or medical plans, including the single-tablet HIV regimens. As new medications are developed and approved for treatment by the FDA, they will be added to the plans formulary. In addition to verifying coverage for these items, staff has worked with Banner Employer solutions to ensure that starting January 2021 HIV screening will be offered at all annual physical appointments conducted at the downtown employee health clinic.

Concurrence/Previous Council Action

The City Council heard the Four-Year Update of the Fast-Track Cities Ad Hoc Committee at the City Council Policy Session on Dec. 8, 2020 and in support of the declaration requested additional information related to health care plans available to City employees.

This item was approved.

42 Disaster Recovery Services (Ordinance S-47193)

Request to authorize the City Manager, or his designee, to amend the term of Agreement 131627 and to authorize additional expenditures for disaster recovery services with SunGard Availability Services, LP

(SunGard) in an amount not to exceed $186,000 for the Information Technology Services and Municipal Court departments. Further request authorization for the City Controller to disburse all funds related to this item. Further request exemption from the indemnification and liability provisions of section 42-18 of the City Code.

Summary

SunGard is the City's current provider of disaster recovery services. Continuation of these services will ensure that information technology systems supporting critical City processes and services can be recovered within a short period of time if a disaster makes City-owned technology infrastructure inoperable. Current services include alternate locations, reserved computer systems, planning, and communication tools in North America from which to recover critical City business systems. Examples of critical business systems include the City's financial and payroll system, human resource system, customer care and billing system, and the court management system.

ITS has been working to understand the current DR market offering, obtaining a comprehensive and relevant application criticality list, and further developing the requirements for a new solicitation. As a result of the COVID-19 pandemic, efforts to finalize our research on current disaster recovery technologies and issuance of a new competitive solicitation were impacted. The City will utilize the amended term and funding to finalize, release, and award a new competitive solicitation to a responsive and responsible vendor.

Mitigating the risks to the City in the event of a disaster is critical. Failure to maintain these services would create a loss of productivity, liability to the City, and impact delivery of services to residents.

Contract Term

This contract term will be extended through June 31, 2021, with two, three-month renewal options.

Financial Impact

With the $186,000 in additional spending authority, the contract's revised aggregate value is approximately $2,289,382. Funds are available in the Information Technology Services' and Municipal Court's budgets.

This item was adopted.

43 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47174)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Gheorghita Viorel in the amount of $23,861.90 to the Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

Summary

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

Viorel, Gheorghita: $23,861.90

Concurrence/Previous Council Action

This item will be approved by the COPERS Board at its Dec. 3, 2020 meeting.

This item was adopted.

46 LISC Phoenix and Local First Arizona Foundation Agreements for COVID-19 Emergency Food Assistance - Amendment 2 (Ordinance S-47202)

Request to authorize the City Manager, or his designee, for second amendment to contracts with LISC Phoenix (LISC) and Local First Arizona Foundation (LFAF) to provide additional funding of $350,000 to LFAF and $150,000 to LISC for continued emergency food assistance to vulnerable populations impacted by COVID-19 and to extend contract period through May 31, 2021. Further request to authorize the City Controller to disburse all funds related to this item. One-time funding is provided through the Coronavirus Aid, Relief and Economic Security (CARES) Act. There is no impact to the General Fund.

Summary

In response to the COVID-19 pandemic, the Office of Environmental Programs teamed with the Human Services Department to develop a

food assistance plan to address the food needs of vulnerable populations and communities impacted by COVID-19. The plan addresses: (a) access to healthy foods for impacted populations; (b) infrastructure assistance regarding transportation, delivery with a focus on home delivery and storage of food; and (c) support for food banks and community agencies with increased operational costs. This plan is aligned with the City Manager's guiding principles and strategic plan to deploy CARES Act funding.

The funding that has been provided to LISC and LFAF is funding access to healthy foods for impacted populations, equitably supporting existing organizations serving residents, recognizing the work already being done in diverse communities by the community, encouraging partnerships, supporting local business, and promoting innovation.

Entities receiving the funding include public school districts, nonprofits, community and grassroots organizations, farmers, community-supported agriculture (CSA), food hubs, mobile markets, restaurants and catering (including event venues). Funds were awarded through an open grant application process and awarded based on criteria established for organizational capacity, demonstrated need, and eligible costs (must be focused on activities related to the preparation and delivery of food boxes, produce, and take out/prepared meals) with outcomes for number of meals delivered and number of COVID-19-impacted individuals/families served. Work was initiated by LFAF grantees in August 2020 and LISC grantees in September 2020.

LFAF and LISC have been providing services to administer and manage the grant process, disbursing funds, and collecting compliance reporting data.

<u>LFAF Accomplishments to Date:</u>
46,678 meals and 2,696 CSA (local produce) boxes delivered from Aug. 3, 2020 through Dec. 5, 2020.
48 restaurants and caterers, 8 local farmers, 7 CSAs, and 1 food hub have received funding to purchase local produce, prepare and deliver meals, and for Personal Protective Equipment (PPE).
25 social service organizations have received meals for clients living in

zip codes most impacted by COVID-19.
Approximately 5,000 Thanksgiving meals were provided to eight social service organizations.

LISC Accomplishments to Date:
226,389 meals were prepared by school districts and nonprofit/grassroots organizations through Oct. 30, 2020.
4 school districts and 10 nonprofit/grassroots organizations are preparing and delivering meals and food boxes for residents living in zip codes most impacted by COVID-19.

The additional $500,000 will be distributed as follows:

LFAF will receive a total of $350,000 with $300,000 disbursed directly to grantees, local farmers, community-supported agriculture (CSAs), food hubs, mobile markets, restaurants and catering (including event venues) and $50,000 to LFAF for its administrative fee. The additional funding will result in an increase of approximately 28,000 meals, including Christmas meals. Additionally, local farmers, restaurants, caterers, and CSAs benefit with continued income for their businesses and jobs. Local farmers are harvesting produce and this additional funding will provide a market for their products.

LISC will receive a total of $150,000, with $140,000 disbursed equally to the Alhambra, Balsz, Cartwright, and Roosevelt School Districts and $10,000 to LISC for its administrative fee. A total of approximately 126,000 meals will be provided for pick-up or delivery to families in COVID-19 impacted zip codes by these school districts.

The additional funds will be expended by May 30, 2021, as stipulated by this amendment.

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

Contract Term

The term of the contracts is extended from Dec. 31, 2020 to May 31, 2021. Contracts may be extended based on continuous need and available funding, which may be exercised by the City Manager or designee.

Financial Impact

The original agreement for LISC was authorized for $1.1 million and the first amendment increased the authorization by an additional $93,000, for a total authorization of $1,193,000. This amendment will increase the authorization by an additional $150,000, for a new total authorization of $1,343,000.

The original agreement for LFAF was authorized for $600,000 and the first amendment increased authorization by an additional $351,000, for a total authorization of $951,000. This amendment will increase the authorization by an additional $350,000, for a new total authorization of $1,301,000.

Concurrence/Previous Council Action

The City Council approved:

Agreements for COVID-19 Emergency Food Assistance with LISC and LFAF (Ordinance S-46712) on June 3, 2020; and

Agreements for COVID-19 Emergency Food Assistance with LISC and LFAF Amendment (Ordinance S-47066) on Nov. 4, 2020.

The City Council also allocated $500,000 in additional funds for food assistance at the City Council Policy Session on Dec. 8, 2020.

This item was adopted.

50 Request Retroactive Authorization to Apply for and Accept FTA COVID-19 Research-Demonstration Program Grant Funds and Enter into Grant Agreement (Ordinance S-47176)

Request retroactive authorization for the City Manager, or his designee, to allow the Public Transit Department to apply for a Federal Transit Administration (FTA) grant to purchase and install bus operator safety shields, as well as enter into an agreement with the FTA to accept the grant. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The grant is

anticipated for an amount not to exceed $2,043,242.

Summary

In response to the potential long-term effects of the COVID-19 pandemic, earlier this year the Public Transit Department requested, and received, approval to move forward with a Request for Proposals for the manufacture and installation of bus operator safety shields on the City's fleet of 483 heavy-duty transit buses at the April 23, 2020 Policy Session. On Aug. 26, 2020 the City Council approved a contract with Complete Coach Works (CCW). Bus operator safety shields will provide a physical barrier between the bus operator and passengers, providing a barrier against physical harm and protection from viruses potentially transmitted via water droplets associated with passengers coughing or sneezing.

With the FTA announcement of the Public Transportation COVID-19 Research Demonstration Grant Program in October 2020, the Public Transit Department seeks aid in funding of the CCW contract. The request for retroactive authorization to apply for the grant is due to the short application timeline. The COVID-19 Research-Demonstration Grant application deadline was Nov. 2, 2020.

Financial Impact

The grant application requests a federal amount of $2,043,242, with the Phoenix match portion to be $510,811. The local match is encouraged by the FTA to make the application more competitive in the grant evaluation and award process. If awarded, the federal grant will offset federal CARES funding currently allocated for this project.

Concurrence/Previous Council Action

The City Council approved Bus Operator Protective Barriers Agreement 152951 (Ordinance S-46879) on Aug. 26, 2020.

The Citizens Transportation Commission recommended this item for approval on Nov. 19, 2020, by a vote of 10-0.

The Transportation, Infrastructure and Innovation Subcommittee recommended this item for approval on Dec. 2, 2020, by a vote of 4-0.

This item was adopted.

51 Coronavirus Relief Fund Update and Closeout Process Related to

the Project Assist Program (Ordinance S-47205)

This report provides the City Council with additional information related to the City's Project Assist Program as a follow-up to the Coronavirus Relief Fund Update and Closeout item from the Dec. 8, 2020 City Council Policy Session. This report also requests authorization for the City Controller to disburse, and the City Treasurer to accept, all funds necessary related to the City's Coronavirus relief allocation to the Project Assist program.

Summary

On Dec. 8, 2020 at the City Council Policy Session, City Council authorized staff to use approximately $40.1 million in Coronavirus Relief Funds (CRF) to offset General Fund public safety salaries. This action freed up resources in the General Fund to continue previously-approved CRF projects that would not be completed by the deadline of Dec. 30, 2020. The Project Assist program will receive additional funding of $2 million from a portion of those freed up resources in the General Fund.

Project Assist is a City program administered by the Human Services Department that provides financial assistance to low-income households experiencing crisis in order to resolve their past due City services bills.

Currently, the City advertises Project Assist by distributing flyers and information to community partners and advertising through the Human Services Department website. In addition, residents are directed to Project Assist through self-referral, community partners and the Water Services Department. To obtain assistance, a resident typically calls a central intake phone number to schedule an appointment, at which Human Services staff assesses eligibility.

The current Project Assist program criteria includes:

150 percent of Federal Poverty Level (can be waived by supervisor for extreme circumstances);

One-time assistance in a 12-month period;

Maximum payment of $400 (with exceptions as approved by a supervisor); and

All services and fees on City Services bill are covered.

During the COVID-19 pandemic, the City is experiencing an increase in delinquency for customer accounts, resulting in a total of approximately $4 million as of Dec. 10, 2020.

In order to expedite relief during the current crisis, staff proposes to significantly streamline the process for residents to access the new funds allocated by Council to Project Assist.

Delinquent residential customers will be identified from reporting that is obtained through the billing system for the City Services accounts. Customer accounts will be prioritized based upon objective criteria indicating that the account holder is experiencing financial distress. Examples of these criteria include: residential accounts that have missed multiple monthly payments within the last 18 months; or accounts that have made multiple monthly partial payments to a single account throughout the past 18 months. These criteria aim to identify those households most in need.

The suggested Water Services Project Assist program criteria for the additional funding includes:
One-time assistance;
No maximum payment of $400;
All services and fees on City Services bill covered; and
Accounts with any documented tampering or theft of services are ineligible.

Staff in the City's Utility Billing Center will immediately begin additional outreach efforts to delinquent residential customers. The City will contact customers telephonically and request the customer's authorization to apply funds to their account. Fund distribution will be closely monitored and reported regularly.

This item was adopted.

53 Renewable Energy Purchase (Ordinance S-47178)

Request to authorize the City Manager, or his designee, to enter into a Solar Services Agreement (SSA) with Ameresco Inc. (Ameresco) to purchase renewable energy at a fixed price for 25 years in exchange for granting Ameresco site access to build, own, operate and maintain a 500

kilowatt solar photovoltaic generation facility (solar carport) at an employee parking lot at a Public Works Department facility.

Summary

On Feb. 7, 2018, City Council authorized establishment of a Qualified Vendor List (QVL) to develop solar projects at various City sites. Four vendors, including Ameresco, were selected by Council to be on the QVL.

In 2019, the City issued a request for quotation to construct a solar canopy array over the employee parking lot at the 22nd Avenue Public Works facility based on a predefined list of assumptions. Vendors from the QVL were informed that the City would only accept bids that had a positive Net Present Value (NPV) and could provide a positive cash flow in all years of the agreement.

Ameresco provided the lowest bid, and earned the right to prepare a detailed bid based on actual conditions found at the site including soil testing results, utility rates, and 15-minute interval energy use data. Although the vendor encountered several challenges in preparing the final agreement, such as multiple parcels, multiple meters and rates, sizing limitations by the utility, and special permissions required by the Roosevelt Irrigation District (that has a right-of-way in the project area), Ameresco was still able to meet the project limitations of a positive NPV and positive annual cash flow. The resulting SSA includes the following components:

A fixed price of 8.88 cents ($0.0888) per kilowatt hour for all energy produced by the solar array;
A guarantee that the array will produce the Guaranteed Annual Electric Output (adjusted annually for degradation); and
A license agreement to allow Ameresco to enter the Property to design, build, own, operate and maintain the facility for the life of the 25-year agreement, and remove the facility upon termination of the agreement.

The SSA structure was authorized by the Arizona Corporation Commission in Decision #71795 on July 12, 2010. The City used a third-party owner representative, Celtic Energy, to review the overall project proposal, and McKinstry Inc, to review the utility cost assumptions

to ensure that the cost of energy in the agreement was below the current average cost the City pays the utility during the times of solar production.

By entering the SSA, the City is agreeing to pay Ameresco 8.88 cents ($0.0888) for every kilowatt hour of renewable energy produced by the solar photovoltaic generation facility over the life of the agreement. This project will lower the carbon footprint of the associated buildings by approximately 500 metric tons of CO2 per year and become the 49th solar project constructed on City property.

Financial Impact

The price of energy to be purchased from the solar array is marginally below the current utility cost of energy and will result in nominal cost savings in the first year, however, it is anticipated that utility rates will rise over the 25-year agreement and likely result in significant cost savings in the latter years.

Concurrence/Previous Council Action

The City Council approved Solar Energy Projects QVL on Feb. 7, 2018.

Location

2631 S. 22nd Ave.
Council District: 7

This item was adopted.

54 Additional Expenditures for Japanese Friendship Garden Pump and Ozone Repair and Maintenance - Requirements Contract - RFA 18-078A (Ordinance S-47179)

Request authorization for the City Manager, or his designee, to allow additional expenditures under Contract 146383 with GMI Pump Systems for maintenance and operation of the pump and ozone systems at the Japanese Friendship Garden for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Japanese Friendship Garden has a one-acre Koi pond that is a replica of the Japanese Friendship Garden in Himeji, Japan, Phoenix's sister city. This contract provides maintenance and operation of the pump

and ozone system at the Japanese Friendship Garden. The Parks and Recreation Department also uses this contract for repairs on the pond pumps and the ozone system that keep the water aerated and clear, to provide a healthy environment for the 1,200 Koi that live in the pond. Funds are needed due to a large number of unforeseen repairs.

Contract Term
The contract term is Sept. 20, 2019 through Sept. 19, 2022.

Financial Impact
Upon approval of $180,000 in additional funds, the revised aggregate value of the contract will not exceed $412,000. Funds are available in the Parks and Recreation Department's budget.

Concurrence/Previous Council Action
This contract was originally approved by City Council on Sept. 20, 2017.

This item was adopted.

57 Add Positions and Apparatus to Support Fire Department Operations (Ordinance S-47198)

Request to authorize the City Manager, or his designee, to add 27 new sworn positions and add Fire Apparatus to support Fire Department operations. Funds are available in the General Fund and 2019 SAFER grant to support this request. Further request authorization for the City Controller to disburse funds required for this item.

Summary
To efficiently deliver fire services, 27 additional sworn positions are necessary to staff 1 new Rescue Company and 2 new Medical Response Units (MRU). The 27 new positions will be funded through the 2019 SAFER grant and include 17 Firefighters, 5 Fire Engineers, and 5 Fire Captains. The one-time purchase of the additional Rescue and two new MRU’s will be funded through available General Funds as follows:

$230,000 - Medical Response Unit (includes 4 Self-Contained Breathing Apparatuses (SCBA’s) and 1 cardiac monitor)
$230,000 - Medical Response Unit (includes 4 SCBA’s and 1 cardiac monitor)
$355,000 - Rescue (ambulance) Unit (includes 2 SCBA’s, 1 cardiac

monitor and 1 power gurney)

$815,000 - Total (one-time) cost

Financial Impact

Funds are available in the Fire Department General Fund for the one-time purchases of equipment and vehicles in an amount not to exceed $815,000. Additionally, 2019 SAFER grant funds are available to support the 27 new sworn positions in an amount not to exceed $8,581,815.

Concurrence/Previous Council Action

The request to apply for the SAFER grant was approved by the City Council on June 23, 2020, through ordinance S-46701.

This item was adopted.

58 Intergovernmental Agreement with Arizona State University for Services Associated with Police-Related Projects (Ordinance S-47177)

Request to authorize the City Manager, or his designee, to enter into a Master Intergovernmental Agreement (IGA) with the Arizona Board of Regents, Arizona State University (ASU), for services associated with police-related projects in an amount not to exceed $16,500. Further request authorization to enter into project agreements as necessary within the Council-approved expenditure authority, and for the City Controller to disburse all funds related to this item.

Summary

The Phoenix Police Department would like to partner with ASU on various police-related projects involving the review and assessment of various police practices and operational procedures. ASU would make its qualified personnel and students available to the City on an as-needed basis to address the City's needs by conducting research and developing recommendations and protocols as necessary on specific projects. City funding would cover costs to pay students for their time on these projects. ASU's research and related recommendations and protocols can offer to improve police practices and procedures; enhance data collection and reporting; and ensure the law enforcement procedures assessed are aligned with best practices.

Contract Term

Upon Council approval, the term of the IGA will be for one year. Provisions of this agreement include an option to renew the IGA for an additional one-year period, which may be exercised by the City Manager or his designee.

Financial Impact

The cost to fund this agreement is $16,500. Funding is available in the Police Department's budget.

Concurrence/Previous Council Action

This item was unanimously approved at the Public Safety and Justice Subcommittee meeting on Nov. 17, 2020.

This item was adopted.

59 Police Records Management System Enhancements - National Incident-Based Reporting System (NIBRS) (Ordinance S-47196)

Request to authorize the City Manager, or his designee, to extend Contract 146585 through May 31, 2021 with Intergraph Corporation, DBA Hexagon Safety & Infrastructure for the Police Department.

Summary

The Police Department is continuing the transition from the Uniform Crime Reporting (UCR) Summary reporting to UCR NIBRS by implementing enhancements to the Police Records Management System. The Federal Bureau of Investigations (FBI) requires all public safety agencies to transition to UCR NIBRS reporting. Additional time is required to complete the NIBRS enhancements and meet the deadline required by the FBI.

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

Contract Term

The contract shall be extended through May 31, 2021.

Financial Impact

No additional funds are required.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Nov. 29, 2017 and extended on Jan. 23, 2020.

This item was adopted.

60 Substitute Ground Lease with American Greyhound Racing (Ordinance S-47187)

Request to authorize the City Manager, or his designee, to enter into a substitute ground lease with American Greyhound Racing, Inc. (Greyhound) at Phoenix Sky Harbor International Airport.

Summary

Greyhound leases the greyhound race track located at 3801 E. Washington St. Greyhound currently uses the location for a community swap meet market. Greyhound has requested a five-year lease extension for their current lease. The current lease has undergone numerous amendments resulting in changes to the boundaries of the original leased premises. This substitute lease will replace the current lease and clarify the description of the lease premises.

Contract Term

The term of the lease will be five years and will contain one option to extend the term on a month-to-month basis for up to two years. The option may be exercised at the sole discretion of the Aviation Director.

Financial Impact

Rent for the first year of the lease will be approximately $954,240 ($0.78 per square foot), plus applicable taxes. Rent will be adjusted annually thereafter according to the Phoenix-Mesa-Scottsdale Consumer Price Index. Total anticipated revenue over the five-year term will be approximately $4,771,200.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board recommended this item for approval on Nov. 19, 2020, by a vote of 9-0.

The Transportation, Infrastructure and Innovation Subcommittee recommended this item for approval on Dec. 2, 2020, by a vote of 4-0.

Location
3801 E. Washington St.
Council District: 8

This item was continued to the Jan. 20, 2021 City Council Formal Meeting.

61 Through the Fence Agreement with Dillon Aero, Inc. at Phoenix Deer Valley Airport (Ordinance S-47189)

Request to authorize the City Manager, or his designee, to enter a Through the Fence (TTF) agreement with Dillon Aero, Inc. (Dillon) to provide access from Dillon's hangar facility to Phoenix Deer Valley Airport (DVT).

Summary
On or about Sept. 11, 2020, Dillon purchased a hangar facility from Honeywell Inc. The hangar facility is located off DVT property at 1510 W. Deer Valley Road. The hangar facility is connected to DVT via an existing taxi lane. The TTF agreement will provide access for Dillon-owned and leased aircraft to DVT for aircraft operations.

Contract Term
The term of the TTF agreement will be for 30 years. The agreement is non-transferable and will terminate if Dillon sells the hangar facility.

Financial Impact
Revenue from the TTF agreement is $27.53 per month for each of Dillon’s aircraft stationed at the hangar facility. The rate is based on the rate for uncovered tie-down aircraft storage at DVT and will be adjusted annually according to the Consumer Price Index. Dillon will also pay the current fuel flowage rate of $0.11 per gallon.

Concurrence/Previous Council Action
This item was recommended for approval by the Phoenix Aviation Advisory Board on Nov. 19, 2020 and the Transportation, Infrastructure and Innovation Subcommittee on Dec. 2, 2020.

Location
Adjacent to Phoenix Deer Valley Airport located at 702 W. Deer Valley Road

Council District: 1

This item was adopted.

62 Salt River Project Agricultural Improvement and Power District Executive Hangar Lease at Phoenix Sky Harbor International Airport (Ordinance S-47190)

Request to authorize the City Manager, or his designee, to enter into an executive hangar lease with Salt River Project Agricultural Improvement and Power District (SRP) at Phoenix Sky Harbor International Airport (PHX).

Summary

SRP currently leases three hangars at PHX where they store and maintain aircraft of various types. SRP has requested to lease Executive Hangar E12. The new lease will replace an existing lease for Executive Hangar E13, which is scheduled to expire April 30, 2021.

Contract Term

The term of the lease will be for two years. The lease also contains two one-year options to extend the term, which may be exercised by the City Manager or his designee.

Financial Impact

Rent for the first year of the lease will be approximately $29,670 ($7.04 per square foot), plus applicable taxes. Rent will be adjusted annually thereafter by the Phoenix-Mesa-Scottsdale Consumer Price Index. Total anticipated revenue over the four-year term of the lease, if both options to extend the term are exercised, will be approximately $118,673.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board recommended this item for approval on Nov. 19, 2020, by a vote of 8-0.

The Transportation, Infrastructure and Innovation Subcommittee recommended this item for approval on Dec. 2, 2020, by a vote of 4-0.

Location

2541 E. Air Lane

Council District: 8

This item was adopted.

63 Home Pick-Up Household Hazardous Waste Collection Service - Pilot Program, Requirements Contract (Ordinance S-47167)

Request to authorize the City Manager, or his designee, to enter into an agreement with Kary Environmental Services, Inc. (KES) to provide home pick-up Household Hazardous Waste (HHW) collection service to residents for a term of six months, in support of a pilot program. Further request to authorize the City Controller to disburse all funds related to this item. This agreement will have an aggregate amount of $350,000.

Summary

The City offers a program for recycling and proper disposal of HHW, which has historically been an event style collection. In March 2020, due to the COVID-19 health pandemic and related safety concerns, HHW collection events were postponed indefinitely. Alternatively, residents have been provided an option allowing them to deliver HHW items directly to the City's HHW vendor sites. This method has led to lower participation rates and inconvenient drop-off locations.

This agreement will allow KES to perform at-home collection of HHW material for residents. Through extensive research it was determined that KES is the only known vendor providing at-home pick-up services for HHW in Arizona. KES currently provides home pick-up services in Scottsdale, Peoria, and Prescott. Maintaining an HHW program is vital to the City to protect human health and the environment; to prevent operational hazards to equipment and staff; and to increase diversion of hazardous materials from the City's landfill. During this pilot program, the current drop-off service option will remain in place, but no in-person events will be hosted.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo, citing special circumstance, without competition. KES is the only known vendor providing this type of collection in surrounding cities.

Contract Term

This agreement will be for a six-month term to begin on or about Jan. 1,

2021 through June 30, 2021.

Financial Impact

This project will have a total aggregate amount not to exceed $350,000 over the six-month pilot term. Funds are available in the Public Works Department's budget.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Innovation Subcommittee recommended City Council approval of the contract with KES on Dec. 2, 2020, by a vote of 4-0.

This item was adopted.

64 Contract Recommendation for Asphalt and Striping Services (Ordinance S-47171)

Request to authorize the City Manager, or his designee, to enter into separate contracts with Cactus Transport, Inc.; Sunland Asphalt & Construction, Inc.; and Viasun Corporation for asphalt and striping services to be used on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item. The total aggregate amount is $6,650,000 over the life of the contracts.

Summary

The Public Works Department is responsible for asphalt and striping maintenance and repairs at various City locations. These asphalt services include maintenance and repair to foundations, driveways, and walkways. Striping services include disability signage and striping in parking lots and loading areas. The Aviation Department is responsible for asphalt and striping projects and maintenance at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport. These airport services include asphalt paving, crack fill, sealing, safety bollards, disability signage, and striping.

Procurement Information

Invitation for Bid 21-FMD-018 was conducted in accordance with Administrative Regulation 3.10. Six offers were received by the Public Works Department Procurement Services on Sept. 30, 2020. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services.

The offers submitted by Cactus Asphalt, A Division of Cactus Transport, Inc.; Sunland Asphalt & Construction, Inc.; and Viasun Corporation were deemed fair and reasonable.

Total for requested services at all City-owned, non-Aviation Department properties for asphalt services:

Group A

Sunland Asphalt & Construction, Inc.: $1,368.73 bid total.

Group B

Cactus Asphalt, A Division of Cactus Transport, Inc.: $1,420.73 bid total; and

Viasun Corporation: $1,437.02 bid total.

Total for requested services at all Aviation Department properties for asphalt services:

Group C

Sunland Asphalt & Construction, Inc.: $3,545.23 bid total.

Group D

Viasun Corporation: $1,454.13 bid total.

Contract Term

The one-year term of the contracts will begin on or about Jan. 1, 2021. The contracts will contain four one-year options to extend the term, for a total contract term of up to five years if all options are exercised.

Financial Impact

The aggregate value of the contracts, including all option years, is $6,650,000, including all applicable taxes, with an estimated annual expenditure of $1,330,000. Funds are available in the Public Works and Aviation departments' budgets.

This item was adopted.

65 Additional Expenditures for Facility Site Assessments (Ordinance S-47182)

Request to authorize the City Manager, or his designee, to add additional expenditures to contracts with Abacus Project Management, Inc.

(Contract 148930); AECOM Technical Services, Inc. (Contract 148934); Ameresco, Inc. (Contract 148933); APMI, Inc. (Contract 148925); Arrington Watkins Architects, LLC (Contract 148932); C&S Engineers, Inc. (Contract 148926); Cannon/Parkin, Inc. (Contract 148935); Bureau Veritas Technical Assessments, LLC (Contract 148928); Faithful & Gould, Inc. (Contract 148929); and Wood Environment and Infrastructure Solutions, Inc. (Contract 148931) in an amount up to $3,000,000, to provide condition assessments on City buildings. Further request authorization for the City Controller to disburse all funds related to this item. The revised aggregate value of the contracts will not exceed $9,100,000.

Summary

These contracts are used to complete condition evaluations of all City properties. These evaluations provide information for capital planning, identification of areas with immediate needs, improved maintenance, and verification of functional and environmental obsolescence. Site assessments are needed to maintain the condition and safety of more than 1,300 City facilities. The information gathered from the assessments makes it possible to plan and budget for necessary maintenance and repairs of these buildings, which is necessary for the safety of City employees and the public.

Contract Term

The initial one-year term of the contracts began on Dec. 1, 2018, with four one-year options to extend, for a total contract term of up to five years.

Financial Impact

Upon approval of $3,000,000 in additional funds for the Public Works Department, the revised aggregate value of the contracts will not exceed $9,100,000. Funds are available in the Public Works Department's budget.

Concurrence/Previous Council Action

The contracts are the result of solicitation RFQu 19-FMD-020 awarded by Formal Council action on Nov. 14, 2018, with an estimated aggregate amount of $6,100,000. The action approved a Qualified Vendor List (QVL) to be established for an initial one-year term, with four one-year

options to extend, and pay authority for the first two years of the QVL.

This item was adopted.

66 Food Waste Diversion Services - Requirements Contract - RFQ 21-SW-015 (Ordinance S-47186)

Request to authorize the City Manager, or his designee, to enter into an agreement with Recycled City, LLC to provide food waste diversion services for Phoenix City Hall and Calvin C. Goode building. Further request to authorize the City Controller to disburse all funds related to this item. This agreement will have an aggregate amount not to exceed $90,000.

Summary

This agreement will provide continuation of food scrap pick-up services at the identified City facilities for composting at Recycled City's farm. This service will help with the City's diversion initiative goal of Zero Waste by 2050. Since 2016, this service has diverted 37 tons of food waste otherwise going in the City's landfill. The agreement also will provide bi-weekly bin pick-up service at Phoenix City Hall and Calvin C. Goode building. This contract allows for other City of Phoenix facilities to be serviced in the future, if necessary.

Procurement Information

Request for Quote, RFQ 21-SW-015, was conducted in accordance with City of Phoenix Administrative Regulation 3.10. The Public Works Department received one offer on Aug. 19, 2020. This offer was determined to be responsive and responsible to the solicitation requirements.

The Procurement Officer evaluated the quote based on price, responsiveness to all specifications, terms and conditions. Recycled City, LLC met all solicitation criteria and is recommended for contract award.

Contract Term

The initial contract term is for one year beginning upon Council approval. Provisions of the contract include an option to extend the term up to four years to be taken in one-year increments, which may be exercised by the City Manager or designee.

Financial Impact
This agreement will have an aggregate amount not to exceed $90,000 over the life of the agreement including option years, with an estimated annual amount of $18,000. Funds are available in the Public Works Department's budget.

Concurrence/Previous Council Action
The Transportation, Infrastructure and Innovation Subcommittee recommended for approval an agreement with Recycled City, LLC on Dec. 2, 2020 meeting, by a vote of 4-0.

Location
Phoenix City Hall - 200 W. Washington St.
Calvin C. Goode Municipal Building - 251 W. Washington St.
Council District: 7

This item was adopted.

68 Street Transportation Department Right-of-Way General Construction - Job Order Contracting Services - 4108JOC195 (Ordinance S-47160)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with four contractors, to provide Right-of-Way General Construction Job Order Contracting (JOC) services for the Street Transportation Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed $160 million.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project and to include disbursement of funds. Utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an

interest in real property. Further request the City Council, where such agreements, licenses, and permits involve the Salt River Project, to grant an exception to Salt River Project pursuant to Phoenix City Code section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18.

Summary

The JOC contractor's services will be used on an as-needed basis to provide Right-of-Way General Construction to include asphalt paving and concrete work, waterlines, storm drains, retention basins, streetlights, utility work, and traffic control in the right-of-way. All work will be performed as required in accordance with City of Phoenix standard details, utility company specifications, Maricopa Association of Governments specifications, plans provided by the City of Phoenix, and/or as directed by the City Engineer. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

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

Procurement Information

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

Contract Term

The term of each master agreement is for up to five years, or up to $40 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact

The master agreement values for each of the JOC contractors will not

exceed $40 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $160 million. The value for each job order agreement performed under this master agreement will be up to $4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

Public Outreach

The public will be notified on each project, if notification is required.

This item was adopted.

69 99th Avenue Interceptor Condition Assessment - Engineering Services - WS90160105 (Ordinance S-47161)

Request to authorize the City Manager, or his designee, to enter into an agreement with Project Engineering Consultants, LTD. (PEC), to provide engineering services that include assessment/study services for the 99th Avenue Interceptor Condition Assessment 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 $750,000.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project and to include disbursement of funds. Utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to conduct a condition assessment of the 99th Avenue Interceptor, a multi-owned interceptor governed by an Intergovernmental Agreement between the cities of Glendale, Peoria, Tolleson, and Phoenix.

PEC's services include, but are not limited to:
review of past assessments, as-builts, completed rehabilitation and other improvements, and pertinent documents and records;
inspect (using remote video inspection equipment) interceptor interior and assess all manholes and structures on the interceptor (using remote and manned entry);
prepare detailed report of observations including recommendations for cost-effective resolution of discovered defects;
develop budgetary costs for addressing higher priority defects found in the interceptor and manholes and structures;
hold progress meetings and workshops as needed to complete the work; prepare a draft report for review;
present the recommendations made in the draft report; and prepare a final report.

The 99th Avenue Interceptor is owned by the cities of Glendale, Peoria, Phoenix and Tolleson and is operated and maintained by the City of Phoenix.

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

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

Selected Firm
Rank 1: Project Engineering Consultants, LTD.

Additional Proposers
Rank 2: Brown and Caldwell, Inc.
Rank 3: Garver LLC

Contract Term
The term of the agreement is 550 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for PEC will not exceed $750,000, including all subconsultant and reimbursable costs.

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

Location
99th Avenue to 87th Avenue and Broadway Road to Olive Avenue
Council Districts: 5 and 7

This item was adopted.

70 Agreement between Valley Metro Rail, Inc. and City of Phoenix for Bridge Inspection Services (Ordinance S-47162)

Request to authorize the City Manager, or his designee, to enter into an agreement with Valley Metro Rail, Inc. (VMR) and for the City Treasurer to accept funds for bridge inspection services for VMR bridges. This agreement will allow Phoenix staff and consultants to inspect the bridges owned and operated by VMR. Further request exemption from the indemnification and liability provisions of section 42-18 of the City Code to allow for mutual indemnification. The agreement value will not exceed $500,000.

Summary

Under this agreement, the City of Phoenix shall inspect nine VMR bridge locations in accordance with National Bridge Inspection Standards. VMR shall pay the City of Phoenix for all costs related to inspection of each bridge, including staff services, consultant fees and equipment used. In addition, VMR shall bear all liability and shall be solely responsible for the condition of any structure and maintenance work to VMR structures, or lack thereof, for any structures inspected pursuant to this Agreement.

Contract Term

The term of this agreement will begin on Jan. 1, 2021 and will expire on Dec. 31, 2024.

Financial Impact

The City of Phoenix will be reimbursed up to $500,000 by VMR for Bridge Inspection Services performed by City staff and contractors for the inspection of VMR infrastructure.

Location

Council Districts: 1, 3, 4, 5, 7, 8 and Out of City.

This item was adopted.

71 7A-ES1 New Reservoir and 7A New Water Main - Construction Manager at Risk Preconstruction Services - WS85050053, WS85500457, WS85050019 and WS85500446 (Ordinance S-47165)

Request to authorize the City Manager, or his designee, to enter into an agreement with McCarthy Building Companies, Inc. (McCarthy) to provide Construction Manager at Risk (CMAR) Preconstruction Services for the 7A-ES1 New Reservoir and 7A New Water Main 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 $380,000.

Summary

The purpose of this project is to provide additional water storage capacity on Zone 7A, currently estimated at up to five million gallons. The City is planning to locate the new reservoir at the undeveloped site located on Cave Creek Road. In addition, a new water main will be required to extend the existing 7A water main in Cave Creek Road north to the new

reservoir site.

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

McCarthy's services include, but are not limited to: providing detailed cost estimation and knowledge of marketplace conditions, providing project planning and scheduling, providing alternate systems evaluation and constructability studies, and advising the City on ways to gain efficiencies in project delivery. A Small Business Enterprise goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

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

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

Selected Firm
Rank 1: McCarthy Building Companies, Inc.

Additional Proposers
Rank 2: MGC Contractors, Inc.
Rank 3: PCL Construction, Inc.
Rank 4: Haydon Building Corp.
Rank 5: Achen-Gardner Construction, L.L.C.
Rank 6: Blucor Contracting, Inc.
Rank 7: KWR Construction, Inc.

Contract Term
The term of the agreement is two years from issuance of the Notice to

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

Financial Impact
The agreement value for McCarthy will not exceed $380,000, including all subcontractor and reimbursable costs.

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

Location
Desert Broom Park to North Cave Creek Road
Council District: 2

This item was adopted.

72 7A-ES1 New Reservoir and 7A New Water Main - Engineering Services - WS85050053, WS85500457, WS85050019 and WS85500446 (Ordinance S-47166)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineering, Inc. (Wilson), to provide Engineering Services that include design and possible construction administration and inspection (CA&I) services for the 7A-ES1 New Reservoir and 7A New Water Main 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 $3,250,000.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the

project and to include disbursement of funds. Utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to provide additional water storage capacity on Zone 7A, currently estimated at up to five million gallons. The City is planning to locate the new reservoir at the undeveloped site located on Cave Creek Road. In addition, a new water main will be required to extend the existing 7A water main in Cave Creek Road north to the new reservoir site.

Wilson's design services include, but are not limited to: basic hydraulic analysis of the service area/zones served by the new reservoir with evaluations and recommendations for water quality provisions and requirements; basis of design reports; preparation of construction documents; data collection and field survey, including geotechnical evaluation for construction requirements, public outreach coordination, and cost estimates for the milestone deliverables.

Construction administration and inspection services include, but are not limited to: general construction administration and oversight; construction inspection and materials testing; startup and commissioning services, as well as agency coordination and permitting.

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

Procurement Information

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

Selected Firm

Rank 1: Wilson Engineering, Inc.

Additional Proposers
Rank 2: Dibble & Associates Consulting Engineers, Inc.
Rank 3: Entellus, Inc.
Rank 4: Carollo Engineers, Inc.
Rank 5: HDR Engineering, Inc.
Rank 6: Sunrise Engineering, Inc.

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

Financial Impact
The agreement value for Wilson will not exceed $3,250,000, including all subconsultant and reimbursable costs.

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

Location
Desert Broom Park to North Cave Creek Road
Council District: 2

This item was adopted.

73 Relief Sewer Project: Van Buren and 52nd Street - Engineering Services - WS90500295 (Ordinance S-47169)

Request to authorize the City Manager, or his designee, to enter into an agreement with Project Engineering Consultants, LTD. (PEC), to provide Engineering Services that include construction administration and inspection (CA&I) services for the Relief Sewer Project: Van Buren and

52nd Street. 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 $540,000.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project and to include disbursement of funds. Utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to provide CA&I services to oversee installation of approximately 5,500 linear feet of 12-inch diameter sanitary sewer line to increase the capacity of the existing 8-inch sanitary sewer line. The new sewer will mitigate surcharging flows experienced within the existing gravity sewer pipeline from the Phoenix Zoo service connection to Van Buren and 52nd Street.

PEC's services include, but are not limited to: providing oversight of project construction activities, inspecting the site through various stages of construction, reviewing contractor work submittals, and performing field inspections where required for completed repairs.

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

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the Professional Services selection process.

Contract Term

The term of the agreement is 425 calendar days from issuance of the

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

Financial Impact
The agreement value for PEC will not exceed $540,000, including all sub-consultant and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved Engineering Services contract 145110 (Ordinance S-43608) at the June 7, 2017 Formal Council meeting.

Location
Van Buren Street and 52nd Street
Council District: 6

This item was adopted.

74 Salt River Project Construction License for Traffic Signal Installation - 14th Street and Buckeye Road (Ordinance S-47188)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project (SRP) for installation of a traffic signal at 14th Street and Buckeye Road. 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. There is no financial impact to the City of Phoenix.

Summary
The purpose of this license is to allow the City to run parallel and cross under existing SRP irrigation facilities to install traffic signal poles, pull

boxes and conduit at 14th Street and Buckeye Road.

Contract Term
The term of the Construction License is one year, effective at the start of construction, which is expected by January 2021.

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

Location
14th Street and Buckeye Road
Council District: 8

This item was adopted.

75 Central Arizona Water Clearinghouse - Requirements Contract (Ordinance S-47164)

Request to authorize the City Manager, or his designee, to enter into contracts with Culp and Kelly, LLP, Martin & McCoy, LLC, and Mammoth Water, LLC, to provide professional services for development of the Central Arizona Water Clearinghouse (Clearinghouse) platform prototype pursuant to a grant agreement with the U.S. Bureau of Reclamation (BOR). The City was awarded a $200,000 matching WaterSmart grant from the BOR for development of the Clearinghouse. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of the contracts including the grant funds shall not exceed $368,080, including applicable taxes.

Summary
These contracts will provide professional services, including but not limited to: quantitative analysis, project management and technology professional services required to develop the Clearinghouse platform prototype. The Clearinghouse is a collaborative project developed by the City of Phoenix and an external team of water professionals, academics, and non-profit organizations. The purpose of the Clearinghouse is to create water management tools to facilitate market-based transactions that will advance water resources sustainability of the City and other water users in Central Arizona. Once complete, the Clearinghouse will house, maintain and make available thorough, credible, and up-to-date data about Arizona's water supplies. It will also provide templates and

supporting information to model a range of transaction types, and offer credible evaluation of, and guidance about, potential transactions.

The Water Services Department requests a waiver from Phoenix City Code section 42-18(B) for the contract with Mammoth Water. Mammoth Water seeks a limitation of liability and if approved, it would preclude their liability for any consequential, indirect, or incidental damages arising out of the agreement.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing the unique nature of the skills and knowledge required in the development of water marketing strategies.

Contract Term
The initial three-year contract term shall begin on or about Dec. 16, 2020 and end on Dec. 31, 2023. Provisions of the contracts include an option to extend the term of the contracts for an additional three years which may be exercised by the Water Services Director or designee.

Financial Impact
The aggregate contract value for the initial three-year term will not exceed $368,080, including applicable taxes. Funding is available in the Water Services Department's budget. In the event Water Services Department exercises the additional contract option, it will seek additional spending authority at that time.

Concurrence/Previous Council Action
The City Council approved acceptance and disbursement of U.S. Bureau of Reclamation Water SMART Water Marketing Strategy grant (Ordinance S-45870) on June 26, 2019.

This item was adopted.

76 Petroleum Products - Amendment (Ordinance S-47168)

Request to authorize the City Manager, or his designee, to add additional funds to contracts with: Western State Petroleum, Inc (Contract 151980), Synergy Petroleum (Contract 151982), and Van De Pol Enterprises, Inc

(Contract 151984) to purchase petroleum products for the Water Services Department (WSD). Further request to authorize the City Controller to disburse all funds related to this item. The additional purchases of petroleum products included in these agreements will not exceed $80,000.

Summary

These contracts are used to provide petroleum products, including but not limited to: fully synthetic engine motor oil, hydraulic fluid, lubricant, and diesel exhaust fluid, on an as-needed basis for operation and maintenance of department vehicles and equipment within the Public Works and Aviation departments.

This amendment is necessary to add additional funds allowing the WSD to use the contracts to purchase petroleum products for preventative maintenance of blowers, pumps, gearboxes and other equipment within WSD plants and facilities.

Financial Impact

The initial agreement for Petroleum Products Services was executed for a fee not-to-exceed $2,445,000, including all subconsultant and reimbursable costs.

This amendment will increase the agreement by an additional $80,000, for a new total not-to-exceed $2,525,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved the Petroleum Products agreements (Ordinance S-46473) on April 1, 2020.

This item was adopted.

77 Authorization to Terminate Easement for Water Line Purposes

Near 45th Avenue and Alameda Road (Ordinance S-47170)

Request to authorize the City Manager, or his designee, to terminate an easement for water line purposes near 45th Avenue and Alameda Road.

Summary

A private easement for a water line was granted to Westward Hills Investment Company on Aug. 12, 1975, which was assumed by the City of Phoenix on March 20, 1981. The water line will be relocated, and a new easement will be dedicated in the Final Plat for Northpoint 200571. The termination of the easement will be recorded upon confirmation from Water Services Department staff that the new main is accepted and reconnected, and the existing water line is abandoned. As consideration for termination of the easement the developer will construct the new water main.

Location

Northeast corner 45th Avenue and Alameda Road
Council District: 1

This item was adopted.

78 **Rotork Actuators for Process Valves and Gates - Request for Agreement (Ordinance S-47173)**

Request to authorize the City Manager, or his designee, to enter into a contract with T.W. Associates dba MISCOwater, to purchase Rotork actuators and related parts for the Water Services Department (WSD). Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract amount will not exceed $260,000.

Summary

The Water and Wastewater Treatment Plants are in the process of replacing EIM actuators that have failed due to control board and circuitry issues. These actuators open and close process valves and gates within the water and wastewater treatment process. The availability of EIM actuators and components is decreasing as they are no longer supported by the manufacturer and becoming obsolete. The Water and Wastewater Treatment Plants are converting two Rotork actuators which are supported by the manufacturer and are more cost efficient. The actuators will be installed by the WSD staff.

Procurement Information
The selection was made using a direct selection process set forth in City of Phoenix Administrative Regulation 3.10. The competitive process was waived because T.W. Associates dba MISCOwater is the only authorized distributor for Rotork actuators.

Contract Term
The term of the contract is five years and will begin on Jan. 1, 2021.

Financial Impact
The contract value for T.W. Associates dba MISCOwater, will not exceed a total value of $260,000 over the life of the contract. Funding is available in the Water Services Department Operating and Capital Improvement Program budgets.

This item was adopted.

79 Final Plat - Northpoint - PLAT 200571 - 45th Avenue and Alameda Road

Plat: 200571
Project: 19-2047
Name of Plat: Northpoint
Owner(s): US Relp Norterra East I, LLC
Engineer(s): Clouse Engineering, Inc.
Request: A 35 Lot Residential Plat
Reviewed by Staff: Nov. 17, 2020
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 45th Avenue and Alameda Road.
Council District: 1

This item was approved.

80 Final Plat - Tatum Acres III - PLAT 200533 - North of Gold Dust

Avenue and West of Tatum Boulevard

Plat: 200533
Project: 01-20432
Name of Plat: Tatum Acres III
Owner(s): Tatum Acres HOA, Inc.
Engineer(s): Miller & Sons Surveying
Request: A 9 Lot Detached Single Family Planned Area Residential Subdivision Plat
Reviewed by Staff: Nov. 4, 2020
Final Plat requires Formal Action Only

Summary

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

Location

Generally located North of Gold Dust Avenue and West of Tatum Boulevard
Council District: 3

This item was approved.

81 **Final Plat - McClellan Ranch - Parcels 1, 2a, 3a & 6a - PLAT 200525 - Approximately 3,400 Feet West of South Mountain Freeway (Loop 202) and North of Dobbins Road**

Plat: 200525
Project: 17-1627
Name of Plat: McClellan Ranch - Parcels 1, 2a, 3a & 6a
Owner(s): Pulte Home Company, LLC and Meritage Homes of Arizona, Inc.
Engineer(s): Hilgart Wilson, LLC
Request: A 260 Lot Residential Plat
Reviewed by Staff: Nov. 4, 2020
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 approximately 3,400 feet west of South Mountain Freeway (Loop 202) and north of Dobbins Road.
Council District: 7

This item was approved.

82 Final Plat - Broadstone on Portland - PLAT 190093 - 320 E. Portland St.

Plat: 190093
Project: 16-2938
Name of Plat: Broadstone on Portland
Owner(s): Broadstone Portland, LLC
Engineer(s): Kland Civil Engineers
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Nov. 18, 2020
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 320 E. Portland St.
Council District: 8

This item was approved.

83 Final Plat - Skyway 202 - PLAT 190115 - South of 202 Freeway and West of 40th Street

Plat: 190115
Project: 18-320
Name of Plat: Skyway 202
Owner(s): Sunbelt Land Holdings, LP
Engineer(s): Hunter Engineering
Request: A 2 Lot Commercial Plat
Reviewed by Staff: Nov. 9, 2020
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 south of the 202 Freeway and west of 40th Street.
Council District: 8

This item was approved.

84 Final Plat - Estrella Crossing - Phases 1 & 2 - PLAT 200510 - Southwest Corner of 55th and Olney Avenues

Plat: 200510
Project: 19-722
Name of Plat: Estrella Crossing - Phases 1 & 2
Owner(s): Brookfield Holdings (Estrella Crossing), LLC
Engineer(s): EPS Group, Inc.
Request: A 433 Lot Residential Plat
Reviewed by Staff: Nov. 18, 2020
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 55th and Olney Avenues.
Council District: 8

This item was approved.

85 Abandonment of Easement - ABND 200511 - Northeast Corner of Happy Valley Road and Norterra Parkway (Resolution 21885)

Abandonment: ABND 200511
Project: 15-3108
Applicant: AWH Construction, Inc.
Request: To abandon a portion of drainage easement located on parcel APN 210-04-488 and 210-04-489; recorded on Book 1499, Page 30.
Date of Decision: June 23, 2020

Location

Northeast corner of Happy Valley Road and Norterra Parkway
Council District: 1

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

This item was adopted.

86 Abandonment of Easement - ABND 200537 - 3515 S. 28th St. (Resolution 21887)

Abandonment: 200537
Project: 19-371
Applicant: Hecktech, Inc.
Request: To abandon a portion of drainage easement, recorded on Docket 15807, Page 689; located on parcel identified as APN 122-24-003T.
Date of Decision: Sept. 14, 2020

Location
3515 S. 28th St.
Council District: 8

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

This item was adopted.

87 Modification of Stipulation Request for Ratification of Nov. 18, 2020 Planning Hearing Officer Action - PHO-1-20_Z-63-86-7 - Approximately 325 Feet North of the Northwest Corner of 27th Avenue and 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 Nov. 18, 2020. This ratification requires formal action only.

Summary
Application: PHO-1-20--Z-63-86-7
Existing Zoning: A-1
Acreage: 1.83

Applicant: Andrew & Barbara Kelegian
Owner: Andrew & Barbara Kelegian
Representative: Jeff Muckerman

Proposal:
Deletion of Stipulation 2 regarding conditional approval.
Modification of Stipulation 3 regarding outside storage and open structures.
Deletion of Stipulation 4 regarding screening of outdoor storage and fences along 27th Avenue.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this request on Nov. 17, 2020 and recommended approval, by a 7-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Nov. 18, 2020, and recommended denial as filed and approval with a modification and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location
Approximately 325 feet north of the northwest corner of 27th Avenue and Buckeye Road
Council District: 7
Parcel Address: 1002 and 1018 S. 27th Ave.

This item was approved.

88 Amend City Code - Ordinance Adoption - Rezoning Application PHO-2-20_Z-110-08-7(5) - Approximately 300 Feet North of the Northeast Corner of 99th Avenue and McDowell Road (Ordinance G-6780)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Nov. 18, 2020.

Summary

Application: PHO-2-20_Z-110-08-7(5)
Existing Zoning: C-2
Acreage: 1.39

Applicant: Arvin Saloum, Ninety-Nine Holdings, LLC
Owner: Reza Amirrezvani, SSCW 99th Avenue Retail, LLC
Representative: Larry Lazarus, Lazarus & Silvyn, P.C.

Proposal:
1. Modification of Stipulation 1 regarding general conformance to the site plan date stamped March 11, 2016.
2. Modification of Stipulation 2 regarding general conformance to elevations date stamped March 2, 2016.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The Maryvale Village Planning Committee opted not to hear this request.
PHO Action: The Planning Hearing Officer heard this case on Nov. 18, 2020 and recommended approval. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location
Approximately 300 feet north of the northeast corner of 99th Avenue and McDowell Road
Council District: 5
Parcel Address: 1701 N. 99th Ave.

This item was adopted.

89 Amend City Code - Ordinance Adoption - Rezoning Application Z-16-20-6 (Alta Bluewater PUD) - Approximately 440 Feet West of the Northwest Corner of 18th Street and Camelback Road (Ordinance G-6778)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-16-20-6 and rezone the site from C-2 CEPCSP (Intermediate Commercial District, Camelback East Primary Core Specific Plan) and P-1 CEPCSP (Passenger Automobile Parking District, Camelback East Primary Core Specific Plan) to PUD CEPCSP (Planned Unit

Development, Camelback East Primary Core Specific Plan) to allow multifamily residential and commercial uses.

Summary

Current Zoning: C-2 CEPCSP (1.80 acres) and P-1 CEPCSP (1.56 acres)
Proposed Zoning: PUD CEPCSP
Acreage: 3.36 acres
Proposed Use: Multifamily and commercial uses

Owner: Margaret T. Morris Trust
Applicant: Wood Partners
Representative: Nick Wood, Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on Nov. 10, 2020, and recommended approval, per the staff recommendation with a modification by a 16-1 vote.
PC Action: The Planning Commission heard this case on Dec. 3, 2020, and recommended approval, per the Camelback East Village Planning Committee recommendation with an additional stipulation, by a 9-0 vote.

Location

Approximately 440 feet west of the northwest corner of 18th Street and Camelback Road
Parcel Address: 1608 and 1720 E. Camelback Road; 1701 E. Colter St.; and 1706 E. Pasadena Ave.
Council District: 6

This item was adopted.

90 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-20_Z-14-09-7 - Northeast Corner of 99th and Southern Avenues (Ordinance G-6781)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Nov. 18, 2020.

Summary

Application: PHO-1-20_Z-14-09-7

Existing Zoning: R1-10
Acreage: 38.11

Applicant: Alex Fish, ABLA
Owner: Keith Hughes, Prestige Developments Inc.
Representative: Alex Fish, ABLA

Proposal:
1) Modification to Stipulation 1 regarding general conformance to site plan date stamped March 24, 2009.
2) Deletion of Stipulation 1.a regarding perimeter landscape tracts.
3) Deletion of Stipulation 1.b regarding interior landscape tracts.
4) Deletion of Stipulation 1.c regarding covered playground equipment.
5) Deletion of Stipulation 1.d regarding covered ramadas.
6) Deletion of Stipulation 1.e regarding open grass areas.
7) Modification to Stipulation 4 regarding view fencing on interior walls.
8) Modification to Stipulation 5 limiting the maximum number of residential units to 126.
9) Deletion of Stipulation 7 regarding dedication of 55-foot right-of-way for the north half of Southern Avenue.
10) Planning Hearing Officer review and approval of elevations per Stipulation 12.
11) Technical corrections to Stipulations 2, 3, 8, 9, and 10.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this request on Oct. 20, 2020 and recommended approval, by a 4-2-1 vote.
PHO Action: The Planning Hearing Officer heard this case on Nov. 18, 2020 and recommended denial as filed and approval with modifications and additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location
Northeast corner of 99th and Southern Avenues
Council District: 7
Parcel Address: N/A

This item was adopted.

91 **Public Hearing - Appeal of Hearing Officer Decision - Abandonment of Right-of-Way - ABND 200534 - Various Segments generally located south of Jefferson Street and north of Harrison Street (railroad tracks) between 7th and 13th Avenues**

Request to hold a public hearing on the request to abandon various right-of-way segments (ABND 200534) located south of Jefferson Street between 7th and 13th Avenues, due to an appeal dated Dec. 3, 2020. The request was to abandon several right-of-way (ROW) and sidewalk easements, varying from 5- to 30-feet adjacent to parcels. The purpose of the request as stated by the Applicants is: to reduce/eliminate a massive flux of violence, crime, and unsanitary conditions, accompanied with an influx of urban campers. The Abandonment Hearing Officer denied the request, generally finding that the ROW and easements requested for abandonment were still necessary for use as public roadways.

Summary

Project: 00-2009
Abandonment Applicant: Madison Pioneers Coalition Neighborhood Association
Date of Abandonment Hearing Officer's Decision: Oct. 6, 2020
Appellant: Madison Pioneers Coalition Neighborhood Association / JEGreenman Consulting LLC
Date of Appeal: Dec. 3, 2020

Location

South of Jefferson Street and north of Harrison Street (railroad tracks) between 7th and 13th Avenues
Council District: 7

This item was continued to the Feb. 3, 2021 City Council Formal Meeting.

Items 21 and 23, Ordinance S-47159 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.

21 National Association of Housing and Redevelopment Officials

For $17,000.00 in payment authority for National Association of Housing and Redevelopment Officials (NAHRO) annual membership for the Housing Department. NAHRO provides important support through training, advocacy, networking, and best practices. The Housing Director serves on NAHRO's Committee helping to determine policy direction both locally and nationally. Phoenix is currently scheduled to be the host city for NAHRO's October 2021 National Conference and Exhibition. Membership ensures the City is informed about proposed regulatory changes that may impact the financial and operational sustainability of the City's Housing Department, as well as legislative updates to keep staff informed in advance of action being taken. The membership will be paid by federal funds with no impact to the General Fund.

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

Yes: 7 - Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

23 Maricopa County Rio Salado Community College

For $10,000.00 in payment authority for the use of the Maricopa County Rio Salado Community College Police Academy testing services for the Police Department. The funds will ensure that recruits are awarded college credit for their classroom training, testing, and grading through the Rio Salado Community College. Once the recruits become Police Officers, they will be awarded college credits. The Phoenix Regional Police Academy provides training to recruits for the Phoenix Police Department, Arizona Department of Public Safety, and other various Police agencies in Arizona. The academy holds up to 12 classes per year, with an average of 30 recruits in each class.

Note: Councilwoman Pastor declared a potential conflict of interest and withdrew from the voting body on this item.

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

Yes:	8 -	Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	
Conflict:	1 -	Councilwoman Pastor

27 Proposed Central Avenue and Jomax Road Annexation - Public Hearing

A public hearing as required by Arizona Revised Statutes section 9-471, on the proposed Central Avenue and Jomax Road Annexation. This public hearing allows the City Council to gather community input regarding this annexation proposal. The City Council will not act on the proposed annexation at his public hearing. Formal adoption of this proposed annexation will be considered at a later date.

Summary

This annexation was requested by Jeremy Macliver 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. Additionally, the annexation is recommended for adoption per the attached Task Force Analysis Report (**Attachment A**).

Public Outreach

Notification of the public hearing was published in the Arizona Business Gazette newspaper, and was posted in at least three conspicuous places in the area proposed to be annexed. Also, notice via first-class mail was sent to each property owner within the proposed annexation area.

Location

The proposed annexation area includes parcel 210-13-001G located at 26238 N. Central Ave. (**Attachment B**). The annexation area is approximately 0.49 acres (0.0008 sq. mi.) and the population estimate is three.

Council District: 2

Mayor Gallego declared the public hearing open. Noting no one was present wishing to speak, she declared the public hearing closed.

The hearing was held.

28 Proposed 11th Avenue and Jomax Road Annexation - Public Hearing

A public hearing, as required by Arizona Revised Statutes section 9-471, on the proposed 11th Avenue and Jomax Road Annexation. This public hearing allows the City Council to gather community input regarding this annexation proposal. The City Council will not act on the proposed annexation at this public hearing. Formal adoption of this proposed annexation will be considered at a later date.

Summary

This annexation was requested by James Colceri and Elizabeth Allard for the purpose of joining to a property already in Phoenix and receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. Additionally, the annexation is recommended for adoption per the attached Task Force Analysis Report (**Attachment A**).

Public Outreach

Notification of the public hearing was published in the Arizona Business Gazette newspaper, and was posted in at least three conspicuous places in the area proposed to be annexed. Also, notice via first-class mail was sent to each property owner within the proposed annexation area.

Location

The proposed annexation area includes parcel 210-12-019R located at 26506 N. 11th Ave. (**Attachment B**). The annexation area is approximately 0.90 acres (0.0013 sq. mi.) and the population estimate is three.

Council District: 2

Mayor Gallego declared the public hearing open. Noting no one was present wishing to speak, she declared the public hearing closed.

The hearing was held.

31 Amend Ordinance for Acquisition of Real Property and Related

Easements and Licenses for South Central Extension/Downtown Hub and Northwest Extension Phase II Light Rail Projects (Ordinance S-47163)

Request the City Council amend Ordinance S-46087 for authorization to acquire additional real property needed for the South Central Extension/Downtown Hub (SCE/DH) extension. Further request to authorize the City Manager, or his designee, to purchase property at a settlement amount arrived at through a mediation process and determined to be reasonable under the circumstances.

Further request the City Council to limit the exception pursuant to City Code 42-20 to authorize inclusion of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18 within the documents for only those transactions between the City and other government agencies.

Summary

Ordinance S-46087 authorized the acquisition of real property for the SCE/DH and Northwest Extension Phase II (NWEII) Light Rail projects. During late project design for SCE/DH, an additional parcel was identified as impacted by the project. The additional parcel affected by the SCE/DH project and included in this request is identified by project parcel number SCE-6129 and Maricopa County Assessor's parcel number 114-16-002G, located at the northeast corner of South Central Avenue and East Jesse Owens Parkway.

The original ordinance authorized acquisition through donation, purchase within the City's appraised value, or by the power of eminent domain, but omitted authorization to purchase at a settlement amount arrived at through mediation. Mediation may be conducted pursuant to Resolution 19813 or through the City's Law Department as mandated by the courts.

The original ordinance authorized inclusion of indemnification and assumption of liability provisions but omitted limiting the exception only to those transactions between the City and other government agencies.

All other conditions and stipulations previously stated in the above referenced ordinance will remain the same.

Financial Impact

The projects are funded with Federal, Regional and T2050 funding. Funds are available in the Public Transit Capital Improvement Program budget.

Location

SCE/DH is located on Central and First avenues, Washington and Jefferson streets, and First Avenue and McKinley Street in the downtown area, then extends from downtown, south along Central Avenue to Baseline Road.
Council Districts: 7 and 8

NWEII is located along Dunlap Avenue at 19th Avenue then extends west along 25th Avenue to Mountain View Road, over Interstate-17 to Metrocenter.
Council Districts: 1, 3 and 5

Concurrence/Previous Council Action

The City Council approved:
Mediation Program as an Option for Real Property Acquisition (Resolution 19813) on June 5, 2002; and
Acquisition of Real Property and Related Easements and Licenses for South Central Extension/Downtown Hub (SCE/DH) and Northwest Extension Phase II (NWEII) Light Rail Projects (Ordinance S-46087) on Oct. 16, 2019.

Note: One electronic comment was submitted for the record in opposition.

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

Yes:	7 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	2 -	Councilman DiCiccio and Councilman Waring

34 Marketing Services - State of Arizona Cooperative Contract -

ADSPO16-145339 (Ordinance S-47183)

Request to authorize the City Manager, or his designee, to extend and allow additional expenditures under Contract 149535 with RIESTER Sonoran LLC for the purchase of interactive marketing services for website design for the Community and Economic Development (CED) Department and to provide a regional and local 2020 Census Marketing Campaign for the Office of Government Relations. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract provides interactive marketing services including website design, advertising and public relations services for the City. Additional funds are needed to add CED as an authorized user. Funds are also needed as this agreement was originally only used by the Office of Government Relations for Census marketing efforts and the additional funds will support the needs of CED. In addition, additional funds are needed to pay final invoices for the 2020 Census Marketing Campaign for the Office of Government Relations. The campaign was directly impacted by the COVID-19 pandemic which required additional time and increased awareness and outreach.

With this contract extension, CED will design a new website, phoenix.gov/econdev. This effort has two purposes: to improve the way users interact and use the website and to change the appearance of the website to focus on showcasing and “selling” Phoenix to CED customers with a business attraction focus. Technology has greatly changed the way the public utilizes websites since the City created the current template for department usage and CED would like to continue to have a .gov site but create a unique site experience. This contract will allow CED to create a new website design that meets CED's business and customer needs as well as a new template or framework to provide to the City’s Information Technology Services team to install into CED's .gov system. This redesign will include: mobile-friendly and interactive websites that provide the most pertinent information seamlessly on the go, increased customer service by providing an improved platform for customers to find a variety of information, and new ways to promote services and projects.

Contract Term

Upon the approval, the revised contract term will be extended through March 20, 2024.

Financial Impact

Upon approval of $80,000 in additional funds, the revised aggregate value of the contract will not exceed $3,330,000. Funds are available in CED and the Office of Government Relations budgets.

Concurrence/Previous Council Action

This contract was originally approved by City Council on March 20, 2019.

Discussion

Mayor Gallego thanked everyone involved for their hard work to have an accurate census during an unprecedented time.

Prior to her vote, Councilwoman Williams thanked staff for their hard work on this item.

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

Yes:	9 -	Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	

35 Ordinance Authorizing Amendment of Prior Water System Bond Ordinances to Allow for Issuance of Taxable Obligations (Ordinance S-47195)

An ordinance authorizing the City Manager, or his designee, to amend ordinance S-33635 adopted Jan. 10, 2007, ordinance S-34858 adopted March 19, 2008, ordinance S-42635 adopted June 15, 2016 and ordinance S-45429 adopted March 6, 2019 relating to the issuance, sale and refunding of water system revenue obligations to allow the issuance of taxable obligations.

Summary

Generally, the City issues tax-exempt bonds which is permitted by federal law. This means that interest earnings on municipal bonds are exempted from federal taxes making them appealing to bond holders. The tax-exemption coupled with the City's high credit rating allows the City to issue tax-exempt municipal bonds for low interest rates.

However, there are instances when issuing taxable bonds is beneficial to the City. In December 2017, the federal government passed the "Tax Cuts and Jobs Act." This action eliminated the City's ability to advance refund tax-exempt bond issuances on a tax-exempt basis. Further, tax-exempt bond issuances have regulations which limit the use of the bond proceeds. Current market conditions for taxable bonds make them appealing with interest rates continuing to fall over the last few years. Current taxable interest rates are now lower than historical tax-exempt interest rates, providing potential savings opportunities to refund previously issued tax-exempt bonds with taxable bonds. The current economic conditions and this significant decrease in interest rates has also caused the cost difference between tax-exempt interest rates and taxable interest rates to decrease, making new issuances of taxable bonds a viable alternative. This authorization will allow the City to take advantage of the current market conditions for taxable bonds and to refund previously issued bonds at a lower cost. The Finance Department is targeting a taxable advance refunding opportunity for the Water System assuming current market conditions continue through Spring 2021.

Financial Impact

The existing bond authorization amounts are sufficient for the Water System. If current market conditions continue, the refunding opportunity could result in savings of $30 million over the life of the bonds.

Concurrence/Previous Council Action

This ordinance would amend authorizations adopted Jan. 10, 2007 (S-33635), March 19, 2008 (S-34858), June 15, 2016 (S-42635) and March 6, 2019 (S-45429).

Discussion

Mayor Gallego acknowledged the City's Chief Financial Officer (CFO) Denise Olson who was recently recognized as a trailblazer by national leadership involved in the bond industry. She expressed she was grateful

for the CFO's work which also earned the City an honorable mention award from the U.S. Conference of Mayors in the past week.

Councilwoman Stark wished to echo Mayor Gallego's comments.

Councilwoman Williams also wished to echo comments made, noting the CFO always found a way to make things happen.

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

36 Public Comment on Proposed Changes to Memoranda of Understanding Submitted by Authorized Employee Organizations

This item is to provide public comment on proposals submitted by employee organizations.

Summary

Under the terms of the Meet and Confer Ordinance, employee organizations are offered the opportunity to make a presentation to the City Council regarding proposed changes to the existing Memoranda of Understanding (MOUs), which occurred this year on Dec. 8, 2020.

The Meet and Confer Ordinance provides that at the next City Council meeting following presentations by employee organizations, the public shall be afforded an opportunity to comment on the proposals. This item on the agenda provides that opportunity.

Discussion

City Manager Ed Zuercher stated this was a public hearing on proposed memorandums of understanding (MOU) from the City's labor unions, noting they expire on June 30, 2021. He remarked the City began the negotiation process on December 1 and provided an opportunity for unions to present their negotiation requests at the Dec. 8, 2020 Council

meeting. He conveyed the Phoenix Law Enforcement Association, known as PLEA, presented at that meeting while this meeting was the public's opportunity to comment on PLEA's proposed MOU.

Amy Meglio expressed she was concerned with a clause in PLEA's MOU that allows the Phoenix Police Department to destroy personnel files. She demanded no more negotiations behind closed doors, no more decreases in transparency and accountability and no new money to the Police Department.

Camille Johnson remarked negotiations of the MOU should be live streamed to the public for transparency instead of behind closed doors. She urged that Council denounce PLEA and allow the public to have a say in how police union contracts were negotiated.

Muktar Sheikh stated he supported unions, but the police union protected bad officers. He said he wanted transparency so the community could have ownership in what happened with police services.

Elizabeth Venable stated negotiations should not take place behind closed doors and needed to be open to the public. She urged that no new funds go to police and instead be given to the community.

Viridiana Hernandez expressed concern that several sections in the MOU reduced transparency and accountability while police asked for more money. She said she wanted to know why the negotiation process was done behind closed doors and how much this MOU would cost.

Walt Gray agreed with the previous comments that some form of public observation was needed for union negotiations.

Luke Black asked Council to reject the terms of this contract and open the negotiations to the community.

Hana Hehman stated negotiations should be live streamed and allow the public to have a say in those negotiations.

Vanessa DiCarlo implored that negotiations be made public so people

could have a say in how the government used their tax dollars.

Sophia Elecia expressed the community needed social programs and housing, not more police.

Paris Moore spoke in opposition to this contract and PLEA, noting accountability was key.

Anna Hernandez remarked these contracts which were negotiated behind closed doors would not build trust with the community. She asked that the public be involved in negotiations because people wanted transparency and accountability.

Dailen Rogers spoke in opposition to PLEA's MOU as it would increase their rights and give more money to police.

Valerie Hernandez spoke in opposition of this item and urged Council to defund the police.

Gladiela Lopez Felix stated she was opposed to the fact that contracts were negotiated behind closed doors. She requested this contract be rejected and that negotiations be open to the public.

Beth Ellison expressed she was concerned about officer protections that seemed to over-reach state law.

Isabel Garcia said she wanted to know why these negotiations were done behind closed doors. She remarked community members should be given more than one opportunity to provide input and stressed the negotiation process should be open to the public.

Katie Baeza stated she was opposed to any changes or existing language that lessened transparency and accountability within the Police Department, especially negotiations with PLEA being done behind closed doors versus in front of the public.

KJ D'Aubyn agreed that negotiations needed to be open to the public. She said she also shared the same concerns that this MOU seemed to

supersede state law.

Ben Laughlin urged Council to open negotiations to the public and that no more money be given to police.

B Thoi spoke in opposition to this police union contract proposal, particularly the secretive nature of the negotiations. He stated he also opposed any new money for police raises or benefit increases when many people were suffering from loss of income.

Jennifer Hernandez spoke in opposition to the PLEA contract. She urged Council to make negotiations public instead of negotiating behind closed doors.

Marti Winkler requested Council reject this PLEA MOU and open it up to the public instead of negotiating in secrecy.

Maria Sanchez spoke in opposition to this contract as it would not hold police accountable and lacked transparency. She stated this needed to be public and not negotiated behind closed doors.

Mayor Gallego noted the following electronic comments were submitted for the record: 1 in support, 223 in opposition, 13 with no position and 2 were neutral.

Councilman DiCiccio commented the people who spoke were part of a movement to defund police which would put citizens in harm's way. He said he wanted Council to stand up in unison to these individuals and say no to them.

Councilmember Garcia requested staff explain the negotiation process and where it was set up in City policy.

Mr. Zuercher replied the Meet and Confer Ordinance laid out the process, noting the Code gave him the authority to negotiate contracts with the City's recognized labor unions which included the Phoenix Law Enforcement Association. He stated there was a labor relations group in the Human Resources Department who were not part of the Police

Department that represented himself and the City at the table. He added police leadership were included in negotiations as subject matter experts when addressing how policing worked in the contract. He stated the contract was negotiated in a specific time frame that began in January and concluded at the end of May or early June. He pointed out he took direction from Council, but he negotiated the contract and presented a proposal to Council for action which had to be approved by Council and the labor union. He explained the Code did not specify that negotiations not take place in public, but it did say there be a free exchange between the parties to reach an agreement that is presented to Council for review.

Councilmember Garcia asked if staff had an assessment of what it would cost if the increases happened.

Mr. Zuercher responded the contract that PLEA presented was their opening position, noting the City had not presented its counter yet because that part did not start until January. He conveyed the Budget and Research Department would assign a dollar amount to each proposal before negotiations started in January.

Councilmember Garcia questioned if those negotiations would be made public.

Mr. Zuercher replied, since it was not a meeting of an elected body or an appointed body by the Council, it was not covered by the Open Meeting Law, so they were not required to be open to the public.

Councilmember Garcia listed the following points of concern:
- disqualifying misconduct complaints;
- preventing police officers from being interrogated immediately;
- giving officers access to information that civilians do not get;
- requiring the City to pay costs related to police misconduct;
- preventing information on past misconduct; and
- limiting disciplinary consequences for officers or limiting the capacity of civilian oversight structures.

He expressed it was important to listen to the community regarding these contracts and agreed that one meeting was not enough to provide

comments. He remarked this contract went beyond what any other unit members got during investigations. He said he hoped that during these negotiations the City sought equity between the different labor unions and used what was said today to have a better contract.

Councilwoman Pastor affirmed the City Manager had the authority to have this dialogue with the unions, but she wanted clarification that this was not a public process.

Mr. Zuercher replied negotiations were not open to the public since they were not public meetings.

Councilwoman Pastor asked if right now was the public's opportunity to voice their opinion.

Mr. Zuercher responded that was correct.

Councilwoman Pastor requested further clarification about this being part of the process.

Mr. Zuercher explained this part of the process was laid out in the Meet and Confer Ordinance that unions have an opportunity to present their positions to Council and the public has an opportunity to present their opinions on the union positions to Council.

Councilwoman Pastor asked if it was possible for the community to have another way to voice their opinion with the City Manager.

Mr. Zuercher replied that was possible.

Councilwoman Pastor suggested setting up a link so the community could voice their opinion as this went through the process. She requested staff explain the process which starts in January.

Mr. Zuercher responded the process already started with the notice of intent to negotiate on December 1, followed by the unions that chose to present to Council on December 8 and then the public's opportunity to comment today. He added after today, the negotiation with each

individual union and City management would take place beginning in January, noting there were five unions and two associations that also had discussions later. He conveyed negotiations occurred in January and February, and by March 1 the City was required to notify the Phoenix Employment Relations Board if the parties were at impasse, meaning no agreement was reached. He specified there was mediation and a fact finding hearing in March if needed with everything concluded by mid-April. He said the contract came to Council in May for approval if agreement was reached or late June if no agreement was reached, noting Council would then impose a contract upon the labor group.

Councilwoman Pastor confirmed with staff the whole process took six months. She sought clarification if there was no agreement that Council would impose what they thought was right in the agreement.

Mr. Zuercher replied that was correct, noting Council ultimately approved the contract. He pointed out Council did not have to approve what was presented, but he worked closely with Council so that what he negotiated reflected the intent of Council. He advised Council had the final say in approving the contract, but if agreement could not be reached between management and the labor union that Council could impose a contract on the union.

Councilwoman Pastor asked if the Meet and Confer ordinance was between the union and City Manager.

Mr. Zuercher responded it was between the City and the unions, noting he was given authority to negotiate the contract that Council approved.

Councilwoman Pastor questioned what the process was to make changes to the meet and confer ordinance.

Mr. Zuercher replied the Meet and Confer ordinance was approved by Council with revisions made over the years by Council. He advised Council would need to revise the ordinance to make changes to the process.

Councilwoman Pastor thanked Mr. Zuercher for the level of detail

provided so the public could understand the City's MOU process.

Councilwoman Williams recalled having public hearings in April in each district. She asked if staff planned to have those public hearings to get the public's input on the proposed budget.

Mr. Zuercher responded staff would schedule public hearings on the budget in April.

Councilwoman Williams said she also remembered imposing a contract in the past, so she knew it could be done again.

Councilwoman Stark stated the budget process provided the public an opportunity to talk about where they wanted money spent. She encouraged everyone to get involved in those hearings as it was an important process alongside union negotiations.

Mr. Zuercher conveyed the contract was posted in an agenda and had public comment before Council voted on it, so that was another opportunity for community input to Council at that part of the process.

Councilwoman Pastor questioned if it was wrong when a union went to fact finding as they were in a sense punished for going through that process since other unions that signed before fact finding received a benefit.

Mr. Zuercher responded it was not wrong as fact finding was part of the process laid out in the City's Code. He pointed out in the last negotiation the City offered a signing incentive if the union signed and did not go to fact finding as it is a time consuming and expensive process. He stated some unions chose not to do that and did not get the signing incentive, but it was part of the bargaining process the City offered.

Councilwoman Pastor confirmed that Council provided guidance as that fact finding piece was approved by Council. She asked if Council could pass some guiding principles in this process regarding public input.

Mr. Zuercher replied Council could have that discussion and formally

adopt guiding principles. He conveyed the negotiations process did not always line up with the budget hearings if it went to impasse or fact finding. He said if an agreement was reached staff provided specifics at the budget hearing, but if an agreement was not reached staff presented estimates at the budget hearing.

Councilman Waring acknowledged there were several opportunities for public input in this process, including public comment at every meeting. He expressed the comments made earlier by residents were not representative of the community as a whole and he thanked police for doing a great job under extremely trying circumstances.

Comments were made.

37 Amendments to Pay Ordinance S-45840 in Accordance with Human Resources Committee 607 Recommendations (Ordinance S-47180)

As part of a study requested by AFSCME Local 2384, the following amendments to the Pay Ordinance [S-45840] are recommended in accordance with Human Resources Committee 607, effective Dec. 28, 2020. The amendments also require the City's Classification Ordinance (S-5815) to be updated. Those will be processed under a separate ordinance.

Modify the EEO-4 Category/Group of Electrician Apprentice (NC), Job Code 74100, Salary Plan 004, Grade 214 ($16.68 - $21.58), Benefit Category 002, Labor Unit Code 002, from Skilled Craft to Service Maintenance.

Modify the Salary Plan of Electrician Helper, Job Code 74090, Benefit Category 002, Labor Unit Code 002, from Salary Plan 005 to 004, and modify the Grade from 215 ($18.43 - $22.51) to 215 ($17.28 - $22.51).

Modify the Salary Plan of Electrician, Job Code 74120, Benefit Category 002, Labor Unit Code 002, from Salary Plan 005 to 004, and modify the Grade from 222 ($24.50 - $29.89) to 225 ($25.52 - $34.18).

Modify the Salary Plan of Electrician*Lead, Job Code 74121, Benefit Category 002, Labor Unit Code 002, from Salary Plan 005 to 004, and

modify the Grade from 223 ($25.52 - $31.10) to 226 ($26.64 - $35.93).

Abolish the Electrician*Safety classification, Job Code 74122, Salary Plan 005, Grade 223 ($25.52 - $31.10), Benefit Category 002, Labor Unit Code 002.

Modify the Class Title of Electrical Maintenance Foreman, Job Code 74140, Benefit Category 007, Labor Unit Code 007, to Electrical Maintenance Crew Chief and modify the Grade from 032 ($23.11 - $35.26) to 035 ($26.89 - $40.95).

Modify the Grade of Electrical Facilities Supervisor, Job Code 74160, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, from Grade 034 ($25.61 - $38.97) to 037 ($29.74 - $45.29).

Modify the Grade of Traffic Signal Supervisor, Job Code 74070, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, from Grade 034 ($25.61 - $38.97) to 036 ($28.32 - $43.05).

Summary

Pursuant to Section 1-6(E) of AFSCME Local 2384's (Unit 2's) current Memorandum of Understanding, the Human Resources Department conducted a study on the Electrician job classification, subsequent classifications in the job series, as well as other classifications where the supervisory reporting relationship were impacted.

There are 97 Electrician positions citywide. All departments indicated they had difficulty with both recruiting and retention. Specifically, departments had issues with the quality of candidates, candidates turning down job offers due to pay concerns and employee turnover. Staff used data from eCHRIS and conducted research using a combination of public sector and private sector resources such as Payfactors, Economic Research Institute, Salary.com, and Bureau of Labor Statistics. Additionally, staff conducted a local salary survey of public sector employers in the Valley.

The job duties and level of complexity for the Electrician classification were found to be most comparable to our local market. Data indicates that the City is approximately 16 percent below the current market, and

according to the U.S. Bureau of Labor Statistics, by industry, government, or utilities, the average turnover is less than 5 percent. The Electricians' citywide turnover, however, is substantially higher, and Departments continue to experience high vacancy rates.

Changing the pay grade of the Electrician, and subsequent classifications in the job series reflects proper placement in the market for this job family and would mitigate pay compression issues. Additionally, changing pay plans from Salary Plan 005 to Salary Plan 004 would change the range from 6 to 8 steps giving Departments more flexibility when hiring staff. Finally, changing the pay grades for the supervisory positions from 034 to pay grades 036 and 037 will help mitigate any pay disparity and maintain grade progression within the series.

Financial Impact

The estimated costs of these actions for a full fiscal year, including benefits, is approximately $181,689.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 607 on Oct. 27, 2020.

Discussion

A motion was made and seconded to approve this item.

Vice Mayor Guardado said she was happy this item was moving forward as it was important to recognize these City workers' expertise and commitment. She thanked AFSCME 2384 for their leadership in pursuing these wage increases as this would provide better service to people coming to the City.

Ben Lundy spoke in support of the pay increase as it would make the City more competitive in the future.

Chris Idlebird, Vice President of AFSCME Local 2384, expressed the electrician team was a vital part of the City's workforce. He pointed out the class and comp study was important to their operations, especially the findings that came out about the electrician classification. He added these studies needed to continue so that all groups in Unit 2 could be

brought up to the compensation levels they deserved. He noted the City was about 15 percent below market and had a higher turnover rate than the national average of 5 percent which put the City at a severe disadvantage in acquiring and retaining good electricians. He asked that Council approve these changes so the City could become more competitive in acquiring talented employees and help mitigate the turnover rate in this classification.

Frankie Samora spoke in support and said he hoped Council approved this item as it would go a long way in keeping good electricians now and in the future.

Ten electronic comments were submitted for the record in support of this item.

City Manager Ed Zuercher stated this was the result of successful labor negotiations in the last cycle with AFSCME Unit 2 to do a study of a mutually agreed on class which was the electrician class. He thanked Human Resources staff as this was an excellent outcome.

Councilwoman Pastor expressed she was excited this study was done and that the City would become competitive, plus electricians would get the compensation they deserved.

Mayor Gallego confirmed the motion was to approve this item as revised.

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

44 Authorization to Enter into Intergovernmental Agreement with Opportunities for Youth/Arizona State University (Ordinance S-47200)

Request authorization for the City Manager, or his designee, to execute an Intergovernmental Agreement (IGA) with the Opportunities for Youth/Arizona State University Center for Human Capital and Youth Development to provide services to reengage disconnected youth with basic needs such as food, housing, and medical/behavioral health services for successful transition to educational and employment opportunities in an amount of up to $100,000 per year for a contract total not to exceed $300,000 over the life of the IGA. The IGA term will be for one year with two additional one-year options to extend that may be exercised in the discretion of the City Manager or designee. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Youth and Education Office has partnered with Opportunities for Youth since 2015 in response to the high rate of disconnected youth between the ages of 16-24 who are not in school and not working. The overall goal of the initiative is to lower the number of opportunity youth in Phoenix by using evidence-based strategies and solutions to connect youth to resources and career/educational pathway programs.

Due to the Pandemic, the number of opportunity youth in the Greater Phoenix Metro Area has spiked dramatically over the past six months. In 2019, the rate of youth disconnection in the Greater Phoenix Metro Area was 12.3 percent (or 70,300 youth ages 16-24). This rate today is estimated to be 27 percent or nearly 1 in 3 youth ages 16-24 who is not working or in school. This translates to over 140,000 youth in the Greater Phoenix Metro Area who are disconnected from work and school.

Opportunities for Youth will also support and align with the My Brother’s Keeper Initiative to leverage existing programs and activities for greater awareness and engagement to implement a coherent cradle-to-college-and-career strategy for improving outcomes of all young people of color.

Contract Term

The term of this IGA will be one year with two additional one-year options to extend that may be exercised in the discretion of the City Manager or designee.

Financial Impact

The total IGA value will not exceed $100,000 per year or $300,000 over the life of the agreement. Funding is available in the Youth and Education Program budget and will be made available upon the annual budget approval process. The Budget and Research Department will review and approve funding availability prior to execution of the contract.

Discussion

A motion was made and seconded to approve this item.

Muktar Sheikh spoke in support and expressed he hoped whoever worked on this policy partnered with communities so everyone could benefit from this program.

Councilwoman Pastor recalled she participated in an education meeting with former Mayor Greg Stanton and got actively involved on the Opportunities for Youth Board. She conveyed Opportunities for Youth were mainly located in the South Phoenix, Laveen and Maryvale areas, noting she was happy to continue this good work.

Mayor Gallego remarked this year was a tough time to be a young person, but this partnership would give youth more opportunities to find career and educational pathways. She thanked the City's Youth and Education Office for their leadership and she looked forward to supporting this item.

Prior to his vote, Councilmember Garcia thanked Opportunities for Youth for their work as he thought this type of investment created safer communities. He also thanked Councilwoman Pastor for her work on this matter.

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

45 Phoenix Sky Harbor International Airport Concessionaire Financial Relief (Ordinance S-47197)

Request to authorize the City Manager, or his designee, to amend multiple Phoenix Sky Harbor International Airport (PHX) concessions leases to continue to provide temporary financial relief to concessionaires through continued charge of percent rent in lieu of Minimum Annual Guarantees (MAG) from Jan. 1, 2021 through Dec. 31, 2021. In addition to continuing the requirements in the current rent relief amendment, the amendment will include the following additional stipulations:

Stipulation 1: When passenger enplanements at PHX reach 70 percent of the 2019 levels for a period of two continuous months, concessionaires will pay an additional 2 percent of rent;

Stipulation 2: When passenger enplanements at PHX reach 80 percent of the 2019 levels, concessionaires will pay MAG or percent rent, whichever is greater; and

Stipulation 3: If the airport receives funds from the federal government to provide rent relief for the concessions program, the airport shall apply those funds consistent with the guidance provided by the Federal Aviation Administration (FAA). Concessionaires will be required to comply with all applicable provisions established by the FAA.

Additionally, when recalling staff, Concessionaires will consider the specific challenges facing furloughed or laid off employees as a result of the pandemic. This includes the difficulty responding to a recall offer due to health or childcare challenges and understanding employees desire for medical insurance immediately upon returning to work. Concessionaires must also understand that the City desires all airport employees be treated equitably.

Staff will return for an airport concession update in six months.

Summary

The COVID-19 global pandemic created a downturn in airline passenger travel by over 93 percent at PHX. In direct correlation to the reduced passenger activity, concession sales plummeted for PHX's concessionaires. As a result, established rents were unsustainable for the concessionaires in the Terminals. On April 4, 2020, the Federal Aviation Administration (FAA) provided guidance to airport sponsors encouraging them to consider the business circumstances created by the public health emergency and assist tenants in staying solvent so they can resume normal operations when the emergency ends. The Aviation Department requested approval to provide financial relief for concessionaires which included prime operators and Airport Concession Disadvantaged Business Enterprise (ACDBE) business partners (Concessionaires) to mitigate the effects of the decrease in passenger activity related to COVID-19.

On June 3, 2020, Council approved relief from paying MAG for concessionaires at PHX and percent rent only effective April 1, 2020 through June 30, 2020. On July 1, 2020, Council approved an extension of the percent rent only through Dec. 31, 2020. All concessionaires that received relief were required to adhere to the following requirements:

Pass financial relief on to all joint venture partners and sub-concessionaires;

Recall and reemploy furloughed or laid off employees;

Provide two months medical benefits for furloughed or laid off employees (applicable only April 1-June 30, 2020);

Work with Community and Economic Development on other relief and employment opportunities;

Submit weekly sales reports; and

Provide notice of any Coronavirus Aid Relief and Economic Security Act relief received.

As a result of the pandemic:

Travelex closed all operations in North America;

Approximately 50 terminal advertising contracts were cancelled;

Host International, Inc. furloughed 756 associates and has recalled 347 employees based on seniority, 253 of which have accepted;

SSP America, Inc. furloughed 550 associates and has recalled 131 employees based on seniority; and
Stellar furloughed 72 associates and has recalled 25.

As passenger loads have gradually increased, the Concessionaires have started re-opening closed units, extending hours of operation, and recalling furloughed personnel. Of the 136 total concessions operating out of PHX, 53 (39 percent) are currently open for business. This is up from 31 percent in May of 2020. While passenger traffic is picking up, it is not tracking at the same rate it was prior to COVID-19. As a result, Food & Beverage and Retail gross sales remain down by approximately 50 percent compared to 2019, and Terminal advertising gross revenue is down by approximately 25 percent.

The concessions leases that will be amended to allow for extended temporary financial relief are lease numbers 116300, 116653, 123391, 127576, 131410, 132907, 133475, 135006, 143718, 143719, 143866, 143867, 143910, 144047, 144322, 144323, 144324, 145872, 145873, 145977, 146077, 146163, 146458, 146459, 146614, 146676, 147232, 147258, 147279, 147350, 147461, 147735, 150683, and 152010.

Financial Impact
If approved by Council, the Minimum Annual Guarantee (MAG) will be temporarily waived and tenants will pay percent rent based on their lease agreement and terms outlined in this report.

Concurrence/Previous Council Action
The Transportation, Infrastructure and Innovation Subcommittee recommended this item, as amended and reflected in this report, for approval on Dec. 2, 2020, by a vote of 3-1.

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

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

Tracy Gunderson spoke in opposition of HMS Host receiving more rent

relief because employees' future with the company was uncertain with no guarantee of recall rights past March. She mentioned she had filed a discrimination complaint with the City's Equal Opportunity Department as well as the EEOC and said she hoped the City conducted a thorough investigation before extending HMS Host's lease.

Debra Ann Rutkowski stated she was opposed to the City giving HMS Host rent relief and asked that the City investigate the company and its mistreatment of employees.

Janell Weaver said she was involved in the discrimination complaint, but she supported rent relief for the small minority companies. She urged the City to investigate HMS Host.

Cheryl Grant spoke in opposition of the City giving HMS Host rent relief and asked that the City investigate the company based on their treatment of workers.

Darlene Prendki said she was opposed to the City giving HMS Host rent relief and requested the City do a full investigation of HMS Host workers discrimination claims. She also urged that the City not extend HMS Host's lease.

Mario Barajas provided Spanish interpretation for Ms. Quintana.

Carmen Quintana spoke in support, though she received a letter in October from HMS Host about employees being fired permanently.

Hiwet Kidane expressed she wanted to keep her job.

Bruce Mosby stated he owned and operated two Peet's Coffee concessions in Terminal 4 at Phoenix Sky Harbor Airport, noting he was an ACDBE small business. He thanked Council for the rent relief small businesses received from April through December which allowed them to hold on these last nine months. He conveyed he had recalled all of his employees with 60 percent of them returning while the rest found other employment. He pointed out air traffic and traveling numbers remained erratic which resulted in his sales fluctuating between 30 and 45 percent

of 2019 numbers. He said he supported continued rent relief through December 2021 and also requested Council to consider contract extensions so small businesses could renegotiate their bank loans.

Lieryn Jacobs, a Human Resources business partner with SSP America, spoke in support of continued rent relief. She thanked Council for their past assistance and thorough approach to this process.

Joya Kizer, with CASA Unlimited Enterprises, thanked Council for their consideration of rent relief for the tenants at Sky Harbor Airport. She conveyed the extension of rent relief through 2021 would provide a level of certainty and allow them to plan long-term.

Scott Welding, with SSP America, spoke in support of the City's continued support of rent relief for tenants at Sky Harbor Airport. He also requested that Council consider providing tenants with additional lease terms at Sky Harbor Airport.

Nick Wood, representing HMS Host, asked if the term enrollment was the same as being effective or if it was simply enrolled with each individual insurance carrier going through the process of insurance becoming effective.

Councilwoman Williams replied once an employee was hired they were enrolled in whatever the insurance process was, but the employee was guaranteed health benefits.

Councilmember Garcia questioned if it was possible for an employee who was recalled to work to opt out and remain on the list to come back at a later time.

Acting Aviation Services Director Charlene Reynolds replied the City had eight primes, noting each representative would have to speak on that scenario.

Mr. Wood responded if employees were fearful of coming back to work because of COVID-19 they were not required to return. He added they would be put back on the list and when the employee gave notice of

returning to work would be placed back in the queue.

Councilmember Garcia said he hoped the other businesses did the same, noting he wanted to make sure the City was looking out for the workers.

Vice Mayor Guardado asked if this was something HMS Host would do moving forward or if they were already doing it.

Mr. Wood replied it was something that HMS Host was already doing, so if an employee opted out they were placed back on the list and did not lose their seniority. He added once the employee gave notice to the company about returning they were placed back on the list, noting once rehired the employee did not replace any workers who had already returned to work.

Vice Mayor Guardado stated a long-time HMS Host employee was recalled to work and was told she would be terminated if she did not return, so she went back to work and passed away from COVID-19. Vice Mayor Guardado expressed it was unfortunate that HMS Host was not on the line to respond to questions, but she thanked Mr. Wood for being available.

Mr. Wood claimed his client informed him that the employee just referenced did not have COVID-19 and did have insurance, noting the expenses had been and continued to be paid for following that tragic situation.

Vice Mayor Guardado insisted that was not true and reiterated it was unfortunate that HMS Host was not on the line.

Councilman Nowakowski recalled SSP America and HMS Host employees had complained about not getting their 15-minute breaks from wearing masks and wanted to know if that had been worked out.

Ms. Reynolds responded each of the primes were required to provide breaks for employees, noting she had not received complaints from staff regarding that issue. She mentioned as follow-up staff could ask

employees directly to confirm they were getting breaks as that was part of overall compliance with the last relief package.

Councilman Nowakowski wished to ask that question to representatives who were on the line.

Ms. Jacobs replied there was quite a bit of business lulls given the current situation which gave employees time to take breaks away from their masks. She pointed out SSP America was making it a high priority, so workers were taking breaks as needed.

Mr. Wood responded the policy adopted by HMS Host was similar to SSP America that employees were allowed to take breaks whenever and as long as necessary.

Councilwoman Williams asked if the City was investigating the discrimination claims submitted by HMS Host employees.

City Manager Ed Zuercher replied the Equal Opportunity director sent a letter to Ms. Gunderson which stated the complaint was under the primary jurisdiction of the EEOC, so it was given to the Federal EEOC for their investigation. He added the Equal Opportunity Department would be following up with Ms. Gunderson and the other employees since the allegations were against a City contractor.

Councilwoman Pastor insisted on hearing from a Human Resources person with HMS Host about the incident mentioned by Vice Mayor Guardado.

Mayor Gallego expressed she was not sure if an employer could provide any more detail than what was already discussed about medical issues due to HIPAA.

Mr. Wood conveyed his clients were not available.

Councilwoman Pastor stated several requests were made for HMS Host to be on the line, especially since this was an ask for rent relief. She thanked staff for all of their work and presenting this information to all the

primes.

Vice Mayor Guardado wished to echo Councilwoman Pastor's comment about requesting HMS Host to be on the line and she also thanked staff for all of their work.

Councilman Nowakowski asked if the maker of the motion could include the 15-minute breaks.

City Attorney Cris Meyer advised against it because staff had not researched and re-clarified anything, plus the City went as far as it could legally go in requesting that in the first package.

Councilman Nowakowski requested that staff monitor to see if employees were getting breaks or not.

Ms. Reynolds agreed staff would monitor to ensure employees were getting the breaks they deserved as that was contractually required.

One electronic comment was submitted for the record in support of this item.

Prior to his vote, Councilmember Garcia said he would be voting yes for the small businesses, but he wanted his colleagues to continue looking for ways to help support the workers.

Prior to her vote, Vice Mayor Guardado expressed she was concerned about this item, particularly that HMS Host was not on the line to discuss Council's concerns. She thanked her colleagues, Councilwoman Pastor and Williams, and staff for all of their work on this matter.

A motion was made by Councilwoman Pastor, seconded by Councilwoman Williams, that this item be adopted per staff's recommendation for the continuation of percentage rate rent until Dec. 31, 2021, with stipulations approved by the Transportation, Infrastructure and Innovation Subcommittee on Dec. 2, 2020, and add the following conditions to address employee equity in the concessions program and the specific challenges furloughed and laid off employees face as a result of COVID. To address those challenges,

the concessionaires must offer a reasonable period for employees to return to work once notified of a recall offer. A reasonable period should be at least 48 hours to respond to the recall offer and at least 14 days to return to work to account for the CDC published guideline for quarantine. The concessionaires must also ensure employees are eligible for recall for at least as long as the pandemic is expected to affect passenger traffic. Based on data from Moody's and considering the peaks during the holidays, it is reasonable to expect that recovery will not occur before Dec. 2022 and, therefore, the commitment to recall employees must extend to Dec. 2022. Given the importance of health insurance during this time, concessionaires should offer enrollment to recall employees for healthcare insurance currently offered immediately upon being recalled, ensuring that enrollment be completed as soon as possible to avoid lack of insurance for these frontline workers. The motion carried by the following vote:

Yes: 6 - Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams and Mayor Gallego

No: 3 - Councilman DiCiccio, Councilman Waring and Vice Mayor Guardado

47 Increase Funding for Small Business Grants Program (Ordinance S-47203)

Request to authorize the City Manager, or his designee, to add $1,087,000 to the Small Business grants program to fund additional Phoenix businesses impacted by the COVID-19 pandemic, and to subsequently amend the agreement with the Arizona Community Foundation (ACF) to reflect the additional funding. Depending on when applications are approved, funds are available in either Coronavirus Relief Fund (CRF) or the General Fund. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

In April 2020, the City, in partnership with the Phoenix IDA and ACF, opened the first round of the Small Business Relief Grant program with $2 million. Nearly 200 Phoenix small businesses were awarded grants up to $10,000. The Phoenix Community Development Investment Corporation also offered $2 million in low-interest loans to some Phoenix small businesses not awarded grants in this initial offering.

In May 2020, the City, in partnership with the Phoenix IDA and ACF, opened the second round of the Small Business Relief Grant as well as two new grant programs: the Microbusiness Resiliency Grant and the Restaurant Restart Resiliency Grant.

On Aug. 26, 2020, City Council amended the Small Business Relief Grant's and the Microbusiness Resiliency Grant's eligibility criterion that required an applicant business to have been operating in Phoenix since Jan. 1, 2019 to requiring an applicant business to have been operating in Phoenix for at least a year prior to submitting a grant application.

On Oct. 21, 2020, City Council further amended the Small Business Relief Grant's eligibility criteria to remove the requirement for a business to be located in, or adjacent to, a low income census tract and established Oct. 30, 2020 as the application deadline for the Small Business Relief Grant and the Microbusiness Resiliency Grant.

To date, the grant awards are as follows.

Small Business Relief Grant ($5 million): This grant, closed Oct. 30, 2020, funded 685 businesses for a total of $5 million. Applicants for this grant had fewer than 25 employees and less than $3 million in annual gross sales. Small Business Relief Grant recipients have included: restaurants, manufacturers, auto repair shops, retail stores, fitness studios, and others.

Microbusiness Resiliency Grant ($6 million): This grant, closed Oct. 30, 2020, funded 1,506 microbusinesses, solo practitioners, and entrepreneurs for a total of $6 million. Applicants for this grant must have had five or fewer employees, and less than $1 million in annual gross sales. Microbusiness Resiliency Grant recipients have included: travel agents, hair stylists and barbers, transportation providers, photographers, dry cleaners, nail technicians, accountants, musicians, and others.

Restaurant Restart Resiliency Grant ($1 million): This grant, closed on June 26, 2020, helped 103 business owners with grants up to

$10,000 for expenses related to restarting their businesses, including: buying food, rehiring staff, implementing safety protocols for employees and customers, and resetting floor plans to accommodate social distancing.

If approved, this additional funding will allow approximately 200-250 unfunded applications to now be awarded. ACF's fee for administering these grant awards remains at 1.9 percent. Upon City Council approval, funds will be sent directly to ACF so grant monies can be awarded expeditiously.

Contract Term

The City's existing grant funding agreement with the ACF will be amended to extend the contract term from Dec. 31, 2020 to Feb. 28, 2021.

Financial Impact

By adding this additional $1,087,000 to the Microbusiness Resiliency and Small Business Relief grants, the total funding for the small business grants program will not exceed $13,087,000. Funding is available in CRF through Dec. 30, after this date funds are available in the General Fund as a result of applying CRF to offset public safety salaries.

Concurrence/Previous Council Action

City Council approved funding for the Small Business Relief Grant at its April 30, 2020 Policy meeting. At the May 5, 2020 Policy meeting, City Council approved additional funding to implement grant programs to assist Phoenix’s small businesses, microbusinesses and restaurants. On May 20, 2020, City Council authorized contracts related to these grants with the Phoenix IDA and ACF. On Aug. 26, 2020, City Council authorized grant eligibility expansion. On Oct. 21, 2020, City Council authorized additional grant eligibility expansion, and at the Dec. 8, 2020 City Council Policy meeting, City Council approved additional funding for the small business grant program.

Discussion

Councilwoman Stark thanked the Council for coming together and compromising at last Tuesday's meeting as small businesses depended on these grants to make it through the pandemic.

A motion was made and seconded to approve this item.

Councilwoman Pastor wished to make a friendly amendment and wanted to know if it was possible to prioritize businesses that were in dire need of assistance immediately.

Councilwoman Stark agreed with the amendment, but asked how the City would quantitate it.

Community and Economic Development Director Chris Mackay replied staff had prioritized the applications that had already come in by the order they had come in. She conveyed staff would need to determine a mechanism to prioritize them by dire need and would do so at Council's direction.

Councilwoman Pastor questioned what directives staff would consider as dire need.

Ms. Mackay responded the matrix was done in the order they were received, noting staff had the Arizona Community Foundation check that methodology. She suggested staff make calls to these businesses and ask them questions that would lead staff to determine their status of need. She added there were businesses that would close in the near future if they did not have this grant funding.

Councilwoman Pastor stated the current method was actually first come first serve and she wanted a matrix that showed which small businesses were in dire need.

Ms. Mackay remarked there were about 700 applications pending, noting staff could fund 200 to 220 of them based on this proposed additional money. She conveyed staff could look at the financial information on the applications received and create a matrix with that information.

Councilwoman Williams asked if staff could do this in an expedited manner so it did not slow down the money being distributed to these small businesses.

Ms. Mackay replied she would pull her entire team to go through each application and create this matrix. She said it would take a little bit of time to make sure things were accurate, but it would not delay it. She added staff did have the funds ready to send out tomorrow based on the current matrix.

City Manager Ed Zuercher requested clarification if it would delay it past the current idea.

Ms. Mackay responded this would delay it past staff's anticipation of sending out the funds tomorrow.

Councilwoman Pastor asked if staff could identify them and not delay these small businesses from not receiving funds by December 30.

Mr. Zuercher emphasized this was moving from an objective criteria to a subjective criteria which would take time but could be done. He did not know if staff could go through all 700 applications and put the information into a matrix by December 30.

Councilwoman Pastor said she thought this had a deadline, but realized the money was coming from the General Fund so there was no deadline.

Mr. Zuercher requested clarification if the motion was for staff to do a subjective evaluation with the matrix or to do it by date received.

Councilwoman Pastor stated she wanted a matrix based on financials of what businesses needed to survive.

Ms. Mackay indicated one of the questions on the application asked how many months of funding do you have available to support your business. She remarked that could be one of the criteria staff looked at and rank the applications based on the money businesses had left.

Councilwoman Stark asked if staff could do that quickly.

Ms. Mackay replied it was information provided in the application that was

not separated in the spreadsheet that staff worked on. She advised staff would have to pull each application to put that information into a spreadsheet and then put it in order.

Deputy City Manager Jeff Barton added looking at financial statements was subjective in nature, noting businesses differed in their complexity as well as in their ability to complete sound financial statements. He expressed staff could not do this in a short amount of time and recommended that Council stay with the current matrix. He noted additional money could likely come as a way of business assistance in future stimulus bills and staff could set up criteria for that process if it happened.

Councilman DiCiccio said he was supportive if it stayed by date so that money could get into the hands of people that needed it.

Councilwoman Pastor expressed she wanted to get money into the hands of businesses that were in most dire need.

Ms. Mackay conveyed most of the businesses that submitted applications listed virtually no cash on hand so most of them were in dire need now.

Mr. Barton pointed out dire need was self-identifying, noting staff could not get into that level of detail in a short amount of time.

Councilwoman Pastor withdrew her friendly amendment request.

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

48 Intergovernmental Agreement with Phoenix Union High School

District and its Feeder Elementary Schools, Maricopa County Community Colleges District, and State of Arizona Relating to Digital Divide Solutions for Under-Served Areas (Ordinance S-47201)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with Phoenix Union High School District (PUHSD), its 13 public elementary feeder schools, Maricopa County Community Colleges District and the State of Arizona to provide for technology services related to the Digital Divide. Further request authorization for the City Controller to disburse up to $2 million related to this item.

Summary

On May 14, 2020, City Council approved the allocation of $2 million from the Coronavirus Relief Fund (CRF) to broaden Citywide wi-fi. Shortly thereafter, a core public and private group came together to discuss long-term solutions for the Digital Divide in Phoenix. The Digital Divide is defined as the economic, education, and social inequalities between those who have computers and online access, and those who do not. The working group outlined that even when there is internet availability, economic barriers prevent many residents from accessing the internet. During the COVID-19 pandemic, students have struggled with their education, and it has been particularly challenging for students in under-served areas with limited or no access to connectivity.

At the Oct. 27, 2020 City Council Policy meeting, City staff and representatives from PUHSD, the Greater Phoenix Economic Council, Arizona Commerce Authority and Phoenix College provided an update on the advances that this public-private partnership had been working on over the summer related to providing long-term solutions for the Digital Divide.

Over the past few months, this core group of public and private members came together to research hardware and software concepts that could provide connectivity to our students for educational purposes only. A Request for Proposals has been issued and is moving forward under PUHSD to select a company to validate the technology and install both a Micro Proof of Concept and, after successful testing, a Proof of Concept

on a larger test area, prior to full installation in the area served by PUHSD.

To accommodate this joint effort, it will be necessary to execute an IGA between all governmental parties. This IGA may be expanded in the future to include other governmental agencies and school districts in the City of Phoenix.

On Dec. 8, 2020, City Council authorized staff to use approximately $40.1 million in Coronavirus Relief Funds to offset General Fund public safety salaries. This action freed up resources in the General Fund to continue previously approved CRF projects that would not be completed by the deadline of Dec. 30, 2020. This Digital Divide project will be funded from a portion of those freed up resources in the General Fund.

Contract Term
If approved, the term of this IGA would be for a period of five years.

Financial Impact
Total funding for the IGA would be up to $2 million. Funding is available in the Bridging the Digital Divide project budget.

Concurrence/Previous Council Action
On May 14, 2020, City Council initially appropriated $2 million in federal CRF in the Distance Learning and Wi-Fi Access set-aside to broaden Citywide wi-fi to bridge the Digital Divide. On Dec. 8, 2020, City Council authorized staff to continue critical projects related to the City's response to the COVID-19 pandemic utilizing General Funds.

Location
Council Districts: 4, 5, 7, and 8

Discussion
Note: Councilwoman Pastor declared a potential conflict of interest and withdrew from the voting body on this item.

Muktar Sheikh said he wanted the City to look at the elementary school level to close the technology gap in low-income communities.

Mayor Gallego conveyed this grant included Phoenix Union and the 13

public elementary school feeder school districts within Phoenix Union. She acknowledged Councilwoman Pastor who had been active in the design and implementation of this project.

Councilman DiCiccio said he supported this item and expressed that kids needed to be back in the classroom to close the divide in education.

One electronic comment was submitted for the record in support of this item.

Prior to his vote, Councilmember Garcia thanked Councilwoman Pastor and staff for their work and making sure this happened.

Note: Councilman DiCiccio left the voting body following the vote on this item.

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

Yes:	8 -	Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	
Conflict:	1 -	Councilwoman Pastor

One electronic comment was submitted for the record in opposition of Item 92.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 49 and 92 be adopted. The motion carried by the following vote:

Yes:	7 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	1 -	Councilman Waring
Absent:	1 -	Councilman DiCiccio

49 Authorization to Amend Contract with Arizona Community Action

Association, dba Wildfire, for COVID-19 Emergency Utility, Rent and Mortgage Assistance Services (Ordinance S-47204)

Request to authorize the City Manager, or his designee, to amend contract 152383 with the Arizona Community Action Association, dba Wildfire (Wildfire), to increase emergency utility and rent/mortgage assistance Coronavirus Aid, Relief and Economic Security (CARES) Act funding in the amount of $3,300,000 for a total contract amount of $29,000,000 and extend the contract term from Dec. 30, 2020 through the current and any future federal CARES Act expenditure timeline guidance. Additional authorization is requested for the City Manager, or his designee, to amend the total amount of this contract and the contract term should additional Coronavirus Relief Funds (CRF) be made available and/or the federal government extends the expenditure deadline for CRF. Further request authorization for the City Controller to disburse all funds related to this item. Funding is available from the City of Phoenix's CRF. There is no impact to the General Fund.

Summary

As part of the strategic plan for the City of Phoenix's $293 million CRF, on May 5, 2020, City Council authorized a $25.7 million award to Wildfire for the implementation of an emergency utility, and rent/mortgage assistance program for residents impacted by the COVID-19 national pandemic. The intent of the residential utility and rent/mortgage assistance program is to reduce the economic burden on residents due to the COVID-19 downturn.

On Dec. 8, 2020, the City Council provided further input and direction on the strategic plan, and proposed an additional $3,300,000 in CRF for contract 152383 with Wildfire, for an aggregate total of $29,000,000 in an effort to provide additional resources and services to Phoenix residents in alignment with the City Manager's guiding principles and strategic plan to deploy CRF. Funds from this additional allocation will be used to administer the program and provide emergency utility and rent/mortgage assistance to residents impact by the COVID-19 pandemic.

Under the terms of this contract amendment Wildfire will receive an advance payment of $3,300,000 to fund applications accepted through Dec. 30, 2020. Additionally, Wildfire and its network of participating

agencies will have a set term as defined by federal guidelines to process all payments related to those applications. Any remaining funds in this contract will be returned to the City of Phoenix for return to the federal government if not awarded and expended within the current and any future federal CARES Act expenditure timeline guidance.

Contract Term
The term of this contact will be extended to align with current and any future federal CARES Act expenditure timeline guidance. This contract may be extended based on continuous need and available funding, in alignment with federal guidance, which may be exercised by the City Manager or designee.

Financial Impact
The total value of this contact is $29,000,000. This contract value may be increased based on continuous need and available funding, which may be exercised by the City Manager or designee. There is no impact to the General Fund. Funding will be provided from the City of Phoenix's Coronavirus Relief Fund.

Concurrence/Previous Council Action
May 5, 2020 the City Council authorized staff to enter into contract with ACAA, dba Wildfire with Ordinance S-46644.

On Dec. 8, 2020 the City Council provided policy direction to add $3,300,000 in Coronavirus Relief Funds for contract 152383 with Wildfire in an effort to provide additional resources and services to Phoenix residents impacted by the COVID-19 national pandemic in alignment with the City Manager's guiding principles and strategic plan to deploy the City of Phoenix's $293 million Coronavirus Relief Fund.

This item was adopted.

92 ADD-ON - Authorization to Amend Contract to Extend and Accept Additional Emergency Assistance CARES Act Funding from Arizona Community Action Association dba Wildfire (Ordinance S-47206)

Request authorization for the City Manager, or his designee, to amend Contract 152678 with the Arizona Community Action Association dba

Wildfire (Wildfire) to extend the term of the contract through April 30, 2021 and accept additional emergency utility, rent and mortgage assistance Coronavirus Aid, Relief and Economic Security (CARES) Act funding in the amount of $406,207.75, for a new contract total of $3,156,207.75. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. There is no impact to the General Fund.

Summary

Funds provided to the City of Phoenix Human Services Department (HSD) through Wildfire are used to assist individuals and families who have been impacted directly by the COVID-19 pandemic with emergency rent, mortgage and utility assistance. Households eligible to receive assistance must be able to document that their current financial hardship is due to COVID-19. The flexibility of the CARES Act funding will allow the City of Phoenix to reach a broader spectrum of Phoenix residents and reduce the impact of COVID-19. The additional funding will allow HSD staff to further support those individuals who have been negatively impacted by the COVID-19 pandemic.

Procurement Information

The City of Phoenix has obtained all necessary federal waivers to alleviate the need to comply with federal procurement guidelines.

Contract Term

The new term of the contract is from June 1, 2020 through April 30, 2021 and may be extended based on continuous need and available funding. Any extension term may be exercised by the City Manager or his designee.

Financial Impact

The aggregate value of this contract shall not exceed $3,156,207.75. Funding is provided from the Coronavirus Aid, Relief and Economic Security (CARES) Act. There is no impact to General Funds.

Concurrence/Previous Council Action

On June 24, 2020, City Council authorized staff to enter into contract with Wildfire, the City Treasurer to accept, and the City Controller to disburse CARES Act funds with Ordinance S-46799.

On Oct. 21, 2020, City Council authorized acceptance of additional emergency assistance CARES Act funding from Wildfire with Ordinance S-47021.

This item was adopted.

52 Voluntary Acquisition and Sale or Lease of Real Property Located at 12027 N. 28th Drive for U.S. Vets (Ordinance S-47175)

Request to authorize the City Manager, or his designee, to acquire real property located at 12027 N. 28th Drive by voluntary purchase using General Funds within the City of Phoenix's appraised value plus usual and customary closing costs, in a total amount not to exceed $10.5 million. Further request authorization to enter into a lease for use of the property as a transitional and permanent supportive housing facility for homeless and at-risk veterans for a term of up to 10 years, with an option to purchase the property including a sale/carryback purchase option, and including such other terms as may be appropriate in the discretion of the City Manager or his designee. Such terms may include rent concessions for improvements, maintenance and other associated costs for any repairs during the lease term. Authorization also is requested to enter into an agreement with U.S. Vets for the operation of the property as a transitional and permanent supportive housing facility for homeless and at-risk veterans in an amount not to exceed $500,000 in Emergency Solutions Grant (ESG-CV) funds and to execute all necessary agreements, leases and documents necessary for the use, operation and disposition of the property. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The aggregate value of the agreements will not exceed $11 million for the combined agreements.

Summary

The property is being acquired to provide housing and services specifically for homeless and at-risk veterans and their families. The City of Phoenix obtained an appraisal, a Phase I Environmental Assessment, and a comprehensive building inspection. The property included in this request is identified by Maricopa County Assessor's parcels numbers 149-17-139C,149-17-140B, and 149-17-141C located at 12027 N. 28th Drive.

U.S. Vets provides services to homeless veterans, including housing and supportive services, in 13 cities across five states. The property will be used to provide transitional and permanent housing to homeless veterans as well as supportive services such as case management, job skills development and other services.

Contract Term
The contract term for operations will begin on or about March 1, 2021 and will end on Sept. 30, 2022. The contract term for lease of the property will start on or before March 1, 2021 through Feb. 28, 2031.

Financial Impact
The aggregate value will not exceed $11 million for the acquisition of the property and operation of the facility. For acquisition of the property, $10.5 million is available in the General Fund. For operation of the facility, $500,000 will be provided from U.S. Department of Housing and Urban Development Cares Act ESG-CV funds.

Concurrence/Previous Council Action
City Council approved $10.5 million of the City's Coronavirus Relief Fund to support U.S. Vets at its Oct. 13, 2020 Policy meeting.

Location
12027 N. 28th Drive
Council District: 1

Discussion
Councilwoman Williams thanked staff for resolving all the issues and the homeowners association for accepting this in their neighborhood.

A motion was made and seconded to approve this item.

Mayor Gallego thanked Councilwoman Williams for her work on this item and making sure veterans knew their value.

Michelle Jameson, with U.S.VETS, thanked Council for their continued support.

Councilwoman Pastor thanked Ms. Jameson and U.S.VETS for the work

they provided to veterans and housing which included workforce training.

One electronic comment was submitted for the record in support of this item.

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

Yes:	8 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	
Absent:	1 -	Councilman DiCiccio

55 Three-Year Membership with Canada Arizona Business Council (Ordinance S-47191)

Request to authorize the City Manager, or his designee, to pay membership dues to the Canada Arizona Business Council (CABC) for December 2020 through December 2023 in the amount of $25,000 annually, for a total amount not to exceed $75,000. Further request authorization for the City Controller to disburse funds related to this item. Funding is available in the Community and Economic Development Department's budget.

Summary

The City entered into its first one-year membership with the CABC in 2014. A three-year CABC membership, at $25,000 annually, was approved by the City Council in January 2018. With 175+ members, representing the private sector; economic development organizations; municipalities and trade organizations from Arizona and Canada, the CABC focuses on attracting Canadian foreign direct investment to Phoenix's residential and commercial real estate market. In addition, the CABC provides support to any Canadian mergers and acquisitions business, and continued expansion of existing Canadian businesses in the local Phoenix economy.

The work of the CABC has proven to be vital to the economic relationship between Arizona and Canada and has been instrumental in fostering

Canadian investment in the Phoenix market. An example of their impactful work includes CABC's facilitation of the adoption by both the Province of Alberta and State of Arizona of a reciprocal judgments agreement, removing impediments to financing for Canadian businesses in Arizona. The CABC is currently assisting in the negotiation of a similar agreement between Ontario and Arizona. In addition, the CABC facilitated introduction of Canadian capital markets interested in investing in Phoenix companies through the Toronto Stock Exchange (TSE), which deals heavily in mining and energy. Total market capitalization of companies listed on TSE exceeds $3 trillion (Canadian).

Canadian visitors account for approximately $2.4 billion in the local economy. The CABC has worked with the airline industry to increase flight service between Canada and Phoenix, and as a result of their efforts, 209 direct flights per week between Canada and Phoenix were available prior to the COVID-19 pandemic. The CABC is currently working to assure the return of these flights to Phoenix as airlines resume service.

Renewal of the CABC membership will continue to provide the City access to critical Canadian foreign direct investment intelligence, data, trends and opportunities to strengthen economic development relationships with potential Canadian investors and businesses. This will further enhance Phoenix's competitive position within the Canadian market.

If approved, the City's thee-year membership will be valid through the following years:
December 2020-2021
December 2021-2022
December 2022-2023

Financial Impact
Membership dues are $25,000 annually, not to exceed a total of $75,000 over the course of three years. Funds are available in the Community and Economic Development Department's budget.

Concurrence/Previous Council Action

The previous three-year CABC membership was approved by the City Council on Jan. 24, 2018, through ordinance S-44209.

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

Yes: 8 - Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

Absent: 1 - Councilman DiCiccio

56 **Foreign-Trade Zone Application for Taiwan Semiconductor Manufacturing Company (Resolution 21886)**

Request a Resolution to authorize the City Manager, or his designee, to submit an application to the Foreign-Trade Zones Board of the U.S. Department of Commerce for Taiwan Semiconductor Manufacturing Company (TSMC), a U.S.-based subsidiary, its subsidiaries, affiliates or related entities, and to support property tax reclassification for activated Foreign-Trade Zones from property tax class 2 (or other classification) with a tax assessment ratio of 15 percent, to property tax class 6 with a tax assessment ratio of 5 percent pursuant to Arizona law (A.R.S. 42-12006). Also, request authorization to enter into a Foreign-Trade Zone (FTZ) Operations Agreement (Agreement) and any other necessary documentation with TSMC, or City-approved nominee. Further request authorization for the City Treasurer to accept funds related to this item.

Summary

The City of Phoenix, as Grantee of FTZ No. 75, has the right and authority to apply for FTZ site designations. TSMC manufactures 5-nanometer technology for semiconductor wafer fabrication. TSMC has requested an FTZ Subzone designation for property it is seeking to acquire through an Arizona State Land Department auction located at the northwest corner of Loop 303 and 43rd Avenue alignment. TSMC plans to conduct semiconductor fabrication at the campus to include administrative and other supporting facilities. The proposed FTZ site consists of approximately 1,128 acres. Buildings expected to be

constructed in phase I will total approximately 3.8 million square feet.

Property tax support letters have been provided to the City from the following applicable tax jurisdictions: Central AZ Water Conservation District, Deer Valley Unified School District, Valleywise Health, and Western Maricopa Education Center. Support letters are pending from the following applicable tax jurisdictions: Maricopa County and Maricopa Community Colleges.

City staff will prepare an Operations Agreement with TSMC requiring the company to:

Comply with U.S. Department of Commerce Foreign-Trade Zones Board standards

Maintain record keeping satisfactory to the U.S. Customs and Border Protection

Obtain business bonding and insurance satisfactory to the City and the U.S. Customs and Border Protection

Indemnify the City against claims arising from their FTZ operations

Pay to the City all fees pursuant to the current zone fee schedule

The Agreement will contain other terms and conditions deemed necessary or appropriate.

Contract Term

The term of the Agreement, if approved, will be for 20 years unless the FTZ designation terminates sooner. Provisions of the contract may include an option to extend for as long as the FTZ designation exists which may be exercised by the City Manager or his designee.

Financial Impact

The City will incur no costs associated with TSMC's application; however, the property may be reclassified to a lower tax rate once TSMC successfully activates the FTZ.

Location

Northwest corner of Loop 303 and 43rd Avenue alignment

Council District: 1

Note: Councilwoman Pastor had a conflict of interest and withdrew from

the voting body on this item.

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

Yes:	7 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	
Conflict:	1 -	Councilwoman Pastor
Absent:	1 -	Councilman DiCiccio

67 Amend Phoenix Municipal Code Section 31-200 Authority and Administration; Adoption of the Traffic Barricade Manual; Definitions (Ordinance G-6779)

Request City Council approval and adoption of the Revised 9th Edition of the Traffic Barricade Manual. Additionally, request adoption of an ordinance to amend Phoenix Municipal Code Section 31-200.There is no financial impact associated with this request.

Summary

Traffic Barricade Manuals (TBM) have been used by the City of Phoenix since 1961. The TBM ensures the safety of the thousands of people who must work in Phoenix's public right-of-way while managing traffic effectively when temporary barricades and signage are in place. The TBM provides specific information on how to set up barricades and signs, how to become certified to provide barricades in the right-of-way, and what is required to work safely in the roadway and to protect the traveling public. The TBM also describes the City’s ordinances and permitting processes necessary for those wanting to work in the right-of-way so that construction work and events can be managed effectively and within a safe environment. Typical users of the TBM include City crews, utility and barricade companies, landscapers, construction companies, and event coordinators.

The City’s TBM was last updated in 2017 (9th edition) and had substantial changes from the previous edition updated in 2008. The main resources

that the Street Transportation Department has used for updating the City's TBM are the Federal Highway Administration's 2009 Manual on Uniform Traffic Control Devices (MUTCD) and the Arizona MUTCD Supplement. The federal and state MUTCD manuals provide primary guidance regarding temporary traffic control devices, and the City's existing TBM has tailored these standards to urban city streets and intersections with limited rights-of-way and heavy traffic conditions.

To bring the City's policies and procedures for temporary traffic control devices in line with current standards and practices, the Street Transportation Department is proposing an update to the TBM that includes four minor revisions. The new proposed Traffic Barricade Manual (Revised 9th Edition) provides modified guidance relating to:

Allowing the use of automated flagging assistance devices (AFAD). AFAD systems are modern technologies that reduce the likelihood of human error in controlling traffic flow in restricted lane situations. These systems allow a certified flagger to control the flow of traffic through temporary traffic control zones when a single lane of travel is shared alternately by vehicles traveling in opposite directions;

Updating signing and striping requirements to remove the use of raised pavement markers for temporary lane markings on streets that have been recently paved, micro-sealed, or slurry sealed;

Expanding the number of police agencies whose officers can direct traffic at construction sites within City limits from three agencies (City of Phoenix, Maricopa County, and Arizona Department of Safety) to include all Arizona Peace Officer Standards and Training (POST) certified officers; and

Removing subsurface obstructions in the right-of-way, including the removal of foundations for construction tower cranes and other similar foundations.

Financial Impact

There is no financial impact to the City or outside stakeholders resulting from the adoption of the Traffic Barricade Manual (Revised 9th Edition).

Concurrence/Previous Council Action

The City Council approved the City of Phoenix Traffic Barricade Manual

(9th Edition) (Ordinance G-6322) on May 31, 2017.

The Transportation, Infrastructure and Innovation Subcommittee recommended City Council approval of the City of Phoenix Traffic Barricade Manual (Revised 9th Edition) on Oct. 7, 2020, by a vote of 3-0.

Public Outreach

Staff has coordinated the proposed update to the Traffic Barricade Manual (Revised 9th Edition) with affected stakeholders as part of the preliminary draft review process. These stakeholder groups include the American Traffic Safety Services Association - Arizona Chapter, Arizona Chapter of the Associated General Contractors, Arizona Utility Contractors Associations, Arizona Department of Transportation, Development Advisory Board, City departments, and utility and barricade companies.

The City Clerk read the title of the ordinance for this item.

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

Yes:	8 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	
Absent:	1 -	Councilman DiCiccio

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

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

Elizabeth Venable urged the City to stop criminalizing homeless people,

destroying their property and driving them out.

Elisheyah McKinley expressed concern for people experiencing homelessness.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 5:53 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 16th day of December, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 4th day of October, 2023.

CITY CLERK