City of Phoenix

Minutes

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

186444

City Council Formal Meeting

Wednesday, November 13, 2024 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on November 13, 2024, at 2:34 p.m. in the Council Chambers.

Present:	8 -	Councilman Carlos Galindo-Elvira, Councilwoman Kesha Hodge Washington, Councilwoman Ann O'Brien, Councilwoman Laura Pastor, Councilman Kevin Robinson, Councilman Jim Waring, Vice Mayor Debra Stark and Mayor Kate Gallego
Absent:	1 -	Councilwoman Betty Guardado

Councilwoman Guardado was absent. Councilwomen Pastor and O'Brien attended the meeting virtually.

Mayor Gallego acknowledged the presence of Daniel Feliciano and Elsie Duarte, Spanish interpreters. In Spanish, Mr. Feliciano announced their availability to the audience.

The City Clerk confirmed copies of the titles of Ordinances G-7315 through G-7323, S-51380 through S-51423, and Resolutions 22260 through 22262 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

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

MINUTES OF MEETINGS

A motion was made by Vice Mayor Stark, seconded by Councilwoman Hodge Washington, that items 1-2 and 4 be approved and to continue Item 3 to the November 20, 2024, Formal. The motion carried by the following voice vote:

Yes:	8 -	Councilman Galindo-Elvira, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

1 For Approval or Correction, the Minutes of the Formal Meeting on February 21, 2024

Summary

This item transmits the minutes of the Formal Meeting of February 21, 2024, for review, correction and/or approval by the City Council.

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

This item was approved.

2 For Approval or Correction, the Minutes of the Formal Meeting on March 6, 2024

Summary

This item transmits the minutes of the Formal Meeting of March 6, 2024, for review, correction and/or approval by the City Council.

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

This item was approved.

3 For Approval or Correction, the Minutes of the Formal Meeting on March 20, 2024

Summary

This item transmits the minutes of the Formal Meeting of March 20, 2024, for review, correction and/or approval by the City Council.

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

This item was continued to the November 20, 2024, City Council Formal Meeting.

4 For Approval or Correction, the Minutes of the Formal Meeting on April 3, 2024

Summary

This item transmits the minutes of the Formal Meeting of April 3, 2024, for review, correction and/or approval by the City Council.

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

This item was approved.

BOARDS AND COMMISSIONS

5 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 individual was recommended for appointment/reappointment by Mayor Gallego:

Human Services Commission

Appoint Jackie Castrellon, filling a vacancy for a partial term to expire June 30, 2026.

A motion was made by Vice Mayor Stark, seconded by Councilman Galindo-Elvira, that this item be approved. The motion carried by the following voice vote:

Yes:	8 -	Councilman Galindo-Elvira, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

Mayor Gallego administered the oath of office to the following appointee:
Jackie Castrellon - Human Services Commission.

Ms. Castrellon was invited to approach the dais so Council could extend their appreciation.

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

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

A motion was made by Vice Mayor Stark, seconded by Councilwoman Hodge Washington, that items 6-15 be recommended for approval, except Item 8 which is being continued to the December 18, 2024, Formal Meeting. The motion carried by the following voice vote:

Yes:	8 -	Councilman Galindo-Elvira, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

6 Liquor License - Coconut's Fish Cafe - District 2

Request for a liquor license. Arizona State License Application 309323.

Summary

Applicant
Jared Repinski, Agent

License Type
Series 12 - Restaurant

Location
7000 E. Mayo Boulevard, Ste. 1108
Zoning Classification: PUD PCD
Council District: 2

This request is for a new liquor license for a restaurant. This location was

previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is November 15, 2024.

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Tourism plays an important role in our local economy and liquor licensed

establishments (the sale of alcohol) is a very important aspect of tourism. Therefore, if the City of Phoenix continues to lead the State of Arizona by approving quality and diverse businesses (restaurants, bars, microbreweries, distilleries, hotels, resorts, golf courses, special events, convenience/liquor/grocery stores & gas stations) similar to this proposed liquor licensed business, all businesses will prosper."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Coconut's Fish Cafe - Data
Attachment - Coconut's Fish Cafe - Map

This item was recommended for approval.

7 Liquor License - Rubio's Fresh Mexican Grill #57 - District 2

Request for a liquor license. Arizona State License Application 308096.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
4747 E. Bell Road, Ste. 17
Zoning Classification: PSC
Council District: 2

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

The 60-day limit for processing this application is November 17, 2024.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have owned several liquor licensed restaurants in Arizona and have an in State manager to run the day to day operation. I have not had any liquor violations. My manager is a resident of AZ to manager the location. The manager has current AZ liquor law training. Additionally, I will ensure that all employees are knowledgeable in AZ liquor laws required. The purpose of the restaurant is to serve food. The alcohol is only to compliment the food sales should a customer disire to purchase alcohol with their meal."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is an existing restaurant currently meeting the needs of the community. There have been no changes to the existing restaurant other

than the ownership. The business hours will remain the same. There will be no entertainment, games or drive-thru at the business. I am looking forward to being a business owner in the city of Phoenix and look forward to serving the community."

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

Attachments
Attachment - Rubio's Fresh Mexican Grill #57 - Data
Attachment - Rubio's Fresh Mexican Grill #57 - Map

This item was recommended for approval.

8 Liquor License - Fire and Fury Brewing Company - District 3

Request for a liquor license. Arizona State License Application 306654.

Summary

Applicant
Michael Mathis, Agent

License Type
Series 12 - Restaurant

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

This request is for a new liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 3 - Microbrewery, liquor license and does not have an interim permit. This location requires a Use Permit to allow outdoor dining.

The 60-day limit for processing this application is November 16, 2024.

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.

Fire and Fury Brewing Company (Series 3)
13825 N. 32nd Street, Ste. 32
Calls for police service: 6
Liquor license violations: In March 2024, a fine of $500 was paid for producing less than 5,000 gallons of beer in a calendar year.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been in this industry for over 10 years. My brewery has been open for almost 3 years. I believe my knowledge through those years has

prepared me for this license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "As a brewery we have been here nearly 3 years. We have rooted ourselves into the neighbor and maintain strong ties. This license will allow additional families/patrons the option to stay for more than the brewery."

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
Attachment - Fire and Fury Brewing Company - Data
Attachment - Fire and Fury Brewing Company - Map

This item was continued to the December 18, 2024, City Council Formal Meeting.

9 Liquor License - Special Event - Chatting with Char Char - District 4

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

Summary

Applicant
Kathleen Haley

Location
4626 N. 16th Street, Ste. 104
Council District: 4

Function
Community Event

Date(s) - Time(s) / Expected Attendance
November 24, 2024 - 10 a.m. to 3 p.m. / 40 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - The Larder & The Delta - District 4

Request for a liquor license. Arizona State License Application 307472.

Summary

Applicant
Jared Repinski, Agent

License Type
Series 12 - Restaurant

Location
2320 E. Osborn Road
Zoning Classification: C-1, P-1
Council District: 4

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

The 60-day limit for processing this application is November 18, 2024.

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 have been representing liquor licensed establishments in Arizona for over 15 years.”

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Mandarin Buffet - District 4

Request for a liquor license. Arizona State License Application 305998.

Summary

Applicant
Nai Ang Jiang, Agent

License Type
Series 12 - Restaurant

Location
1501 W. Bethany Home Road
Zoning Classification: PSC TOD-1
Council District: 4

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

The 60-day limit for processing this application is November 16, 2024.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am committed to upholding the best standards for alcohol sales. All our staff will be trained in legal and responsible sales."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Our business will offer guest a comfortable dinning 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.

Attachments
Attachment - Mandarin Buffet - Data
Attachment - Mandarin Buffet - Map

This item was recommended for approval.

12 Liquor License - Rubio's Coastal Grill #292 - District 4

Request for a liquor license. Arizona State License Application 308156.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
540 W. McDowell Road
Zoning Classification: DTC McDowell Corridor - HP
Council District: 4

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

The 60-day limit for processing this application is November 17, 2024.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have owned several liquor licensed restaurants in Arizona and have an in State manager to run the day to day operation. I have not had any liquor violations. My manager is a resident of AZ to manager the locations. The manager has current AZ liquor law training. Additionally, I will ensure that all employees are knowledgeable in AZ liquor laws as required. The purpose of the restaurant is to serve food. The alcohol is only to compliment the food sales should a customer disire to purchase alcohol with their meal."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is an existing restaurant currently meeting the needs of the community. There have been no changes to the existing restaurant other than the ownership. The business hours will remain the same. There will be no entertainment, games or drive-thru at the business. I am looking forward to being a business owner in the city of Phoenix and look forward to serving the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Rubio's Coastal Grill #292 - Data
Attachment - Rubio's Coastal Grill #292 - Map

This item was recommended for approval.

13 Liquor License - Rubio's Baja Grill #99 - District 6

Request for a liquor license. Arizona State License Application 308103.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
4340 E. Indian School Road, Ste. 1
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is November 17, 2024.

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

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

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

comment period.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have owned several liquor licensed restaurants in Arizona and have an in State manager to run the day to day operation. I have not had any liquor violations. My manager is a resident of AZ to manager the locations. The manager has current AZ liquor law training. Additionally, I will ensure that all employees are knowledgable in AZ liquor laws as required. The purpose of the restaurant is to serve food. The alcohol is only to compliment the food sales should a customer disire to purchase alcohol with their meal."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is an existing restaurant currently meeting the needs of the community. There have been no changes to the existing restaurant other than the ownership. The business hours will remain the same. There will be no entertainment, games or drive-thru at the business. I am looking forward to being a business owner in the city of Phoenix and look forward to serving the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Rubio's Baja Grill #99 - Data
Attachment - Rubio's Baja Grill #99 - Map

This item was recommended for approval.

14 Liquor License - Grand Avenue Brewing Company - District 7

Request for a liquor license. Arizona State License Application 306809.

Summary

Applicant
John Coll, Agent

License Type
Series 12 - Restaurant

Location
1205 W. Pierce Street
Zoning Classification: C-3
Council District: 7

This request is for a new liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 3 - Microbrewery, liquor license and does not have an interim permit.

The 60-day limit for processing this application is November 16, 2024.

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.

Grand Avenue Brewing Company (Series 3)
1205 W. Pierce Street, Phoenix
Calls for police service: None
Liquor license violations: In May 2018, a fine of $500 was paid for producing less than 5,000 gallons of beer in a calendar year. In April 2019, a fine of $1,000 was paid for producing less than 5,000 gallons of beer in a calendar year. In May 2021, a fine of $1,000 was paid for producing less than 5,000 gallons of beer in a calendar year.

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 a Number 3 Microbrewery Liquor License for five (5) years at the location of 1205 W. Pierce Street in Phoenix and there have been no incidents involving the police or any type of violation involving the service of alcohol. I am the owner and manager o the brewpub and I have overseen the production of beer and food (and it's service) and we have a 4.9 stars out of five stars rating on Google Reviews."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Although we have served beer at the location as a microbrewery for five years, not all of our patrons or friends patrons like to drink beer. We have received numerous requests from customers dining with us for a choice of wine, cider or even a few cocktails. We are primarily a neighborhood brewpub. While we have a loyal base of beer fans who regularly visit, those beer fans often have friends and spouses who like our food, but would prefer other drink options. The availability of such options would substantially serve the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Grand Avenue Brewing Company - Data
Attachment - Grand Avenue Brewing Company - Map
This item was recommended for approval.

15 Liquor License - Special Event - Children's Museum of Phoenix - District 8

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

Summary

Applicant
Kelley Fitzsimmons

Location
215 N. 7th Street
Council District: 8

Function
Gala

Date(s) - Time(s) / Expected Attendance
November 23, 2024 - 6 p.m. to 11 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.
This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

A motion was made by Vice Mayor Stark, seconded by Councilwoman Hodge Washington, that items 16-79 be approved or adopted, except items 33, 37-38, 72 and 79; and noting that Item 73 is being continued to January 22, 2025, Item 74 is being continued to December 4, 2024, and items 75 through 78 are being continued to the November 20, 2024, Formal Meetings. The motion carried by the following vote:

Yes:	8 -	Councilman Galindo-Elvira, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

Items 16-18, Ordinance S-51380 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.

16 **Brody Chemical Company, Inc.**

For $150,000 in payment authority for a new contract, entered on or about October 7, 2024, for a term of five years for asphalt removal cleaning agents for the Street Transportation Department. This contract will supply cleaning agents, which provide a chemical barrier to prevent adhesion of bituminous and/or emulsified asphalt products to tools and equipment. Use of these cleaning products will enable asphalt application systems to function correctly, safely and will extend the life of the tools and equipment.

This item was adopted.

17 **LambTech, Inc**

For $200,000 in payment authority for a new contract, entered on or about November 1, 2024, for a term of five years for fence line odor testing, monitoring equipment, and evaluation services for the Water Services Department (WSD). The contract will provide WSD with the ability to conduct regular testing and evaluations of fence line hydrogen sulfide emissions. WSD utilizes these testing and evaluation services to maintain City compliance with Maricopa County air quality reporting requirements.

This item was adopted.

18 **Settlement of Claim(s) Kwan v. City of Phoenix**

To make an additional payment of up to $14,550 in settlement of claim(s) in *Kwan v. City of Phoenix*, 22-0745-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Water Services Department that occurred on December 17, 2022.

This item was adopted.

19 Adoption of 2025-26 Budget Calendar - Citywide

The City Charter and Code include legal deadlines and actions that must be followed in adopting the budget. In cases where the deadlines conflict, the City meets the earlier of the two dates or a date designated by the City Council. Adoption of the budget calendar ensures compliance with the City Charter and Code, and also allows staff to properly plan the budget development process and all legally required advertising. Staff requests City Council approval of the 2025-26 budget calendar reflected in **Attachment A.**

This item was approved.

20 American Rescue Plan Act Obligation Deadline and Final Reallocation - Citywide

This report provides an update on American Rescue Plan Act (ARPA) spending to date, the reallocation of current unspent ARPA funds, and the steps taken to obligate all funding before the US Treasury obligation deadline. The City is on track to meet all ARPA spending deadlines.

Summary

The federal government allocated $396 million to the City of Phoenix as part of ARPA. On June 8, 2021, and June 7, 2022, City Council approved the ARPA Strategic Plan and at several subsequent Council meetings, approved additional programs which included new programs in affordable housing and homelessness funded through the first large reallocation in December 2022. Additional homelessness programs were funded through the second reallocation in November 2023 and a third reallocation in February 2024.

There are currently over 70 programs across 19 City departments and as of September 2024, near $280 million (about 70 percent) has been spent. The 2024 Recovery Plan was submitted to the US Treasury in July 2024 and can be found at www.phoenix.gov in the Open Data Portal on the ARPA website.

Reallocation of Unused, Underspent, or Reprioritized ARPA Funds

During the June 7, 2022, City Council Formal meeting, staff indicated reallocation exercises would be performed throughout the remaining duration of the grant to analyze all programs with unused, underspent, or reprioritized funding that may be used for other ARPA eligible uses. The intent of the reallocation exercises is to ensure full utilization of all awarded ARPA funds. The ARPA covered period will end December 31, 2024, and all funding must be obligated by this date. To avoid any funding returning to the US Treasury, staff has been diligent in its four reallocation exercises, and this action serves as the final reallocation.

The first reallocation exercise on December 14, 2022, resulted in the approval of $21.2 million, for three affordable housing and homelessness projects. The second reallocation exercise on November 15, 2023, resulted in the approval of $19.6 million to fund various homelessness programs.

The second reallocation included four programs that required additional funding which had not yet been identified. This had been reduced to three programs and funding was identified, reallocation totaling $3.84 million. The third reallocation exercise on February 21, 2024, resulted in the approval of approximately $15 million to various programs including several homelessness projects and one Library project.

While this is the last reallocation exercise for the ARPA grant, a method of reclassification is available if the City needs to move funding before the expenditure deadline of December 31, 2026. Staff will provide updates should reclassification occur before the end of the expenditure deadline.

Reallocation Programs

As the City continues to work towards providing solutions for

homelessness and increasing the supply of affordable housing units, staff is recommending the use of the remaining ARPA funds to continue current homelessness programs and using ARPA interest strategically to alleviate pressure from the General Fund in Fiscal Year (FY) 2025-26 and beyond. All ARPA funds will be expended by June 30, 2026, to allow for six months of close-out procedures. Several programs supporting homelessness services are on-going and will be moved to the General Fund beginning FY 2026-27. Funding sources are identified in the summary below.

In order to meet the obligation deadline and provide continued resources to programs that would otherwise require General Fund resources to continue, staff's recommendation includes the following reallocation of ARPA funding and the use of ARPA interest-earned funding. Moreover, should staff need to repurpose any funds prior to the end of this calendar year to meet obligation requirements, funds will be moved to homelessness budget projects planned to be included in the proposed General Fund for FY 2025-26.

71st Avenue Shelter: St. Vincent de Paul Neighborhood Brigade Program - $438,281

Funding will support St. Vincent de Paul's work readiness program, Neighborhood Brigade, at the 71th Avenue Shelter. Participants in the program become part-time St. Vincent de Paul employees and have access to employment-specific case management services. All funds will be expended by June 30, 2026. This program will be funded in the General Fund beginning July 1, 2026, with an annual budget of $150,000.

Homeless Services: Central Arizona Shelter Services (CASS) Contract - $453,000

Funding will continue to support the City's contract with CASS, providing emergency shelter and wraparound services to individuals experiencing homelessness. All funds will be expended by June 30, 2026. The City currently provides CASS with an annual program budget of $1,047,000 from the General Fund. This program's General Fund budget will increase beginning July 1, 2026, bringing total program annual budget to $1,500,000.

Overnight Summer Heat Respite - $650,000
Funding will support overnight summer heat respite services from April - June 2025. This program will be funded in the General Fund beginning July 1, 2025, with an annual budget of $3,900,000.

71st Avenue Shelter: Community Bridges, Inc. (CBI) Contract - $800,000
Funding will provide shelter wraparound services by CBI at the 71st Avenue Shelter for FY 2025-26. This program will be partially funded in the General Fund beginning July 1, 2026, with an annual budget of $800,000.

Washington Shelter: CBI Contract - $971,250
Funding will provide case management, behavioral health, and outreach services by CBI at the Washington Street Shelter. All funds will be expended by January 2026.

Homeless Services: Keys to Change Contract - $1,500,000
Funding will provide shelter wraparound services at the Keys to Change, Key Campus. All funds will be expended by June 30, 2026. This program will be funded in the General Fund beginning July 1, 2026, with an annual budget of $1,500,000.

Homelessness Projects: Safe Outdoor Space (SOS) CBI Contract - $1,600,000
Funding will provide case management, behavioral health, and outreach services at the SOS by CBI. All funding will be expended by June 30, 2026. This program will be funded in the General Fund beginning July 1, 2026, for an additional six months with a contract value of $600,000.

Homelessness Projects: SOS Keys to Change Contract - $7,500,000
Funding will provide operational services at the SOS by Keys to Change. All funding will be expended by June 30, 2026. This program will be funded in the General Fund beginning July 1, 2026, for an additional six months with a contract value of $2,500,000.

ARPA Interest Programs
71st Avenue Shelter Operational Costs - $330,555

Funding will be used for operational costs for the shelter located on 71st Avenue and Van Buren Street. Costs include utilities and maintenance. All funds will be expended by June 30, 2026.

Modified Bus Route Program - $500,000
The Public Transit Department will utilize funds to modify Route 27 (27th Avenue) to provide service on Durango Street between 27th and 35th avenues. The route modification will provide additional connections and access to the county's court system and resources in the area. These funds will support the route modification for one year, beginning in January 2025, during which Phoenix will work with Maricopa County on a longer-term funding strategy if the service proves successful, via ridership analysis.

Mercy House Contract - $538,663
Funding will be used for operational costs including facility lease at 4120 E. Van Buren Street, meals, and case management services for a temporary lodging site which has capacity to provide emergency shelter for up to 50 people per night. All funds will be expended in FY 2024-25.

XWings Senior Bridge Project - $750,000
Funding will be used to support the construction of 40 units of temporary housing on a campus located at 2853 E. Van Buren Street which includes 65 units of affordable housing for older adults, aged 55 and over. The 40 non-congregate temporary housing units are constructed from converted shipping containers and are solar powered. All funds will be expended by June 30, 2026.

North Mountain Healing Center Renovation - $751,565
Funding will be used for the renovations needed to convert an existing office building to a 100-bed emergency shelter. Renovation work includes masonry, roofing, plumbing, HVAC, electrical, and concrete work. All funds will be expended by June 30, 2026.

Eviction Protection Services and Legal Assistance - $1,263,032
This program will fund legal assistance to qualifying households who are facing eviction in the City, which includes assistance with resolving evictions both in and outside the courtroom. The services will include

tenant outreach and education, landlord-tenant mediation, court navigation services, legal advice, representation, and counsel, post eviction services to assist with sealing a record or satisfying a judgement and housing stabilizing services to avoid eviction filing or judgment or to reduce negative impacts of eviction. Funds will be expended according to contract award.

Digital Divide Program - $2,210,487
ARPA funds were used to cover costs of system development, equipment, and installation of the Phoenix Digital Education Connection Canopy (PHX DECC). This funding will be used to cover maintenance and operational costs for the first five years of full implementation and for planned equipment refurbishment in FY 2029-30.

71st Avenue Shelter Construction - $13,000,000
Funding will be used to provide a temporary structure and complete construction of the permanent shelter located on 71st Avenue and Van Buren Street. Once construction is complete, this facility will house 280 individuals. All funds will be expended in FY 2024-25.

Attachment A summarizes each proposed program and funding amounts.

Obligation Deadline
Phoenix is on track to obligate all funding by the US Treasury deadline of December 31, 2024. Most programs will be obligated by the traditional method of an order placed for property and services (such as purchase orders) and entering into contracts, subawards, and similar transactions that require payment including payroll. The US Treasury provided another avenue to obligate funds: interagency agreements. The City will enter into an interagency agreement between the City Manager's Office and seven departments. The total amount of programs obligated in this manner is approximately $80 million.

Expenditure Category 6.1: Revenue Replacement - Provision of Government Services
Several programs are better served to be categorized in Expenditure Category (EC) 6.1 as part of revenue replacement detailed by the US

Treasury reporting. ARPA guidelines state recipients may use funds for the provision of government services to the extent of reduction in revenue, making the following projects an eligible use of the grant. The City reported over $294 million in revenue loss due to the COVID-19 public health emergency and only utilized $20 million in revenue replacement, which was allocated to the Convention Center and has since been spent.

The following programs and amounts are recommended to be reported in the revenue replacement category, totaling $23,100,000.

Infrastructure, Technology, and Capital Needs: 2021 Local Drainage Mitigation Program - $13,000,000
This entire project will be moved to EC 6.1 to meet reporting requirements as outlined by the US Treasury.

Heat Response/Temporary Shelter - Washington Shelter - $8,000,000
Only a portion of this program will be moved to EC 6.1. Expenditures include operational costs and lease payments.

Homelessness Projects - Safe Outdoor Space Capital and Operating Expenses - up to $2,100,000
Only a portion of this program will be moved to EC 6.1. Expenditures include capital costs and future operational costs.

Recommendation
Staff requests approval to reallocate approximately $13.9 million in ARPA funds and to utilize approximately $19.3 million in ARPA interest funds for the programs listed on **Attachment A,** to support the City's efforts to assist residents experiencing homelessness.

This item was approved.

21 Request for City Council to Call to Meet in Executive Session on Specific Dates January through December 2025 - Citywide

Request for the City Council to call meetings for the purpose of holding an Executive Session pursuant to Arizona Revised Statute Section 38-431.03.A, on the following dates at noon in the Central Conference Room, on the 12th Floor of Phoenix City Hall, located at 200 W.

Washington Street:

January 14
January 28
February 11
February 25
March 18
April 15
April 29
May 6
June 10
July 1
September 9
September 23
October 7
October 28
November 4
November 25
December 9

Public Outreach
The Notice and Agenda for these Executive Sessions will be posted no later than 24 hours before each scheduled meeting.

This item was approved.

22 Proposed 67th Avenue and Lower Buckeye Road Right-of-Way Annexation (Ordinance S-51386) - District 7

An ordinance extending and increasing the corporate limits of the City of Phoenix, Arizona, pursuant to the provisions of Arizona Revised Statutes, Section 9-471(N), by annexing a certain tract of land contiguous to and not embraced within the present limits of the City of Phoenix, contingent upon the approval by the Maricopa County Board of Supervisors, designated as 67th Avenue and Lower Buckeye Road Right-of-Way Annexation, No. 549.

Summary
This annexation process will be in accordance with Arizona Revised Statutes, Section 9-471(N) which provides that the annexation of County right-of-way may be accomplished by the mutual consent of the

governing bodies of the County and City. When the proposed annexation is approved by both bodies at public meetings, and both actions become effective, the annexation is complete.

Location

This requested annexation of right-of-way is for the unincorporated right-of-way on Lower Buckeye Road between 67th and 71st avenues, as recommended by the City of Phoenix Street Transportation Department. The area being annexed (**Attachment A**) is approximately 3.9085 acres (0.0061 square miles).
Council District: 7

This item was adopted.

23 Proposed 53rd Avenue and Broadway Road Annexation (Ordinance S-51412) - District 7

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Arizona, by annexing an area not within the present limits of the City of Phoenix, designated as the 53rd Avenue and Broadway Road Annexation. Further, request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

The annexation was requested by Tim Priebe with Fisher Sand and Gravel Co. for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes Section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach

A public hearing was conducted on August 26, 2024, to allow the City Council to gather community input regarding the annexation proposal. Notification of the public hearing was published in the Arizona Business Gazette newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

Location
The proposed annexation area includes Maricopa County Assessor parcel 104-59-001N, located west of 53rd Avenue along Broadway Road (**Attachment A**). The annexation area is approximately 3.2 acres (0.005 sq. mi.) and the population estimate is zero individuals.
Council District: 7

This item was adopted.

24 Apply for U.S. Department of Commerce Digital Equity Competitive Grant Program Grant Opportunity for Federal Fiscal Years 2021-24 - Federal Bipartisan Infrastructure Law Funding (Ordinance S-51400) - Citywide

Request to retroactively authorize the City Manager, or his designee, to apply for, accept and, if awarded, enter into an agreement for disbursement of Federal funding from the U.S. Department of Commerce through the Federal Fiscal Years (FFYs) 2021-24 Digital Equity Competitive Grant Program grant opportunity. If awarded, the funding will be used to pursue digital equity initiatives in the Housing, Human Services and Library departments. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Funding for this grant opportunity is available through the Federal Bipartisan Infrastructure Law. The total grant funds applied for will not exceed $11,840,537.02, and the City's local match would not exceed $4,556,967.73.

Summary
The Digital Equity Competitive Grant Program is a funding program under the Bipartisan Infrastructure Law, which was signed into law on November 15, 2021. The U.S. Department of Commerce issued a Notice of Funding Opportunity on July 24, 2024, offering $750 million in funding for FFYs 2021-24. The Digital Equity Competitive Grant Program is a discretionary grant program that aims to fund applications that will support efforts to achieve digital equity, promote digital inclusion activities, and spur greater adoption and meaningful use of broadband for historically disadvantaged individuals, defined as "Covered Populations."

The Digital Equity Competitive Grant Program grant submittal deadline

was September 23, 2024.

If awarded, the City's application would serve Covered Populations by offering the tools, training, and services needed to promote sustainable digital engagement. The project aims to expand broadband access and digital literacy programs while ensuring economic empowerment and connectivity for underserved populations through the following initiatives:
Phoenix Public Library Hotspot Lending Program.
Senior and Affordable Housing Internet Program.
Edison-Eastlake Community Wi-Fi.
Connected Careers Initiative.
Workforce Digital Navigator Program.
Digital Equity for Aging Participants.

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

Financial Impact
The estimated total cost for the project is approximately $16,397,504.75. The maximum Federal participation rate is 90 percent, with a minimum local match of 10 percent of the total eligible project cost. For this funding opportunity, applicants are awarded additional points during review for including additional local match. If awarded, the Federal match would not exceed $11,840,537.02 (72 percent) and the City's costs would be approximately $4,556,967.73 (28 percent) for the local match. The City's local match contribution would consist of $987,999.22 (6 percent) from matching funds and $3,568,968.51 (22 percent) from in-kind contributions by the Housing, Human Services and Library departments.

Funding for the local match is available in the Capital Improvement Program budget. Potential grant funding received is available through the Federal Bipartisan Infrastructure Law, from the U.S. Department of Commerce through the FFYs 2021-24 Digital Equity Competitive Grant Program grant opportunity.

This item was adopted.

25 Safety and Non-Safety Uniforms, Accessories and Related

Services - IFB 20-057 - Amendment (Ordinance S-51387) - Citywide

Request to authorize the City Manager, or his designee to allow additional expenditures under contracts 152935 with Ritz Safety LLC & AGS Safety and Supply, 152936 with Arizona Uniform and Apparel, 152937 with International Promotional Ideas Corporation, 152938 with International Corporate Apparel Inc., 152939 with Tyndale Company Inc., and 152940 with Galls Parent Holding LLC, for the purchase of safety and non-safety related uniforms and accessories for departments citywide. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $542,570.

Summary

These contracts provide safety related and non-safety related uniforms to employees across various City departments. Safety-related and non-safety related uniforms, including arc-related and reflective high-visibility gear, are essential for protecting employees during work assignments. As our citywide workforce continues to grow and the need exists to replace outdated apparel, additional funds are needed to support the ongoing supply of these essential uniforms.

Contract Term

The contracts term remain unchanged, ending on September 30, 2025.

Financial Impact

Upon approval of $542,570 in additional funds, the revised aggregate value of the contracts will not exceed $5,542,570. Funds are available in various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
•Citywide Safety and Non-Safety Uniforms, Accessories and Related Services, Contracts 152935,152936,152937,152938,152939,152940, Ordinance S-46906 on September 02, 2020.

This item was adopted.

26 Vehicle Rental Services Contract - IFB-24-0351 - Request for Award (Ordinance S-51389) - Citywide

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

contract with The Hertz Corporation to provide vehicle rental services for departments Citywide. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $208,850.

Summary

This contract will provide vehicle rental services in good mechanical and physical condition for citywide usage. Citywide departments will have the ability to make daily, weekly, or monthly reservation rentals for a variety of vehicle classes such as compact, intermediate, full size, minivans, cargo van, and box trucks. Furthermore, the use of this contract is necessary for the Fire Department, as sponsoring agency for Arizona Task Force 1, to ensure their team can obtain vehicles to maintain their readiness for rapid deployment when responding to large scale incidents locally and nationally.

Procurement Information

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

There were four offers submitted and two were deemed to be responsive and responsible. The procurement officer evaluated the offers based on price and recommends award to the following Offeror: The Hertz Corporation

Contract Term

The contract will begin on or about November 13, 2024, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value will not exceed $208,850. Funding is available in the various departments' budgets.

This item was adopted.

27 Acquisition of Temporary Construction Easements for A High Intensity Activated Crosswalk on Camelback Road East of 16th Street (Ordinance S-51390) - Districts 4 & 6

Request to authorize the City Manager, or his designee, to acquire temporary construction easements required by donation, purchased

within the City's appraised value, or by the power of eminent domain for the installation of a High Intensity Activated Crosswalk (HAWK) on Camelback Road east of 16th Street. Additionally, request to authorize the City Controller to disburse all funds related to this item.

Summary

The acquisition of temporary construction easements is required to construct ramp and sidewalk improvements that meet Americans with Disabilities Act requirements for the operation of a HAWK signal. Improvements include new traffic signal equipment, junction boxes, street lighting, striping, curbs, gutters, and signage.

The parcels affected by this project and included in this request are identified by Maricopa County Assessor's parcel numbers 163-25-005M, 163-25-005P and 163-25-006J located at 1701 E. Camelback Road, and 164-57-081 located at 1670 E. Camelback Road.

Financial Impact

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

Location

Camelback Road, east of 16th Street
Council Districts: 4, 6

This item was adopted.

28 Grant of an Irrigation Easement within 91st Avenue, North of Lower Buckeye Road, to Salt River Project for Development of Villas at 91st Avenue (Ordinance S-51391) - District 7

Request to authorize the City Manager, or his designee, to grant an irrigation easement to Salt River Project (SRP) within the 91st Avenue right-of-way, north of Lower Buckeye Road, for consideration in the amount of the appraised value. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

Development of the Villas at 91st Avenue project requires SRP irrigation facilities to be relocated from an open distribution ditch to an underground pipeline. The approximate 1,332 square foot easement within the west side of the 91st Avenue right-of-way will connect SRP's

irrigation pipe to the relocated facilities. The developer is paying for all costs related to the easement.

Financial Impact
Revenue will be reflective of the market value of the easement.

Location
Within the 91st Avenue right-of-way, north of Lower Buckeye Road.
Council District: 7

This item was adopted.

29 Acceptance and Dedication of Easements for Sidewalk and Public Utility Purposes (Ordinance S-51401) - Districts 1 & 7

Request for the City Council to accept and dedicate easements for sidewalk, roadway and public utility purposes; further ordering the ordinance recorded.

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

Easement (a)
Applicant: CADO Bell Ringer LLC; its successor and assigns
Purpose: Sidewalk
Location: 16402 N. 28th Avenue
File: 240078
Council District: 1

Easement (b)
Applicant: Robert Pimentel Sr. and Teresa A. Pimentel; its successor and assigns
Purpose: Public Utility
Location: 1101 W. Corona Avenue; 1105 W. Corona Avenue
File: 240073
Council District: 7

This item was adopted.

30 Acceptance of an Easement for Sewer Purposes (Ordinance

S-51402) - District 6

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

Summary

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

Easement (a)
Applicant: Aric D. Mei; its successor and assigns
Purpose: Sewer
Location: 3602 N. 56th Street
File: 240074
Council District: 6

This item was adopted.

31 Vehicle Wash Services - IFB19-141 - Letter of Agreement to Extend Contracts for Vehicle Wash Services (Ordinance S-51404) - Citywide

Request to authorize the City Manager, or his designee, to enter into Letters of Agreement with US Metro Center Phoenix LLC dba Ultra Suds Car Wash; PacWest Energy LLC dba Jacksons Car Wash; and Foothills Car Wash LLC to continue to provide vehicle wash services for Citywide use. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using ordinance S-45954, S-47257, and S-50551.

Summary

The purpose of these Letters of Agreement is to continue to provide vehicle wash services to City departments. Vehicle wash services are necessary to clean City cars, trucks, SUVs, cargo and passenger vans, Police mobile command and specialty vehicles. Services include both automated and hand wash services.

Contract Term

The terms of the Letters of Agreement will begin on or about November 13, 2024, and expire on March 31, 2025.

Financial Impact

The aggregate value of the contracts will not exceed $1,030,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Vehicle Wash Services - Requirements Contract - IFB 19-141 (Ordinance S-45954) on August 28, 2019.
• Vehicle Wash Services - Requirements Contract - IFB 19-141 (Ordinance S-47257) on January 20, 2021.
• Vehicle Wash Services - Requirements Contract - IFB 19-141 - Amendment (Ordinance S-50551) on February 7, 2024.

This item was adopted.

32 Computer Equipment, Peripherals and Related Services Contract - COOP 24-0337 - Request for Award (Ordinance S-51421) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Hewlett Packard Enterprise Company to provide computer equipment, peripherals and related services for departments Citywide. Payment may be made to Hewlett Packard Enterprise Company as the contractor or to the subcontractors set forth in the contract, which are listed in Exhibit A. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code Section 42-18. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to use Ordinance S-51117.

Summary

This contract will provide a wide variety of technology needs for all City departments. Purchase made under this contract include ongoing replacement of end-user computer equipment, peripherals, devices laptops, tablets, monitors, power cables, other end-of-life user devices, and related services. The City intends to adopt multiple computer equipment, peripherals and related services cooperative contracts using payment authorization approved under Ordinance S-51117, and will request Council approval for each, once the city receives signed cooperative purchasing agreements from the vendors.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Alternative Competition. Central Procurement with Information Technology Services staff's support has researched various local and nationwide cooperatives and determined that the State of Arizona cooperative contracts best align with the City's technology needs.

Contract Term

The contract will begin on or about November 13, 2024 and continue through June 30, 2025 with an option to extend three additional years.

Financial Impact

The aggregate value of this contract and all other related cooperative contracts will not exceed $73,080,000 authorized in Ordinance S-51117 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Computer Equipment, Peripherals & Related Services Contract (Ordinance S-51201) on August 26, 2024
• Computer Equipment, Peripherals & Related Services Contract (Ordinance S-51117) on June 26, 2024

This item was adopted.

34 ARPA Phoenix Resilient Food System Program Amendments to Ordinance S-49079 and S-51028 (Ordinance S-51423) - Citywide

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 159342-001 with the Arizona Board of Regents for and on behalf of Arizona State University (ASU) to decrease American Rescue Plan Act (ARPA) funding from $750,000 to $640,978 and for the Treasurer to accept the funds. The source of funding for this Agreement is through the City’s allocation of the ARPA funding to the Phoenix Resilient Food System Program by the ARPA Strategic Plan approved by the Mayor and Council. There is no impact to the General Fund.

Summary

In response to the COVID-19 pandemic, the Office of Environmental

Programs (OEP) developed the ARPA Phoenix Resilient Food System Program, a food assistance plan to address the food needs of vulnerable populations and communities impacted by COVID-19.

ARPA Phoenix Resilient Food System Program

The Agri-Food Tech Incubator provides inclusive economic and business opportunities and training for food system entrepreneurs and ecosystem stakeholders to support growth of new ventures, new products and/or services, and to support existing food-related businesses to expand the size and scope of the sustainable food and agriculture economy in the City of Phoenix. It includes pathways for COVID-19-impacted Black, Indigenous, People of Color (BIPOC) communities to realize economic development opportunities within the sustainable food systems and agricultural technology space.

Reallocation of $109,022 from Agreement 159342-001 is required due to ASU's administrative challenges affecting completion of certain components of the program resulting in the inability to complete the scope of work prior to expiration of the Agreement. The funds will be reallocated to the Food System Transformation Grants program to be spent by December 31, 2024.

Procurement Information

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

Contract Term

The contract term will remain unaffected and expire on December 31, 2024. All agreements may be extended based on available funding, which extensions may be executed by the City Manager, or his designee.

Agreement 159342-1, ASU will be amended to include a decrease of $109,022 in ARPA funds from $750,000 to $640,978 as directed and approved by the City Manager's Office.

Financial Impact

There is no impact to the General Fund. Funding is available through the

City's allocation of the ARPA funding to the Phoenix Resilient Food System Program by the ARPA Strategic Plan approved by the Mayor and Council.

Concurrence/Previous Council Action

The City Council approved the ASU Agri-Food Tech Incubator Program on October 12, 2022 (Ordinance S-49079).

The City Council approved Amendment One to extend the contract term on August 26, 2024 (Ordinance S-51028).

This item was adopted.

35 Authorization to Increase Spending Authority Under Ordinance S-49227 (Ordinance S-51407) - Citywide

Request to authorize for the City Manager, or his designee, to increase authority on Ordinance S-49227 by $150,000, for a new aggregate contract total not to exceed $5,450,000. Further request authorization for the City Controller to disburse all funds related to this item for the life of the contracts.

Summary

This funding provides support in areas where there are critical gaps in services to comprehensively address the needs of refugees in the areas of housing, medical case management, employment, access to benefits, and legal aid. Many refugee and immigrant populations have been disproportionately impacted by the recent housing crisis with rising rent costs and lack of affordable housing. Those with medical, dental, or behavioral health needs need support in navigating complex systems to access care and financial assistance for non-Medicaid eligible services. Other services will include increasing access to English as Second Language classes, citizenship education, and food assistance programs. The increase in spending authority will allow additional funding to International Rescue Committee (IRC) to close out the existing contract.

Contract Term

The contracts' term remains unchanged, and began on March 1, 2023, and ending on December 31, 2024.

Financial Impact

The new aggregate value of the contracts approved via Ordinance

S-49227 will not exceed $5,450,000. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the federal government and is under the City's Financial Assistance for Phoenix Refugee and Asylee Community. The requested additional $150,000 in funding authority has been reallocated from Ordinance S-48205. There is no impact to the General Fund.

Concurrence/Previous Council Action

On December 15, 2021, City Council approved Contracts 156920 and 156905 (Ordinance S-48205)

On December 7, 2022, City Council approved Contracts 157880, 157881, 157893, and 157934 (Ordinance S-49227)

This item was adopted.

36 Phoenix Public Library's Annual Application for Arizona State Library's State Grants-In-Aid Funds (Ordinance S-51398) - Citywide

This report requests Phoenix City Council's approval to authorize the City Manager, or his designee, to authorize Phoenix Public Library to apply for, accept and enter into an agreement for Fiscal Year (FY) 2024-25 Arizona State Library's State Grants-in-Aid (SGIA) grant funds in an amount of $71,210.

Summary

Arizona State Grants-in-Aid are allocated annually to the Library based on a per capita distribution of funds by the Arizona State Legislature through the Arizona State Library, Archives and Public Records. The amount allocated for Phoenix Public Library this year is $71,210.

Funds will be utilized to support early literacy and school-age outreach through the hiring of a full-time library assistant on the Literacy Outreach Team. Staff will conduct programs and workshops in schools and community centers and work with City of Phoenix Housing on community book distribution and early literacy programs in public housing communities. SGIA funds allow Phoenix Public Library to extend critical early literacy outreach into the community citywide. Priority will be given to areas of the City identified with the most need (based on school district reading scores).

Given the approval timeline, the position will be vacant for half of the

fiscal year. To compensate for that, the remaining funds will be used to purchase giveaway books and to create new picture book trails for the Library's three StoryWalk® trails located in Cesar Chavez, Harmon, and Edison parks.

Financial Impact

The amount allocated for Phoenix Public Library this year is $71,210 and no matching funds are required, there is no impact to the General Fund.

This item was adopted.

39 Authorization to Execute Short-Term License Agreements with Other Government Entities for the Use of Vacant City-Owned Phoenix Bioscience Core Lots for Construction Staging (Ordinance S-51410) - District 8

Request to authorize the City Manager, or his designee, to execute short-term licenses with other government entities for the use of any City-owned Phoenix Bioscience Core (PBC) vacant lot for PBC related construction staging from December 15, 2024, through December 31, 2030. Further request to authorize the City Treasurer to accept all necessary funds related to this item.

Summary

The Community and Economic Development Department (CEDD) regularly receives requests from other government agencies to license City-owned property within the PBC to support ongoing PBC developments on other City-owned property. In consultation and coordination with other government agencies, CEDD will enter into licenses for use of vacant City-owned PBC property in support of those development activities. The license fee will be based on a prorated rental rate of $1 per square foot per year and/or other valuable consideration. Each license may contain other terms and conditions acceptable to the City. There are currently construction staging requests for two parcels located at the southwest corner of 6th Street and Garfield Street, and northwest corner of 5th Street and Fillmore Street; however, other City-owned PBC lots may be the subject of a license depending on need.

Financial Impact

The license fee will be based on a prorated rental rate of $1 per square foot per year and/or other valuable consideration. Fees received would

be deposited into CEDD's Genomic Facilities and Operations Fund. This action will have no impact to the General Fund.

Location
Various locations within Phoenix Bioscience Core which is generally bounded by Garfield and Monroe Streets and 4th and 7th Streets.
Council District: 8

This item was adopted.

40 Authorization to Execute Short-Term License Agreements for Use of City-Owned Property for Downtown Special Events (Ordinance S-51411) - Districts 7 & 8

Request to authorize the City Manager, or his designee, to execute short-term licenses for the use of City-owned vacant lots, including parking lots, for special events between December 15, 2024, and December 31, 2027, in Downtown Phoenix. Further request to authorize the City Treasurer to accept all necessary funds related to this item.

Summary
The Community and Economic Development Department (CEDD) regularly receives requests from private entities to license City-owned property to support special events hosted at other City-owned properties. CEDD, in consultation and coordination with the event organizer, will enter into licenses for use of vacant City-owned property in support of those special events. The license fee will be based on market rent and/or other valuable consideration, including to but not limited to maintenance and security of the property. Each license may contain other terms and conditions acceptable to the City based on the use. Each licensee will provide insurance and indemnification acceptable to the City's Risk Management Division and Law Department.

Through this authorization, seven CEDD managed sites would be available to support events:
Location No. 1: 1016 N. 2nd Street - APNs 111-36-029A, 029B and 030
Location No. 2: Southwest corner of 6th Street and Garfield Street - APN 111-44-147
Location No. 3: Southwest corner of 1st Street and McKinley Street - APNs 111-43-005A, 006A and 007A
Location No. 4: Northwest corner of 5th Street and Fillmore Street - APN

111-46-156
Location No. 5: Southwest corner of 5th Avenue and Fillmore Street - APNs 111-41-184 and 185
Location No. 6: Southeast corner of 5th Avenue and Taylor Street - APN 111-41-186
Location No. 7: Southwest corner of 7th Avenue and Washington Street - APNs 112-05-033A, 032B, 035A, 036A and 037A

Financial Impact
Each license fee will be based on market rent and/or other valuable consideration, and any fees received will go into CEDD's Downtown Community Reinvestment Fund. No impact to the General Fund.

Location
Location 1 - 1016 N. 2nd Street
Location 2 - 817 N 5th Street
Location 3 - 722 N 1st Street
Location 4 - 610 N 5th Street
Location 5 - Southwest corner of 5th Avenue and Fillmore Street
Location 6 - Southeast corner of 5th Avenue and Taylor Street
Location 7 - 701 W Washington Street.
Council Districts: 7 and 8

This item was adopted.

41 Food and Beverage Performance Audit Contract - RFP PCC 24-0325 - Request for Award (Ordinance S-51385) - Districts 7 & 8

Request to authorize the City Manager, or his designee, to enter into a contract with fsSTRATEGY, Inc. to audit the performance of Aramark, d.b.a Aventura Catering (Aventura), the exclusive in-house caterer for the Phoenix Convention Center Department (PCCD). The contract's funding in the amount of $224,500 will be paid for by Aventura.

Summary
This contract will provide performance audits on Aventura. In accordance with the terms and conditions of the contract between PCCD and Aventura, a performance auditor will be utilized to conduct an annual assessment of the performance of Aventura. The performance auditor will be responsible for developing an audit plan to measure the

performance of Aventura in several areas including, but not limited to, adherence to approved operating procedures; employee training; financial performance; food presentation; food quality; food safety, hazard analysis and critical control points; sales and marketing effectiveness; sanitation practices; and service timing.

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

Three vendors submitted proposals deemed responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1000:

Proposed Audit Reporting Methodology	0-500 points
Proposed Audit Method	0-200 points
Experience of Proposing Firm	0-200 points
Cost of Proposal	0-100 points

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

fsSTRATEGY, Inc.	820 Points

Contract Term
The contract will begin on or about April 1, 2025, for a five-year term with no options to extend.

Financial Impact
There is no financial impact related to this contract as funds will be paid for by Aventura.

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

This item was adopted.

42 **Fire Station Furniture - RFP 21-062 - Amendment (Ordinance S-51399) - Citywide**

Request to authorize the City Manager, or his designee to allow additional expenditures under contracts 155428 with David Woods,LLC, dba Fire Station Outfitters; 155426 with Ecologic Industries, LLC, dba Ecologic Furniture; and 155427 with Goodmans, Inc., dba Goodmans Interior Structures for the purchase of fire station furniture for the Fire Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $150,000.

Summary

This contract for fire station furniture ensures that firefighters have the necessary furnishings to support daily operations and living conditions in fire stations. Due to the increased need for additional furniture, increased wear and tear on current furniture, an amendment is needed to secure additional funds. These funds will enable the purchase of new furniture and the replacement of damaged items, ensuring stations remain fully functional and safe for use.

Contract Term

The contract term remains unchanged, ending on October 31, 2026.

Financial Impact

Upon approval of $150,000 in additional funds, the revised aggregate value of the contract will not exceed $775,000. Funds are available in the Fire Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
Fire Station Furniture Contracts 155428, 155426, and 155427 (Ordinance S-48040) on October 27, 2021.

This item was adopted.

43 **Extend the Cooperative Fire Rate Agreement with the Arizona Department of Forestry and Fire Management (Ordinance S-51422) - Citywide**

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

agreement term with the Arizona Department of Forestry and Fire Management (Arizona DFFM) that establishes reimbursement rates for Fire Department resources. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item.

Summary

The Arizona DFFM executes agreements with fire departments across Arizona to set reimbursement rates for usage of apparatus and firefighters. These rates are utilized if Arizona DFFM engages local fire department resources to respond to an incident. The agreements have reimbursed the City for incident responses, usually wildland fires. The agreement reimburses the City of Phoenix for payroll, overtime backfill, vehicle fuel, and maintenance costs associated with Fire Department deployment to emergency incidents.

The current Fire Rate Agreement, initially approved for a two-year term from April 1, 2024, to April 1, 2026, requires an extension. Arizona DFFM has transitioned to a five-year agreement process. To align with this change, we are requesting an extension of the existing agreement by three additional years, adjusting the expiration date to April 1, 2029.

Contract Term

The term of the agreement is April 1, 2024, through April 1, 2029.

Financial Impact

Due to the unpredictable nature of natural and human-caused disasters, it is not possible to estimate the financial impact of deploying resources in response to requests from the Arizona DFFM in advance. However, if resources are deployed, the Arizona DFFM will reimburse the City of Phoenix according to the terms outlined in the Fire Rate Agreement.

Concurrence/Previous Council Action

Council approved the current Fire Rate Agreement (S-50389) on December 6, 2023.

This item was adopted.

44 Phoenix Sky Harbor International Airport TRACON Demolition and West Hold Bay Expansion - 2-Step Construction Manager at Risk

Preconstruction Services - AV08000089 FAA (Ordinance S-51397) - District 8

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

Summary

The purpose of this project is to expand the West Hold Bay and demolish a building that was formerly used to provide Federal Aviation Administration Terminal Radar Approach Control (TRACON) services at the Airport. A replacement TRACON was co-located with the Airport's control tower in 2006. The West Hold Bay is used for aircraft parking, aircraft staging, and other airfield operations. The size of the hold bay will be reduced with the completion of the new Crossfield Taxiway U project, which overlaps with the west end of the hold bay. Demolition of the TRACON building will allow for expansion of the east end of the hold bay to accommodate the space lost to Taxiway U.

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

J. Banicki Construction, Inc.’s Preconstruction Services include, but are not limited to: providing project site survey and inventory of existing conditions; validating site constraints, site investigations, and utility locations; attending all project meetings as necessary to maintain the project objectives; coordinating work with the City and Design Team to secure all permits and approvals from various agencies, federal, state, county, and local utility authorities; identifying GMP packaging strategy and presenting alternate strategies to optimize the sequence of construction; providing detailed cost estimating; providing reconciliation with third party estimating for each design phase and have knowledge of

marketplace conditions; providing value engineering and cost reduction efforts to optimize project budget; providing for construction phasing, scheduling, and evaluating sequencing based on stakeholder feedback to minimize interruption to City operations; coordinating and communicating with the City on any salvage items for turnover to the City; facilitating and supporting the City's coordination with other internal and external stakeholders; providing alternate systems evaluation and constructability studies; advising the City on ways to gain efficiencies in project delivery; advising the City on choosing green building materials; providing long-lead procurement studies and initiate procurement of long-lead items; participating with the City in a process to set a goal for local and DBE participation and implement the local and DBE process; assisting the design team with efforts to identify public and private utilities; collaborating with the design team on coordination associated with all disciplines relative to mechanical, electrical, plumbing, technology, structural, Fire Life Safety, security, and civil; protecting the City's sensitivity to quality, safety, and environmental factors; validating and incorporating the Aviation Department's sustainability goals and initiatives; performing preconstruction services to comply with Title 34, Arizona Revised Statutes (A.R.S); and all other tasks as needed for a complete project.

Procurement Information

The selection was made using a two-step qualifications and price-based selection process set forth in A.R.S. Section 34-603. 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: J. Banicki Construction, Inc.

Additional Proposers

Rank 2: Kiewit Infrastructure West Co.

Rank 3: ViaSun Corporation

Contract Term

The term of the agreement is five years from issuance of the Notice to

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

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

Funding is available in the Aviation Department's Capital Improvement Program budget. The Aviation Department anticipates grant funding for a portion of the project. 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 termination of the agreement.

Previous Council Action
The City Council approved Engineering Services Agreement No. 159151 (Ordinance S-50136) on September 6, 2023.

Location
2485 E. Buckeye Road
Council District: 8
This item was adopted.

45 Phoenix Deer Valley Airport Reconstruct Taxiway C Connectors C4-C10 - Construction Manager at Risk Construction Services - AV31000096 FAA/ADOT (Ordinance S-51408) - District 1

Request to authorize the City Manager, or his designee, to enter into an agreement with J. Banicki Construction, Inc. to provide Construction Manager at Risk Construction Services for the Phoenix Deer Valley Airport Reconstruct Taxiway C Connectors C4-C10 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 $8.5 million.

Summary

The purpose of this project is to reconstruct and reconfigure connectors between Taxiway C and Runway 7R-25L to conform to current Federal Aviation Administration guidelines and eliminate non-standard intersections at Phoenix Deer Valley Airport. Connectors C5, C6, C7, C8, and C10 will be demolished and reconstructed with a new configuration. Existing connectors between Taxiway C and Runway 7R-25L will be upgraded to address operational and safety needs and hold bar locations between the runway and taxiway. Connectors C4, C7, and C10 will be perpendicular connectors. Connectors C5, C6, and C9 will be acute angle connectors. Connector C9 will also have modified filets and will be renamed C8.

J. Banicki Construction, Inc.'s initial services will include preparation of a Guaranteed Maximum Price proposal for the Construction Services provided under the agreement and participating with the City in a process to establish a Disadvantaged Business Enterprise (DBE) goal for the project. J. Banicki Construction, Inc. will be responsible for construction means and methods related to the project and fulfilling the DBE program requirements. J. Banicki Construction, Inc. will be required to solicit bids from prequalified subcontractrors and to perform work using the City's subcontractor selection process. J. Banicki Construction, Inc. may also compete to self-perform limited amounts of work.

J. Banicki Construction, Inc.'s services include: delivering construction of the project on time, within budget, and according to the plans, specifications, and owner's requirements; scheduling and managing site operations; providing quality controls; bonding and insuring construction; addressing all federal, state, and local permitting requirements; maintaining a safe work site for all project participants; providing monthly schedule updates and construction progress reports; providing project close-out service; and providing other work as required for a complete project.

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 Construction Manager at Risk Preconstruction Services selection process.

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

Financial Impact
The agreement value for J. Banicki Construction, Inc. will not exceed $8.5 million, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved:
- Construction Manager at Risk Preconstruction Services Agreement 159739 (Ordinance S-50459) on January 3, 2024.

Location
720 W. Deer Valley Road
Council District: 1

This item was adopted.

46 Worldwide Flight Service, Inc. Terminal Facility License Agreement at Phoenix Sky Harbor International Airport (Ordinance S-51416) - District 8

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

facility license agreement with Worldwide Flight Services, Inc. (Worldwide Flight Services) for approximately 108 square feet of terminal space in Terminal 4 at Phoenix Sky Harbor International Airport (PHX).

Summary

Worldwide Flight Services currently operates at the West Air Cargo facilities under Commercial Use Permit No. 406-17 and leases several cargo bays under a Cargo Facility License Agreement No. 150697 to support its cargo service activities. Air France contracted with Worldwide Flight Services under its Commercial Use Permit to provide passenger and ramp services at Terminal 4. Worldwide Flight Services requested to lease approximately 108 square feet of administrative office space in Terminal 4 to support its services for Air France at PHX.

Contract Term

The term of the Terminal Facility License Agreement is month-to-month.

Financial Impact

Worldwide Flight Services, Inc. shall pay the terminal rate of $187.08 per square foot per year for the space in Terminal 4. The estimated monthly revenue to the City is $1,683.72. The terminal rental rate will be adjusted in accordance with the Rates and Charges provisions of Article IX of Chapter 4 of the Phoenix City Code.

Location

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

This item was adopted.

47 Authorization to Enter into a New Ground Lease Agreement with Swissport Fueling, Inc. for Fueling Operations Center Facility (Ordinance S-51417) - District 8

Request to authorize the City Manager, or his designee, to enter into a new ground lease agreement (New Ground Lease) with Swissport Fueling, Inc. (Swissport Fueling) for a fueling operations facility at Phoenix Sky Harbor International Airport (PHX). Further request to authorize the City Treasurer to accept all funds related to the New Ground Lease.

Summary

Under Ground Lease No. 132521, Swissport Fueling leases approximately 33,000 square feet of land for a fueling operations facility. This facility is used to coordinate aircraft fueling operations and house Swissport Fueling's fueling trucks. This facility will be displaced to accommodate the construction of Taxiway Uniform and the future airside development related to the new West Terminal. Ground Lease No. 132521 will expire on February 23, 2025. Aviation staff requests to terminate Ground Lease No. 132521 effective December 31, 2024, and enter into a New Ground Lease commencing January 1, 2025, to align the same commencement date and termination date for this New Ground Lease with two additional ground leases with Swissport Fueling at PHX. The New Ground Lease will include provisions for Swissport Fueling to relocate its fueling operations center facility to an airfield location that will not be impacted by upcoming PHX construction projects. This relocation will be at Swissport's expense and in accordance with the PHX tenant improvement process.

Contract Term

The term of the New Ground Lease is five years commencing on January 1, 2025, and expiring on December 31, 2029. Provisions of the New Ground Lease will include five, one-year options to extend the term at the sole discretion of the Aviation Director.

Financial Impact

Rental rate for the first year of the New Ground Lease will be $1.40 per square foot, which is approximately $46,200 annual revenue. Rent will be adjusted annually based on the Phoenix-Mesa-Scottsdale Consumer Price Index or three percent, whichever is greater. Total revenue anticipated over the term of the New Ground Lease will be approximately $462,000, if all options to extend the term are exercised.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board recommended approval of this item on October 17, 2024, by a 5-0 vote.

Location

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

This item was adopted.

48 Phoenix Deer Valley Airport Fixed Base Operator Revenue Contract Solicitation (Ordinance S-51418) - District 1

Request to authorize the City Manager, or his designee, to issue a Revenue Contract Solicitation (RCS) for a Fixed Base Operator (FBO) at Phoenix Deer Valley Airport (DVT).

Summary

DVT is currently home to over 1,100 general aviation tenants, including a growing number of corporate jet users. Since 1999, FBO aircraft support services for the DVT community have been provided by Cutter Aviation and, until 2015, Atlantic Aviation.

With the recent developments at DVT, including the construction of corporate jet hangars, increased flight activity from corporate jets, growing demand for additional general aviation services, and increased inquiries from other FBO operators and developers about the potential for another FBO facility, the Aviation Department commissioned an update to the DVT Land Use Plan. The updated plan recommended a second FBO facility on a 20-acre parcel on the southwest corner of DVT based on the relative size of the parcel compared to the other available parcels, which have high visibility from Deer Valley Road, and the proximity to the longer of the two DVT runways.

The new FBO development will be governed by DVT Minimum Standards for FBOs to ensure the delivery of high-quality general aviation products, services, and facilities to DVT users and the design and development of quality general aviation improvements and facilities.

Procurement Information

The Aviation Department proposes to conduct an RCS process to select a qualified FBO to develop, build, operate, and manage a full-service FBO facility.

The RCS will require responsive and responsible respondents to provide the following products and services, as required by DVT FBO Minimum Standards:
Aircraft Fueling

Aircraft Maintenance
Passenger, Crew, Aircraft Ground Services, Support and Amenities
Aircraft Storage
Aircraft Flight Training
The required site premises of the FBO will be on a minimum of nine contiguous acres with improvements consisting of:
Aircraft apron / ramp
FBO building
Aircraft maintenance space
Aircraft storage hangar(s)
Flight Training space
Fuel farm storage
Respondents will be encouraged to submit plans to lease and develop the entire 20-acre parcel which, in addition to the FBO facility, may be developed for other aeronautical uses as approved by the Aviation Director.

Responsive and responsible respondents will be evaluated according to the following criteria:
Experience and Qualifications of Respondent and Partners
Method of Approach to design, build, and operate a full service FBO and other aeronautical facilities
Proposed design concept of the FBO and additional aeronautical facilities
Operations and Management Plan
Proposed Capital Investment Plan

The highest ranked respondent will be recommended for award to develop and operate a full-service FBO facility at DVT. The Aviation Department intends to issue this solicitation on or about January 2025, with an estimated contract award by November 2025. The City's Transparency Policy will be in effect with the release of the RCS and throughout the solicitation process.

Contract Term
Minimum lease term of 30 years. The lease term may be negotiated up to 40 years depending on proposed capital investment. The lease will include a development term of up to 36 months to develop the site

improvements.

Financial Impact
Financial return to the City will be based on current ground rent market value, which is the current aviation industry business model for FBO facility developments. Additional revenue will be generated from fuel flowages fees and applicable specialized aviation services operators fees, which are subject to adjustments based on the Phoenix City Code.

For the designated FBO facility portion of the site parcel, the ground rental rate will be $0.65 per square foot. For the non-FBO portion of the site parcel, the ground rental rate will be $0.55 per square foot. Ground rental rates will be adjusted by the Phoenix-Mesa-Scottsdale Consumer Price Index or three percent, whichever is greater.

Concurrence/Previous Council Action
The Phoenix Aviation Advisory Board recommended approval of the item on October 17, 2024, by a 5-0 vote.

Public Outreach
The solicitation process will include all standard and required outreach efforts and conduct targeted outreach efforts to attract interest.

Location
Phoenix Deer Valley Airport, 702 W. Deer Valley Road
Council District: 1

This item was adopted.

49 Authorization to Enter into a New Ground Lease Agreement with Swissport Fueling, Inc. for Ground Support Equipment Fuel Storage Facility (Ordinance S-51419) - District 8

Request to authorize the City Manager, or his designee, to enter into a new ground lease agreement (New Ground Lease) with Swissport Fueling, Inc. (Swissport Fueling) for a ground support equipment fuel storage facility at Phoenix Sky Harbor International Airport (PHX). Further request to authorize the City Treasurer to accept all funds related to the New Ground Lease.

Summary

Under Facility Lease No 132684, Swissport Fueling leases approximately 3,983 square feet of a fuel storage facility, including two fuel tanks. Upcoming PHX airfield projects, including West Hold Bay Expansion and TRACON building demolition, will require relocation of the fuel storage facility. The Facility Lease is set to expire on December 31, 2024, and Swissport Fueling desires to enter a New Ground Lease to build a new fuel storage facility to continue their fueling operations at PHX. The New Ground Lease will have the same commencement date and termination date as two other ground leases with Swissport Fueling and PHX. The New Ground Lease will also include provisions for Swissport Fueling to relocate the new fuel storage facility to a similar-sized PHX airfield location that will not be impacted by upcoming airport construction projects. The new fuel storage facility and equipment relocation will be at Swissport Fueling's expense and in accordance with the PHX's tenant improvement process.

Contract Term

The term of the New Ground Lease is five years commencing on January 1, 2025, and expiring on December 31, 2029. Provisions of the New Ground Lease will also include five, one-year options to extend the term at the sole discretion of the Aviation Director.

Financial Impact

Rental rate for the first year will be $1.40 per square foot, which is approximately $5,576 annual revenue. Rent will be adjusted annually based on the Phoenix-Mesa-Scottsdale Consumer Price Index or three percent, whichever is greater. Total revenue anticipated over the term of the New Ground Lease will be approximately $55,762, if all options to extend are exercised.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board recommended approval of this item on October 17, 2024, by a 5-0 vote.

Location

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

This item was adopted.

50 Authorization to Enter into a New Ground Lease Agreement with Swissport Fueling, Inc. for Aircraft Lavatory Services Facility (Ordinance S-51420) - District 8

Request to authorize the City Manager, or his designee, to enter into a new ground lease agreement (New Ground Lease) with Swissport Fueling, Inc. (Swissport Fueling) for an aircraft lavatory service facility at Phoenix Sky Harbor International Airport (PHX). Further request to authorize the City Treasurer to accept all funds related to the New Ground Lease.

Summary

Under Ground Lease No. 135697, Swissport Fueling leases approximately 6,450 square feet to operate an aircraft lavatory service facility, also known as a triturator facility. The lease is set to expire on January 23, 2025, and Swissport Fueling desires to enter into a New Ground Lease to continue operating the triturator facility. Aviation staff requests to terminate Ground Lease No. 135697 on December 31, 2024, and enter into a New Ground Lease commencing January 1, 2025, to align the same commencement date and termination date for this New Ground Lease with two additional ground leases with Swissport Fueling at PHX.

Contract Term

The term of the New Ground Lease is five years, commencing on January 1, 2025, and will expire on December 31, 2029. Provisions of the New Ground Lease will also include five, one-year options to extend the term that may be exercised at the sole discretion of the Aviation Director.

Financial Impact

Rental rate for the first year of the New Ground Lease will be $1.40 per square foot, which is approximately $9,030 annual revenue. Rent will be adjusted annually based on the Phoenix-Mesa-Scottsdale Consumer Price Index or three percent, whichever is greater. Total revenue anticipated over the term of the New Ground Lease would be approximately $90,300 if all options to extend are exercised.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board recommended approval of this item on October 17, 2024, by a 5-0 vote.

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

This item was adopted.

51 Public Utility Equipment with Related Accessories and Supplies COOP 24-0398 - Request for Award (Ordinance S-51381) - Citywide

Request to authorize the City Manager, or his designee, to enter into a cooperative purchasing agreement with Altec Industries Inc., to provide public utility equipment with related accessories and supplies for the Public Works Department and in support of other departments citywide. Further request to authorize the City Controller to disburse all funds related to this item. The total value of this contract will not exceed $5,000,000.

Summary
This contract will provide a wide array of equipment, including but not limited to, aerial bucket trucks, digger derricks, cranes, chippers, and grinders. This equipment applies to several departments throughout the City and is crucial to the day-to day operations. Altec Industries Inc. equipment is utilized by Public Works for their utility trucks and specialized vehicles, which allows maintaining of infrastructure, ensuring that repairs and upkeep are efficient and effective. The Parks and Recreation Department utilizes Altec equipment that can be instrumental in tasks like tree trimming and maintenance, contributing to a safer and more aesthetically pleasing environment for residents. Altec equipment is particularly valuable for the Streets Department offering versatile utility trucks and specialized vehicles that streamline road maintenance, pothole repairs, and street cleaning operations ensuring safer and well maintained roadways for the community.

Procurement Information
In accordance with City of Phoenix Administrative Regulation 3.10, standard competition was waived as a result of an approved determination memo, based on Special Circumstances, Alternative Competition. Sourcewell awarded contract RFP #110421 for equipment.

This cooperative contract was awarded through competitive process consistent with the City's procurement processes set forth in the Phoenix City Code, Chapter 43.

Contract Term
The contract will begin on or about December 4, 2024 through December 27, 2025, with two one-year options to extend.

Financial Impact
The aggregate contract value will not exceed $5,000,000. Funding is available in the Public Works Department's budget.

This item was adopted.

52 Diagnostic Software for Maintenance and Repair of Fleet Vehicles Contract - RFA 25-FSD-014 - Request for Award (Ordinance S-51394) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Mitchell Repair Information Company, LLC dba Mitchell1 to supply diagnostic software for the maintenance and repair of fleet vehicles on an as-needed basis for the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $175,000.

Summary
The Public Works Department is responsible for maintaining more than 6,500 light, medium, and heavy-duty vehicles. This contract will be used to purchase multiple licenses for Mitchell1 Pro-Demand and TruckWorks diagnostic software that is used at multiple Fleet Services Division maintenance shops. The diagnostic software provides a safe and efficient method for repairing vehicles, diagnosing electronic vehicle components, and maintaining a serviceable fleet.

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

Procurement Information
In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the

following reason: Special Circumstances Without Competition. Mitchell1 is the developer and sole provider of this software.

Contract Term
The contract will begin on or about December 1, 2024, for a three-year term with two one-year options to extend.

Financial Impact
The aggregate contract value for will not exceed $175,000 for the five-year aggregate term.

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

This item was adopted.

53 Citywide Water and Wastewater Technical Assistance for Developments On-Call Services (Ordinance S-51382) - Citywide

Request to authorize the City Manager, or his designee, to enter into separate agreements with the four consultants listed below, to provide Water and Wastewater Technical Assistance for Developments On-Call Services citywide. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for all services will not exceed $5 million.

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

Summary

The On-Call consultants will be responsible for providing On-Call Water and Wastewater Technical Assistance for Developments services that include, but are not limited to: construction plan review and technical support services for public water and wastewater infrastructures that are designed by private developments to comply with Arizona Department of Environmental Quality, Maricopa Association of Governments, and City requirements; work with Planning and Development Department to provide special inspections for public water and wastewater infrastructures that are constructed by private developments; provide review and input for special industrial pre-treatment permit applications; and provide other miscellaneous technical services as required.

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. Eight firms submitted proposals and are listed below.

Selected Firms

Rank 1: Wilson Engineers, LLC
Rank 2: Carollo Engineers, Inc.
Rank 3: Entellus, Inc.
Rank 4: Brown and Caldwell, Inc.

Additional Proposers

Rank 5: Kimley-Horn and Associates, Inc.
Rank 6: Hazen and Sawyer, P.C.
Rank 7: Garver, LLC
Rank 8: Michael Baker International, Inc.

Contract Term

The term of each agreement is up to five years, or up to $1.25 million, whichever occurs first. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for each of the On-Call consultants will not exceed $1.25 million, including all subconsultant and reimbursable costs. The total fee for all services will not exceed $5 million.

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

This item was adopted.

54 Cathodic Protection Rehabilitation and Replacement - Job Order Contracting Services - JOC229 (Ordinance S-51384) - Citywide

Request to authorize the City Manager, or his designee, to enter into a master agreement with Peak Corrosion Control, Inc., to provide Cathodic Protection Rehabilitation and Replacement Job Order Contracting Services citywide for the Water Services Department. 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 $4 million.

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

Summary

The Job Order Contracting (JOC) Contractor's services will be used on an as-needed basis to provide Cathodic Protection Rehabilitation and Replacement of sacrificial anodes for galvanic Cathodic Protection (CP) systems; the ability to drill new replacement deep wells for impressed current CP systems; repair and replacement of rectifiers; conduct annual CP system testing and repair CP test stations, leads, terminal boards, and other CP related hardware. Additionally, the Contractor will be responsible for fulfilling Small Business Enterprise program requirements.

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. Four firms submitted proposals and are listed.

Selected Firm
Rank 1: Peak Corrosion Control, Inc.

Additional Proposers
Rank 2: Piping and Corrosion Specialties, Inc.
Rank 3: Accurate Corrosion Control, Inc.
Rank 4: Farwest Corrosion Control Company

Contract Term
The term of the master agreement is for up to five years, or up to $4 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 value for Contractor will not exceed $4 million, including all subcontractor and reimbursable costs.

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

order agreements performed under this master agreement for up to $2 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 Water Services Department's Capital Improvement Program budget. 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.

This item was adopted.

55 Intergovernmental Agreement with City of Glendale for the Funding, Upgrading, Operation, and Maintenance of the Traffic Signal at the Intersection of 51st Avenue and Thunderbird Road (Ordinance S-51395) - District 1

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the City of Glendale to rebuild the traffic signal at the intersection of 51st Avenue and Thunderbird Road. Additionally, request the City grant exception pursuant to Phoenix City Code Section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code Section 42-18. Additionally, request the City Controller to disburse all funds related this item.

Summary

The City of Phoenix Street Transportation Department (Streets) requests to coordinate with the City of Glendale to rebuild the traffic signal at the intersection of 51st Avenue and Thunderbird Road. The purpose of this IGA is to identify and define the responsibilities of the City of Glendale and the City of Phoenix for the construction of the rebuild. Both parties agree that it would be beneficial for the traffic signal to be rebuilt to manage congestion and improve traffic flow. The City of Phoenix submitted a grant application for funding through the Maricopa Association of Governments Roadway Safety Program (RSP).

The IGA will authorize the City of Phoenix to rebuild the traffic signal and equipment within portions of the City of Glendale's right-of-way. The City of Glendale will review and approve the design and provide no-cost

permits to the City of Phoenix for project-related work, such as construction and traffic control, that lies within Glendale city limits. The City of Phoenix will administer funding, permitting, construction, and construction management, as well as the perpetual maintenance of the proposed signal system. In addition, the City of Phoenix will own, maintain, operate, and pay all utility costs associated with the traffic signal.

Contract Term
This agreement will become effective as of the date it is approved by all parties and will remain in effect as long as the traffic signal remains operational.

Financial Impact
This project will be funded with local and regional funds. The programmed total project cost is $600,000. The agreement is contingent upon the availability of funds through the RSP.

Location
51st Avenue and Thunderbird Road
Council District: 1

This item was adopted.

56 Cathodic Protection System Condition Assessment - Engineering Services - WS85500463 (Ordinance S-51396) - Citywide

Request to authorize the City Manager, or his designee, to enter into an agreement with Coffman Engineers, Inc., to provide Engineering Services that include assessment, design and possible construction administration and inspection for the Cathodic Protection System 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 $500,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for

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

Summary

The purpose of this project is to perform assessment services on an as-needed basis to support the work of the Water Services Department Cathodic Protection Job Order Contract (JOC) Program.

Coffman Engineers, Inc.'s services include, but are not limited to: assessment and inspection of the City's existing pipeline cathodic protection (CP) systems; provide recommendations and design services for the repair and replacement of existing impressed current and galvanic CP components including, but not limited to rectifiers, anodes, and test stations. Construction Administration and Inspection services will be utilized on an as-needed basis in support of the Cathodic Protection JOC Program.

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 a proposal and are listed below.

Selected Firm

Rank 1: Coffman Engineers, Inc.

Non-Selected Firms

Rank 2: Black & Veatch Corporation
Rank 3: Peak Corrosion Control, Inc.
Rank 4: JDH Corrosion Consultants, Inc.

Rank 5: PureHM Xylem
Rank 6: Corrpro Companies, Inc.

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

Financial Impact
The agreement value for Coffman Engineers, Inc. will not exceed $500,000, 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.

This item was adopted.

57 Street Transportation Department Soils and Materials Testing On-Call Services for Calendar Years 2025-2027 (Ordinance S-51403) - Citywide

Request to authorize the City Manager, or his designee, to enter into separate agreements with the 16 consultants listed in **Attachment A**, to provide Soils and Materials Testing On-Call 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 $24 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of

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

Summary

The On-Call consultants will be responsible for providing On-Call Soils and Materials Testing Services that include, but are not limited to: miscellaneous geotechnical investigations, materials testing and laboratory services including, but not limited to: sampling, laboratory and field testing of soil, concrete and asphalt; asphalt, concrete, aggregate, and pipe plant inspections; analyses and preparations of reports; forensic geotechnical and pavement investigations; special inspections, and other services as required. The consultants will have appropriate certifications such as Occupational Safety and Health Administration Trench Safety, Mine Safety Health Administration, American Concrete Institute, Arizona Technical Institute, Concrete & Cement Reference Laboratory and American Association of State Highway and Transportation Officials AASHTO re:source (formally AMRL). Firms performing tests on Federal Aid projects by the Street Transportation Department will also need to be included in the list of accredited laboratories by the Arizona Department of Transportation.

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, including the scoring results, until an agreement is awarded. Seventeen firms submitted proposals and are listed in **Attachment A**.

Contract Term

The term of each agreement is up to three years, or up to $1.5 million, whichever occurs first. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties,

and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for each of the On-Call consultants will not exceed $1.5 million, including all subconsultant and reimbursable costs. The total fee for all services will not exceed $24 million.

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

This item was adopted.

58 **Federal Fiscal Year 2021-22 Safe Streets and Roads for All Road Safety Action Plan Pedestrian Risk Network - Engineering Services - ST89320174 (Ordinance S-51405) - Citywide**

Request to authorize the City Manager, or his designee, to enter into an agreement with Stanley Consultants, Inc. to provide Engineering Services that include research, data collection, analysis, programming, and procedure development services for the Federal Fiscal Year (FFY) 2021-22 Safe Streets and Roads for All (SS4A) Road Safety Action Plan Pedestrian Risk Network 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 $350,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in

the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to develop a Pedestrian High-Risk Network Plan that will supplement the City's Vision Zero Road Safety Action Plan.

Stanley Consultants, Inc.'s services include, but are not limited to: research, data collection, data analysis, risk factor identification, implementation requirements, and public involvement.

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: Stanley Consultants, Inc.

Additional Proposers

Rank 2: Y2K Engineering, LLC

Rank 3: Greenlight Traffic Engineering, LLC

Contract Term

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

Financial Impact

The agreement value for Stanley Consultants, Inc. will not exceed $350,000, including all subconsultant and reimbursable costs.

Funding is available in the Street Transportation Department's Capital Improvement Program budget and Federal Grant Funds. 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 the FFY 2021-22 SS4A Grant Application (Ordinance S-48976) on September 7, 2022.

Public Outreach
Stanley Consultants, Inc. will present the final plan to the Vision Zero Road Safety Action Plan Community Advisory Committee for public input.

This item was adopted.

59 Telecommunications Services and Interstate Telecommunications Services License with Vexus Fiber, LLC d/b/a "Metronet" (Ordinance S-51406) - Citywide

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license with Vexus Fiber, LLC d/b/a "Metronet" to construct, install, operate, maintain, and use the Public Highways in the City of Phoenix in order to provide telecommunications services and interstate telecommunications services in, under, over, and across public rights-of-way in the City, subject to the terms and conditions contained in the license and Phoenix City Code. Further request to authorize the City Treasurer to accept all funds related to this item. Additionally request that the Licensee sign the license within 60 days of Council action, or this authorization will expire. There is no financial impact to the City for this license.

Summary
Vexus Fiber, LLC d/b/a "Metronet" is a telecommunications company that desires to construct, install, operate, maintain, and use the Public Highways in the City of Phoenix in order to provide telecommunications services and interstate telecommunications services in, under, over, and across public rights-of-way in the City. The license will be for a period of five years with an option for one time renewal, contain appropriate insurance and indemnification provisions, require a performance bond

and a security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way.

Contract Term
The request is for a five-year Telecommunications Services and Interstate Telecommunications Services License with an option for one-time renewal.

Financial Impact
There is no financial impact to the City. Licensee will pay an annual fee based on a formula using linear footage and Consumer Price Index.

This item was adopted.

60 2022 Safe Streets for All Road Safety Action Plan Speed Limit Setting Study - Engineering Services - ST89320174 (Ordinance S-51409) - Citywide

Request to authorize the City Manager, or his designee, to enter into an agreement with Y2K Engineering, LLC to provide Engineering Services that include research, data collection, analysis, and procedure development services for the 2022 Safe Streets for All Road Safety Action Plan Speed Limit Setting Study 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 $225,000.

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

involving an interest in real property.

Summary

The purpose of this project is to develop a supplemental Road Safety Action Plan. The supplement will build upon the City's Vision Zero Road Safety Action Plan to develop a Speed Limit Setting Study to align with the City's goal to eliminate fatal and serious injury crashes by 2050. The new procedures, when implemented, may be used to appropriately set speed limits within the City that satisfy all users' mobility and safety needs.

Y2K Engineering, LLC's services include, but are not limited to, research, data collection, data analysis, speed limit setting process, implementation requirements, and public involvement.

Procurement Information

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

Selected Firm

Rank 1: Y2K Engineering, LLC

Additional Proposer

Rank 2: Greenlight Traffic Engineering, LLC

Contract Term

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

Financial Impact

The agreement value for Y2K Engineering, LLC will not exceed $225,000, including all subconsultant and reimbursable costs.

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

Public Outreach

The consultant will present the final plan to the Vision Zero Road Safety Action Plan Community Advisory Committee for public input.

This item was adopted.

61 Telecommunications Services, Private Line Services, and Interstate Telecommunications Services License with Light Source Communications, LLC (Ordinance S-51413) - Citywide

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license with Light Source Communications, LLC to construct, install, operate, maintain, and use the Public Highways in the City of Phoenix in order to provide telecommunications services, private lines services, and interstate telecommunications services in, under, over, and across public rights-of-way in the City, subject to the terms and conditions contained in the license and Phoenix City Code. Further request to authorize the City Treasurer to accept all funds related to this item. Additionally request that the Licensee sign the license within 60 days of Council action, or this authorization will expire. There is no financial impact to the City for this license.

Summary

Light Source Communications, LLC is a telecommunications company that desires to construct, install, operate, maintain, and use the Public Highways in the City of Phoenix in order to provide telecommunications services, private line services, and interstate telecommunications services in, under, over, and across public rights-of-way in the City. The license will be for a period of five years with an option for one time renewal, contain appropriate insurance and indemnification provisions, require a performance bond and a security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to

manage the rights-of-way.

Contract Term
The request is for a five-year Telecommunications Services, Private Line Services, and Interstate Telecommunications Services License with an option for a one-time renewal.

Financial Impact
There is no financial impact to the City. Licensee will pay an annual fee based on a formula using linear footage and Consumer Price Index.

This item was adopted.

62 Telecommunications Services, Private Line Services, and Interstate Telecommunications Services License with Cablevision Lightpath LLC (Ordinance S-51414) - Citywide

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license with Cablevision Lightpath LLC to construct, install, operate, maintain, and use the Public Highways in the City of Phoenix in order to provide telecommunications services, private line services, and interstate telecommunications services in, under, over, and across public rights-of-way in the City, subject to the terms and conditions contained in the license and Phoenix City Code. Further request to authorize the City Treasurer to accept all funds related to this item. Additionally request that the Licensee sign the license within 60 days of Council action, or this authorization will expire. There is no financial impact to the City for this license.

Summary
Cablevision Lightpath LLC is a telecommunications company that desires to construct, install, operate, maintain, and use the Public Highways in the City of Phoenix in order to provide telecommunications services, private line services, and interstate telecommunications services in, under, over, and across public rights-of-way in the City. The license will be for a period of five years with an option for one time renewal, contain appropriate insurance and indemnification provisions, require a performance bond and a security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way.

Contract Term

The request is for a five-year Telecommunications Services, Private Line Services, and Interstate Telecommunications Services License with an option for a one-time renewal.

Financial Impact

There is no financial impact to the City. Licensee will pay an annual fee based on a formula using linear footage and Consumer Price Index.

This item was adopted.

63 Ductile Iron Pipe and Fittings - IFB-2425-WDD-646 - Request for Award (Ordinance S-51388) - Citywide

Request to authorize the City Manager, or his designee, to enter into contracts with Arizona Waterworks Supply Inc., Alb Piping Products & Services LLC and Fortiline Inc. dba Fortiline Waterworks to provide ductile iron pipe and fittings for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreements will not exceed $3,000,000.

Summary

These contracts will provide Water Services with the ability to purchase Ductile Pipe and Fittings. The City of Phoenix requires that there is a supply of Ductile Pipe and Fittings on hand for repair and new installation. Water Services will utilize the products included in these contracts for repair and installation of water distribution pipes and fittings.

Procurement Information

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

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

Selected Bidders

Arizona Waterworks Supply Inc.	$391,939.08 (projected annual amount)
Alb Piping Products & Service LLC	$491,114.30 (projected annual

amount)
Fortiline Inc. dba Fortiline Waterworks $492,967.96 (projected annual amount)

Additional Bidders
Ferguson Waterworks

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

Financial Impact
The aggregate contracts value will not exceed $3,000,000. Funding is available in the Water Service Department's Operating Budget.

This item was adopted.

64 AUVESY-MDT Octoplant Conversion and Software Maintenance - RFA-2425-WPC-640 - Request for Award (Ordinance S-51392) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Q-Mation, Inc., for the analysis, planning, execution, and integration of a new automation change management software, AMDT Octoplant software. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $888,000.

Summary
The Water Services Department (WSD) is seeking to upgrade the existing MDT Autosave software used within its facilities. MDT Autosave software has an End-of-Life of December 31, 2025. As a result, there is a need to transition to AMDT Octoplant, which will help WSD enhance and modernize its automation change management process, thereby achieving increased operations efficiency, reduced downtime, improved system reliability, and strengthen its cyber security measures.

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

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition. Q-Mation, Inc. is the exclusive authorized distributor for the AMDT Octoplant software. It is critical to have a local partner to provide support and response to potential emergencies. The infrastructure of AMDT servers are already in place at WSD facilities, requiring a minimal uplift to the upgrade to the new Octoplant software.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed $888,000 for the five-year aggregate term.

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

This item was adopted.

65 Water and Wastewater Treatment Chemicals - IFB-2021-WPP-308 - Amendment (Ordinance S-51393) - Citywide

Request to authorize the City Manager, or his designee to allow additional expenditures under Contracts 153938, 153956, 153943, 153957, 153958, 153959, 153960 with Hill Brothers Chemical Company, Thatcher Company of Arizona, Inc., Donau Carbon US LLC, Dubois Chemicals Inc., DPC Enterprises, LP and Chemrite Inc. for the purchase of Acidified Copper Sulfate, Caustic Soda, Hydrofluorosilicic Acid, Powdered Activated Carbon, Silica Dioxide, Sodium Bisulfite and Sodium Hypochlorite for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $14,500,000.

Summary

The purpose of the amendment is to request additional funds for the supply of Acidified Copper Sulfate, Caustic Soda, Hydrofluorosilicic Acid, Powdered Activated Carbon, Silica Dioxide, Sodium Bisulfite and Sodium Hypochlorite for the water and wastewater treatment processes. These

contracts have experienced extreme fluctuations to price over the past three-and-a-half-years, creating a lack of funding required for the remaining term of the contract period. The additional funds allow the contracted vendors to supply the products required for the Water Services Department water production and water treatment processes to provide clean drinking water to the City of Phoenix residents.

Contract Term

The contract term remains unchanged, ending on March 31, 2026.

Financial Impact

The initial authorization for Water and Wastewater Treatment Chemicals was for an expenditure not-to-exceed $25,500,000. This amendment will increase the authorization of the agreement by an additional $14,500,000, for a new not-to-exceed value of $40,000,000. Funds are available in the Water Services Department's budget.

Concurrence/Previous Council Action

The City Council previously approved this request:
Water and Wastewater Treatment Chemicals Contracts 153938, 153956, 153943, 153957, 153958, 153959, 153960 (Ordinance S-47340) on March 3, 2021.

This item was adopted.

66 Authorization to Enter into an Intergovernmental Agreement with the Arizona Department of Water Resources (Ordinance S-51415) - Citywide

Request to authorize the City Manager, or his designee, to enter into an agreement with the Arizona Department of Water Resources to facilitate the City of Phoenix's participation in the Alliance for Water Efficiency's Large-Scale Landscape Research Project. The one-time payment will not exceed $18,500 over the life of the agreement. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Water Services Department will participate in the Alliance for Water Efficiency's Large-Scale Landscape Research Project. The Project, funded by several local governments and entities as coordinated by

Arizona Department of Water Resources (ADWR), aims to assess how different irrigation strategies and large-scale landscape changes affect water usage across various utilities and climates. The Project will provide specific evaluations tailored to each agency that will include analyses that can support both internal and external planning, decision-making, promotions, and communications. Additionally, it will offer cost-effective ways to obtain customized technical analyses by collaborating with several utilities on one research effort.

Procurement Information
In accordance with City of Phoenix Administrative Regulation 3.10, competitive procurement was waived considering the unusual nature of the project and the number of public partners funding the Large-Scale Landscapes Research Project.

Contract Term
The contract term is for three years effective on or about November 1, 2024, through June 30, 2026.

Financial Impact
The aggregate value of the contract is not to exceed a one-time payment of $18,500. Funding for this Intergovernmental Agreement is available in the Water Services Department's operating budget.

This item was adopted.

67 Abandonment of Right-of-Way - ABND 240033 - 12802 North 22nd Street (Resolution 22262) - District 3

Abandonment: 240033
Project: 99-40486
Applicant: Thomas J. Roth
Request: To abandon a five-foot by two-hundred foot right-of-way (ROW), that is located south of 12802 N. 22nd Street.
Date of Hearing: August 15, 2024

Location
Generally located at 12802 N. 22nd Street
Council District: 3

Financial Impact

A fee was also collected as part of this abandonment in the amount of $550.

This item was adopted.

68 Abandonment of Easements and Right-of-Way - ABND 230046 - Southeast Corner of 40th Street and East McDowell Road (Resolution 22261) - District 8

Abandonment: 230046
Project: 23-221
Applicant: 40th McDowell LLC
Request: To abandon right of way and easements along the east side of 40th Street, adjacent to property.
Date of Hearing: October 12, 2023

Location
Generally located on the southeast corner of 40th Street and East McDowell Road
Council District: 8

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

A fee was also collected as part of this abandonment in the amount of $743.

This item was adopted.

69 Amend City Code - Ordinance Adoption - Rezoning Application PHO-2-24--Z-8-22-1 - Northeast Corner of Circle Mountain Road and I-17 Frontage Road (Ordinance G-7316) - District 1

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 October 16, 2024.

Summary

Application: PHO-2-24--Z-8-22-1
Existing Zoning: R-3
Acreage: 17.55

Owner: Circle Mountain Holdings LLC
Applicant: Bela Flor Communities
Representative: Adam Baugh, Withey Morris Baugh, PLC

Proposal:
1. Request to modify Stipulation 1 regarding Planned Residential Development option.
2. Request to modify Stipulation 2 regarding minimum building setback.
3. Request to modify Stipulation 11 regarding bicycle infrastructure.
4. Request to modify Stipulation 12.b regarding north-south pedestrian connection.
5. Request to modify Stipulation 12.c regarding the number of pedestrian connections.
6. Request to modify Stipulation 13 regarding indoor noise levels.
7. Request to modify Stipulation 14 regarding the development of noise mitigation walls.
8. Request to modify Stipulation 15 regarding noise wall setbacks.
9. Request to modify Stipulation 16 regarding perimeter wall materials.
10. Request to modify Stipulation 24 regarding construction of detached sidewalks.
11. Request to modify Stipulation 25 regarding street improvements.
12. Request to delete Stipulation 27 regarding a 30-foot right-of-way dedication along the southern boundary of the project.
13. Request to delete Stipulation 27.a regarding drought-tolerant trees.
14. Request to delete Stipulation 27.b regarding drought-tolerant shrubs.
15. Request to delete Stipulation 28 regarding minimum right-of-way.
16. Request to delete Stipulation 28.a regarding drought-tolerant trees in landscape areas in right-of-way.
17. Request to delete Stipulation 28.b regarding drought-tolerant vegetation ground coverage in landscaped areas in the right-of-way.
18.Request to delete Stipulation 37 regarding capping and abandonment of existing wells.
19. Request to modify Stipulation 38 regarding a petition to the Street

Transportation Department to eliminate required street light infrastructure.
20. Request to delete Stipulation 39 regarding primary construction access.
21. Request to delete Stipulation 40 regarding roadway damage repair.
22. Request to delete Stipulation 41 regarding disclosure language in future for a portion of Jenny Lin Road.
23. Request to modify Stipulation 42 regarding Phase 1 to be in general conformance with the site plan date stamped May 4, 2023.
24. Request to modify Stipulation 43 regarding Phase 1 to be in general conformance with the elevations and design elements date stamped August 29, 2022.
25. Request to modify Stipulation 44 regarding the maximum dwelling units for Phase 1.
26. Request to delete Stipulation 45 regarding Phase 2 to be in general conformance with the site plan.
27. Request to delete Stipulation 46 regarding Phase 2 to be in general conformance with the elevations.
28. Request to delete Stipulation 47 regarding the number of lots for Phase 2.
29. Request to delete Stipulation 48 regarding conceptual site plans and elevations for Phase 3.
30. Request to delete Stipulation 49 regarding surface parking lot landscaped areas for Phase 3.

VPC Action: The Rio Vista Village Planning Committee heard the request on October 8, 2024, and recommended approval with a modification by a vote of 3-0.
PHO Action: The Planning Hearing Officer recommended denial as filed and approval with modifications.

Location
Northeast corner of Circle Mountain Road and I-17 Frontage Road
Council District: 1
Parcel Address: 4000 W. Circle Mountain Road

This item was adopted.

70 Modification of Stipulation Request for Ratification of Planning Commission Action - PHO-2-24--Z-181-99-3 - Approximately 350

Feet South of the Southeast Corner of 26th Street and Vogel Avenue - District 3

Request to authorize the City Manager, or his designee, to approve the Planning Commission's recommendation without further hearing by the City Council on matters heard by the Planning Commission on October 10, 2024. This ratification requires formal action only.

Summary

Application: PHO-2-24--Z-181-99-3
Existing Zoning: R1-6
Acreage: 2.0

Owner: Tim Hammer, H&H Developers, Inc.
Applicant: Hannah Bleam, Withey Morris Baugh, PLC
Representative: William F. Allison, Withey Morris Baugh, PLC

Proposal:
1. Request to modify Stipulation 1 regarding general conformance to the site plan and elevations date stamped March 2, 2017.
2. Request to modify Stipulation 2 regarding maximum dwelling units and maximum density.
3. Request to modify Stipulation 3 regarding maximum building height.
4. Request to delete Stipulation 6 regarding sewer odor mitigation.
5. Request to modify Stipulation 8 regarding property owner addresses.

VPC Action: The Paradise Valley Village Planning Committee chose to not review the application.
PHO Action: The Planning Hearing Officer heard the item on April 17, 2024, and recommended denial as filed with additional stipulations.
PC Action: The Planning Commission heard the item on October 10, 2024, and recommended approval, per the staff memo dated October 7, 2024, by a vote of 7-0.

Location

Approximately 350 feet south of the southeast corner of 26th Street and Vogel Avenue
Council District: 3
Parcel Address: 9455 N. 26th Street

This item was approved.

71 Amend City Code - Ordinance Adoption - Rezoning Application Z-87-24-4 - Northwest Corner of 36th Avenue and Cambridge Avenue (Ordinance G-7315) - District 4

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-87-24-4 and rezone the site from Ind.Pk. (Industrial Park) to A-1 (Light Industrial District) to allow office, fabrication, indoor storage, and vehicle/equipment repair.

Summary
Current Zoning: Ind.Pk.
Proposed Zoning: A-1
Acreage: 5.11
Proposal: Office, fabrication, indoor storage, and vehicle/equipment repair.

Owner: Ellis Johnson, Big Dog Properties, LLC
Applicant: Dane Brubaker
Representative: Jordan Greenman, Greenman Law Firm

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Maryvale Village Planning Committee heard this item on September 11, 2024, and recommended approval, per staff recommendation, by a vote of 12-0.
PC Action: The Planning Commission heard this item on October 10, 2024, and recommended approval, per the Maryvale Village Planning Committee recommendation, by a vote of 7-0.

Location
Northwest corner of 36th Avenue and Cambridge Avenue
Council District: 4
Parcel Address: 2654 N. 36th Avenue; 3602, 3612, and 3622 W. Cambridge Avenue; and 3601, 3617, and 3627 W. Roanoke Avenue

This item was adopted.

73 Public Hearing and Ordinance Adoption - Rezoning Application Z-74-24-6 - Northeast Corner of 21st Street and Turney Avenue (Ordinance G-7319) - District 6

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-74-24-6 and rezone the site from R-3 (Multifamily Residence District) to R-5 (Multifamily Residence District) to allow multifamily residential.

Summary
Current Zoning: R-3
Proposed Zoning: R-5
Acreage: 1.82
Proposal: Multifamily residential

Owner: 4401 Turney Villas, LLC; 2118 Turney, LLC; Charles Goodwin, III
Applicant/Representative: Ashley Marsh, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this item on August 6, 2024, and a motion to recommend approval failed by a vote of 7-9. No recommendation was forwarded to the Planning Commission.
PC Action: The Planning Commission heard this item on October 10, 2024, and recommended approval, per the Addendum A Staff Report, by a vote of 9-0. The Planning Commission recommendation was appealed by a community member and petition for a three-quarter vote was submitted on October 17, 2024. A three-quarter vote is not required.

Location
Northeast corner of 21st Street and Turney Avenue
Council District: 6
Parcel Address: 4401, 4405, 4407, and 4421 N. 21st Street; and 2118 E. Turney Avenue

This item was continued to the January 22, 2025, City Council Formal Meeting.

74 Public Hearing and Ordinance Adoption - Rezoning Application Z-58-24-8 - Approximately 710 Feet North and 305 Feet West of the Northwest Corner of 20th Avenue and South Mountain Avenue (Ordinance G-7322) - District 8

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-58-24-8 and rezone the site from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residential) for single-family residential.

Summary
Current Zoning: S-1
Proposed Zoning: R1-10
Acreage: 4.54
Proposal: Single-family residential

Owner: Dorothy M. Hallock
Applicant/Representative: John Fox

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this item on July 9, 2024, and recommended a continuance to the August 13, 2024, Village Planning Committee meeting, by a vote of 11-3. The South Mountain Village Planning Committee heard this item on August 13, 2024, and recommended a continuance to the September 10, 2024, Village Planning Committee meeting, by a vote of 12-0. The South Mountain Village Planning Committee heard this item on September 10, 2024, and recommend approval, per the staff recommendation, with additional stipulations, by a vote of 7-5.
PC Action: The Planning Commission heard this item on October 10, 2024, and recommended approval, per the staff memo dated October 7, 2024, with a modification, by a vote of 7-2.
The Planning Commission recommendation was appealed by a community member and a petition for a 3/4 vote was submitted on October 15, 2024. **A 3/4 vote is required.**

Location

Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
Council District: 8
Parcel Address: N/A

This item was continued to the December 4, 2024, City Council Formal Meeting.

75 Public Hearing - Amend City Code - Ordinance Adoption - Accessory Dwelling Units - Z-TA-2-24-Y (Ordinance G-7317) - Citywide

Request to hold a public hearing on a proposed text amendment Z-TA-2-24-Y and to request City Council approval per the Planning Commission recommendation which amends the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add new definitions and revise existing definitions regarding Accessory Dwelling Units and related residential terms; amend Chapter 6, Section 603 (Suburban S-1 District-Ranch or Farm Residence) and Section 604 (Suburban S-2 District-Ranch or Farm Commercial) to comply with HB 2720; amend Section 605 (Residential Estate RE-43 District-One-Family Residence), Section 606 (Residential Estate RE-24 District-One-Family Residence), and Section 607 (Residential R1-14 District-One-Family Residence) to comply with HB 2720 and increase permitted lot coverage; amend Section 608 (Residential Districts) to comply with HB 2720; amend Section 609 (RE-35 Single-Family Residence District) to increase permitted lot coverage; amend Chapter 7, Section 701.A.3 (Projections) to comply with HB 2720; amend Section 703.B (Landscaping and Open Areas In Multiple-Family Development) to differentiate the addition of ADUs from multi-family developments; and amend Section 706 (Accessory Uses and Structures) to clarify wordings and comply with HB 2720.

Summary

The proposed text amendment includes three main components: 1) new and revised definitions; 2) revision of existing City of Phoenix ADU regulations to comply with HB 2720, and 3) revision of lot coverage permissions for certain districts in order to comply with HB 2720 as detailed in the Staff Report (**Attachment B**).

Applicant: City of Phoenix, Planning Commission
Representative: City of Phoenix, Planning and Development Department

Staff Recommendation: Approval of Z-TA-2-24-Y as shown in Exhibit A of the Staff Report (**Attachment B**).
PC Info: The Planning Commission heard this item on October 10, 2024, for information only.
PC Action: The Planning Commission is scheduled to hear this item on November 7, 2024.

This item was continued to the November 20, 2024, City Council Formal Meeting.

76 Public Hearing - Amend Phoenix City Code - Ordinance Adoption - Chapter 10, Article XVI - Short-Term Vacation Rental (Ordinance G-7323) - Citywide

Request to hold a public hearing on a proposed amendment to the City Code sections 10-197 and 10-204 to Chapter 10, Article XVI related to Short-Term Vacation Rentals to incorporate Arizona Revised Statute (A.R.S.) 9-500.39 requirements for obtaining a Short-Term Rental (STR) Permit.

Summary

In 2016, the Arizona Legislature removed the ability of local jurisdictions to regulate short-term rental units and required that the use be treated the same as any long-term residential use of a property. Due to significant negative impacts based upon the experience of residents living around these short-term rental uses, the Arizona Legislature enacted A.R.S. 9-500.39 authorizing municipalities to create provisions for registrations of short-term vacation rentals. The City of Phoenix adopted Short-Term Vacation Rental Ordinance (G-6653) to implement the requirement for STR owners, or designees, to register each STR rental property with the City of Phoenix, so that responsible party contact information was available if there were problems resulting from a particular short-term rental unit.

In 2022, the Arizona Legislature approved Senate Bill 1168 (SB1168) amending A.R.S. 9-500.39, which authorized cities and towns to create a very limited permit/license process to help gather better data regarding

short-term rentals with minimal modifications to the ability to regulate these types of uses. The City of Phoenix adopted an amendment to the Short-Term Vacation Rental Ordinance (G-7156) to implement the requirement for STR owners, or designees, to apply for a STR permit and meet specific operating requirements prior to the issuance of a permit as a condition for operating a short-term rental property.

In 2024, the Arizona Legislature approved House Bill 2720 (HB2720) amending A.R.S. 9-500.39, which authorized cities and towns to require the owner of a property where an accessory dwelling unit is used as an short term rental to reside on the property but only if the accessory dwelling unit was built after September 14, 2024, and either the owner did not previously have the right to build an accessory dwelling unit on their property or the three-year A.R.S. 12-1134 statute of limitations has passed.

Staff recommends approval of the proposed amendment to the City Code sections 10-197 and 10-204 to Chapter 10, Article XVI related to Short-Term Vacation Rentals to incorporate Arizona Revised Statute (A.R.S.) 9-500.39(B)(9) requirements for obtaining a STR Permit.

This item was continued to the November 20, 2024, City Council Formal Meeting.

77 Public Hearing - Amend City Code - Ordinance Adoption - Adaptive Reuse and Multi-Family (ARM) ARM Overlay District - Z-TA-3-24-Y (Ordinance G-7318) - Citywide

Request to hold a public hearing on a proposed text amendment Z-TA-3-24-Y and to request City Council approval per the Planning Commission recommendation which amends the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District - High-Rise and High Density District) and establish a new Adaptive Reuse and Multi-family (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts. This is a companion case to Z-136-24-Y and should be heard first,

followed by Z-136-24-Y.

Summary

The proposed text amendment includes three main components: 1) new and revised definitions; 2) creation of a new Section 632, Adaptive Reuse and Multi-Family (ARM) Overlay District, and 3) revision of the overlapping TOD-1 and TOD-2 Overlay District requirements so as not to conflict with the new regulations as detailed in the Staff Report (**Attachment B**).

Applicant: City of Phoenix, Planning Commission
Representative: City of Phoenix, Planning and Development Department

Staff Recommendation: Approval of Z-TA-3-24-Y as shown in Exhibit A of the revised Staff Report (**Attachment B**).
VPC Info: Eight Village Planning Committees heard this item for information only throughout September, as reflected in **Attachment C**.
VPC Action: Eight Village Planning Committees considered the request. Four VPCs recommended approval, per the staff recommendation; One VPC recommended approval, per the staff recommendation, with direction; One VPC recommended denial and Two VPCs did not have quorum, as reflected in **Attachment C**.
PC Info: The Planning Commission heard this item on October 10, 2024, for information only.
PC Action: The Planning Commission is scheduled to hear this item on November 7, 2024.

This item was continued to the November 20, 2024, City Council Formal Meeting.

78 Public Hearing and Ordinance Adoption - Rezoning Application Z-136-24-Y - Various Parcels within the Area Generally Bounded by Peoria Avenue on the North, State Route 51 on the East, South Mountain Avenue on the South, and 83rd Avenue on the West (Ordinance G-7321) - Citywide

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-136-24-Y and rezone the area from various underlying zoning districts to various underlying zoning districts with the Adaptive Reuse and Multi-Family Overlay District to map

boundaries for the Adaptive Reuse and Multi-Family Overlay District (Z-TA-3-24-Y). This is a companion case and must be heard following Z-TA-3-24-Y.

Summary

Current Zoning: Various Underlying Zoning Districts
Proposed Zoning: Various Underlying Zoning Districts with the Adaptive Reuse and Multi-Family Overlay District
Acreage: 20,373.69
Proposed Use: Map boundaries for the Adaptive Reuse and Multi-Family Overlay District (Z-TA-3-24-Y)

Applicant: City of Phoenix, Planning Commission
Representative: City of Phoenix, Planning and Development Department

Staff Recommendation: Approval (**Attachment B**).
VPC Action: Eight Village Planning Committees (VPCs) considered the request. Four VPCs recommended approval, per the staff recommendation; One VPC recommended approval, per the staff recommendation, with direction; One VPC recommended denial; and Two VPCs did not have quorum, as reflected in **Attachment C**.
PC Info: The Planning Commission heard this item on October 10, 2024, for information only.
PC Action: The Planning Commission is scheduled to hear this item on November 7, 2024.

This item was continued to the November 20, 2024, City Council Formal Meeting.

33 Shade Phoenix Plan - Citywide

Request approval to adopt the Shade Phoenix Plan for years 2024-2028. This plan provides policy and program direction regarding the addition and maintenance of natural and built shade in Phoenix to protect public health, improve quality of life, and create community resilience.

Summary

The Need for Shade

Shade is a critical community resource. Providing adequate shade is one of the most effective strategies to make outdoor urban environments safe and comfortable. Shade protects the human body from direct sun exposure, which is the primary factor that determines outdoor thermal

safety in hot weather. Shade also protects infrastructure from sun exposure, which reduces the dangers of people interacting with hot surfaces and increases the life span of materials. Studies estimate that shade reduces the net heat burden on the human body by up to 70 degrees Fahrenheit.

Inadequate shade in certain neighborhoods and vital outdoor areas like transit stops and commercial corridors is a high community concern. This shade deficiency presents a significant risk to public health, particularly for residents with underlying health issues, to our neighborhoods, and to Citywide economic vitality. Maintaining and expanding publicly available shade, with a focus on where people are most exposed to outdoor heat and where there are high concentrations of vulnerable populations, is critical to our future.

Vision and Values

The Shade Phoenix Plan presents a vision of a future where all community members experience the benefits of trees and built shade throughout the City. The plan is anchored around a set of core values that shaped its development and will guide its implementation. Those values are to:

Focus on people first by targeting actions where shade can have the greatest impact on human health and wellbeing, especially for vulnerable populations;
Recognize that shade is critical resource provided to the community by public and private assets;
Lead with an environmental justice and equity lens and address inequities;
Respect the unique landscape and heritage of the Sonoran Desert, one of the most special places in the world;
Collaborate within City government, between public and private actors, and with the communities of Phoenix to accelerate collective action; and
Go beyond the status quo by innovating and taking risks to change historical trajectories and realize the Plan’s vision.

Assessment and Inventory

The Shade Phoenix Plan provides updated data regarding tree canopy and shade coverage in the City of Phoenix, as well as specific analysis and inventories for City of Phoenix property. The most recent tree canopy data indicates significant disparity in canopy coverage throughout Phoenix. Many neighborhoods in Central City South, West Phoenix, and along the Interstate 17 Corridor have tree canopy cover less than five percent, whereas other neighborhoods in Phoenix have canopy cover exceeding 25 percent. In high-income neighborhoods in Phoenix, tree canopy coverage is nearly double the amount as in lower-income neighborhoods. The median tree canopy cover in Phoenix Citywide is 11 percent. Total shade coverage from all built and natural sources follows similar patterns.

The Shade Phoenix Plan also provides a detailed accounting of tree and shade initiatives on City property and includes an action item to update the City's official tree inventory, which is estimated to include more than 100,000 trees. Over the past 15 years, at least 32,968 trees have been planted by the Street Transportation Department, Parks and Recreation Department, and Aviation Department. These plantings have helped the City maintain its recognition from the Arbor Day Foundation as a Tree City USA for 37 consecutive years. The Plan also includes analysis of built shade structures on City properties, and it reports more than 3,000 bus stops with shade structures and another 639 shade structures at City of Phoenix parks.

Strategies and Actions

The Shade Phoenix Plan provides four broad strategies, 11 strategic priorities, and 36 specific actions to achieve its vision. The strategies and strategic priorities are as follows:

Strategy 1 is to Expand Shade, increasing shade for people where they need it most. Strategic priorities are to increase shade for children, increase shade on City-owned properties, increase shade on public right-of-way, and increase shade on private properties.

Strategy 2 is to Preserve and Maintain Existing Shade, ensuring that the community is working together to support a thriving urban forest and well-maintained built shade. Strategic priorities are to care for and maintain trees and shade structures on public property, to strengthen

code enforcement on private property, and to increase City capacity to maintain trees and shade.

Strategy 3 is to Evaluate and Institutionalize the ongoing implementation and improvement of shade efforts to scale their impacts and maximize benefits. Strategic priorities are to monitor and evaluate progress on the Shade Phoenix Plan, to strengthen organizational coordination and staff capacity, to strengthen regulations, design standards, and guidelines, and to create and expand pathways for careers in urban forestry.

Strategy 4 is to Educate and Empower, so that all Phoenicians understand the importance and values of trees and shade and how they can support them. Strategic priorities are to create a Citywide movement around shade and heat and to provide public education around sustainable and equitable shade practices.

Collectively, the 36 actions in the Shade Phoenix Plan represent at least $60,000,000 in allocated and planned funding that will be directed toward tree and shade initiatives in the next five years, from a combination of local, federal, and private sources. More than half of the funding has been committed in the past two years. Of the total investment, 50 percent is anticipated to be made in low- to moderate-income communities in the City of Phoenix and 85 percent is anticipated to be made in low-, moderate-, and middle-income communities.

The Shade Phoenix Plan is included as **Attachment A** and is available online in both English and Spanish at www.phoenix.gov/shade.

Concurrence/Previous Council Action

City Council approved the Phoenix Tree and Shade Master Plan on January 5, 2010;

City Council approved a Memorandum of Understanding with American Forests on Tree Equity on April 21, 2021;

City Council approved General Plan Update 2025 on April 17, 2024; and

City Council reviewed and discussed a draft of the Shade Phoenix Plan on June 11, 2024.

Public Outreach

In the nearly 15 years since the 2010 Tree and Shade Master Plan was

adopted, a wide range of City and community-driven initiatives have generated new perspectives, needs, and opportunities to guide the City's tree and shade efforts moving forward. The Shade Phoenix Plan is built upon community input and lessons learned over that 15-year period, as well as specific stakeholder and public engagement activities designed to inform the new plan.

Stakeholder and public engagement activities for the Shade Phoenix Plan accelerated in 2023 and included meetings with all Village Planning Committees, Community Sustainability Workshops attended by more than 600 residents, meetings with local advocates and experts, and an online Tree and Shade Community Feedback Questionnaire that has received more than 1200 responses. Guidance for the Shade Phoenix Plan has also been sourced from prior and ongoing efforts of the City of Phoenix Environmental Quality and Sustainability Commission and other public advisory boards and commissions, the Metro Phoenix Urban Forestry Roundtable, the Nature Conservancy Heat Action Planning Guide for Greater Phoenix, public comment at City Council meetings and budget hearings, and academic research.

Discussion

A motion was made and seconded to approve this item.

Jessica Bueno, with Chispa AZ, stated the organization strives for clean air, safe water and healthy neighborhoods for communities impacted by climate change. She thanked the Office of Heat Response and Mitigation staff for their work and spoke about their partnership to plant 50 trees in Maryvale on October 26, 2024, which was led by Chispa's Youth Committee. Ms. Bueno advocated for the Shade Phoenix Plan (SPP) and asked for information on how non-English speakers could become certified arborists.

Councilman Waring expressed his support for the SPP. He spoke about the trees already being planted, which make a difference, not only the look and feel of neighborhoods, but also the shade. He opined planting trees is not enough if the trees die, which is not optimal and does not help with shade and pointed out he had pointed out several areas to staff. He stated staff needs to ensure maintenance of trees is a key component of this plan. He said most trees are thriving and they make a

huge difference and pointed out the area of Cactus and SR-51 in District 3. Councilman Waring asked staff to make sure the trees stay alive.

Councilman Galindo-Elvira thanked Ms. Bueno for bringing her concerns to the attention of the City Council. He spoke about tree planting events and ceremonies that have taken place in District 7. Councilman Galindo-Elvira brought attention to the wonderful and extraordinary work of the City's Forestry Division who put a lot of time and care in ensuring that the trees are planted well and spoke specifically of the 20 tree planting event at Desert West Park in Maryvale. He highlighted forestry staff take care of more than 100,000 trees in the City.

Mayor Gallego stated in Phoenix, shade can be a lifeline whether it be on hot summer days under a tree or a ramada. She reported Downtown Phoenix has had visitors, as far away as Australia, to study what the City has done with shade through the Walkable Urban Code. She said the new SPP is a comprehensive intentional, date driven plan, and over the next 5-years, the City will invest $60 million to plant 27,000 new native trees and build more than 500 new shade structures across the City through a mix of federal funding and local funding that was approved by Phoenix voters last year for heat resiliency projects. She reported these new trees and structures will be put in critically needed areas of Phoenix and they will thrive. Mayor Gallego opined today's passage would be wonderful news for Phoenix and expressed her excitement to put the plan in action. She thanked the Office of Heat Response and Mitigation, the community groups and residents, and all others who have made contributions to this ambitious and achievable plan. She said she was pleased that numerous groups in the community celebrate milestones planting trees which will be another celebratory event where residents can get involved.

Councilwoman O'Brien opined as the City continues to build up, she asked that in the future the shade plan would also look at the shade from buildings in addition to the trees and structures. She thanked Accenture, business management consultant, for helping plant multiple trees at Acoma Park in District 1. Councilwoman O'Brien stated she agreed with Councilman Waring as it is important to her to keep trees alive after they are planted. She stated the need to ensure the budget

and future shade plans take into account all of the operation and maintenance costs needed for the trees to thrive. Councilwoman O'Brien thanked the Office of Heat Response and Mitigation for the work they are doing and the help they are providing to the community.

Councilwoman Pastor thanked all who were involved planting trees throughout the City, specially the 400 volunteers at Steele Indian School Park who planted 400 trees in the park. She opined shade is very important as is water and planting trees that are drought resistant. She thanked everyone for supporting this plan.

Councilwoman Hodge Washington opined the Shade Plan is an important part of continuing to make Phoenix a livable and enjoyable place. She stated shade is great to look at but is not a luxury for some in the City. She stressed shade is a necessity for many and the City needs to ensure that the lower income areas of the community continue to be prioritized for shade as it does make a difference for many in their energy bills and the ability to walk through their communities. She stated maintenance is definitely important as the City continues to focus on planting new trees and asked that staff continues to pay attention to some of the trees that have been around for some time, as she has received complaints about irrigation to certain trees. In addition, she stated she believes in the shade plan but she wanted to ensure the City continued to not only celebrate the new trees but also take care of the ones that the City currently has. She said this is a phenomenal program as trees make a big difference when it comes to the ambient temperature and as temperatures continue to rise the need for trees are even greater than ever. She thanked the Office of Heat Response and Mitigation and community members that participated in the process and provided feedback. She asked staff to respond to Ms. Bueno's concerns raised in her comments.

Mayor Gallego reported the Office of Heat Response and Mitigation Director acknowledged Councilwoman Hodge Washington's request.

After the vote, Mayor Gallego stated the City now has a great updated Tree and Share Master Plan and congratulated all who worked on it.

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

the following vote:

Yes:	8 -	Councilman Galindo-Elvira, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

37 Public Hearing and Resolution to Approve the 2025 Downtown Enhanced Municipal Services District Assessments (Resolution 22260) - Districts 7 & 8

Request to hold a public hearing for the approval of the 2025 Downtown Enhanced Municipal Services District (Downtown EMSD) assessments and adopt a resolution approving such assessments for Calendar Year (CY) 2025. The General Fund estimated annual expenditure for this program is $443,389.

Summary

Pursuant to Arizona state law, a public hearing must be held prior to the annual adoption of the assessments for the Downtown EMSD. The City Council authorized the formation of the Downtown EMSD in 1990 to provide enhanced public services above and beyond the level of services provided in the remainder of the City. The costs for the Downtown EMSD services are paid through assessments on property owners within the Downtown EMSD boundaries, which are generally Garfield Street on the north, 7th Street on the east, 3rd Avenue on the west, and the railroad tracks south of Jackson Street on the south.

The City contracts directly with Downtown Phoenix, Inc. (DPI) to implement the Downtown EMSD work program, as described in **Attachment A**. The work plan and budget for CY 2025 provides a variety of enhanced services in the downtown core, including business improvement services and overall business development.

The annual assessments for the Downtown EMSD will be levied for CY 2025 after the required legal process for the Downtown EMSD has been completed. Assessments are determined in proportion to the benefits received by each parcel. There are approximately 742 parcels in the

Downtown EMSD on which the budget will be assessed. This is based on the approved Downtown EMSD assessment diagram that indicates the properties to be assessed for enhanced municipal services. This diagram is on file with the Office of the Director of the City of Phoenix Street Transportation Department and was posted online at the City's Community and Economic Development Department website.

The figures below represent the assessments for private and public property owners based on the approved 2025 Downtown EMSD budget of $4,990,256. See **Attachment B** for a breakdown of the expense categories. This includes $167,222 for streetscape maintenance expenses, which are paid only by property owners and tenants adjacent to the Streetscape Improvement District (SID). The SID includes certain portions of Monroe Street from 3rd Avenue to 7th Street; Adams Street from 2nd Avenue to 2nd Street; 2nd Street from Jefferson to Van Buren streets; and 3rd Street from Monroe to Van Buren streets.

Estimated 2025 District Budget: $4,990,256
Estimated 2025 Assessment Revenue: $4,740,256
Estimated 2025 Non-assessment Revenue: $250,000

Downtown EMSD CY 2025 Assessments
Private Property Owners Assessments: $2,032,483
Public Property Assessments: $2,707,773
Total Assessments: $4,740,256

Streetscape Maintenance Expenses (expenses included in the figures above)
Private Property Owners Assessments: $92,253
Public Property Assessments: $74,969
Total Streetscape Expenses: $167,222

Financial Impact
The City's total estimated annual expenditure for this program is $1,290,391, which includes:
$443,389 from the General Fund (approximate $4,266 increase from 2024);
$632,648 from the Phoenix Convention Center;

$151,673 from the Sports Facilities Fund; and
$62,681 from the Phoenix Bioscience Core.

Concurrence/Previous Council Action
This item was recommended for approval at the Economic Development and Housing Subcommittee meeting on September 11, 2024, by a vote of 4-0.

On October 2, 2024, the City Council approved:
The 2025 Downtown EMSD Budget, Assessments and Set Public Hearing Date of November 13, 2024, for the hearing on the estimated assessments; and
The 2025 Downtown EMSD Assessment Diagram.

Public Outreach
On October 2, 2024, the City Council set November 13, 2023, as the date for the public hearing on the Downtown EMSD assessments. On October 18, 2024, a total of 26 days prior to the hearing as legally required, all property owners were notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development departments. In addition, DPI sent letters to all property owners, and the Downtown EMSD Board approved the 2025 budget at its June 2024 board meeting.

To answer any questions that Downtown EMSD property owners might have, Community and Economic Development Department staff were available virtually for an hour prior to the November 13, 2024, public hearing. Notice of the public hearing was also published in the Record Reporter on October 30, 2024, and November 1, 2024, as specified below. No further notification is required after the public hearing.

Location
The Downtown EMSD is generally bounded by Garfield Street on the north, 7th Street on the east, 3rd Avenue on the west, and on the south by the railroad tracks south of Jackson Street
Council Districts: 7 and 8

Discussion
Mayor Gallego opened the public hearing. She noted there were no

citizens registered to speak. She closed the public hearing.

The hearing was held.

38 Pay Invoices for 2025 Downtown Enhanced Municipal Services District (Ordinance S-51383) - Districts 7 & 8

Request to authorize the City Manager, or his designee, to pay all invoices received from Downtown Phoenix, Inc. (DPI) through the Phoenix Downtown Enhanced Municipal Services District (EMSD) Agreement, in an amount not to exceed $4,740,256 for work related to the calendar year 2025 Downtown EMSD budget and work plan through December 31, 2025. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The City Council authorized formation of the Downtown EMSD in 1990 to provide enhanced public services above and beyond the level of services provided in the remainder of the City. The City contracts directly with DPI to implement the Downtown EMSD work program, including the Ambassadors program, streetscape improvements and maintenance, the Green and Clean Team program, marketing, event promotion, business assistance and transportation services. Pursuant to State law, the Downtown EMSD's budget must be approved each year. This action is the final step in the annual budget process to authorize the Community and Economic Development Department to pay DPI for services rendered in calendar year 2025 under the Downtown EMSD contract, City Contract No. 153585, as amended.

Financial Impact

The City's total estimated annual expenditure for this program is $1,290,391, which includes:

$443,389 from the General Fund (approximate $4,266 increase from 2024);
$632,648 from the Phoenix Convention Center;
$151,673 from the Sports Facilities Fund; and
$62,681 from the Phoenix Bioscience Core.

An additional $1,142,955 is collected from other government-owned properties including Maricopa County, Maricopa County Stadium District,

and the State of Arizona. A total of $712,679 is also collected from tenants on City-owned properties. The remaining $1,594,233 of funds are collected from private property owners through an assessment on their property tax bills.

Estimated 2025 District Budget: $4,990,256
Estimated 2025 Assessment Revenue: $4,740,256
Estimated 2025 Non-assessment Revenue: $250,000

In preparation for remitting the first payment by January 1, 2025, the Community and Economic Development Department request the advance term as December 1, 2024 - December 31, 2025, to prepare for implementation.

Concurrence/Previous Council Action
This item was recommended for approval at the Economic Development and Housing Subcommittee meeting on September 11, 2024, by a vote of 3-0.

On October 2, 2024, the City Council approved:
The 2025 Downtown EMSD Budget, Assessments and Set Public Hearing Date of November 13, 2024 for the hearing on the estimated assessments; and
The 2025 Downtown EMSD Assessment Diagram.

Public Outreach
On October 2, 2024, the City Council set November 13, 2024, as the date for the public hearing on the Downtown EMSD assessments. On October 18, 2024, a total of 26 days prior to the hearing as legally required, all property owners were notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development departments. In addition, DPI has sent letters to all property owners, and the Downtown EMSD Board approved the 2025 budget at its June 2024 board meeting.

To answer any questions that property owners in the Downtown EMSD might have, Community and Economic Development Department staff were available virtually for an hour prior to the November 13, 2024, public

hearing. Notice of the public hearing was also published in the Record Reporter on October 30, 2024, and November 1, 2024. No further notification is required after the public hearing.

Location

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

Discussion

A motion was made and seconded to approve this item.

Mayor Gallego stated this item would help make downtown safer and provide the ability to plant more trees.

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

Yes:	8 -	Councilman Galindo-Elvira, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

72 Public Hearing on Land Use Assumptions and Infrastructure Improvements Plans for Updating the Development Impact Fee Program - Citywide

Request to hold a public hearing on the Land Use Assumptions (LUAs) and Infrastructure Improvements Plans (IIPs) that establish a base analysis for the Development Impact Fee Program update as required by Arizona Revised Statutes (ARS).

Summary

Development impact fees are assessed on building permits obtained with designated impact fee service areas to help pay for certain capital facilities that are necessary to serve new development. Arizona’s impact fee enabling statute (ARS 9-463.05) requires cities to review and, if necessary, update fees every five years. In addition, to maintaining

compliance with impact fee statutes, updating the impact fee program helps ensure fees are in-line with current raw materials, labor and development demand along with projected growth/service needs, infrastructure plans, and overall facility costs. Phoenix currently administers nine development impact fee programs: Fire Protection, Police, Parks, Libraries, Major Arterials, Storm Drainage, Water, Wastewater, and Water Resources Acquisition. As proposed, the update would divide Water and Wastewater into Water Treatment, Water Transmission, Wastewater Treatment, and Wastewater Collection for a total of eleven programs. The City's last impact fee update was approved by Council on January 29, 2020, and the fees took effect later that spring.

This public hearing is being conducted in accordance with ARS 9-463.05(D) that requires a public hearing on LUAs and IIPs, no less than 60 days after releasing plans to the public. Proposed LUAs and IIPs, along with supplemental reports, were posted to the City's website on or before August 2, 2024, and can be viewed online at: www.phoenix.gov/pddsite/Pages/Proposed2025InfrastructureFinancingPlan.

Proposed IIPs for each fee category have been updated to reflect current growth projections and inflation in construction costs since the last fee update. Facility cost estimates assumed in the proposed IIPs have been escalated at three percent per year to 2028 dollars to account for normal inflation.

Other notable proposed changes to the impact fee program include:

Fire: Replaced the ‘incremental’ approach with a ‘plan-based’ approach to better align capital facility needs with the Fire Department’s service delivery model.

Police: Incorporated new development's share of debt service for Police Headquarters and Cactus Park Precinct.

Parks: Incorporated new development's eligible share of debt service for 'civic space' parks in Desert View and Estrella Villages. Added trailhead amenities to better serve the preserve lands that are a key resource for

future recreational opportunities, particularly in north Phoenix.

Library: Incorporate new development's eligible share of debt service for 'civic space' branch libraries in Desert View and Estrella Villages.

Storm Drainage: Updated cost estimates and Flood Control District of Maricopa County contributions for approved projects in Paradise Ridge, Estrella and Laveen impact fee service areas.

Major Arterials: Restructured the program to focus on bridges and specific regional road segments that are anticipated prior to development of adjacent lands. This will allow the city to participate in major bridge projects while constructing to require private development to construct roadway improvements along the properties frontage.

Water Treatment: Water Treatment is proposed to be separated from the current "Water" fee and would be assessed Citywide. The newly authorized Water Resiliency Program, contained in the proposed Water Treatment Fee, will ensure a robust water future that supports on-going development in the City.

Water Transmission: Water Transmission is proposed to be separated from the current 'Water' fee and would continue to be assessed in the northern and southern impact fee service areas.

Wastewater Treatment: Wastewater Treatment is proposed to be separated from the current "Wastewater" fee and would be assessed Citywide. As proposed, areas north of the Central Arizona Project (CAP) would be assessed for new treatment plant and solids handling capacity. While areas south of CAP would be assessed for solids handling capacity, but not new treatment plant capacity.

Wastewater Collection: Wastewater Collection is proposed to be separated from the current "Wastewater" fee and would be assessed in the Northern impact fee service area, excluding Deer Valley, and Estrella South area.

Water Resource Acquisition: Updated to include the City's participation in

the Bartlett Dam project to store more water and increase future water supplies.

The LUAs and IIPs are the principal planning documents needed to support changes to development impact fee assessments. Additional information can be found on the 2025 Impact Fee Update website (link above). The *Impact Fee Service Area Map* is attached as **Attachment A** and provides a map of all Impact Fee Area "Building Blocks" including Water Resources Acquisition Fee Areas shown as "Off" and "On" Project. A *Preliminary Net Fee Summary* is attached as **Attachment B** and contains the combined preliminary net fee for each "Building Block" area.

Next Steps

Between 30 and 60 days after this public hearing, Council is required to take action on the LUAs and IIPs. If approved, a notice of intention to assess a development fee will be released to the public and posted on the City's website. No less than 30 days after posting the notice of intent, a subsequent public hearing will be conducted on the proposed development fees. Between 30 and 60 days after the public hearing on proposed development fees, Council is required to take action on the proposed development fees.

Discussion

Mayor Gallego welcomed Deputy City Manager Alan Stephenson to the table.

Mr. Stephenson introduced Planning and Development Deputy Director Adam Miller and Impact Fee Ad Hoc Committee Chair Heidi Kimball.

Mr. Stephenson reported today was the first of four public hearings related to updating the City's impact fees. He stated impact fees help pay for the capital cost of new, required infrastructure to serve new developing areas of the City along with the proportionate share of new development costs that would implement advanced water purification to ensure future water resiliency to ensure the City continues to grow and prosper well into the future.

Mr. Stephenson communicated the Impact Fee Ad Hoc Committee held 14 meetings and acts as a soundboard to provide feedback to staff and

the City's professional consultants in order to develop the background analytical data necessary to support a robust impact fee program. He reported the Committee was comprised of development community stakeholders from various industries, along with affordable housing and open space preservation representative from the City. Mr. Stephenson conveyed the impact fee program update was led by the Planning and Development Department and staff worked with various departments' leadership to discuss and develop projections for their infrastructure needs as well as to establish the necessary plans to serve development in the future. Furthermore, he presented a PowerPoint slide (PPT) explaining impact fees.

Mr. Miller reported Land Use Assumptions (LUAs) and Infrastructure Improvement Plans (IIPs) were updated every five years, as required by Arizona statute. He stated the last time these plans were reviewed was in 2019 and provided examples of projects in the Metro Phoenix area that had not been announced or completed at that time. He stated these updates provided the City the opportunity to incorporate new information and adapt to new conditions. Mr. Miller presented a PPT which included a more detailed definition of impact fees; the necessary public services and types of facilities they cover as defined by Arizona statutes; specific services and facilities included in the impact fees collected by the City; how fees are determined; LUAs and IIPs; table showing LUAs for the last 10 years; highlights of the City's impact fee recent and pending projects, as well as highlights of the proposed update from 2025-2035. In addition, Mr. Miller stated all facilities included in the City's infrastructure improvement meet the definition of a necessary public service, are not discretionary, and serve to maintain the quality of life and services the City and its residents are accustomed to. He reported the City has collected $240 million over the past 5 years and a revenue of $1.6 billion is projected to be collected over the next 10 years.

Ms. Kimball stated it was a pleasure to serve for the third time on the Impact Fee Ad Hoc Committee. She stated the process took a little longer this year than it has in the past due to many new fee categories as well as categories that were split in order to make the process more transparent. Ms. Kimball spoke about the process the Committee took to review and analyze data, including questioning some assumption costs,

in order to issue the Committee's report. Ms. Kimball reported Committee members, staff and consultants were very helpful and engaged and the process was very transparent.

Mr. Stephenson stated this was the first public hearing and no action was necessary. He presented the impact fee update timeline and reported that since July 2022 staff has been working with consultants and various departments who helped develop these plans as it related to the services they provide. Mr. Stephenson spoke about the next steps in the impact fee update process that included anticipated Council action on LUAs and IIPs on December 18, 2024; second public hearing on January 22, 2025; anticipated Council action on Impact Fee Report in March/April 2025; and the earliest possible date changes may take effect would be in May/June 2025.

Vice Mayor Stark opined it was important to explain that the development community was paying their fair share and taxpayers within these impact fee areas also paid. She asked Mr. Miller to expand on that.

Mr. Miller explained that through the impact fee program, the City has an obligation to make sure the City was not collecting twice for the same types of improvements. He said there were alternative revenue sources, e.g. water rates and sewer rates tax revenue, that also helps to provide capital facility projects in the City. Mr. Miller stated where there was an overlap, the City provided an offset, for when a new development was occupied that would become a part of the City's rate payer base or tax base resulting in the offsets to be incorporated on the front end of the impact fee calculation. He emphasized that those additional funding streams were critical to the City.

Vice Mayor Stark reiterated it was important for everyone to understand these fees are driven by data and the City looks at all sources of revenue to help build new projects. She reported that in some instances fees were high and staff continued to work with industries to ensure the City has appropriate fees.

Councilman Waring questioned how would staff respond to developers who might say there was merit in the fees but at the same time say it

would be too expensive to develop in District 2.

Mr. Stephenson stated the north part of Phoenix was a very desirable area to live and work in and due to a lack of needed infrastructure to serve that area it was expensive to invest in. He said some developers may choose not to develop in that area, but because it was a greatly desirable area there other developers would choose to develop there. Mr. Stephenson illustrated some of the development opportunities and projects underway in north Phoenix. In addition, he stated developers would be making the investment knowing that there was a market for development in the area because of what was happening in the surrounding that area.

Councilman Waring recalled his district spreads from the borders of the Town of Paradise Valley and the City of Scottsdale on the east to the Interstate 17 on the west and the Carefree Highway on the north, which encompassed the area Mr. Stephenson referred to. He stated there were huge areas of land that have been undeveloped for decades, which seamed strange given the development happening to the north and south. He opined the market might be showing a change as there was a slow down in population growth in the district compared to what has been in the past and he has noticed fewer requests for meetings regarding developments. In addition, he opined the this area could continue to be an economic engine for the City but it did seem like it already had cooled off a bit.

Mr. Stephenson stated the bulk of the underdeveloped land Councilman Waring was referring to was owned by the Arizona State Land Department (ASLD). Mr. Stephenson said he has never met a private developer who had stated it was easy to work with the ASLD to develop their land which has been a hindrance over time. He reported the new administration was working into packaging their land for larger land auctions so that the necessary infrastructure costs could be borne by more acreage due to the inability to connect with as much other tax revenue as there has been in the past. He illustrated how newer more efficient cars have reduced the amount of gasoline tax collected that pays for road constructions. Mr. Stephenson said the costs have to go to the private developer who is building and making that needed

infrastructure as there were not enough revenue sources to pay for the infrastructure. He added this has been an impediment and a challenge and the City has tried to work with the development community in a number of ways and recognize that this will continue to be a challenge. Mr. Stephenson opined the proposed fee increase was not something that was going to make developers think twice about developing in the area as the economic development opportunities, its central location and surroundings areas make it very desirable for development going forward as long as the City continued to work with the ASLD on bringing larger parcels out to amortize the necessary infrastructure costs.

Councilman Waring stated it has been decades and after multiple governors and ASLD directors, the land was still undeveloped. He reported talking to developers pre Great Recession about developing some of those parcels but he believed developers who would have made huge developments and investments in the area were no longer in business. He opined it would be a tough sell as there are fewer developers who can afford to purchase land and develop it, as the nature of District 2 has made it much more expensive. He emphasized the need for new housing, just not apartments, to accommodate workers and illustrated what has happened in his neighborhood.

Vice Mayor Stark stated Councilman Waring brought up valid points, but she would agree with staff's assertion in regards to ASLD as it was very difficult to do business with them. She reported the only parcel left to develop in Ahwatukee is an ASLD property and it has been vacant since she was the Planning and Development Director and emphasized it was very complicated working with ASLD through their process and auctions. She noted it was very important to continue to communicate with the development community, look at different avenues and resources for funding, e.g. the infrastructure bill, which might reduce fees a little. In addition, Vice Mayor Stark noted staff was looking into a couple grant opportunities to offset the cost of a couple major projects, and questioned if there could be a slight change in the impact fees if staff continued to pursue new funding opportunities.

Mr. Stephenson stated Vice Mayor Stark was correct. He provided examples of grants City staff have applied for to address some of the

infrastructure needs and affirmed the City would continue to pursue other grant opportunities, as well as to continue to work with the development community and the ASLD to look at creative ways to try to address some of the infrastructure needs and legal requirements.

Councilwoman Hodge Washington asked if any consultants explored the effects of the proposed impact fees would have on potential growth. She opined the developer was going to bear the cost of the impact fees, but eventually, those cost would be carried over to the homeowner. Councilwoman Hodge Washington stated she wanted to ensure the City was considering all of the components that go into housing affordability.

Mr. Miller stated staff have not asked for an economic study of the nature Councilwoman Hodge Washington described. He highlighted the facilities identified in these infrastructure improvement plans are necessary, they are not discretionary in a sense that they could be removed or stripped down without reducing a service level. Mr. Miller opined the question would become what homebuyers would be paying for versus how would they be paying for and how does that affect the cost of living, whether it be included in a home buyer's mortgage or a renter's rent, or whether it shows up in a water bill or property tax or otherwise.

Councilwoman Hodge Washington stated she understood the significance of the infrastructure that is necessary and expressed her concerns regarding the City's reliance on federal or state funding for these infrastructure needs. She said wanted to ensure the City was actively looking out for and understanding what the effects of these fees would be versus leaving it to hypothetical's or conjectures, as there was a need to do this in order to grow, but in a manner that is reflective or knowledgeable of all the factors that go into it as well.

Mayor Gallego declared the public hearing opened.

Patrice Marcolla spoke in opposition of the proposed impact fees increase and stated the need to support developers in equity contribution on the front end to fund the improvements or to ascertain prior to proceeding with development or construction of the infrastructure, if a land use should change, that reimbursement would be warranted before

the risk is taken.

Mayor Gallego declared the public hearing closed.

Mayor Gallego reminded this was a significant process and there would be other opportunities to provide input. She thanked the Impact Fee Ad Hoc Committee, especially Ms. Kimball for the their service to the City. Mayor Gallego stated this is very important to the City and so many projects, from new community centers to life-saving fire stations, are derived from this process. She reported water will be an important part of these discussions, as well as the importance of recognizing wastewater as an essential infrastructure that creates value for the entire community. In addition, Mayor Gallego thanked everyone who has participated in this process.
The hearing was held.

79 Public Hearing - Amend City Code - Ordinance Adoption - Rezoning Application Review Timeframes and Written Protest Petition Exemption - Z-TA-8-24-Y (Ordinance G-7320) - Citywide

Request to hold a public hearing on a proposed text amendment Z-TA-8-24-Y and to request City Council approval per the Planning Commission recommendation which amends Chapter 5, Section 506 (Text Amendments and Rezonings) of the Phoenix Zoning Ordinance to address changes to the Arizona Revised Statutes regarding an exemption for government owned properties when processing written protest petitions for the three-fourths votes and rezoning application review time frames (Senate Bill 1162).

Summary
The proposed text amendment includes two main components, both in Section 506: 1) addition of the exemption for government owned properties as related to written protest petitions, and 2) revision of the rezoning application review process to comply with timeframes mandated by SB 1162 as detailed in the Staff Report (**Attachment B**).

Applicant: City of Phoenix, Planning Commission
Representative: City of Phoenix, Planning and Development Department

Staff Recommendation: Approval of Z-TA-8-24-Y as shown in Exhibit A

of the Staff Report (**Attachment B**).
PC Info: The Planning Commission heard this item on October 10, 2024, for information only.
PC Action: The Planning Commission is scheduled to hear this item on November 7, 2024.

Discussion
Mayor Gallego stated this item was a rezoning application review time frame and written protest petition exemption. She recalled the Council held a Policy meeting where this process was discussed.

Mayor Gallego opened the public hearing. She noted there were no citizens registered to speak on this item. She closed the public hearing.

A motion was made and seconded, as appears below.

A motion was made by Vice Mayor Stark, seconded by Councilwoman Hodge Washington, that this item be approved per the Planning Commission recommendation, with adoption of the related ordinance. The motion carried by the following vote:

Yes:	8 -	Councilman Galindo-Elvira, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Guardado

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

City Attorney Julie Kriegh stated during Citizen Comment, members of the public may address the City Council for up to three minutes on issues of interest or concern to them. She advised the Arizona Open Meeting Law permits the City Council to listen to the comment, but prohibits council members from discussing or acting on the matters presented.

Blue Crowley spoke about street pedestrian crossing paint markings, bus routes and the lack of bus stop shelters, congestion on freeways and urged the

City to command more funding from the Maricopa Association of Governments (MAG) as Phoenix is the biggest city in Maricopa County.

Dianne Barker stated she will miss Councilman Galindo-Elvira when he leaves office, and spoke about an U.S. Environment Protection Agency hearing regarding the proposal to cleanup the Motorola spill groundwater contamination in Phoenix as well as the City's propositions approved by voters in the recent election. In addition, she stated her support for the items approved in today's meeting as well as her support for Mr. Crowley's comments regarding MAG and free speech during citizen comments.

Shayna Brown stated animal welfare is an important issue to many and advocated for dogs and cats that suffer on a daily basis. She urged the Council continue meeting with rescue groups and the community to work on a sustainable solution for this issue in the City.

Timothy Caughlin congratulated Mayor Gallego on her reelection and spoke about gravel and debris on the streets and sidewalks in his neighborhood and urged the City to install trash receptacles around the neighborhoods.

Renee Dominguez spoke in opposition to the Parks and Recreation Board having approved to award a 10-year contract extension with a dance group at Smith Park without community input and despite prior issues.

Koco Garcia, founder of Handover Rover animal rescue, spoke about animal welfare and the astronomical number of strays, specially cats, roaming the streets, the issues of enforcing the current laws, and illustrated some of her experiences. She advocated for low cost spay/neuter mobile clinics and urged Council to further support animal rights.

Christy Margherio spoke on behalf of group of residents who have worked to improve animal welfare and over population of cats and dogs in Phoenix. She advocated for animal control and spay/neuter services be provided by the City and noted that none of the contracts to provide animal welfare services included spay/neuter services to stop procreation of unwanted or abandoned animals.

Missy Pruitt spoke about the amount of stray cats in Phoenix and advocated for the rights and welfare of cats and the need for City funding to help in this crisis.

Elizabeth Venable spoke about the need for affordable housing and sustainable funding for the programs the City has developed for the homeless moving forward. She expressed her frustration that the City has relied on the American Rescue Plan Act to fund these programs and advocated that funds be available in the general fund budget as the continuation of these programs was beneficial for all involved, especially now in light of Proposition 312.

Frank Urban, with Fund for Empowerment, spoke about the need for sustainable public housing for the homeless and disadvantaged in Phoenix. He advocated for mental health or drug and alcoholism recovery solutions which should be funded by the general fund.

Terry Perez spoke in opposition to a dance group contract at Smith Park. She reported she was invited to review the organization's proposal and on paper it looked like they were going to bring great programs to the community and unfortunately that has not been the case as the dance group was not fulfilling what they promised to do in the contract. She advocated for the return of programs like afterschool and summer programs and not just dance programs.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 4:00 p.m.

MAYOR

ATTEST:

CITY CLERK

MW

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 13th day of November, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26th day of March, 2025.

CITY CLERK