City of Phoenix

Agenda
City Council Formal Meeting

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

Wednesday, August 25, 2021 **2:30 PM** **phoenix.gov**

*****REVISED Aug. 24, 2021*****
Items Revised: 2, 96

OPTIONS TO ACCESS THIS MEETING

Request to speak at a meeting:

- Register online by visiting the City Council Meetings page on phoenix.gov **at least 1 hour prior to the start of this meeting**. Then, click on this link at the time of the meeting and join the Webex to speak: https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=eeadc81a1bd83bece24c9e2539072799b

- Register via telephone at 602-262-6001 **at least 1 hour prior to the start of this meeting**, noting the item number. Then, use the Call-in phone number and Meeting ID listed below at the time of the meeting to call-in and speak.

At the time of the meeting:

- Watch the meeting live streamed on phoenix.gov or Phoenix Channel 11 on Cox Cable, or using the Webex link provided above.

- Call-in to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 182 113 7858# (for English) or 182 779 6802# (for Spanish). Press # again when prompted for attendee ID.

Para nuestros residentes de habla hispana:

- Para registrarse para hablar en español, llame al 602-262-6001 **al menos 1 hora antes del inicio de esta reunión** e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 182 779 6802#. El intérprete le indicará cuando sea su turno de hablar.

- Para solamente escuchar la reunión en español, llame a este mismo número el día de la reunión (602-666-0783; ingrese el número de identificación de la reunión 182 779 6802#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

CALL TO ORDER AND ROLL CALL

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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 1

For Approval or Correction, the Minutes of the Formal Meeting on April 15, 2020

Summary

This item transmits the minutes of the Formal Meeting of April 15, 2020, for review, correction and/or approval by the City Council.

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

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** *2

ITEM REVISED (SEE ATTACHMENT) 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.

Responsible Department

This item is submitted by the Mayor's Office.

ATTACHMENT A

City of Phoenix

To: City Council **Date:** August 25, 2021

From: Mayor Kate Gallego

Subject: *REVISED FOR ADD-ON BOARDS AND COMMISSIONS – APPOINTEES

The purpose of this memo is to provide recommendations for appointments to the following Boards and Commissions:

Audit Committee

I recommend the following for appointment:

Kathleen Gitkin
Ms. Gitkin is the Acting Chief Financial Officer at the City of Phoenix and replaces Denise Olson for the ex-officio position.

***Camelback East Village Planning Committee**

Councilman Sal DiCiccio recommends the following for appointment:

Jerryd Bayless
Mr. Bayless is a Principal at Pyramid Investment and resident of District 6. He replaces Marc Sher for a term to expire November 19, 2022.

Central City Village Planning Committee

Councilwoman Yassamin Ansari recommends the following for appointment:

Alex Cano
Mr. Cano is a Business Intelligence Engineer at Amazon and a resident of District 7. He fills a vacancy for a partial term to expire November 19, 2021.

Encanto Village Planning Committee

Councilwoman Yassamin Ansari recommends the following for appointment:

Jorge Picos
Mr. Picos is the owner of Estero Beach Tacos and a resident of District 7. He fills a vacancy for a term to expire November 19, 2022.

Fast-Track Cities Ad Hoc Committee

I recommend the following for appointment:

Raulina Simango
Ms. Simango is the HIV Care Continuum Manager at Valleywise Health Medical Center.

Human Services Commission

Councilwoman Yassamin Ansari recommends the following for appointment:

Andrew Nelson
Mr. Nelson is the Senior Director for Shared Prosperity in the Office of Applied Innovation at Arizona State University and a resident of District 7. He replaces Tomas E. Robles for a partial term to expire December 31, 2022.

Laveen Village Planning Committee

Councilwoman Yassamin Ansari recommends the following for appointment:

Francisco Barraza
Mr. Barraza is an Administrative Assistant at the Laveen Elementary School District and a resident of District 7. He replaces Robert Branscomb for a term to expire November 19, 2022.

Toni Buggs
Ms. Buggs is a teacher at Rhodes Junior High School and a resident of District 7. She replaces Cinthia Estela for a partial term to expire November 19, 2021.

Elijah Flores
Mr. Flores is a Sales Manager and Event Coordinator at Native Grill and Wings Laveen and a resident of District 7. He fills a vacancy for a term to expire November 19, 2022.

Rebecca Perrera
Ms. Perrera is a Principal Fiscal Analyst at the Joint Legislative Budget Committee and a resident of District 7. She fills a vacancy for a partial term to expire November 19, 2021.

Councilwoman Yassamin Ansari recommends the following for reappointment:

Jennifer Rouse
Ms. Rouse is serving her fourth term to expire November 19, 2022.

Mayor's Commission on Disability Issues

I recommend the following individual as Vice Chair:

Meaghan Kramer
Ms. Kramer is a Staff Attorney at the Arizona Center for Disability Law.

North Mountain Village Planning Committee

Councilwoman Ann O'Brien recommends the following for appointment:

Frank Steinmetz
Mr. Steinmetz is a retired resident of District 1. He fills a vacancy for a term to expire November 19, 2022.

Neighborhood Block Watch Fund Oversight Committee

Councilwoman Ann O'Brien recommends the following for appointment:

Stan Bates
Mr. Bates is a retired resident of District 1. He fills a vacancy for a term to expire August 31, 2022.

Phoenix Deferred Compensation Board/Post Employment Healthcare Plan Board

City Manager Ed Zuercher and I recommend the following for appointment:

Andrew Durket
Mr. Durket is the City of Phoenix Finance Investment and Debt Manager. He will replace Kathleen Gitkin as of September 1, 2021 and will fulfill the remainder of her term to expire September 20, 2024.

South Mountain Village Planning Committee

Councilwoman Yassamin Ansari recommends the following for appointment:

Fatima Muhammad Roque
Ms. Roque is the owner of MODABA, LLC and a resident of District 7. She replaces Joseph Larios for a partial term to expire November 19, 2021.

Ashley Hare
Ms. Hare is the Co-Founder of RE:FRAME Youth Arts Center and a resident of District 7. She replaces Martin Hayime Monge Kotake for a partial term to expire November 19, 2021.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 3

Liquor License - Sonoran Spirits

Request for a liquor license. Arizona State License Application 01073029.

Summary

Applicant
John Wittman Jr., Agent

License Type
Series 1 - In-State Producer

Location
1725 W. Williams Drive, Bldg. F Ste. 61
Zoning Classification: A-1
Council District: 1

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

The 60-day limit for processing this application was Aug. 18, 2021. However, the applicant submitted a written request for more time.

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: “Decorated Vetran and Sergent of Marines. A decade and a half of executive management expierance with multi-state operations And a masters in buesniss from pepperdine university demonstrate the capacity, reliability, and quilifications to hold a liquor license.”

Staff Recommendation
Staff recommends approval of this application.

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 4

Liquor License - Pad Thai Cafe

Request for a liquor license. Arizona State License Application 150813.

Summary

Applicant
Matthew Andres, Agent

License Type
Series 12 - Restaurant

Location
18425 N. 51st Ave., Ste. I
Zoning Classification: C-1
Council District: 1

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

The 60-day limit for processing this application was Aug. 23, 2021. However, the applicant submitted a written request for more time.

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 financially stable veteran, with no bankruptcies and no arrests or convictions."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We will be providing a nice, neighborhood, family friendly Thai restaurant. For the liquor license, will only server beer and wine and will not have a full bar or bartender."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Pad Thai Cafe
Liquor License Map - Pad Thai Cafe

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: PAD THAI CAFE

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	0
Liquor Store	9	1	0
Beer and Wine Store	10	5	0
Restaurant	12	3	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	45.54	16.53	13.90
Violent Crimes	8.44	2.12	1.59

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

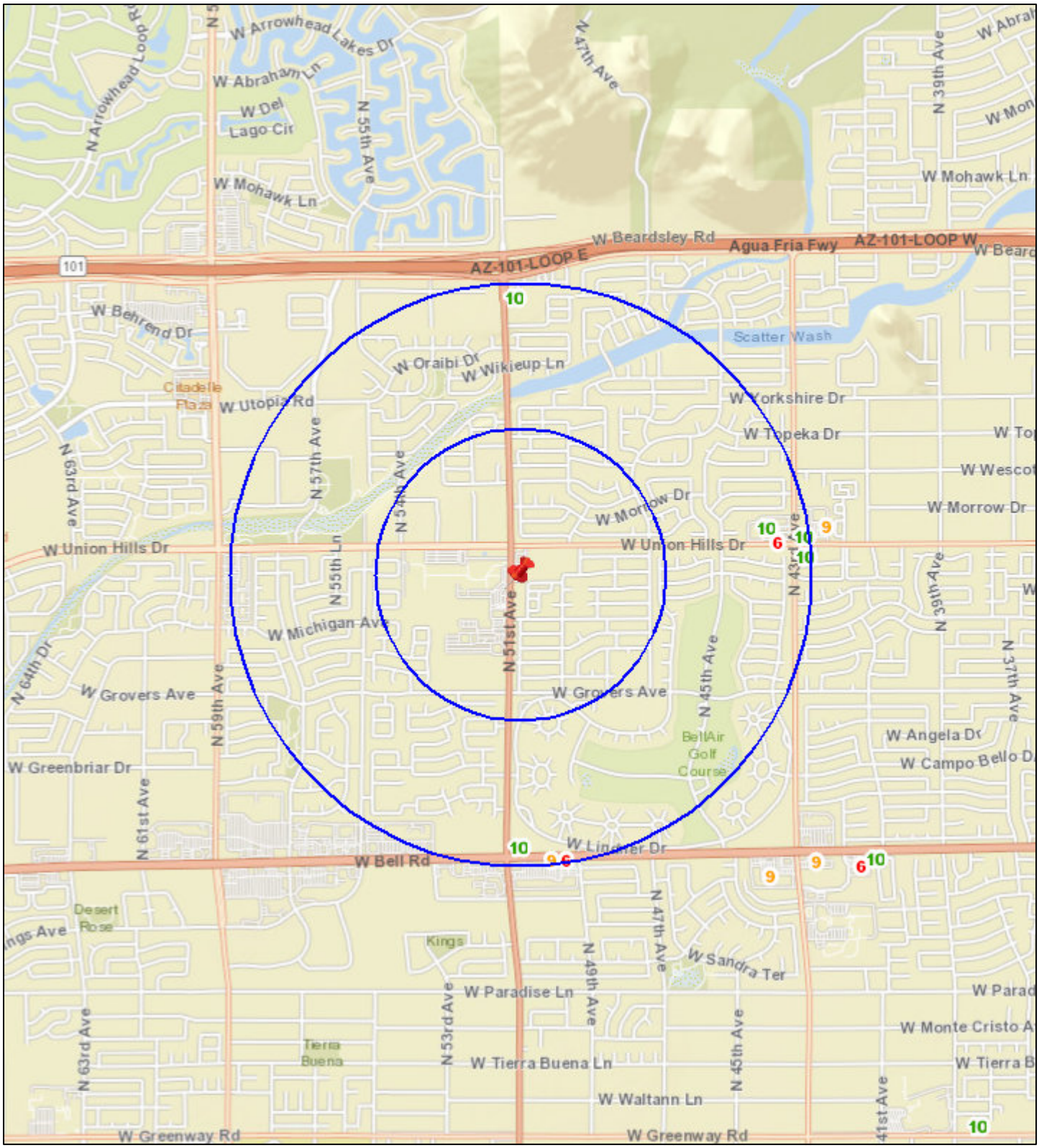
Description	Average	1/2 Mile Average
Parcels w/Violations	55	74
Total Violations	88	109

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6160001	924	86 %	7 %	7 %
6161002	1279	89 %	0 %	4 %
6162001	1405	82 %	17 %	3 %
6162002	1726	84 %	10 %	4 %
6180001	2499	85 %	2 %	12 %
6181001	1795	84 %	3 %	7 %
6181002	1569	92 %	0 %	6 %
6181003	1271	93 %	6 %	0 %
Average		61 %	13 %	19 %

Liquor License Map: PAD THAI CAFE

18425 N 51ST AVE



N

Date: 6/29/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 5

Liquor License - Fat Willy's Family Sports Grill

Request for a liquor license. Arizona State License Application 151399.

Summary

Applicant
Jason Kafcas, Agent

License Type
Series 12 - Restaurant with Growler Privileges

Location
34406 N. Black Mountain Pkwy.
Zoning Classification: C-2
Council District: 2

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 outdoor dining and outdoor alcohol consumption. This business is currently being remodeled with plans to open in September 2021.

The 60-day limit for processing this application was Aug. 24, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been managing & operating full service restaurants for 25 yrs. I currently own/operate 6 locations all with #12 licenses. I have never had a violation. I am always current on certifications and changing laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This business will generate 50 or more jobs in the community. It will be a gathering place for familys and groups. It will generate TPT revenue for the City and State."

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

Attachments
Liquor License Data - Fat Willy's Family Sports Grill
Liquor License Map - Fat Willy's Family Sports Grill

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: FAT WILLY'S FAMILY SPORTS GRILL

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	2	2
Liquor Store	9	1	1
Beer and Wine Store	10	1	1
Restaurant	12	2	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	45.54	2.30	5.30
Violent Crimes	8.44	0.23	0.53

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

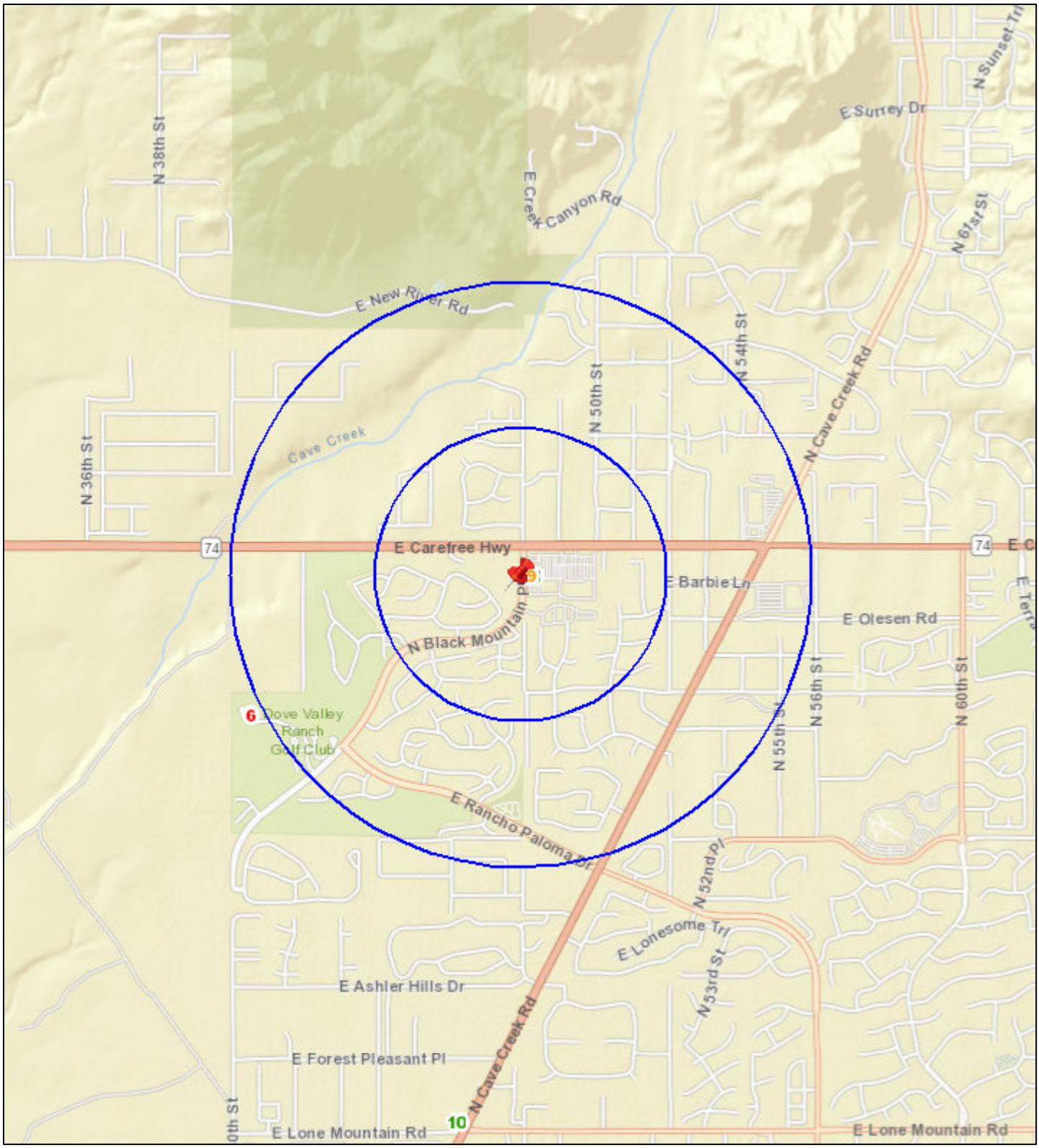
Description	Average	1/2 Mile Average
Parcels w/Violations	54	1
Total Violations	88	1

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
0304023	1955	68 %	18 %	2 %
6125002	1626	98 %	12 %	9 %
6125003	1204	78 %	11 %	6 %
Average		61 %	13 %	19 %

Liquor License Map: FAT WILLY'S FAMILY SPORTS GRILL

34406 N BLACK MOUNTAIN PKWY



N

Date: 6/28/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 6

Liquor License - Bad Habits #601

Request for a liquor license. Arizona State License Application 09070049 & 09070049S.

Summary

Applicant
Amy Nations, Agent

License Type
Series 9 & 9S - Liquor Store with Sampling Privileges

Location
10612 N. Cave Creek Road
Zoning Classification: C-2
Council District: 3

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

The 60-day limit for processing this application is Aug. 30, 2021.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The new owner of Bad Habits founded his company in 1975 and holds 230+ convenience store locations is 6 western states. Eleven of these locations are here in Arizona. The new operator is very knowledgeable is running these types of successful businesses with liquor licenses."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location has operated as a liquor store since 1982. We would like to continue to provide a full service liquor store to serve our neighborhood. Bad Habits will add to the tax base as well as create jobs in our community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Bad Habits #601
Liquor License Map - Bad Habits #601

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: BAD HABITS #601

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	1
Liquor Store	9	4	2
Beer and Wine Store	10	2	0
Restaurant	12	2	1
Club	14	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.14	45.93	61.67
Violent Crimes	8.58	9.07	12.95

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

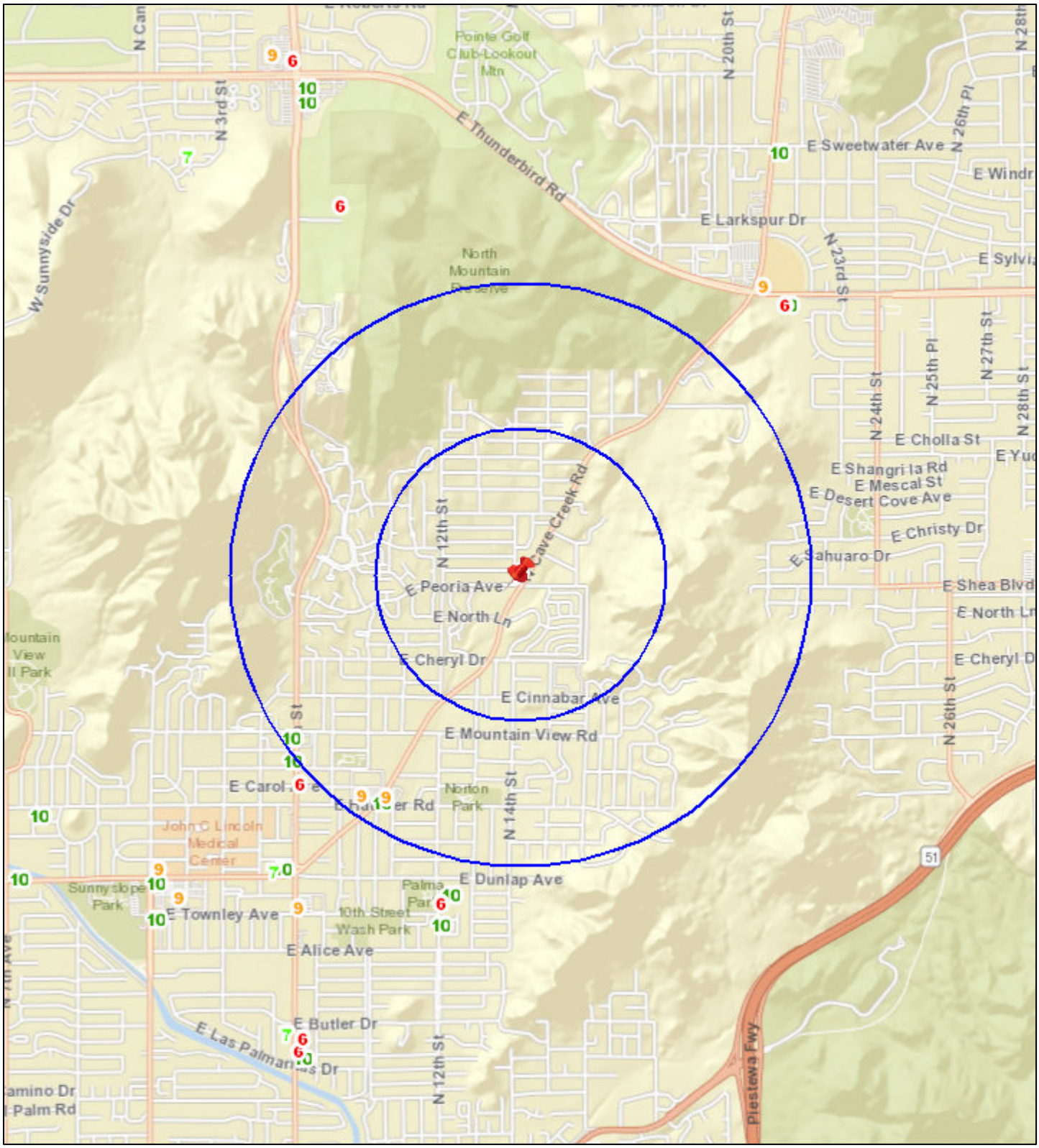
Description	Average	1/2 Mile Average
Parcels w/Violations	55	39
Total Violations	89	60

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1037021	724	66 %	22 %	7 %
1037022	1394	82 %	8 %	7 %
1037023	1050	23 %	4 %	11 %
1047012	937	54 %	0 %	14 %
1047013	775	48 %	37 %	5 %
1047021	1289	13 %	20 %	32 %
1047024	720	75 %	9 %	13 %
1048012	1830	85 %	3 %	19 %
Average		61 %	13 %	19 %

Liquor License Map: BAD HABITS #601

10612 N CAVE CREEK RD



N

Date: 7/7/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 7

Liquor License - Christopher J. Lapka American Legion Post 105

Request for a liquor license. Arizona State License Application 152228.

Summary

Applicant
Michael Davison II, Agent

License Type
Series 14 - Club

Location
1818 W. Bell Road, Ste. 100
Zoning Classification: C-2, C-3
Council District: 3

This request is for a new liquor license for a private club. This location was previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow patron dancing. This business has plans to open in Sept. 2021.

The 60-day limit for processing this application was Aug. 7, 2021. However, the applicant submitted a written request for more time.

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
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.

Christopher J. Lapka American Legion Post #105 (Series 14)

12450 N. 35th Ave., #20, Phoenix
Calls for police service: 45
Liquor license violations: In May 2021, a fine of $250 was paid for failure to limit sales and service of alcohol to only club members and bona fide guests on the licensed premises.

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: "Retired United States Air Force, 22 years. Past business owner. Several years as a training manager and security manager for government contractors. Holds both bachalorette and masters degree in information systems. Have been part of the American Legion for 10 years, where jobs included working liquor license, maintaining State & City law's."

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.

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 8

Liquor License - Furious Brewing Company

Request for a liquor license. Arizona State License Application 153588.

Summary

Applicant
Michael Mathis, Agent

License Type
Series 3 - Microbrewery

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

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

The 60-day limit for processing this application is Aug. 27, 2021.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am knowledgable about and currently involved in the brewing community. I am up to date with the legal peramiters and have completed all required State certifications for sales and management."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I am already in the local craft brewing community and I am ready to share that love and passion for the craft with our local community. A main goal is to bring the city together through the preparation and sale of our own high quality product. Something that our community, city and state can be proud of."

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

Attachments
Liquor License Data - Furious Brewing Company
Liquor License Map - Furious Brewing Company

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: FURIOUS BREWING COMPANY

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	0
Beer and Wine Bar	7	1	1
Liquor Store	9	6	1
Beer and Wine Store	10	3	1
Restaurant	12	2	2
Club	14	2	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	45.54	42.54	46.81
Violent Crimes	8.44	6.52	6.90

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

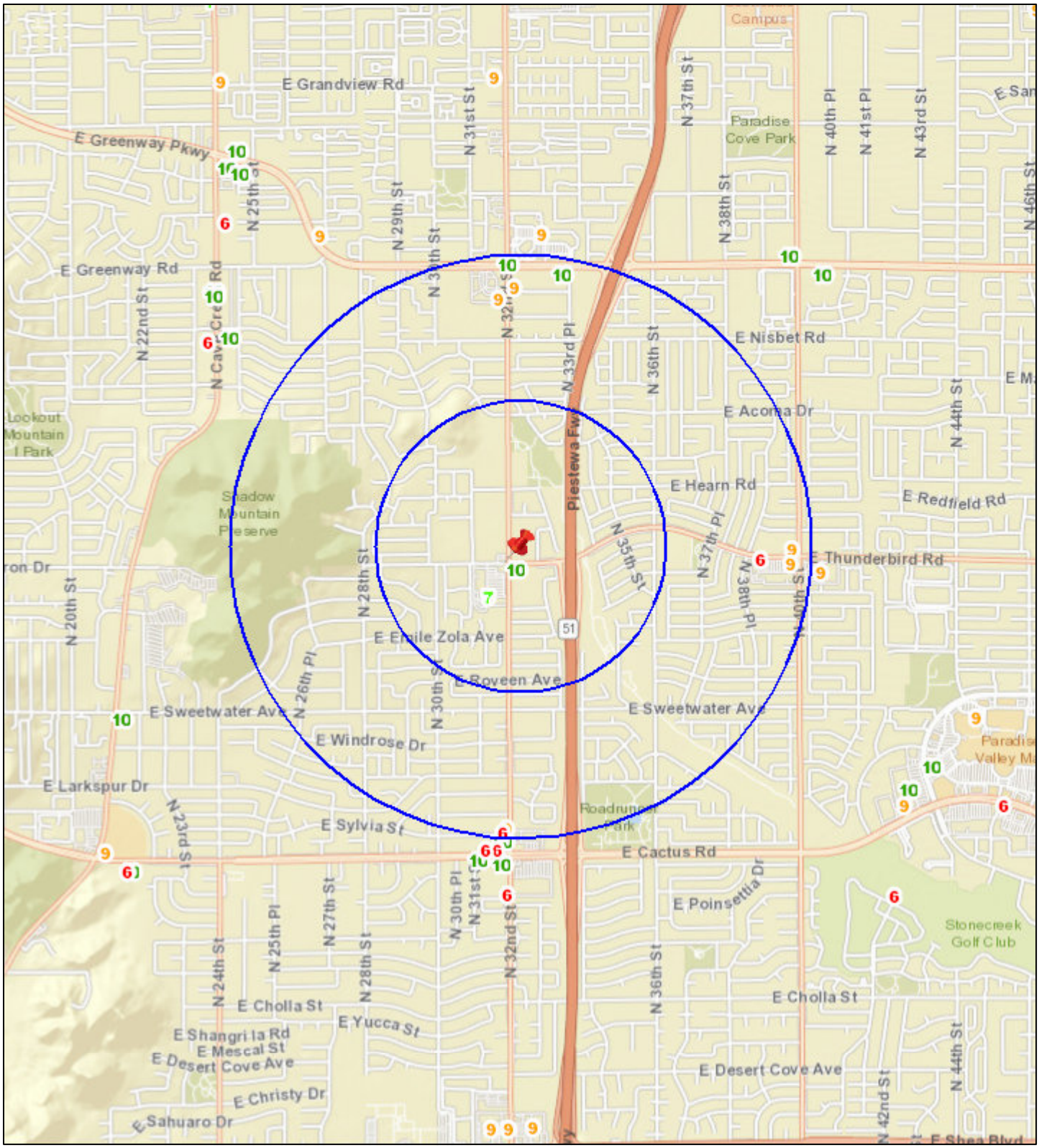
Description	Average	1/2 Mile Average
Parcels w/Violations	55	76
Total Violations	88	124

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1033021	1993	86 %	0 %	41 %
1033022	2862	83 %	0 %	4 %
1033023	1946	82 %	2 %	19 %
1034001	1544	82 %	0 %	6 %
1034002	1569	76 %	4 %	8 %
1035012	999	80 %	8 %	26 %
1035013	1038	66 %	0 %	40 %
1035021	1498	61 %	5 %	10 %
1035024	884	66 %	13 %	5 %
Average		61 %	13 %	19 %

Liquor License Map: FURIOUS BREWING COMPANY

13825 N 32ND ST



N

Date: 7/6/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 9

Liquor License - Homewood Suites Hotel

Request for a liquor license. Arizona State License Application 07070439.

Summary

Applicant
Amy Nations, Agent

License Type
Series 7 - Beer and Wine Bar

Location
2536 W. Beryl Ave.
Zoning Classification: A-1
Council District: 3

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

The 60-day limit for processing this application was July 10, 2021. However, the applicant submitted a written request for more time.

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 multiple years of experience operating the food and beverage business and operating hotels and resorts located across the Unites States. We have extensive experience providing alcoholic beverage service to our guests and will operate the business in a safe and professional manner."

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

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Homewood Suites Hotel
Liquor License Map - Homewood Suites Hotel

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: HOMEWOOD SUITES HOTEL

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	0
Government	5	1	1
Bar	6	5	1
Beer and Wine Bar	7	1	1
Liquor Store	9	4	1
Beer and Wine Store	10	4	1
Hotel	11	3	3
Restaurant	12	25	14

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	175.18	290.55
Violent Crimes	8.14	25.45	31.10

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

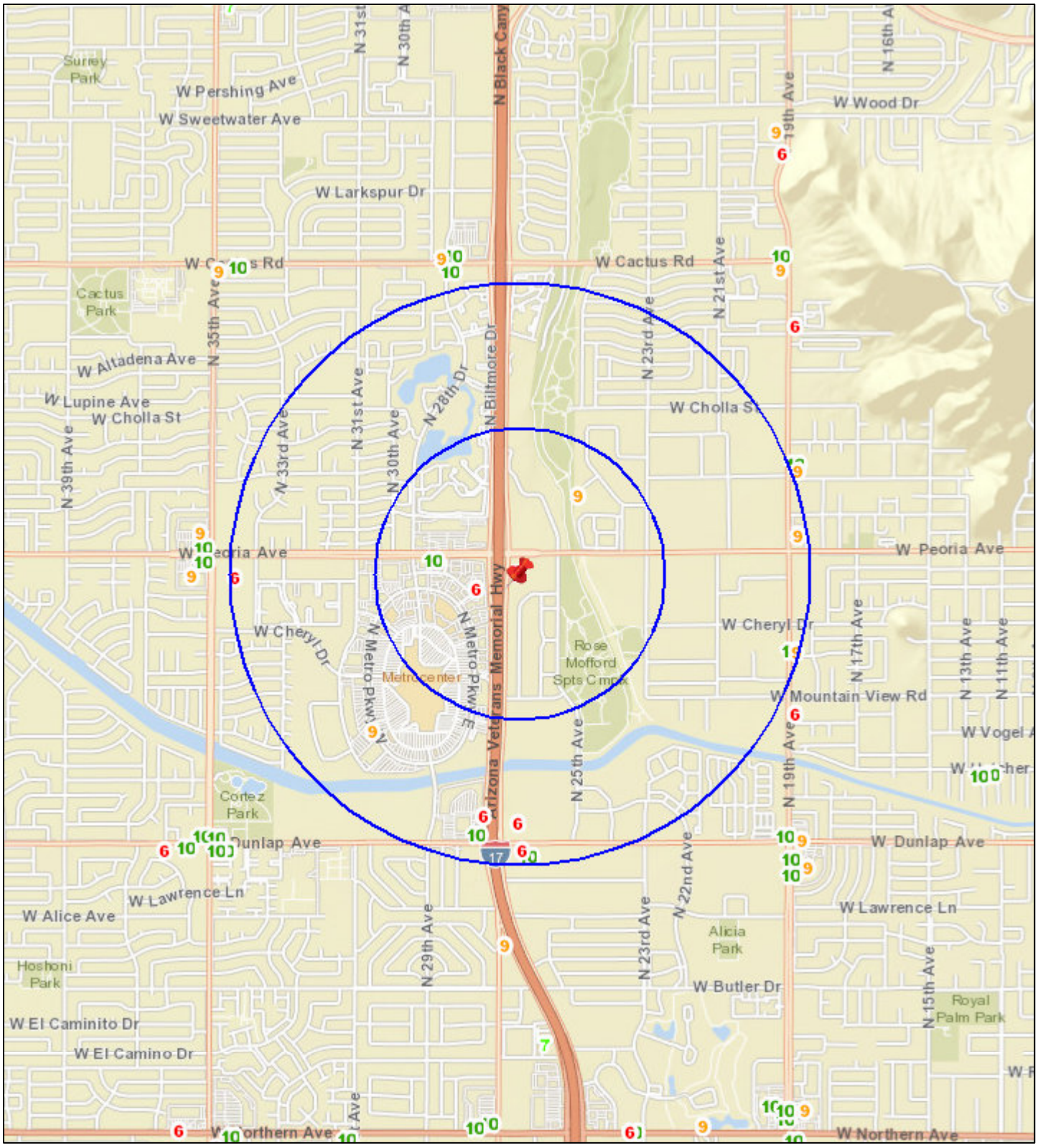
Description	Average	1/2 Mile Average
Parcels w/Violations	55	12
Total Violations	89	24

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1042054	1577	5 %	21 %	30 %
1043012	1726	87 %	14 %	17 %
1043021	1469	9 %	28 %	7 %
1043022	1902	53 %	15 %	15 %
1044011	2363	68 %	12 %	12 %
1044012	1594	19 %	9 %	38 %
1044021	2555	24 %	18 %	15 %
Average		61 %	13 %	19 %

Liquor License Map: HOMEWOOD SUITES HOTEL

2536 W BERYL AVE



N

Date: 5/13/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 10

Liquor License - Special Event - St. Francis Xavier Roman Catholic Parish Phoenix

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

Summary

Applicant
Anne Sanford

Location
4715 N. Central Ave.
Council District: 4

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Oct. 16, 2021 - 5:00 p.m. to 11:00 p.m. / 425 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 11

Liquor License - Special Event - St. Francis Xavier Roman Catholic Parish Phoenix

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

Summary

Applicant
Anne Sanford

Location
4715 N. Central Ave.
Council District: 4

Function
School Festival

Date(s) - Time(s) / Expected Attendance
March 5, 2022 - 9 a.m. to 3 p.m. / 450 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 12

Liquor License - Barba Roja Restaurant and Bar

Request for a liquor license. Arizona State License Application 153106.

Summary

Applicant
Ivette Hernandez, Agent

License Type
Series 12 - Restaurant

Location
2050 W. Camelback Road, Ste. 102 & 103
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application was Aug. 20, 2021. However, the applicant submitted a written request for more time.

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 certify and I have experience needed to obtain a liquor license and am aware of the consequences of not being in compliance with the City of Phoenix when serving alcohol to the public. I am a great candidate to hold a liquor license, a responsible member of the community and an advocate for responsible alcohol decisions. I will strictly follow all polices and laws regarding alcohol distribution to the patrons of Barba Roja Restaurant and bar. Please consider me as I have all the qualifications and awareness needed 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:
"This is a full-service restaurant serving the surrounding community and visiting public patrons every single day of the week. While alcoholic beverages sales will generate a small percentage of the overall sales, the investment in a Alcohol license is requested as a service and convenience to the customers as an integral part of the dining experience. Barba Roja Restaurant and Bar is restaurant located in the heart of Phoenix that specializes in the preparation of unique Mexican dishes. The restaurant is open for business and continues to be extremely desirable to the public by providing are residents, visitors and workers with a selection of authentic food at a reasonable price.The inclusion of a license for incidental alcohol sales with food will allow patrons the same service that they would experience at other local restaurants. We strive to become a valuable member of the community and continue to work hard to help the neighborhood achieve their development goal and continually improve the character of the neighborhood."

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

Attachments
Liquor License Data - Barba Roja Restaurant and Bar
Liquor License Map - Barba Roja Restaurant and Bar

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: BARBA ROJA RESTAURANT AND BAR

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	5	1
Liquor Store	9	8	3
Beer and Wine Store	10	11	3
Hotel	11	1	0
Restaurant	12	9	3

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	45.54	235.27	157.43
Violent Crimes	8.44	59.04	61.14

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

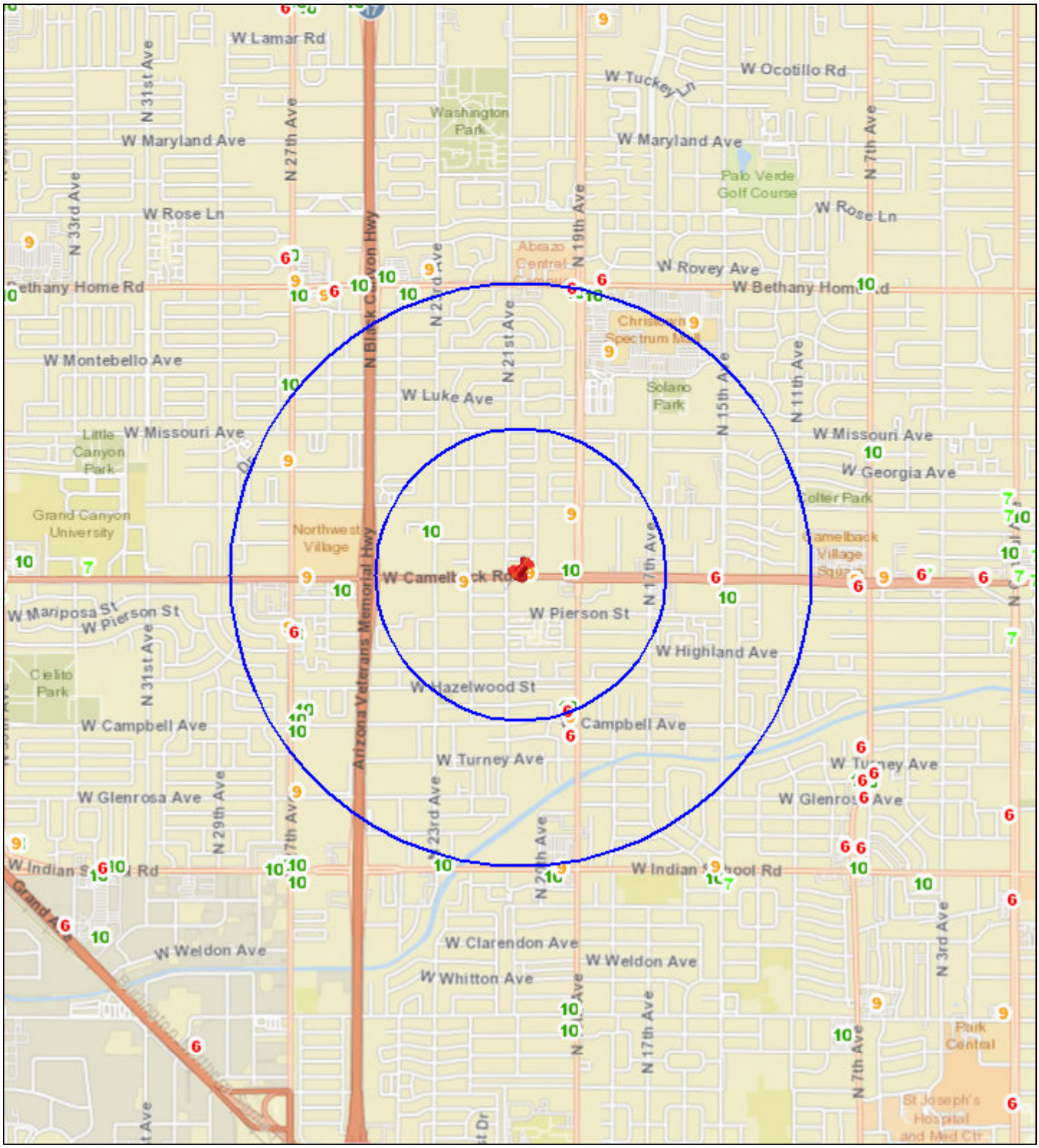
Description	Average	1/2 Mile Average
Parcels w/Violations	54	221
Total Violations	88	407

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1073001	2203	79 %	3 %	6 %
1073002	1165	57 %	16 %	22 %
1073003	737	75 %	37 %	24 %
1074004	1382	20 %	26 %	30 %
1074006	2186	16 %	13 %	53 %
1089021	1258	16 %	12 %	49 %
1089022	1250	42 %	26 %	22 %
1090021	1571	18 %	15 %	41 %
1090022	2291	15 %	18 %	63 %
1090023	622	62 %	39 %	4 %
Average		61 %	13 %	19 %

Liquor License Map: BARBA ROJA RESTAURANT AND BAR

2050 W CAMELBACK RD



N

Date: 6/22/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 13

Liquor License - The Coronado Phx

Request for a liquor license. Arizona State License Application 150293.

Summary

Applicant
Elizabeth Tavarez, Agent

License Type
Series 12 - Restaurant

Location
2245 N. 12th St.
Zoning Classification: C-1 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 was Aug. 6, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We currently hold a series - 12 liquor license in good standing for the past 6 years. We receive periodic training and have received completion certificates for both the Title 4 Basic Liquor law training and the Title 4 Management liquor law training from the Arizona Business Council for Alcohol Education. Each owner is in good standing and has no judgements or convictions for any criminal law or ordinance."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This building has been long loved and enjoyed by the neighborhood, though it has been vacant for the past 14 months. We currently have a restaurant in the neighborhood which hosts many community outreach events, and are excited to stay within the neighborhood. We will be creating 25-35 jobs and contributing to the positive energy of the neighborhood to make it more enjoyable to the people who live there."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - The Coronado Phx
Liquor License Map - The Coronado Phx

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: THE CORONADO PHX

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	10	1
Beer and Wine Bar	7	1	0
Liquor Store	9	4	2
Beer and Wine Store	10	12	0
Restaurant	12	16	2
Club	14	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	45.54	109.58	63.48
Violent Crimes	8.44	22.77	9.97

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

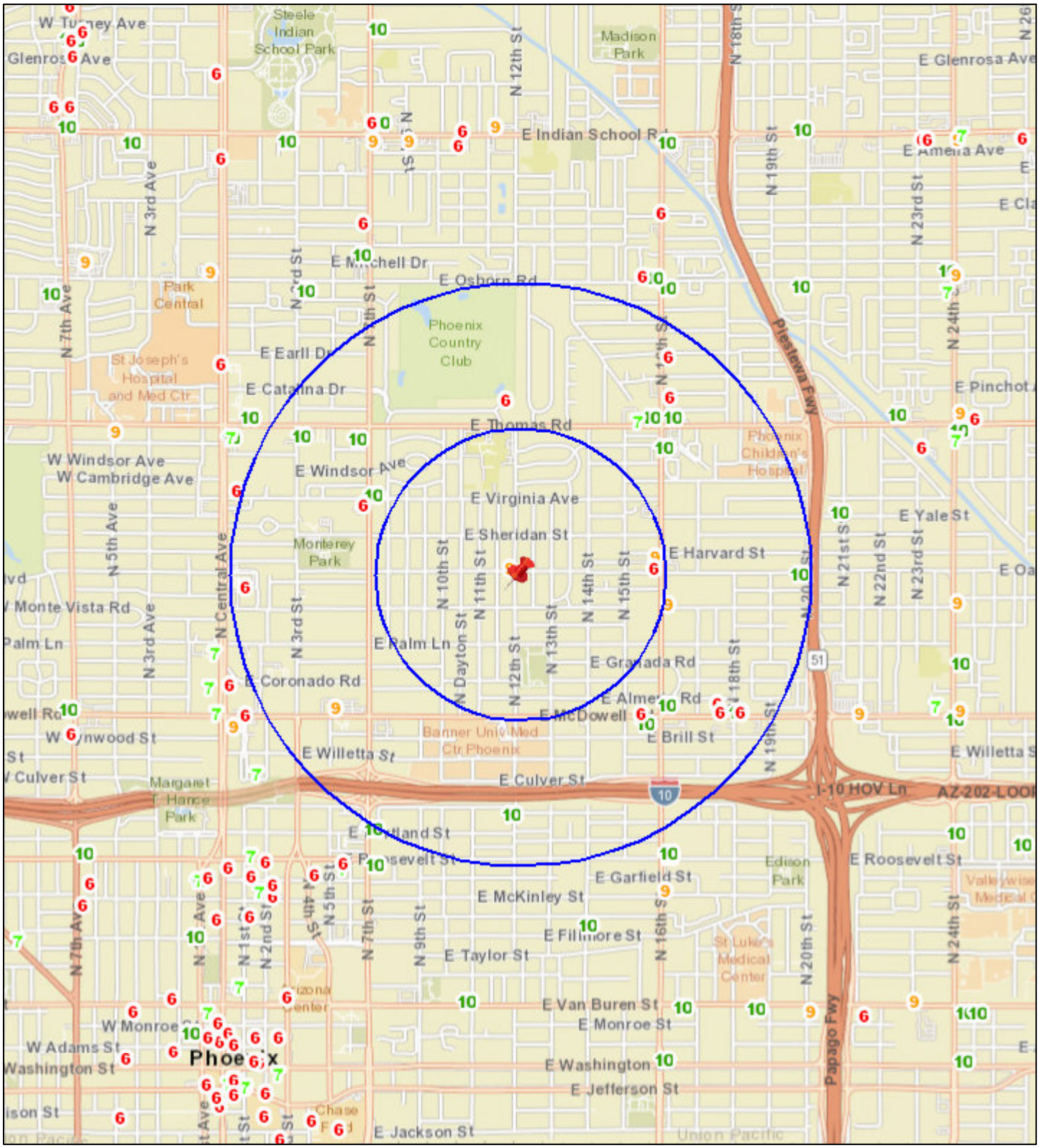
Description	Average	1/2 Mile Average
Parcels w/Violations	54	96
Total Violations	88	132

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1116022	2607	54 %	9 %	61 %
1116023	1963	21 %	19 %	82 %
1117001	1792	45 %	32 %	41 %
1117002	1243	39 %	12 %	28 %
1117003	1057	64 %	2 %	10 %
1117004	1227	75 %	20 %	21 %
1132032	638	28 %	7 %	70 %
Average		61 %	13 %	19 %

Liquor License Map: THE CORONADO PHX

2245 N 12TH ST



N

Date: 6/15/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 14

Liquor License - Special Event - Hermandad del Senor de los Milagros (Mesa, AZ)

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

Summary

Applicant
Sofia Vasquez Diaz

Location
7610 W. Indian School Road
Council District: 5

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
Sept. 17, 2021 - 7 p.m. to 1:30 a.m. / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 15

Liquor License - Special Event - Veterans Transportation

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

Summary

Applicant
Eric Morales

Location
4344 W. Indian School Road, Ste. 100
Council District: 5

Function
Concert / Dance

Date(s) - Time(s) / Expected Attendance
Sept. 3, 2021 - 7 p.m. to 2 a.m. / 500 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 16

Liquor License - Special Event - Veterans Transportation

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

Summary

Applicant
Eric Morales

Location
4344 W. Indian School Road, Ste. 100
Council District: 5

Function
Concert/Dance

Date(s) - Time(s) / Expected Attendance
Sept. 18, 2021 - 7:00 p.m. to 2:00 a.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 17

Liquor License - Special Event - Greek Orthodox Church - Holy Trinity

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

Summary

Applicant
Kalliopi Schneider

Location
1973 E. Maryland Ave.
Council District: 6

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
Oct. 8, 2021 - 5 p.m. to 10 p.m. / 1,500 attendees
Oct. 9, 2021 - 11 a.m. to 10 p.m. / 3,000 attendees
Oct. 10, 2021 - 11 a.m. to 8 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 18

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

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

Summary

Applicant
Melissa Risinger-Sutton

Location
1025 E. Liberty Lane
Council District: 6

Function
Festival & Auction

Date(s) - Time(s) / Expected Attendance
Nov. 13, 2021 - 3 p.m. to 9 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 19

Liquor License - Special Event - St. Joseph Maronite Catholic Church

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

Summary

Applicant
Wissam Akiki

Location
5406 E. Virginia Ave.
Council District: 6

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 5, 2021 - 5:00 p.m. to 10:00 p.m. / 300 attendees
Nov. 6, 2021 - 10:00 a.m. to 10:00 p.m. / 400 attendees
Nov. 7, 2021 - 11:00 a.m. to 7:00 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 20

Liquor License - Bluewater Grill

Request for a liquor license. Arizona State License Application 149298.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
1525 E. Bethany Home Road
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 Aug. 30, 2021.

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Bluewater Grill is moving from its longtime Camelback location to 16th Street and Bethany Home Rd. The restaurant will continue to offer delicious, fresh, sustainable seafood in a family-friendly atmosphere. Applicant would like to offer guests 21 and over the opportunity to order alcoholic beverages as an incident to the meals they enjoy."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Bluewater Grill
Liquor License Map - Bluewater Grill

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: BLUEWATER GRILL

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	3	1
Beer and Wine Bar	7	3	3
Liquor Store	9	3	0
Beer and Wine Store	10	8	2
Restaurant	12	27	12

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.14	76.64	72.29
Violent Crimes	8.58	9.31	10.19

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

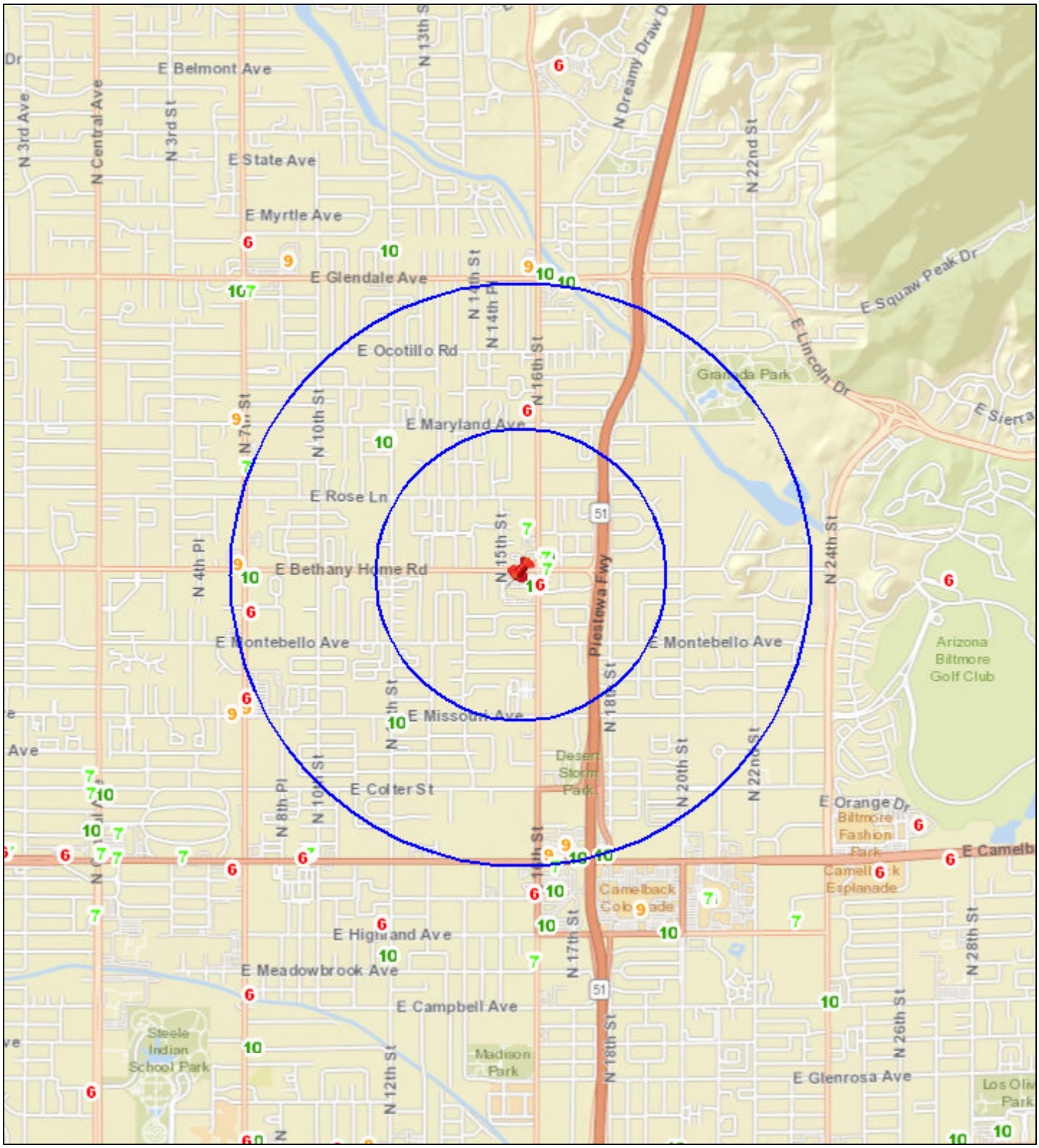
Description	Average	1/2 Mile Average
Parcels w/Violations	55	40
Total Violations	89	53

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1064001	715	84 %	23 %	9 %
1064002	2049	31 %	16 %	9 %
1065012	1594	61 %	18 %	32 %
1065021	1383	30 %	18 %	43 %
1065023	919	56 %	15 %	10 %
1076012	904	38 %	24 %	23 %
1076021	1311	82 %	0 %	6 %
1076022	1734	54 %	18 %	3 %
1077001	1222	100 %	2 %	3 %
1077003	457	26 %	26 %	16 %
1077004	526	77 %	27 %	21 %
Average		61 %	13 %	19 %

Liquor License Map: BLUEWATER GRILL

1525 E BETHANY HOME RD



N

Date: 7/7/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 21

Liquor License - Daily Stop

Request for a liquor license. Arizona State License Application 151431.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 10 - Beer and Wine Store

Location
1201 E. Missouri Ave.
Zoning Classification: C-1
Council District: 6

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

The 60-day limit for processing this application is Aug. 28, 2021.

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Daily Stop (previously known as Sal's Neighborhood Market) has offered fuel, grocery, household and convenience items, including beer and wine for many years. Applicant would like to continue to offer beer and wine to its customers 21 and over."

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

Attachments
Liquor License Data - Daily Stop
Liquor License Map - Daily Stop

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: DAILY STOP

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	0
Wholesaler	4	2	0
Bar	6	7	0
Beer and Wine Bar	7	7	0
Liquor Store	9	6	0
Beer and Wine Store	10	12	2
Restaurant	12	40	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.14	126.61	78.34
Violent Crimes	8.58	14.80	9.55

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

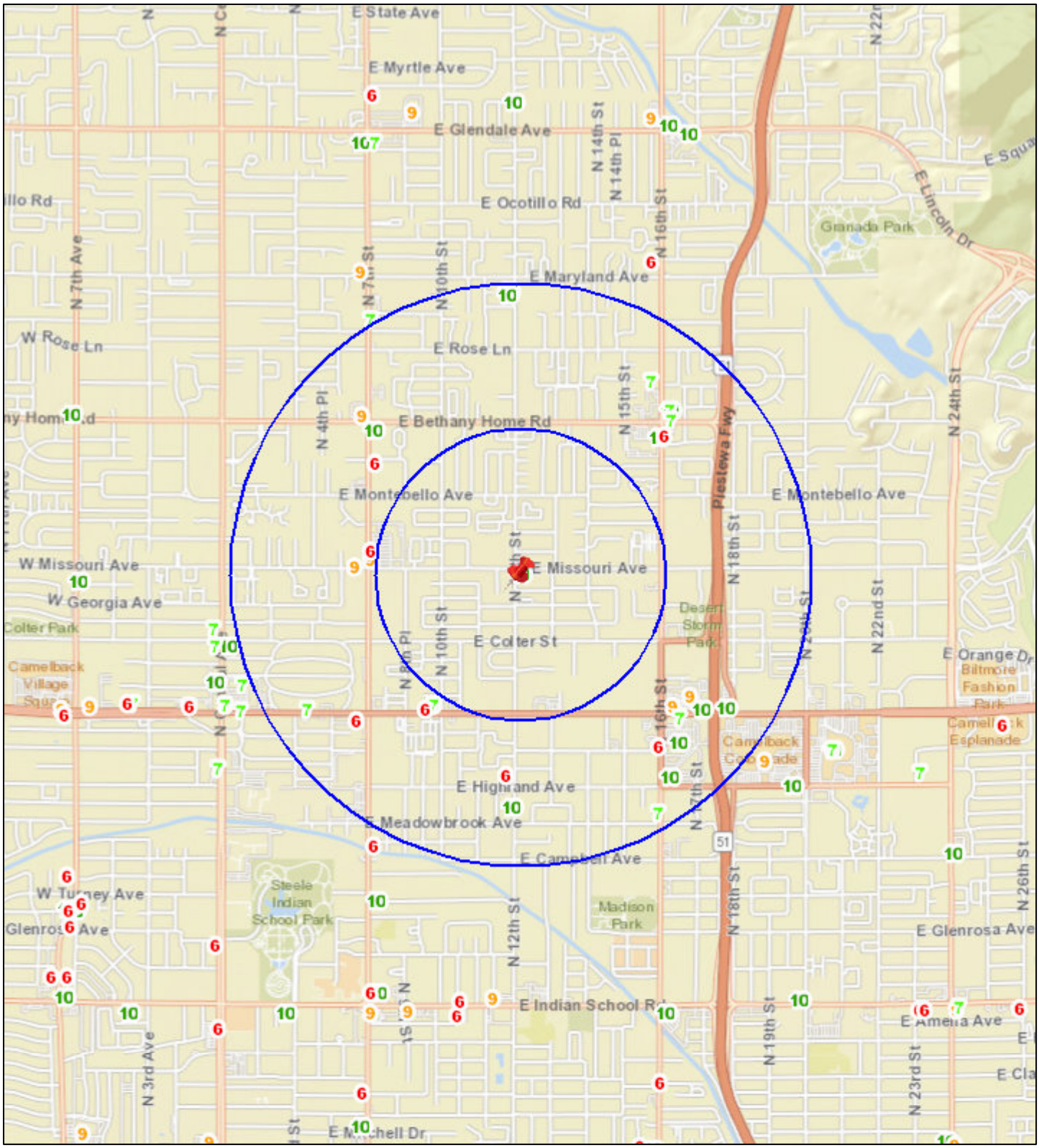
Description	Average	1/2 Mile Average
Parcels w/Violations	55	50
Total Violations	89	88

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1076011	319	65 %	16 %	46 %
1076012	904	38 %	24 %	23 %
1076013	1748	38 %	8 %	17 %
1076021	1311	82 %	0 %	6 %
1076022	1734	54 %	18 %	3 %
1077003	457	26 %	26 %	16 %
1077004	526	77 %	27 %	21 %
1086021	790	37 %	38 %	22 %
1086024	1171	24 %	9 %	12 %
Average		61 %	13 %	19 %

Liquor License Map: DAILY STOP

1201 E MISSOURI AVE



N

Date: 7/7/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 22

Liquor License - Native Grill & Wings

Request for a liquor license. Arizona State License Application 151506.

Summary

Applicant
Jared Repinski, Agent

License Type
Series 12 - Restaurant

Location
1339 E. Chandler Blvd., Ste. 101
Zoning Classification: C-2 PCD
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 was Aug. 3, 2021. However, the applicant submitted a written request for more time.

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.

Native Grill & Wings (Series 12)
3100 E. Speedway Blvd., Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I 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, gold courses, special events, convenience / grocery stores & gas stations) similar to this proposed liquor licensed business, all businesses will prosper."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Native Grill & Wings
Liquor License Map - Native Grill & Wings

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: NATIVE GRILL & WINGS

Liquor License

Description	Series	1 Mile	1/2 Mile
Liquor Store	9	2	2
Beer and Wine Store	10	2	2
Restaurant	12	3	3

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	45.54	8.73	15.28
Violent Crimes	8.44	1.06	3.07

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

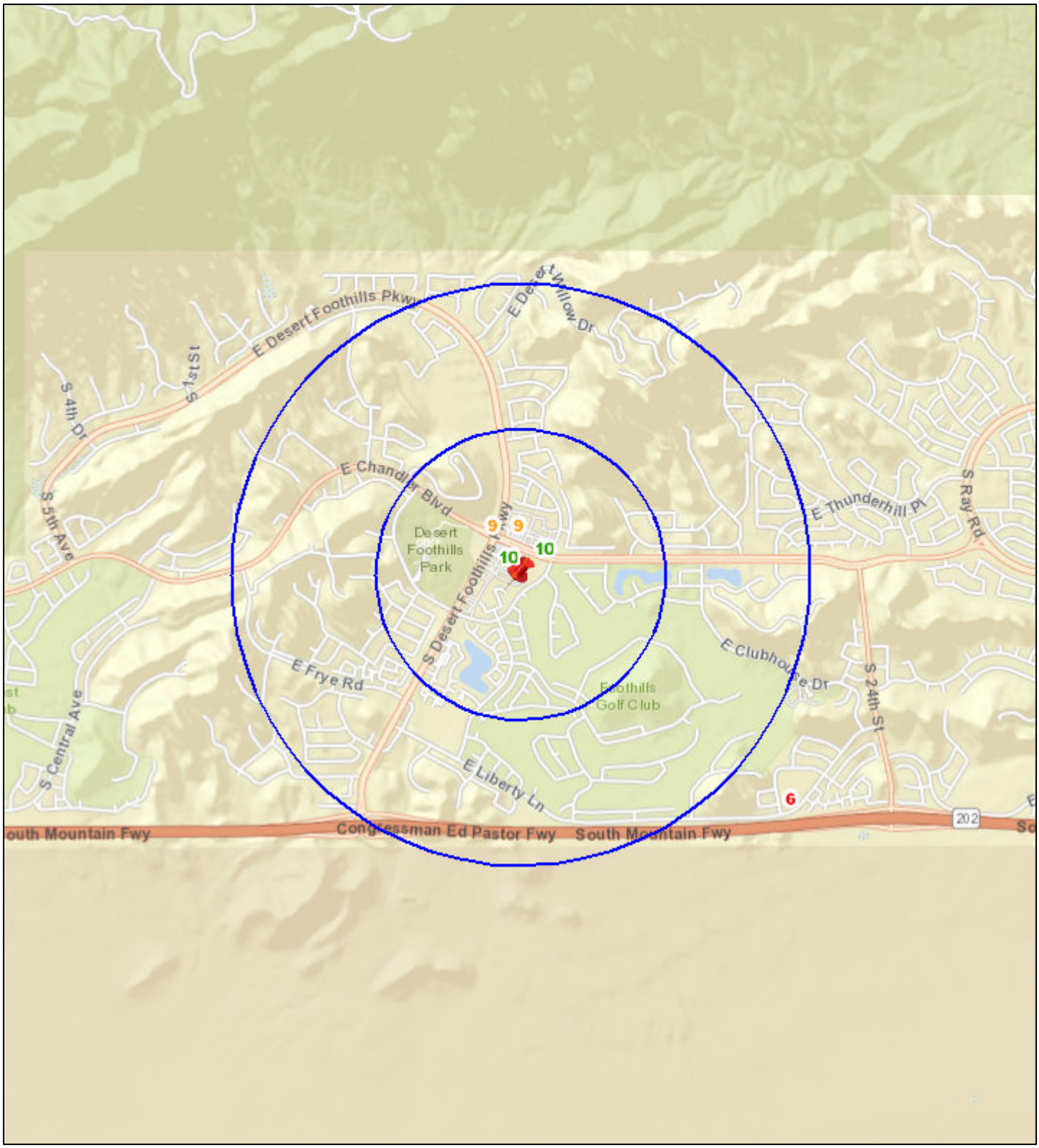
Description	Average	1/2 Mile Average
Parcels w/Violations	54	1
Total Violations	88	2

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167251	1132	95 %	7 %	10 %
1167252	728	29 %	39 %	0 %
1167253	1407	89 %	0 %	11 %
1167272	1344	95 %	15 %	0 %
1167281	1267	97 %	2 %	4 %
1167283	1145	97 %	3 %	6 %
Average		61 %	13 %	19 %

Liquor License Map: NATIVE GRILL & WINGS

1339 E CHANDLER BLVD



N

Date: 6/15/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 23

Liquor License - The Neighborly .St Urban

Request for a liquor license. Arizona State License Application 151130.

Summary

Applicant
Christopher Collins, Agent

License Type
Series 12 - Restaurant

Location
5538 N. 7th St., Ste. 130
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 does not have an interim permit.

The 60-day limit for processing this application was Aug. 16, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Currently hold 5 liquor licenses in Maricopa County. I have been in business for 11 years and have 20 years of restuarant operations experience. I have strong ties with my community, no criminal background and participate in several local charities."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I employ over 250 team members, contribute to our city, county and state by generating and contributing taxes. Through my restaurants we promote and participate in several local charitable organizations."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - The Neighborly .St Urban
Liquor License Map - The Neighborly .St Urban

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: THE NEIGHBORLY .ST URBAN

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Bar	6	7	2
Beer and Wine Bar	7	12	0
Liquor Store	9	6	3
Beer and Wine Store	10	7	1
Restaurant	12	44	14

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	45.54	84.10	89.06
Violent Crimes	8.44	10.37	10.19

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

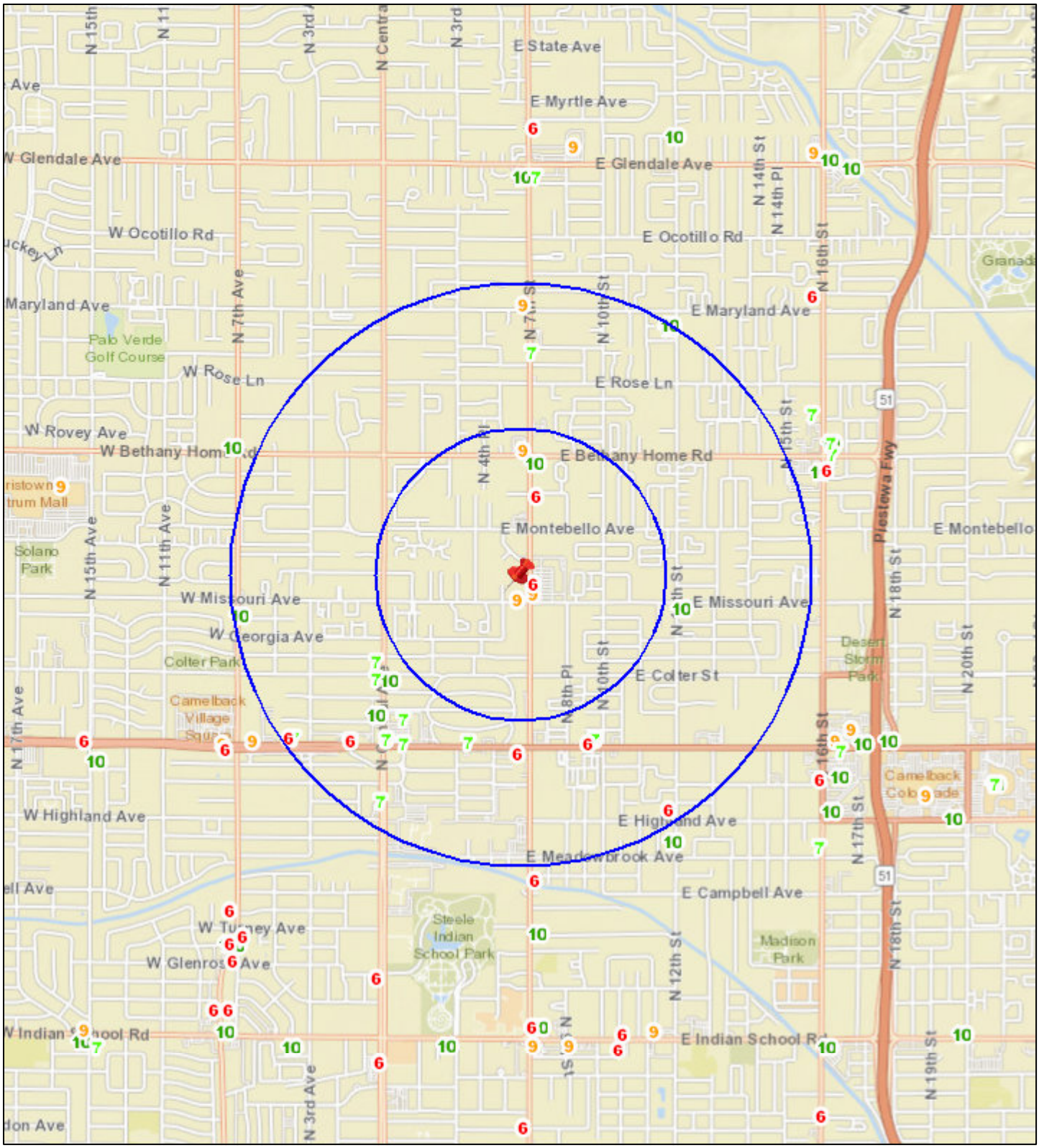
Description	Average	1/2 Mile Average
Parcels w/Violations	55	29
Total Violations	88	47

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1065012	1594	61 %	18 %	32 %
1066002	2064	83 %	7 %	5 %
1075001	758	80 %	2 %	3 %
1075002	1458	74 %	7 %	15 %
1075003	1599	46 %	15 %	14 %
1076011	319	65 %	16 %	46 %
1076012	904	38 %	24 %	23 %
1076013	1748	38 %	8 %	17 %
Average		61 %	13 %	19 %

Liquor License Map: THE NEIGHBORLY .ST URBAN

5538 N 7TH ST



N

Date: 6/25/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 24

Liquor License - Sushi 32

Request for a liquor license. Arizona State License Application 152569.

Summary

Applicant
Sunney Ju, Agent

License Type
Series 12 - Restaurant

Location
3146 E. Camelback Road
Zoning Classification: C-1
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. This location requires a Use Permit to allow the sale of alcoholic beverages and outdoor dining.

The 60-day limit for processing this application was Aug. 13, 2021. However, the applicant submitted a written request for more time.

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.

Saketini Sushi & Bar (Series 12)
1120 S. Dobson Road, Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am currently holding a liquor license (Series #12) in Mesa, AZ for last 15 years. And I am well aware of the requirents and regulations of the AZ Depart. of Liquor and License Control. Lastly, my experiences in managing companies has made me to possess those prerequisites."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This existing business that had become known in the community for serving Japanese foods will provide great dining experiences with new concept of introducing asian foods to 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
Liquor License Data - Sushi 32
Liquor License Map - Sushi 32

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: SUSHI 32

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	4	2
Liquor Store	9	1	1
Beer and Wine Store	10	1	1
Hotel	11	2	1
Restaurant	12	25	6

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	45.54	56.79	60.72
Violent Crimes	8.44	4.69	3.50

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

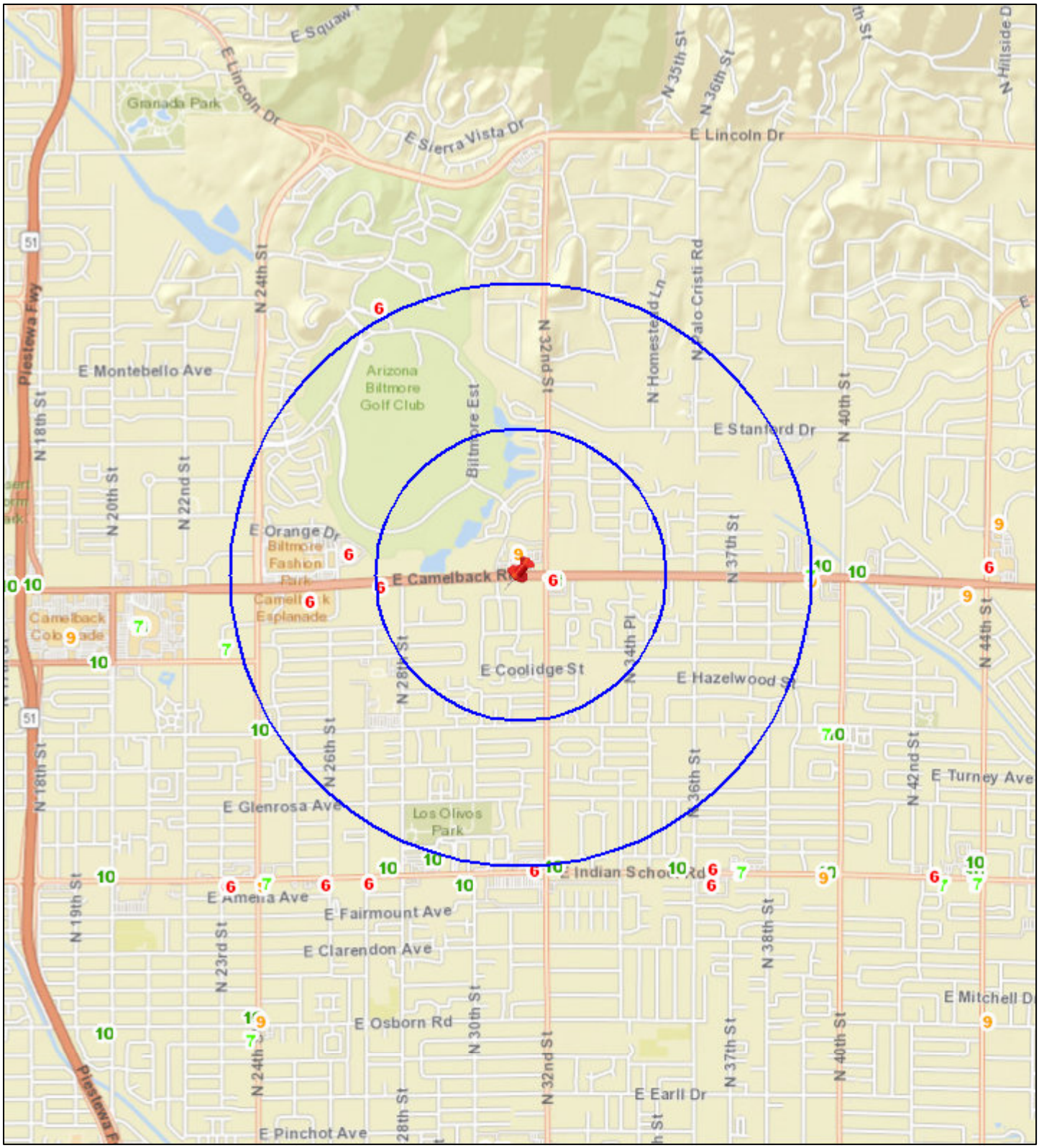
Description	Average	1/2 Mile Average
Parcels w/Violations	55	10
Total Violations	88	13

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1078002	1477	63 %	28 %	5 %
1083011	1100	89 %	14 %	0 %
1083012	1221	72 %	5 %	1 %
1084004	1641	65 %	7 %	19 %
Average		61 %	13 %	19 %

Liquor License Map: SUSHI 32

3146 E CAMELBACK RD



N

Date: 6/23/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 25

Liquor License - Found: RE Phoenix

Request for a liquor license. Arizona State License Application 154105.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 7 - Beer and Wine Bar

Location
1100 N. Central Ave.
Zoning Classification: DTC Gateway
Council District: 7

This request is for a new liquor license for a beer and wine bar. This location is currently licensed for liquor sales with a Series 11 - Hotel/Motel, liquor license.

The 60-day limit for processing this application is Aug. 31, 2021.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We train all of our employees in responsible liquor service. We also conduct regular audits to ensure they comply."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like the ability to continue to offer our guests of age, beer, wine or spirits if they choose to have one."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Found: RE Phoenix
Liquor License Map - Found: RE Phoenix

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: FOUND: RE PHOENIX

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	4	1
Government	5	8	3
Bar	6	41	15
Beer and Wine Bar	7	16	8
Liquor Store	9	5	1
Beer and Wine Store	10	7	3
Hotel	11	7	2
Restaurant	12	93	37
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	159.10	248.19
Violent Crimes	8.73	38.29	44.26

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

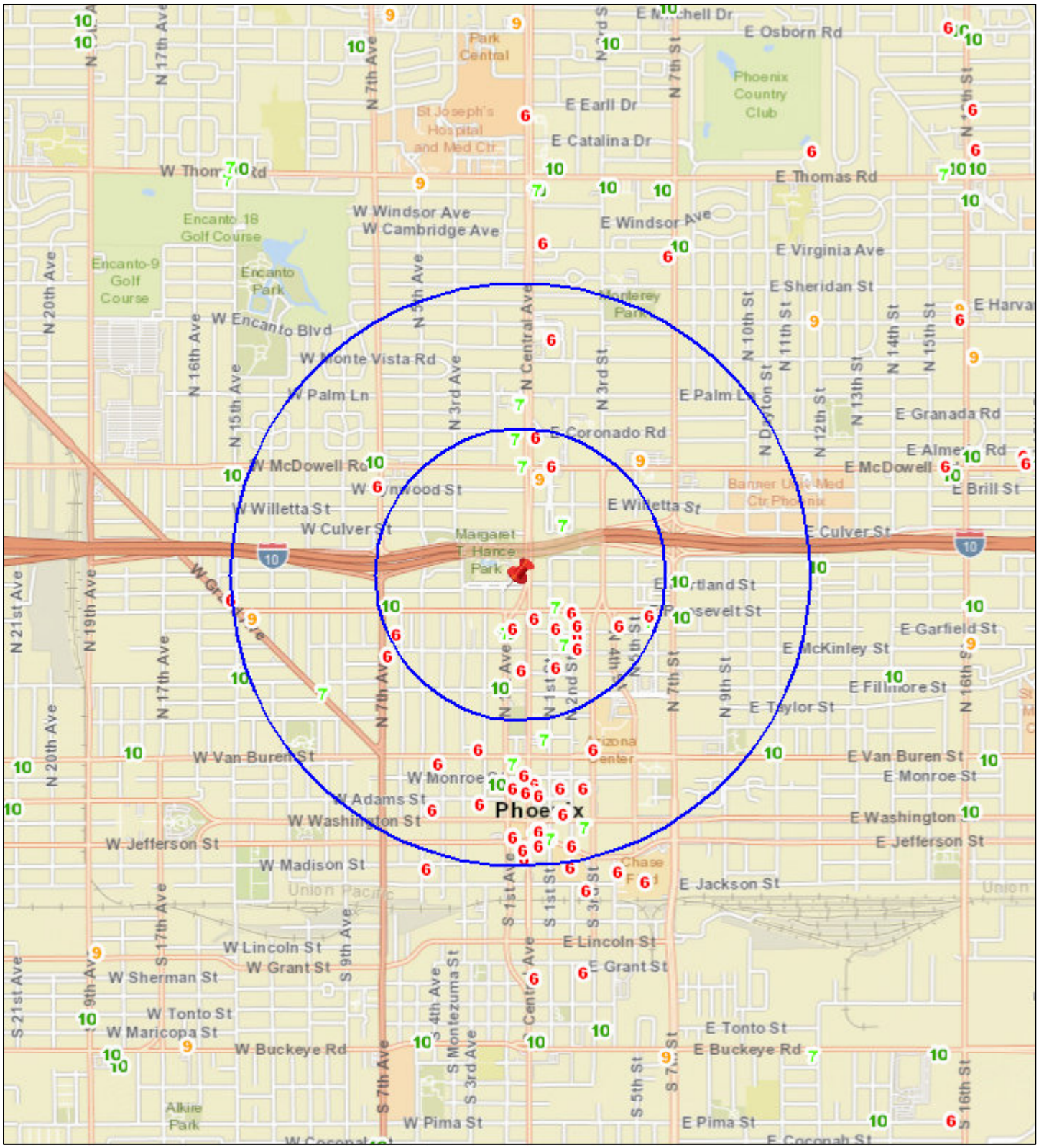
Description	Average	1/2 Mile Average
Parcels w/Violations	55	110
Total Violations	89	181

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1118002	1030	67 %	9 %	17 %
1118004	671	62 %	6 %	6 %
1129001	1670	70 %	4 %	19 %
1129002	815	37 %	22 %	24 %
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
Average		61 %	13 %	19 %

Liquor License Map: FOUND: RE PHOENIX

1100 N CENTRAL AVE



N

Date: 8/4/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 26

Liquor License - Found: RE Phoenix

Request for a liquor license. Arizona State License Application 154097.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
1100 N. Central Ave.
Zoning Classification: DTC Gateway
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 11 - Hotel/Motel, liquor license.

The 60-day limit for processing this application is Aug. 31, 2021.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We train all of our employees in responsible liquor service. We also conduct regular audits to ensure they comply."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like the ability to continue to offer our guests of age, beer, wine or spirits if they choose to have one."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Found: RE Phoenix
Liquor License Map - Found: RE Phoenix

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: FOUND: RE PHOENIX

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	4	1
Government	5	8	3
Bar	6	41	15
Beer and Wine Bar	7	16	8
Liquor Store	9	5	1
Beer and Wine Store	10	7	3
Hotel	11	7	2
Restaurant	12	93	37
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	159.10	248.19
Violent Crimes	8.73	38.29	44.26

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

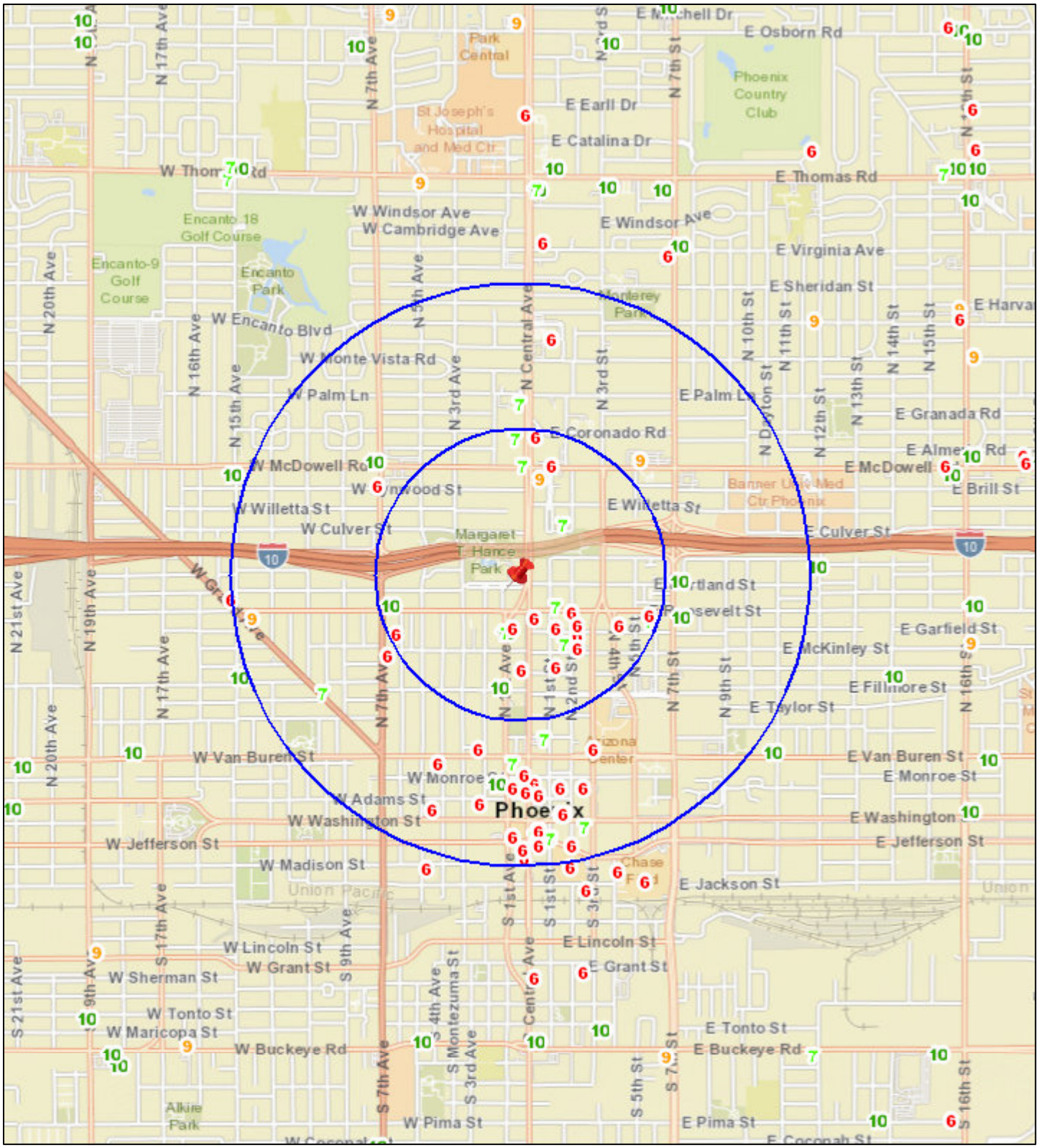
Description	Average	1/2 Mile Average
Parcels w/Violations	55	110
Total Violations	89	181

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1118002	1030	67 %	9 %	17 %
1118004	671	62 %	6 %	6 %
1129001	1670	70 %	4 %	19 %
1129002	815	37 %	22 %	24 %
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
Average		61 %	13 %	19 %

Liquor License Map: FOUND: RE PHOENIX

1100 N CENTRAL AVE



N

Date: 8/4/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 27

Liquor License - Northwest Drip Coffee

Request for a liquor license. Arizona State License Application 152578.

Summary

Applicant
Cherrelle Frazier, Agent

License Type
Series 12 - Restaurant

Location
1325 Grand Ave., Ste. 3
Zoning Classification: C-2 M-R DNS/WVR
Council District: 7

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

The 60-day limit for processing this application was Aug. 15, 2021. However, the applicant submitted a written request for more time.

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
One letter protesting the issuance of this license has been received and is on file with the Office of the City Clerk. The letter is from a resident in the neighborhood who stated that the space of the suite is too small for both food and alcohol to be served. The resident also stated the establishment floor plan resembles a bar more than a restaurant and that they do not need or want more alcohol in the plaza.

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 a clean background, have served liquor in state of Arizona previously without issues."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We will obey all laws."

Staff Recommendation
Staff gave careful consideration to the protest letter received, however after reviewing the application in its entirety staff is recommending approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Northwest Drip Coffee
Liquor License Map - Northwest Drip Coffee

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: NORTHWEST DRIP COFFEE

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	1
Government	5	3	0
Bar	6	17	3
Beer and Wine Bar	7	4	1
Liquor Store	9	1	1
Beer and Wine Store	10	9	2
Hotel	11	2	0
Restaurant	12	34	4
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	45.54	112.12	105.20
Violent Crimes	8.44	38.90	33.12

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

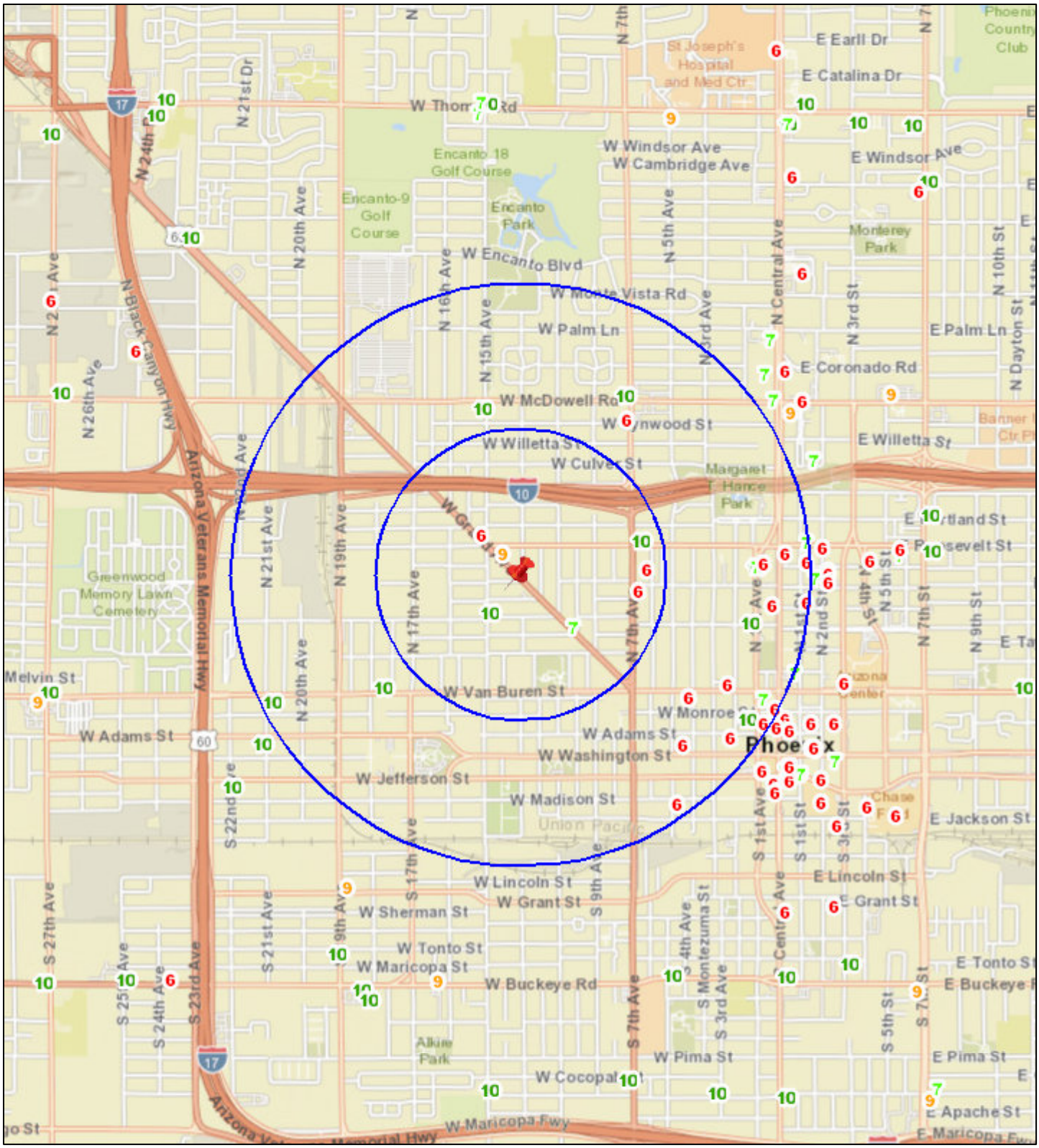
Description	Average	1/2 Mile Average
Parcels w/Violations	54	316
Total Violations	88	533

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1129001	1670	70 %	4 %	19 %
1129002	815	37 %	22 %	24 %
1129003	1372	4 %	18 %	40 %
1129004	1325	47 %	24 %	52 %
1130001	1218	23 %	16 %	11 %
1131001	1015	7 %	8 %	28 %
1143011	1389	22 %	15 %	57 %
Average		61 %	13 %	19 %

Liquor License Map: NORTHWEST DRIP COFFEE

1325 GRAND AVE



N

Date: 6/22/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 28

Liquor License - Tru Ultra Lounge

Request for a liquor license. Arizona State License Application 06070712.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
915 N. Central Ave.
Zoning Classification: DTC - Downtown Gate HP
Council District: 7

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

The 60-day limit for processing this application was Aug. 9, 2021. However, the applicant submitted a written request for more time.

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:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Located in the heart of the Roosevelt district, Tru Ultra Lounge will offer a unique entertainment venue. Applicant would like to offer alcoholic beverages to its guests 21 and over."

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

Attachments
Liquor License Data - Tru Ultra Lounge
Liquor License Map - Tru Ultra Lounge

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: TRU ULTRA LOUNGE

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	4	1
Government	5	8	4
Bar	6	44	14
Beer and Wine Bar	7	16	7
Liquor Store	9	5	1
Beer and Wine Store	10	9	3
Hotel	11	7	4
Restaurant	12	88	37
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	45.54	151.93	218.04
Violent Crimes	8.44	36.09	50.74

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

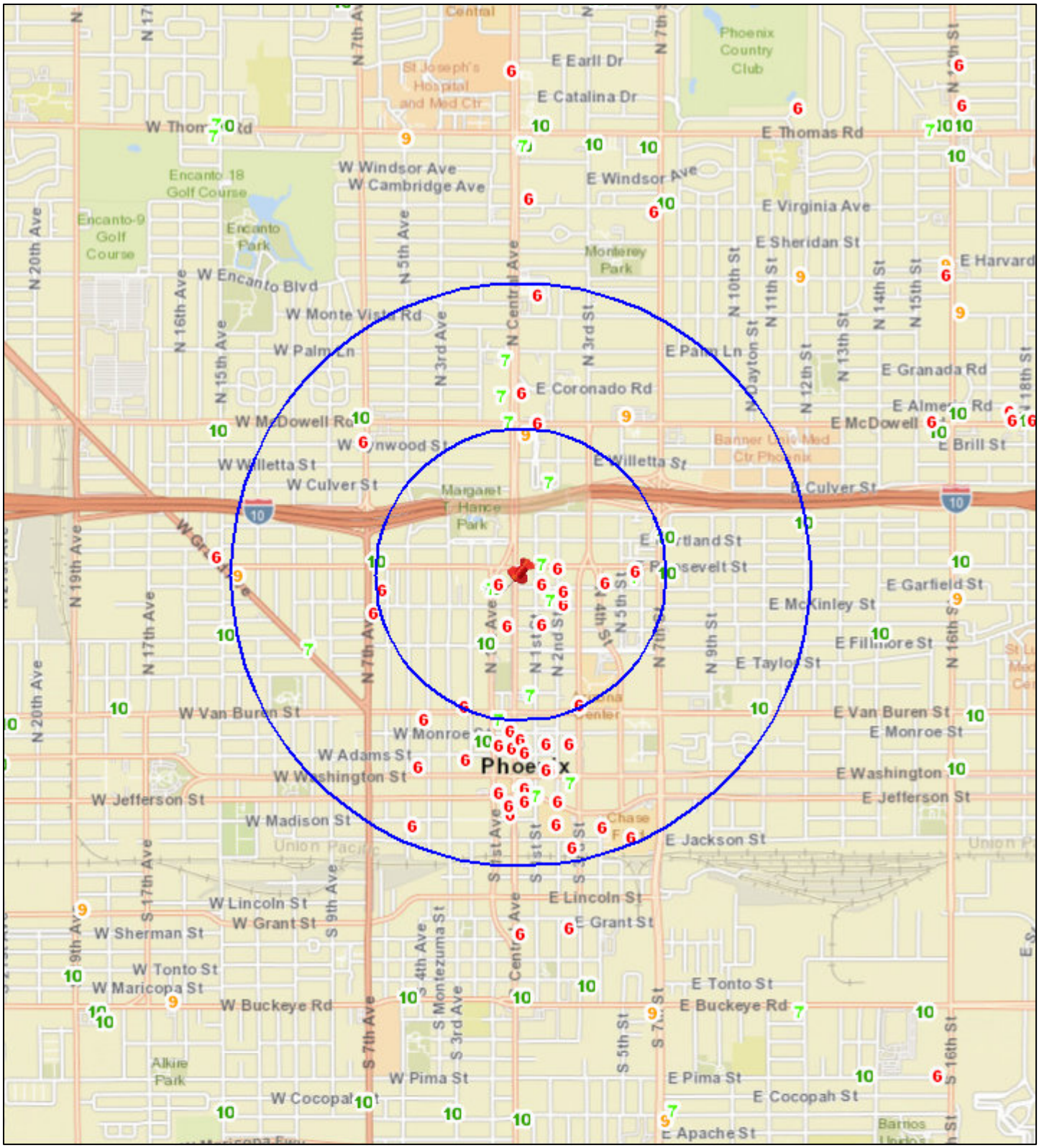
Description	Average	1/2 Mile Average
Parcels w/Violations	54	102
Total Violations	88	170

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132031	1473	30 %	20 %	57 %
1141001	2299	16 %	37 %	44 %
Average		61 %	13 %	19 %

Liquor License Map: TRU ULTRA LOUNGE

915 N CENTRAL AVE



N

Date: 6/15/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 29

Liquor License - Special Event - Alwun House Foundation

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

Summary

Applicant
Dana Lee Johnson

Location
1209 E. Diamond St.
Council District: 8

Function
Art Show

Date(s) - Time(s) / Expected Attendance
Oct. 1, 2021 - 6 p.m. to 10:30 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 30

Liquor License - Special Event - Alwun House Foundation

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

Summary

Applicant
Dana Lee Johnson

Location
1204 E. Roosevelt St.
Council District: 8

Function
Art Event

Date(s) - Time(s) / Expected Attendance
Oct. 30, 2021 - 7:00 p.m. to 1:00 a.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 31

Liquor License - Special Event - Alwun House Foundation

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

Summary

Applicant
Dana Lee Johnson

Location
1209 E. Diamond St.
Council District: 8

Function
First Friday Art Event

Date(s) - Time(s) / Expected Attendance
Nov. 5, 2021 - 6 p.m. to 10:30 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 32

Bingo License - Christopher J. Lapka American Legion Post 105

Request for a Class B Bingo License.

Summary

State law requires City Council approval before a State Bingo License can be issued.

Bingo License Types
Class A - gross receipts shall not exceed $15,600 per year
Class B - gross receipts shall not exceed $300,000 per year
Class C - anticipated gross receipts may exceed $300,000 per year

Applicant
Michael Davison

Location
12450 N. 35th Ave., Ste. 20
Zoning Classification: PSC
Council District: 1

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

PAYMENT ORDINANCE (Ordinance S-47834) (Items 33-42)

Ordinance S-47834 is a request to authorize the City Controller to disburse funds, up to amounts indicated below, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requests 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.

33 **Phoenix-Mesa Gateway Airport Authority**

For $6,500,000.00 in additional payment authority for Contract 119025 for membership on the board of the Phoenix-Mesa Gateway Airport Authority (PMGAA) for the Aviation Department. On May 10, 2006 the City Council authorized the City Manager to enter into an intergovernmental agreement with the City of Mesa, Town of Queen Creek, Town of Gilbert and the Gila River Indian Community for the purpose of the City of Phoenix becoming a member of the board of directors of PMGAA. In 2014, the City of Apache Junction became the sixth member of the board of directors. Since Fiscal Year 2007, Phoenix has made an annual contribution of $1,300,000.00. The payment ordinance is for Fiscal Years 2022 through 2026 for an aggregate five years.

34 **Fiberquant Inc. doing business as Fiberquant Analytical Services**

For $62,000.00 in payment authority for a new contract, entered on or about Sept. 1, 2021, for a term of five years, to provide Laboratory Testing Services for the Parks and Recreation and Human Resources departments. Laboratory services are required for the City of Phoenix to provide specific analysis and reporting of bulk samples for asbestos, lead paint-coatings and mold throughout City facilities. The services are essential to guarantee the City always keeps facilities safe and up to code.

35 **Nichevision Forensics, LLC**

For $48,045.00 in payment authority to purchase maintenance, upgrades and support for ArmedXpert and STRmix software used by the Police Department. The Laboratory Services Bureau is currently utilizing ArmedXpert and STRmix software systems for analysis of DNA profiles. The software assists in the interpretation of DNA profiles and generates statistical frequencies to assist in investigations, which are required per federal standards. The two software systems require continued maintenance from the vendor to increase and maintain the efficiency of the analysis process. The software is upgraded throughout the year to stay up to date with trends in forensics. In addition, the vendor provides support in operation of the software and writes additional computer code specific for the Police Department's Laboratory Services Bureau as necessary. The maintenance, upgrades, and support are critical to keeping the software systems running at optimal performance and to meet the federal standards.

36 **Pride Group LLC**

For $62,500.00 in payment authority for a new contract, entered on or about Sept. 1, 2021, for a term of five years for event equipment rental services for the Parks and Recreation Department. The services will be used for rental, transportation, set up and take down of equipment such as canopies, chairs, tables and lighting. The equipment is rented in support of large-scale City sponsored events such as the Fabulous Phoenix 4th and the Arizona Public Service Electric Light Parade.

37 **BVDA America Inc.**

For $76,860.00 in payment authority to purchase a GLScan LP Gellifter Imaging System and accessories for the Police Department. The GLScan LP is designed to digitally record traces lifted with a low-tack gelatin layer and allows traces to be lifted from almost every surface-Gellifters. The Laboratory Services Bureau will use the imaging system to preserve various lifted print impressions, reduce the number of photographs being stored, and to produce higher quality comparative images. The system will be purchased with funding from the FY20 Paul Coverdell Forensic Sciences Improvement Grant.

38 **Skaggs Companies, Inc. doing business as Skaggs Public Safety Uniforms & Equipment**

For $85,000.00 in payment authority for a new contract, entered on or about Sept. 1, 2021, for a term of five years for Park Ranger Safety Equipment for the Parks and Recreation Department. The contract will provide safety equipment for park rangers, such as ballistic vests, batons and oleoresin capsicum spray. Park rangers encounter many dangerous situations in their daily patrols, such as aggressive dogs. It is imperative for park rangers to have this gear to protect themselves and others, and to stay safe while enforcing park rules, regulations and ordinances related to City park use.

39 **Arizona State Fire Training Committee, Inc.**

For $50,700.00 in payment authority for a new contract, entered on or about Sept. 1, 2021 for a term of five years, to provide Firefighter 1 and 2 certifications for the Fire Department. The vendor will administer workshops, certification programs, and written and practical exams necessary for Fire Department personnel to achieve State Firefighter 1 and 2 certifications. The certifications cover service qualifications and teaching techniques pertaining to fires, emergency situations and damage mitigation. Ultimately, all Fire personnel must be accredited, and both certifications are crucial to become full-fledged Firefighters for the City of Phoenix.

40 **Allen Instruments and Supplies, LLC**

For $37,155.00 in payment authority to purchase survey items for the Street Transportation Department. The equipment is needed to perform the survey field work necessary to perform the NGS 2022 Datum transition as part of the extensive survey control network reform.

41 **State of Arizona doing business as Arizona Department of Water Resources**

For $36,400.00 in payment authority for Fiscal Year 2021-22 to pay fees associated with water storage permit applications, groundwater withdrawal, groundwater production, long-term storage credit recovery, and de-watering for the Water Services and Parks and Recreation departments.

42 **Arizona Municipal Water Users Association - Annual Payment Authorization**

For $428,367.00 in payment authority for membership renewal to the Arizona Municipal Water Users Association for the Water Services Department. The Arizona Municipal Water Users Association supports the development of urban water policy and works collaboratively with water stakeholders to devise practical solutions to water problems to ensure sustainable growth for Arizona.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 43

Proposed 19th Avenue and Yearling Road Annexation - Authorization to File

Request to authorize the City Manager, or his designee, to file with the Maricopa County Recorder's Office a blank petition for a proposed annexation. This annexation was requested by Charles E. Eckert Jr. with Red Hawk Development Corporation for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation.

Summary

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

Location

The proposed annexation area includes parcels 210-11-003F and 210-11-003G located at 19th Avenue and Yearling Road (**Attachment A**). The annexation area is approximately 2.02 acres (0.0032 sq. mi.) and the population estimate is zero individuals.

Council District: 1

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

ANNEXATION MAP

19TH AVE AND YEARLING RD

City of Phoenix

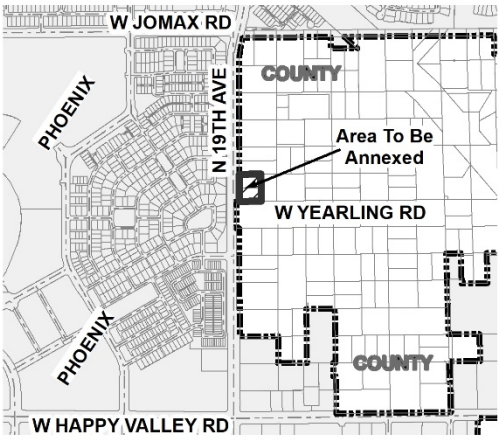
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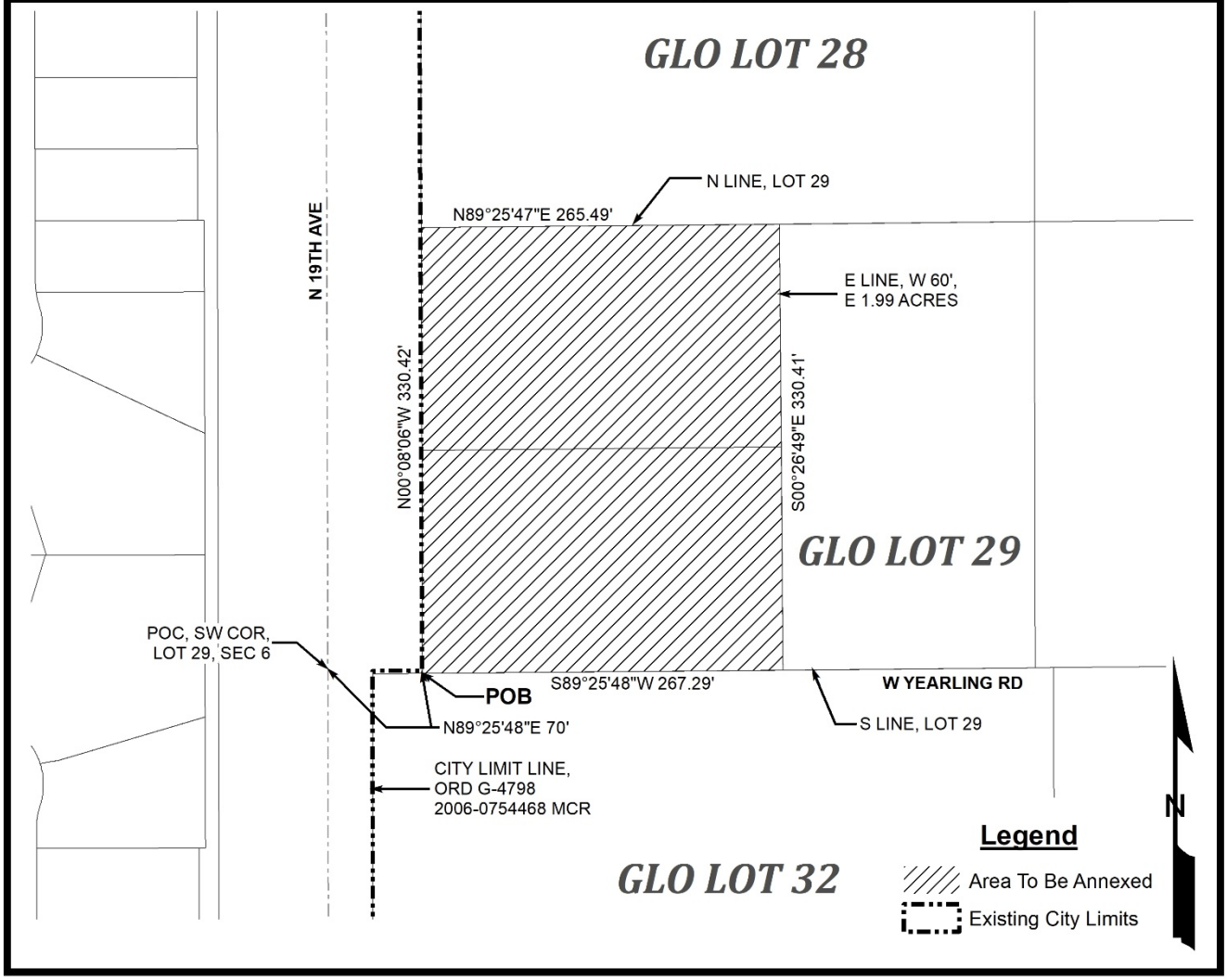
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G. & S. R. B. & M.

ANNEXATION NUMBER: XXX

AREA IN SQUARE MILES
0.0032

VICINITY MAP





City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 44

Proposed 35th Avenue and Carter Road Annexation - Authorization to File

Request to authorize the City Manager, or his designee, to file with the Maricopa County Recorder's Office a blank petition for a proposed annexation. This annexation was requested by Tanner Weekes with Pew & Lake, PLC for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation.

Summary

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

Location

The proposed annexation area includes parcel 105-89-013L located at 35th Avenue and Carter Road (**Attachment A**). The annexation area is approximately 4.93 acres (0.0077 sq. mi.) and the population estimate is zero individuals.

Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

ANNEXATION MAP

35TH AVE AND CARTER ROAD

City of Phoenix

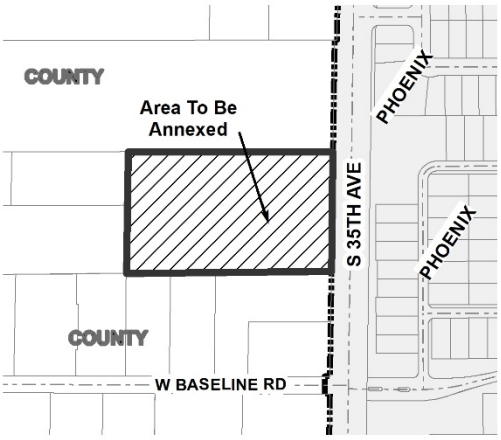
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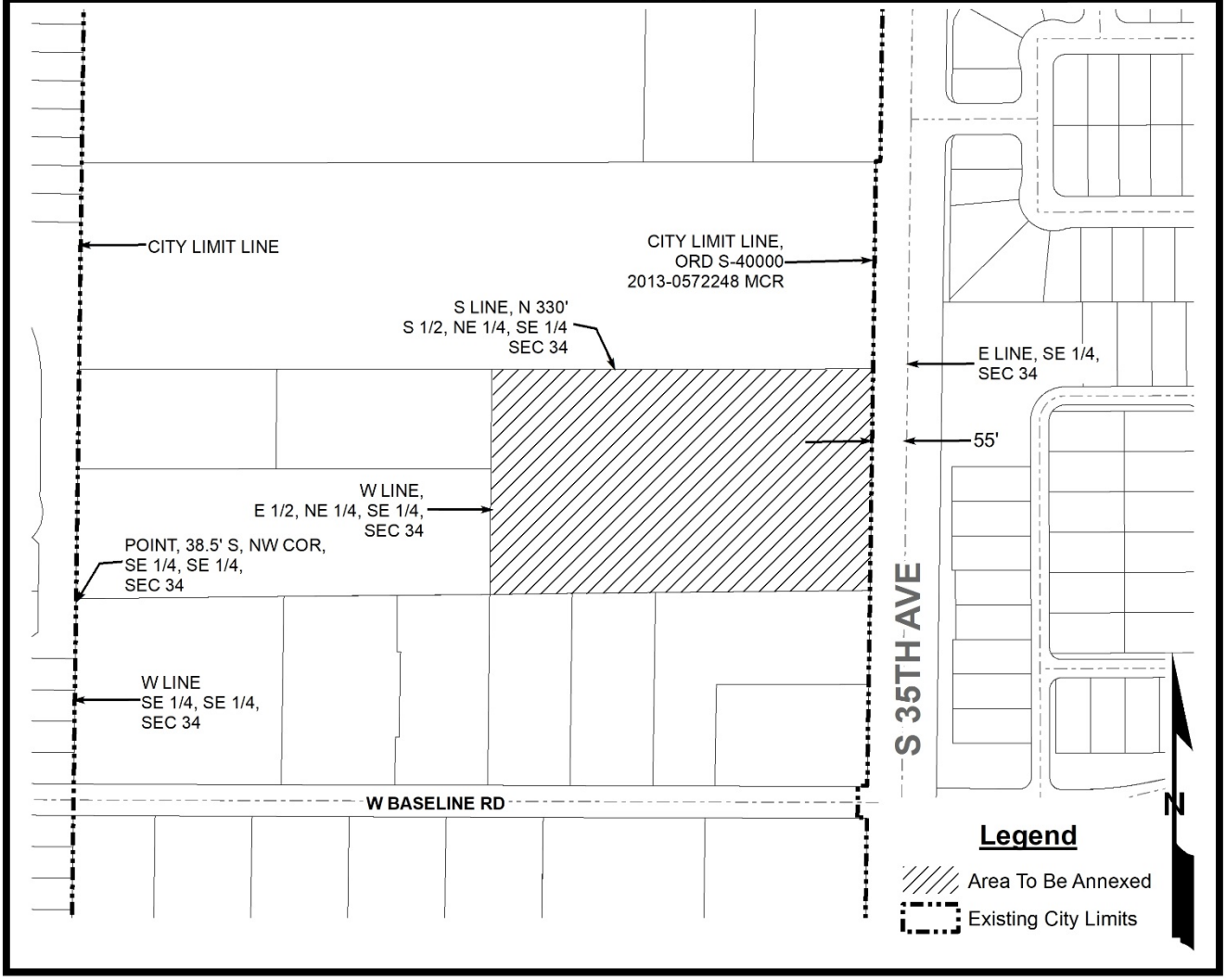
SECTION 34 T. 1 N., R. 2 E.,
G. & S. R. B. & M.

ANNEXATION NUMBER: XXX

AREA IN SQUARE MILES
0.0077

VICINITY MAP





City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 45

Proposed 51st Avenue and Baseline Road Annexation (Ordinance S-47878)

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Ariz., by annexing an area not within the present limits of the City of Phoenix, designated as the 51st Avenue and Baseline Road Annexation. Further request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

This annexation was requested by Ernie and Miya Linsenmeyer, 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 May 19, 2021, to allow the City Council to gather community comment 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 parcels 104-89-007J, 104-89-007B, 104-89-007G and 104-89-007F, located at 51st Avenue and Baseline Road (**Attachment A**). The annexation area is approximately 6.56 acres (0.0103 sq. mi.) and the population estimate is zero individuals.

Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

ANNEXATION MAP

51ST AVENUE & BASELINE ROAD

City of Phoenix

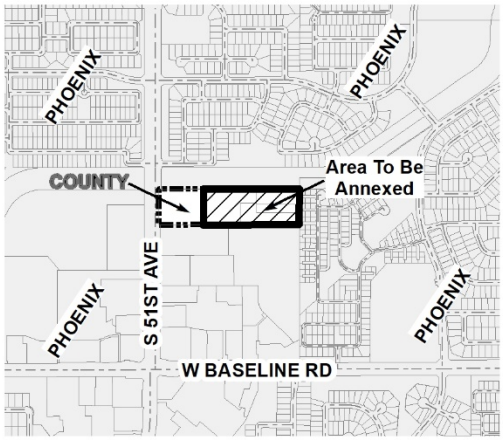
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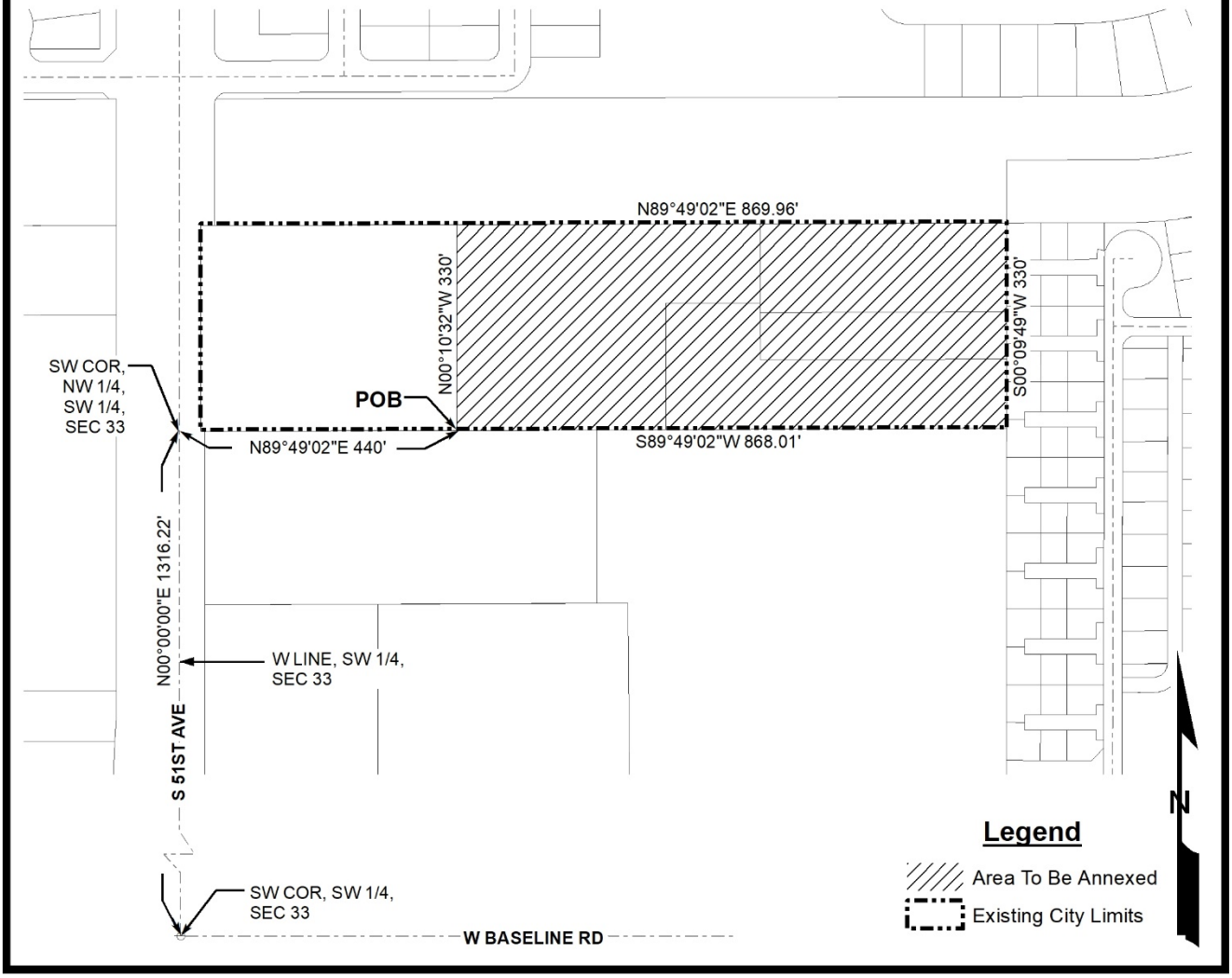
SECTION 33 T. 1 N., R. 2 E.,
G. & S. R. B. & M.

ANNEXATION NUMBER: XXX

AREA IN SQUARE MILES
0.0103

VICINITY MAP





City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 46

Additional Expenditures For Commercial Flooring Products and Services - State of Arizona Cooperative Contract - Requirements Contract - CTR043427 and CTR043521 (Ordinance S-47837)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract Agreement 150146 with Diversified Flooring Services - Phoenix, LLC and 150217 with Continental Flooring Company for the purchase of additional materials, equipment and labor services necessary to perform the removal and replacement of deteriorated flooring at various City of Phoenix facilities, on an as-needed basis for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $6,000,000.

Summary
This citywide contract agreement provides materials and labor including all supervision labor, equipment, materials storage, transportation, and incidentals necessary to remove, replace, install and repair various types of flooring materials in accordance with conditions and specifications included in this contract on an as-needed basis. The City owns buildings, houses and apartments and also manages and maintains conventional housing, apartments and senior housing facilities throughout the City. Additional funds are needed due to usage that has been higher than originally anticipated as a result of citywide flooring deterioration that had not been reported.

Contract Term
The contract term is June 5, 2019 through May 31, 2024.

Financial Impact
Upon approval of $6,000,000 in additional funds, the revised aggregate value of the contract will not exceed $9,000,000. Funds are available in the various departments' budgets.

Concurrence/Previous Council Action
These contracts were originally approved by City Council on June 5, 2019.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Finance Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 47

Dedication of Easements on City-Owned Land for Public Utility and Sidewalk Purposes Along North Central Avenue, South of West Deer Valley Drive (Ordinance S-47838)

Request for the City Council to dedicate easements on City-owned land to public use for utility and sidewalk purposes along North Central Avenue, south of West Deer Valley Drive; further ordering the ordinance recorded.

Summary

The dedication of public utility and sidewalk easements is required to accommodate the construction of Booster Pump Station 4A-B9 and Pressure Reducing Valve Station 3D-R12. The 2,852 square foot public utility and 3,565 square foot sidewalk easements are located within the western 10 feet of the property along North Central Avenue. The easements are more fully described in the legal descriptions to be recorded with the ordinance.

Location

North Central Avenue, south of West Deer Valley Drive.
Council District: 1

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services and Finance departments.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 48

Acceptance and Dedication of Deeds and Easements for Roadway, Public Utility and Sidewalk Purposes (Ordinance S-47842)

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

Summary

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

Easement (a)
Applicant: Amerco Real Estate Company, its successor and assigns
Purpose: Sidewalk
Location: 16218 & 16220 N. 32nd St.
File: FN 210046
Council District: 2

Easement (b)
Applicant: Society of Maria SS. Lauretana, its successor and assigns
Purpose: Public Utility
Location: 2929 E. Eberle Lane
File: FN 210052
Council District: 2

Easement (c)
Applicant: Mission Housing, LP, its successor and assigns
Purpose: Sidewalk
Location: 621 W. Mission Lane
File: FN 210050
Council District: 3

Easement (d)
Applicant: 4202 N 10th Street, LLC, its successor and assigns
Purpose: Public Utility

Location: 4202 & 4206 N. 10th St.
File: FN 210029
Council District: 4

Easement (e)
Applicant: 4202 N 10th Street, LLC, its successor and assigns
Purpose: Sidewalk
Location: 4202 & 4206 N. 10th St.
File: FN 210029
Council District: 4

Easement (f)
Applicant: Joshua Rhodes and Sarah Rhodes, its successor and assigns
Purpose: Public Utility
Location: 1807 W. Osborn Road
File: FN 210039
Council District: 4

Easement (g)
Applicant: Ivan J. Dominguez, its successor and assigns
Purpose: Public Utility
Location: 4234 N. 31st Drive
File: FN 210042
Council District: 4

Easement (h)
Applicant: Nathaly Soberanis, its successor and assigns
Purpose: Public Utility
Location: 4229 N. 32nd Ave.
File: FN 210042
Council District: 4

Deed (i)
Applicant: Verano Housing, LLC, its successor and assigns
Purpose: Roadway
Location: 1320 W. Indian School Road
File: FN 210049
Council District: 4

Easement (j)
Applicant: CBDG 28, LLC, its successor and assigns

Purpose: Sidewalk
Location: 2747 E. Indian School Road
File: FN 210041
Council District: 6

Deed (k)
Applicant: Paul Van Hofwegen and Sheila Van Hofwegen, its successor and assigns
Purpose: Roadway
Location: 4007 S. 107th Ave.
File: FN 210045
Council District: 7

Easement (l)
Applicant: Paul Van Hofwegen and Sheila Van Hofwegen, its successor and assigns
Purpose: Public Utility
Location: 4007 S. 107th Ave.
File: FN 210045
Council District: 7

Easement (m)
Applicant: Fen Investments, Inc., its successor and assigns
Purpose: Sidewalk
Location: 1034 N. 24th St.
File: FN 210032
Council District: 8

Deed (n)
Applicant: Plaza de Vista, L.L.C., its successor and assigns
Purpose: Roadway
Location: 1220 N. 44th St.
File: FN 210054
Council District: 8

Easement (o)
Applicant: Plaza de Vista, L.L.C., its successor and assigns
Purpose: Sidewalk
Location: 1220 N. 44th St.
File: FN 210054
Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development and Finance departments.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 49

Acceptance of Easements for Water, Drainage and Vehicular Non Access Purposes (Ordinance S-47845)

Request for the City Council to accept easements for water, drainage and vehicular non access purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)
Applicant: Kierland SDL, LP, its successor and assigns
Purpose: Water
Location: 15826 N. Scottsdale Road
File: FN 210043
Council District: 2

Easement (b)
Applicant: John M. Sassano and Kelley S. Sassano, its successor and assigns
Purpose: Drainage
Location: 2701 E. Victor Hugo Ave.
File: FN 210059
Council District: 3

Easement (c)
Applicant: PHX Buckeye Partners, LLC and HP Buckeye, LLC, its successor and assigns
Purpose: Vehicular Non-Access
Location: 930 S. 37th Drive
File: FN 210034
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development and Finance departments.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 50

Acquisition of Real Property for Roadway Improvements Along West Mountain View Road from 7th to 4th Avenues (Ordinance S-47851)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests required by donation, purchase within the City's appraised value, or by the power of eminent domain for roadway improvements along West Mountain View Road from 7th to 4th avenues. Further request to authorize dedication of land with roadway improvements to public use for right-of-way purposes via separate recording instrument. Additionally request to authorize the City Controller to disburse all funds related to this item.

Summary
Various sections of the roadway within the project area will be improved with roadway and sidewalk enhancements for pedestrians, bicyclists, and vehicular traffic. The acquisition of property rights is needed to widen the right-of-way and construct curb, gutter, American's with Disabilities Act (ADA) compliant sidewalks and bike lanes.

The parcels affected by this project and included in this request are identified by Maricopa County Assessor's parcel number (APN) 159-52-178 located at 9643 N. 7th Ave. and APN 159-52-058 located at 9638 N. 4th Ave.

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

Location
Along West Mountain View Road from 7th to 4th avenues.
Council District: 3

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation and Finance departments.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 51

Value Line Publishing - Requirements Contract - EXC 22-005 (Ordinance S-47840)

Request to authorize the City Manager, or his designee, to enter into a contract with Value Line Publishing, LLC to provide access to Value Line's Research Center, an on-line database that Library patrons can use to search for information about stocks, mutual funds, options and convertibles for the Phoenix Public Library. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $110,000.

Summary

The Phoenix Public Library has Value Line in print format at a few libraries and would like to expand its offerings to include this on-line database, Value Line's Library Research Center, which will be available to all customers with a library card from any computer or mobile device. The Library Research Center gives access to stocks (approximately 1,700 large and 1,700 small and mid-cap company reports), mutual funds, exchange traded funds, and options - all utilizing their proprietary Ranking System for Timeliness, Performance, and Safety. The Library Research Center streamlines company information and its financial data so users can quickly make an evaluation.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated that Value Line Publishing, LLC is the sole developer and authorized source of the Value Line Research Investment Survey, Small/Mid Cap Survey, and other digital investment information services. The database is not available through any other company. The subscription service is necessary for the Phoenix Public Library to offer current and accurate materials and services on investing to Library customers in a timely and cost-efficient manner. The on-line subscription service will expand the Library's offerings, provide the service in real time, save money over providing the same information in printed format by reducing Library staff handling labor, and eliminate the need to discard out-of-date printed materials.

The Assistant Finance Director recommends that the contract with Value Line

Publishing, LLC be accepted.

Contract Term
The five-year contract term will begin on or about Sept. 15, 2021.

Financial Impact
The aggregate contract value will not exceed $110,000, and funds are available in the Library Department's budget.

Responsible Department
This item is submitted by Deputy City Manager Inger Erickson and the Library Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 52

Upside Down Marking Paint Supply - Requirements Contract - IFB 21-129 (Ordinance S-47846)

Request to authorize the City Manager, or his designee, to enter into a contract with Arizona Water Works Supply LLC to purchase upside down marking paint for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $225,000.

Summary
The purpose of this contract is to provide upside down marking paint to citywide departments on an as-needed basis to complete field markings on a variety of surfaces during events and projects throughout the City of Phoenix. The upside down paint is used for layout lines on new black top asphalt to guide the application of permanent traffic paint.

Procurement Information
IFB 21-129 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on June 10, 2021 which were evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to 58 suppliers and was publicly posted and available for download from the City's website.

The Deputy Finance Director recommends that the offer from Arizona Water Works Supply LLC be accepted as the lowest priced, responsive and responsible offer.

Contract Term
The five year contract term will begin on or about Sept. 1, 2021.

Financial Impact
The aggregate contract value will not exceed $225,000. Funds are available in the various departments’ budgets.

Responsible Department
This item is submitted by City Manager Ed Zuercher and the Finance Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 53

Traffic Signing Materials Requirements Contract - Maricopa County Contract 16136-C - Amendment (Ordinance S-47850)

Request to authorize the City Manager, or his designee, to execute amendments to Contracts: 144614 with Centerline Supply West; 144592 with Interwest Safety Supply, LLC; and 144591 with Zumar Industries, Inc., to provide additional time to the contracts for the purchase of traffic signing materials for the Aviation and Street Transportation departments. Further request to authorize the City Controller to disburse all funds related to this item. No additional expenditures are requested.

Summary
These contracts provide traffic signing materials to the Aviation and Street Transportation departments' sign shops in order to fabricate and maintain the signage at Phoenix Sky Harbor International Airport, Deer Valley Airport, and Goodyear Airport, as well as the street signage for infrastructure Citywide. The purpose of these amendments is to allow additional time to issue a new solicitation.

Contract Term
These amendments will extend the end date of the contracts’ terms from Sept. 30, 2021 to March 31, 2022.

Financial Impact
No additional funding is requested. Funding authorized by previous City Council action will be applied to the extended contract terms.

Funding is available in the Aviation and Street Transportation departments' budgets.

Concurrence/Previous Council Action
The City Council approved Traffic Signing Materials Contracts 144591, 144592 and 144614 (Ordinance S-43228) on Feb. 1, 2017.

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Aviation and Street Transportation departments.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 54

Event Security Guard Services - Requirements Contract - IFB 21-115 (Ordinance S-47856)

Request to authorize the City Manager, or his designee, to enter into a contract with Total Events and More LLC doing business as T.E.A.M. Security, to purchase Unarmed Event Security Guard Services. The contract will be available for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $130,000.

Summary
This contract will provide scheduled and on-call unarmed security guard services for the City's larger scale events such as the Fabulous Phoenix 4th. Guard services will be used to secure City's larger-scale events, public and private properties, outside and inside premises, monitor attendee safety, maintain order, direct foot traffic, and investigate all on-premises accidents and incidents, complete investigations and file written reports.

Procurement Information
IFB 21-115 was conducted in accordance with Administrative Regulation 3.10. There were six offers received by the Procurement Division on June 24, 2021. Two offers were deemed non-responsive for non-compliance with solicitation requirements, and four were evaluated on price, responsiveness to specifications, and responsibility to provide the required services. The bid notification was sent to 1,095 suppliers and was publicly posted and available for download from the City's website.

The Assistant Finance Director recommends that the offer from Total Events and More LLC doing business as T.E.A.M. Security be accepted as the lowest-priced, responsive and responsible offer.

Contract Term
The two-year contract term will begin on or about Sept. 1, 2021.

Financial Impact
The aggregate contract value will not exceed $130,000. Funds are available in the various departments' budgets.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Finance Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 55

Small Package Delivery Services Contract - ADSPO17-153699A (Ordinance S-47859)

Request to authorize the City Manager, or his designee, to extend and continue using Ordinance S-43896 under Contract 146083 with Federal Express Corporation for the purchase of small package delivery services for Citywide use. Further request authorization for the City Controller to disburse all funds related to this item. No additional funds are needed.

Summary
The contract provides delivery services as required for all departments to send and receive small packages.

Contract Term
Upon approval, the terms of the contract will be extended through March 31, 2022.

Financial Impact
The contract was originally approved on Sept. 20, 2017 with an aggregate value of $400,000. No additional funds are needed. Any remaining funds authorized by previous City Council action will be applied to the extended contract terms.

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

Responsible Department
This item is submitted by City Manager Ed Zuercher and the Finance Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 56

Scholastic, Inc. Teachables and Books Agreement - RFA 20-004 (Ordinance S-47861)

Request to authorize the City Manager, or his designee, to add the City Manager's Office and Human Services Department as authorized users of Ordinance S-46404 under Contract 151761 with Scholastic, Inc. for the purchase of children's books for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. No additional expenditures are needed.

Summary

This contract provides a subscription to Scholastic Teachables for education materials for pre-kindergarten through grade six and books for children from birth to age five. The Phoenix Public Library has an existing intergovernmental agreement with the Arizona Early Childhood Development and Health Board, known as First Things First (FTF). Through this agreement, the Phoenix Public Library receives funding from FTF and is required to give away 11,000 books during a fiscal year. The Phoenix Public Library entered Contract 151761 with Scholastic to help meet this obligation. Now, the City Manager's Office and Human Services Department wish to be able to purchase children's education materials under this contract to meet the needs of their own programs. No additional funds are needed to add the City Manager's Office and Human Services Department as authorized users. The Phoenix Public Library currently utilizes these contracted services.

Contract Term

The contract term is March 4, 2020 through March 3, 2025.

Financial Impact

The contract was approved on March 4, 2020, with an original aggregate value of $1,095,000. No additional funding is needed to add the City Manager's Office and Human Services Department as authorized users. Funds are available in the City Manager's Office's and Human Services Department's budgets.

Concurrence/Previous Council Action

This contract was originally approved by the City Council on March 4, 2020 via S-46404.

Responsible Department

This item is submitted by City Manager Ed Zuercher, Deputy City Manager Gina Montes and the City Manager's Office and Human Services Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 57

AmeriCorps VISTA Program - Requirements Contract - EXC 22-008 (Ordinance S-47862)

Request to authorize the City Manager, or his designee, to enter into a contract with HandsOn Greater Phoenix to provide AmeriCorps Volunteers in Service to America (VISTA) members for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $500,000.

Summary

HandsOn Greater Phoenix provides AmeriCorps Volunteers in Service to America (VISTA) members for City of Phoenix departments. HandsOn Greater Phoenix recruits, places, and manages a team of AmeriCorps VISTA members, who serve full-time in nonprofits and government agencies for one year to develop sustainable programs and build the community's capacity to alleviate poverty.

City departments will identify programs and projects that meet the guidelines of the program that allow VISTA members to focus their efforts on building the organizational, administrative, and financial capacity of the City to fight illiteracy, improve health services, foster economic development, and otherwise assist low-income communities. VISTA members may be required to develop programs to meet a need, write grants, or recruit and train volunteers.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated The Corporation for National and Community Service (CNCS), a federal agency, has identified HandsOn Greater Phoenix as the sole provider of VISTA members for the City of Phoenix. In addition, the AmeriCorps State Office has confirmed HandsOn is the only local intermediary vendor in the Maricopa County region to support the AmeriCorps VISTA Program.

The Assistant Finance Director recommends that the contract with HandsOn Greater Phoenix be accepted.

Contract Term
The five-year contract term will begin on or about Sept. 1, 2021.

Financial Impact
The aggregate contract value will not exceed $500,000, and funds are available in the various departments' budgets.

Responsible Department
This item is submitted by City Manager Ed Zuercher and the Finance Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 58

Laboratory and Medical Equipment, Supplies, Services, and Reagents - COOP 21 -128 (Ordinance S-47863)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with Arrowhead Scientific Inc., doing business as Arrowhead Forensics, to purchase laboratory and medical equipment, supplies, services, and reagents for the Police Department. A cooperative agreement was established by Maricopa County under solicitation 210001-C. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $1.5 million.

Summary

This contract will provide a wide variety of laboratory and medical equipment, supplies, chemicals, reagents, and related services for the Police Department. Forensic equipment and supplies are an integral part of the Police Department to accurately and efficiently process crime scenes, collect and impound evidence, and analyze items of evidence related to criminal investigations. In addition, this equipment is a critical part of the Police Department's efforts to provide life safety services to the public and for use in critical incidents and complicated scenes.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through competitive processes consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43.

The Maricopa County contract covers the purchase of laboratory and medical equipment, supplies, services, and reagents as required by the Police Department. The contract was awarded on Aug. 27, 2020. The use of this cooperative will provide the City national discounts on these products. Additionally, review of pricing and availability from registered small and local businesses indicates that this cooperative contract offers the best value to the City.

Upon City Council approval of this item, a purchasing agreement incorporating the City's terms and conditions will be fully executed between the referenced vendor and the City.

Both the American Bar Association and National Institute of Government Purchasing endorses the use of Cooperative Agreements by municipalities and other public institutions. An established best practice in government procurement, Cooperative Agreements provide extensive benefits to procurement officials by leveraging volume purchasing for maximum cost benefit and ensuring best value.

The Assistant Finance Director recommends that the cooperative participating agreement with Arrowhead Scientific Inc. doing business as Arrowhead Forensics be accepted.

Contract Term
The five-year contract term will begin on or about Sept. 1, 2021.

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

Responsible Department
This item is submitted by Assistant City Manager Jeffrey Barton and the Police Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 59

Online Language Learning Resources - Requirements Contract - RFP 16-217 (Ordinance S-47864)

Request to authorize the City Manager, or his designee, to allow additional expenditures and to extend Contract 143582 for one year with Pronunciator LLC for the purchase of Online Language Learning Resources for the Library Department in the amount of $19,500. Further request authorization for the City Controller to disburse all funds to this item.

Summary
The Library Department currently utilizes web-based database products and digital content that provide language learning resources for all City of Phoenix library branches. The resource provides access to language learning materials for at least 30 languages, including Spanish and English as a Second Language, and can be used in a variety of formats such as a web browser or mobile application. A one-year extension and additional funds are necessary to allow for additional time to conduct a formal procurement process for a new contract.

Contract Term
Upon approval, the contract term will be extended through Aug. 31, 2022.

Financial Impact
Upon approval of $19,500 in additional funds, the revised aggregate value of the contract will not exceed $126,750. Funds are available in the Library Department's budget.

Concurrence/Previous Council Action
The contract was originally approved by City Council on Aug. 31, 2016.

Responsible Department
This item is submitted by Deputy City Manager Inger Erickson and the Library Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 60

Bottled Water and Associated Products - Requirements Contract - IFB 18-215A (Ordinance S-47868)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 148572 with Nestle Waters North America for the purchase of bottled water and associated products for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $100,000.

Summary
The bottled water contract provides the City with bottled water and related products where a water supply is not readily accessible to help prevent heat-related illnesses for Police Officers, Firefighters, and other City employees and residents. Bottled water is also used at public gatherings, marches or walks, and City-funded public events. The primary user departments of this contract are the Aviation, Fire, Water Services, Public Works, and Police departments. This contract is critical to the safety and health of the City’s employees and residents by helping prevent heat-related issues, especially during the City’s hotter months of the year.

Contract Term
The contract term is Nov. 1, 2018 through Oct. 31, 2023.

Financial Impact
Upon approval of $100,000 in additional funds, the revised aggregate value of the contract will not exceed $600,000. Funds are available in various departments' budgets.

Concurrence/Previous Council Action
This contract was originally approved by City Council on Sept. 19, 2018.

Responsible Department
This item is submitted by City Manager Ed Zuercher and the Finance Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 61

Fitness Equipment with Related Accessories and Services - COOP 21-081 (Ordinance S-47869)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with Team Marathon Fitness Inc., the authorized local distributor for Precor Inc., and with Fitness 4 Home Superstore Inc., the authorized local distributor for True Fitness Technology Inc., to purchase fitness equipment with related accessories and services for the Phoenix Fire Department. A cooperative contract was established by Sourcewell under solicitation number RFP 081120. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $750,000.

Summary

These contracts will allow the Fire Department to continue to provide exercise and conditioning equipment in the fire stations and facility gym settings throughout the City of Phoenix, in support of the health and wellness of the firefighters. Exercise and conditioning equipment is utilized by the firefighters to meet and maintain National Fire Protection Association (NFPA) standards and Occupational Safety and Health Administration (OSHA) requirements as part of the medical and physical fitness condition levels needed to perform their essential job tasks. These contracts will provide new additional fitness/conditioning equipment of various makes, sizes, models and uses on an as-needed basis. Replacement equipment will be consistent in model and specifications with existing aerobic fitness/conditioning equipment in fire stations.

Procurement Information

In accordance with Administrative Regulation 3.10. a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through competitive process consistent the City's procurement process, as set forth in the Phoenix City Code, Chapter 43.

The Sourcewell contract covers the purchase of fitness equipment with related accessories and services as required by the Phoenix Fire Department. The contract was awarded on Oct. 1, 2020. The use of this cooperative will provide the City national discounts on these products. Additionally, review of pricing and availability from registered small and local businesses indicated that this cooperative contract offers the

best value for the City.

Upon City Council approval of this item, a purchasing agreement(s) incorporating the City's terms and conditions will be fully executed between the referenced vendor(s) and the City.

Both the American Bar Association and National Institute of Government Purchasing endorses the use of Cooperative Agreements by municipalities and other public institutions. An established best practice in government procurement, Cooperative Agreements provide extensive benefits to procurement officials by leveraging volume purchasing for maximum cost benefit and ensuring best value.

The Assistant Finance Director recommends that the cooperative participating agreement with Team Marathon Fitness Inc., and Fitness 3 Home Superstore Inc. be accepted.

Contract Term
The five-year contract term will begin on or about Sept. 1, 2021.

Financial Impact
The aggregate contract value will not exceed $750,000. Funds are available in the Fire Department's budget.

Responsible Department
This item is submitted by Assistant City Manager Jeff Barton and the Fire Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 62

Mobility Vehicles and Vehicle Conversion Services - COOP 22-003 (Ordinance S-47871)

Request to authorize the City Manager, or his designee, to enter into a cooperative purchasing contract with Creative Bus Sales, Inc. under State of Arizona Cooperative Agreement CTR054848 to procure mobility vehicles and vehicle conversion services for the Public Transit Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $25 million over five years.

Summary

The cooperative purchasing contract will provide Public Transit Department (PTD), as the designated recipient of federal funds, the ability to procure new mobility vehicles on behalf of grant subrecipients of the Federal Transit Administration's Enhanced Mobility of Seniors and Individuals with Disabilities Section 5310 program. This contract will also provide for the purchase of Dial-a-Ride and circulator vehicles that are currently used in programs managed by PTD.

Procurement Information

In accordance with Administrative Regulation 3.10, a cooperative purchasing contract is required when the City uses a cooperative agreement from another public agency. The contract was awarded through competitive processes consistent with the City's procurement processes, as set forth in Phoenix City Code, Chapter 43.

The State of Arizona contract, which was awarded by ADOT on May 1, 2021, covers the purchase of mobility vehicles and vehicle conversion services as required by PTD. The use of this cooperative agreement will provide the City national discounts on these products. Additionally, review of pricing and availability from registered small and local businesses indicates that this cooperative contract offers the best value to the City.

Upon City Council approval of this item, a cooperative purchasing contract incorporating the City's terms and conditions will be fully executed between the referenced vendor and the City.

The Deputy Finance Director recommends that the cooperative purchasing contract

with Creative Bus Sales be accepted.

Contract Term
The five-year contract term will begin on or about Sept. 1, 2021.

Financial Impact
The aggregate contract value will not exceed $25 million. Funding is available in the Public Transit Department's Capital Improvement Program budget.

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 63

Authorization to Sell City-Owned Property at 1950 E. Buckeye Road Identified as Excess Real Property Inventory (Ordinance S-47873)

Request to authorize the City Manager, or his designee, to sell, by broker, City-owned real property located at 1950 E. Buckeye Road (Property), which has been identified by Aviation as excess real property inventory. Further request to authorize the City Manager, or his designee, to negotiate with the offerer(s) in order to yield the highest return to the City, as deemed acceptable by the City Manager or his designee. The City Manager, or his designee, will select the highest responsive and responsible offer for the Property based on its fair market value, and enter into an agreement for the purchase and sale of the Property, which will contain terms and conditions deemed necessary and appropriate by the City. The subsequent fee simple conveyance will be by special warranty deed. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary
1950 E. Buckeye Road is improved with an approximate 164,000-square-foot industrial building and parking lots previously owned by American Airlines under a ground lease. The improvements reverted to the City when the ground lease expired on Feb. 4, 2021. Aviation desires to sell the improvements subject to a new ground lease to be executed by the buyer of the Property as a condition of the sale. The City will retain ownership of the underlying land identified by Maricopa County Assessor's parcel number 115-14-186B.

Financial Impact
Revenue from the Property will reflect its fair market value.

Location
1950 E. Buckeye Road.
Council District: 8

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Aviation and Finance departments.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 64

Portable Construction Equipment - 041719-TER (Ordinance S-47877)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with H&E Equipment Services, Inc., the authorized local vendor for TEREX USA, LLC to purchase portable construction equipment and services for the Public Works Department. A cooperative contract was established by Sourcewell under solicitation number 041719-TER. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $150,000.

Summary

This agreement is required by the Public Works Department to purchase new replacement portable construction equipment and services including mobile elevated work platforms, telescopic booms, articulated booms, trailer mounted booms, scissor lifts, material lifts, personnel lifts, telehandlers and light towers for citywide use. Currently, there are six lifts in service assigned to four departments that have exceeded their 12-year life cycle; one with Police, three with Fire, one with the Convention Center, and one with Water Services. This agreement would support the immediate and any future needs of the City. Approximately 85 percent of the contract spend is used by enterprise funds.

The use of this cooperative will provide the City national discounts on these products. Additionally, review of pricing and availability from registered small and local businesses indicates that this cooperative contract offers the best value to the City.

Upon City Council approval of this item, a purchasing agreement incorporating the City’s terms and conditions will be fully executed between the referenced vendor and the City.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through competitive processes consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43.

A cooperative agreement was established by Sourcewell under agreement number 041719-TER and covers the purchase of portable construction equipment as required by the Public Works Department. Agreement 041719-TER between Sourcewell and TEREX USA, LLC was awarded on June 17, 2019 and includes terms that allow the City to enter into a linking agreement directly with the local dealer/distributor. TEREX USA, LLC directed the City to contract directly with H&E Equipment Services, Inc. to receive the pricing found in Agreement 041719-TER. H&E Equipment Services, Inc. has agreed to be bound by the City's terms and conditions and the terms of Agreement 041719-TER.

Both the American Bar Association and National Institute of Government Purchasing endorses the use of Cooperative Agreements by municipalities and other public institutions. An established best practice in government procurement, Cooperative Agreements provide extensive benefits to procurement officials by leveraging volume purchasing for maximum cost benefit and ensuring best value.

The Assistant Finance Director recommends that the cooperative participating agreement with H&E Equipment Services, Inc. be accepted.

Contract Term
The five-year contract term will begin on or about Aug. 25, 2021.

Financial Impact
The aggregate contract value will not exceed $150,000 Funding is available in the Public Works Department's budget.

Responsible Department
This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 65

Appraisal Services for Citywide and Public Transit Projects (Ordinance S-47891)

Request to authorize the City Manager, or his designee, to enter into contracts with the appraisers listed below. Further request authorization for the City Controller to disburse funds related to this item. There is no financial impact for this action.

Summary

These contracts will be added to the Finance Department Real Estate Division's Qualified Vendor List (QVL) for appraisal services for Citywide projects on an as-needed basis for the contract period beginning Feb. 1, 2021 through Jan. 31, 2026. The Real Estate Division contracts with appraisers are for appraisal, appraisal review and other valuation services of real and personal property, as requested by City departments.

Procurement Information

The Finance Department released a Request for Qualifications (RFQu) for Appraisal Services on Oct. 21, 2020. As a result, 21 proposals were received, deemed responsive to the RFQu, and received contract approval by City Council at the Jan. 6, 2021 City Council Formal Meeting (Ordinance S-47229). Due to the high demand for appraisal services and the need for appraisals of unique properties, a second RFQu was necessary to avoid delays in service and project timelines.

On May 12, 2021 the Finance Department released a second RFQu for Appraisal Services. The RFQu was conducted in accordance with Administrative Regulation 3.10. Two proposals were received in response to the RFQu and both were deemed responsive to the requirements of the RFQu. The evaluation panel reviewed submittals according to the following criteria set forth in the RFQu and determined that all proposers met the established criteria to be placed on the Appraisal Services for Citywide and Public Transit Projects QVL.

Appraisal service providers to be added to the QVL are:

1. Accurate Appraisals U.S.A.
2. Kalinowski Neal & Associates

Contract Term
The contract term will begin upon execution of the contract(s) through Jan. 31, 2026.

Financial Impact
There is no new financial impact. Funding for these services was approved by Ordinance S-47229 in an amount not to exceed $3,250,000, with an estimated annual expenditure of $650,000.

Concurrence/Previous Council Action
The City Council approved contracts with 21 appraisal service providers (S-47229) on Jan. 6, 2021.

Responsible Department
This item is submitted by City Manager Ed Zuercher and the Finance Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 66

Auditing and Consulting Services for Regional Wireless Cooperative - Requirements Contracts - MCC 180241 C (Ordinance S-47892)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 150616 with Eide Bailly LLP; Contract 150617, Berry, Dunn, McNeil & Parker, LLC; Contract 150635, MGT of America Consulting, LLC; Contract 150640, Heinfeld, Meech, & Co.; Contract 150641, REDW, LLC; Contract 150642, Myers and Stauffer LC; and Contract 150660 with Clifton, Larson, Allen, LLP for the purchase of auditing and consulting services for the Regional Wireless Cooperative (RWC) under the Office of Government Relations and the Information Technology Services Department (ITS). Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $386,700.

Summary

These contracts provide external expertise for auditing and consulting services. The RWC, per its governance, must be financially audited annually by an external auditor. It is budgeted for each year and its findings are shared with the Board of Directors. In addition, the Information Technology Services Department, in support of maintaining a citywide secure and Payment Card Industry (PCI) compliant payment system(s), utilizes an external auditor to obtain a PCI certified Qualified Security Assessor. The initial payment ordinance (S-45691), approved by City Council, was for $580,000 for three years. On May 26, 2021, the City Auditor Audit Committee authorized the City Auditor to seek a payment ordinance for the remaining two-year terms totaling $386,700. This request is for additional funds only for the existing contracts. The City Auditor, ITS, and RWC currently utilize these contract services.

Contract Term

The contract term is June 1, 2019 through May 31, 2024.

Financial Impact

Upon approval of $386,700 in additional funds, the revised aggregate value of the contracts will not exceed $1,370,700. Funds are available in the City Auditor Department's budget.

Concurrence/Previous Council Action

These contracts were originally approved by City Council on June 5, 2019. ITS and RWC were added with additional funds of $404,000 (S-47336) to the contracts as approved by City Council on March 3, 2021.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Finance Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 67

Software Value-Added Reseller Services - State of Arizona Cooperative Contract (B) (Ordinance S-47903)

Request to authorize the City Manager, or his designee, to add additional expenditures and extend the terms for Contract 144228 with CDW Government LLC and Contract 151721 with SHI International Corporation to purchase software, volume licenses, and enterprises license agreements through Aug. 30, 2022. The total amount will not exceed $24,675,000 for purchases made from these contracts. Further request authority to grant an exception to the indemnification and limitation of liability provisions of Phoenix City Code section 42-18 for software and services agreements under these contracts. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City utilizes the Software Value-Added Reseller Services State Cooperative Contract to purchase software and services for all City departments. The amount requested is based on a recent citywide strategic initiative to more accurately reflect technology investment costs from all departments. Departments indicated which purchases would be made utilizing this cooperative contract during the current fiscal year. Additional term and funding are requested because the State of Arizona extended the term of the current cooperative contract. Most purchases under these contracts are for annual ongoing license and maintenance costs for current business solutions, and approximately 75 percent of the spend under these contracts is for software and services that support citywide technologies managed by the Information Technology Services Department. Some of the largest and most critical software solutions purchased under these contracts are for email, the internet and intranet, software for servers and other IT infrastructure, database software, and critical security tools for protecting, monitoring, and responding to threats to the City’s network or data.

In addition to providing cost savings from volume discounts, utilizing the value-added reseller contract provides the City with additional benefits for implementing and upgrading software solutions, including providing evaluation copies, product comparisons, proofs-of-concept, needs analysis, product information and application recommendations.

This request includes approval to enter into software and service agreements requiring an exception to the indemnification and limitation of liability provisions set forth in the City Code section 42-18. As software companies provide increasingly complex products, such as Software as a Service (SAAS) and cloud-based software, providers will not agree to fully indemnify the City nor accept unlimited liability. Instead, the vendors offer terms that align to standard IT industry practices. Granting an exception would authorize the City to negotiate indemnification and assumption of liability provisions when necessary to best protect the City while still being acceptable to the vendors.

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

Contract Term
Upon approval the contract terms will be extended through Aug. 30, 2022.

Financial Impact
With the $24,675,000 in additional funds, the contract's revised aggregate value is approximately $83.3 million. The amount requested is based on a recent citywide strategic initiative to more accurately reflect technology investment costs from all departments. Funds are available in City departments' budgets with the most expected usage from the Information Technology Services, Police, Water, Aviation, Public Transit and Fire departments.

Concurrence/Previous Council Action
These contracts were originally approved by City Council on Dec. 14, 2016; and additional expenditures were authorized on Jan. 20, 2020.

Responsible Department
This item is submitted by City Manager Ed Zuercher and the Finance Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 68

Authorization to Dispose City-Owned Property for Water Services and Street Transportation Departments (Ordinance S-47841)

Request to authorize the City Manager, or his designee, to dispose by broker or sealed bid solicitation three City-owned properties identified by the Water Services and Street Transportation departments as excess real property inventory. Further request to authorize negotiation with the offerer(s) in order to yield the highest dollar return to the City, as deemed acceptable by the City Manager or his designee. The City Manager, or his designee, will select the highest responsive and responsible offer for each property based upon market value, and enter into an agreement for the purchase and sale of City-owned property, containing terms and conditions deemed necessary and appropriate by the City. The subsequent fee simple conveyance will be by special warranty deed. Additionally request to authorize the City Treasurer to accept all funds related to this item.

Summary

The Water Services and Street Transportation departments have identified three vacant real properties that are considered excess and appropriate for disposal at market value to be determined by an appraisal, broker's opinion of value, or other valuation method accepted by the City.

Water Services Department

Approximately 0.76 acres of vacant land located on South Desert Foothills Parkway north of the Loop 202 Congressman Ed Pastor Freeway, identified by assessor's parcel number (APN) 311-04-001C.

The City acquired this land in 2000 for the purpose of a future water booster pump station. However, after analyzing demands, water quality and system pressures in the area, it was determined that the booster pump station was not needed. This property will be advertised on the open market by a City-contracted broker.

Street Transportation Department

Approximately 0.62 acres of vacant land located at 1199 E. Greenway Parkway, identified by APN 214-15-025N (portion).

This is a remnant from land acquired by the City in 1985 for the Camino Via Verde (Greenway Road Connector) from 19th Avenue to 32nd Street project. Staff determined that this remnant is not needed for roadway purposes. This property will be advertised on the open market by a City-contracted broker.

Approximately 0.73 acres of vacant land located at 3112 E. Palo Verde Drive, identified by APN 164-11-001A (portion).

This is a remnant from land acquired in 1981 to extend and improve 32nd Street between Camelback Road and Lincoln Drive. Staff determined that the remnant is not needed for roadway purposes. As a condition of sale, a slope easement (for drainage) on the east portion will be recorded. Due to the narrow shape of the remnant, requirement for a slope easement and current zoning, the Planning and Development Department has determined that the remnant is not developable on its own. Therefore, this property will be disposed via sealed bid solicitation open to adjoining property owners.

Financial Impact
Revenue from the sold properties will be reflective of their market values.

Concurrence/Previous Council Action
The Land Use and Livability Subcommittee recommended approval of this item on May 19, 2021, by a vote of 2-0.

Location
Various locations.
Council Districts: 3 and 6

Responsible Department
This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua and the Water Services, Street Transportation, and Finance departments.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 69

Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47847)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Keith Kaplan in the amount of $14,786.58 to the Arizona State Retirement System. Further request to authorize the City Controller to disburse funds.

Summary

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

Kaplan, Keith: $14,786.58

Concurrence/Previous Council Action

This item was approved by the COPERS Board at its July 1, 2021 meeting.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the Retirement Office.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 70

Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47848)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Robin Sobotta in the amount of $141,221.23 to the Arizona State Retirement System. Further request to authorize the City Controller to disburse funds.

Summary

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

Sobotta, Robin: $141,221.23

Concurrence/Previous Council Action

This item was approved by the COPERS Board at its July 1, 2021 meeting.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the Retirement Office.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 71

Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47866)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Deborah Gullett in the amount of $17,807.10 to the Arizona State Retirement System. Additionally request to authorize the City Controller to disburse funds.

Summary

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

Gullett, Deborah: $17,807.10

Concurrence/Previous Council Action

This item was approved by the COPERS Board at its Aug. 5, 2021 meeting.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the Retirement Office.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 72

Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47870)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Kelsi Nowak in the amount of $18,142.79 to the Arizona State Retirement System. Further request to authorize the City Controller to disburse funds.

Summary

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

Nowak, Kelsi: $18,142.79

Concurrence/Previous Council Action

This item was approved by the COPERS Board at its Aug. 5, 2021 meeting.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the Retirement Office.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 73

Extend Contract for Heat Relief Equipment Rental (Ordinance S-47854)

Request to authorize the City Manager, or his designee, to extend an agreement with Pro EM Operations, LLC (Pro EM) for the rental of heat relief equipment in support of the City's Heat Relief Program through the end of September 2021. Further request authorization for the City Controller to disburse all funds related to this item. The value of the extension will not exceed $25,500, and funding is available through the American Rescue Plan Act.

Summary

The City's Heat Relief Program was developed to reduce the effects of extreme heat on vulnerable populations. Due to the COVID-19 pandemic, many City and community buildings continue to be closed, limiting the number of available heat respite locations. The Heat Relief Program begins when temperatures reach triple digits, operating usually mid-May through the end of September. As part of the Heat Relief Program, the Human Services Department (HSD) contracted with Pro EM for the rental of shade structures and cooling systems, and had the equipment placed at St. Vincent de Paul's Watkins Road facility. HSD received authorization to enter in to the agreement for six weeks under summer payment authority. This request is to extend the contract with Pro EM for the rental of heat respite equipment through Sept. 30, 2021, and to request authority to make payment in an amount not to exceed $25,500 for this extension.

Contract Term

The contract began on or about July 9, 2021, and, if extended, will end on Sept. 30, 2021. If not extended, the contract will terminate on Aug. 27, 2021.

Financial Impact

Expenditures are not to exceed $25,500 over the period of the extension. Funding is available through the City's allocation of American Rescue Plan Act funding and is under the City's Summer Heat Respite category. There is no impact to the General Fund.

Previous Council Action

On July 1, 2021, the City Council passed Ordinance S-47790, granting the City Controller summer payment authority for business operating expenditures through

Aug. 24, 2021. Under this authority, the City Controller authorized HSD to rent the heat relief equipment for a period of six weeks.

Location
320 W. Watkins Road
Council District: 8

Responsible Department
This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 74

National Endowment for the Arts American Rescue Plan Act Grant (Ordinance S-47894)

Request authorization for the City Manager, or his designee, to apply for, accept, and, if awarded, enter into an agreement for up to $500,000 in National Endowment for the Arts (NEA) American Rescue Plan Act (ARPA) funding. Further authorize the City Treasurer to accept, and the City Controller to disburse, the funds for purposes of this ordinance. The grant funds would be used by the Phoenix Office of Arts and Culture in FY 2021-22 to award one-time grants to Phoenix nonprofit arts and culture organizations to help these entities and their employees endure the economic hardships caused by the force closure of their operations due to the COVID-19 emergency.

Summary

The ARPA recognizes that the nonprofit arts industry is an important sector of America's economy. The NEA will award funds to nonprofit arts organizations across the country to help these entities and their employees endure the economic hardships caused by the force closure of their operations due to the COVID-19 emergency. As part of this important investment, the NEA has designed a plan to expedite distribution of critical funds to the national, regional, state, and local levels to help retain as many jobs as possible, as quickly as possible. These funds are intended to help save jobs in the arts sector and keep the doors open to the thousands of organizations that add value to America's economy and the creative life of our communities.

This NEA program will be carried out through one-time grants to eligible nonprofit organizations, local arts agencies, arts service organizations, state arts agencies, federally recognized tribal communities or tribes, and a wide range or other organizations that can help advance the goals of the NEA and this program.

Due to the Phoenix Office of Arts and Culture's experience in local arts grant making and being a steward of NEA funds, the agency has been deemed eligible to sub-grant NEA funds. These funds would be restricted to emergency relief funding and would not supplant the city's current community arts grants program, nor will it jeopardize the department's current neighborhood arts grant from the NEA.

The deadline to apply was Thursday, July 22, 2021. The NEA released grant guidelines on Friday, June 25, 2021. The department is seeking a retroactive approval to apply for these funds, as there wasn't an opportunity to get this request on the Thursday, July 1, 2021 City Council Formal agenda.

Financial Impact

There is no match required for this grant opportunity. There would be no impact to the General Fund.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Phoenix Office of Arts and Culture.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 75

Retroactive Authorization for Agreement with Maricopa Association of Governments for Grant Funding (Ordinance S-47855)

Request to authorize the City Manager, or his designee, to retroactively apply for, accept and enter into an agreement with the Maricopa Association of Governments (MAG) for the Gives Back sponsorship grant to purchase bottled water for distribution in an amount not to exceed $10,000. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item for the life of the grant.

Summary

In partnership with the Arizona Lottery, MAG was provided $50,000 in a Gives Back sponsorship to purchase bottled water for distribution through MAG's Heat Relief Network, a community effort bringing together the Maricopa Regional Continuum of Care, cities and towns, nonprofit agencies, faith based-organizations, businesses, and individuals to provide resources to vulnerable populations. MAG accepted applications and selected five Heat Relief Network partners to receive $10,000 each to purchase and distribute bottled water.

This retroactive approval is requested due to the timing of the application period and gathering of the detailed information required. Notification of the grant opportunity was provided to staff on June 24, 2021, with the application due June 30, 2021. On July 2, 2021, staff was notified the City of Phoenix was awarded one of the $10,000 grants for the purchase of bottled water.

Contract Term

The grant period will be from July 2, 2021 through Oct. 31, 2021.

Financial Impact

Grant funding will be provided by MAG with no matching funds required. There is no impact to the General Fund.

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 76

Request Retroactive Authorization to Submit Annual Federal Communications Commission's Emergency Connectivity Fund Application and Enter Into Agreement (Ordinance S-47901)

Request to authorize the City Manager, or his designee, to submit an application to the Federal Communications Commission’s (FCC) Emergency Connectivity Fund (ECF) for funding assistance and enter into an agreement with the ECF for the purpose of accepting funds awarded. Additionally request to authorize the City Treasurer to receive, and the City Controller to disburse, all funds related to this item for the life of the Emergency Connectivity Fund. The total of all funds in the application is $258,300.

Summary

The ECF is a $7.17 billion program funded by the American Rescue Plan Act of 2021 to help schools and libraries support remote learning. The program will provide funding to schools and libraries for the reasonable costs of eligible equipment and services that can be provided to students, teachers, and library patrons who lack connected devices, such as laptop or tablet computers, and/or lack of broadband access during the pandemic.

The ECF would reimburse Phoenix Public Library for equipment purchases and monthly service costs purchased/delivered between July 1, 2021 and June 30, 2022. Phoenix Public Library currently lends 285 hotspots and 425 laptops to library cardholders. If awarded, Phoenix Public Library will acquire and provide broadband service for approximately 700 additional wifi hotspots through June 30, 2022, totaling approximately $258,300. Securing additional funds through the Emergency Connectivity Fund will allow the library laptop/wifi hotspot lending program to increase its capacity to address the community’s “connectivity gap”, offering library customers internet access for basic educational opportunities, remote learning, and library resources/services.

The ECF application filing window opened from June 29, 2021 through Aug. 13, 2021. Due to the short application window, Phoenix Public Library is requesting retroactive authorization. If not approved, the application will be withdrawn.

Contract Term
The funding period is July 1, 2021 through June 30, 2022.

Financial Impact
There is no impact to the General Fund. Phoenix Public Library and City of Phoenix will be reimbursed the costs of providing equipment and internet access service through this program by the Emergency Connectivity Fund from July 1, 2021 through June 30, 2022. No matching funds are required.

Responsible Department
This item is submitted by Deputy City Manager Inger Erickson and Phoenix Public Library.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 77

Sale and Redevelopment of City-Owned Property at 723 W. Polk St. to Cardinal Capital Management, Inc. (Ordinance S-47839)

Request to authorize the City Manager, or his designee, to enter into a disposition and redevelopment agreement, and other agreements as necessary (Agreements), with Cardinal Capital Management, Inc., or its City-approved designee (Developer), for the sale and redevelopment of the American Legion site located at 723 W. Polk St. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. Sale of the property will result in payment to the City of $1,605,000.

Summary

The City owns a parcel comprised of approximately 73,220 square feet (SF), or 1.68 acres, located at 723 W. Polk St., at the southwest corner of 7th Avenue and Polk Street (Site). The Site, zoned C-3 (General Commercial), is located within the Downtown Phoenix Redevelopment Area as well as the Arts, Culture, and Small Business and Capital Mall overlays. The Site was deeded to the City in 1920 to allow the establishment of the American Legion Post No. 1 (Legion). The original agreement allowed the Legion to use the Site, subject to certain limitations and contract provisions, for 99-years with an end date of Feb. 20, 2019. In September 2018, the City Council approved an 18-month lease extension allowing the Legion to continue operations while the City determined the future of the Site. City staff sent a lease amendment to the Legion for execution; however, the Legion did not execute the amendment. On July 1, 2021, the City Council via Ordinance S-47830 amended the Legion's lease of the Site to retroactively extend the term of the least until Aug. 1, 2022. The lease amendment with the Legion has been executed and provides that once the Developer is ready to take title to the Site and commence construction, the City will terminate the lease with the Legion.

The property is not designated on the Phoenix Historic Property Register or the National Register of Historic Places. A National Register Nomination was prepared by individuals not associated with the Legion, however, the Legion does not support the nomination moving forward.

In June 2019, the City Council authorized the Community and Economic Development Department (CEDD) to issue a Request for Proposals (RFP) seeking offers for the disposition and redevelopment of the Site for a compatible, infill, mixed-use, mixed-income development. The City received two proposals in response to the RFP, which was issued in October 2019. Only one of the proposals was responsive as the other proposal was received after the published proposal deadline and staff entered into negotiations with the responsive proposer. If approved, the redevelopment will result in a mixed-use, mixed-income development consisting of one building ranging between four and five stories with approximately 160,000 gross SF of building space (Project), which will include:

- Approximately 132 multifamily residential units offered in a mix of Market, Affordable and Workforce units with a preference for veterans, and distributed as follows:

a. Approximately 36 percent of the total units will be dedicated as Affordable Housing, restricted to households with incomes less than or equal to 50 percent of Phoenix-Mesa-Scottsdale, AZ MSA Area Median Income Limits (AMI).
b. Approximately 17 percent of the total units will be dedicated as Income Restricted Housing, restricted to households with incomes that are less than or equal to 80 percent of Phoenix-Mesa-Scottsdale, AZ MSA AMI.
c. Approximately 17 percent of the total units will be dedicated as Workforce Housing, restricted to households with incomes that are between 80 to 120 percent of Phoenix-Mesa-Scottsdale, AZ MSA AMI.
d. Approximately 30 percent of the total units will be dedicated as Market Rate Housing.

- Attempt to maintain the historic eligibility of the property by preserving the pre-1949 portions of the structure.
- Minimum 3,000 SF for community support services for veterans.
- A pedestrian gateway into the Project at the southwest corner of 7th Avenue and Polk Street.
- An interpretative feature documenting the history of the Luke-Greenway American Legion Post No. 1, to be located in a prominent, publicly accessible area of the Site.
- Preservation of the existing flagpole or, if preservation of the existing flagpole is not possible, construction of a comparable flagpole of at least the same size.
- Preservation and re-purposing of the existing meeting hall as a community meeting space.
- Creation of an approximately 6,500 SF gathering space.
- Sufficient parking spaces provided in a mix of covered and surface parking.

Subject to City Council approval, the following major business terms have been negotiated with the Developer and would be implemented through the Agreements:

- Purchase price $1,605,000, equal to the appraised value.
- 99-year deed restriction guaranteeing the income restrictions, with a preference for veterans, on the Site.
- City will provide a minimum of 25 project-based Veterans Affairs Supportive Housing (VASH) Vouchers for a term of 20 years, subject to future fund allocations to the City from the U.S. Department of Housing and Urban Development.
- Developer will work with the Office of Historic Preservation to preserve the pre-1949 portions of the structure and maintain the historic eligibility of the property if possible. If the Developer is successful in maintaining the historic eligibility of the property, the City will:
- Provide a one-time contribution of $300,000 for rehabilitation of the historically-eligible building after completion and acceptance of improvements, as well as execution of a 99-year conservation easement for the 7th Avenue frontage and the pre-1949 portions of the structure.
- City will reimburse the City's share of Construction Sales Tax paid during the construction of the Project, in an amount not to exceed $265,000, in exchange for Developer executing a 99-year public access easement, enforceable by the City, to provide public access to at least 2,000 SF of the Site on which the interpretive feature documenting the history of the Luke-Greenway American Legion Post No. 1 is located.
- Developer will preserve existing memorabilia at the Site.
- Developer will apply to rezone the Site within 90 days of the Authorization Date and diligently pursue rezoning.
- Developer will commence construction within 18 months of completion of the rezoning process.
- Developer will complete construction within 24 months of construction commencement.
- Agreements may contain other terms and conditions deemed necessary by City staff.

The Project will adaptively reuse a portion of the existing building and preserve key elements of the Legion property while adding veteran preference housing aimed at a mix of income levels. The Project will create approximately 100 construction jobs and approximately 20 permanent jobs after completion. In addition, the Project will create other new revenues through construction sales tax, new property tax and rental sales tax.

The Developer continues to work closely with the Legion to ensure their ability to remain on the site with the American Legion Post No. 1, up to the commencement of construction and again following the redevelopment of the property.

Financial Impact
Sale of the property will result in payment to the City of $1,605,000. Funding for the one-time historic preservation activities to maintain the historic integrity will not exceed $300,000 for which funding is available in the Downtown Community Reinvestment Fund. Construction Sales Tax reimbursement will not exceed $265,000.

Public Outreach
Staff presented to the following organizations:

- Downtown Voices Coalition - May 8, 2021
- Central City Village Planning Committee - May 10, 2021
- Grand Avenue Members Association - May 11, 2021
- Grand Avenue Arts & Preservation - May 11, 2021
- Historic Preservation Commission May 17, 2021
- Roosevelt Action Association - May 18, 2021
- Military Veterans Commission - June 17, 2021

Staff also contacted the Capital Neighborhood Association and the Triangle Neighborhood Association to provide information, and worked with the American Legion to gather feedback.

Concurrence/Previous Council Action
This item was recommended for approval by the Workforce and Economic Development Subcommittee at the June 23, 2021 meeting by a vote of 3-0.

Location
723 W. Polk St.
Council District: 7

Responsible Department
This item is submitted by Deputy City Managers Ginger Spencer and Gina Montes and the Community and Economic Development, Housing and Planning and Development departments.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 78

Amend Ordinance - Disposition and Purchase Agreement with Metrowest Development, LLC (Ordinance S-47867)

Request to authorize the City Manager, or his designee, to amend Ordinance S-42761, to modify performance benchmarks as needed to allow for the completion of three City -owned parcels located between 2nd and 3rd avenues, on the north side of McKinley Street in downtown Phoenix.

Summary

In June 2015, the Community and Economic Development Department issued a Request for Proposals (RFP) for the disposition and redevelopment of three Neighborhood Services Department-owned parcels located between 2nd and 3rd avenues, on the north side of McKinley Street (Site). Metrowest Development, LLC (Developer) was the successful proposer and was awarded the contract. The Developer chose to develop the site in two phases: the West Phase with approximately 94 market-rate units in a five-story podium apartment building with below grade parking, and the East Parcel with six for sale three-story townhomes.

On July 1, 2016, the City Council authorized the City Manager to enter into a development agreement (Agreement) for the sale and redevelopment of the Site through Ordinance S-42761 (Ordinance) and in August 2017 the Developer opened escrow for the transfer of the two parcels. In May 2017, the City Council authorized modifications to the Agreement to allow additional time to complete negotiations, and further granted an extension in October 2018 to modify the performance benchmarks of the Agreement. Staff finalized the disposition of the West Phase of the project in November 2018 through conveyance of the Special Warranty Deed.

The Developer has completed construction on the West Phase and has started the lease up phase of the project. Due to significant delays and interruptions from the COVID-19 pandemic, as well as extensive utility work related to the West Phase that prevented construction of the townhomes on the East Phase property, the Developer also has requested an extension for the commencement of construction of the East Phase. This amendment will extend the commencement of construction date to Feb. 25, 2022.

Furthermore, the amendment would extend the complete construction date, allowing 24 months to complete the project. Metrowest is an established local developer with approved building permits for the townhomes and is ready to begin construction upon the modification of the performance benchmarks.

Concurrence/Previous Council Action

City Council approved Ordinance S-42761 on July 1, 2016.

Location

The Site is located at 808 N. 2nd Ave. and 801 N. 3rd Ave. in downtown Phoenix.
Council District: 7

Responsible Department

This item is submitted by Deputy City Managers Ginger Spencer and Gina Montes and the Community and Economic Development and Neighborhood Services departments.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 79

Amendment to Phoenix Business and Workforce Development Board Bylaws (Ordinance S-47896)

Request to authorize the City Manager, or his designee, to amend the Bylaws for the Phoenix Business and Workforce Development (PBWD) Board of the City of Phoenix. There is no financial impact with this action.

Summary

The PBWD Board was established in accordance with the federal Workforce Innovation and Opportunity Act (WIOA) of 2014. The Bylaw amendments incorporate provisions consistent with the WIOA legislation and Workforce Arizona Council policies. The PBWD Board is responsible for the legislated responsibilities under the WIOA and addressing the workforce development needs of the local workforce area. The local workforce area, known as the ARIZONA@WORK City of Phoenix, serves as a jurisdiction for the administration of workforce development activities, and execution of adult, dislocated worker, and youth funds allocated by the State. The following sections are proposed to be amended primarily for administrative purposes and also to incorporate the Board's recently adopted strategic plan language so that the Bylaws match with the plan, and to incorporate the PBWD Board's newly created subcommittees.

Significant revisions are as follows:

- Article I, Name and Establishment: Added language that includes compliance with all Federal and State regulations, policies and procedures as outlined in WIOA.
- Article V, Section II: Added language to clarify nomination process. Board members are nominated and appointed by the Mayor.
- Article V, Section III: Provided a graph to clarify how membership terms are staggered to ensure only a portion of terms expire within a given year.
- Article VII, Section III: Adding clarification of standing committee membership positions.
- Article IX, Ethics and Conflict of Interest: added Workforce Arizona Council Policy No. 1 Local Governance reference.

The complete draft Bylaws are included as **Attachment A**.

Financial Impact
There is no financial impact with this action.

Concurrence/Previous Council Action
The proposed Bylaw amendments were approved at the public meeting of the PBWD Board on July 8, 2021. The most recent City Council action to approve the PBWD Board Bylaw amendments occurred on Aug. 26, 2020. On April 22, 2015, the City Council approved establishing the PBWD Board under WIOA, Phoenix City Code Ordinance G-6021.

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Community and Economic Development Department.

Phoenix Business and Workforce Development (PBWD) Board Bylaws

ATTACHMENT A

ARTICLE I. NAME AND ESTABLISHMENT

The City of Phoenix Business and Workforce Development Board shall be named the Phoenix Business and Workforce Development Board, hereinafter referred to as the "PBWDB" or the "Board."

The PBWDB is established and receives its authority in accordance with the Workforce Innovation and Opportunity Act (hereinafter referred to as the "WIOA"), which was signed into law on July 22, 2014 as Public Law 113-128. The PBWDB and its committees derive their authority from Section 107 of the WIOA. In execution of its business, the Local Workforce Development Board (LWDB) must comply with the Workforce Innovation Opportunity Act and its regulations, applicable Federal and State Laws, rules and regulations, and State policies and procedures. The City of Phoenix Mayor and City Council shall have final authority.

ARTICLE II. AREA SERVED

Pursuant to the State of Arizona designation and in compliance with WIOA, the area to be serviced by the PBWDB shall be the City of Phoenix. This area shall be known as the City of Phoenix Local Workforce Development Area (hereinafter referred to as the "LWDA"). PBWDB may also provide services in cooperation and coordination with other local workforce areas in the region and the State of Arizona.

ARTICLE III. VISION AND MISSION

Section I. Vision

Consistent with 20CFR §679.300, the vision for the PBWDB is to serve as a strategic leader and convener of local workforce development stakeholders. The Phoenix Business and Workforce Development Board's **vision**:

"Phoenix is a world-class community delivering sustainable opportunities to earn, learn, and grow."

Section II. Mission

The Phoenix Business and Workforce Development Board's **mission**:

"The mission of the Phoenix Business and Workforce Development Board is to fulfill the Six Purposes of the Workforce Innovation and Opportunity Act."

The Six Purposes of WIOA

1. Increase opportunities for employment, education, training, and support services needed to succeed in the labor market, particularly for those individuals with barriers to accessing such opportunities.
2. Support the alignment of workforce development, education, and economic development systems.

3. Improve the quality and relevance of workforce investment, education, and economic development efforts, leading to family-sustaining wages for workers, and skilled employees for employers.

4. Improve the structure and delivery of services throughout the workforce development system.

5. Increase the prosperity of workers and employers in the United States.

6. Enhance the productivity and competitiveness of the Nation.

ARTICLE IV. RESPONSIBILITIES AND METHODS

Section I. Responsibilities

As provided in WIOA Sec.107(d) and 20 Code of Federal Regulations (CFR). §679.390, the PBWDB must:

1. Develop and submit a 4-year local plan for the local area, in partnership with the Chief Elected Official (CEO) and consistent with WIOA Sec. 108.

2. If the local area is part of a planning region that includes other local areas, develop and submit a regional plan in collaboration with other local areas. If the local area is part of a planning region, the local plan must be submitted as a part of the regional plan.

3. Conduct workforce research and regional labor market analysis to include:

    a. Analyses and regular updates of economic conditions, needed knowledge and skills, workforce, and workforce development (including education and training) activities to include an analysis of the strengths and weaknesses (including the capacity to provide) of such services to address the identified education and skill needs of the workforce and the employment needs of employers;

    b. Assistance to the Governor in developing the statewide workforce and labor market information system under the Wagner-Peyser Act for the region; and

c. Other research, data collection, and analysis related to the workforce needs of the regional economy as the PBWDB, after receiving input from a wide array of stakeholders, determines to be necessary to carry out its functions;

4. Convene local workforce development system stakeholders to assist in the development of the local plan under § 679.550 and in identifying non-Federal expertise and resources to leverage support for workforce development activities. Such stakeholders may assist the PBWDB and standing committees in carrying out convening, brokering, and leveraging functions at the direction of the PBWDB.

5. Lead efforts to engage with a diverse range of employers and other entities in the region in order to:

   a. Promote business representation (particularly representatives with optimum policy-making or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunities in the region) on the PBWDB;

   b. Develop effective linkages (including the use of intermediaries) with employers in the region to support employer utilization of the local workforce development system and to support local workforce investment activities;

   c. Ensure that workforce investment activities meet the needs of employers and support economic growth in the region by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers; and

   d. Develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers (such as the establishment of industry and sector partnerships), that provide the skilled workforce needed by employers in the region, and that expand employment and career advancement opportunities for workforce development system participants in in-demand industry sectors or occupations.

6. With representatives of secondary and postsecondary education programs, lead efforts to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.

7. Lead efforts in the local area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers and job seekers, and identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs.

8. Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers and job seekers, by:

a. Facilitating connections among the intake and case management information systems of the one-stop partner programs to support a comprehensive workforce development system in the local area;

b. Facilitating access to services provided through the one-stop delivery system involved, including access in remote areas;

c. Identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the one-stop delivery system, such as improving digital literacy skills; and

d. Leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment.

9. In partnership with the chief elected official for the local area:

   a. Conduct oversight of youth workforce investment activities authorized under WIOA Sec. 129(c), adult and dislocated worker employment and training activities under WIOA Sec. 134(c) and (d), and the entire one-stop delivery system in the local area;

   b. Ensure the appropriate use and management of the funds provided under WIOA Subtitle B for the youth, adult, and dislocated worker activities and one-stop delivery system in the local area; and

   c. Ensure the appropriate use, management, and investment of funds to maximize performance outcomes under WIOA Sec. 116.

10. Negotiate and reach agreement on local performance indicators with the CEO and the Governor.

11. Negotiate with CEO and required partners on the methods for funding the infrastructure costs of one-stop centers in the local area in accordance with 20 CFR 678.715 or must notify the Governor if they fail to reach agreement at the local level and will use a State infrastructure funding mechanism.

12. Select the following providers in the local area, and where appropriate terminate such providers in accordance with 2 CFR part 200:

    a. Providers of youth workforce investment activities through competitive grants or contracts based on the recommendations of the Board/Committee. The PBWD Board may award grants or contracts on a sole-source basis if the board

determines there is an insufficient number of eligible providers of youth workforce investment activities in the local area as per the provisions at WIOA Sec. 123(b);

b. Providers of training services consistent with the criteria and information requirements established by the Governor and WIOA Sec. 122;

c. Providers of career services through the award of contracts, if the one-stop operator does not provide such services; and

d. One-stop operators in accordance with CFR 20 678.600 through 678.635.

13. In accordance with WIOA Sec. 107(d)(10)(E) work with the State to ensure there are sufficient numbers and types of providers of career services and training services serving the local area and providing the services in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive integrated employment for individuals with disabilities.

14. Coordinate activities with education and training providers in the local area, including:

    a. Reviewing applications to provide adult education and literacy activities under WIOA Title II for the local area to determine whether such applications are consistent with the local plan;

    b. Making recommendations to the eligible agency to promote alignment with such plan; and

    c. Replicating and implementing cooperative agreements to enhance the provision of services to individuals with disabilities and other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts in cooperation, collaboration, and coordination.

15. Develop a budget for the activities of the PBWDB, with approval of the chief elected official and consistent with the local plan and the duties of the PBWDB.

16. Assess, on an annual basis, the physical and programmatic accessibility of all one-stop centers in the local area, in accordance with WIOA Sec. 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq*.).

17. Certification of one-stop centers in accordance with 20 CFR 678.800 and applicable policies issued by the Workforce Arizona Council (WAC).

Section II. Methods

The PBWDB will perform all duties in accordance with these methods:

1. Convener – Bring together business, labor, education and economic development to focus on community workforce issues.

2. Workforce Analyst – Understand and disseminate current local and regional labor market and economic information and trends.

3. Broker – Bring together systems to solve common problems, or broker new relationships with businesses and workers.

4. Community Voice – Advocate for the importance of workforce policy, providing perspective about the need for and availability of a skilled workforce.

5. Capacity Builder - Enhance the workforce development area's ability to meet the workforce needs of local employers.

ARTICLE V. MEMBERSHIP

Section I. Composition and Size

The members of the PBWDB must meet the following requirements of WIOA Sec. 107(b)(2):

A. The PBWDB membership shall consist of no more than twenty-five (25) members with a majority of those members being from the business community.

B. Members of the PBWDB shall not be permitted to delegate any duties to proxies or alternates.

C. Members on the PBWDB shall serve without compensation, except for the reimbursement for travel and sustenance as provided by law for other City of Phoenix officers and employees (A.R. 3.14) while on approved City business and/or business travel.

D. The majority of the members of the PBWDB must be representatives of business in the local area and within Maricopa County. At a minimum, two members must represent small business as defined by the U.S. Small Business Administration. Business representatives serving on the PBWDB may also serve on the State Workforce Board. Each business representative must meet the following criteria:

    1. Be owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority. A representative with optimum policy-making authority is an individual who can reasonably be expected to speak affirmatively on behalf of the entity he or she represents and to commit that entity to a chosen course of action.

    2. Provide employment opportunities in in-demand industry sectors or occupations, and provide high-quality, work-relevant training and development opportunities to

its workforce or the workforce of others (in the case of organizations representing business as per WIOA Sec. 107(b) (2)(A)(ii)).

As defined in WIOA Sec. 3(23), in-demand industry sector or occupation means:

a. An industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the State, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors; or

b. An occupation that currently has or is projected to have several positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the State, regional, or local economy, as appropriate.

The determination of whether an industry sector or occupation is in-demand shall be made by the State or PBWDB, as appropriate, using State and regional business and labor market projections, including the use of labor market information.

3. Be appointed from among individuals nominated by local business organizations and/or business trade associations, former and existing PBWDB members.

E. Not less than 20 percent of the members of the PBWDB must be workforce representatives. These representatives:

1. Must include two or more representatives of labor organizations who have been nominated by local labor federations, or other representatives of employees (for areas where labor organizations do not exist);

2. Must include one or more representatives (must be a training director or a member of a labor organization) of a joint labor-management, or union affiliated, registered apprenticeship program within the area. If no union affiliated registered apprenticeship programs exist in the area, a representative of a registered apprenticeship program with no union affiliation must be appointed, if one exists;

3. May include one or more representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive, integrated employment for individuals with disabilities; and

4. May include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of

eligible youth, including representatives of organizations that serve out-of-school youth.

F. The balance of membership for the PBWDB must include:

1. At least one eligible provider administering adult education and literacy activities under WIOA Title II (Adult Education). When there is more than one local area provider of adult education and literacy activities under Title II, nominations are solicited from those particular entities (WIOA Sec. 107(b)(2)(C)(i));

2. At least one representative from an institution of higher education providing workforce investment activities, including community colleges. When there are multiple institutions of higher education providing workforce investment activities nominations are solicited from those particular entities (WIOA 107(b)(2)(C)(ii)); and

3. At least one representative from each of the following governmental and economic and community development entities:

   a. Economic and community development entities;

   b. The State Employment Service Office under the Wagner-Peyser Act (29 U.S.C. 49 *et seq*.) serving the local area; and

   c. The programs carried out under Title I of the Rehabilitation Act of 1973, other than section 112 or Part C of that Title.

G. In addition to the representatives enumerated above, the City of Phoenix Mayor and City Council may appoint other appropriate entities in the local area, including:

1. Entities administering education and training activities who represent local educational agencies or community-based organizations with demonstrated expertise in addressing the education or training needs for individuals with barriers to employment;

2. Governmental and economic and community development entities who represent transportation, housing, and public assistance programs;

3. Philanthropic organizations serving the local area; and

4. Other appropriate individuals as determined by the CEO.

Section II. Nominations and Appointments

A. Individuals are appointed to the PBWDB by the City of Phoenix Mayor and approved by the City Council in accordance with State criteria established under WIOA Sec. 107(b)(2).

B. All PBWDB applicants must register on the City of Phoenix Boards and Commissions website. https://boards.phoenix.gov/

C. The City of Phoenix Mayor will identify candidates for appointment to serve on the Board by the following process:

1. Vacancies can occur due to member term expiration, member resignation, member removal or if a member no longer meets the requirements of the Board seat. The PBWD Board Liaison will notify the Mayor's Office and the Community and Economic Development Director in advance of the vacancy when possible or within five days of the vacancy.

2. The Mayor's Office will identify a candidate for the vacant Board seat and confirm the candidate's eligibility with the PBWD Board Liaison.

3. The Mayor's Office will instruct the candidate to complete a registration on the City of Phoenix Boards and Commissions website: https://boards.phoenix.gov/ via email and will cc the Board Liaison.

4. The PBWD Board Liaison will email the candidate, and copy the Mayor's Office, with instructions to complete and provide the following documents:
    i. PBWD Board Application
    ii. A copy of the candidate's resume
    iii. Complete the required Nomination Letter using the appropriate template

5. The Mayor's Office will schedule the candidate for appointment at the Phoenix City Council meeting and will provide notification to the candidate and PBWD Board Liaison.

6. If the Phoenix City Council is not allowing in-person participation, or if the candidate is unable to attend the City Council meeting, the PBWD Board Liaison will obtain the documents listed below from the candidate. Upon receipt of the original documents, the PBWD Board Liaison will forward the documents to the City of Phoenix Clerk's Office.
    i. Loyalty Oath
    ii. Appendix D- Ethics Certification and Acknowledgement
        a. The City of Phoenix Boards and Commissions Ethics Handbook is located here: https://www.phoenix.gov/citymanagersite/Documents/Ethics/Ethics_Handbook_Boards_Commissions.pdf

7. After appointment by the Mayor, the PBWD Board Liaison will schedule the Board member for a PBWD Board orientation session.

Section III. Membership Terms

A. The PBWDB members shall be appointed by the Mayor and the Board shall consist of no more than twenty-five (25) unpaid members, a majority of whom shall represent businesses.

B. Appointments shall be for a fixed term of three years. Members may serve for two (2) consecutive three-year terms. However, members appointed as Mandated Partners shall continue to serve until the agency/organization that appointed them identifies a replacement. Membership terms shall be staggered, as illustrated below, to ensure only a portion of the membership terms expire in any given year.

Term Expirations	Business Seats	Workforce Seats	Community Based Org.	Economic Dev.	Education Seats	Partner Programs
Cohort 1	5	1				
Cohort 2	4	1		1	1	1
Cohort 3	4	3	1		1	2

C. The term of a member shall expire on the last day of June of the member's third year, unless the member is reappointed for a second three-year term.

D. Members appointed to fill a vacancy shall serve until the expiration of the term of the vacant seat with the option to serve two full three-year terms, thereafter.

E. Members who no longer hold the position or status that made them eligible for the PBWDB must resign or be reassigned to another Board seat if a vacancy exists. If a vacancy is not available, the Board member must be removed by the City of Phoenix Mayor immediately upon notification to the Board Chair of the members change of status.

Section IV. Vacancies and Resignations

A. The PBWDB shall identify where vacancies have occurred and ensure a broad range of representation from identified business and industry sectors, education, labor organizations, apprenticeships, community and faith-based organizations, economic development agencies, and other members as outlined in the WIOA. It will be determined if existing members are eligible for re-appointment or have served the maximum two full three-year terms. (Filling an unexpired term does not count toward two full terms).

B. In order to comply with Workforce Arizona Council Local Governance Policy, PBWDB vacancies must be filled within 120 days of the vacancy. Reappointments must be made within 120 days of the term of expiration.

C. In the event a vacancy cannot be filled within 120 days, the PBWDB must request a waiver in writing to the Director of the Workforce Arizona Council with an explanation of why a vacancy was not filled in the 120-day timeframe and a description of the process underway to fill the vacancy.

D. The PBWDB must maintain written approval of the waiver request by the Director of the Workforce Arizona Council and will be monitored according to the process outlined in the approved waiver request.

E. Board members may resign at any time by written notice to the PBWDB Chair with 30 days' notice.

Section V. Attendance

A. All PBWDB members are expected to attend regularly scheduled Board and Committee meetings in person. Under extraneous circumstances, members may participate via phone or web-based meetings (if available).

B. All members must confirm their attendance five (5) business days prior to a scheduled meeting. If unable to attend a meeting, PBWDB members must report their absence to the PBWDB Chair and Board Liaison.

C. Any three (3) unexcused absences from regularly scheduled Board and Committee meetings during a program year (July 1 – June 30) shall result in notification to the City of Phoenix Mayor and possible removal from the PBWDB.

Section VI. Removal of PBWDB Members

A. Board members must be removed by the City of Phoenix Mayor if any of the following occurs:
    1. Documented violation of conflict of interest;
    2. Failure to meet Board member attendance requirements as defined in the PBWDB Bylaws Article V.5 Attendance;
    3. Documented proof of malfeasance, fraud or abuse; or
    4. Failure of a Board member to continue to hold the qualifications of membership which were the basis for their initial appointment.

B. The state administrative entity reserves the right to investigate regarding allegations of wrongdoing that result in the removal of a Board member. The City of Phoenix Mayor and PBWDB Chair will be formally notified in advance of any such investigation and of the results.

C. Recommendations for removal of the PBWDB members will be forwarded to the City of Phoenix Mayor for final approval.

ARTICLE VI. ELECTION OF OFFICERS

Section I. Officers

A. The Officers of the PBWDB shall be Chair and Vice Chair.

B. There will be an Immediate Past Chair (Chair Emeritus) of the PBWDB.

C. There shall be one (1) individual to serve in each designated office.

Section II. Election and Term

A. Election of officers shall be held during the last meeting of each election year.

B. The Chair and Vice Chair shall serve concurrent two-year terms, beginning on July 1 of the following program year.

C. Board staff will contact the business members of the PBWDB to gauge their interest in serving in a Chair or Vice Chair role.

D. Of the business members identified, the Executive Leadership Committee (ELC) shall identify at least two (2), but no more than (3) persons, based on member attendance and engagement, who are current business members of the PBWDB to run for Chair and Vice Chair.

E. Elections will be conducted by the electronic dissemination of a ballot to each Board member no later than April of the election year.

F. Recommendations for Board officers shall be presented to the full board for election in May. The election results will be forwarded to the City of Phoenix Mayor's Boards and Commissions Office.

G. Candidates for office must be eligible to serve for at least two (2) more years. Members whose eligibility expires prior to the end of a two-year term, may not be a candidate for office. Board members may not have their term of office on the Board extended to fill a chair or vice chair role.

H. The Immediate Past Chair (Chair Emeritus) shall mentor the newly elected Chair during a transition period of up to one (1) year.

I. If a vacancy occurs by other than an expiration of an Officer term, the vacancy shall be filled for the unexpired portion of the term.

Section III. Duties of Officers

A. Chair

The Board Chair maintains focus on what is best for the PBWDB. He/she facilitates good board leadership and governance and sets the tone for the meetings. Working collaboratively with the PBWDB Executive Director, the Board Chair molds the board's culture and work. An effective Board Chair influences the direction and priorities of the board. It's an active role that engages the board members, building upon each member's individual strengths.

1. The Chair shall be elected by a majority vote of the PBWDB.
2. The Chair shall be a representative of the business community on the PBWDB.
3. The Chair shall serve as Chair of the Executive Leadership Committee (ELC) of the PBWDB.
4. The Chair shall facilitate all regular, special and executive leadership meetings of the PBWDB.
5. In the event that the Chair and Vice Chair are absent, the Chair may designate a chairperson pro tempore from the ELC to serve as the presiding officer of the PBWDB and ELC meeting.
6. The term of office for the Chair shall be two (2) years. No one individual may hold this office for more than one (1) term unless so voted by a majority of the PBWDB.
7. In the event the Chair cannot fulfill the terms of his/her appointment for any reason, the Vice Chair shall perform such duties as the Acting-Chair until a new Chair is appointed.
8. The Chair shall provide information for the preparation of the agenda for PBWDB meetings.
9. The Chair shall encourage best and broadest participation possible from all Board members.
10. The Chair shall appoint all committee Chairs, Vice Chairs and assigns board members to each standing committee.
11. The Chair shall create and/or appoint committees, workgroups or advisory groups as needed.

12. The Chair assigns and delegates responsibilities as needed.

13. The Chair shall mentor the chair elect in conducting their duties and assumes the role of Immediate Past Chair (Chair Emeritus) once their term has expired.

B. Vice Chair

The Vice Chair performs the duties of the Chair in his/her absence or assumes the role and duties of the Chair should they resign or are no longer able to perform their duties. The Vice Chair assists in carrying out the functions of that office and performs specific duties as delegated to him/her.

1. The Vice Chair shall be a representative of the business community on the PBWDB.

2. The Vice Chair shall be elected by a majority vote by the PBWDB.

3. The term of office for the Vice Chair shall be two (2) years. No one individual may hold this office for more than one (1) consecutive term unless so voted by a majority of the PBWDB.

4. The Vice Chair will work in conjunction with other members of the ELC and Board staff to evaluate the performance of the Board and its committees.

5. The Vice Chair works to ensure the Board adheres to the goals and objectives of the strategic plan.

6. The Vice Chair shall work with the ELC to identify engagement, training and development opportunities for Board members.

7. The Vice Chair shall work with Board members to address membership compliance as stated in Article V. of the PBWDB bylaws.

8. If the Vice Chair cannot fulfill the terms of his/her appointment for any reason, the Chair may appoint an interim Vice Chair from the business community of the PBWDB until a new Vice Chair has been elected by the PBWDB.

Section IV. Removal of Officers

Any officers may be removed from office for cause and a vote of at least two-third (2/3) of the current members of the ELC.

ARTICLE VII. COMMITTEES

Section I. General

A. All Committees and workgroups established under the Board shall comply with these bylaws.

B. All actions of the Board committees and workgroups shall be recommendations or information to the ELC or PBWDB.

C. All Standing Committees shall hold meetings monthly at the date and time established by majority of the committee members.

D. The meeting location and schedule shall be posted at least 48 hours in advance of each meeting on the City of Phoenix website (https://www.phoenix.gov/cityclerk/publicmeetings/notices) and the ARIZONA@WORK City of Phoenix website (https://arizonaatwork.com/phoenix/local-board).

E. Chairs and/or Vice Chairs of standing committees in consultation with the PBWDB Executive Director, and with support from Board staff, shall drive the agenda for committee meetings.

F. If the PBWDB determines that a specific standing committee is no longer needed, it shall officially disband the committee. The bylaws will thereafter be amended to remove the standing committee.

Section II. Executive Leadership Committee (ELC)

A. The Executive Leadership Committee shall be comprised of the following Board members: PBWDB Chair, PBWDB Vice Chair, and Chair and two (2) Vice Chairs of all standing committees. At the discretion of the Board Chair, up to two (2) additional members of the Board maybe appointed to the ELC.

B. If the Immediate Past Chair position is filled (Chair Emeritus), this position may also be on the ELC as determined by the PBWDB Chair.

C. The responsibilities of the ELC shall include, but are not limited to the following:

1. Shall meet as necessary between scheduled meetings of the PBWDB and may be responsible for interpreting and putting into effect the decisions, policies and programs of the Board. Including but not limited to attendance, workplan, bylaws and any conflict resolution.

2. If a PBWDB meeting has been cancelled and action items are needed to continue the programs, ELC shall put into effect and vote on the action items until the next meeting of the PBWDB is scheduled.

3. Report on all action taken by the committee at regularly scheduled Board meetings.

    a. Emergency actions and all other actions taken by the ELC without the prior approval of the PBWDB are conditional and subject to either ratification, or rescission by the PBWDB at its subsequent meeting.

4. In consultation with Board staff, make recommendations for membership to the Board and committees in compliance with membership requirements as outlined in Article V. of these bylaws.

5. Reinforce Board member roles and expectations by focusing on strategic planning and Board involvement.

6. Reviews Board Strategic Plan goals and objectives and makes recommendations as needed.

7. Develop a budget for the workforce activities in the City of Phoenix that are consistent with the local plan and the duties of the PBWDB.

8. In partnership with the CEO and Board staff, work to develop the ARIZONA@WORK City of Phoenix Local Workforce Development Area Plan.

9. Provide guidance in the convening of workforce development organizations in order to develop the workforce system partners Memorandum of Understanding that align efforts and resources to enhance the talent development capacity of the local area.

10. Provide oversight, management, and monitoring of all Board contracts and agreements.

Section III. Standing Committees

PBWDB Standing Committees listed below will recommend policy direction for the design, development and implementation of workforce operations and governance for approval to the PBWDB.

A. Business and Workforce Engagement Committee (BWEC)

1. The Business and Workforce Engagement Committee shall be comprised of the following Board members: A Chair, two (2) Vice Chairs, up to eight (8) Board members, and up to five (5) ad-hoc, non-Board members.

2. The goal of the BWEC is: *Drive economic mobility and impact.* The responsibilities of the committee shall include, but are not limited to the following:

    a. Leverage labor market information to inform decisions and strategic impact of workforce development.

    b. Ensure return on investment for workforce development in the City.

    c. Invest in education programs that lead to pre-defined, sustainable career pathways and business competitiveness.

    d. Identify industry trends and develop sector strategies.

e. Effectively engage the business community with the ARIZONA@WORK City of Phoenix workforce development system.

f. Provide guidance in the use of evidence-based decision-making practices when convening employers or pursuing and implementing sector partnership initiatives.

g. Provide guidance and oversight in the development of customized trainings for employers to include Customized, Incumbent Worker, and On-the-Job Training.

h. Reviews the addition of training providers to the State Eligible Training Provider List based on performance.

B. Communication and Outreach Committee (COC)

1. The Communication and Outreach Committee shall be comprised of the following Board members: A Chair, two (2) Vice Chairs, up to eight (8) Board members, and up to five (5) ad-hoc, non-Board members.

2. The goal of the COC is: *ARIZONA@WORK is the recognized workforce authority in the region.* The responsibilities of the COC shall include, but are not limited to the following:

a. Raise external awareness of ARIZONA@WORK City of Phoenix.

b. Build an internal communication strategy.

c. Identify and reach the populations we intend to serve and connect them with resources and services.

d. Focus on the use of technology for communication and outreach to include social media, website content and virtual media platforms.

e. Ensure the PBWDB participates in workforce events and conferences where ARIZONA@WORK City of Phoenix programs and services can be shared.

C. Program Excellence Committee (PEC)

1. The Program Excellence Committee shall be comprised of the following Board members: A Chair, two (2) Vice Chairs, up to eight (8) Board members, and up to five (5) ad-hoc, non-Board members.

2. The goal of the PEC is: *Instill hope.* The responsibilities of the PEC shall include, but are not limited to the following:

    a. Develop opportunities for individual connections and relationships to support vulnerable populations including youth and dislocated workers.

    b. Align with local investment in diversity and inclusion as a primary business strategy.

    c. Show promise for individuals seeking careers through the sharing of simple approaches.

    d. Ensure WIOA performance standards and agreement terms are met for the adult, dislocated worker, and youth programs and specialty grants.

2. In accordance with the Arizona Department of Economic Security Youth Program Policy, Section 201.02, the Program Excellence Committee will provide information and assist with planning, operational, oversight, and other issues relating to the provision of services to youth. Under the direction of the PBWDB, the PEC may:

    a. Recommend policy direction for the design, development and implementation of programs that benefit all youth.

    b. Recommend the design of the comprehensive community youth workforce development system to ensure a full range of services and opportunities for youth, including disconnected youth.

    c. Recommend ways to leverage resources and coordinate services among schools, public programs, and community-based organizations serving youth.

    d. Recommend ways to coordinate youth services and eligible youth service providers.

    e. Provide on-going leadership and support for continuous quality improvement for local youth programs.

    f. Assist with the planning, operational and other matters related to youth.

D. Workgroups

1. The PBWDB Chair may establish workgroups to assist the Board in carrying out its duties or current work and appoint a PBWDB member as the Chair of that workgroup.

2. Workgroups may include individuals who are not appointed to the Board, so long as the PBWDB Chair determines the individual has expertise in the topic/task.

3. Workgroup member appointments end at the conclusion of the topic/task.

Section V. Ad-Hoc Membership

A. Ad-Hoc members shall serve without compensation and may be appointed to serve on a Board workgroup or committee for a period of up to 24 months. Ad-Hoc members demonstrating proven performance, engagement, participation and in good standing (attendance) may request to serve an additional term if recommended and approved by the Committee Chair.

B. Ad-Hoc members shall be at the supervisory/professional level and above in their organizations and shall have demonstrated expertise and be able to provide input pertaining to the committee they are appointed to.

C. Applications for Ad-Hoc membership must be reviewed and approved by the standing committee.

D. Up to five Ad-Hoc members shall serve on each committee as determined by the Chair and Vice-Chair of the committee.

E. Each Ad-Hoc member shall be entitled to one (1) vote on an action.

ARTICLE VIII. PBWD BOARD AND COMMITTEE/WORKGROUP MEETINGS

Section I. Public Meetings

A. All meetings of the PBWDB, including its standing Committees and Workgroups shall be held in accordance with the Arizona Open Meeting Law (Arizona Revised Statutes 38-431 et seq.)
https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/38/00431.htm

B. The PBWDB shall hold board meetings at least six (6) times per Program Year on the date and time established by majority of the PBWDB. The meeting location and schedule shall be posted at least 48 hours in advance of each meeting on the City of Phoenix website (https://www.phoenix.gov/cityclerk/publicmeetings/notices) and the ARIZONA@WORK City of Phoenix website (https://arizonaatwork.com/phoenix/local-board).

C. Special meetings of the PBWDB or its committees and workgroups may be called by the PBWDB Chair.

D. The PBWDB meetings shall be governed by Roberts Rules of Order. Consistent with City practice, the PBWDB Chair will be permitted to vote on all motions that do not involve a conflict of interest.

E. At the discretion of the PBWDB Chair, public comment shall be allowed during the discussion of any agenda item of the PBWDB meeting. Public comment will be permitted at all regularly scheduled meetings of the PBWDB.

F. Meeting agendas may contain a Consent Agenda Item. A consent agenda groups routine business and reports into one agenda item. The consent agenda item can be approved in one action rather than filing motions on each item separately.

G. In accordance with Arizona Revised Statutes, 38-431.01 (B), all PBWDB meetings shall provide for the taking of written minutes of all their meetings. For meetings other than executive sessions, such meetings shall include, but are not limited to:

1. The date, time and location of the meeting.

2. The members of the PBWDB recorded as either present or absent.

3. A general description of the matters considered.

4. An accurate description of all legal actions proposed, discussed or taken, and the names of members who propose each motion. The minutes shall also include the names of the person(s) making statements or presenting material to the PBWDB.

Section II. Quorum

A. A simple majority of appointed members shall constitute a quorum for the transaction of business at all PBWDB meetings.

B. A meeting at which a quorum is initially established, but the quorum is not maintained due to the withdrawals or departure of members, must end immediately.

Section III. Voting

A. Each member of the PBWDB, shall be entitled to one (1) vote on an action.

B. No member shall cast a vote on any matter which has direct bearing on services to be provided by the member or any organization with which that member is associated or would otherwise be the basis for a conflict of interest as outlined in Article IX. of these bylaws.

C. Action brought before the Board shall be resolved by a vote of a simple majority of the members present, provided a quorum is present.

D. At the request of any member, or discretion of the Chair, a roll-call vote may be taken for any action of the PBWDB.

E. The outcome of voting shall be recorded in the minutes of the Board.

ARTICLE IX. ETHICS AND CONFLICT OF INTEREST

PBWDB members shall avoid both conflict of interest and the appearance of conflict of interest in the conduct of the PBWDB business. The PBWDB shall follow:

A. Arizona law on conflict of Interest as set forth in Arizona Revised Statutes, Title 38 – Public Officers and employees, Chapter 3 – Conduct of Office, Article 8 Section 38-501 – 511. https://www.azleg.gov/arsDetail/?title=38

B. Workforce Arizona Council #8 Conflict of Interest Policy.

C. City of Phoenix Ethics and Gift Policies, Phoenix City Code Section 2-52. https://www.phoenix.gov/ethics.

D. City of Phoenix Boards and Commissions Ethics Handbook https://www.phoenix.gov/citymanagersite/Documents/Ethics/Ethics_Handbook_Boards_Commissions.pdf

E. Phoenix Business and Workforce Development Board Conflict of Interest Policy and Code of Conduct. https://arizonaatwork.com/phoenix/local-board

F. Workforce Arizona Council Policy #1 Local Governance

ARTICLE X. CONFLICT RESOLUTION

A. When a conflict arises between PBWDB members, or system partners who have signed the ARIZONA@WORK City of Phoenix Memorandum of Understanding and Infrastructure Funding Agreement that cannot be resolved, the parties to the issue shall summarize the issue in writing and submit it to the PBWDB Executive Leadership Committee (ELC) for mediation. All impacted ELC members must recuse themselves if a party to the conflict.

B. If the stated recusals result in the lack of quorum, the remaining members of the ELC will recruit a standing PBWDB member to fulfill the role for purposes of mediation.

C. All decisions by the ELC are final unless requiring legal review.

D. Decisions will be documented in writing to the impacted parties.

ARTICLE XI. AMENDMENTS

A. Proposed changes to the bylaws must be presented to the PBWDB or ELC and approved by a majority vote.

B. The amended bylaws will then be presented to the City of Phoenix Mayor and City Council for final approval.

C. When the bylaws are amended, a copy of the updated bylaws will be distributed to all PBWDB members and posted on the ARIZONA@WORK City of Phoenix website.

ARTICLE XII. SEVERABILITY

If any part of these bylaws is held to be null and/or void, the validity of the remaining portion of the bylaws shall not be affected.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 80

Issuance of Community Development Revenue Bonds (CPLC PM Redevelopment Project), Series 2021 (Resolution 21952)

Request City Council approval for the issuance of Community Development Revenue Bonds (CPLC PM Redevelopment Project), Series 2021, to be issued in one or more tax-exempt and/or taxable series in an aggregate principal amount not to exceed $50,000,000.

Summary

Request City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix (Phoenix IDA) has previously resolved to issue up to $50,000,000 of Community Development Revenue Bonds (the "Revenue Bonds") for use by CPLC PM Redevelopment, LLC (the "Borrower"), an Arizona limited liability company to:

a) finance, refinance, or reimburse acquisition, renovation, improvement, and equipping of a facility providing medical services in Phoenix, Arizona, and
b) pay certain costs related to the issuance of the Revenue Bonds.

Concurrence/Previous Council Action

The Phoenix IDA Board previously resolved to issue the Revenue Bonds at its meeting held on Aug. 6, 2021.

Location

The Project is located at or near 1201 and 1301 S. 7th Ave., and 515 W. Buckeye Road, in Phoenix, Ariz.
Council District: 8

With the exception of certain housing bonds, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 81

Interior Signage Programming and Maintenance (Ordinance S-47895)

Request to authorize the City Manager, or his designee, to enter into contract and any other agreement as necessary with Four Winds Interactive, LLC (FWI) to provide interior signage, programming and maintenance at the Phoenix Convention Center (PCC). The agreement is for five years and the aggregate value of the contract will not exceed $412,742. Request further authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
The Phoenix Convention Center is seeking to enter into an equipment and service agreement with FWI, for a period of five years for the Advanced Enterprise Software Subscription Service which includes maintenance and support of the FWI proprietary software operating the PCC's interior digital signage and interactive virtual concierge applications, and any additional equipment or professional services that the City may require with respect to PCC's visual communications platform.

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

Procurement Information
The recommendation is in accordance with City of Phoenix Administrative Regulation 3.10, following the Request for Agreement procurement process.

Contract Term
The contract term is for five years beginning on Sept. 1, 2021.

Financial Impact
The aggregate value will not exceed $412,742 over the life of the five-year contract. Funds are available in the Phoenix Convention Center Department's operating budget.

Location
Phoenix Convention Center, 100 N. 3rd St.
Council Districts: 7 and 8

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Phoenix Convention Center Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 82

Amendment to Intergovernmental Agreement with Arizona Department of Health Services for Immunization Services Provided by Fire Department (Ordinance S-47858)

Request authorization for the City Manager, or his designee, to enter into an amendment to Intergovernmental Agreement (IGA) 147956 with the Arizona Department of Health Services to accept funds to immunize children and adults residing in the City of Phoenix. Authorization also is requested for the City Treasurer to accept, and for the City Controller to disburse, all related funds.

Summary

The Arizona Department of Health Services (AZDHS) Arizona Immunization Program Office strives to meet national immunization goals outlined by the Centers for Disease Control and Prevention. The Fire Department will assist in Vaccine-Preventable Diseases (VPD) outbreaks and pandemic responses in coordination with equivalent county public health preparedness programs and other relevant partners. Preparedness activities may include mass vaccination exercises, identification of priority groups and hard-to-reach populations for immunization, and identification of critical infrastructure personnel. AZDHS has revised the IGA to increase the following on an as-needed basis through June 30, 2022: capacity for data entry, reminder recall activities, and vaccine cold storage capacity at an allocation not to exceed $10,000, supplemental adult flu vaccination activities at an allocation not to exceed $10,000, and enhance COVID-19 vaccination capability/capacity throughout at an allocation not to exceed $40,000.

Contract Term

The contract term will end on June 30, 2022.

Concurrence/Previous Council Action

This contract was originally approved by City Council on June 6, 2018.

Financial Impact

The Fire Department will be reimbursed at various rates by AZDHS. The aggregate reimbursement over the life the contract will depend on the number of immunization clinics hosted.

Responsible Department

This item is submitted by Assistant City Manager Jeffrey Barton and the Fire Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 83

Donation from 100 Club of Arizona for the Phoenix Fire Department (Ordinance S -47890)

Request authorization for the City Manager, or his designee, to accept a donation of 30 Stormstick decontamination systems, valued at approximately $38,000 total, from the 100 Club of Arizona for the Phoenix Fire Department. Further request authorization for the City Treasurer to accept this donation. If not approved, the donation would be turned down.

Summary

The 100 Club of Arizona wishes to express their appreciation for the Phoenix Fire Department's service by donating the StormStick Decon Systems to the department. The StormStick Decon System is a preliminary exposure reduction system that follows best practices and national standards to achieve effective toxic removal of contaminants from the exterior of a firefighter’s protective equipment immediately following a fire event. The StormStick Decon System has been tested extensively on frontline fire apparatus and fire training facilities and will help to support the health and safety of firefighters.

The 100 Club of Arizona is a charitable nonprofit 501(c)(3) Arizona corporation. The organization supports all police, correctional, probation and parole officers, firefighters, and federal agents who are serving and protecting the citizens of Arizona.

This request adheres to the Fire Department's Charitable Donations Process that was presented to the Public Safety and Veterans Subcommittee on Sept. 12, 2018.

Contract Term

There is no contract term associated with this donation.

Financial Impact

This donation does not require any matching funds.

Responsible Department

This item is submitted by Assistant City Manager Jeffrey Barton and the Fire Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 84

Request Authorization for Sale of Canine Guero (Ordinance S-47860)

Request to authorize the City Manager, or his designee, to approve the sale of Police canine Guero to Sergeant Zach Wright for $1.00. As an officer, Sergeant Wright was assigned to the Tactical Support Bureau's Canine Unit and has requested to retire and purchase his assigned canine Guero in accordance with Administrative Regulation 4.21. Sergeant Wright recently promoted and will be returning to patrol.

Summary

Canine Guero is 7 years old and has served the Phoenix Police Department and the citizens of Phoenix with unwavering bravery and distinction in his capacity as a police service dog since 2016.

This request is for the authorization of the sale of Police canine Guero for $1.00. Sergeant Wright has requested to retire and purchase canine Guero and has agreed to accept full responsibility and liability for him until his death.

Responsible Department

This item is submitted by Assistant City Manager Jeff Barton and the Police Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 85

Authorization to Pay Public Safety Personnel Retirement System for FY2021-22 Police Sworn Cancer Insurance Coverage (Ordinance S-47893)

Request to authorize the City Manager, or his designee, to make a payment to the Public Safety Personnel Retirement System (PSPRS) in the amount of $145,300 to purchase cancer insurance for FY2021-22 for the sworn personnel of the Police Department. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fire Fighter Cancer Insurance Policy Program (FFCIPP) was established in 1997. The FFCIPP offers supplemental cancer insurance for fire fighters, helping to offset additional costs if a fire fighter is diagnosed with cancer after enrollment. The insurance is administered under the PSPRS. In 2007, HB2268 changed the name of the Fire Fighter Cancer Insurance Policy Program to the Fire Fighter and Peace Officer Cancer Insurance Policy Program and extended coverage to certified peace officers under this program.

Financial Impact

The cost for FY2021-22 is $50 per peace officer; this item requests authorization to pay up to $145,300. This payment will provide cancer insurance coverage for Police sworn personnel for FY2021-22.

Responsible Department

This item is submitted by Assistant City Manager Jeff Barton and the Police Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 86

FY 2021 BJA Smart Policing Initiative Grant (Ordinance S-47902)

Request retroactive authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept and enter into an agreement with the Bureau of Justice Assistance and the National Police Foundation. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The grant amount requested is $500,000. No matching funds are required.

Summary

The Police Department is seeking federal funding to implement a project to advance the state of policing, accountability and science by leveraging innovative technology to facilitate the rapid and accurate collection of Pointed Gun at Person (PGP) data. The project objective is to improve investigations, officer and civilian safety, training and policies in response to resistance. The project has five main components:

1. Conduct a technical evaluation and implementation of firearm-based sensor hardware, that can passively collect PGP and Officer Involved Shooting (OIS) data.
2. Develop and implement a response to force dashboard that incorporates PGP, OIS and a variety of contextual datasets.
3. Explore the concurrence between PGP data firearm-based sensors and officer self-report PGP data, to assess potential variations in reporting accuracy.
4. Test the use of firearm-based sensors for improving officer training and enhancing early warning and intervention systems.
5. Conduct a naturalistic and closed-setting study, to evaluate the value of firearm sensor hardware for conducting OIS investigations.

If awarded, grant funding will be utilized for travel, overtime, purchasing equipment, and providing funding to the National Police Foundation to conduct project oversight, ensuring all tasks are executed efficiently and effectively and all scientific standards are met. The grant application was due July 20, 2021. If the request is denied, the grant application will be rescinded.

Contract Term

The contract term is Oct. 1, 2021 through Sept. 30, 2024.

Financial Impact
No matching funds are required.

Responsible Department
This item is submitted by Assistant City Manager Jeff Barton and the Police Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 87

FY 2021 Edward Byrne Memorial Justice Assistance Grant (Ordinance S-47900)

Request retroactive authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept and enter into an agreement with the Bureau of Justice Assistance and Intergovernmental Agreements with Maricopa County, Town of Gilbert and the cities of Avondale, Chandler, Glendale, Goodyear, Mesa, Peoria, Scottsdale, Tempe and Surprise, for the 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) in an amount not to exceed $1,554,900. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The City has received funding through this grant program for the past several years. The Police Department was informed of the availability of these funds on June 9, 2021. The Police Department will manage this grant, which will involve administering the funding to the eligible local agencies, programmatic and financial reporting, as well as initiating the intergovernmental agreements associated with the grant awards.

The 2021 JAG grant application was submitted by the Police Department on behalf of the City of Phoenix and eligible partnering agencies. It is proposed the City of Phoenix will receive $981,079, Maricopa County $79,485, Town of Gilbert $18,989 and the cities Avondale $21,386, Chandler $49,722, Glendale $87,458, Goodyear $15,757, Mesa $151,536 Peoria $32,564, Scottsdale $33,211, Tempe $72,320, and Surprise $11,393 for a total award of $1,554,900.

The proposed budgetary allocations for the City of Phoenix include: $187,105 to the Parks and Recreation Department for Project BRAVE (Bringing Reality About Violence Education). Project BRAVE is a violence prevention and education program that was created with the goal of decreasing violence in our community through awareness and leadership training activities. The project provides comprehensive workshops held at various sites, non-profit agencies, and after school programs.

The Police Department proposes to use the remainder of the funding ($793,974) to assist the department in its efforts to achieve FBI required National Incident-Based Reporting System (NIBRS) compliance and to offset the cost of replacing the Records

Management System (RMS). Replacement of the RMS is necessary to meet the various requirements of policing, such as gathering and sharing accurate data, performing efficient case management, providing accurate reporting and adhering to local, state and federal reporting requirements. RMS replacement will also be critical to achieving full NIBRS compliance.

The grant application was due Aug. 16, 2021. If authorization is denied, the grant application will be rescinded.

Contract Term
The contract term is Oct. 1, 2021 through Sept. 30, 2024.

Financial Impact
No matching funds are required.

Responsible Department
This item is submitted by Assistant City Manager Jeff Barton and the Parks and Recreation and Police departments.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 88

Phoenix Sky Harbor International Airport Terminal 4 Retro Commissioning - Engineering Services Amendment - AV21000098 (Ordinance S-47853)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 146518 with IMEG Corp. to provide additional engineering services for the Phoenix Sky Harbor International Airport Terminal 4 Retro Commissioning 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. There is no additional fee for services required for this amendment.

Summary

The purpose of this project is for IMEG Corp. to perform retro-commissioning services on all mechanical systems and system controls for Terminal 4 (T4), including concourses, connector bridges, and the T4 Sky Train Station. The retro-commissioning effort will likely recommend new capital improvements, as well as further operations-and-maintenance activities, and diagnostic testing to design repairs to or replacement of inadequate or defective mechanical systems identified in the investigation.

This amendment is necessary because the project was only 39 percent complete when suspended in March 2020 due to the COVID-19 pandemic. The remaining work cannot be completed under the existing agreement term. This amendment will provide additional time to the agreement.

Contract Term

The amendment will extend the contract term for an additional three years for a maximum of five years total. 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

No additional funding is requested for this amendment.

Concurrence/Previous Council Action
The City Council approved Engineering Services Agreement 146518 (Ordinance S-44124) on Dec. 13, 2017.

Location
3400 E. Sky Harbor Blvd.
Council District: 8

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua, the Aviation Department, and the City Engineer.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 89

Additional Expenditure for Custodial Services at Phoenix Sky Harbor International Airport (Ordinance S-47876)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Custodial Services Contract 148570 (Contract) with Flagship Airport Services, Inc. (Flagship) to provide custodial services at Phoenix Sky Harbor International Airport and its maintained facilities, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport (collectively, Airports). Further request to authorize the City Controller to disburse all funds related to this item. The total value of the additional expenditures will not exceed $30 million for the remainder of the term of the contract.

Summary

On Oct. 3, 2018, the City Council approved two contracts to provide custodial services at the Airports to be awarded in the large and small company categories. Flagship was awarded the large company category to provide staff, equipment, supplies, and supervision necessary to furnish custodial cleaning services for 1.7 million square feet of facilities at the Airports.

Custodial services are critical to the Airports to maintain a clean, sanitary, and safe environment for the traveling public. Activity at the Airports has rebounded to near pre-pandemic passenger volume. However, the nationwide labor shortage in the job market has posed a challenge for Flagship to recruit and retain adequate staffing. The City anticipates opening new facilities in the next three years, including two new Sky Train Stations and the Terminal 4 South 1 Concourse. The additional contract expenditures will provide capacity to support these new facilities and provide Flagship additional resources to attract and retain skilled custodial cleaning staff.

Contract Term

There is no change to the current five-year term of the contract, which began on Nov. 5, 2018 and includes two, one-year options to extend the term that may be exercised at the sole discretion of the Aviation Director.

Financial Impact

The additional expenditure will not exceed $30 million through the remainder of the contract term, including the option years. Funding is available in the Aviation

Department's budget.

Concurrence/Previous Council Action
The contract was originally approved by the City Council on Oct. 3, 2018.

Location
- Phoenix Sky Harbor International Airport and surrounding airport properties - 3400 E. Sky Harbor Blvd.;
- Phoenix Deer Valley Airport - 702 W. Deer Valley Road; and
- Phoenix Goodyear Airport - 1658 S. Litchfield Road Goodyear, Ariz.

Council Districts: 1, 8, Out of City

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Aviation Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 90

Authorization to Enter into Access Easement Agreement with Millennium Park Central, LLC for Valley Metro Light Rail Traction Power Sub-Station (Ordinance S -47843)

Request to authorize the City Manager, or his designee, to enter into an easement agreement and other agreements as necessary (Agreements) with Millennium Park Central, LLC or its City-approved designee for continued access to a Valley Metro Light Rail Traction Power Sub-Station located at 1st Avenue and Catalina Drive. There is no financial impact to the City for this item.

Summary

Millennium Park Central, LLC (Developer) is currently constructing the Millennium Park Central Apartments (Project) at Park Central. The Traction Power Sub-Station (TPSS) is on City-owned property acquired in 2006 to support the original light rail line that opened in 2008. The TPSS remains in operation and is maintained by Valley Metro for light rail operations. Prior to the Developer's Project, the TPSS could be accessed via the Park Central surface parking lot. Upon the Developer receiving site plan approval for its Project, staff from the City, Developer, and Valley Metro discussed the need for continued access to the TPSS. As a result of negotiations, the Developer incorporated an area for Valley Metro to build a driveway and thus grants under the Agreements the necessary access to the City, Valley Metro, and the City's/Valley Metro's designee(s) at no cost. Upon Council authorization, the City will execute the Agreements, and Valley Metro will fund and build the access driveway to be completed later this year in tandem with the Project's completion.

The parcels affected by this Project and included in this request are identified as Maricopa County Assessor's parcels 118-37-034 and 118-37-030B, located at 108 W. Catalina Drive.

Financial Impact

There is no financial impact to the City for this item.

Location

108 W. Catalina Drive
Council District: 4

Responsible Department

This item is submitted by City Manager Ed Zuercher, Deputy City Managers Ginger Spencer and Mario Paniagua, and the Finance, Community and Economic Development and Public Transit departments.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 91

Fare Policy Amendment - Use of ARPA Funds to Purchase Transit Passes (Ordinance S-47872)

Request the City Council to amend the City's Public Transit Fare Policy and Uniform Fare Structure "Fare Policy" to provide for the City to purchase full-fare transit passes at a half-price fare rate, so that the City can purchase twice as many passes for distribution to groups identified by the Council in need of relief. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The total cost of the pass purchases will not exceed $1 million. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) from the federal government and is under the City's Bus Card Subsidy Program category of the City's strategic plan.

Summary

For relief during the COVID-19 pandemic, the City will be receiving federal ARPA funding that may be allocated at the discretion of the City Council. From these funds, the City intends to use $1 million to purchase transit passes for the needy, although this expenditure would help more people with an amendment to the Fare Policy to allow the City to purchase full-fare transit passes at a reduced-fare rate.

Over the past 10+ years, a number of Council-approved fare policy changes have been implemented by the Public Transit Department, including changes to the fares charged to public transit users. The current Fare Policy, as amended, is located in the office of the Public Transit Director and reflects regional fare policies implemented regionally in partnership with Valley Metro and its member agencies.

Among its provisions, the Fare Policy provides that homeless service providers are eligible to receive full fare transit passes at a half-price rate. The proposed Fare Policy amendment would provide for the City to similarly purchase, with federal relief funding, full-fare passes at half price for needy passengers experiencing financial or other difficulties as identified by Council. See **Attachment A - Final Version (Fare Policy)**. This amendment would facilitate the purchase of twice as many passes, which the Public Transit Department and other City departments would distribute as directed by Council to ensure that those transit-dependent passengers can continue to ride transit in these challenging times.

Financial Impact

Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the Federal Government, which falls under the City's Phoenix Bus Card Subsidy Program Category of the strategic plan. The City will use $1 million in federal ARPA funds to purchase 31,250 full-fare, 31-day transit passes at the reduced-fare rate of $32 each.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.

Attachment A - Final Version (Fare Policy)

(See ***Section 9***, page 4 for proposed amendment)

Public Transit Fare Policy and Uniform Fare Structure for the City of Phoenix

FARE STRUCTURE

1. Full Fare	Local Bus/Rail	Express/RAPID*
One-Ride Cash Fare (Each Boarding)	$ 2.00	$ 3.25
All-Day Pass	$ 4.00	$ 6.50
7-Day Pass	$ 20.00	N/A
15-Day Pass	$ 33.00	N/A
31-Day Pass	$ 64.00	$104.00

*Passengers using a full fare local bus/rail pass for Express/RAPID service are required to pay the difference in fares based on the one-ride full cash fare.

2. Reduced Fare	Local Bus/Rail	Express/RAPID*
One-Ride Cash Fare (Each Boarding)	$ 1.00	N/A
All-Day Pass	$ 2.00	N/A
7-Day Pass	$ 10.00	N/A
15-Day Pass	$ 16.50	N/A
31-Day Pass	$ 32.00	N/A

Youth ages 6 to 18, people 65 or over, persons with disabilities, and persons who have been issued a Medicare card by the Social Security Administration are eligible for reduced fares. Any photo ID showing an individual's age is acceptable proof of age for youth and seniors. The Valley Metro Reduced-Fare Identification Card is available for $5.00 and is also acceptable as proof of eligibility.

*No reduced fare is offered on Express/RAPID. A Passenger using a reduced fare local bus/rail pass for Express/RAPID service is required to pay the difference in fares based on one-ride full cash fare.

3. Semester Passes	Fall/Spring	Summer
Full Fare	$230.00	$154.00
Reduced Fare	$115.00	$ 77.00

Semester Passes can be purchased by high schools for students at no cost to students and by full-time students enrolled in high schools, technical, trade, college, or graduate courses at participating schools. Passes are good for unlimited rides on local bus/rail service for the time period printed on the pass. Semester Passes are valid on Express/RAPID for an upgrade of $1.65 for full fare and $2.45 for reduced fare.

4. Free Fare
   Children under age six are not charged a fare for local bus/rail Express/RAPID service when accompanied by a responsible, fare-paying adult. Free fares do not apply to dial-a-ride service. Free fares are also provided via the Group Field Trip Program for elementary school classes using local bus/rail service during non-peak hours of service.

5. Free Business Shuttle/Neighborhood Circulator Service
   Business shuttle service (DASH) and Phoenix Neighborhood Circulator Service are free to all passengers.

6. Refunds
   No refunds are offered for lost or unused portions of passes, except passes lost in the mail for Automatic Mail Plan customers. (See Programs, item 5).

PROGRAMS

1. Retail Transit Fare Outlet Program
   Retail Transit Fare Outlets sell fare media to the general public and receive a commission. Retail Transit Fare Outlets are provided with Transit Books and other marketing materials to help promote the sale of passes

2. Internal Transit Fare Outlet Program
   Internal Transit Fare Outlets are able to sell or offer fare media to their employees, students or clients. Internal Transit Fare Outlets are provided with Transit Books and other marketing materials to help promote the sale of passes.

3. Platinum Pass Program
   Platinum Pass is a transit credit card available to companies, agencies, or organizations for their employees, students, tenants, residents, or other individuals permitted to participate by the company, agency, or organization. The cardholder is charged the appropriate fare for each boarding on Local and Express/RAPID bus and rail service. At the end of the month, a bill and an itemized statement is issued for each boarding up to the monthly cap for each pass's usage. Passes are capped at the maximum price of an Express/RAPID pass. A detailed report of actual boardings charged each month can be purchased for an additional cost. The company, agency, or organization is solely responsible for the cost of the program.

4. Homeless Provider Program
   Homeless service providers are eligible to receive full fare passes at half price. An agency/organization must be a homeless service provider with IRS 501(c)(3) status or a governmental agency that provides community/ social service assistance to homeless persons. Clients must meet the definition of "homeless" or "homeless individual or homeless person" as set forth in Title 42, Chapter 119, Subchapter I, and Section 11302 of the United States Code.

5. Automatic Mail Program
   The Automatic Mail Plan is designed for Dial-A-Ride passenger convenience.

By the end of each month, participants receive their Phoenix ADA Monthly Dial-A-Ride pass with a bill for that pass. If the pass is lost in the mail, the pass will be replaced.

6. Arizona State University (ASU) Pass Program
   The ASU pass is provided to all students who request one. ASU pays a fixed rated per boarding for students based on the average Platinum pass fare per boarding for the prior period. The rate is adjusted annually.

7. Ticket Partnership Program
   With the Ticket Partnership Program, patrons possessing tickets or identifiable media issued by event officials from a participating event will be able to ride Valley Metro Rail on the day of the event at no additional charge. Event tickets will be honored as valid Valley Metro Rail fare for a pre-determined time in advance of the event and through the end of the transit day. Participating event venues/events pay an amount per attendee commensurate with the current average fare to support regional fare recovery goals. A qualifying event generates a minimum of 5,000 attendees; similarly, for a venue, a single event at this facility must generate a minimum of 5,000 attendees. This program can be extended to bus route(s) if the aforementioned criteria is maintained and the service can be supported by operations. Valley Metro must receive notice of interest in the Ticket Partnership Program from event organizers at least four months in advance of the event and agreements must be completed by 60 days prior to the event.

8. Special Event Pass Program
   Large special events, such as conferences and major city events, like the Super Bowl or College Football Playoff Championship, provide economic development opportunities for the region. Special event passes will enhance the experience of event attendees and provide opportunities for visitors to experience the convenience of the region's transit system.

   Passes valid for multiple day special events:
   - Minimum two-day event
   - Minimum of 100 passes provided
   - Passes sold to event sponsor/organizing committee, not available to general public

   Pricing:
   - Platinum Pass type of program, smartcard technology
   - Cost recovery charge per card provided
   - Pay single ride fare per use, up to an event maximum
     - $4.00 per day for 2-3 days (1-day pass price)
     - $2.85 per day for 4-7 days (7-day pass price per day)
     - $2.20 per day for 8-15 days (15-day pass price per day)
     - $2.00 per day for 16 or more days (31-day pass price per day)

9. ***Federal Relief Funding***
The City of Phoenix is eligible to purchase full fare passes at half price only when purchased with federal relief funding which can be used to support transit-dependent passengers in need, having experienced financial or other difficulties as identified by Council. These passes will be distributed to needy passengers for relief as directed by Council.

PHOENIX DIAL-A-RIDE AND REGIONAL PARATRANSIT

Cash, Phoenix ADA Monthly Dial-a-Ride Pass, Phoenix Dial-a-Ride One-Way ADA Trip Tickets (Phoenix One-Way Tickets), and Regional Paratransit Tickets are accepted as fare for Phoenix Dial-a-Ride and Regional Paratransit services. Valid fare required for a single ride on Phoenix Dial-a-Ride and Regional Paratransit is:

$4.00 cash; or
Phoenix ADA Monthly Dial-a-Ride Pass; or
Phoenix One-Way Ticket; or
Eight (8) Regional Paratransit Tickets

1. Phoenix Dial-A-Ride and Regional Paratransit Pass and Ticket pricing:

Phoenix ADA Monthly Dial-a-Ride Pass	$65.00
Book of 10 Phoenix One-Way Tickets	$31.50
Book of 20 Phoenix One-Way Tickets	$50.00
Sheet of 5 Regional Paratransit Tickets	$2.50
Book of 5 Regional Paratransit Ticket Sheets (25 tickets)	$12.50

The Phoenix ADA Monthly Dial-a-Ride Pass is available through the Automatic Mail Program only (see Programs, item 5) to ADA Certified persons living within the City of Phoenix. The pass is accepted on Phoenix Dial-a-Ride, Regional Paratransit (trips originating or concluding in Phoenix), and local bus/rail service throughout the region. The pass is valid on Express/RAPID service for an additional $2.25 per ride.

The Phoenix One-Way Ticket books are available to ADA Certified persons living within the City of Phoenix only. The tickets are accepted on Phoenix Dial-a-Ride and Regional Paratransit (trips originating or concluding in Phoenix) only. Phoenix One-Way tickets are not valid on local bus, express/RAPID, and light rail service.

2. A Personal Care Attendant (PCA) riding with an ADA certified Dial-a-Ride/Paratransit customer is not required to pay a fare. Non-PCA companions riding with an ADA certified Dial-a-Ride/Paratransit customer are required to pay the same fare as the eligible rider per trip.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 92

Transit Scheduling Software Maintenance and Support Agreement (Ordinance S-47875)

Request to authorize the City Manager, or his designee, to enter into an agreement with GIRO, Inc. for the maintenance and support of HASTUS scheduling and dispatch software used by the City and its regional transit partners for bus and light rail operations. Also request to exempt the provisions of Phoenix City Code sections 42-18 (B) and (C) to limit indemnity, legal remedies, and damages. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $5,607,188 over nine years, recognizing that the City recovers a portion of the costs associated with providing this software for the region through agreements with its regional transit partners.

Summary

HASTUS is a proprietary product of GIRO, Inc., and is the current transit scheduling and dispatch software used by the City and its regional transit partners for bus and light rail service. HASTUS software enables regional transit planners and schedulers to create bus and light rail schedules and plan transit services. Transit schedules created in HASTUS are imported into the regional computer-aided dispatch and automatic vehicle location system, which then provides information to the fare collections system, enabling the City and its regional transit partners to correctly allocate transit fares and track transit ridership for the region. City transit staff, regional transit partners, and contractors rely on this information to ensure efficient service planning and delivery to transit passengers.

In addition, HASTUS allows the region’s multiple transit operations contractors to manage their daily operations and work assignments. The software provides them with the following functionality:

- Processing operator check-in/check-out at dispatch windows;
- Creating operator work schedules;
- Managing bus assignments;
- Enabling operator bidding on work schedules via the internet; and
- Generating transit personnel payroll using operator assignment and shift data.

The City currently uses the HASTUS 2013 version and an upgrade to HASTUS 2021

by GIRO is in progress. Current maintenance and support of HASTUS software ends on Feb. 9, 2022 under the existing maintenance and support agreement 140238. The new agreement ensures continuity of transit operations for Phoenix and the region.

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

Procurement Information
An exception to the procurement process was determined to select GIRO as set forth in the City of Phoenix's Administrative Regulation 3.10. A direct selection was made because HASTUS is a proprietary software to GIRO and no other company can support or upgrade the current HASTUS software.

The City requests a waiver from Phoenix City Code section 42-18(B) for the new maintenance and support agreement. In negotiating these agreements, GIRO seeks to limit the City's ability to obtain legal remedies and damages. If the City Council approves this waiver, GIRO's liability under this agreement would be exempted from financial losses and restricted to no more than the annual fees received by GIRO from the City for the annual term in which the liability arises, with no limitation of liability for bodily, intentional, or reckless injuries caused by GIRO. Also, the City's recourse for any breach of warranty would be limited to having GIRO reperform the defective services.

Public Transit Department also requests a waiver from Phoenix City Code section 42-18(C) for the new agreement. In negotiating this agreement, GIRO seeks to restrict the standard indemnification terms. GIRO will agree to defend and indemnify the City for liability arising out of GIRO's negligent or willful acts, but not liability attributed to the City's conduct. If the City Council approves this waiver, allegations of any City wrongdoing arising out of this agreement will require the City to pay for defense and resolution of any resulting claims asserted against the City.

Financial Impact
The new agreement includes the cost of maintenance and support for three years with two optional three-year extensions. The agreement's total cost will not exceed $5,607,188, including taxes, and provides for maintenance and support of HASTUS software through Feb. 9, 2031 (if all options are exercised).

Funds in the amount of $463,598 are available in the Public Transit Department operating budget in the Transportation 2050 fund for the first-year cost of this agreement. The City will recover a portion of the costs associated with providing and maintaining this software for the region through support agreements with its regional

transit partners.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 93

Request Retroactive Authorization to Submit Annual Federal Transit Administration Grant Application and Enter into Grant Agreement on Behalf of City of Mesa (Ordinance S-47897)

Request to retroactively authorize the City Manager, or his designee, to submit an application to the Federal Transit Administration for grant assistance from the Fiscal Year 2021 Pilot Program for Transit-Oriented Development Planning on behalf of the City of Mesa. Further request to authorize the execution of an agreement with the Federal Transit Administration for the purpose of accepting the grant if awarded, and to enter into an agreement with Mesa for receiving its pass-through share of the awarded grant. Additionally request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item in accordance with the terms of the aforementioned grant and agreements. The total of all grant funds in the application is $920,000.

Summary

The City of Phoenix is the designated recipient of Federal Transit Administration (FTA) grant funds for the Phoenix-Mesa Urbanized Area. As such, Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region.

Mesa seeks authorization concerning its application for the FTA's FY 2021 Pilot Program for Transit-Oriented Development Planning to receive grant funding for planning and study of a potential five-mile streetcar route in west Mesa, which will connect four major activity centers within that city and potentially link to the route for Tempe Streetcar in 2030.

FTA announced this grant funding opportunity on April 21, 2021, and Phoenix was notified by Mesa in late May. Due to the short deadline of June 21, 2021 for grant applications, the Public Transit Department is requesting retroactive authorization for Mesa's application. That application was submitted on behalf of Mesa on June 17, 2021 and can be withdrawn if not approved by Council.

Financial Impact

The project will be utilizing pass-through funding from the FTA and local funding provided by Mesa. No Phoenix funds are included in the application.

Location
City of Mesa
Council District: Out of City

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 94

Request Authorization to Submit Federal Transit Administration Areas of Persistent Poverty Grant Application and Enter into Grant Agreement (Ordinance S-47898)

Request to authorize the City Manager, or his designee, to: submit an application to the Federal Transit Administration for grant assistance from the Areas of Persistent Poverty Program; execute an agreement with the Federal Transit Administration for the purpose of accepting the grant, if awarded; and enter into an agreement with Valley Metro for receiving its pass-through share of the awarded grant. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item in accordance with the terms of the aforementioned grant and agreements. The total of all grant funds in the application is $850,000.

Summary

The City of Phoenix is the designated recipient of Federal Transit Administration (FTA) grant funds for the Phoenix-Mesa Urbanized Area. As such, Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region.

The Public Transit Department is requesting authorization to apply for FTA's Areas of Persistent Poverty Program to receive grant funding for Phoenix and Valley Metro to study High Capacity Transit options in West Phoenix, approximately from 35th to 67th avenues and from McDowell to Camelback roads. This area not only has high levels of current transit ridership, but much of the area is made up of communities that are federally-designated as "areas of persistent poverty," with a poverty rate of at least 20 percent of the population. The study will be a continuation of previous transit planning studies in the area, and through the research of existing data and extensive public outreach, the study will analyze multiple alternatives to identify a locally preferred alternative.

FTA announced this funding opportunity on June 30, 2021, and the application deadline is Aug. 30, 2021.

Financial Impact

The project will be utilizing pass-through funding from the FTA, in addition to $95,000 of Public Transportation Funds, provided through Proposition 400 and managed by

Valley Metro. No Phoenix funds are included in the application.

Location

An approximate area from 35th to 67th avenues and from McDowell to Camelback roads.
Council Districts: 4, 5 and 7

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 95

Request Authorization to Submit Annual Federal Transit Administration Grant Application and Enter into Grant Agreement on behalf of City of Tempe (Ordinance S-47899)

Request to authorize the City Manager, or his designee, to: submit an application to the Federal Transit Administration for grant assistance from the Small Starts Section 5309 Capital Investment Grant program on behalf of the City of Tempe and Valley Metro Rail; execute an agreement with the Federal Transit Administration for the purpose of accepting the grant, if awarded; and enter into an agreement with Valley Metro Rail for receiving its pass-through share of the awarded grant. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item in accordance with the terms of the aforementioned grant and agreements. The total of all grant funds in the application is $17,406,412.

Summary

The City of Phoenix is the designated recipient of Federal Transit Administration (FTA) grant funds for the Phoenix-Mesa Urbanized Area. As such, Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region.

The FTA allocated Small Starts Section 5309 Capital Investment Grant funds in the amount of $17,406,412, funded through the American Rescue Plan Act, to the Tempe Streetcar Project. The FTA announced this grant funding on July 1 and the Public Transit Department is requesting authorization to submit the application on behalf of Tempe and Valley Metro Rail.

Financial Impact

The funding is provided through an existing FTA formula program at 100 percent federal share, with no local match required. No Phoenix funds are included in the application.

Location

City of Tempe
Council District: Out of City

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** *96

ITEM REVISED (SEE ATTACHED MEMO) Intergovernmental Agreement Between City of Buckeye and City of Phoenix for City of Phoenix Municipal Solid Waste Landfill Located in Buckeye - Amendment (Ordinance S-47904)

Request to authorize the City Manager, or his designee, to amend Intergovernmental Agreement 100744 between the City of Buckeye and the City of Phoenix, for the City of Phoenix Municipal Solid Waste Landfill located in Buckeye, to allow for Phoenix to raise the height of the landfill to 225 feet above the existing grade from the previous maximum of 150 feet above the existing grade.

Summary

In August of 2002, the City of Buckeye annexed the property where SR85 Landfill is now located. The purpose of the original Intergovernmental Agreement (IGA) between the City of Buckeye and the City of Phoenix was to clarify responsibilities related to the operation and management of the SR85 landfill, operated by the City of Phoenix, but located in the City of Buckeye.

The IGA includes 12 site design and operational conditions. A modification to the first condition is proposed. This condition currently limits the height of the landfill to a maximum of 150 feet above the existing grade. The requested change of this design stipulation would allow for Phoenix to raise the height of the landfill to 225 feet above the existing grade.

The reason for this request is to address the current levels of excess soil stockpiled, while maintaining landfill volume after waste settlement. As currently designed and permitted, construction of the landfill will generate approximately 17,000,000 cubic yards of excess soil, which has a capital requirement to excavate and stockpile and would ultimately lead to an expense to haul off the site. Amending this design requirement allows the landfill to balance the soil surplus generated and maintain the airspace volume required for disposal.

Some of the benefits of this modification include reduction of the depth below ground surface for excavation, to bring soil surplus into balance and ensure the landfill capacity is not reduced. This agreement with the City of Buckeye will result in better management of the soil surplus at SR85.

On July 6, 2021, the City of Buckeye City Council approved the request to amend the IGA with the City of Phoenix to raise the maximum height of the landfill to 225 feet above the existing grade.

Financial Impact
There is no cost associated with this amendment.

Concurrence/Previous Council Action
The City Council approved:
- IGA 100744 on Jan. 6, 2002;
- IGA 100744 - Amendment on Dec. 4, 2002; and
- IGA 100744 - Amendment (Ordinance S-40745) on April 16, 2014.

Location
28361 W. Patterson Road, Buckeye, Ariz.
Council District: Out of City

Responsible Department
This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.

City of Phoenix
Office of the City Attorney

To: Jeff Barton
Assistant City Manager

Date: August 23, 2021

From: Patricia J. Boland
Assistant Chief Counsel

Subject: **CORRECTION MEMO – Item 96 on the August 25, 2021 Formal Agenda - Intergovernmental Agreement between City of Buckeye and City of Phoenix for City of Phoenix Municipal Solid Waste Landfill Located in Buckeye - Amendment**

This memo requests to correct Item 96 - Intergovernmental Agreement between City of Buckeye and City of Phoenix for City of Phoenix Municipal Solid Waste Landfill Located in Buckeye – Amendment on the August 25, 2021 Formal Agenda.

This Legistar file should be amended to require an S ordinance rather than a formal action.

APPROVED:

Jeffrey J Barton

Jeff Barton
Assistant City Manager

cc: Karen L. Peters
Toni Maccarone
Larry W. Smallwood

Signature: Patricia Boland (Aug 23, 2021 15:28 PDT)

Email: patricia.boland@phoenix.gov

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City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 97

United States Department of Agriculture Grant Opportunity for Improved Community Compost and Food Waste Reduction for Fiscal Year 2021 (Ordinance S-47844)

Request to authorize the City Manager, or his designee, to retroactively apply for, accept, enter into an agreement, and disburse grants from the United States Department of Agriculture through its Cooperative Agreements for Community Compost and Food Waste Reduction Program, to support development of food waste reduction strategies and compost program improvements throughout the City of Phoenix. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The City match for grant funds is 25 percent of the grant award up to $90,000 or $22,500 in total City funds required.

Summary

In February 2017, the Public Works Department began operations of a newly-constructed compost facility designed to process food and yard waste to manufacture a certified compost. The facility was designed with a feedstock capacity of up to 55,000 tons of organic material per year. In partnership with the Office of Environmental Programs, the Public Works Department is seeking innovative opportunities to expand composting access, reduce food waste sent to landfill, and create a circular economy around composting and food waste initiatives.

In 2017, to support multi-family recycling, Phoenix introduced eight recycling drop off containers called ECO-Stations in eight parks across the City (each Council District included). Since being rolled out they have shown to have successful participation. Building upon that success, if awarded, the grant funds would be used to similarly implement a program designed to offer residents the opportunity to drop off food waste at ECO-stations. This will allow Phoenix to easily pilot a food waste drop off system and study contamination levels to determine scalability.

Another component of this program is to expand marketing and education to those who participate in the program. This marketing initiative aimed to use compost at-home or in community gardens will close the loop in this circular waste-to-resource process. Parks, schools, community gardens and City facilities will be considered as locations for this food waste collection pilot.

United States Department of Agriculture’s Office of Urban Agriculture and Innovative Production will accept applications until July 16, 2021.

Financial Impact

The amount requested for this proposal is $90,000. If grant funds are awarded in full, Phoenix would need to match up to 25 percent in funding or $22,500. Funding for the Phoenix cost share is available in the Public Works Department's budget. Other costs may be incurred by the department to support critical program deliverables such as program evaluation.

Location

Composting facility at 27th Avenue Transfer Station - 3060 S. 27th Ave.
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 98

Material Recovery Facilities Inspection and Maintenance Program - Requirements Contract - RFP 22-SW-009 (Ordinance S-47852)

Request to authorize the City Manager, or his designee, to enter into an agreement with Enviro-Services & Constructors, Inc. dba RRT Design & Construction, to conduct operational maintenance inspections of the recycling processing equipment located at the 27th Avenue and North Gateway Material Recovery Facilities. Further request to authorize the City Controller to disburse all funds related to this item. The total agreement value will not exceed $450,000 over the life of the contract.

Summary

This contractor will be responsible for conducting a comprehensive inspection program of the City's two Material Recovery Facilities to ensure that the current and future operating contract vendor is performing proper operation and maintenance of the recycling processing systems and also to ensure that the equipment is able to meet current and future market standards and conditions. This agreement also will ensure that the equipment is in compliance with manufacturer recommendations and contractual specifications.

Procurement Information

Request for Proposal (RFP) 22-SW-009 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Public Works Department on May 12, 2021. The offer was evaluated based on the following criteria set forth in the RFP: responsiveness to all specifications, terms and conditions and responsible to provide all the required services.

The Public Works Department recommends the offer from Enviro-Services & Constructors, Inc. dba RRT Design & Construction, be accepted as the responsive and responsible offer.

Contract Term

The term of this contract is for three years and will commence on or about Sept. 1, 2021 or after Council approval. Provisions of the contract may include an option to extend the term up to two years, which may be exercised by the City Manager or designee.

Financial Impact
The estimated annual expenditure for this contract is $90,000, with an aggregate total of $450,000. Funding is available in the Public Works Department's budget.

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

Responsible Department
This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 99

Intergovernmental Agreement with Arizona Department of Transportation to Reimburse City of Phoenix for Street Repairs Along Liberty Lane and Additional Traffic Signage Adjacent to South Mountain Freeway/Congressman Ed Pastor Freeway Loop 202 (Ordinance S-47835)

Request that the City Council authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Arizona Department of Transportation to reimburse the City of Phoenix for street repairs along Liberty Lane and the cost of additional signage fabrication and installation adjacent to the South Mountain Freeway/Congressman Ed Pastor Freeway Loop 202 corridor.

Summary

The purpose of this Intergovernmental Agreement is for the Arizona Department of Transportation (ADOT) to reimburse the City for two freeway related expenses: street repairs that were a direct result of the waterline relocation and the installation of additional roadway signage.

As part of the construction of the South Mountain Freeway/Congressman Ed Pastor Freeway Loop 202 (Loop 202), ADOT was required to relocate a 48-inch wide City waterline from Pecos Road to Liberty Lane between Desert Foothills Parkway and 15th Street. Due to the condition of the street after the new waterline was installed, the City elected to mill and overlay Liberty Lane instead of using micro seal. After ADOT performed the waterline relocation and the City performed the street repairs, ADOT agreed to reimburse the City for the pavement preservation measures.

After the Loop 202 opened, the City identified missing signage along the freeway corridor. To ensure public safety and a quick installation, the City purchased and installed signage in the median islands at Van Buren Street, Buckeye Road, Lower Buckeye Road, and 59th Avenue (south of Lower Buckeye Road). ADOT agreed to reimburse the City for this work.

Financial Impact

The City will be reimbursed in an amount not to exceed $60,413.

Location
Liberty Lane between Desert Foothills Parkway and 15th Street, and Loop 202 corridor.
Council Districts: 6, 7 and 8

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 100

Agreement with Arizona Department of Transportation for Aesthetic Enhancements for Pedestrian Overpass Near Elwood Street and 63rd Avenue - Amendment 1 (Ordinance S-47836)

Request to authorize the City Manager, or his designee, to amend the existing Intergovernmental Agreement with the Arizona Department of Transportation to add funds from the City for aesthetic enhancements for the east-to-west pedestrian overpass located near Elwood Street and 63rd Avenue. This pedestrian overpass project is a part of the Congressman Ed Pastor South Mountain Freeway Loop 202. Further request authorization for the City Controller to disburse all funds related to this item. The estimated financial impact to the City is $1,762,734.

Summary

This agreement continues the City of Phoenix and the Arizona Department of Transportation (ADOT) partnership as set forth in the Intergovernmental Agreement (IGA) 15-0005526-I dated Jan. 12, 2016.

The original agreement allowed the City to select a public artist to work with ADOT and the contracted design and construction team to incorporate public art enhancements as part of the pedestrian overpass. The public artist and the Office of Arts and Culture worked with the community, school officials and neighborhoods on the aesthetics and safety components of the overpass.

The multiuse overpass structure has linked the Rio Del Rey Units I and II subdivision and provides safe access to Kings Ridge Elementary and the Riverside Elementary School District. The City will assume typical maintenance responsibilities for the overpass such as graffiti removal, debris removal, lighting replacement and general upkeep.

City funding comes from the Congressman Ed Pastor South Mountain Freeway Loop 202 Pedestrian Bridge at Elwood Street public art project (AR63850017). It is one of 33 projects in the Fiscal Years 2020-25 Public Art Plan that City Council approved on Sept.16, 2020 (Ordinance S-46943). The approved Public Art Plan includes Street Transportation Department Capital Improvement Program (CIP) funds for this project.

Financial Impact
The cost associated with this agreement is $1,762,734. The approved Art Plan includes Street Transportation Department CIP funds for this project.

Concurrence/Previous Council Action
The City Council approved the original IGA (Ordinance S-42187) on Dec. 2, 2015.

Location
This project is located near the Elwood Street alignment and 63rd Avenue as part of the South Mountain Freeway/Congressman Ed Pastor Freeway Loop 202.
Council District: 7

Responsible Department
This item is submitted by Deputy City Managers Mario Paniagua and Inger Erickson, the Street Transportation Department, and the Office of Arts and Culture.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 101

Planning and Development Department Grading/Drainage, Sewer, Water, Storm Drain Civil Field Inspection On-Call Services - Amendment (Ordinance S-47879)

Request to authorize the City Manager, or his designee, to execute amendments to Agreements: 151703 with Consultant Engineering, Inc.; 151704 with Tristar Engineering & Management, Inc.; and 151705 with Quality Testing, L.L.C. to provide additional Planning and Development Department Grading/Drainage, Sewer, Water, Storm Drain Civil Field Inspection On-Call Services. 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 additional fee for services included in these amendments will not exceed an aggregate value of $500,000.

Summary

The purpose of this project is to provide on-call civil field inspection services on an as-needed basis that include, but are not limited to: civil field inspections of site and civil infrastructure construction associated with private developments for grading and drainage, sewer, water, storm drain, concrete, and paving projects for submissions to local jurisdictions.

These amendments are necessary because development activity in the City of Phoenix has continued to increase over the past year and the local economy continues to strongly attract private investment. During last fiscal year the Planning and Development Department (PDD) completed approximately 275,000 inspections. Plan review and permitting activity in several areas is approaching levels not seen since the housing and construction boom of the mid-2000s. To maintain customer service levels in plan review and inspections, PDD proposes an increase in several areas to add peak inspections capacity.

Contract Term

The term of each agreement will not change. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

- The initial agreement for each of the consultants for the Planning and Development Department Grading/Drainage, Sewer, Water, Storm Drain Civil Field Inspection On-Call Services was authorized for an aggregate fee not to exceed $3,510,000, including all subconsultant and reimbursable costs.
- These amendments will increase the aggregate authorization by an additional $500,000, for a new aggregate total not to exceed $4,010,000, including all subconsultant and reimbursable costs.

Funding for these amendments is available in the Planning and Development Department's Operating 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.

Concurrence/Previous Council Action

The City Council approved Planning and Development Department Grading/Drainage, Sewer, Water, Storm Drain Civil Field Inspection On-Call Services Agreements 151703, 151704, and 151705 (Ordinance S-46398) on March 4, 2020.

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Ginger Spencer, the Planning and Development Department, and the City Engineer.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 102

Planning and Development Department Residential and Commercial Building Plan Review On-Call Services Amendment (Ordinance S-47880)

Request to authorize the City Manager, or his designee, to execute amendments to Agreement: 151709 with Willdan Engineering, Inc.; 151710 with Onsite Engineering, P.L.C.; 151711 with Stantec Consulting Services, Inc.; 151712 with Bureau Veritas North America, Inc.; and 151713 with MZ Engineering LLC to provide additional Planning and Development Department Residential and Commercial Building Plan Review On-Call Services. 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 additional fee for services included in these amendments will not exceed an aggregate value of $1 million.

Summary

The purpose of this project is to provide on-call residential and commercial building plan review services on an as-needed basis that include, but are not limited to: new construction, alterations, and repairs submitted by commercial and residential property owners for compliance with the Phoenix Building Construction Code and Fire Code.

These amendments are necessary because development activity in the City of Phoenix has continued to increase over the past year and the local economy continues to strongly attract private investment. During last fiscal year, the Planning and Development Department (PDD) completed approximately 275,000 inspections. Plan review and permitting activity in several areas is approaching levels not seen since the housing and construction boom of the mid-2000s. To maintain customer service levels in plan reviews, PDD proposes an increase in several areas to add peak plan review capacity.

Contract Term

The term of each agreement will not change. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

- The initial agreement for each of the consultants for the Planning and Development Department Residential and Commercial Building Plan Review On-Call Services was authorized for an aggregate fee not to exceed $3 million, including all subconsultant and reimbursable costs.
- These amendments will increase the aggregate authorization by an additional $1 million, for a new aggregate total not to exceed $4 million, including all subconsultant and reimbursable costs.

Funding for these amendments are available in the Planning and Development Department's Operating 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.

Concurrence/Previous Council Action

The City Council approved Residential and Commercial Building Plan Review On-Call Services Agreements 151709, 151710, 151711, 151712, and 151713 (Ordinance S-46401) on March 4, 2020.

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Ginger Spencer, the Planning and Development Department, and the City Engineer.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 103

Planning and Development Residential and Commercial Building Field Inspection On-Call Services Amendment (Ordinance S-47881)

Request to authorize the City Manager, or his designee, to execute amendments to Agreements: 151803 with Onsite Engineering, P.L.C.; 151804 with Willdan Engineering, Inc.; 151805 with Bureau Veritas North America, Inc.; and 151806 with Shums Coda Associates, Inc. to provide additional Planning and Development Residential and Commercial Building Field Inspection On-Call Services. 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 additional fee for services included in these amendments will not exceed an aggregate value of $1 million.

Summary

The purpose of this project is to provide on-call residential and commercial building field inspection services on an as-needed basis that include, but are not limited to: inspections of new construction, alterations, and repairs submitted by commercial and residential property owners for compliance with the Phoenix Building Construction and Fire Codes.

These amendments are necessary because development activity in the City of Phoenix has continued to increase over the past year and the local economy continues to strongly attract private investment. During last fiscal year, the Planning and Development Department (PDD) completed approximately 275,000 inspections. Plan review and permitting activity in several areas is approaching levels not seen since the housing and construction boom of the mid-2000s. To maintain customer service levels in inspections, PDD proposes an increase in several areas to add peak inspections capacity.

Contract Term

The term of each agreement will not change. Work scope identified and incorporated into the agreement prior to the end of the original two-year term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

- The initial agreement for each of the consultants for the Planning and Development Residential and Commercial Building Field Inspection On-Call Services was authorized for an aggregate fee not to exceed $3 million, including all subconsultant and reimbursable costs.
- This amendment will increase the aggregate authorization by an additional $1 million, for a new aggregate total not to exceed $4 million, including all subconsultant and reimbursable costs.

Funding for this amendment is available in the Planning and Development Department's Operating budget. The Budget and Research Department will separately 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.

Concurrence/Previous Council Action

The City Council approved Planning and Development Department Residential and Commercial Building Field Inspection On-Call Services Agreements 151803, 151804, 151805 and 151806 (Ordinance S-46456) on March 18, 2020.

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Ginger Spencer, the Planning and Development Department, and the City Engineer.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 104

48th Street: South Pointe Parkway to Baseline Road - Design-Build Services Amendment - ST85100355 (Ordinance S-47882)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 137514 with FNF Construction, Inc. to provide Design-Build Construction Services for the 48th Street: South Pointe Parkway to Baseline Road project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $1.2 million.

Summary

The purpose of this project is to improve the segment of 48th Street for the purposes of accepting its dedication as public right-of-way. This amendment is necessary because the project is moving from design into construction. This amendment will provide additional funds and time to the agreement.

FNF Construction, Inc.’s services include, but are not limited to, construction and installation of a new storm drain system, traffic signal at 48th Street and Baseline Road, sidewalk on the west side of 48th Street; extend bicycle lanes that currently exist north of Baseline Road; improve pavement conditions; and assist with conversion from private street to public street classification maintained by the City of Phoenix. FNF Construction, Inc. will be responsible for construction means and methods related to the project and fulfilling the Small Business Enterprise program requirements. FNF Construction, Inc. will be required to solicit bids from pre-qualified subcontractors and to perform the work using the City’s subcontractor selection process. FNF Construction, Inc. may also compete to self-perform limited amounts of work.

Contract Term

The term of the agreement amendment is 425 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 initial agreement for Design-Build services was authorized for an amount not to exceed $50,000, including all subconsultant and reimbursable costs.
- Amendments 1 and 2 increased the agreement value by $5,043,547, including all subconsultant and reimbursable costs.
- This amendment will increase the agreement by an additional $1.2 million, for a new total amount not to exceed $6,293,547, including all subcontractor and reimbursable costs.

Funding for this amendment 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 the execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved:

- Design-Build Services Agreement 137514 (Ordinance S-40491) on Dec. 18, 2013;
- Design-Build Services Agreement 137514 - Amendment 1 (Ordinance S-43513) on May 10, 2017; and
- Design-Build Services Agreement 137514 - Amendment 2 (Ordinance S-45696) on June 5, 2019.

Location

48th Street from the round-about on South Pointe Parkway to Baseline Road.
Council District: 6

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua, the Street Transportation Department, and the City Engineer.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 105

Salt River Project Construction License for FY2020 Federal TAP HAWK Installation - ST89330233 (Ordinance S-47883)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for Sidewalk and Ramp Improvements at 7th Avenue and Colter Street. 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.

Summary
The City is installing a new High Intensity Activated CrossWalK (HAWK) signal on the north side of the 7th Avenue and Colter Street intersection and improving sidewalk, curb and gutter at all four corners of the intersection. The purpose of this license is to allow sidewalk, curb and gutter improvements above Salt River Project irrigation facilities on the southwest corner of 7th Avenue and Colter Street. This work is in conjunction with City Project ST89330233 FY2020 Federal Transportation Alternatives Program (TAP) HAWK Installation.

Contract Term
The term of the Construction License is one year, effective when the City begins construction, expected to be late August 2021.

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

Location
7th Avenue and Colter Street
Council District: 4

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 106

Salt River Project Land Use License at 24th Street and the Highline Canal - ST87600124 (Ordinance S-47884)

Request to authorize the City Manager, or his designee, to enter into a land use license with Salt River Project at 24th Street and the Highline Canal, south of Baseline Road, for City of Phoenix project ST87600124 24th Street and Highline Canal. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary
The land use license is necessary for the City's installation of a High Intensity Activated CrossWalK (HAWK) signal on 24th Street that will create a pedestrian crossing adjacent to the Highline Canal. The license will allow construction, access and maintenance of the HAWK signal and will be consistent with, and shall not interfere with, U.S. Bureau of Reclamation fee property.

Contract Term
The term of the license shall be for 25 years beginning Oct. 1, 2021, and ending Sept. 30, 2046. The license may be renewed upon written agreement by the parties.

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

Location
24th Street and the Highline Canal
Council District: 8

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 107

Salt River Project Construction License for Water Main Replacement Area Bounded by Van Buren to Washington Streets and 21st Place to 36th Street - WS85509026-1 (Ordinance S-47885)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for water main installations in the area bounded by Van Buren to Washington streets and 21st Place to 36th Street. 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.

Summary
The purpose of this license is to allow the City to install water lines that will include four Salt River Project (SRP) irrigation crossings and will run parallel with SRP irrigation facilities. This work is in conjunction with City Project WS85509026-1 Water Main Replacement Area Bounded By: Van Buren to Washington streets from 21st Place to 36th Street.

Contract Term
The term of the Construction License is one year, effective when the City begins construction, expected to be late August 2021.

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

Location
Van Buren to Washington streets, 21st Place to 36th Street
Council District: 8

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 108

Salt River Project Construction License for Baseline Road Fiber Optic Cable and Equipment from Loop 202 to Interstate 10 - ST89360036 (Ordinance S-47886)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for fiber optic installations on Baseline Road from Loop 202 to Interstate 10. 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.

Summary
The purpose of this license is to allow the City to install fiber optic cable that will require 39 irrigation crossings, 1 canal crossing, and include 8 pull boxes as well as 13,325 feet of cable that will run parallel with Salt River Project irrigation facilities. This work is in conjunction with City Project ST89360036 Baseline Road Fiber Optic Cable and Equipment Loop 202 to Interstate 10.

Contract Term
The term of the Construction License is one year, effective when the City begins construction, expected to be late August 2021.

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

Location
Baseline Road from Loop 202 to Interstate 10.
Council Districts: 6, 7 and 8

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 109

Salt River Project Distribution Design and Construction Services Contracts and Construction License for 2019 Federal TAP HAWK Installations - ST89330184 (Ordinance S-47887)

Request to authorize the City Manager, or his designee, to enter into two Distribution Design and Construction Services Contracts and one Construction License with Salt River Project for installation of new electrical facilities at 2520 N. 32nd St. and 4310 N. Maryvale Pkwy. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. Additionally request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $7,275.43.

Summary

The City is constructing two new High Intensity Activated CrossWalK (HAWK) signals which will require installation of conduit, transformers and electrical meters to provide electrical service. Each of these locations requires its own Distribution Design and Construction Services Contract. The cost of work at 2520 N. 32nd St. is $3,274.14, and the cost of work at 4310 N. Maryvale Pkwy. is $4,001.29. In addition, construction of the site at 2520 N. 32nd St. will require a Construction License for new conduit that will be crossing under existing Salt River Project irrigation lines. This work is in conjunction with City Project ST89330184 2019 Federal Transportation Alternatives Program HAWK Installations.

Contract Term

The term of the Distribution and Construction Services Contracts will begin on or around Aug. 25, 2021, and will expire when the project is completed and accepted. The term of the Construction License is one year, effective when the City begins construction, expected to be late August 2021.

Financial Impact

Funding in the amount of $7,275.43 is available in the Street Transportation Department's Capital Improvement Program budget.

Location
4310 N. Maryvale Pkwy.
2520 N. 32nd St.
Council Districts: 5 and 8

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 110

Salt River Project Construction License for Water Main Replacement Camelback Road to Campbell Avenue, 36th to 40th Streets - WS85509041 (Ordinance S-47888)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for water main installations in the area bounded by Camelback Road to Campbell Avenue and 36th to 40th streets. 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.

Summary
The purpose of this license is to allow the City to install water lines that will include nine irrigation crossings and run parallel with Salt River Project irrigation facilities. This work is in conjunction with City Project WS85509041 Water Main Replacement Camelback Road to Campbell Avenue, 36th to 40th streets.

Contract Term
The term of the Construction License is one year, effective when the City begins construction, expected to be late August 2021.

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

Location
Camelback Road to Campbell Avenue, 36th to 40th streets.
Council District: 6

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 111

Salt River Project Facility Relocation Agreement - Camelback Road: Medlock Drive to 41st Street - Salt River Project Aesthetics (Ordinance S-47889)

Request to authorize the City Manager, or his designee, to enter into a Facility Relocation Agreement with Salt River Project for electrical facilities along Camelback Road from Medlock Drive to 41st Street. Further request the City Council to grant an exception pursuant to Phoenix City Code section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18.

Summary

Salt River Project (SRP) currently has overhead electrical facilities on Camelback Road from Medlock Drive to 41st Street, which will be relocated underground in accordance with an approved SRP Aesthetics Road Project. SRP Municipal Aesthetics Program funding is being used to convert the overhead electrical facilities to underground.

A Facility Relocation Agreement (FRA) will be executed to include addressing potential future relocation costs if future relocation of underground electrical facilities is caused by a City project. Because the project uses SRP Municipal Aesthetics Program funds to underground the existing electrical facilities, the FRA states the City will pay 100 percent of any potential future relocation costs. The FRA will contain additional terms and conditions deemed necessary and appropriate to facilitate future electrical relocations.

Financial Impact

There is no financial impact to the City of Phoenix.

Location

Camelback Road from Medlock Drive to 41st Street
Council District: 6

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 112

Manhole Pest Control Services for Roach Treatment Agreement - Request for Award (Ordinance S-47849)

Request to authorize the City Manager, or his designee, to enter into an agreement with Proficient Pest Specialists, LLC to provide treatment of sanitary sewer manholes and clean outs for roach control for the Water Services Department. Further request to authorize for the City Controller to disburse all funds related to this item. The agreement will not exceed $2 million.

Summary

The purpose of the agreement is to provide treatment of sanitary sewer structures with an insecticide paint for roach control for the Water Services Department (WSD) Wastewater Collection Division. There are currently 98,315 manholes and 8,297 clean outs that require treatment every two years, in addition to preventing a significant number of roach complaints from the public regarding the City sewers.

WSD staff are not certified pest control applicators and are not legally permitted to apply the insecticide in accordance with federal and state regulations.

Procurement Information

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

Three vendors submitted bids and are listed below. All bids were found to be responsive and responsible.

Selected Bidder
Proficient Pest Specialists, LLC: $838,800

Other Bidders
City Wide Pest Control: $1,158,750
Peoria Pest Control: $911,550

Contract Term

The agreement will begin on or about Sept. 15, 2021, for a five-year aggregate term.

Financial Impact

The agreement value for Proficient Pest Specialists, LLC will not exceed a total aggregate value of $2 million.

Funding is available in the Water Services Department Operating and Capital Improvement Program budgets.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 113

Authorization to Enter into Groundwater Savings Facility Agreement with Roosevelt Irrigation District (Ordinance S-47857)

Request to authorize the City Manager, or his designee, to enter into a Groundwater Savings Facility Agreement with the Roosevelt Irrigation District to store effluent, Central Arizona Project water, and New Conservation Space water. Since 2000, the City and Roosevelt Irrigation District have been parties to a Groundwater Savings Facility agreement to store City effluent at the Roosevelt Irrigation District-permitted Groundwater Savings Facility. This new agreement expands, amends and restates the original agreement to include Central Arizona Project and New Conservation Space water. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

The Water Services Department produces more reclaimed water at the 23rd Avenue Wastewater Treatment Plant than can be exchanged under the current arrangements, and that reclaimed water can be stored for future use through the Roosevelt Irrigation District (RID) Groundwater Savings Facility (GSF). Further, under the Agreement, the City will have the opportunity to use the RID Groundwater Savings Facility to store Central Arizona Project (CAP) water and New Conservation Space (NCS) water from Modified Roosevelt Dam for future use, providing increased flexibility for the City's use of those waters in the future.

Contract Term

The contract automatically renews on a year-to-year basis, but either party may terminate the Agreement at the end of any year by providing timely notice to the other party.

Financial Impact

For each acre-foot of water delivered by the City to the RID Groundwater Savings Facility, RID will pay the City $15, adjusted each year by the CPI-U (All Urban Consumers, U.S. City Average).

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 114

Environmental Lab Testing - Request for Award (Ordinance S-47865)

Request to authorize the City Manager, or his designee, to enter into separate agreements with Legend Technical Services of Arizona and Eurofins NDSC Environment Testing Americas, Inc., to provide Environmental Lab Services for the purpose of providing routine environmental testing and analyses on an as-needed basis. Further request to authorize for the City Controller to disburse all funds related to this item. The aggregate agreements value will not exceed $2.5 million.

Summary

The purpose of this agreement is to provide water quality testing and analysis services for the Water Services Department's Environmental Services Division (ESD), to ensure the City is providing safe drinking water and processing wastewater in compliance with federal, state and local regulations. Contractor services also ensure ESD's laboratory maintains National Environmental Laboratory Accreditation Conference accreditation.

Offeror's services include but are not limited to: performing analytical testing to ensure compliance with federal, state and local regulations, providing backup to ESD's in-house laboratory, and providing analytical testing methods for which ESD's laboratory is not accredited.

Procurement Information

The recommendations were made using a Request for Proposal procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Three vendors submitted proposals and are listed below. All responses, except for one, were found to be responsive and responsible.

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

Qualifications and Experience (0-350 points)
Laboratory Capability and Capacity (0-250 points)
Quality Assurance and Quality Control (0-250 points)
Pricing (0-150 points)

Offerors Selected for Award
Legend Technical Services of Arizona - 830.9 points
Eurofins NDSC Environment Testing Americas, Inc. - 749.2 points

Contract Term
The agreement will begin on or about Oct. 1, 2021, for a five-year aggregate term with no options to extend.

Financial Impact
The total aggregate value for the agreements with Legend Technical Services of Arizona and Eurofins NDSC Environment Testing Americas, Inc. will not exceed $2.5 million.

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

Responsible Department
This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 115

Amendment to Planning, Zoning, Plan Review, and Permitting Application - Requirements Contract - RFP 19-019A (Ordinance S-47874)

Request to authorize the City Manager, or his designee, to approve an amendment to the scope of work of the Planning, Zoning, Plan Review, and Permitting Application, Contract 151139 with Accenture. The amendment includes scope changes for enhanced DevOps software and services, to enter into a new Master Services Agreement with Copado; and to waive, or make an exception to, Phoenix City Code, section 42-18 (Chapter 42 Risk Management, Contract Provisions; Indemnification Prohibition) for the Master Services Agreement and the Accenture Reseller Agreement. Further request authorization for the City Controller to disburse all funds related to this item. No additional funds are needed.

Summary

The Kiva application tracks development citywide, including Plan Review, Inspections, Permitting and Historic Preservation activity. Planweb is a separate application that tracks planning, rezoning and zoning adjustment activity. Kiva and Planweb support over 500 PDD staff responsible for all zoning and construction plan review and permitting in the City of Phoenix. The intent of the project and contract with Accenture is to replace Kiva.

This new contract and amendment will support the SHAPE PHX Project and will replace the PDD land management applications, including Kiva, PlanWeb, and other supporting applications. The new Copado services agreement reflects an agreed upon change for a new approach to DevOps tools to support configuration management for the project. The Copado software requires a separate software license. For a waiver of Phoenix City Code, 42-18 - Copado requires a limitation of liability of three times the contract amount for the past year, and indemnification and defense by the city for all claims; Accenture is also requiring indemnification and defense by the city for its role as a third-party reseller of the software.

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

Contract Term
The contract term is Nov. 1, 2019 through Oct. 31, 2026.

Financial Impact
Funding for these contracts was previously approved by Council on Nov. 1, 2019 (S-46102). No additional funds are needed for this amendment and new software master services agreement.

Concurrence/Previous Council Action
This contract was originally approved by City Council on Nov. 1, 2019.

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development and Finance departments.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 116

Final Plat - Waterwalk Corporate Lodging - PLAT 200523 - 1905 W. Pinnacle Peak Road

Plat: 200523
Project: 19-821
Name of Plat: Waterwalk Corporate Lodging
Owner(s): WWOZ Phoenix Pinnacle Peak, LLC
Engineer: Eric Snyder, Stantec Consulting
Request: 2 Lot Commercial Plat
Reviewed by Staff: June 7, 2021
Final Plat requires Formal Action Only.

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

Location
Located at 1905 W. Pinnacle Peak Road.
Council District: 1

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 117

Final Plat - Middle Vistas - PLAT 200619 - West of North Black Canyon Highway Along Dixileta Drive Alignment

Plat: 200619
Project: 13-1972
Name of Plat: Middle Vistas
Owner(s): Lennar Arizona, Inc.
Engineer: Richard G. Alcocer, RLS
Request: A 228 Lot Residential Plat
Reviewed by Staff: July 26, 2021
Final Plat requires Formal Action Only.

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

Location
Generally located west of North Black Canyon Highway along the Dixileta Drive alignment.
Council District: 1

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 118

Final Plat - Amended Optima Kierland Center - Plat 200557 - Northwest Corner of Scottsdale Road and Kierland Boulevard

Plat: 200557
Project: 18-182
Name of Plat: Amended Optima Kierland Center
Owner(s): Kierland Center LLC & Optima Kierland Center Condominium Association, Inc.
Engineer: James G Spring, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: July 8, 2021
Final Plat requires Formal Action Only.

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

Location
Generally located at the northwest corner of Scottsdale Road and Kierland Boulevard.
Council District: 2

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 119

Final Plat - The Puget Enclave - PLAT 200584 - 3030 East Puget Avenue

Plat: 200584
Project: 19-470
Name of Plat: The Puget Enclave
Owner: Bing Hu
Engineer: John Ware
Request: A 4 Lot Residential Plat
Reviewed by Staff: June 20, 2021
Final Plat requires Formal Action Only.

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

Location
Located at 3030 East Puget Avenue
Council District: 3

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 120

Map of Dedication - 20th St & Osborn Rd - MOD 210003 - 3232 North 20th St.

MOD: 210003
Project: 20-754
Name of MOD: 20th St & Osborn Rd
Owner: 20th Street-Osborn, LLC
Engineer(s): Miller and Sons Surveying
Request: A 2-Lot Commercial Map of Dedication
Reviewed by Staff: July 8, 2021
Map of Dedication requires Formal Action Only.

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

Location
Located at 3232 North 20th St.
Council District: 4

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 121

Final Plat - 5300 & 5308 E. Polk Street - PLAT 200576 - Northeast Corner of 53rd Street and Polk Street

Plat: 200576
Project: 19-2299
Name of Plat: 5300 & 5308 E. Polk Street
Owner(s): Tudo Holdings 1, LLC
Engineer(s): David S Klein
Request: A 1-Lot Commercial Plat
Reviewed by Staff: July 1, 2021
Final Plat requires Formal Action Only.

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

Location
Generally located at the northeast corner of 53rd Street and Polk Street
Council District: 6

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 122

Final Plat - 5226 E. Exeter Boulevard - PLAT 200627 - 5212 E. Exeter Blvd.

Plat: 200627
Project: 15-2350
Name of Plat: 5226 E. Exeter Boulevard
Owner(s): Phoenix Dragon FEI, LLC
Engineer: David S. Klein, RLS
Request: A 2 Lot Residential Plat
Reviewed by Staff: July 16, 2021
Final Plat requires Formal Action Only.

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

Location
Generally located at 5212 E. Exeter Blvd.
Council District: 6

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 123

Final Plat - Sunset Place Phase 2 - PLAT 200504 - Northwest Corner of 67th Avenue and Broadway Road

Plat: 200504
Project: 18-2043
Name of Plat: Sunset Place Phase 2
Owner(s): Meritage Homes of Arizona, Inc.
Engineer(s): EPS Group, Inc.
Request: A 1 Lot Residential Subdivision Plat
Reviewed by Staff: July 23, 2021
Final Plat requires Formal Action Only.

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

Location
Generally located at the northwest corner of 67th Avenue and Broadway Road.
Council District: 7

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 124

Final Plat - 83rd Ave & Broadway Rd - PLAT 200599 - West of 83rd Avenue and North of Broadway Road

Plat: 200599
Project: 18-3146
Name of Plat: 83rd Ave & Broadway Rd
Owner: KB Home Phoenix Inc.
Engineer: Richard Alcocer
Request: A 133-Lot Detached Single-Family Planned Residential Development Plat
Reviewed by Staff: June 25, 2021
Final Plat requires Formal Action Only.

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

Location
Generally located on the west side of 83rd Avenue 1/3 mile north of Broadway Road
Council District: 7

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 125

Final Plat - Birdsong Phoenix - PLAT 210004 - 6626 W. McDowell Road

Plat: 210004
Project: 20-836
Name of Plat: Birdsong Phoenix
Owner: Birdsong Phoenix, LLC
Engineer: Bowman Consulting
Request: A 1 Lot Commercial Plat
Reviewed by Staff: July 22, 2021
Final Plat requires Formal Action Only.

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

Location
Located at 6626 W. McDowell Road
Council District: 7

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 126

Final Plat - Southern Garden Industrial Park No. 2 - PLAT 200623 - 2450 East Southern Avenue

Plat: 200623
Project: 19-1802
Name of Plat: Southern Garden Industrial Park No. 2
Owner(s): 25th St and Southern, LLC
Engineer: 10 West Land Surveying and Mapping
Request: A 2 Lot Commercial Plat
Reviewed by Staff: June 1, 2021
Final Plat requires Formal Action Only.

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

Location
Generally located at 2450 East Southern Avenue
Council District: 8

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 127

Final Plat - Liberty 2 - PLAT 200630 - Southeast Corner of 27th Avenue and Roeser Road

Plat: 200630
Project: 17-430
Name of Plat: Liberty 2
Owner(s): Lennar Arizona, Inc. and KB Home Phoenix, Inc.
Engineer(s): Dennis Harmon, Jr., RLS
Request: A 315 Lot Residential Plat
Reviewed by Staff: July 26, 2021
Final Plat requires Formal Action Only.

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

Location
Generally located at the southeast corner of 27th Avenue and Roeser Road.
Council District: 8

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 128

Final Plat - Moon Tower - PLAT 210026 - 811 N. 3rd St.

Plat: 210026
Project: 20-2619
Name of Plat: Moon Tower
Owner(s): Anthos Anemone Oz Fund, LLC and BBD, LLC
Engineer(s): Ritoch-Powell & Associates
Request: A 1-Lot Commercial Plat
Reviewed by Staff: July 6, 2021
Final Plat requires Formal Action Only.

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

Location
Generally located at 811 N. 3rd St.
Council District: 8

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 129

Abandonment of Right-of-Way - ABND 210016 - 24th Avenue and Avalon Drive (Resolution 21947)

Abandonment: ABND 210016
Project: 19-39
Applicant: Ryan Hatch
Request: The five feet of right-of-way approximately 900 feet north of the intersection at Thomas Road and 24th Avenue on the west side of 24th Avenue adjacent to 3030 and 3020 North 24th Avenue.
Date of Decision/Hearing: May 13, 2021

Summary
The resolution of the abandonment and PLAT 210030 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $7,700.

Location
24th Avenue and Avalon Drive
Council District: 4

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 130

Abandonment of Right-of-Way - ABND 200565 - Georgia Avenue and 29th Avenue (Resolution 21951)

Abandonment: ABND 200565
Project: 99-817
Applicant: Grand Canyon University
Request: To abandon the full width of Georgia Avenue right-of-way from 29th Avenue to its terminus, located approximately 462 feet to the west on the Grand Canyon University campus.
Date of Decision/Hearing: Feb. 4, 2021

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $66,000.

Location
Georgia Avenue and 29th Avenue
Council District: 5

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 131

Abandonment of Easement - ABND 200558 - 930 South 37th Drive (Resolution 21950)

Abandonment: ABND 200558
Project: 00-810
Applicant: D.F. Properties Inc
Request: To abandon the one-foot vehicular non-access easement dedicated with Ordinance S-12908, together with the 33-foot-wide right-of-way easement for the west side of 37th Drive located adjacent the property addressed 930 South 37th Drive. This abandonment must be recorded concurrently with DEDI 210034, on the same day. The sequence of recording is as follows: the resolution of abandonment is recorded first, then the dedication of the easement second.
Date of Decision/Hearing: Dec. 10, 2020

Financial Impact
A fee was also collected as part of this abandonment in the amount of $16,700.

Location
930 South 37th Drive
Council District: 7

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 132

Abandonment of Easement - ABND 210019 - 3939 and 3901 West Buckeye Road (Resolution 21948)

Abandonment: ABND 210019
Project: 21-1023
Applicant: Kimberly Shroeder; KAEKO Inc.
Request: 30’ non-buildable easement on the west side of 3939 W. Buckeye Road and the 30’ non-buildable easement on the east side of 3901 W. Buckeye Road.
Date of Decision/Hearing: May 6, 2021

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

Location
3939 and 3901 West Buckeye Road
Council District: 7

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 133

Abandonment of Right-of-Way Easement - ABND 210007 - Southwest Corner of 7th Street and Euclid Avenue (Resolution 21949)

Abandonment: ABND 210007
Project: 94-0008906
Applicant: Deborah Ellison
Request: To abandon the 25-foot right-of-way easement adjacent to 7th Street.
Date of Decision/Hearing: April 15, 2021

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

Location
Southwest corner of 7th Street and Euclid Avenue
Council District: 8

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 134

Modification of Stipulation Request for Ratification of June 16, 2021 Planning Hearing Officer Action - PHO-2-21--Z-SP-37-85-2 - Approximately 248 Feet East of the Northeast Corner of 15th Avenue and Bell Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on June 16, 2021. This ratification requires formal action only.

Summary

Application: PHO-2-21--Z-SP-37-85-2
Existing Zoning: C-2 SP
Acreage: 4.83

Applicant: Ed Bull, Burch & Cracchiolo PA
Owner: Tom Hiller, Chapman Bell Road LLC
Representative: Ed Bull, Burch & Cracchiolo PA

Proposal:
1. Deletion of Stipulation 1 prohibiting a body or paint shop.
2. Modification of Stipulation 3 regarding days and hours of service.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee opted not to hear this request.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on June 16, 2021, and recommended approval. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Approximately 248 feet east of the northeast corner of 15th Avenue and Bell Road
Council District: 2
Parcel Address: N/A

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

Attachment A- Stipulations- PHO-2-21--Z-SP-37-85-2

Location: Approximately 248 feet east of the northeast corner of 15th Avenue and Bell Road

Stipulations:

~~1.~~	~~That no body or paint shop be developed on the subject property.~~
1. ~~2.~~	~~That~~ The service facility SHALL be enclosed.
2. ~~3.~~	~~That~~ Service SHALL only take place Monday through Friday, between the hours of 7:30 A.M. AND 5:30 P.M. ~~8:00 am and 5:00 pm~~.
3. ~~4.~~	~~That~~ There SHALL be no outside sound systems, paging, or playing of music.
4. ~~5.~~	~~That~~ All outdoor lighting SHALL be done subject to the lighting plan submitted to the City.
5. ~~6.~~	Development to be in substantial compliance with the site plan and renderings submitted to the City and presented to the City Council.
6. ~~7.~~	~~That~~ A one-foot vehicular non-access easement SHALL be placed along the property at 15th Avenue.
7. ~~8.~~	~~That~~ A six-foot masonry wall SHALL be built along the north and east property boundary.
8. ~~9.~~	In the event that any portion of the roof of any structure is less than 18 feet above grade, the buyer agrees to utilize mission tile roofing.
9. ~~10.~~	~~That~~ All loading areas and trash container areas will be screened by a six-foot masonry screen.
10. ~~11.~~	All deliveries will be made during normal working hours.
11. ~~12.~~	Landscaping to include 24-inch box trees, 10 feet on center, on the north and east sides.
12. ~~13.~~	~~That~~ The north and east faces of all buildings SHALL be stucco.
13. ~~14.~~	~~That~~ There SHALL be a 10-foot landscaping strip on Bell Road.

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City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 135

Modification of Stipulation Request for Ratification of July 21, 2021 Planning Hearing Officer Action - PHO-4-21--Z-137-86-7(4) - Approximately 315 Feet South of the Southeast Corner of 51st Avenue and McDowell Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on July 21, 2021. This ratification requires formal action only.

Summary

Application: PHO-4-21--Z-137-86-7(4)
Existing Zoning: C-2
Acreage: 3.46

Applicant: Nordean Moussalem
Owner: Raising Cane's Restaurant LLC
Representative: Luaron Foster

Proposal:
1. Modification of Stipulation 1 regarding general conformance to the site plans dated Oct. 9, 1996 and May 7, 1997 and elevations dated June 4, 1997.
2. Technical corrections to Stipulations 4 and 5.d.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Maryvale Village Planning Committee heard this case on July 14, 2021 and recommended approval by a 9-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on July 21, 2021, and recommended approval with a modification and an additional stipulation. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Approximately 315 feet south of the southeast corner of 51st Avenue and McDowell Road

Council District: 4
Parcel Address: N/A

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

Attachment A- Stipulations- PHO-4-21--Z-137-86-7(4)

Location: Approximately 315 feet south of the southeast corner of 51st Avenue and McDowell Road

Stipulations:

~~Modified November 13, 1996~~		
1.	THE NORTHERN PORTION OF THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN AND ELEVATIONS DATE STAMPED MAY 17, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. ~~That~~ THE SOUTHERN PORTION OF THE development SHALL be in general conformance ~~to~~ WITH the site plan dated October 9, 1996, and the site plan dated May 7, 1997, and elevation dated June 4, 1997, for the four story hotel, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
2.	~~That~~ All landscape areas and building setbacks SHALL be measured from any new property lines resulting from additional right-of-way dedication.	
3.	~~That~~ Mature landscaping, to include 24-inch box size shade trees placed 20 feet on center or equivalent groupings, SHALL be provided along 51st Avenue and McDowell Road.	
4.	~~That~~ All parking areas fronting on 51st Avenue and McDowell Road SHALL be appropriately screened by walls and/or berms approved by the PLANNING AND Development ~~Services~~ Department.	
5.	~~That~~ Sufficient right-of-way SHALL be dedicated by the property owner within one year of final City Council action to provide:	
	a.	All right-of-way easements to be dedicated in fee title.
	b.	A 21’ x 21’ triangle at the intersection of 51st Avenue and McDowell Road.
	c.	A 10’ x 175’ bus bay along McDowell Road.
	d.	Additional right-of-way, including right turn lanes as may be required by the PLANNING AND Development ~~Services~~ Department.
6.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE	

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	AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

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City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 136

Modification of Stipulation Request for Ratification of July 21, 2021 Planning Hearing Officer Action - PHO-2-21--Z-16-00-5 - Northeast Corner of 45th Avenue and Indian School Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on July 21, 2021. This ratification requires formal action only.

Summary

Application: PHO-2-21--Z-16-00-5
Existing Zoning: C-2
Acreage: 3.00

Applicant: MGS Plaza LLC
Owner: MGS Plaza LLC
Representative: Ashley Marsh, Gammage & Burnham PLC

Proposal:
1. Deletion of Stipulation 1 regarding general conformance to the site plan dated March 16, 2000, wall and landscape treatments, and elevations submitted to the zoning file.
2. Deletion of Stipulation 2 regarding the color, materials, and height of the pump island canopy.
3. Deletion of Stipulation 3 regarding the design of pump island canopy columns.
4. Deletion of Stipulation 4 regarding light fixtures on the pump island canopy.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Maryvale Village Planning Committee heard this case on July 14, 2021 and recommended approval by a 9-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on July 21, 2021, and recommended denial as filed and approval with a modification and additional stipulation. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location
Northeast corner of 45th Avenue and Indian School Road
Council District: 5
Parcel Address: 4420 W. Indian School Road

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

Attachment A- Stipulations- PHO-2-21--Z-16-00-5

Location: Northeast corner 45th Avenue and Indian School Road

Stipulations:

1.	~~That~~ The development shall be in general conformance with the site plan DATE STAMPED MAY 26, 2021 ~~dated March 16, 2000, including the wall and landscape treatment at the corner of 45th Avenue and Indian School Road and the elevations submitted to the zoning file~~, as ~~may be~~ modified by the FOLLOWING stipulations ~~below~~ AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
~~2.~~	~~That the pump island canopy shall be constructed to match the proposed retail building(s) in terms of color and materials. The maximum height of the canopy shall be 19 feet as measured from finished grade to the tallest point of the canopy structure.~~
~~3.~~	~~That the pump island canopy columns shall be constructed to match the retail building(s) in terms of color and materials. The construction shall extend completely to the canopy ceiling and leave no gaps. The minimum width and depth of each column shall be two (2) feet.~~
~~4.~~	~~That any light fixtures mounted in or on the ceiling of the pump island canopy shall be fully recessed and directed downward. Dropped lenses extending below the ceiling of the canopy shall not be permitted.~~
2. ~~5.~~	~~That the~~ Ground signs on the site shall be designed as monument signs.
3.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

DRAFT

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 137

Modification of Stipulation Request for Ratification of July 21, 2021 Planning Hearing Officer Action - PHO-3-21--Z-155-01-7 - Northeast Corner of 103rd Avenue and Broadway Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on July 21, 2021. This ratification requires formal action only.

Summary

Application: PHO-3-21--Z-155-01-7
Existing Zoning: PCD (Approved R-2 PCD)
Acreage: 20.39

Applicant: Andy Jochums, Beus Gilbert McGroder PLLC
Owner: VTLG Sunset Farms Land Company LLC
Representative: Andy Jochums, Beus Gilbert McGroder PLLC

Proposal:
1. Modification of Stipulation 5 regarding detached sidewalks, landscape strip, and planting standards along arterial, collector, and transitions onto local streets.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on July 20, 2021 and recommended approval by a 7-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on July 21, 2021, and recommended approval with a modification. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Northeast corner of 103rd Avenue and Broadway Road
Council District: 7
Parcel Address: N/A

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

Attachment A- Stipulations- PHO-3-21—Z-155-01-7

Location: Northeast corner of 103rd Avenue and Broadway Road

Stipulations:

1. The master development plan shall be in general conformance to the Sunset Farms Master Development Plan date stamped December 10, 2018 as approved or modified by the Planning and Development Department, except that the entire 517-acre PCD shall not exceed 2,264 dwelling units.

2. All R-2, R1-6, and R1-8 parcels shall utilize the Planned Residential Development option.

3. View fencing shall be required on all lots that back onto open space/retention areas, except for those adjacent to arterial streets as approved by the Planning and Development Department.

4. All of Development Unit 3 of Figure 3 (Sunset Farms General Development Plan) shall be developed as auto-court cluster, single-family attached or shared driveway subdivisions as approved by the Planning and Development Department.

5. Along arterial, collector and appropriate transitions onto adjoining local streets within the residential development, the sidewalks shall be detached and a 5-foot wide landscaped strip shall be located between the sidewalk and back of curb. The planting area shall be planted with minimum 1-inch caliper trees placed 20 feet on center and appropriate ground cover as approved by the Planning and Development Department. WHERE UTILITY CONFLICTS EXIST, THE DEVELOPER SHALL WORK WITH THE PLANNING AND DEVELOPMENT DEPARTMENT ON ALTERNATIVE DESIGN SOLUTIONS CONSISTENT WITH A PEDESTRIAN ENVIRONMENT.

6. A minimum 40-foot by 40-foot triangular landscape entry area shall be provided on each arterial street main entry corner into the PCD as approved by the Planning and Development Department.

7. All retention areas shall be sloped no greater than 4:1 throughout the site, except within the Estrella Channel.

Master Plans

8. The applicant shall develop an architectural theme for the entire PCD. The theme shall assure that building colors, elevations, exterior materials, roofline treatment, and a street appurtenance package such as, but not limited to benches and signage, convey a sense of continuity throughout the different residential and commercial parcels and shall be submitted concurrent with the Master Plan submittal items as approved by the Planning and Development Department.

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9. The Master Drainage Plan shall delineate a conceptual layout of the 150-foot wide tract area for the Estrella Channel (Buckeye Flood Control Channel) through the site. Said layout may also incorporate the 100-year 2-hour storm retention requirement.

10. In addition to the Zoning Ordinance required plan elements, the developer shall submit the following Master Development Plans for review and approval by the appropriate city departments prior to issuance of preliminary plat approval. The plans shall address the following at a minimum and the Planning and Development Department may require additional items:

Master Pedestrian/Bike/Trails Circulation Plan

A. A Master Pedestrian/Bike/Trails Circulation Plan shall be submitted to the City for review and approval concurrent with Planning and Development Department review of the Master Plan documents and shall identify:

1) All proposed pedestrian walkways, multi-use trails, and bikeways within and abutting the site. The network shall include the width and locations throughout each of the future residential developments.

2) Coordination of walkway and bikeway locations with drainage ways and open space to provide a trail network throughout the PCD.

3) It shall incorporate and be in specific conformance with the Trails Plan labeled Figure 8 in the Sunset Farms Application Binder as approved by the Planning and Development Department and developed in the following manner, which is consistent with the Estrella Village Multi-Purpose Trails Plan:

a) 10-foot wide multi-use trails shall be provided along the south side of the Estrella Channel (Buckeye Feeder Channel) and along the north side of Broadway Road in the powerline corridor.

b) 8-foot wide multi-use trails shall be provided along the half-mile collector streets between 91st and 99th Avenues and 99th and 107th Avenues.

c) The trails shall be improved using the Parks and Recreation Department recreation trails standards.

Master Landscape Plan

B. A Master Landscape Plan shall be submitted to the City for review and approval concurrent with the Planning and Development Department review of the Master Plan documents and shall identify:

1) Plant lists addressing areas of landscaping to be planted with arid types of vegetation.

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2) List of plants not allowed in the development (i.e. pine trees, palm trees, eucalyptus, etc.) due to their incompatibility.

3) Coordination of the landscape conservation plan with master drainage and trails plan. The conservation plan shall preserve the mature trees along 99th Avenue, if possible, as approved by the Planning and Development Department.

4) The developer shall participate in the Estrella Village Arterial Street Landscaping Program as it relates to arterial streets abutting the site and the recommended gateway landscaped entry feature on the northwest corner of 107th Avenue and Broadway Road. The developer shall also utilize the recommended plant list for areas within the powerline corridors as suggested in the Program.

5) Open space and retention area improvements such as tot lots, ramadas, tennis or sports courts, barbecues, large seating areas, etc. as approved by the Planning and Development Department.

Master Water and Wastewater Plans

C. The developer shall submit for approval by the Water Services Director, potable water and wastewater system master plans for the PCD. Such plans must be completed by a registered engineer in conformance with Water Services Department master infrastructure plans for the area.

D. The water supplies for any greenbelt areas of the development shall be limited to the Salt River Water Users Association (SRWUA) rights associated with the greenbelt acreage only. Water rights associated with non-greenbelt acreage must be transferred to the City of Phoenix Domestic Water Account with Salt River Project as a condition of domestic water service. This split of the water rights entitlement and transfer into the City of Phoenix water account can be affected by requesting from the SRWUA, a split for Association Convenience and transfer to the City Account. A letter from the SRWUA stating that the water rights transfer has occurred shall be provided to the Water Services Director prior to final plat approval of each phase. This phased transfer of water rights is to allow for the retention of those water rights necessary for the interim agricultural use on the property until each phase is developed.

Commercial Parcels

11. For the C-2 portion of the development at the intersection of 91st Avenue and Broadway Road, an average 75-foot by 75-foot triangular landscaped entryway feature shall be provided and the landscaping of the feature shall connect to the trail within the powerline corridor adjacent to Broadway Road.

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12. The use of “corporate” colors (excluding signage); specifically, but not limited to those typically associated with chain/franchise establishments shall only be used as an accent. Building design, common areas, and parking lots of the center shall integrate the approved PCD architectural theme as approved by the Planning and Development Department.

13. Any gas station pump island canopies and columns shall be constructed with the approved PCD architectural theme to minimize “corporate” colors as approved by the Planning and Development Department. The maximum height of the underside of the canopy (canopy ceiling) shall be 19 feet.

14. Any light fixtures mounted in or on the ceiling of the pump island canopy shall be fully recessed and directed downward. Dropped lenses extending below the ceiling of the canopy shall not be permitted.

15. A 75-foot by 75-foot landscaped gateway shall be provided on the northeast corner of 107th Avenue and Broadway Road consistent with the Estrella Village Arterial Street Landscape Program as approved by the Planning and Development Department.

16. The commercial areas, labeled as parcels 1, 2 and 16 on Figure 3, shall be allowed a maximum of four commercial pads in addition to a primary use.

Transit Department

17. The following right-of-way shall be dedicated along with construction for a bus bay (P1257) and transit pad (P1261) as approved by the Public Transit Department.

    A. Westbound Broadway Road west of 91st Avenue.

    B. Westbound Broadway Road west of 99th Avenue.

    C. Eastbound Broadway Road east of 99th Avenue.

    D. Northbound 99th Avenue north of Broadway Road.

    E. Northbound 107th Avenue north of Broadway Road.

18. The following right-of-way shall be dedicated along with construction for transit pads (P1262) as approved by the Planning and Development Department.

    A. Westbound Broadway Road west of 93rd Avenue.

    B. Westbound Broadway Road west of 95th Avenue.

    C. Westbound Broadway Road west of 97th Avenue.

    D. Westbound Broadway Road west of 101st Avenue.

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E. Westbound Broadway Road west of 103rd Avenue.

F. Westbound Broadway Road west of 105th Avenue.

G. Eastbound Broadway Road east of 97th Avenue.

H. Southbound 99th Avenue south of Jones Avenue.

I. Northbound 99th Avenue north of Wier Avenue.

Street Transportation

19. Right-of-way for all arterial and collector streets shall be dedicated as per the approved Master Street Plan.

20. Along the park site and the Estrella Channel or the power line corridor along the Elwood alignment, no more than 66 percent of the lots for each development parcel shall back onto the Channel as approved by the Planning and Development Department.

21. Right-of-way dedications and street alignments for local streets within the subdivision shall be determined by the Planning and Development Department at the time of Preliminary Subdivision Plat Review.

22. The applicant shall submit a Traffic Impact Study to the City for this development. No zoning shall be vested until the study is reviewed and approved by the City. Please contact the Traffic Engineer II in the Street Transportation Department (602) 534-5688, to set up a meeting to discuss the requirements of the study.

23. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.

24. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Chief Engineering Tech with the Street Transportation Department at (602) 262-6193. This form is a requirement of the EPA to meet clean air quality requirements.

25. A 15-acre parcel for an elementary school site and an adjacent 10-acre neighborhood park shall be designated within the Littleton School District boundaries as approved by the superintendent and Parks and Recreation Department. The two sites shall be reserviced for a period of one year following the approval of the first final plat in phase two unless otherwise released by the Littleton School District or the Parks and Recreation Department. If the school district does not acquire the site, then the park will increase in size to 15 acres.

26. Should an intergovernmental agreement be formed in the future to facilitate the construction of the Estrella Drainage Channel (Buckeye Flood Control Channel),

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the developer agrees to cooperate in the design of the drainageway through this project. The design will include the laying out of the adjacent subdivision plats to accommodate a 150-foot “clean take” line on the lots adjacent to the channel in parcels 6, 7, and 11. The applicant shall be allowed to plan the southern most 50-feet of the 150-foot “clean take” area.

27. Prior to issuance of building permits for each individual parcel, the property owner shall record documents that disclose to purchasers of the property within the development the location, existence and operational characteristics of the multiple dairies on the site and in the area along with the 91st Avenue Wastewater Treatment Plant. That the developer shall prepare an odor study to evaluate the potential for complaints of the 91st Avenue wastewater treatment plant. The City Attorney shall approve the form and content of such documents.

28. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of undeveloped or newly developed property within the development the existence and operational characteristics of Phoenix Goodyear Airport. The form and content of such documents shall be reviewed and approved by the City Attorney.

29. The applicant shall contact the City Archaeologist (602-597-0901) for the potentia survey request for Parcel 15.

30. The applicant shall conduct Phase I data testing and submit an Archaeological Survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval for parcels 8 and 15.

31. If upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations for parcels 8 and 15.

32. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33- foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

33. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims in a form approved by the City Attorney's office. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 138

Remove/Replace Zoning District - 11th Avenue and Jomax Road - Annexation 503 (Ordinance G-6875)

Request to authorize the City Manager, or his designee, to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County RU-43 zoning district and replacing it with the City of Phoenix S-1 zoning district on property at the location described below, which was annexed into the City of Phoenix on May 19, 2021 by Ordinance S-47558.

Location
26506 N. 11th Ave.
Council District: 2

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE ANNEXED PARCEL DESCRIBED HEREIN (11TH AVENUE AND JOMAX ROAD ANNEXATION, NO. 503) FROM COUNTY RURAL 43 TO CITY'S S-1 (RANCH OR FARM RESIDENCE).

WHEREAS, on May 19, 2021, via Ordinance S-47558, the City of Phoenix annexed an approximately 0.9083-acre property located at 26506 North 11th Avenue, in a portion of the North 200 feet of GLO Lot 12, Section 6, Township 4 North, Range 3 East, as described more specifically in "Exhibit A" and incorporated herein by this reference; and,

WHEREAS, as required by A.R.S. § 9-471.L, the city of Phoenix is required to adopt zoning districts on the subject parcel to permit uses and densities no greater than those allowed by the prior County zoning district; and,

WHEREAS, immediately prior to annexation the zoning applicable to this territory was RU-43 zoning district; and

WHEREAS, the City's S-1 (Ranch or Farm Residence) zoning district is equivalent to Maricopa County's Rural-43 zoning district;

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NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The approximately 0.9083-acre property located 26506 N. 11th Avenue, in that portion of the North 200 feet of GLO Lot 12, Section 6, Township 4 North, Range 3 East, East of the Gila and Salt River Base and Meridian of Maricopa County, Arizona, which is described in “Exhibit A” and depicted in “Exhibit B” has been annexed to the City of Phoenix, and the present corporate limits of the City have been extended and increased to include such property.

SECTION 2. Pursuant to A.R.S. §9-471(L), the property depicted in Exhibit B is hereby removed from Maricopa County's Rural-43 zoning district and placed into the City’s S-1 (Ranch or Farm Residence) zoning district. This zoning designation shall take effect thirty days after this Ordinance is adopted, without further action by the City Council, and

SECTION 3. The City Clerk shall cause a copy of this Ordinance, together with “Exhibits A” and “Exhibit B” to be filed and recorded in the Records of the Office of the Maricopa County Recorder, and

SECTION 4. The Planning and Development Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in “Exhibit B”.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 25th day of August, 2021.

DRAFT

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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11TH AVENUE AND JOMAX ROAD
ANNEXATION 503
Appendix A

The North 200 feet of GLO Lot 12, Section 6, Township 4 North, Range 3 East, G&SRB&M, Maricopa County, Arizona, except the North 90 feet thereof as previously annexed by City of Phoenix Ordinance No. G-1829 recorded at Docket 12992, page 1312, official records of said Maricopa County and Ordinance No. G-3252 recorded in Document No. 1989-308858, of said official records, the West boundary this Annexation is coincidental with a part of the boundary of the area annexed by the City of Phoenix Ordinance No. S-43007, recorded in Document No. 2016-0919373, of said official records, and coincidental with the a part of the boundary of the area annexed by the City of Phoenix Ordinance No. G-5190, recorded in Document No. 2008-0597695, of said official records.

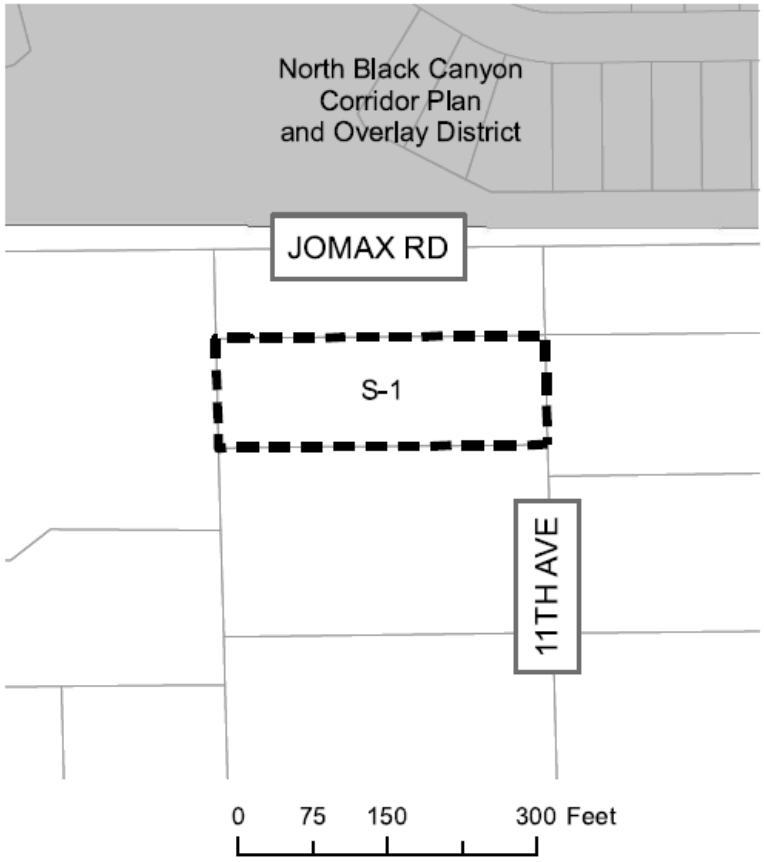
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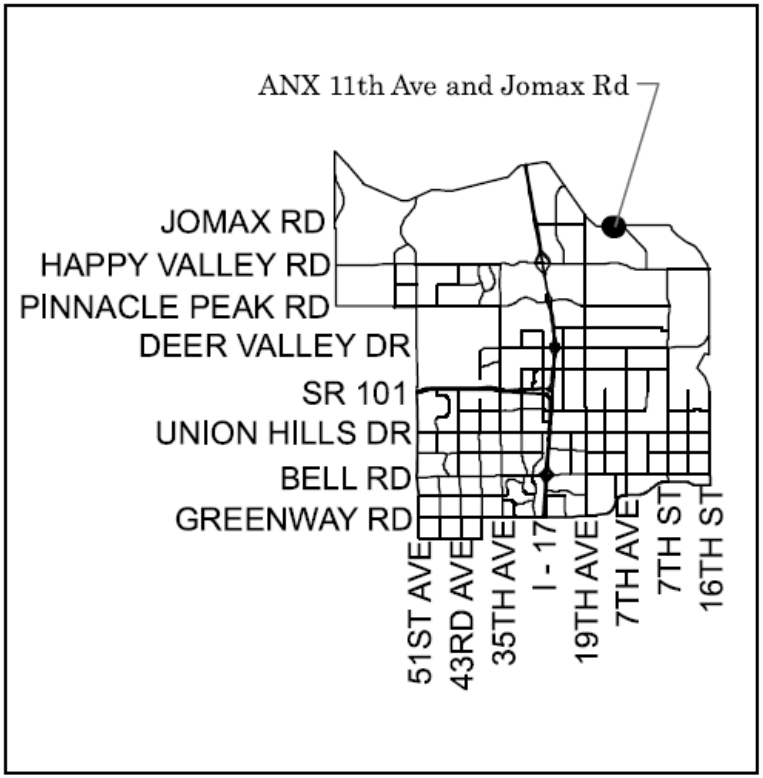
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: ANX 11th Ave and Jomax Rd
Zoning Overlay: N/A
Planning Village: Deer Valley





NOT TO SCALE

N

Drawn Date: 6/10/2021

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City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 139

Remove/Replace Zoning District - Central Avenue and Jomax Road - Annexation 505 (Ordinance G-6876)

Request to authorize the City Manager, or his designee, to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County RU-43 zoning district and replacing it with the City of Phoenix S-1 zoning district on property at the location described below, which was annexed into the City of Phoenix on May 19, 2021 by Ordinance S-47559.

Location
26238 N. Central Ave.
Council District: 2

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE ANNEXED PARCEL DESCRIBED HEREIN (CENTRAL AVENUE AND JOMAX ROAD ANNEXATION, NO. 505) FROM COUNTY RURAL 43 TO CITY'S S-1 (RANCH OR FARM RESIDENCE).

WHEREAS, on May 19, 2021, via Ordinance S-47559, the City of Phoenix annexed an approximately 0.4907-acre property located at 26238 N Central Avenue, in that part of the GLO Lot 13, located within the Northeast quarter of the Northwest quarter of Section 5, Township 4 North, Range 3 East, as described more specifically in "Exhibit A" and incorporated herein by this reference; and,

WHEREAS, as required by A.R.S. § 9-471.L, the city of Phoenix is required to adopt zoning districts on the subject parcel to permit uses and densities no greater than those allowed by the prior County zoning district; and,

WHEREAS, immediately prior to annexation the zoning applicable to this territory was RU-43 zoning district; and

WHEREAS, the City's S-1 (Ranch or Farm Residence) zoning district is equivalent to Maricopa County's Rural-43 zoning district;

DRAFT

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The approximately 0.4907-acre property located at 26238 N Central Avenue, in that part of the GLO Lot 13, located within the Northeast quarter of the Northwest quarter of Section 5, Township 4 North, Range 3 East, East of the Gila and Salt River Base and Meridian of Maricopa County, Arizona, which is described in “Exhibit A” and depicted in “Exhibit B” has been annexed to the City of Phoenix, and the present corporate limits of the City have been extended and increased to include such property.

SECTION 2. Pursuant to A.R.S. §9-471(L), the property depicted in Exhibit B is hereby removed from Maricopa County's Rural-43 zoning district and placed into the City’s S-1 (Ranch or Farm Residence) zoning district. This zoning designation shall take effect thirty days after this Ordinance is adopted, without further action by the City Council, and

SECTION 3. The City Clerk shall cause a copy of this Ordinance, together with “Exhibits A” and “Exhibit B” to be filed and recorded in the Records of the Office of the Maricopa County Recorder, and

SECTION 4. The Planning and Development Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in “Exhibit B”.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 25th day of August, 2021.

DRAFT

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

DRAFT

CENTRAL AVENUE AND JOMAX ROAD
ANNEXATION 505
Appendix A

That part of the GLO Lot 13, located within the Northeast quarter of the Northwest quarter of Section 5, Township 4 North, Range 3 East, G&SRB&M, Maricopa County, Arizona, also being a part of Parcel No. 1 as described in Document No 2016-0449142, official records of Maricopa County, and as shown on the Results of Survey recorded in Document No. 2005-0597960, of said official records, except the North 90 feet thereof as previously annexed by City of Phoenix Ordinance No. G-1829, recorded in Docket 12992, page 1312, of said official records, and Ordinance No. G-3252, recorded in Document No. 1989-0308858, of said official records, more particularly described as follows:

BEGINNING at a point in the East line of said Parcel No.1, said point also being the intersection of the South line of the North 90 feet of said Section 5, said line also being the South line of the Annexation described in said Ordinance G-1829, with the East line of the Northwest quarter of said Section 5;

thence South 01 °15'43" East, along the East line of said Parcels No. 1 and the East line of said Northwest quarter a distance of 60.42 feet to the Southeast corner of said Parcels No. 1;

thence South 86°03'27" West, along the South line of said Parcels No. 1, a distance of 222.74 feet to an angle point in said South line;

thence North 76°10'21" West, continuing along said South line, a distance of 106.89 feet to the Southwest corner of said Parcels No.1;

thence North 01 °16'00" West, along the West line of said Parcels No. 1, a distance of 48.48 feet to the South line of the North 90 feet of said Northwest quarter, and the South line of said City of Phoenix Annexation described in Ordinance No. G-1829; thence Northeasterly along las said lines to the POINT OF BEGINNING.

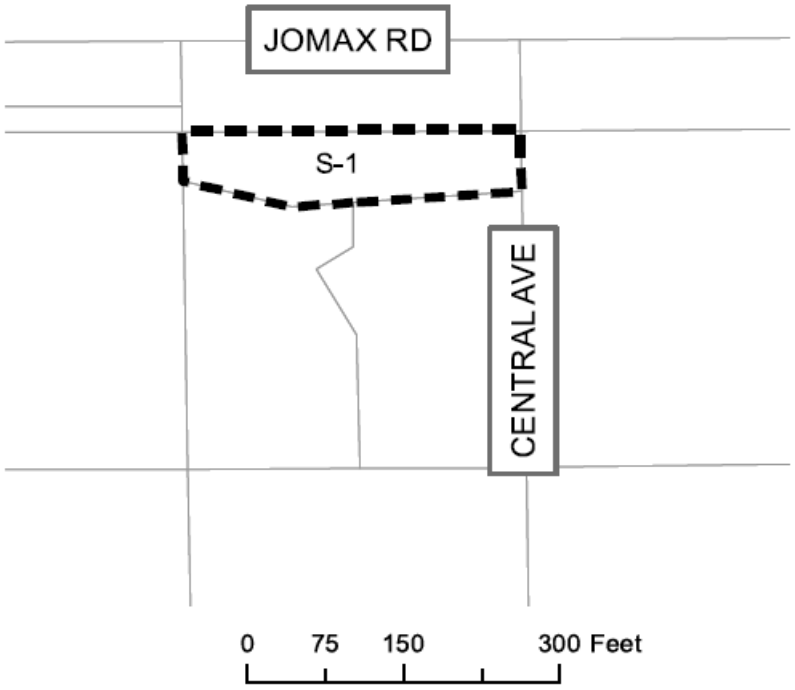
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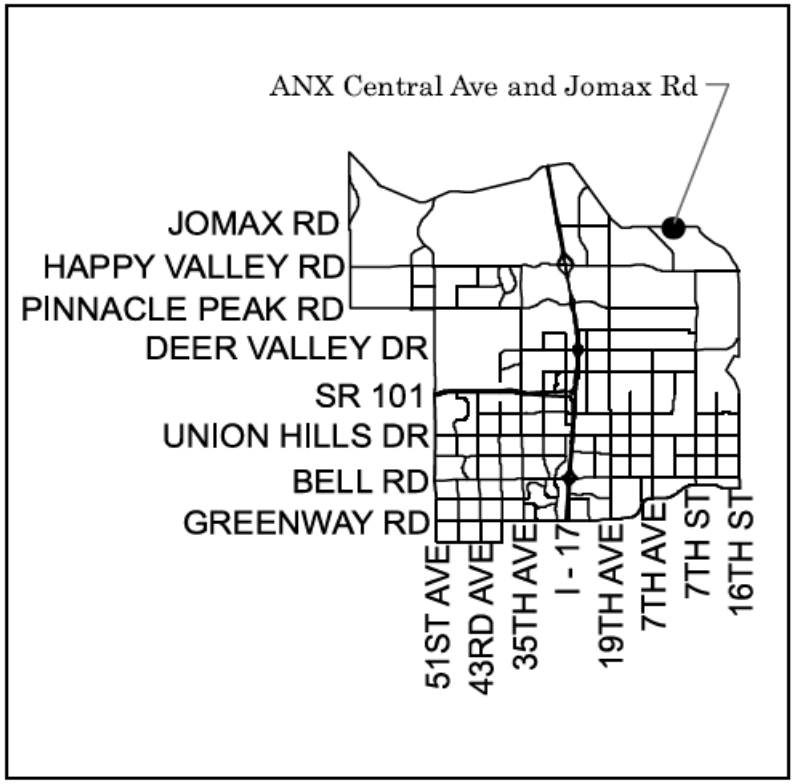
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: ANX Central Ave and Jomax Rd
Zoning Overlay: N/A
Planning Village: Deer Valley





NOT TO SCALE

N

Drawn Date: 6/10/2021

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City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 140

Amend City Code - Official Supplementary Zoning Map 1222 (Ordinance G-6877)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1222. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-81-06-5 and the entitlements are fully vested.

Summary

To rezone a parcel located approximately 250 feet west of the northwest corner of 27th and Glendale avenues.
Application No.: Z-81-06-5
Zoning: C-2
Owner: Structured RES-Glendale Storage, LLC; LCF Car Wash Glendale, LLC; and O'Reilly Automotive Stores, Inc
Acreage: 1.88

Location

Approximately 250 feet west of the northwest corner of 27th and Glendale avenues.
Address: 2714, 2718 and 2720 W. Glendale Ave.
Council District: 5

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY ADOPTING OFFICIAL SUPPLEMENTARY ZONING MAP 1222.

_____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is hereby amended by adopting Official Supplementary Zoning Map 1222, which accompanies and is annexed to this ordinance and declared a part hereof.

PASSED by the Council of the City of Phoenix this 25th day of August, 2021.

_____
M A Y O R

ATTEST:

_____
Denise Archibald, City Clerk

DRAFT

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:_____
_____

REVIEWED BY:

_____
Ed Zuercher City Manager

PL:tml:LF21-1901:8-25-2021

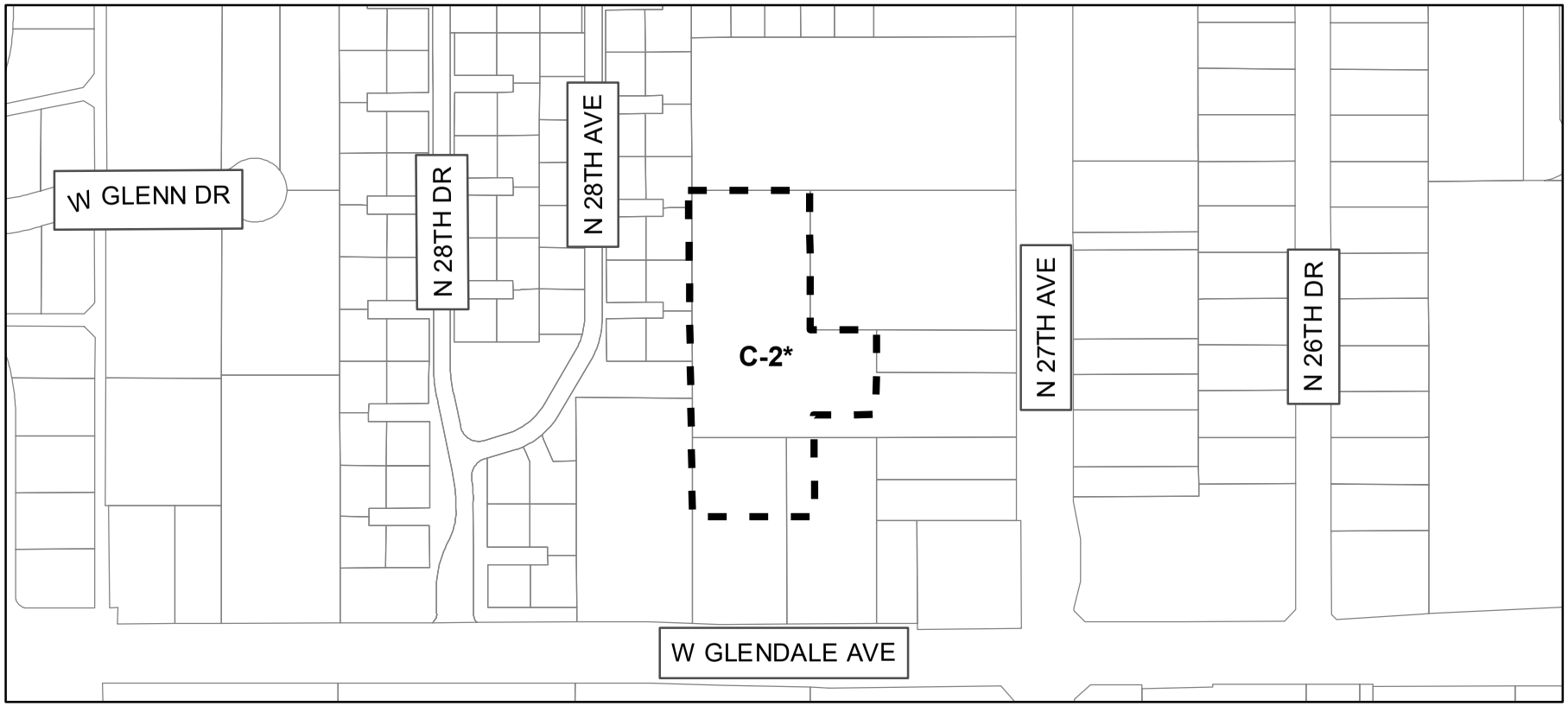
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OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1222

Sheet 1 of 1

ORDINANCE NO. _____ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 25th day of August 2021.



Z-81-06-5

Drawn by: KS

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

ZONING SUBJECT TO STIPULATIONS: *

AREA INVOLVED BOUNDED THUS: ▬ ▬ ▬ ▬ ▮

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 141

Amend City Code - Official Supplementary Zoning Map 1223 (Ordinance G-6878)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1223. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-SP-13-06-5 and the entitlements are fully vested.

Summary

To rezone a parcel located approximately 304 feet north of the northwest corner of 27th and Glendale avenues.
Application No.: Z-SP-13-06-5
Zoning: C-2 SP
Owner: Structured REA-Glendale Storage, LLC
Acreage: 2.15

Location

Approximately 304 feet north of the northwest corner of 27th and Glendale avenues.
Address: 2718 W. Glendale Ave.
Council District: 5

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY ADOPTING OFFICIAL SUPPLEMENTARY ZONING MAP 1223.

_____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is hereby amended by adopting Official Supplementary Zoning Map 1223, which accompanies and is annexed to this ordinance and declared a part hereof.

PASSED by the Council of the City of Phoenix this 25th day of August, 2021.

_____
M A Y O R

ATTEST:

_____
Denise Archibald, City Clerk

DRAFT

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:_____
_____

REVIEWED BY:

_____
Ed Zuercher City Manager

PL:tml:LF21-1903:8-25-2021:

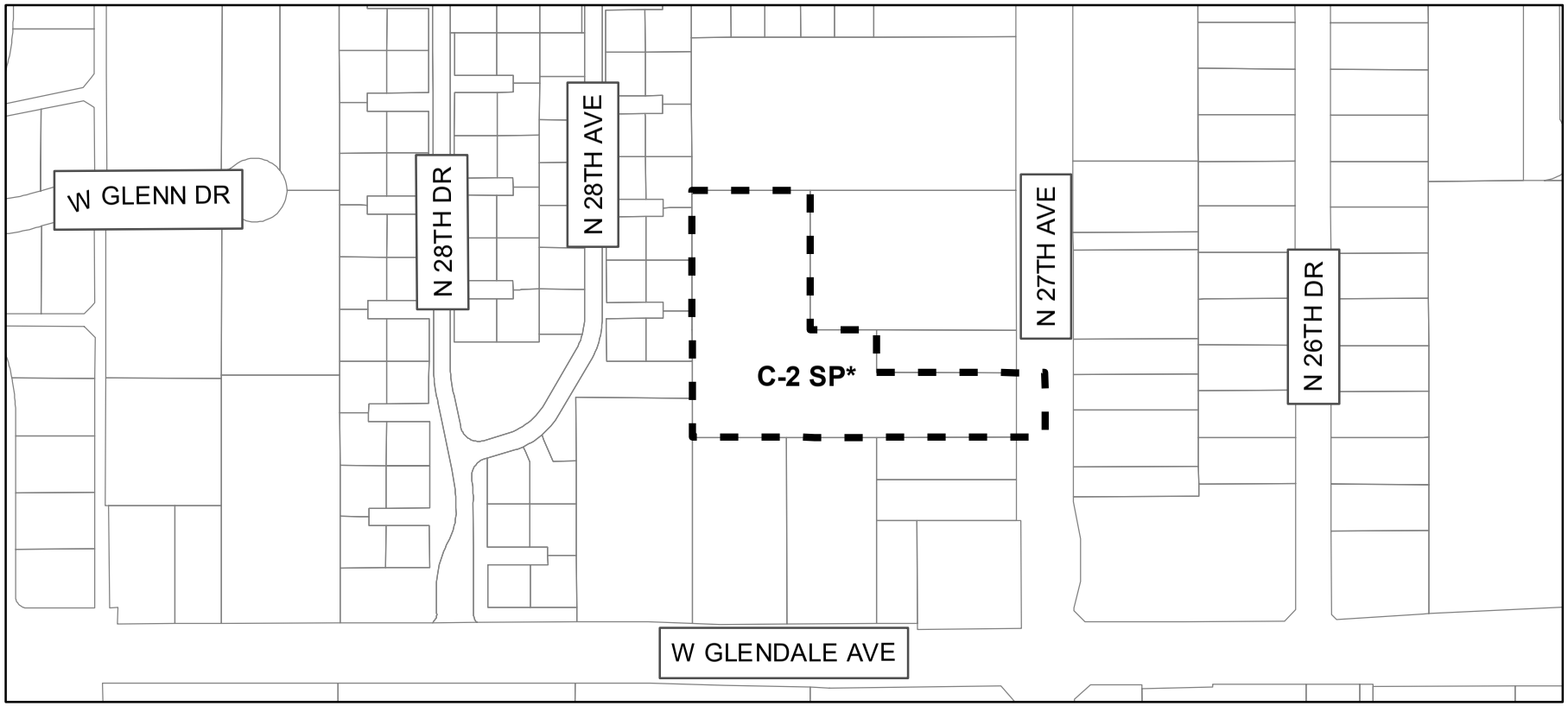
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OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1223

Sheet 1 of 1

ORDINANCE NO. _____ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 25th day of August 2021.



A portion of Z-SP-13-06-5

Drawn by: KS

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

ZONING SUBJECT TO STIPULATIONS: *

AREA INVOLVED BOUNDED THUS: ▬ ▬ ▬ ▬

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 142

Amend City Code - Official Supplementary Zoning Map 1224 (Ordinance G-6879)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1224. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by the City Council with a portion of Z-109-97-2 and the entitlements are fully vested.

Summary

To rezone a parcel located approximately 410 feet north of the northeast corner of the Interstate-17 Freeway and Dynamite Boulevard.
Application No.: Z-109-97-2
Zoning: R-3A PCD
Owner: Dynamite Development Company of Sage, LLC
Acreage: 14.19

Location

Approximately 410 feet north of the northeast corner of the Interstate-17 Freeway and Dynamite Boulevard
Address: 28425 N. Black Canyon Highway
Council District: 2

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY ADOPTING OFFICIAL SUPPLEMENTARY ZONING MAP 1224.

_____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is hereby amended by adopting Official Supplementary Zoning Map 1224, which accompanies and is annexed to this ordinance and declared a part hereof.

PASSED by the Council of the City of Phoenix this 25th day of August, 2021.

_____

M A Y O R

ATTEST:

_____

Denise Archibald, City Clerk

DRAFT

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:_____
_____

REVIEWED BY:

_____
Ed Zuercher City Manager

PL:tml:LF21-1905:8-25-2021

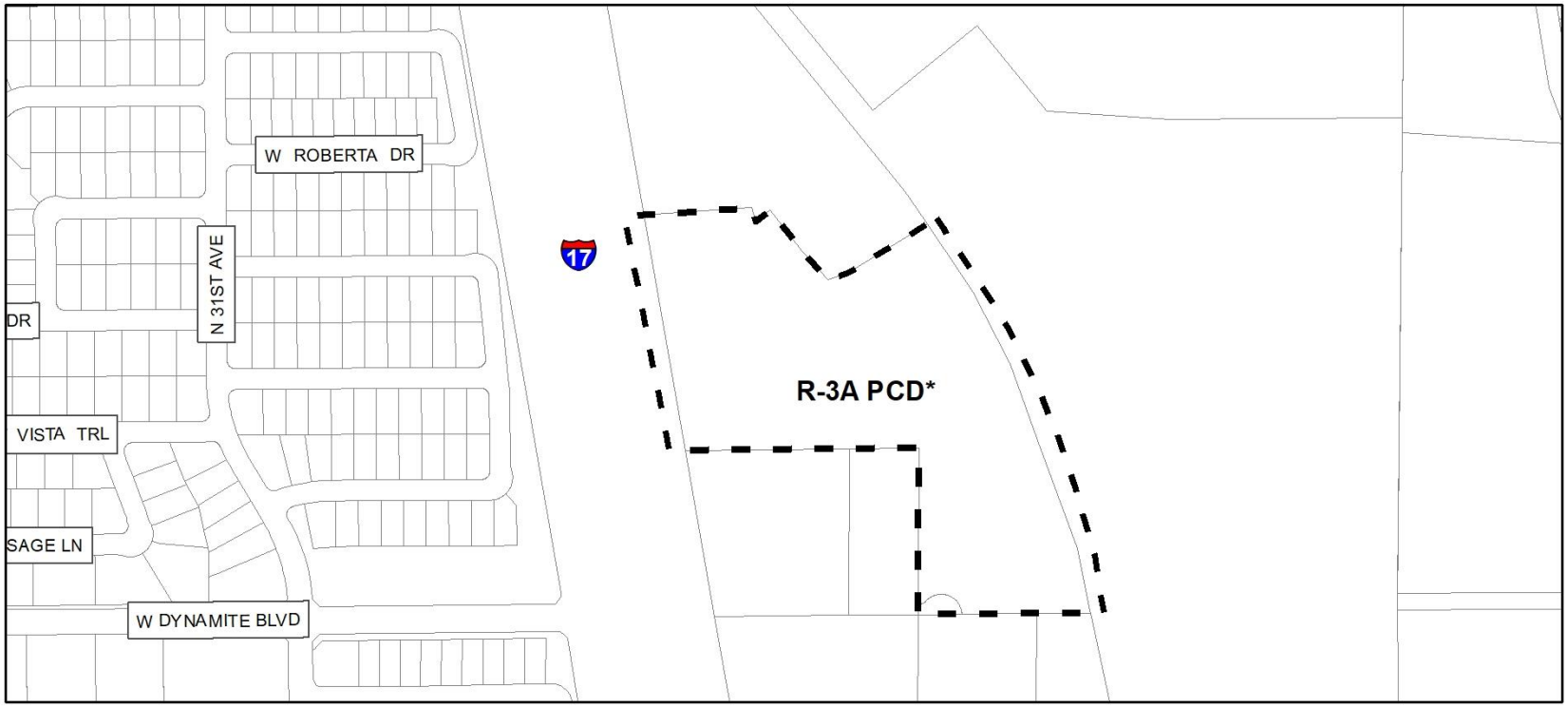
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OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1224

Sheet 1 of 1

ORDINANCE NO. _____ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 25th day of August 2021.



A portion of Z-109-97-2

Drawn by: KS

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

ZONING SUBJECT TO STIPULATIONS: *

AREA INVOLVED BOUNDED THUS: ▬ ▬ ▬ ▬

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 143

Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-51-20-2 - Approximately 4,000 Feet North of the Northeast Corner of Black Canyon Highway and Jomax Road (Ordinance G-6882)

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 July 21, 2021.

Summary

Application: PHO-1-21--Z-51-20-2
Existing Zoning: R-3A
Acreage: 20.08

Applicant: Chuck Chisholm, K. Hovnanian Homes
Owner: Fred Bishop, et al.
Representative: Nick Wood Esq., Snell & Wilmer

Proposal:
1. Modification of Stipulation 6 regarding the minimum landscape setback required along the west property line and along the frontage road.
2. Modification of Stipulation 7 regarding the minimum landscape setback required along the south property line.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee was scheduled to hear this case on July 8, 2021 but did not have a quorum.
PHO Action: The Planning Hearing Officer heard this case on July 21, 2021 and took this case under advisement. Only July 28, 2021, the Planning Hearing Officer took this case out from under advisement and recommended approval with modifications. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

Approximately 4,000 feet north of the northeast corner of Black Canyon Highway and Jomax Road

Council District: 2
Parcel Address: N/A

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO REZONING APPLICATION Z-51-20-2 PREVIOUSLY APPROVED BY ORDINANCE G-6838.

_____

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning stipulations applicable located approximately 4,000 feet north of the northeast corner of Black Canyon Highway and Jomax Road in a portion of Section 35, Township 5 North, Range 2 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. The maximum building height shall be 30 feet.

2. The development shall be limited to a maximum of 285 units.

3. All elevations of the buildings shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies, as approved by the Planning and Development Department.

4. A sidewalk and landscaping strip shall be provided along the Black Canyon Freeway Frontage Road and shall be detached with a minimum five-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed

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a minimum of 25 feet on center or equivalent groupings to provide a minimum of 75 percent shade on adjacent sidewalks.

b. Drought tolerant shrubs and vegetative groundcovers.

5. An enhanced landscaped entry shall be provided at the main entryway into the development off of the frontage road with a minimum 300 square feet of landscaped area on each side of the entrance. The landscaped areas shall be planted and maintained with a variety of at least three different plant materials, as approved by the Planning and Development Department.

6. A 15-FOOT minimum, 20-FOOT AVERAGE landscape setback ~~of 20 feet~~ shall be required along the west property line and along the frontage road, EXCEPT THAT ALONG THE FRONTAGE ROAD, THE LANDSCAPE SETBACK SHALL BE A MINIMUM 25 FEET, AS DEPICTED ON THE PROPOSED STIPULATION MODIFICATION EXHIBIT DATE STAMPED JULY 21, 2021, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. These landscape setbacks shall include minimum 3-inch caliper large canopy shade trees planted a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

7. A 15-FOOT minimum, 20-FOOT AVERAGE landscape setback ~~of 20 feet~~ shall be required along the south property line and shall include minimum 2-inch caliper trees planted a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

8. There shall be a minimum of two private open space amenity areas. Each area shall provide, at a minimum, two of the following active amenity elements or other similar elements, as approved by the Planning and Development Department:

a. Swimming Pool

b. Fire Pit

c. Pavilion or Ramada

d. Barbecue and Picnic Area

9. Perimeter walls adjacent to the frontage road and private drive to the north shall incorporate stone veneer, stonework, integral color CMU block or faux stone, and be compatible with the existing wall on the property line to the north, as approved by the Planning and Development Department.

10. The developer shall submit a cross-access agreement prior to preliminary site plan approval for APN 204-23-001A to support future cross-access of Oberlin Way.

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11. All frontage improvements, access control and location of driveways shall be permitted and approved through ADOT.

12. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

13. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Deer Valley Airport (DVT) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

14. The developer must file FAA Form 7460 and provide City FAA's no hazard determination prior to construction permit approval, as per plans approved by the Planning and Development Department.

15. The developer shall grant and record an avigation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

16. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

17. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

18. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33- foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

19. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6838, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6838 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 25th day of August, 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

DRAFT

Exhibits:
A - Legal Description (1 Page)
B - Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-21-- Z-51-20-2

A portion of the Northeast quarter of Section 35, Township 5 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona being more particularly described as follows;

COMMENCING at the North quarter of said Section 35; Thence North 89 Degrees 25 Minutes 16 Seconds East along the North line of said Northeast quarter a distance of 1492.67 feet to the **TRUE POINT OF BEGINNING**; Thence North 89 Degrees 25 Minutes 16 Seconds East a distance of 420.06 feet; Thence South 12 Degrees 09 Minutes 55 Seconds East a distance of 1108.05 feet; Thence South 80 Degrees 07 Minutes 08 Seconds West a distance of 693.21 feet; Thence South 89 Degrees 25 Minutes 09 Seconds West a distance of 255.53 feet; Thence North 09 Degrees 52 Minutes 39 Seconds West a distance of 641.80 feet; Thence North 89 Degrees 25 Minutes 16 Seconds East a distance of 370.70 feet; Thence North 00 Degrees 34 Minutes 40 Seconds West a distance of 200.00 feet; Thence North 89 Degrees 25 Minutes 16 Seconds East a distance of 30.00 feet; Thence North 00 Degrees 34 Minutes 40 Seconds West a distance of 364.17 feet to the **POINT OF BEGINNING**.

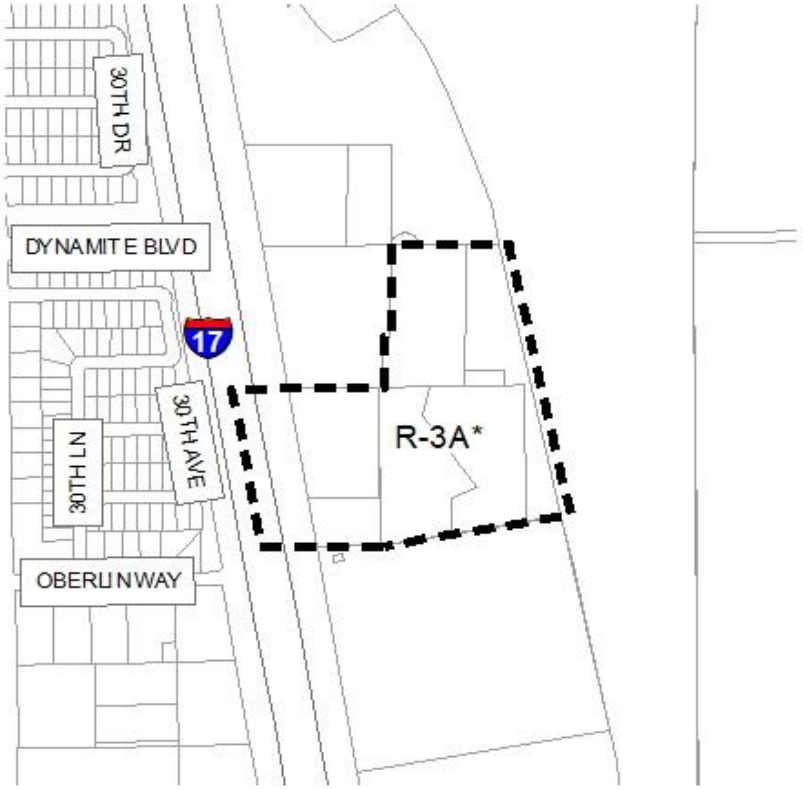
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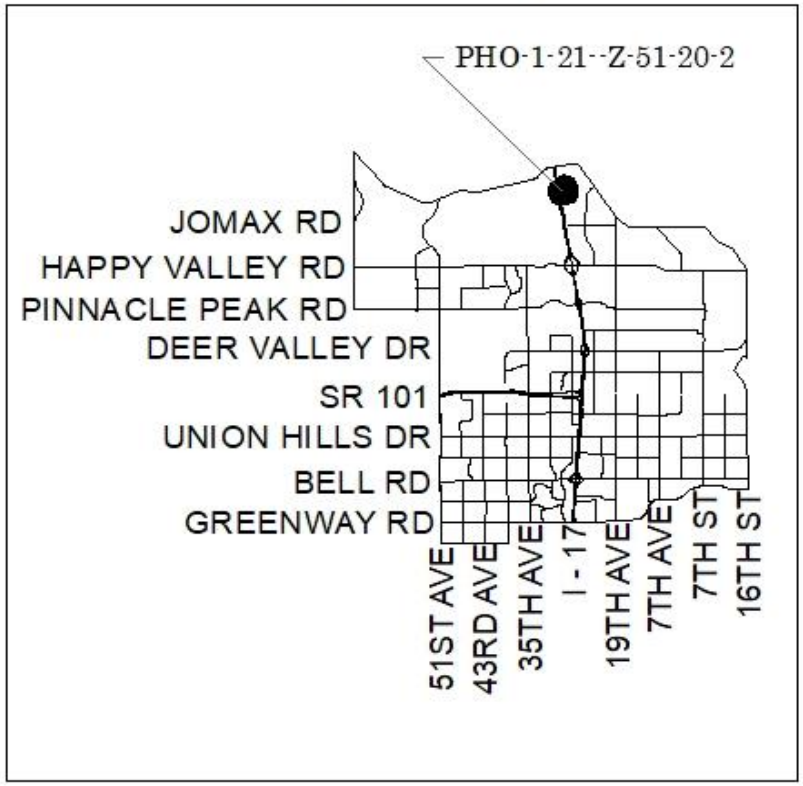
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - -

Zoning Case Number: PHO-1-21--Z-51-20-2
Zoning Overlay: N/A
Planning Village: Deer Valley





NOT TO SCALE

N

Drawn Date: 7/26/2021

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2021 Ord\8-25-21\PHO-1-21--Z-51-20-2.mxd

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 144

Amend City Code - Ordinance Adoption - Rezoning Application PHO-2-21--Z-12-11-2 - Approximately 1,320 Feet South of the Southeast Corner of North Valley Parkway and Sonoran Desert Drive (Ordinance G-6881)

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 July 21, 2021.

Summary

Application: PHO-2-21--Z-12-11-2
Existing Zoning: C-2 HGT/WVR NBCOD
Acreage: 23.45

Applicant: Miandra Cash, EMC Management LLC
Owner: The Novak Family LLC
Representative: Alan Beaudoin

Proposal:
1. Review of site plan and elevations by the Planning Hearing Officer per Stipulation 1.
2. Review of site plan and elevations by the North Gateway Village Planning Committee per Stipulation 18.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The North Gateway Village Planning Committee heard this case on July 8, 2021 and recommended approval, by a vote of 6-0.
PHO Action: The Planning Hearing Officer heard this case on July 21, 2021 and recommended approval with modifications and additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

Approximately 1,320 feet south of the southeast corner of North Valley Parkway and Sonoran Desert Drive
Council District: 2
Parcel Address: N/A

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO REZONING APPLICATION Z-12-11-2 PREVIOUSLY APPROVED BY ORDINANCE G-5664.

_____

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning stipulations applicable located approximately 1,320 feet south of the southeast corner of North Valley Parkway and Sonoran Desert Drive in a portion of Section 24, Township 5 North, Range 2 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

SITE PLAN AND ELEVATIONS

1. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN AND ELEVATIONS DATE STAMPED JUNE 3, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~Conceptual site plan(s) and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval as each parcel is to be developed. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.~~

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a. For development of parcel 204-13-003T the following shall be notified:

- Sonoran Foothills Homeowners Association
  c/o Capital Consultants Management Company
  Attn: Board President
  8360 East Via De Ventura
  Scottsdale, AZ 85258

- Property owners within one mile.

TRAILS AND OPEN SPACE

2. A 10-foot public multi-use trail shall be constructed within a 30-foot easement in accordance with City of Phoenix MAG Supplemental detail P1130 & P1131 and Section 429 of the Supplemental Specifications along Sonoran Desert Drive as approved by the Parks and Recreation Department and Planning and Development Department.

3. A 10-foot shared use path shall be constructed within a 20-foot public sidewalk easement on the east side of North Valley Parkway as approved by the Parks and Recreation Department and Planning and Development Department.

4. Property owners shall dedicate all rights-of-way and required easements (for streets, utilities, trail systems, and other open space where required). A multi-use trail easement shall be dedicated along the Skunk Creek Wash and Sonoran Wash as approved by the Parks and Recreation Department and the Planning and Development Department to provide connectivity through the site to adjacent open space and trail connections.

STREET TRANSPORTATION

5. The developer shall dedicate right-of-way totaling 70 feet for the south half of Sonoran Desert Drive as approved by the Planning and Development Department.

6. The developer shall dedicate right-of-way totaling 70 feet for the west and east halves of North Valley Parkway as approved by the Planning and Development Department.

7. A 25-foot by 25-foot right-of-way triangle shall be dedicated at all corners of arterial/arterial and arterial/collector intersections as approved by the Planning and Development Department.

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8. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved or modified by the Planning and Development Department. All improvements shall comply with ADA accessibility requirements.

9. The applicant shall submit a Traffic Impact Study to the Street Transportation Department and the Planning and Development Department prior to preliminary site plan review. The applicant shall be responsible for any dedications and required improvements as recommended by the approved Traffic Impact Study and as approved or modified by the Planning and Development Department and the Street Transportation Department.

10. Sufficient right-of-way shall be dedicated to accommodate bus-bays at all arterial/arterial intersections as approved by the Planning and Development Department.

11. The developer shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department at (602) 262-6193. This form is a requirement of the EPA to meet clean air quality requirements.

12. REQUIRED RIGHT-OF-WAY, DRAINAGE EASEMENT, ACCESS CONTROL DEDICATIONS AND FLOOD PLAIN ENCROACHMENTS ALONG NORTH VALLEY PARKWAY SHALL BE IN CONFORMANCE WITH THE CITY OF PHOENIX SONORAN WASH BRIDGE ASSESSMENT REPORT DATED JUNE 30, 2021 AND AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.

SPECIAL PERMIT FOR THE DRIVEWAY ACCESS, MINE MAINTENANCE BUILDING, SCALE HOUSE (NOVAK GRANITE MINE)

13. ~~12.~~ The scale house and mine maintenance building shall be buffered from view of adjacent parcels, wash locations, proposed Sonoran Preserve and North Valley Parkway through the use of indigenous, drought tolerant trees a minimum of 2-inch caliper size and shrubs. The landscape shall be installed as recommended in the North Black Canyon Corridor Design Guidelines, and as approved by the Planning and Development Department.

14. ~~13.~~ The approval of the Special Permit shall be removed through the legislative process and the use of the driveway access, scale house and the mine maintenance building shall be demolished and removed once the current non-conforming use (rock quarrying operation/granite mine) is terminated.

OTHER

15. ~~14.~~ The developer shall show the planned 69kV underground power lines on the site, landscape, and grading and drainage plans. All utilities and other

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construction shall be coordinated with the City and APS so as to not conflict with the planned power lines.

16. ~~15.~~ The applicant shall submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading. Further archaeological monitoring and/or testing (trenching) may be necessary based on the results of the survey.

17. IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND SUBMIT AN ARCHAEOLOGICAL SURVEY REPORT OF THE DEVELOPMENT AREA FOR REVIEW AND APPROVAL BY THE CITY ARCHAEOLOGIST PRIOR TO CLEARING AND GRUBBING, LANDSCAPE SALVAGE, AND/OR GRADING APPROVAL.

18. IF PHASE I DATA TESTING IS REQUIRED, AND IF, UPON REVIEW OF THE RESULTS FROM THE PHASE I DATA TESTING, THE CITY ARCHAEOLOGIST, IN CONSULTATION WITH A QUALIFIED ARCHAEOLOGIST, DETERMINES SUCH DATA RECOVERY EXCAVATIONS ARE NECESSARY, THE APPLICANT SHALL CONDUCT PHASE II ARCHAEOLOGICAL DATA RECOVERY EXCAVATIONS.

19. IN THE EVENT ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, THE DEVELOPER SHALL IMMEDIATELY CEASE ALL GROUND-DISTURBING ACTIVITIES WITHIN A 33- FOOT RADIUS OF THE DISCOVERY, NOTIFY THE CITY ARCHAEOLOGIST, AND ALLOW TIME FOR THE ARCHAEOLOGY OFFICE TO PROPERLY ASSESS THE MATERIALS.

20. ~~16.~~ Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of the property within the development the existence and operational characteristics of the mining operation near the development, that it is an active mine, has the potential to be active seven days a week, 24 hours a day, and is anticipated to continue until the rock resources are exhausted, which could be for 20 or more years. The form and content of such documents shall be reviewed and approved by the Law Department.

21. ~~17.~~ Access for the Novak mine operation shall be directed west through the City of Phoenix Transfer Station site to the Interstate 17 frontage road per a development agreement between all affected parties.

~~18. Conceptual site plan(s) and elevations shall be reviewed by the North Gateway Village Planning Committee for recommendation prior to review and approval by the Planning Hearing Officer.~~

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SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5664, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5664 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 25th day of August, 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:

DRAFT

A - Legal Description (2 Pages)
B - Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-2-21-- Z-12-11-2

A portion of land being situated within the Southeast quarter of the Northwest Quarter of Section 24, Township 5 North, Range 2 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found Iron pipe with cap stamped RLS 17288 accepted as the Northeast corner of the Southeast quarter of the Northwest quarter of said Section 24 from which a found 3" City of Phoenix brass cap flush accepted as the North quarter corner of said Section 24 bears North 00°26'51" West, 1327.13 feet;

Thence South 89°49'59" West, 110.45 feet along the north line of said Southeast quarter to the **POINT OF BEGINNING**;

Thence leaving said north line, South 15°55'34" West, 45.04 feet;

Thence South 15°58'20" West, 22.73 feet;

Thence South 18°55'37" West, 100.64 feet;

Thence South 17°26'37" West, 54.45 feet;

Thence South 17°30'51" West, 16.18 feet to a non-tangent curve, concave southeasterly, having a radius of 1568.80 feet, the center of which bears South 50°53'18" East;

Thence southwesterly along said curve, through a central angle of 12°36'33", an arc length of 345.25 feet to a non-tangent line;

Thence South 23°51'24" West, 28.69 feet;

Thence North 90°00'00" West, 66.70 feet;

Thence South 23°51'24" West, 55.03 feet;

Thence South 12°12'44" West, 100.72 feet;

Thence South 10°12'08" West, 81.54 feet;

Thence South 14°05'59" West, 85.15 feet;

Thence South 13°34'35" West, 81.25 feet;

Thence South 18°47'12" West, 60.19 feet;

Thence South 19°31'12" West, 47.69 feet;

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Thence South 18°28'44" West, 89.39 feet;

Thence South 21°58'44" West, 80.53 feet;

Thence South 28°18'49" West, 54.75 feet;

Thence South 24°30'42" West, 70.00 feet to the centerline of North Valley Parkway per Book 580, Page 16, Maricopa County records;

Thence along said centerline the following 3 courses:

Thence North 65°29'18" West, 75.43 feet to the beginning of a tangent curve concave northeasterly having a radius of 955.00 feet;

Thence northwesterly along said curve, through a central angle of 65°01'09", an arc length of 1083.73 feet to a tangent line;

Thence North 00°28'09" West, 411.15 feet along the west line of the Southeast quarter of said Northwest quarter to the Northwest corner of Southeast quarter of the Northwest Quarter of Section 24;

Thence leaving aid centerline and along the north line of the Southeast quarter of the said Northwest quarter, North 89°49'59" East, 1214.82 feet to the **POINT OF BEGINNING**.

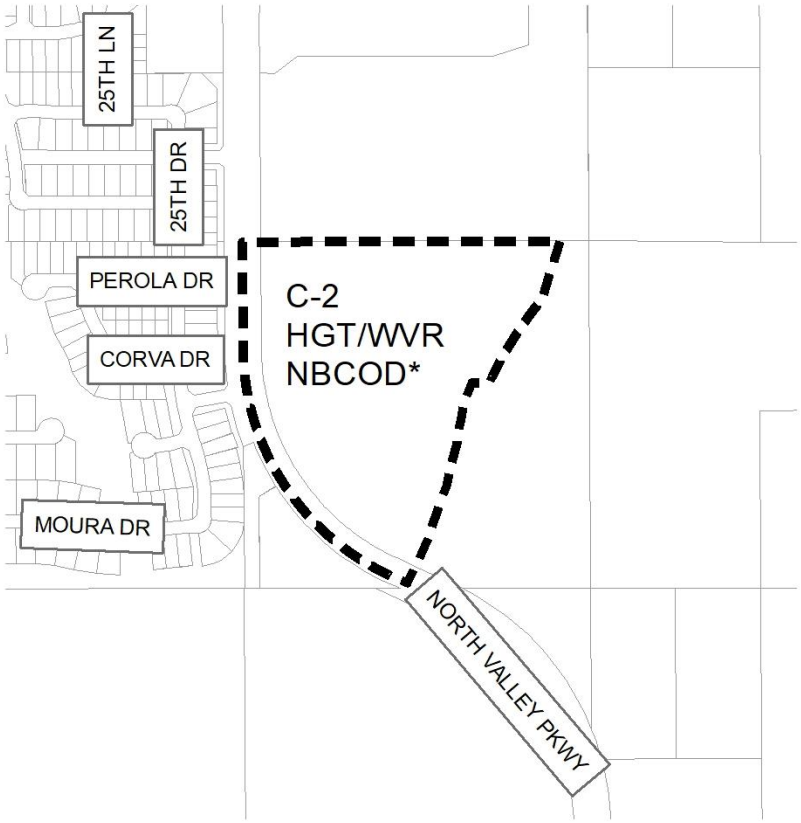
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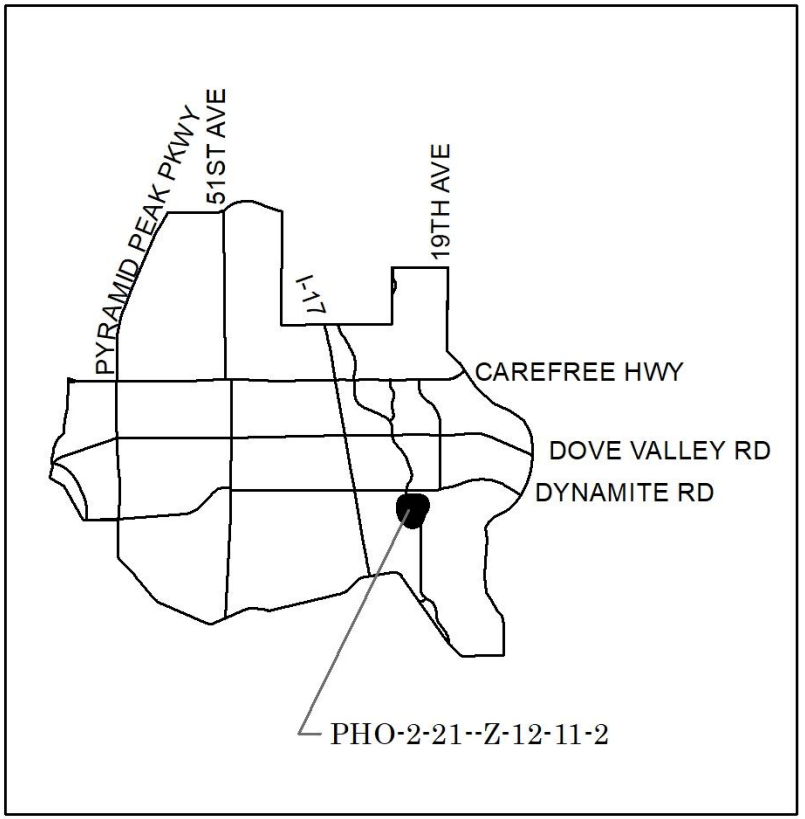
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: PHO-2-21--Z-12-11-2
Zoning Overlay: North Black Canyon Corridor Plan and Overlay District
Planning Village: North Gateway





NOT TO SCALE

N

Drawn Date: 7/30/2021

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2021 Ord\8-25-21\PHO-2-21--Z-12-11-2.mxd

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 145

Amend City Code - Ordinance Adoption - Rezoning Application Z-65-20-6 (Broadstone on 7th PUD) - Approximately 180 Feet South of the Southeast Corner of 7th Street and Palo Verde Lane (Ordinance G-6880)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-65-20-6 and rezone the site from P-1 (Parking District) and C-2 (Intermediate Commercial District) to PUD (Planned Unit Development) to allow multifamily residential.

Summary

Current Zoning: P-1 (1.38 acres) and C-2 (1.85 acres)
Proposed Zoning: PUD
Acreage: 3.23
Proposed Use: Multifamily residential

Owner: Phoenix 7th Street, LLC, et al.
Applicant: ORB Architecture, LLC
Representative: ORB Architecture, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on July 6, 2021 and recommended approval with a modification by a vote of 11-0.
PC Action: The Planning Commission heard this case on Aug. 5, 2021 and recommended approval, per the Camelback East Village Planning Committee recommendation with an additional stipulation by a vote of 7-1.

Location

Approximately 180 feet south of the southeast corner of 7th Street and Palo Verde Lane
Council District: 6
Parcel Address: 5717, 5727, and 5733 N. 7th St.; and 5726, 5730, and 5734 N. 8th Place

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-65-20-6) FROM P-1 (PARKING DISTRICT) AND C-2 (INTERMEDIATE COMMERCIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

_____

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 3.23-acre site located approximately 180 feet south of the southeast corner of 7th Street and Palo Verde Lane in a portion of Section 16, Township 2 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from “P-1” (Parking District) and “C-2” (Intermediate Commercial) to “PUD” (Planned Unit Development).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B”.

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

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violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Broadstone on 7th PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped June 4, 2021, as modified by the following stipulations:

    a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: June 4, 2021; City Council adopted: [Add adoption date].

    b. Page 10, Development Standards Table, Parking Setbacks: Please replace “Rear Lot Line (8th Place)” with “Secondary Frontage (8th Place).”

    c. Page 12, Signage Standards: Replace “Walkable Urban Code Section 1309” with “Walkable Urban Code Section 1308” to reference the correct Zoning Ordinance section.

    d. Page 12, Signage Standards Table, Projecting Sign: Revise the maximum sign area to 53 square feet, with a maximum length of 15 feet and maximum width of 3 feet.

2. All cross-access agreements shall incorporate a pedestrian pathway, as approved by the Planning and Development Department.

3. The developer shall dedicate a 10-foot-wide sidewalk easement on the east side of 7th Street, as approved by the Planning and Development Department.

4. The applicant shall submit a traffic statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.

5. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.

6. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

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7. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 25th day of August 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-65-20-6

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO 1:
LOT 2, THE NORTH HALF OF LOT 3, THE NORTH HALF OF LOT 10 AND ALL OF LOTS 11 AND 12, BLOCK 2, MONTGOMERY ACRES, ACCORDING TO BOOK 29 OF MAPS, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA; EXCEPT THE WEST 7 FEET OF SAID LOTS 10, 11 AND 12.

PARCEL NO. 2:
AN EASEMENT CREATED BY INSTRUMENT RECORDED IN DOCKET 16330, PAGE 667, RECORDS OF MARICOPA COUNTY, ARIZONA, FOR JOINT USE OF A DRIVEWAY OVER THE NORTH 12 FEET OF THE SOUTH HALF OF LOT 10, BLOCK 2, MONTGOMERY ACRES, ACCORDING TO BOOK 29 OF MAPS, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA; EXCEPT THE WEST 7 FEET OF SAID LOT 10.

PARCEL NO. 3:
AN EASEMENT CREATED BY INSTRUMENT RECORDED IN RECORDING NO. 87-0516895, RECORDS OF MARICOPA COUNTY, ARIZONA, FOR JOINT USE OF A DRIVEWAY OVER A PORTION OF LOT 10, BLOCK 2, MONTGOMERY ACRES, ACCORDING TO BOOK 29 OF MAPS, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 4:
LOT 9 AND THE SOUTH HALF OF LOT 10, BLOCK 2, MONTGOMERY ACRES, ACCORDING TO BOOK 29 OF MAPS, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA; EXCEPT THE WEST 7 FEET THEREOF

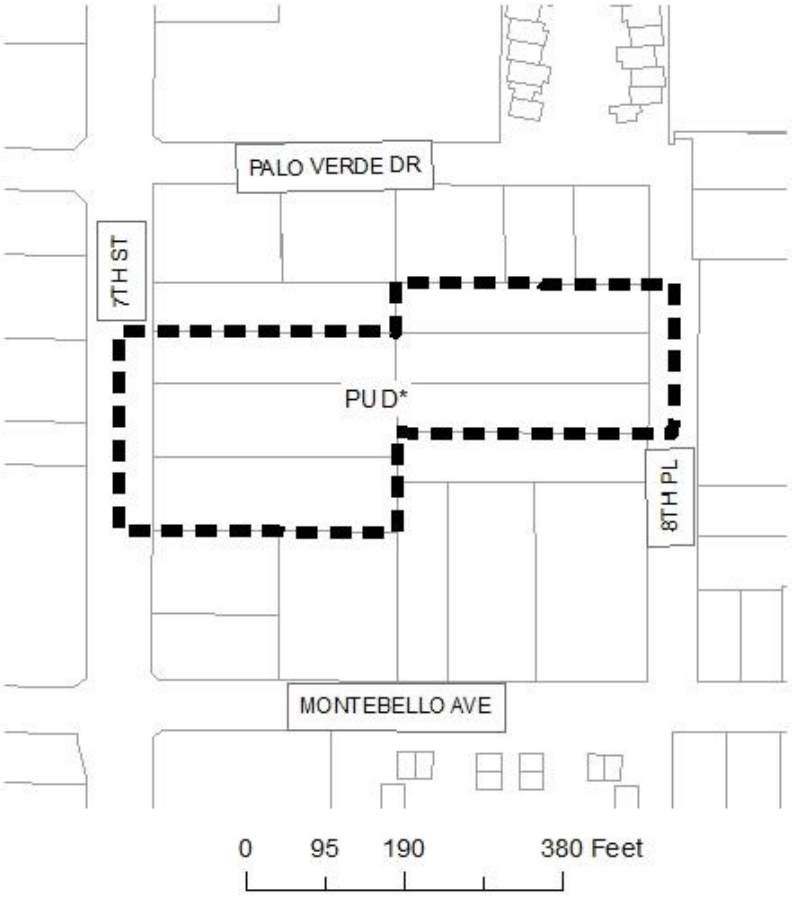
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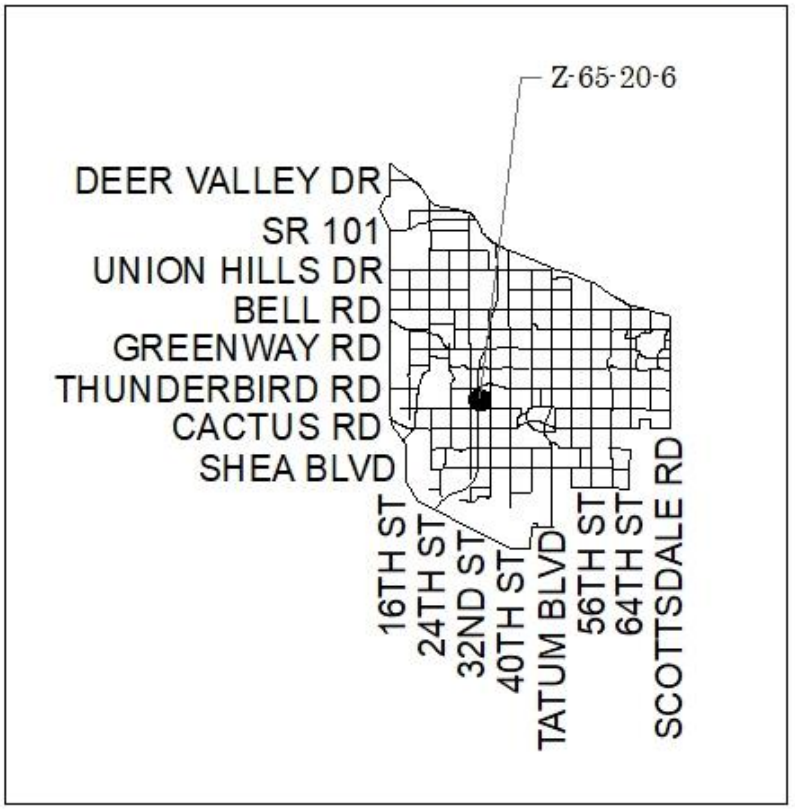
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - -

Zoning Case Number: Z-65-20-6
Zoning Overlay: N/A
Planning Village: Camelback East





NOT TO SCALE

N

Drawn Date: 7/22/2021

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 146

Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-14-19-8 - Approximately 776 Feet North of the Northeast Corner of 59th Avenue and Elliot Road (Ordinance G-6883)

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 July 21, 2021.

Summary

Application: PHO-1-21--Z-14-19-8
Existing Zoning: R-3
Acreage: 22.87

Applicant: Isola Elliot LLC
Owner: Isola Elliot LLC
Representative: Benjamin Tate, Withey Morris PLC

Proposal:
1. Modification of Stipulation 2 regarding general conformance to the site plan and elevations date stamped May 3, 2019.
2. Modification of Stipulation 2.c regarding a maximum of 249 units.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on July 12, 2021 and recommended approval with a modification by a vote of 5-3-1.
PHO Action: The Planning Hearing Officer heard this case on July 21, 2021 and recommended approval with additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

Approximately 776 feet north of the northeast corner of 59th Avenue and Elliot Road
Council District: 8
Parcel Address: N/A

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO REZONING APPLICATION Z-14-19-8 PREVIOUSLY APPROVED BY ORDINANCE G-6608.

_____

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning stipulations applicable located approximately 776 feet north of the northeast corner of 59th Avenue and Elliot Road in a portion of Section 8, Township 1 South, Range 2 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. The conceptual site plan, landscape plan, lighting plan and building elevations for the commercial (C-1) portion of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval.

2. The development shall be in general conformance with the site plan and elevations date stamped APRIL 19, 2021 ~~May 3, 2019~~, as approved by the Planning and Development Department, and as modified by the following criteria:

    a. The front elevations shall consist of a minimum of 10% non-stucco accent material.

    b. The development shall provide gated access.

    c. The development shall have a maximum of ~~249~~ 264 units.

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3. A SHARED-USE PATH SHALL BE PROVIDED ALONG THE EAST SIDE OF 59TH AVENUE IN ACCORDANCE WITH THE CITY OF PHOENIX STANDARD TRAIL DETAIL AND AS APPROVED, MODIFIED, AND REQUIRED BY THE PARKS AND RECREATION AND PLANNING AND DEVELOPMENT DEPARTMENTS.

4. A 30-foot minimum landscape setback- shall be provided along 59th Avenue
~~3.~~ and along Elliott Road, as approved by the Planning and Development Department.

5. The developer shall provide a minimum of 10% open space, as approved by
~~4.~~ the Planning and Development Department.

6. The developer shall install a minimum of 20 inverted U-bicycle racks for
~~5.~~ guests, installed per the requirements of Section 1307.H.4 of the Zoning Ordinance, as approved by the Planning and Development Department.

7. A pedestrian connection shall be provided between the R-3 and C-1
~~6.~~ portions of the site, as approved by the Planning and Development Department.

8. In the event archaeological materials are encountered during construction,
~~7.~~ the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

9. The applicant shall submit a Traffic Impact Study to the City for this
~~8.~~ development. The conclusions of the study will be used to determine the required roadway and traffic improvements to be provided by the developer. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact Mr. Matthew Wilson (602-262-7580) to set up a meeting to discuss the requirements of the study. The Traffic Impact Study shall also be submitted to the Arizona Department of Transportation for review and approval.

10. The developer shall provide for a 55-foot half street right-of-way dedication
~~9.~~ for the east side of 59th Avenue for the entire length of property, extending to Elliot Road. This shall include 37 feet of paving for the east half of 59th Avenue.

11. The developer shall provide for a 55-foot half street right-of-way dedication
~~10.~~ on the north side of Elliot Road from 59th Avenue to the existing residential development to the east. Include 37 feet of paving for the north half of Elliot Road and additional improvements, as approved by the Planning and Development Department.

12. The developer shall provide for a 25-foot by 25-foot right-of-way triangle
~~11.~~ dedication at the northeast corner of the 59th Avenue and Elliot Road

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intersection.

13. Open irrigation facilities are to be relocated and piped outside of the right-
~~12.~~ of- way. Contact Salt River Project to identify existing land rights and establish an appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

14. The developer shall underground existing overhead electrical utilities
~~13.~~ within the public right-of-way that are impacted or to be relocated as part of this project, as approved by the Planning and Development Department.

15. The developer shall construct all streets within and adjacent to the
~~14.~~ development with paving, curb, gutter, 5-foot sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.

16. Any request to change, delete or modify stipulations shall be presented
~~15.~~ through the Planning Hearing Officer process and notification shall be given to the Laveen Village Planning Committee prior to the Planning Hearing Officer hearing.

17. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6608, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6608 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by

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the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 25th day of August, 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:
A - Legal Description (1 Page)
B - Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-21-- Z-14-19-8

A portion of the Southwest Quarter of Section 8, Township 1 South, Range 2 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at a brass cap in handhole at the Southwest Corner of said Section 8, from which a brass cap in handhole at the West Quarter corner of said Section 8 bears North 0 degrees 14 minutes 04 seconds East, 2641.07 feet;

thence North 0 degrees 14 minutes 04 seconds East along the West line of said Southwest Quarter, 780.01 feet to the POINT OF BEGINNING;

thence continuing along said west line, North 0 degrees 14 minutes 04 seconds East, 394.00 feet;

thence South 89 degrees 58 minutes 16 seconds East, 1311.22 feet to a point on the east line of the southwest quarter of the southwest quarter of said Section 8;

thence along said east line, South 0 degrees 18 minutes 53 seconds West, 921.01 feet to a point on a line parallel with and 253 feet north of the south line of the southwest quarter of said Section 8;

thence along said parallel line, North 89 degrees 58 minutes 16 seconds West, 904.93 feet;

thence North 0 degrees 14 minutes 04 seconds East, 527.00 feet;

thence North 89 degrees 58 minutes 16 seconds West, 405.00 feet to the POINT OF BEGINNING.

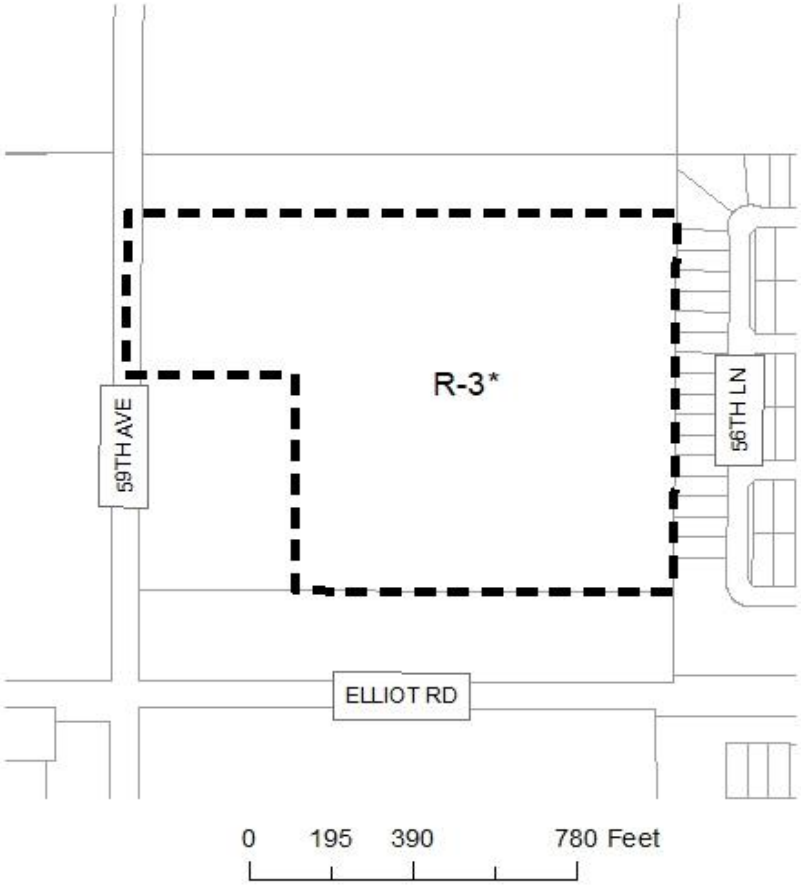
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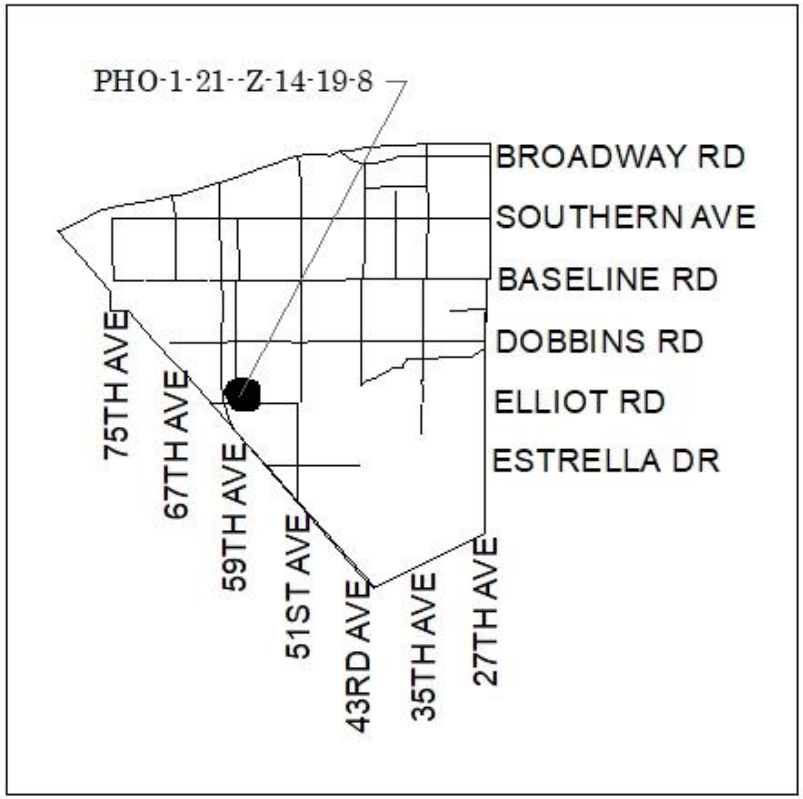
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: PHO-1-21--Z-14-19-8
Zoning Overlay: N/A
Planning Village: Laveen





NOT TO SCALE

N

Drawn Date: 7/26/2021

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2021 Ord\8-25-21\PHO-1-21--Z-14-19-8.mxd

City of Phoenix

Report

Agenda Date: 8/25/2021, **Item No.** 147

(CONTINUED FROM JULY 1, 2021) - Public Hearing and Ordinance Adoption - Rezoning Application Z-49-20-3 - Located Approximately 970 Feet North of the Northeast Corner of 34th Street and Sweetwater Avenue (Ordinance G-6871)

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-49-20-3 and rezone the site from R1-6 (Single-Family Residence District) to R-3 (Multifamily Residence District) for a Community Residence Center.

Summary

Current Zoning: R1-6
Proposed Zoning: R-3
Acreage: 1.11 acres
Proposed Use: Community Residence Center

Owner: Fedzin Enterprises, LLC
Applicant: Matt Ihms
Representative: Matt Ihms

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Valley Village Planning Committee heard the case on May 3, 2021 and recommended approval, per the staff recommendation by a vote of 11-6.
PC Action: The Planning Commission heard the case on June 3, 2021 and recommended approval, per the Paradise Valley Village Planning Committee recommendation, with an additional stipulation by a vote of 8-0.

The Planning Commission recommendation was appealed and a petition for a three-quarter vote was submitted on June 10, 2021. A three-quarter vote is not required.

Location

Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue
Council District: 3
Parcel Addresses: 13225 N. 34th St.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-49-20-3) FROM R1-6 (SINGLE-FAMILY RESIDENCE) TO R-3 (MULTIFAMILY RESIDENCE DISTRICT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 1.11 acre site located approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue in a portion of Section 13, Township 3 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "R1-6" (Single-Family Residence District) to "R-3" (Multifamily Residence District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B".

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

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violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall maintain a minimum 50-foot building setback, exclusive of carports and perimeter walls, from the southern site boundary where adjacent to R1-6 zoning.

2. The maximum building height shall be limited to 2 stories and 30 feet.

3. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.

4. All elevations of the building(s) shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department.

5. The required landscape setbacks shall include minimum 2-inch caliper large canopy shade trees, planted 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

6. Where a landscaped median is provided within the ingress or egress to the site, a landscaped accent area shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover, as approved by the Planning and Development Department.

7. Perimeter walls shall be constructed to the following standards, as approved by the Planning and Development Department.

    a. Perimeter walls visible from public streets shall have a finished appearance compatible with primary structures that includes material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs.

    b. A combination of solid masonry wall not exceeding 4 feet in height, and wrought iron view fencing or similar material shall be utilized along the eastern property lines where open space is adjacent to the drainage channel/floodway (Indian Bend Wash) east of the site.

8. Clearly defined, accessible pedestrian pathways shall be provided connecting all building entrances and exits, community amenity areas, and all public sidewalks

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utilizing the minimum possible distance and providing the most direct route, as approved by the Planning and Development Department.

9. The developer shall provide clearly defined, accessible pathways, constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

10. Pedestrian walkways, including adjacent public sidewalks, shall be shaded to a minimum of 75 percent, as approved by the Planning and Development Department.

11. A minimum of two inverted U-bicycle racks or artistic style racks shall be provided, located near the main building entrance. All bicycle racks shall adhere to Appendix K, “Outdoor/Open Facilities”, of the Comprehensive Bicycle Master Plan, and as approved by the Planning and Development Department.

12. The developer shall construct a minimum 45-foot radius cul-de-sac at the terminus of 34th Street, as approved by the Planning and Development Department.

13. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

14. A portion of this parcel is located in a Special Flood Hazard Area (SFHA) called Zone AE Floodplain, on panels 1735L of the Flood Insurance Rate Map (FIRM) revised December 22, 2017. If the plans show no building and/or construction encroachment including fill within this portion of the site in the SFHA, then no floodplain requirements will be required. If encroachment does occur, then the following requirements must be met, as approved by the Planning and Development Department:

    a. The Architect/Engineer is required to show the special flood hazard area boundary limits on plans and ensure that impacts to the proposed facilities and surrounding properties have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

    b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements prior to issuance of a Grading Permit.

15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

DRAFT

16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 1st day of July 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-49-20-3

THAT PART OF LOT 4, OASIS ACRES, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 45 OF MAPS AT PAGE 20, LOCATED WITHIN THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 4;

THENCE SOUTH 00 DEGREES 22 MINUTES 14 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 35.58 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 87 DEGREES 42 MINUTES 58 SECONDES EAST A DISTANCE OF 35.07 FEET;

THENCE SOUTH 68 DEGREES 11 MINUTES 59 SECONDES EAST A DISTANCE OF 31.89 FEET;

THENCE SOUTH 42 DEGREES 07 MINUTES 39 SECONDES EAST A DISTANCE OF 56.86 FEET;

THENCE SOUTH 23 DEGREES 07 MINUTES 56 SECONDES EAST A DISTANCE OF 77.99 FEET;

THENCE SOUTH 20 DEGREES 06 MINUTES 12 SECONDES EAST A DISTANCE OF 75.10 FEET;

THENCE SOUTH 25 DEGREES 10 MINUTES 24 SECONDES EAST A DISTANCE OF 58.75 FEET;

THENCE SOUTH 20 DEGREES 54 MINUTES 49 SECONDES EAST A DISTANCE OF 46.86 FEET;

THENCE SOUTH 89 DEGREES 04 MINUTES 46 SECONDES WEST A DISTANCE OF 199.07 FEET TO A POINT IN THE WEST LINE OF SAID LOT 4;

THENCE NORTH 00 DEGREES 22 MINUTES 14 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 297.82 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION CONVERYED TO CITY OF PHOENIX, RECORDED FEBRUARY 18, 2016 IN RECORDING NO 2016-103579, RECORDS OF MARICOPA COUNTY, ARIZONA.

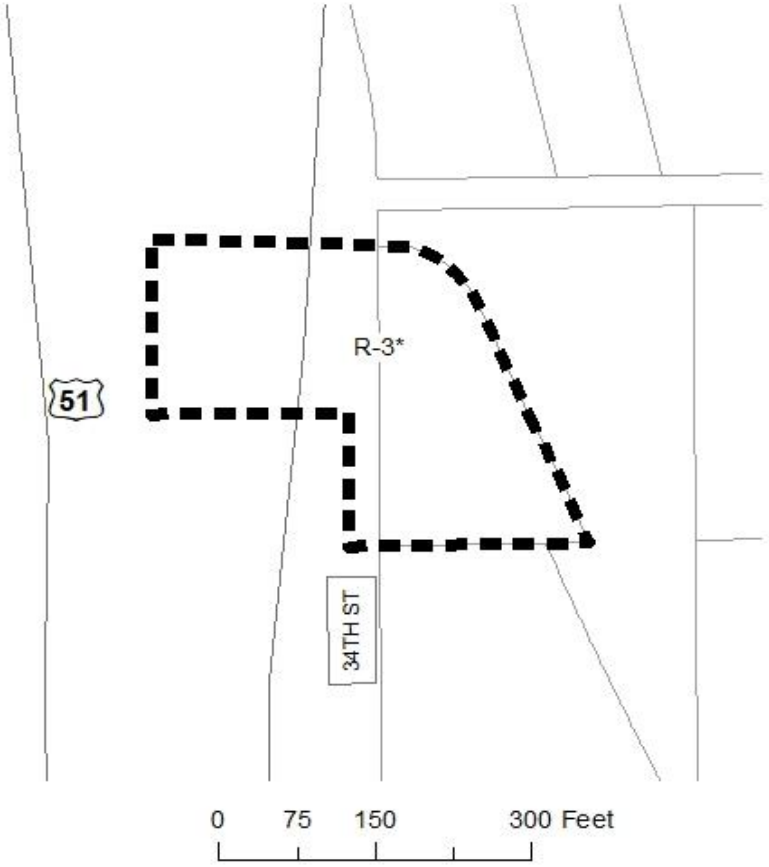
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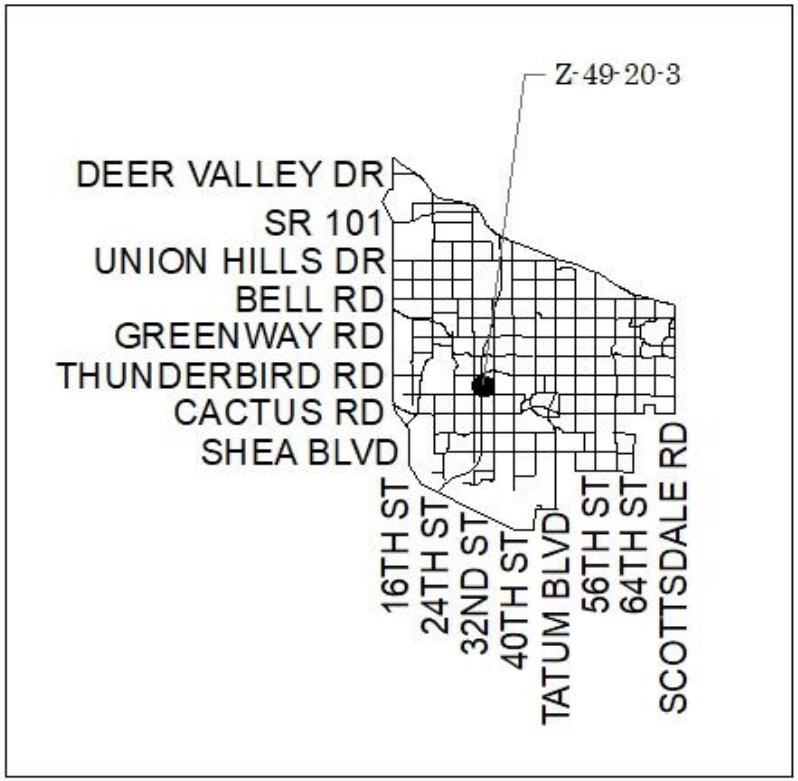
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - -

Zoning Case Number: Z-49-20-3
Zoning Overlay: N/A
Planning Village: Paradise Valley





NOT TO SCALE

N

Drawn Date: 5/28/2021

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2021 Ord\7-1-21\Z-49-20-3.mxd

Attachment B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-49-20-3
April 20, 2021

Paradise Valley Village Planning Committee Meeting Date:	May 3, 2021
Planning Commission Hearing Date:	June 3, 2021
Request From:	R1-6 (Single-Family Residence District) (1.11 acres)
Request To:	R-3 (Multifamily Residence District) (1.11 acres)
Proposed Use:	Community Residence Center
Location:	Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue
Owner:	Fedzin Enterprises, LLC
Applicant and Representative:	Matt Ihms
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Residential 3.5 to 5 dwelling units per acre and Parks/Open Space-Publicly Owned	
Street Map Classification	34th Street	Local Street	30-feet east half street

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CLEAN NEIGHBORHOODS; LAND USE PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.

Per historic aerial photography, the subject site has remained vacant since it was annexed from Maricopa County into the City of Phoenix in 1962. The development

would permit a new use in the area at a scale that is compatible with the surrounding land uses and appropriately located at the end of a local street absent of residential homes immediately fronting it. Furthermore, this local street, 34th Street, connects to Sweetwater Avenue, a minor collector street, which will provide easy access to other parts of the Village.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.

The proposal, a community residence center, is compatible with surrounding land uses in the area which are residential and quasi-public in nature. This use allows a new housing type that will serve individuals with disabilities in the community to support a broad range of lifestyles. As stipulated, the development will incorporate elements to maintain an appropriate scale with the existing neighborhood.

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The development provides a reasonable level of intensity that is respectful of local conditions and surrounding neighborhood, which are predominantly built out and zoned single-family and multifamily residential. The subject site is located at the end of a local street that presently serves as primary access to residential uses in the area and a church south of the site. The subject site is adjacent to non-residential uses, including a church, freeway and a wash, thus no adverse impacts are anticipated on adjacent land uses if this rezoning request is approved.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal, as stipulated, will be required to provide shade along internal pedestrian paths and the adjacent public street. This will help to encourage walking and to mitigate the urban heat island effect by shading hard surfaces, thus cooling the micro-climate around the project vicinity.

Applicable Plans, Overlays, and Initiatives
Tree and Shade Master Plan: See Background Item No. 7.
Complete Streets Guidelines: See Background Item No. 8.
Comprehensive Bicycle Master Plan: See Background Item No. 9.
Piestewa Peak Freeway Specific Plan: See Background Item No. 10.
State Route 51 & Loop 101 Scenic Corridor Policy: See Background Item No. 11.
Zero Waste PHX: See Background Item No. 12.
Housing Phoenix: See Background Item No. 13.

Surrounding Land Uses and Zoning		
	Land Use	**Zoning**
On Site	Vacant / Undeveloped	R1-6
North	Vacant / Undeveloped, Indian Bend Wash	R1-6
South	Single-Family Residential	R1-6
East (across Indian Bend Wash)	Phoenix Indian Bend Wash Park and Single-Family Residential	R1-6
West	State Route 51	R1-6

R-3 – Multifamily Residential (Subdivision Development Option)		
Standards	**R-3 Requirements**	**Proposed**
Gross Acreage	-	1.11 acres
Maximum Number of Units	16 units	None (Met, community residence center with 50 beds proposed)
Maximum Density	Maximum 14.5 dwelling units per acre	None (Met, community residence center with 50 beds proposed)

Standards	**R-3 Requirements**	**Proposed**
Maximum Building Height	2 stories or 30 feet (except that there shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.)	2 stories or 30 feet (Met)
Maximum Lot Coverage	45 percent	22 percent (Met)
MINIMUM BUILDING SETBACKS		
Front: 34th Street	25 feet	30 feet (Met)
Rear: East property line	15 feet	21 feet (Met)
Sides: North and south property lines	10 feet and 3 feet	15 feet and 127 feet (Met)
MINIMUM LANDSCAPE SETBACKS AND STANDARDS		
Front: 34th Street	25 feet	Not specified*
Rear and sides: North, south and east property lines	5 feet	Not specified*
Minimum Open Space	5% of gross area	Not specified*
MINIMUM PARKING REQUIREMENTS		
Parking	1 space per two resident/patient beds (Community Residence Center/Nursing Home) and 1 space per 300 square feet (Office).	32 spaces provided (Square footage of office space not provided)*

*Site plan revision or variance required.

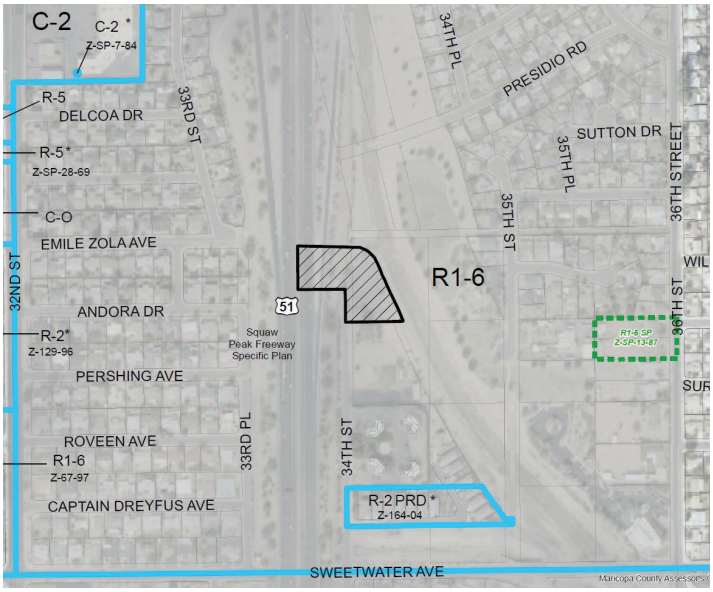
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 1.11 acres located approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue from R1-6 (Single-Family Residence District) to R-3 (Multifamily Residence District) for a community residence center, subject to a use permit process. Community residence centers are permitted subject to a use permit in multifamily zoning districts, including the R-3 zoning district, while permitted by right in some of the commercial zoning districts. The site is presently vacant and undeveloped.

SURROUNDING LAND USES AND ZONING

2. The request for R-3 (Multifamily Residence District) zoning is located in an area surrounded by single-family zoning, although adjacent to non-residential uses. These non-residential uses include a vacant lot/wash area (north), church (south), State Route 51 (west) and Phoenix Indian Bend Wash Park (east).



Zoning Aerial Map, Source: Planning and Development Department

Multifamily zoning is located near the northeast corner of 34th Street and Sweetwater Avenue, developed with a single-family detached use. Multifamily uses developed under the R1-6 (Single-Family Residence District) zoning exists along 34th Street, less than 500 feet south of the subject site.

Access to the subject site is along 34th Street, a local street, which terminates at the subject site. Overall, the general area has been developed with a variety of residential uses, including single-family and multifamily, plus non-residential uses. The proposed multifamily zoning is consistent with existing uses in the area and will allow a new residential use to be established on the subject site without impacting nearby residential properties due to its geographic location.

GENERAL PLAN LAND USE MAP DESIGNATIONS

3. The General Plan Land Use Map designation for the subject site is Residential 3.5 to 5 dwelling units per acre and Parks/Open Space -Publicly Owned. The proposal is not consistent with the existing General Plan Land Use map designation, as the R-3 zoning district is consistent with Commercial and Residential 10 to 15 dwelling units per acre Land Use Map designations. However, a Minor General Plan Amendment is not required since the site is under 10 acres in size.

   North and east of the site has been designated as Parks/Open-Space-Publicly Owned and a small portion as Residential 3.5 to 5 dwelling units per acre. South of the site has been designated as Residential 3.5 to 5 dwelling units per acre, and west of the site has been designated as Transportation along State Route 51.

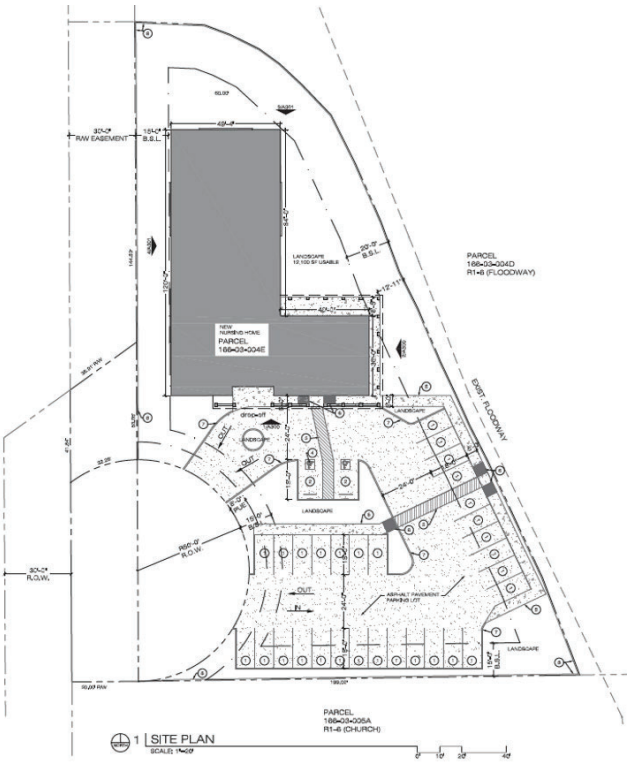


General Plan Land Use Map, Source: Planning and Development Department

PROPOSAL

4. **Site Plan**

The development proposes a community residence center, subject to a use permit, on the subject site. The conceptual site plan shows a single two-story building located on the north-half of the site, with vehicular surface parking spaces located on the south-half of the site. An open space area is proposed west of the building, within proximity to the eastern property line bordering Indian Bend Wash.



Conceptual Site Plan, Source: Another Look LLC.

Access to the site is proposed exclusively along 34th Street, envisioned to terminate as a cul-de-sac to be constructed as part of this development. A sidewalk connecting to Sweetwater Avenue presently exists along most of 34th Street, located either on the west or east side of the street.

As mentioned previously in this report, no residential uses are adjacent to the subject site. However, staff recommends Stipulation No. 1 which would limit the location of buildings on the site away from an adjacent single-family zoned property to the south, shall this property develop in the future as single-family. Stipulation No. 1 would require a minimum 50-foot building setback from the south property line, exclusive of carports or perimeter walls. A church is adjacent to the site along the south property line, while a freeway and wash bound the remaining property lines.

General conformance to the conceptual site plan is not proposed since zoning variances may be requested by the applicant following the rezoning process if site plan modifications cannot be made. Furthermore, the subject parcel is non-symmetrical in shape and constrained by topographical features such as a wash and freeway, thus additional flexibility during the develop review phase for the

site could be beneficial. In addition, a community residence center is subject to a use permit within the R-3 multifamily district. Use permits and variances undergo a separate review process, subject to the Zoning Adjustment hearing process.

5. **Elevations**

The conceptual building elevations depict various architectural features such as pitched roofs, windows, a covered patio and four-sided architecture. Building materials referenced in the conceptual elevations include brick façade, cement board siding, stucco and tile roofs. The conceptual building elevations proposed for the site depict a maximum height of two stories and 30 feet to the mid-point of the roof. Stipulation No. 2 recommends limiting the maximum height of buildings on site to two stories and 30 feet to help keep the building on this site consistent with adjacent R1-6 zoning district permitted height standards.

Staff is recommending a stipulation to require building elevations to incorporate a variety of colors, materials and textural changes. This is addressed in Stipulation No. 3. Stipulation No. 4 also recommends that all building elevations contain architectural embellishments and detailing, including pitched roofs, and/or overhang canopies. Stipulation Nos. 3 and 4 will ensure that the site provides aesthetically pleasing building materials and architecture across from a public park and adjacent to a single-family zoned property.

A conformance to the conceptual building elevations is not currently proposed as the building elevations show no colors and since zoning variances may be requested following the rezoning process if site plan modifications cannot be made, which could result in a change of layout for the building. However, the stipulations listed above will help ensure that the proposed buildings will incorporate pleasing aesthetics, materials that will withstand the weather for many years and architectural features consistent with those found in the adjacent residential areas.



Conceptual Building Elevations, Source: Another Look LLC.

6. **Landscaping, Walls and Walkways**

The development features one usable open space area, northeast of the site at approximately 12,100 square feet in area. This open space area is oriented towards Indian Bend Wash, east of the site, and will serve to enhance the viewscape from the wash area towards this adjacent bank. Furthermore, the R-3 zoning district requires that a minimum of 100 square feet of open space is provided per bed in community residence centers.

In order to buffer the site from adjacent uses, increase shade and to provide an enhanced landscape treatment along Indian Bend Wash, Stipulation No. 5 recommends enhanced plantings within landscape setbacks that include minimum 2-inch caliper large canopy shade trees planted 20 feet on center or equivalent groupings and five 5-gallon shrubs per tree.

Stipulation No. 6 recommends that where a landscaped median is provided within the ingress or egress to the site, a landscaped accent area shall be provided. This will help to provide a visually unique character and provide seasonal interest along the streetscape.

Stipulation No. 7 recommends several wall enhancements to be aesthetically pleasing along the street frontage and Indian Bend Wash. The wall enhancements include:

- Finished appearance with textural differences where visible from public streets;
- Combination of view fencing and solid walls along Indian Bend Wash.

Stipulation Nos. 8 and 9 recommend several pedestrian enhancements to promote walking and safety. The enhancements include:

- Pedestrian pathways that connect all buildings, community amenity areas and public sidewalks via the most direct route;
- Pathways constructed of decorative pathways that visually contrast with parking and drive aisle surfaces.



Conceptual Site Plan, Source: Another Look LLC. with Planning and Development Department annotations

STUDIES AND POLICIES

7. **Tree and Shade Master Plan**
The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Staff is recommending several stipulations designed to provide trees and enhance shade within the development. Staff is recommending Stipulation No. 10 to require a minimum of 75 percent shade within pedestrian walkways, including the public sidewalk, to encourage walking by employees and residents by providing thermal comfort.

8. **Complete Streets Guidelines**
In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. This development will help to pedestrianize the immediate street frontages by shading sidewalks adjacent to the development, addressed in Stipulation No. 10. A minimum of two inverted u-bicycle racks located near the main building entrance are recommended in Stipulation No. 11.

9. **Comprehensive Bicycle Master Plan**
The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. Bicycle lanes have been designed within the Sweetwater Avenue corridor; thus Stipulation No. 11 recommends a minimum of two inverted u-bicycle racks located near the main building entrance to promote the use of bicycling as a means of transportations for future employees and residents of this facility.

10. **Piestewa Peak Freeway Specific Plan**
The Piestewa Peak Freeway Specific Plan was approved in 1991 to help address the impacts of the State Route 51 (SR-51) freeway on adjacent neighborhoods. The plan proposes ways to maximize the compatibility of the freeway with adjacent and nearby land uses, while encouraging neighborhood cohesion and stability. The subject site is located within Segment 5 of this Specific Plan and was envisioned as a park within the existing and proposed land use map, part of a larger linear park along Indian Bend Wash. Thus, the proposal is consistent with the Piestewa Peak Freeway Specific Plan existing and proposed land use map. However, the existing freeway noise mitigation wall and landscape area within the SR-51 freeway portion, in addition to landscape setbacks adjacent to the SR-51, will help mitigate any potential impacts to this new proposed development.

11. **State Route 51 & Loop 101 Scenic Corridor Policy**
The State Route 51 & Loop 101 Scenic Corridor Policy was approved in 2011 to help establish and protect this scenic corridor from outdoor uses, such as outdoor storage and off-premise advertising structures, along portions of the State Route 51 and Loop 101. The requested R-3 (Multifamily Residence District) zoning does not allow outdoor uses such as outdoor storage or off-premise advertising structures, thus the proposal is consistent with this policy document and will promote the vision for this scenic corridor.

12. **Zero Waste PHX**
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The applicant materials indicate that recycling services will be part of the development.

13. **Housing Phoenix**
In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

Although the proposed community residence center is not a traditional residential use, it will allow for disabled residents to be housed and cared for at this location, which proposes up to 50 beds as part of this facility. Shall the proposed use not be developed on this site, the proposed zoning would permit a variety of residential uses including single-family and multifamily.

COMMUNITY INPUT SUMMARY

14. As of the writing of this report, staff had not received any letters in support or opposition to this rezoning application. Staff did receive a letter from an individual

in the area that listed concerns regarding the manner in which the virtual neighborhood meeting was held by the applicant.

INTERDEPARTMENTAL COMMENTS

15. The Fire Department indicated there are no problems anticipated with the case and that the site and/or buildings shall comply with the 2018 International Fire Code with Phoenix Amendments, and the facility will require fire sprinklers and an alarm system. Further, the Department commented that they do not know the water supply at this site and noted that additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.

16. The Floodplain Management division of the Public Works Department has indicated that a sliver of the parcel is located in a Special Flood Hazard Area (SFHA) called Zone AE Floodplain, on panels 1735L of the Flood Insurance Rate Maps (FIRM) dated December 22, 2017. If the plans show no building and/or construction encroachment including fill within the sliver, then no floodplain requirements will be required. If an encroachment does occur, Stipulation No. 14 addresses these floodplain requirements.

17. The Public Transit Department provided comments expressing the importance of direct, clearly defined accessible, and well shaded pedestrian pathways on the site. Shaded pathways should connect the public sidewalks with site amenities and gathering areas. Lastly, that alternative pavement material be used where pedestrian pathways cross drive aisles. These comments were addressed in Stipulation Nos. 8, 9 and 10.

18. The Pedestrian Safety Coordinator with the Street Transportation Department commented that pedestrian accesses to the site from the public sidewalk should be attractive plus inviting, in addition to providing a shaded plus illuminated pedestrian circulation on the site. Furthermore, that alternative paving material be used to delineate pedestrian walkways where vehicle conflicts exist. Also, that the public sidewalk be detached to help provide shade and thick vegetation to discourage mid-block pedestrian crossings. Lastly, that pedestrian walkways are marked where these are located in parking areas, and that buildings with varied setbacks are located near sidewalks to encourage walking plus create visual vibrancy.

    Stipulation No. 6 requires a landscaped accent area where a median is provided along the main entrance to the site to create visual vibrancy. Stipulation No. 8 addresses pedestrian pathways that connect the site to adjacent sidewalks, while Stipulation No. 9 requires decorative pavement to be utilized in order to visually contrast the parking surfaces. Lastly, Stipulation No. 10 requires the

shading of pedestrian walkways to encourage walking. Variation in building setbacks was not stipulated due to the unique shape of the parcel, which constraints development on the site.

19. The Street Transportation Department requires the construction of a cul-de-sac at the terminus of 34th Street. Furthermore, that the developer construct all streets within and adjacent to the development with all required elements. These are addressed in Stipulation Nos. 12 and 13.

OTHER

20. The site is not located in an area identified as being archaeologically sensitive. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 15.

21. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. This proposed development provides a new non-traditional housing option that is consistent with surrounding developments and serves a need in the community for disabled individuals.

2. The development, as stipulated, will maintain an appropriate scale to ensure that it remains compatible with the area.

3. This development proposes to develop an asymmetrical parcel that is bounded by a wash and freeway with a use that is consistent with the goals of the State Route 51 & Loop 101 Scenic Corridor Policy plan.

Stipulations

1. The development shall maintain a minimum 50-foot building setback, exclusive of carports and perimeter walls, from the southern site boundary where adjacent to R1-6 zoning.

2. The maximum building height shall be limited to 2 stories and 30 feet.

3. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.

4. All elevations of the building(s) shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department.

5. The required landscape setbacks shall include minimum 2-inch caliper large canopy shade trees, planted 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

6. Where a landscaped median is provided within the ingress or egress to the site, a landscaped accent area shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover, as approved by the Planning and Development Department.

7. Perimeter walls shall be constructed to the following standards, as approved by the Planning and Development Department.

    a. Perimeter walls visible from public streets shall have a finished appearance compatible with primary structures that includes material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs.

    b. A combination of solid masonry wall not exceeding 4 feet in height, and wrought iron view fencing or similar material shall be utilized along the eastern property lines where open space is adjacent to the drainage channel/floodway (Indian Bend Wash) east of the site.

8. Clearly defined, accessible pedestrian pathways shall be provided connecting all building entrances and exits, community amenity areas, and all public sidewalks utilizing the minimum possible distance and providing the most direct route, as approved by the Planning and Development Department.

9. The developer shall provide clearly defined, accessible pathways, constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

10. Pedestrian walkways, including adjacent public sidewalks, shall be shaded to a minimum of 75 percent, as approved by the Planning and Development Department.

11. A minimum of two inverted U-bicycle racks or artistic style racks shall be provided, located near the main building entrance. All bicycle racks shall adhere to Appendix K, "Outdoor/Open Facilities", of the Comprehensive Bicycle Master Plan, and as approved by the Planning and Development Department.

12. The developer shall construct a minimum 45-foot radius cul-de-sac at the terminus of 34th Street, as approved by the Planning and Development Department.

13. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

14. A portion of this parcel is located in a Special Flood Hazard Area (SFHA) called Zone AE Floodplain, on panels 1735L of the Flood Insurance Rate Map (FIRM) revised December 22, 2017. If the plans show no building and/or construction encroachment including fill within this portion of the site in the SFHA, then no floodplain requirements will be required. If encroachment does occur, then the following requirements must be met, as approved by the Planning and Development Department:

    a. The Architect/Engineer is required to show the special flood hazard area boundary limits on plans and ensure that impacts to the proposed facilities and surrounding properties have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

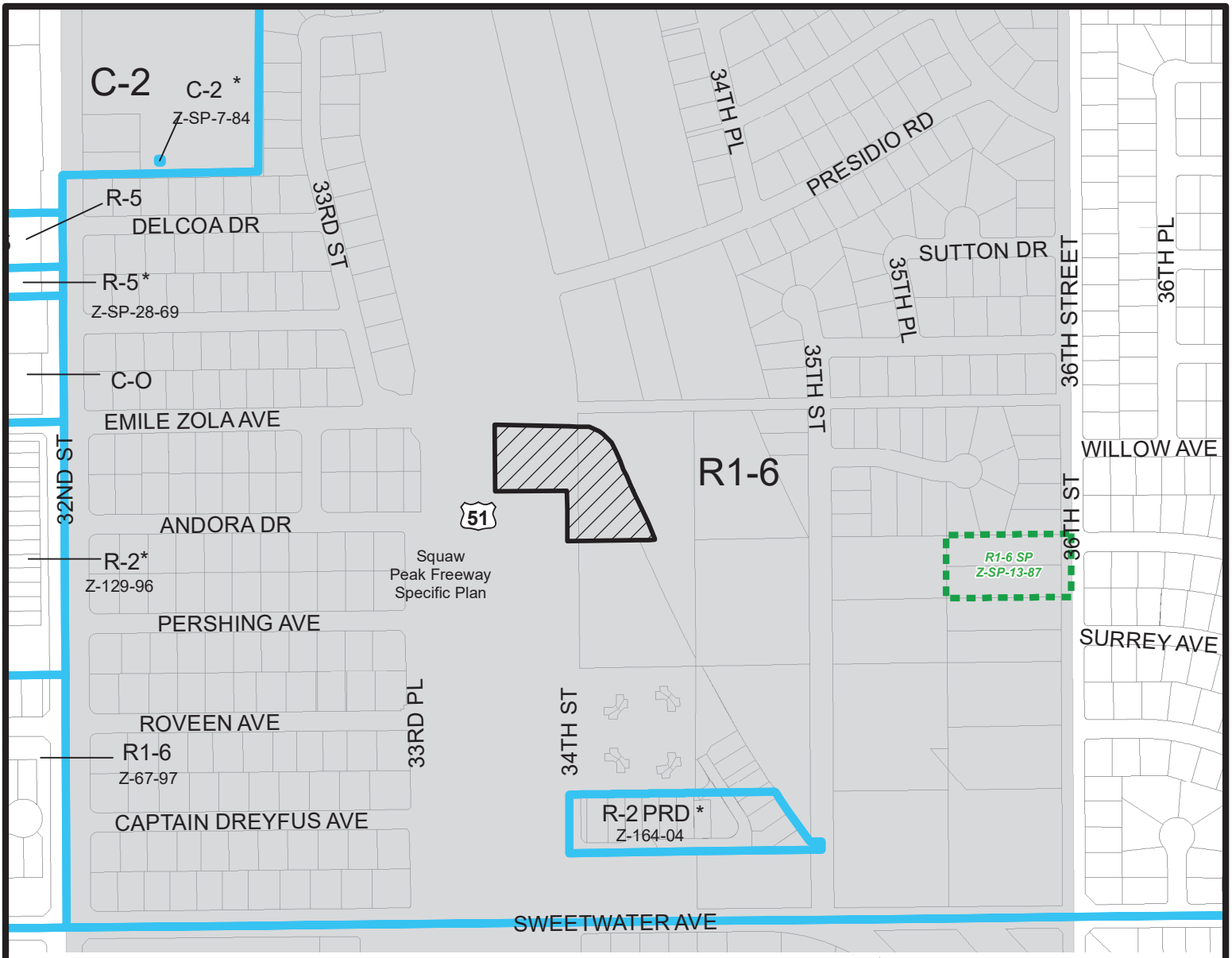
    b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements prior to issuance of a Grading Permit.

15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer
Enrique Bojórquez-Gaxiola
April 20, 2021

Team Leader
Samantha Keating

Exhibits
Zoning sketch map
Aerial sketch map
Conceptual Site Plan date stamped September 17, 2020 (1 page)
Conceptual Elevations date stamped September 17, 2020 (2 pages)
Community Correspondence (1 page)



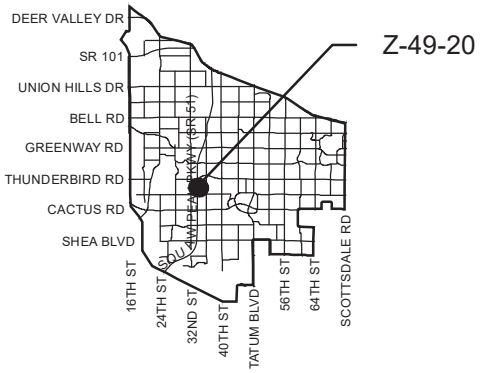
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PARADISE VALLEY VILLAGE

CITY COUNCIL DISTRICT: 3



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Matt Ihms

REQUESTED CHANGE:

FROM: R1-6 (1.11 a.c.)

TO: R-3 (1.11 a.c.)

APPLICATION NO. Z-49-20

DATE: 12/09/2020

REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.

1.11 Acres

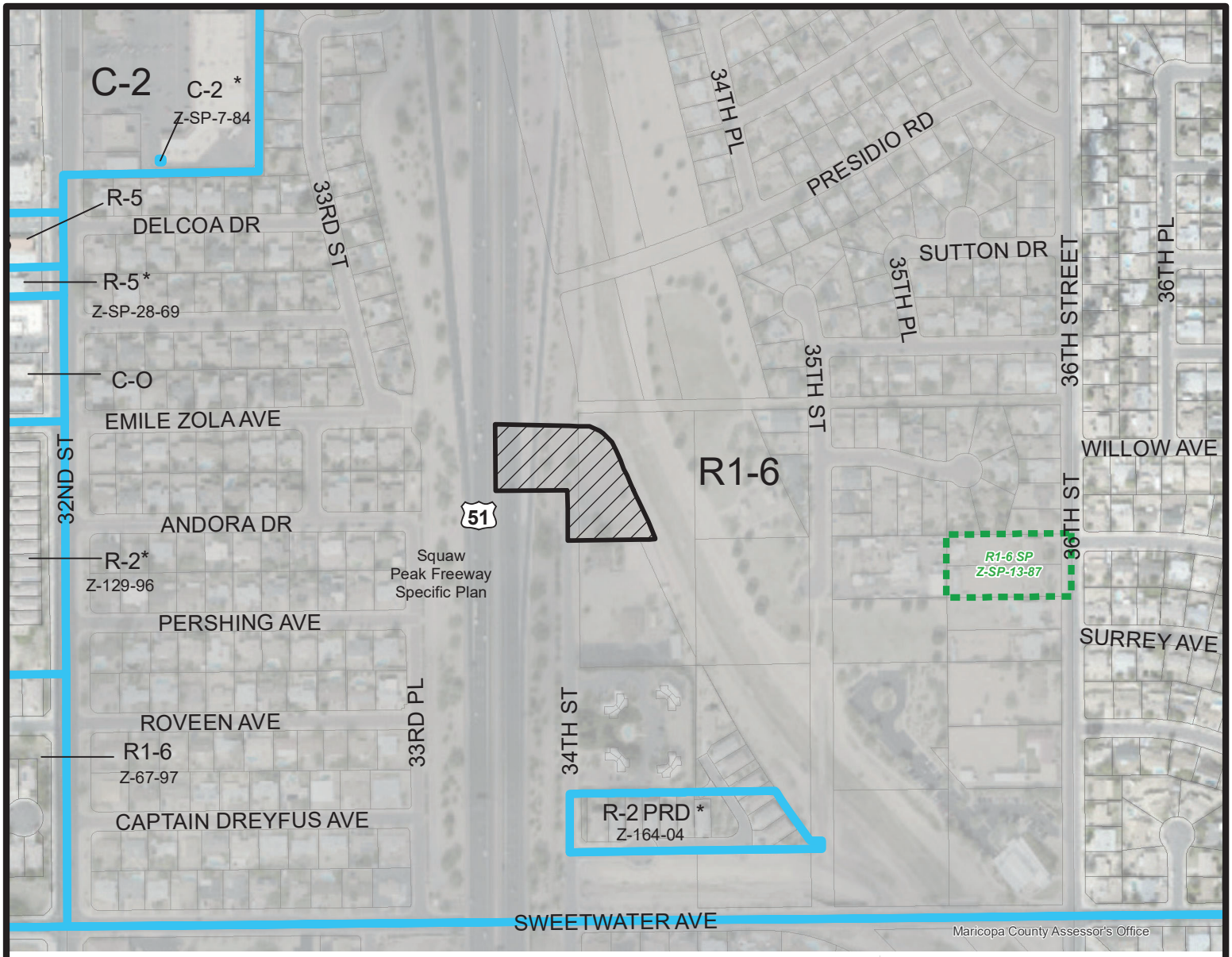
AERIAL PHOTO & QUARTER SEC. NO.: QS 32-35

ZONING MAP: L-10

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R1-6	6	7
R-3	16	19

* **Maximum Units Allowed with P.R.D. Bonus**

Document Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2020\Z-49-20.mxd



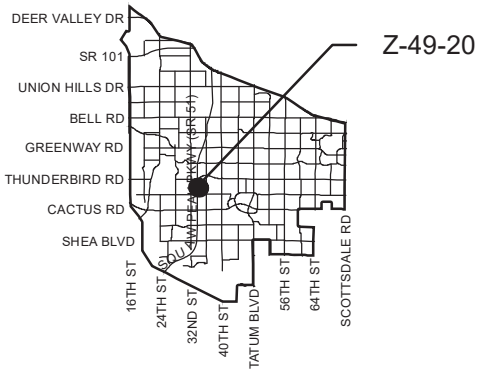
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PARADISE VALLEY VILLAGE

CITY COUNCIL DISTRICT: 3

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME:	Matt Ihms
APPLICATION NO.	Z-49-20
DATE:	12/09/2020
REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	1.11 Acres
AERIAL PHOTO & QUARTER SEC. NO.	QS 32-35
ZONING MAP	L-10

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R1-6	6	7
R-3	16	19

* **Maximum Units Allowed with P.R.D. Bonus**

Document Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2020\Z-49-20.mxd

ARCHITECTURE SITE PLAN

FOR

SOLACE HOSPICE AZ

A PORTION OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 3 EAST OF THE G.&S.R.B&M., MARICOPA COUNTY, AZ

APN: 166-03-004E

13225 N. 34TH ST., PHOENIX, AZ 85032

KEYED NOTES

1. 8'-0" x 18' STANDARD PARKING SPACE
2. 11'x18' ADA PARKING STALL.
3. 8' WIDE ADA ACCESS AISLE.
4. HANDICAP PARKING SIGN.
5. CONC. SIDEWALK
6. CONCRETE RAMP.
7. 6" CONC. CURB.
8. 8' HIGH WALL

ACCESSIBILITY NOTES

THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE A.D.A. AND LOCAL BARRIER FREE REQUIREMENTS AND SHALL ENSURE THAT THIS FACILITY WILL MEET THE STRICTEST OF THE APPLICABLE REQUIREMENTS. THE FOLLOWING IS A PARTIAL LIST OF SITE RELATED ITEMS WITHIN THE SCOPE OF WORK TO PAY PARTICULAR ATTENTION TO:

- ACCESSIBLE PARKING STALL REQUIREMENTS.
- ACCESSIBILITY FROM PARKING TO BUILDING INTERIOR.
- PATH OF EGRESS FROM BUILDING TO PUBLIC RIGHT OF WAY.

PROJECT DESCRIPTION

THE PROJECT IS FOR A NURSING HOME AND MEMORY CARE FACILITY. WORK PERFORMED, BUT NOT LIMITED TO, WILL INCLUDE:
- NEW BUILDING
- RE-WORK SITE & PARKING

FIXTURE CALCS

PARKING

IN ACCORDANCE WITH CITY OF PHX #7 - PARKING REGULATIONS

REQUIREMENT:	CAR PARKING
NURSING HOME:	1 SPACE / 2 RESIDENT/PATIENT BEDS
OFFICE:	1/300 SF FLOOR AREA

PARKING REQUIRED: 30 ESTIMATED
ACCESSIBLE PARKING REQUIRED: 26-50 SPACES = 2 SPACES
ACCESSIBLE PARKING PROVIDED: 2 SPACES
REGULAR PARKING PROVIDED: 30 SPACES

NEW PARKING PROVIDED: 32 SPACES

PROJECT DATA

OVERALL NET ACREAGE: 0.90 ACRES (39,558 SF)
GROSS ACREAGE: 1.03 ACRES

ZONING: R1-6 EXISTING - R-3 PROPOSED (ZONING CHANGE)
S/T/R: 13-3N-3E
OCCUPANCY TYPE: I-2 (INSTITUTIONAL)
OCCUPANCY LOAD: -
CONSTRUCTION TYPE: V-A
PARCEL: 166-03-004E

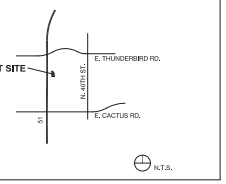
FIRE SPRINKLERS: YES
FIRE ALARMS: YES
EMERGENCY LIGHTING: YES

SETBACKS:	REQUIRED	MIN. PROVIDED
FRONT:	15'-0"	30'-4"
SIDE:	15'-0"	15'-4"
SIDE:	15'-0"	127'-6"
REAR:	20'-0"	21'-0"

BLDG #	SPACE	OCCUPANCY	NET AREA	GROSS AREA UNDER ROOF	HT.	CONST. TYPE
1	NURSING HOME	I-2	- SF	-	30'	VA

INTERIOR FOOTPRINT: 7,286 SF
TOTAL FOOTPRINT (W/ PATIOS): 8,464 SF
MAX. ALLOWABLE LOT COVERAGE: 25% R-3
LOT COVERAGE: 21.39%
ALLOWABLE BUILDING HEIGHT: 30 FEET / 2 STORIES
ADDITIONAL REQUIREMENTS: 100 SF OF USABLE OUTDOOR SPACE PER BED
MAX. # OF BEDS: 50 BEDS (5,000 SF USABLE OUTDOOR SPACE REQ'D)
ALLOWABLE AREA: $A_R=[(-10,500)] = A_R < 1.0$

VICINITY MAP



BUILDING CODES:

ALL CONSTRUCTION SHALL COMPLY WITH THE FOLLOWING CODES AND AMENDMENTS PER THEIR ADOPTING ORDINANCES.

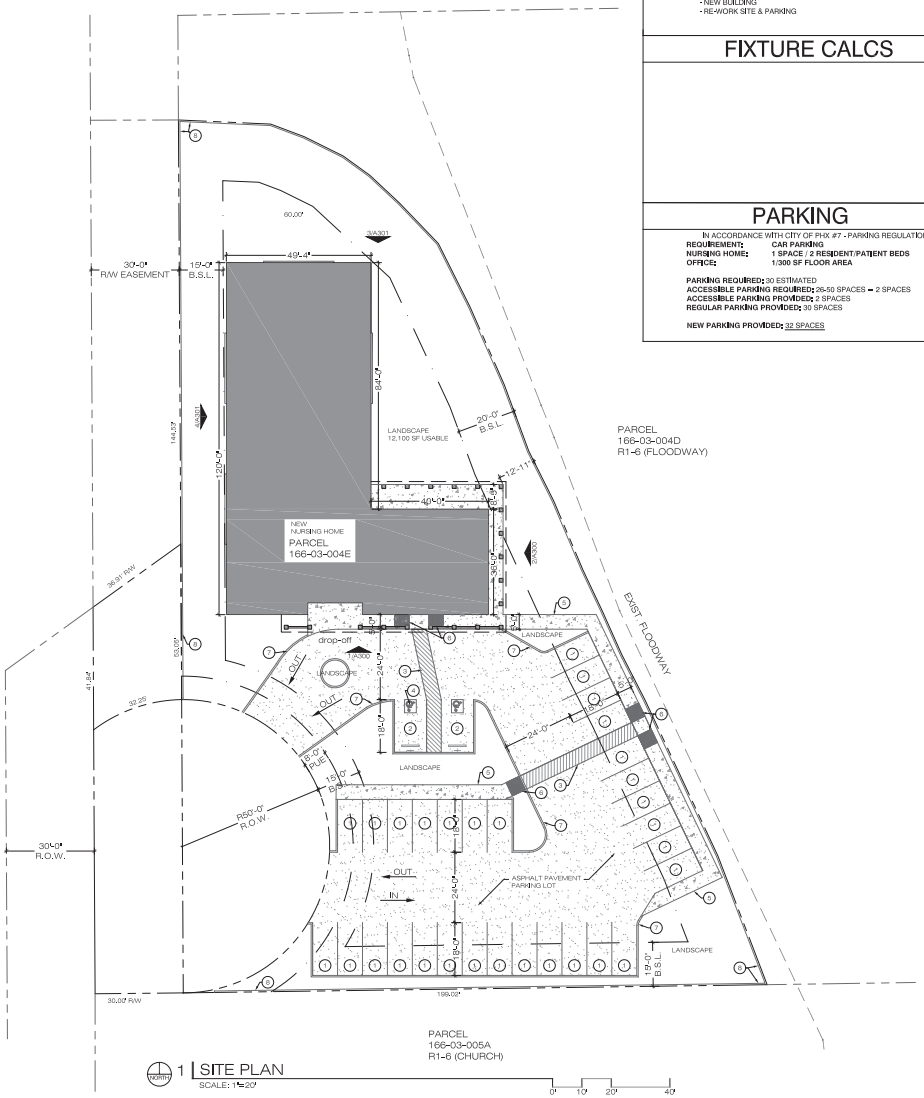
2018 INTERNATIONAL BUILDING CODE (IBC) W/ AMENDMENTS
2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC) W/ AMENDMENTS
2018 INTERNATIONAL FUEL GAS CODE W/ AMENDMENTS
2018 INTERNATIONAL MECHANICAL CODE W/ AMENDMENTS
2018 INTERNATIONAL PLUMBING CODE W/ AMENDMENTS
2017 NATIONAL ELECTRIC CODE (NEC)
2018 INTERNATIONAL FIRE CODE W/ AMENDMENTS
2010 ADA STANDARDS

OWNER:

FEDZIN ENTERPRISES LLC
ADDRESS: PO BOX 7426
SURPRISE, AZ 85374
Contact: Thomas Fedzin
Phone: 602.888.7037
Email: thomasf@solacehospiceaz.com

ARCHITECT:

ANOTHER LOOK, LLC
2506 E. CAMPBELL AVE
PHOENIX, AZ 85016
PHONE: 480.266.8193
EMAIL: matt.lhms@gmail.com



1 SITE PLAN
SCALE: 1"=20'
0' 10' 20' 40'

LEGAL DESCRIPTION:

LOT 4, OASIS ACRES, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA IN BOOK 45 OF MAPS, PAGE 20.

COMMENCING AT THE CENTER OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

CITY OF PHOENIX SITE NOTES:

1. Development and use of this site will conform with all applicable codes and ordinances.
2. All new or relocated utilities will be placed underground.
3. Any lighting will be placed so as to direct light away from adjacent residential districts and will not exceed one foot candle at the property line. No noise, odor, or vibration will be emitted at any level exceeding the general level of noise, odor, or vibration emitted by uses in the area outside of the site.
4. Owners of property adjacent to public right-of-ways will have the responsibility for maintaining all landscaping located within the right-of-ways, in accordance with approved plans.
5. All rooftop equipment and satellite dishes shall be screened to the height of the tallest equipment.
6. All service areas shall be screened to conceal trash containers, loading docks, transformers, backflow preventers and other mechanical or electrical equipment from eye level adjacent to all public streets.
7. Barbed, razor, or concertina wire (or similar) shall not be used on this site where visible from public streets or adjacent residential areas.
8. All signage requires separate reviews, approvals, and permits. No signs are approved per this plan.

I consent to the reproduction of this site plan provided that if modifications are made, the professionals who make such changes assume full responsibility and liability for the modified portions of the plan.

SIGNATURE OF COPYRIGHT OWNER DATE

PRINTED NAME OF COPYRIGHT OWNER

CITY OF PHOENIX
SEP 17 2020
Planning & Development Department

PROJECT:
SOLACE HOSPICE AZ

13225 N. 34TH ST.
PHOENIX, AZ 85032

65314
MATTHEW IHMS
REGISTERED ARCHITECT
ARIZONA, U.S.A.
EXPIRES 12/31/2020

ANOTHER LOOK

2506 E. CAMPBELL AVE
PHOENIX, AZ 85016
MATT IHMS
T. 480.266.8193
matt.lhms@gmail.com

Issued	rev	date
PRE-APP #19-160		12/30/19

SITE PLAN

Drawing Title

AS NOTED
Scale

A000
Drawing No.

CITY OF PHOENIX
SEP 17 2020
Planning & Development
Department



1 | SOUTH ELEVATION
SCALE: 3/16"=1'-0"



2 | EAST ELEVATION
SCALE: 3/16"=1'-0"

PROJECT:
SOLACE HOSPICE AZ

13225 N. 34TH ST.
PHOENIX, AZ 85032

65314
MATTHEW
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matt.ihms@gmail.com

Issued	rev	date
PRE-APP #19-160		12/30/19

ELEVATIONS

Drawing Title

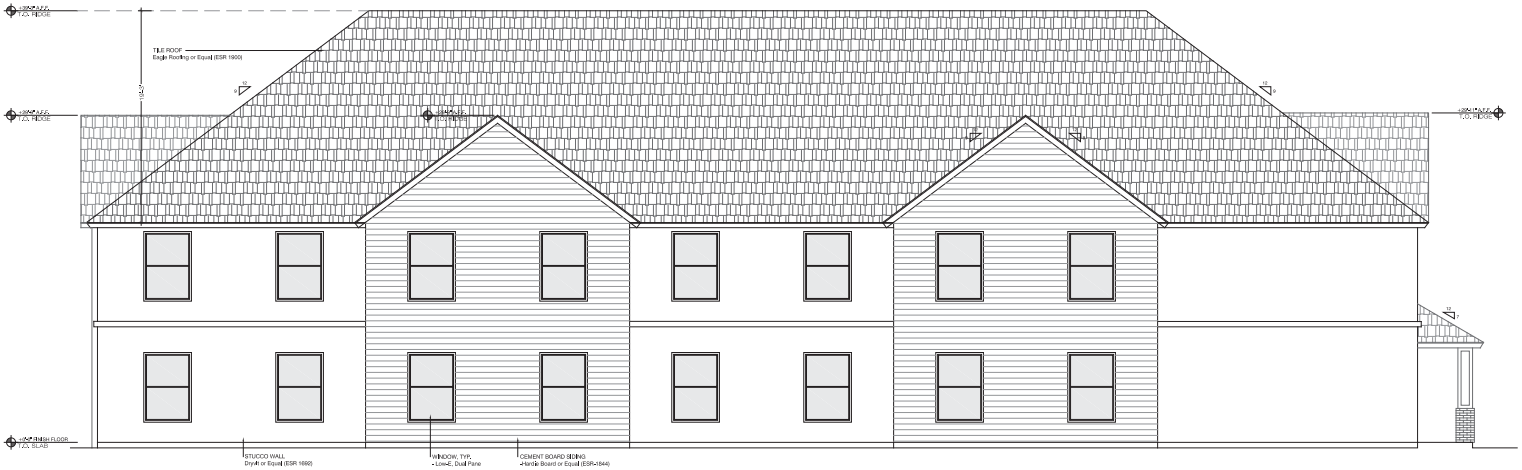
AS NOTED
Scale

A300
Drawing No.

CITY OF PHOENIX
SEP 17 2020
Planning & Development
Department



3 | NORTH ELEVATION
SCALE: 3/16"=1'-0"



4 | WEST ELEVATION
SCALE: 3/16"=1'-0"

PROJECT:
SOLACE HOSPICE AZ

13225 N. 34TH ST.
PHOENIX, AZ 85032

65314
MATTHEW
IHMS
EXPIRES 12/31/2020

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T. 480.266.8193
matt.ihms@gmail.com

Issued	rev	date
PRE-APP #19-160		12/30/19

ELEVATIONS

Drawing Title

AS NOTED
Scale

A301
Drawing No.

From:	Emad Zaki
To:	matt.ihms@gmail.com
Cc:	David O Simmons; Enrique A Bojorquez-Gaxiola
Subject:	Case Z-49-20-3
Date:	Monday, February 22, 2021 12:39:10 PM
Attachments:	Rezoning Letter .pdf

Dear Mr. Ihms,

I am attaching a copy of the letter you mailed regarding the above-mentioned case. I have few concerns that I would like to address:

1. The meeting is scheduled on a work day at 9AM, this is going to prevent a lot of the neighborhood members from attending. My experience with these meeting that it is usually scheduled after regular work hours.
2. The way this is set does not give the members an access to the meeting until they request it from you, this is another concern as members should have a direct link to access the meeting same as in-person meeting works.

Please consider the above concerns as it interferes with the main purpose of this meetings to allow the neighbors to voice their opinions and address their concerns. It would be great if you can reschedule this meeting for another day after 5PM and to have a direct link for anyone who would like to attend.
Please also let me know if you can provide me with the mailing list to make sure that our neighbors all got the letter, and if they share the same concerns we have.

Best Regards,

Emad Zaki

Paradise Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-49-20-3

Date of VPC Meeting	May 3, 2021
Request From	R1-6 (Single-Family Residence District)
Request To	R-3 (Multifamily Residence District)
Proposed Use	Community Residence Center
Location	Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue
VPC Recommendation	Approval, per the staff recommendation.
VPC Vote	**11-6** with committee members Cantor, Hall, Maggiore, Mortensen, Popovic, Severs, Stewart, Ward, Wise, Gubser and Lesher in favor. Committee members Balderrama, Cashman, Gerst, Goodhue, Mazza and Ulibarri not in favor.

VPC DISCUSSION:

Mr. David Simmons, staff, provided an overview of the request to include background of how the area developed over time, the General Plan Land Use Map designation and character of the surrounding area. Mr. Simmons went over conceptual site plans and elevations as well as proposed standards. Further, Mr. Simmons covered a series of stipulations tied to the case.

Chairman Robert Gubser asked staff is the stipulations included a general conformance stip to the site plans or elevations.

Mr. Enrique Bojórquez Gaxiola, staff, shared that there are no general conformance stipulations due to the required zoning adjustments the applicant will need to apply for after this case is approved.

Ms. Larisa Balderrama stated that he has concerns with this use being located in such close proximity to single-family homes.

Mr. Paul Severs asked how many residences will be allowed to be housed in this facility.

Mr. Bojórquez Gaxiola stated that the applicant could speak to this during his presentation.

Applicant Presentation:

Mr. Thomas Fedzin, applicant, provide a thorough background on his business model. He shared that this house will provide housing for elder care and assisted living. He emphasized that this is not a sober living home. He stated that up to 40 residence could reside int eh home at one time and the square footage of the structure is about 14k square feet in size.

Mr. Robert Goodhue asked if this were a mix of independent and assisted living.

Mr. Fedzin shared that it could be a mix.

Mr. Goodhue asked why the two groups would be separated.

Mr. Fedzin shared that those uses fall under the same license. The separation was for staffing purposes as each staff set has area of expertise.

Ms. Toby Gerst asked Mr. Fedzin to please define “wellness center”, as referenced in the applicant’s presentation. She also asked if there were a limited number of beds for Medicade patience.

Mr. Fedzin defined “wellness center” and expanded on the number of beds that would be allowed under Medicade.

Vicechair Joe Lesher shared that he had looked up Solace Hospice and they have outstanding reviews. He also stated that the existing facilities on the website look very nice.

Mr. Alex Popovic asked if his company has entered into a Public Private Partnership with the City of Phoenix for this proposal.

Mr. Fedzin stated that no Public Private Partnership has been discussed with the City of Phoenix for this site.

Mr. Popovic asked the applicant if he had developed in other areas or if this was his first venture in this industry.

Mr. Fedzin shared that yes, he has built from the ground up in Surprise, Goodyear and Peoria.

Mr. Popovic asked is he has sold them or if he retains them and manages them. He also asked if there were 3rd party operators.

Mr. Fedzin explained that they retain them. He stated that they build a good staff and intern provide a high quality product.

Mr. Popovic asked what community outreach was done prior to coming to this committee tonight.

Mr. Fedzin shared that they had a neighborhood meeting and send out neighborhood notification letters.

Ms. Jennifer Hall asked if there were any persons present voicing opposition at the neighborhood meeting.

Mr. David Simmons, staff, shared that one letter in opposition was received prior to the staff report being posted. He also shared a citizen participation report was submitted as part of the rezoning packet requirements. He shared that the applicant met all neighborhood meeting and notification requirements.

Ms. Balderrama stated that if this request were to pass, all community residence center product types would be allowed on this site. She asked how many employees will work there.

Mr. Fedzin shared that the staff size will be around 6-8 full time employees working regular business hours.

Mr. Goodhue stated that he has concerns with the amount of freedom this proposed use could encompass. I stated that if it were limited to assisted living, he could be supportive.

Ms. Hall shared that she too has concerns with the flexibility of the use.

Mr. Wise shared that he does not believe this use will have a negative impact on the area.

Ms. Jennifer Maggiore asked what the results of the citizen participation report was.

Mr. Bojórquez Gaxiola shared the results of the report.

Mr. Eric Cashman understands that there is a great need for these facilities in our area. However, he stated that he knows no one wants sober living facilities in their neighborhoods.

Ms. Louisa Ward shared that he has conducted a site visit prior to the meeting. She has concerns about the narrow roadway leading to the site.

Mr. Cashman asked if vehicles weighing in excess of 3 tons were allowed to drive down the narrow, unimproved roadway.

Mr. Simmons shared that the applicant is stipulated to improving the cul-de-sac as part of the approval and shared that this is public right of way, so there is no restriction that he is aware of.

MOTION:

Mr. Alex Popovic made a motion to recommend approval of Rezoning Case No. Z-49-20-3, per the staff recommendation.

Mr. Ben Stewart seconded the motion.

VOTE:

11-6 with committee members Cantor, Hall, Maggiore, Mortensen, Popovic, Severs, Stewart, Ward, Wise, Gubser and Lesher in favor. Committee members Balderrama, Cashman, Gerst, Goodhue, Mazza and Ulibarri not in favor.

Staff Comments:

None

Attachment D

REPORT OF PLANNING COMMISSION ACTION
June 3, 2021

ITEM NO: 11	
	DISTRICT NO.: 3
SUBJECT:	
Application #:	Z-49-20-3
Location:	Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue
From:	R1-6
To:	R-3
Acreage:	1.11
Proposal:	Community Residence Center
Applicant:	Matt Ihms
Owner:	Fedzin Enterprises, LLC
Representative:	Matt Ihms

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Paradise Valley 5/3/2021 Approval, per the staff recommendation. Vote: 11-6.

Planning Commission Recommendation: Approval, per the Paradise Valley Village Planning Committee recommendation with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve Z-49-20-3, per the Paradise Valley Village Committee recommendation, with the additional stipulation, as read into the record.

Maker: Busching
Second: Perez
Vote: 8-0
Absent: Gorraiz
Opposition Present: Yes

Findings:

1. This proposed development provides a new non-traditional housing option that is consistent with surrounding developments and serves a need in the community for disabled individuals.

2. The development, as stipulated, will maintain an appropriate scale to ensure that it remains compatible with the area.

3. This development proposes to develop an asymmetrical parcel that is bounded by a wash and freeway with a use that is consistent with the goals of the State Route 51 & Loop 101 Scenic Corridor Policy plan.

Stipulations:

1. The development shall maintain a minimum 50-foot building setback, exclusive of carports and perimeter walls, from the southern site boundary where adjacent to R1-6 zoning.

2. The maximum building height shall be limited to 2 stories and 30 feet.

3. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.

4. All elevations of the building(s) shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department.

5. The required landscape setbacks shall include minimum 2-inch caliper large canopy shade trees, planted 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

6. Where a landscaped median is provided within the ingress or egress to the site, a landscaped accent area shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover, as approved by the Planning and Development Department.

7. Perimeter walls shall be constructed to the following standards, as approved by the Planning and Development Department.

    a. Perimeter walls visible from public streets shall have a finished appearance compatible with primary structures that includes material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs.

    b. A combination of solid masonry wall not exceeding 4 feet in height, and wrought iron view fencing or similar material shall be utilized along the eastern property lines where open space is adjacent to the drainage channel/floodway (Indian Bend Wash) east of the site.

8. Clearly defined, accessible pedestrian pathways shall be provided connecting all building entrances and exits, community amenity areas, and all public

sidewalks utilizing the minimum possible distance and providing the most direct route, as approved by the Planning and Development Department.

9. The developer shall provide clearly defined, accessible pathways, constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

10. Pedestrian walkways, including adjacent public sidewalks, shall be shaded to a minimum of 75 percent, as approved by the Planning and Development Department.

11. A minimum of two inverted U-bicycle racks or artistic style racks shall be provided, located near the main building entrance. All bicycle racks shall adhere to Appendix K, “Outdoor/Open Facilities”, of the Comprehensive Bicycle Master Plan, and as approved by the Planning and Development Department.

12. The developer shall construct a minimum 45-foot radius cul-de-sac at the terminus of 34th Street, as approved by the Planning and Development Department.

13. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

14. A portion of this parcel is located in a Special Flood Hazard Area (SFHA) called Zone AE Floodplain, on panels 1735L of the Flood Insurance Rate Map (FIRM) revised December 22, 2017. If the plans show no building and/or construction encroachment including fill within this portion of the site in the SFHA, then no floodplain requirements will be required. If encroachment does occur, then the following requirements must be met, as approved by the Planning and Development Department:

    a. The Architect/Engineer is required to show the special flood hazard area boundary limits on plans and ensure that impacts to the proposed facilities and surrounding properties have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

    b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements prior to issuance of a Grading Permit.

15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-

foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

16. **PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.**

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

Attachment E

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC **I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:** 7/01/2021, at 10:00 a.m.					
APPLICATION NO/ LOCATION	**Z-49-20-3** Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
Phoenix, AZ 85013	PC 6/03/2021	13221 North 34th Street Phoenix, AZ 85032			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC 7/01/2021 (at 10:00 a.m.)	Mina Aziz/Archangel Michael Coptic Orthodox Church 480-562-1619 frarsenyaziz@gmail.com			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: Community concerned about openness of R-3 Zoning and process undertaken by the Applicant to not address concerns. Applicant history of selling Community Centers.					
RECEIVED BY:	Tricia Gomes	**RECEIVED ON:**		6/10/2021	

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Ra'Desha Williams
Stephanie Vasquez
David Urbinato
Vikki Cipolla-Murillo
Village Planner
Samantha Keating
Paul M. Li
GIS
Applicant

CITY OF PHOENIX

JUN 10 2021

Planning & Development Department

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

The **PLANNING COMMISSION** agenda for **June 3, 2021** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

   There is a $630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **June 10, 2021**.

   Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m., **June 10, 2021**.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

   To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **June 10, 2021**.

   The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an $830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **June 17, 2021**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-49-20-3
APPLICATION NO.

970 FT. N. of NE CORNER 43RD ST. / Sweetwater
LOCATION OF APPLICATION SITE

June 10, 2021
DATE APPEALED FROM

☑ OPPOSITION
☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

MINA AZIZ / ARCHANGEL MICHAEL COPTIC ORTHODOX CHURCH
PRINTED NAME OF PERSON APPEALING

SIGNATURE

13221 N. 34TH ST.
STREET ADDRESS

June 10, 2021
DATE OF SIGNATURE

PHOENIX, AZ 85032
CITY, STATE & ZIP CODE

(480) 562 1619
TELEPHONE NO.

frarseryaziz@gmail.com
EMAIL ADDRESS

REASON FOR REQUEST

Community Concerned about openness of R-3 Zoning and process undertaken by Applicant to not address concerns. Applicant History of selling Community Centers.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Petition for THREE-FOURTHS (3/4) Vote by City Council
For Rezoning Application # Z-49-20-3
Request: R1-6 to R-3

Location: Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue

I the undersigned, am an owner of property within the area of the proposed amendment or the area within 150 feet of the proposed amendment, including all rights-of-way, requesting the rezoning action. I request that the City Council be required to pass this rezoning application by a three-fourths (3/4) vote.

.

SIGNATURE PRINT NAME ADDRESS DATE

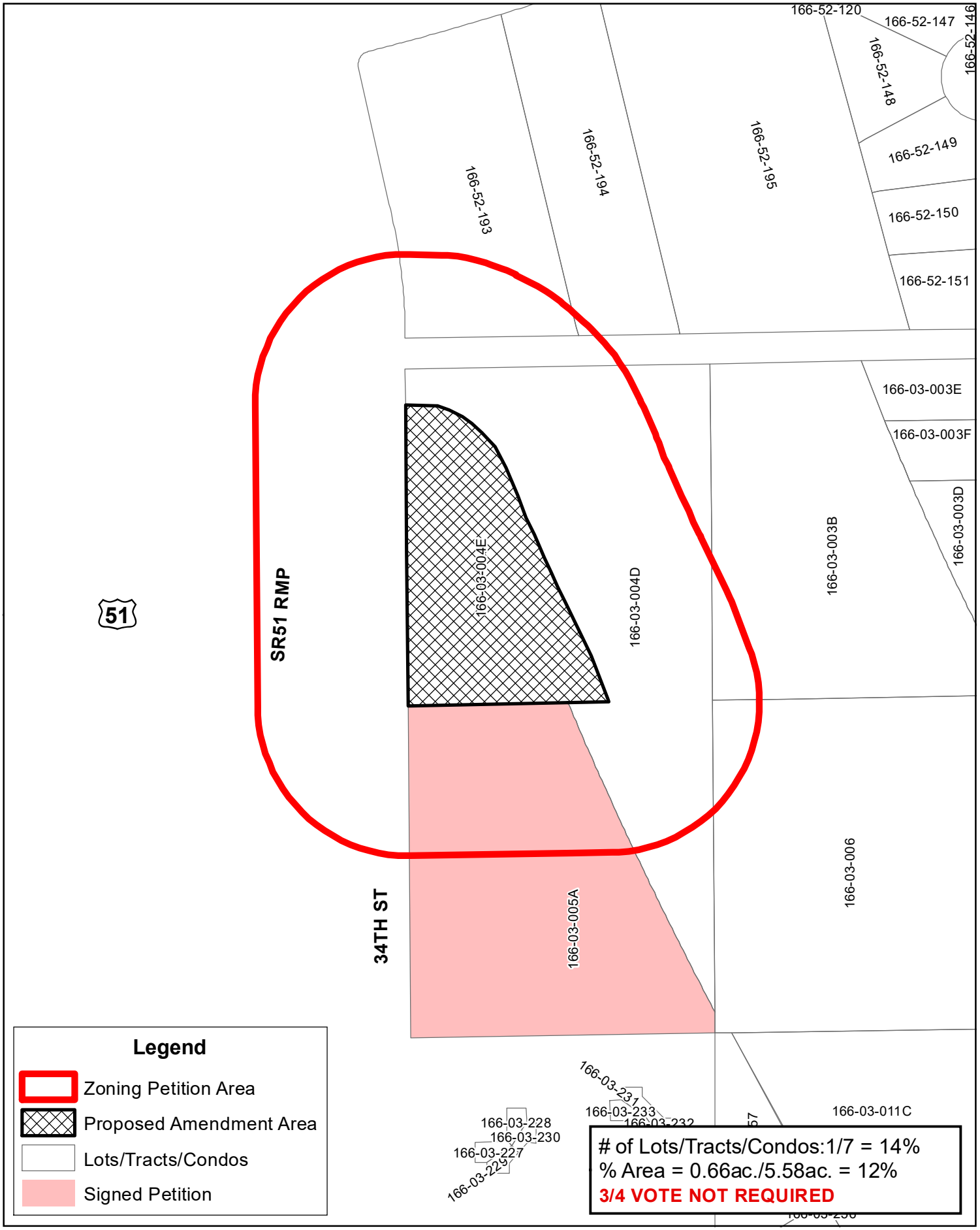
1 MINA AZIZ* (AKA FR. ARSENY AZIZ)
PRIEST, ARCHANGEL MICHAEL COPTIC ORTHODOX CHURCH

JUNE 10, 2021

*AUTHORIZED OFFICER OF ARCHANGEL MICHAEL COPTIC ORTHODOX CHURCH

13221 N. 34TH ST. PHOENIX, AZ. 85032

CITY OF PHOENIX
JUN 10 2021
Planning & Development Department



Petition Verification Map for Z-49-20-3

Map prepared by City of Phoenix, Planning and Development Services Dept. 6/11/2021

Attachment F

David O Simmons

From: mark atia <markyatia@gmail.com>
Sent: Monday, May 3, 2021 5:45 PM
To: David O Simmons
Subject: Z-49-20-3 comment

Hi Mr. Simmons,

How can I submit a comment for item z-49-20-3? We missed the deadline for tonight's meeting but I would like to submit a comment for the council to read before the June 1st vote.

My comment: "I would like to not have the rezoning approved due to all properties being single family residences. This will increase traffic in the neighborhood and especially on 34th street making it less safe for the community. It also will back up to the wash, where there is a local park, making it less of a family oriented park. I ask that you don't approve the rezoning because of this."

Thank you,
Mark Atia

Sent from my mobile phone

From:	Bishoy Soliman
To:	Enrique A Bojorquez-Gaxiola
Cc:	David O Simmons
Subject:	Fw: Z-49-20-3 comment
Date:	Tuesday, May 25, 2021 8:41:49 AM
Attachments:	Three Quarters Vote Petition (379) - Revised 7-31-17 (1).pdf image001.png image001.png

Good Morning Enrique,

I am a board member of the church adjacent to this property (Z-49-20-3). Unfortunately, we did not register in time to speak at the May 3rd meeting but there were many things I would have like to have said opposing this rezoning application and many times I would have like to have answered some of the questions that the committee had.

On May 9th, our priest explained how the meeting went to the congregation and announced that we would be putting together a petition opposing the rezoning of this land. Most of the congregation seemed like they were against this, but we did not have the petition ready for anyone to sign.

The next week, we found out that someone in the congregation had COVID and anyone in contact with this person was requested to get tested or just stay home. Because of this COVID scare, the next two weeks had very low attendance and we were only able to collect 18 signatures.

With this needing to be submitted ideally before May 27th, is it possible to distribute this petition electronically and gather electronic signatures?

These are the reasons we oppose of the rezoning that are mentioned in the petition:

<!--[if !supportLists]-->● <!--[endif]-->Due to the wide variety of dwellings under R-3 zoning, we are very concerned about the possibility of this land turning into something other than an assisted living facility, (i.e. Halfway House) which could potentially become a threat to neighboring properties and also to children at the public park across the wash from this property.

<!--[if !supportLists]-->● <!--[endif]-->The applicant has developed several assisted living facilities, none of which are currently owned by the applicant. The applicant has sold every assisted living facility he has developed, which gives us, and we hope give the committee, very little confidence that he will keep this property and operate it as an assisted living facility.

<!--[if !supportLists]-->● <!--[endif]-->Approving this application with the possibility of this facility becoming a halfway house or any type of group home would put owners of the neighboring community at a significant disadvantage when selling their properties. Meanwhile, this applicant will reap the benefits of having purchased single family residential land and selling it at a much higher value as a result of the rezoning.

I will also be submitting my own letter bringing up these reasons as well as a few others on why I do not think this rezoning will benefit the community without hurting others nearby.

Thank you,
Bishoy Soliman

----- Forwarded Message -----
From: mark atia <markyatia@gmail.com>
To: Father Arseny Aziz <Frarsenyaziz@gmail.com>; Mira keddis <mira.keddis@gmail.com>; Bishoy Soliman <bishoy_1@yahoo.com>; Bishoy Soliman <soliman.bishoy@gmail.com>
Sent: Tuesday, May 4, 2021, 10:39:47 AM MST
Subject: Fwd: Z-49-20-3 comment

General Petition Opposing Rezoning Application # Z-49-20-3

Request: R1-6 to R-3

Location: Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue

We the undersigned citizens of the community strongly oppose the rezoning of this land from R1-6 (Single-Family Residence District) to #-3 (Multifamily Residence District), and would like the Planning Commission to deny this application due to the following reasons:

- Due to the openness of the application, we are very concerned about the possibility of this land turning into something other than an assisted living facility, (i.e. Halfway House) which could potentially become a threat to neighboring properties and also to children at the public park across the wash from this property.
- The applicant has developed several assisted living facilities, none of which are currently owned by the applicant. The applicant has sold every assisted living facility he has developed, which gives us, and we hope give the committee, very little confidence that he will keep this property and operate it as an assisted living facility.
- Approving this application with the possibility of this facility becoming a halfway house or any type of group home would put owners of the neighboring community at a significant disadvantage when selling their properties. Meanwhile, this applicant will reap the benefits of having purchasing land and selling it at a much higher value as a result of the rezoning.

SIGNATURE	PRINT NAME	ADDRESS	DATE
	BISHOY SOLIMAN	110 W LAWRENCE Rd. Phx 85013	5/23/21
	MARK MARCOS	4040 S McClintock Dr #1202 Tempe AZ 85282	5/23/21
	NEHAD SOLIMAN	9097 w Roberta Ln Peoria AZ 85382	5/23/21
	JOHN SAMAAN	6895 E CAMELBACK RD	
	Mark Attia	24015 N. 64th St #2002 Phoenix AZ 85054	5/23/21
	Mary Attia	24015 N 64th St #2002 Phoenix AZ 85024	5/23/21
	George Gendy	5577 w. Pinnacle Hills Glendale AZ 85310	5/23/21
	Teresa Diz	5577 w. Pinnacle Hills Glendale AZ 85310	5/22/21
	Denise Farag	9697 E Bonnie Rd Dr	5/23/21
	Jacinthe Soliman	9097 w Roberta Ln Peoria AZ 85382	5/23/21
	Alexander Soliman	9097 w Roberta Ln 85382	5/23/21
	Ernest Raheb	110 w. Lawrence Rd Phx	5/23/21
	Hany Kamel	7696 E Moura Dr. Scottsdale	5/23/21
	Mona Kamel	7696 E Moura Dr. Scotts	5/23/21
	BOTROS Soliman	2529 W. Cactus rd Phx 85029	5/23/21
	Lillian Soliman	13201 S. Wakial Loop Ph, 85044	5/23/21
	Girgis Girgis	13075 E. Shangrila Scottsdale 85259	5/24/21

1

General Petition Opposing Rezoning Application # Z-49-20-3

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SIGNATURE	PRINT NAME	ADDRESS	DATE
Patricia Miller	Patricia Miller	13027 N 34th Way	5-28-21
J Tella	Jesus Javier Tella	3414 E Captain Dr	5/28/21
Laila Gonzalez	Laila Gonzalez	3414 E Captain Dr	5/28/21
Jessica Wren	Jessica wren	13015 N. 34th Way	5-28-21
KBurman	KIM DORMAN	3442 E CAPTAIN DR	5-29-21
A George	AARON GEORGE	3410 E CAPTAIN DREYFUS	5-28-21
Dean Trune	DEAN TRUNE	3501 E. DAHLIA DR	6-1-21
Linda Dellape	Linda Dellape	3524 E. JANICE WAY	6-1-21
Gregory R. Dellape	GREGORY R. Dellape	3524 E JANICE WAY	6-1-21
Paul S. Kladzyk	PAUL S. KLADZYK	3537 E. Emile Zola	6-1-21
Geraldine Kladzyk	Geraldine Kladzyk	3537 E Emile Zola	6-1-20
Kyuana Wright	Kyuana Wright	3430 E. Captain Dreyfus	6/1/20

General Petition Opposing Rezoning Application # Z-49-20-3

Request: R1-6 to R-3

Location: Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue

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SIGNATURE	PRINT NAME	ADDRESS	DATE
	Stacy Culberson	13035 N. 34th St	5-31-21
	Jessica Elliott	13035 N 34th	5/31/21
	COREY STRAUHUN	13035 N 34th	5/31/21
	Erica Elliott	13033 N. 34th	5/31/21
	Dean Mayer	13033 N. 34th	5/31/21
	Angela Roglin	13035 N 34th St	5-31-21
	Erica Eggen	13109 N 34th St	5-31-21
	[illegible]	13113 N. 34th Way	5-31-21
	Alejandro Garza	3418 E Captain Dreyfus Ave	5-31-21

General Petition Opposing Rezoning Application # Z-49-20-3

Request: R1-6 to R-3

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SIGNATURE	PRINT NAME	ADDRESS	DATE
	Codi Mauch	13035 N 34th St Unit 12	5/31

1

General Petition Opposing Rezoning Application # Z-49-20-3

Request: R1-6 to R-3

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SIGNATURE	PRINT NAME	ADDRESS	DATE
	Michael Matousek	13023 N. 34th Way	06/01/2021
	Leslie Renteria	13023N. 34th Way	06/01/2021

From: J.J. Téllez <jjtellez@stanfordalumni.org>
Sent: Tuesday, June 1, 2021 9:34 AM
To: PDD Planning Commission
Cc: matt.ihms@gmail.com
Subject: Comment for Rezoning Case, Item 11, Application # Z-49-20-3

Hello,

I'd like to bring to the Planning Commission's attention that the parcel owner applying for rezoning has done the bare minimum to listen to the community and neighbor's concerns about the proposed development. The community meeting was held back in February during working hours and only one community member attended. Meager attendance and emailed concerns on 2/22 by Emad Zaki (below) should have signaled to the developer more needed to be done. Additionally, the 34th Street Enclave community was not invited or notified nor any neighbors across the wash, surrounding the park.

Rezoning opens several possibilities of 'community centers' that could evolve from developers' stated intentions of hospice care to other more profitable operations such as sober-living facilities within walking distance of a community park and single family homes.

Lastly, peer-reviewed research shows group homes have a negative impact on surrounding homes property values. Article below:

https://doi.org/10.2307/3146956 [doi.org]
https://www.nrc.gov/docs/ML1208/ML12088A314.pdf [nrc.gov]

Regards,
JJ Tellez,
3414 E Captain Dreyfus Ave, Phoenix, AZ 85032

From: Emad Zaki
To: matt.ihms@gmail.com
Cc: David O Simmons; Enrique A Bojorquez-Gaxiola
Subject: Case Z-49-20-3
Date: Monday, February 22, 2021 12:39:10 PM
Attachments: Rezoning Letter .pdf
Dear Mr. Ihms,
I am attaching a copy of the letter you mailed regarding the above-mentioned case. I have few concerns that I would like to address:
1. The meeting is scheduled on a work day at 9AM, this is going to prevent a lot of the neighborhood members from attending. My experience with these meeting that it is usually scheduled after regular work hours.
2. The way this is set does not give the members an access to the meeting until they request it from you, this is another concern as members should have a direct link to access the meeting same as in-person meeting works.
Please consider the above concerns as it interferes with the main purpose of this meetings to allow the neighbors to voice their opinions and address their concerns. It would be great if you can reschedule this meeting for another day after 5PM and to have a direct link for anyone who would like to attend.
Please also let me know if you can provide me with the mailing list to make sure that our neighbors all got the letter, and if they share the same concerns we have.

Best Regards,
Emad Zaki