



# Agenda

## City Council Formal Meeting

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Wednesday, October 26, 2022

2:30 PM

phoenix.gov

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### OPTIONS TO ACCESS THIS MEETING

#### *Virtual Request to speak at a meeting:*

- **Register online** by visiting the City Council Meetings page on phoenix.gov at least 2 hours 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=e8212c92b332332cdc3305bb2e7249e7a>

- **Register via telephone** at 602-262-6001 at least 2 hours 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.

#### **In-Person Requests to speak at a meeting:**

- Register in person at a kiosk located at the City Council Chambers, 200 W. Jefferson St., Phoenix, Arizona, 85003. Arrive 1 hour prior to the start of this meeting. Depending on seating availability, residents will attend and speak from the Upper Chambers, Lower Chambers or City Hall location.

- Individuals should arrive early, 1 hour prior to the start of the meeting to submit an in-person request to speak before the item is called. After the item is called, requests to speak for that item will not be accepted.

#### **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 2550 831 8045# (for English) or 2552 802 8774# (for Spanish). Press # again when prompted for attendee ID.

- **Watch** the meeting in-person from the Upper Chambers, Lower Chambers or City Hall depending on seating availability.

**Para nuestros residentes de habla hispana:**

- **Para registrarse para hablar en español**, llame al 602-262-6001 **al menos 2 horas 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 2552 802 8774#. 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 2552 802 8774#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

- **Para asistir a la reunión en persona**, vaya a las Cámaras del Concejo Municipal de Phoenix ubicadas en 200 W. Jefferson Street, Phoenix, AZ 85003. Llegue 1 hora antes del comienzo de la reunión. Si desea hablar, regístrese electrónicamente en uno de los quioscos, antes de que comience el tema. Una vez que se comience a discutir el tema, no se aceptarán nuevas solicitudes para hablar. Dependiendo de cuantos asientos haya disponibles, usted podría ser sentado en la parte superior de las cámaras, en el piso de abajo de las cámaras, o en el edificio municipal.

**CALL TO ORDER AND ROLL CALL**

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19 Acceptance and Dedication of an Easement for District 8 - Page 47  
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20 Locking Systems and Parts Contract - Request for Citywide - Page 48  
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## City Council Formal Meeting



City of Phoenix

### Report

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**Agenda Date:** 10/26/2022, **Item No.** 1

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

#### **Summary**

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

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

#### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## City Council Formal Meeting



City of Phoenix

### Report

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**Agenda Date: 10/26/2022, Item No. 2**

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## **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  
**From:** Mayor Kate Gallego

**Date:** October 26, 2022

**Subject:** BOARDS AND COMMISSIONS – APPOINTEES

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

**Central City Village Planning Committee**

Councilmember Carlos Garcia recommends the following for appointment:

Ian O’Grady

Mr. O’Grady is a Research Officer at Nowak Metro Finance Lab and a resident of District 8. He fills a vacancy for a term to expire November 19, 2023.

Edward Vargas

Mr. Vargas is an Associate Professor at Arizona State University and a resident of District 8. He fills a vacancy for a term to expire November 19, 2023.

**Maryvale Village Planning Committee**

Councilwoman Yassamin Ansari recommends the following for appointment:

Rosa Berrelleza

Ms. Berrelleza is the Director of Curriculum and Instruction at the Alhambra Elementary School District. She fills a vacancy for a term to expire November 19, 2023.

**Public Defender Review Committee**

I recommend the following for appointment:

Grace Myers

Ms. Myers is an attorney and owner of Grace Myers Law, LLC and is a member of the Arizona Attorneys for Criminal Justice. She fills a vacancy for a term to expire April 15, 2026.

**Phoenix Women's Commission**

I recommend the following for appointment:

Anjali Abraham

Ms. Abraham is the Assistant General Counsel at Cable One, Inc. She fills a vacancy for a term to expire October 26, 2025.

Miriam Weisman

Ms. Weisman is a former educator and anti-bias facilitator. She fills a vacancy for a term to expire October 26, 2025.



## **Swearing in of Municipal Court Judges**

Request to permit the swearing in of Municipal Court Judges.

### **Summary**

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

### **Concurrence/Previous Council Action**

On Sept. 2, 2022, the Judicial Selection Advisory Board recommended approval to the Public Safety and Justice Subcommittee.

On Sept. 14, 2022, the Public Safety and Justice Subcommittee recommended approval to the City Council by a vote of 4-0.

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

### **Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the City Council Office.



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

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

**Summary**

Applicant

Virgil Marchis

Location

3749 W. Behrend Drive

Council District: 1

Function

Food Festival

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

Nov. 12, 2022 - 11 a.m. to 9 p.m. / 800 attendees

Nov. 13, 2022 - Noon to 6 p.m. / 700 attendees

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## **Liquor License - Special Event - Horses Help Foundation**

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

### **Summary**

#### Applicant

Gregg Goodman

#### Location

15215 N. Kierland Blvd.

Council District: 2

#### Function

Wine Tasting Event

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

Feb. 4, 2023 - 11 a.m. to 8:30 p.m. / 2,000 attendees

Feb. 5, 2023 - 11 a.m. to 5:30 p.m. / 1,000 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## Liquor License - Ancla Distilled Spirits

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

### Summary

#### Applicant

Jonathan Galvez, Agent

#### License Type

Series 4 - Wholesaler

#### Location

10425 N. 25th Ave., Ste. 2326

Zoning Classification: A-1

Council District: 3

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

The 60-day limit for processing this application is Nov. 1, 2022.

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

#### Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

#### Public Opinion

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

#### Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the

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applicant on the City Questionnaire.

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

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



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

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

**Summary**

Applicant

Lauren Rumbaugh

Location

3121 N. 3rd Ave.

Council District: 4

Function

Reception

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

Nov. 12, 2022 - 5 p.m. to 8 p.m. / 250 attendees

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## Liquor License - Pizza Hut #26984

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

### Summary

#### Applicant

Theresa Morse, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

1839 W. Indian School Road

Zoning Classification: C-2

Council District: 4

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

The 60-day limit for processing this application is Nov. 1, 2022.

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

#### Other Active Liquor License Interest in Arizona

This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"There are multiple owners of this business who hold liquor licenses in Arizona as well as other states. The owners consistently ensure that all staff receives Arizona liquor law training to protect the health safety and welfare of Arizona citizens. The owners have never had any liquor violations at any of their businesses due to their policy and procedures as well as closely monitoring all of their sites."

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

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Pizza Hut #26984

Liquor License Map - Pizza Hut #26984

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: PIZZA HUT #26984

### Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	0
Bar	6	4	1
Liquor Store	9	3	2
Beer and Wine Store	10	9	4
Restaurant	12	8	4

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	55.33	45.99	141.18
Violent Crimes	10.50	12.60	36.41

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

### Property Violation Data

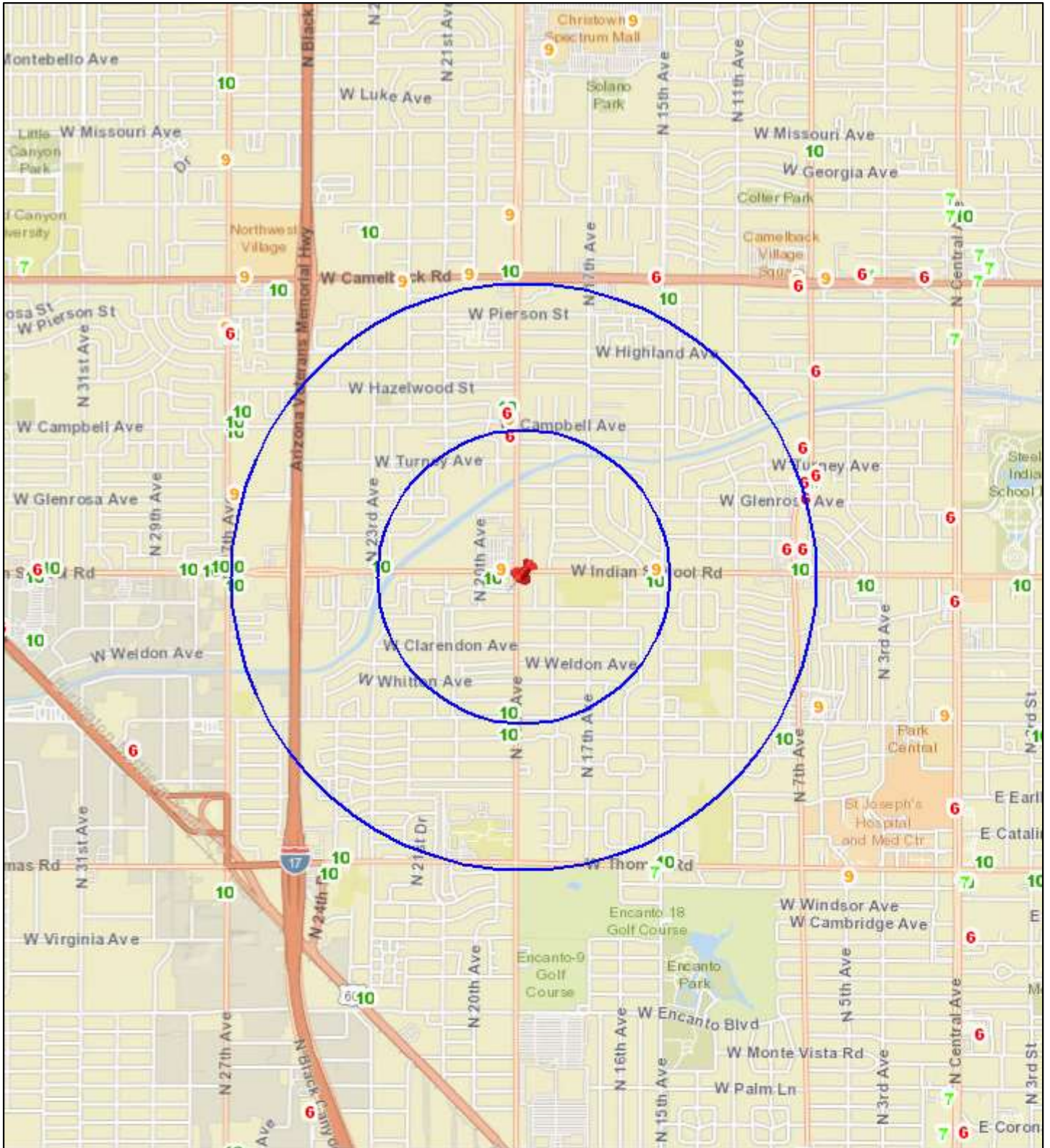
Description	Average	1/2 Mile Average
Parcels w/Violations	50	181
Total Violations	88	337

### Census 2010 Data 1/2 Mile Radius

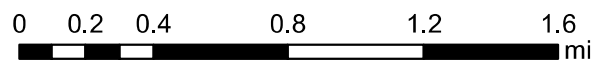
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1089011	988	36 %	15 %	30 %
1089013	956	82 %	4 %	8 %
1089022	1250	42 %	26 %	22 %
1090031	2380	23 %	26 %	52 %
1090032	1204	16 %	30 %	56 %
1104001	1724	53 %	6 %	33 %
1104003	1439	74 %	7 %	37 %
1104004	1344	49 %	16 %	20 %
1170001	2247	42 %	14 %	25 %
1170002	1845	32 %	9 %	34 %
Average		61 %	13 %	19 %

# Liquor License Map: PIZZA HUT #26984

1839 W INDIAN SCHOOL RD



Date: 9/12/2022





## Liquor License - Kwik Corner 5402

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

### Summary

#### Applicant

Nitin Gupta

#### License Type

Series 10 - Beer and Wine Store

#### Location

5402 W. Indian School Road

Zoning Classification: C-1

Council District: 5

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

The 60-day limit for processing this application is Oct. 30, 2022.

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

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion

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

Applicant's Statement

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

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

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

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Kwik Corner 5402

Liquor License Map - Kwik Corner 5402

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: KWIK CORNER 5402

### Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	1
Beer and Wine Bar	7	2	1
Liquor Store	9	5	2
Beer and Wine Store	10	4	3
Restaurant	12	4	2

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	54.70	144.55	324.41
Violent Crimes	10.36	32.48	58.81

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

### Property Violation Data

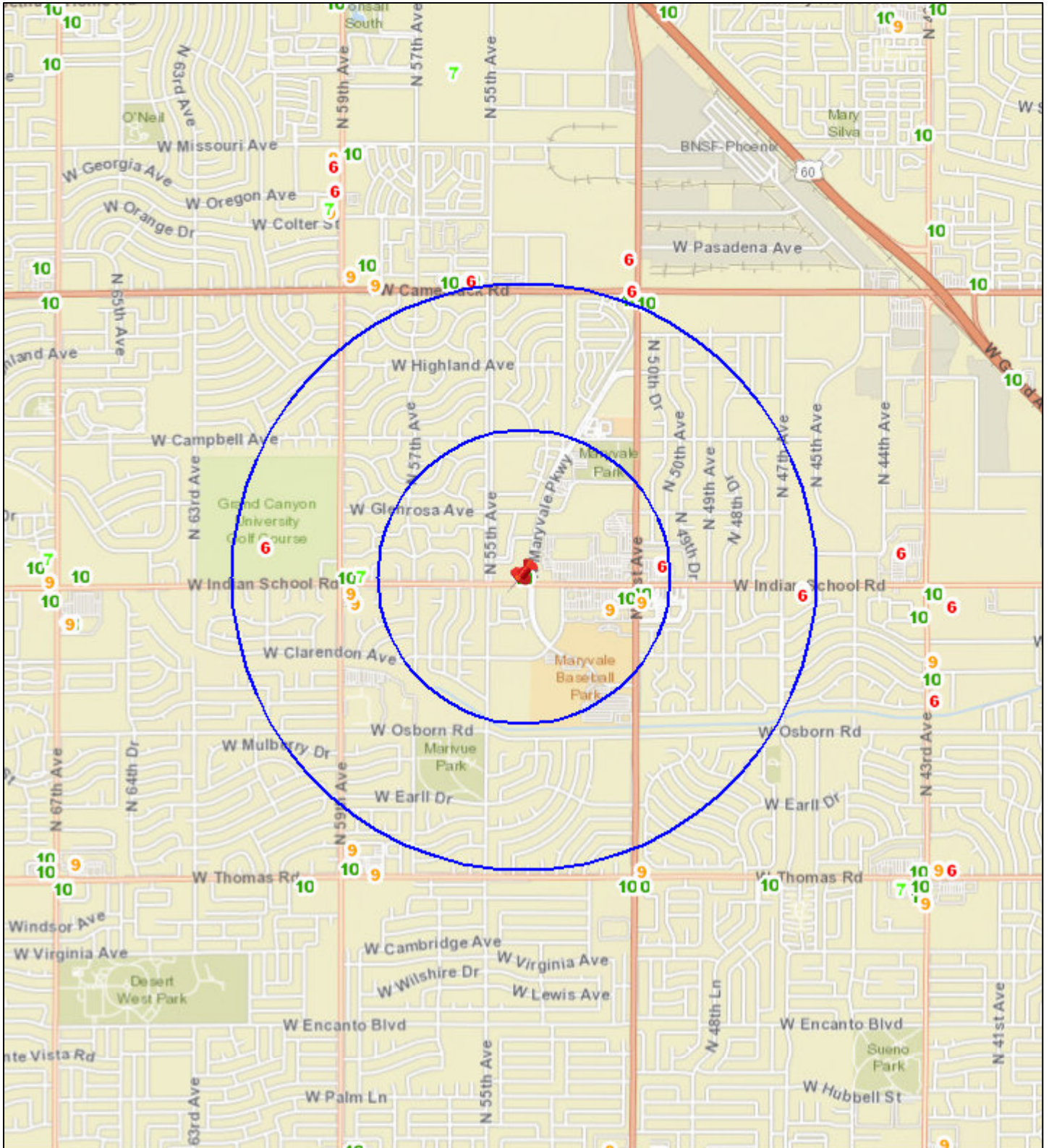
Description	Average	1/2 Mile Average
Parcels w/Violations	51	74
Total Violations	88	126

### Census 2010 Data 1/2 Mile Radius

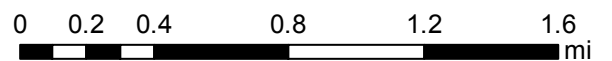
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1093002	1725	55 %	22 %	30 %
1094002	1922	80 %	7 %	27 %
1094003	1536	28 %	0 %	48 %
1094004	1754	25 %	24 %	40 %
1094005	1964	56 %	26 %	22 %
1099002	1908	34 %	13 %	25 %
1099003	3146	54 %	16 %	33 %
1099004	697	77 %	17 %	19 %
1100021	1671	82 %	16 %	11 %
Average		61 %	13 %	19 %

# Liquor License Map: KWIK CORNER 5402

5402 W INDIAN SCHOOL RD



Date: 9/1/2022





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

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

**Summary**

Applicant

Samantha Christiani

Location

10919 S. Central Ave.  
Council District: 6

Function

Festival

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

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

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



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

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

**Summary**

Applicant

Shonna James

Location

5005 E. Camelback Road  
Council District: 6

Function

Dinner Gala

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

Nov. 18, 2022 - 6 p.m. to 10 p.m. / 200 attendees

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



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

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

**Summary**

Applicant

Devney Preuss

Location

1202 N. 3rd St.

Council District: 7

Function

Festival

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

Nov. 12, 2022 - 11 a.m. to 6 p.m. / 3,000 attendees

Nov. 13, 2022 - 11 a.m. to 4 p.m. / 3,000 attendees

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## Liquor License - Breakfast Bitch

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

### Summary

#### Applicant

Derrell Hutsona, Agent

#### License Type

Series 12 - Restaurant

#### Location

330 E. Roosevelt St.

Zoning Classification: DTC - East Evans Churchill ACSBOD

Council District: 8

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

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

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

#### Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations

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on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I have responsibly held a liquor license in CA since 2019, and in AZ since 2020. I have never received a citation, and regularly schedule DLLC recommended proctors to train and certify our serving staff on responsible serving and Title 4 certifications. We have strict policies in place to ID everyone who orders alcohol. We have a proven and successful operation, and promote inclusivity in community, as well as high sales which we report, file and pay as scheduled."

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

Staff Recommendation

Staff recommends approval of this application.

Attachments

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

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: BREAKFAST BITCH

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	4	2
Government	5	7	4
Bar	6	45	13
Beer and Wine Bar	7	17	8
Liquor Store	9	4	2
Beer and Wine Store	10	15	6
Hotel	11	6	1
Restaurant	12	112	45
Club	14	2	0

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	55.88	206.26	320.80
Violent Crimes	10.65	46.78	64.54

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

## Property Violation Data

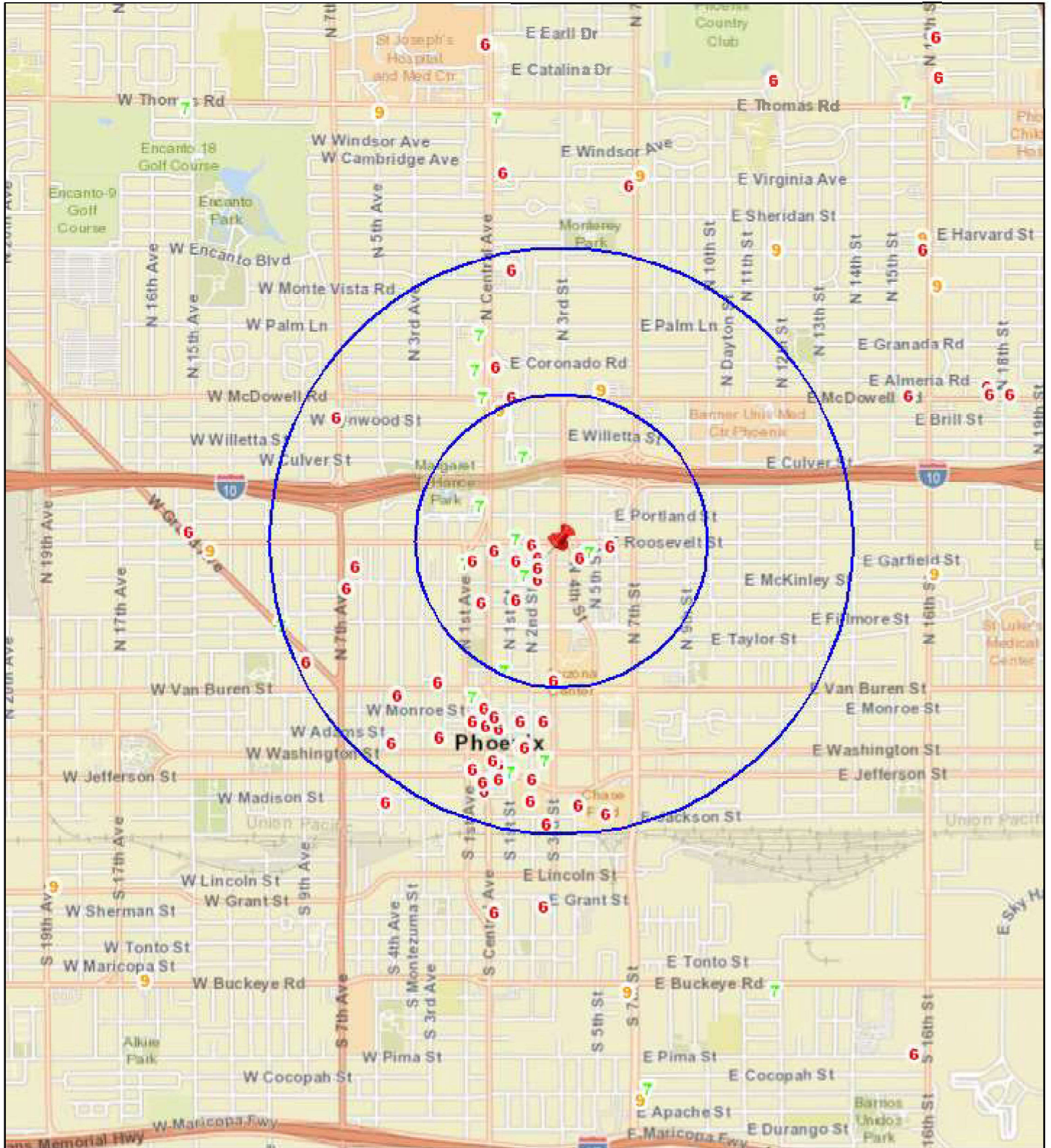
Description	Average	1/2 Mile Average
Parcels w/Violations	50	115
Total Violations	88	209

### Census 2010 Data 1/2 Mile Radius

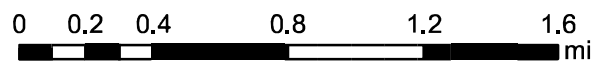
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1118002	1030	67 %	9 %	17 %
1118004	671	62 %	6 %	6 %
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1132032	638	28 %	7 %	70 %
Average		61 %	13 %	19 %

# Liquor License Map: BREAKFAST BITCH

330 E ROOSEVELT ST



Date: 9/8/2022





### **PAYMENT ORDINANCE (Ordinance S-49080) (Items 14-16)**

*Ordinance S-49080 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.*

**14 Applications Technology (Apptek), LLC.**

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

**15 Industrial Commission of Arizona**

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

16 **Degan Construction, LLC**

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



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

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

### **Summary**

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

### **Location**

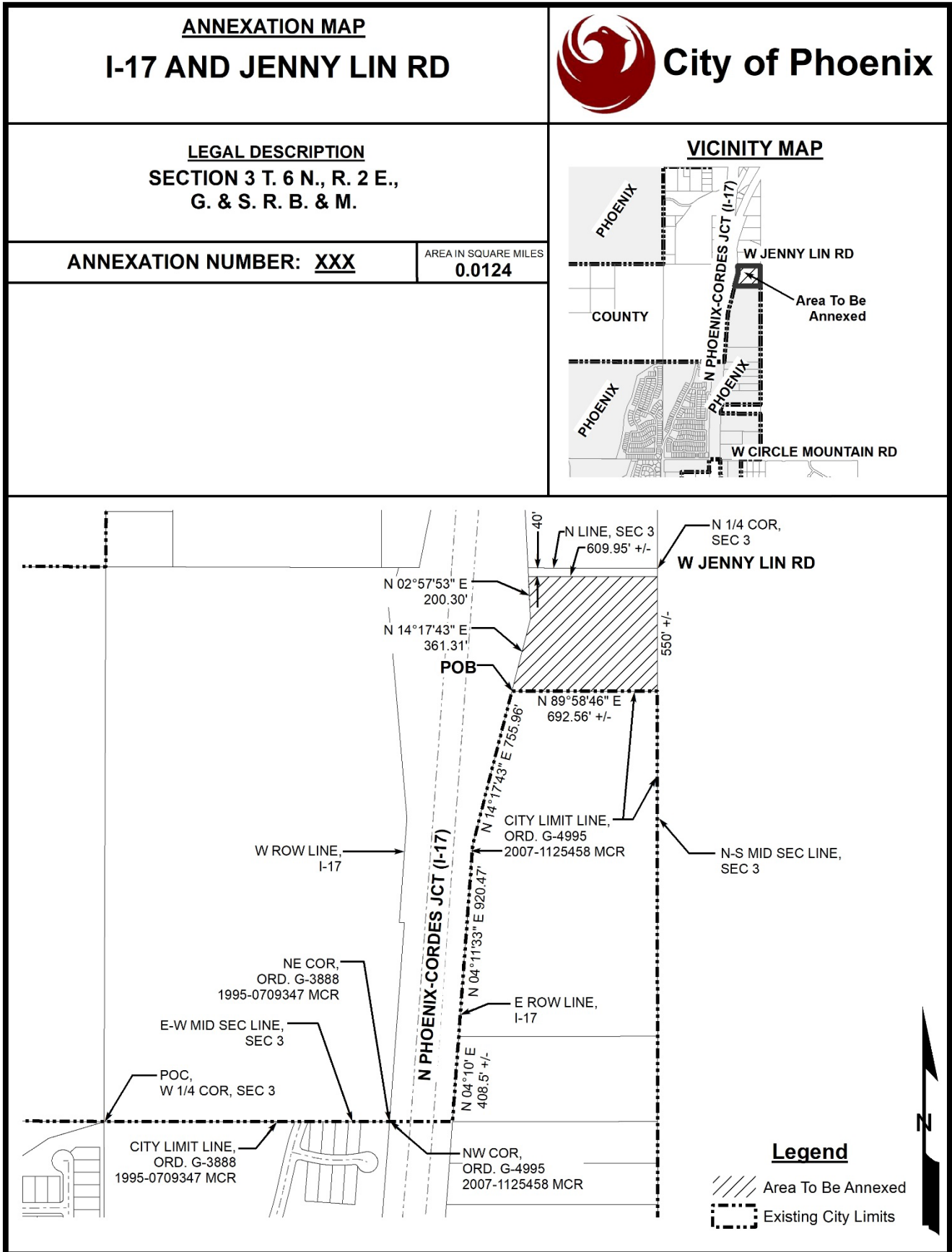
The proposed annexation area includes parcel 202-22-001B, located at I-17 and Jenny Lin Road (**Attachment A**). The annexation area is approximately 7.91 acres (0.0124 sq. mi.) and population estimate is zero individuals.

Council District: 1

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# ATTACHMENT A





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

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

**Summary**

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

- A. Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate and maintain utility facilities together with appurtenant fixtures for use in connection therewith (collectively "Grantee Facilities") to, through, across and beyond Grantor's property within the Easement Premises. Subject to the notice requirements provided in paragraph "I," Grantee shall at all times have the right of full and free ingress and egress to and along the Easement Premises for the purposes herein specified. Grantee acknowledges and accepts that Grantee shall share the Easement Premises with other Grantees and shall use such Easement Premises with other Grantees in accordance with and consistent with industry standards and customs for shared use. Grantor agrees to coordinate the location of Grantee's Facilities within the Easement Premises and to pay costs for relocation of Grantee's Facilities as provided in paragraph "F."
- B. Grantor shall not locate, erect or construct, or permit to be located or erected or constructed, any building or structure within the limits of the Easement Premises. However, Grantor reserves all other rights, interests, and uses of the Easement Premises that are not inconsistent with Grantee's easement rights herein conveyed and which do not interfere with or endanger any of the Grantee Facilities. Notwithstanding the foregoing, Grantor shall not have the right to lower by more

than one foot or raise by more than two feet the surface grade of Easement Premises without the prior written consent by the Grantee whose facilities will be affected by the change of elevation.

- C. Grantee shall not have the right to use the Easement Premises to store gasoline or petroleum products, hazardous or toxic substances, or flammable materials; provided however, that this prohibition shall not apply to any material, equipment or substance contained in, or a part of, the Grantee Facilities, provided that Grantee must comply with all applicable federal, state and local laws and regulations in connection therewith. Additionally, the Easement Premises may not be used for the storage of construction-related materials or to park or store construction-related vehicles or equipment except on a temporary basis to construct, reconstruct, replace, repair, operate or maintain the Grantee Facilities.
- D. Grantor shall maintain an appropriate three-foot clear area around all edges of all equipment pads for Grantee Facilities in addition to a clear operational area that extends 12 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstruction, trees, shrubs, fixtures or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs or other obstruction within said areas.
- E. Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work or use by Grantee within the Easement Premises, the affected area, including without limitation, all pavement, landscaping, concrete and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.
- F. Grantor reserves the right to require the relocation of Grantee Facilities to a new location within Grantor's property; provided however, that: (1) Grantor pays the entire cost of redesigning and relocating existing Grantee Facilities to the new location; and (2) Grantor provides Grantee with a new and substantially similar public utility easement at no cost to Grantee. After relocation of Grantee Facilities to the new easement area, Grantee shall abandon its rights to use the Easement Premises granted in this easement without cost or consequence to Grantor.
- G. Each public service corporation and telecommunication services corporation as a Grantee shall coordinate and work with other Grantees in the use of the Easement Premises. In the event that a third party or other Grantee requests the relocation of existing Grantee Facilities to a new location (whether or not) within the Easement Premises, the requesting party shall pay the entire cost of redesigning and relocating the existing Grantee Facilities.
- H. Grantee shall not have the right to transfer, convey or assign its interests in this easement to any individual, corporation or other entity without the prior written consent of Grantor, which consent shall not be unreasonably withheld. Grantee

shall notify Grantor of any proposed transfer, conveyance or assignment of any rights granted herein at address listed below.

- I. Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where the Easement Premises are located: (1) on a site that includes Aviation Department facilities; (2) water and wastewater treatment facilities; (3) Police Department headquarters located at 620 W. Washington St.; (4) Fire Department headquarters located at 150 S. 12th St.; (5) City Hall located at 200 W. Washington St.; (6) City Court Building located at 300 W. Washington St.; (7) Calvin C. Goode Building located at 251 W. Washington St.; (8) Transit Operations Center located at 320 N. 1st Ave. or West Transit Facility located at 405 N. 79th Ave.; or (9) in a secured or fenced area.

**Location**

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

**Responsible Department**

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



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

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

**Summary**

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

Easement (a)

Applicant: RJ7 2021 Dobbins, LLC, its successor and assigns

Purpose: Multi-use Trail

Location: 9225 S. 19th Ave.

File: FN 220065

Council District: 8

**Responsible Department**

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development and Finance departments.



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

Request to authorize the City Manager, or his designee, to enter into contracts with Anixter, Inc. and Intermountain Lock and Security Supply, dba IML Security Supply, to provide locking systems and parts Citywide. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$5,000,000.

**Summary**

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

**Procurement Information**

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

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

Selected Bidders:

Anixter, Inc.

Intermountain Lock and Security Supply, dba IML Security Supply

**Contract Term**

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

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to extend.

**Financial Impact**

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

Funding is available in the various Citywide departments' budgets.

**Responsible Department**

This item is submitted by City Manager Jeffrey Barton and the Finance Department.



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

Request to authorize the City Manager, or his designee, to execute amendment to Contract 146367 with HD Supply Facilities Maintenance, Ltd to extend the contract term for an additional year. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-43967.

**Summary**

This contract will provide maintenance, repair, and operating supplies and related services. The contract is available for Citywide use and primary users of this contract are the Housing, Parks and Recreation, Fire, Public Works and Water Services departments. This extension is necessary to provide time for a new solicitation to be completed.

**Contract Term**

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

**Financial Impact**

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

**Concurrence/Previous Council Action**

The City Council previously reviewed this request:

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

**Responsible Department**

This item is submitted by City Manager Jeffrey Barton and the Finance Department.



**New Vehicles - State of Arizona Contract - ADSP017-00006937 (Ordinance S-49104)**

Request to authorize the City Manager, or his designee, to execute amendments to Contracts 146167 with Courtesy Chevrolet, 146168 with LHM Ram Chrysler Jeep Dodge, 146169 with Larry Miller Toyota, and 146170 with Sanderson Ford, Inc. to extend the contract term for an additional year. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-43943.

**Summary**

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

**Contract Term**

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

**Financial Impact**

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

**Concurrence/Previous Council Action**

The City Council previously reviewed this request:

- New vehicles 146167,146168,146169 and 146170 (S-Ordinance 43943) on Oct. 4, 2017.
- New vehicles 146167,146168, 146169 and 146170 (S-Ordinance 44962) on Sept. 5, 2018.

**Responsible Department**

This item is submitted by City Manager Jeffrey Barton and the Finance Department.



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

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

**Public Outreach**

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

**Responsible Department**

This item is submitted by City Manager Jeffrey Barton and the Law Department.



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**Request to Enter Into an Agreement with the Diocesan Council for the Society of St. Vincent de Paul for Emergency Shelter Services (Ordinance S-49102)**

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

**Summary**

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

**Contract Term**

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

**Financial Impact**

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

**Concurrence/Previous Council Action**

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

**Location**

2739 E. Washington St.

Council District: 8

**Responsible Department**

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



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

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

**Summary**

SVdP or its wholly-owned subsidiary will increase the number of available beds for individuals experiencing homelessness by supplementing the existing 60-bed Ozanam Manor transitional housing program. SVdP or its wholly-owned subsidiary will construct a new Ozanam Manor or "Oz II" facility (308 W. Watkins Rd.) on the same campus. This expansion will include 100 additional beds where the agency will be able to provide wrap-around supportive services. The program's goal is to support residents of the new transitional housing program with securing permanent positive housing that ends their cycle of homelessness. The program will foster a sense of community through safety, stability, support, and structure. SVdP is contemplating using a wholly-owned subsidiary for aspects of the project. Staff have included the option to contract with an SVdP wholly-owned subsidiary in this action to preserve flexibility to complete this transaction in a manner acceptable to the various interested parties. This project is critical to the overall health and safety of the Phoenix community and will target individuals experiencing homelessness in the community due to the adverse effects caused by COVID-19 and will help reduce the likelihood of further spread of the virus.

**Contract Term**

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

**Financial Impact**

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

**Concurrence/Previous Council Action**

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

**Location**

Council District: 8

**Responsible Department**

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



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

Request to authorize the City Manager, or his designee, to enter into an agreement with RPM Team, LLC, to provide Architectural and Engineering Services that include assessment, design, and possible construction administration and inspection services for the Homeless Services Sprung Structure II project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$270,000. Funding is available from the City's allocation of the American Rescue Plan Act (ARPA) received from the federal government and is part of the Homelessness Projects program of the strategic plan.

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

**Summary**

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

This congregate and non-congregate shelter site will offer unsheltered individuals with cool, safe shelter and support services ahead of the 2023 heat season. The Sprung

Structure campus will be located on a City-owned parcel and is a more rapid and cost-effective way to shelter individuals than a traditional building.

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

### **Procurement Information**

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

### **Contract Term**

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

### **Financial Impact**

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

Funding is available from ARPA and is part of the Homelessness Projects program. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

### **Location**

2225 W. Lower Buckeye Road  
Council District: 7

**Responsible Department**

This item is submitted by Deputy City Managers Gina Montes and Mario Paniagua, the Human Services Department, and the City Engineer.



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

This report requests City Council approval of the Community Development Block Grant (CDBG) Notice of Funding Opportunity (NOFO) process and proposed priorities for the Public Service and Public Facility (PS/PF) program.

### **Summary**

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

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

### **Procurement Information**

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

#### Public Service Priorities

- Low-Income Youth Services;

- Support Services to Persons with Disabilities; and
- Senior Support Services.

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

#### Public Facility Priorities

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

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

#### Tentative Schedule for FY 2023-24 PS/PF NOFO

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

#### **Financial Impact**

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

#### **Concurrence/Previous Council Action**

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

#### **Responsible Department**

This item is submitted by Deputy City Manager Alan Stephenson and the Neighborhood Services Department.



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

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

### **Summary**

The 2023-24 Annual Action Plan examines housing and community development needs in the City of Phoenix and defines strategies for addressing those needs throughout the year. The Annual Action Plan contains the planning and application requirements for four major U.S. Department of Housing and Urban Development (HUD) programs that provide critical funds to entitlement cities like Phoenix every year. The four fund sources are: Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). Through adoption of the 2020-24 Consolidated Plan in May 2020, the City Council approved the general priorities and plans for these programs. Each year the Annual Action Plan details how federal funds will be spent during the coming year.

The Annual Action Plan process will begin in November 2022. The initial public communication and participation process will include the distribution of a community survey, social media posts and outreach, and a HUD-required public virtual hearing, all to assess community needs throughout Phoenix. Residents and neighborhood leaders will be invited to provide testimony regarding housing, homelessness, social services, and community development issues and concerns. Residents who are unable to attend the virtual public hearing will have the opportunity to submit their comments via email or voicemail. This information, along with a needs assessment, will form the foundation of the draft 2023-24 Annual Action Plan. The draft plan will be available for an advertised 30-day public comment period and another public hearing will be held in spring 2023 before it is reviewed and approved by the City Council. The goal of the Annual Action Plan process, per HUD requirements, is to ensure comprehensive community planning and coordinated service delivery are utilized to meet critical housing and community development needs. The City Council will be asked to review and approve the draft 2023-24 Annual Action Plan in early May 2023 before it is due to HUD by May 15, 2023.

**Public Outreach**

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

**Concurrence/Previous Council Action**

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

**Responsible Department**

This item is submitted by Deputy City Managers Gina Montes and Alan Stephenson and the Neighborhood Services, Human Services, and Housing departments.



**2015-20 Consolidated Plan and 2019 Annual Action Amendment CARES Act Amendment (Ordinance S-49106)**

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

**Summary**

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

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

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

### **Financial Impact**

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

### **Concurrence/Previous Council Action**

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

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

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

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

### **Public Outreach**

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

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

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

**Responsible Department**

This item is submitted by Deputy City Managers Gina Montes and Alan Stephenson and the Neighborhood Services and the Human Services departments.



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

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

**Summary**

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

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

All other terms and conditions will remain the same.

**Contract Term**

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

**Financial Impact**

Revenue during the first year of the extended term will be \$2,643.90, plus applicable taxes.

**Concurrence/Previous Council Action**

Lease Agreement 127914, authorized by Ordinance S-36765 on Dec. 16, 2009.

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Lease Agreement Amendments 127914-001, 002 and 003, authorized by Ordinance S-39316 on Oct. 26, 2012.

Lease Agreement Amendments 127914-004 through 009, authorized by Ordinance S-43088 on Dec. 14, 2016.

**Location**

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

Council District: 7

**Responsible Department**

This item is submitted by Deputy City Manager Inger Erickson and the Parks and Recreation and Finance departments.



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

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

### **Summary**

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

### **Procurement Information**

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

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

### **Financial Impact**

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

### **Location**

Bound approximately by Van Buren Street, Moreland Street, 2nd Avenue, and 7th Street

Council Districts: 7 and 8

**Responsible Department**

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



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

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

**Summary**

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

If approved, Discover Phoenix and Arizona, LLC will:

- Operate the City's trade development services office in Hermosillo, Mexico.
- Assist Phoenix companies with supply chain sourcing opportunities in Mexico.
- Develop and enhance business to business connections between Mexico-based companies and Phoenix-based companies.
- Foster Phoenix business expansion connections for Mexico-based companies seeking growth opportunities in the U.S.
- Identify perspective Phoenix investments for Mexico-based investors seeking both development investment opportunities and business ventures in the U.S.

**Procurement Information**

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

**Contract Term**

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

**Financial Impact**

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

**Concurrence/Previous Council Action**

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

**Responsible Department**

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



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

Request City Council approval of the 2023 Downtown Enhanced Municipal Services District (Downtown EMSD) proposed budget, assessments on the Downtown EMSD, and set the date of Nov. 16, 2022 for the public hearing on the estimated assessments, pursuant to Arizona Revised Statutes (A.R.S.) 48-575. The General Fund estimated annual expenditure for this program is \$439,108.

### Summary

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

### 2023 Downtown EMSD Proposed Budget

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

In July 2022, the Downtown EMSD Board of Directors, which includes representatives of the City and other Downtown EMSD property owners, approved the proposed CY 2023 Downtown EMSD budget of \$4,706,256. See **Attachment B** for a breakdown of the expense categories. This includes \$167,222 for streetscape maintenance expenses, which are paid only by property owners and tenants adjacent to the Streetscape Improvement District. The Streetscape Improvement District includes certain portions of Monroe Street from 3rd Avenue to 7th Street; Adams Street from 2nd Avenue to 2nd Street; 2nd Street from Jefferson to Van Buren streets; and 3rd Street from Monroe to Van Buren streets.

The proposed CY 2023 assessment revenue of \$4,556,256 represents a 7.69 percent

increase over the CY 2022 assessments, or approximately \$325,321. The CY 2023 assessments for the Downtown EMSD will be levied after the required Downtown EMSD approval process has been completed. Assessments are determined in proportion to the benefits received by each parcel. The proposed assessments and CY 2023 Downtown EMSD Diagram are based on the estimate of expenses and property data available as of April 19, 2022.

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

### Public Hearing Date

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

### **Financial Impact**

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

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

### **Concurrence/Previous Council Action**

The Economic Development and Equity Subcommittee approved the 2023 Downtown EMSD work plan and budget on Sept. 28, 2022, by a vote of 4-0.

### **Public Outreach**

A public hearing will be held for property owners to discuss the proposed assessments, costs, and services provided in connection with the Downtown EMSD. If approved, the public hearing would be set for Nov. 16, 2022 at 2:30 p.m., in the Phoenix City Council Chambers. All property owners are notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development departments 20 days prior to the public hearing. Notice of the public hearing also will be published in the Record Reporter as specified below. No further notification is required after the public hearing.

To be published:  
The Record Reporter

- Nov. 2, 2022

- Nov. 4, 2022

**Location**

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

Council Districts: 7 and 8

**Responsible Department**

This item is submitted by Deputy City Managers Ginger Spencer and Mario Paniagua, and the Community and Economic Development and Street Transportation departments.

# Attachment A

## 2023 Downtown Phoenix Partnership (DPP) Proposed Work Plan

Created in 2013 as a community development group, Downtown Phoenix Inc. (DPI) promotes the continued revitalization of Downtown. Through collaboration with local businesses, City of Phoenix leadership, and community groups, DPI coordinates activities between the Downtown Phoenix Partnership (DPP), Downtown Phoenix Community Development Corp. (CDC), and Phoenix Community Alliance (PCA).

Effective July 1, 2022, the services provided to the Enhanced Municipal Services District (EMSD) will be assigned to DPI. Through a merger of DPP and DPI, the work will be conducted by a division of DPI and no longer by a separate entity and affiliate. The DPP Board of Directors will be renamed the DP BID Advisory Board and will continue to provide oversight and approval of the annual EMSD work plan and budget.

Developed by staff for Advisory Board and City Council approval, the following goals and objectives are guided by the priorities of Enhanced Municipal Service District (EMSD) stakeholders.

### **Administration, Finance, and Information Technology**

**Goal:** To manage shared resources and maximize efficiencies while supporting initiatives and projects organization-wide

#### **Proposed Objectives to Achieve Goal**

1. Implement customer relationship management (CRM) platform for stakeholder contacts and engagement as well as PCA membership
2. Continue to identify process improvements, training, budget saving opportunities, and ways to help staff across all DPI departments and affiliates work more efficiently and effectively
3. Support the work of all DPI departments and affiliates through finance, administrative, and IT services
4. Utilize and maximize resources within Emfluent program, a local Predictive Insights firm that specializes in talent optimization, office culture development, career pathing and hiring best practices
5. Prioritize employee development and retention throughout the year
6. Update office experience for both employees and visitors, making it an increasingly magnetic nexus of city building activity
7. Manage inventory and spending of Downtown Phoenix Inc. branded merchandise

### **Marketing & Events**

**Goal:** Advancing the narrative of our evolving neighborhood through inclusive events, dynamic digital content, visitor resources and strategic media campaigns.

#### **Proposed Objectives to Achieve Goal**

1. Complete buildout of Downtown’s first bike commuter facility
2. Continue to create content that enhances dtphx.org as an invaluable resource for Downtown news, event information, residential and education opportunities and development
3. Continue to enlist artists, community contributors, and social media influencers to help us tell authentically diverse Downtown stories
4. Safely and strategically grow our events portfolio, prioritizing public space activations, cultural events, intellectual events and family friendly events
  - a. Use mega events, especially Super Bowl, as opportunities to amplify Downtown’s story
5. Evolve the events calendar platform, expand the Live Here section, and create a new Learn Here section of dtphx.org, all in an effort to deliver the content our analytics show site users are seeking
6. Add content manager position to oversee the ever growing and evolving website, social media strategy and collateral development
7. Continue to invest in Downtown Phoenix Inc. branded merchandise
8. Continue to promote and raise awareness of family-friendly infrastructure and programming in Downtown
9. Provide support to City of Phoenix as interactive kiosks are installed and activated
10. Continue to infuse Downtown with public art through our sustaining partnership with Artlink Phoenix and by advocating for the value of art across all constituencies
  - a. Increase investment in public art and complete cataloging of art in EMSD + Downtown Redevelopment Area (RDA) boundaries
11. Continue to work with Visit Phoenix, Phoenix Convention Center, and hospitality partners to attract convention business to Downtown
  - a. Use conventions to tout the transformative growth that continues to push Downtown forward

## **Community Engagement**

**Goal:** To ensure stakeholders are engaged, informed, and excited about being a part of an inclusive, dynamic, and hyper-local Downtown experience.

### **Proposed Objectives to Achieve Goal**

1. Fully migrate to and utilize new Client Relationship Management Platform (CRM) to improve data organization and consolidation so that stakeholder records can be accessed cross-departmentally
  - a. Streamline delivery lists for convention welcome posters and our popular What’s Happening guides
2. Continue to work with Valley Metro and Kiewit to strategize around Light Rail construction mitigation
3. Ensure proper communication channels are in place with property management and security teams leading into Super Bowl 2023
4. Further multi-modal transportation initiatives and act on recommendations from both the Parking and Curb studies
  - a. Determine feasibility of a shuttle service to better connect residents, visitors, students, and employees in Central City South, Warehouse District, and Roosevelt Row to amenities in the EMSD

- b. Work with City of Phoenix Street Transportation Department to implement additional co-branded 15-minute metered parking spaces near new high rise residential and street level restaurants
- 5. Continue placemaking efforts by commissioning art, which could include 3-D pieces, concrete engraving, sidewalk chalk, pop-up parks, and create cross-collaborative pop-up activations with stakeholders in public spaces, including but not limited to Civic Space Park
- 6. Fully launch and manage, in partnership with Marketing + Events department, new
  - a. “DTPHX Flock” volunteer program by investing in Virtuous Volunteer Management Software, VOMO
- 7. Expand Banner Program through investment in street pole hardware and installation of new DTPHX evergreen banners

### **DTPHX Ambassadors and Clean & Green Team**

**Goal:** To curate a distinguishing sidewalk experience that is clean, safe, welcoming, and inclusive

### **Proposed Objectives to Achieve Goal**

#### **Ambassador Program**

- 1. Continue to serve as eyes and ears for Downtown by maintaining up to 24 full-time Ambassadors
- 2. Continue to develop Ambassadors through monthly trainings programs beyond 30/60/90-day onboarding
  - a. Provide familiarization tours to Ambassadors to keep up with the rapid growth and development of Downtown
  - b. Ongoing trainings such as nonviolent crisis intervention, CPR and self-defense
- 3. Continue to participate in the City’s coordinated efforts to reducing homelessness by connecting individuals in need to services
  - a. Expand professional outreach services in EMSD to (2) full-time Community Bridges Outreach Navigators
- 4. Modify “hydration stations” to be supplemental collateral kiosks and also battery powered for easier deployment
- 5. Increase inventory of DTPHX-branded merchandise for visitors and incentives for interactions with info tables and other Ambassador activations
- 6. Invest in a portable kiosk for special outdoor events and high-pedestrian traffic areas on busy nights in the EMSD

#### **Clean & Green Team**

- 1. Continue to clean and disinfect high-touch, high-traffic public spaces and infrastructure with upgraded pressure washing equipment
  - a. Invest in industrial grade equipment to better clean and disinfect public realm
- 2. Improve walkability of Downtown’s corridors and enhance the street level experience through landscaping
  - a. Increase shade through tree plantings and, in partnership with the City of Phoenix and Valley Metro, install shade structures for high traffic sidewalks where trees cannot be planted

- b. Continue adding planters with flowering plants to beautify building exteriors near main intersections throughout the EMSD
  - c. Focus on west/northwest portions of EMSD where thousands of apartment units have recently opened or will open in 2023
  - d. Support the creation of pop-up parks and provide maintenance, as needed
  - e. Design, install and maintain dog stations throughout the EMSD
3. Continue to assess and improve public amenities throughout the Streetscape Improvement District, such as:
    - a. Site furnishings like benches and chess/checkers tables
    - b. Outdoor string lights across pedestrian corridors and other decorative lighting
  4. Continue to assess existing vehicular and pedestrian wayfinding signage throughout the EMSD and provide recommendations for updating or sunsetting existing signage
  5. Continue to support Downtown’s bike culture and pedestrian experience with an emphasis on improving the safety of sidewalks, crosswalks and bike lanes
    - a. Support stakeholders working with the City of Phoenix to create pedestrian malls/corridors
  6. Update branding on Clean & Green trucks and equipment to align with corporate marks

## **Business Development**

**Goal:** To foster Downtown as the thriving and sustainable business, education, and urban living epicenter of our city and region

### **Proposed Objectives to Achieve Goal**

1. Promote and provide personalized tours—in partnership with city’s Community & Economic Development Department (CEDD)—to developers, investors, companies, and brokers showcasing Downtown’s growth and amenity package
  - a. Evolve & improve golf cart tours through new equipment and customized collateral
2. Attend all pre-development meetings at the City of Phoenix and offer support to developers and business owners looking for data or assistance to move their project forward
3. Continue to support the transition of the Phoenix Bioscience Core (PBC) into a major employment center in health, bio and life sciences
4. Focus on supporting current Downtown businesses, including restaurants and retailers, in partnership with CEDD
5. Act as the “one-stop” information resource for developers, brokers, investors, and companies interested in locating Downtown
6. Support co-working growth and the growing entrepreneurial/start-up ecosystem in Downtown
  - a. Rent desk space on a rotating basis at Downtown locations in order to establish relationships with businesses
  - b. When appropriate, help find maturing companies office space Downtown
7. To complement CEDD’s business attraction efforts, focus on adding locally-owned retail offerings, including quick-service restaurant (QSR) concepts near the universities
8. Focus on adding family-friendly infrastructure and programming to emphasize Downtown as a competitive place where families can live, work, play, and learn

9. Proactively seek opportunities to use GIS mapping, digital twin and other interactive visual storytelling platforms to promote downtown and engage out-of-town audiences in its growth and development
10. Raise awareness of Downtown development outside of our local sphere by pursuing opportunities to participate on panels and engage in relevant industry conferences
11. Assess and implement sustainability programs that positively impact Downtown businesses, streetscape and environment
  - a. For example: Work with street-level restaurants to install motion detecting sensors on their patio misting systems
12. In partnership with CEDD, commission an updated Downtown economic impact study
  - a. Report the total tax revenue DTPHX generates for the City of Phoenix
  - b. Utilize data to help tell Downtown's story and make the case for additional investment

**Attachment B**  
**CY 2023 EMSD Budget - Estimated**

Account	2023 Budget
General Office	613,794
Admin Salaries	262,818
Events	266,079
Marketing	530,844
Business Development	224,055
BID Services	2,341,444
Super Bowl	150,000
<b>Total Base Budget</b>	<b>4,389,034</b>
SID	167,222
<b>Total District Budget</b>	<b>4,556,256</b>
Assessment Revenue	4,706,256
Non-assessment Revenue	150,000

**Expenses**

**Revenue**



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

Request City Council approval of the 2023 Downtown Enhanced Municipal Services District (EMSD) Assessment Diagram. There is no financial impact as a result of this request.

### **Summary**

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

The proposed 2023 Downtown EMSD Assessment Diagram (**Attachment A - 2023 Downtown EMSD Diagram**), indicates the properties to be assessed and is on file in the Office of the Director of the City of Phoenix Street Transportation Department, and may also be viewed at [phoenix.gov/econdev/Reports-Maps](http://phoenix.gov/econdev/Reports-Maps). The proposed assessments and Calendar Year (CY) 2023 Downtown EMSD Diagram are based on the estimate of expenses and property data available as of April 19, 2022. The proposed diagram was completed on Sept. 15, 2022. Per Arizona Revised Statutes (A.R.S.) 48- 575(d) the 2023 Downtown EMSD Diagram shows each separate lot numbered consecutively, the area in square feet of each lot, and the area in square feet of any building or buildings located on each lot.

Public streets, alleys, and property utilized for residential purposes that do not benefit from the enhanced municipal services are excluded from this proposed 2023 Downtown EMSD Diagram.

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

### **Financial Impact**

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

### **Concurrence/Previous Council Action**

The Economic Development and Equity Subcommittee approved the 2023 Downtown EMSD work plan and budget on Sept. 28, 2022, by a vote of 4-0.

### **Public Outreach**

A public hearing will be held for property owners to discuss the proposed assessments, costs, and services provided in connection with the Downtown EMSD. If approved, the public hearing would be set for Nov. 16, 2022 at 2:30 p.m., in the Phoenix City Council Chambers. All property owners are notified by mail of their annual assessment cost by the City's Street Transportation and Community and Economic Development departments 20 days prior to the public hearing. Notice of the public hearing also will be published in the Record Reporter as specified below. No further notification is required after the public hearing.

To be published:

The Record Reporter

- Nov. 2, 2022
- Nov. 4, 2022

### **Location**

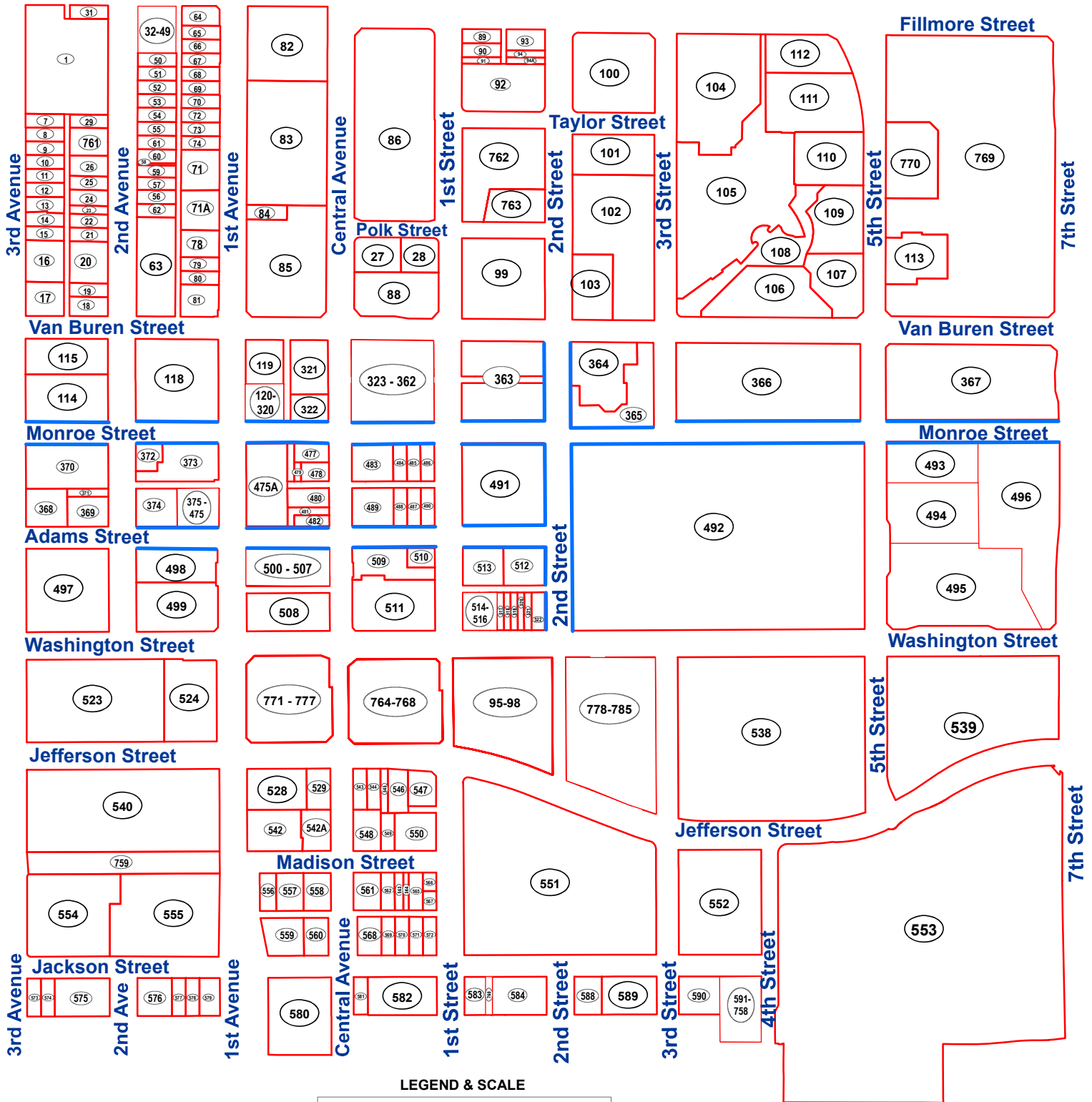
The Downtown EMSD is generally bounded by Fillmore Street, 7th Street, 3rd Avenue and the railroad tracks south of Jackson Street.

Council Districts: 7 and 8

### **Responsible Department**

This item is submitted by Deputy City Managers Ginger Spencer and Mario Paniagua, and the Community and Economic Development and Street Transportation departments.

ATTACHMENT A  
**DOWNTOWN PHOENIX ENHANCED  
MUNICIPAL SERVICES DISTRICT  
2023 ASSESSMENT DIAGRAM**



**LEGEND & SCALE**

1 ASSESSMENT #

7 STREETScape IMPROVEMENT DISTRICT

0 130 260 390 520 Feet

1 INCH = 125 FEET

This drawing was created for reference and planning purposes only and not for construction.

SUBMITTED \_\_\_\_\_ SUPERINTENDENT OF STREETS \_\_\_\_\_ DATE \_\_\_\_\_  
APPROVED AT THE MEETING OF THE COUNCIL OF THE CITY OF PHOENIX THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022  
\_\_\_\_\_  
MAYOR  
ATTEST \_\_\_\_\_ CITY CLERK \_\_\_\_\_  
FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022  
\_\_\_\_\_  
SUPERINTENDENT OF STREETS

Parcel data from County Assessor as of 4/19/2022.  
Assessment data updated as of 9/9/2022.





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

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

**Summary**

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

**Procurement Information**

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

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

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

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

Kitchen Sink Creative, LLC, total score 808.80

**Contract Term**

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

**Financial Impact**

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

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

**Location**

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

**Responsible Department**

This item is submitted by Deputy City Manager Inger Erickson and the Phoenix Convention Center Department.



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

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

**Summary**

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

**Contract Term**

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

**Financial Impact**

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

**Concurrence/Previous Council Action**

The City Council previously reviewed this request:

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

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Fire Department.



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

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

**Summary**

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

**Contract Term**

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

**Financial Impact**

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

**Concurrence/Previous Council Action**

The City Council previously reviewed this request:

- Motorcycles and Off Highway Vehicles Contracts 149452,149453 (Ordinance S-45401) on Feb. 20, 2019;
- Motorcycles and Off Highway Vehicles Contracts 149452,149453 (Ordinance S-47573) on May 19, 2021.

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and Deputy City Manager Karen Peters, and the Police and Public Works departments.



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

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

**Summary**

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

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

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

**Contract Term**

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

**Financial Impact**

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

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Police Department.



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**Authorization to Amend Ordinance for Fiscal Year 2021 Internet Crimes Against Children Task Force Program Grant (Ordinance S-49113)**

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

**Summary**

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

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

**Contract Term**

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

**Financial Impact**

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

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Police Department.



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

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

### **Summary**

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

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

The following is a list of the significant NBWGP Oversight Committee recommended changes to the 2023 NBWGP Application Guide (**Attachment A**):

1. Amend the application guide to close the grant application process Monday, December 5, 2022 at 4:00 p.m., Arizona time.
2. On page 5, **Evaluation of Application**, replace "NOTE: LINE-ITEM VETOES ARE PROHIBITED," with the following language, "The purpose of a grant is to enhance crime prevention, safety, and quality of life issues in the City of Phoenix. Line-item vetoes can be applied when at least two-thirds of attending committee members agree that the item does not meet these criteria."

3. On page 6, **Responsible Party Contact Information/ Grant Contract Signers**, add "A Co-Applicant Group is limited to one grant application per grant year, unless it is a City of Phoenix Department."
4. On pages 7 and 8, **Budget Categories and Description**
  - **Personnel** - add "to pay Block Watch members for any services is strictly prohibited."
  - **Volunteer hour contributions** - add "These hours should be directly related to grant projects to include but not limited to, Phoenix Neighborhood Patrol; Alley Cleanups; GAIN; and/or Newsletters."
  - **Operational expenses** - add "Events funded by grant funds cannot solicit and/or accept funds such as admission or booth fees for that event."
  - **Equipment/Supplies** - add "Supplies necessary to maintain gates for the Gated Alley Program."
5. On page 11, **Multiple Applications**, add "In the case where more than two applications are submitted under the same NSD listing number, the application(s) with the primary applicant recognized as primary contact by the Neighborhood Services Department will take precedence."
6. On page 11, **Required Documents**, change "Applicants requesting between \$1 and \$1,000 to **">\$1 and \$3,000'**"; \$1,001 and \$12,000 to  **'\$3,001 to \$15,000'**".
7. On page 12, **Grant Dollar Limitations**, change \$12,000 to  **\$15,000**.
8. On page 14, **Prohibited and Restricted Use of Funds**, add "All expenditures from provided grant funds shall be made only in accordance with Grantee's budget as set forth in the approved grant application and proposal, or as modified by agreement in writing signed by City and Grantee."
9. On pages 14 and 15, **Prohibited Items List**
  - Remove "Entertainment, parties, and recognition dinners not designated as a GAIN event"
  - Remove "Food or beverages of any kind, including consumable prizes or incentives in the form of food or beverages"
  - Add "Entertainment, parties, and recognition dinners, unless they include a crime prevention, safety, and/or quality of life improvement component, such as a GAIN event"
  - Add "Police Scanners"

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

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

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

**Contract Term**

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

**Financial Impact**

No matching funds are required.

**Concurrence/Previous Council Action**

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

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Police Department, on behalf of the Neighborhood Block Watch Oversight Committee.

ATTACHMENT A



# **2023 Neighborhood Block Watch Grant Program Application Guide**

**All grant applications are due no later than**

**Monday, December 5, 2022**

**By 4:00 p.m., Arizona time**

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# NEIGHBORHOOD BLOCK WATCH GRANT PROGRAM FY2023 Competitive Grant Announcement

**Applications Due:**  
**Monday, December 5, 2022**  
**By 4:00 p.m., Arizona Time**

Welcome to the 2023 Neighborhood Block Watch Grant Program (NBWGP) application process!

The City of Phoenix, Phoenix Police Department, Fiscal Management Bureau, Neighborhood Block Watch Unit is seeking applications for the 2023 Neighborhood Block Watch Grant Program. This program provides an opportunity to enhance the safety and quality of life in the City of Phoenix through empowerment of community groups. NBWGP funds offer neighborhood groups the resources to create new and innovative programs and activities designed to prevent and reduce crime in their community.

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## APPLICATION PERIOD

The NBWGP application process opens, **Tuesday, November 1, 2022** and closes on **Monday, December 5, 2022, at 4:00 p.m., Arizona time**. The application will be available through the NBWGP Grants Management System (GMS) website:

[NBWGP Grants Management System](#)

Late submissions **will not be accepted**. NBWGP staff advises that you do not wait until the last minute to submit your application. Upon submission, you will receive an email stating that your application has been received and has been assigned a grant number.

Incomplete grant applications and organizations failing to register with the Neighborhood Services Department, Neighborhood Notification Service, by the grant application submission deadline, **WILL BE DISQUALIFIED**.

## NEIGHBORHOOD NOTIFICATION SERVICE

For information regarding the Neighborhood Notification Service registration process, visit their website at:

[Neighborhood Notification Service](#)

### ELIGIBILITY

**Eligible applicants are:** Neighborhood Block Watch groups and/or neighborhood organizations, registered through the City of Phoenix Neighborhood Services Department, Neighborhood Notification Service are eligible to apply for Neighborhood Block Watch grants. Homeowner Associations are not eligible to apply as a Primary Applicant Group; however, Homeowner Associations, educational or faith-based organizations, non-profit agencies within a specific geographic area, and City of Phoenix departments (such as the Neighborhood Services Department, Police Department, and Parks and Recreation Department) may apply as a Co-Applicant Group. City of Phoenix employees cannot be signers on grant applications in their capacity as a City employee.

It is a mandatory requirement that the Primary Applicant Group be listed with the City of Phoenix Neighborhood Notification Program. Please read and follow the guidelines to complete the forms at:

[Neighborhood Notification Listing Form](#)

Once listed, your organization will receive information about issues that affect the livability of your neighborhood.

### COMPLETING THE APPLICATION

#### Preparation of Application

All grant applications must be submitted online via the Grant Management System (GMS) by the due date. Hard copy or faxed applications **will not** be accepted. If you experience any difficulties with the online application process, please contact NBWGP staff for assistance. **Do not wait until the application due date to seek assistance.**

Applicants are encouraged to review the online workshop presentation and/or attend one of the NBWGP training sessions for assistance in completing the application.

All required fields within the application must be completed. Each narrative question explains what information should be provided. Failure to answer all questions and/or provide all required information may result in the application receiving a lower score or being disqualified. Pay special attention to the restricted and prohibited items. If you have questions, contact NBWGP Staff for assistance.

Review the GMS application process guide for step-by-step directions on printing your application prior to submission.

## ONLINE GRANT APPLICATION PROCESS GUIDE

The following link will take you step-by-step through the Neighborhood Block Watch Grant Program registration and provides step-by-step instructions to complete the online application.

[Application Process - Step-By-Step](#)

## EVALUATION OF APPLICATION

Each grant application is evaluated by the NBWGP Oversight Committee on how well it fulfills the purpose of the NBWGP. Applications evaluated and scored by NBWGP Oversight Committee members must have an overall score of 5.25 or higher to receive grant funding. Grant applications scoring below the City Council approved minimum score of 5.25 points will be disqualified and will not receive funding.

All meetings of the NBWGP Oversight Committee are open to the public. NBWGP applications are scored based on the following weighted criteria:

Crime Prevention/Quality of Life Factors	50%
Budget Evaluation	20%
Community Involvement	20%
Project Viability / Feasibility / Ability to Complete the Project	10%

**NOTE: ~~LINE-ITEM VETOES ARE PROHIBITED~~**

The purpose of a grant is to enhance crime prevention, safety, and quality of life issues in the City of Phoenix. Line-Item Vetoes can be applied when at least 2/3 votes of committee members present agree that the item does not meet these criteria.

## Oversight Committee Scoring Criteria Information

[Scoring Criteria](#)

## Responsible Party Contact Information / Grant Contract Signers

The grant contract signers are the responsible parties and will be held accountable for fulfilling all grant requirements, including quarterly financial activity, and program reports, for the term of the grant contract. The name, address (home for individuals or business

for companies), email address, and mobile and/or alternate phone numbers (home or work) of two representatives is required and must be listed accurately on the grant application. The Grant Management System (GMS) will automatically email the listed signers informing them that they have been listed on an NBWGP application. The signers are required to proceed to the GMS website to complete their online registration process. All detailed information regarding the NBWGP GMS will be presented at the application workshops, and is also linked on the main NBWGP website:

[Neighborhood Block Watch Grant Program Website](#)

If the submitted application is a collaborative / joint application, with a Primary Group Applicant and a Co-Applicant Group listed; a representative from each organization must be listed in the grant application and must sign the grant contract. The representatives will be responsible for fulfilling all grant requirements.

A grant Co-Applicant Group can be an educational or faith-based organization, a non-profit agency within a specific geographic area, a Homeowners' Association (HOA), or a City of Phoenix department.

- Individuals who reside or work at the same physical address or who are related (including by marriage) cannot sign the same NBWGP application.
- Members of the NBWGP Oversight Committee cannot be signers on NBWGP applications.
- City of Phoenix employees cannot be grant signers in their capacity as a City employee.
- **A Co-Applicant Group is limited to one grant application per grant year, unless it is a City of Phoenix Department.**

**NOTE:** *INDIVIDUALS MAY NOT BE LISTED AS SIGNERS ON MORE THAN TWO APPLICATIONS.*

## **PREPARATION OF BUDGET SECTION**

There are four budget categories: Personnel, Operational Expenses, Consumables, and Equipment/Supplies. Please refer to the restricted and/or prohibited list of items **before** completing your budget. Items listed with an **asterisk \*** below fall on the restricted and prohibited list. Requests for prohibited items **will not** be funded. Requests for restricted items that violate NBWGP guidelines **will not** be funded. See the complete list of restricted and prohibited items by following this link:

[Restricted and/or Prohibited Item List](#)

## Budget Categories and Description

**Personnel** - When requesting funds for personnel do not use terms such as compensate, sponsor, stipend or subsidize. **NOTE:** Administration of the grant itself, including payment to an accountant or individual to complete quarterly reports or **to pay Block Watch members for any services is strictly prohibited.**

Examples of personnel expenses that include crime prevention and safety:

- Contractors / labor for installation costs
- Hourly pay for individuals and overtime
- \*Seminars / workshops / training classes, includes speakers, presenters, and trainers

**Volunteer hour contributions** – should be provided by both primary and Co-Applicant Group (if applicable) and cannot be paid with grant funds. Paid personnel **are not** considered volunteers and any grant funded / paid hours **cannot** be included in volunteer hours on the grant application. **These hours should be directly related to grant projects, to include, but not limited to: PNP; Alley Cleanups; GAIN; Newsletters.**

- The general labor rate for calculating volunteer hours is \$29.95 per hour.
- Primary Applicant **Group** - Describe volunteer contributions to include hours, supplies or funds provided by **members** of your organization to complete the grant project.
- Co-Applicant **Group** - Describe volunteer contributions to include hours, supplies or funds provided by members of your **Co-Applicant** organization to complete the grant project. **This refers to the secondary group on your grant, if applicable (not a co-signer).**

**Operational Expenses** - If requesting grant funds for a newsletter or website, a sample of the newsletter or link to the website must be provided with the grant application.

- Soliciting and/or accepting funds to post advertisements in a neighborhood newsletter that is funded with Neighborhood Block Watch grant funds is **not permitted.**
- **Events funded by grant funds cannot solicit and/or accept funds such as admission fees or booth fees for that event.**

Examples of operational expenses include:

- \*Phoenix Neighborhood Patrol / Graffiti fuel / mileage reimbursement
- Dedicated communications services (telephone, \*cell phones, \*Internet, \*websites, fax lines)

- \*Insurance costs
- Maintenance / repair services
- Printing / copying / mailing / delivery / faxing services
- Program related transportation costs (buses / vans / rentals and public transportation)
- \*Rental of equipment / supplies (including helium and port-a-johns)
- Rental space or facility use fees
- Utilities (electricity)
- Other - provide details on budget narrative

**Equipment / Supplies** - These are items with a useful life that extend beyond the grant period of one year. Each equipment item must be listed separately. Explain in the narrative, in detail, what types of equipment will be purchased and their intended use.

Examples of equipment / supplies items include:

- \*Communications equipment (\*two-way radios, \*police scanners)
- \*GAIN or crime prevention / safety event (equipment / supplies)
- \*Musical instruments / \*games / \*sporting goods / \*bicycles / hobby / crafts and gardening supplies
- \*Phoenix Neighborhood Patrol equipment / supplies
- Audio / video equipment
- \*Computer equipment / software / accessories
- Educational materials / books
- Fencing and gates – including installation of fences and gates
- **Supplies necessary to maintain gates for the Gated Alley Program.**
- Furniture (tables, chairs, computer desks)
- Hardware items (locks, small tools, \*flashlights, rakes, paint sprayers)
- \*Lighting
- Office equipment (\*copiers / printers / scanners, staplers, scissors, file cabinets, etc.)
- Signage (\*Block Watch / Phoenix Neighborhood Patrol signs, bulletin boards, banners, posters)
- Fingerprint ID kits
- Graffiti cameras (must include the City of Phoenix Neighborhood Services Department as a Co-Applicant Group to be considered)

**Consumables** – These are items that will likely be consumed or distributed during the one-year grant period.

Examples of consumables items include:

- Audio / video / computer supplies (toner, ink cartridges, discs, tapes, CDs,

- videos)
- Clean-up supplies (garbage bags, gloves, cleaners, paper towels)
- Hardware supplies (paint, light bulbs, batteries)
- Office supplies (postage, paper, envelopes, labels, pens, toner, ink cartridges)
- \*GAIN / Safety Event Promotional / Marketing Tools/Items (pens/pencils, letter openers, mugs, Frisbees, auto-window shades, wrist bands, mouse pads, key chains, kitchen products, microfiber cloths, bags, calendars, lanyards, note pads, etc.)
- \*GAIN / Safety Event Crime Prevention Tools/Items (locks: window, door, steering wheel, and padlocks; timers; lighting: motion sensors, dusk-to-dawn, indoor/outdoor emergency lighting; alarms: small/individual door, pool, carbon **di**oxide **monoxide detectors**, smoke **detectors**, window, or personal; document shredders; individual RFID sleeves, **only**, etc.)
- \*Clothing / uniforms
- Other - Please provide detailed description on budget narrative

Each budget category requires a corresponding budget narrative. If a narrative is not included in a budget category, the application may be scored lower or disqualified.

## Lawful Traffic Mitigation Devices

If requesting lawful traffic mitigation devices, e.g. speed humps, you must complete the Budget Supplement – Lawful Traffic Mitigation Devices (included in the application).

When requesting Lawful Traffic Mitigation Devices, if the budget supplement document is not included with the application, the application may be scored lower or disqualified.

For information regarding the application process for speed humps, visit the Street Transportation Department's website and follow the instructions:

[Speed Hump Program](#)

## Attachments

All required documents / forms not submitted with the original application must be submitted prior to applicant receiving any grant funds awarded. Applicants may include additional supportive documents / photos with the application (five attachments maximum). Instructions for uploading attachments are located in the Grant Management System User Manual.

- 5 MB is the **maximum** file size for each uploaded document
  - **REMINDER:** Color documents tend to be much larger in file size

than black and white or gray scale

- Fewer attachments are preferred (i.e., combine multiple pages into a single file)
- **Do not use truncated characters in the file name or upload 'Description' field**
  - Ex: ! @ # \$ % ^ & \* \_()
- PDF format is preferred

## APPLICATION REQUIREMENTS AND RESTRICTIONS

Homeowners' Associations (HOAs) are not eligible to apply as a Primary Applicant Group. Registered block watch groups and/or neighborhood organizations that exist within HOAs boundaries are eligible. HOAs, educational or faith-based organizations, non-profit agencies within a specific geographic area, and City of Phoenix departments (such as the Neighborhood Services Department, Police Department and Parks and Recreation Department) may apply as a Co-Applicant Group.

It is a mandatory requirement that the Primary Applicant Group be listed with the City of Phoenix's Neighborhood Notification Service:

- If your organization is not registered, please visit the Neighborhood Services Department, Neighborhood Notification service website:

[Neighborhood Notification](#)

- In addition, the name of the Primary Applicant Group organization on the grant application(s) must match exactly with the name listed with Neighborhood Services Department through the Neighborhood Notification service.

Grant applications become public records; required attachments (meeting agendas / minutes) **MUST NOT** include personal information (i.e., phone number, name, mailing address, email address, etc.) of people attending meetings. Only provide the total number of members attending meetings and the crime prevention topic discussed on the attached agendas.

## Multiple Applications

Primary Applicant Groups may submit two applications in the following ways:

- As the Primary Applicant Group for its own neighborhood program; and
- As the Primary Applicant Group partnered with a Co-Applicant Group, as defined above.
- In the case where more than two applications are submitted under the same NSD listing number, the application(s) with the primary applicant recognized as primary contact by the Neighborhood Services Department will take precedence.

## Required Documents

Applicants requesting between \$1 and ~~\$1,000~~ \$3,000:

- Organizations must be registered with City of Phoenix Neighborhood Services Department Neighborhood Notification Service by the grant application submission deadline.
- Must submit copies of at least **two** Primary Applicant Group neighborhood meeting agendas / minutes / ~~event flyers~~ / ~~flyers for meetings~~ ~~meeting flyers~~ held in separate months; and the agenda must list the crime prevention topics discussed.
  - The number of individuals in attendance and the crime prevention topic **must be included** on the meeting documentation.

Applicants requesting between ~~\$1,001~~ \$3,001 and ~~\$12,000~~ \$15,000:

- Organization must have been in existence and registered with City of Phoenix Neighborhood Services Department Neighborhood Notification at least six months prior to grant application submission deadline.
- Must submit copies of at least **four** Primary Applicant Group neighborhood meetings agendas / minutes / ~~event flyers~~ / ~~flyers for meetings~~ ~~meeting flyers~~ held in separate months; and the agenda must list the crime prevention topics discussed.
  - The number of individuals in attendance and the crime prevention topic **must be included** on the meeting documentation.

## HOA / Incorporated Neighborhood / 501(c)(3) Requirements

HOAs (as a Co-Applicant Group only), incorporated neighborhoods (as Primary Applicant Group or Co-Applicant Group), and neighborhoods with 501(c)(3) status (as Primary Applicant Group or Co-Applicant Group) **are required to complete the steps listed in the *Homeowners' Associations (HOA's) / 501(c)(3) Organizations Checklist*.**

### [HOA / 501\(c\)\(3\) Checklist Information](#)

If your organization (Block Watch / Neighborhood Association) resides within the existing boundaries of a formal HOA, your group must list the HOA as the Co-Applicant Group if your project requests any item(s) that:

- The Homeowners Association would normally be responsible for; or
- Could be perceived as an improvement to Homeowners Association property (e.g., dusk-to-dawn lighting, additional light poles, fencing, gates, etc.)

Applicants requesting items strictly for Block Watch or Phoenix Neighborhood Patrol activities (e.g., newsletters, mileage reimbursement, etc.) are not required to list the HOA as the Co-Applicant Group.

Please check with your HOA for specific community by-laws prior to submitting an application.

## **Geographic Boundaries**

The geographic area and/or population to be served must be identified in the grant application as listed with the City of Phoenix's Neighborhood Notification service. The service area shall be within the corporate limits of the City of Phoenix, and the impacted population must be Phoenix residents. Applicants must provide the number of households served within the Block Watch / neighborhood organization's area.

Applicants are limited to two grant application submissions within identical geographic boundaries; one for the group and one with a partner. Primary Applicant Group / Co-Applicant Group guidelines do apply.

## **Grant Dollar Limitations**

Grant amounts may vary, but the maximum grant amount that can be requested is ~~\$12,000~~ \$15,000. Budget estimates should match your proposal and NOT be inflated to reach the maximum figure. Round estimates to the nearest whole dollar amount and remember to account for sales tax, set up fees, shipping / freight, and/or permit fees (do not include as a separate line item(s)). Remember to address each item in the budget narrative.

## **Community Lighting Information**

The NBWGP Oversight Committee strongly suggests that all grant applicants look into cost effective, energy efficient lighting options for neighborhoods. Energy efficient lighting includes solar lighting and LED lighting options.

Using grant funds to pay electric bills for lighting is restricted in the following manner:

- A maximum of \$3,000 can be allocated towards electric bills for lighting.
- Lighting is encouraged to be directed and shielded so as to deter glare which can be a safety hazard to vehicles and pedestrians.
- Lighting color temperature should be consistent with the lighting color temperature approved and used by City of Phoenix (2700 Kelvin).

No new contracts for lighting will be allowed unless lighting systems are energy efficient.

Requests for funding of new lighting fixtures must be energy efficient and include a map or detailed description on the location of the installation.

## **PROHIBITED and RESTRICTED USE OF FUNDS**

Grant funds shall be used to fund new or existing programs and activities with an identifiable anti-crime component or safety element. Eligible uses include, but are not limited to, crime prevention programs, neighborhood crime-fighting workshops, and crime-fighting / prevention educational programs. Proposals to expand a current program or activity into a new geographic area where no similar programs or activities exist will be considered. Any service / equipment / product / resource already available through a City department / agency will be reviewed on a case-by-case basis.

Once City Council finalizes funding recommendations, grant funds may only be used for those items listed in the approved grant budget without written authorization from City Council or the Oversight Committee.

Additionally, grantees should be aware that the City of Phoenix political activity policy governs what type of political activities can be undertaken with NBWGP funds. Grantees are **prohibited** from using grant funds in the following manner:

- To influence, interfere with, or affect the results of an election.
- To participate in the management or affairs of any candidates' campaign for office including, but not limited to, soliciting, or making financial contributions to candidates.
- To purchase and/or display bumper stickers, posters, literature, buttons, or other campaign materials.
- For political advertisements, endorsements, or speeches.
- For any statement or action that endorses or opposes any political party, candidate, or ballot measure.

Grant funds **can** be used to promote basic election information such as: links to the city, county, or state voter registration/information sites, election dates, and neighborhood polling places. Additionally, grantees **are** allowed to privately express political opinions. Examples of what the policy allows include: posting private opinions on non-grant funded

social media accounts, displaying yard signs, signing nominating petitions, or communicating with another person or group of people regarding elections when the grantee does, not do so in a grantee award related capacity.

**ALL EXPENDITURES FROM PROVIDED GRANT FUNDS SHALL BE MADE ONLY IN ACCORDANCE WITH GRANTEE'S BUDGET AS SET FORTH IN THE APPROVED GRANT APPLICATION AND PROPOSAL, OR AS MODIFIED BY AGREEMENT IN WRITING SIGNED BY CITY AND GRANTEE. It is understood and agreed that GRANTEE, its officers, agents, and employees accept total responsibility and accountability for any misuse of funds, and any funds, including interest earned, not used in accordance with this contract shall be reimbursed to CITY by GRANTEE.**

No expenditures or encumbrances of grant funds may be made by GRANTEE prior to issuance of grant funds and notice to proceed by CITY.

**Prohibited Items List: Requests for prohibited items will be denied.**

Grant funds **cannot** be used to buy or pay for:

- Administration of the grant itself, including payment to an accountant or individual to complete quarterly reports or to pay Block Watch members for any services.
- Alcoholic beverages, including wine and beer;
- Awards and raffle prizes;
- Bulletproof vests;
- ~~Entertainment, parties, and recognition dinners not designated as a GAIN event.~~
- Entertainment, parties, and recognition dinners, unless they include a crime prevention, safety, and/or quality of life improvement component, such as a GAIN event.
- Entrance or admission fees for any in-state or out of state non-educational field trips, including water and amusement parks;
- ~~Food or beverages of any kind, including consumable prizes or incentives in the form of food or beverages;~~
- Motor vehicles;
- Out-of-state field trips or travel (educational or non-education);
- Surveillance equipment and drones, including night vision and listening devices (does not include graffiti cameras if partnering with the Neighborhood Services Department);
- Vehicle overhead emergency light bars;
- Weapons of any type, including firearms, pepper spray, mace, knives, stun guns, kubotan, etc.
- Weed killers and lawn chemicals labeled as hazardous material; recommended to use organically labeled products.
- Home alarm systems and/or vehicle alarm systems.

- Batteries and/or power sources used for mobility purposes.
- **Police Scanners**

Prior to submission, review your budget for errors and transpositions. Make sure your quantities and dollar amounts are correct. Additional budget / financial pages may be submitted in the document attachment section of the application.

## **Restricted Items**

Costs for the items listed below have been restricted by the NBWGP Oversight Committee.

Cellular phones purchased with NBWGP funds for the purpose of neighborhood patrols and Block Watch activities can be funded up to a maximum limit of \$480 per phone / service for the grant year. Additionally, groups must justify the need for the number of phones requested. NBWGP funds cannot be used to pay phone charges for long distance or special fee (900 numbers) phone calls.

Mileage Reimbursement is restricted to Phoenix Neighborhood Patrol or graffiti abatement activities. Grant funds can only be used to reimburse for mileage when Phoenix Neighborhood Patrol members are patrolling or doing graffiti abatement; this does not include attending training, meetings, or running errands. Mileage Reimbursement is limited to a combined maximum of \$1,000 per grant year for either Phoenix Neighborhood Patrol or graffiti abatement activities.

Crime Prevention Tools/Items will be restricted to a total of \$4,000 for the grant year. Additionally, Promotional/Marketing Tools/Items should have a crime prevention message printed on them.

## Restricted Items Chart

Restricted Items – total requested budgeted items cannot exceed specific restricted item amount.	Restricted Item Amount
Website Hosting / Maintenance / Domain Name / Email Server (a combined total of all items)	\$750
Adult clothing (t-shirts, jackets, hats, sweatshirts, etc.)	\$500
Digital cameras (per item)	\$300
Flashlights (per item)	\$25
Laptops, computers, tablets, or notebooks ( <del>\$1,000</del> \$1,500 per grant / <del>\$500</del> \$750 per item; and no more than two items per grant year; limited to a purchase of two items total every three grant years)	\$1,000 \$1,500 / <del>\$500</del> \$750
Paint sprayers (per item)	\$700
Two-way Radios, including accessories ( <del>per item</del> ) (per radio)	\$250
<del>Police Scanners (per item)</del>	<del>\$500</del>
Radar Gun (per item)	\$125
Lighting electricity bill	\$3,000
Guest Speaker (per presentation)	\$150
Insurance	\$2,000
Entertainer/Entertainment group to include Face Painter(s), Disc Jockey(s) or Balloon Artist(s) (each artist / group, per event)	\$150
Regular Copy Printers, including maintenance	\$500
Room / Facility Rental Fees per year	\$1,000
Youth Clothing / Uniforms	\$1,000
Food or beverages of any kind; must be for the use of crime prevention, safety, quality of life, or Wake-Up! Clubs”	\$500
Generators	\$750
Bicycles (\$500 per item; no more than two items per grant year)	\$500 / \$1,000
Promotional Items / Marketing Tools (*should include a printed crime prevention message)	\$3,000
Crime Prevention Tools/Items	\$4,000
<b>Restricted Budget Categories for Block Watch / Phoenix Neighborhood Patrol Programs</b>	

<b>The following items are restricted and may ONLY be purchased <del>in conjunction</del> for the use of the <del>with</del> Block Watch or Phoenix Neighborhood Patrol programs:</b>
*Block Watch and/or Phoenix Neighborhood Patrol clothing
*Cell Phones / Service - Limit \$480 per phone / service per year; number of phones must be justified in application
*Equipment (Two-way Radios / Police Scanners / Walkie-Talkies / Binoculars / Bicycles)
*Fuel / mileage Reimbursement for Phoenix Neighborhood Patrol Activity / Graffiti Abatement has a maximum limit of \$1,000 per grant year
*GAIN / Safety Event Crime Prevention Tools/Items (locks: window, door, steering wheel, and padlocks; timers; lighting: motion sensors, dusk-to-dawn, indoor/outdoor emergency lighting; alarms: small/individual door, pool, carbon <del>dioxide</del> <del>monoxide</del> detectors, smoke detectors, window, or personal; document shredders; individual RFID sleeves, <del>only</del> , etc.)
*GAIN / Safety Event Promotional Items / Marketing Tools (pens/pencils, letter openers, mugs, Frisbees, auto-window shades, wrist bands, mouse pads, key chains, kitchen products, microfiber cloths, bags, calendars, lanyards, note pads, etc.)
*Phoenix Neighborhood Patrol Magnetic and Metal Signs
*Rentals
*Supplies
<b>Restricted Budget Categories for Youth-Related Programs</b>
The following items are restricted and may ONLY be purchased in conjunction with Youth-Related Programs:
Camp Fees (In-state Only)
Clothing / Uniforms (Restricted to \$1,000 total per application)
<del>Craft / Gardening Supplies</del>
Games (Board / Video Game Systems and Accessories / Video and Computer Games / Cards / Pool, Ping Pong, and Foosball Tables / Music or Video CDs)
Sports Equipment and Supplies <del>/Bicycles</del>
Tournament Entry Fees (In-state ONLY)
Science, technology, engineering, and math (STEM) programs

<b>Other Restricted Items</b>
<b>Mileage Reimbursement for Graffiti Abatement activities</b> has a maximum limit of \$1,000 per group (this includes any Phoenix Neighborhood Patrol reimbursements).
<b>Internet Services</b> are restricted to a maximum limit of \$750 per year for service provided to community organizations / centers and a maximum of \$500 per year for service provided to an individual's residence.
<b>Lawful Traffic Mitigation Devices</b> , including speed humps / bumps, cannot be funded unless they can be directly tied to crime prevention.
<b>Laptops, computers, tablets, or notebooks</b> are restricted to a maximum of <del>\$1,000</del> \$1,500 per application; <del>or a total of two items</del> (in addition to <del>\$500</del> \$750 per item restriction); <b>no more than two items per grant year; limited to a purchase of two items total every three grant years.</b>

## **INSURANCE REQUIREMENT**

Grant applicants are responsible for reviewing, their activities, determining whether insurance is needed, and purchasing insurance, as they deem appropriate. Grant applicants should be aware that THEY are NOT COVERED by the City of Phoenix for ANY TYPE OF INSURANCE OR LIABILITY ISSUE ASSOCIATED WITH any of THEIR program, event, and/or activities. NBWGP Staff encourages applicants to contact a licensed insurance agent to ensure they have appropriate coverage for programs, events, and activities, INCLUDING AUTO LIABILITY, GENERAL LIABILITY, WORKERS COMPENSATION, DIRECTORS AND OFFICERS INSURANCE (for Primary Applicant Group ONLY), AND/OR PROPERTY INSURANCE for example.

## **AWARDED FUNDING**

Applications recommended by the NBWGP Oversight Committee for funding will be forwarded to the Public Safety and Veterans Subcommittee for its review and acceptance and then, to the Phoenix City Council for final approval and grant awards. The Phoenix City Council makes the final determination in the acceptance, denial or alteration of the funding level of each application.

NBWGP staff will notify applicants of funding results. Grant awards will be announced in June 2023; they cannot be funded prior to July 1, 2023.

## **POST AWARD PROCEDURES**

### **Contract**

All approved grant recipients are **required** to execute a contract with the City of Phoenix regarding the use of grant funds in accordance with NBWGP rules and regulations.

All grant funds will be deposited into a joint checking account with the City of Phoenix and applicant(s) as authorized signers. The City will designate the bank to be used for such accounts. Grant checking accounts **MUST ONLY** contain grant funds.

### **Banking Requirements**

All recipients' grant funds will be deposited into a bank checking account with the City of Phoenix listed as a co-signer on the account. All checking accounts will be centralized at the Downtown Chase Bank.

Chase Bank will not charge NBWGP grantees any service charges or check fees for the 2023 grant year. Any insufficient fund charges will be the responsibility of the grantee to pay personally. Grant funds cannot be used to pay insufficient fund charges.

### **Reporting**

Quarterly reports are used to evaluate grant project performance, compliance, and progress. Reports **MUST** be submitted by grant recipients within required timelines set by the City. Quarterly Report due dates are listed on the NBWGP Grant Management System (GMS) website and reminder emails are sent to grantees on a quarterly basis.

All records and documents related to project activities, expenses, bank statements, receipts, equipment, or other personal or tangible property purchased with grant funds **MUST** be maintained by the grantee for a period of at least two (2) years from the date of expiration of the grant contract.

Applicants that do not submit quarterly and final reports in a timely manner, that submit fraudulent applications or reports, and/or do not return all unused grant monies, **WILL NOT** be eligible for future funding and may face legal prosecution.

As a Co-Applicant Group, Neighborhood / Homeowners Association / Block Watch / etc., organizations are jointly responsible for tracking and reporting of expenditures when partnering with an organization.

Checks cannot be written for an amount greater than that on the receipt / invoice. In addition, checks **CANNOT** be made out to "Cash"; cash **CANNOT** be withdrawn from the grant checking account. Checks **CANNOT** be signed by and made out to the same person.

Any items purchased with NBWGP funds must be labeled "Funded with Phoenix NBWGP funds" when reasonable and prudent.

## CONCLUSION / TERMINATION OF PROJECT

At the conclusion or termination of a project, grant recipients that purchased equipment and/or other tangible property with NBWGP funds will have two options:

1. Return equipment to the City of Phoenix; or
2. Retain equipment by submitting a contract extension form

Should the grant recipient decide to retain any equipment beyond the completion or termination of the project, they must submit a Retained Equipment contract extension form (Exhibit D) with the final grant report. Each item the grant recipient would like to retain must be listed on the form and must be made available for two years in case of an audit.

During the two-year extended term of the contract, there will be no reporting requirements. The grant recipient will continue to use the equipment in connection with the programs and activities identified in the grant application and will maintain the equipment during its useful life. The City will retain the title to the equipment during the extended term and may request to see / audit the equipment at any time during the two- year contract extension.

At the end of the contract extension period, the equipment becomes property of the Primary Applicant Group listed on the application.

A few examples of retained equipment / tangible property includes computers / laptops, printers, tables, chairs, shade canopies, and cameras.

**ALL UNUSED GRANT MONIES MUST BE RETURNED TO THE CITY OF PHOENIX.**

## AUDITING

Grant recipients **MUST** agree to allow the City Auditor and/or the NBWGP staff complete access to all records, equipment, and/or tangible property related to the project for auditing purposes. City representatives **MUST** be allowed access to all locations grant activities are being conducted for evaluating the effectiveness of the grant project. Grant recipients **MUST** adhere to any other requirements deemed necessary by the City for the proper operation of projects.

## **SUPPLEMENTAL INFORMATION**

### **Scoring Criteria**

[Scoring Criteria](#)

### **Definition of Common Grant Terms**

[Common Grant Terms](#)

### **Grant Application Checklist**

[Application Checklist](#)

### **Frequently Asked Questions (FAQ)**

[Frequently Asked Questions](#)

## **CONTACT INFORMATION**

If you have any questions, please call the **NBWGP staff at 602-262-6131** assistance. Information provided by other sources may not be accurate.

## REVIEW OF CHANGES FOR 2023 NBWGP APPLICATION YEAR:

1. Amend the application guide to close the grant application process on Monday, December 5, 2022 at 4:00 p.m., Arizona time.\*
2. On page 5, under the Evaluation of Application section, replace “*NOTE: LINE-ITEM VETOES ARE PROHIBITED,*” with the following language: “The purpose of a grant is to enhance crime prevention, safety, and quality of life issues in the City of Phoenix. Line-item vetoes can be applied when at least two-thirds of attending committee members agree that the item does not meet these criteria.”
3. On page 6, under the Responsible Party Contact Information / Grant Contract Signers section, add the following as a fourth bullet point: “Co-Applicant Groups are limited to one grant application per grant year, unless they are a City of Phoenix Department.”
4. On Page 7, under the Volunteer hour contributions section, add the following language: “These hours should be directly related to grant projects to include, but not limited to, PNP; Alley Cleanups; GAIN; and/or Newsletters.”
5. On page 7, under the Operational Expenses section, add the following as a second bullet point: “Events funded by grant funds cannot solicit and/or accept funds such as admission or booth fees for that event.”
6. On pages 8, under the Equipment / Supplies section, add the following as a new bullet point: “Supplies necessary to maintain gates for the Gated Alley Program.”
7. On page 11, under Multiple Applications section, add the following as a third bullet point: “In the case where more than two applications are submitted under the same NSD listing number, the application(s) with the primary applicant recognized as primary contact by the Neighborhood Services Department will take precedence.”
8. On page 11, under Required Documents section, remove “Applicants requesting between \$1 and \$1,000,” and replace it with the following language: “Applicants requesting between \$1 and \$3,000.”
9. On page 11, under Required Documents section, remove “Applicants requesting between \$1,001 and \$12,000,” and replace it with the following language: “Applicants requesting between \$3,001 and \$15,000.”
10. On page 12, under Grant Dollar Limitations section, increase maximum grant award from \$12,000 to \$15,000.
11. On page 14, under Prohibited Items List section, remove the following bullet point: “Entertainment, parties, and recognition dinners not designated as a GAIN event,” and add the following as a new bullet point: “Entertainment, parties, and recognition dinners, unless they include a crime prevention, safety, and/or quality of life improvement component, such as a GAIN event.”

12. On page 14, under Prohibited Items List section, remove the following bullet point: "Food or beverages of any kind, including consumable prizes or incentives in the form of food or beverages;"
13. On page 14, under Prohibited Items List section, add the following as a new bullet point: "Police Scanners"
14. On page 16, under Restricted Items Chart section, remove "Laptops, computers, tablets, or notebooks (\$1,000 per grant / \$500 per item and no more than two items)," and replace it with the following: "Laptops, computers, tablets, or notebooks (\$1,500 per grant year / \$750 per item; no more than two items per grant year; limited to a purchase of two items total every three grant years)"
15. On page 16, under Restricted Items Chart section, remove "Two-way Radios (per item)," and replace it with the following: "Two-way Radios, including accessories (per radio)"
16. On page 16, under Restricted Items Chart section, remove "Police Scanners (per item)"
17. On page 16, under Restricted Items Chart section, remove "Face Painter(s), Disc Jockey(s) or Balloon Artist(s) (each artist, per event)" and replace it with the following: "Entertainer/Entertainment group to include Face Painter(s), Disc Jockey(s) or Balloon Artist(s) (each artist / group, per event)"
18. On page 16, under Restricted Items Chart section, add the following as a new restricted item: "Food or beverages of any kind; must be for the use of crime prevention, safety, quality of life, or Wake-Up! Clubs"
19. On page 16, under Restricted Items Chart section, add the following as a new restricted item: "Generators (restricted to \$750 per grant year)"
20. On page 16, under Restricted Items Chart section, add the following as a new restricted item: "Bicycles (\$500 per item; no more than two items per grant year)"
21. On page 17, under Restricted Budget Categories for Youth-Related Programs section, remove the following: "Craft / Gardening Supplies."
22. On page 17, under Restricted Budget Categories for Youth-Related Programs section, remove "Sports Equipment and Supplies / Bicycles" and replace it with the following: "Sports Equipment and Supplies"
23. On page 18, Other Restricted Items section, remove "Laptops, computers, tablets, or notebooks are restricted to a maximum of \$1,000 per application; or a total of two items (in addition to \$500 per item restriction)" and replace it with the following: "Laptops, computers, tablets, or notebooks are restricted to a maximum of 1,500 per application; (in addition to \$750 per item restriction); no more than two items per grant year; limited to a purchase of two items total every three grant years."
24. On page 18, under Insurance Requirement section, add the following language: "(for Primary Applicant Group ONLY)"

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## **Victim Center Renovation Funding (Ordinance S-49114)**

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

### **Summary**

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

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

A donation of \$550,000 from the Phoenix Police Foundation for the Victim Center Renovation was approved at the City Council formal meeting July 1, 2022. The Police

Department would match the donation amount to allow for renovation of additional areas within the Family Investigation Bureau, to offset rising costs and to purchase cubicles, furniture, and technology for the renovations.

**Financial Impact**

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

**Location**

2120 N. Central Ave.

Council District: 4

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Police Department.



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

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

### **Summary**

The Phoenix Police Department (PPD) requests to add eight Police Assistant positions, eight vehicles, and related equipment (**Attachment A**) to the Patrol Division to respond to non-emergency call types. The Police Department collaborated with Arizona State University (ASU) to assess current responses to citizen requests for police services through research of best practices by other jurisdictions and viable alternative responses. This research was conducted to recommend improvements that will ensure responses are effective, efficient, and equitable. The study focused on alternative responses to citizen requests for police services for eight non-emergency calls for services.

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

### Found Property

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

### *Recommendations:*

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- PPD will continue to dispatch officers to found property involving firearms, narcotics, identifiable stolen items, and/or items that could be dangerous to the public.
- For items not described above, PPD will request the finder to bring the property to a PPD precinct.
- PPD will enhance online community messaging related to information and resources on this topic.

### Abandoned Vehicles

According to current PPD Operations Orders related to an inoperable vehicle on a public right of way, employees will check the vehicle through the Arizona Crime Information Center (ACIC) and National Crime Information Center (NCIC) then issue a Notice of Violation if the owner can be established. The employee will request a contracted tow company to have the vehicle towed as soon as possible. An operable vehicle left on a public street is considered abandoned if it has been left for 72 continuous hours. The employee will contact the owner to ask them to move it and the vehicle will be "red tagged" with a vehicle removal notification. The employee must recheck the vehicle 48-72 hours later and contact a towing company if the owner cannot be contacted.

### *Recommendations:*

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

### Parking Complaints

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

### *Recommendations:*

- PPD will work to enhance the capacity of the Police Assistant job classification to be the primary responder to parking complaints.
- PPD will draft a new policy for parking enforcement to clearly define what is considered a Road Safety Hazard (RSH). A RSH is currently described as a vehicle parked in the way that could impact public safety.
- If a call is deemed by dispatchers to be a RSH, per policy, it will be dispatched to a sworn officer or a Police Assistant.

- If a call is not deemed to be a RSH, then it will be sent to a Police Assistant between 8:00 a.m. and 6:00 p.m.
- PPD will enhance online community messaging related to information and resources on the topic.

#### Minor-Damage/Non-Injury Vehicle Collisions

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

#### *Recommendations:*

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

#### **Concurrence/Previous Council Action**

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

#### **Financial Impact**

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

#### **Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Police Department.

**Attachment A**  
**Police Department**  
**Additional Civilian Positions**

<b>Position</b>	<b>Job Code</b>	<b>Job Grade</b>
Police Assistant (8)	62160	325



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

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

**Summary**

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

**Procurement Information**

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

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

- Offeror had a minimum of 5 consecutive years of experience in the last 10 years in the manufacturing and/or supplying of retro-reflective glass beads
- Offeror's products comply with FAA Specifications TT-B-1325D
- Offeror's products comply with FAA advisory specifications for beads as specified in Advisory Circulars 150/5370-10H, 150/5340-1M

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

**Contract Term**

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

**Financial Impact**

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

**Location**

Phoenix Sky Harbor International Airport - 2485 E. Buckeye Road;

Council District: 8

Phoenix Deer Valley Airport - 702 W. Deer Valley Road;

Council District: 1

Goodyear Airport - 1658 S. Litchfield Road, Goodyear

Council District: Out of City

**Responsible Department**

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



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

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

### **Summary**

The northwest corner at PHX currently consists of hangars, covered aircraft parking, and other buildings. Most of the buildings and asphalt in this area are at the end of their useful life. In October 2021, the Aviation Department (AVN) issued a Request for Information (RFI) to potential users and developers for possible redevelopment ideas for this aging and underutilized land in the northwest corner of PHX. The RFI received six responses: three for the development of hangars and aircraft support facilities, and three for air cargo development. AVN is now seeking a qualified developer to develop approximately 28 acres for air cargo, including air cargo buildings (warehouse), aircraft aprons, and supporting structures. The successful respondent will enter into a ground lease with AVN.

### **Procurement Information**

AVN will conduct an RCS to select a successful respondent. Responsive and responsible respondents will be evaluated according to the following evaluation criteria:

- Qualifications and Experience
- Experience of Key Personnel
- Method of Approach to Design, Build and Operate an Air Cargo Facility
- Proposed Design Concepts
- Sustainability

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

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

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throughout the RCS process.

### **Public Outreach**

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

### **Contract Term**

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

### **Financial Impact**

Current rent for undeveloped land at PHX is \$1.05 per square foot. Annual revenue for this ground lease will be approximately \$1,280,664 per year. Rent shall be adjusted every three years on the rent commencement date according to the Phoenix-Mesa-Scottsdale Consumer Price Index, or three percent, whichever is greater. Rent will never be adjusted to an amount less than the first year's rent or rent for the previous year. Total anticipated rent over the term of the lease will be approximately \$38,419,920 if the extension option is exercised.

### **Concurrence/Previous Council Action**

The Business and Development Subcommittee recommended approval of this item on Sept. 1, 2022 by a vote of 2-0.

The Phoenix Aviation Advisory Board recommended approval of this item on Sept. 15, 2022 by a vote of 6-0.

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Oct. 19, 2022 by a vote of 4-0.

### **Location**

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

### **Responsible Department**

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



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

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

### **Summary**

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

### **Contract Term**

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

### **Financial Impact**

Rent for the first year will be approximately \$7,612.50 (\$1.05 per square foot) and will be adjusted based on the Phoenix-Mesa-Scottsdale Consumer Price Index. Total anticipated revenue over the term of the lease will be approximately \$30,450, if all options are exercised.

### **Location**

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

### **Responsible Department**

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



## **Certificate of Insurance Monitoring (Ordinance S-49082)**

Request to authorize the City Manager, or his designee, to enter into a contract with Exigis, LLC to provide Certificate of Insurance (COI) Monitoring for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$230,000.

### **Summary**

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

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

### **Procurement Information**

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

The proposal was evaluated by an evaluation panel and scored based on the following criteria, with a point range of 0-1,000 points:

- Overall Qualifications and Experience of the Vendor and Key Personnel: 0-300 points.
- Method of Approach: 0-275 points.
- Customer Service and Training: 0-250 points.
- Fee Schedule and Invoicing: 0-175 points.

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

- Exigis, LLC - 915 points.

**Contract Term**

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

**Financial Impact**

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

**Location**

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

**Responsible Department**

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



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

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

**Summary**

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

**Procurement Information**

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

Cleantech Environmental: \$8,295.00

**Contract Term**

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

**Financial Impact**

The estimated annual expenditure of the contract is \$22,458. The total aggregate

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value will not exceed \$112,290 including option years.

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

**Responsible Department**

This item is submitted by Deputy City Managers Mario Paniagua and Karen Peters, and the Aviation and Public Works departments.



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

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

**Summary**

The Public Works Department is responsible for maintenance and repair of 249 side loader and rear loader refuse trucks. Approximately 141 of the refuse trucks will be maintained using the XT-3 caterpillar hoses as replacements. Empire Southwest will conduct a full system re-hose for each unit as well as catalog the hose to ensure size, fitting, and routing are manufactured to original equipment manufacturer specifications. The XT-3 hose is an exclusive, Caterpillar-designed polyethylene cover that has successfully passed two million abrasion cycle tests without failure. These hoses are highly resistant to chemicals and weathering and eliminate the need for nylon and plastic, which can significantly reduce material and labor costs over time.

**Procurement Information**

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

**Contract Term**

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

**Financial Impact**

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

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

**Responsible Department**

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



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

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

**Summary**

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

**Procurement Information**

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

**Contract Term**

The contract had an initial contract term of two years beginning Feb. 1, 2015, with three option years to be exercised in increments of up to one year. Previous City

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

**Financial Impact**

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

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

**Concurrence/Previous Council Action**

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

**Responsible Department**

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



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

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

**Summary**

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

**Procurement Information**

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

Ladder Tender: \$420,114 each

**Contract Term**

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

**Financial Impact**

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

Funding is available in the Fire Department's budget.

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and Deputy City Manager Karen Peters, and the Fire and Public Works departments.



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

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

### **Summary**

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

### **Procurement Information**

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

Utility Truck: \$745,820 each

### **Contract Term**

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

### **Financial Impact**

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

Funding is available in the Fire Department's budget.

### **Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and Deputy City Manager Karen Peters, and the Fire and Public Works departments.



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

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

### **Summary**

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

### **Contract Term**

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

### **Financial Impact**

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

### **Concurrence/Previous Council Action**

The City Council previously reviewed this request:

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

### **Responsible Department**

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



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**Salt River Project Land Use License for Private Commercial Development at 635 W. Glenrosa Ave. (Ordinance S-49095)**

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

**Summary**

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

**Contract Term**

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

**Financial Impact**

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

**Location**

6th Drive and Glenrosa Ave.  
Council District: 4

**Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua, the Street Transportation Department, and the City Engineer.



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

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

**Summary**

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

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

**Contract Term**

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

**Financial Impact**

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

**Concurrence/Previous Council Action**

The City Council previously reviewed this request:

- Blank Out Signs, Contract 143159 (Ordinance S-42778) on July 1, 2016;

- Blank Out Signs, Contract 143159 (Ordinance S-47692) on June 16, 2021;
- Blank Out Signs, Contract 143159 (Ordinance S-48173) on Dec. 15, 2021.

**Responsible Department**

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



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

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

**Summary**

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

**Contract Term**

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

**Financial Impact**

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

**Location**

6215 N. 15th Ave.  
Council District: 5

**Responsible Department**

This item is submitted by Deputy City Managers Mario Paniagua and Inger Erickson, the Street Transportation and the Parks and Recreation departments, and the City Engineer.



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

Request to authorize the City Manager, or his designee, to enter into a Line Extension agreement with Arizona Public Service for installation of electric distribution facilities associated with City of Phoenix Project ST85100449. Further request to authorize the City Controller to disburse all funds related to this item. The value of this Agreement will not exceed \$178,804.63.

**Summary**

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

**Contract Term**

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

**Financial Impact**

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

**Location**

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

**Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua, the Street Transportation Department, and the City Engineer.



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

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

**Summary**

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

**Contract Term**

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

**Financial Impact**

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

**Location**

Cave Creek Road and Desert Willow Parkway  
Council District: 2

**Responsible Department**

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



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

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

**Summary**

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

**Contract Term**

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

**Financial Impact**

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

**Location**

107th Avenue and Indian School Road  
Council District: 5

**Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua, the Street Transportation Department, and the City Engineer.



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

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

**Summary**

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

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

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

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

**Contract Term**

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

**Financial Impact**

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

Funding is available in the Water Services Department budget.

**Concurrence/Previous Council Action**

The City Council approved:

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

**Responsible Department**

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



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

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

**Summary**

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

Phoenix has a proven history of water conservation, reducing per capita use by 30 percent over the last 30 years. The Phoenix City Council renewed that commitment to water efficiency in 2019 by adopting the recommendations of the Ad Hoc Water Conservation Committee to enhance or initiate 12 water conservation programs. Since that time, Phoenix has hired 5 additional staff members and started implementation of those recommendations. While municipal conservation alone cannot yield sufficient water savings to meet the request of the Bureau of Reclamation, this MOU offers Phoenix an opportunity to collaborate with other municipal water providers throughout the seven Colorado River basin states in sharing best practices and committing to

improving water conservation efforts.

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

**Financial Impact**

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

**Responsible Department**

This item is brought by Deputy City Manager Karen Peters and the Water Services Department.



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

Plat: 220031  
Project: 21-1160  
Name of Plat: Bell & 34th Way Multifamily  
Owner: KIW Phoenix Bell Venture, LLC  
Engineer: Eric L. Sostrom, RLS  
Request: A 1 Lot Commercial Plat  
Reviewed by Staff: Sept. 25, 2022  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

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

**Responsible Department**

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



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

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

**Summary**

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

**Location**

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

**Responsible Department**

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



**Final Plat - Alphagraphics - PLAT 220058 - Southwest Corner of Campbell Avenue and 24th Street**

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

**Summary**

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

**Location**

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

**Responsible Department**

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



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

Plat: 220048

Project: 21-5155

Name of Plat: Halcyon I

Owner: Halcyon Development Fund II, LLC

Engineer: Paul M. Miller, RLS

Request: A 1 Lot Commercial Plat

Reviewed by Staff: Sept. 28, 2022

Final Plat requires Formal Action Only

**Summary**

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

**Location**

Located at 1580 W. Garfield St.

Council District: 7

**Responsible Department**

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



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

Abandonment: ABND 210048

Project: 00-4972

Applicant: Todd Ludwig

Request: To abandon the overlapping 20-foot public utility easement and 16-foot equestrian easement.

Date of Decision/Hearing: May 12, 2022

**Location**

69th Street, 70th Street and Presidio Road.

Council District: 2

**Financial Impact**

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

**Responsible Department**

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



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

Abandonment: ABND 220033

Project: 21-1160

Applicant(s): Derek Clayton, KIW Phoenix Bell Venture, LLC

Request: A 20-foot drainage easement recorded in document 2000-678550 Maricopa County Recorder located west of 34th Way, north of Bell Road, and south of Danbury Road.

Date of Decision/Hearing: Aug. 23, 2022

**Location**

3420 E. Bell Road.

Council District: 2

**Financial Impact**

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

**Responsible Department**

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



**Abandonment of Right-of-Way Easement - ABND 220020 - 2030 and 2036 E. Michigan Ave. (Resolution 22074)**

Abandonment: ABND 220020

Project: 21-2889

Applicant(s): GCHI Landholding LLC

Request: Portions of 5-foot wide right-of-way easement near the southern property lines of 2030 and 2036 E. Michigan Ave.

Date of Decision/Hearing: May 12, 2022

**Location**

2030 and 2036 E. Michigan Ave.

Council District: 3

**Financial Impact**

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

**Responsible Department**

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



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

Abandonment: ABND 210002

Project: 20-4356

Applicant: Adam Baugh, Withey Morris

Request: To abandon the entirety of 8th Place right-of-way, south of Euclid Avenue.

Date of Decision/Hearing: March 4, 2021

**Summary**

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

**Location**

8th Place and Euclid Avenue.

Council District: 8

**Financial Impact**

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

**Responsible Department**

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



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

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

**Summary**

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

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

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

The public use dedications to be terminated are:

- 1) 30 foot wide trail easement dedicated as a public easement via plat 208/14, Maricopa County Recorder (MCR) 19790042745
- 2) 30 foot wide easement dedicated to the public by plat 316/16, MCR 19870625219
- 3) 30 foot wide easement dedicated to the public via plat 380/24, MCR

19940551280

**Location**

North of East Lincoln Drive, east of North Arizona Biltmore Circle and east of North 29th Place.

Council District: 6

**Financial Impact**

There is no financial impact for this item.

**Responsible Department**

This item is submitted by Deputy City Managers Alan Stephenson and Inger Erickson, and the Planning and Development and Parks and Recreation departments.



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

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

**Summary**

Application: PHO-2-22--Z-206-86-8(7)

Existing Zoning: C-2 BAOD

Acreage: 1.93

Owner: Herbert and Patricia Dreiseszun Trust

Applicant: Andrew Biskind, TBBG Acquisitions LLC

Representative: Benjamin Tate, Withey Morris PLC

**Proposal:**

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

**Concurrence/Previous Council Action**

Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee opted not to hear this case.

Planning Hearing Officer Recommendation: The Planning Hearing Officer took the case under advisement. On Sept. 14, 2022, the Planning Hearing Officer took the case out from under advisement and recommended approval with a modification and additional stipulations.

**Location**

Approximately 340 feet north of the northwest corner of Jesse Owens Parkway and Baseline Road.

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Council District: 7

Parcel Address: 7400 S Jesse Owens Pkwy.

**Responsible Department**

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

**Attachment A- Stipulations - PHO-2-22--Z-206-86-8(7)**

**Location:** Approximately 340 feet north of the northwest corner of Jesse Owens Parkway and Baseline Road

**Stipulations:**

1.	THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED JUNE 1, 2022, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
2. 4.	<del>That</del> Within 90 days of final City Council approval of this zoning change, a rezoning application SHALL be filed to adjust zoning district boundaries to conform to alignment of the loop road, and to include the existing C-2 zoned property fronting Central Avenue.
2.	<del>That development be in general conformance to the site plan submitted, with the understanding that rezoning is required to adjust district boundaries.</del>
3.	<del>That</del> The entire development proposal SHALL be subject to the <del>Development Coordination Office</del> PLANNING AND DEVELOPMENT DEPARTMENT site plan review and approval in accordance with Section 511 of the Zoning Ordinance.
4.	<del>That</del> Approval SHALL be conditioned upon development of the commercial districts within 24 months and the residential districts within 36 months of City Council zoning approval in accordance with Section 108-M of the Zoning Ordinance.
5.	<del>That</del> An average landscaped setback of 51 feet for any building and parking area will be provided along Baseline Road and average landscaped setback of 25 feet will be provided along Central Avenue measured from the property line.
6.	<del>That</del> Two rows of 24-inch box-sized citrus trees and/or date palms and large areas of flowers will be planted along Baseline Road, 20 feet on center or equivalent groupings as approved by the PLANNING AND Development DEPARTMENT <del>Coordination Office</del> .
7.	<del>That</del> There shall be mature landscaping along Central Avenue to include 24-inch box trees spaced a maximum of 25 feet on center or placed in equivalent groupings.

8.	<del>That</del> All parking along Baseline Road and Central Avenue shall be screened with landscaped berms, a three-foot wall, or combination thereof, as approved by the PLANNING AND Development DEPARTMENT <del>Coordination Office</del> .
9.	<del>That</del> Five percent or more of interior parking shall be landscaped with reasonable distribution throughout the parking area and along the face of the buildings.
10.	<del>That</del> No drive-through facility on the site will have its drive-through land facing any public right-of-way with the exception of the new road.
11.	<del>That</del> A pedestrian and bike trail SHALL be provided and maintained along Baseline Road and the loop roadway, the location, width, coloration, and design of which is to be determined by the PLANNING AND Development DEPARTMENT <del>Coordination Office</del> review.  <del>That</del> The improvements (sidewalk, etc.) made through the Improvement District SHALL remain and accommodate the intent of this stipulation.
12.	<del>That</del> All rooftop mechanical units shall be screened by parapet walls, building walls or enclosed in a mechanical equipment penthouse that shall BE architecturally integrated with the buildings.
13.	<del>That</del> Apartment buildings along the north portion of the site shall be limited to two-stories in height.
14.	<del>That</del> Signage will be in conformance with the guidelines (recommendations) adopted by the South Mountain Village Planning Committee (the "Committee") for the Baseline Scenic Parkway, provided:
a.	Those guidelines are adopted by the time the applicant is ready to install signage;
b.	The applicant has the opportunity to provide input to the Committee concerning the appropriate dimensions and appearance of the signage;
c.	The guidelines specifically address signage for commercial shopping centers.
15.	<del>That</del> The intersection of Central Avenue with Jesse Owens Parkway is to align with Fremont Drive (one quarter mile point) to the west of Central Avenue or offset no more than a half street width to the south of that alignment. (This is imperative in order to coordinate the traffic signals and minimize delay for traffic on Central AVENUE).

16.	<del>That</del> Future signalization of Jesse Owens Parkway and Central Avenue and Baseline Road will be at the expense of the developer. Traffic signals will not be installed until the warrants are met or a need is supported by a traffic study submitted and reviewed by the <del>Streets and Traffic</del> STREET TRANSPORTATION Department.
17.	<del>That</del> Right lanes will be required on Baseline Road at Jesse Owens Parkway and on Central Avenue at Jesse Owens Parkway.
18.	<del>That</del> Construction of an internal loop road and bridge over the Western Canal SHALL be provided by the applicant/property owner with cooperation and support by the City of Phoenix in the first phase of development.
19.	<del>That the site be developed in general conformance to the site plan presented to the Planning Hearing Officer on July 26, 1989, which is for the property east of the Jesse Owens Parkway and is for a K-Mart development.</del>
19. 20.	<del>That</del> Walls or fencing along the north side of the Western Canal shall be offset to reduce scale and bulk and to maximize the safety and security for pedestrians and other persons using the trail along the canal, as approved by the PLANNING AND Development DEPARTMENT <del>Coordination Office</del> . If masonry walls are used along the north side of the canal, they shall be attractively landscaped and maintained and shall be colored to blend in with the surrounding landscaping.
20.	THE DEVELOPER SHALL PROVIDE \$15,000.00 IN AN ESCROW ACCOUNT TO THE STREET TRANSPORTATION DEPARTMENT FOR A HAWK INSTALLATION AT JESSE OWENS PARKWAY AND THE WESTERN CANAL, PRIOR TO PRELIMINARY SITE PLAN APPROVAL.



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

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

**Summary**

Application: PHO-4-22--Z-6-04-7

Existing Zoning: C-2

Acreage: 1.68

Owner: QuikTrip Corporation

Applicant: M3 Design

Representative: M3 Design

Proposal:

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

**Concurrence/Previous Council Action**

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard the request on Sept. 20, 2022 and recommended approval by a vote of 12-0-1.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with a modification and additional stipulations.

**Location**

Approximately 300 feet south of the southeast corner of 107th Avenue and Lower Buckeye Road.

Council District: 7

Parcel Address: N/A

**Responsible Department**

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

**Attachment A- Stipulations - PHO-4-22—Z-6-04-7**

**Location:** Approximately 300 feet south of the southeast corner of 107th Avenue and Lower Buckeye Road

**Stipulations:**

Trails and Landscaping	
1.	<del>That</del> The development shall conform to the Estrella Village Arterial Street Landscaping program that specifically provides landscaping requirements for Lower Buckeye Road defined in the plan as a village parkway.
2.	<del>That</del> The developer shall provide a 30-foot wide public trail easement along the east side of 107th Avenue and along the south side of Lower Buckeye Road exclusively for public utility easement, trail, and landscaping, unless modified by the Parks and Recreation Department.
Residential	
3.	<del>That</del> The single-family development shall be in general conformance to the site plan date stamped January 15, 2004 as approved or modified by THE PLANNING AND Development <del>Services</del> Department.
4.	<del>That</del> A minimum 40 x 40 foot triangular landscape entry area SHALL be provided on each corner at the main entrance to the residential subdivision to be located on 107th Avenue as approved or modified by THE PLANNING AND Development <del>Services</del> Department.
5.	<del>That</del> Open space amenities shall be located outside of retention areas.
6.	<del>That</del> The property owner shall record documents that disclose to purchasers of the property within the development the existence and potential characteristics of the Tolleson Wastewater Treatment Plan and the Phoenix Goodyear Airport. The form and content of such documents shall be reviewed and approved by the city attorney.
Commercial	
7.	<del>That the commercial elevations shall be reviewed and approved through the Planning Hearing Officer process prior to preliminary site plan approval with the Development Services Department.</del>  THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED AUGUST 2, 2022, AS MODIFIED

	BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
8.	<del>That</del> The commercial site shall be developed with a similar architectural theme. The theme shall assure that the building and canopy colors, elevations, exterior materials, landscaping, lighting, and signage convey a sense of continuity throughout the development. A master architectural theme shall be provided before preliminary site plan approval of the first building as approved or modified by THE PLANNING AND Development Services Department.
9.	<del>That</del> The development shall conform to the Estrella Village Arterial Street Landscaping program that specifically requires an entry feature on the southeast corner of 107th Avenue and Lower Buckeye Road designated as a gateway intersection in the plan.
Street Improvements	
10.	<del>That a</del> Right-of-way totaling 55 feet shall be dedicated for the south half of Lower Buckeye Road.
11.	<del>That a</del> Right-of-way totaling 55 feet shall be dedicated for the east half of 107th Avenue.
12.	<del>That</del> 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.
13.	<del>That</del> The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
14.	ALL ACCESS CONTROL ALONG 107TH AVENUE SHALL BE REVIEWED AND APPROVED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION, PRIOR TO PRELIMINARY SITE PLAN APPROVAL.
15.	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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**Amend City Code - Official Supplementary Zoning Map 1236 (Ordinance G-7042)**

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1236. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with a portion of Z-SP-17-02 and the entitlements are fully vested.

**Summary**

To rezone a parcel located approximately 660 feet south of the southeast corner of 51st Avenue and Baseline Road

Application No.: Z-SP-17-02

Zoning: R-3 SP

Owner: Cheatham, et al., c/o Greg Alpert

Acreage: 1.43

**Location**

Approximately 660 feet south of the southeast corner of 51st Avenue and Baseline Road

Address: 7755 S. 51st Ave.

Council District: 8

**Responsible Department**

This item is submitted by Deputy City Manager Alan Stephenson 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 1236.

\_\_\_\_\_

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 1236, which  
accompanies and is annexed to this ordinance and declared a part hereof.

PASSED by the Council of the City of Phoenix this 26th day of October,  
2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By: \_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Jeffrey Barton, City Manager

PL:tml:LF22-1113:8-31-2022:

DRAFT

# OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1236

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 26th day of October 2022.



Z-SP-17-02



ZONING SUBJECT TO STIPULATIONS: \*  
AREA INVOLVED BOUNDED THUS: - - - - -

Drawn by: LW