



Agenda

City Council Formal Meeting

Wednesday, March 23, 2022

2:30 PM

phoenix.gov

OPTIONS TO ACCESS THIS MEETING

Request to speak at a meeting:

- **Register online** by visiting the City Council Meetings page on phoenix.gov **at least 1 hour prior to the start of this meeting**. Then, click on this link at the time of the meeting and join the Webex to speak: <https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=e0129b3a217de9acb8895f6a672bcd2ba>

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

At the time of the meeting:

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

- **Call-in** to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 2556 375 8462# (for English) or 2552 452 1543# (for Spanish). Press # again when prompted for attendee ID.

Para nuestros residentes de habla hispana:

- **Para registrarse para hablar en español**, llame al 602-262-6001 **al menos 1 hora antes del inicio de esta reunión** e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 2552 452 1543#. 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 452 1543#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 3/23/2022, Item No. 1

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: March 23, 2022

Subject: BOARDS AND COMMISSIONS – APPOINTEES

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

Historic Preservation Commission / Heritage Commission

I recommend the following for appointment:

Brenda Thomson

Ms. Thomson is the Executive Director of the Arizona Humanities Council and a resident of District 7. She replaces Tricia Amato in a Resident of Phoenix seat for a term to expire March 23, 2025.

Taz Khatri

Ms. Khatri is the Principal Architect at Taz Khatri Studios and a resident of District 4. She replaces John Wilenchik for a term to expire March 23, 2025.

I recommend the following for reappointment:

Tricia Amato

Ms. Amato will replace Sherry Rampy as a Real Estate representative for her second term to expire March 23, 2025.

Dan Garcia

Mr. Garcia is serving his second term to expire July 6, 2023.

Richard de Uriarte

Mr. de Uriarte is serving his third term to expire December 14, 2022.

Phoenix Business and Workforce Development Board

I recommend the following for appointment:

Dean Scheinert

Mr. Scheinert is the Chief Operating Officer at St. Joseph the Worker. He fills a Workforce Representative seat for a partial term to expire June 30, 2023.

Samuel Wolo

Mr. Wolo is the Regional Plant Leader at W.L. Gore & Associates and a resident of District 8. He fills a Business seat for a partial term to expire June 30, 2022.

Phoenix Deferred Compensation Board / Post Employment Healthcare Plan Board

I and City Manager Jeffrey Barton recommend the following individual for appointment:

Jim Frazier

Mr. Frazier is recommended by the Coalition of Phoenix City Unions (COPCU) to represent employees. He replaces David Nieto for a partial term to expire September 30, 2022.



Liquor License - Sid's Garage

Request for a liquor license. Arizona State License Application 181665.

Summary

Applicant

Amy Nations, Agent

License Type

Series 12 - Restaurant

Location

21001 N. Tatum Blvd., Ste. 48-1540

Zoning Classification: C-2

Council District: 2

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption. This business is currently being remodeled with plans to open in April 2022.

The 60-day limit for processing this application is March 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

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The owner of the business currently holds liquor licenses for 5 locations in Idaho. This is the 97th location that he has been a part of opening. He has 30 years experience in operating restaurants and knows what it takes to operate a successful business."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"Sid's garage is a fun new concept for Phoenix. It offers great burgers with specialty ice cream shakes. Sid's garage will be located in the Desert Ridge Marketplace. This will be the only of it's kind in the area and we believe our community will be happy to call us neighbors."

Staff Recommendation

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

Attachments

Liquor License Data - Sid's Garage

Liquor License Map - Sid's Garage

Responsible Department

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

Liquor License Data: SIDS GARAGE

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	10	7
Beer and Wine Bar	7	3	2
Liquor Store	9	3	3
Beer and Wine Store	10	4	3
Hotel	11	1	0
Restaurant	12	30	27

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	37.04	97.87
Violent Crimes	9.21	2.04	5.41

*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

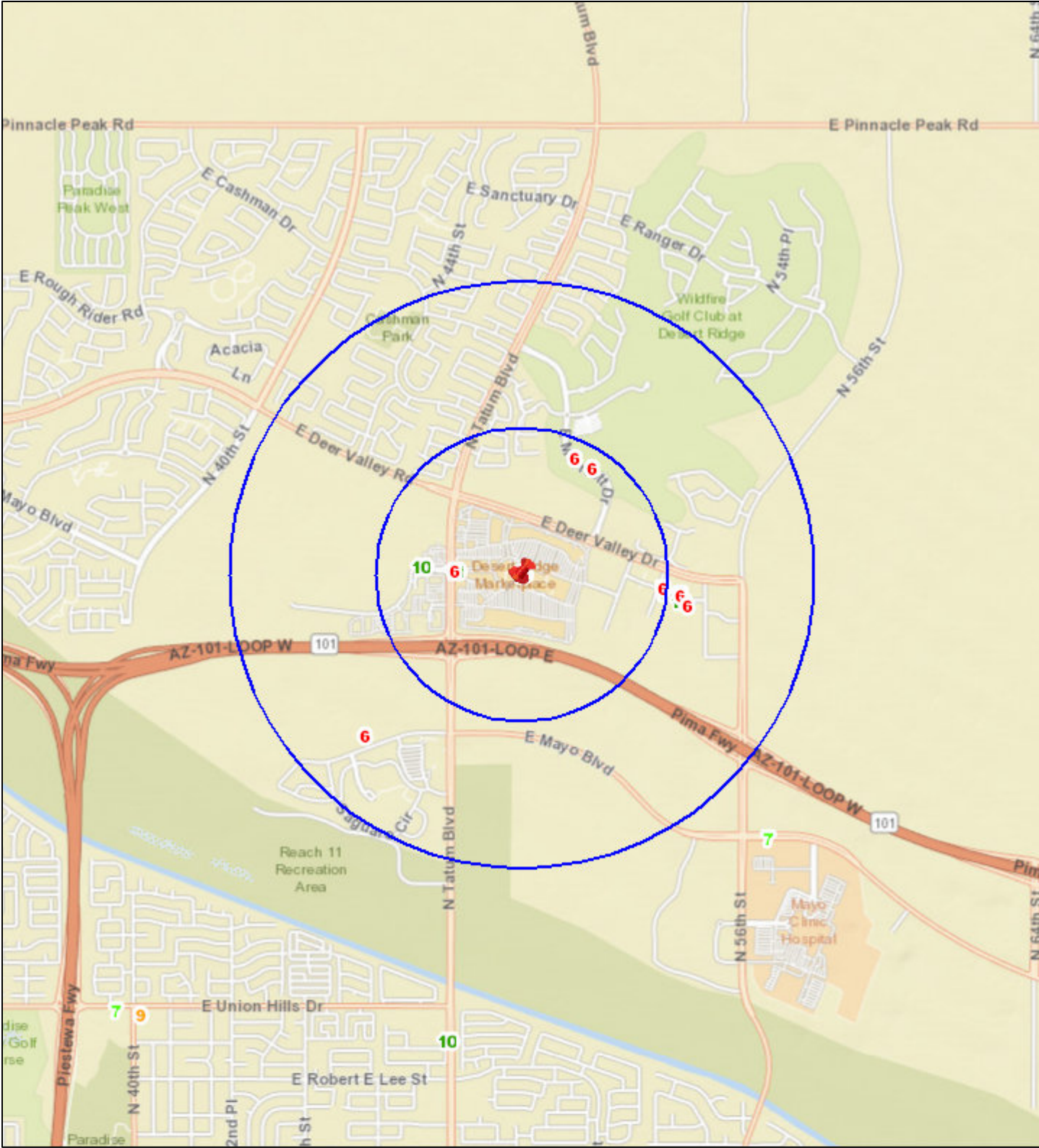
Description	Average	1/2 Mile Average
Parcels w/Violations	56	3
Total Violations	97	3

Census 2010 Data 1/2 Mile Radius

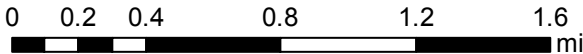
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6150003	344	8 %	38 %	5 %
6151001	1444	84 %	18 %	8 %
6152001	1993	8 %	29 %	12 %
6152002	2127	70 %	10 %	4 %
6152003	867	89 %	26 %	2 %
Average		61 %	13 %	19 %

Liquor License Map: SIDS GARAGE

21001 N TATUM BLVD



Date: 2/2/2022





Liquor License - Native Grill & Wings

Request for a liquor license. Arizona State License Application 182481.

Summary

Applicant

Navayogasingam Thuraisingam, Agent

License Type

Series 12 - Restaurant

Location

10004 N. 26th Drive

Zoning Classification: A-1

Council District: 3

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

The 60-day limit for processing this application is April 5, 2022.

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

Other Active Liquor License Interest in Arizona

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

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

O H S O Brewery & Eatery (Series 12)
3800 E. Sky Harbor Blvd., #F51, Phoenix
Calls for police service: 1,433
Liquor license violations: None

Barrio Brewing Company Restaurant (Series 12)
5803 S. Sossaman Road, Mesa
Calls for police service: N/A - Not in Phoenix
Liquor license violations: None

Copper Plate An American Grill (Series 12 with Growler Privileges)
6033 S. Sossaman Road, Mesa
Calls for police service: N/A - Not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We have operated several restaurants throughout the Valley for several years, serving food and alcohol to communities, and have always complied with all liquor rules and regulations, without any issue or problems."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This restaurant will provide the community with a welcome option for dining and will also provide employment opportunities to the surrounding area."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Native Grill & Wings

Liquor License Map - Native Grill & Wings

Responsible Department

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

Liquor License Data: NATIVE GRILL & WINGS

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	0
Government	5	1	1
Bar	6	5	1
Beer and Wine Bar	7	1	1
Liquor Store	9	3	0
Beer and Wine Store	10	4	1
Hotel	11	3	2
Restaurant	12	26	12

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	196.89	283.65
Violent Crimes	9.21	30.01	35.03

*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

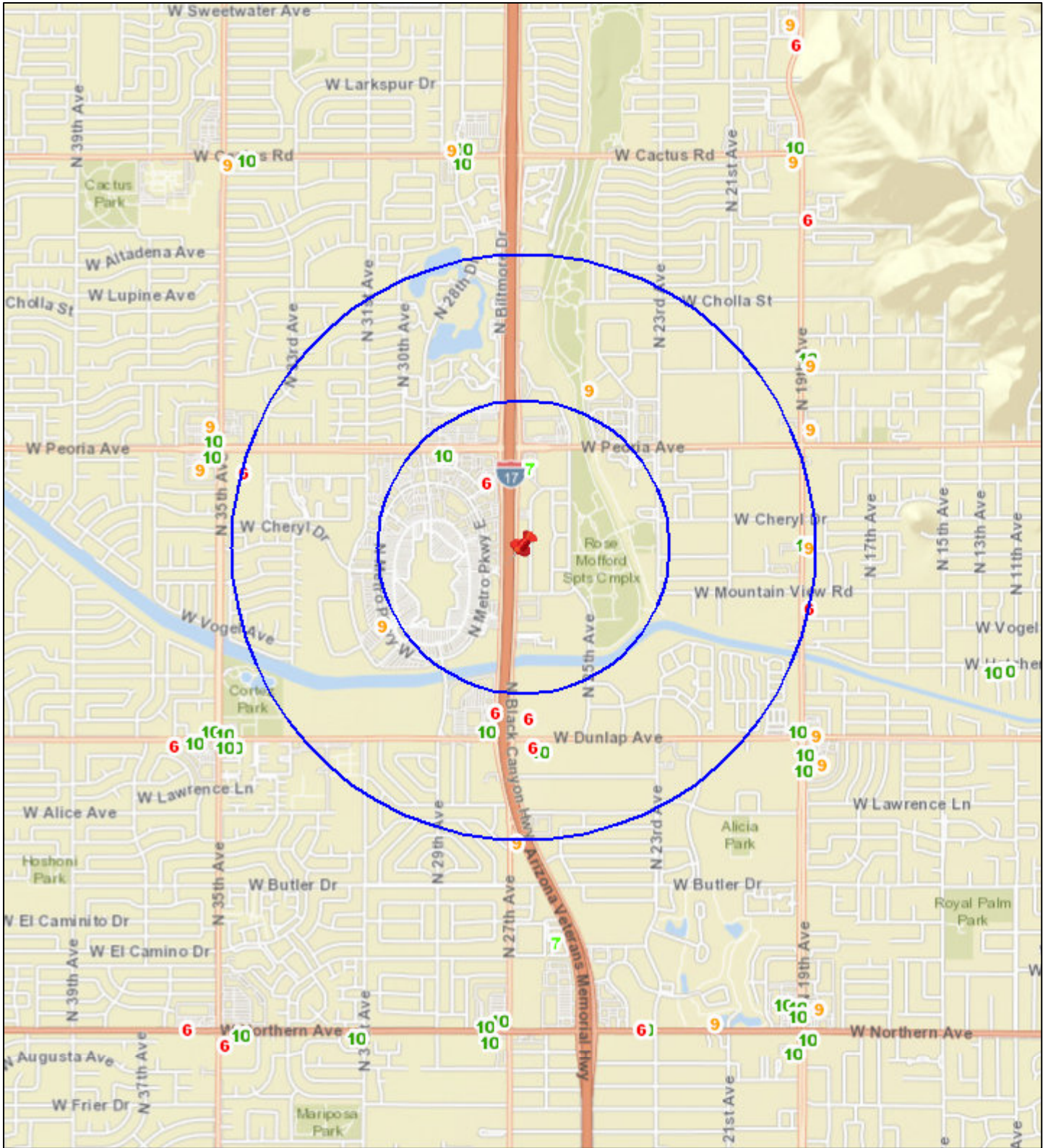
Description	Average	1/2 Mile Average
Parcels w/Violations	56	13
Total Violations	96	29

Census 2010 Data 1/2 Mile Radius

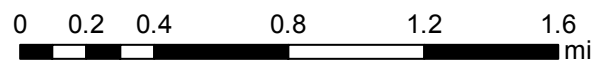
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1042054	1577	5 %	21 %	30 %
1043021	1469	9 %	28 %	7 %
1043022	1902	53 %	15 %	15 %
1044012	1594	19 %	9 %	38 %
1044021	2555	24 %	18 %	15 %
Average		61 %	13 %	19 %

Liquor License Map: NATIVE GRILL & WINGS

10004 N 26TH DR



Date: 2/8/2022



City Clerk Department



Liquor License - Topnotch Island Flavor Kitchen

Request for a liquor license. Arizona State License Application 181393.

Summary

Applicant

Everette Reid, Agent

License Type

Series 12 - Restaurant

Location

16816 N. Cave Creek Road

Zoning Classification: C-2

Council District: 3

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

The 60-day limit for processing this application is March 27, 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 am a law abiding United States citizen. I have completed the required basic and management training classes required for this license. I am a responsible business owner."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"We are not an open bar facility. We simply want to add to our guests dining experience and in turn increase our revenue. This will help us to be competitive with our offerings and offer options to our guest. We do not have a bar at our facility to accommodate patrons. We have a display service bar only."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Topnotch Island Flavor Kitchen

Liquor License Map - Topnotch Island Flavor Kitchen

Responsible Department

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

Liquor License Data: TOPNOTCH ISLAND FLAVOR KITCHEN

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	1
Beer and Wine Bar	7	2	2
Liquor Store	9	6	1
Beer and Wine Store	10	9	4
Restaurant	12	17	9

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	100.15	149.57
Violent Crimes	9.21	20.22	22.71

*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

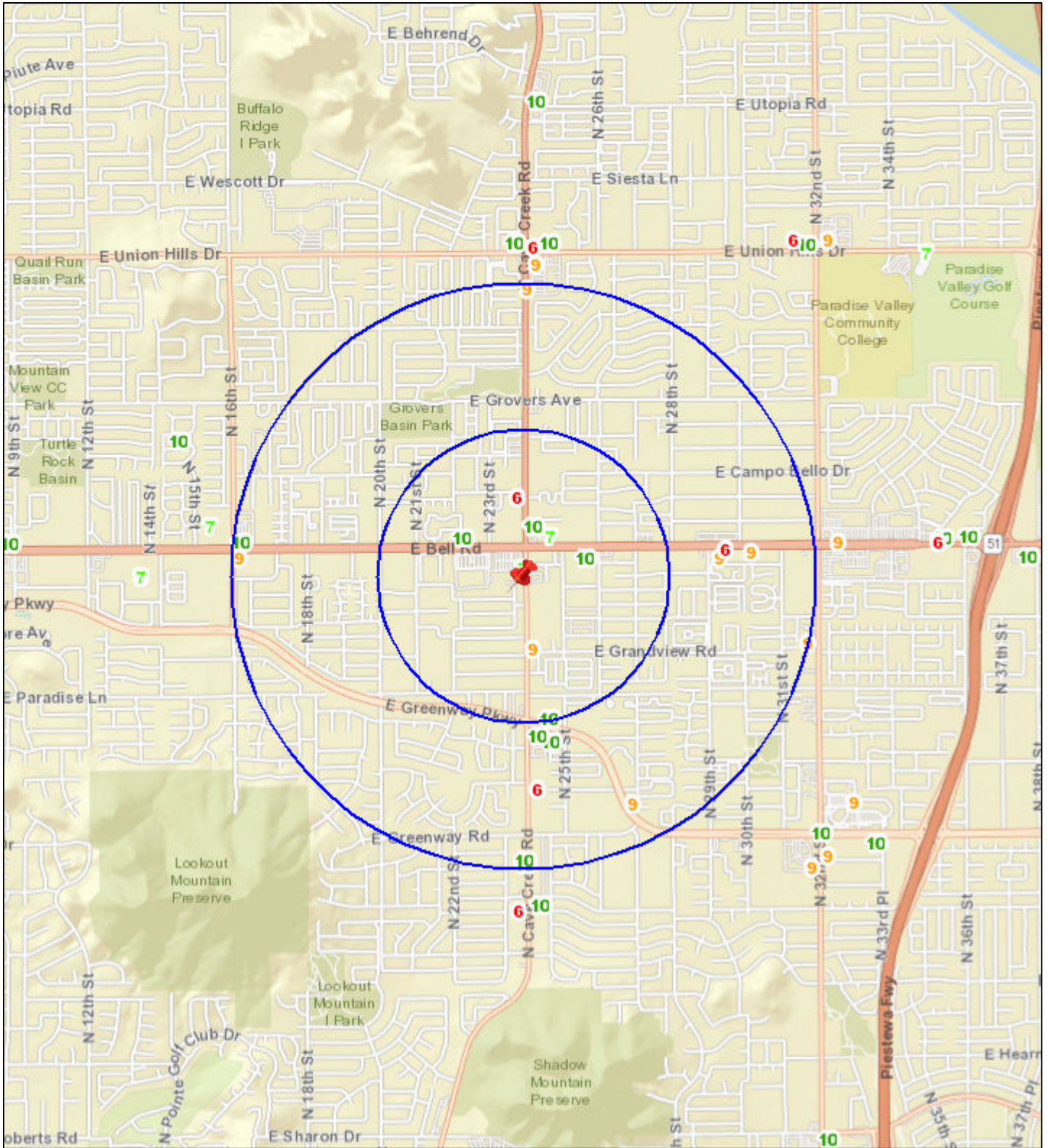
Description	Average	1/2 Mile Average
Parcels w/Violations	56	118
Total Violations	97	296

Census 2010 Data 1/2 Mile Radius

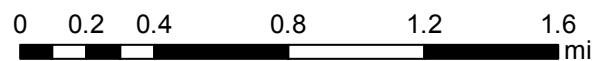
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1033051	1180	47 %	29 %	35 %
1033052	2333	59 %	9 %	30 %
1033061	921	18 %	28 %	32 %
1036061	1067	84 %	15 %	13 %
1036063	2174	78 %	13 %	25 %
6194001	1068	54 %	32 %	9 %
6194002	1484	18 %	18 %	8 %
6195003	2362	65 %	14 %	8 %
Average		61 %	13 %	19 %

Liquor License Map: TOPNOTCH ISLAND FLAVOR KITCHEN

16816 N CAVE CREEK RD



Date: 1/27/2022





Liquor License - Mariscos Mi Lindo Guymas Y Pescaderia

Request for a liquor license. Arizona State License Application 181642.

Summary

Applicant

Nasser Awawda, Agent

License Type

Series 12 - Restaurant

Location

7223 W. Indian School Road, Ste. A101

Zoning Classification: C-2

Council District: 5

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

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

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

Other Active Liquor License Interest in Arizona

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

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

Carniceria La Hacienda (Series 10)
7215 W. Indian School Road, Phoenix
Calls for police service: 7
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 own convenience store and was managing restaurant where we were selling alcohol This experience gave me the opportunity of learning the importance and significance of obtaining an alcohol license. I am assured to uphold the laws and regulations about alcohol license. I have never been involved in any criminal activity, no record of getting in trouble with law and authorities."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"This restaurant will provide a safe and secure place for the neighborhood to eat and drink. The location will be convenient for the people in neighborhood who may not have access to transportation. Adding the long time experience of the owner with running a store while upholding all the laws and regulations, the restaurant will be a safe, secure and convenience place for the customers to eat and drink."

Staff Recommendation

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

Attachments

Liquor License Data - Mariscos Mi Lindo Guymas Y Pescaderia
Liquor License Map - Mariscos Mi Lindo Guymas Y Pescaderia

Responsible Department

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

Liquor License Data: MARISCOS MI LINDO GUYMAS Y PESCADERIA

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	1
Beer and Wine Bar	7	1	0
Liquor Store	9	4	1
Beer and Wine Store	10	9	5
Restaurant	12	4	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	150.55	227.17
Violent Crimes	9.21	36.14	56.90

*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	56	199
Total Violations	97	379

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1096021	1392	71 %	14 %	35 %
1096022	3064	27 %	20 %	41 %
1096023	1946	79 %	0 %	22 %
1096031	852	79 %	11 %	3 %
1096034	1269	66 %	0 %	17 %
1097011	827	0 %	19 %	17 %
1097012	1978	48 %	28 %	49 %
1097014	2074	0 %	17 %	37 %
1097031	1232	68 %	0 %	29 %
1097032	1653	33 %	12 %	31 %
1097041	1602	68 %	5 %	35 %
1097042	784	71 %	19 %	15 %
Average		61 %	13 %	19 %



Liquor License - Special Event - Desert Garden Montessori School, Inc.

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

Summary

Applicant

Shetal Walters

Location

5130 E. Warner Road
Council District: 6

Function

Dinner/Dance

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

April 2, 2022 - 5:30 p.m. to 10:30 p.m. / 150 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 - Macayo Restaurant

Request for a liquor license. Arizona State License Application 012070006307.

Summary

Applicant

Navayogasingam Thuraisingam, Agent

License Type

Series 12 - Restaurant

Location

12637 S. 48th St.

Zoning Classification: C-2

Council District: 6

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

The 60-day limit for processing this application is April 4, 2022.

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

Other Active Liquor License Interest in Arizona

This 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:
“We have operated this location, as well as several other locations for several years.
We have always complied with all liquor rules and regulations and never had any issue
with our licenses.”

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 - Best Western Inn & Suites

Request for a liquor license. Arizona State License Application 07070284.

Summary

Applicant

Jigarkumar Patel, Agent

License Type

Series 7 - Beer and Wine Bar

Location

1615 E. Northern Ave.

Zoning Classification: R-4

Council District: 6

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

The 60-day limit for processing this application is March 27, 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:
"An experience for holding the same license running business successfully has made me more confident."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"We are also the part of the same community and we understand our social responsibilities."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Best Western Inn & Suites

Liquor License Map - Best Western Inn & Suites

Responsible Department

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

Liquor License Data: BEST WESTERN INN & SUITES

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	1
Beer and Wine Bar	7	4	4
Beer and Wine Store	10	3	0
Restaurant	12	8	1
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	42.33	60.08
Violent Crimes	9.21	4.88	6.15

*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

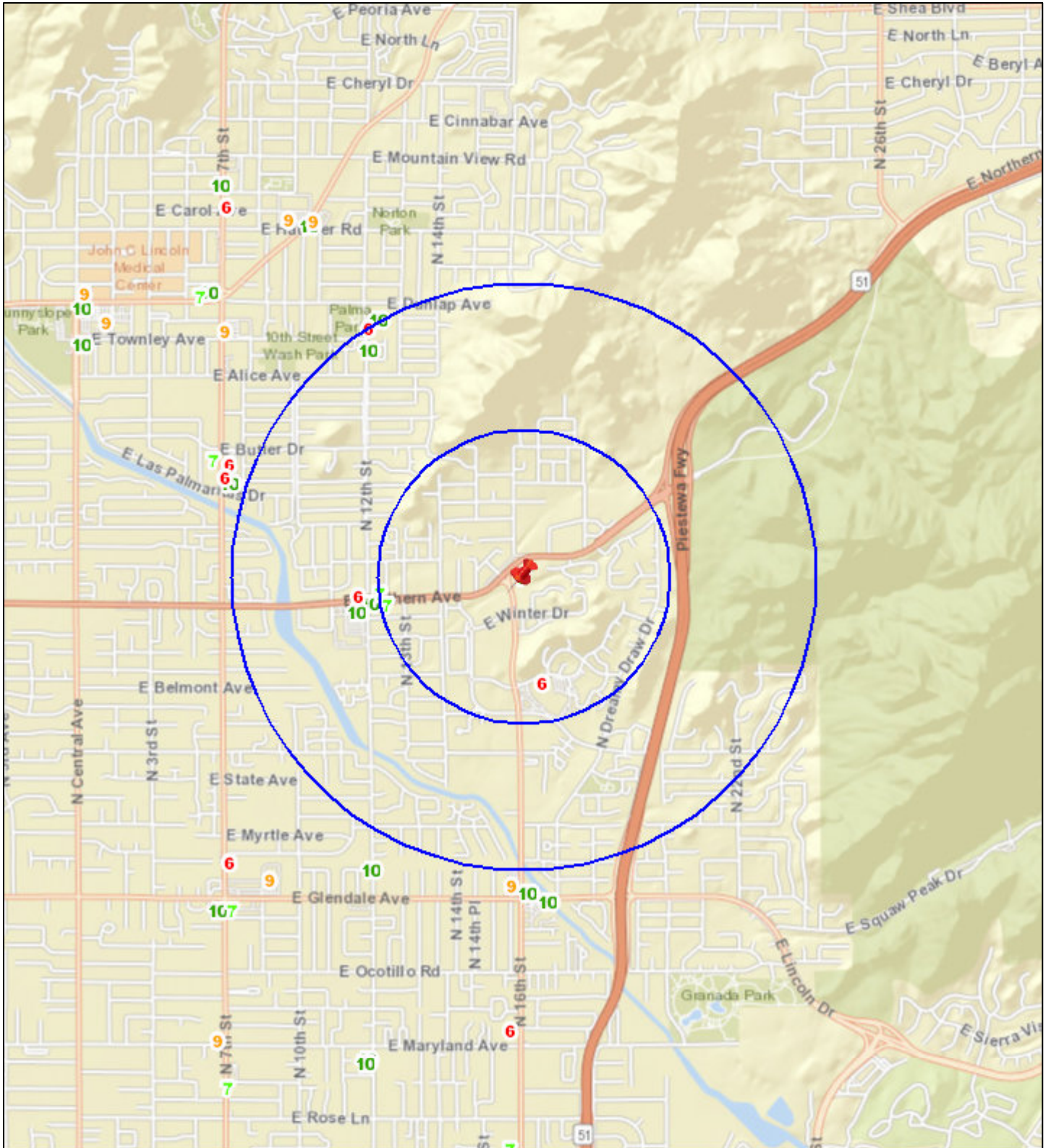
Description	Average	1/2 Mile Average
Parcels w/Violations	56	35
Total Violations	97	51

Census 2010 Data 1/2 Mile Radius

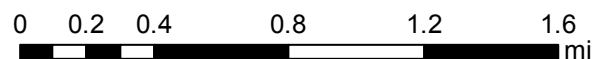
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1051023	1135	72 %	23 %	12 %
1051024	525	49 %	14 %	10 %
1052001	877	71 %	25 %	24 %
1052004	2577	44 %	5 %	15 %
1063001	867	51 %	40 %	17 %
1063002	1099	67 %	24 %	17 %
Average		61 %	13 %	19 %

Liquor License Map: BEST WESTERN INN & SUITES

1615 E NORTHERN AVE



Date: 1/27/2022



City Clerk Department



Liquor License - South Mountain Brew Co.

Request for a liquor license. Arizona State License Application 181566.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

12020 S. Warner Elliot Loop, Ste. 115

Zoning Classification: C-1

Council District: 6

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

The 60-day limit for processing this application is March 28, 2022.

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

Other Active Liquor License Interest in Arizona

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

Papi Gordos (Series 12)

3623 E. Indian School Road, Phoenix

Calls for police service: 1

Liquor license violations: None

Low Key Piano Bar (Series 6)

501 S. Mill Ave., Tempe

Calls for police service: N/A - not in Phoenix

Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

“Our hope is to operate a successful business and bring a great place to the neighborhood. We will ensure our employees attend ALIC's Title 4 training.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

“A breakfast stop for busy workers everywhere, South Mountain Brew Co. is your place for rest and relaxation. Come sit down in our friendly, cozy atmosphere that's full of delicious snacks, the smell of freshly roasted beans, and friendly smiles.”

Staff Recommendation

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

Attachments

Liquor License Data - South Mountain Brew Co.

Liquor License Map - South Mountain Brew Co.

Responsible Department

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

Liquor License Data: SOUTH MOUNTAIN BREW CO.

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	51.45	0.50	0.10
Violent Crimes	9.65	0.02	0

*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

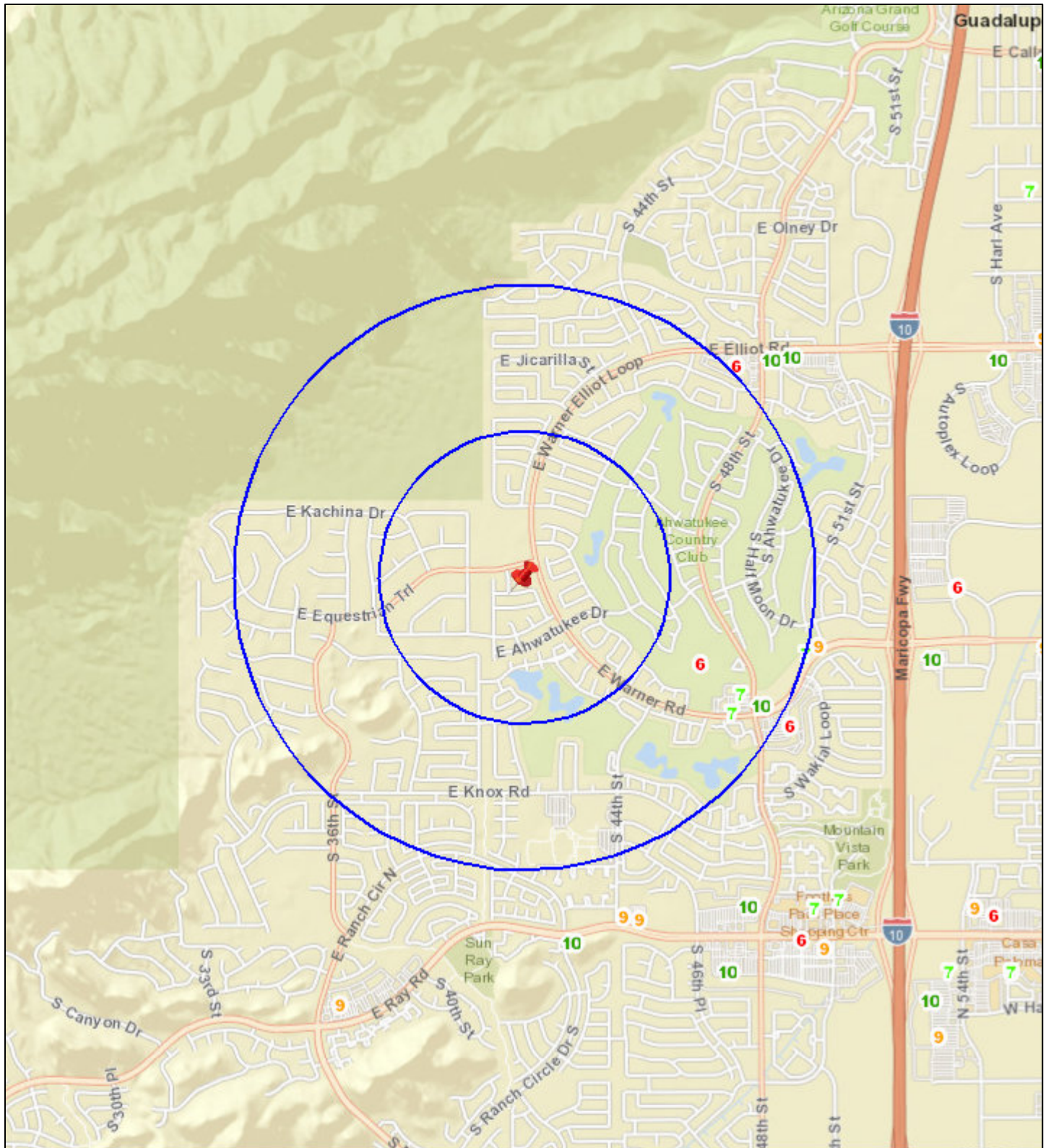
Description	Average	1/2 Mile Average
Parcels w/Violations	55	4
Total Violations	95	7

Census 2010 Data 1/2 Mile Radius

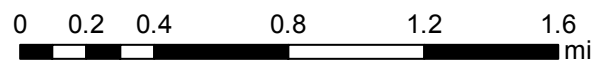
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167071	1481	69 %	3 %	3 %
1167081	1516	88 %	0 %	2 %
1167084	1551	93 %	10 %	2 %
1167101	1502	98 %	0 %	4 %
1167102	1841	97 %	0 %	2 %
1167111	758	80 %	4 %	15 %
1167331	388	71 %	0 %	0 %
Average		61 %	13 %	19 %

Liquor License Map: SOUTH MOUNTAIN BREW CO.

12020 S WARNER ELLIOT LOOP



Date: 2/2/2022





Liquor License - Whining Pig

Request for a liquor license. Arizona State License Application 07070190.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 7 - Beer and Wine Bar

Location

1612 E. Bethany Home Road
Zoning Classification: C-2 PPSP
Council District: 6

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

The 60-day limit for processing this application is April 10, 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:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Applicant purchased and will operate The Whining Pig as a casual gathering place, offering craft beer and wine with classic board games. Applicant would like to continue to offer beer and wine to guests 21 and over."

Staff Recommendation

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

Attachments

Liquor License Data - Whining Pig
Liquor License Map - Whining Pig

Responsible Department

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

Liquor License Data: WHINING PIG

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	2
Beer and Wine Bar	7	3	3
Liquor Store	9	2	0
Beer and Wine Store	10	7	2
Restaurant	12	19	11

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	62.04	67.83
Violent Crimes	9.21	7.64	9.23

*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

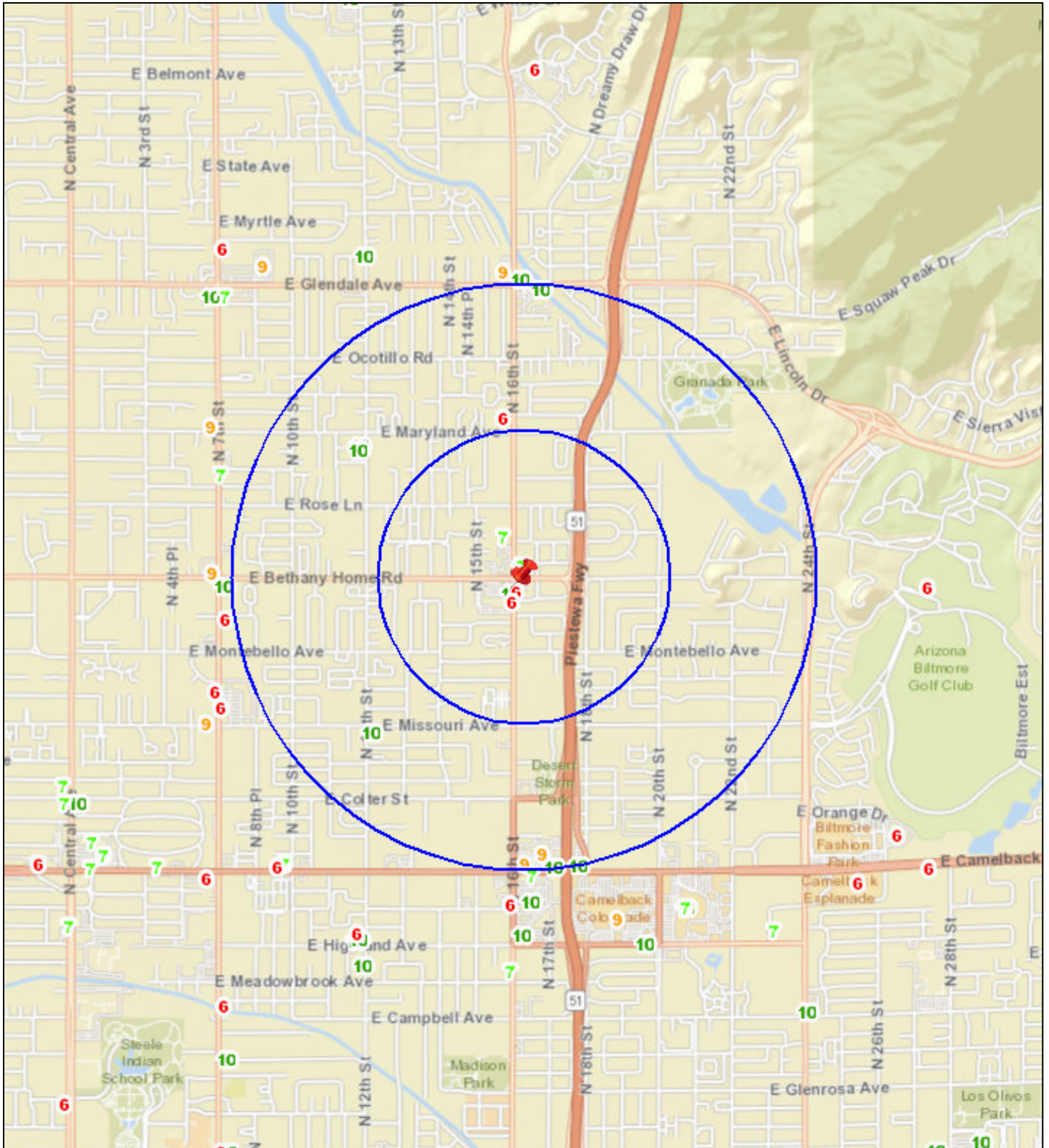
Description	Average	1/2 Mile Average
Parcels w/Violations	56	31
Total Violations	96	46

Census 2010 Data 1/2 Mile Radius

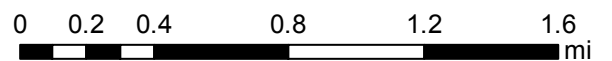
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1064001	715	84 %	23 %	9 %
1064002	2049	31 %	16 %	9 %
1065021	1383	30 %	18 %	43 %
1065022	1027	85 %	14 %	4 %
1065023	919	56 %	15 %	10 %
1076021	1311	82 %	0 %	6 %
1077001	1222	100 %	2 %	3 %
1077004	526	77 %	27 %	21 %
Average		61 %	13 %	19 %

Liquor License Map: WHINING PIG

1612 E BETHANY HOME RD



Date: 2/11/2022





Liquor License - Special Event - Phoenix Community Alliance, Inc.

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

Summary

Applicant

Devney Preuss

Location

67 W. Culver St.
Council District: 7

Function

Festival

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

April 9, 2022 - 11 a.m. to 7 p.m. / 4,000 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 - Phoenix Pride Incorporated

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

Summary

Applicant

Ryan Starzyk

Location

429 W. Jackson St.

Council District: 7

Function

Dinner

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

April 9, 2022 - 5 p.m. to 2 a.m. / 180 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 - Creo Commercium

Request for a liquor license. Arizona State License Application 181197.

Summary

Applicant

Enrique Ramos, Agent

License Type

Series 4 - Wholesaler

Location

11 E. Jones Ave., Ste. A
Zoning Classification: C-2
Council District: 7

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 March 25, 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

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

Creo Commercium (Series 4)
3118 W. Thomas Road, #710, Phoenix
Calls for police service: 7

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 taken Liquor training and have held a federal liquor license for over 10 years. And will be following all state and federal rules."

Staff Recommendation

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

Responsible Department

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



Liquor License - Sin Muerte

Request for a liquor license. Arizona State License Application 166263.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

817 N. 1st St.

Zoning Classification: DTC-West Evans Churchill HP

Council District: 7

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor liquor service. This business has plans to open in April 2022.

The 60-day limit for processing this application is April 3, 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:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Sin Muerte will be an elevated vegetarian gastropub with artisan wood-fired pizzas and small plates made with fresh ingredients. Applicant would like to offer alcoholic beverages to guests 21 and over as an incident incident to the dishes served."

Staff Recommendation

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

Attachments

- Liquor License Data - Sin Muerte
- Liquor License Map - Sin Muerte

Responsible Department

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

Liquor License Data: SIN MUERTE

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	5	2
Wholesaler	4	1	0
Government	5	8	5
Bar	6	45	15
Beer and Wine Bar	7	16	8
Liquor Store	9	4	0
Beer and Wine Store	10	12	4
Hotel	11	8	5
Restaurant	12	99	47
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	169.47	238.21
Violent Crimes	9.21	43.31	55.30

*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

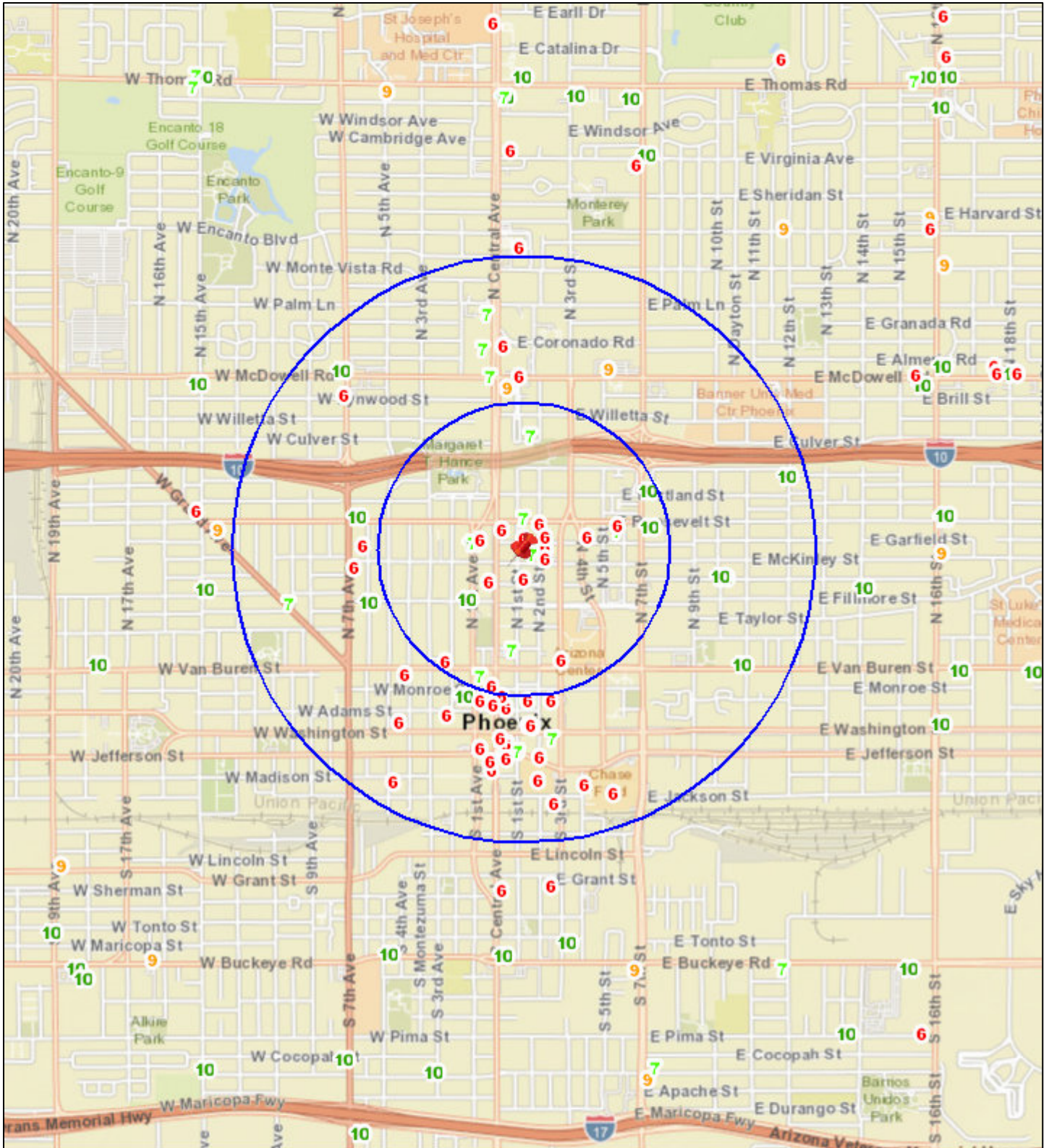
Description	Average	1/2 Mile Average
Parcels w/Violations	56	87
Total Violations	96	159

Census 2010 Data 1/2 Mile Radius

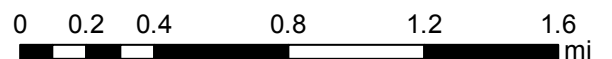
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1141001	2299	16 %	37 %	44 %
Average		61 %	13 %	19 %

Liquor License Map: SIN MUERTE

817 N 1ST ST



Date: 2/7/2022





Liquor License - Silver Pony

Request for a liquor license. Arizona State License Application 06070415.

Summary

Applicant

Dylan Hatch, Agent

License Type

Series 6 - Bar

Location

620 W. Dobbins Road

Zoning Classification: C-2

Council District: 8

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

The 60-day limit for processing this application is April 8, 2022.

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

Other Active Liquor License Interest in Arizona

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

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

Kay's Place (Series 6)

315 S. Alma School Road, Mesa

Calls for police service: N/A - not in Phoenix

Liquor license violations: In April 2019, a fine of \$2,250 was paid for allowing disorderly to remain on premises, intoxicated on premises for thirty minutes and selling liquor to an intoxicated or disorderly person.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We own and operate other successful businesses here in Arizona including another bar in Mesa. We are experienced in running bars and know the Arizona liquor laws. We are excited to add The Silver Pony to our family business and will make it the best bar in Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location has been a bar for over 20 years. The neighborhood has become accustomed to coming by and having a good time . We would like to continue to make this a great neighborhood spot to have a drink and meet the neighbors."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Silver Pony

Liquor License Map - Silver Pony

Responsible Department

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

Liquor License Data: SILVER PONY

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	57.66	68.15
Violent Crimes	9.21	10.61	12.95

*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

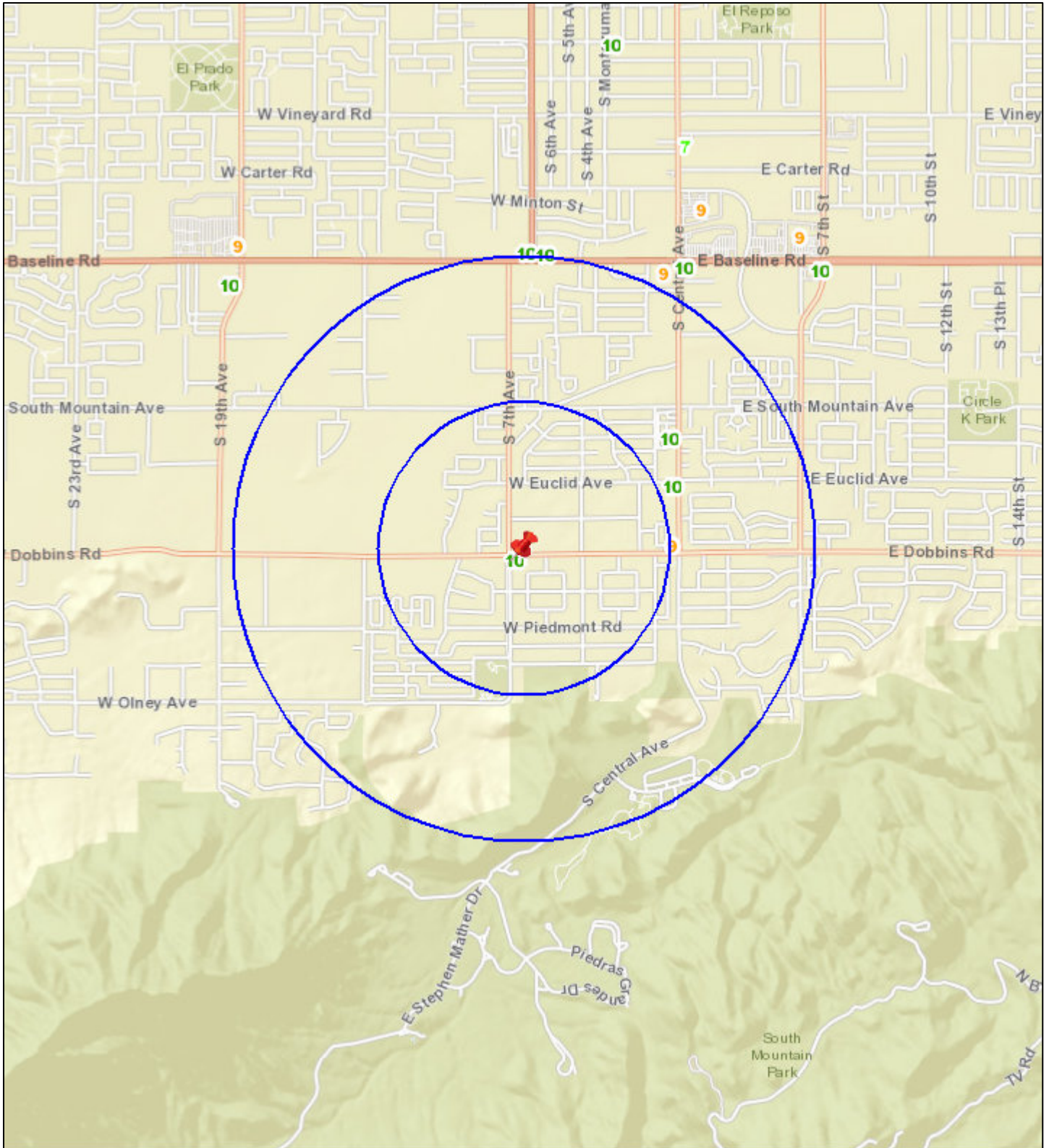
Description	Average	1/2 Mile Average
Parcels w/Violations	56	111
Total Violations	96	178

Census 2010 Data 1/2 Mile Radius

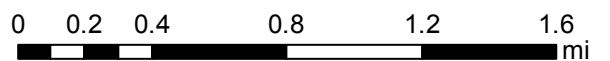
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1166133	1862	95 %	14 %	9 %
1167022	2175	59 %	21 %	36 %
1167023	2617	48 %	12 %	28 %
1167025	483	82 %	22 %	23 %
1167321	2659	85 %	14 %	33 %
1167322	1053	73 %	8 %	26 %
Average		61 %	13 %	19 %

Liquor License Map: SILVER PONY

620 W DOBBINS RD



Date: 2/11/2022





PAYMENT ORDINANCE (Ordinance S-48392) (Items 16-28)

Ordinance S-48392 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.

16 Settlement of Claim(s) Sepulveda v. City of Phoenix

To make payment of up to \$52,000.00 in settlement of claim(s) in *Sepulveda v. City of Phoenix*, 20-1149-002, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a property damage claim arising from a water main break on June 8, 2021, involving the Water Services Department.

17 Settlement of Claim(s) Wilson v. City of Phoenix

To make payment of \$115,000.00 in settlement of claim(s) in *Wilson v. City of Phoenix*, CV2020-006112, 19-0424-001, AU, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a bodily injury claim arising from a motor vehicle accident on May 27, 2019, involving the Police Department.

18 Sterling Infosystems, Inc. doing business as Sterling Volunteers

For \$94,000.00 in additional payment authority for Contract 146656-0, Ordinance S-43751, through Jan. 4, 2023, for Citywide employee and volunteer background screening for in-processing and onboarding services for the Human Resources Department. The City of Phoenix has experienced a greater increase in hiring than anticipated at the time of the

original funding request. The additional funds are needed for the final year of the contract.

19 **Science Care Holdings, Inc. doing business as Science Care Inc.**

For \$44,180.00 in payment authority to purchase two Cadaver Labs for Paramedics for the Fire Department. The Cadaver Labs for Paramedics will provide a laboratory facility and cadavers for the Fire Department Emergency Medical Service Division accredited paramedic training program. The department will utilize the vendor facility and cadavers for the purpose of visualizing gross anatomy on a human specimen, as well as teaching and practicing life-saving interventions for the paramedic student to develop the knowledge and abilities to perform skills safely and efficiently on members of our community, when needed at emergency scenes.

20 **ErgoFlex Systems, Inc. doing business as Xybix Systems, Inc.**

For \$42,999.00 in payment authority to purchase 20 Xybix Monitor Mounts for the Xybix Systems workstations for the Phoenix Fire Department. The height-adjustable ergonomic workstations and consoles for 24/7 mission-critical environments are installed at the Fire Alarm Room Headquarters (AHQ2) at the Lower Buckeye site. The furniture upgrades to 20 of the workstations at AHQ2 will help accommodate the new Computer Aided Dispatch (CAD) map deployed for the regional CAD system.

21 **Adorama Inc**

For \$35,805.00 in payment authority to purchase 35 Samsung tablets, for the Police Department. The tablets are Samsung GT S7+ 265GB (Wi-Fi) and will be used by the Vehicular Crimes Unit to assist with investigating serious traffic collisions and all traffic fatalities which occur in the City, by eliminating the need for additional or private resources. The deployment of this equipment will provide up to date technology to help collect, organize, and transfer investigative data more efficiently and in real-time. Currently, the computer technology provided is outdated and does not support Wi-Fi; it consists of either a laptop with limited mobility or a desktop computer with no mobility.

22 John E. Reid and Associates, Inc.

For \$13,500.00 in payment authority for the Reid Child Abuse Program. The program includes training on topics of understanding the mind of an offender, investigative, profiling, and behavioral provoking questions. An in-house three-day training for up to eight hours a day, will be presented to 40 participants. Funding for the training is available in the Internet Crimes Against Children grant.

23 Bennett Truck Transport doing business as Bennett DriveAway

For \$10,387.46 in payment authority to purchase transportation services for the Public Transit Department. The funds will cover the costs to transport a 60-foot articulated bus to and from Thermo King Corporation in Minneapolis for testing and experimentation to improve the overall functioning and maintenance needs of the bus heating, ventilation, and air conditioning systems.

24 Credit Management Group, LLC doing business as Christmas Light Decorators

For \$47,183.00 in payment authority to lease holiday decorations to be installed on certain streets for the Public Works Department. The lease includes the installation and removal of holiday decorations on Central Avenue between Baseline and Camelback Road during the holiday season.

25 ThermAir Systems, LLC

For \$35,366.00 in payment authority to purchase Greenheck ventilation parts for the Public Works Department. The parts are used to maintain and repair the exhaust system at the 27th Avenue Transfer Station. The exhaust system is used to extract dust, fumes, and combustion by-products from the workspaces and drive-up bays that are used by employees, contractors, and residents. Proper operation of the exhaust system is critical to the air quality and safe operation of the facility. The vendor is the sole provider for Greenheck parts in Arizona.

26 IES Southwest, Inc

For \$9,500.00 in payment authority to purchase Circular Clarifier Parts for

the Water Services Department. The parts and materials are needed to repair a Pre-Sedimentation Basin's Collector Drive for sludge collection and removal. Repairing the drive is one of the first steps in the water treatment process. The parts will rehabilitate the heavy piece of equipment that if not replaced, would cause a substantial financial burden to the City of Phoenix.

27 Western Urban Water Coalition - Annual Payment Authority

For \$40,000.00 in payment authority for the Fiscal Year 2021-22 membership renewal to the Western Urban Water Coalition (WUWC) for the Water Services Department. The WUWC is an organization of the western United States' largest urban water utilities. The membership helps secure sound national water policies, programs, and regulations impacting the unique challenges facing urban water supplies in the West.

28 Association of Metropolitan Water Agencies - Annual Payment Authority

For \$12,000.00 in payment authority for the Fiscal Year 2021-22 membership renewal to the Association of Metropolitan Water Agencies for the Water Services Department. The Association of Metropolitan Water Agencies conducts financial surveys across the major utilities in the country which allows Water Services to benchmark its performance on various issues. The Association also advocates at the federal level for the use of science-based drinking water quality standards. The item was approved by the Transportation, Infrastructure, and Innovation Subcommittee on April 7, 2021.



Proposed 99th Avenue and Southern Avenue Right of Way De-Annexation (Ordinance S-48416)

Request City Council authorization to de-annex and decrease the corporate limits of the City of Phoenix, Maricopa County, State of Arizona, pursuant to the provisions of Arizona Revised Statutes, Title 9, Chapter 4, Article 7 (Section 9-471.03), by de-annexing a certain tract of land within the present corporate limits of the City of Phoenix, contingent upon that same tract of land being received by Maricopa County and declaring as County right-of-way, and the approval by the Maricopa County Board of Supervisors.

Summary

Maricopa County Department of Transportation is requiring dedication of right-of-way and roadway improvements for development along 99th Avenue. The City of Phoenix Street Transportation Department has requested the City of Phoenix de-annex a certain portion of right-of-way currently located within the limits of the City of Phoenix in connection with the Maricopa County Department of Transportation's requirement.

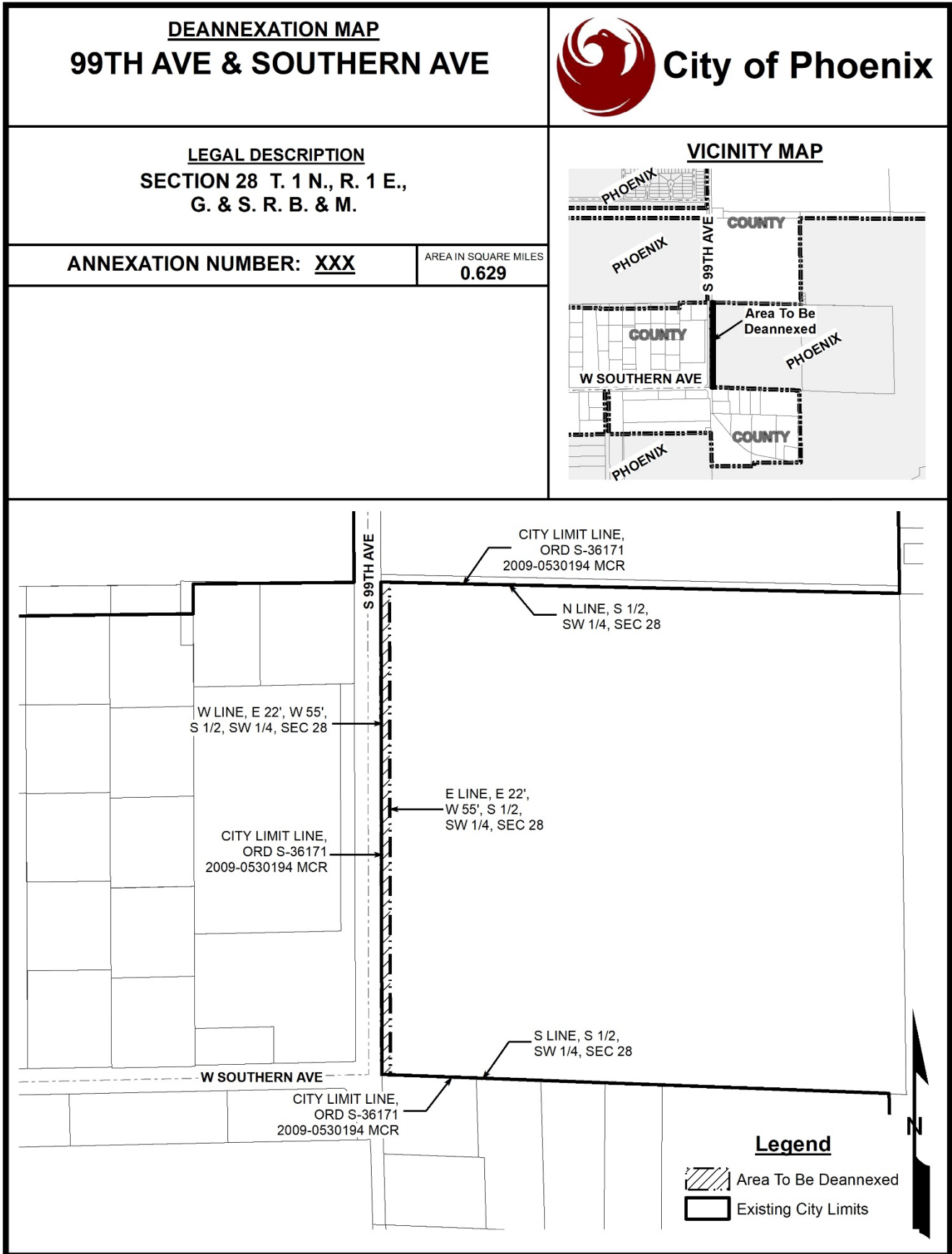
Location

The proposed de-annexation area includes 22 feet along the eastern side of 99th Ave. and Southern Ave. adjacent to the Vista del Sur development (**Attachment A**). The de-annexation area is approximately 0.63 acres (0.0010 sq. mi.), decreasing the area of the City of Phoenix by approximately 0.63 acres.

Council District: 7

Responsible Department

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





**Proposed 107th Avenue and Mobile Lane Right of Way De-Annexation
(Ordinance S-48420)**

Request City Council authorization to de-annex and decrease the corporate limits of the City of Phoenix, Maricopa County, State of Arizona, pursuant to the provisions of Arizona Revised Statutes, Title 9, Chapter 4, Article 7 (Section 9-471.03), by de-annexing a certain tract of land within the present corporate limits of the City of Phoenix, contingent upon that same tract of land being received by Maricopa County and declaring as County right-of-way, and the approval by the Maricopa County Board of Supervisors.

Summary

Maricopa County Department of Transportation is requiring dedication of right-of-way and roadway improvements for development along 107th Avenue. The City of Phoenix Street Transportation Department has requested the City of Phoenix de-annex a certain portion of right-of-way currently located within the limits of the City of Phoenix in connection with the Maricopa County Department of Transportation's requirement.

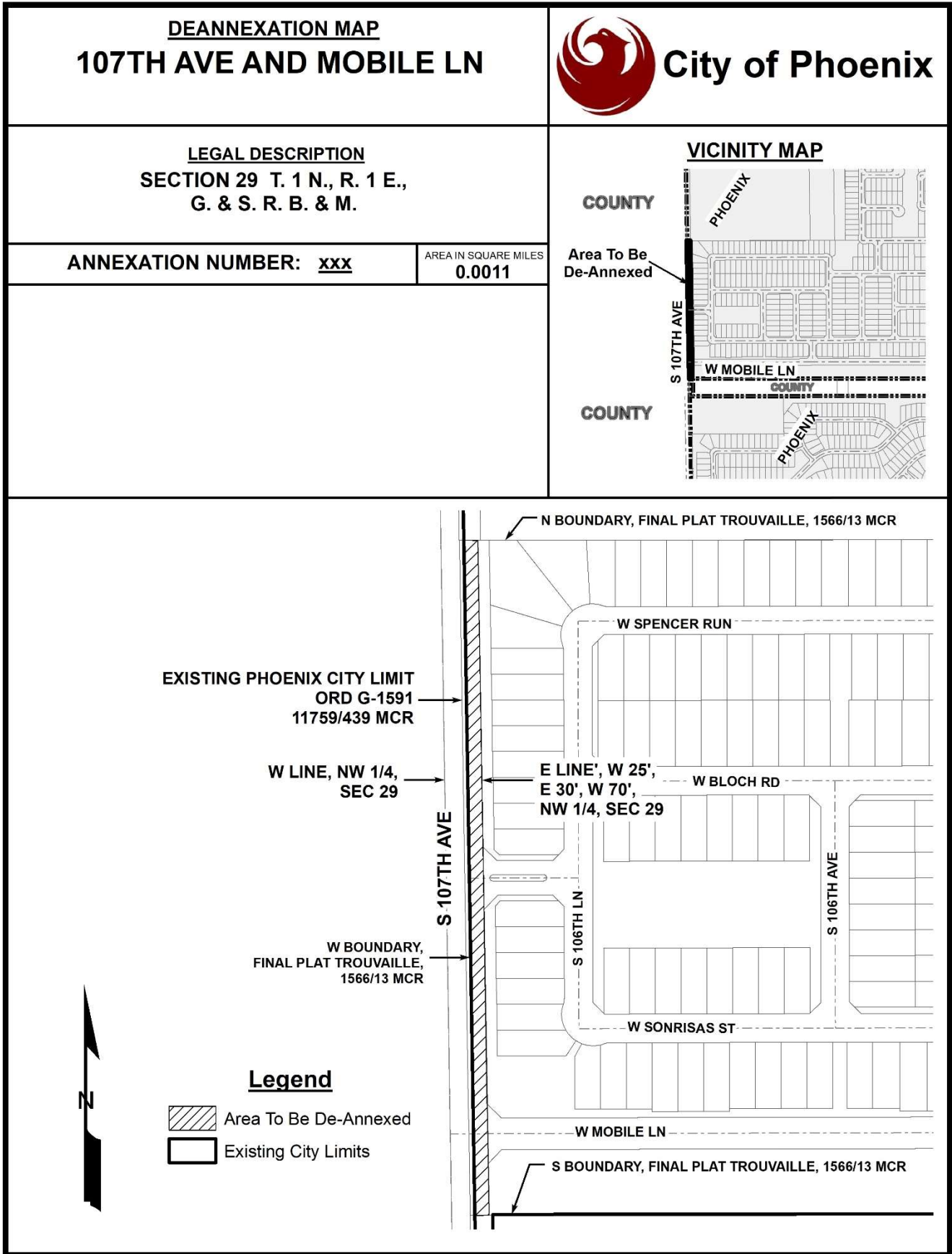
Location

The proposed de-annexation area includes 32 feet along the eastern side of 107th Avenue adjacent to the Trouvaille development (**Attachment A**). The de-annexation area is approximately 0.68 acres (0.0011 sq. mi.), decreasing the area of the City of Phoenix by approximately 0.68 acres.

Council District: 7

Responsible Department

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





Authorization to Accept a Trail Easement and to Terminate Existing Easements for the Relocation of a Portion of Cholla Trail and to Execute an Easement Agreement for a Drainage System (Ordinance S-48414)

Request authorization for the City Manager, or his designee, to execute a trail easement agreement with Host Camelback I, LLC and to terminate existing easements for the relocation of a portion of the Cholla Trail, and to execute a separate easement agreement for a drainage system.

Additionally, 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

A portion of the Cholla Trail is located on a trail easement through the Phoenician property before reaching City property on Camelback Mountain near the summit. The location of the trail along Cholla Lane created several issues including hikers in the middle of the street during busy times, traffic congestion as some hikers are illegally dropped off at the trailhead, no drinking water for hikers to hydrate, hikers helping themselves to hose water at private residences, no public restroom, and no way to close trail during off hours.

Host Camelback I, LLC (Host) received approval for the Phoenician Planned Unit Development through Ordinance G-6368, adopted on Oct. 4, 2017, with the stipulation that Host would grant the City a new, perpetual, and non-exclusive single track hiking trail easement to accommodate the relocation of the lower portion of the City's existing Cholla Trail onto property in the northeast corner of the Phoenician. With the redevelopment of the Phoenician, an opportunity arose to relocate the trailhead from Cholla Lane to Invergordon Road and to implement improvements to remedy the issues.

The City and Host will execute an easement agreement which requires the termination of the following easements via quitclaim deed: (i) MCR 1998-0012346 recorded on Jan. 8, 1998, (ii) MCR 1987-740674 recorded on Dec. 15, 1987, as corrected by MCR

1990-116663 recorded on March 16, 1990, and (iii) any other prescriptive easements or rights to use any other property located on Host's property for a hiking trail.

In exchange, Host will convey to the City a perpetual, non-exclusive 15-foot-wide easement within a portion of Host's property for the purpose of construction, maintenance, and operation of the new trail, including public use upon completion. Host will also convey to the City a perpetual, non-exclusive easement over additional portions of Host's property for the following purposes: (i) to accommodate the public's use of restrooms located at the trailhead of the new trail, including servicing of the restrooms; (ii) to facilitate the City's ability to access the lower portion of the new trail in the event of emergencies; (iii) to construct and maintain portions of the new trail; and (iv) to construct and maintain hydration stations.

The City is responsible for all costs associated with the construction, operation, and maintenance of the new trail and related improvements. The City will be required to pay \$1,000 per day if the City's improvements are not substantially complete within a 365-day period. Grantor shall have the right, but not the obligation, to remedy any violation of the agreement or default not remedied after 10 days written notice, and charge the City for all costs and expenses of such remedial work, plus an additional management fee of 15 percent. Currently, the project is scheduled to be completed prior to the end of the 365-day period.

The City and Host will enter into a separate written easement agreement for the design, construction, installation, and maintenance of a drainage system along the north property line of Host's property adjacent to the residential neighborhood known as Cholla Heights containing terms and conditions that are mutually satisfactory to the City and Host. The drainage system will be designed to accommodate a 100-year storm event with the purpose of protecting downstream private property.

Location

West of North Invergordon Road and south of East Cholla Lane within Maricopa County Assessor's Parcel Number 172-12-072.

Council District: 6

Responsible Department

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



Authorization to Grant an Easement to Arizona Public Service Company Across City-Owned Property Along Alvarado Road, North of McDowell (Ordinance S-48395)

Request to authorize the City Manager, or his designee, to grant an easement to Arizona Public Service Company (APS) across City-owned property, for consideration in the amount of the appraised value. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

APS requires an easement for the installation, operation, and maintenance of the electrical utility equipment that provides service to the Phoenix Art Museum. APS will upgrade the 12kv underground electrical distribution line and install a switching cabinet adjacent to Alvarado Road to tie into the existing facilities on the museum property. This easement is approximately 468 square feet and will allow for future upgrades to the service area.

Location

Along Alvarado Road, north of McDowell Road, identified by Maricopa County assessor parcel number 118-55-047.
Council District: 4

Responsible Department

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



Acquisition of Real Property for Street, Sidewalk, and Multi-Use Trail Improvements along the Western Canal from South 4th Avenue to South 24th Street (Ordinance S-48399)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests required by donation, purchase within the City's appraised value, or by the power of eminent domain for street, sidewalk and multi-use trail improvements along the Western Canal from South 4th Avenue to South 24th Street. Further request to authorize dedication of land with roadway and/or public improvements to public use for right-of-way purposes via separate recording instrument. Additionally, request to authorize the City Controller to disburse all funds related to this item.

Summary

The Western Canal project will provide commuter and recreational routes for bicycle and pedestrian traffic along the canal bank for safe crossing at arterial and collector street intersections. The project also aims to re-integrate the canals with surrounding communities by incorporating public art, landscaping, and neighborhood access points to the pathway for improved visibility, access and use of the canal system in the Phoenix area. The acquisition of real property is needed to facilitate street, sidewalk, and multi-use trail improvements along the southern bank of the Western Canal from South 4th Avenue to South 24th Street. Project improvements include Americans with Disabilities Act (ADA) sidewalks, multi-use trail improvements, High Intensity Activated Walkway (HAWK) signals, pathway lighting, and landscaping.

The parcels affected by this project and included in this request are identified in **Attachment A**.

Financial Impact

Funding is available in the Street Transportation Department's Capital Improvement Program budget utilizing Transportation 2050 funds.

Location

Along the southern bank of the Western Canal from South 4th Avenue to South 24th Street.

Council Districts: 7 and 8

Responsible Department

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

Attachment A
Property Identification

City of Phoenix Street, Sidewalk and Multi-Use Trail Improvement Project:
Western Canal- 4th Avenue to 24th Street- ST87600132-1

The following improved and/or unimproved parcels affected by acquisition and included in this request are identified by the Maricopa County Assessor's parcel number (APN) and the address or location.

APN	Address / Location
114-14-014E	44 W. Baseline Road
114-21-632	1360 E. Dunbar Drive
114-21-682	South of S. 13th Way and E. Fremont Road
114-21-826	1321 E. Fremont Road
122-93-003A	1640 E. Baseline Road
122-93-006A	1924 E. Baseline Road
122-93-013B	1630 E. Baseline Road
122-93-014H	7409 S. 16th St.
122-93-669A	1620 E. Baseline Road
122-93-780	7515 S. 18th Way
122-93-785	7504 S. 18th Way
122-93-792	7515 S. 18th Way
122-94-001N	2020 E. Baseline Road
122-94-007	2060 E. Baseline Road
122-94-008	2140 E. Baseline Road
122-94-009	2150 E. Baseline Road
122-94-018	2250 E. Baseline Road



Acquisition of Real Property for Bus Stop Enhancements at Various Locations (Ordinance S-48404)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests required by donation, purchase within the City's appraised value, or by the power of eminent domain for bus stop enhancements at: (1) Dunlap and 19th avenues; (2) Heatherbrae Drive and 19th Avenue; and (3) 15th Avenue and Washington Street. Further request to authorize dedication of land with roadway and/or public improvements to public use for right-of-way purposes via separate recording instrument. Additionally, request to authorize the City Controller to disburse all funds related to this item.

Summary

The acquisition of real property is needed to enhance existing bus stops at the three locations. Bus stop enhancements include updated transit pads with area for shelter placement and Americans with Disabilities Act (ADA) compliance.

The parcels affected by this project are identified in **Attachment A**.

Financial Impact

Funding is available in the Public Transit Department's Capital Improvement Program budget.

Location

(1) Dunlap and 19th avenues; (2) Heatherbrae Drive and 19th Avenue; and (3) 15th Avenue and Washington Street

Council Districts: 3, 4 and 7

Responsible Department

This item is submitted by City Manager Jeffrey Barton and Deputy City Manager Mario Paniagua and the Public Transit and Finance departments.

Attachment A
Property Identification

City of Phoenix Public Transit Improvement Project: Acquisition of Real Property for Bus Stop Enhancements at Various Locations PT00170022-1

The following improved and/or unimproved parcels affected by acquisition and included in this request are identified by the Maricopa County Assessor's parcel number (APN) and the address or location.

APN	Address / Location
112-03-115A	1400 W. Washington St.
149-11-011C	2050 W. Dunlap Ave.
154-31-005C	4220 N. 19th Ave.



Acquisition of an Easement for Antenna Installation at the PH05 Sewer Meter Station (Ordinance S-48407)

Request to authorize the City Manager, or his designee, to acquire an easement by donation, purchase within the City's appraised value, or by the power of eminent domain for installation of an antenna at the PH05 Sewer Meter Station. Additionally, request to authorize the City Controller to disburse all funds related to this item.

Summary

An easement is required for placement of a new antenna mast in conjunction with relocation of the PH05 Sewer Meter Station. The antenna installation will improve communication at the inline sewer meter station.

The parcel impacted by this project is identified by Maricopa County Assessor's parcel number 104-39-007, located near Loop 202 and Lower Buckeye Road.

Financial Impact

Funding is available in the Water Services Department's Capital Improvement Program budget.

Location

Near Loop 202 and Lower Buckeye Road
Council District: 7

Responsible Department

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



Acceptance of an Easement from the Burlington Northern Santa Fe Railway for Constructing an At-Grade Crossing at North 27th Avenue and West Thomas Road (Ordinance S-48413)

Request to authorize the City Manager, or his designee, to accept an easement from the Burlington Northern Santa Fe Railway for the construction of a new at-grade crossing at North 27th Avenue and West Thomas Road, pursuant to City Agreement 155684. Further request to authorize dedication of land with public improvements to public use via separate recording instrument.

Summary

The Street Transportation Department entered into Agreement 155684 with Burlington Northern Santa Fe (BNSF) Railway to improve the existing Thomas Road and 27th Avenue at-grade crossings. Under the agreement, BNSF is required to grant the City a new, perpetual, and non-exclusive easement consisting of approximately 1,244 square feet to accommodate the construction of a new at-grade crossing at the intersection of North 27th Avenue and West Thomas Road. Crossing and intersection improvements will include new preempted highway traffic control signals and signage, and new Americans with Disabilities Act (ADA) compliant sidewalks and ramps in compliance with the safety improvement plan for the area.

Financial Impact

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

Concurrence/Previous Council Action

The City Council approved Agreement 155684 (Ordinance S-47811) on July 1, 2021.

Location

Along North 27th Avenue, South of West Thomas Road.
Council District: 7

Responsible Department

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

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT
AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE**

ORDINANCE S-

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT AN EASEMENT FROM THE BURLINGTON NORTHERN SANTA FE RAILWAY FOR THE CONSTRUCTION OF A NEW AT GRADE CROSSING LOCATED ALONG NORTH 27TH AVENUE AND WEST THOMAS ROAD, PURSUANT TO CITY AGREEMENT 155684; FURTHER AUTHORIZING THE DEDICATION OF LAND WITH PUBLIC IMPROVEMENTS TO PUBLIC USE BY A SEPARATE RECORDING INSTRUMENT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX

as follows:

SECTION 1. The City Manager, or his designee, is authorized to accept an easement from the Burlington Northern Santa Fe (BNSF) Railway for the construction of a new grade crossing located along north 27th Avenue and west Thomas Road, pursuant to City Agreement 155684.

SECTION 2. The City Manager, or his designee, is authorized to dedicate land with public improvements to public use by a separate recording instrument.

SECTION 3. Under the Agreement, BNSF is required to grant the City a new, perpetual, and non-exclusive easement consisting of approximately 1,244 square feet to accommodate the construction of a new at grade crossing at the intersection of north 27th Avenue and west Thomas Road. Crossing and intersection improvements will include new preempted highway traffic control signals and signage, new Americans with Disabilities Act (ADA) compliant sidewalks and ramps in compliance with the safety improvement plan for the area.

PASSED by the Council of the City of Phoenix this 23rd day of March, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

BY: _____

REVIEWED BY:

Jeffrey Barton, City Manager

DRL:rb:LF21-3611:3/23/22:2304418_1



Acceptance of Easements for Water and Drainage Purposes (Ordinance S-48419)

Request for the City Council to accept easements for water and drainage 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: Grand Canyon University, its successor and assigns

Purpose: Water

Location: Southwest corner of 29th Avenue and Colter Street.

File: FN 210124

Council District: 5

Easement (b)

Applicant: Edmund R. Navarro, its successor and assigns

Purpose: Drainage

Location: 8232 S. 32nd St.

File: FN 210127

Council District: 8

Responsible Department

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



Acceptance and Dedication of Easements for Public Utility and Sidewalk Purposes (Ordinance S-48421)

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

Summary

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

Easement (a)

Applicant: NASS 3 Property, LLC, its successor and assigns
Purpose: Public Utility
Location: 6655 W. Indian School Road
File: FN 210126
Council District: 5

Easement (b)

Applicant: Tabeguache Peak LLC, its successor and assigns
Purpose: Sidewalk
Location: 4115 N. 91st Ave.
File: FN 220004
Council District: 5

Easement (c)

Applicant: Noe Vallejo Renteria and Hermelinda Carrazco Nava, its successor and assigns
Purpose: Public Utility
Location: 3315 W. Madison St.
File: FN 210125
Council District: 7

Easement (d)

Applicant: Isaias Carreon, its successor and assigns

Purpose: Sidewalk
Location: 2701 E. Broadway Road
File: FN 220005
Council District: 8

Responsible Department

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



Grant of Public Utility Easement on City-owned Property for the 24th Street Water System Power Redundancy Project (Ordinance S-48447)

Request City Council to grant a public utility easement, for consideration of one dollar and/or other valuable consideration, for installation of an underground distribution electrical line on City-owned property within the Salt River Project service area, and further ordering the Ordinance recorded.

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 24th Street and Maryland Avenue (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 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 24th Street and Maryland Avenue, identified by Maricopa County Assessor parcel numbers 164-42-013B, 164-42-013C, and 164-42-013J.

Council District: 6

Responsible Department

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



Grant of Public Utility Easement on City-owned Property at the Closed Del Rio Landfill Site (Ordinance S-48448)

Request City Council to grant a public utility easement, for consideration of one dollar and/or other valuable consideration, for installation of an underground distribution electrical line on City-owned property within the Salt River Project (SRP) service area; and further ordering the Ordinance recorded. This easement is needed to provide utilities for renovations at the West Plaza Park.

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 along the north side of East Elwood Street at 12th Street (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

Along the north side of East Elwood Street at 12th Street, identified by Maricopa County Assessor's parcel numbers 113-17-001, 113-17-002, 113-17-005 and 113-17-008.

Council District: 8

Responsible Department

This item is submitted by City Manager Jeffrey Barton and Deputy City Managers Inger Erickson and Karen Peters and the Finance, Parks and Recreation and Public Works departments.



An Ordinance Authorizing the Issuance of Obligations for the Acquisition, Construction and Improvement of Municipal Facilities (Ordinance S-48430)

An ordinance authorizing the City Manager to issue, or to cause the issuance of, obligations of or by the City, a municipal property corporation or a corporate trustee or a loan from a bank or financial institution as short-term and/or long-term obligations to refund short-term obligations or long-term obligations, including execution and delivery of all leases and other agreements necessary or appropriate for the financing, refinancing, or reimbursing of costs for acquiring, constructing, and improving real and personal property for municipal facilities for the City and associated financing costs; pledge, if deemed appropriate, excise taxes or other lawfully available funds for such purposes and to pay for financing costs; and authorizing the City Controller to receive and expend all necessary funds therefore.

Summary

This ordinance provides authorization to issue obligations up to \$150,000,000 principal amount plus related financing costs to acquire, construct, and improve real and personal property.

Financial Impact

The City will pledge excise taxes or other lawfully available funds to the repayment of the obligations.

Responsible Department

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



Fire Extinguisher Inspection, Testing, and Maintenance Services - Requirements Contract - 12-JLH-011A (Ordinance S-48394)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 149050 with Cintas Corporation for the purchase of fire extinguisher and fire hose inspection, testing and maintenance for Citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$600,000.

Summary

The contract is necessary for continuation of fire extinguisher and fire hose inspection, testing and maintenance services for Citywide departments. Fire extinguishers and fire hoses are located throughout City buildings and in some City vehicles. It is important to maintain operable fire extinguishers and fire hoses for use in the event of an emergency. Regularly scheduled inspection, testing and maintenance services promote safety for employees and visitors entering City buildings, and ensures the equipment is ready for use if needed. The contract also offers emergency and exit light inspection services. The National Fire Protection Association (NFPA) requires monthly inspection and annual maintenance of fire extinguishers. All services provided shall be in accordance with applicable state and local fire codes, as well as the NFPA.

Contract Term

The contract term is Dec. 5, 2018 through Dec. 31, 2023.

Financial Impact

Upon approval of \$600,000 in additional funds, the revised aggregate value of the contract will not exceed \$1,450,000. Funds are available in the various departments' budgets.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Dec. 5, 2018.

Responsible Department

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



**Public Safety, Preparedness, Safety Equipment and Solutions - COOP 22-037
(Ordinance S-48411)**

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with Safeware, Inc. to purchase public safety equipment and solutions for Citywide use. A cooperative contract was established by the Omnia Partners under contract number 159469. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$24,000,000.

Summary

This contract offers a broad range of public safety and emergency preparedness products and services. The majority users are the Police and Fire departments who require these critical products, equipment, materials and services in order to provide public safety, emergency preparedness and government security solutions. In addition, other departments that will be utilizing this contract include Parks and Recreation, Neighborhood Services, Aviation and Water Services.

Safeware will provide a rebate program to the City for all gross sales revenue transacted through this contract. This rebate would be .5 percent (1/2 of 1 percent) of all gross sales revenue transacted using this Contract. The rebate would be paid quarterly.

The following is a summary of the Departments that will utilize this contract. The summary also includes a list of items each Department will procure and an estimated aggregate amount that will be utilized by each Department as well.

Fire: \$10,000,000

- Hazmat meters and hazardous material detection equipment
- Maintenance agreement for meters and hazmat meter repair supplies
- Chemicals for meters
- Lifting and leveling jacks used to aid in rescue of trapped persons
- Forcible entry props for the Training Academy
- Unmanned aircraft systems (drones)

Police: \$10,600,000

- Training equipment
- Camera equipment
- License plate recognition devices
- Robots used to identify and mitigate potential hazardous items by bomb technicians
- Unmanned aircraft systems (drones)
- Duty gear, body armor, helmets and ballistic shields

Homeland Security and Emergency Management: \$20,000

- Hazmat meters and hazardous material detection equipment
- Maintenance agreement for meters and hazmat meter repair supplies
- Chemicals for meters
- Lifting and leveling jacks used to aid in rescue of trapped persons

Parks and Recreation: \$75,000

- Uniform safety equipment
- Safety vests, gloves, boots and small tools
- Unmanned aircraft systems (drones)

Neighborhood Services: \$65,000

- Uniform safety equipment
- Safety vests, gloves, boots and small tools

Aviation: \$500,000

- First aid kits and personal protective equipment
- Heat relief materials such as fluid replacement drinks and coolers
- Batteries and generators
- Automated external defibrillators

Water Services: \$5,000

- Fire extinguishers

Procurement Information

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

The Omnia Partners contract covers the purchase of public safety equipment and services as required by Citywide departments. The contract was awarded on April 1, 2021. The use of this cooperative will provide the City national discounts on these products.

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

The Assistant Finance Director recommends that the cooperative participating agreement with Safeware, Inc. be accepted.

Contract Term

The five-year contract term will begin on or about March 31, 2022.

Financial Impact

The aggregate contract value will not exceed \$24,000,000 and funds are available in the various departments' budgets.

Responsible Department

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



Liquefied Petroleum Gas - Requirements Contract - IFB 22-065 (Ordinance S-48408)

Request to authorize the City Manager, or his designee, to enter into a contract with Ferrellgas, LP, to purchase liquefied petroleum gas (propane) for Citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$300,000.

Summary

This Citywide contract to provide liquefied petroleum gas will be used by the City as a fuel source for powered lift trucks, propane-based forklifts, propane-based four wheel carts, wax terrazzo burnishers, barbeques, and miscellaneous other equipment. The purchase of liquefied petroleum gas supports the City's strategic plan to manage public facilities to provide safe, sustainable, cost-effective, well-maintained, and aesthetically pleasing public facilities for delivery of municipal services to residents.

Procurement Information

IFB 22-065 was conducted in accordance with Administrative Regulation 3.10. There was one offer received by the Procurement Division on Jan. 7, 2022, which was evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to 12 suppliers and was publicly posted and available for download from the City's website. The price was determined to be fair and reasonable based on market research and available public information.

The Assistant Finance Director recommends that the offer from Ferrellgas, LP, be accepted as the lowest price, responsive, and responsible offer.

Contract Term

The one-year contract term includes four one-year options to extend which may be exercised by the City Manager or designee, for a total of five years. The contract will begin on or about April 15, 2022.

Financial Impact

The aggregate contract value will not exceed \$300,000. Funds are available in the

various departments' budgets.

Responsible Department

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



**Data Center Cooling Equipment Maintenance and Repair - Requirements
Contract - IFB 22-078 (Ordinance S-48428)**

Request to authorize the City Manager, or his designee, to enter into a contract with Diversified Data Center Services, and Artic Air Heating & Cooling Inc., to purchase Data Center Cooling Equipment Maintenance and Repair services for Citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$336,700.

Summary

This Citywide contract is for the preventive maintenance, corrective maintenance, emergency maintenance, and repairs to various data center cooling equipment that is essential to maintaining the City's critical infrastructure. The services will include all inspections and adjustments required to keep the data center cooling equipment in peak operating condition.

Procurement Information

IFB 22-078 was conducted in accordance with Administrative Regulation 3.10. There were four offers received by the Procurement Division on Feb. 3, 2022 which were evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to over 300 suppliers and was publicly posted and available for download from the City's website.

Multiple awards are recommended to ensure competitive pricing, the overall lowest cost, and continuous services to the City.

Contract Term

The one-year contract term will begin on or about April 1, 2022. Provisions of the contract include an option to extend up to an additional four years, in one-year increments.

Financial Impact

The aggregate contract value will not exceed \$336,700. Funds are available in various departments' budgets.

Responsible Department

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



Locksmith Services - Requirements Contract - IFB 22-044 (Ordinance S-48432)

Request to authorize the City Manager, or his designee, to enter into contracts with Anderson Lock & Safe and Arizona Lock & Safe Co. to purchase locksmith services for Citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$335,000.

Summary

The City is responsible for maintaining City-owned buildings and ensuring that these properties are secure for the public and City staff. As part of those efforts, various City departments need to replace and maintain building locking systems. The performance of day-to-day operations, maintenance and replacement of critical systems is essential to prevent liability to buildings and their occupants.

Procurement Information

IFB 22-044 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Procurement Division on Nov. 18, 2021, which were evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to 176 suppliers and was publicly posted and available for download from the City's website.

The Assistant Finance Director recommends that the offers from Anderson Lock & Safe and Arizona Lock & Safe Co. be accepted as the lowest priced, responsive, and responsible offers.

Multiple awards are recommended to ensure the overall lowest cost to the City.

Contract Term

The five-year contract term will begin on or about April 1, 2022.

Financial Impact

The aggregate contract value will not exceed \$335,000. Funds are available in the various departments' budgets.

Responsible Department

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



Cigna Dental Contract Extension (Ordinance S-48403)

Request to authorize the City Manager, or his designee, to extend Contract 155839 with Cigna Health and Life Insurance Company (Cigna) for a sixth year, through Dec. 31, 2024, and to authorize additional payment authority in the amount of \$10 million. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Human Resources Department, Benefits Division has four large complex contracts that expire at the same time. This creates challenges with conducting the RFPs, implementing the new contracts, testing plan changes, and preparing timely materials for open enrollment. This extension for the Dental Plan contract will separate the contract end dates and allow sufficient time to effectively implement Non-Medicare Retiree Health Plans, Employee Medical Plan Administrative Services Provider and Employee Pharmacy Benefits Manager. The Dental Plan was selected for the extension because it has the lowest cost value to the City.

Approval of this extension will result in effective implementation to plan changes, multiple vendor changes and better customer service to employees and retirees.

Procurement Information

This contract was originally procured through a competitive Request for Proposal (RFP) process in accordance with City policy.

Contract Term

Upon approval, the contract term will end Dec. 31, 2024.

Financial Impact

Upon the approval of the additional payment authority of \$10 million, the revised aggregate value will be \$60 million. Employee contributions account for approximately 20 percent of these funds. The costs for these services are paid by the Health Care Benefits Trust Fund and Dental Trust Fund.

Concurrence/Previous Council Action

The initial contract was approved by City Council on June 27, 2018 (Ordinance S-44860).

Responsible Department

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



Open Data Portal Hosting Annual Renewal (Ordinance S-48445)

Request to authorize the City Manager, or his designee, to extend Contract 144640 with OpenGov, Inc. for the annual renewal of support and maintenance of the City's Open Data portal, in an amount not to exceed \$350,000. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The City of Phoenix utilizes OpenGov, Inc. for its Open Data Portal, which provides transparent and easy-to-use data to residents and businesses regarding areas such as public safety, transportation, finance, energy and sustainability, libraries, parks, and arts and culture. The solution is a cloud-based platform that simplifies or eliminates on-premise storage, infrastructure, indexing, retrieval, data management, and presentation.

Included in this request is the addition of the Citizen Services module for the City Manager's Office and the Procurement Solicitation Development module and professional services for the Finance Department. The Citizen Services module provides a platform that assists with American Rescue Plan Act reporting and the Procurement Solicitation Development module is a collaborative tool that will facilitate procurement modernization as it helps develop consistent and efficient solicitations and contracts. Funding is for maintenance and support, technical assistance, hosting, and performance dashboards, including the additional modules. Failure to renew support and hosting for the portal would result in the City no longer having an open data site for residents and businesses who utilize the data for informational or data analytics purposes, and limit the City's ability to utilize this system's additional capabilities.

Contract Term

This contract was originally awarded with approval of annual maintenance and support to continue annually, as long as it is in the City's best interest. The City renews this contract annually, and this request is for the sixth year, ending Feb. 28, 2023.

Financial Impact

With the \$350,000 in additional funds, the contract's revised aggregate value is

approximately \$1,304,147. Funds are available in the Information Technology Services and Finance departments and City Manager's Office operating budgets.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Information Technology Services Department.



Professional Services for Mandatory Payment Card Industry Compliance (Ordinance S-48446)

Request to authorize the City Manager, or his designee, to execute an amendment under Agreement 142524 to authorize a name change and allow payment to RiskSense, Inc. and/or Cyber Security Works, LLC as a result of an assignment. Further request authorization for additional contract term for the agreement for professional services related to the mandatory payment card industry compliance services for the Information Technology Services Department in support of citywide departments. Any remaining funds authorized by previous City Council action will be applied to the extended contract term. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

RiskSense, Inc. provides penetration testing services to ensure compliance with regulatory requirements for Payment Card Industry (PCI) Data Security Standards and Health Insurance Portability and Accountability Act. This service evaluates the efficacy of controls in place to protect the City's systems and data from unauthorized access. This service also helps to ensure the security of the City's network, and failure to continue with penetration testing would result in non-compliance with PCI regulations.

Contract Term

The term of this contract with RiskSense, Inc. will be extended through March 31, 2023.

Financial Impact

There is no financial impact to the City as a result of this request. The contract's aggregate value remains at approximately \$1,729,000.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Information Technology Services Department.



Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-48429)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Brian Graham in the amount of \$39,961.67 to the Arizona State Retirement System. Further request to authorize the City Controller to disburse funds.

Summary

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

Graham, Brian: \$39,961.67

Concurrence/Previous Council Action

This item was approved by the COPERS Board at the March 3, 2022 meeting.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Retirement Office.



Housing Opportunities for Persons with AIDS Program Contract - Amendment (Ordinance S-48400)

Request to authorize the City Manager, or his designee, to increase Housing Opportunities for Persons with AIDS (HOPWA) funding by \$1 million and to extend the life of the associated contracts with HOPWA nonprofit agencies by one year, and to take all actions and execute all documents to complete the contract amendments. Further request to authorize the City Controller to disburse funds for the life of the contracts. There is no impact to the General Fund.

Summary

On May 21, 2017, the City Council approved an award of \$1,296,810 annually in HOPWA funds, subject to a 15 percent increase or decrease per year not to exceed the City's annual HOPWA allocation, for Contract 144347 with Southwest Behavioral and Health Services; Contract 145399 with Phoenix Shanti Group; and Contract 145478 with Arizona Agency on Aging/Care Directions. The terms of the contracts were two years each beginning July 1, 2017, each with the option to extend the term of the contract for up to three additional one-year periods. Phoenix Shanti Group did not utilize all extensions due to the nonprofit having to close permanently. The final one-year extension for the two other agencies ends June 30, 2022.

A one-year extension to the current contracts and an increase of \$1 million is being requested for Arizona Agency on Aging/Care Directions and Southwest Behavioral and Health Services. These extensions and funding will assist with continued housing and supportive services for those living with HIV or AIDS.

Contract Term

The terms of the contracts began July 1, 2017, for a two-year term, with three one-year renewal options. If approved, the amendment would extend the terms of the contracts to June 30, 2023.

Financial Impact

The initial authorization for this expenditure was not to exceed \$8,743,587.44. The amendment will increase the authorization for the contracts by an additional \$1 million, for a new total not-to-exceed aggregate value of \$9,743,587.44. There is no impact to

the General Fund. HOPWA is a federally funded program.

Concurrence/Previous Council Action

The City Council authorized the contracts on May 21, 2017, in Ordinance S-43478.

Responsible Department

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



**Federal HOME Open Doors Down Payment Assistance Contract Awards
(Ordinance S-48410)**

Request to authorize the City Manager, or his designee, to enter into agreements with Chicanos Por La Causa and Trellis for the Housing Department's federally funded Open Doors Down Payment Assistance (DPA) Program in an aggregate amount not to exceed \$1.5 million over the life of the contracts. Further request to authorize the City Controller to disburse all funds for the life of the contracts. There is no impact to the General Fund.

Summary

The City receives an annual allocation of federal HOME Investment Partnerships (HOME) Program funds from the U.S. Department of Housing and Urban Development (HUD), which the City can use to increase homeownership opportunities for low and moderate-income families.

On Sept. 27, 2021, the Housing Department issued a Request for Proposals (RFP) inviting sealed offers for the administration of the Open Doors DPA Program. Chicanos Por La Causa and Trellis were selected based on their responses to the City's RFP. These agencies will utilize federal HOME Program funds for the provision and administration of the Open Doors DPA Program, which will assist eligible first-time homebuyers with the purchase of an affordable home in Phoenix by providing funding for down payment and/or closing costs.

Persons eligible for assistance using HOME funds must be at or below 80 percent of the Area Median Income and must be first-time homebuyers. Buyers must complete eight hours of Homebuyer Education and occupy the property as their primary residence.

Assistance of up to 10 percent of the home purchase price will be provided to the applicant for DPA and/or closing costs. Total assistance provided to homeowners will be based on eligibility and individual need. Home prices cannot exceed HUD established HOME Homeownership Value Limits calculated annually.

Chicanos Por La Causa and Trellis will bill the City one flat fee for each executed loan.

The funds will allow for the execution of an estimated 45 loans over five years.

Procurement Information

The RFP was available through the City's website through Nov. 4, 2021. A selection committee convened to evaluate proposals based on the criteria listed below. The committee was made up of two representatives from City departments and one community partner, with housing development expertise, who was not competing for the funding.

Offerors were required to meet the following threshold criteria prior to moving forward for evaluation and scoring by the selection committee.

Threshold Criteria:

1. Public agency, or nonprofit organization, currently operating in Maricopa County, or be capable of having a local office, accessible to Phoenix residents, fully operational prior to the contract effective date;
2. Entity is not on the HUD Debarment List; and
3. Must have three years' experience with loan origination programs.

Proposals submitted in response to the Housing Department's RFP for the Open Doors DPA Program were subject to three evaluation criteria.

Experience, Financial Capacity and Qualifications (450 points)

Capacity and demonstrated effectiveness in performing the specified work as evidenced by references and other supporting documentation; financial stability and years in existence.

Design (350 points)

Proposed approach, methodology, timelines, and implementation strategy for providing services for the required activities.

Price and Cost (200 points)

Reasonableness of proposed fees, based on per unit pricing for each executed loan; proposed fiscal accounting processes and budgetary controls to ensure the responsible use and management of contract funds and accurate invoicing.

Two proposals were received and reviewed by the evaluation committee. The evaluation panel scored the proposals as follows:

1. Trellis: 603 points; and

2. Chicanos Por La Causa: 565 points.

Contract Term

The City intends to enter into two-year contracts, with options to renew or extend the agreements for three additional periods of up to one year each that may be exercised in the discretion of the City Manager.

Financial Impact

The aggregate contract value will not exceed \$1.5 million over the life of the contracts. There is no impact to the General Fund. HOME is a federally funded program.

Responsible Department

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



Additional Federal HOME Program Funding for Red Mountain Place Apartments Affordable Housing Development (Ordinance S-48405)

Request to authorize the City Manager, or his designee, to increase Hancock Place Apartments, LLC federal HOME Investment Partnerships (HOME) funding award by up to \$250,000 and amend any and all agreements as necessary or appropriate to effectuate the increase in funding. The increased loan funds will result in a total loan amount of up to \$750,000, which will assist with COVID-19 pandemic related cost overruns during the construction of Red Mountain Place, an affordable housing multifamily rental development project. Further request to authorize the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

On April 17, 2019, the City Council approved an award of \$500,000 in HOME funds to G.A. Haan Development, LLC, through Hancock Place Apartments, LLC for the development of Red Mountain Place Apartments, a 50-unit affordable permanent housing community located at 913 N. 32nd St.

Additional HOME funds are being requested to fill a project financing gap identified by G.A. Haan Development, LLC which will allow them to utilize project funds to assist with cost overruns due to the COVID-19 pandemic. In exchange for the additional funding the owner has agreed to increase the public benefit by providing the City an additional two HOME units, increasing the total HOME units from five to seven. All seven City HOME units will serve households at or below 40 percent Area Median Income (AMI). All units in the development will serve persons with incomes at or below 60 percent of the AMI. Supportive services will be provided by Who I Am Foundation, an organization that provides employment services, financial management, tutoring and computer training.

The total development budget is \$10,549,852. Other funding for this project includes Low Income Housing Tax Credit equity and a deferred developer fee.

Financial Impact

There is no impact to the General Fund. HOME is a federally funded program. Funds are available in the Housing Capital Improvement Program.

Concurrence/Previous Council Action

Original funding was approved on April 17, 2019, by the City Council through Ordinance S-45577.

Location

913 N. 32nd St.
Council District: 8

Responsible Department

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



Accounting and Auditing Services for the Housing Department's Affordable Housing Properties (Ordinance S-48422)

Request to authorize the City Manager, or his designee, to enter into an agreement with Novogradac and Company LLP for Accounting and Auditing Services for the Housing Department's 17 affordable housing properties in an amount not to exceed \$65,000. Further request to authorize the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

The Housing Department's Affordable Housing Program requires Accounting and Auditing Services from certified public accounting firms experienced with low-income housing tax credits and affordable housing properties on an annual basis. The City-owned portfolio consists of 17 multi-family housing properties with 1,270 rental units providing affordable housing to low- to moderate-income residents.

Procurement Information

RFP FY 22-086-03 Accounting Services - Affordable Housing Audit was conducted in accordance with Administrative Regulation 3.10. Three offers were received by the Housing Department on Nov. 19, 2021.

One proposal was determined to be non-responsive and the offeror was notified via a formal letter.

The other two proposals were evaluated in accordance with City Code 43-14 for Competitive Sealed Proposals by a team of four evaluators. A request and submission of best and final offers was conducted and the proposals were rescored.

The final scoring is:

Novogradac - 822 points; and
Citrin Coopermen - 760 points.

Staff recommends that the offer from Novogradac and Company LLP be accepted.

Contract Term

The contract term will begin on or about July 1, 2022, and end on June 30, 2027.

Financial Impact

The aggregate contract value will not exceed \$65,000 (including applicable taxes). This contract is funded with U.S. Department of Housing and Urban Development funds. There is no impact to the General Fund.

Responsible Department

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



Authorization for the Housing Department to Serve as Fiscal Agent and Property Manager for Phoenix Residential Investment Development Effort (Ordinance S-48440)

Request to authorize the City Manager, or his designee, to authorize the Housing Department to serve as fiscal agent and property manager for Phoenix Residential Investment Development Effort (PRIDE) and enter into related agreements. Further request to authorize the City Treasurer to accept funds and the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

PRIDE is a private non-profit, non-stock corporation created in 1989 with directors appointed by the Phoenix City Council whose mission is to assist the Housing Department in its efforts to create and enhance affordable housing communities within the City of Phoenix.

PRIDE is an independent 501(c)3 entity formed by the Housing Department to participate in developmental activities and support the mission of affordable housing in Phoenix. PRIDE currently owns and manages two affordable properties in Phoenix, Ladera del Norte and Santa Fe Springs. The PRIDE Board desires to obtain the services of the Housing Department, for a fee, to oversee the management of the properties by a third-party management company and to serve as PRIDE's fiscal agent to manage its finances, accept donations, make payments and perform general administrative functions on PRIDE's behalf. The Housing Department seeks authorization to proceed with all actions necessary or appropriate to serve in the capacity of PRIDE's fiscal agent and make expenditures based on approved PRIDE Board action and provide property management oversight services.

Contract Term

The City intends to enter into a five-year agreement, with the option to renew or extend the agreement for an additional five years.

Financial Impact

There is no impact to the General Fund.

Concurrence/Previous Council Action

On Feb. 15, 2022, the Economic Development and Equity Subcommittee unanimously recommended City Council approval to authorize the Housing Department to serve as fiscal agent and property manager for PRIDE and enter into related agreements.

Responsible Department

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



Authorization to Accept and Disburse Grant Funding from JPMorgan Chase & Co. (Ordinance S-48435)

Request to authorize the City Manager, or his designee, to accept JPMorgan Chase & Co. grant funds totaling \$150,000. Further request authorization to enter into an agreement with the Phoenix Parks Foundation to serve as the fiscal agent to receive these funds. Additionally, request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item for the life of the grant.

Summary

Since 2013, the City of Phoenix Youth Reach and Invest in Summer Employment (Phoenix Youth RISE) program has placed more than 722 youth between the ages of 16 to 24 in summer work experiences. The program provides subsidized wages for youth to work up to 80 hours with an employer during the summer and includes work readiness training, career exploration, and mentorship. For the summer 2021, Phoenix Youth RISE placed 122 qualified youth applicants in paid internships due to increased philanthropic support.

Annually, JPMorgan Chase & Co. partners with U.S. cities to increase the number of youth who have access to quality summer work experiences to place youth on a path to greater economic mobility. To be a recipient of the funds, JPMorgan Chase & Co. requires that a Memorandum of Understanding (MOU) be executed with a 501(c)3 nonprofit partner that agrees to serve as the applicant and fiscal agent for the grant.

In March 2021, the Human Services Department executed a one-year MOU with the option to extend for up to an additional two years with the Phoenix Parks Foundation, to serve as the fiscal agent for grant funds awarded on behalf of the Phoenix Youth RISE program. This MOU was extended in November 2021 for the period of March 1, 2022, through Feb. 28, 2023.

If awarded, \$150,000 will support summer work experiences for 91 youth. The cost per youth is approximately \$1,656, including the cost of wages, interest and skill assessments, training, mentoring and supportive services.

Contract Term

The grant period is from May 1, 2022, through June 30, 2023.

Financial Impact

There is no impact to the General Fund. Funding will be provided by JPMorgan Chase & Co. No matching funds are required.

Responsible Department

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



Request to Enter into a Contract for a Phoenix Will Work Program to Provide Homeless Outreach and Navigation Services (Ordinance S-48417)

Request to authorize the City Manager, or his designee, to enter into an agreement with Phoenix Gospel Mission, Inc. dba Phoenix Rescue Mission (PRM) to provide an American Rescue Plan Act (ARPA) subaward to allow PRM to conduct the Phoenix Will Work program to provide labor opportunities, homeless outreach, and navigation services to individuals experiencing homelessness in the City of Phoenix. The contract total will not exceed \$1.5 million. Further request to authorize the City Controller to disburse all funds related to this item for the full term of the contract. There is no impact to the General Fund. Funding is available through the City's ARPA allocation and is under the City's Homelessness and Mental Health Program category.

Summary

One of the primary barriers to permanent housing for individuals experiencing homelessness is employment and related supportive services. The Phoenix Will Work program through PRM will address this barrier by providing an opportunity for those experiencing homelessness to earn wages by conducting beautification projects and perform landscaping duties throughout blighted areas of Phoenix. Program participants will also be assigned a PRM Outreach Navigator who will assist in providing supportive services such as obtaining and maintaining housing, health care and transportation.

Procurement Information

This selection was made in accordance with Administrative Regulation 3.10. The City of Phoenix will comply with all applicable federal procurement guidelines in making this ARPA subaward.

Contract Term

The initial term of this contract will begin April 1, 2022, and end June 30, 2023, with one option to extend through Dec. 31, 2024, which may be exercised by the City Manager or his designee based on continuous need and available funding.

Financial Impact

The total value of this contract shall not exceed \$1.5 million. There is no impact to General Fund. Funding will be provided through the City's allocation of ARPA funds.

Responsible Department

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



Authorization to Amend Contract 153777 with Dr. Eddie Genna (Ordinance S-48418)

Request to authorize the City Manager, or his designee, to amend Contract 153777 with Dr. Eddie Genna to add \$7,500 in funding for a contract total not to exceed \$18,000. Further request to authorize the City Controller to disburse all funds related to this item for the life of the contract.

Summary

The City adopted the Strategies to Address Homelessness plan in June 2020. One of the strategies is to create a task force to share ideas, research evidence-based practices, develop new partnerships and funding opportunities while advocating for solutions at the state and county levels.

Dr. Genna facilitates monthly meetings with the Strategies to Address Homelessness Plan Task Force to develop strategies for the implementation of the Strategies to Address Homelessness plan. Dr. Genna also provides consultation and recommendations to City staff regarding how the formal sessions are progressing toward the goal of ending homelessness. The Human Services Department has decided to extend Contract 153777 for an additional year, as authorized by City Council via Ordinance S-47288. This request is to authorize additional funding to fund this contract through the extension period.

Contract Term

The contract term is Jan. 11, 2021, through Dec. 31, 2022.

Financial Impact

The revised total value of the contract will not exceed \$18,000. Funds are available in the Human Services Department, Emergency Solutions Grant.

Concurrence/Previous Council Action

The contract was originally approved by City Council on Jan. 6, 2021, via Ordinance S-47228, in an amount not to exceed \$10,500. The Ordinance also authorized a one-year contract extension.

Responsible Department

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



Senior Nutrition Meal Program Contract - Amendment (Ordinance S-48436)

Request to authorize the City Manager, or his designee, to amend Contract 147513 with Selrico Services, Inc. to increase the contract amount by \$3.5 million to provide additional home delivered meals to vulnerable seniors impacted by the COVID-19 pandemic. The new total contract amount will not exceed \$34,943,045. Further request to authorize the City Controller to disburse all funds related to this item. Funding is provided by the Area Agency on Aging, Region One, Inc. There is no impact to the General Fund.

Summary

Selrico Services, Inc. provides home-delivered meal (HDM) services to homebound and disabled seniors who live in Phoenix as specified by the Area Agency on Aging, Region One, Inc. (AAA) standards for the HDM program. The AAA funding and standards are outlined in Contract 152984. As a result of the COVID-19 pandemic, AAA has expanded the qualifications for HDM recipients, resulting in an increase of residents who qualify for meals. To address the need created by the COVID-19 pandemic, Selrico Services under its existing contract, will prepare and deliver additional meals to meet the needs of qualifying recipients.

Contract Term

The term of the contract is from July 1, 2018, through June 30, 2023, with one two-year option to extend. However, the additional funding being requested must be expended by June 30, 2022.

Financial Impact

Contract total not to exceed \$34,943,045. Expenditures for the term July 1, 2021, through June 30, 2022, not to exceed \$6,819,450. There is no impact to the General Fund. Funding is provided from AAA.

Concurrence/Previous Council Action

On May 16, 2018, the City Council authorized staff to contract with Selrico Services, Inc. for food management of the Senior Congregate and HDM Programs with Ordinance S-44610.

On April 3, 2019, the City Council authorized staff to enter into contract with AAA, the City Treasurer to accept and City Controller to disburse funds with Ordinance S-45521.

On May 14, 2020, the City Council approved the COVID-19 Food Assistance Plan. On June 3, 2020, the City Council approved \$300,000 in additional funds to be added to the Selrico contract with Ordinance S-46709.

On Nov. 18, 2020, the City Council authorized an amendment to the AAA contract to accept \$2,843,045 in additional funding and for the City Treasurer to accept and City Controller to disburse funds.

On Jan. 6, 2021, the City Council approved \$2,843,045 in additional funds to be added to the Selrico contract with Ordinance S-47210.

On Feb. 17, 2021, the City Council approved \$500,000 in additional funds to be added to the Selrico contract with Ordinance S-47313.

Responsible Department

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



Emergency Utility Assistance Contract - Amendment (Ordinance S-48437)

Request to authorize the City Manager, or his designee, to amend Contract 154902 with the Arizona Community Action Association dba Wildfire, to accept additional emergency utility assistance funding in an amount not to exceed \$76,060 for a new contract total of \$392,930. Further request to authorize the City Treasurer to accept, and the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

Funds provided to the City of Phoenix Human Services Department from Wildfire will be used to provide low-income individuals and families with emergency utility assistance. The additional funding will allow the City of Phoenix to provide utility assistance to approximately 160 households, resulting in more than 1,200 total households being served.

Contract Term

The contract term is for one year, from July 1, 2021, through June 30, 2022.

Financial Impact

The new contract total amount shall not exceed \$392,930. There is no impact to the General Fund.

Concurrence/Previous Council Action

On June 2, 2021, the City Council authorized staff to contract with Arizona Community Action Association dba Wildfire to accept emergency utility assistance funds to provide low-income individuals and families with emergency utility assistance with Ordinance S-47643.

On Dec. 15, 2021, the City Council authorized additional funds be added to the contract with Ordinance S-48198.

Responsible Department

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



COVID-19 Behavioral Health Support Services Agreement (Ordinance S-48438)

Request to authorize the City Manager, or his designee, to enter into an agreement with Mercy Care to provide outreach, behavioral health, substance abuse, physical health and transportation services for uninsured and underinsured residents in the City of Phoenix. The contract total will not exceed \$9 million. Further request to authorize the City Controller to disburse all funds related to this item for the full term of the contract, including extensions. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act received from the federal government and is under the City's Homelessness and Mental Health Program category.

Summary

The City of Phoenix Human Services Department has been tasked with addressing challenges facing City of Phoenix residents due to the COVID-19 pandemic. Mercy Care will provide outreach, behavioral and physical health screenings, evaluations, counseling, therapy, medication, case management, and transportation to services for residents throughout the city. Mercy Care will also enroll eligible residents in Medicaid/Medicare. Because stable housing is a critical component of recovery for individuals with behavioral health and substance use disorders, additional support services under this program will include eviction prevention, short-term rental assistance and transitional housing.

Mercy Care is the Regional Behavioral Health Authority (RBHA) in Maricopa County. As the RBHA, Mercy Care is responsible for overseeing the Maricopa County public behavioral health crisis system and implementation of the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration block grants. In addition, through multiple other State Medicaid contracts and a Medicare contract beyond their RBHA contract, Mercy Care provides physical and behavioral health services for a range of populations. As part of providing Maricopa County crisis system oversight, Mercy Care works closely with first responders including Phoenix Fire and Police departments as well as the City's Human Services Department.

Contract Term

The term of this contract will begin on or about April 1, 2022, through June 30, 2023, with one option to extend through Dec. 31, 2024, based on continuous need and available funding, which may be exercised by the City Manager or designee.

Financial Impact

The total value of this contract shall not exceed \$9 million. There is no impact to the General Fund. Funding will be provided through the City's allocation of the American Rescue Plan Act.

Responsible Department

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



Business Roadmap Facilitation Services - Requirements Contract - RFP 22-042 (Ordinance S-48427)

Request to authorize the City Manager, or his designee, to enter into a contract with Compass CBS Foundation to purchase Business Roadmap Program Facilitation Services for the Public Library Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$500,000. A portion of funding is available through the City's allocation of the American Rescue Plan Act (ARPA) received from the federal government and is under the City's StartupPHX @ Burton Barr program.

Summary

The City of Phoenix Library Department's StartUpPHX is an entrepreneurial resource and services program available to entrepreneurs and small business owners where they can access tools they need to start and grow their business by providing programming, resources and network opportunities. The StartUpPHX Business Roadmap Program is a series of eight start-up workshops, in-person or virtually, detailing the essentials for starting a business. The Contractor will conduct up to 14 series in a year, with eight workshops in each series, and will be focused, foundational workshops, open to the public of a variety of ages in the English and Spanish language.

Procurement Information

RFP 22-042 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on Dec. 7, 2021. The notification was sent to 302 suppliers and was publicly posted and available for download from the City's website.

The proposals were scored by a four-member evaluation panel on the following criteria:

- Experience and Qualifications - 400
- Method of Approach - 350
- Price - 250

The Assistant Finance Director recommends that the offer from Compass CBS Foundation be accepted as the highest scored, responsive and responsible offer most advantageous to the City.

Contract Term

The five-year contract will begin on or about April 1, 2022.

Financial Impact

The aggregate contract value will not exceed \$500,000. Of the total contract value, \$300,000 will be provided by ARPA funds and \$200,000 will be provided by funds available in the Public Library Department's budget.

Responsible Department

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



Development Agreement with Scannell Properties for installation of Public Infrastructure and Public Space Improvements (Ordinance S-48443)

Request to authorize the City Manager, or his designee, to negotiate and enter into a development agreement and any other agreements as necessary (Agreements), with Scannell Properties, or its City-approved designee (Developer), for the installation of public infrastructure and outdoor public space improvements. Further request to authorize the City Controller to disburse all funds associated with this request.

Summary

Developer is planning to develop more than three million square feet of class A industrial buildings on approximately 240 acres in Laveen (Project) in the area dubbed as the South Mountain Technology Corridor (SMTC). The property is generally located from the Laveen Conveyance Channel on the north, to the Olney Avenue Alignment on the South, the 67th Avenue Alignment to 63rd Avenue Alignment north of Dobbins Road, and the Gila River Indian Community border on the west, to the 63rd Avenue Alignment south of Dobbins Road (Site). To date, the Developer has successfully acquired 60 of the 240 acres and is in the process of closing on the remaining 180 acres. The first phase of the 240 acres, to be known as Dove Ranch, will span across 60 acres, and will feature state of the art industrial shell buildings that are designed to house high wage employers and capture the widest range of end users possible.

On Oct. 6, 2021, City Council approved the Developer's Planned Unit Development (PUD) rezoning request. In conformance with the intent of creating a technology corridor, the PUD does not allow warehouse distribution as a single use and gives a three year buffer after the buildings are finished to land high tech and advanced manufacturers. To facilitate the development and kick off the SMTC, the Developer will make several public infrastructure improvements, creating new public access through the Site, bringing in needed infrastructure and facilitating pedestrian connectivity and activity.

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

- Developer will privately finance and construct the enhanced public infrastructure

improvements.

- Developer will improve and construct Dobbins Road to its full build-out according to the City of Phoenix Street Transportation Department specifications along its property frontage.
 - Developer will install, construct and dedicate public north-south street improvements (including landscaping and appurtenant amenities) for public access through the Project at approximately 67th Avenue and 63rd Avenue as detailed in the plans approved by the City of Phoenix Planning and Development Department.
 - Agreements may include other such public infrastructure and related components (and costs thereof) as approved by the City of Phoenix Community and Economic Development Department Director.
 - These improvements shall be in conformance with the zoning for the Site.
 - Developer must comply with Title 34 of the Arizona Revised Statutes in constructing the improvements to qualify for reimbursement, and the specifics and cost of the public infrastructure improvements must be pre-approved by the City in order to qualify for reimbursement.
 - The City will reimburse the Developer for public infrastructure improvements as listed above in the following manner and will not exceed the maximum amount of \$7.5 million.
1. Reimbursements shall be paid on an annual basis and shall not exceed the amount of the General Fund portion of the Construction Sales tax (Commercial Contracting) and General Fund portion of the Commercial Lease Tax (Commercial Real Estate Property Rental, Leasing, Licensing) collected that year. These taxes shall be comprised of the taxes relating to both (i) the construction and installation of the public infrastructure improvements, private infrastructure improvements constructed, and the build-out and lease up of the Project, and (ii) the construction of vertical and other on-site improvements on the Site from time to time (whether by Developer or by third parties such as technology support companies, and including any tenant improvements). In order to track Construction Sales Taxes eligible for reimbursement, all contractors and subcontractors must secure an independent City of Phoenix Transaction Privilege Tax (TPT) License related solely to the Project. Developer has received a preliminary estimate that is in excess of the \$7.5 million to design, install, construct, and dedicate the public infrastructure improvements.
 2. Reimbursement shall not exceed actual verifiable costs for the approved public infrastructure improvements.
 3. Reimbursement would not begin until after the Developer completes the public infrastructure improvements at the Site and the City has accepted those improvements. Reimbursements would be made annually, in arrears, with additional details to be specified in the Agreements.

4. Years 1 through 10: City will reimburse 100 percent of the eligible General Fund TPT revenue generated from new construction and business activity.
- No other sources of funds would be used if the above resources are not adequate to meet the projected construction expenses.
 - Agreements will include other terms and conditions as deemed necessary by the City.

This property is vital to kick off the SMTC and is crucial to provide existing space for the many advanced manufacturing companies coming into the market. The redevelopment of the Site is an important economic development opportunity that will create several hundred new high wage jobs over time for the community, and will yield significant financial and public benefits for the City above and beyond the TPT revenues generated.

Contract Term

The development agreement will terminate 10 years after the Developer's completion and the City's acceptance of public infrastructure improvements.

Financial Impact

The City's financial impact will not exceed \$7.5 million from the City's General Fund portion of eligible TPT revenue generated from the Site for 10 years. Financial terms of the Agreements will be reviewed by the Budget and Research Department to verify funding availability prior to execution.

Concurrence/Previous Council Action

This item was recommended for approval by the Economic Development and Equity Subcommittee at the Feb. 23, 2022, meeting by a vote of 4-0.

Location

Generally located from the Laveen Conveyance Channel on the north, to the Olney Avenue Alignment on the South, the 67th Avenue Alignment to 63rd Avenue Alignment north of Dobbins Road, and the Gila River Indian Community border on the west, to the 63rd Avenue Alignment south of Dobbins Road.

Council District: 7

Responsible Department

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



Issuance of Health Care Facilities Revenue Bonds (Mayo Clinic), Series 2022 (Resolution 22009)

Requests City Council approval for the issuance of Health Care Facilities Revenue Bonds (Mayo Clinic), Series 2022, to be issued in one or more tax-exempt or taxable series in an aggregate principal amount not to exceed \$300,000,000.

Summary

Request City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Arizona (the "Phoenix IDA") has previously resolved to issue up to \$300,000,000 of Health Care Facilities Revenue Bonds (the "Revenue Bonds") for use by Mayo Clinic Arizona (the "Borrower"), an Arizona nonprofit corporation, to

- a) finance, and/or refinance, as applicable, all or a portion of the construction, improvement, and equipping of multiple health care-related facilities in support of expansion of medical services, research, and education in Phoenix, Arizona, and
- b) pay certain costs related to the issuance of the Revenue Bonds.

Concurrence/Previous Council Action

The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on March 17, 2022.

Location

The Project is located at or near 5777 E. Mayo Blvd., Phoenix, AZ.
Council District: 2

With the exception of certain housing bonds, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer.



Request to Apply for and Accept Federal Fiscal Year 2021 Fire Prevention and Safety Grant Program Funds (Ordinance S-48439)

Request to retroactively authorize the City Manager, or his designee, to apply for, and accept, if awarded, up to \$78,192 from federal fiscal year (FFY) 2021 Fire Prevention and Safety (FP&S) Grant Program, to fund Self Contained Breathing Apparatus (SCBAs) for Fire Investigators. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. If not approved, the grant would be turned down.

Summary

The FP&S Program, administered through the Federal Emergency Management Agency (FEMA), is intended to help the nation's fire service by providing vital funds to local fire departments across the country. The primary goal of the program is to fund projects that are designed to reach high-risk target groups and mitigate the incidence of death and injuries caused by fire and fire-related deaths by assisting fire prevention programs and supporting firefighter health and safety research and development.

The objective of the FFY 2021 FP&S Grant Program is for grantees to carry out fire prevention education and training, fire code enforcement, fire/arson investigation, firefighter safety and health programming, prevention efforts, and research and development.

This project will provide respiratory protection equipment for Fire Investigators by funding the purchase of specialized SCBA respirators and replacement air cylinders. The total cost for this project is \$78,192 with a city match of up to five percent.

Since 2008, the Fire Department has received more than \$200,000 from the FP&S Grant Program. In previous years, these awards have been used to fund Fire Investigator Respirators, High Rise Floor Warden Training, Tablets and Printers for Fire Inspectors and Smoke Detectors for community outreach.

Procurement Information

The Fire Department will administer the grant in accordance with Administrative Regulation 3.10.

Contract Term

The two-year grant Period of Performance is projected to begin after July 1, 2022.

Financial Impact

The grant is anticipated to have up to a five percent required cost match; funds are available in the Fire Department's operating budget.

Responsible Department

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



Volunteer and Guest Services Management (Ordinance S-48401)

Request to authorize the City Manager, or his designee, to enter into a contract with VIP Hospitality, LLC to provide Volunteer and Guest Services Management at Phoenix Sky Harbor International Airport (Airport). Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$9.5 million.

Summary

The Airport Volunteer Navigator Program and Guest Services Information Counter Program require continued coordination and day-to-day management to enhance the guest experience and maintain the America's Friendliest Airport designation. Volunteer management services support more than 450 volunteers in the Phoenix Navigator Program, including Customer Service Volunteers that staff Airport information counters, Navigator Buddies Pet Therapy Volunteers, Chaplain Volunteers, and Seasonal Teen Navigator Volunteers. Additionally, volunteer management staff oversee the Compassion Corner for passengers utilizing the Sensory Room and Chapel, assist stranded passengers, and distribute Compassion Cacti lanyards for the special needs passengers who request them.

Guest Service Representatives help assist customers airport-wide during early mornings, nights, and weekends when volunteers are not available to cover information counters. Guest services staff also provide passenger assistance in Federal Inspection Services (FIS) facilities, distribute Airport brochures, staff the Aviation Headquarters and Rental Car Center information counters, and support special Airport initiatives i.e. mask distribution, PHX Pop Up shops and special events.

Procurement Information

Request for Proposal (RFP) 22-007 - Volunteer and Guest Services Management was conducted in accordance with Administrative Regulation 3.10. Five proposals were received and all proposals were deemed responsive and responsible.

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

- Method of Approach to Scope of Services: 0-300 points.

- Key Personnel Qualifications and Experience: 0-250 points.
- Firm Qualifications and Experience: 0-250 points.
- Fee Schedule Proposal (Offer): 0-200 points.

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

- VIP Hospitality, LLC - 892 points.
- ABM Aviation, Inc. - 765 points.
- Airport Terminal Services - 726 points.
- Hudson and Associates, LLC - 649 points.
- Polaris Research and Development, Inc. - 607 points.

Contract Term

The term of the contract will begin on or about June 1, 2022. The term is for two years, with three one-year options to extend the term for an aggregate five-year contract term. The options to extend may be exercised at the sole discretion of the Aviation Director.

Concurrence/Previous Council Action

This item was recommended for approval by the Phoenix Aviation Advisory Board on Feb. 17, 2022, by a vote of 9-0.

Financial Impact

The total contract value will not exceed \$9.5 million.

Funding is available in the Aviation Department's budget.

Location

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

Responsible Department

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



Phoenix Sky Harbor International Airport Terminal 4 Infrastructure Vertical and Horizontal Transportation Modernization and Replacement Phase I (Re-advertise) - Design-Build Services - AV21000104 (Ordinance S-48431)

Request to authorize the City Manager, or his designee, to enter into an agreement with Chasse Building Team, Inc. to provide Design-Build Services for the Phoenix Sky Harbor International Airport Terminal 4 Infrastructure Vertical and Horizontal Transportation Modernization and Replacement Phase I 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 \$31 million.

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

Summary

The purpose of this project is to modernize and replace critical horizontal and vertical transportation systems of an on-going effort to improve terminal operations and to enhance the passenger experience. Phase I of this multi-year effort to update Terminal 4 infrastructure includes modernization of approximately 26 elevators, escalators and moving walkways with new and updated equipment, technology and finishes, and a complete replacement of an approximately 200- to 250-foot-long moving walkway. When completed, this project will improve the serviceability and reliability of this piece of critical infrastructure.

Chasse Building Team, Inc. will initially confirm project scope requirements and then prepare a conceptual design adequate to provide a Guaranteed Maximum Price (GMP) proposal. Chasse Building Team, Inc. will assume the risk of delivering the project through a GMP agreement. Chasse Building Team, Inc. will be responsible for construction means and methods related to the project and fulfilling the Small Business Enterprise (SBE) program requirements. Chasse Building Team, Inc. will be required to solicit bids from pre-qualified subcontractors and to perform the work using the City's subcontractor selection process. Chasse Building Team, Inc. may also compete to self-perform limited amounts of work.

Chasse Building Team, Inc.'s services include, but are not limited to: provide design and modernization of equipment involving replacement of all components in vertical units (elevators) and horizontal units (moving walkways and escalators); test and commission systems installed; develop construction phasing plans to minimize interruption to airport operations; provide alternate systems evaluation and constructability studies; advise ways to control project costs; initiate procurement of long-lead items; obtain permits; participate with City to set a goal for local and SBE participation and implement the local and SBE process; and other work as required for a complete project.

Procurement Information

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

Selected Firm

Rank 1: Chasse Building Team, Inc.

Additional Proposers

Rank 2: Caliente Construction, Inc.

Rank 3: Sun Eagle Corporation

Rank 4: The Weitz Company, LLC

Contract Term

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

Financial Impact

The agreement value for Chasse Building Team, Inc. will not exceed \$31 million, including all subcontractor and reimbursable costs.

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

Location

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

Responsible Department

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



Public Transit Beverage and Snack Vending Revenue Contract Award (Ordinance S-48426)

Request to authorize the City Manager, or his designee, to enter into an agreement with Compass Group USA, Inc., dba Canteen, for beverage and snack vending services at Phoenix Public Transit sites. Further request to authorize the City Treasurer to accept all funds related to this item. This is a revenue-generating agreement for the Public Transit Department.

Summary

The Public Transit Department has beverage and snack vending machines at three public transit operations and maintenance facilities and the Desert Sky Transit Center. During the contract term, the City may add vending machines at additional public transit properties. The contractor will be responsible for providing all equipment and required services, including installing, maintaining, cleaning, repairing and stocking the machines.

Procurement Information

The Public Transit Department issued a Revenue Contract Solicitation on Nov. 4, 2021, to award a contract to provide beverage and snack vending services. Two offers were received, with one submittal determined to be non-responsive. In accordance with City of Phoenix Administrative Regulation 3.10, the offer from Compass Group USA, Inc., dba Canteen was deemed responsive and responsible with the solicitations requirements.

The following criteria was used by the panel during the evaluation:

<u>Criteria</u>	<u>Possible Points</u>
Qualifications and experience	400
Price proposal	350
Method of approach	250
TOTAL	1,000

The following proposer is selected for award: Compass Group USA, Inc., dba Canteen.

Contract Term

The initial three-year base contract term will begin on or about April 1, 2022, and includes two one-year options to extend if the contractor has performed satisfactorily and it is in the City's best interest to exercise the available options.

Financial Impact

This is a revenue-generating contract for beverage and snack vending services at public transit operating facilities. The estimated total revenue expected for the three-year base term and two one-year extension options is \$70,000. All revenue generated under this contract will be deposited into the City's transit fund to support ongoing transit operations.

Responsible Department

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



Oracle Software Partitioning License (Ordinance S-48442)

Request to authorize the City Manager, or his designee, to enter into an agreement with Oracle America, Inc., under Oracle Master Agreement 142562-AR-001, to obtain software partitioning licenses for the Public Transit Department. Further request authorization for the City Controller to disburse all funds in an amount not to exceed \$187,700.

Summary

Multiple City departments use Oracle applications and technologies, which are an integral part of daily operations. Oracle applications and technologies are used in several critical citywide systems, including transit-specific systems managed by the City's Public Transit Department (PTD) on behalf of the regional transit system. These systems include, but are not limited to: radio communications, computer-aided dispatch/automatic vehicle location (CAD/AVL), on-board routers, regional fare collection, and GPS-based ridership data collection.

As these systems evolve and require upgrades, PTD maintains and upgrades back-office servers and software as well as equipment located at multiple transit garages throughout the region. These systems require licenses and partitioning features as provided through the City's Master Agreement with Oracle, which is available for use by City departments.

Implementation of these partitioning licenses will maintain database functionality and continue to ensure successful upgrades of transit-specific systems, which in turn will improve upon the department's ability to compile ridership data, collect revenue distribution data, and mitigate security risks for such systems. The partitioning licenses also ensure overall database system compliance with Oracle's requirements. This request includes the purchase of the licenses as well as three years of support from Oracle.

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

Contract Term

The agreement's term of three years shall begin on the execution of this agreement, with prompt purchase of the licenses to follow execution.

Financial Impact

The agreement's total cost is anticipated not to exceed \$187,700, including taxes.

Funds for the purchases of these licenses in the amount of \$135,800 are available in PTD's Capital Improvement Program budget Transportation 2050 (T2050) fund. Support and maintenance costs will be funded via the T2050 fund in PTD's operating budget, and first year costs of \$25,500 are available in PTD's proposed Fiscal Year 2022-23 budget. The City will recover a portion of these license and support costs from the region through existing technology support agreements.

Concurrence/Previous Council Action

The City Council approved Oracle Master Agreement 142562 (Ordinance S-47326) on Feb. 17, 2021.

Responsible Department

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



Sustainability Education, Events and Volunteer Coordination - RFA 23-SW-002 (Ordinance S-48398)

Request to authorize the City Manager, or his designee, to enter into a service agreement and a lease agreement with Keep Phoenix Beautiful, Inc., an Arizona 501 (c)3 non-profit organization, to administer and develop sustainability education, events, and volunteer coordination throughout the City. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The total value of the agreements will not exceed \$1.5 million.

Summary

Keep Phoenix Beautiful, Inc. (KPB) is an affiliate of the Keep America Beautiful System, which is presently active in more than 600 cities and 40 states. KPB will provide various solid waste diversion education and event coordination services including kindergarten through eighth grade presentations throughout the City. The services will provide education to Phoenix youth about sustainability issues including the importance of recycling. KPB will organize, lead, and participate in large diversion events, volunteer recruitments, community garden activities, illegal dumping prevention, and anti-littering efforts including neighborhood clean-ups.

Additionally, KPB will lease approximately 537 square feet of office space on the 16th floor of Phoenix City Hall at 200 W. Washington St. The lease may contain such other terms and conditions deemed necessary or appropriate to the City.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a determination memo, citing special circumstance, without competition.

Contract Term

The agreements will commence on July 1, 2022 and will be for a concurrent period of five years.

Financial Impact

The estimated annual expenditure is \$300,000 and will not exceed the aggregate amount of \$1.5 million over the life of the contract.

Funding is available in the Public Works Department's budget. Rent during the term is \$1.00 per year plus in-kind services to be provided by KPB. The in-kind services will be in addition to the services provided by KPB in the agreement.

Location

Phoenix City Hall - 200 W. Washington St.
Council District: 7

Responsible Department

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



Authorization to Enter into an Intergovernmental Agreement with Arizona State University's Rob and Melani Walton Sustainability Solutions Service (Ordinance S-48402)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with Arizona State University's Rob and Melani Walton Sustainability Solutions Service for a three-year period to pilot test a cooperative-based business model for micromanufacturing plastic products, at the neighborhood scale, using plastic waste. The pilot test intends to accelerate transition to a circular economy in Phoenix in support of the City's Climate Action Plan and Zero Waste 2050 goals, while also becoming a workforce training and economic development tool benefiting low-income and disadvantaged communities. The agreement value will not exceed \$750,000.

Summary

The Office of Environmental Programs, Public Works and Community and Economic Development departments propose to partner with Arizona State University (ASU) Rob and Melani Walton Sustainability Solutions Service (RMWSSS) through an Intergovernmental Agreement (IGA). This IGA for consultant services supports Phoenix's commitment to achieving zero waste by 2050 and the updated Climate Action Plan goals to prepare for the impacts of climate change. ASU has conducted a variety of consultant services for the City of Phoenix since 2012. RMWSSS uses the considerable knowledge and research assets of Arizona State University, the nation's most innovative university and leader in sustainability education, to develop scalable solutions to economic, social, and environmental challenges throughout the globe. Through the IGA, RMWSSS will collaborate with the Public Works and Community and Economic Development departments and the Office of Environmental Programs to support Citywide diversion goals and climate action goals with the following projects:

- Support transition to a circular economy through pilot testing of a cooperative-based business model for a plastics micromanufacturing facility, including establishment of a workforce development training program focused on entrepreneur capacity building; and
- Provide research and evaluation support related to air quality, climate action planning, and other environmental and sustainability areas on behalf of the City of

Phoenix Office of Environmental Programs.

Contract Term

The length of the IGA will be for an initial three-year term, following City Council authorization. Provisions of the Agreement may include an option to extend the term up to two years, to be taken in one-year increments, which may be exercised by the City Manager or his designee.

Financial Impact

This item will have an estimated annual expenditure of \$250,000, with a total aggregate amount of \$750,000.

Funding is available in the Office of Environmental Programs, and the Public Works and Community and Economic Development departments' budgets.

Concurrence/Previous Council Action

The Community and Cultural Investment Subcommittee recommended approval of this item on March 2, 2022, by a vote of 4-0.

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Ginger Spencer, the Office of Environmental Programs, and the Public Works and Community and Economic Development departments.



Machine Shop and Related Services - Amendment (Ordinance S-48425)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 154134 with Device Development, LLC to provide additional funding for machine shop services and allow the Public Works Department to use this contract. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed \$22,500.

Summary

The purpose of this amendment is for the Public Works Department to be added as an authorized user of the existing Water Services Department contract for Machine Shop and Related Services. The Facilities Operations Division (FOD) periodically enlists services from local machine shops. These services include custom machining and metal fabrication for creation of new parts and repair of existing equipment. FOD relies on this service to support City staff in maintaining and rebuilding large pumps; motors; heating, ventilation, and air conditioning (HVAC) equipment; and industrial machinery. Additionally, the vendor will provide services to fabricate new shafts and couplings to adapt new motors to older equipment at various locations throughout the City.

Contract Term

The contract term will remain unchanged, ending on June 30, 2027.

Financial Impact

The initial authorization of Contract 154134 was for an expenditure not-to-exceed \$1.42 million. An amendment increased the authorization for the contract by \$50,000. This amendment will increase the authorization for the contract by an additional \$22,500, for a new total not-to-exceed contract value of \$1,492,500.

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

Concurrence/Previous Council Action

The City Council approved:

- Machine Shop and Related Services Contract 154134 (Ordinance S-47424) on April 7, 2021; and

- Machine Shop and Related Services Contract 154134 - Amendment (Ordinance S-48268) on Jan. 26, 2022.

Responsible Department

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



Traffic Signing Materials - COOP 22-087 (Ordinance S-48406)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with Zumar Industries Inc. to purchase Traffic Signing Materials for the Street Transportation Department. A cooperative contract was established by Maricopa County under solicitation number 210206-S. Further request to authorize the City Controller to disburse all funds related to this item. The total contract value will not exceed \$1 million.

Summary

The Traffic Services Division, Signing and Striping Shop fabricates and maintains traffic control signage throughout the City. Adopting this contract will provide additional sign fabrication capacity and options to the City in the event higher volumes of sign fabrication or specialty signs are further required. The signing material provided by this contract are critical to maintaining the City of Phoenix's traffic control signage infrastructure.

Procurement Information

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

The Maricopa County contract covers the purchase of Traffic Signing Materials as required by the Street Transportation Department. The contract was awarded on Sept. 16, 2021.

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

The Assistant Finance Director recommends that the contract with Zumar Industries Inc. be accepted.

Contract Term

The five-year contract term will begin on or about April 1, 2022.

Financial Impact

The total contract value will not exceed \$1 million.

Funding is available in the Street Transportation Department's budget.

Responsible Department

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



Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant (Ordinance S-48441)

Request to authorize the City Manager, or his designee, to apply for, accept, and if awarded, enter into agreements for disbursement of federal transportation funding from the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant program. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. If received, the grant funds would be for an amount not to exceed \$25 million and the City would provide a local match in an amount not to exceed \$15 million. This grant funding opportunity is part of the Infrastructure Investment and Jobs Act or Bipartisan Infrastructure Law.

Summary

The RAISE discretionary grant program replaced the former Better Utilizing Investments to Leverage Development or BUILD grant program. The Federal Fiscal Year (FFY) 2022 RAISE grant specifies that the minimum award amount for urban projects must be at least \$5 million and no greater than \$25 million. The City's grant request will not exceed an award amount of \$25 million. The local match requirement would be a minimum of 20 percent of the total project cost. To be competitive at a national level for the RAISE grant, it is not uncommon for local matches to be upwards of 30 percent or more of the total project cost.

The U.S. Department of Transportation issued a Notice of Funding Opportunity on Jan. 27, 2022, authorizing and appropriating \$1.5 billion in FFY 2022 surface transportation funds for capital projects under the Infrastructure Investments and Jobs Act (also called the Bipartisan Infrastructure Law) that will have significant local or regional impact. The deadline for application submittal is April 14, 2022. The FFY 2022 RAISE grant offers an opportunity to leverage City funds for transportation projects, and RAISE grants are awarded on a competitive basis considering these evaluative criteria:

- Improves safety;
- Environmental justice and equity;
- Sustainability;

- Quality of life;
- Mobility and community connectivity;
- Economic competitiveness and opportunity;
- State of good repair;
- Partnership and collaboration;
- Innovative;
- Project readiness; and
- Cost effective.

Street Transportation (Streets) staff is collaborating on a grant submittal for a new pedestrian and bicycle bridge across the Rio Salado along the 3rd Street alignment. Additionally, staff is looking to make improvements along the south bank of the Rio Salado that will extend from a future South Central Light Rail station and connect to the Nina Mason Pulliam Rio Salado Audubon Center, existing local and regional recreational trails, and future commercial development along the Rio Salado. Improvements will also include upgrading the existing south bank dirt path to an asphalt or concrete pathway with low emitting solar lights to improve safety and connectivity along the multi-use path for extended hours of recreation and commuting between Central Avenue and 16th Street.

The bicycle and pedestrian project will meet the grant criteria for competitiveness including:

- Improving safety by offering connections to a future off-roadway/low density collector bike and pedestrian improvement planned on 3rd Street that will connect Rio Salado to Lincoln Drive;
- Improving safety by adding low emitting solar lights to the south bank path;
- Increasing all the health benefits of extending recreational and commuting paths;
- Promoting sustainable design options including solar lights;
- Improvements and connections to the South Phoenix community with direct access to the future South Central Light Rail line and direct access to a natural regional recreational trail;
- Building upon a state of good repair;
- Partnering with regional and local non-profits and jurisdictions collaborating on the Rio Reimagined project, recently designated as an Urban Waters Federal Partnership site; and
- Positioning this project for future bicycle and pedestrian expansion phases to include a roadway and multi-use path facility that will directly connect users and underrepresented communities from South Phoenix to Downtown Phoenix.

Financial Impact

If awarded, the RAISE grant will fund up to \$25 million of the total project cost. Streets staff intend to submit a grant application for a total project cost estimated at \$35-\$40 million, which will include design, environmental, and construction costs. With a grant award request of \$25 million, the city would provide a local participation of up to \$15 million, or about 37.5 percent of the total project cost. This amount aligns well with submitting a competitive grant.

The local match is available for programming in the Street Transportation Department's Capital Improvement Program budget.

Location

Council Districts: 7 and 8

Responsible Department

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



Salt River Project Construction Services Contract for Sunland Avenue, 16th Drive to 15th Avenue - ND30120015 (Ordinance S-48397)

Request to authorize the City Manager, or his designee, to enter into a Construction Services Contract with Salt River Project to provide electrical service to three new streetlights on Sunland Avenue from 16th Drive to 15th Avenue. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. Additionally, request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$3,828.54.

Summary

The Street Transportation Department is constructing roadway and lighting improvements on Sunland Avenue from 16th Drive to 15th Avenue, which will require the installation of three new streetlights for which Salt River Project will provide power to energize. The total cost of work for the Construction Services Contract is \$3,828.54. This work is in conjunction with City Project ND30120015.

Contract Term

The term of the contract will begin in February 2022 and will expire when the streetlights are installed and energized.

Financial Impact

Funding in the amount of \$3,828.54 is available from the Community Development Block Grant (CDBG) program.

Location

Sunland Avenue, 16th Drive to 15th Avenue
Council District: 7

Responsible Department

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



BNSF Railway Company License for Fiber Optic Line Across Railway Property - ST89360035 (Ordinance S-48415)

Request to authorize the City Manager, or his designee, to enter into a License for a Fiber Optic Line across BNSF Railway Company property for work associated with City of Phoenix project ST89360035 Indian School Road Fiber Enhancement. 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. Additionally, request to authorize the City Controller to disburse all funds related to this item.

Summary

The purpose of this license is to allow the City to install fiber optic communications conduit and cabling that cross the BNSF Railway Company's rail corridor, Line Segment 7208 as specified in the license agreement. This work is in conjunction with City Project ST89360035, which will install enhanced fiber optic communications for Citywide purposes.

Contract Term

The agreement term will be for 20 years.

Financial Impact

The anticipated financial impact of the license agreement is approximately \$10,000, which includes required third-party inspection services.

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

Location

Indian School Road, east of 35th Avenue.
Council District: 4

Responsible Department

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



Citywide Landscape Construction - Job Order Contracting Services - 4108JOC204 (Ordinance S-48423)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with two contractors, to provide Citywide Landscape Construction Job Order Contracting Services. 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 \$35 million for each master agreement, for a total fee for services will not exceed \$70 million.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary or appropriate and to execute all design and construction agreements, licenses permits, ad 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 assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The Job Order Contractors (JOC) will be used on an as-needed basis to provide Citywide Landscape Construction Job Order Contracting services. Additionally, the JOC's will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

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

Selected Firm

Rank 1: Valley Rain Construction Corporation

Rank 2: DNG Construction, LLC

Additional Proposers

Rank 3: BrightView Landscape Services, Inc.

Rank 4: Patriot Landscaping and Design, LLC

Contract Term

The term of each master agreement is for up to five years, or up to \$35 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact

The master agreement value for each contractor will not exceed \$35 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed \$70 million.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under this master agreements for up to \$4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

Responsible Department

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



SmartNet Subscriptions with Surveyors Source, LLC (Ordinance S-48434)

Request to authorize the City Manager, or his designee, to enter into an agreement with Surveyors Source, LLC to provide SmartNet subscriptions for the Street Transportation Department that enable highly accurate and efficient professional surveying services. Further request to authorize the City Controller to disburse all funds related to this service.

Summary

The SmartNet subscriptions will provide Global Navigation Satellite Systems Network Real Time Kinetic connections to hand-held devices that are utilized for surveying purposes by the Street Transportation Department's survey staff. The survey staff provide professional surveying services for Street Transportation and other City departments' projects. Each hand-held device has the capability to receive a Global Positioning System signal from satellites. The SmartNet subscription service is the only service that can provide up to one inch accuracy for the locations of the devices.

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

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing that Surveyors Source, LLC is the sole provider of the SmartNet subscriptions used for the City equipment.

Contract Term

The five-year term shall begin on or about June 1, 2022, and end May 31, 2027. Provisions of the contract include an option to extend the contract up to five additional years in increments of up to one year, which may be exercised by the City Manager or his designee.

Financial Impact

The total contract value will not exceed \$120,000 for the ten-year term.

Funds are available in the Street Transportation Department's operating budget.

Responsible Department

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



Scientific, Regulatory and Technical Based Training Services Agreement - Request for Award (Ordinance S-48393)

Request to authorize the City Manager, or his designee, to enter into separate agreements with the three consultants listed below, to provide scientific, regulatory and technical based training services to provide training, course development, and consulting services on an ongoing basis. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate agreements value will not exceed \$800,000.

Summary

The purpose of this agreement is to provide scientific, regulatory, and technical based training, course development, and consulting services for the Water Services Department's Environmental Services Division (ESD). All training and related services will address full regulatory compliance for the division's Industrial Pretreatment Program, Laboratory and/or Sampling Ethics, Laboratory and Sampling Quality Systems, and Stormwater Management Program, which is required to maintain the department's license, permits and accreditation.

Offerors' services include but are not limited to providing initial and refresher training, either in person or virtual, to address specified topics related to industrial pretreatment, laboratory sampling ethics and/or quality systems and stormwater management. Offerors will also provide consulting and/or course development services to ensure ESD's training program remains current over time and reflects changes in federal, state, or local regulations and industry policies or procedures.

Procurement Information

The recommendations were made using a Request for Proposal procurement process in accordance with City of Phoenix Administrative Regulation 3.10. Five vendors submitted proposals for four groups and are listed below; all responses were found to be responsive and responsible.

Brown and Caldwell, Inc.
Laboratory Data Consultants, Inc.
NV5, Inc.

Plummer Associates, Inc.
Shepherd Technical Services, LLC

The evaluation panel recommendations were reached by consensus in consideration of published selection criteria with total points ranging from 0-1,000 for each of the four groups:

Qualifications and Experience (0-300 points)
Method of Approach (0-300 points)
Qualifications and Experience of Staff Instructors (0-250 points)
Price (0-150 points)

The evaluation panel recommended awarding to multiple offerors in Group 2: Laboratory and/or Sampling Ethics and Group 3: Laboratory and Sampling Quality Systems to ensure the varied training needs of the division are met for these programs. The following Offerors are selected for award.

Selected Vendors

Group 1: Industrial Pretreatment Program

Brown and Caldwell, Inc. - 863 points

Group 2: Laboratory and/or Sampling Ethics

Shepherd Technical Services, LLC - 922 points

NV5, Inc. - 920 points

Group 3: Laboratory and Sampling Quality Systems

NV5, Inc. - 920 points

Shepherd Technical Services, LLC - 907 points

Group 4: Stormwater Management Program

NV5, Inc. - 844 points

Additional Proposers

Group 1: Industrial Pretreatment Program

Plummer Associates, Inc. - 755 points

Group 2: Laboratory and/or Sampling Ethics

Laboratory Data Consultants, Inc. - 848 points

Group 3: Laboratory and Sampling Quality Systems

Laboratory Data Consultants, Inc. - 849 points

Group 4: Stormwater Management Program

Plummer Associates, Inc. - 759 points

Contract Term

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

Financial Impact

The aggregate agreements value for Brown and Caldwell, Inc., NV5, Inc. and Shepherd Technical Services, LLC will not exceed \$800,000.

Funding is available in the Water Services Department Operating budget.

Responsible Department

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



Calibration of Balances - Request for Award (Ordinance S-48412)

Request to authorize the City Manager, or his designee, to enter into an agreement with National Calibration, Inc., to provide calibration of balances and preventative maintenance on laboratory scales. Further request to authorize the City Controller to disburse all funds related to this item. This agreement will not exceed \$35,000.

Summary

The purpose of this agreement is to provide annual preventive maintenance and calibration services for the balances located at Water Services Department laboratories on an as-needed basis. The services are required in order to maintain compliance with Arizona Department of Health Services (ADHS) and National Environmental Laboratory Accreditation Conference (NELAC) requirements.

The services of National Calibration, Inc. include but are not limited to all labor, equipment, and materials required for calibration and preventative maintenance on laboratory scales at various Water Services Department locations citywide.

Procurement Information

Recommendations were made using a Request for Quote procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

One vendor submitted a bid and is listed below. The bid was found to be responsive and responsible.

Selected Bidder

National Calibration, Inc.	\$5,000
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Contract Term

The agreement will begin on or about March 23, 2022, for a five-year aggregate term with no options to extend.

Financial Impact

The agreement value for National Calibration will not exceed \$35,000.

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

Responsible Department

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



Booster Pump Station 10A-B1 and Cave Creek and Lone Mountain Waterline Connections - Engineering Services - WS85100032 and WS85500451 (Ordinance S-48396)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC, to provide Engineering Services that include construction administration and inspection services for the Booster Pump Station 10A-B1 and Cave Creek and Lone Mountain Waterline Connection. 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 \$2 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix Code 42-20 to authorize inclusion in the documents pertaining to this transaction indemnification and assumption of liability provisions that otherwise would 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 construct a new 5.8 million gallons per day Booster Pump Station (BPS) at the City's existing Well 300/9A-B2/9A-GS2/10A-B1 site, which is approximately 0.9 mile of new 16-inch waterline between existing infrastructure south of Carefree Highway and the new BPS; approximately 1.1 miles of new 16-inch waterline along Lone Mountain Road; and approximately 0.2 mile of 20-inch waterline along Cave Creek Road to supply the new BPS. The waterline improvements are required for system resiliency when the new BPS is in operation.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S.

Section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Five firms submitted proposals and are listed below.

Selected Firm

Rank 1: Wilson Engineers, LLC

Additional Proposers

Rank 2: Entellus, Inc.

Rank 3: Carollo Engineers, Inc.

Rank 4: Brown and Caldwell, Inc.

Rank 5: American Rescue and Safety, LLC

Contract Term

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

Financial Impact

The agreement value for Wilson Engineers, LLC will not exceed \$2 million, including all subconsultant and reimbursable costs.

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

Location

BPS 10A-B1: Lone Mountain to Cave Creek Roads

16-inch Cave Creek Waterline: Lone Mountain Road to Carefree Highway

16-inch Lone Mountain Waterline: Cave Creek Road to 56th Street

Council District: 2

Responsible Department

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



**Central Arizona Water Clearinghouse (Mammoth Water) - Amendment
(Ordinance S-48424)**

Request to authorize the City Manager, or his designee, to execute an amendment to consent to assignment of Central Arizona Water Clearinghouse Project Management Services Contract 153788 with Mammoth Water, LLC to ERA Economics. Further request a waiver of Phoenix City Code section 42-18 to allow a limitation of liability provision.

Summary

The purpose of this amendment is to consent to assignment of the agreement with Mammoth Water, LLC to ERA Economics. ERA Economics has acquired Mammoth Water, LLC; this amendment would allow for the project and project duties to move forward unhindered. The Water Services Department also requests a waiver from Phoenix City Code section 42-18(B) for the contract with ERA Economics, LLC. ERA Economics, LLC seeks a limitation of liability and if approved, would preclude their liability for any consequential, indirect, or incidental damages arising out of the agreement.

The contract provides quantitative analysis and professional technical services required to develop the Central Arizona Water Clearinghouse platform prototype. The Clearinghouse is a collaborative project developed by the City of Phoenix and an external team of water professionals, academia, and non-profit organizations. The purpose of the Clearinghouse is to create water management tools to facilitate market-based transactions that will advance water resource sustainability for the City and other water users in Central Arizona.

Contract Term

The contract term is unchanged by the amendment and will run through Dec. 31, 2023, with an existing option for the City to extend the term for an additional three years.

Financial Impact

There is no requested change to the existing spending authorization for this contract as part of this amendment.

Concurrence/Previous Council Action

The City Council approved:

- Acceptance and disbursement of U.S. Bureau of Reclamation ‘WaterSMART Water Marketing Strategy’ Grant (Ordinance S-45870) on June 26, 2019; and
- Central Arizona Water Clearinghouse Contract 153788 (Ordinance S-47164) on Dec. 16, 2020.

Responsible Department

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



Fire Hydrants and Accessories Contract - Amendment (Ordinance S-48409)

Request to authorize the City Manager, or his designee, to execute amendments to Contracts: 149450 with Mueller Co., LLC; 149451 with Ferguson US Holdings Inc.; 149464 with Dana Kepner Company, Inc.; and 149465 with Fortiline, Inc., to provide additional funding to the agreements. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed \$4.2 million.

Summary

The purpose of this amendment is to provide additional aggregate funding to the agreements for purchase of fire hydrants, additional parts, and accessories for installation throughout the City of Phoenix due to timeline for expedited completion of the fire hydrant replacement and repair project.

Contract Term

The contracts' terms will remain unchanged, ending on Feb. 29, 2024.

Financial Impact

The initial authorization for Fire Hydrants and Accessories Contracts was for an aggregate expenditure not-to-exceed \$5,845,065. This amendment will increase the authorization for the contracts by an additional \$4.2 million, for a new aggregate total not-to-exceed contract value of \$10,045,065.

Funding is available in the Water Services Department's Capital Improvement Program Budget.

Concurrence/Previous Council Action

The City Council approved Fire Hydrants and Accessories Contracts: 149450; 14951; 149464; and 149465 (Ordinance S-45423) on March 6, 2019.

Responsible Department

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



Fire Life Safety Systems Testing, Inspections, Maintenance and Repairs - Amendment (Ordinance S-48433)

Request to authorize the City Manager, or his designee, to execute amendments to Agreements 151058 with RCI Systems, LLC.; and 151059 with Metro Fire Equipment, Inc., to provide additional funding to the agreements. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures for services and goods included in this amendment will not exceed \$400,000.

Summary

The purpose of this amendment is to increase spending authority due to emergency repairs to existing systems and compliance engine inspection fees. The compliance engine inspection fee was implemented by the City after the contracts were executed. The fee was not accounted for in the initial agreement value and has increased costs for each Fire Life Safety System inspection that is performed by the contractors.

Contract Term

The agreements' terms will remain unchanged, ending on Sept. 30, 2024.

Financial Impact

The initial authorization for agreements for Fire Life Safety Systems Testing, Inspections, Maintenance and Repairs were for an expenditure not-to-exceed \$400,800. This amendment will increase authorization for the agreements by an additional \$400,000, for a new total not-to-exceed value of \$800,800.

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

Concurrence/Previous Council Action

The City Council approved Fire Life Safety Systems Testing, Inspections, Maintenance and Repairs Contracts 151058 and 151059 (Ordinance S-46057) on Oct. 2, 2019.

Responsible Department

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



Final Plat - Park Central Amended IV - PLAT 210073 - West of Central Avenue and Earll Drive

Plat: 210073
Project: 00-1783
Name of Plat: Park Central Amended IV
Owner(s): HPPC, LLC
Engineer: Brian J. Diehl, RLS
Request: A 2 Lot Commercial Plat
Reviewed by Staff: Feb. 18, 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 west of Central Avenue and Earll Drive.
Council District: 4

Responsible Department

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



Final Plat - Elevation at the Trails - PLAT 210051 - 4141 North 104th Drive

Plat: 210051
Project: 18-855
Name of Plat: Elevation at the Trails
Owner: Elevation Living, LLC
Engineer: Robert J. Blake, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Feb. 22, 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. The plat needs to record concurrently, on the same day, with Abandonment 200551. The sequence of recording is as follows: the resolution of abandonment is recorded first, and the plat is recorded second.

Location

Generally located at 4141 North 104th Drive.
Council District: 5

Responsible Department

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



Final Plat - Ocotillo and 7th Street - PLAT 210018 - Southeast Corner of Ocotillo Road and 7th Street

Plat: 210018
Project: 19-4263
Name of Plat: Ocotillo and 7th Street
Owner: Rule Transfer AZ, Inc.
Engineer: Mike F. Jennings, RLS
Request: A 2 Lot Residential Plat
Reviewed by Staff: Feb. 10, 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. Note: This plat was originally on the July 1, 2021 council agenda and approved, but expired prior to recordation.

Location

Generally located at the southeast corner of Ocotillo Road and 7th Street.
Council District: 6

Responsible Department

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



Abandonment of Easement - ABND 210022 - 23310 North 17th Drive (Resolution 22005)

Abandonment: ABND 210022

Project: 04-3

Applicant: Brian Barr

Request: The drainage easement located on the southeast corner of Lot 41, Pinnacle Peak Business Park Unit II, Book 715 Page 17 Official Records of Maricopa County Recorder.

Date of Decision/Hearing: June 7, 2021

Location

23310 North 17th Drive.

Council District: 1

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 Private Drive and Easement - ABND 200551 - Indian School Road and 103rd Avenue (Resolution 22003)

Abandonment: ABND 200551

Project: 18-855

Applicant: Jeff Giles, Clouse Engineering Inc.

Request: To abandon the private drive and public utility easements as identified on Exhibit A, recorded on subdivision plat "Villa De Paz Unit One", Book 135, Page 22.

Recorded with Maricopa County Recorder.

Date of Decision/Hearing: Nov. 5, 2020

Summary

The resolution of the abandonment and PLAT #210051 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location

Indian School Road and 103rd Avenue.

Council District: 5

Financial Impact

None. No consideration fee was required as a part of this private drive and 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 190087 - 4222 N. Paradise Way and 6024 E. Calle Del Norte (Resolution 22007)

Abandonment: ABND 190087

Project: 99-3603

Applicants: Scott Zielinski and William Francis

Request: To abandon front right-of-way originally designed for a cul-de-sac that was never developed.

Date of Decision/Hearing: March 4, 2021

Location

4222 N. Paradise Way and 6024 E. Calle Del Norte.

Council District: 6

Financial Impact

A consideration fee was also collected as part of this right-of-way abandonment in the amount of \$691.20.

Responsible Department

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



**Abandonment of Right-of-Way - ABND 200553 - 4945 East Camelback Road
(Resolution 22004)**

Abandonment: ABND 200553

Project: 99-40961

Applicant: Phoenix Permit Service, LLC

Request: To abandon 25-feet of right-of-way, directly north of 4945 E. Camelback Road.

Date of Decision/Hearing: Nov. 5, 2020

Location

4945 East Camelback Road.

Council District: 6

Financial Impact

A consideration fee was also collected as part of this right-of-way abandonment in the amount of \$956.00.

Responsible Department

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



Abandonment of Easement - ABND 210035 - Northwest Corner of Camelback Road and SR-51 (Resolution 22008)

Abandonment: ABND 210035

Project: 19-4369

Applicant: Noel Griemsmann

Request: Portions of Public Utility Easement and Water Easement adjacent to 154-57-007A, 164-57-008, 164-57-009, 164-57-010, 164-57-449 and 164-57-023B.

Date of Decision/Hearing: July 28, 2021

Summary

The resolution of the abandonment and PLAT 210053 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second. **Please note PLAT 210053 was already approved at the Feb. 16, 2022 Formal meeting.**

Location

Northwest corner of Camelback Road and SR-51.

Council District: 6

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 - ABND 200507 - Northeast Corner of 1st Avenue and Van Buren Street (Resolution 22006)

Abandonment: ABND 200507

Project: 19-2846

Applicant: City of Phoenix Community and Economic Development Department

Request: To abandon 6 square feet of right-of-way at the northeast corner of 1st Avenue and Van Buren Street.

Date of Decision/Hearing: April 23, 2020

Location

Northeast Corner of 1st Avenue and Van Buren Street.

Council District: 7

Financial Impact

A consideration fee was waived by the Planning and Development Director (as permitted by the City Code for acknowledgement of other public benefit as outlined in the City Council approved development agreement) for this right-of-way abandonment. Filing fees were paid.

Responsible Department

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



Modification of Stipulation Request for Ratification of Feb. 16, 2022, Planning Hearing Officer Action - PHO-3-21--Z-51-01-2 - Northeast Corner of 31st Street and Aire Libre Lane

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 Feb. 16, 2022. This ratification requires formal action only.

Summary

Application: PHO-3-21--Z-51-01-2
Existing Zoning: R-3 (Approved P-1 and C-3)
Acreage: 2.39

Owner: William P. & Betty E. Crittenden Trust
Applicant/Representative: Micah McCreary, Beus Gilbert McGroder

Proposal:

1. Modification of Stipulation 1 regarding general conformance to the site plan date stamped July 5, 2019.
2. Deletion of Stipulation 4 regarding the maximum height of outdoor storage and screening from public rights-of-way.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Paradise Valley Village Planning Committee heard this case on Feb. 7, 2022, and recommended approval with a modification by a 14-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Feb. 16, 2022, and recommended approval with a modification and an additional stipulation. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Northeast corner of 31st Street and Aire Libre Lane.
Council District: 2

Parcel Address: 3150 E. Aire Libre Lane.

Responsible Department

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

Attachment A- Stipulations- PHO-3-21--Z-51-01-2

Location: Northeast corner of 31st Street and Aire Libre Lane

Stipulations:

General

1. The development shall be in general conformance to WITH the site plan date stamped DECEMBER 21, 2021 ~~July 5, 2019~~, as modified by the following stipulations and approved by the Planning and Development Department.
2. Primary ground and combination signs shall be limited to a maximum of 3 feet in height and 30 square feet in area.
3. Illuminated signs shall not be used from 10:00 p.m. until 6:00 a.m.
4. Outdoor storage shall not exceed a maximum height of 10 feet and shall be screened from view of public rights-of-way, as approved by the Planning and Development Department.

Landscape

5. A twenty (20) foot landscape setback including two (2) inch caliper size shade trees spaced a maximum twenty (20) feet on center or placed in equivalent groupings shall be provided along the south and west property lines.
6. A ten (10) foot landscape buffer including two (2) inch caliper size shade trees spaced a maximum twenty (20) feet on center or placed in equivalent groupings shall be provided along the interior of the north wall.

Walls

7. Any new perimeter wall along the north property line, constructed after the effective date of approval of this request, shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile, glass insets, or stamped designs, as approved by the Planning and Development Department.
8. Perimeter walls along the south and west property lines shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile, glass insets, or stamped designs, as approved by the Planning and Development Department.

Circulation

9. A 12-foot right-of-way radius shall be dedicated at the northeast corner of 31st Street and Aire Libre Lane.
10. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalks except on Aire Libre, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.

11. CPTED principles shall be used in the design and layout of the site, as recommended by the Planning and Development Department.
12. Upon approval by City Council, the Paradise Valley VPC will be notified of any modifications of stipulations.

Other

13. The property owner shall record a notice to prospective purchasers of proximity to airport in order to disclose the existence, and operational characteristics of Phoenix Deer Valley Airport to future owners or tenants of the property.
14. **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.**

DRAFT



Modification of Stipulation Request for Ratification of Feb. 16, 2022, Planning Hearing Officer Action - PHO-1-21--Z-1-93-7(4) - Northwest Corner of Van Buren Street and 35th Avenue

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 Feb. 16, 2022. This ratification requires formal action only.

Summary

Application: PHO-1-21--Z-1-93-7(4)

Existing Zoning: C-2

Acreage: 1.15

Owner: SK&M Investments

Applicant/Representative: William F. Allison, Withey Morris PLC

Proposal:

1. Modification of Stipulation 1 regarding general conformance with the site plan dated Nov. 23, 1992.
2. Modification of Stipulation 2 regarding a bus stop on the north side of Van Buren Street.
3. Modification of Stipulation 3 prohibiting access to Melvin Street.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on Dec. 21, 2021 and recommended approval by a 6-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Feb. 16, 2022 and recommended approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Northwest corner of Van Buren Street and 35th Avenue.

Council District: 4
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-1-21--Z-1-93-7(4)

Location: Northwest corner of Van Buren Street and 35th Avenue

Stipulations:

1. ~~That~~ THE development shall be in general conformance with the site plan DATE STAMPED FEBRUARY 11, 2022 ~~dated November 23, 1992~~, as may be modified by the FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND Development Services Department ~~through the Development Review process to meet Zoning Ordinance requirements.~~
2. ~~That a far side bus stop on the north side of Van Buren Street shall be provided as approved by the Development Services Department. Access shall be provided from the bus stop to the restaurant in accordance with the Americans with Disabilities Act requirements as approved by the Development Services Department.~~

THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY AND CONSTRUCT ONE BUS STOP PAD ALONG WESTBOUND VAN BUREN STREET WEST OF 35TH AVENUE. THE BUS STOP PAD SHALL BE COMPLIANT WITH CITY OF PHOENIX STANDARD DETAIL P1260 WITH A MINIMUM DEPTH OF 12 FEET. THE BUS PAD SHALL BE SPACED FROM THE INTERSECTION OF 35TH AVENUE AND VAN BUREN STREET ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1258, AS APPROVED OR MODIFIED BY THE PUBLIC TRANSIT DEPARTMENT.

3. ~~That no~~ VEHICULAR access shall be provided to Melvin Street SHALL BE PROHIBITED ~~unless a variance to reduce the required drive-thru queuing space is denied.~~
4. IF ANY DRIVEWAY IS PROPOSED ALONG VAN BUREN STREET, THE DRIVEWAY SHALL BE RESTRICTED TO RIGHT-IN/RIGHT-OUT ONLY, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.
5. THE DEVELOPER SHALL CONSTRUCT A MINIMUM 5-FOOT-WIDE DETACHED SIDEWALK ALONG THE WEST SIDE OF 35TH AVENUE TO BE DETACHED WITH A MINIMUM 10-FOOT-WIDE LANDSCAPE STRIP LOCATED BETWEEN THE BACK OF CURB AND SIDEWALK. TREES PLANTED IN THE LANDSCAPE AREA TO BE PLACED NEAR THE SIDEWALK TO PROVIDE THERMAL COMFORT FOR PEDESTRIANS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
6. THE DEVELOPER SHALL DEDICATE A 10-FOOT SIDEWALK EASEMENT FOR THE NORTH SIDE OF VAN BUREN STREET AND THE WEST SIDE OF 35TH AVENUE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
7. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE

WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY
RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN
THE REZONING APPLICATION FILE FOR RECORD.

DRAFT



Modification of Stipulation Request for Ratification of Feb. 16, 2022, Planning Hearing Officer Action - PHO-1-21--Z-23-95-7(4) - Approximately 175 Feet West of the Southwest Corner of 35th Avenue and Melvin Street

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 Feb. 16, 2022. This ratification requires formal action only.

Summary

Application: PHO-1-21--Z-23-95-7(4)

Existing Zoning: P-1

Acreage: 0.23

Owner: SK&M Investments

Applicant/Representative: William F. Allison, Withey Morris PLC

Proposal:

1. Modification of Stipulation 1 regarding pedestrian and vehicular access to Melvin Street.
2. Modification of Stipulation 2 regarding a 20-foot landscape setback along Melvin Street.
3. Modification of Stipulation 3 regarding a 6-foot masonry screen wall.
4. Deletion of Stipulation 4 regarding use of parking.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on Dec. 21, 2021 and recommended approval by a 6-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Feb. 16, 2022, and recommended approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Approximately 175 feet west of the southwest corner of 35th Avenue and Melvin Street.

Council District: 4

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-1-21--Z-23-95-7(4)

Location: Approximately 175 feet west of the southwest corner of 35th Avenue and Melvin Street

Stipulations:

1.	THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED FEBRUARY 11, 2022, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
2. 4.	That no pedestrian or Vehicular access shall be allowed to Melvin Street SHALL BE PROHIBITED.
2.	That a 20 foot landscape setback be provided along Melvin Street.
3.	That a six (6) foot masonry screen wall be provided behind the Melvin Street setback and along the west property line and contain heavy landscaping.
4.	That the approved parking not be used to support additional commercial development intensity in the area.
3.	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.



Modification of Stipulation Request for Ratification of Feb. 16, 2022, Planning Hearing Officer Action - PHO-3-21--Z-105-89-5(6) - Southeast Corner of 7th Street and Northern Avenue

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 Feb. 16, 2022. This ratification requires formal action only.

Summary

Application: PHO-3-21--Z-105-89-5(6)

Existing Zoning: R-O

Acreage: 0.91

Owner: Northern Grove Phoenix LLC

Applicant/Representative: Cassandra Alejandro, CVL Consultants

Proposal:

1. Modification of Stipulation 1 regarding general conformance with the site plan dated Feb. 14, 1990.
2. Modification of Stipulation 11 regarding architectural style of the office buildings and general conformance with the renderings dated Feb. 14, 1990.
3. Modification of Stipulation 14 regarding building square footage and height for various uses.
4. Technical corrections to Stipulations 7 and 20.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Camelback East Village Planning Committee opted not to hear this request.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Feb. 16, 2022, and recommended approval with modifications and an additional stipulation. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Southeast corner of 7th Street and Northern Avenue.

Council District: 6

Parcel Address: 701 E. Northern Ave.

Responsible Department

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

Attachment A- Stipulations- PHO-3-21--Z-105-89-5(6)

Location: Southeast corner of 7th Street and Northern Avenue

Stipulations:

1.	That THE development SHALL be in general conformance with the site plan AND ELEVATIONS DATE STAMPED JANUARY 13, 2022, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT dated February 14, 1990.
2.	That Approval is conditioned upon development in accordance with Section 108.M of the Zoning Ordinance within 24 months of the final approval of the change of zoning by City Council. The time period shall be deemed to be satisfied as long as one of the office buildings is completed within the 24-month period.
3.	That Outside lighting shall be decorate in nature and shall not spill over into neighboring residences.
4.	That All mechanical equipment SHALL be screened from view.
5.	That One ground sign, not to exceed 3' x 4' in height, will be allowed on site.
6.	That Sufficient right-of-way SHALL be dedicated within one year of final City Council approval to provide:
a.	A bus bay as per Street and Transportation Geometric Drawing No. 3919.
b.	A shelter or/accessory pad on Northern Avenue per Phoenix Standard No. P-1258.
7.	That Alternative window treatment, at the upper level, in terms of louvered/clearstory windows and appropriate placement SHALL be approved by the PLANNING AND Development DEPARTMENT Coordination Office agreed upon with the developer and the adjoining residents.
8.	The landscaped areas contain 50 percent of 24-inch box drought resistant shade trees and 50 percent of 15-gallon drought resistant shade trees spaced 20 feet on-center or in equivalent groups. Said trees shall be evergreen type trees. Landscaping for the entire property will be installed in connection with the first building which is developed on-site. Furthermore, upon the completion of the first office building which is constructed, decomposed granite will be placed on the additional two building pads and will remain until each building pad is developed.
9.	Developer agrees to grade and remove debris and plant material from the site within three months after receiving City Council approval from zoning.

10.	Perimeter landscaping along the south and east property lines shall be installed within six months of City Council approval. Said landscaping shall be according to Stipulation 8 above.
11.	The architectural style of the office buildings will be residential in appearance. Said style will consist of brick or stone with either a tile or shake roof. The buildings will be in general conformance with the renderings dated February 14, 1990, and attached hereto.
12.	A six foot masonry wall will be constructed around the east and south perimeter of the site within six months of Council approval.
13.	Landscaped island as depicted on the site plan will be constructed in the parking lot.
14.	The second building to be constructed on the site shall be allowed to have 4,000 square feet of medical uses and shall be constructed in a one-story building. The third building on the site may have a maximum of 6,820 square feet of general office, provided, however, in the event there is to be any medical or dental use in the third building, the maximum size of the third building shall be no greater than 5,000 square feet. The third building shall be constructed as a single story building.
15.	A combination of 3-foot wall and/or 3-foot grass berm will be constructed along the street frontages of 7th Street and Northern.
16.	The maximum square-footage for the entire site will be 15,000 square feet.
17.	The maximum square footage for the entire site will be 15,000 square feet or in the event any medical, dental or related medical or dental use is to be included in the third building, a maximum of 13,000 square feet shall be allowed. In the request for site plan approval respecting the third building on the site, applicant shall set forth the election to have any medical, dental use or related medical or dental use, and shall state the foregoing limitation of building size.
18.	A minimum of twenty-eight parking spaces shall be provided for the third building.
19.	In the event an application for rezoning or modification of these stipulations is received by the City, notice of such application shall be provided to the following individuals: Mr. Bob Worley, 727 East Winter Drive and Mr. Paul J. Bennick, 721 East Winter Drive.
20.	At such time that an application for site plan approval is received by the PLANNING AND Development Services Department for any portion of the site, notice of such application shall be provided to the following individuals: Mr. Bob Worley, 727 West Winter Drive and Mr. Paul J. Bennick, 721 East Winter Drive.

21.	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.

DRAFT



Modification of Stipulation Request for Ratification of Feb. 16, 2022, Planning Hearing Officer Action - PHO-1-21--Z-155-C-01-7 - Approximately 690 Feet West of the Northwest Corner of 91st Avenue and Broadway Road and Approximately 1,020 Feet East of the Southeast Corner of 107th Avenue and Broadway Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Feb. 16, 2022. This ratification requires formal action only.

Summary

Application: PHO-1-21--Z-155-C-01-7

Existing Zoning: S-1 (Approved R-3 PCD), PCD (Approved R-3 PCD)

Acreage: 31.88

Owner: New Era Phoenix LLC

Applicant/Representative: Julie Vermillion, CVL Consultants

Proposal:

1. Deletion of Stipulation 17 regarding porches and patios oriented towards 91st Avenue, 107th Avenue, and Broadway Road.
2. Modification of Stipulation 18 regarding multifamily bicycle infrastructure.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on Jan. 18, 2022 and recommended denial by a 5-0 vote. The Estrella Village Planning Committee heard this request on Feb. 15, 2022, and recommended approval by a 6-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Feb. 16, 2022, and recommended approval with modifications and an additional stipulation. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Approximately 690 feet west of the northwest corner of 91st Avenue and Broadway

Road and approximately 1,020 feet east of the southeast corner of 107th Avenue and Broadway 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-1-21--Z-155-C-01-7

Location: Approximately 690 feet west of the northwest corner of 91st Avenue and Broadway Road and approximately 1,020 feet east of the southeast corner of 107th Avenue and Broadway Road

Stipulations:

1. The development of Units 15, 16, 17, 18, 20.A and 20.B shall be accordance with the Master Development Plan date stamped August 13, 2020 as approved by the Planning and Development Department. The total number of residential units within the Sunset Farms PCD shall not exceed 2,735.

GATEWAY ENTRIES, LANDSCAPING, RETENTION AND SIDEWALKS

2. Along arterial and collector streets, and appropriate transitions onto adjoining local streets within the residential development, the sidewalks shall be detached and a minimum 5-foot wide landscaped strip shall be located between the sidewalk and the back of curb. The landscape strip shall be increased in width where required to meet the latest City of Phoenix Street Classification Map street cross-section. The planting area shall be planted with minimum 2-inch caliper shade trees placed 20 feet on center and appropriate ground cover as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
3. A minimum 40-foot by 40-foot triangular landscape entry area shall be provided on each arterial street main entry corner into the PCD, as approved by the Planning and Development Department.
4. That the developer shall adhere to the Estrella Village Arterial Street Landscaping Program, as it relates to arterial streets abutting the site and the recommended gateway landscaped entry feature on the southeast corner of 107th Avenue and Broadway Road. The developer shall also utilize the recommended plant list as suggested in the Program, as approved by the Planning and Development Department.
5. Within the C-2 portion of the development at the intersection of 91st Avenue and Broadway Road, a minimum 75-foot by 75-foot triangular landscaped entryway feature shall be provided and that the landscaping of the feature shall connect to the trail within the power line corridor adjacent to Broadway Road, as approved by the Planning and Development Department.
6. A minimum 75-foot by 75-foot landscaped gateway shall be provided on the southeast corner of 107th Avenue and Broadway Roads consistent with the Estrella Village Arterial Street Landscape Program, as approved by the Planning and Development Department.
7. All retention areas shall be sloped no greater than 4:1 throughout the site, except within the Estrella Channel.

MASTER PLANS

8. In addition to the Zoning Ordinance required plan elements, the developer shall update and submit the following Master Development Plans for review and approval by the appropriate city departments prior to issuance of preliminary site plan approval. The plans shall address the stipulations contained in this PCD amendment which include the following, in addition to other requirements, as approved by the Planning and Development Department:

Master Pedestrian/Bike/Trails Circulation Plan

- A. A Master Pedestrian/Bike/Trails Circulation Plan shall be submitted to the City for review and approval concurrent with Planning and Development Department review of the Master Plan documents and shall identify the following:
 - (1) All proposed pedestrian walkways, multi-use trails, and bikeways within and abutting the site. The network shall include the width and locations throughout each of the future residential developments.
 - (2) Coordination of walkway and bikeway locations with drainage ways and open space to provide a trail network throughout the PCD.
 - (3) Incorporate and be in specific conformance with the Trails Plan labeled Figure 8 in the Sunset Farms Application Binder as approved by the Planning and Development Department and consistent with the most recently approved City of Phoenix Trails Plan, except where trail alignment deviations are approved by the Parks and Recreation Department. These improvements shall be developed in the following manner, which is consistent with the Estrella Village Multi-Purpose Trails Plan:
 - a) A 10-foot wide multi-use trails shall be provided along the north side of Broadway Road in the powerline corridor.
 - b) An 8-foot wide multi-use trails shall be provided along the half-mile collector streets between 91st and 99th Avenues, and 99th and 107th Avenues.
 - c) The trails shall be improved using the Parks and Recreation Department recreation trails standards.

Master Landscape Plan

- B. A Master Landscape Plan shall be submitted to the City for review and approval concurrent with the Planning and Development Department review of the Master Plan documents and shall identify:

- (1) Plant lists addressing areas of landscaping to be planted with arid types of vegetation.
- (2) List of plants not allowed in the development (i.e. pine trees, palm trees, eucalyptus, etc.) due to their incompatibility.
- (3) Coordination of the landscape conservation plan with master drainage and trails plan. The conservation plan shall preserve the mature trees along 99th Avenue, if possible, as approved by the Planning and Development Department.
- (4) The developer shall participate in the Estrella Village Arterial Street Landscaping Program as it relates to arterial streets abutting the site and the recommended gateway landscaped entry feature on the southeast corner of 107th Avenue and Broadway Road. The developer shall also utilize the recommended plant list for areas within the powerline corridors as suggested in the Program.
- (5) Open space and retention area improvements such as tot lots, ramadas, tennis or sports courts, barbecues, large seating areas, etc., as approved by the Planning and Development Department.

Master Water and Wastewater Plans

- C. The developer shall update and submit for approval by the Water Services Director, Potable Water and Wastewater System Master Plans for the PCD. Such plans must be completed by a registered engineer in conformance with Water Services Department master infrastructure plans for the area.
 - D. The water supplies for any greenbelt areas of the development shall be limited to the Salt River Water Users Association (SRWUA) rights associated with the greenbelt acreage only. Water rights associated with non-greenbelt acreage must be transferred to the City of Phoenix Domestic Water Account with Salt River Project as a condition of domestic water service. This split of the water rights entitlement and transfer into the City of Phoenix water account can be affected by requesting from the SRWUA, a split for Association Convenience and transfer to the City Account. A letter from the SRWUA stating that the water rights transfer has occurred shall be provided to the Water Services Director prior to final plat approval of each phase. This phased transfer of water rights is to allow for the retention of those water rights necessary for the interim agricultural use on the property until each phase is developed.
9. The applicant shall develop an architectural theme for each commercial development unit of the PCD. The theme shall assure that building colors, elevations, exterior materials, roofline treatment, and a street appurtenance package such as, but not limited to benches and signage, convey a sense of

continuity throughout the different phases of each commercial development unit, as approved by the Planning and Development Department.

COMMERCIAL DEVELOPMENT UNITS (16 AND 20.A)

10. The use of “corporate” colors (excluding signage); specifically, but not limited to those typically associated with chain/franchise establishments, shall only be used as an accent. Building design, common areas, and parking lots of the center shall integrate the approved PCD architectural theme, as approved by the Planning and Development Department.
11. Any gas station pump island canopies and columns shall be constructed with the approved PCD architectural theme to minimize “corporate” colors, as approved by the Planning and Development Department.
12. Any light fixtures mounted in or on the ceiling of the pump island canopy shall be fully recessed and directed downward. Dropped lenses extending below the ceiling of the canopy shall not be permitted.
13. Commercial buildings within each commercial development unit shall provide a minimum of four inverted U-bicycle racks, artistic style rack (in adherence to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan) or “Outdoor/Covered Facilities” for customers and employees. These facilities shall be located near building entrances, installed per the requirements of Section 1307.H. of the Zoning Ordinance, and as approved by the Planning and Development Department.
14. Each commercial development unit shall provide and maintain at least two bicycle repair stations (“fix it station”) located in an area of high visibility, separated from vehicular maneuvering areas, and located as close as possible to the nearest bus stop pad along 91st Avenue and Broadway Road, where applicable. The placement of the bicycle repair station along 107th Avenue shall be near the southwest corner of Development Unit 20.A. The final placement of each bicycle repair stations shall be as approved by the Planning and Development Department. The repair stations shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
15. Each commercial development unit shall incorporate a centrally located plaza or courtyard of no less than 3,500 square feet in area that includes at a minimum three pedestrian seating park-style or concrete benches, a ramada, an art feature and passive open space accessible to pedestrians within the commercial development unit. This area shall be shaded at a minimum of 75 percent via single trunk shade trees of no less than 2-inch caliper size placed 20 feet on center consistent with a pedestrian environment, as approved by the Planning and Development Department.

16. If a commercial development unit develops as multifamily, the development shall follow the stipulations contained in this rezoning case which apply to multifamily development units.

MULTIFAMILY DEVELOPMENT UNITS (15 AND 20.B)

17. All ground floor units adjacent to 91st Avenue, 107th Avenue and Broadway Road shall have individual porches or patios oriented to the nearest public street.
18. Each multifamily development unit shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - A. Resident bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces. These spaces may be provided through a combination of “Secure/Covered Facilities” and “Outdoor/Covered Facilities” as defined in Appendix K of the Comprehensive Bicycle Master Plan. “Outdoor/Covered Facilities” shall comprise no more than 60 percent of required resident bicycle parking.
 - B. Guest bicycle parking shall be provided AT A RATE OF .05 SPACES PER DWELLING UNIT. THESE SPACES SHALL BE PROVIDED through the provision of ~~a minimum of four~~ inverted U-bicycle racks, artistic style racks or “Outdoor/Covered Facilities” DISTRIBUTED EVENLY THROUGHOUT THE PROPERTY ~~for guests located near building entrances of each residential building.~~ All racks shall adhere to THE BIKE PARKING EQUIPMENT AND INSTALLATION DESIGN STANDARDS IN Appendix K of the Comprehensive Bicycle Master Plan.
 - C. A minimum of one bicycle repair station (“fix it station”) shall be provided and maintained within close proximity to the resident “Secured/Covered Facilities” bicycle parking area. This bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas. The repair stations shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
19. The required landscape setback areas for multifamily development shall be planted in accordance with the Estrella Village Arterial Street Landscaping Program where adjacent to arterial streets. Where not adjacent to arterial streets, trees in the required landscape setback areas shall be planted 20-feet on center, or in equivalent groupings. Large canopy shade trees including minimum 80 percent 2-inch caliper and 20 percent 3-inch caliper size trees shall be planted within the required landscape setbacks, as approved by the Planning and Development Department.
20. Each phase of a multifamily development unit shall provide a minimum of 8 percent of the gross site area as open space.

BOTH COMMERCIAL AND MULTIFAMILY DEVELOPMENT UNITS (15, 16, 20.A AND 20.B)

21. Each phase of a commercial and multifamily development unit shall provide a minimum 25 percent shade of the parking lot with landscaping and/or carports as measured on the summer solstice at noon and as approved by the Planning and Development Department.
22. A system of pedestrian thoroughfares as described below via the most direct route shall be provided, as approved or modified by the Planning and Development Department for commercial and multifamily development units:
 - A. Pedestrian paths shall be shaded to a minimum of 75 percent.
 - B. Pedestrian paths shall be illuminated by pedestrian scale lighting per Section 1304(H)5.
 - C. Vehicular crossings shall be kept to a minimum. Where crossings exist, the pedestrian pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts with parking and drive aisle surfaces.
 - D. Connections shall be between:
 - (1) All commercial building entrances and exits;
 - (2) Commercial development units and adjacent residential development units with a minimum of two pedestrian paths connecting each adjacent development unit;
 - (3) Amenity areas located within the commercial and residential development units to each building in that development unit;
 - (4) Adjacent bus stops and sidewalks along 91st Avenue, 107th Avenue and Broadway Road;
 - E. At corner properties located at signalized intersections (or future signalized intersections), an additional ADA compliant pedestrian path must be provided from the traffic signal (or future site of a traffic signal) to the entrance of the nearest building in the most direct route.
23. The primary vehicular entrances to each residential and commercial development units shall include the following elements, as approved by the Planning and Development Department:
 - A. Pedestrian pathways connecting the interior of the development to the public sidewalks along both sides of the vehicular driveway.

- B. The pedestrian pathways shall be detached from the vehicular driveway and lined with landscape areas on both sides of not less than 5 feet each. The landscape area shall be planted with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.
- C. The driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.

SINGLE-FAMILY DEVELOPMENT UNITS (17 AND 18)

- 24. Single-family development units 17 and 18 shall provide at a minimum two pedestrian sidewalk connections in an east to west direction, in addition to any connections required within right-of-way, that connect both development units. This connection shall be shaded to a minimum of 50 percent and approved by the Planning and Development Department.
- 25. View fencing shall be required on all lots that back onto open space/retention areas, except for those adjacent to arterial streets or the SR-30 freeway as approved by the Planning and Development Department.

PUBLIC TRANSIT

- 26. The developer shall dedicate right-of-way and construct bus stop pads at the locations listed below. All bus stop pads shall be compliant with City of Phoenix Standard Detail P1262 with a minimum depth of 10 feet. Bus stop pads shall be spaced from the indicated intersection as per City of Phoenix Standard Detail P1258.
 - A. Northbound 99th Avenue north of the Weir Avenue alignment;
 - B. Eastbound Broadway Road east of 105th Drive;
 - C. Eastbound Broadway Road east of 99th Avenue;
 - D. Eastbound Broadway Road east of 96th Drive;
 - E. Westbound Broadway Road west of the 93rd Avenue alignment;
- 27. The developer shall dedicate right-of-way and construct bus bays with attached bus stop pads at the locations listed below. All bus bays shall be compliant with City of Phoenix Standard Detail P1256. Attached bus stop pads shall be compliant with City of Phoenix Standard Detail P1261 with a minimum depth of 10 feet. Bus stop pads shall be spaced from the indicated intersection as per City of Phoenix Standard Detail P1258.
 - A. Eastbound Broadway Road east of 107th Avenue;
 - B. Westbound Broadway Road west of 91st Avenue;

28. Final placement of bus stop pads and bus bays shall require approval from the Public Transit Department.
29. The developer shall locate trees in close proximity to each bus stop to shade the bus stop area to a minimum of 75 percent, as approved by the Planning and Development Department. Where utility conflicts exist, an alternative design shall be provided consistent with a pedestrian environment, as approved by the Planning and Development Department.

STREETS

30. Prior to preliminary site plan approval, the developer shall submit an updated Master Street and Phasing Plan to be approved by the Street Transportation Department. The master street and phasing plan shall contain specified right-of-way dedications, improvements, and developer funded signal locations.
31. The developer shall underground existing electrical utilities within the public right-of-way that are impacted or, to be relocated as part of this project. The developer shall coordinate with the affected utilities company for their review and permitting.
32. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
33. The developer shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study has been reviewed/coordinated with the approved and updated Master Street and Phasing Plans as approved by the City. Additional off-site improvements and right-of-way dedications may be required as identified in the approved traffic study. Development shall be responsible for the cost associated with these improvements and dedications.
34. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Chief Engineering Tech with the Street Transportation Department at (602) 262-6193. This form is a requirement of the EPA to meet clear air quality requirements.
35. Provide additional ADA compliant space and shade at street intersections to allow for pedestrians' comfort while they wait to cross safely as approved by the Planning and Development Department.

DISCLOSURES

36. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of the property and tenants within the development(s)

the existence and operational characteristics of the multiple dairies on the site and in the surrounding area and the 91st Avenue Wastewater Treatment Plant. The form and content of such documents shall be reviewed and approved by the City Attorney.

37. The property owner shall record documents that disclose to purchasers of property impacted by the approved and/or preferred alignment of the SR-30 freeway, the existence or future potential of noise from the SR-30 freeway. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

FREEWAY SEPARATION

38. Development units affected by the SR-30 freeway shall incorporate a minimum 50-foot setback between the edge of the SR-30 freeway alignment and any residential lot lines. This setback can incorporate local street rights-of-way and shall contain a landscape area with large canopy drought-tolerant trees of minimum 3-inch caliper size, planted 20-feet on center, as approved by the Planning and Development Department. This stipulation shall not apply in the event that ADOT has not chosen a finalized SR-30 freeway alignment prior to preliminary site plan approval for the final alignment.

ARCHAEOLOGY

39. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
40. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
41. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
42. 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.



Remove/Replace Zoning District - 19th Avenue and Yearling Road - Annexation 513 (Ordinance G-6973)

Request to authorize the City Manager, or his designee, to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County RU-43 zoning district and replacing it with the City of Phoenix S-1 zoning district on the property at the location described below, which was annexed into the City of Phoenix on Dec. 15, 2021, by Ordinance S-48196.

Location

19th Avenue and Yearling Road.
Council District: 1

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 THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE ANNEXED PARCEL DESCRIBED HEREIN (19TH AVENUE AND YEARLING ROAD ANNEXATION, NO. 513) FROM COUNTY RU-43 TO CITY'S S-1 (RANCH OR FARM RESIDENCE).

WHEREAS, on December 15, 2021, via Ordinance S-48196, the City of Phoenix annexed an approximately 2.02-acre property located at 19th Avenue and Yearling Road, in a portion of Section 6, Township 4 North, Range 3 East, as described more specifically in "Exhibit A" and incorporated herein by this reference; and,

WHEREAS, as required by A.R.S. § 9-471.L, the city of Phoenix is required to adopt zoning districts on the subject parcel to permit uses and densities no greater than those allowed by the prior County zoning district; and,

WHEREAS, immediately prior to annexation the zoning applicable to this territory was Maricopa County's RU-43 zoning district; and

WHEREAS, the City's S-1 (Ranch or Farm Residence) zoning district is equivalent to Maricopa County's RU-43 zoning district;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The approximately 2.02-acre property located at 19th Avenue and Yearling Road, in a portion of Section 6, Township 4 North, Range 3 East, which is described in "Exhibit A" and depicted in "Exhibit B" has been annexed to the City of Phoenix, and the present corporate limits of the City have been extended and increased to include such property.

SECTION 2. Pursuant to A.R.S. §9-471(L), the property depicted in Exhibit B is hereby removed from Maricopa County's RU-43 zoning district and placed into the City's S-1 (Ranch or Farm Residence) zoning district. This zoning designation shall take effect thirty days after this Ordinance is adopted, without further action by the City Council, and

SECTION 3. The City Clerk shall cause a copy of this Ordinance, together with "Exhibits A" and "Exhibit B" to be filed and recorded in the Records of the Office of the Maricopa County Recorder, and

SECTION 4. The Planning and Development Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in "Exhibit B."

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 23rd of March, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

19TH AVENUE AND YEARLING ROAD ANNEXATION
Legal Description
Exhibit A

That part of Lot 29, Section 6, Township 4 North, Range 3 East, G&SRB&M, Maricopa County, Arizona as described in the Warranty Deed recorded at Document No. 2021-0299269, official records of Maricopa County, said part described as follows:

COMMENCING at the Southwest corner of said Lot 29;

thence north $89^{\circ}25'48''$ East, along the South line of said Lot 29, a distance of 70.00 to a point in the Easterly right of way line of 19th Avenue and in the Easterly line of the property annexed to the City of Phoenix by its Ordinance No. G-4798 recorded at Document No. 2006-0754468, said records of Maricopa County, said point also being the POINT OF BEGINNING;

thence North $00^{\circ}08'06''$ West, along said Easterly line, a distance of 330.42 feet to a point in the North line of said Lot 29;

thence $89^{\circ}25'47''$ East, along said North line, a distance of 265.49 feet;

thence South $00^{\circ}26'49''$ East, along the East line of the West 60.00 feet of the East 1.99 Acres of said Lot 29, a distance of 330.41 feet to a point in the South line of said Lot 29;

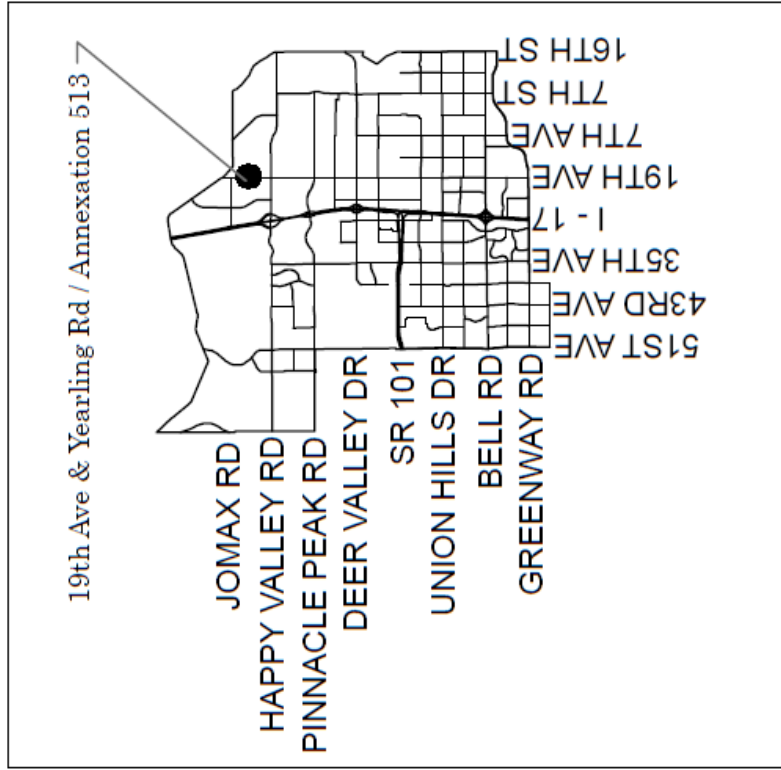
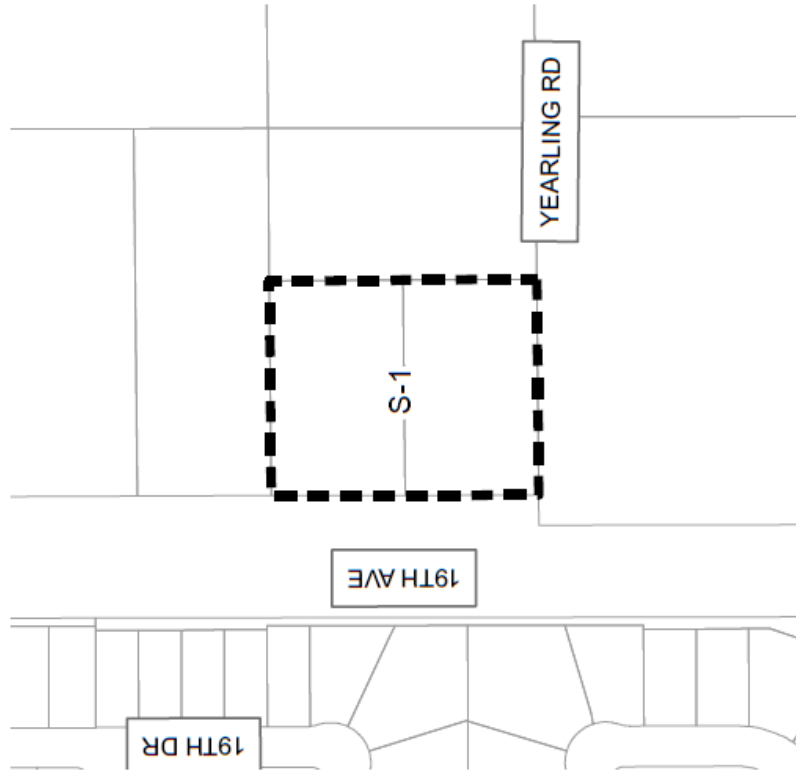
thence South $89^{\circ}25'48''$ West, along said South line of Lot 29, a distance of 267.29 feet to the POINT OF BEGINNING.

EQUIVALENCY ZONING MAP

EXHIBIT B

Annexation Case: 19th Ave & Yearling Rd / Annexation 513
 Zoning Overlay: N/A
 Planning Village: Deer Valley

ZONING SUBJECT TO STIPULATIONS: *
 SUBJECT AREA: ■■■■■■



NOT TO SCALE

Drawn Date: 2/8/2022



Remove/Replace Zoning District - 27th Avenue and Baseline Road - Annexation 515 (Ordinance G-6974)

Request to authorize the City Manager, or his designee, to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County RU-43 zoning district and replacing it with the City of Phoenix S-1 zoning district on the property at the location described below, which was annexed into the City of Phoenix on Feb. 16, 2022, by Ordinance S-48349.

Location

27th Avenue and Baseline Road.
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 THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE ANNEXED PARCEL DESCRIBED HEREIN (27TH AVENUE AND BASELINE ROAD ANNEXATION, NO. 515) FROM COUNTY RU-43 TO CITY'S S-1 (RANCH OR FARM RESIDENCE).

WHEREAS, on February 16, 2022, via Ordinance S-48349, the City of Phoenix annexed an approximately 2.25-acre property located at 7416 S. 27th Avenue, in a portion of Section 35, Township 1 North, Range 2 East, as described more specifically in "Exhibit A" and incorporated herein by this reference; and,

WHEREAS, as required by A.R.S. § 9-471.L, the city of Phoenix is required to adopt zoning districts on the subject parcel to permit uses and densities no greater than those allowed by the prior County zoning district; and,

WHEREAS, immediately prior to annexation the zoning applicable to this territory was Maricopa County's RU-43 zoning district; and

WHEREAS, the City's S-1 (Ranch or Farm Residence) zoning district is equivalent to Maricopa County's RU-43 zoning district;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The approximately 2.25-acre property located at 7416 S. 27th Avenue, in a portion of Section 35, Township 1 North, Range 2 East, which is described in “Exhibit A” and depicted in “Exhibit B” has been annexed to the City of Phoenix, and the present corporate limits of the City have been extended and increased to include such property.

SECTION 2. Pursuant to A.R.S. §9-471(L), the property depicted in Exhibit B is hereby removed from Maricopa County's RU-43 zoning district and placed into the City's S-1 (Ranch or Farm Residence) zoning district. This zoning designation shall take effect thirty days after this Ordinance is adopted, without further action by the City Council, and

SECTION 3. The City Clerk shall cause a copy of this Ordinance, together with “Exhibit A” and “Exhibit B” to be filed and recorded in the Records of the Office of the Maricopa County Recorder, and

SECTION 4. The Planning and Development Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in “Exhibit B.”

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 23rd day of March, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

- A – Legal Description (1 Page)
- B – Ordinance Location Map (1 Page)

27TH AVENUE AND BASELINE ROAD ANNEXATION
Legal Description
Exhibit A

The North half of the South half of the Southeast quarter of the Southeast quarter of Section 35, Township 1 North, Range 2 East, G&SRB&M, Maricopa County, Arizona;
EXCEPT the North 165 feet thereof; and
EXCEPT the West 670 feet thereof; and
EXCEPT the East 55 feet thereof.

DRAFT

