



City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, December 4, 2024

2:30 PM

phoenix.gov

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, December 4, 2024 at 2:34 p.m. in the Council Chambers.

Present: 9 - Councilman Carlos Galindo-Elvira, Councilwoman Betty Guardado, Councilwoman Kesha Hodge Washington, Councilwoman Ann O'Brien, Councilwoman Laura Pastor, Councilman Kevin Robinson, Councilman Jim Waring, Vice Mayor Debra Stark and Mayor Kate Gallego

Councilman Waring left the Chambers, but remained part of the voting body remotely during Citizen Comments.

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

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-7322 and G-7326 through G-7332, S-51457 through S-51500, and Resolutions 22266 through 22267 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

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

MINUTES OF MEETINGS

1 For Approval or Correction, the Minutes of the Formal Meeting on May 15, 2024

Summary

This item transmits the minutes of the Formal Meeting of May 15, 2024, for review, correction and/or approval by the City Council.

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

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

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

2 For Approval or Correction, the Minutes of the Special Meeting on May 15, 2024

Summary

This item transmits the minutes of the Special Meeting of May 15, 2024, for review, correction and/or approval by the City Council.

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

A motion was made by Councilwoman Pastor, seconded by Councilwoman O'Brien, that this item be approved. The motion carried by the following voice vote:

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

BOARDS AND COMMISSIONS**3 Mayor and Council Appointments to Boards and Commissions****Summary**

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

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

Estrella Village Planning Committee

Appoint Dustin Thrower, filling a vacancy on the committee for a term to expire November 19, 2026, as recommended by Councilman Galindo-Elvira.

Laveen Village Planning Committee

Appoint Michael Doromal, replacing Gary Flunoy on the committee for a term to expire November 19, 2025, as recommended by Mayor Gallego.

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

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

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

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

A motion was made by Vice Mayor Stark, seconded by Councilwoman O'Brien, that items 4-19 be recommended for approval. The motion carried by the following voice vote:

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

4 Liquor License - Special Event - MPN Education Foundation LTD - District 2

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

Summary

Applicant

Josephine Mannino

Location

6161 E. Mayo Boulevard
Council District: 2

Function

Reception

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

February 15, 2025 - 5 p.m. to 9 p.m. / 200 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

5 Liquor License - Kitsune Brewing Company - District 2

Request for a liquor license. Arizona State License Application 306978.

Summary

Applicant

Tyler Smith, Agent

License Type

Series 7 - Beer and Wine Bar

Location

3321 E. Bell Road, Ste. B-05

Zoning Classification: C-2

Council District: 2

This request is for an ownership and location transfer of a liquor license for a beer and wine bar. This location is currently licensed for liquor sales with a Series 3 - Microbrewery, liquor license and does not have an interim permit.

The 60-day limit for processing this application is December 4, 2024.

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

Other Active Liquor License Interest in Arizona

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

Kitsune Brewing Company (Series 3)
3321 E. Bell Road, Ste. B-05, Phoenix
Calls for police service: 8

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 currently have a series 3 license with no strikes or penalties against me."

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

"We have created a community that enjoys coming to the space as well as we give back to the community in the form of food and school supplies drive."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment - Kitsune Brewing Company - Data

Attachment - Kitsune Brewing Company - Map

This item was recommended for approval.

6 Liquor License - Residence Inn by Marriott - District 2

Request for a liquor license. Arizona State License Application 309564.

Summary

Applicant

Briana Naegeli, Agent

License Type

Series 11 - Hotel

Location

5665 E. Mayo Boulevard

Zoning Classification: CP/BP DRSP

Council District: 2

This request is for a new liquor license for a hotel. This location is currently licensed for liquor sales with a Series 7 - Beer and Wine Bar, liquor license and does not have an interim permit. This location requires a Use Permit to allow outdoor entertainment.

The 60-day limit for processing this application is December 7, 2024.

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

Residence Inn by Marriott (Series 7)

510 S. Forest Avenue, Tempe

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

Liquor license violations: None

Residence Inn by Marriott (Series 7)
5665 E. Mayo Boulevard, Phoenix
Calls for police service: 24
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

"Applicant is an experienced licensee committed to upholding the highest standards to maintain 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:
"Residence Inn by Marriott has been a popular hotel in Phoenix for many years. In addition to the hotel's standard amenities. Applicant would like to offer guests 21 and over the opportunity to enjoy beer, wine and spirits as an incident to their story."

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 Ordinance.

Attachments

Attachment - Residence Inn by Marriott - Data
Attachment - Residence Inn by Marriott - Map

This item was recommended for approval.

7 Liquor License - Special Event - Assyrian Church of the East - St. Peter AZ - District 3

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

Summary

Applicant

Sargon Yaro

Location

1915 W. Thunderbird Road

Council District: 3

Function

Dinner and Dance

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

December 31, 2024 - 8 p.m. to 2 a.m. / 400 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

8 Liquor License - Wren House Brewing Co - District 3

Request for a liquor license. Arizona State License Application 310070.

Summary

Applicant

Drew Pool, Agent

License Type

Series 3 - Microbrewery

Location

12650 N. Tatum Boulevard, Ste. 100

Zoning Classification: C-2 H-R DNS/WVR SP PCD

Council District: 3

This request is for a new liquor license for a microbrewery. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in February 2025.

The 60-day limit for processing this application was November 30, 2024. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Wren House Brewing Company (Series 3)

2125 N. 24th Street, Phoenix

Calls for police service: 1

Liquor license violations: None

Wren House Brewing Co (Series 3)

6396 Lear Lane, Prescott

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

Liquor license violations: None

Sudhalle Taphouse (Series 12)

4025 E. Chandler Boulevard, Ste. 1 & 2, Phoenix

Calls for police service: 56

Liquor license violations: In September 2024, a fine for \$1,500 was paid for allowing alcohol to be removed from the premises.

Public Opinion

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

Applicant's Statement

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

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

"We have a 10 year brewery that has contributed to our local community with no negative marks on our record."

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

"Continued contribution to local communities, charities, employment opportunities."

Staff Recommendation

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

Attachments

Attachment - Wren House Brewing Co - Data

Attachment - Wren House Brewing Co - Map

This item was recommended for approval.

9 Liquor License - Szechwan Kitchen - District 4

Request for a liquor license. Arizona State License Application 310333.

Summary

Applicant

Xingjiang Zhao, Agent

License Type

Series 12 - Restaurant

Location

4402 N. 7th Avenue

Zoning Classification: C-2

Council District: 4

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

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

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed.

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I have been managing restaurants for more than 20 years. I have completed the training coursed required by law. I have had the basic knowledge of the laws and liquor products for serving liquor in a restaurant.."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "providing liquor options will serve our customers better."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment - Szechwan Kitchen - Data

Attachment - Szechwan Kitchen - Map

This item was recommended for approval.

10 Liquor License - Mariscos Y Sushi El Kora - District 5

Request for a liquor license. Arizona State License Application 310116.

Summary

Applicant

Jose Diaz, Agent

License Type

Series 12 - Restaurant

Location

2624 W. Bethany Home Road

Zoning Classification: C-2

Council District: 5

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

The 60-day limit for processing this application is December 4, 2024.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"The owner of Mariscos y Sushi El Kora has proudly operated another family-owned restaurant in the City of Phoenix serving Kora-style fresh seafood and Japanese style sushi since 2017, which consistently receives primarily "A" ratings from the Health Department. They remain committed to upholding the highest standards for their business and providing a safe and enjoyable experience for all customers at this

second establishment.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “Mariscos y Sushi El Kora desires to provide Phoenix residents and out-of-town visitors with a unique dining destination, including alcoholic and non-alcoholic beverage options, which most diners require as part of their full restaurant dining experience. The added City tax revenue brought by the sale of alcoholic beverages will further enhance our quality of life in Phoenix.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment - Mariscos Y Sushi El Kora - Data

Attachment - Mariscos Y Sushi El Kora - Map

This item was recommended for approval.

11 Liquor License - Special Event - Arizona Hellenic Foundation - District 6

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

Summary

Applicant

Aristotelis Evripidou

Location

1973 E. Maryland Avenue

Council District: 6

Function

Dinner and Dance

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

March 1, 2025 - 6 p.m. to 11:59 p.m. / 150 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Charcuterie Creative - District 6

Request for a liquor license. Arizona State License Application 308062.

SummaryApplicant

Holly Hutton, Agent

License Type

Series 10 - Beer and Wine Store

Location

1215 E. Missouri Avenue, Ste. 1

Zoning Classification: C-1

Council District: 6

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

The 60-day limit for processing this application is December 9, 2024.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I have run a successful business for the last several years in the Phoenix Metro area and have lived in the community all my life. Reliability is a key factor in my daily living. Community, Health and well being is very important."

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

"Having a small store in the area that does not have this kind of establishment for local residents will improve foot traffic and sales for other businesses in the area."

Staff Recommendation

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

Attachments

Attachment - Charcuterie Creative - Data

Attachment - Charcuterie Creative - Map

This item was recommended for approval.

13 Liquor License - Cultivate - District 6

Request for a liquor license. Arizona State License Application 307440.

Summary

Applicant

Mark Tarbell, Agent

License Type

Series 12 - Restaurant

Location

3200 E. Camelback Road, Level 1

Zoning Classification: C-O

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 sale of alcoholic beverages.

The 60-day limit for processing this application is December 4, 2024.

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

Other Active Liquor License Interest in Arizona

This 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.

Tarbell's (Series 12)
3213 E. Camelback Road, Phoenix
Calls for police service: 1
Liquor license violations: None

Tavern & Wine Store (Series 6)
3205 & 3209 E. Camelback Road, Phoenix
Calls for police service: 5
Liquor license violations: None

Wine Store (Series 10S)
3209 E. Camelback Road, Phoenix
Calls for police service: 2
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 held several liquor licenses in Phoenix for 30 years, without incident, including: Tarbell's - #12071531, Tavern & Wine Store - #06070233, Wine Store - #10076433, Wine Store Sampling - #105076433."

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

"My businesses present high-end environments with community and social value to patrons of an affluent and educated demographic."

Staff Recommendation

Staff recommends approval of this application noting the applicant must

resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments

Attachment - Cultivate - Data

Attachment - Cultivate - Map

This item was recommended for approval.

14 Liquor License - Element Nail Bar - District 6

Request for a liquor license. Arizona State License Application 309654.

Summary

Applicant

Juanita Esparza, Agent

License Type

Series 7 - Beer and Wine Bar

Location

3180 E. Indian School Road

Zoning Classification: C-2

Council District: 6

This request is for a new liquor license for a beer and wine bar. 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 December 8, 2024

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The

presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"The owner of Element Nail Bar-Arcadia, LLC are committed to upholding the highest standards for "it's business practices & employees. Ms. Le has been trained in the techniques of legal & responsibility & has taken the title IV liquor training course along with the manager's. Ms. Le will oversee all employees & will provide a safe experience for all employees and patrons."

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

"Ms. Le of Element Nail Bar-Arcadia, LLC wish to provide the service of beer & wine while in a relaxing environment with the service of an beer or wine beverage at the request of any patron over the age of 21 years. In addition Ms. Le will responsibly adhere to all state and federal tax laws & maintain a strict adherence to the security requirements of the city and state."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment - Element Nail Bar - Data

Attachment - Element Nail Bar - Map

This item was recommended for approval.

15 Liquor License - Special Event - Phoenix World Arts Collective - District 7

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

Summary

Applicant

Carlos Montufar

Location

147 E. Adams Street

Council District: 7

Function

Performance

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

December 14, 2024 - 6:30 p.m. to 10 p.m. / 85 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

16 Liquor License - Jalisco International Imports - District 7

Request for a liquor license. Arizona State License Application 308276.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 4 - Wholesaler

Location

5302 W. Buckeye Road
Zoning Classification: A-1
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 December 6, 2024.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"We have been successfully operating our business at another location for several years. We will continue to abide by Title 4 liquor laws."

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

17 Liquor License - Long Wong's - District 7

Request for a liquor license. Arizona State License Application 309329.

Summary

Applicant

Victor Flores, Agent

License Type

Series 12 - Restaurant

Location

7415 W. Thomas Road

Zoning Classification: C-2

Council District: 7

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 December 4, 2024.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I, Victor G Flores, have been in business since August 2005 to current day. I have never had any violations towards my license and since I took over this business. My son, Victor J Flores, has been helping me run the

business together since 2017. He started in the kitchen and gradually started running the register and helping me run the entire business. I decided it was time for him to inherit 50% of the business. That is why we are applying for this liquor license. We will continue to run this business the same way that we have been running since 2005 to current day.”

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

18 Liquor License - Bravo Taco's - District 8

Request for a liquor license. Arizona State License Application 310495.

Summary

Applicant

Amarjit Singh, Agent

License Type

Series 12 - Restaurant

Location

3911 E. Thomas Road, Ste. F5

Zoning Classification: C-2

Council District: 8

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

The 60-day limit for processing this application is December 10, 2024.

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

convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I had opened and ran a restaurant for 11 years. I have been successfully running a gas station for the last 18 years and just purchased 2 other businesses in the last two years. I am well aware of liquor laws for on premises, as well as off premises."

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

"Although there are few Mexican food restaurants around the neighbourhood, there is not any good sit down restaurant where a family can enjoy authentic Mexican food with some alcoholic drinks we really believe that our restaurant will bring joy to the community."

Staff Recommendation

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

Attachments

Attachment - Bravo Taco's - Data

Attachment - Bravo Taco's - Map

This item was recommended for approval.

19 Liquor License - Kwik 102 - District 8

Request for a liquor license. Arizona State License Application 311024.

Summary

Applicant

Akash Thathi, Agent

License Type

Series 10 - Beer and Wine Store

Location

102 S. 24th Street

Zoning Classification: C-3

Council District: 8

This request is for a new liquor license for a convenience store that sells gas. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow package liquor sales and a variance to allow a drive-through.

The 60-day limit for processing this application is December 14, 2024.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I am qualified to hold a liquor license due to my extensive experience managing licensed premises responsibly. With 8 other licensed locations and no liquor violations, we have consistently demonstrated our commitment to following regulations and ensuring compliance. Our proven track record reflects our reliability and capability to manage the sale of alcoholic beverages safely and in the best interest of the community."

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

"The issuance of the liquor license will serve public convenience by allowing our gas station to offer beer and wine, providing customers with an additional service while meeting local demand. It will enhance the convenience for travelers and residents who wish to purchase these beverages without needing to visit multiple or far away locations, thereby serving the best interest of the community."

Staff Recommendation

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

Attachments

Attachment - Kwik 102 - Data

Attachment - Kwik 102 - Map

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

A motion was made by Vice Mayor Stark, seconded by Councilwoman O'Brien, that items 20-79 be approved or adopted, except items 38-39, 41, 43-44, 50, 57, 73 and 75-79; noting items 75 and 77 have additional information. The motion carried by the following vote:

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

Items 20-25, Ordinance S-51457 was a request to authorize the City Controller to disburse funds, up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

20 Brian Stevenson dba Hammercraft

For \$50,000 in payment authority for a new contract, entered on or about November 20, 2024, for a term of three-years, with two one-year renewal options for scheduled fine artwork dusting and cleaning services for the Aviation Department. The contract will provide scheduled services for four large-scale public artwork pieces located throughout Phoenix Sky Harbor International Airport and the Phoenix Sky Train Station.

This item was adopted.

21 My Binding of Arizona, LLC dba Creative Document Systems and Plotter Doctors, LLC

For \$187,000 in payment authority for two new contracts, entered on or about December 16, 2024, for a term of five years for sign fabrication equipment for the Aviation, Phoenix Convention Center, and Street Transportation departments. These contracts will provide inspection, repair and maintenance services on an as-needed basis for the upkeep of sign fabrication equipment that is essential to daily operations in multiple City departments.

This item was adopted.

22 Homer Farms Inc and Edmund Carl Williams dba Lehr Innovations, LLC

For \$210,000 in payment authority for two new contracts, entered on or about December 9, 2024, for a term of three years, with two one-year options for the Backyard Garden Program for the Office of Environmental Programs. These contracts will provide participating residents with a garden system and training that empowers them to grow healthy food in their own backyards. The Backyard Garden Program has been instrumental in expanding residents' access to healthy food, enhancing health, promoting physical activity, and decreasing food insecurity.

This item was adopted.

23 Cybergear, Inc.

For \$160,000 in payment authority for a new contract, entered on or about December 31, 2024 for a term of five years for the purchase of Fluke Versiv Kit Analyzers, support plans, and accessories to test the integrity of network communications for the Water Services Department. Fluke Versiv Kit Analyzers are utilized by all water, wastewater, and remote locations to ensure that the departments meet the regulatory performance requirements.

This item was adopted.

24 Settlement of Claim(s) Mariposa Landscape Arizona v. City of Phoenix

To make payment of up to \$205,000 in settlement of claim(s) in *Mariposa Landscape Arizona v. City of Phoenix*, CV2023-052523, 22-1127-001, GL, for the Finance Department pursuant to Phoenix City

Code Chapter 42. This is a settlement of a claim involving the Water Services Department that occurred on April 3, 2023.

This item was adopted.

25 Settlement of Claim(s) Meza-Martinez v. City of Phoenix

To make payment of up to \$100,000 in settlement of claim(s) in *Meza-Martinez v. City of Phoenix*, CV2023-008847, 22-0784-002, AU, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Public Works Department that occurred on August 30, 2022.

This item was adopted.

26 Acceptance and Dedication of Deeds for Roadway Purposes (Ordinance S-51469) - Districts 2 & 3

Request for the City Council to accept and dedicate deeds for roadway purposes; further ordering the ordinance recorded. Legal descriptions to be recorded via separate recording instrument.

Summary

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

Deed (a)

MCR: 20240564831

Applicant and Grantee: Temple Chai Association; its successor and assigns

Date: October 23, 2024

Purpose: Roadway

Location: 6001 E. Bell Road

APN: 215-39-001C

File: 240060

Council District: 2

Deed (b)

MCR: 20240578955

Applicant and Grantee: Cactus Investments Park, LLC; its successor and assigns

Date: October 29, 2024

Purpose: Roadway

Location: 1920 W. Thunderbird Road

APN: 208-15-003N

File: 240061

Council District: 3

This item was adopted.

27 Acceptance of an Easement for Drainage Purposes (Ordinance S-51476) - District 8

Request for the City Council to accept an easement for drainage purposes; further ordering the ordinance recorded. Legal descriptions are recorded via separate recording instrument.

Summary

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

Easement (a)

MCR: 20240578953

Applicant and Grantee: Cesar E. Salas; its successor and assigns

Date: October 29, 2024

Purpose: Drainage

Location: 9822 S. 19th Avenue

APN: 300-16-009V

File: 240085

Council District: 8

This item was adopted.

28 Software Value-Added Reseller (SVAR) Contract - COOP 24-8411 - Request for Award (Ordinance S-51465) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with CDW Government, LLC and Insight Public Sector, Inc. to provide software, volume licenses and enterprise licenses for departments Citywide. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$210,000,000. Further request an exception to the indemnity and assumption of liability provisions of the Phoenix City Code Section 42-18.

Summary

This contract will provide access to a wide variety of commercial off-the-shelf software (COTS) and software as a service (SaaS) and related services across departments Citywide. In managing its extensive information technology infrastructure, the City relies on software solutions across various departments. To streamline procurement and maximize benefits, the City engages with software value-added resellers (SVAR). These contracts not only provide cost savings through volume discounts, but also offer additional advantages, including access to evaluation copies, product comparisons, and tailored recommendations. By leveraging the SVAR, the City ensures software acquisition while bolstering its technological capabilities for effective public service delivery.

The City intends to adopt multiple SVAR cooperative contracts and will request Council approval once the City receives signed cooperative purchasing agreements from the vendors.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Alternative Competition. Central Procurement, with support from the Information Technology Services, researched various local and nationwide cooperative agreements. They have determined that the State of Arizona's cooperative contracts are most aligned with the City's technology requirements and offer the best pricing on essential products.

Contract Term

The contract term will expire April 23, 2027, with two one-year options to extend.

Financial Impact

The aggregate contract value will not exceed \$210,000,000 for the aggregate term. Funding is available in the various departments' operating budgets.

This item was adopted.

**29 Owner Representative for Energy Performance Contracts with Job
Order Contract Vendors - RFP PS 24-0228 - Request for Award
(Ordinance S-51468) - Citywide**

Request to authorize the City Manager, or his designee, to enter into a contract with NV5 Consultants, Inc. to provide third-party consulting and act as Owner Representative for Energy Performance Contracts with Job Order Contract Vendors. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$400,000.

Summary

The City recently selected five Energy Service Companies (ESCOs) under the Job Order Contracting program to install energy efficiency measures on a large number of City facilities. The Owner Representative will act as Project Facilitator, and the services provided will include ESCO reviews, project development, project implementation and construction, post-completion performance, and subsequent Measurement and Verification (M&V) reviews.

Procurement Information

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

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

Qualifications, Experience and References (0-400 points)
Method of Approach (0-400 points)
Price (0-200 points)

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

NV5 Consultants, Inc.,

Contract Term

The contract will begin on or about December 4, 2024, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value will not exceed \$400,000. Funding is available in the Office of Sustainability's operating budget.

This item was adopted.

**30 Risk Management Information System and Ancillary Services -
RFA 14-035 - Amendment (Ordinance S-51483) - Citywide**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 138020 with Riskconnect Clearsight, LLC to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinances S-40639, S-43822, S-48345, and S-49509.

Summary

This contract provides the Risk Management division of the Finance Department, a web-based risk management information system with secure data storage, client service and system maintenance and includes a key bill-payment interface that is linked to the Law Department's information system and a jointly developed transaction interface with SAP.

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

Contract Term

Upon approval the contract will be extended through March 31, 2026.

Financial Impact

The aggregate value of the contract will not exceed \$1,715,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Risk Management Information System and Ancillary Services Contract
138020 (Ordinance S-40639) on March 19, 2014;

Risk Management Information System and Ancillary Services Contract
138020 (Ordinance S-43822) on Aug. 30, 2017;
Risk Management Information System and Ancillary Services Contract
138020 (Ordinance S-48345) on Feb. 16, 2022;
Risk Management Information System and Ancillary Services Contract
138020 (Ordinance S-49509) on March 22, 2023.

This item was adopted.

**31 Vehicle Wash Services - IFB 19-141 - Letter of Agreement to
Extend Contract for Vehicle Wash Services (Ordinance S-51492) -
Citywide**

Request to authorize the City Manager or his designee to enter into a Letter of Agreement with Circle K Stores Inc., the successor in interest to True Blue Car Wash LLC dba Clean Freak Car Wash in relation to Contract 150872, to continue to provide vehicle wash services for citywide use. Further request to continue using funds available from prior Council approval in relation to Contract 150872. Further request additional expenditures not to exceed \$101,000. And further request to authorize the City Controller to disburse all funds related to this item.

Summary

The purpose of this Letter of Agreement is to continue to provide vehicle wash services to City departments. Vehicle wash services are necessary to clean City cars, trucks, SUV's, cargo and passenger vans, Police mobile command and specialty vehicles. Services include both automated and hand wash services. The City provided consent for the original contract to be assigned from True Blue Car Wash LLC dba Clean Freak Car Wash to Circle K Stores Inc.

Contract Term

The term of the Letter of Agreement will begin on or about December 4, 2024 and expire on December 4, 2025.

Financial Impact

Upon approval of \$101,000 in additional funds, the revised aggregate value of the contract will not exceed \$1,131,000. Funds are available in the various departments' budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Vehicle Wash Services - Requirements Contract - IFB 19-141
(Ordinance S-45954) on August 28, 2019.

Vehicle Wash Services - Requirements Contract - IFB 19-141
(Ordinance S-47257) on Jan. 20, 2021.

Vehicle Wash Services - Requirements Contract - IFB 19-141
(Ordinance S-50551) on Feb. 7, 2024.

This item was adopted.

**32 Publication of the City Charter, Code and Zoning Ordinance -
Requirements Contract - RFP 19-003 - Amendment (Ordinance
S-51477) - Citywide**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 150305 with Code Publishing Company, LLC for an assignment from Code Publishing Company, LLC to ICC Codification, Inc dba General Code, LLC. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinances S-45819 and S-51049-0013.

Summary

This contract will provide continual updates of the existing City Charter, City Code, and Zoning Ordinance in web and print/paper formats. This contract also provides a web version of the City Charter, City Code, and Zoning Ordinance in a public-facing website, that is free of charge to the public and City staff.

Contract Term

The contract term remains unchanged, ending on June 30, 2025.

Financial Impact

The aggregate value of the contract will not exceed \$140,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Publication of the City Charter, Code and Zoning Ordinance -
Requirements Contract 150305 (Ordinance S-45819) on June 19,

2019;
Publication of the City Charter, Code and Zoning Ordinance -
Requirements Contract 150305 (Ordinance S-51049-0013) on June
26, 2024.

This item was adopted.

**33 Authorization to Apply for Local Judicial Collection Enhancement
Fund Grant Funding to Purchase Computer Hardware (Ordinance
S-51484) - Citywide**

Request authorization for the Phoenix Municipal Court to apply for grant funding in an amount not to exceed \$145,000 from the Arizona Supreme Court administered Judicial Collection Enhancement Fund (JCEF) to purchase computers and related hardware. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

Phoenix Municipal Court will use these funds to replace aging desktop computers, laptops, and related hardware, and replenish its stock of spare computers and hardware. The purchase of additional hardware, and replacement of existing hardware, will help the Court support expanded business needs, ensure the reliability of the Court's business systems, minimize potential hardware failure, and support Windows 11 hardware requirements.

Financial Impact

Funds will be made available in the Phoenix Municipal Court local JCEF account. The Phoenix Municipal Court must submit a funding plan and application to the Arizona Supreme Court Administrative Office of the Courts to secure approval for utilization of JCEF funds pursuant to Arizona Revised Statutes Section 12-113. No General Fund dollars will be used.

This item was adopted.

**34 Transfer of Retirement Funds to Arizona State Retirement System
(Ordinance S-51481) - Citywide**

Request to authorize the City Manager, or his designee, to transfer retirement funds for Lucas Coleman in the amount of \$37,345.98 to the

Arizona State Retirement System. Further request to authorize the City Controller to disburse the funds.

Summary

Pursuant to Arizona Revised Statutes, Sections 38-730 and 38-322, 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 her credited service:

Coleman, Lucas: \$37,345.98

Concurrence/Previous Council Action

This item was approved by the COPERS Board at the November 7, 2024 meeting.

This item was adopted.

35 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-51482) - Citywide

Request to authorize the City Manager, or his designee, to transfer retirement funds for Tara Zuckerbrow in the amount of \$144,191.13 to the Arizona State Retirement System. Further request to authorize the City Controller to disburse the funds.

Summary

Pursuant to Arizona Revised Statutes, Sections 38-730 and 38-322, 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 her credited service:

Zuckerbrow, Tara: \$144,191.13

Concurrence/Previous Council Action

This item was approved by the COPERS Board at the November 7, 2024

meeting.

This item was adopted.

36 Loan Federal HOME-ARP Funds for Senior Bridge Affordable Housing Development Project (Ordinance S-51498) - District 8

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to \$3,015,746 in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships American Rescue Plan (HOME-ARP) program funds with Senior Bridge, LLC, or a City-approved nominee, for the Senior Bridge affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On June 6, 2024, the Housing Department issued a HOME-ARP Notice of Funding Opportunity (NOFO) for Non-Congregate Shelter and Rental Housing acquisition, rehabilitation and/or new construction projects to reduce homelessness and increase housing stability. A NOFO Pre-Submittal Workshop was held on July 11, 2024. Applications were due on August 30, 2024.

Procurement Information

Three proposals for Rental Housing acquisition were received and reviewed by an evaluation committee comprised of City staff members representing various departments. The proposals were evaluated on a 1,000-point scale based on the following criteria: Operations; How Well the Project Addressed the Strategies to Address Homelessness Plan; Organization Capacity; and Project Readiness. The following were recommended for funding:

St. Catherine Manor (Housing for Hope, LLC/Catholic Charities) - 870 points

Tanner Thomas Village (Tanner Community Development) - 803 points

Senior Bridge (Steel+Spark) - 790 points

Senior Bridge, located at 2853 E. Van Buren Street (District 8), consists of 65 permanent supportive housing units for previously homeless seniors entering from Senior Bridge's on-site transitional housing units. The 65 permanent supportive housing units will serve seniors with Area Median Income (AMI) levels at or below 30 percent. Residents will receive supportive services from Mercy House and will include support from a Housing Navigator to formulate an Individualized Housing Stabilization Plan addressing areas such as financial management, employment, life skills, sobriety, physical and mental health, etc. Additional project funding in the following amounts have been secured by the developer:

Arizona Department of Housing - \$7,100,000

BloomSpot, LLC - \$1,950,000

City of Phoenix - \$750,000

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the terms listed in the NOFO and HOME-ARP Program requirements.

Financial Impact

There is no impact to the General Fund. HOME-ARP is a federally funded program. Funding for this NOFO is made available from HOME-ARP funds. Funding is budgeted in the Housing Department's Capital Improvement Program (CIP) budget. Loan execution is anticipated for Fiscal Year 2024-25, and the loan will be paid to the developer during the construction period.

Public Outreach

As part of the HOME-ARP Allocation Plan process, HUD required extensive public outreach to formulate the plan. Housing staff conducted six virtual listening sessions for community stakeholders and interviewed numerous service agencies and housing providers directly. More than 66 agencies participated in interviews and listening sessions during this process. This public input was used to draft the HOME-ARP Allocation Plan and inform the design of the NOFO to address the most critical needs of the community.

As part of the formal adoption process, the HOME-ARP Allocation Plan was made public and provided for a 15-day public comment period. The City of Phoenix published a 15-day comment period and public hearing notice in the Arizona Republic on August 29, 2022. A virtual public hearing was held to provide an opportunity for public comment on September 12, 2022. The public comment period was open from September 13 to September 27, 2022. City Council approved the HOME-ARP Allocation Plan on November 16, 2022. The HOME-ARP Allocation Plan was approved by HUD on February 6, 2023.

Location

2853 E. Van Buren Street
Council District: 8

This item was adopted.

**37 Loan Federal HOME-ARP Funds for St. Catherine Manor
Affordable Housing Development Project (Ordinance S-51499) -
District 8**

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to \$3,038,203 in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships American Rescue Plan (HOME-ARP) program funds with Housing for Hope, LLC, or a City-approved nominee, for the St. Catherine Manor affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On June 6, 2024, the Housing Department issued a HOME-ARP Notice of Funding Opportunity (NOFO) for Non-Congregate Shelter and Rental Housing acquisition, rehabilitation and/or new construction projects to reduce homelessness and increase housing stability. A NOFO Pre-Submittal Workshop was held on July 11, 2024. Applications were due on August 30, 2024.

Procurement Information

Three proposals for Rental Housing acquisition were received and reviewed by an evaluation committee comprised of City staff members representing various departments. The proposals were evaluated on a 1,000-point scale based on the following criteria: Operations; How Well the Project Addressed the Strategies to Address Homelessness Plan; Organization Capacity; and Project Readiness. The following were recommended for funding:

St. Catherine Manor (Housing for Hope, LLC/Catholic Charities) - 870 points

Tanner Thomas Village (Tanner Community Development) - 803 points

Senior Bridge (Steel+Spark) - 790 points

St. Catherine Manor, located at 1431 E. Southern Avenue (District 8), consists of 11 permanent supportive housing units for previously homeless seniors. Eight of the 11 units will be targeted for seniors with Area Median Income (AMI) levels of less than 30 percent, and three of the 11 units will be targeted for seniors with AMI levels of less than 60 percent. Residents will receive supportive services from the Rio Vista Center, a partnership formed with Catholic Charities, where food, clothing, furnishings, health care, and other community program referrals will be provided, as well as opportunities to participate in social activities at the community center. Housing for Hope, LLC will cover additional construction and project costs not provided by HOME-ARP funding.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the terms listed in the NOFO and HOME-ARP Program requirements.

Financial Impact

There is no impact to the General Fund. HOME-ARP is a federally funded program. Funding for this NOFO is made available from HOME-ARP funds. Funding is budgeted in the Housing Department's Capital Improvement Program (CIP) budget. Loan execution is anticipated for Fiscal Year 2024-25, and the loan will be paid to the developer during the construction period.

Public Outreach

As part of the HOME-ARP Allocation Plan process, HUD required extensive public outreach to formulate the plan. Housing staff conducted six virtual listening sessions for community stakeholders and interviewed numerous service agencies and housing providers directly. More than 66 agencies participated in interviews and listening sessions during this process. This public input was used to draft the HOME-ARP Allocation Plan and inform the design of the NOFO to address the most critical needs of the community.

As part of the formal adoption process, the HOME-ARP Allocation Plan was made public and provided for a 15-day public comment period. The City of Phoenix published a 15-day comment period and public hearing notice in the Arizona Republic on August 29, 2022. A virtual public hearing was held to provide an opportunity for public comment on September 12, 2022. The public comment period was open from September 13 to September 27, 2022. City Council approved the HOME-ARP Allocation Plan on November 16, 2022. The HOME-ARP Allocation Plan was approved by HUD on February 6, 2023.

Location

1431 E. Southern Avenue
Council District: 8

This item was adopted.

40 Amend Ordinance S-50092 to Add Funds to Bobby Yang, DDS, LLC (Ordinance S-51478) - Districts 1, 3, 4, 5, 7 & 8

Request authorization for the City Manager, or his designee, to amend Ordinance S-50092 to increase funding for Contract 159170, Bobby Yang, DDS, LLC, up to \$130,000, for a new total not to exceed amount of \$380,000. Further request to authorize the City Controller to disburse all funds related to this item. There is no impact to the General Fund as funding is provided by the Department of Health and Human Services, Head Start Birth to Five grant.

Summary

On August 8, 2023, City Council approved Ordinance S-50092 to enter into an agreement with Bobby Yang, DDS, LLC, in an amount not to exceed \$250,000 to provide dental services to the Head Start Birth to Five Program participants. The agreement began on or about September 1, 2023, and ends on August 30, 2028.

The Human Services Department is seeking approval for additional funding to cover the increased costs of dental services.

Contract Term

The contract term remains unchanged, ending on August 30, 2028.

Financial Impact

The new total contract value will not exceed \$380,000. There is no impact to the General Fund.

Concurrence/Previous Council Action

City Council approved Ordinance S-50092 on August 8, 2023.

This item was reviewed by the Head Start Policy Council on November 18, 2024.

Location

Bobby Yang, DDS, LLC: 1515 E. Bethany Home Road, Suite 140

Bobby Yang, DDS, LLC: 19636 N. 27th Avenue, Suite 403

Bobby Yang, DDS, LLC: 9305 W. Thomas Road, Suite 580

Council Districts: 1, 3, 4, 5, 7 and 8

This item was adopted.

42 Authorization to Amend Contract 157666 with Community Bridges, Inc. for Rio Fresco Emergency Shelter Operations (Ordinance S-51489) - District 8 & Citywide

Request to authorize the City Manager, or his designee, to amend Contract 157666 with Community Bridges, Inc. (CBI) and add up to \$2.8 million in funding for a new total not to exceed amount of \$15.9 million and to extend the term of the contract through June 30, 2025. Further request to authorize the City Controller to disburse all funds related to this item. There is no impact to the General Fund. Funding is available

through the City's allocation of American Rescue Plan Act (ARPA) funding received from the federal government.

Summary

CBI provides bridge housing and supportive services to individuals experiencing homelessness at 2425 S. 24th Street where it operates 117 units of non-congregate emergency shelter for adults experiencing homelessness. Shelter services are provided at this site to individuals experiencing homelessness as CBI moves individuals to either housing or appropriate services with the goal of ending their homelessness. Supportive services are also provided to support long-term success in retaining housing. CBI provides, or connects participants to the following supportive services, among others as needed:

Education Services.

Employment Assistance.

Housing/Counseling Services.

Mental Health Services.

Substance Use Treatment.

Laundry, clothing and hygiene supplies.

Support case conferencing and coordination with providers to connect individuals to services and housing.

Approval of this item will allow continued operations at the Rio Fresco emergency shelter through June 30, 2025.

Contract Term

Upon approval, the new term of the agreement will be extended through June 30, 2025. The current contract term expires December 30, 2024.

Financial Impact

The value of the contract will increase by a maximum of \$2.8 million and expenditures will not exceed \$15.9 million. There is no impact to the General Fund. Funding is available from ARPA.

Concurrence/Previous Council Action

On August 2, 2022, City Council approved Contract 157666 with Ordinance S-48895.

On December 6, 2023, City Council approved additional funding to

Contract 157666 with Ordinance S-50360.
On March 20, 2024, City Council approved a change in funding source to
Contract 157666 with Ordinance S-50692.

Location

2425 S. 24th Street
Council District: 8 and Citywide

This item was adopted.

45 NSD-RFP-25-001 Request for Award - Consulting Services for HUD Consolidated Plan 2025-29, Annual Action Plan 2025-26, Citizen Participation Plan Update, and Analysis of Impediments to Fair Housing Choice Study (Ordinance S-51494) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Civitas, LLC to provide consulting services for the development of the 2025-29 Consolidated Plan, the 2025-26 Annual Action Plan, Citizen Participation Plan Update, and Analysis of Impediments to Fair Housing Choice Study. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The 2025-29 Consolidated Plan will contain the requirements for the U.S. Department of Housing and Urban Development (HUD) programs that provide critical funds to address housing and community development needs to entitlement cities like Phoenix each year. The four programs highlighted in the Consolidated Plan are: Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME) Program, Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA).

The hired consultant will ensure crucial housing and community development needs are identified through comprehensive research, planning and public input. During the development of the Consolidated Plan, residents and community leaders will have the opportunity to offer input on housing, homelessness, social services, and community development needs for the five-year planning period. This information, along with other assessments, will form the basis of the five-year

Consolidated Plan.

The 2025-26 Annual Action plan will describe how funds will be used to address the priorities and achieve the goals outlined in the first year of the five-year Consolidated Plan, while the Analysis of Impediments to Fair Housing Choice Study will help identify obstacles to fair housing.

Draft versions of the Consolidated Plan, the Annual Action Plan, Citizen Participation Plan updates, and Analysis of Impediments to Fair Housing Choice Study will be shared for a 30-day public comment period to solicit input on the draft document. Council will be asked to review and approve the draft Consolidated Plan, Annual Action Plan, Citizen Participation Plan updates, and Analysis of Impediments to Fair Housing Choice Study to submit to HUD by May 15, 2025.

Procurement Information

A Request for Proposals was issued on October 17 for a consultant to perform the Consolidated Plan activities. The solicitation closed on November 4 with two proposals received by the deadline. One proposal was deemed non-responsive by the Procurement Officer. The remaining proposal, submitted by Civitas, LLC, meets the solicitation requirements and is recommended for contract award.

Contract Term

The contract term will be one year, with two, one-year options to renew, and will be effective on or about January 1, 2025.

Financial Impact

The aggregate value of the contract will not exceed \$250,000. HUD CDBG funds will be utilized, and there is no impact to the General Fund.

Public Outreach

Federally required citizen participation requirements will be met and will be posted to www.phoenix.gov/yourvoice as the central source of information for the public. Postings may include surveys, plans, videos, fact sheets, FAQs, and a calendar of events. Additionally, the following outreach requirements will also be incorporated into the citizen participation process:

Special effort to include members of minority, immigrant, disabled communities, residents of public and assisted housing, and non-profits.

Communication in multiple languages and formats.

Public Engagement Sessions; Individual/group stakeholder interviews.

Social media, City newsletters, press releases, and neighborhood events.

This item was adopted.

46 Request to Amend Contract 153515 with HUUB LLC for Economic Development Technical Assistance (Ordinance S-51485) - Citywide

Request to authorize the City Manager, or his designee, to extend Contract 153515 with HUUB LLC to continue economic development technical assistance services through PHXbizConnect and utilize \$302,900 in Community Development Block Grant (CDBG) funding to provide those services to microenterprise owners and entrepreneurs with low-and-moderate incomes located in the City of Phoenix. Further request to authorize the City Controller to disburse all funds related to this item. Funding will not exceed \$302,900 and is available from the Neighborhood Services Department's (NSD) CDBG entitlement funds. There is no impact to the General Fund.

Summary

Since May 2020, City Council has utilized federal Coronavirus Relief Funds and Coronavirus State and Local Fiscal Recovery Funds to assist Phoenix small businesses with pandemic recovery efforts. As part of those efforts, the City partnered with HUUB LLC to provide economic development technical assistance services through the PHXbizConnect software platform. The technical assistance program included free, one-on-one consulting from business advisors. Since 2021, HUUB LLC's technical assistance program has helped over 200 businesses with over 1,300 hours of consulting services.

Historically, NSD operated a similar Management Technical Assistance (MTA) program for microenterprises, small business owners and entrepreneurs, which also provided free consulting services with business advisors. NSD's MTA program was funded with CDBG from the U.S. Department of Housing and Urban Development. During the same

time period, NSD's MTA program has helped 40 businesses with over 980 hours of consulting services. Over the last several years, NSD's MTA program has underperformed compared to HUUB LLC's technical assistance program.

Utilizing HUUB LLC's PHXbizConnect software platform for management technical assistance has significant advantages over NSD's internally-operated, manual program. The software platform reduces intimidating paperwork, provides a streamlined process with greater self determination to businesses, collects a greater amount of data for economic development program administrators, and produces more results.

The Coronavirus recovery funds dedicated to support HUUB LLC's technical assistance program are expiring at the end of the 2024 calendar year. NSD is willing to extend the contract with HUUB LLC and fund a management technical assistance program through the PHXbizConnect platform. The extension will ensure effective management technical assistance continues to be available to microenterprises and entrepreneurs with low-and-moderate incomes located in the City of Phoenix. Additionally, HUUB LLC is willing to provide the services as a subrecipient of federal funds and ensure the program meets all CDBG requirements.

Contract Term

If approved, the proposed extension would begin on January 1, 2025, with a term of one year.

Financial Impact

Funding to extend the contract for twelve months will not exceed \$302,900. If this extension is approved, the aggregate value of this contract will not exceed \$1,353,400. There is no impact to the General Fund. Funding is available from the Neighborhood Services Department's CDBG entitlement funds.

Concurrence/Previous Council Action

At the May 5, 2020, City Council Policy meeting, City Council allocated funding to create a tool that would connect small businesses to

resources during the COVID pandemic. On November 4, 2020, City Council authorized Contract 153515. City Council authorized subsequent contract extensions on July 1, 2021, May 25, 2022, April 5, 2023, and June 12, 2024.

This item was adopted.

47 Request for Appropriation of Neighborhood Block Watch Funds (Ordinance S-51497) - Citywide

Request City Council authorization to appropriate up to \$3 million from the Neighborhood Block Watch Fund. Further request the appropriation of up to \$3 million from the Block Watch Fund to be allocated to provide additional funding in support of the Gated Alley Program.

Summary

Funding for the Neighborhood Block Watch Grant Program (NBWGP) primarily comes from an increase in sales tax revenues that was adopted by the special election held on October 5, 1993. The NBWGP Fund is a portion of the Neighborhood Protection Fund, also referred to as Proposition 301, which is used to account for funds generated by the 0.1 percent increase in the sales tax approved by voters. The funds are to be used for the expansion of Police, Fire, and Block Watch programs. The breakdown of funding is as follows: Police 70 percent, Fire 25 percent and Block Watch 5 percent. Guidelines for projects supported by the Phoenix Block Watch Fund include programs to:

Detect, deter and delay crime.

Improve the quality-of-life within neighborhoods by educating individuals to work together to solve crime problems.

Encourage citizens to have pride in their neighborhoods and prevent crime.

Motivate citizens toward common neighborhood crime prevention goals.

Coordinate pertinent crime prevention neighborhood/community meetings.

Teach crime prevention techniques.

At the end of Fiscal Year 2023-24, the fund had an available balance of \$10.8 million. The sales tax revenue is estimated to be approximately \$2.8 million in Fiscal Year (FY) 2024-25. The current approved ongoing grant award is \$2 million per year. The fund balance is able to support the annual award total as well as other public safety needs, such as the

proposed support of the gated alley program.

Gated Alley Program

The Gated Alley Program was initially piloted in 2017 to provide a new approach to deterring illegal dumping, graffiti and criminal activity in residential alleys. Since 2017, the popularity and resident demand for gated alleys has grown significantly. One reason for the demand is the increase in the perceived safety and reduction in illegal activities experienced by residents. This perceived reduction in crime enabled the Gated Alley Program to be considered an eligible use of Block Watch Funds. On March 18, 2020, the Phoenix City Council approved using \$400,000 in Block Watch Funds to support the Gated Alley Program. The funds were used to obtain necessary permitting and for the construction and installation of gates at the end of alleys for up to 10 alley segments in each Council District. Since the initial pilot, the program has continued to grow in popularity and the community's demand to install additional gates continues to increase.

Through a coordinated, multi-departmental effort, staff were able to prioritize potential alley segments in each Police Precinct, with Neighborhood Services (NSD) and Public Works staff providing further review of the identified alley segments for eligibility based on alley layout and access requirements. The \$750,000 of NBWGP funds allowed for an additional 65 alley segments (157 gates) to be gated through the GAP. In total, NSD installed 368 gates in 156 alley segments with funding from the General Fund, City Council Offices, and NBWGP funds in FY 2023-24.

Current funding, \$852,000 from the General Fund, would allow for an estimated 77 segments (154 gates) for FY 2024-25. As of October 22, 2024, GAP has already received 130 requests. On average, the program receives 15 new requests each month. Should that pace continue, an estimated 120 additional requests are expected by June 30, 2025. Additionally, NSD is partnering with Public Works to offer to relocate solid waste services from alley to curbside, as requested by residents. As part of Public Works' process, a survey is conducted to evaluate residents' interest in solid waste services relocation. New survey language is being piloted to also gauge residents' interest in gating their alleys after their

solid waste services are relocated. Public Works may complete up to 100 surveys in a year, with the anticipation that most residents will be in favor of gating their alleys as well. Based on these projections, NSD estimates the total number of requests could exceed 300 for the year.

The additional \$3 million in Neighborhood Block Watch Program funds would allow NSD to gate approximately 240 additional alley segments over two years. In addition, a portion of the funds would be used to purchase the unanticipated 90-gallon solid waste containers necessary to relocate services curbside as part of the GAP process, as well as signage to deter illegal activity in alleys and surrounding neighborhoods.

Gated Culvert (Wash) Program

As of September 30, 2024, Street Transportation staff have successfully installed gates at 11 locations. These locations were identified by members of the PSJ subcommittee and from CARES cases. The completed locations include:

- 16th Street and Greenway Parkway
- 20th Street and Greenway Parkway
- 31st Avenue and Deer Valley Road
- 41st Place and Thunderbird Road
- 35th Avenue and Mohawk Lane
- 3rd Avenue and Greenway Parkway
- Greenway Parkway and Beck Lane
- 901 West Phelps Road
- 10th Avenue and Moonlight Park
- 11th Avenue and Sandra Terrace
- 19th Avenue and Greenway Road

Staff has identified nine more sites for culvert gate installation within the Laveen Area Conveyance Channel (LACC) and one location at 7th Street and Greenway Parkway. Staff will coordinate with the selected vendor to complete gate installations as soon as possible, targeting a completion date of January 31, 2025. Even with the additional nine locations, there will be approximately \$750,000 in savings from the previous block watch allocation.

Recommendations

Staff requests the City Council authorize an appropriation of \$3 million from the Block Watch Fund. The \$3 million in Neighborhood Block Watch Program funds would be allocated to the Gated Alley Program (GAP) over two years to address safety issues in alleys and meet the requests for gated alleys from residents, city staff and public safety personnel. These funds will also help offset the initial cost to Public Works for new solid waste containers for curbside service, and to provide signage to deter illegal activity in neighborhoods. With City Council approval, staff anticipates using the funding to install additional gates over the next 24 months with projected completion by December 2026.

Staff further requests the City Council reallocate savings of approximately \$750,000 from the Gated Culvert (Wash) Program to the maintenance of the washes and adjacent areas. The additional resources for enhanced maintenance and cleaning will assist in addressing illegal dumping and criminal activities occurring in or around the washes. Maintenance is necessary to ensure that debris does not obstruct water flow during storm events and to prevent overgrown vegetation and trash that may pose fire hazards.

This item was adopted.

48 Lone Mountain Park Public Art Contract Amendment - District 2

Request the City Manager, or his designee, to amend the artist contract with WOWHAUS in an amount not exceeding \$75,000 for the design, fabrication, and installation of artwork for the Lone Mountain Park Public Art Project.

Summary

The Fiscal Year 2024-29 Public Art Plan includes funding for artwork located at Lone Mountain Park, a 39.5-acre undeveloped land located at 56th Street and Montgomery Road (56th Street south of Lone Mountain Road).

The original artist contract for the Lone Mountain Park Public Art Project was approved in the amount of \$450,000 by the Phoenix Arts and Culture Commission on January 9, 2024, and by the City Council on March 6, 2024 (Ordinance S-50641).

The team of Ene Osteraas-Constable and Scott Constable (WOWHAUS) has completed the design of the integrated, functional artwork for the park; however, increased material and construction costs have impacted the overall park construction budget and the artwork fabrication and installation costs.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended this item for approval on October 8, 2024, by a vote of 10-0.

This item was approved.

49 Institute of Museum and Library Services Museums for America Grant Program (Ordinance S-51463) - District 8

Request to authorize the City Manager, or his designee, to apply for, accept, and, if awarded, enter into an agreement for up to \$250,000 for the Institute of Museum and Library Services (IMLS) Museums for America Grant Program. Further authorize the City Treasurer to accept and the City Controller to disburse the funds for purposes of this ordinance. The grant funds would be used by the Office of Arts and Culture to support the S'edav Va'aki Museum.

Summary

The Museums for America Grant Program supports museums of all sizes and disciplines in strategic, project-based efforts to serve the public through exhibitions, educational/interpretive programs, digital learning resources, professional development, community debate and dialogue, audience-focused studies, and/or collections management, curation, care, and conservation.

If awarded, the grant funds will be used to install elements of a new long-term exhibit in the Museum's main gallery. Funding has already been secured for Fiscal Year 2024-25 from the Gila River Indian Community (\$149,000) and the Salt River Pima Maricopa Indian Community (\$164,000) 12 percent Gaming Grants for content development and renovation needs, respectively. The IMLS funds will enable Museum staff to purchase a new gallery lighting system, new object cases, and exhibit text panels for this project.

Financial Impact

The Institute of Museum and Library Services requires a cost share of non-Federal funds and/or in-kind contributions (such as staff time) in an amount that is equal to or greater than the amount of the Federal award. With the grants already secured, and staff time for this implementation, there will be no impact to the General Fund.

Location

4619 E. Washington Street
Council District: 8

This item was adopted.

**51 Fabrication and Installation of Park Signs COOP 22-011 -
Amendment (Ordinance S-51466) - Citywide**

Request to authorize the City Manager, or his designee to allow additional expenditures under Contract 155258 with Sierra Signs and Services, Inc. for the purchase of fabrication and installation of park signs for the Parks and Recreation Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$250,000.

Summary

This contract provides the Parks and Recreation Department with fabrication and installation of park signs for a variety of projects such as the display of park rules, building signage and other visual aids for the public. This signage displays information to City park and facility guests to allow a safe and welcoming environment.

Contract Term

The contract term remains unchanged, ending on September 30, 2026.

Financial Impact

Upon approval of \$250,000 in additional funds, the revised aggregate value of the contract will not exceed \$850,000. Funds are available in the Parks and Recreation Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
Fabrication and Installation of Park Signs Contract 155258 (Ordinance S-47951) on September 15, 2021.

This item was adopted.

**52 Community Centers Custodial Services Request for Proposals
PKS-RFP24-CC03 - Award Recommendation (Ordinance S-51480) -
Citywide**

Request to authorize the City Manager, or his designee, to enter into three contracts with Velociti Services, CCS Facility Services - Arizona, Inc. and Verde Clean, LLC to provide custodial services to the Parks and Recreation, Human Services and Phoenix Arts and Culture departments. Further request to authorize the City Controller to disburse all funds related to this item. The total aggregate amount of the contracts will not exceed \$7,000,000.

Summary

These contracts will provide custodial services, including labor, cleaning supplies, materials, equipment, tools, vehicles and supervision necessary to clean various Parks and Recreation Department facilities including, but not limited to: select community centers, Steele Indian School Memorial Hall, and Encanto Park Clubhouse. In addition, the contracts will support adjacent or connecting Human Services Department Senior Centers and the S'edav Va'aki Museum for Phoenix Arts and Culture.

Procurement Information

A Request for Proposals was completed in accordance with City of Phoenix Administrative Regulation 3.10. Ten offers were received as responsive and responsible based on the minimum qualifications of the solicitation requirements.

The proposals were evaluated and scored by a five-member panel evaluation committee. The proposals were evaluated based on the following criteria (1,000 points possible):

Method of Approach: 300 points

Qualifications and Experience: 200 points
Approach to Safety and Staff Training: 150 points
Financial Capacity and Longevity: 150 points
Price: 200 points

The award recommendation for Velociti Services, CCS Facility Services - Arizona, Inc. and Verde Clean, LLC was based on the following consensus scoring:

Velociti Services: 955
CCS Facility Services - Arizona, Inc.: 955
Verde Clean, LLC: 930
Kleen Tech Services, LLC: 830
Universal Building Maintenance, LLC DBA Allied Universal Janitorial Service: 820
BIO-Janitorial Service, Inc.: 785
UBM Enterprise, Inc.: 780
United Maintenance Company, Inc.: 700
EcoBrite Services, LLC: 675
Pegasus Building Services Company, Inc.: 545

Contract Term

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

Financial Impact

The total combined aggregate value of the contracts will not exceed \$7,000,000 for the five-year contract term.

Funding is available in the Parks and Recreation, Human Services, and Phoenix Arts and Culture departments' budgets.

This item was adopted.

53 Issuance of Lease Revenue Bonds (Mayo/Brooks Rehabilitation Facility Project), Series 2024 (Resolution 22267) - District 2

Requests City Council approval for the issuance of Lease Revenue Bonds (Mayo/Brooks Rehabilitation Facility Project), Series 2024, to be

issued in one or more tax-exempt and/or taxable series, in an aggregate principal amount not to exceed \$125,000,000.

Summary

Request City Council adoption of a Resolution (**Attachment A**) 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 \$125,000,000 of Lease Revenue Bonds (the "Revenue Bonds"), Series 2024 for use by PAFAF I Phoenix LLC (the "Borrower"), a Delaware limited liability company, to:

Finance, refinance and/or reimburse a portion of the cost of the

development, acquisition, construction and equipping of a 60-bed healthcare facility (the "Facility");

Fund reserves for capitalized interest, working capital and debt service, as required; and

Pay costs of issuance and other related transaction costs in connection with the issuance of the Bonds.

Concurrence/Previous Council Action

The Phoenix City Council previously approved on September 4, 2024.

The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on November 14, 2024.

Location

The Facility is to be located adjacent to the Discovery Oasis Campus on the west side of 64th Street, approximately one quarter mile south of the Mayo Boulevard and 64th Street intersection in Phoenix, AZ.

Council District: 2

This item was adopted.

54 Seal Coat Program Parts and Supplies Requirements Contract IFB 63-2204 - Amendment (Ordinance S-51471) - District 8

Request to authorize the City Manager, or his designee, to execute an amendment to Contract No. 156328 with Musgrove Enterprises, LLC to modify the scope of work to allow the Aviation Department to utilize this Street Transportation Department contract. Further request to authorize the City Controller to disburse all funds related to this item. The additional

expenditures will be up to \$30,000.

Summary

Use of the Contract will provide the Aviation Department with the necessary supplies for staff to operate tank sprayers and applicators that are used for applying sealant material on airport roadways, taxiways, and airfields. The seal coat material is a protective layer to asphalt surfaces that extends the lifespan of the asphalt by keeping out water, chemicals, and other harmful materials that can damage the surface over time.

Contract Term

The Contract term remains unchanged and will expire on May 31, 2027.

Financial Impact

Upon approval of \$30,000 in additional funds, the revised aggregate value of the Contract will be up to \$93,000. Funds are available in the Aviation Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Seal Coat Program Parts and Supplies Requirement Contract No.
156328 (Ordinance S-48613) on May 11, 2022.

Location

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

This item was adopted.

**55 Photography Services Contract RFP 24-0330 - Request for Award
(Ordinance S-51472) - Districts 1, 8 & Out of City**

Request to authorize the City Manager, or his designee, to enter into a contract with Visual Nature Images, Inc. dba Mark Skalny Photography to provide photography services for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

This contract will provide photography services for the Aviation

Department. The services will ensure that the Aviation Department has the ability to meet multiple requests from magazines and other professional publications to capture high-quality photos for press releases, public relation campaigns, airport websites, and other public relations initiatives at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport.

Procurement Information

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

Four vendors submitted proposals that were deemed responsive and responsible. An evaluation committee evaluated the proposals based on criteria that included work samples, qualifications, experience, and proposed fees.

The evaluation committee recommends contract award to Visual Nature Images, Inc. dba Mark Skalny Photography

Contract Term

The term of the contract will begin on or about Jan. 15, 2025, for an initial three-year term with two one-year options to extend the term for a total five-year term of the contract.

Financial Impact

The aggregate contract value will be up to \$250,000 over the five-year term of the contract.

Funding is available in the Aviation Department's operating budget.

Concurrence/Previous Council Action

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

Location

Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road

Phoenix Deer Valley Airport, 702 W. Deer Valley Road

Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear, AZ.

Council Districts: 1, 8, and Out of City

This item was adopted.

**56 Baggage Handling System Operation, Maintenance and Repair
Services RFP 19-008 - Amendment (Ordinance S-51490) - District 8**

Request to authorize the City Manager, or his designee, to execute an amendment to Contract No. 149845 (Contract) with Daifuku Services America Corporation to extend the term of the Contract and add additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will be up to \$2,838,878.

Summary

The Contract provides operation, maintenance, and repair services for the baggage handling system at Phoenix Sky Harbor International Airport (PHX), which is critical to PHX operations to ensure all checked baggage are efficiently and securely processed and arrive at the airline's designated bag makeup location.

On Feb. 26, 2024, a Request for Proposal (RFP 24-0156) was issued for Baggage Handling Systems - Operations, Maintenance, Repair, and Controls System Design, Programming and Integration Services. Two proposals were received and evaluated by the evaluation panel. The Public Notice of Award Recommendation was posted on Aug. 15, 2024. In response to the notice, the Aviation Department has received several public records requests and communications from the proposers that have required responses, research, and other actions, which resulted in delays in the procurement process. A protest to the Award Recommendation was received on Nov. 7, 2024. An extension is essential to allow sufficient time to address the protest and to facilitate a seamless transition for award of the new contract while continuing to maintain these critical services.

Contract Term

The term of the Contract will be extended through Oct. 31, 2025.

Financial Impact

A total of \$2,838,878 in additional funds for a total Contract value up to

\$19,338,878 through Oct. 31, 2025. Funds are available in the Aviation Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Baggage Handling System Operation, Maintenance and Repair Services

- RFP 19-008 (Ordinance S-45631) on May 15, 2019;

Baggage Handling System Operation, Maintenance and Repair Services

- RFP 19-008 - Amendment (Ordinance S-50390) on Dec. 6, 2023;

Baggage Handling System Operation, Maintenance and Repair Services

- RFP 19-008 - Amendment (Ordinance S-50997) on June 12, 2024.

Location

Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road

Council District: 8

This item was adopted.

58 Route 27 Service Modification to Provide Bus Service on Durango Street (Ordinance S-51491) - District 7

Request to authorize the City Manager, or his designee, to implement the Durango Street route modification on Route 27 (27th Avenue). If approved, the modification will begin in January 2025 for a duration of one year.

Summary

The Public Transit Department received community input to evaluate adding bus service on Durango Street between 27th and 35th avenues to service the juvenile court and surrounding Maricopa County buildings and resources.

The deviation of Route 27 to Durango Street will be for a period of one year, during which time staff will evaluate ridership and service efficiency to determine the potential of making the routing permanent.

Route 27 service operates seven days a week with a base frequency of every 30 minutes and peak-hour frequency on weekdays at every 15 minutes. An illustration of the existing and proposed routing is in

Attachment A.**Financial Impact**

The inclusion of Durango Street between 27th and 35th avenues is estimated to cost \$729,000 annually. American Rescue Plan Act funding of \$500,000 will support the route modification for one year, during which time Phoenix will work with Maricopa County on a longer-term funding strategy, if the service proves successful. Public Transit Department funds will also be utilized to fund \$229,000 of the cost.

Concurrence/Previous Council Action

This item was recommended for approval at the Transportation, Infrastructure and Planning Subcommittee on November 20, 2024, by a vote of 3-0.

Location

Durango Street between 27th and 35th avenues

Council District: 7

This item was adopted.

**59 Compost Facility Operations and Products Marketing Contract
RFP 25-SW-015 - Request for Award (Ordinance S-51459) - District
7**

Request to authorize the City Manager, or his designee, to enter into a contract with WeCare Denali, LLC to provide operation of the 27th Avenue Compost Facility and marketing of the finished compost for the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$28,600,000.

Summary

The Contractor's obligation will be to operate the City's 27th Avenue Compost Facility. This includes processing the organics to meet composting market specifications and creating economic value by marketing, selling, and transporting the finished compost regionally. The facility can process up to 55,000 tons of organics per year that includes the yard trimmings delivered to the City's transfer stations from Phoenix residents and landscapers. The facility also processes food scraps

delivered from other city departments, WeCare Denali, and City-sponsored mega zero waste events, including the Super Bowl and Men's College Basketball Final Four. Over the term of the agreement, the contractor will invest \$8,000,000 in equipment upgrades and will partner with the city on other site upgrades as needed. The Contractor will also maintain the compost facility, including all mobile and stationary equipment, provide staffing, materials, supplies, and equipment required for composting operations and to maintain compliance with environmental regulations.

Procurement Information

A Request for Proposal was processed in accordance with City of Phoenix Administrative Regulation 3.10. One vendor submitted proposals deemed responsive and responsible. An evaluation committee consisting of representatives from the Public Works Department, Fire Department and City of Mesa evaluated the offer based on the criteria established in the RFP.

After reaching consensus, the evaluation committee recommends award to the following vendor: WeCare Denali, LLC.

Contract Term

The contract will begin on or about March 1, 2025 for an initial seven-year term with three one-year options to extend.

Financial Impact

The estimated operating cost over the 10-year contract is approximately \$28,600,000 based on a forecasted processing rate, which includes consumer price index adjustments. The estimated operating cost also includes funding for potential cost-sharing projects for facility upgrades over the term of the contract.

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

Location

27th Avenue Compost Facility
3060 S 27th Avenue

Council District: 7

This item was adopted.

60 Maintenance and Repair of Truck, Cylinder and Other Industrial Scales Contract - 25-SWDD-025 - Request for Award (Ordinance S-51495) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Southwestern Scale Company, Inc to provide maintenance, replacement and repair of truck, cylinder and other industrial scales used by the Public Works and Water Services departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$829,825.

Summary

The Public Works and Water Services departments use this contract to maintain, repair, calibrate and replace the scales for the City's North Gateway Transfer Station, 27th Avenue Transfer Station, State Route 85 Landfill, wastewater treatment plants, wastewater collection and water treatment plants. Calibrated and functional scales are imperative to operations as all transactions must be weighed to ensure proper billing is conducted. Accurate and operational scales are also necessary for regulatory compliance.

Procurement Information

An Invitation for Bid was processed in accordance with City of Phoenix Administrative Regulation 3.10. One vendor submitted a bid deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendor:

Selected Bidder

Southwestern Scale Company, Inc.

Contract Term

The contract will begin on or about December 4, 2024, for a three-year term with two one-year options to extend.

Financial Impact

The aggregate contract value will not exceed \$829,825.

Funding is available in the Water Services and Public Works departments' budgets.

This item was adopted.

61 Agreement with Allied Waste Transportation, Inc. dba Republic Services of Phoenix to Accept and Process Recyclable Materials (Ordinance S-51496) - Districts 2 & 7

Request to authorize the City Manager, or his designee, to enter into an agreement with Allied Waste Transportation, Inc. dba Republic Services of Phoenix (Republic Services) to accept and process recyclable materials collected by Republic Services and delivered to the City of Phoenix's Material Recovery Facilities (MRFs). Additionally, request the City Council to grant an exception pursuant to Phoenix City Code Section 42-20(B) to authorize inclusion of mutual indemnification language that otherwise would be prohibited by Phoenix City Code Section 42-18(A) and (B). Further request to authorize the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

Republic Services has requested to enter into an agreement with the City of Phoenix to accept and process its recyclable material. The City of Phoenix can accept these materials with terms to address changing market conditions, resulting in lower commodity prices and increased processing costs from contamination in the recyclables. This agreement will authorize the City of Phoenix to charge a processing fee to Republic Services for recycling tonnage processed at the City MRFs, which is designed to ensure all costs associated with processing recyclables are recovered by the fee. The terms of this Agreement include:

In a market with low recycling commodity prices, the City of Phoenix will charge a processing fee to Republic Services, and no revenue share to Republic Services will be available.

In a market with high recycling commodity prices, Republic Services will pay a processing fee and will receive 50 percent of the net revenue share and the City of Phoenix will receive the remaining 50 percent.

Annually, Republic Services will deliver up to 10,000 tons of recyclable materials to City of Phoenix facilities.

Contract Term

The one-year term of this agreement will begin on or about December 4, 2024, and conclude on or about December 3, 2025. Provisions of the agreement include four, one-year options to extend the agreement.

Financial Impact

Republic Services will be paying Phoenix to accept recyclables to cover all expenses associated with proper handling of the materials. If recycle market prices increase during the term of the agreement, Phoenix and Republic Services would share the additional revenue at a 50/50 split.

Funding for the revenue share payments to Republic Services are available in the Public Works Department's budget.

Location

North Gateway Material Recovery Facility, 30205 N. Black Canyon Highway

27th Avenue Material Recovery Facility, 3060 S. 27th Avenue
Council Districts: 2 and 7

This item was adopted.

**62 Hazardous/Non-Hazardous Fluid Spill Cleanup Contract IFB
25-SWFS-024 - Request for Award (Ordinance S-51475) - Citywide**

Request to authorize the City Manager, or his designee, to enter into contracts with GrayMar Environmental Services, Inc., Pacific West, LLC and Patriot Environmental Services, Incorporated, to provide cleanup, removal, transport and disposal of hazardous and non-hazardous liquids and solids in both emergency and non emergency situations for the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$1,265,369.56.

Summary

This contract will provide services necessary to preserve the health and safety of the public. The vendors will assume the responsibility of legal, safe handling, removal and transportation services in accordance with local, state and federal regulations. Due to the specialized training and equipment necessary to provide these services, Public Works

Department has consistently utilized outside vendors.

Procurement Information

An Invitation for Bid was processed in accordance with City of Phoenix Administrative Regulation 3.10. Six vendors submitted bids deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendors:

Selected Bidders

Pacific West, LLC - \$2,049.62

GrayMar Environmental Services, Inc., - \$2,070.00

Patriot Environmental Services, Incorporated - \$2,763.22

Contract Term

The contracts will begin on or about January 1, 2025, for a three-year term with two one-year options to extend.

Financial Impact

The aggregate contracts value will not exceed \$1,265,369.56. Funding is available in the Public Works Department's budget.

This item was adopted.

63 Intelligent Transportation System Devices and Communication Equipment - Maricopa County Department of Transportation Cooperative Contracts - 230200 - Amendment to Ordinance S-50540 (Ordinance S-51474) - Citywide

Request to authorize the City Manager, or his designee, to execute an amendment to Ordinance S-50540 to revise the terms of the contracts to expire on October 31, 2029, with a one-year option to extend, for the purchase of Intelligent Transportation System (ITS) Devices and Communication equipment for the Street Transportation Department. There are no additional expenditures included in this amendment.

Summary

The purpose of this amendment is to revise the terms of the 13 contracts from the original award that was authorized by Council, which listed contract terms to begin on or about February 15, 2024 for one-year terms

with five one-year options to extend, rather than five-year contract terms with one-year options to extend for the Cooperative Contract the City adopted in connection with the Maricopa County Department of Transportation.

These contracts provide ITS equipment, supplies, and training necessary for the Street Transportation Department's Traffic Signal Shop to perform core functions such as maintaining the Citywide infrastructure of over 1,138 signalized intersections and continually adapt to the changing technology of the traveling public as it pertains to the traffic signal systems.

Contract Term

The amended terms of the contracts will be five years, expiring on October 31, 2029, with a one-year option to extend.

Financial Impact

The aggregate value of the contracts will not change from the original value, which does not exceed \$12 million, and no additional funds are needed for this amendment.

Concurrence/Previous Council Action

The City Council previously approved 13 contracts, as listed in **Attachment A**, (Ordinance S-50540) on February 7, 2024.

This item was adopted.

64 Salt River Project Land Use License for 24th Street at Arizona Canal Diversion Channel Bicycle Underpass (Ordinance S-51479) - District 6

Request to authorize the City Manager, or his designee, to enter into land use licenses with Salt River Project for the continued use and maintenance of a bicycle underpass under the Arizona Canal at 24th Street. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary

This Salt River Project (SRP) Land Licenses are for renewals of existing Licenses that were entered into for work associated with a pedestrian crossing over the Grand Canal and allowed the City to construct, maintain, and utilize a bicycle underpass within USA Fee Property. The original licenses were executed on December 31, 1999 and expires on November 30, 2024.

Contract Term

The term of the new license shall be for 10 years beginning January 1, 2025, and ending December 31, 2034. The licenses may be renewed upon written agreement by the parties.

Financial Impact

There is no financial impact to the City of Phoenix for these licenses.

Location

24th Street and Arizona Canal

Council District: 6

This item was adopted.

65 Citywide Engineering On-Call Services for Calendar Years 2025-27 (Ordinance S-51487) - Citywide

Request to authorize the City Manager, or his designee, to enter into separate agreements with the 55 consultants in **Attachment A**, to provide Engineering On-Call services citywide for calendar years 2025 to 2027. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed \$82.5 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical,

water, sewer, natural gas, telecommunications, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The On-Call consultants will be responsible for providing On-Call Engineering services citywide that include, but are not limited to: studies, plan review, special inspections, programming, master plans, design, construction document development (plans, specifications and cost estimates), and construction administration and inspection services.

Procurement Information

The selections were made using a qualifications-based selection process set forth in Section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. Section 34-604(H), the City may not publicly release information on proposals received, or the scoring results, until an agreement is awarded. 93 firms submitted proposals and are listed in **Attachment A**.

Contract Term

The term of each agreement is up to three years or up to \$1.5 million, whichever occurs first. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement values for each of the On-Call consultants will not exceed \$1.5 million, including all subconsultant and reimbursable costs. The total fee for all services will not exceed \$82.5 million.

Funding is available in the Citywide departments' Capital Improvement Program and Operating budgets. The Budget and Research Department will review and approve funding availability prior to issuance of any On-Call task order of \$100,000 or more. Payments may be made up to

agreement limits for all rendered agreement services, which may extend past the agreement termination.

This item was adopted.

**66 64th Street Reservoir No. 2 (1-ES1-2) Liner Replacement -
Construction Manager at Risk Services - WS85050019 (Ordinance
S-51458) - Out of City**

Request to authorize the City Manager, or his designee, to enter into an agreement with MGC Contractors, Inc. to provide Construction Manager at Risk Preconstruction and Construction Services for the 64th Street Reservoir No. 2 (1-ES1-2) Liner Replacement 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 \$14 million.

Summary

The purpose of this project is to provide construction services for a liner replacement of a 20 million gallon (MG) reservoir, full columns rehabilitation and structural repairs, replacement of 500 roof clips, and repair minor cracks and miscellaneous repairs.

MGC Contractors, Inc. will begin in an agency support role for Construction Manager At Risk Preconstruction Services. MGC Contractors, Inc. will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

MGC Contractors, Inc.'s Preconstruction Services include, but are not limited to: providing detailed cost estimating and knowledge of marketplace conditions, project planning and scheduling, construction phasing and scheduling that will minimize interruption to City operations, providing alternate systems evaluation and constructability studies, advising City on ways to gain efficiencies in project delivery, providing long-lead procurement studies and initiating procurement of long-lead items, assisting in the permitting processes, and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project.

MGC Contractors, Inc.'s initial Construction Services will include

preparation of a Guaranteed Maximum Price proposal provided under the agreement. MGC Contractors, Inc. will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. MGC Contractors, Inc. will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. MGC Contractors, Inc. may also compete to self-perform limited amounts of work.

MGC Contractors, Inc.'s additional Construction Services include liner replacement, full columns rehabilitation and structural repairs, replacement of 500 roof clips, minor cracks and miscellaneous repairs, selecting subcontractors and suppliers for this project, preparing a Guaranteed Maximum Price proposal that meets the approval of the City, coordinating with various City of Phoenix departments, other agencies and utility companies, arranging for procurement of materials and equipment, scheduling and managing site operations, providing quality controls, bidding, awarding, and managing all construction related contracts while meeting City Bid Requirements including the local and SBE participation goal, and maintaining a safe work site for all project participants.

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. One firm submitted proposals and is listed below.

Selected Firm

Rank 1: MGC Contractors, Inc.

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 MGC Contractors, Inc. will not exceed \$14 million, including all subcontractor 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

General Location: 64th Street and E. Thomas Road

Council District: Out of City

This item was adopted.

67 Lift Station 43 Force Main Rehabilitation - Construction Manager at Risk Services - WS90501000 (Ordinance S-51460) - District 7

Request to authorize the City Manager, or his designee, to enter into an agreement with Achen-Gardner Construction, L.L.C. to provide Construction Manager at Risk Preconstruction and Construction Services for Lift Station 43 Force Main Rehabilitation 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 \$7.6 million.

Summary

The purpose of this project is to rehabilitate the force mains associated with Lift Station 43. The force mains convey wastewater flows from the lift station.

Achen-Gardner Construction, L.L.C. will begin in an agency support role for Construction Manager At Risk Preconstruction Services.

Achen-Gardner Construction, L.L.C. will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

Achen-Gardner Construction, L.L.C.'s Preconstruction Services include, but are not limited to: providing detailed cost estimating and knowledge

of marketplace conditions, providing project planning and scheduling, providing alternate systems evaluation and constructability studies, advise the City on ways to gain efficiencies in project delivery, provide long-lead procurement studies and initiate procurement for long-lead items, assist in the permitting processes, and participate with the City in a process to set a goal for Small Business Goal (SBE) for the project.

Achen-Gardner Construction, L.L.C.'s initial Construction Services will include preparation of a Guaranteed Maximum Price proposal provided under the agreement. Achen-Gardner Construction, L.L.C. will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. Achen-Gardner Construction, L.L.C. will be required to solicit bids from pre qualified subcontractors and to perform the work using the City's subcontractor selection process. Achen-Gardner Construction, L.L.C. may also compete to self-perform limited amounts of work.

Achen-Gardner Construction, L.L.C.'s additional Construction Services include: construct wastewater infrastructure for Lift Station 43 Force Main Rehabilitation, prepare a Guaranteed Maximum Price proposal that meets the approval of the City, coordinate with various City of Phoenix departments, other agencies, and utility companies, arrange for procurement of materials and equipment, schedule and manage site operations, bid, award, and manage all construction related contracts while meeting City bid requirements including the local and SBE participation goal, provide quality controls, bond and insure the construction, address all federal, state and local permitting requirements, and maintain a safe work site for all project participants.

Procurement Information

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

Selected Firm

Rank 1: Achen-Gardner Construction, L.L.C.

Additional Proposers

Rank 2: B&F Contracting, Inc.

Rank 3: TF Contracting Services LLC

Rank 4: Hensel Phelps Construction Co

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 Achen-Gardner Construction, L.L.C. will not exceed \$7.6 million, including all subcontractor 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

General Location: S. 75th Avenue and W. Vineyard Road

Council District: 7

This item was adopted.

68 Laboratory Proficiency Evaluation Program - IFB-2425-WES-652 - Request for Award (Ordinance S-51462) - Citywide

Request to authorize the City Manager, or his designee, to enter into agreement with Environmental Resource Associates, Inc. to provide proficiency testing of water samples for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed \$150,000.

Summary

This agreement will provide the Water Services Department with the ability to procure proficiency testing and analysis of drinking water and wastewater samples. The proficiency testing is performed as needed by the compliance laboratory for the Discharge Monitoring Report - Quality Assurance study for the City of Phoenix's National Pollutant Discharge Elimination System and Arizona Pollutant Discharge Elimination System permits.

Procurement Information

The recommendation was made using an Invitation for Bid procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Three Vendors submitted bids and are listed below; all bids except one were found responsive and responsible. Following an evaluation based on price, the procurement officer recommends award to the following vendor:

Selected Bidder

Environmental Resource Associates, Inc.

Additional Bidders

Advanced Analytical Solutions, LLC.

Phenova, Inc.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed \$150,000.

Funding is available in the Water Services Department Operating Budget.

This item was adopted.

- 69 Gaskets and O' Rings Contract - IFB-2425-WPP-661 - Request for Award (Ordinance S-51467) - Citywide**

Request to authorize the City Manager, or his designee, to enter into a contract with Cupps Industrial Supply, Inc. to provide gaskets and o' rings for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$410,000.

Summary

This agreement will provide various size gaskets and o' rings to be used in the City's Water Production, Wastewater Collection, and Wastewater Treatment systems on an as-needed basis. This agreement will allow the Water Services Department to purchase customized gaskets and o' rings when needed to ensure continued compliance with American National Standards Institute guidelines.

Procurement Information

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

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

Selected Bidder

Cupps Industrial Supply, Inc.: \$63,008.27

Contract Term

The contract will begin on or about December 31, 2024, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value will not exceed \$410,000.

Funding is available in the Water Services Department Operating budget.

This item was adopted.

70 Debris Caps - IFB-2425-WDD-660 - Request for Award (Ordinance

S-51470) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with SW Services, LLC to provide debris caps, on an as needed basis, for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$3,800,000.

Summary

This agreement will provide the Water Services Department (WSD) with the supply of debris caps that comply with Maricopa Association of Governments' requirements. The debris caps are utilized to prevent material such as dirt, dust, and sand from passing into the water valve housing throughout the water services infrastructure.

Procurement Information

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

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

Selected Bidder

SW Services, LLC: \$72,600 (annual)

Contract Term

The contract will begin on or about December 31, 2024, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value will not exceed \$3,800,000.

Funding is available in the Water Services Department Operating and Capital Improvement Program budgets.

This item was adopted.

- 71 Amend City Code - Ordinance Adoption - Rezoning Application
Z-27-24-2 - Approximately 1,000 Feet South of the Southwest**

**Corner of the 29th Avenue Alignment and Dove Valley Road
(Ordinance G-7326) - District 2**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-27-24-2 and rezone the site from PCD NBCOD (Approved C-2/CP M-R PCD NBCOD) (Planned Community District, North Black Canyon Overlay District, Approved Intermediate Commercial or Commerce Park District, Mid-Rise District, Planned Community District, North Black Canyon Overlay District) and FH PCD NBCOD (Flood Hazard and Erosion Management District, Planned Community District, North Black Canyon Overlay District) to C-2 HGT/WVR DNS/WVR NBCOD (Intermediate Commercial, Height Waiver, Density Waiver, North Black Canyon Overlay District) and FH NBCOD (Flood Hazard and Erosion Management District, North Black Canyon Overlay District) to allow multifamily residential.

Summary

Current Zoning: PCD NBCOD (Approved C-2/CP M-R PCD NBCOD) (7.29 acres) and FH PCD NBCOD (12.76 acres)

Proposed Zoning: C-2 HGT/WVR DNS/WVR NBCOD (11.79 acres) and FH NBCOD (8.26 acres)

Acreage: 20.05

Proposal: Multifamily residential

Owner: North Gateway Core Acreage Investors, LLC

Applicant: Trumont Group c/o Shane Essert

Representative: Alan Beaudoin, Norris Design

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The North Gateway Village Planning Committee heard this item on October 10, 2024, and recommended approval, per the staff recommendation, by a vote of 8-0.

PC Action: The Planning Commission heard this item on November 7, 2024, and recommended approval, per the North Gateway Village Planning Committee recommendation, by a vote of 9-0.

Location

Approximately 1,000 feet south of the southwest corner of the 29th

Avenue alignment and Dove Valley Road

Council District: 2

Parcel Address: 32600 and 32620 N. 29th Avenue

This item was adopted.

**72 Amend City Code - Ordinance Adoption - Rezoning Application
Z-85-24-3 - Approximately 170 Feet East of the Northeast Corner of
13th Avenue and Peoria Avenue (Ordinance G-7329) - District 3**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-85-24-3 and rezone the site from R-3 (Multifamily Residence District) to R-3 Hillside DNS/WVR (Multifamily Residence District, Hillside Density Waiver) for a Hillside Density Waiver for single-family residential.

Summary

Current Zoning: R-3 (Multifamily Residence District)

Proposed Zoning: R-3 Hillside DNS/WVR

Acreage: 1.26

Proposal: Hillside density waiver for single-family residential

Owner: Empire J Properties, LLC

Applicant: Ty Utton, Rose Law Group, PC

Representative: Jon Gillespie, Rose Law Group, PC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The North Mountain Village Planning Committee heard this item on October 16, 2024, and recommended approval, per the staff recommendation, with a modification, by a vote of 13-0.

PC Action: The Planning Commission heard this item on November 7, 2024, and recommended approval, per the North Mountain Village Planning Committee, by a vote of 9-0.

Location

Approximately 170 feet east of the northeast corner of 13th Avenue and Peoria Avenue

Council District: 3

Parcel Address: 1226 W. Peoria Avenue

This item was adopted.

**74 Amend City Code - Ordinance Adoption - Rezoning Application
Z-93-24-8 - Northwest Corner of 15th Avenue and South Mountain
Avenue (Ordinance G-7328) - District 8**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-93-24-8 and rezone the site from S-1 (Ranch or Farm Residence) and S-2 (Ranch or Farm Commercial) to S-1 HP (Ranch or Farm Residence, Historic Preservation Overlay) and S-2 HP (Ranch or Farm Commercial, Historic Preservation Overlay) to allow for a Historic Preservation Overlay for the Mission Revival Residence.

Summary

Current Zoning: S-1 (0.23-acres) and S-2 (3.29 acres)

Proposed Zoning: S-1 HP (0.23-acres) and S-2 HP (3.29 acres)

Acreage: 3.52 acres

Proposal: Historic Preservation Overlay for the Mission Revival Residence

Owner: Tonya Sevilla and Miguel Sevilla

Applicant/Representative: Kevin Weight, City of Phoenix, Planning and Development Department

Staff Recommendation: Approval.

HPC Action: The Historic Preservation Commission heard this case on September 16, 2024, and recommended approval, per the staff recommendation, by a vote of 6-0.

VPC Action: The South Mountain Village Planning Committee heard this case on October 8, 2024, and recommended approval, per the staff recommendation, by a vote of 12-0.

PC Action: The Planning Commission heard this case on November 7, 2024, and recommended approval, per the South Mountain Village Planning Committee recommendation, by a vote of 9-0.

Location

Northwest corner of 15th Avenue and South Mountain Avenue

Council District: 8

Parcel Address: 8252 S. 15th Avenue

This item was adopted.

**38 Loan Federal HOME-ARP Funds for Tanner Thomas Village
Affordable Housing Development Project (Ordinance S-51500) -
District 8**

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to \$2,365,349 in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships American Rescue Plan (HOME-ARP) program funds with Tanner Community Development, or a City-approved nominee, for the Tanner Thomas Village affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On June 6, 2024, the Housing Department issued a HOME-ARP Notice of Funding Opportunity (NOFO) for Non-Congregate Shelter and Rental Housing acquisition, rehabilitation and/or new construction projects to reduce homelessness and increase housing stability. A NOFO Pre-Submittal Workshop was held on July 11, 2024. Applications were due on August 30, 2024.

Procurement Information

Three proposals for Rental Housing acquisition were received and reviewed by an evaluation committee comprised of City staff members representing various departments. The proposals were evaluated on a 1,000-point scale based on the following criteria: Operations; How Well the Project Addressed the Strategies to Address Homelessness Plan; Organization Capacity; and Project Readiness. The following were recommended for funding:

St. Catherine Manor (Housing for Hope, LLC/Catholic Charities) - 870 points

Tanner Thomas Village (Tanner Community Development) - 803 points
Senior Bridge (Steel+Spark) - 790 points

Tanner Thomas Village, located at 1803 E. Broadway Road (District 8),

consists of 37 permanent supportive housing units for previously homeless veterans. The 37 permanent supportive housing units will serve veterans with Area Median Income (AMI) levels at or below 30 percent. Residents will receive supportive services through Tanner Community Development's on-site Community Resource Center where health care navigation and equity, supplemental nutrition support, human and social services, economic self-sufficiency, and workforce development services will be provided. Additional project funding in the following amounts have been secured by the developer:

HUD Economic Development Initiative - \$2,883,950

State of Arizona Governor's Office - \$271,851

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the terms listed in the NOFO and HOME-ARP Program requirements.

Financial Impact

There is no impact to the General Fund. HOME-ARP is a federally funded program. Funding for this NOFO is made available from HOME-ARP funds. Funding is budgeted in the Housing Department's Capital Improvement Program (CIP) budget. Loan execution is anticipated for Fiscal Year 2024-25, and the loan will be paid to the developer during the construction period.

Public Outreach

As part of the HOME-ARP Allocation Plan process, HUD required extensive public outreach to formulate the plan. Housing staff conducted six virtual listening sessions for community stakeholders and interviewed numerous service agencies and housing providers directly. More than 66 agencies participated in interviews and listening sessions during this process. This public input was used to draft the HOME-ARP Allocation Plan and inform the design of the NOFO to address the most critical needs of the community.

As part of the formal adoption process, the HOME-ARP Allocation Plan was made public and provided for a 15-day public comment period. The

City of Phoenix published a 15-day comment period and public hearing notice in the Arizona Republic on August 29, 2022. A virtual public hearing was held to provide an opportunity for public comment on September 12, 2022. The public comment period was open from September 13 to September 27, 2022. City Council approved the HOME-ARP Allocation Plan on November 16, 2022. The HOME-ARP Allocation Plan was approved by HUD on February 6, 2023.

Location

1803 E. Broadway Road
Council District: 8

Discussion

Chuck Byers spoke in favor, and noted he was a dedicated veteran advocate at regional, state and national levels. He talked about being involved in planning and implementation of Homeless Veteran Village over the past two years, and discussed how veterans experiencing homelessness was a significant and growing issue nationwide. He stated there were 1,200 homeless veterans in Maricopa County, and mentioned permanent housing being the primary solution for reducing homelessness. He commented this property fully aligned with Federal policies, and described the property with 37 casitas available and a community resource center staffed with trained advocates. He talked about the work advocates would be performing, and added this property would address critical issues to veterans.

Kerwin Brown spoke in favor, and mentioned Tanner Community Development Corporation would not only build a place for veterans on a permanent basis, but would provide a resource center for wrap-around services. He asked Council to support this item to help veterans in Phoenix.

Mayor Gallego talked about the need for affordable housing in Phoenix, and mentioned veteran housing had been a priority of hers while serving on Council. She discussed how every project had good values behind it, but not every project was successful. She mentioned her hesitation to support this project several years ago, and said she was concerned the

applicant had not reached an agreement with services providers who had experience working with unsheltered veterans. She commented the need for the right support structures to exist, and explained if this item was denied the funds would remain available and the applicant could re-apply. She requested the applicant submit a new application with improvements on the project, and noted there was potential with this project.

Vice Mayor Stark mentioned her husband was a veteran that served in the Army, and noted she had concerns regarding who would be offering services and the level of services that would be provided at the property.

Councilwoman Hodge Washington stated this project was in Council District 8, and acknowledged the concerns made by Mayor Gallego and Vice Mayor Stark. She requested staff be available to answer some questions she had regarding services provided for this project. She noted the application did not include a service provider that provided the types of services that would be expected for this type of project, and questioned what the thought process was for approving these funds.

Housing Director Titus Mathew explained there were three respondents to the Request for Bids, and noted Tanner Thomas Village had a community resource center they optioned to use to provide in-house services. He explained in the past HOME funds were used with developers, and gave examples of UMOM and Native American Connections who provided in-house services. He said the Housing Department recommended this item, and discussed how the panel looked at all three proposals and if this item were to be approved or denied, the process would continue. He commented this was because the City would work with the developer to ensure they were complying with all rules and Federal regulations and mentioned other reviews and checklists along with a land use rental agreement. He cited the agreement would require services be provided otherwise funding would be removed.

Councilwoman Hodge Washington asked for clarification if Council approved this, Tanner Thomas Village would need to show they had adequate service providers to move forward with the wrap-around services to receive these funds.

Mr. Mathew confirmed that was correct.

Councilwoman Hodge Washington inquired if there were any benchmarks or a timeframe where the applicant would need to identify the availability of a provider to provide those services.

Mr. Mathew explained typically for something like this, it would take three to six months to complete all processes. He described the process, noting there would need to be; environmental assessments, subsidiary layering, look at service providers, create a land use rental agreement and to make sure all documents were in place to ensure compliance with Federal regulations. He said this process was needed, otherwise there would be no notice to proceed to move forward with the project.

Councilwoman Hodge Washington questioned if there was any information that could be shared regarding the community's reception to this program.

Mr. Mathew answered public engagement with the community was part of the process to make sure they were on board with the project. He mentioned this was part of the environmental and archaeological reviews because it was a requirement by the United States Department of Housing and Urban Development (HUD) to make sure public input was included. He talked about the documentation and meeting notices that would be included to engage with the community.

Councilwoman Hodge Washington asked what would happen as a next step if these conditions were not met.

Mr. Mathew replied if this project is not awarded, it would come back to the Housing Department to be awarded again. He said a vote to deny this item would process a notice of funding opportunity to release those funds again. He explained HUD had given the City these funds to spend by September 2030.

Councilwoman Hodge Washington asked for confirmation if Council adopted this item, but the applicant was unable to meet the necessary

conditions, the process would automatically revert back to moving forward with a new opportunity.

Mr. Mathew confirmed that was correct.

Mayor Gallego discussed previous Council actions on similar projects, and mentioned community engagement had been done before the vote. She commented this made more sense, because once Council votes it could make the process more complicated to make changes. She talked about several other high-profile investments, and added those included months of community engagement before Council voted. She commented because of the changing Federal administration, it was important for the City to get this process right. She mentioned a meeting that happened just a few days prior that no service provider was in place, and discussed the importance of needs that need to be met. She asked for the community to provide their input on this project and what the service provider would be before she could vote for this. She said there had been issues with tiny-home communities in the past and noted the most successful communities had on-site services. She repeated she wanted to know that plan before she voted, and commented she wasn't sure if this type of funding would continue in the future.

Councilwoman Pastor commented this item was brought forward without a service provider and concerns from the community, and asked about the three applicants and if Council could vote on two of the applicants with the third applicant establishing a provider. She questioned if this item were denied, the process would then start over.

Mr. Mathew responded that was correct, and noted the other two applicants had been approved already by Council through items 36 and 37. He confirmed if this item were denied, another funding opportunity would be issued and the applicant could reapply.

Councilwoman Pastor inquired if there was a possibility to continue this item to a future Formal meeting.

Deputy City Manager Gina Montes explained the funding deadline for this funding source was a few years out, and said if this item were continued

to a future Formal meeting the funding would not be in jeopardy.

Councilwoman Pastor commented what she heard was there were a list of requirements needed together in order to receive funding including the provider and community engagement. She asked for confirmation that if this item were continued, the money would still be available once a provider is in place and community input is done.

Mr. Mathew explained if this item were withdrawn, the funding would be in limbo and paused because the City could not issue a new Request for Proposals until this item were resolved.

Mayor Gallego asked if Council continued this item to the January 22, 2025 Formal meeting, could a public community meeting be established with a clear service plan in place.

Mr. Mathew replied the City can ask the developer if that is possible.

Mayor Gallego inquired if Council could legally make that motion.

City Attorney Julie Kriegh responded yes.

Councilwoman Pastor questioned if Council could ask the developer, or if they should vote on this now.

Mr. Brown stated the reason they did not contract a provider now was because the project had not broken ground yet. He said he was in the process of talking to several providers to make sure those providers fit into what is being built. He commented that it was fine to continue this item to provide time for a provider to be chosen, and added if he knew this would hold up the project he would have done this prior because he had no reason to be expedient on this until the project broke ground.

Mayor Gallego said the provider plan being provided ahead of time mattered, and that having someone available on site mattered in your site plan. She commented it was harder to make changes to a project once under construction, and suggested no one would be comfortable making changes to a half-built project. She stated it would be harder to hold

community input meetings after building had started and added this order would make more sense to her.

Councilman Galindo-Elvira commented he was a big supporter of wrap-around services, and added he wanted to make sure these veterans were taken care of in the best way possible. He asked for the definition that would be used for wrap-around services, and inquired if a service provider selected would need to be accredited by a body.

Mr. Mathew explained that was something the City would work with the developer on especially as it pertained to veterans, and mentioned there were several developers through the Veterans Administration (VA) and other providers to ensure veteran services are provided. He talked about examples like Native American Connections who worked with the VA to provide case management and supportive services.

Mr. Brown commented wrap-around services would not only include healthcare, but would include services like job-training because this facility would not be age-limited. He talked about commitments to working with organizations to address mental and physical health concerns, and said he would be available for any additional questions.

Councilwoman Hodge Washington mentioned because of the concerns that had been raised regarding service providers and community outreach and given the advice received she asked for this item to be continued for a minimum of 30 days for the applicant to submit and actual provider plan. She commented housing was an important part of the solution, but resources were needed to provide success. She talked about the need to address community concerns so they understood what this project would look like, what the effects the project would have and added she wanted to make sure this was done correctly. She discussed the success of some shelters in the community, and asked the applicant to reach out to these shelters and see what types of services they offer. She confirmed there needed to be a community outreach plan in place and a plan for wrap-around services. **She made a motion that this item be continued to the January 22, 2025 City Council Formal Meeting, noting the following conditions: community outreach is fully done on what should be expected; and ensure an articulated plan is in**

place as to who will be the service providers providing what components of the wrap-around services.

Ms. Montes questioned if January 22 would be enough time to do the amount of outreach that was requested.

Councilwoman Hodge Washington said if there was another recommendation she would accept it.

Ms. Montes suggested 60 days, at the February 19, 2025 Formal meeting.

Councilwoman Hodge Washington made a motion that this item be continued to the February 19, 2025 City Council Formal Meeting, noting the following conditions: community outreach is fully done on what should be expected; and ensure an articulated plan is in place as to who will be the service providers providing what components of the wrap-around services.

Councilwoman Guardado seconded the motion.

Mayor Gallego asked for the service plan to be developed before the community meeting so the community could have input on the service plan. After the vote, she thanked everyone involved because this would be a better project as a result of this. She noted three projects were on the agenda, with two having service providers in their application.

A motion was made by Councilwoman Hodge Washington, seconded by Councilwoman Guardado, that this item be continued to the February 19, 2025 City Council Formal Meeting, noting the following conditions: community outreach is fully done on what should be expected; and ensure an articulated plan is in place as to who will be the service providers providing what components of the wrap-around services. The motion carried by the following voice vote:

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

**39 Financial Community Assistance Services - EXC 22-082 -
Amendment (Ordinance S-51464) - Citywide**

Request to authorize the City Manager, or his designee, to execute amendment to extend Contract 155846 with Partnership for Economic Innovation (PEI) and add additional funds. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$600,000. There is no impact to the General Fund. Funding is available through the City's allocation of American Rescue Plan Act (ARPA) funding received from the federal government.

Summary

The Business and Workforce Development Division of the City's Human Services Department requires funding to cover additional costs for Contract 155846. This contract provides administrative and customer support services to City programs. This funding will be used to support individuals enrolled in the ARPA programs at one of 10 Maricopa Community Colleges.

The additional costs cover two main components:

Stipends for eligible individuals enrolled in ARPA programs at Maricopa Community Colleges.

Administrative costs associated with disbursing these stipends.

Additionally, the City is requesting to exercise the second of the two optional one-year renewals.

Contract Term

Upon approval, the contract will be extended through February 6, 2026.

Financial Impact

Upon approval of \$600,000 in additional funds, the revised total value of the contract will not exceed \$18,000,000. There is no impact to the General Fund as funding is available through the City's allocation of the ARPA funding received from the federal government.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Financial Community Assistance Services Contract 155846 Ordinance S-48212 on December 15, 2021.

Financial Community Assistance Services amendment to Contract 155846 Ordinance S-50524 on January 24, 2024.

Discussion

Mayor Gallego noted Councilwoman Pastor would not participate on this item due to a potential conflict of interest.

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

Yes: 8 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

Conflict: 1 - Councilwoman Pastor

41 City of Phoenix Eviction Legal Services Qualified Vendor List (Ordinance S-51486) - Citywide

Request authorization for the City Manager, or his designee, to approve an Eviction Legal Services Qualified Vendor List (QVL) and to enter into contracts with eligible contractors to provide legal assistance, advocacy, mediation, representation, and other legal services to Phoenix residents facing an eviction crisis and to take any other action necessary or appropriate to accomplish the purposes of this item. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of the contracts will not exceed \$1,263,032 over the life of the QVL.

Summary

The City of Phoenix continues to see increasing numbers of individuals and families being evicted from their homes due to inability to pay rent and utilities, loss of income and employment, and other imminent crisis impacting their housing stability. The City of Phoenix Human Services Department (HSD) aims to provide access to no cost eviction legal services to include assistance with resolving evictions both in and outside the courtroom. The QVL is meant to identify providers that will assist individuals or families facing eviction, who otherwise cannot afford or arrange for these legal services.

Procurement Information

A Request for Qualifications (RFQu) solicitation was conducted in accordance with City of Phoenix Administrative Regulation 3.10 on September 19, 2024. A second solicitation will be released at a future date to identify additional contractors for the QVL.

One proposal was received on November 4, 2024, and was deemed responsive and responsible to the solicitation requirements. HSD program staff evaluated the offer using a pass/fail evaluation matrix and the following criteria:

Project Overview.

Approach and Methodology.

Experience and Expertise.

Marketing and Outreach.

Operating Budget.

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

Community Legal Services (CLS)

Contract Term

Contracts will begin effective January 1, 2025, for a six-month term with four one-year options to extend.

Financial Impact

The aggregate value of all contracts will not exceed \$1,263,032. Funding

is available through the American Rescue Plan Act.

Discussion

Councilwoman O'Brien made a motion to adopt Item 41 with the following change: If a vendor is terminated for cause that they are automatically removed from the vendor list.

Vice Mayor Stark seconded the motion.

Councilwoman O'Brien mentioned the reason for this addition was due to concerns in the past with vendors on the Qualified Vendor List (QVL) because they might not meet staff's requirements or expectations. She explained these vendors continued to remain on the QVL, and added with this motion she wanted to ensure the City would not reward bad actors in the future with contracts or business. She mentioned there was a second Request for Proposals (RFQ) open to add more vendors to this QVL, and added this motion would allow equal treatment among all respondents.

Councilwoman Hodge Washington asked for clarification on removal of a vendor if they are terminated for cause, and what the current procurement standard would be for a vendor whose contract was terminated for cause.

City Attorney Julie Kriegh replied generally it would depend on the language in the contract, and commented there were times where the City could terminate a contract for convenience. She noted the difference with terminating a contract for cause would terminate the contract, and discussed the process with QVLs having multiple contracts. She said in this motion if there was a for cause, the City would then remove that vendor from the list and they would not get any further assignments until it was resolicited.

Councilwoman Hodge Washington questioned if the motion made by Councilwoman O'Brien was a different standard than what the City would hold on other vendors who did business with the City.

Ms. Kriegh responded no, and said if there was a list there would need to be a contract in place. She explained the process for removing vendors

from QVLs.

Councilwoman Hodge Washington asked if the amendment in the motion was necessary.

Ms. Kriegh replied it was something that already happened, but noted if Council wished to clarify and put that in a motion in this case that it would not violate any of the procurement.

Councilwoman Hodge Washington talked about the lack of data needed, and asked Councilwoman O'Brien if a friendly amendment could be added to ensure the City requires metrics from the vendor to determine the success of the program. She suggested this would include identifying case performance indicators, client-centered metrics and understanding efficiency and access to the program. She talked about data she had seen and said it was not as extensive as needed which raised questions on the usefulness of this program, and discussed the importance of compiling the right data to determine effectiveness.

Councilwoman O'Brien said she would be open to a friendly amendment, and clarified when she was briefed on this item her understanding was a qualified vendor could be deemed to not be performing due to their contract, but still be left on the QVL and could receive business again. She commented this was the purpose and reasoning for her motion to ensure that could not occur. She repeated her support of the friendly amendment made by Councilwoman Hodge Washington.

Councilwoman Pastor asked for clarification on adding the amendment to the motion if it was part of the contract.

Deputy City Manager Gina Montes clarified the City interpreted the best it could under the QVL to terminate a contract with the vendor remaining on the list, and added it was normally not the case to execute another contract with a vendor who was not performing.

Councilwoman O'Brien clarified she did not want it to seem like she was misled, and added she wanted people to understand why she wanted this

amendment in the motion.

Councilwoman Pastor questioned if this amendment in the motion was needed.

Ms. Kriegh replied the tracking of metrics would be on the City side and said this was something that would need to be added to ensure direction to staff. She mentioned if a contract is terminated, then the City would not have a contract and the City would not be able to use that vendor whether or not they would remain on the list. She confirmed the clarification was fine.

Councilwoman Pastor asked for confirmation the motion was adding the clarification while adding the metrics.

Ms. Kriegh confirmed that was her understanding of the motion and friendly amendment.

Councilwoman Pastor mentioned Community Legal Service (CLS) worked closely with three councilmembers during a time when people were being displaced from trailer homes. She discussed being in meetings with CLS to help those constituents get what was fair to them and for legal advice, and talked about the importance of CLS being there for those constituents along with other non-profits. She discussed the community wanting metrics and other forms of data, and suggested it was unfair to have this discussion now when this should go to CLS and any issues with staff should have had that conversation with them about metrics.

Councilman Galindo-Elvira commented he had no issues with the motion or the friendly amendment because the language to include metrics was important. He talked about the outcomes needed for this, and added using taxpayer money should require metrics be used to determine effectiveness. He said he wanted to make sure this program succeeded and thrived, and noted the City needed to see the numbers because support may be needed in the future depending on funding issues.

Mayor Gallego asked Vice Mayor Stark if she accepted the friendly

amendment from Councilwoman Hodge Washington.

Vice Mayor Stark replied yes.

Mayor Gallego stated she was surprised the City received only one applicant for this service, and highlighted the team of public defenders who participated in procurement and legal assistance to the community. She asked who received this procurement.

Human Services Director Jacqueline Edwards responded the City did outreach and there was one respondent to the RFQ, and the City re-released the RFQ which would close on December 16. She talked about the extensive outreach performed in the community, and discussed the availability of multiple providers who could offer legal assistance in the community.

Mayor Gallego announced at a prior Formal meeting Council approved significant funding to provide this assistance to find solutions to keep people housed.

Councilwoman O'Brien commented she was confused on how the City would collect the data, and how that process would work for a client or citizen.

City Manager Jeffrey Barton commented his understanding was metrics would be included in the final contract the City could compile the data to show the effectiveness of the program. He explained the data would be collected by the vendor that would be providing the service, not the City and added reimbursement to the vendor would only be received after metrics are shown.

Councilwoman O'Brien asked for clarification the vendor would collect and provide the data, which would then be given to the City to be evaluated.

Councilwoman Hodge Washington said she was a supporter of the right to counsel initiative since day one, and talked about serving as a lawyer knowing both sides needs for representation. She stated her request for

metrics were based on communication presented at the Economic Development and Housing Subcommittee earlier this year, and discussed examples of questions brought up at the meeting. She asked if there would be data showing whether or not cases were dismissed, continued and other results and noted the answer received was their success was greater than what the data had shown. She cited different types of metrics that would be beneficial to review, and talked about the ultimate goal being reducing evictions in Phoenix. She commented she wanted to make it clear to any service provider that metrics and data were necessary.

Mayor Gallego commented her agreement with Councilwoman Hodge Washington for client-centered metrics for legal assistance.

A motion was made by Councilwoman O'Brien, seconded by Vice Mayor Stark, that this item be adopted as amended: If a vendor is terminated for cause that they are automatically removed from the vendor list and ensure the City requires metrics from the vendor to determine the success of the program. The motion carried by the following vote:

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

Discussion

Councilman Waring made a motion to adopt items 43-44.

Vice Mayor Stark seconded the motion.

Councilman Waring commented for Item 43 this would address how the public interacted with libraries and talked about this system being extremely usable. He explained the process for acquiring books through multiple libraries, and expressed appreciation for this system. He asked if Item 44 would allow people to receive and listen to books on their cellular phones.

Library Services Director Erin MacFarlane responded that item would be for

professional workforce development that would help people get prepared for certifications, tests and similar things. She did confirm this would be an e-media source but would act differently than when listening to audio books on your cellular phone.

Councilman Waring noted the software for listening to audio books worked fantastically, and expressed appreciation for the work the Library Department had done.

Vice Mayor Stark stated Councilman Waring was a huge advocate for libraries, and commented when she would shop at Paradise Valley Mall she would see him at Mesquite Library.

Councilwoman O'Brien agreed with Councilman Waring on how well the library systems worked for accessing and acquiring books.

Mayor Gallego commented she also used this system to read books with her child.

A motion was made by Councilman Waring, seconded by Vice Mayor Stark, that items 43-44 be adopted. The motion carried by the following vote:

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

43 Integrated Library System Software and Maintenance Contract - RFA-24-0005 - Request for Award (Ordinance S-51473) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Innovative Interfaces, Inc. to provide integrated library system software and maintenance for the Phoenix Public Library Department. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code 42-18. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$4,012,000.

Summary

This contract will provide an Integrated Library System, and associated maintenance, which is required to manage the many business processes necessary for a large urban public library so that it can provide effective services to its customers. The Polaris Integrated Library System (Polaris) is the Phoenix Public Library Department's primary business application and enterprise resource planning system, it is used to track items owned, ordering, billing, and customers who have borrowed materials. It consists of several modules, including acquisitions (ordering and receiving books and other materials), cataloging (classifying and indexing materials), circulation (lending materials to customers and receiving them back), serials (tracking magazine, journal, and newspaper holdings), financial system (tracking customer fees owed, generating reminders, and billing notices), statistical reports, and a public access catalog that customers can use to search for materials.

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

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition. The Phoenix Public Library has utilized the Polaris Integrated Library System, provided by Innovative Interfaces, Inc., since 2009. Polaris has proven itself capable of meeting the demands placed upon it. Library staff are well trained in its use. The continuing use of Polaris avoids the need for a costly and needless migration to an alternative Integrated Library System in favor of retaining a system that Library staff and the public are familiar, and satisfied with.

Contract Term

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

Financial Impact

The aggregate contract value for will not exceed \$4,012,000 for the five-year aggregate term.

Funding is available in the Phoenix Public Library Department's budget.

This item was adopted.

44 Online Access Electronic Books - RFA 17-072 - Letter of Agreement to Extend Contract for Online Access Electronic Books with Skillsoft (US), LLC (Ordinance S-51488) - Citywide

Request to authorize the City Manager, or his designee, to enter into Letter of Agreement with Skillsoft (US), LLC and allow additional expenditures of \$15,250 to continue to provide Online Access Electronic Books to the Library Department. Further request to continue using Ordinance S-43087 and to authorize the City Controller to disburse all funds related to this item. The revised total value will not exceed \$408,911.

Summary

The purpose of this Letter of Agreement is to continue to provide Online Access Electronic Books to the Library Department. The Phoenix Public Library provides library cardholders with unlimited, simultaneous access to thousands of electronic books focusing on topics related to business, professional development, human resources, information technology, as well as thousands of "best in class" books, research reports, book summaries and best practices. These books have historically been a popular resource for the customers of Phoenix Public Library to develop skills in a variety of topics including but not limited to computer programming, forming a new business, customer service, using social media to market oneself, project management, and software and web design. The Letter of Agreement is necessary to maintain access to this valuable community resource through August 30, 2025.

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

Contract Term

The term of the Letter of Agreement will begin on or about December 4, 2024, and expire on August 30, 2025.

Financial Impact

Upon approval of \$15,250 in additional funds, the revised aggregate value of the contract will not exceed \$408,911. Funds are available in the

Library Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Online Access Electronic Books Contract 144194 (Ordinance S-43087)
on December 14, 2016;

Online Access Electronic Books Contract 144194 (Ordinance S-47792)
on July 1, 2021;

Online Access Electronic Books Contract 144194 (Ordinance S-48830)
on July 1, 2022;

Online Access Electronic Books Contract 144194 (Ordinance S-50340)
on November 15, 2023.

This item was adopted.

50 Tree Inventory System, Tree Pruning, Tree Removal and Related Services Contract COOP 24-0382 - Request for Award (Ordinance S-51461) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with West Coast Arborists, Inc., to provide a tree inventory system, tree pruning, tree removal, and related services throughout the City for the Parks and Recreation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of this contract will not exceed \$600,000.

Summary

This contract, funded by the Parks and Recreation and Street Transportation departments, will create an inventory and assessment of the City's approximately 106,000 trees. This assessment will include the location, species, health and size of trees maintained by the City, covering areas such as rights-of-way, street medians, and all City-maintained parks and facilities. The current inventory system is outdated and needs to be updated. The new tree inventory system will allow the department and the Office of Heat Response and Mitigation to track all the trees on City property and will support the City of Phoenix proposed Shade Phoenix Plan. The new tree inventory system will provide an up-to-date view of the health of the urban forest on City properties, which will enable more accurate monitoring, management of tree conditions, and support proactive maintenance efforts.

The contract will also allow staff to request a wide variety of services, including tree pruning, planting, and other related services as needed at the City-maintained golf courses.

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

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Alternative Competition. The City of Mesa cooperative contract was the most favorable, as it provided the most comprehensive list of services.

Contract Term

The contract will begin on or about December 4, 2024, and expire on January 31, 2027, with a one-year option to extend.

Financial Impact

The aggregate contract value will not exceed \$600,000. Funding is available in the Parks and Recreation and Street Transportation departments' budgets.

Discussion

Vice Mayor Stark made a motion to adopt Item 50.

Councilwoman Pastor seconded the motion.

Councilman Waring commented he loved this program, but acknowledged his concerns for the care of trees in Phoenix. He gave an example on Greenway Road with trees along that road dying out and not being replaced, and asked for the City to treat and examine conditions of trees better that need to be replaced in Phoenix. He repeated this program was great, and talked about the location of trees being important.

Vice Mayor Stark said she had similar concerns raised by Councilman

Waring, and added this item would help alleviate those concerns. She gave an example of an area where trees were planted three times, and added she was excited to vote for this item.

Councilwoman Hodge Washington noted she shared concerns raised by Councilman Waring and added she brought those concerns up during the discussions on the Tree and Shade Program. She said she appreciated the inventory that would be coming, but added there may need to be an assessment with the vendor if the City would be receiving trees from outside vendors. She discussed how some trees come with warranties, and commented there needed to be more responsibility on the vendor to guarantee the upkeep of the tree. She asked if the City could do anything to incentive vendors to maintain trees rather than contracting for replacement.

Parks and Recreation Deputy Director Scott Coughlin responded the forestry section was responsible for maintaining trees over 12 feet, on major streets and arterials the Street Transportation Department was responsible. He commented most of the time the issues revolve around water and irrigation, and he talked about the warranty for trees if they fail due to poor planting.

Councilwoman Hodge Washington asked what the City could do differently to address poor maintenance of trees in the community.

Interim Street Transportation Director Brandy Kelso replied there were a variety of calls related to poor conditions of trees in the community, and talked about process improvements for inspecting newly planted trees on a more frequent schedule.

Councilwoman Hodge Washington asked when Council received concerns from the community indicating a lack of water in the area that a process is needed in a more expedient matter to address those issues.

Mr. Coughlin talked about the amount of heat Phoenix had experienced over the past two summers, and discussed how that heat had affected desert trees in Phoenix. He noted this item would give the City a health assessment of each tree in parks, streets and at City facilities to address

those issues.

Councilman Waring mentioned water lines being cut affecting trees on Thunderbird Road, and asked about warranty periods for newly planted trees and trees that are past those warranty dates. He advocated for a more rapid response to Council and citizen reports on dying trees in the community, and talked about his frustrations with trees being neglected.

Councilwoman Pastor discussed sitting on various committees, and noted the Parks and Recreation Department maintained trees in Phoenix. She said the department told her they could no longer maintain all the trees in the City, and added those positions that handled tree care in the department would be moved to the Street Transportation Department. She described what was supposed to be in the contracts for these positions needing to preserve the trees regarding metrics, where water was cut or lack of water among other issues. She asked staff to help her find that information, and talked about the requests for trees to be replaced along Central Avenue. She suggested there were more than 106,000 trees in Phoenix, and mentioned the importance of shade in the community. She asked the City how these issues could be solved.

Mayor Gallego noted this item would include an assessment, inventory and health tracking and some new technology tools to learn and help the City do better.

Mr. Coughlin explained in 2014 there was an assessment done that showed where trees were needed, and added this item would provide a new assessment that would give health of the tree and the health of the urban forest. He explained the people planting the trees in the Parks and Recreation Department and those in the Street Transportation Department who would maintain trees could use an app to update the inventory of trees at times when they need to be removed. He said this item would give an accurate count of the amount of many trees are in Phoenix, and added there was no additional cost to use this app.

Mayor Gallego talked about other City employees possibly helping the City stay up to date on tree health, and asked how City employees and residents should report on attention being needed for trees in poor

health.

Mr. Coughlin replied it was correct City employees could report on tree health by contacting City Council offices, the Parks and Recreation and Street Transportation departments, and mentioned the Street Transportation Department maintained any trees below 12 feet. He discussed how the two departments collaborated together on tree maintenance.

Mayor Gallego questioned what way would be best to contact the Street Transportation Department for residents or City employees.

Ms. Kelso responded there was a hot line number to call, a website to report to and also the 311 program.

Mayor Gallego commented the City was trying to do better on this issue.

Councilman Waring took issue with contacting City Council offices for reporting, and suggested the time period was too long to respond to reports. He discussed examples where there had been two to three years since a report had been made without resolution.

Councilwoman O'Brien asked for clarification if trees were under 12 feet, the Street Transportation Department would handle it no matter the location in Phoenix.

Ms. Aguilar confirmed that was correct, the Forestry team in the Parks and Recreation Department would take care of all trees in parks. She noted trees in medians and public right-of-ways with canopies lower than 12 feet were managed by a contract in the Street Transportation Department.

Councilwoman O'Brien repeated all trees in parks were handled by the Parks and Recreation Department, and all trees under 12 feet along streets and medians would belong to the Street Transportation Department. She said trees above 12 feet would be managed by the Parks and Recreation Department.

Ms. Aguilar responded that was correct, and talked about the shift to contract out tree maintenance in streets and right-of-ways.

Councilwoman O'Brien asked for confirmation contracts would be managed by the Street Transportation Department.

Ms. Aguilar confirmed that was correct.

Councilwoman O'Brien discussed the Tree and Shade Plan, and mentioned she was concerned about operations and maintenance for the plan. She requested the cost to operate and maintain trees in Phoenix. She questioned how long it would take for the inventory program to be updated with current trees in Phoenix.

Mr. Coughlin answered it was estimated to be six to nine months to complete the inventory on the notice to proceed is received.

Councilwoman O'Brien asked about the system, noting the contractor owned the system and the City would have access to it.

Mr. Coughlin responded that was correct, and added the previous tree inventory system operated the same.

Councilwoman O'Brien questioned if the system would be managed by the same company.

Mr. Coughlin answered the application would be managed by a different company.

Councilwoman O'Brien inquired about the previous system and why the City lost access to it in 2019.

Ms. Aguilar replied the City attempted to work with the previous vendor, and noted there were issues that could not be resolved in the previous contract. She explained after resolving those issues, the cost of the contract was twice the price of this vendor.

Councilwoman O'Brien discussed her concerns with this system because

it would have City information on it that would not be owned by the City. She questioned if this company were to close business, what would happen to the tree inventory.

Ms. Aguilar responded the City would have access up to that point, and the City would then be responsible for updating the application.

Councilwoman O'Brien inquired how the City would update the application if the City did not own the program.

Ms. Aguilar replied some of the information would be able to be downloaded, and discussed how that information would be stored in documents where the City would be responsible.

Councilwoman O'Brien mentioned her concerns with repeating the same process with the previous vendor, and talked about the City needing to download this information in a reasonable time. She requested the City look at a system that could be owned by the City.

Councilman Galindo-Elvira cited the mortality rate for trees in Phoenix was 4.2 percent, and asked if at the conclusion of this study would the inventory be able to determine the mortality rate for trees owned by the City.

Ms. Aguilar responded the vendor would be able to tell the City moving forward after the baseline information is input. She noted once tracking begins the City would be able to see the mortality rate based on the information that is uploaded and monitored.

Councilman Galindo-Elvira questioned if the inventory would be able to determine the best type of trees in terms of survivability whether it would be in Phoenix or the region overall.

Ms. Aguilar replied once the City ran reports to get information, the City would be able to determine those statistics. She talked about reports on tree survival the City had, but noted this system would be able to provide a more accurate number.

Councilman Galindo-Elvira asked about the dirt and soil for trees if it met the needs of the trees being planted, and to determine if there are certain areas where trees should or should not be planted.

Ms. Aguilar responded the City would be able to provide notes in the system to identify areas where trees were not successful. She gave an example of Margaret T. Hance Park where soil depths can be an issue.

Councilwoman Guardado mentioned she was a huge advocate for trees, and talked about the hundreds of trees planted in Council District 5. She questioned who would be maintaining the new information and how many people would be needed to take out a dead tree for example, along with other maintenance for these trees. She asked if there were enough staff available to do this work.

Ms. Aguilar replied the City had limited resources that contributed to challenges for maintenance. She mentioned through Council action the number of employees for the Forestry team had been restored, and added as Phoenix grew there would need to be supplemental requests to ask for additional staff to maintain Phoenix's urban forest. She confirmed the City had the team needed at the moment, and noted there would need to be more staff and equipment in the future to handle growth in Phoenix. She listed several positions that provided maintenance at the City.

Councilwoman Guardado inquired how often the City received reports from the contracted companies, and if the Street Transportation Department needed more staff for this.

Ms. Kelso answered the department was working through what the staffing needs might look like, and mentioned there was a small team of staff that would go out and look at trees and report back what they had seen. She said the department worked with the vendor to replace trees in the right time to plant, and added she would look at what more would be needed from the reporting perspective.

Councilwoman Guardado commented staff were doing an amazing job given the amount of staff available, and mentioned there would be difficult

conversations coming up in the next year given concerns about the budget. She questioned what might be needed in the budget to address the issues involving trees to continue providing this service for the community. She discussed heat being a main issue that trees could help with, and suggested it might be best to consolidate tree maintenance into one department. She stated if the City continued spend money on planting and maintaining trees, the City would need to be efficient with those funds.

Mayor Gallego asked for confirmation the recommendation would be the Parks and Recreation Department would maintain trees in parks and the Street Transportation Department would maintain trees in streets, and residents would have one place to report.

Councilwoman Guardado confirmed there should be a place for residents to report.

Mayor Gallego mentioned it would be difficult to determine who to report to given the multiple departments handling maintenance.

Councilwoman Guardado said having a plan in place to consolidate maintenance would be beneficial.

Mayor Gallego repeated residents having one place to report to for trees would make life easier. She commented trees were one of the top requests received from the community, and mentioned Phoenix was the first city in the country to sign the American Forest Tree Equity Pledge to plant trees in Phoenix where they are most needed. She talked about the Tree and Shade Master Plan being an important vote from Council, and discussed more investment in technology and trees for the community.

Councilwoman Pastor asked if the City would document dead trees currently.

Mr. Coughlin replied yes, the City could request the vendor to document those trees while performing the inventory.

Councilwoman Pastor questioned if that would start today if this item is

adopted.

Mr. Coughlin answered yes, the City had tracked tree loss this year as part of the Tree and Shade Master Plan. He explained this plan would replace all trees lost in parks, as well as an additional 20 percent added to that. He mentioned tree loss was reported as part of Tree City USA in parks.

Councilwoman Pastor inquired if the Street Transportation Department was tracking similar to the Parks and Recreation Department.

Ms. Kelso responded yes.

Councilwoman Pastor asked if the same software was being used for tracking.

Mr. Coughlin explained the Parks and Recreation Department tracked tree loss and reported that information to Office of Heat and Mitigation Project Manager Lora Martens who monitored trees in Phoenix. He said once the inventory is completed, the inventory would move under Ms. Martens and Heat Response and Mitigation Director David Hondula in that office. He explained the process further for how information would be shared through the departments.

Councilwoman Pastor commented her understanding was this process would become centralized.

Mr. Coughlin replied that was correct.

Councilwoman Pastor asked if the City was purchasing this software, or just use of the software.

Mr. Coughlin answered the contractor had the software, and the City would utilize their software with information provided by the City.

Councilwoman Pastor expressed her concern with that, and discussed giving City information to a contractor was similar to the previous issues with the former contractor. She said the City should program a software

owned by the City to enter data provided by staff and have the rights to that data.

Mr. Barton explained the City had a use license with this vendor that provided software services to the City with the ability to download data out of that. He stated working with the Information Technology Services Department, the City could try to replicate a database or system that has an interface utilized by the vendor, and mentioned the City was looking at an asset management system for the citywide inventory of assets and could use information from this program for that inventory as well.

Councilwoman Pastor requested clarification this item could be adopted with the ability to explore this option after.

Mr. Barton responded yes, knowing this item would help start that process for a baseline on the inventory the City had.

Mayor Gallego noted there would be an ability to download the information in some form for the City to utilize if this software would no longer be available. She discussed the need for one place to be the contact for trees and maintaining them, and mentioned the City had a goal to plant 27,000 trees in the next five years and further investment through the Tree and Shade Master Plan. She talked about the need to make Phoenix more comfortable in the hotter months, and said adding trees would help with that along with other benefits.

After the vote, Mayor Gallego mentioned Michael Norton signed up to speak and was available if necessary.

Note: One electronic comment was submitted in support of Item 50.

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

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

57 Amendment 1 to the Intergovernmental Agreement Between the Cities of Phoenix and Tempe Regarding Noise Mitigation Flight Procedures (Ordinance S-51493) - District 8

Request authorization to settle the litigation between the City of Phoenix and the City of Tempe over the obligations in the 1994 Intergovernmental Agreement (IGA) between the City of Phoenix and the City of Tempe, and further request authorization to execute an amendment to the IGA to clarify certain obligations under the IGA.

Summary

The City of Tempe and the City of Phoenix recognize that Phoenix Sky Harbor International Airport and accompanying commercial passenger traffic are a key part of the local economies of the respective cities as well as the region.

Therefore, the parties chose to work in the spirit of cooperation to resolve the litigation and protect the airport while preserving the economic vitality of both cities. To that end, this amendment will allow the City of Tempe and the City of Phoenix to work collaboratively to address noise concerns and ensure transparent communication with residents. Both cities strive to uphold a balanced approach to community well-being and airport operations.

The amendment will include the following terms and conditions:

For all Tempe land in the 65 DNL contour (the high noise area)

No single-family residential;

Avigation easements / release of liability;

Noise disclosures to warn residents of their exposure to high noise;

No obstructions (FAA 7460 Approval);

Support to address identified hazards to navigation;

Tempe will not oppose, in any proceeding, Phoenix's Comprehensive Asset Management Plan projects;

Tempe understands Phoenix will continue to formally object to any incompatible use proposed in Tempe.

On Tempe-owned land in the 65 DNL contour, if Tempe allows residential, then Tempe will:

- Restrict all multi-family residential to lease only;
- Indemnify and defend Phoenix for any complaints about noise, vibrations, emissions or other disturbances;
- Require noise insulation;
- Ensure all stipulations and restrictions to run with the land;
- Agrees restrictions will apply to any land acquired by Tempe, except to the extent the land is already developed, or the land is one of the already entitled properties identified in the amendment and purchased through a GPLET deal.

For Privately-Held Parcels in the 65 DNL contour, Tempe agrees:

- No new residential except for parcels identified in the amendment;
- To notify the Aviation Department of applications to pursue new or intensified residential;
- Submit a staff recommendation of disapproval on any such application;
- If the Tempe City Council still approves residential on any of the identified parcels, Tempe will stipulate landowner to noise insulate (NLR 25db) and equally share in legal defense fees should Phoenix receive a claim related to noise, vibrations, or emissions.

Phoenix agrees:

- That both parties will dismiss their claims with each party bearing its own legal fees;
- To waive claims under the IGA for any past actions related to the IGA;
- To conduct periodic 65 DNL contour updates and enhance collaboration on noise issues;
- That it will not treat itself differently than Tempe regarding land uses in the 65 DNL contour;
- That it understands Tempe reserves its right to object to any proposed 4th runway.

Contract Term

The term of the IGA is 50 years, anticipated to end in 2044.

Financial Impact

There is no financial impact.

Concurrence/Previous Council Action

The Phoenix City Council adopted the IGA on August 31, 1994, and the agreement was fully executed on September 2, 1994.

Location

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

Discussion

Vice Mayor Stark made a motion to adopt Item 57.

Councilwoman O'Brien seconded the motion.

Mayor Gallego explained the item, and mentioned Tempe Mayor Corey Woods had his State of the City address where he announced the Tempe City Council unanimously approved an agreement with the City to end the legal conflict regarding residential development in Sky Harbor Airport airspace. She stated Sky Harbor Airport is the largest economic engine in the state, and discussed the intergovernmental agreement with the City of Tempe that was adopted in 1994. She expressed appreciation for avoiding legal action with the City of Tempe, and thanked staff at the City and at the City of Tempe.

City Manager Jeffrey Barton talked about this process being long, and thanked Council for their patience on this. He mentioned Aviation Director Chad Makovsky and stated through the creativity of him and his team, the City was protected and Sky Harbor Airport was protected. He commented because of their actions the City was in a better place.

Mayor Gallego asked Mr. Makovsky to raise his hand, and requested a round of applause from the audience. She thanked the City's legal team.

Councilwoman O'Brien mentioned how difficult this process was for the City, and talked about the need to protect Sky Harbor Airport because of how important it was for the City. She compared how unique this airport was compared to other airports across the country, and thanked City staff and staff at the City of Tempe for coming to an agreement.

Councilwoman Hodge Washington thanked staff for their efforts on this item, and discussed the importance of Sky Harbor Airport for the City and the state as a whole. She expressed gratitude for this agreement, and talked about the benefits for both the City and the City of Tempe as well as the surrounding communities.

Councilwoman Guardado thanked Mr. Makovsky for his efforts on this item and his work at Sky Harbor Airport, and thanked Mr. Barton for his work on this item and said the City and the airport were in great hands with both of them.

Councilwoman Pastor commented the City had a strong team of staff.

Dianne Barker spoke in support, and mentioned she lived in the area around Sky Harbor Airport. She commented she used to be a navigator at the airport, and discussed the need for disclaimers for new residents in Tempe along the flight path for notifying them of potential noise from airplanes.

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

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

**73 Amend City Code - Ordinance Adoption - Rezoning Application
Z-94-24-3 - Approximately 280 Feet North of the Northeast Corner
of 13th Place and Cinnabar Avenue (Ordinance G-7327) - District 3**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-94-24-3 and rezone the site from R-3 (Multifamily Residence District) to R-3 HP (Multifamily Residence District, Historic Preservation Overlay) to allow for a Historic Preservation Overlay for the Thompson Rock

Garden.

Summary

Current Zoning: R-3

Proposed Zoning: R-3 HP

Acreage: 0.22

Proposal: Historic Preservation Overlay for the Thompson Rock Garden

Owner: Mosaic Trust c/o Marion Frances

Applicant: City of Phoenix, Historic Preservation Commission

Representative: Kevin Weight, City of Phoenix, Planning and Development Department, Historic Preservation Office

Staff Recommendation: Approval.

HPC Action: The Historic Preservation Commission heard this item on September 16, 2024, and recommended approval, per the staff recommendation, by a vote of 7-0.

VPC Action: The North Mountain Village Planning Committee heard this item on October 16, 2024, and recommended approval, per staff recommendation, by a vote of 13-0.

PC Action: The Planning Commission heard this item on November 7, 2024, and recommended approval, per the Historic Preservation Commission and North Mountain Village Planning Committee recommendations, by a vote of 9-0.

Location

Approximately 280 feet north of the northeast corner of 13th Place and Cinnabar Avenue

Council District: 3

Parcel Address: 10023 N. 13th Place

Discussion

Vice Mayor Stark made a motion to adopt Item 73.

Councilwoman O'Brien seconded the motion.

Julia Taggart spoke in favor, and commented this item was 45 years in

the making. She discussed the process that lead to this item over those years, and added with approval of this item the property would now be considered historic. She said she would help get this property historic status at the national level, and thanked Council for considering this item.

Vice Mayor Stark thanked Ms. Taggart for helping with this item, and noted Ms. Taggart would be helping with an additional property in Sunnyslope in the future.

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

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

75 ***ITEM REVISED (SEE ATTACHED MEMO) Public Hearing - Amend City Code - Ordinance Adoption - Downtown Code Z-TA-5-22-4-7-8 (Ordinance G-7330) - Districts 4, 7 & 8**

Request to hold a public hearing on a proposed text amendment Z-TA-5-22-4-7-8 and to request City Council approval per the Planning Commission recommendation which amends the following sections of the Phoenix Zoning Ordinance, as follows: 1) Revise and clarify provisions in Chapters 2, 3, 5, 6, and 7 regarding definitions; variance and Design Review appeal processes, and to address how other sections interact with Chapter 12 (Downtown Code): Section 201 (Rules of Construction), Section 202 (Definitions), Section 307.A (Authority and duties of the Zoning Administrator), Section 507 (Development Review Approval), Section 669 (Arts, Culture, and Small Business Overlay District), Section 702 (Off-Street Parking and Loading), and Section 703 (Landscaping, Fences and Walls); 2) add a new Section 312 to Chapter 3 to create the Technical Appeals Committee; and 3) repeal and replace Chapter 12 (Downtown Code) with revised and clarified text.

Summary

The intent of the proposed text amendment is to update development

requirements, fix process issues, eliminate ordinance conflicts, and clarify the language of the Downtown Code, while still implementing the vision of the Downtown Phoenix Urban Form Project (DPUFP). It does so by amending related sections of the Zoning Ordinance to work better with Chapter 12, as well as rewriting Chapter 12 entirely (based upon the existing language and format) for ease of understanding and layout. No changes to property entitlements (i.e. height, density, lot coverage) have been proposed with this text amendment, except for the correction of some identified errors and typos. However, some development standards and sustainability bonus points have been revised not only to eliminate conflicts and confusion, but also to better implement the pedestrian-oriented environment envisioned by the DPUFP. The proposed text amendment also creates a new Technical Appeal process for certain technical requirements, and clarifies and revises existing appeal processes with the goal of eliminating instances when requesting a modification to a single requirement that requires two separate and unrelated appeal processes as detailed in the Staff Report and Addendum A Staff Report (**Attachments B and C**).

Applicant: City of Phoenix, Planning Commission

Representative: City of Phoenix, Planning and Development Department

Staff Recommendation: Approval of Z-TA-5-22-4-7-8 as shown in Exhibits A and B of the Addendum A Staff Report (**Attachment C**).

VPC Info: The Encanto Village Planning Committee heard this item on August 5, 2024, for information only and the Central City Village Planning Committee heard this item on August 12, 2024, for information only (**Attachment D**).

VPC Action: The Encanto Village Planning Committee heard this item on September 9, 2024, and recommended approval, per the staff recommendation, by a vote of 9-1. The Central City Village Planning Committee heard this item on September 9, 2024, and recommended approval, per the staff recommendation, by a vote of 12-0 (**Attachment D**).

PC Info: The Planning Commission heard this item on September 5, 2024, for information only.

PC Action: The Planning Commission heard this item on October 10, 2024, and continued the item to November 7, 2024, by a vote of 4-3. The

Planning Commission heard this item on November 7, 2024, and recommended approval, per the staff recommendation in the Addendum A Staff Report, by a vote of 9-0 (**Attachment E**).

Discussion

Mayor Gallego thanked the Planning and Development Department, along with City partners who worked hard to get to this point. She introduced Planning and Development Director Joshua Bednarek to introduce the item.

Mr. Bednarek introduced Planning and Development Deputy Director Tricia Gomes, and acknowledged Ms. Gomes and Planning and Development Team Leader Christopher DePerro for their efforts on this item along with City partners. He noted Ms. Gomes would give a brief overview of the text amendment.

Ms. Gomes explained this item would amend Chapter 12 of the Downtown Code and would amend other sections of the Phoenix Zoning Code to clarify how those sections would interact with Chapter 12. She said these changes were proposed through partnership with Phoenix Community Alliance (PCA) and Downtown Phoenix, Inc. (DPI) to streamline the process for development downtown. She gave examples of how this amendment would affect various areas, and discussed stakeholder input process over a two year period with collaboration with City partners. She cited the Encanto Village Planning Committee recommended approval per staff recommendation by a 9-1 vote, the Central City Village Planning Committee recommended approval per staff recommendation by a 12-0 vote and the Planning Commission recommended approval per the staff recommendation in Addendum A by a 9-0 vote. She concluded staff recommended approval per the November 27, 2024 memo from the Planning and Development Director, with adoption of the related ordinance.

Mayor Gallego declared the public hearing open.

Patrick McDaniel spoke in favor, and mentioned he was the Advocacy Director for PCA. He commented he would be speaking on behalf of their Board of Directors and mentioned they fully supported this item. He talked about changes in the downtown area over the years, and

highlighted several places in downtown that have added to the community. He described the code changes, and how those changes could have a big impact on the experience residents and visitors would have in the downtown area. He said these changes would bring people downtown and would make it a better place for everyone.

After noting there were no additional people wishing to speak, Mayor Gallego closed the public hearing.

Vice Mayor Stark commented she was excited for this item, because she was the Planning and Development Director when Council originally approved the Downtown Code.

The hearing was held. A motion was made by Vice Mayor Stark, seconded by Councilwoman O'Brien, that this item be approved per the November 27, 2024 memo from the Planning & Development Director, with adoption of the related ordinance. The motion carried by the following vote:

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

76 Public Hearing and Resolution Adoption - General Plan Amendment GPA-DSTV-2-23-2 - Southwest Corner of Black Mountain Boulevard and Deer Valley Drive (Resolution 22266) - District 2

Request to hold a public hearing on a General Plan Amendment to consider the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 20.52 acres from Residential 2 to 5 dwelling units per acre to Commercial. This is a companion case to GPA-DSTV-3-23-2 and Z-39-23-2, and must be heard prior to GPA-DSTV-3-23-2 and Z-39-23-2.

Summary

Application: GPA-DSTV-2-23-2

Current Designation: Residential 2 to 5 dwelling units per acre

Proposed Designation: Commercial

Acreage: 20.52

Proposed Use: Commercial use

Owner: Arizona State Land Department

Applicant: Ryan Ash, Vestar

Representative: Ashley Z. Marsh, Gammage & Burnham

Staff Recommendation: Approval.

VPC Information Only: The Desert View Village Planning Committee heard this item on August 1, 2023, for information only.

VPC Action: The Desert View Village Planning Committee heard this item on October 3, 2023, and recommended denial, by a vote of 9-1.

PC Action: The Planning Commission heard this item on January 4, 2024, and continued to item to a date uncertain and remanded the item back to the Village Planning Committee for reconsideration, by a vote of 7-0.

VPC Action: The Desert View Village Planning Committee heard this item on October 1, 2024, and recommended approval, by a vote of 9-2.

PC Action: The Planning Commission heard this item on November 7, 2024, and recommended approval, per the Desert View Village Planning Committee recommendation, by a vote of 8-1.

Location

Southwest corner of Black Mountain Boulevard and Deer Valley Drive

Council District: 2

Parcel Addresses: 21502 and 21600 N. Black Mountain Boulevard; 21520, 21618, 21650, 21680, 21702, and 21750 N. Black Mountain Parkway; 3501 and 3517 E. Deer Valley Drive; and 3539 and 3545 E. Mayo Boulevard

Discussion

Mayor Gallego mentioned items 76-78 were related items, and there would be one public hearing followed by three individual votes. She declared the public hearing open.

Suzanne Sayegh spoke in opposition, and talked about the change the previous year not being approved by the Desert View Village Planning

Committee and explained the process from the Planning Commission being sent back to the developer. She commented a majority of the community did not want this zoning change, and discussed why putting commercial property near these neighborhoods would devalue properties. She described the area, and suggested there would be traffic congestion in the area with this new development.

Jim Farley spoke in favor, and mentioned he lived at Sky Crossing which was adjacent to the proposed development. He said the opposition letters in the agenda were written in 2023 before the developer made changes to the plan, and added there was overwhelming support for this development. He noted this development would give the area additional places to shop, and discussed how traffic would be coming to this area regardless if this development is approved or not.

Nathan Friedland spoke in favor, and said his family had been living at Sky Crossing for the past three years. He talked about their experience hearing from Vestar and the changes proposed, and added the developer listened to the community to make changes that would benefit the community.

Ilene Friendland spoke in favor, and commented their home was close by within walking distance. She discussed how this property would be an asset to the community by being walkable and increasing surrounding property values.

Kim Otis spoke in opposition, and noted she had grown up in Phoenix and recently moved to the Fireside development near the proposed development three years ago. She talked about schools in the area not providing buses, and suggested Vestar's work with the community was not adequate.

Trent Otis spoke in opposition, and mentioned he was a Fire Captain for the Fire Department. He talked about issues regarding traffic in the area with schools around, and said it was possible there would be more pedestrian accidents. He noted there would be an uptick in call volume in the area for Fire Station 52.

Wouter Roodenburg spoke in opposition, and said he was a resident in the Fireside community for 17 years. He explained this property was zoned for residential, and talked about the nearby Desert Ridge community allowing commercial zoning. He discussed issues with developing commercial properties near schools, and mentioned he provided his opposition to this development through various voting bodies. He asked Council to continue this item to a future date to determine the needs for this property.

Stephen Applebaum spoke in opposition, and talked about his experiences having commercial properties near schools he attended. He said he was not anti-growth, rather responsible growth. He took issue with this property becoming commercial, because residential was more suitable for the area. He commented he did not want the land to be vacant, he wanted a more suitable development for this property.

After declaring there were no more people wishing to speak, Mayor Gallego closed the public hearing.

After the vote, Mayor Gallego commented there were a lot people who spent time on this item especially Councilman Waring.

Note: There were two electronic comments submitted in opposition of Item 76.

The hearing was held. A motion was made by Councilman Waring, seconded by Vice Mayor Stark, that this item be approved per the Planning Commission recommendation, with adoption of the related resolution. The motion carried by the following vote:

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

77 ***ITEM REVISED (SEE ATTACHED MEMO) Public Hearing and Ordinance Adoption - General Plan Amendment GPA-DSTV-3-23-2 - Southwest Corner of Black Mountain Boulevard and Deer Valley**

Drive (Ordinance G-7332) - District 2

Request to hold a public hearing on a General Plan Amendment for the following item and to consider the Planning Commission's recommendation and the related ordinance if approved. Request to amend the Desert Ridge Specific Plan. This is a companion case to GPA-DSTV-2-23-2 and Z-39-23-2 and should be heard following GPA-DSTV-2-23-2 and followed by Z-39-23-2.

Summary

Application: GPA-DSTV-3-23-2

Proposal: Amendment to the Desert Ridge Specific Plan, Section 6.C.5, Superblock 12 to facilitate commercial development.

Owner: Arizona State Land Department

Applicant: Ryan Ash, Vestar

Representative: Ashley Z. Marsh, Gammage & Burnham

Staff Recommendation: Approval, as shown in the recommended text in Exhibit A.

VPC Information Only: The Desert View Village Planning Committee heard this item on August 1, 2023, for information only.

VPC Action: The Desert View Village Planning Committee heard this item on October 3, 2023, and recommended denial, by a vote of 7-2-1.

PC Action: The Planning Commission heard this item on January 4, 2024, and continued the item to a date uncertain and remanded the case back to the Village Planning Committee for reconsideration, by a vote of 7-0.

VPC Action: The Desert View Village Planning Committee heard this item on October 1, 2024, and recommended approval, per the staff recommendation (Addendum A), with modifications, by a vote of 10-1.

PC Action: The Planning Commission heard this item on November 7, 2024, and recommended approval, per the Desert View Village Planning Committee recommendation, by a vote of 8-1.

Location

Southwest corner of Black Mountain Boulevard and Deer Valley Drive
Council District: 2

Parcel Addresses: 21502 and 21600 N. Black Mountain Boulevard; 21520, 21618, 21650, 21680, 21702, and 21750 N. Black Mountain Parkway; 3501 and 3517 E. Deer Valley Drive; and 3539 and 3545 E. Mayo Boulevard

Note: For discussion on Item 77, refer to discussion on Item 76.

Note: There were two electronic comments submitted in opposition of Item 77.

The hearing was held. A motion was made by Councilman Waring, seconded by Vice Mayor Stark, that this item be approved per the December 3, 2024 memo from the Planning & Development Director, with adoption of the related ordinance. The motion carried by the following vote:

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

78 Public Hearing and Ordinance Adoption - Rezoning Application Z-39-23-2 - Southwest Corner of Black Mountain Boulevard and Deer Valley Drive (Ordinance G-7331) - District 2

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-39-23-2 and rezone the site from S-1 DRSP (Approved R1-6 DRSP) (Ranch or Farm Residence, Desert Ridge Specific Plan) (Approved Single-Family Residence District, Desert Ridge Specific Plan) and S-1 DRSP (Approved R-2 DRSP) (Ranch or Farm Residence, Desert Ridge Specific Plan) (Approved Multifamily Residence District, Desert Ridge Specific Plan) to C-2 DRSP (Intermediate Commercial, Desert Ridge Specific Plan) to allow a commercial shopping center. This is a companion case to GPA-DSTV-2-23-2 and GPA-DSTV-3-23-2 and must be heard following GPA-DSTV-2-23-2 and GPA-DSTV-3-23-2.

Summary

Current Zoning: S-1 DRSP (Approved R1-6 DRSP) (1.71 acres) and S-1

DRSP (Approved R-2 DRSP) (18.81 acres)

Proposed Zoning: C-2 DRSP

Acreage: 20.52

Proposal: Commercial shopping center

Owner: Arizona State Land Department

Applicant: Ryan Ash, Vestar

Representative: Ashley Z. Marsh, Gammage & Burnham

Staff Recommendation: Approval, subject to stipulations.

VPC Information Only: The Desert View Village Planning Committee heard this item on August 1, 2023, for information only.

VPC Action: The Desert View Village Planning Committee heard this item on October 3, 2023, and recommended denial by a vote of 9-1.

PC Action: The Planning Commission heard this item on January 4, 2024, and recommended a continuance to a date uncertain and remanded the case back to the Desert View Village Planning Committee for reconsideration by a vote of 7-0.

VPC Action: The Desert View Village Planning Committee heard this item on October 1, 2024, and recommended approval, per the staff recommendation, by a vote of 10-1.

PC Action: The Planning Commission heard this item on November 7, 2024, and recommended approval, per the Desert View Village Planning Committee, by a vote of 9-0.

Location

Southwest corner of Black Mountain Boulevard and Deer Valley Drive
Council District: 2

Parcel Addresses: 21502 and 21600 N. Black Mountain Boulevard; 21520, 21618, 21650, 21680, 21702, and 21750 N. Black Mountain Parkway; 3501 and 3517 E. Deer Valley Drive; and 3539 and 3545 E. Mayo Boulevard

Note: For discussion on Item 78, refer to discussion on Item 76.

Note: There were two electronic comments submitted in opposition of Item 78.

The hearing was held. A motion was made by Councilman Waring, seconded by Vice Mayor Stark, that this item be approved per the

Planning Commission recommendation, with adoption of the related ordinance. The motion carried by the following vote:

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

79 (CONTINUED FROM NOVEMBER 13, 2024) - Public Hearing and Ordinance Adoption - Rezoning Application Z-58-24-8 - Approximately 710 Feet North and 305 Feet West of the Northwest Corner of 20th Avenue and South Mountain Avenue (Ordinance G-7322) - District 8

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

Summary

Current Zoning: S-1

Proposed Zoning: R1-10

Acreage: 4.54

Proposal: Single-family residential

Owner: Dorothy M. Hallock

Applicant/Representative: John Fox

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The South Mountain Village Planning Committee heard this item on July 9, 2024, and recommended a continuance to the August 13, 2024, Village Planning Committee meeting, by a vote of 11-3. The South Mountain Village Planning Committee heard this item on August 13, 2024, and recommended a continuance to the September 10, 2024, Village Planning Committee meeting, by a vote of 12-0. The South Mountain Village Planning Committee heard this item on September 10,

2024, and recommend approval, per the staff recommendation, with additional stipulations, by a vote of 7-5.

PC Action: The Planning Commission heard this item on October 10, 2024, and recommended approval, per the staff memo dated October 7, 2024, with a modification, by a vote of 7-2.

The Planning Commission recommendation was appealed by a community member and a petition for a 3/4 vote was submitted on October 15, 2024. **A 3/4 vote is required.**

Location

Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue

Council District: 8

Parcel Address: N/A

Discussion

Councilwoman Hodge Washington mentioned the applicant noted their desire to withdraw this item with the intent to amend to address outstanding concerns. **She made a motion to withdraw Item 79 to amend and address the following items: traffic, density, drainage and character of the area including the Rio Montana Plan. The applicant should present any changes to the proposal to the South Mountain Village Planning Committee for recommendations, and at that time the case will be re-advertised for a future Formal meeting on a date to be determined.**

Vice Mayor Stark seconded the motion.

Councilwoman Hodge Washington thanked everyone who was actively involved in the process, and talked about the importance of community engagement. She mentioned a good compromise was never one-sided because it required genuine collaboration. She commended the application for acknowledging more work needed to be done, and added this development should reflect the vision of the applicant and the needs and concerns of the community.

Mayor Gallego announced there were two individuals who signed up to

speak, and confirmed the speakers did not want to speak on the motion.

Note: There were 22 electronic comments submitted for Item 79, with 21 in opposition and one indicating no position.

A motion was made by Councilwoman Hodge Washington, seconded by Councilwoman Stark, that this item be withdrawn to amend and address the following items: traffic, density, drainage and character of the area including the Rio Montana Plan. The applicant should present any changes to the proposal to the South Mountain Village Planning Committee for recommendations, and at that time the case will be re-advertised for a future Formal meeting on a date to be determined. The motion carried by the following voice vote:

Yes: 9 - Councilman Galindo-Elvira, Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilman Waring, Vice Mayor Stark and Mayor Gallego

No: 0

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

Note: Councilman Waring left the Chambers, and remained part of the voting body remotely.

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

Christina Tyler discussed disability discrimination she faced at Allied Universal at TSMC, and commented her employer was aware of the disability she had. She commented she had accommodations at her place of employment, and suggested her appearance of sleeping at her place of work was the reason she was removed from her job site. She asked the City to not allow for this discrimination to happen.

Missy Pruitt mentioned she ran a non-profit call She's All Cat that advocated and educated the community on cats. She talked about the overpopulation of cats in Phoenix and the Valley. She described two instances in the community where her non-profit assisted with related to cats in the community.

Dianne Barker talked about Phoenix providing cooling centers and shelter for the Valley, and mentioned the 7th Avenue and Roosevelt Street bus stop having issues regarding encampments and the build up of trash in that area. She asked for the City to look at a program to Adopt the Bus Stop to keep these areas clean.

Peter South stated he was a property manager for short-term rentals as well as an owner of a short-term rental. He talked about the short-term rental ordinance passed by Council a year prior, and suggested it was more confusing than other municipalities in the area. He asked for a more simple process for registering short-term rentals and asked for Council to work with the short-term rental community to establish a simple process.

Councilwoman O'Brien asked for clarification on cities mentioned by Mr. South.

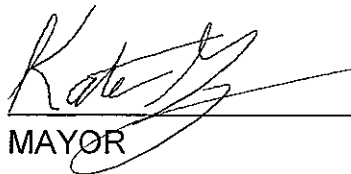
Mayor Gallego replied Scottsdale and Tempe, and noted there could not be any substantive discussion on this due to Open Meeting Law requirements.

Brindy Bringhurst said she was representing Arizonans for Responsible Tourism, and noted they represented over 2,000 short-term rental hosts. She talked about how short-term rental could be beneficial to the community when managed well, and talked about the confusion regarding registering and re-registering short-term rental properties. She asked for a meeting to collaborate with the City on this issue.


Eric Nielson mentioned two books Councilman Waring should read, and discussed issues regarding those in the community who may be facing deportation.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 5:25 p.m.


MAYOR

ATTEST:


CITY CLERK

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CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 4th day of December, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26th day of March, 2025.


CITY CLERK

