

# Agenda

## City Council Formal Meeting

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

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Wednesday, January 25, 2023

2:30 PM

phoenix.gov

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### **OPTIONS TO ACCESS THIS MEETING**

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

- **Register online** by visiting the City Council Meetings page on phoenix.gov **at least 2 hours prior to the start of this meeting**. Then, click on this link at the time of the meeting and join the Webex to speak: <https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=e12f6299a883bdf008e30bfee221a9347>

- **Register via telephone** at 602-262-6001 **at least 2 hours prior to the start of this meeting**, noting the item number. Then, use the Call-in phone number and Meeting ID listed below at the time of the meeting to call-in and speak.

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

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

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

#### **At the time of the meeting:**

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

- **Call-in** to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 2558 666 5095# (for English) or 2553 036 7017# (for Spanish). Press # again when prompted for attendee ID.

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

**Para nuestros residentes de habla hispana:**

- **Para registrarse para hablar en español**, llame al 602-262-6001 **al menos 2 horas antes del inicio de esta reunión** e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 2553 036 7017#. El intérprete le indicará cuando sea su turno de hablar.

- **Para solamente escuchar la reunión en español**, llame a este mismo número el día de la reunión (602-666-0783; ingrese el número de identificación de la reunión 2553 036 7017#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

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

**CALL TO ORDER AND ROLL CALL****MINUTES OF MEETINGS**

- |   |  |         |
|---|--|---------|
| 1 | <b>For Approval or Correction, the Minutes of the Formal Meeting on Nov. 4, 2020</b> | Page 13 |
|---|--|---------|

**BOARDS AND COMMISSIONS**

- |   |   |         |
|---|---|---------|
| 2 | <b>Mayor and Council Appointments to Boards and Commissions</b> | Page 14 |
|---|---|---------|

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

- |    |   |                      |
|----|---|----------------------|
| 3  | <b>Liquor License - Hornbill Sushi &amp; Asian Fusion</b>                               | District 3 - Page 19 |
| 4  | <b>Liquor License - North Mountain Brewing Company</b>                                  | District 3 - Page 24 |
| 5  | <b>Liquor License - Mariscos La Phoenikera</b>  | District 4 - Page 30 |
| 6  | <b>Liquor License - Special Event - Madison District Educational Foundation, Inc.</b>   | District 6 - Page 35 |
| 7  | <b>Liquor License - Special Event - Roosevelt Row Community Development Corporation</b> | District 7 - Page 36 |
| 8  | <b>Liquor License - Harumi Sushi &amp; Bar</b>  | District 7 - Page 37 |
| 9  | <b>Liquor License - Special Event - Ballet Arizona</b>                                  | District 8 - Page 42 |
| 10 | <b>Liquor License - Special Event - Italian Association</b>                             | District 8 - Page 43 |
| 11 | <b>Liquor License - Special Event - Saint Sava Serbian Orthodox Church</b>              | District 8 - Page 44 |
| 12 | <b>Liquor License - The Crystals at Sky Harbor Food Hall</b>                            | District 8 - Page 45 |

**PAYMENT ORDINANCE (Ordinance S-49321) (Items 13-25)**

Page 49

- 13     **Stone Finish, LLC**
- 14     **Various Taxi Cab Companies for Passenger  
Transportation**
- 15     **Pride Group, LLC**
- 16     **Perkinson Reprographics Inc. doing business as PRI  
Graphics & Signs**
- 17     **Life Technologies Corporation**
- 18     **Advance Terrazzo Company**
- 19     **Christy Signs**
- 20     **Arizona Science Center**
- 21     **Arizona State University**
- 22     **Bureau of Reclamation**
- 23     **Maricopa County Community College District Rio  
Salado**
- 24     **Maricopa County Air Quality and Environmental  
Regulations**
- 25     **Western Systems, Inc.**

**ADMINISTRATION**

- 26     **Acceptance of an Assignment of Right-of-Way for  
Drainage Channel Purposes from the Arizona State  
Land Department (Ordinance S-49322)**     District 2 - Page 53
- 27     **Acceptance of Easements for Drainage, Water and  
Sewer Purposes (Ordinance S-49343)**     District 1 - Page 54  
District 5  
District 7  
District 8

<b>City Council Formal Meeting</b>	<b>Agenda</b>	<b>January 25, 2023</b>
28	<b>Acceptance and Dedication of Easements and a Deed for Roadway, Public Utility and Sidewalk Purposes (Ordinance S-49346)</b>	District 5 - Page 56 District 7 District 8
29	<b>Authorization to Terminate Easement for Slope Purposes along Sonoran Desert Drive between Interstate 17 and North Valley Parkway (Ordinance S-49364)</b>	District 2 - Page 58
30	<b>Custodial Services - IFB 19-076 - Amendment (Ordinance S-49324)</b>	Citywide - Page 59
31	<b>Request to Acquire Real Property in Assisting the Unsheltered Population Citywide (Ordinance S-49325)</b>	Citywide - Page 60
32	<b>Electric and Gas Carts Preventive Maintenance, Repair Services and Parts - IFB 18-073 - Amendment (Ordinance S-49335)</b>	Citywide - Page 62
33	<b>Comprehensive Health Platform and Wellness Portal Contract - COOP 23-010 - Request for Award (Ordinance S-49341)</b>	Citywide - Page 63
34	<b>Pavement Marking Tape - IFB 19-069 - Amendment (Ordinance S-49350)</b>	Citywide - Page 65
35	<b>Plumbing Services, including Rooter and Drain Cleaning - IFB 18-123 - Amendment (Ordinance S-49359)</b>	Citywide - Page 66
36	<b>Barricade and Warning Device Rental/Set-up - IFB 17-178 - Amendment (Ordinance S-49360)</b>	Citywide - Page 67
37	<b>Information Technology Equipment, Software and Services - RFA 15-210/GS35F-158CA - Amendment (Ordinance S-49378)</b>	District 7 - Page 68
38	<b>Professional Services for IT Project Management and Business Analysis Support - Amendment (Ordinance S-49376)</b>	Citywide - Page 70

<b>City Council Formal Meeting</b>	<b>Agenda</b>	<b>January 25, 2023</b>
39	<b>Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-49344)</b>	Citywide - Page 72
40	<b>Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-49365)</b>	Citywide - Page 73
<b><u>COMMUNITY SERVICES</u></b>		
41	<b>(CONTINUED FROM DEC. 14, 2022) - Enter Into an IGA with the Cities of Avondale, Buckeye, Goodyear, Mesa, and Tempe, Maricopa County, Gila River Indian Community, Salt-River Pima Indian Community, Salt River Project Agricultural Improvement and Power District, MAG and Arizona Board of Regents for the Rio Reimagined Urban Waters Ambassador (Ordinance S-49265)</b>	District 7 - Page 74 District 8 Out of City
42	<b>Authorization to Enter Into Contract With Solari, Inc. (Ordinance S-49349)</b>	Citywide - Page 76
43	<b>Authorization to Amend Contract with Community Bridges, Inc, for Rapid Rehousing (Ordinance S-49351)</b>	Citywide - Page 78
44	<b>Emergency Shelter/Heat Related Respite Operator and Supportive Services Qualified Vendor List (Ordinance S-49352)</b>	Citywide - Page 80
45	<b>Authorization to Amend Contract with AVID Consulting, LLC for Workplace Readiness Skills Training (Ordinance S-49353)</b>	Citywide - Page 83
46	<b>Authorization to Amend Utility Assistance Contract with Arizona Community Action Association dba Wildfire (Ordinance S-49355)</b>	Citywide - Page 84
47	<b>Request Authorization to Enter into Contracts with the Department of Economic Security, Maricopa County and Valley of the Sun United Way and Amend Contract with PUN Group, LLP (Ordinance S-49362)</b>	Citywide - Page 86
48	<b>OrangeBoy, Inc. Savannah Web-based Customer</b>	Citywide - Page 88

**Engagement Services Platform Contract - EXC 23-009 -  
Request for Award (Ordinance S-49336)**

- 49     **Request Authorization to Amend Ordinance to Update  
the Contract Term with Joshua Weiner dba Flowcus  
(Ordinance S-49367)**     District 8 - Page 90
- 50     **Visit Arizona Legacy Golf Course Revitalization Grant  
(Ordinance S-49363)**     District 3 - Page 92  
District 4

**ECONOMIC DEVELOPMENT**

- 51     **Apply for U.S. Department of Homeland Security  
Building Resilient Infrastructure and Communities and  
Flood Mitigation Assistance Grant Opportunities for  
Federal Fiscal Year 2021-22 - Federal Bipartisan  
Infrastructure Law Funding (Ordinance S-49333)**     Citywide - Page 94  
District 4  
District 6  
Out of City
- 52     **Aviation Glass Repair, Replace and Maintenance  
Contract 152953 - Amendment (Ordinance S-49326)**     District 1 - Page 99  
District 7  
District 8
- 53     **ABB VARIABLE FREQUENCY DRIVES Supply,  
Installation, Maintenance and Repair Services IFB  
20-031 - Amendment (Ordinance S-49327)**     District 1 - Page 101  
District 7  
District 8
- 54     **Heating, Ventilation and Air Conditioning Filter  
Maintenance Service and Supply - IFB 22-FMD-008 -  
Amendment (Ordinance S-49331)**     District 7 - Page 103  
District 8
- 55     **Energy Management Control Systems Repair Services  
- IFB 22-FMD-007 - Amendment (Ordinance S-49332)**     Citywide - Page 105
- 56     **Resolution to Declare 2023 NFL Super Bowl Activities in  
Downtown Phoenix as Special Promotional Events  
(Resolution 22095)**     District 4 - Page 106  
District 7  
District 8

**PUBLIC SAFETY**

- 57     **Spartan Vehicle Robot - EXC 22-0047 - Request for  
Award (Ordinance S-49379)**     Citywide - Page 109

<b>City Council Formal Meeting</b>	<b>Agenda</b>	<b>January 25, 2023</b>
58	<b>Avionics Contract - COOP 23-049 - Request for Award (Ordinance S-49340)</b>	Citywide - Page 111
59	<b>Pawnshop Web-based Application Services - City of Mesa Cooperative Agreement 2016122 - Amendment (Ordinance S-49358)</b>	Citywide - Page 112
60	<b>Request Authorization for Sale of Canine Riso (Ordinance S-49375)</b>	Citywide - Page 113
61	<b>Amendment to the Ordinance for Arizona Criminal Justice Commission Crime Reduction Pilot Project Grant (Ordinance S-49381)</b>	Citywide - Page 114
<b><u>TRANSPORTATION AND INFRASTRUCTURE</u></b>		
62	<b>Phoenix Sky Harbor International Airport Terminal 4 Baggage Handling System Upgrades - Construction Manager at Risk Services - AV21000109 (Ordinance S-49323)</b>	District 8 - Page 115
63	<b>Phoenix Sky Harbor International Airport Terminal 4 Baggage Handling System Upgrades - Architectural Services - AV21000109 (Ordinance S-49328)</b>	District 8 - Page 118
64	<b>Baggage Handling Control System Design, Programming, and Integration - IFB 19-007 - Amendment (Ordinance S-49334)</b>	District 8 - Page 121
65	<b>Runway Friction Tester Maintenance Contract - RFA 23-025 - Request for Award (Ordinance S-49337)</b>	District 8 - Page 123
66	<b>Floor Covering Products and Services Contract - AVN RFP 23-001 - Request for Award (Ordinance S-49357)</b>	District 1 - Page 125 District 8 Out of City
67	<b>Phoenix Rising FC, LLC Ground Lease Amendment 1 at Phoenix Sky Harbor International Airport (Ordinance S-49366)</b>	District 8 - Page 127
68	<b>Bus Stop and Transit Center Cleaning Contract -</b>	Citywide - Page 128



**Amendment (Ordinance S-49377)**

- |    |  |                       |
|----|--|-----------------------|
| 69 | <b>Green Transit Technology Contract - Recommendation for Award (Ordinance S-49380)</b>  | Citywide - Page 130   |
| 70 | <b>Additional Expenditures for Refuse Body Maintenance and Repair (Ordinance S-49329)</b>  | Citywide - Page 132   |
| 71 | <b>Recycling Partnership Grant Opportunity for Improved Recycling and Programs for Fiscal Year 2022 (Ordinance S-49361)</b>  | District 7 - Page 133 |
| 72 | <b>Amend City Code - Add Article XLIII to Chapter 2 - Ordinance to Establish a Vision Zero Community Advisory Committee (Ordinance G-7069)</b>   | Citywide - Page 135   |
| 73 | <b>Polymer-Modified Master Seal &amp; Tire Rubber Modified Surface Sealer - RFA 18-133 - Amendment (Ordinance S-49342)</b>   | Citywide - Page 136   |
| 74 | <b>Street Paving Emulsion Products - IFB 18-125 - Amendment (Ordinance S-49345)</b>  | Citywide - Page 138   |
| 75 | <b>Request Authorization to Accept Funding and Enter into an Intergovernmental Agreement with the Flood Control District of Maricopa County for the Fiscal Year 2024 Small Project Assistance Program - 3rd Avenue and Thomas Road Drainage Mitigation Project (Ordinance S-49347)</b> | District 4 - Page 139 |
| 76 | <b>Development Agreement with Dignity Health for a Flood Control District Small Project Assistance Program Project - 3rd Avenue and Thomas Road Drainage Mitigation Project (Ordinance S-49348)</b>  | District 4 - Page 141 |
| 77 | <b>Development Agreement with Central Arizona Water Conservation District for Roadway Improvements (Ordinance S-49356)</b>   | District 1 - Page 143 |
| 78 | <b>Salt River Project Construction License for Subsurface Utility Excavation Purposes at 5th Avenue and Encanto</b>  | District 4 - Page 144 |
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**Boulevard - ST87110157 (Ordinance S-49368)**

- |    |   |                                     |
|----|---|-------------------------------------|
| 79 | <b>Salt River Project Construction License for Subsurface Utility Excavation Purposes on Durango Street between Central Avenue and 3rd Street - ST87500052 (Ordinance S-49369)</b>  | District 8 - Page 145               |
| 80 | <b>Salt River Project Distribution Design and Construction Contract for Traffic Signal Improvements at 67th Avenue and Indian School Road - ST89340584 (Ordinance S-49370)</b>      | District 5 - Page 146<br>District 7 |
| 81 | <b>Salt River Project Construction License for Lift Station 49 Redundant Force Main - WS90501002 (Ordinance S-49371)</b>  | District 6 - Page 147               |
| 82 | <b>Salt River Project Construction License for Subsurface Utility Excavation Purposes on 35th Avenue from Bethany Home Road to Glendale Avenue - ST85100416 (Ordinance S-49372)</b> | District 5 - Page 148               |
| 83 | <b>Salt River Project Facility Relocation Agreement - Camelback Road and 44th Street - Salt River Project Aesthetics (Ordinance S-49373)</b>  | District 6 - Page 149               |
| 84 | <b>Industrial and Non-Inert Gas Pipeline License Agreements with Linde Incorporated (Ordinance S-49374)</b>   | District 1 - Page 150               |
| 85 | <b>Electrical Motor Drives and Maintenance, Foster Electric Motor Service, Inc. - Amendment (Ordinance S-49330)</b>   | Citywide - Page 151                 |
| 86 | <b>91st Avenue Wastewater Treatment Plant Facility Master Plan Update - Engineering Services - WS90100115 (Ordinance S-49338)</b>   | District 7 - Page 153               |
| 87 | <b>91st Avenue Wastewater Treatment Plant, Plant 2B Rehabilitation - Engineering Services Amendment - WS90100112 (Ordinance S-49339)</b>  | District 7 - Page 155               |
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<b>City Council Formal Meeting</b>	<b>Agenda</b>	<b>January 25, 2023</b>
88	<b>Oracle Advanced Security Licensing and Maintenance (Ordinance S-49354)</b>	Citywide - Page 157
<b><u>PLANNING AND ZONING MATTERS</u></b>		
89	<b>Final Plat - North Valley Industrial Park Phase II - PLAT 220050 - North of Pinnacle Peak Road and West of 7th Street</b>	District 1 - Page 159
90	<b>Final Plat - Echo Park - PLAT 210065 - Southeast Corner of 31st Avenue and Glendale Avenue</b>	District 5 - Page 160
91	<b>Final Plat - The Coolidge Place - PLAT 220032 - West of 31st Street and South of Coolidge Street</b>	District 6 - Page 161
92	<b>Final Plat - A Replat of Final Plat of Dobbins Ranch Retail Center - PLAT 220073 - Northwest Corner of 51st Avenue and Dobbins Road</b>	District 8 - Page 162
93	<b>Final Plat - Sherman Street Signal Building - PLAT 210104 - Southeast Corner of Central Avenue and Sherman Street</b>	District 8 - Page 163
94	<b>Abandonment of Right-of-Way - ABND 220057 - Northeast Corner of 59th Avenue and Elliot Road (Resolution 22092)</b>	District 8 - Page 164
95	<b>Abandonment of Right-of-Way - ABND 210062 - Central Avenue and 1st Avenue (Resolution 22093)</b>	District 8 - Page 165
96	<b>Abandonment of Easement - ABND 220013 - Sherman Street and 1st Avenue Crossover (Resolution 22094)</b>	District 8 - Page 166
97	<b>Modification of Stipulation Request for Ratification of Dec. 21, 2022 Planning Hearing Officer Action - PHO-6-22--Z-14-05-1 - Approximately 1,000 feet South of the Southeast Corner of 7th Avenue and Happy Valley Road</b>	District 1 - Page 167
98	<b>Modification of Stipulation Request for Ratification of</b>	District 2 - Page 176

**Dec. 21, 2022 Planning Hearing Officer Action -  
PHO-1-22--Z-48-97-2 - Southwest Corner of Cave Creek  
Road and Lone Cactus Drive**

- 99     **Amend City Code - Ordinance Adoption - Rezoning**     District 4 - Page 180  
       **Application PHO-1-22--Z-26-22-4 - Approximately 430**  
       **Feet East of the Northeast Corner of Central Avenue**  
       **and Osborn Road (Ordinance G-7070)**

**REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS**

- 100    **Consideration of a Citizen Petition**     Citywide - Page 188

**000 CITIZEN COMMENTS**

**ADJOURN**



**For Approval or Correction, the Minutes of the Formal Meeting on Nov. 4, 2020**

**Summary**

This item transmits the minutes of the Formal Meeting of Nov. 4, 2020, for review, correction and/or approval by the City Council.

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

**Responsible Department**

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



City of Phoenix

## City Council Formal Meeting

### Report

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**Agenda Date: 1/25/2023, Item No. 2**

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## **Mayor and Council Appointments to Boards and Commissions**

### **Summary**

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

### **Responsible Department**

This item is submitted by the Mayor's Office.

**ATTACHMENT A**



**City of Phoenix**

**To:** City Council  
**From:** Mayor Kate Gallego

**Date:** January 25, 2023

**Subject:** BOARDS AND COMMISSIONS – APPOINTEES

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

**Ahwatukee Foothills Village Planning Committee**

Councilman Sal DiCiccio recommends the following for reappointment:

Scott Crouch

Mr. Crouch is serving his fifth term to expire November 19, 2024.

Spencer Elliott

Mr. Elliott is serving his fifth term to expire November 19, 2024.

Andrew Gasparro

Mr. Gasparro is serving his fifth term to expire November 19, 2024.

Mike Maloney

Mr. Maloney is serving his fifth term to expire November 19, 2024.

Peter Meier

Mr. Meier is serving his fifth term to expire November 19, 2024.

Elena Pritchette

Ms. Pritchette is serving her third term to expire November 19, 2024.

Mike Schiller

Mr. Schiller is serving his fifth term to expire November 19, 2024.

Jerry Youhanaie

Mr. Youhanaie is serving his eighth term to expire November 19, 2024.

## **Camelback East Village Planning Committee**

Councilman Sal DiCiccio recommends the following for reappointment:

### Jerryd Bayless

Mr. Bayless is serving his second term to expire November 19, 2024.

### Ronda Beckerleg Thraen

Ms. Beckerleg Thraen is serving her seventh term to expire November 19, 2024.

### William Fischbach

Mr. Fischbach is serving his fifth term to expire November 19, 2024.

### George Garcia

Mr. Garcia is serving his third term to expire November 19, 2024.

### Lee Miller

Mr. Miller is serving his fifth term to expire November 19, 2024.

### Tom O'Malley

Mr. O'Malley is serving his fifth term to expire November 19, 2024.

### Barry Paceley

Mr. Paceley is serving his sixth term to expire November 19, 2024.

### Dan Rush

Mr. Rush is serving his second term to expire November 19, 2023.

### Danny Sharaby

Mr. Sharaby is serving his fifth term to expire November 19, 2024.

## **Human Services Commission**

I recommend the following for appointment as Vice Chair:

### Meka Allen

Ms. Allen will serve as Vice Chair and will fulfill a partial term to expire June 30, 2023.

## **Judicial Selection Advisory Board**



I recommend the following for reappointment:

Geoffrey Fish

Judge Fish is serving his first full term to expire November 19, 2025.

Dawn Walton

Judge Walton is serving her second term to expire November 19, 2025.

### **Library Advisory Board**

I recommend the following for reappointment:

Abraham James

Mr. James is serving his fourth term to expire August 31, 2025.

Adam McAnally

Mr. McAnally is serving his second term to expire October 2, 2025.

### **North Mountain Village Planning Committee**

Councilwoman Debra Stark recommends the following for reappointment:

Nadine Alauria

Ms. Alauria is serving her second term to expire November 19, 2023.

Stephanie Fogelson

Ms. Fogelson is serving her first full term to expire November 19, 2023.

Joshua Matthews

Mr. Matthews is serving his fourth term to expire November 19, 2024.

Massimo Sommacampagna

Mr. Sommacampagna is serving his second term to expire November 19, 2024.

Marcia Veidmark

Ms. Veidmark is serving her sixth term to expire November 19, 2024.

### **Paradise Valley Village Planning Committee**

Councilwoman Debra Stark recommends the following for reappointment:

Toby Gerst

Mr. Gerst is serving his fifth term to expire November 19, 2024.

Jennifer Hall

Ms. Hall is serving her sixth term to expire November 19, 2024.

Marc Soronson

Mr. Soronson is serving his first full term to expire November 19, 2024.

### **Phoenix Business Workforce Development Board**

I recommend the following for appointment:

Juvenal Lopez

Mr. Lopez is the Chief Development Officer at Phoenix Union High School District. He represents Community-Based Organizations for a term to expire June 30, 2025.

### **South Mountain Village Planning Committee**

Councilman Sal DiCiccio recommends the following for reappointment:

Kay Shepard

Ms. Shepard is serving her third term to expire November 19, 2024.



## **Liquor License - Hornbill Sushi & Asian Fusion**

Request for a liquor license. Arizona State License Application 218088.

### **Summary**

#### Applicant

Jeffrey Miller, Agent

#### License Type

Series 12 - Restaurant

#### Location

1618 E. Bell Road, Ste. 101-103

Zoning Classification: C-2

Council District: 3

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 Jan. 29, 2023.

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.

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Public Opinion

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

Applicant's Statement

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
“We would like the ability to offer our patrons of legal drinking age, a drink with their meal if they choose to have one.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Hornbill Sushi & Asian Fusion

Liquor License Map - Hornbill Sushi & Asian Fusion

**Responsible Department**

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

# Liquor License Data: HORNBILL SUSHI & ASIAN FUSION

## Liquor License

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

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	55.88	95.03	105.73
Violent Crimes	10.65	13.32	14.33

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

## Property Violation Data

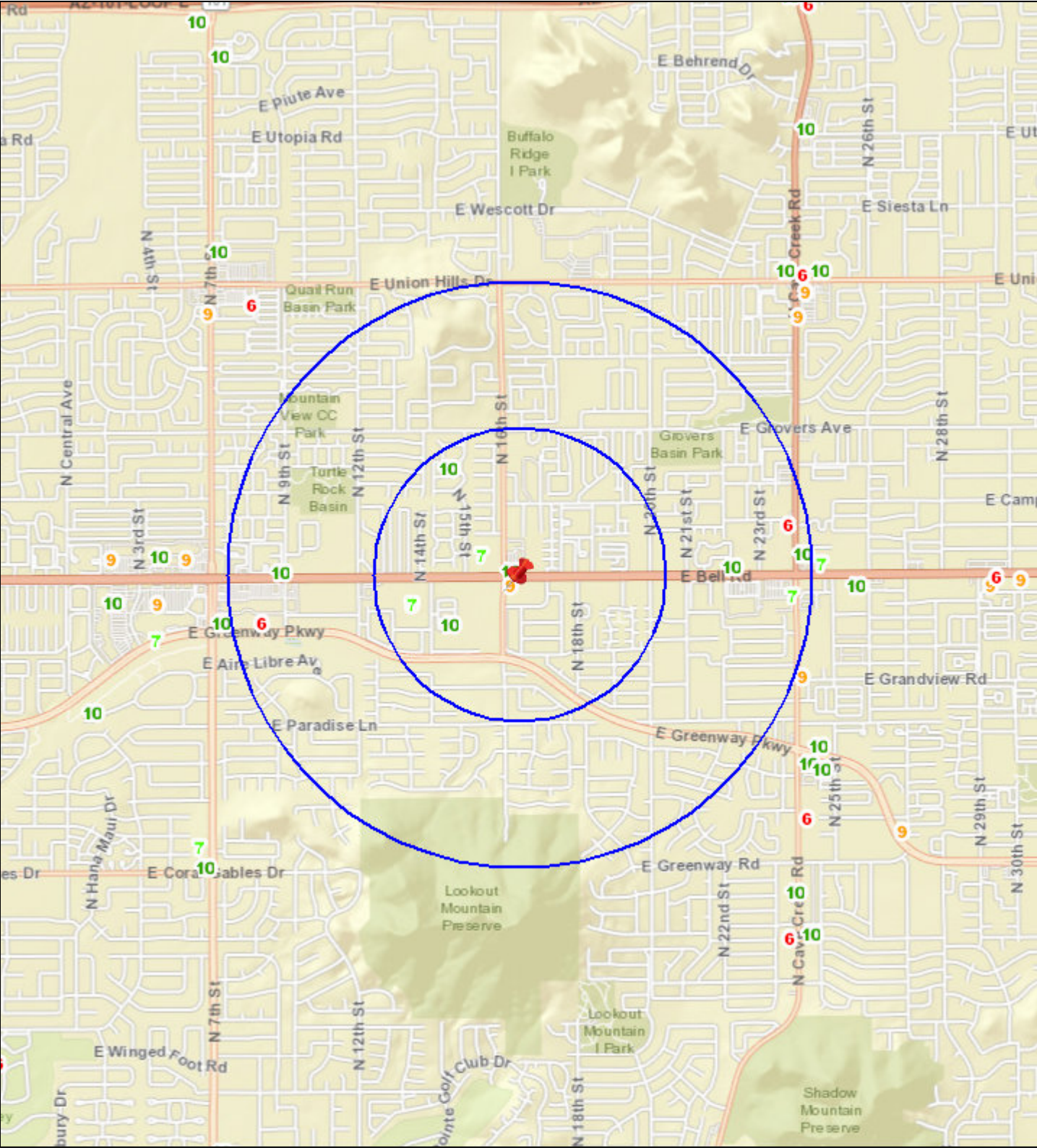
Description	Average	1/2 Mile Average
Parcels w/Violations	51	80
Total Violations	90	150

## Census 2010 Data 1/2 Mile Radius

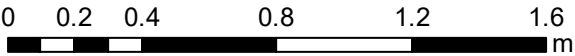
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036062	854	90 %	13 %	4 %
1036063	2174	78 %	13 %	25 %
1036111	1396	66 %	14 %	3 %
6190002	1340	91 %	0 %	9 %
6192001	1053	20 %	23 %	17 %
6192003	2370	48 %	17 %	12 %
6193001	1220	87 %	12 %	14 %
6194001	1068	54 %	32 %	9 %
6194002	1484	18 %	18 %	8 %
6194003	1151	79 %	9 %	31 %
Average		61 %	13 %	19 %

# Liquor License Map: HORNBILL SUSHI & ASIAN FUSION

1618 E BELL RD



Date: 12/6/2022





## **Liquor License - North Mountain Brewing Company**

Request for a liquor license. Arizona State License Application 218093.

### **Summary**

#### Applicant

Candy Frogozo, Agent

#### License Type

Series 12 - Restaurant

#### Location

522 E. Dunlap Ave.

Zoning Classification: C-3

Council District: 3

This request is for a new liquor license for a restaurant. This location is currently licensed for liquor sales. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption as an accessory use to a restaurant.

The 60-day limit for processing this application is Jan. 27, 2023.

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

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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.

North Mountain Brewing (Series 3)

522 E. Dunlap Ave., Phoenix

Calls for police service: 16

Liquor license violations: On March 20, 2020, a fine of \$250.00 was paid for producing less than 5,000 gallons of beer in a calendar year.

North Mountain Brewing (Series 7)

522 E. Dunlap Ave., Phoenix

Calls for police service: 16

Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

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

"I have been a nurse-RN- and restaurant/Brewing Manger - so I can share my skills in assessing drunk people and under age drinking. I can educate the public about the danger of over drinking and serving minors."

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

"Our patrons and new customers would like to have margarita or pina colada or some whiskey and we would like to honor our customers wishes. There is a strong request to have cocktails at our brewery."

#### Staff Recommendation

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

Attachments

Liquor License Data - North Mountain Brewing Company

Liquor License Map - North Mountain Brewing Company

**Responsible Department**

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

# Liquor License Data: NORTH MOUNTAIN BREWING COMPANY

## Liquor License

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

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	55.88	120.35	237.89
Violent Crimes	10.65	26.45	68.25

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

## Property Violation Data

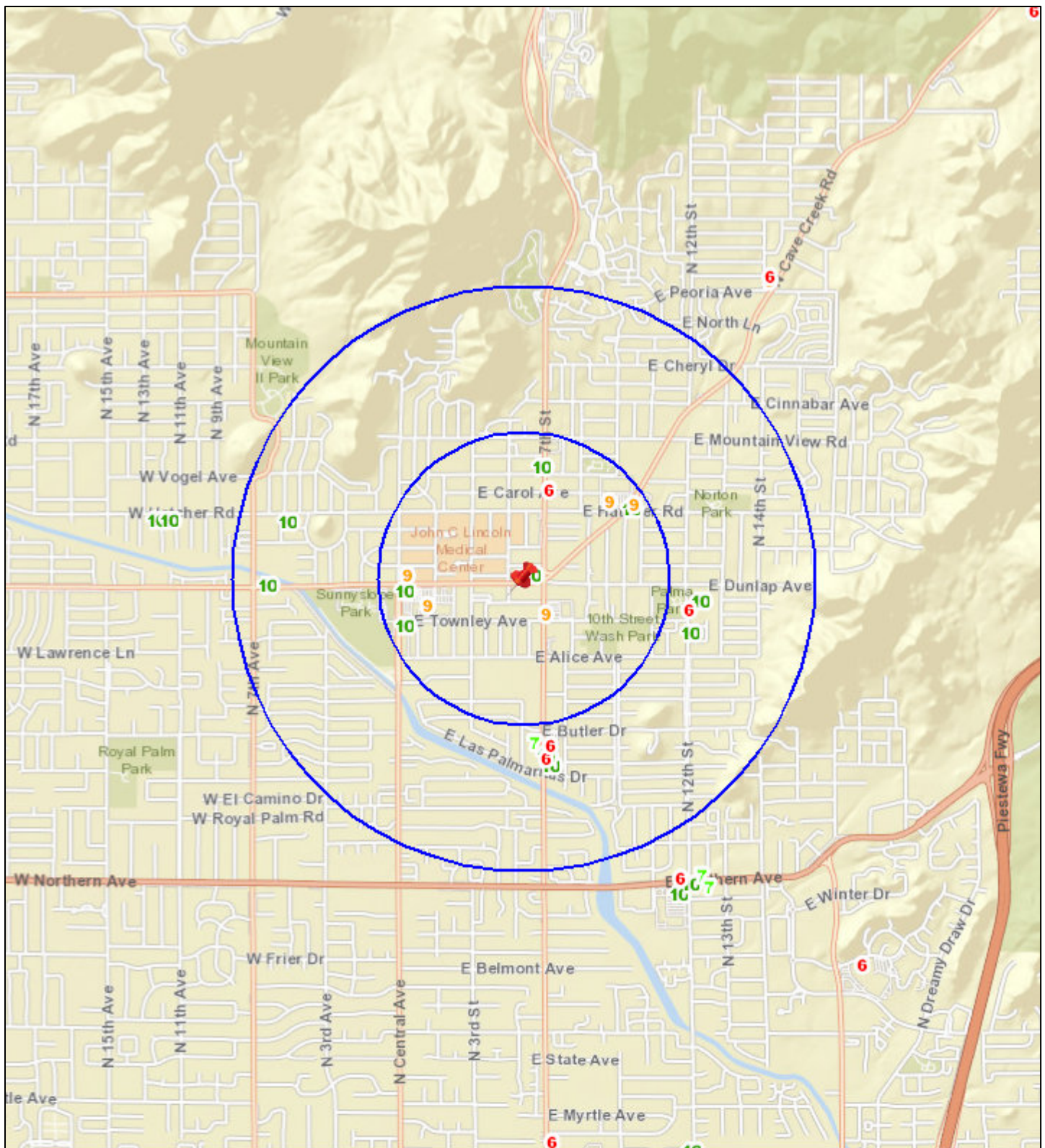
Description	Average	1/2 Mile Average
Parcels w/Violations	51	141
Total Violations	90	302

## Census 2010 Data 1/2 Mile Radius

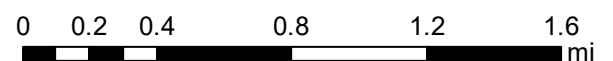
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1046001	1767	43 %	21 %	27 %
1046002	1676	20 %	20 %	39 %
1046003	1165	68 %	20 %	35 %
1047011	1012	13 %	34 %	21 %
1047022	1519	49 %	28 %	42 %
1047023	1024	60 %	3 %	1 %
1052003	1140	66 %	15 %	17 %
1053002	1704	34 %	25 %	42 %
Average		61 %	13 %	19 %

## Liquor License Map: NORTH MOUNTAIN BREWING COMPANY

522 E DUNLAP AVE



Date: 12/1/2022





## **Liquor License - Mariscos La Phoenikera**

Request for a liquor license. Arizona State License Application 218331.

### **Summary**

#### Applicant

Gabriel Noguez Lopez

#### License Type

Series 12 - Restaurant

#### Location

2915 N. 43rd Ave.

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 may currently operate with an interim permit.

The 60-day limit for processing this application is Jan. 28, 2023.

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

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Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Tacos Y Mariscos La Phoenikera (Series 12)  
7537 W. Thomas Road J10 J11 S3 S4 S5 S6, Phoenix  
Calls for police service: 13  
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 managed restaurants with and with out a liquor license for over 20 years. During the course of my employment, I have been trained and attended classes regaeding the liquor laws of the State of Arizona."

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

"A liquor license at our restaurant will allow us to provide a safe and family oriented restaurant where families can eat together in a pleasant envornment. We wish to provide alcholic beverages to our clients as a compliment with their meal."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Mariscos La Phoenikera  
Liquor License Map - Mariscos La Phoenikera

**Responsible Department**

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

# Liquor License Data: MARISCOS LA PHOENIKERA

## Liquor License

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

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	57.02	173.06	222.29
Violent Crimes	10.91	42.86	64.86

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

## Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	51	154
Total Violations	90	264

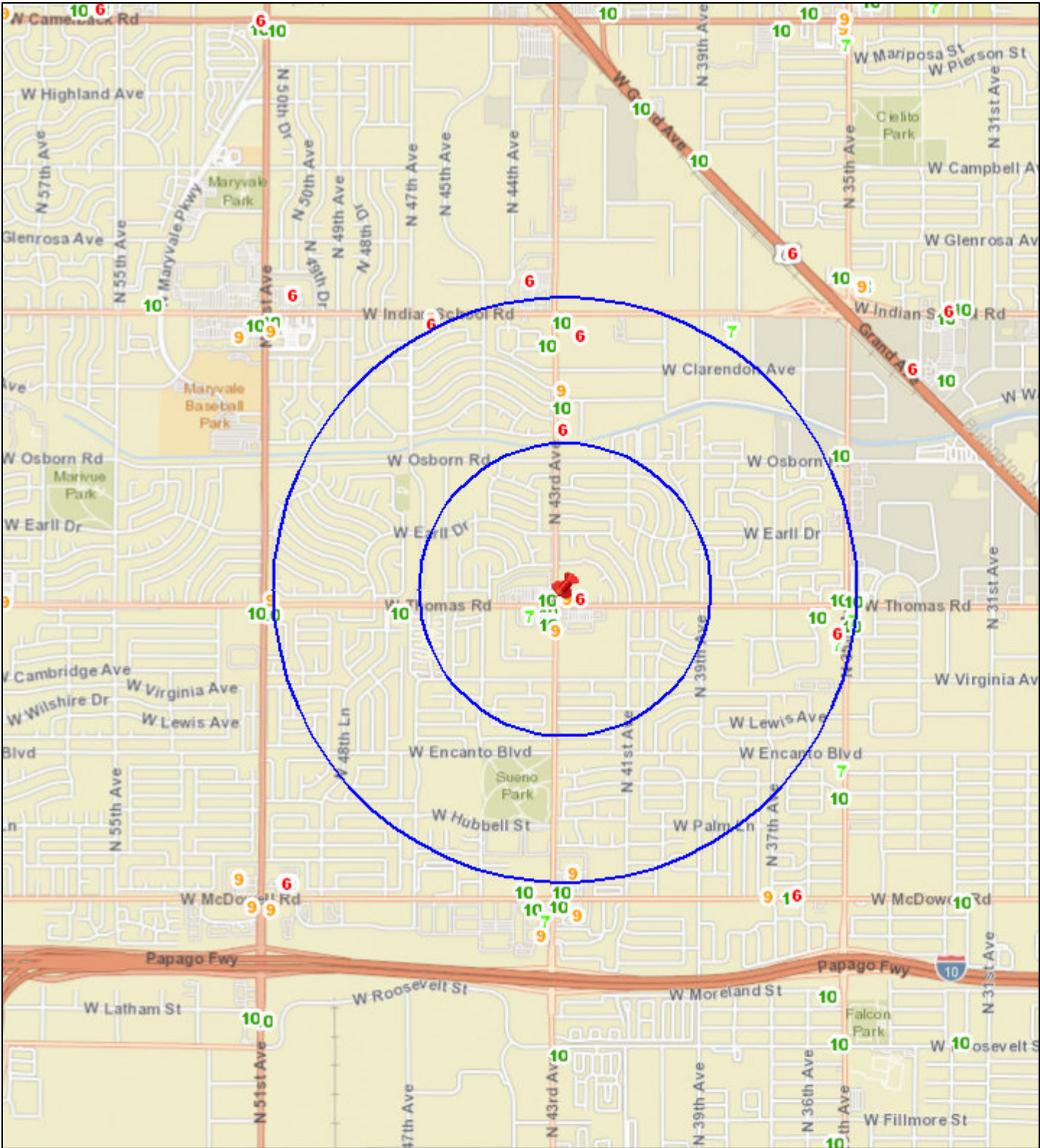


## Census 2010 Data 1/2 Mile Radius

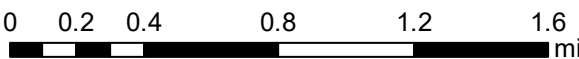
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1100012	1781	69 %	8 %	14 %
1100022	2566	44 %	6 %	47 %
1101001	1919	16 %	15 %	58 %
1101003	2592	65 %	0 %	27 %
1101004	1252	80 %	7 %	41 %
1122011	2386	70 %	3 %	37 %
1122023	1804	32 %	11 %	32 %
1123023	1472	59 %	12 %	59 %
1123024	1570	0 %	17 %	74 %
1123025	1699	66 %	7 %	12 %
Average		61 %	13 %	19 %

# Liquor License Map: MARISCOS LA PHOENIKERA

2915 N 43RD AVE



Date: 12/23/2022





**Liquor License - Special Event - Madison District Educational Foundation, Inc.**

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

**Summary**

Applicant

Margaret Dodd

Location

5601 N. 16th St.

Council District: 6

Function

Ballet Performance

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

February 9, 2023 - 6 p.m. to 10 p.m. / 904 attendees

February 10, 2023 - 6:30 p.m. to 10:30 p.m. / 904 attendees

February 11, 2023 - 1 p.m. to 10:30 p.m. / 904 attendees

February 12, 2023 - Noon to 8:30 p.m. / 904 attendees

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

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



**Liquor License - Special Event - Roosevelt Row Community Development Corporation**

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

**Summary**

Applicant

Adan Madrigal

Location

918 N. 2nd St.

Council District: 7

Function

Tostitos Event

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

Feb. 8, 2023 - 11 a.m. to 9 p.m. / 75 attendees

Feb. 9, 2023 - 11 a.m. to 9 p.m. / 750 attendees

Feb. 10, 2023 - 11 a.m. to 9 p.m. / 750 attendees

Feb. 11, 2023 - 11 a.m. to 9 p.m. / 750 attendees

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

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



## **Liquor License - Harumi Sushi & Bar**

Request for a liquor license. Arizona State License Application 216493.

### **Summary**

#### Applicant

Jessica Kim, Agent

#### License Type

Series 12 - Restaurant

#### Location

101 N. 1st Ave., Ste. 150 A/B and 120

Zoning Classification: DTC-Business Core

Council District: 7

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in April 2023.

The 60-day limit for processing this application is Jan. 29, 2023.

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

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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.

Harumi Sushi & Sake (Series 12)  
24681 N. Lake Pleasant Parkway, #101, Peoria  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"Since 2013, I have opened and operated 6 successful restaurants w/ zero issues to date."

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

"Harumi Sushi is a staple destination Japanese restaurant in downtown phx and our customers and new customers will appreciate our continued presence since 2013."

#### Staff Recommendation

Staff recommends approval of this application.

#### Attachments

Liquor License Data - Harumi Sushi & Bar  
Liquor License Map - Harumi Sushi & Bar

#### **Responsible Department**

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

## Liquor License Data: HARUMI SUSHI & BAR

### Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	4	1
Wholesaler	4	1	0
Government	5	7	4
Bar	6	45	30
Beer and Wine Bar	7	14	6
Liquor Store	9	2	2
Beer and Wine Store	10	15	2
Hotel	11	6	5
Restaurant	12	99	47
Club	14	3	0

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	55.88	194.21	272.18
Violent Crimes	10.65	58.49	70.80

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

### Property Violation Data

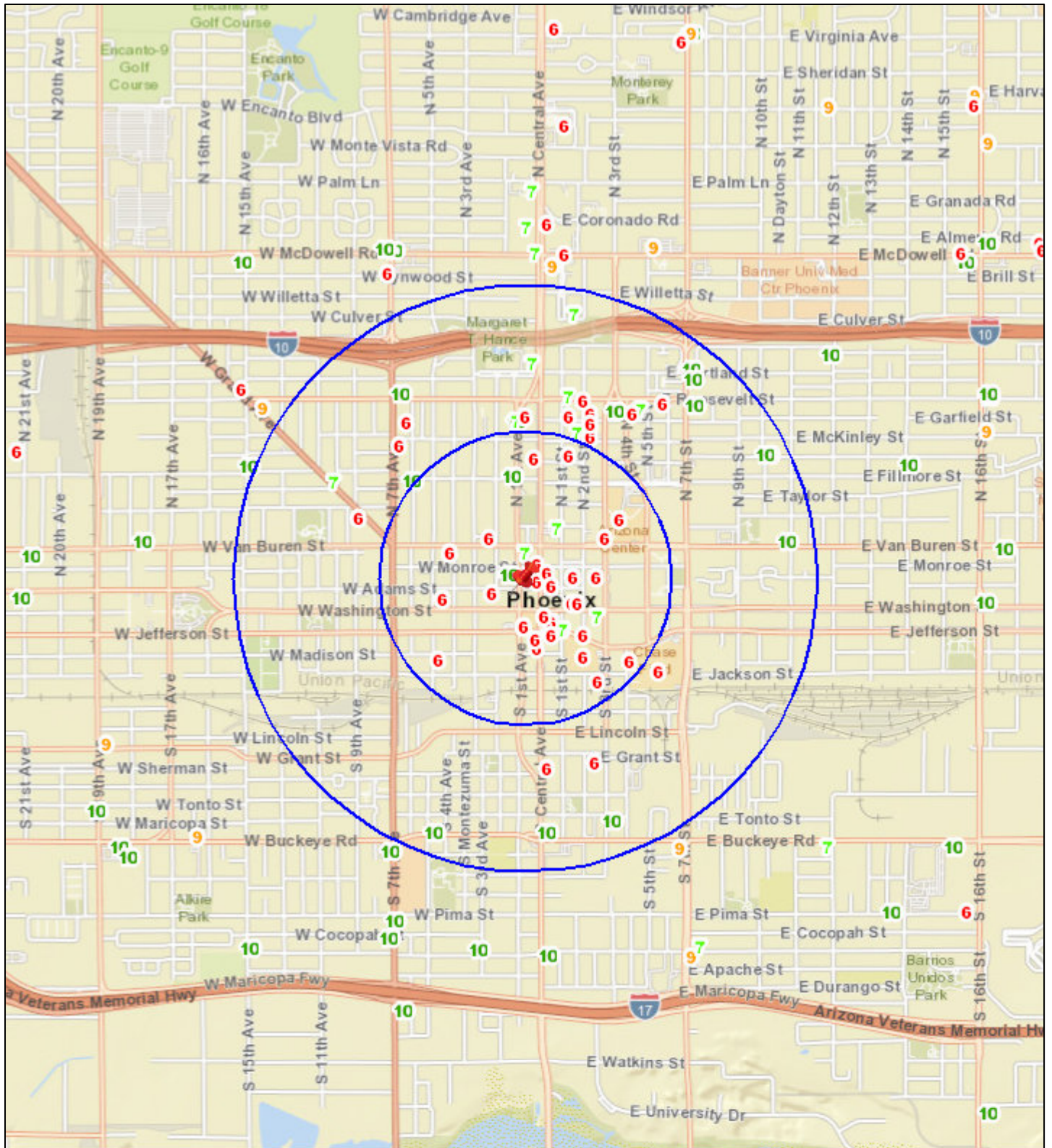
Description	Average	1/2 Mile Average
Parcels w/Violations	51	41
Total Violations	89	98

**Census 2010 Data 1/2 Mile Radius**

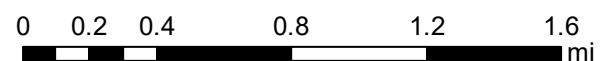
<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1129002	815	37 %	22 %	24 %
1129003	1372	4 %	18 %	40 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1141001	2299	16 %	37 %	44 %
1142001	1321	36 %	22 %	50 %
1143011	1389	22 %	15 %	57 %
Average		61 %	13 %	19 %



101 N 1ST AVE



Date: 12/5/2022





## **Liquor License - Special Event - Ballet Arizona**

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

### **Summary**

#### Applicant

Natalie Salvione

#### Location

2835 E. Washington St.  
Council District: 8

#### Function

Fashion Show

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

March 11, 2023 - 2 p.m. to 5 p.m. / 350 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

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



## **Liquor License - Special Event - Italian Association**

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

### **Summary**

#### Applicant

Francesco Guzzo

#### Location

115 N. 6th St.

Council District: 8

#### Function

Cultural Event

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

March 4, 2023 - 11 a.m. to 10:30 p.m. / 5,000 attendees

March 5, 2023 - 11 a.m. to 6 p.m. / 5,000 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

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



## **Liquor License - Special Event - Saint Sava Serbian Orthodox Church**

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

### **Summary**

#### Applicant

Mila Baich

#### Location

4436 E. McKinley St.

Council District: 8

#### Function

Concert

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

Feb. 17, 2023 - 6 p.m. to 10:30 p.m. / 150 attendees

Feb. 18, 2023 - 6 p.m. to 11:30 p.m. / 150 attendees

Feb. 19, 2023 - Noon to 4 p.m. / 100 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

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



## **Liquor License - The Crystals at Sky Harbor Food Hall**

Request for a liquor license. Arizona State License Application 218189.

### **Summary**

#### Applicant

Jeffrey Miller, Agent

#### License Type

Series 12 - Restaurant

#### Location

3400 E. Sky Harbor Blvd., T4, S1 Concourse F1

Zoning Classification: A-1

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 Jan. 31, 2023.

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.

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Public Opinion

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

Applicant's Statement

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"We would like the ability to offer our patrons of legal drinking age, a drink with their meal if they choose to have one."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - The Crystals at Sky Harbor Food Hall

Liquor License Map - The Crystals at Sky Harbor Food Hall

**Responsible Department**

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

# Liquor License Data: THE CRYSTALS AT SKY HARBOR FOOD HALL

## Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	0
Beer and Wine Bar	7	1	1
Conveyance	8	10	6
Beer and Wine Store	10	2	0
Restaurant	12	20	7
Club	14	4	3

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	55.88	48.27	81.10
Violent Crimes	10.65	2.14	1.48

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

## Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	51	0
Total Violations	90	

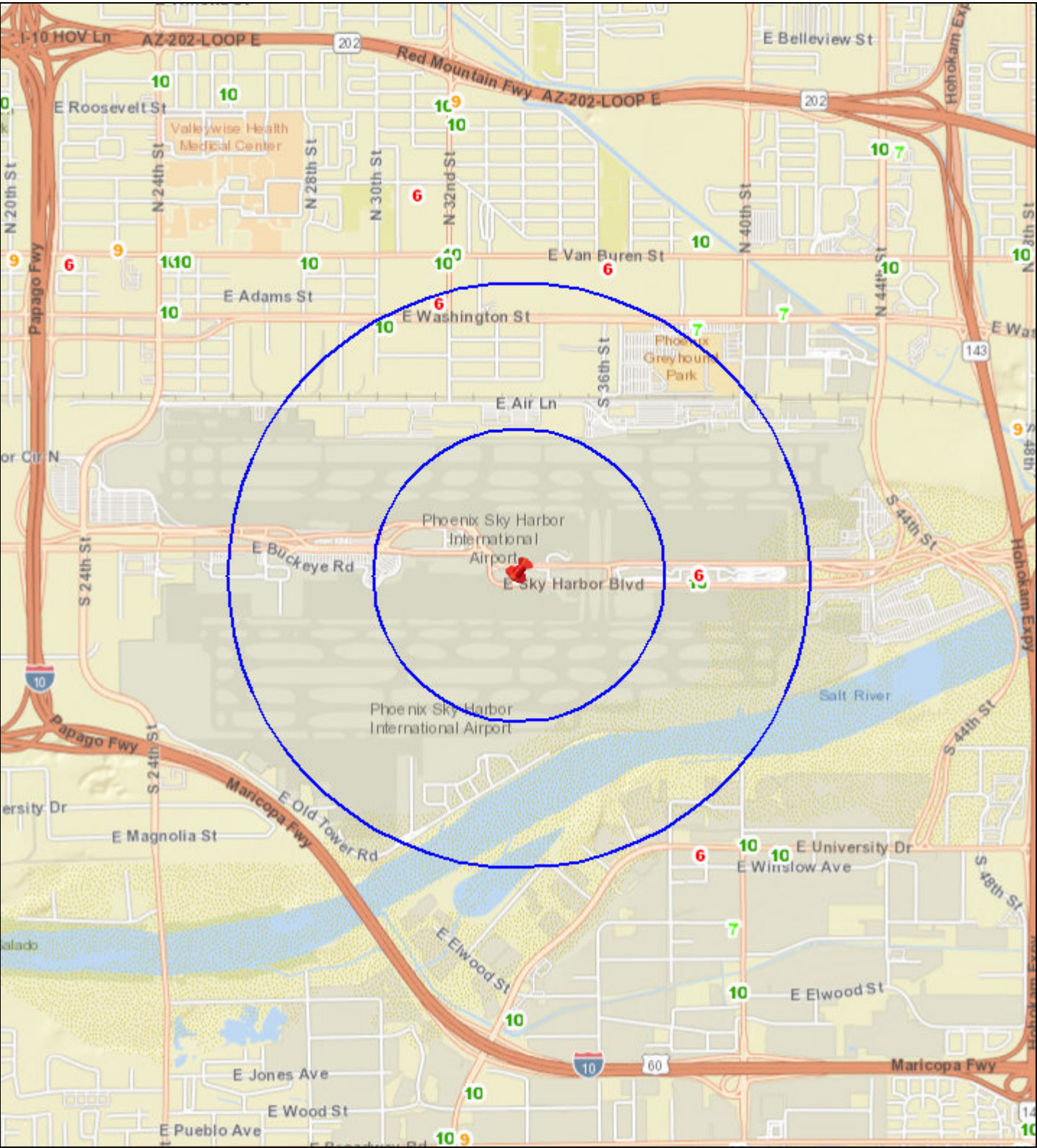
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1138021	0	0 %	0 %	0 %
Average		61 %	13 %	19 %

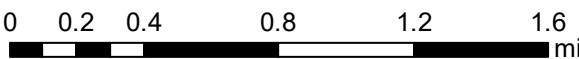


# Liquor License Map: THE CRYSTALS AT SKY HARBOR FOOD HALL

3400 E SKY HARBOR BLVD



Date: 12/6/2022







### **PAYMENT ORDINANCE (Ordinance S-49321) (Items 13-25)**

*Ordinance S-49321 is a request to authorize the City Controller to disburse funds, up to amounts indicated below, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requests continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.*

**13 Stone Finish, LLC**

For \$27,000 in payment authority for a one-time service with Stone Finish, LLC, to refurbish the 10-year-old terrazzo art floor at the East Economy Lot Sky Train platform at Phoenix Sky Harbor International Airport for the Aviation Department. The refurbishment will include grinding down the terrazzo, a thorough cleaning, and an application of new slip resistant sealer for more than 16,000 square feet of floor to ensure pedestrian safety as the City prepares for hosting Super Bowl LVII events in February 2023.

**14 Various Taxi Cab Companies for Passenger Transportation**

For \$95,000 in payment authority for Phoenix Sky Harbor International Airport (PHX) sponsored Voucher Program with the three current contracted Taxi Companies, AAA Cab Service, Inc., Mayflower Cab Company, LLC and VIP Taxi, LLC. The Voucher Program is to be initiated during an emergency activation of PHX's contingency plan in the event of a Sky Train interruption or outage. The Taxi Companies will provide available resources to assist passenger transportation between Sky Train boundaries. A pre-paid ride voucher will be offered only to passengers who need to be transported between on-airport location boundaries during a Sky Train service interruption.

**15 Pride Group, LLC**

For \$90,000 in payment authority for one-time services to provide event equipment rental services specifically in the categories of carpeting/flooring and linens to support the Super Bowl LVII in February 2023 and other community and special events hosted by the Aviation Department at Phoenix Sky Harbor International Airport. The Aviation Department established a Qualified Vendor List (QVL) as a result of the Request for Qualification (RFQu) process to satisfy any and all event equipment needs for Aviation Department and the operational needs for Super Bowl LVII. The vendor will provide necessary equipment such as carpet, tablecloths, chair covers, backdrops, materials, labor and transportation as required.

**16 Perkinson Reprographics Inc. doing business as PRI Graphics & Signs**

For \$70,000 in payment authority for a new citywide contract, entered on or about Feb. 1, 2023, for a five-year term to provide various reprographic services. Reprographic services are necessary to reproduce documents that are outside of the City's capabilities. These services include items such as printing and copying of building and construction documents, blueprint copying, plotting services, laminating oversize prints, dry mounting and other related miscellaneous items and services as required.

**17 Life Technologies Corporation**

For \$71,548.42 in payment authority to purchase a one-year service agreement for various DNA analysis instruments for the Police Department's Laboratory Services Bureau (LSB). The Forensic DNA Section of the LSB requires a service agreement for two 3,500xL Genetic Analyzers and three 7,500 Real-Time PCR Systems. These instruments are utilized to conduct DNA analyses on biological evidence and have been authorized for use with laboratory reagents to meet national standards. Annual services are required for these instruments to maintain compliance with federal standards for DNA casework laboratories. Funding is available in the Police Department's budget.

**18 Advance Terrazzo Company**

For \$26,000 in payment authority to purchase specialty art services for

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the Office of Arts and Culture. Funds will be used to repair the underpass terrazzo floor at Camelback Road. The Camelback underpass, completed in 2007, provides a safe pedestrian link beneath Camelback Road between Biltmore Fashion Park and the Esplanade. The terrazzo floor needs crack repairs and resurfacing due to wear and tear of high pedestrian traffic. It requires the application of a clear resin coating to enhance long-term durability. Advance Terrazzo was the original fabrication contractor for this terrazzo floor, and has the technical knowledge and expertise of the original contractor.

**19 Christy Signs**

For an additional \$16,000 in payment authority to purchase specialty art services for the Office of Arts and Culture. The funds will be used to fabricate and install new lexan faces with blue vinyl for all four sides of 10 individual canopies of the Melrose Curve Outdoor Public Art Gallery between 7th and Glenrosa avenues. This is an additional scope of work of the Council-approved payment ordinance on July 1, 2022. Christy Signs is the qualified local vendor that originally fabricated the existing outdoor display cases and other elements.

**20 Arizona Science Center**

For \$204,000 in additional payment authority for Contract 127032 for the annual reimbursement of utilities for the Parks and Recreation Department. The contract agreement states the City will reimburse the Arizona Science Center for 50 percent of utility payments each year. The agreement allows the Arizona Science Center to maintain and operate on behalf of the City of Phoenix, providing science education to visitors. Science education provided to Phoenix residents and visitors increases the knowledge and understanding of science for youth and adults alike.

**21 Arizona State University**

For \$78,000 in payment authority for Contract 119092 for the annual operating and maintenance fees for the Downtown Phoenix Civic Space A.E. England Building, which is paid to Arizona Board of Regents on behalf of Arizona State University, for the Parks and Recreation Department.

**22 Bureau of Reclamation**

For \$55,000 in payment authority for the annual administrative fee for the Parks and Recreation Department for the U.S. Bureau of Reclamation's administrative costs associated with the agreement for the land use of the 1,200-acre Reach 11 Sports Complex Recreation Area.

**23 Maricopa County Community College District Rio Salado**

For \$50,000 in payment authority for the use of the Maricopa County Rio Salado Community College Police Academy testing services for the Phoenix Police Department. The funds will ensure that recruits are awarded college credits for their classroom training, testing, and grading through the Rio Salado Community College. Once the recruits become Police Officers, they will be awarded college credits. The Phoenix Regional Police Academy provides training to recruits for the Phoenix Police Department and the Arizona Department of Public Safety.

**24 Maricopa County Air Quality and Environmental Regulations**

For \$222,450 in annual payment authority for various mandated regulatory fees and permits for the Public Works Department. The Public Works Department manages fuel sites, citywide fleet and facilities, open and closed landfills, transfer stations, solid waste collections, and other mandated entities that require various permits and fees to maintain compliance with Maricopa County air quality and environmental health regulations. The permits that Public Works maintains include Refuse Hauler, Authority to Operate, Title V, Non-Title V, Recycle Variance, permitted fuel burning equipment and permitted fuel dispensing.

**25 Western Systems, Inc.**

For \$85,090.65 in payment authority to Western Systems, Inc., to repair approximately 65 traffic signal controllers (M-60 controllers) for the Street Transportation Department. The M-60 controllers are crucial to maintain signalized intersections for portions of light rail transit system.



**Acceptance of an Assignment of Right-of-Way for Drainage Channel Purposes from the Arizona State Land Department (Ordinance S-49322)**

Request for the City Council to accept an assignment of right-of-way from the Arizona State Land Department for drainage channel purposes. 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, as the Arizona State Land Department's documents include such provisions.

**Summary**

Mayo Clinic Arizona (Mayo) acquired approximately 129.91 acres of perpetual right-of-way from the Arizona State Land Department (ASLD), north of Loop 101 and west of N. Scottsdale Road, for construction, operation, and maintenance of a drainage channel. Mayo is required to assign and transfer all title and interest of the right-of-way to the City in accordance with ASLD right-of-way number 16-121599. There is no financial impact to the City of Phoenix as all fees associated with this transaction were paid by Mayo.

**Location**

North of Loop 101 and west of N. Scottsdale Road.  
Council District: 2

**Responsible Department**

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



**Acceptance of Easements for Drainage, Water and Sewer Purposes (Ordinance S-49343)**

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

**Summary**

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

Easement (a)

Applicant: SimonCRE Buddy III, LLC, its successor and assigns

Purpose: Water

Location: 3233 W. Peoria Ave.

File: FN 220086

Council District: 1

Easement (b)

Applicant: TC Park Aldea Phase 2 Venture LLC, its successor and assigns

Purpose: Drainage

Location: 5700 N. 101st Ave.

File: FN 210118

Council District: 5

Easement (c)

Applicant: Maricopa County Community College District, its successor and assigns

Purpose: Water and Sewer

Location: South 59th and West Southern avenues

File: FN 220098

Council District: 7

Easement (d)

Applicant: Rexco S202, LLC, its successor and assigns

Purpose: Water and Sewer

Location: 6111 S. 60th Ave.  
File: FN 220098  
Council District: 7

Easement (e)

Applicant: Westcore Bravo Central Logistics, LLC, its successor and assigns  
Purpose: Water  
Location: 111 E. Buckeye Road  
File: FN 220081  
Council District: 8

**Responsible Department**

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



**Acceptance and Dedication of Easements and a Deed for Roadway, Public Utility and Sidewalk Purposes (Ordinance S-49346)**

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

**Summary**

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

Easement (a)

Applicant: F & S Management II, LLC, its successor and assigns

Purpose: Public Utility

Location: 9045 W. Indian School Road

File: FN 220104

Council District: 5

Deed (b)

Applicant: Richmond American Homes of Arizona, Inc., its successor and assigns

Purpose: Roadway

Location: 5885 S. 99th Ave.

File: FN 220079

Council District: 7

Easement (c)

Applicant: Cobblestone Phoenix Propco, LLC, its successor and assigns

Purpose: Sidewalk

Location: 2675 S. 67th Ave.

File: FN 220092

Council District: 7

Easement (d)

Applicant: LVC Holdings, LLC, its successor and assigns

Purpose: Public Utility



Location: 4305 W. Baseline Road

File: FN 220078

Council District: 8

**Responsible Department**

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



**Authorization to Terminate Easement for Slope Purposes along Sonoran Desert Drive between Interstate 17 and North Valley Parkway (Ordinance S-49364)**

Request to authorize the City Manager, or his designee, to terminate an easement for slope purposes along Sonoran Desert Drive between Interstate 17 and North Valley Parkway. The termination of the easement will be recorded via separate instrument.

**Summary**

A permanent easement for slope purposes was conveyed at no cost to the City of Phoenix on May 31, 2013, Maricopa County recording number 2013-0500513, for construction of the Sonoran Desert Drive bridge and roadway improvements. The property encumbered by this easement was unimproved at the time of conveyance. As part of the Sonoran Desert Drive Development, a slope stability evaluation was completed determining that the easement is no longer needed based on the proposed improvements by a commercial development project adjacent to Sonoran Desert Drive.

**Location**

Along the north side of Sonoran Desert Drive, approximately 2,000 feet west of North Valley Parkway.

Council District: 2

**Responsible Department**

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



## **Custodial Services - IFB 19-076 - Amendment (Ordinance S-49324)**

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 149368 with Janco FS 2 dba Velociti Services to modify the scope of work to provide services at Police Department facilities and allow additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$1,077,478.

### **Summary**

This contract will provide custodial services for general cleaning at Police Department facilities. The contract will include labor, supervision, if necessary, cleaning supplies, materials, equipment, tools, and other accessories required to perform complete custodial services. The additional funds will allow for services at Police facilities recently added to the contract.

### **Contract Term**

The contract term remains unchanged, ending on April 30, 2024.

### **Financial Impact**

Upon approval of \$1,077,478 in additional funds, the revised total value of the contract will not exceed \$8,507,418. Funds are available in the Police Department's budget.

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

The City Council previously reviewed this request:

- Custodial Services 149368 Ordinance S-45406 on Feb. 20, 2019.
- Custodial Services 149368 Ordinance S-47806 on July 1, 2021.
- Custodial Services 149368 Ordinance S-48761 on June 15, 2022.

### **Responsible Department**

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



## **Request to Acquire Real Property in Assisting the Unsheltered Population Citywide (Ordinance S-49325)**

Request to authorize the City Manager, or his designee, to take all acts necessary to acquire the necessary real property rights of vacant and/or improved real property within the Phoenix corporation limits for shelter or shelter related needs in response to City Council approved Strategies to Address Homelessness Plan, and to assist the unsheltered population in an amount not to exceed \$15 million in the aggregate. Further request to authorize the City Controller to disburse all funds related to this item.

### **Summary**

In support of the City Council approved Strategies to Address Homelessness Plan, the Finance Department, on behalf of the Office of Homeless Solutions, is seeking authorization to acquire real property rights within the City to support the needs of the unsheltered population and to reduce the current burden on the central City and the area surrounding the Human Services Campus. There is also a need to identify space for citywide storage of abandoned property.

An ideal property will encompass 30,000 to 40,000 square-feet, be equipped with HVAC and/or related infrastructure, and provide: a commercial kitchen; shower and restroom facilities; sleeping quarters; and storage needs. This acquisition authority is requested so the Finance Department, Real Estate Division, may act quickly as properties identified on the open market are deemed suitable by the Office of Homeless Solutions. The contract price will be based on the market value for the property rights to be acquired, as supported by an appraisal, and approved by the Real Estate Division, with additional terms and conditions acceptable to the City. This authority would enable staff to conduct preliminary due diligence and thereby expedite potential acquisitions.

### **Financial Impact**

Funding, not to exceed a total of \$15 million in the aggregate, is available through American Rescue Plan Act (ARPA) funds in addition to funding sources that may be identified by the Office of Homeless Solutions with no impact to the General Fund.

**Concurrence/Previous Council Action**

- On June 7, 2022, the City Council approved the ARPA Second Tranche Strategic Plan allocating \$26.5 million for Homelessness Projects.
- On Oct. 27, 2020, the Strategies to Address Homelessness Plan was approved by the City Council.

**Location**

Within the Phoenix corporation limits in areas suitable and zoned for a shelter or shelter related use and/or a storage program.

**Responsible Department**

This item is submitted by Deputy City Manager Gina Montes and the Office of Homeless Solutions, Human Services and Finance departments.



**Electric and Gas Carts Preventive Maintenance, Repair Services and Parts - IFB 18-073 - Amendment (Ordinance S-49335)**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 146674 with Electric Vehicle Company to extend the 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 Ordinance S-44199.

**Summary**

This contract will provide preventive maintenance, repair services, and parts for electric and gas carts. The City uses electric and gas carts for hauling, transportation, and/or delivering of items to and within large City facilities.

The extension is needed to maintain the operational needs of various departments until a new procurement process can be completed.

**Contract Term**

Upon approval the contract will be extended through Jan. 31, 2024.

**Financial Impact**

The aggregate value of the contract will not exceed \$1,005,000 and no additional funds are needed.

**Concurrence/Previous Council Action**

The City Council previously reviewed this request:

- Electric and Gas Carts Preventive Maintenance, Repair Services and Parts, Contract 146674 (Ordinance S-44199) on Jan. 10, 2018.

**Responsible Department**

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



**Comprehensive Health Platform and Wellness Portal Contract - COOP 23-010 - Request for Award (Ordinance S-49341)**

Request to authorize the City Manager, or his designee, to enter into a contract with Virgin Pulse, Inc. to provide a comprehensive health platform and wellness portal for the Human Resources Department. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code section 42-18. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$1,260,000. There is no financial impact to the City's General Fund. Funding is available through the City's wellness credits allocated from the City's medical carriers' contracts.

**Summary**

This contract will provide the Human Resources Department with a comprehensive health and wellness program to assist in improving the overall health and wellbeing of City employees. The vendor will offer voluntary benefits to all eligible employees which includes health assessments, lifestyle management, health programs, individualized rewards, incentive programs, web-based resources, health challenges, and health management and coaching. The vendor has contracts with several public-sector employers in the local region and has the capability to handle a large employer, such as the City of Phoenix.

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 State of Arizona's cooperative contract best aligns with the Human Resources Department's need for a comprehensive health and wellness program.

**Contract Term**

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

**Financial Impact**

The aggregate contract value for will not exceed \$1,260,000 for the five-year aggregate term. There is no financial impact to the City's General Fund as funding is available through the City's wellness general fund credits allocated to the City from our medical carriers' contracts.

Funding is available in the Human Resources Department's budget.

**Responsible Department**

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





## **Pavement Marking Tape - IFB 19-069 - Amendment (Ordinance S-49350)**

Request to authorize the City Manager, or his designee to allow additional expenditures under Contract 149121 with 3M Company for the purchase of pavement marking tape for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$184,133.

### **Summary**

This contract will provide retro-reflective, preformed, and patterned pavement marking tape for the Signing and Striping Section of the Street Transportation Department. Pavement marking tape activities include lane lines, preformed words and symbols, and edge lines used for safely guiding the traveling public within the right-of-way and in compliance with the Manual on Uniform Traffic Control Devices.

Additional funds are needed to procure items to support Street Transportation Department projects, including Transportation 2050 supported efforts.

### **Contract Term**

The contract term remains unchanged, ending on Jan. 9, 2024.

### **Financial Impact**

Upon approval of \$184,133 in additional funds, the revised value of the contract will not exceed \$934,133. Funds are available in the Street Transportation Department's budget.

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

The City Council previously reviewed this request:

- Pavement Marking Tape, Contract 149121 (Ordinance S-45289) on Jan. 9, 2019.

### **Responsible Department**

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



**Plumbing Services, including Rooter and Drain Cleaning - IFB 18-123 - Amendment (Ordinance S-49359)**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 146660 with Above All Plumbing Services, Inc., to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$1,050,000.

**Summary**

This contract will provide all standard labor, materials, supplies, equipment, permits, tools, vehicles, transportation and security fees necessary for plumbing repairs and/or service for various privately- and publicly-owned City properties or facilities on an as-needed basis. The extension is needed to provide time for a new solicitation process to be completed.

**Contract Term**

Upon approval the contract will be extended through Jan. 31, 2024.

**Financial Impact**

Upon approval of \$1,050,000 in additional funds, the revised aggregate value of the contract will not exceed \$6,750,000. Funds are available in the various department budgets.

**Concurrence/Previous Council Action**

The City Council previously reviewed this request:

- Plumbing Services, including Rooter and Drain Cleaning 146660 (Ordinance S-44185) on Jan. 10, 2018;
- Plumbing Services, including Rooter and Drain Cleaning 146660 (Ordinance S-47345) on Mar. 3, 2021;

**Responsible Department**

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



**Barricade and Warning Device Rental/Set-up - IFB 17-178 - Amendment  
(Ordinance S-49360)**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 146592 with Trafficade Services, Inc. to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed as the request also includes to continue using Ordinance S-44138.

**Summary**

This contract will provide rental, supply and servicing of barricades, warning devices and lights, signs, flag-type high-level warning devices, cones, arrow panels, dynamic message signs, sand bags, and other related items and services related to traffic control due to emergencies, construction or special events. The extension is necessary to allow for the completion of a new procurement process.

**Contract Term**

Upon approval the contract will be extended through Jan. 31, 2024.

**Financial Impact**

The aggregate value of the contract will not exceed \$15,000,000 and no additional funds are needed.

**Concurrence/Previous Council Action**

The City Council previously reviewed this request:

- Barricade and Warning Device Rental/Set-up 146592 (Ordinance S-44138) on Dec. 13, 2017;

**Responsible Department**

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



**Information Technology Equipment, Software and Services - RFA 15-210/GS35F-158CA - Amendment (Ordinance S-49378)**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 141224 with Impression Technology to add additional funds and extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$52,000.

**Summary**

This contract will provide the continued use of the Impression Technology imaging and data-capture system that is used to import and attach documentation in the Tax and License Information System called Tax Mantra. Tax Mantra is used by the Finance Department to research historical taxpayer information and is also used by the City Clerk Department for regulatory licensing. This software is the only way documentation can be added to taxpayer or regulatory records. Additional time is needed to allow for the procurement of a new contract and additional funds will allow for continuation of this crucial service without lapse.

**Contract Term**

Upon approval the contract will be extended through Jan. 28, 2025.

**Financial Impact**

Upon approval of \$52,000 in additional funds, the revised aggregate value of the contract will not exceed \$357,000. Funds are available in the Finance Department's budget.

**Concurrence/Previous Council Action**

The City Council previously reviewed this request:

- Information Technology Equipment, Software and Services Contract 141224 (Ordinance S-41901) on July 1, 2015 and (Ordinance S-46195) on Dec. 4, 2019.

**Location**

Physical address. 251 W. Washington St., Phoenix, Ariz. 85003  
Council District: 7

**Responsible Department**

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



**Professional Services for IT Project Management and Business Analysis Support - Amendment (Ordinance S-49376)**

Request to authorize the City Manager, or his designee, to execute amendment(s) to contract(s) with CE Wilson Consulting, LLC, Contract 144530; Envision, LLC, Contract 144528; IntraEdge, Inc., Contract 144532; KollaSoft, Inc., Contract 144531; and Scott Business Group, LLC, Contract 144533 to extend the contract term and allow additional expenditures for professional Information Technology (IT) project management and business analysis services for the Information Technology Services Department (ITS) and in support of various departments. Remaining funds previously authorized by the City Council will be applied to the extended contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$3,340,000.

**Summary**

These contracts provide project managers and business analysts to augment staff in support of critical IT projects. This model provides flexibility and allows the City to select project managers and business analysts with the skill set and experience specific to the IT project being undertaken. The number of citywide IT projects vary overtime and staff in these roles are needed to ensure that projects meet the necessary business requirements, project scope, and are completed on time.

Recently, the ability to utilize these contracts has allowed ITS to support and avoid disruption to critical projects and initiatives. Projects currently underway or upcoming include the citywide time and labor system project, the implementation of a new constituent management system, the data center relocation project for the Police and Municipal Court departments, the disaster recovery as a service project, and an asset management system project for Public Works. The additional contract term and funding will also allow the City to support existing engagements without delays or loss of project knowledge.

ITS will be conducting a procurement process to solicit firms to enter into new contracts for IT project professional support. This extension will allow time for that procurement process to be conducted.

**Contract Term**

Upon approval the contract will be extended through Jan. 31, 2024.

**Financial Impact**

Upon approval of \$3,340,000 in additional funds, the revised aggregate value of the contract will not exceed \$13 million. Funds are available in various departments' budget.

**Concurrence/Previous Council Action**

The City Council previously reviewed this request:

- Authorizing initial contracts and expenditures, Ordinance S-43212 on Feb. 1, 2017.
- Authorizing additional expenditures, Ordinance S-47817 on July 1, 2021.
- Authorizing additional contract terms and expenditures, Ordinance S-48293 on Jan. 26, 2022.

**Responsible Department**

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



**Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-49344)**

Request to authorize the City Manager, or his designee, to transfer retirement funds for Dory Ludwig in the amount of \$88,070.99 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 38-922, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System upon approval by the City Council. The following former City of Phoenix employee has requested transfer of the balance of their credited service:

Ludwig, Dory: \$88,070.99

**Concurrence/Previous Council Action**

This item was approved by the COPERS Board at the Jan. 5, 2023 meeting.

**Responsible Department**

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





**Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-49365)**

Request to authorize the City Manager, or his designee, to transfer retirement funds for Jeffrey Frost in the amount of \$5,731.65 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 38-922, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System upon approval by the City Council. The following former City of Phoenix employee has requested transfer of the balance of their credited service:

Frost, Jeffrey: \$5,731.65

**Concurrence/Previous Council Action**

This item was approved by the COPERS Board at the Jan. 5, 2023 meeting.

**Responsible Department**

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



**(CONTINUED FROM DEC. 14, 2022) - Enter Into an IGA with the Cities of Avondale, Buckeye, Goodyear, Mesa, and Tempe, Maricopa County, Gila River Indian Community, Salt-River Pima Indian Community, Salt River Project Agricultural Improvement and Power District, MAG and Arizona Board of Regents for the Rio Reimagined Urban Waters Ambassador (Ordinance S-49265)**

Request to authorize the City Manager, or his designee, to enter into an intergovernmental agreement with the City of Avondale, City of Buckeye, City of Goodyear, City of Mesa, City of Tempe, Maricopa County, Gila River Indian Community, Salt-River Pima Indian Community, Salt River Project Agricultural Improvement and Power District, Maricopa Association of Governments and the Arizona Board of Regents for and on behalf of Arizona State University for the creation of an Urban Waters Ambassador, a full-time regional leader who will be tasked with identifying federal funding and technical assistance to support and actualize local community projects and priorities related to the Rio Reimagined - Rio Salado Urban Waters Federal Partnership Project. Further request to authorize the City Controller to disburse all funds related to this item. Additionally request to authorize the City Manager, or his designee, to enter into Intergovernmental Agreements (IGAs) as necessary and appropriate to coordinate efforts and funding related to this project.

**Summary**

On Sept. 1, 2020, the United States Environmental Protection Agency designated Arizona's Rio Reimagined - Rio Salado as the 20th Urban Waters Federal Partnership Project. With this designation, federal, local and tribal partners work collaboratively to improve surface water quality and achieve economic, environment, health, wellness and recreation goals for the benefit of community residents, all while protecting the river ecosystem as a valued natural and cultural asset. The Rio Reimagined - Rio Salado project spans 58 miles of the Lower Salt and Gila Rivers, including six cities and two Native American communities. The Urban Waters Ambassador is a new full-time regional leader position who will be tasked with identifying federal funding and technical assistance to support and actualize local community projects and priorities. As part of the designation, the Urban Waters Ambassador will act as the regional representative for Rio Reimagined - Rio Salado and will oversee the collaborations with federal agencies and stakeholders in connection with the designation.

The Maricopa Association of Governments (MAG) will hire and house the Urban Waters Ambassador, providing in-kind office support and fiscal services. Representatives from all funders will sit on an Advisory Council to help draft annual work plan/scope for the Ambassador. The individual occupying the position will be engaged by MAG as an independent contractor and will report to a MAG-designed staff person.

**Contract Term**

The agreement will begin on or about Jan. 1, 2023 for a term of four years. Thereafter, the agreement may be renewed and updated, subject to available funding support and mutual written agreement of the parties for an additional two-year term.

**Financial Impact**

The total value of the City's share of the agreement is \$15,000 per year, for four years, for an aggregate value of \$60,000. MAG will serve as a fiscal agent to receive and process total compensation funding, as well as federal or other funding sources in support of the Ambassador as needed or recommended by the Rio Advisory Board. Funding is available from the City Manager's Office budget.

**Location**

This project spans 58 miles between 19th and 83rd Avenues, which includes the Loop 202 South Mountain Freeway.

Council Districts: 7, 8 and Out of City

**Responsible Department**

This item is submitted by City Manager Jeffrey Barton, Deputy City Manager Karen Peters, and the Office of Government Relations.



## **Authorization to Enter Into Contract With Solari, Inc. (Ordinance S-49349)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Solari, Inc. to provide data management, support, and assistance related to information contained within the Homeless Management Information System. The total value of the contract will not exceed \$50,000. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available from the City's allocation of the Emergency Solutions Grant.

### **Summary**

Solari will provide data management, support, and assistance related to information contained within the Homeless Management Information System (HMIS). HMIS was developed to support homeless providers and partner with agencies in their missions by supplying tools to meet the reporting requirements for their projects. HMIS provides information to the U.S. Department of Housing and Urban Development (HUD), local nonprofits, state-level policy makers, federal partners, and other advocates in the mission to end homelessness. HUD requires all projects utilizing Emergency Solutions Grant (ESG) funds to utilize the HMIS. Solari is the only HMIS contractor in the region.

### **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: Sole Source. The Office of Homeless Solutions identified this contract as a sole source determination, as Solari is the only Homeless Management Information System provider for the contractor in the region.

### **Contract Term**

The term of the contract will begin on or about Jan. 25, 2023, and end on June 30, 2024, with four one-year options to extend, which may be exercised by the City Manager or his designee.

### **Financial Impact**

The total value of the contract will not exceed \$50,000. Funding is available from ESG. There is no impact to the General Fund.

**Responsible Department**

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



## **Authorization to Amend Contract with Community Bridges, Inc, for Rapid Rehousing (Ordinance S-49351)**

Request authorization for the City Manager, or his designee, to amend Contract 147511 with Community Bridges, Inc. (CBI) to add \$243,737 in Emergency Solutions Grant (ESG) funds for a new contract amount totaling \$555,219. The contractor provides rapid rehousing for individuals moving from homelessness to permanent housing. Further request authorization for the City Controller to disburse all funds related to this item for the life of the contract. Funds are available from ESG. There is no impact to the General Fund.

### **Summary**

CBI provides rapid rehousing activities including housing stabilization services and short- and medium-term rental assistance. Persons enrolled in a housing program are engaged with preliminary stabilization services while they participate in activities necessary to obtain appropriate housing. The goal is to increase the rate of engagement leading to housing and to help individuals exit the program without further rental assistance.

### **Contract Term**

The term of the contract, as previously extended, is from July 1, 2018, to June 30, 2023.

### **Financial Impact**

The new contract amount will not exceed \$555,219 for the term of the contract. Funds are available from ESG. There is no impact to the General Fund.

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

- On May 2, 2018, the City Council approved the initial contract for CBI with Ordinance S-44540.
- On May 15, 2019, the City Council approved exercising the extension options for CBI with Ordinance S-45647.
- On Nov. 4, 2020, the City Council authorized a contract extension for CBI through June 30, 2022, with Ordinance S-47035.

- On Feb. 16, 2022, the City Council authorized a contract extension for CBI through June 30, 2023, with Ordinance S-48335.
- On Sept. 21, 2022, the City Council authorized additional funding for CBI with Ordinance S-48997.

**Responsible Department**

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



## **Emergency Shelter/Heat Related Respite Operator and Supportive Services Qualified Vendor List (Ordinance S-49352)**

Request authorization for the City Manager, or his designee, to award and enter into contracts, when specific opportunities are available, with responsive offerors to the Request for Qualifications (RFQu) for Emergency Shelter/Heat Related Respite Operator and Supportive Services Qualified Vendor List. Further request authorization for the City Controller to disburse funds in an amount not to exceed \$10,000,000 for the life of the Qualified Vendor List (QVL). Funding is available from a combination of the American Rescue Plan Act, Emergency Solutions and Community Development Block Grants from the U.S. Department of Housing and Urban Development, and the Human Services Department (HSD) General Fund operating budget.

### **Summary**

The City of Phoenix Office of Homeless Solutions (OHS) provides support and services for persons experiencing homelessness and is committed to ending homelessness through a comprehensive, regional approach to housing and services. With the dramatic rise of unsheltered individuals experiencing homelessness during and after the COVID-19 pandemic, the OHS is allocating additional resources to serve this population and focus on housing and services for those most vulnerable. Qualified vendors from this procurement could be awarded future contracts for specific projects when opportunities become available. Examples of contracts that could be awarded include city-owned projects in need of temporary emergency shelter/heat related respite operators and/or supportive services to individuals or families experiencing homelessness.

### **Procurement Information**

RFQu-22-HSD-69 was conducted in accordance with City of Phoenix Administrative Regulation 3.10. HSD received a total of 13 offers on Nov. 8, 2022, and all offers were determined to be responsive and responsible to the solicitation requirements.

The Procurement Officer evaluated all offers for Pass/Fail criterion on the following minimum qualifications:



### **Scope of Work 1: Emergency Shelter/Heat Related Respite Operator**

- At least three years' experience operating an emergency shelter or heat-related respite facility.
- At least three years' experience in case conferencing clients to end their homelessness.
- Evidence that direct service staff are trained in CPR, First Aid, Crisis Prevention, Trauma Informed Care and Motivational Interviewing.

### **Scope of Work 2: Supportive Services**

- At least three years' experience providing supportive services to people experiencing homelessness.
- Evidence of experience and participation in the local Continuum of Care.
- Evidence of three years' experience in the Homeless Management Information System.
- Evidence that direct service staff are trained in CPR, First Aid, Crisis Prevention, Trauma Informed Care and Motivational Interviewing.

The following offerors met all solicitation criteria and are recommended to be added to the QVL:

### **Emergency Shelter/Heat Related Respite Operator**

- A New Leaf, Inc.
- Central Arizona Shelter Services, Inc.
- Community Bridges, Inc.
- Diocesan Council for the Society of St. Vincent de Paul
- Family Endeavors, Inc. dba Endeavors
- Human Services Campus, Inc.
- Mercy House Living Centers

### **Supportive Services**

- A New Leaf, Inc.
- Central Arizona Shelter Services, Inc.
- Community Bridges, Inc.
- Diocesan Council for the Society of St. Vincent de Paul
- Human Services Campus, Inc.
- Mercy House Living Centers

**Contract Term**

This QVL will be in effect from Feb. 1, 2023, through June 30, 2028.

**Financial Impact**

The total cost of the contracts will not exceed \$10,000,000 over the life of the QVL. Funding is available from a combination of the American Rescue Plan Act, Emergency Solutions and Community Development Block Grants from the U.S. Department of Housing and Urban Development, and the Human Services Department General Fund operating budget.

**Responsible Department**

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



**Authorization to Amend Contract with AVID Consulting, LLC for Workplace Readiness Skills Training (Ordinance S-49353)**

Request to authorize the City Manager, or his designee, to amend Contract 156398 with AVID Consulting, LLC (AVID) to add \$25,000 for a new contract amount totaling \$325,000. AVID provides workplace readiness skills training through the City's Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker Program to adult learners residing in the Phoenix and adjacent areas. Further request authorization for the City Controller to disburse all funds related to this item. Funds are available from the City's allocation of WIOA grant funds.

**Summary**

AVID provides workplace readiness skills training services to clients enrolled as an adult or dislocated worker to help build and refine soft-skills, increase workplace readiness, and increase opportunities for attaining employment in high-growth industry positions at family sustaining wages. The additional funding will provide insurance coverage support for AVID over the term of the agreement.

**Contract Term**

The term of the contract will remain unchanged. The initial contract term is on or about July 1, 2022, through June 30, 2023, with four one-year options to extend, which may be exercised by the City Manager or his designee.

**Financial Impact**

The total value of the contract shall not exceed \$325,000. Funds are available from WIOA grant funds in the Human Services Department budget.

**Concurrence/Previous Council Action**

On Feb. 2, 2022, the City Council authorized Contract 156398 with Ordinance S-48312.

**Responsible Department**

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



**Authorization to Amend Utility Assistance Contract with Arizona Community Action Association dba Wildfire (Ordinance S-49355)**

Request authorization for the City Manager, or his designee, to amend Contract 156732 with the Arizona Community Action Association dba Wildfire to accept additional local utility assistance funds in an amount not to exceed \$32,180 for a contract total up to \$416,304 for the period of July 1, 2022, through June 30, 2023. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item.

**Summary**

Funds provided to the City of Phoenix through this agreement will be used to assist low-income households by removing barriers to self-sufficiency through utility bill assistance. This funding will allow the City of Phoenix to assist approximately 80 additional households. There is no impact to the General Fund.

**Contract Term**

The contract term is one year beginning July 1, 2022, through June 30, 2023.

**Financial Impact**

Funding for FY 2022-23 will be provided by various local funding sources (**Attachment A**). There is no impact to the general fund.

**Responsible Department**

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

**Attachment A- FY 23 Fund Allocations****Fund Source**

Utility, Repair, Replace, Deposit (URRD)	\$ 74,130.00
APS Crisis Bill Assistance	\$ 92,960.00
APS Special Assistance Funds	\$ 32,180.00
Southwest Gas LIEC Bill Assistance	\$ 40,414.00
Southwest Gas Energy SHARE Bill Assistance	\$ 56,900.00
Salt River Project (SRP) Bill Assistance	\$ 119,720.00
	\$ 416,304.00



**Request Authorization to Enter into Contracts with the Department of Economic Security, Maricopa County and Valley of the Sun United Way and Amend Contract with PUN Group, LLP (Ordinance S-49362)**

Request to authorize the City Manager, or his designee, to enter into contracts with the Department of Economic Security (DES), Maricopa County (MC) and Valley of the Sun United Way (VSUW) (collectively “Funders”) to provide fiscal monitoring services via the City’s contractor PUN Group, LLP (PUN Group). Further request authorization to amend Contract 149307 with PUN Group to add funding in an amount not to exceed \$20,130 for a new contract total of \$969,001 and to expand the scope of work to include fiscal monitoring services for the Funders’ contracts with Central Arizona Shelter Services, Inc. (CASS), which the City also funds. The Funders will reimburse the City for all costs incurred for the fiscal monitoring of their respective contracts. Additionally request to authorize the City Treasurer to accept and City Controller to disburse all funds related to this item for the life of the contract. The additional funding will be provided by DES, MC, and VSUW. There is no impact to the General Fund.

**Summary**

PUN Group conducts annual fiscal audits of subrecipients accountable to the City to facilitate Human Services Department programs. The City, DES, MC and VSUW are the main funders of CASS’s emergency shelter located at 230 S. 12th Ave. in Phoenix. The intent of this amendment is to have a unified fiscal system for auditing CASS to enhance efficiency and transparency for the City, the Funders, and CASS.

**Contract Term**

The term of each Funder’s contract will begin on or about Jan. 1, 2023, and run through June 30, 2023, with a one-year option to extend beginning July 1, 2023, which may be exercised by the City Manager or designee.

The term of the contract for PUN will remain unchanged. The contract began on Dec. 15, 2018, for a one-year term, with four one-year renewal options, which may be exercised by the City Manager or his designee.

**Financial Impact**

The aggregate value of the Funder’s contracts will not exceed \$20,130. The funding

breakdown per Funder is as follows:

- DES: \$6,710
- MC: \$6,710
- VSUW: \$6,710

This funding is being added to PUN's contract for a new contract total of \$969,001.

**Concurrence/Previous Council Action**

- On Nov. 8, 2018, the Phoenix Business and Workforce Development Board approved the Workforce Development Program funding portion of Contract 149307.
- On Dec. 12, 2018, the City Council approved entering into contract with the PUN Group with Ordinance S-45232.
- On Jan. 26, 2022, the City Council approved additional funding for Contract 149307 with Ordinance S-48269.

**Responsible Department**

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



**OrangeBoy, Inc. Savannah Web-based Customer Engagement Services Platform Contract - EXC 23-009 - Request for Award (Ordinance S-49336)**

Request to authorize the City Manager, or his designee, to enter into a contract with OrangeBoy, Inc. to provide a web-based customer engagement service platform for the Library 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 \$165,000.

**Summary**

This contract will provide the Phoenix Public Library (PPL) with a web-based customer engagement service platform, Savannah. Savannah is an integral tool for the PPL Performance Analysis, Segmentation, and Customer Engagement Strategy Services project. The Savannah platform will provide real-time library performance analytics, provide collaboration with a national library peer network, and tailor library customer messaging and community engagement. Savannah will assist PPL with the development and maintenance of library customer engagement and retention.

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. Phoenix Public Library has had a prior shared data relationship with OrangeBoy, Inc. (entered into in 2014). OrangeBoy, Inc. services are specialized for the public library market on a national level and is uniquely qualified to provide robust business analytics, library customer segmentation, library customer engagement communications and library strategic planning services.

**Contract Term**

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

**Financial Impact**

The total contract value will not exceed \$165,000 for the five-year term.



Funding is available in the Library Department's budget.

**Responsible Department**

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



**Request Authorization to Amend Ordinance to Update the Contract Term with Joshua Weiner dba Flowcus (Ordinance S-49367)**

Request authorization for the City Manager, or his designee, to amend Ordinance S-48805 to modify the term of the Community Development Block Grant (CDBG) contract with Joshua Weiner, dba Flowcus, not to exceed \$225,000, for the fabrication, construction oversight and installation of the Eastlake Park Streetscape Arts project. Further request to authorize the City Controller to disburse all funds related to this item.

**Summary**

In the Fall of 2021, City Council approved an evaluation panel's recommendation to select Joshua Weiner, dba Flowcus, as the project artist, through a Call for Artists process conducted by the Office of Arts and Culture to support the revitalization efforts in the Edison-Eastlake Community.

In May of 2022, after six months of design, the Eastlake Park Neighborhood Association's design committee voted to approve the artist's working design, entitled "Elevated". The artwork depicts two hands rising like pillars, and within the hands, energy glows with intention. This conveys the ongoing effort that requires attention, alignment and aspiration. There were two prominent site locations in the Eastlake Park neighborhood for the display of the artwork.

In June of 2022, Council approved the execution of a contract with Joshua Weiner, dba Flowcus, with a contract term initiating on or around July 1, 2022, for a maximum term of nine months. Since the June 2022 Council action, staff have worked with the owners of the two prominent site locations to finalize the exact placement of the artwork. Due to the delay in finalizing the locations, work under the contract could not begin when originally planned. This amendment to Ordinance S-48805 will modify the initiation date and expected term of the contract, changing the contract initiation date to July 1, 2023, with a six month term and a three month option to extend.

**Contract Term**

The contract term will initiate on or about Jan. 1, 2023, for a six-month contract term, with an option to extend for an additional three months, that may be exercised at the

discretion of the City Manager or designee.

**Financial Impact**

The aggregate contract value will not exceed \$225,000. Funding is available in the Neighborhood Services Department's Capital Improvement Program budget using U.S. Department of Housing and Urban Development CDBG funds. There is no impact to the General Fund.

**Concurrence/Previous Council Action**

- Oct. 27, 2021, the design agreement with Flowcus was approved by City Council.
- June 1, 2022, the Community and Cultural Investment Subcommittee recommended City Council approval to enter into contract with Joshua Weiner, dba Flowcus, by a 4-0 vote.
- June 15, 2022, City Council approved entering into contract with Joshua Weiner, dba Flowcus.

**Location**

Southwest corner of 16th Street and Washington Street  
Council District: 8

**Responsible Department**

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



### **Visit Arizona Legacy Golf Course Revitalization Grant (Ordinance S-49363)**

Request to authorize the City Manager, or his designee, to apply for, accept, and if awarded, enter into agreements for disbursement of grant funding from the Arizona Office of Tourism Visit Arizona Legacy Golf Course Revitalization Grant Program. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. If received, the grant funds would be for an amount not to exceed \$210,000.

#### **Summary**

Utilizing funding from the American Rescue Plan Act (ARPA) meant to aid the tourism, travel and hospitality industries in responding to the negative economic impacts of the pandemic, the Arizona Office of Tourism is accepting applications for the Visit Arizona Initiative Legacy Golf Course Revitalization Grant Program. As the Arizona travel, tourism, and hospitality industries recover from the pandemic, the Legacy Golf Course Revitalization Program will provide assistance to older golf courses to implement infrastructure updates that modernize the courses and make them more sustainable. Golf driven tourism was tied to 2.4 million visitors and brought an estimated \$2.2 billion to the Arizona economy in 2019, supporting 24,100 jobs.

Eligible projects for this grant program include golf course infrastructure modernization projects that helps 18-hole courses over 90 acres built before 1986 reduce their dependence on water resources, thereby being more sustainable and responsive to the negative economic impacts of the pandemic. Eligible courses can apply for assistance of \$15,000 per acre over 90 acres, up to a maximum of \$105,000. Funding will be awarded on a rolling basis.

The Parks and Recreation Department intends to apply for grant funding for multiple City-owned golf courses, including Encanto and Cave Creek golf courses for up to \$105,000 each or \$210,000 total. Built in 1935 and located in the core of the City's historic district, Encanto Golf Course is approximately 160.84 acres and is the third oldest golf course in Arizona. Cave Creek Golf Course is approximately 211.88 acres and was built in North Phoenix in 1983 as a landfill reclamation project.

**Financial Impact**

There is no impact to the General Fund. There is no match requirement.

**Location**

Council Districts: 3 and 4

Cave Creek Golf Course - 15202 N. 19th Ave.

Encanto Golf Course - 2775 N. 15th Ave.

**Responsible Department**

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



**Apply for U.S. Department of Homeland Security Building Resilient Infrastructure and Communities and Flood Mitigation Assistance Grant Opportunities for Federal Fiscal Year 2021-22 - Federal Bipartisan Infrastructure Law Funding (Ordinance S-49333)**

Request to authorize the City Manager, or his designee, to apply for, accept and, if awarded, enter into agreements for disbursement of Federal funding from the U.S. Department of Homeland Security through the Federal Fiscal Year 2021-22 Building Resilient Infrastructure and Communities and Flood Mitigation Assistance grant opportunities. If awarded, the funding will be used for the projects described below. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Funding for these grant opportunities is available through the Federal Bipartisan Infrastructure Law. The total grant funds applied for will not exceed \$83,618,618.50.

**Summary**

Building Resilient Infrastructure and Communities (BRIC) funds hazard mitigation activities with a recognition of the growing hazards associated with climate change, and of the need for natural hazard risk mitigation activities that promote climate adaptation and resilience with respect to those hazards. These include both acute extreme weather events and chronic stressors which have been observed and are expected to increase in intensity and frequency in the future.

The Flood Mitigation Assistance (FMA) grant program funds projects to reduce or eliminate the risk of repetitive flood damage to buildings and structures insured under the National Flood Insurance Program. It does so with a recognition of the growing flood hazards associated with climate change, and of the need for flood hazard risk mitigation activities that promote climate adaptation, equity, and resilience with respect to flooding. These include both acute extreme weather events and chronic stressors which have been observed and are expected to increase in intensity and frequency in the future.

The Building Resilient Infrastructure and Communities and Flood Mitigation Assistance grant submittal deadlines are Jan. 27, 2023.

Described below are the project descriptions staff are requesting City Council approval to submit, by department.

Water Services Department (WSD)

*City of Phoenix WSD Power Redundancy 24th Street - BRIC*

Installation of 18 Megawatts (MWs) (nine - two MW generators) of standby generators to power the water treatment plant and finished water pumping stations during a power outage. The generators are sized to power an entire plant during a power outage and have fuel storage for 48 hours.

Project Cost: \$22,043,630

Federal Match Requested: \$16,532,722.50

Local Match: \$5,510,907.50

*City of Phoenix WSD Power Redundancy Booster Pump Stations - BRIC*

Design and installation of various sizes of standby generators for 12 booster pump stations, ranging in capacity between 3 Million Gallons per Day (MGD) to 135 MGD, to power the stations during a power outage. The generators are sized to power an entire station outage and have fuel storage for 48 hours.

Project Cost: \$37.1 million

Federal Match Requested: \$27,825,000

Local Match: \$9,275,000

*City of Phoenix WSD Power Redundancy Val Vista - BRIC*

Design and installation of 12 MWs (six - two MW generators) of standby generators to power the water treatment plant during a power outage. The generators are sized to power an entire plant during a power outage and have fuel storage for 48 hours.

Project Cost: \$27.6 million

Federal Match Requested: \$20.7 million

Local Match: \$6.9 million

Public Works Department

*Heat Respite Centers Emergency Generators - BRIC*

Design and installation of new emergency generators of various sizes ranging from 125 to 2,000 kilowatts for 19 Heat Respite Centers at City libraries and community centers. The generators are sized to power critical building systems including air conditioning during a power outage.

Project Cost: \$ 4,532,807

Federal Match Requested: \$3,399,605

Local Match: \$1,133,202

*Critical Services Power Redundancy - BRIC*

Design and installation of emergency generator lifecycle replacements of various sizes ranging from 30 to 250 kilowatts at 30 City facilities. The generators are sized to power critical building systems to support essential City operations and services during a power outage, including public safety.

Project Cost: \$ 4,547,088

Federal Match Requested: \$3,410,316

Local Match: \$1,136,772

Office of the City Engineer

*Westwood Storm Drain - BRIC and FMA*

Westwood Storm Drain project will construct a 10-year storm drain along 21st Avenue from Hazelwood Street south to Turney Avenue and convey east to a new detention basin at 20th and Turney avenues. This project will capture flows north, east and west of 21st Avenue and convey them to the detention basin at 20th and Turney avenues.

Project Cost: \$7,756,784

Federal Match Requested: \$5,817,588

Local Match: \$1,939,196

*East Lafayette Storm Drain - BRIC and FMA*

East Lafayette Storm Drain project will construct a large scale 10-year storm drain and catch basins along Lafayette Boulevard east of Arcadia Drive. This project will capture flows that are coming from the north, east of Arcadia Drive, and convey them to the Old Cross Cut Canal/Arizona Canal.

Project Cost: \$7,461,183

Federal Match Requested: \$5,595,887

Local Match: \$1,865,296

Office of Heat Response and Mitigation

*Urban Heat Leadership Academy - BRIC*

The proposed project is to develop and implement an annual, bilingual, community-facing education and engagement program that would build the capacity of Phoenix area residents to participate in hazard planning and implementation with local governments and advocate for hazard mitigation activities that protect public health.

Project Cost: \$450,000

Federal Match Requested: \$337,500

Local Match: \$112,500

**Financial Impact**

The estimated total cost for the projects is approximately \$111,491,492. The maximum federal participation rate is 75 percent with a minimum local match of 25 percent of the

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total eligible project cost. If awarded, the federal match would not exceed \$83,618,618.50 (75 percent) and the City's costs would be approximately \$27,872,873.50 (25 percent) for the local match.

Funding for the local match is available in the Water Services, Public Works, Parks and Recreation, Library, Police and Fire departments' and the offices of the City Engineer and Heat Response and Mitigation's Capital Improvement Program and Operating budgets. Potential grant funding received is available through the Federal Bipartisan Infrastructure Law, from the U.S. Department of Homeland Security through the Federal Fiscal Year 2021-22 Building Resilient Infrastructure and Communities and Flood Mitigation Assistance grant opportunities.

**Location**

City of Phoenix WSD Power Redundancy 24th Street  
24th Street Water Treatment Plant  
Council District: 6

City of Phoenix WSD Power Redundancy Booster Pump Stations  
12 facilities at various locations throughout the water system.  
Council Districts: 1, 2, 3, 6, 8 and Out of City

City of Phoenix WSD Power Redundancy Val Vista  
Val Vista Water Treatment Plant  
Council District: Out of City

Heat Respite Centers Emergency Generators  
19 various locations  
Council District: Citywide

Critical Services Power Redundancy  
30 various locations  
Council District: Citywide

Westwood Storm Drain  
20th and Turney Avenues  
Council District: 4

East Lafayette Storm Drain  
Arcadia Drive and Lafayette Boulevard  
Council District: 6

Urban Heat Leadership Academy  
Citywide

**Responsible Department**

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, and the Water Services and Public Works departments and the offices of the City Engineer and Heat Response and Mitigation.



**Aviation Glass Repair, Replace and Maintenance Contract 152953 - Amendment (Ordinance S-49326)**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 152953 with True View Windows and Glass LLC to add the Phoenix Convention Center Department (PCCD). Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$15,000.

**Summary**

This contract will provide glass repair, replacement, installation, and maintenance services on demand for the PCCD. True View Windows and Glass LLC will supply frames components and various types of glass windows, plate glass, tables tops, store fronts, and passageway doors.

**Contract Term**

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

**Financial Impact**

Upon approval of \$15,000 in additional funds, the revised aggregate value of the contract will not exceed \$1,150,000. Funds are available in the various department's budget.

**Concurrence/Previous Council Action**

The City Council previously reviewed this request:  
Aviation Glass Repair, Replace and Maintenance, Contract 152953 (Ordinance S-46913) on Sept. 16, 2020.

**Location**

Phoenix Convention Center  
100 N. 3rd St.  
Council Districts: 1, 7 and 8

**Responsible Department**

This item is submitted by Deputy City Managers Inger Erickson and Mario Paniagua

and the Phoenix Convention Center and Aviation departments.



**ABB VARIABLE FREQUENCY DRIVES Supply, Installation, Maintenance and Repair Services IFB 20-031 - Amendment (Ordinance S-49327)**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 152506 with ThermAir Systems, LLC. to add the Phoenix Convention Center Department (PCCD) and to allow additional expenditures to provide supplies, installation, maintenance and repair services for ABB Variable Frequency Drives (VFD's) for PCCD venues. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$500,000.

**Summary**

This contract will supply VFD's and provide full services including installation, replacement, maintenance and repair of this equipment at the PCCD facilities and garages. VFD's are special components used for water handling, large heating, ventilation and air conditioning systems . VFD's communicate with electrical motors on when to turn on to remove harmful carbon monoxide in the garages. These VFD's are one of two components necessary for the project. The additional equipment is being requested under a different contract. The average life expectancy of a VFD is 12 to 16 years. The current equipment has exceeded the average life expectancy. This contract will support a PCCD capital improvement project to be completed this fiscal year.

**Contract Term**

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

**Financial Impact**

Upon approval of \$500,000 in additional funds, the revised aggregate value of the contract will not exceed \$1,705,000. Funding is available in the Phoenix Convention Center operating and capital improvement program budgets.

**Concurrence/Previous Council Action**

The City Council previously reviewed this request:  
ABB Variable Frequency Drives (VFDs) Supply, Installation, Maintenance and Repair Services Contract 152506 (Ordinance S-46739) on June 17, 2020.

**Location**

Phoenix Convention Center  
100 N. 3rd St.  
Phoenix, AZ 85004  
Council Districts: 1, 7 and 8

**Responsible Department**

This item is submitted by Deputy City Managers Inger Erickson and Mario Paniagua and the Phoenix Convention Center and Aviation departments.



**Heating, Ventilation and Air Conditioning Filter Maintenance Service and Supply - IFB 22-FMD-008 - Amendment (Ordinance S-49331)**

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 154827 with American Air Filter Co. dba AAF International to add the Phoenix Convention Center Department (PCCD) and allow additional expenditures to provide air filters for PCCD venues. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$300,000.

**Summary**

The contract will provide the PCCD with Heating, Ventilation and Air Conditioning (HVAC) air filters that will allow PCCD staff to change filters as needed. The PCCD and Venue's main air handler and fan coil units utilize air filters to filter out airborne particulates that are introduced by outside air. This agreement will aid in the citywide effort to maintain quality air in PCCD buildings to support our community, attendees, and employees.

**Contract Term**

The contract term will remain unchanged, ending August 31, 2026.

**Financial Impact**

Upon approval of \$300,000 in additional funds, the revised aggregate value of the contract will not exceed \$11,800,000. Funding is available in the Phoenix Convention Center's operating budget.

**Concurrence/Previous Council Action**

The City Council previously reviewed this request: HVAC Filter Maintenance and Repair Contract 154827 (Ordinance S-47698) on June 16, 2021.

**Location**

Council Districts: 7 and 8

**Responsible Department**

This item is submitted by Deputy City Managers Inger Erickson and Karen Peters and

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the Phoenix Convention Center and Public Works departments.





**Energy Management Control Systems Repair Services - IFB 22-FMD-007 - Amendment (Ordinance S-49332)**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 154905 with Pueblo Mechanical & Controls to add the Phoenix Convention Center Department (PCCD) and allow additional expenditures to provide energy management control systems repair services for PCCD venues. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$300,000.00.

**Summary**

This contract will provide Energy Management Control Systems (EMCS) and Building Automation System (BAS) repair services for PCCD. These EMCS/BAS systems control and monitor energy consuming devices including heating and cooling equipment, fans, pumps, smoke control, lighting, access control, and alarm monitoring. PCCD maintains multiple facilities with EMCS/BAS systems with aging equipment that require these systems to be maintained and/or repaired.

**Contract Term**

The contract term remains unchanged, ending July 31, 2026.

**Financial Impact**

Upon approval of \$300,000.00 in additional funds, the revised aggregate value of the contract will not exceed \$1,550,000.00. Funding is available in the Phoenix Convention Center operating budget.

**Concurrence/Previous Council Action**

The City Council previously approved the Energy Management Control Systems (EMCS) Repair Services, Contract 154905 (Ordinance S-47693) on June 16, 2021 for the Public Works Department.

**Responsible Department**

This item is submitted by Deputy City Managers Inger Erickson and Karen Peters and the Phoenix Convention Center and Public Works departments.



## **Resolution to Declare 2023 NFL Super Bowl Activities in Downtown Phoenix as Special Promotional Events (Resolution 22095)**

Request City Council to supersede Resolution 22073 and approve a new resolution declaring that for the three-week period before the National Football League (NFL) Super Bowl LVII game on Sunday, Feb. 12, 2023, and for one week after, all Official NFL Events and other NFL and Arizona Super Bowl Host Committee-sanctioned activities that are held in the Special Promotional and Civic Event Area (**Attachment A**) will be considered special promotional and civic events for the purposes of the Phoenix Zoning Ordinance. The new Resolution removes the NFL and the Arizona Super Bowl Host Committee involvement in temporary signage and other City-issued permits within the special promotional and civic event area.

### **Summary**

It is anticipated that certain NFL game-related activities will take place in downtown Phoenix in the weeks prior to and after the game. These events and activities will bring significant revenue and media exposure to the City of Phoenix during the event period. Phoenix Zoning Ordinance, Section 705, specifies requirements for temporary signs. By declaring the NFL and Arizona Super Bowl Host Committee-sanctioned activities as special promotional and civic events, this Resolution allows the NFL, NFL-approved sponsors, and Arizona Super Bowl Host Committee to advertise official events in the Promotional and Civic Event Area by use of signs, banners, and similar devices. This action will not impact any existing permitted permanent signs in downtown. The new resolution supersedes the prior Special Promotional Events Resolution (Resolution 22073) by adopting a new resolution, which removes the NFL and the Arizona Super Bowl Host Committee involvement in temporary signage and other City-issued permits within the special promotional and civic event area.

### **Location**

McDowell Road to Lincoln Street, 7th Avenue to 7th Street (includes properties adjacent to 7th Avenue on the west and adjacent to 7th Street on the east).

Council Districts: 4, 7, 8

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

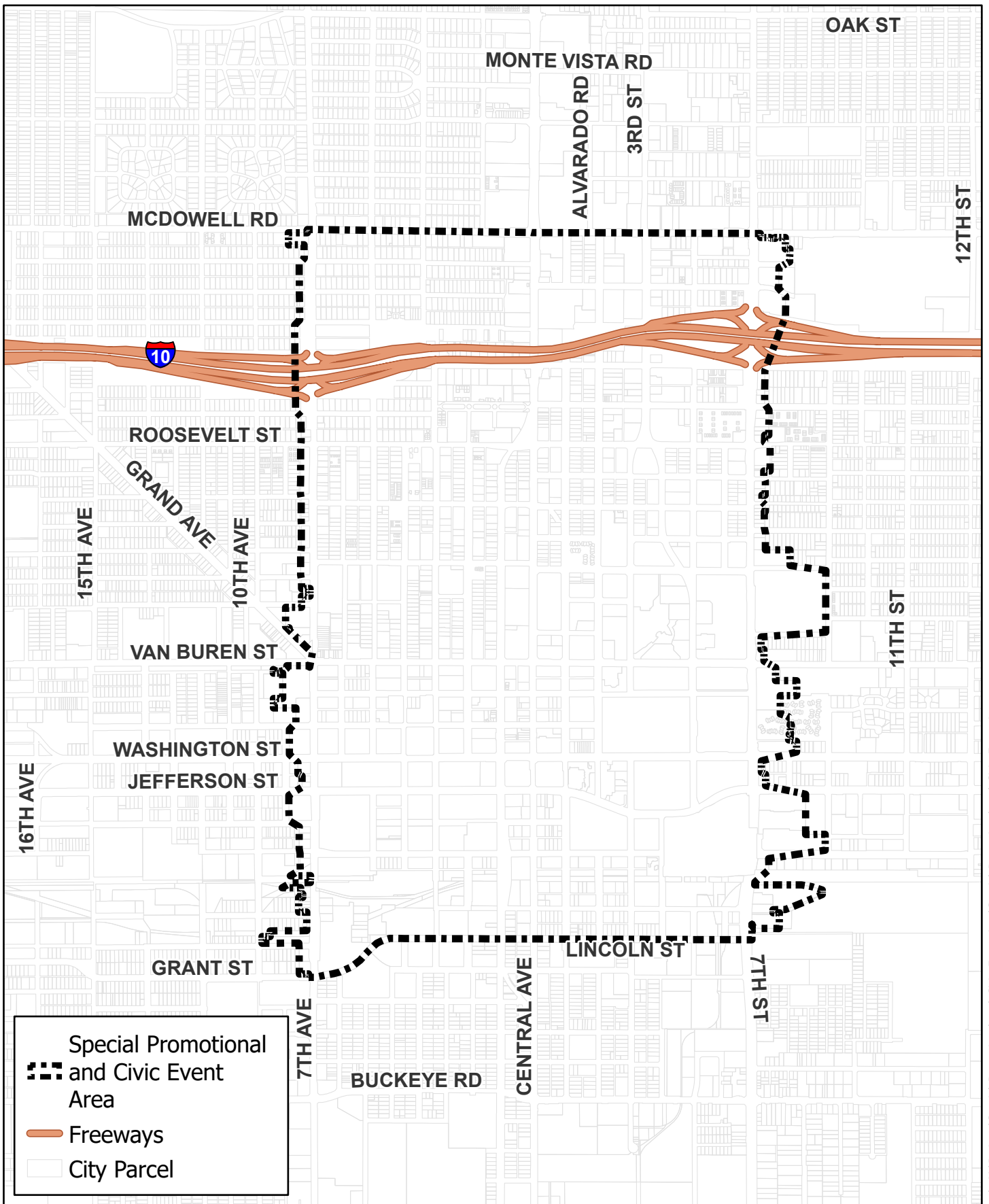
This resolution supersedes Resolution 22073 approved by the City Council on Oct. 12, 2022.

**Responsible Department**

This item is submitted by Deputy City Managers Inger Erickson and Alan Stephenson and the Phoenix Convention Center and Planning and Development departments.

# ATTACHMENT A

## Special Promotional and Civic Event Area



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## **Spartan Vehicle Robot - EXC 22-0047 - Request for Award (Ordinance S-49379)**

Request to authorize the City Manager, or his designee, to amend Ordinance S-49281 to enter into contract with Remotec, Inc. to provide materials and services to rebuild an existing F6B Robot for the Police Department. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code section 42-18. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$228,826.

### **Summary**

This contract will upgrade the F6B Robot for the Police Department's Bomb Squad Unit for use in bomb responses and to provide added security during planned events. The upgrade will refurbish and rebuild the F6B, adding the latest technology and increased load capacity and incorporating a dual PAN disruptor system for use in mitigation of suspected Improvised Explosive Devices (IEDs) from a safe distance. Completing the Spartan Vehicle upgrade will enhance reliability, usability, functionality, and longevity of the vehicle, which will result in decreased deployment times. Prior approval of this purchase did not include exception to the indemnity and liability provisions of City Code and incorrectly identified the contractor's name.

### **Procurement Information**

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Special Circumstances Without Competition Determination Memo based on the following reason: Remotec, Inc. is the manufacturer and sole warranty provider for this robot.

### **Contract Term**

The contract will begin on or about Jan. 26, 2023, for a one-year term.

### **Financial Impact**

The aggregate contract value will not exceed \$228,826. Funding is available in the Police Department's budget.

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

The City Council previously approved this request: Spartan Vehicle Robot, Ordinance

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S-49281 on Dec. 14, 2022

**Responsible Department**

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



## **Avionics Contract - COOP 23-049 - Request for Award (Ordinance S-49340)**

Request to authorize the City Manager, or his designee, to enter into a contract with Hanger One Avionics Inc., to provide both helicopter and fixed-winged aircraft modifications on avionics equipment, overhauls, repairs, maintenance, and service for the Phoenix Police 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 million.

### **Summary**

This contract will provide a Federal Aviation Administration (FAA) certified aircraft completion center specializing in airborne law enforcement helicopters and fixed-wing aircraft. With the company's in-house fabrication abilities, Hanger One offers the Phoenix Police Department's Air Support Unit a one-stop shop for all aircraft needs. Hanger One can design, manufacture, repair, and implement a fully mission-capable aircraft specific to the agency's specifications.

### **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. Hanger One Avionics is a FAA certified repair station, has an established co-op contract through the Arizona Department of Public Safety, and will assist in maintaining the Phoenix Police Department's current fleet of helicopters and fixed-wing aircraft.

### **Contract Term**

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

### **Financial Impact**

The aggregate contract value for will not exceed \$3 million for the five-year aggregate term. Funding is available in the Phoenix Police Department's budget.

### **Responsible Department**

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

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**Pawnshop Web-based Application Services - City of Mesa Cooperative Agreement 2016122 - Amendment (Ordinance S-49358)**

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 147014 with Leadsonline, LLC to add additional funds and extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$211,745.

**Summary**

This contract will continue to provide the City of Phoenix Police Department Pawnshop Detail the ability to report pawnshop and second-hand dealer transactions to the Maricopa County Sheriff's Office (MCSO) as required by Arizona Revised Statute 44-1625, in addition to tracking and collecting transaction fees from pawnshops and second-hand dealers as required by Phoenix City Code section 19-40. The web-based system allows the consolidation of all transaction reporting by stakeholders, including the City, to MCSO, billing for transaction fees, property release hearing requests and inspections, and investigative queries by detectives. The extension is necessary to allow for the completion of a new procurement process.

**Contract Term**

Upon approval, the contract will be extended through Jan. 31, 2024.

**Financial Impact**

Upon approval of \$211,745 in additional funds, the revised aggregate value of the contract will not exceed \$959,745. Funds are available in the Police Department's budget.

**Concurrence/Previous Council Action**

The City Council previously reviewed this request:

- City of Mesa Contract for Pawnshop Web-based Application Services Contract 2016122 (Ordinance S-44267) on Feb. 21, 2018 and (Ordinance S-47386) on March 17, 2021.

**Responsible Department**

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

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### **Request Authorization for Sale of Canine Riso (Ordinance S-49375)**

Request to authorize the City Manager, or his designee, to approve the sale of canine Riso to Sergeant James Smoke for \$1.00. Sergeant Smoke was assigned to the Tactical Support Bureau's Canine Unit and has requested to purchase and retire his assigned canine Riso in accordance with Administrative Regulation 4.21. Sergeant Smoke was promoted in December 2022 and currently works in the South Mountain Precinct.

#### **Summary**

Canine Riso is eight and a half years old, and has served the Tactical Support Bureau with professionalism, dedication and exemplary effort since 2015. Canine Riso has met the Bureau's standard of five years of service and, due to his age and bond with his handler, it is not operationally beneficial to try to pair him with a new handler.

This request is for the authorization of the sale of canine Riso for \$1.00. The purchase of canine Riso is being made by Sergeant James Smoke, who agrees to accept full responsibility and liability for canine Riso and to care for him for the remainder of his life.

#### **Responsible Department**

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



**Amendment to the Ordinance for Arizona Criminal Justice Commission Crime Reduction Pilot Project Grant (Ordinance S-49381)**

Request to authorize the City Manager, or his designee, to allow the Police Department to amend Ordinance S-49143 and extend the agreement with the Arizona Criminal Justice Commission for the Crime Reduction Pilot Project Grant for the amount not to exceed \$35,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

**Summary**

In May 2021, the City Council approved the agreement for the Arizona Criminal Justice Commission Crime Reduction Pilot Project Grant in the amount of \$15,000. In November 2021, City Council approved an amendment to Ordinance S-49143 extending the grant through December 2022. The purpose of this grant was to promote the objectives of the Restructuring Area Dynamic and Relationships program. This program concentrates on the social network theory and mismanaged properties, to reduce calls for service and crime rates instead of arrests and prosecutions, seizures of contraband, and serving of search warrants. The objective is to identify high crime areas and related properties attracting high calls for service and work with the property owners to combat property damage and crime. This agreement will increase the award amount from \$15,000 to \$35,000.

**Contract Term**

The current term of this grant agreement from July 1, 2021 through Dec. 30, 2022. Upon approval, the agreement will be extended through Dec. 30, 2023.

**Financial Impact**

No matching funds are required.

**Responsible Department**

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



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Agenda Date: 1/25/2023, Item No. 62

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**Phoenix Sky Harbor International Airport Terminal 4 Baggage Handling System Upgrades - Construction Manager at Risk Services - AV21000109 (Ordinance S-49323)**

Request to authorize the City Manager, or his designee, to enter into an agreement with The Weitz Company, LLC to provide Construction Manager at Risk Preconstruction and Construction Services for the Phoenix Sky Harbor International Airport Terminal 4 Baggage Handling System Upgrades 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 initial fee for services will not exceed \$300,000.

**Summary**

The purpose of this project is to modernize the Phoenix Sky Harbor International Airport Terminal 4 Baggage Handling System. This project is necessary because the Baggage Handling System utilized by American Airlines and the International Airline Carriers in Terminal 4 is largely obsolete, in poor condition, and operating on controls utilizing technology at end of life at more than 25 years old.

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

The Weitz Company, LLC's Preconstruction Services include, but are not limited to: detailed cost estimating and knowledge of marketplace conditions; project programming, visioning, planning and scheduling; construction phasing and scheduling to minimize interruption to Airport and stakeholder operations; provide alternate systems evaluation, constructability studies and conditions surveying; Geotechnical engineering and testing; environmental remediation, hazardous materials abatement and disposal; long-lead procurement studies and initiate procurement of long-lead items; assist in permitting process; coordinate with various City of Phoenix departments, other agencies, utility companies, etc.; value engineering; advise City on choosing green building materials and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project.

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

The Weitz Company, LLC's additional Construction Services include constructing Terminal 4 Baggage Handling System including: manage, coordinate, and construct the baggage handling system structural, electrical, mechanical, technology, lighting, maintenance access, fire/life/safety/security, and civil modifications to the existing terminal building; provide energy modeling for the baggage handling system baseline and final design; provide baggage handling system Transportation Security Administration (TSA) design and construction coordination; provide fully functional, tested, commissioned, and approved baggage handling system; select subcontractors/suppliers and subcontractor coordination; prepare Guaranteed Maximum Price (GMP) proposals that meet project phasing and the approval of the City; coordinate with various City of Phoenix departments, project stakeholders, existing tenants, other agencies, utility companies, etc.; obtain procurement of materials and equipment; schedule and manage site operations; provide quality controls, and lifecycle cost analysis; bond and insure the construction; address all federal, state, and local permitting requirements; prepare and submit RFI's, submittals, proposal requests, and change orders for review/approval; conduct construction site visits; submit progress payment requests; prepare monthly construction progress reports; conduct substantial completion walk-through inspection and punch list; conduct final inspection, acceptance, and warranty walk; provide record drawings and close-out related services; provide Aviation and stakeholder personnel systems and equipment training; achieve TSA acceptance/approval for baggage handling system Site Acceptance Testing, Pre-Integrated Site Acceptance Test, Test Readiness Review, Integrated Site Acceptance Test, and all other baggage handling system testing or commissioning by all agencies, departments, designers, and consultants, and other work for a complete project.

### **Procurement Information**

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

Selected Firm

Rank 1: The Weitz Company, LLC

Additional Proposer

Rank 2: Sun Eagle Corporation

**Contract Term**

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

**Financial Impact**

The initial agreement value for The Weitz Company, LLC will not exceed \$300,000, including all subcontractor and reimbursable costs.

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

**Location**

2485 E. Buckeye Road  
Council District: 8

**Responsible Department**

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



**Phoenix Sky Harbor International Airport Terminal 4 Baggage Handling System Upgrades - Architectural Services - AV21000109 (Ordinance S-49328)**

Request to authorize the City Manager, or his designee, to enter into an agreement with BNP Associates, Inc. to provide Architectural Services that include programming, design, and possible construction administration and inspection services for the Phoenix Sky Harbor International Airport Baggage Handling System Upgrades 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 total fee for services will not exceed \$1.5 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 purpose of this project is to modernize the Phoenix Sky Harbor International Airport Terminal 4 Baggage Handling System. This project is necessary because the Baggage Handling System utilized by American Airlines and the International Airline Carriers in Terminal 4 is largely obsolete, in poor condition, and operating on controls utilizing technology at end of life at more than 25 years old.

BNP Associates, Inc.'s services include, but are not limited to: programming to define the requirements, alternatives, recommended approach and the associated costs and construction program for the baggage handling system; providing a 30 percent baggage handling system design package inclusive of upgrading and modernizing the

T4N, T4I, T4R, T4FIS, and T4IB1-7 baggage handling system; programming/pre-design; schematic design; design development; 30 percent procurement set; compliance/peer review of baggage handling system contractor 70 percent and 100 percent Transportation Security Administration submittals; optimizing baggage handling system layout; upgrading/replacing baggage handling system electrical, mechanical, technology, lighting, maintenance access, fire/life/safety/security components as needed/required, including: replacing diverters, upgrading ControlNet to Ethernet/IP, upgrading of reporting servers to allow for all current reporting requirements, rewriting of Programmable Logic Controller (PLC) code to remove unused attributes and code and to streamline the PLC operation, and upgrading/replacing Automatic Tag Readers and Baggage Measuring Arrays equipment; 3D Building Scanning/Modeling of existing infrastructure and conditions; associated structural, electrical, mechanical, technology, Fire/Life/Safety/Security, and civil work; pre-construction conference and weekly construction coordination meetings; RFI's and submittal review/approvals; construction site visits and field reports; certification of progress payments; prepare monthly construction progress reports; review contractor's proposed proposal requests and change orders; substantial completion walk-through inspection and punch list; final acceptance walk-through inspection; provide record drawings and close-out related services; baggage handling system Site Acceptance Testing, Pre-Integrated Site Acceptance Test, Test Readiness Review, Integrated Site Acceptance Test coordination and documentation; and participate in the warranty inspection.

### **Procurement Information**

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

#### Selected Firm

Rank 1: BNP Associates, Inc.

#### Additional Proposers

Rank 2: Corgan Associates, Inc.

Rank 3: AZTEC Engineering Group, Inc., dba TYP SA

### **Contract Term**

The term of the agreement is five years from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the

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agreement. No additional changes may be executed after the end of the term.

**Financial Impact**

The agreement value for BNP Associates, Inc. will not exceed \$1.5 million, including all subconsultant and reimbursable costs.

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

**Location**

2485 E Buckeye Road  
Council District: 8

**Responsible Department**

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





**Baggage Handling Control System Design, Programming, and Integration - IFB 19-007 - Amendment (Ordinance S-49334)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 149031 with Quantum Integrated Solutions, Inc. for the purchase of baggage handling control system design, programming, and integration for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$375,000.

**Summary**

This contract will provide technical support including design, programming, integration, and architectural controls of the baggage handling systems (BHS) at Phoenix Sky Harbor International Airport 24 hours-a-day, seven days-a-week, every day of the year. The additional funds are necessary to increase assistance with BHS programming, address server issues, and ensure the baggage sortation manager is integrated with airline flight tables. This service is critical for the airlines and the Transportation Security Administration.

**Contract Term**

The contract term remains unchanged, ending on Dec. 31, 2023.

**Financial Impact**

Upon approval of \$375,000 in additional funds, the revised value of the contract will not exceed \$2,375,000 for the remaining contract term. Funds are available in the Aviation Department's budget.

**Concurrence/Previous Council Action**

Ordinance S-45225 was approved by the City Council at the Dec. 12, 2018 meeting.

**Location**

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

**Responsible Department**

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



## **Runway Friction Tester Maintenance Contract - RFA 23-025 - Request for Award (Ordinance S-49337)**

Request to authorize the City Manager, or his designee, to enter into a contract with Halliday Technologies, Inc. (Halliday), to provide service and support for the RT3 friction tester (Friction Tester), at Phoenix Sky Harbor International Airport (PHX) for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$100,000.

### **Summary**

This contract will provide the annual safety inspections and calibrations to the Friction Tester and will support the needed maintenance and repairs on the equipment. The Aviation Department owns a Halliday Friction Tester that is utilized in accordance with federal regulations to conduct runway friction tests to ensure safe landing conditions for airplanes. Additionally, the Friction Tester will provide feedback on the runway surface conditions due to aging and normal deterioration and recommend when reconditioning of the runway surface is required. To ensure the equipment is functioning properly and with correct accuracy, it must be inspected and calibrated annually.

### **Procurement Information**

In accordance with Administrative Regulation 3.10, a standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition/Restrictive Specifications. The Friction Tester was designed, developed, and manufactured by Halliday, which is also the sole provider of the required inspection, calibrations, maintenance, and repair services of the Friction Tester.

### **Contract Term**

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

### **Financial Impact**

The contract value will not exceed \$100,000 for the five-year contract term.

Funding is available in the Aviation Department's budget.

**Location**

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

**Responsible Department**

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



**Floor Covering Products and Services Contract - AVN RFP 23-001 - Request for Award (Ordinance S-49357)**

Request to authorize the City Manager, or his designee, to enter into a contract with Continental Flooring Company to provide floor covering products and services on an as-needed basis for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$6,000,000.

**Summary**

This contract will provide floor covering products, design services, removal/installation, cleaning and maintenance instructions, and warranty services for Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport and Phoenix Goodyear Airport and their maintained facilities on an as-needed basis.

**Procurement Information**

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

One vendor submitted a proposal and was 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:

- Methodology (0-325 points)
- Floor Product/Yarn Construction and Maintenance (0-300 points)
- Qualifications and Experience (0-150 points)
- Recyclability and Environmental Factors (0-125 points)
- Cost (0-100 points)

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

Continental Flooring Company, 820 points

**Contract Term**

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

**Financial Impact**

The contract value will not exceed \$6,000,000 for the five-year contract term.

Funding is available in the Aviation Department's budget.

**Location**

Phoenix Sky Harbor International Airport: 2485 E. Buckeye Rd.

Phoenix Deer Valley Airport: 702 W. Deer Valley Rd.

Phoenix Goodyear Airport: 1658 S. Litchfield Rd., Goodyear, Ariz.

Council Districts: 1, 8 and Out of City

**Responsible Department**

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



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Agenda Date: 1/25/2023, Item No. 67

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**Phoenix Rising FC, LLC Ground Lease Amendment 1 at Phoenix Sky Harbor International Airport (Ordinance S-49366)**

Request to authorize the City Manager, or his designee, to amend the ground lease with Phoenix Rising FC, LLC to authorize a three percent limit on annual rent increases.

**Summary**

The original lease agreement currently identifies an annual rent increase equal to the Consumer Price Index (CPI). Negotiated in the Letter of Intent for this lease agreement was an escalation of CPI not to exceed three percent. The three percent rent cap was omitted in the original Council action that authorized the lease agreement.

**Contract Term**

This amendment does not provide any change to the lease term.

**Financial Impact**

Financial impact is unknown as the Consumer Price Index may remain below three percent for the duration of the lease term.

**Concurrence/Previous Council Action**

City Council approved the Phoenix Rising Ground Lease (Ordinance S-49193) on Nov. 16, 2022.

**Location**

Phoenix Sky Harbor International Airport, 3801 East Washington St.  
Council District: 8

**Responsible Department**

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



**Bus Stop and Transit Center Cleaning Contract - Amendment (Ordinance S-49377)**

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 155469 with Graffiti Protective Coatings, Inc. to provide bus stop and transit center cleaning. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$3,822,000.

**Summary**

The Public Transit Department currently utilizes Graffiti Protective Coatings, Inc. (GPC) to provide routine cleaning services at the City of Phoenix's 15 transit facilities, including park-and-rides and transit centers, and approximately 4,100 bus stops citywide, in addition to additional services for special events and minor repairs.

This contract amendment adds a new line of service, bulk trash cleaning at bus stops, to the existing contract. This new category of service is the result of an increase in calls for the cleaning of bus stops with unprecedented levels of refuse at many bus stops citywide. In addition, this new service category provides additional resources to GPC to increase critical cleaning services during a period of economic downturn, labor market shortages, and inflation. The amendment provides for an estimated 63,700 bulk trash cleaning instances per year.

The bulk trash cleaning at bus stop line item pricing will be used from Feb. 1, 2023 to Jan. 31, 2025. The contract term remains unchanged, ending on Dec. 31, 2026.

**Concurrence/Previous Council Action**

The City Council previously approved Contract 155469 with Graffiti Protective Coatings, Inc. (Ordinance S-48053) on Oct. 27, 2021.

**Financial Impact**

Upon approval of \$3,822,000 in additional funds, the revised value of the contract will not exceed \$20,822,000. Funds are available in the Public Transit Department's budget.



**Responsible Department**

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



## **Green Transit Technology Contract - Recommendation for Award (Ordinance S-49380)**

Request to authorize the City Manager, or his designee, to enter into separate contracts with GILLIG, LLC and New Flyer of America, Inc. to provide battery electric, hybrid electric, and fuel cell electric transit buses. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the five-year contracts together will not exceed \$229,882,861.

### **Summary**

The Public Transit Department (PTD) has worked to ensure that the City's fleet has environmentally-friendly buses with the best-proven technology available, particularly in terms of vehicle range and passenger comfort during extreme temperatures. These contracts would allow the department to establish a sub-fleet of green buses and test on a long-term basis these zero and/or near-zero-emission buses for their ability to operate in the Phoenix environment (peak passenger loads, on-board equipment, and higher-capacity air conditioning systems) and support operating needs. These contracts afford PTD the opportunity to evaluate the operability of these buses with its initial sub-fleet purchases and the ability to prioritize and continue the purchase of such buses if they are found to meet the transit system's operational needs, allowing PTD to gain experience with these new technologies.

### **Procurement Information**

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

On May 9, 2022, the solicitation was posted on the City's solicitation website and sent to 46 prospective vendors. Four vendors submitted responses, and two were determined non-responsive.

The evaluation panel interviewed all responsive and responsible offerors and reached consensus, in consideration of the published selection criteria, with total points ranging from 0 - 1,000:

- Design and Production Process: Product Support and Reliability (0-275 points)
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- Design and Production Process: Bus and Component Design (0-275 points)
- Workforce Training and Contractor Outreach/Recruitment (0-100 points)
- Design and Production Process: Schedule (0-50 points)
- Warranty (0-50 points)
- Price Proposal (0-250 points)

The following Proposers have been selected for award of separate contracts:

- Battery Electric Buses - GILLIG LLC
- Fuel Cell Electric Buses - New Flyer of America, Inc.
- Hybrid Electric Buses - New Flyer of America, Inc.

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

The Transportation, Infrastructure and Planning subcommittee recommended approval of the award on Jan. 18, 2023 by a vote of 4-0.

### **Contract Term**

The contracts (battery electric bus contract, fuel cell electric bus contract, and hybrid electric bus contract) will begin on or about Feb. 1, 2023 for a five-year term.

### **Financial Impact**

The value of the all three contracts together is \$229,882,861. Funds are available in the Public Transit Department's five-year Capital Improvement Program.

### **Responsible Department**

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



**Additional Expenditures for Refuse Body Maintenance and Repair (Ordinance S-49329)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under contracts with American Equipment Services Contract 151913; AMREP Manufacturing Company, LLC Contract 151912; Balar Holding Corp Contract 151911; BTE Body Company Inc. Contract 151910; Spartan Truck Company, Inc. Contract 151909; Short Equipment Inc. Contract 151908; and Terrific Trucks and Equipment Sales LLC Contract 151907 to provide maintenance and repair services for Solid Waste refuse trucks. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$2,000,000.

**Summary**

These contracts ensure quick repair of the refuse trucks to provide timely Solid Waste collection service to City of Phoenix residents. Contractors will perform all work in accordance with the current standards set forth by the original equipment manufacturer (OEM) for electrical, welding and repair of refuse trucks. The additional expenditures are needed due to the increased labor and material costs resulting from the global pandemic's disruptive impact on the supply chain.

**Contract Term**

The initial one-year term of the contracts began on May 1, 2020, with four one-year options to extend, for a total contract term of up to five years.

**Financial Impact**

Upon approval of \$2,000,000 in additional funds for the Public Works Department, the revised aggregate value of the contract will not exceed \$9,000,000. Funds are available in the Public Works Department's budget.

**Concurrence/Previous Council Action**

City Council previously approved the contracts on March 18, 2020 (Ordinance S-46427).

**Responsible Department**

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

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## **Recycling Partnership Grant Opportunity for Improved Recycling and Programs for Fiscal Year 2022 (Ordinance S-49361)**

Request to authorize the City Manager, or his designee, to retroactively apply for, and if awarded, accept, and enter into an agreement for disbursement of grant funding from The Recycling Partnership through its Polypropylene Recycling Request for Proposal Program. If awarded, the grant will be used to support purchase of a polypropylene optical sorter at the 27th Avenue Materials Recovery Facility. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The total grant funds applied for will not exceed \$500,000.

### **Summary**

Plastics continue to be a growing component of the national solid waste stream and new recycling markets have developed for certain types of plastics. Polypropylene, commonly known as #5 plastic, is used to make yogurt containers, some drink containers, and to-go containers. Investment in optical sorting technology will increase capture of polypropylene allowing the City to increase diversion of this material from the landfill, access the market for polypropylene, and further efforts to build a circular economy and achieve zero waste by 2050.

The Recycling Partnership is a national non-profit organization that works with local governments, national brands and industry leaders to improve recycling programs. The Recycling Partnership's polypropylene grant aims to improve and increase sortation and capture of polypropylene in recycling programs.

The Public Works Department is requesting retroactive authorization to submit an application for the Recycling Partnership Polypropylene Recycling Grant Program. If awarded, funding will support purchase of a polypropylene optical sorter at the 27th Avenue Materials Recovery Facility (MRF). The grant was submitted prior to the deadline of Jan. 16, 2023. If not authorized, the grant application can be withdrawn. The Public Works Department is also requesting authorization to enter into agreements to accept the funding if awarded.

### **Financial Impact**

The Public Works Department is requesting grant funds up to \$500,000. If the grant

funds are awarded in full, the City's cost share is estimated at \$175,000. Funding for the City's cost share is available in the Public Works Department's Capital Improvement Program budget.

**Location**

27th Avenue MRF - 3060 S. 27th Ave.

Council District: 7

**Responsible Department**

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



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Agenda Date: 1/25/2023, Item No. 72

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**Amend City Code - Add Article XLIII to Chapter 2 - Ordinance to Establish a Vision Zero Community Advisory Committee (Ordinance G-7069)**

Request to amend Phoenix City Code to add Article XLIII to Chapter 2, establishing a Vision Zero Community Advisory Committee to assist in implementing the Road Safety Action Plan - Moving to Vision Zero.

**Summary**

On Sept. 7, 2022, City Council approved the Road Safety Action Plan - Moving to Vision Zero (RSAP) and the formation of the Vision Zero Community Advisory Committee (Committee). The Committee is created to provide feedback and recommendations regarding implementation of the RSAP.

The Committee will consist of 11 members of the public who are residents of the City. One representative will be appointed by each of the eight Council Districts, and three members will be appointed by the Mayor's Office. The Committee will also include nonvoting members who are City of Phoenix employees from the City Manager's Office, Phoenix Police and Street Transportation departments and non-City employees who are students from either local high schools or local colleges/universities.

The duties and powers of the Committee shall be in an advisory capacity only. The Committee's responsibilities will include reviewing quarterly updates and providing feedback and recommendations regarding the RSAP; requesting future agenda items; and coordinating with related City Council offices.

**Concurrence/Previous Council Action**

The City Council approved the RSAP, formation of the Vision Zero Community Advisory Committee, and the allocation of \$10 million annually for the implementation of the plan on Sept. 7, 2022.

**Responsible Department**

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



**Polymer-Modified Master Seal & Tire Rubber Modified Surface Sealer - RFA 18-133 - Amendment (Ordinance S-49342)**

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 146879 with Musgrove Enterprises LLC dba SealMaster Arizona 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 Ordinance (S-48139).

**Summary**

This contract will provide Polymer-Modified Master (PMM) and Tire Rubber Modified Surface Sealer (TRMSS) to the Street Transportation Department on an as-needed basis. PMM is an environmentally friendly, mineral-filled asphalt emulsion pavement sealer and is used on residential streets. PMM provides superior durability and years of protection against oxidation, water intrusion, and other environmental challenges which reduces the frequency of seal coating and saves maintenance costs. This extension is necessary to provide time for a new solicitation to be completed.

**Contract Term**

Upon approval the contract will be extended through Jan. 31, 2024.

**Financial Impact**

The value of the contract will not exceed \$8,500,000.00 and no additional funds are needed.

**Concurrence/Previous Council Action**

The City Council previously reviewed this request:

- Polymer-Modified Master Seal & Tire Rubber Modified Surface Sealer 146879 (Ordinance S-44230) on Jan. 24, 2018;
- Polymer-Modified Master Seal & Tire Rubber Modified Surface Sealer 146879 (Ordinance S-46838) on July 1, 2020;
- Polymer-Modified Master Seal & Tire Rubber Modified Surface Sealer 146879 (Ordinance S-48139) on Dec. 1, 2021.



**Responsible Department**

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



## **Street Paving Emulsion Products - IFB 18-125 - Amendment (Ordinance S-49345)**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 146963 with Musgrove Enterprises, LLC dba SealMaster Arizona and Contract 146953 with Wright Asphalt Products Co. LLC to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item.

### **Summary**

These contracts will provide paving emulsion products. Asphalt emulsions are environmentally friendly, energy efficient and cost-effective products used for paving and asphalt preservation. The street maintenance crews utilize emulsion products to pave, patch, repair and/or coat major, collector and local streets and parking lots citywide. This extension is necessary to provide sufficient time to complete the new solicitation.

### **Contract Term**

Upon approval the contract will be extended through Feb. 28, 2024.

### **Financial Impact**

The value of the contract will not exceed \$3,150,000 and no additional funds are needed.

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

The City Council previously approved:

- Street Paving Emulsion Products contracts (Ordinance S-44255) on Feb. 7, 2018.

### **Responsible Department**

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



**Request Authorization to Accept Funding and Enter into an Intergovernmental Agreement with the Flood Control District of Maricopa County for the Fiscal Year 2024 Small Project Assistance Program - 3rd Avenue and Thomas Road Drainage Mitigation Project (Ordinance S-49347)**

Request to authorize the City Manager, or his designee, to accept funding and enter into an Intergovernmental Agreement (IGA) with the Flood Control District of Maricopa County (FCDMC), for the Fiscal Year (FY) 2024 Small Project Assistance Program (SPAP) for the 3rd Avenue and Thomas Road Drainage Mitigation project. Further request to authorize the City Treasurer to accept and the City Controller to disburse all funds related to this item. The City's funding of this project will not exceed \$100,000.

**Summary**

The FCDMC SPAP provides an opportunity for cities to cost-share flood hazard mitigation projects through local drainage solutions, with emphasis on projects that mitigate historical flooding issues. The FY 2024 FCDMC SPAP program provides cost-share opportunities for project-related project development costs. In coordination with community members and drainage evaluations, staff submitted a SPAP program application to the FCDMC in September 2022 for the 3rd Avenue and Thomas Road Drainage Mitigation project.

The 3rd Avenue and Thomas Road Drainage Mitigation project was submitted with support from St. Joseph's Hospital and Medical Center - a Dignity Health Hospital, located at 350 W. Thomas Road, near the intersection of 3rd Avenue and Thomas Road. During regular storm events, storm water impedes vehicular and foot traffic on 3rd Avenue and in a five-year or greater rainfall event has the potential to cause structural damage to buildings along 3rd Avenue. This flooding issue has caused the hospital to seek assistance from the City of Phoenix, so the hospital can better serve their vulnerable patients. These flooding complaints were investigated, studied, and warranted submission for SPAP mitigation and participation. The City was notified of the award of this project in October 2022.

**Financial Impact**

The amount of financial assistance from the FCDMC is limited to 75 percent of the project costs or up to \$1 million. The City's cost share will be primarily funded through

a Development Agreement with Dignity Health, up to \$300,000. Any additional funds, which will not exceed \$100,000, will be funded from the Local Drainage Solutions Program in the Street Transportation Department's Capital Improvement Program.

**Location**

3rd Avenue from Thomas Road to Earl Drive  
Council District: 4

**Responsible Department**

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



**Development Agreement with Dignity Health for a Flood Control District Small Project Assistance Program Project - 3rd Avenue and Thomas Road Drainage Mitigation Project (Ordinance S-49348)**

Request to authorize the City Manager, or his designee, to enter into a Development Agreement with Dignity Health for funding participation associated with the 3rd Avenue and Thomas Road Drainage Mitigation project. Further request to authorize the City Treasurer to accept and the City Controller to disburse all funds related to this item. The amount of City participation in this project will not exceed \$100,000.

**Summary**

The Flood Control District of Maricopa County (FCDMC) Small Project Assistance Program (SPAP) provides an opportunity for cities to cost-share flood hazard mitigation projects through local drainage solutions, with emphasis on projects that mitigate historical flooding issues. The Fiscal Year 2024 FCDMC SPAP program provides cost-share opportunities for project-related project development costs. In coordination with community members and drainage evaluations, Street Transportation staff submitted a FCDMC SPAP application in September 2022 for the 3rd Avenue and Thomas Road Drainage Mitigation project.

The 3rd Avenue and Thomas Road Drainage Mitigation project was submitted with support from St. Joseph's Hospital and Medical Center - a Dignity Health Hospital, located at 350 W. Thomas Road, near the intersection of 3rd Avenue and Thomas Road. During regular storm events, storm water impedes vehicular and foot traffic on 3rd Avenue and in a five-year or greater rainfall event has the potential to cause structural damage to buildings along 3rd Avenue. This flooding issue has caused the hospital to seek assistance from the City of Phoenix, so the hospital can better serve their vulnerable patients. These flooding complaints were investigated, studied, and warranted submission of this project for SPAP mitigation and participation. The City was notified of the award of this project in October 2022.

**Financial Impact**

The amount of financial assistance from Dignity Health is limited to \$300,000. A separate Intergovernmental Agreement with the FCDMC will contribute 75 percent of the project costs or up to \$1 million. Any additional funds, which will not exceed

\$100,000, will be funded by the City from the Local Drainage Solutions Program in the Street Transportation Department's Capital Improvement Program.

**Location**

3rd Avenue: Thomas Road to Earl Drive  
Council District: 4

**Responsible Department**

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



## **Development Agreement with Central Arizona Water Conservation District for Roadway Improvements (Ordinance S-49356)**

Request to authorize the City Manager, or his designee, to enter into a Development Agreement with Central Arizona Water Conservation District (CAWCD) for roadway improvements along Central Avenue south of the Central Arizona Project Canal.

### **Summary**

This Development Agreement will encompass two phases of roadway improvements. The obligations for each phase are as follows:

Phase I - In 2023, CAWCD will construct an interim asphalt driveway connection from CAWCD's Headquarter campus west property line to Central Avenue and provide minimum necessary improvements to Central Avenue for safety and traffic flow.

Phase II - No later than the end of calendar year 2025, CAWCD's improvements to Central Avenue, shall include dedication of the necessary rights-of-way with an additional 10-foot sidewalk easement for a driveway, pavement, curb and gutter to meet the City's Street classification requirements. Sidewalk, landscaping, and streetlights are not anticipated with Phase II nor will become the future responsibility of CAWCD.

The City will complete the design, construction and construction administration of the Phase II roadway improvements, with all costs being fully reimbursed by CAWCD.

### **Financial Impact**

All City design, construction and construction administration costs will be fully reimbursed by CAWCD.

### **Location**

Central Avenue: Pinnacle Peak Road to Misty Willow Lane  
Council District: 1

### **Responsible Department**

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



**Salt River Project Construction License for Subsurface Utility Excavation Purposes at 5th Avenue and Encanto Boulevard - ST87110157 (Ordinance S-49368)**

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for Subsurface Utility Excavation purposes. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

**Summary**

The purpose of this license is to allow the City's on-call contractor to perform Subsurface Utility Excavation (SUE) to determine the depth of Salt River Project irrigation facilities. It is expected that these facilities are within the scope of the Street Transportation Department's 3rd and 5th avenues: McDowell Road to Thomas Road (ST87110157) project. Depth verification allows the City to design accordingly to avoid underground utility conflicts.

**Contract Term**

The term of the Construction License is one year, beginning when the Notice to Proceed date is issued to the on-call SUE contractor, on or about Jan. 30, 2023.

**Financial Impact**

There is no financial impact to the City of Phoenix.

**Location**

5th Avenue and Encanto Boulevard  
Council District: 4

**Responsible Department**

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





**Salt River Project Construction License for Subsurface Utility Excavation Purposes on Durango Street between Central Avenue and 3rd Street - ST87500052 (Ordinance S-49369)**

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for Subsurface Utility Excavation purposes. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-40 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

**Summary**

The purpose of this license is to allow the City's project consultant to coordinate Subsurface Utility Excavation to determine the depth of Salt River Project irrigation facilities. It is expected that these facilities are within the scope of the Street Transportation Department's Durango Street Low Impact Development: Central Avenue to 5th Street (ST87500052) project. Depth verification allows the City to design accordingly to avoid underground utility conflicts.

**Contract Term**

The term of the Construction License is one year, beginning when the Notice to Proceed date is issued, on or about Jan. 30, 2023.

**Financial Impact**

There is no financial impact to the City of Phoenix.

**Location**

Durango Street between Central Avenue and 3rd Street.  
Council District: 8

**Responsible Department**

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



**Salt River Project Distribution Design and Construction Contract for Traffic Signal Improvements at 67th Avenue and Indian School Road - ST89340584 (Ordinance S-49370)**

Request to authorize the City Manager, or his designee, to enter into a Distribution Design and Construction Contract with Salt River Project (SRP) for design and construction of electrical facilities at 67th Avenue and Indian School Road for City of Phoenix Project ST89340584. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. Additionally request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$15,799.25.

**Summary**

The City is constructing traffic signal improvements at the intersection of 67th Avenue and Indian School Road, which requires design and construction of new electrical facilities. This contract represents the cost for Salt River Project's design and construction in order to provide power services to the new traffic signal.

**Contract Term**

The contract will begin on or about Jan. 30, 2023, and will expire when the project is completed and accepted.

**Financial Impact**

Funding in the amount of \$15,799.25 is available in Street Transportation's Capital Improvement Program budget.

**Location**

67th Avenue and Indian School Road  
Council Districts: 5 and 7

**Responsible Department**

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



## **Salt River Project Construction License for Lift Station 49 Redundant Force Main - WS90501002 (Ordinance S-49371)**

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project (SRP) for work associated with a City of Phoenix Water Services project. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

### **Summary**

The City is constructing a redundant force sewer main for Lift Station 49 and the purpose of this license is to allow two sewer line bridge attachments to an SRP bridge structure in the area of 12th Street and the Arizona Canal. This work is in conjunction with City Project WS90501002.

### **Contract Term**

The term of the Construction License is one year, effective when the City begins construction, expected to be after Jan. 30, 2023.

### **Financial Impact**

There is no financial impact to the City of Phoenix.

### **Location**

12th Street and Arizona Canal  
Council District: 6

### **Responsible Department**

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



**Salt River Project Construction License for Subsurface Utility Excavation Purposes on 35th Avenue from Bethany Home Road to Glendale Avenue - ST85100416 (Ordinance S-49372)**

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for Subsurface Utility Excavation purposes. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

**Summary**

The purpose of this license is to allow the City's on-call contractor to perform Subsurface Utility Excavation (SUE) to determine the depth of Salt River Project irrigation facilities. It is expected that these facilities are within the scope of the Street Transportation Department's 35th Avenue: Bethany Home Road to Glendale Avenue (ST85100416) project. Depth verification allows the city to design accordingly to avoid underground utility conflicts.

**Contract Term**

The term of the Construction License is one year, beginning when the Notice to Proceed date is issued to the on-call SUE contractor, on or about Jan. 30, 2023.

**Financial Impact**

There is no financial impact to the City of Phoenix.

**Location**

35th Avenue; Bethany Home Road to Glendale Avenue  
Council District: 5

**Responsible Department**

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



## **Salt River Project Facility Relocation Agreement - Camelback Road and 44th Street - Salt River Project Aesthetics (Ordinance S-49373)**

Request to authorize the City Manager, or his designee, to enter into a Facility Relocation Agreement with Salt River Project for electrical facilities along 44th Street north of Camelback Road. Further request the City Council to grant an exception pursuant to Phoenix City Code section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18.

### **Summary**

Salt River Project (SRP) currently has overhead electrical facilities on 44th Street north of Camelback Road, which will be relocated underground in accordance with an approved SRP Municipal Aesthetics Program project, which is being used to convert the overhead electrical facilities to underground.

A Facility Relocation Agreement (FRA) will be executed to include addressing potential future relocation costs if future relocation of underground electrical facilities is caused by a City project. Because the project uses SRP Municipal Aesthetics Program funds to underground the existing electrical facilities, the FRA states the City will pay 100 percent of any potential future relocation costs. The FRA will contain additional terms and conditions deemed necessary and appropriate to facilitate future electrical relocations.

### **Financial Impact**

There is no financial impact to the City of Phoenix.

### **Location**

44th Street north of Camelback Road  
Council District: 6

### **Responsible Department**

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



## **Industrial and Non-Inert Gas Pipeline License Agreements with Linde Incorporated (Ordinance S-49374)**

Request to authorize the City Manager, or his designee, to execute two non-exclusive, revocable licenses with Linde Incorporated to construct, install, operate, maintain, and use the public highways in the City of Phoenix in order to provide both industrial and non-inert gas services in, under, over, and across public rights-of-way in 51st Avenue, from Dove Valley Road to Loop 303, subject to the terms and conditions contained in the licenses and Phoenix City Code. Also request that the licensee sign the licenses within 60 days of Council action, or this authorization will expire.

### **Summary**

The licenses will be for a period of 15 years, contain appropriate insurance and indemnification provisions, require performance bonds and security funds, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way.

### **Contract Term**

The request is for one 15-year Industrial Gas Services License and one 15-year Non-Inert Gas Services License, each with options for two additional 10-year renewals.

### **Financial Impact**

Per Phoenix City Code Chapter 5A, Licensee will pay to the City an annual combined fee of up to \$125,000 for industrial and non-inert gas pipelines within 51st Avenue between Dove Valley Road and Loop 303.

### **Location**

51st Avenue, Dove Valley Road to Loop 303  
Council District: 1

### **Responsible Department**

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



**Electrical Motor Drives and Maintenance, Foster Electric Motor Service, Inc. - Amendment (Ordinance S-49330)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 142995, with Foster Electric Motor Service, Inc. to provide additional funding to the agreement. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed \$350,000.

**Summary**

The purpose of this amendment is to request additional payment authority of \$350,000 for electrical motor drives and maintenance required by the Phoenix Convention Center Department (PCCD). This agreement will provide the necessary service(s) to remove, overhaul, upgrade and reinstall 10 electric fan motors in the north garage and 10 electric fan motors in the west garage at the PCCD. The electric motors' expected lifecycle is 15 years; the north building motors are 14 years old, and the west building motors are 16 years old. Electric fan motors are a critical component of the garages for public health reasons, as the fan motors remove carbon monoxide as well as circulate fresh air throughout the structure. These motors are one of two components necessary for the project. The additional equipment is being requested under a different contract. This additional pay authority will support a PCCD capital improvement project to be completed this fiscal year.

**Contract Term**

The contract term will remain unchanged, ending on June 30, 2023.

**Financial Impact**

The initial authorization for Electrical Motors Drives and Maintenance was for an expenditure not-to-exceed \$5,000,000. This amendment will increase the authorization for agreement by an additional \$350,000, for a new total, not-to-exceed agreement value of \$5,350,000.

Funding is available in the Phoenix Convention Center Department operating and capital improvement program budgets.

**Concurrence/Previous Council Action**

The City Council approved Electrical Motor Drives and Maintenance Agreement 142995 (Ordinance S-42596) on June 1, 2016.

**Responsible Department**

This item is submitted by Deputy City Managers Inger Erickson and Karen Peters and the Phoenix Convention Center and Water Services departments.





**91st Avenue Wastewater Treatment Plant Facility Master Plan Update - Engineering Services - WS90100115 (Ordinance S-49338)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Arcadis U.S., Inc., to provide Engineering Services for a study for the 91st Avenue Wastewater Treatment Plant Facility Master Plan Update project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$1.5 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 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. This authorization excludes any transaction involving an interest in real property.

**Summary**

The purpose of this project is to develop a path for the future operation of the 91st Avenue Wastewater Treatment Plant (WWTP) based on flow and loading projections for the five Sub-Regional Operating Group (SROG) cities through the planning period and update the facility-specific recommendations within the 10-year business plan for the 91st Avenue WWTP to meet both current and future demands.

Arcadis U.S., Inc.'s services include, but are not limited to: development of a facility master plan that includes compilation/evaluation of SROG flow and loadings, evaluation of future regulatory and end user requirements, determination of existing plant capacity, evaluation of operations and maintenance staffing levels, impacts of current rehabilitation and replacement projects, improvement alternatives, identification of improvement trigger levels, and evaluation of regional water resources potential. This also includes conducting all necessary meetings and workshops with SROG and

City staff, as well as coordination with other SROG consultants as required to complete the development of the facility master plan.

The 91st Avenue WWTP is owned by SROG and operated by the City of Phoenix.

### **Procurement Information**

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

#### Selected Firm

Rank 1: Arcadis U.S., Inc.

#### Additional Proposers

Rank 2: Hazen and Sawyer, P.C.

Rank 3: Black & Veatch Corporation

### **Contract Term**

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

### **Financial Impact**

The agreement value for Arcadis U.S., Inc. will not exceed \$1.5 million, including all subconsultant and reimbursable costs.

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

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

The SROG Advisors authorized the project on Nov. 9, 2022.

### **Location**

91st Ave. Wastewater Treatment Plant

Council District: 7

### **Responsible Department**

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

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## **91st Avenue Wastewater Treatment Plant, Plant 2B Rehabilitation - Engineering Services Amendment - WS90100112 (Ordinance S-49339)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 153379 with Hazen and Sawyer, P.C. to provide additional Engineering Services for the 91st Avenue Wastewater Treatment Plant, Plant 2B 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 additional fee for services included in this amendment will not exceed \$6 million.

### **Summary**

The purpose of this project is to rehabilitate or replace assets throughout Plant 2B at the 91st Avenue Wastewater Treatment Plant (WWTP) and incorporate current technologies and equipment.

This amendment is necessary to add additional construction administration services. This amendment will provide additional funds and time to the agreement.

The 91st Avenue WWTP is owned by the Sub-Regional Operating Group (SROG) and operated by the City of Phoenix.

### **Contract Term**

The term of the agreement amendment is for up to 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 initial agreement for Engineering Services was approved for an amount not to exceed \$4 million, including all subconsultant and reimbursable costs.
- This amendment will increase the agreement by an additional \$6 million, for a new total amount not to exceed \$10 million, including all subconsultant and reimbursable costs.

Funding for this amendment is available in the Water Services Department's Capital Improvement Program budget utilizing SROG funds.

**Concurrence/Previous Council Action**

- The SROG Advisors authorized the project on Sept. 9, 2020; and
- The SROG Advisors authorized Construction Administration Services on Nov. 9, 2022.

The City Council approved:

- Engineering Services Agreement 153379 (Ordinance S-47068) on Nov. 18, 2020.

**Location**

91st Avenue WWTP  
Council District: 7

**Responsible Department**

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



## **Oracle Advanced Security Licensing and Maintenance (Ordinance S-49354)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Oracle America Inc, under Oracle Master Agreement 142562-AR-001, to obtain Oracle Advanced Security licenses and maintenance for the Water Services Department. Further request authorization for the City Controller to disburse all funds in an amount not to exceed \$321,793.

### **Summary**

The Water Services Department (WSD) Process Control Technology Support Division, is requesting payment authority to add Oracle Advanced Security Licenses and maintenance to Process Control Technology Support Division's existing Oracle platform. Oracle products are used as an integral part of the daily operations of WSD. Implementing the Oracle 19C Advanced Security option will improve overall security posture and help protect critical control system information. This is part of the Risk Management Planning and aligns with the Cross-Sector Cyber Security Performance Goals Common Baseline Controls List.

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

### **Agreement Term**

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

Funding is available in the Water Services Department Operating budget.

### **Financial Impact**

The agreements total cost is anticipated not exceed \$321,793, including taxes.

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

City Council approved:

Oracle Master Agreement 142562 (Ordinance S-47326) on Feb. 17, 2021;

Oracle Software Partitioning License (Ordinance S-48442) on March 23, 2022.

**Responsible Department**

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



**Final Plat - North Valley Industrial Park Phase II - PLAT 220050 - North of Pinnacle Peak Road and West of 7th Street**

Plat: 220050  
Project: 21-5652  
Name of Plat: North Valley Industrial Park Phase II  
Owner: AZ Deer Valley Industrial LP  
Engineer: Geoffrey K. Brimhall, RLS  
Request: A One-Lot Commercial Plat  
Reviewed by Staff: Dec. 8, 2022  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located north of Pinnacle Peak Road and west of 7th Street  
Council District: 1

**Responsible Department**

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



**Final Plat - Echo Park - PLAT 210065 - Southeast Corner of 31st Avenue and Glendale Avenue**

Plat: 210065  
Project: 17-2664  
Name of Plat: Echo Park  
Owner: Cryptomonde, LLC  
Engineer: Dennis Frank Keogh, RLS  
Request: A 30-Lot Residential Plat  
Reviewed by Staff: Dec. 23, 2022  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located at the southeast corner of 31st and Glendale avenues  
Council District: 5

**Responsible Department**

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





**Final Plat - The Coolidge Place - PLAT 220032 - West of 31st Street and South of Coolidge Street**

Plat: 220032  
Project: 99-37221  
Name of Plat: The Coolidge Place  
Owner: Arroyo Properties, LLC  
Engineer: Paul M. Miller, RLS  
Request: A Three-Lot Residential Plat  
Reviewed by Staff: Nov. 9, 2022  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located west of 31st Street and south of Coolidge Street  
Council District: 6

**Responsible Department**

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



Report

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Agenda Date: 1/25/2023, Item No. 92

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**Final Plat - A Replat of Final Plat of Dobbins Ranch Retail Center - PLAT 220073 - Northwest Corner of 51st Avenue and Dobbins Road**

Plat: 220073

Project: 06-1995

Name of Plat: A Replat of Final Plat of Dobbins Ranch Retail Center

Owner: Pacific Western Holdings, LLC

Engineer: Michael J. Thompson, RLS

Request: A One-Lot Commercial Plat

Reviewed by Staff: Dec. 22, 2022

Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located at the northwest corner of 51st Avenue and Dobbins Road

Council District: 8

**Responsible Department**

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



**Final Plat - Sherman Street Signal Building - PLAT 210104 - Southeast Corner of Central Avenue and Sherman Street**

Plat: 210104

Project: 19-1766

Name of Plat: Sherman Street Signal Building

Owner: City of Phoenix, Municipal Corporation

Engineer: Alan D. Reese, RLS

Request: A One-Lot Commercial Plat

Reviewed by Staff: Dec. 22, 2022

Final Plat requires Formal Action Only

**Summary**

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment's 210062 & 220013. The sequence of recording is that the resolution of abandonment is recorded first and the plat second.

**Location**

Generally located at the southeast corner of Central Avenue and Sherman Street  
Council District: 8

**Responsible Department**

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



Report

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Agenda Date: 1/25/2023, Item No. 94

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**Abandonment of Right-of-Way - ABND 220057 - Northeast Corner of 59th Avenue and Elliot Road (Resolution 22092)**

Abandonment: ABND 220057

Project: 17-234

Applicant: Sandbox Development Consultants

Request: To abandon a portion of the 55-foot right-of-way per the exhibit submitted, at the intersection of 59th Avenue and Elliot Road on the northeast corner.

Date of Decision/Hearing: Oct. 27, 2022

**Location**

Northeast corner of 59th Avenue and Elliot Road

Council District: 8

**Financial Impact**

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

**Responsible Department**

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



## **Abandonment of Right-of-Way - ABND 210062 - Central Avenue and 1st Avenue (Resolution 22093)**

Abandonment: ABND 210062

Project: 19-1826

Applicant: Luis Mota, Valley Metro

Request: To abandon a portion of the existing gore right-of-way at Central Avenue and 1st Avenue immediately south of the parcel identified by APN 112-23-058.

Date of Decision/Hearing: Feb. 3, 2022

### **Summary**

The resolution of this abandonment, along with the resolution of ABND 220013 and PLAT 210104, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recordings to be followed is that the resolutions are recorded first, then the plat is recorded second.

### **Financial Impact**

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

A fee was waived in this right-of-way abandonment since the City will retain fee title ownership of the land to be abandoned.

### **Location**

Central Avenue and 1st Avenue

Council District: 8

### **Responsible Department**

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



**Abandonment of Easement - ABND 220013 - Sherman Street and 1st Avenue Crossover (Resolution 22094)**

Abandonment: ABND 220013

Project: 19-1826

Applicant: Ronald F. Szwiec, Jr.

Request: To abandon the one-foot vehicular non-access easement adjacent to the west property line of the parcel identified by APN 112-23-058.

Date of Decision/Hearing: Mar. 22, 2022

**Summary**

The resolution of this abandonment, along with the resolution of ABND 210062 and PLAT 210104, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recordings to be followed is that the resolutions are recorded first, then the plat is recorded second.

**Location**

Sherman Street and 1st Avenue Crossover

Council District: 8

**Financial Impact**

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

**Responsible Department**

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



**Modification of Stipulation Request for Ratification of Dec. 21, 2022 Planning Hearing Officer Action - PHO-6-22--Z-14-05-1 - Approximately 1,000 feet South of the Southeast Corner of 7th Avenue and Happy Valley Road**

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

**Summary**

Application: PHO-6-22--Z-14-05-1

Existing Zoning: A-1 DVAO

Acreage: 44.91

Owner: DIDSTRAW LLC, et al.

Applicant and Representative: Michael S. Buschbacher, Earl & Curley PC

**Proposal:**

1. Modification of Stipulation 1 regarding general conformance with the site plans date stamped Dec. 16, 2020, (PHO-3-20) and July 7, 2022 (PHO-5-22).
2. Modification of Stipulation 2 (PHO-3-20) regarding landscape setbacks along 7th Avenue and Misty Willow Lane.
3. Modification of Stipulation 7 (PHO-3-20) regarding right-of-way for Misty Willow Lane.
4. Deletion of Stipulation 10 regarding a bus bay on Happy Valley Road (PHO-3-20).

**Concurrence/Previous Council Action**

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

Planning Hearing Officer (PHO) Recommendation: The Planning Hearing Officer recommended approval with an additional stipulation.

**Location**

Approximately 1,000 feet south of the southeast corner of 7th Avenue and Happy Valley Road

Council District: 1  
Parcel Address: n/a

**Responsible Department**

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



## Attachment A – Stipulations – PHO-6-22—Z-14-05-1

**Location:** Approximately 1,000 feet south of the southeast corner of 7th Avenue and Happy Valley Road

### **STIPULATIONS:**

***PHO recommended legislative edit of stipulations applicable to that portion of the site subject to PHO-3-20—Z-14-05-1.***

GENERAL CONFORMANCE	
1.	The development shall be in general conformance with the site plan date stamped OCTOBER 20, 2022 <del>December 16, 2020</del> , as approved or modified BY THE FOLLOWING STIPULATIONS AND APPROVED by the Planning and Development Department.
2.	An average 20-foot (minimum 10-foot) landscape setback shall be required along 7th Avenue and an average 10-foot (minimum 5-foot) landscape setback shall be required along ALAMEDA ROAD <del>Misty Willow Lane</del> and all internal streets, as approved by the Planning and Development Department.
TRAILS	
3.	The applicant shall provide two pedestrian access points to the regional trail system located adjacent to the CAP Canal via the two public streets adjacent to the canal, as approved by the Planning and Development Department.
ARCHAEOLOGICAL	
4.	The subject site has the potential to contain archaeological resources. The applicant shall submit an archaeological survey for review and approval by the City Archaeologist (602) 495-0901 prior to preliminary approval.
NOTIFICATION	
5.	At such time as the sale of any parcel, the property owner shall record documents that disclose to purchasers or occupants of property within the development(s) the existence and operational characteristics of Deer Valley Airport. The form and content of such documents shall be reviewed by the City Attorney.

6.	The property owner shall record documents that disclose to prospective purchasers of property within the developments the nature of environmental remediation activities at the former site of the Goodrich Universal Propulsion Company. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
STREETS AND TRANSPORTATION	
7.	THE DEVELOPER SHALL PERFECT THE EXISTING 55-FOOT RIGHT OF-WAY EASEMENT FOR THE EAST HALF OF 7TH AVENUE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
8.	THE DEVELOPER SHALL DEPOSIT FUNDS IN ESCROW TO THE STREET TRANSPORTATION DEPARTMENT THAT COVER 25% OF THE COST FOR A TRAFFIC SIGNAL AT 7TH AVENUE AND HAPPY VALLEY ROAD AND 25% OF THE COST FOR A TRAFFIC SIGNAL AT 7TH AVENUE AND ALAMEDA ROAD, PRIOR TO PRELIMINARY SITE PLAN APPROVAL.
9.	THE DEVELOPER SHALL CONSTRUCT MINIMUM 5-FOOT-WIDE DETACHED SIDEWALKS ALONG 7TH AVENUE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
10. <del>7.</del>	The developer shall dedicate 40 feet of right-of-way for the north half of ALAMEDA ROAD <del>Misty Willow Lane (Alameda Road alignment)</del> , as approved by the Planning and Development Department.
11. <del>8.</del>	Right-of-way totaling 70 feet shall be dedicated for the south half of Happy Valley Road.
12. <del>9.</del>	A 21-foot by 21-foot right-of-way triangle shall be dedicated at the southeast corner of 7th Avenue and Happy Valley Road.
<del>10.</del>	<del>Sufficient right of way shall be dedicated to accommodate a bus bay on Happy Valley Road at 7th Avenue.</del>
13. <del>11.</del>	The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.
14. <del>12.</del>	The applicant shall submit paving plans for all arterial streets within and adjacent to the development, to the Street Transportation Department for review and approval.

15. <del>13.</del>	The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
16.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

**Stipulations: PHO-5-22—Z-14-05-1**

***PHO recommended legislative edit of stipulations applicable to that portion of the site subject to PHO-5-22—Z-14-05-1.***

GENERAL CONFORMANCE	
1.	The development shall be in general conformance with the site plan date stamped OCTOBER 20, 2022 <del>July 7, 2022</del> , as modified by the following stipulations and approved by the Planning and Development Department.
2.	An average 20-foot (minimum 10-foot) landscape setback shall be required along 7th Avenue and an average 10-foot (minimum 5-foot) landscape setback shall be required along Alameda Road and all internal streets, as approved by the Planning and Development Department.
TRAILS	
3.	The applicant shall provide two pedestrian access points to the regional trail system located adjacent to the CAP Canal via the two public streets adjacent to the canal, as approved by the Planning and Development Department.
ARCHAEOLOGICAL	
4.	The subject site has the potential to contain archaeological resources. The applicant shall submit an archaeological survey for review and approval by the City Archaeologist (602) 495-0901 prior to preliminary approval.
NOTIFICATION	

5.	At such time as the sale of any parcel, the property owner shall record documents that disclose to purchasers or occupants of property within the development(s) the existence and operational characteristics of Deer Valley Airport. The form and content of such documents shall be reviewed by the City Attorney.
6.	The property owner shall record documents that disclose to prospective purchasers of property within the development(s) the nature of environmental remediation activities at the former site of the Goodrich Universal Propulsion Company. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
STREETS AND TRANSPORTATION	
7.	The developer shall perfect the existing 55-foot right of-way easement for the east half of 7th Avenue, as approved by the Planning and Development Department.
8.	The developer shall deposit funds in escrow to the Street Transportation Department that cover 25% of the cost for a traffic signal at 7th Avenue and Happy Valley Road and 25% of the cost for a traffic signal at 7th Avenue and Alameda Road, prior to preliminary site plan approval.
9.	The developer shall construct minimum 5-foot-wide detached sidewalks along 7th Avenue, as approved by the Planning and Development Department.
10.	The developer shall dedicate 40 feet of right-of-way for the north half of Alameda Road, as approved by the Planning and Development Department.
11.	Right-of-way totaling 70 feet shall be dedicated for the south half of Happy Valley Road.
12.	A 21-foot by 21-foot right-of-way triangle shall be dedicated at the southeast corner of 7th Avenue and Happy Valley Road.
13.	The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.

14.	The applicant shall submit paving plans for all arterial streets within and adjacent to the development, to the Street Transportation Department for review and approval.
15.	The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
16.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

**Final Stipulations: PHO-6-22—Z-14-05-1**

***Final stipulations reflecting the PHO recommended legislative edits of both PHO-3-20—Z-14-05-1 and PHO-5-22—Z-14-05-1, resulting in a single set of stipulations for PHO-6-22—Z-14-05-1.***

GENERAL CONFORMANCE	
1.	The development shall be in general conformance with the site plan date stamped October 20, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2.	An average 20-foot (minimum 10-foot) landscape setback shall be required along 7th Avenue and an average 10-foot (minimum 5-foot) landscape setback shall be required along Alameda Road and all internal streets, as approved by the Planning and Development Department.
TRAILS	
3.	The applicant shall provide two pedestrian access points to the regional trail system located adjacent to the CAP Canal via the two public streets adjacent to the canal, as approved by the Planning and Development Department.
ARCHAEOLOGICAL	
4.	The subject site has the potential to contain archaeological resources. The applicant shall submit an archaeological survey for review and

	approval by the City Archaeologist (602) 495-0901 prior to preliminary approval.
<b>NOTIFICATION</b>	
5.	At such time as the sale of any parcel, the property owner shall record documents that disclose to purchasers or occupants of property within the development(s) the existence and operational characteristics of Deer Valley Airport. The form and content of such documents shall be reviewed by the City Attorney.
6.	The property owner shall record documents that disclose to prospective purchasers of property within the development(s) the nature of environmental remediation activities at the former site of the Goodrich Universal Propulsion Company. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
<b>STREETS AND TRANSPORTATION</b>	
7.	The developer shall perfect the existing 55-foot right of-way easement for the east half of 7th Avenue, as approved by the Planning and Development Department.
8.	The developer shall deposit funds in escrow to the Street Transportation Department that cover 25% of the cost for a traffic signal at 7th Avenue and Happy Valley Road and 25% of the cost for a traffic signal at 7th Avenue and Alameda Road, prior to preliminary site plan approval.
9.	The developer shall construct minimum 5-foot-wide detached sidewalks along 7th Avenue, as approved by the Planning and Development Department.
10.	The developer shall dedicate 40 feet of right-of-way for the north half of Alameda Road, as approved by the Planning and Development Department.
11.	Right-of-way totaling 70 feet shall be dedicated for the south half of Happy Valley Road.
12.	A 21-foot by 21-foot right-of-way triangle shall be dedicated at the southeast corner of 7th Avenue and Happy Valley Road.
13.	The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals as per plans

	approved by the City. All improvements shall comply with all ADA accessibility standards.
14.	The applicant shall submit paving plans for all arterial streets within and adjacent to the development, to the Street Transportation Department for review and approval.
15.	The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
16.	Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.



**Modification of Stipulation Request for Ratification of Dec. 21, 2022 Planning Hearing Officer Action - PHO-1-22--Z-48-97-2 - Southwest Corner of Cave Creek Road and Lone Cactus Drive**

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

**Summary**

Application: PHO-1-22--Z-48-97-2

Existing Zoning: C-2 DVAO

Acreage: 2.27

Owner: Jaca Properties LLC

Applicant and Representative: Jenifer Tedrick, SEG LLC

**Proposal:**

1. Deletion of Stipulation 1 regarding development of a plant nursery within 24 months of City Council's approval.
2. Modification of Stipulation 2 regarding general conformance with the site plan dated April 4, 1997.
3. Technical correction to Stipulation 9.

**Concurrence/Previous Council Action**

Village Planning Committee (VPC) Recommendation: The Paradise Valley Village Planning Committee heard this case on Dec. 5, 2022, and recommended approval by a vote of 17-0.

Planning Hearing Officer (PHO) Recommendation: The Planning Hearing Officer recommended approval with a modification and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

**Location**

Southwest corner of Cave Creek Road and Lone Cactus Drive

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Council District: 2  
Parcel Address: n/a

**Responsible Department**

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

## Attachment A – Stipulations – PHO-1-22—Z-48-97-2

**Location:** Southwest corner of Cave Creek Road and Lone Cactus Drive

### **Stipulations:**

1.	<del>That the approval be conditioned on the development of the site as a plant nursery within 24 months of City Council's approval of the zone change in accordance with Section 506.B.1 of the Zoning Ordinance and that the zoning not vest until final site plan approval by the Development Services Department.</del>
1. 2.	<del>That the site be developed</del> THE DEVELOPMENT SHALL BE in general conformance with the site plan DATE STAMPED OCTOBER 27, 2022, submitted in support of the rezoning application dated April 4, 1997, except as may be modified BY THE FOLLOWING to incorporate the stipulations and the requirements of APPROVED BY the PLANNING AND Development Services Department.
2. 3.	<del>That</del> A minimum 6' high concrete block or masonry fence incorporating decorative detailing and high quality finished surfaces SHALL be constructed along the southerly and westerly property lines.
3. 4.	<del>That</del> A maximum 3' high concrete or masonry fence, with wrought iron view fence above that incorporating decorative detailing and high quality finished surfaces, SHALL be constructed along the easterly and northerly property lines abutting Cave Creek Road and Lone Cactus Road.
4. 5.	<del>That</del> The aforementioned walls/fences and the architectural detailing of the building(s), signage and lighting, and other site plan features SHALL be coordinated to present a high quality image consistent with Commerce Park/Business Park standards.
5. 6.	<del>That</del> Enhanced landscaping SHALL be undertaken along the Cave Creek Road side of the property within the setback area and within the landscaped portion of the Cave Creek Road right-of-way.
6. 7.	<del>That</del> The area shown as bulk storage and deliveries SHALL be landscaped and screened from external views of the property so that it does not detract from the visual qualities of the property.
7. 8.	<del>That</del> On-site lighting SHALL be reviewed to ensure that it does not disturb neighboring properties.

8.	That The Cave Creek half road SHALL be constructed, asphalted, curbed and landscaped across the frontage of the property as approved by the PLANNING AND Development Services Department.
9.	
9.	THE DEVELOPER SHALL REPLENISH THE EXISTING LANDSCAPE AREA LOCATED BETWEEN BACK OF CURB AND SIDEWALK TO ACHIEVE 50 PERCENT SHADE AT MATURITY. PLANTING TYPE, FREQUENCY, AND SIZE SHALL BE DETERMINED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. THE DEVELOPER SHALL BE RESPONSIBLE FOR ALL LANDSCAPE AND IRRIGATION MAINTENANCE LOCATED IN THE RIGHT-OF-WAY.
10.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.



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Agenda Date: 1/25/2023, Item No. 99

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**Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-22--Z-26-22-4 - Approximately 430 Feet East of the Northeast Corner of Central Avenue and Osborn Road (Ordinance G-7070)**

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Dec. 21, 2022.

**Summary**

Application: PHO-1-22--Z-26-22-4

Existing Zoning: WU Code T5:6 MT

Acreage: 4.10

Applicant: Mill Creek Residential

Owner: 3443 North Central LLC

Representative: Nick Wood, Snell & Wilmer LLP

**Proposal:**

1. Modification of Stipulation one regarding a five-foot-wide detached sidewalk and minimum 10-foot-wide landscape area.

**Concurrence/Previous Council Action**

Village Planning Committee (VPC) Recommendation: The Encanto Village Planning Committee heard this case on Dec. 5, 2022, and recommended approval with an additional stipulation by a vote of 7-6.

Planning Hearing Officer (PHO) Recommendation: The Planning Hearing Officer recommended approval with a modification and an additional stipulation. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

**Location**

Approximately 430 feet east of the northeast corner of Central Avenue and Osborn Road

Council District: 4

Parcel Address: n/a

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**Responsible Department**

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

## ATTACHMENT A

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

### ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO  
REZONING APPLICATION Z-26-22-4 PREVIOUSLY APPROVED BY  
ORDINANCE G-7031.

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BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as  
follows:

SECTION 1. The zoning stipulations applicable located approximately  
430 feet east of the northeast corner of Central Avenue and Osborn Road in a portion  
of Section 29, Township 2 North, Range 3 East, as described more specifically in  
Attachment “A”, are hereby modified to read as set forth below.

#### STIPULATIONS:

1. The developer shall construct a minimum 5-foot-wide detached sidewalk  
and minimum 5 40-foot-wide landscape area located between the back of  
curb and sidewalk along the north side of Osborn Road planted to the  
following standards. IN ADDITION, THE DEVELOPER SHALL PROVIDE  
AN ADDITIONAL 3’ 6” LANDSCAPE AREA LOCATED BEHIND THE  
BACK OF SIDEWALK ALONG 50% OF THE OSBORN ROAD  
FRONTAGE, AS APPROVED BY THE PLANNING AND  
DEVELOPMENT DEPARTMENT. Where utility conflicts exist, the  
developer shall work with the Planning and Development Department on  
alternative design solutions consistent with the creation of a comfortable  
pedestrian environment.
  - a. All trees shall be of a large canopy, shade, and single-trunk variety  
with a minimum 3-inch caliper.

- b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
  - c. Drought tolerant shrubs and vegetative groundcovers maintained to a maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
- 2. The developer shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
  - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
  - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 required spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
  - c. A bicycle repair station ("fix it station") shall be provided and maintained by the developer near secure bicycle parking area.
- 3. The developer shall dedicate a sidewalk easement for any streetscape area that falls outside of dedicated right-of-way, as approved by the Planning and Development Department.
- 4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- 5. Developer to record a Notice to Prospective Purchasers of Proximity to Airport, as required by the State, prior to final site plan approval.
- 6. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the FAA and a "NO Hazard Determination" obtained prior to the construction start date.
- 7. The developer shall grant and record an aviation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
- 8. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing

activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

9. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims form. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-7031 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-7031 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 25th day of January, 2023.

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MAYOR

ATTEST:

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Denise Archibald, City Clerk



APPROVED AS TO FORM:  
Julie Kriegh, City Attorney

By:

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REVIEWED BY:

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Jeffrey Barton, City Manager

Exhibits:

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-22—Z-26-22-4

LOCATED IN THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER, FROM WHICH THE EAST QUARTER CORNER BEARS SOUTH 89 DEGREES 23 MINUTES 59 SECONDS EAST, A DISTANCE OF 2663.82 FEET;

THENCE SOUTH 89 DEGREES 23 MINUTES 59 SECONDS EAST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 484.31 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 39 MINUTES 44 SECONDS EAST, A DISTANCE OF 434.20 FEET TO THE MONUMENT LINE OF EAST MITCHELL DRIVE;

THENCE SOUTH 89 DEGREES 24 MINUTES 33 SECONDS EAST, ALONG SAID MONUMENT LINE, A DISTANCE OF 411.36 FEET;

THENCE SOUTH 00 DEGREES 33 MINUTES 10 SECONDS WEST, ALONG THE PROLONGATION OF THE WEST LINE OF LOT 1, AS RECORDED IN BOOK 726, PAGE 48, A DISTANCE OF 434.27 FEET TO THE SOUTH LINE OF SAID NORTHEAST QUARTER;

THENCE NORTH 89 DEGREES 23 MINUTES 59 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 412.18 FEET TO THE POINT OF BEGINNING.

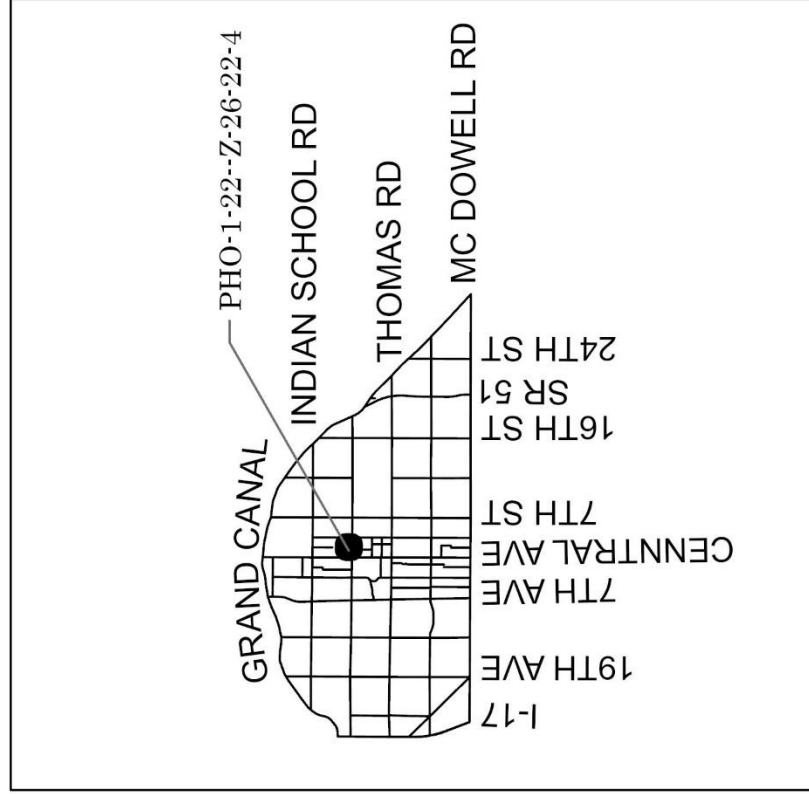
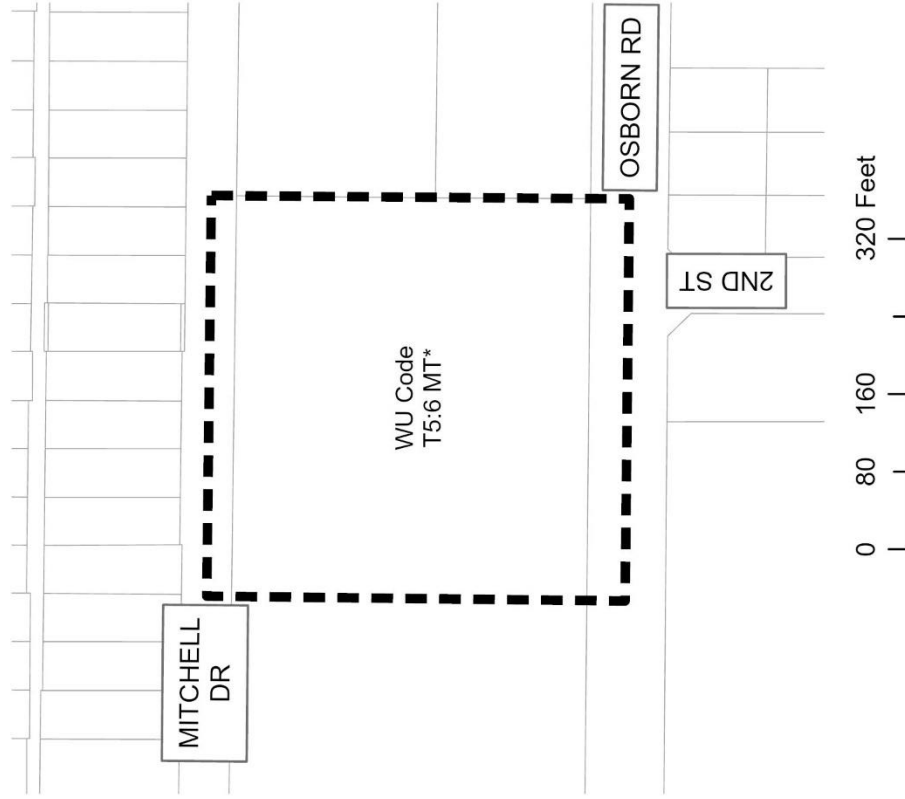
SAID PARCEL CONTAINS 178,804 SQUARE FEET OR 4.105 ACRES, MORE OR LESS.

# ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: ■■■■■

Zoning Case Number: PHO-1-22--Z-26-22-4  
Zoning Overlay: N/A  
Planning Village: Encanto



NOT TO SCALE



Drawn Date: 1/3/2023



## Consideration of a Citizen Petition

This report provides the City Council with information in response to a citizen petition submitted by Mr. Kim Baker at the Dec. 14, 2022, Formal City Council meeting (**Attachment A**).

### Summary

At the Dec. 14, 2022, City Council Formal Meeting, Mr. Kim Baker submitted a citizen petition that included six items. Upon review by the Law Department, items one through five were determined to not qualify as a citizen petition as they do not fall within the purview of the City Council. A list of the requests is provided below and was addressed in a staff report to City Council in the Jan. 19, 2023 General Information packet.

1. Request Council to have the City Manager's Office investigate if Police Chief Michael Sullivan and former Police Officer Patrick Sullivan are related.
2. Request Council to answer this question - Why was Lieutenant Scott Smith of the Tempe Police Department meeting with Officer Patrick Sullivan on Dec. 18, 2011 and how did he know his name?
3. Request Council to answer this question - Why did Officer Patrick Sullivan abruptly resign after he filed formal charges of harassment and intimidation against him?
4. Request Council to answer this question - Why was Officer Pendergrass named as the harassing officer?
5. Request Council to answer this question - Why does the City Attorney admonish citizens before Citizen Comment, but on Oct. 12, 2022, Councilman DiCiccio referred to me as an "idiot"?

Upon review by the Law Department, item six was determined to qualify as a citizen petition because it is an action within the purview of the City Council and is listed below.

6. Request Council to recommend both the Council and citizens be given the same admonishment.

Options for Council Action:

- A. Accept the petition, requesting the City Attorney to remind everyone who speaks during a public meeting to be respectful, and that civil discourse benefits the greater good.
- B. Deny the petition.
- C. Other direction to staff related to civil discourse during public meetings.

**Responsible Department**

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

2022 DEC 14 PM 4:44

December 14, 2022

## Citizens Petition

- 1 Requesting the Council to have the City Manager investigate and see if Chief Michael Sullivan, and former Police officer Patrick Sullivan are related.
- 2, Why was officer Patrick Sullivan Meeting at 32 St and Broadway with Lieutenant Scott Smith of the Tempe Police Department on December 18, 2011, Officer Sullivan called me by name, how did he know my name.
- 3, Why Did Officer Sullivan abruptly resign after I filed formal Charges of harassment and intimidation against him.
- 4, Why was officer Pendergrass South Phoenix present, named as the harassing officer.
- 5 Why does the City Attorney admonish Citizens before Citizens Comments not to attack Council or disrespect, however on October 12, 2022 formal meeting Councilman Sal Desciso referred to me or another Citizen as a "Idiot" Reference Item 95 Citizen Petition.

6, Recommendation both the Council  
and Citizens be given the same  
admonishment from this petition  
indefinitely

Respectfully Submitted

[REDACTED]

Phx, Az [REDACTED]