



Agenda

City Council Formal Meeting

Wednesday, November 17, 2021

2:30 PM

phoenix.gov

OPTIONS TO ACCESS THIS MEETING

Request to speak at a meeting:

- **Register online** by visiting the City Council Meetings page on phoenix.gov **at least 1 hour prior to the start of this meeting**. Then, click on this link at the time of the meeting and join the Webex to speak: <https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=eefc0c85e6ed1c51d16f2b09e18f772a5>

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

At the time of the meeting:

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

- **Call-in** to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 2558 633 4046# (for English) or 2558 947 9529# (for Spanish). Press # again when prompted for attendee ID.

Para nuestros residentes de habla hispana:

- **Para registrarse para hablar en español**, llame al 602-262-6001 **al menos 1 hora antes del inicio de esta reunión** e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 2558 947 9529#. 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 2558 947 9529#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

CALL TO ORDER AND ROLL CALL**BOARDS AND COMMISSIONS**

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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS**000 CITIZEN COMMENTS****ADJOURN**



City of Phoenix

City Council Formal Meeting

Report

Agenda Date: 11/17/2021, Item No. 1

Mayor and Council Appointments to Boards and Commissions

Summary

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

Responsible Department

This item is submitted by the Mayor's Office.

ATTACHMENT A



City of Phoenix

To: City Council
From: Mayor Kate Gallego

Date: November 17, 2021

Subject: BOARDS AND COMMISSIONS – APPOINTEES

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

Community Development Review Committee

I recommend the following for appointment:

Sean Berens

Mr. Berens is a Partner of Berens Blonstein PLC and a resident of District 4. He fills a vacancy for a term to expire June 30, 2023.

Human Services Commission

Councilwoman Debra Stark recommends the following for appointment:

James Martinez

Mr. Martinez is a Customer Research Consultant at JDM Research and Recruiting and a resident of District 3. He replaces Marsha Butler in a Category I seat for a term to expire June 30, 2023.



Liquor License - LivGenerations Mayo Blvd

Request for a liquor license. Arizona State License Application 162148.

Summary

Applicant

Cara Baldwin Valenta, Agent

License Type

Series 12 - Restaurant

Location

6650 E. Mayo Blvd.

Zoning Classification: DTC-East Evans Churchill

Council District: 2

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 Nov. 24, 2021.

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

Other Active Liquor License Interest in Arizona

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

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

Generations at Ahwatukee (Series 12)

15815 S. 50th St., Phoenix

Calls for police service: 16

Liquor license violations: None

Generations at Agritopia (Series 12)

2811 E. Agritopia Loop, S., Gilbert

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

Liquor license violations: None

Generations at Pinnacle Peak (Series 12)

23733 N. Scottsdale Road, Scottsdale

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: "LivGenerations Mayo Blvd is a senior living community providing independent and assisted living, as well as memory care facility. It is a project developed by Liv Communities, which designs, develops and operates multi-family and senior residential facilities in Arizona and Michigan. LivCommunities has years of experience building and operating residential living communities. It currently has three other senior living communities in Arizona, which have liquor licenses (Generations Agritopia Gilbert, Generations Ahwatukee in Phoenix and Generations at Pinnacle Peak in Scottsdale). No liquor license violations have occurred at these other facilities. The safety and welfare of residents and their guests is of paramount importance. LivGenerations Mayo Blvd will maintain staff trained in Arizona liquor laws. LivCommunities' vast experience and long track record serving seniors establishes that it has the capability, reliability and qualifications to successfully and safely serve alcoholic beverages."

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

“The public convenience requires and the best interest of community will be substantially served by issuance of this Series 12 liquor license. LivCommunities is a well-known and successful developer of high-end residential and senior living facilities. LivGenerations Mayo Blvd fulfills the growing need for senior living communities as the population ages. Providing amenities like on-site alcohol sales and consumption allows those with limited mobility or no access to transportation to enjoy alcohol without the need to leave the facility. It also provides a beautiful and safe place for the residents' guests and members of the neighborhood to eat, drink and be entertained.”

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 - LivGenerations Mayo Blvd

Liquor License Map - LivGenerations Mayo Blvd

Responsible Department

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

Liquor License Data: LIVGENERATIONS MAYO BLVD

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	4	1
Liquor Store	9	1	0
Hotel	11	1	0
Restaurant	12	17	5

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	12.10	34.81
Violent Crimes	9.06	0.87	2.33

*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

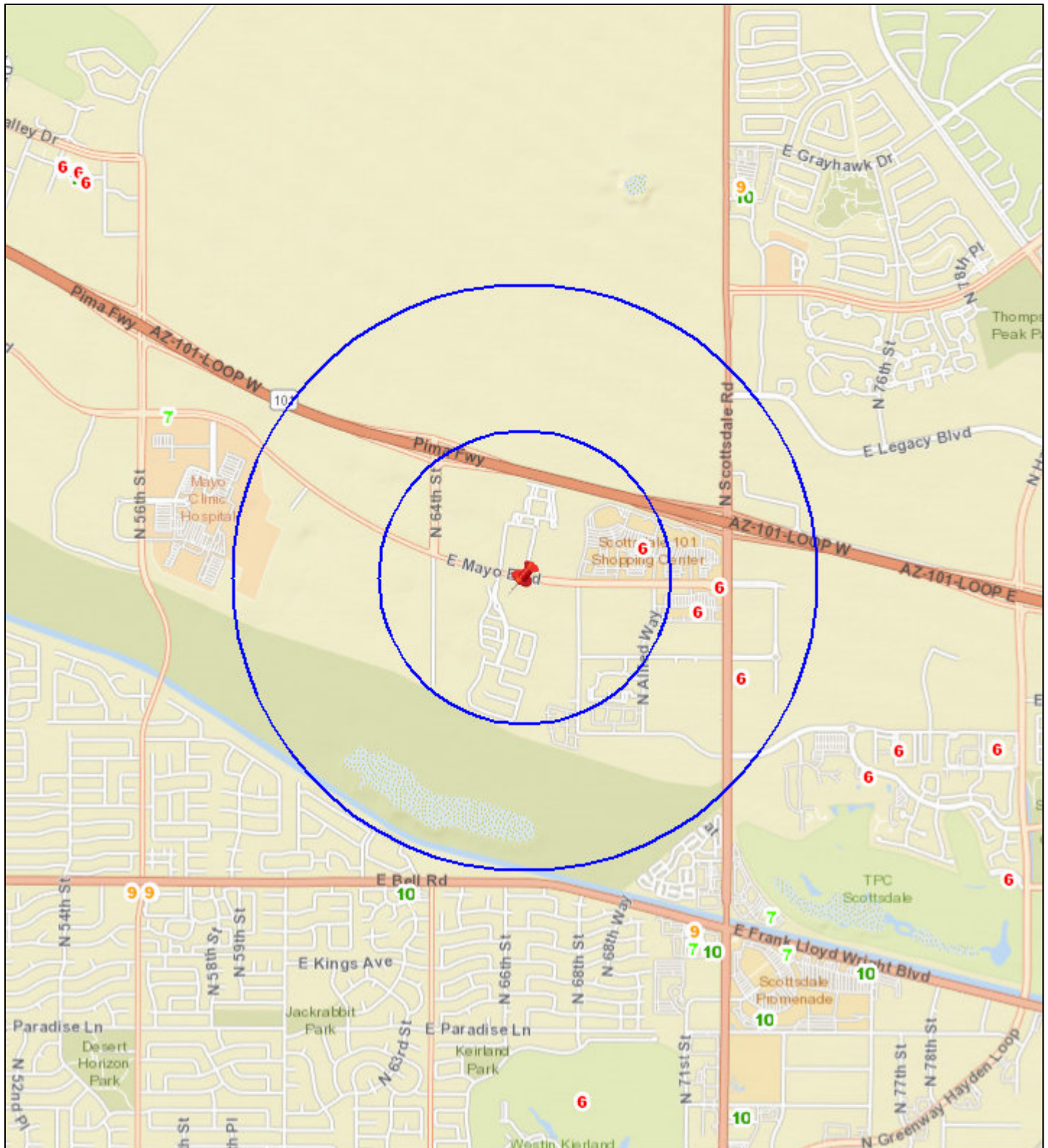
Description	Average	1/2 Mile Average
Parcels w/Violations	57	3
Total Violations	93	6

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6152001	1993	8 %	29 %	12 %
Average		61 %	13 %	19 %

Liquor License Map: LIVGENERATIONS MAYO BLVD

6650 E MAYO BLVD



Date: 10/11/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



Report

Agenda Date: 11/17/2021, Item No. 3

Liquor License - Loco J's Tacos and Tequilas

Request for a liquor license. Arizona State License Application 161022.

Summary

Applicant

Jason Clouse, Agent

License Type

Series 12 - Restaurant

Location

28260 N. Tatum Blvd., Ste. A7

Zoning Classification: C-2

Council District: 2

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption. This business is currently being remodeled with plans to open in December 2021.

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

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

Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor licenses(s) in the State of Arizona. this information is listed below and includes liquor license violations on file with the AZ Department of Liquor License 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.

Rosatis Pizza (Series 12)

28325 N. Tatum Blvd., Ste. 7 & 8, Phoenix

Calls for police service: 5

Liquor license violations: In April 2020, a fine of \$500 was paid due to an employee consuming alcohol while on duty.

Public Opinion

At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

Applicant's Statement

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

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

"I currently hold a Series 12 liquor license for a Rosati's Pizza restaurant and I understand the requirements and intricacies involved to properly maintain a license along with the responsibilities a license places on a business. I am also current with all of my management and serving liquor certs."

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

"This new, full service Mexican restaurant is greatly needed in the community. A liquor license will provide patrons with a full dining experience."

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 - Loco J's Tacos and Tequilas

Liquor License Map - Loco J's Tacos and Tequilas

Responsible Department

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

Liquor License Data: LOCO J'S TACOS AND TEQUILAS

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	4.53	10.29
Violent Crimes	9.06	0.26	0.21

*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

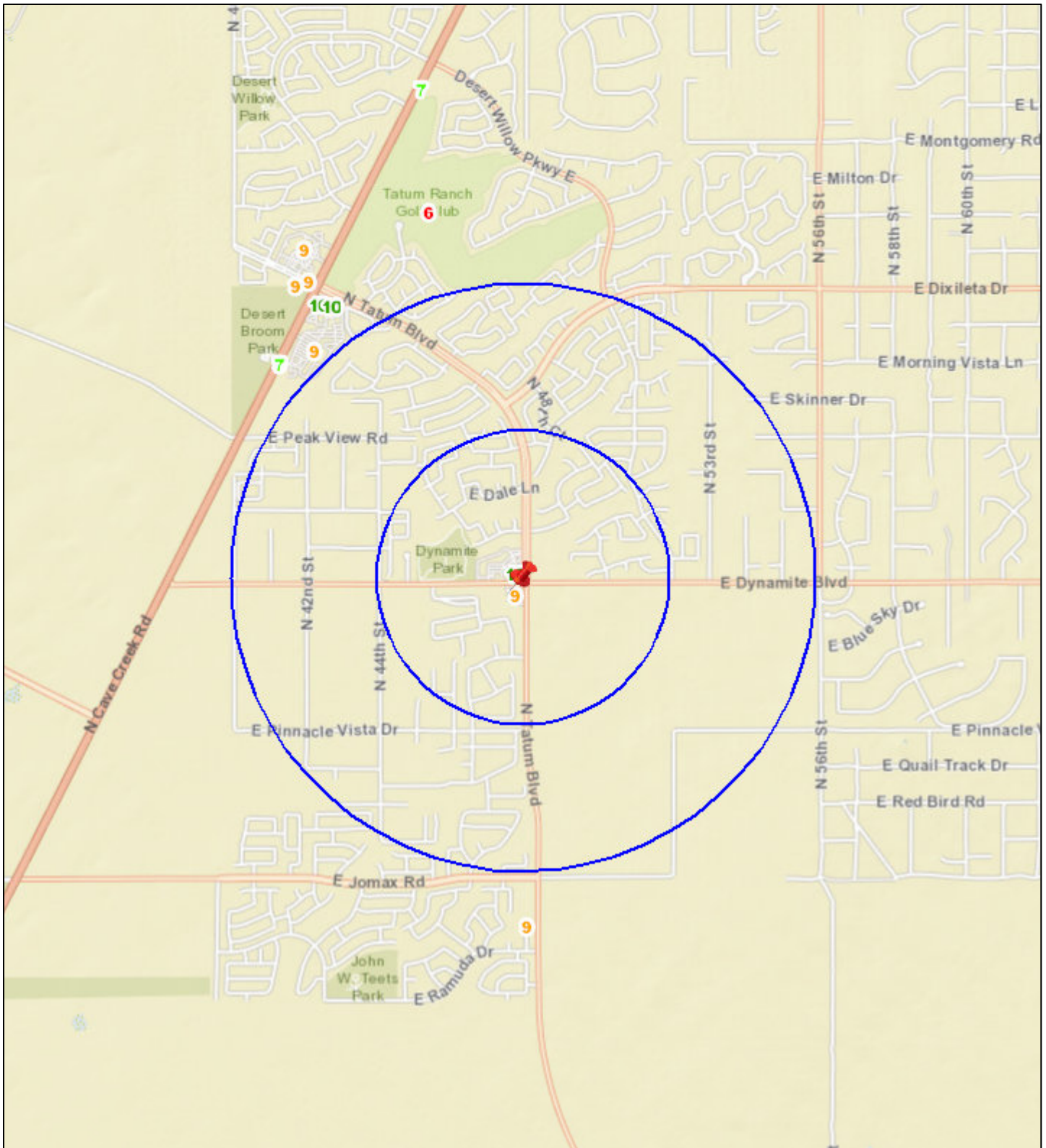
Description	Average	1/2 Mile Average
Parcels w/Violations	57	2
Total Violations	94	3

Census 2010 Data 1/2 Mile Radius

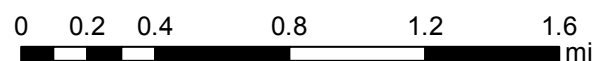
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6128001	2069	83 %	21 %	1 %
6129001	834	80 %	0 %	2 %
6129002	1521	93 %	18 %	1 %
6133001	1688	91 %	7 %	2 %
6133003	1120	84 %	17 %	15 %
Average		61 %	13 %	19 %

Liquor License Map: LOCO J'S TACOS AND TEQUILAS

28260 N TATUM BLVD



Date: 10/18/2021



City Clerk Department



Liquor License - Natural Grocers

Request for a liquor license. Arizona State License Application 159062 and 159062S.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 10 and 10S - Beer and Wine Store with Sampling Privileges

Location

13802 N. Scottsdale Road, Ste. 110

Zoning Classification: PSC

Council District: 2

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

The 60-day limit for processing this application is Nov. 23, 2021.

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

Other Active Liquor License Interest in Arizona

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

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

Natural Grocers (Series 10)
3016 E. Broadway Blvd., Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Natural Grocers (Series 10)
7220 E. Broadway Blvd., Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Natural Grocers (Series 10)
6320 N. Oracle Road, Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Natural Grocers (Series 10)
5600 E. River Road, Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Natural Grocers operates 159 stores in 20 states, including 12 stores in Arizona. The Applicant is committed to supporting the health and wellbeing of the communities it

serves by offering healthy, natural, and organic foods, household goods, and personal items. Applicant would like to offer beer and wine to customers 21 and over.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Natural Grocers

Liquor License Map - Natural Grocers

Responsible Department

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

Liquor License Data: NATURAL GROCERS

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	0
Wholesaler	4	5	3
Bar	6	1	1
Beer and Wine Bar	7	5	1
Beer and Wine Store	10	3	1
Hotel	11	2	0
Restaurant	12	42	13
Craft Distiller	18	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	11.54	19.74
Violent Crimes	8.73	0.55	0.95

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

Property Violation Data

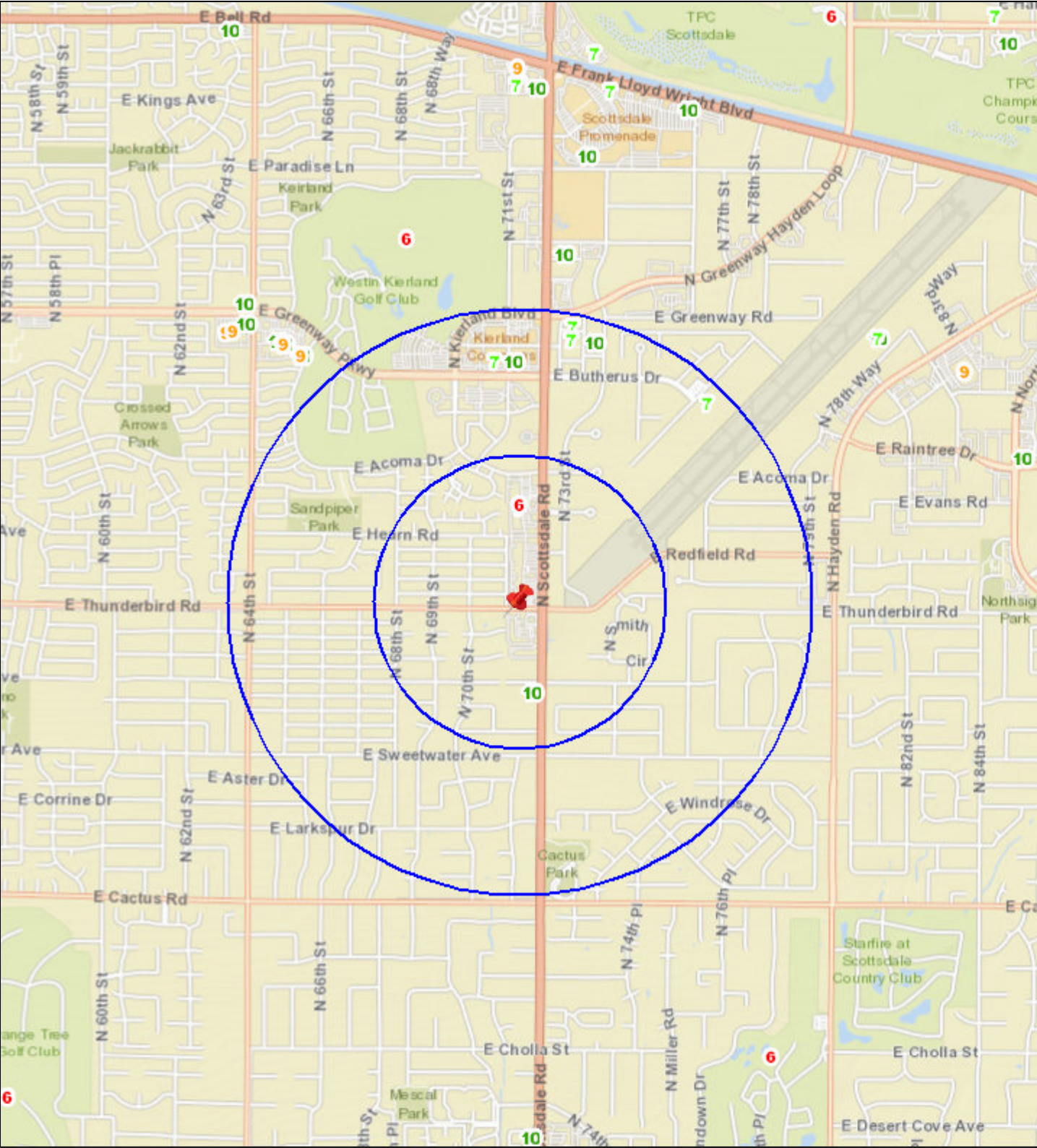
Description	Average	1/2 Mile Average
Parcels w/Violations	57	25
Total Violations	93	36

Census 2010 Data 1/2 Mile Radius

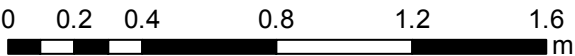
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032071	1171	81 %	2 %	3 %
1032072	1401	93 %	2 %	0 %
1032201	1364	95 %	15 %	3 %
1032202	513	51 %	32 %	4 %
2168161	1812	95 %	0 %	4 %
Average		61 %	13 %	19 %

Liquor License Map: NATURAL GROCERS

13802 N SCOTTSDALE RD



Date: 10/1/2021





Liquor License - ALDI #158

Request for a liquor license. Arizona State License Application 162129 and 162129S.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 10 - Beer and Wine Store with Sampling Privileges

Location

1401 E. Bell Road

Zoning Classification: C-2

Council District: 3

This request is for a new liquor license for a grocery store with sampling privileges. This location was previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is Nov. 24, 2021.

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

Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the

State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

ALDI #156 (Series 10)
2844 S. Alma School Road, Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

ALDI #160 (Series 10)
24665 N. Lake Pleasant Parkway, Peoria
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

ALDI #161 (Series 10)
845 N. Estrella Parkway, Goodyear
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

ALDI #165 (Series 10)
1801 E. Pecos Road, Gilbert
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We train all of our employees in responsible liquor sales. 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:
"This is a full-service grocery store serving the surrounding community and visiting public customers Sunday thru Saturday. While alcoholic beverage sales will generate a

small percentage of the overall sales, the investment in a liquor license is requested as a service and convenience to the customers as an integral part of the shopping experience. The inclusion of beer & wine will allow customers the same service that they would experience at other local supermarkets. We'll strive to become a valuable member of the community and will work hard to help the neighborhood achieve their development goal and continually improve the character of the neighborhood.

Our grocery store will be a desirable and unique addition to the community. Our store's location is the perfect convenience for those who work nearby. The office employees on N. West Ave and the retail store and restaurant workers on W. Shaw Ave. will find our store's location to be an ideal advantage with the ability to drop in and purchase everyday groceries that have been curated solely for them. In addition, our store's placement will be beneficial to the passersby's who are running an errand at the Bank of West on W. Shaw Ave or the Citi Bank ATM on N. West Ave. We will also be the perfect accommodation to those who want to pick up the groceries for dinner after their afternoon coffee at the nearby coffee shops.

Our store will prove to be extremely desirable to the public by providing area residents, visitors and nearby workers with the unique experience to "shop differently". This experience allows those in the community to have a faster, easier and smarter way to save money on high quality groceries. We want to provide our community with nothing but the best source of everyday food items while providing savings. We source only the best for our shelves are quick to spot the latest must-haves and work hard to bring them to ALDI stores without the trendy prices. We also source delivered-daily produce, fresh meats and fish, and carry an extensive line of organics, gluten-free and vegan foods.

In 2015, we removed certified synthetic colors, added MSG, and partially hydrogenated oils from all of our exclusive brand food products. These reformulated products are the exact same high-quality and taste shoppers expect from ALDI exclusive brands the most popular of which include our seasonal treat of Belgian Cocoa Dusted Truffles, our Paw Patrol Chicken Nuggets made of white meat and whole grain bread crumbs and our keto diet-friendly L'Oven Fresh Zero Net Carb Bread.

I respectfully request that the Arizona Department of Liquor finds that Public Necessity and Convenience would be served by the issuance of a liquor license to the requested premises. This is founded on 2 basic principles:

1. To offer great shopping items that are unique to the area.
2. To create a shopping environment where customers feel comfortable and welcome."

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 - ALDI #158

Liquor License Map - ALDI #158

Responsible Department

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

Liquor License Data: ALDI #158

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	0
Beer and Wine Bar	7	2	2
Liquor Store	9	3	2
Beer and Wine Store	10	5	1
Restaurant	12	13	3

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	116.40	105.62
Violent Crimes	8.73	14.27	14.64

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

Property Violation Data

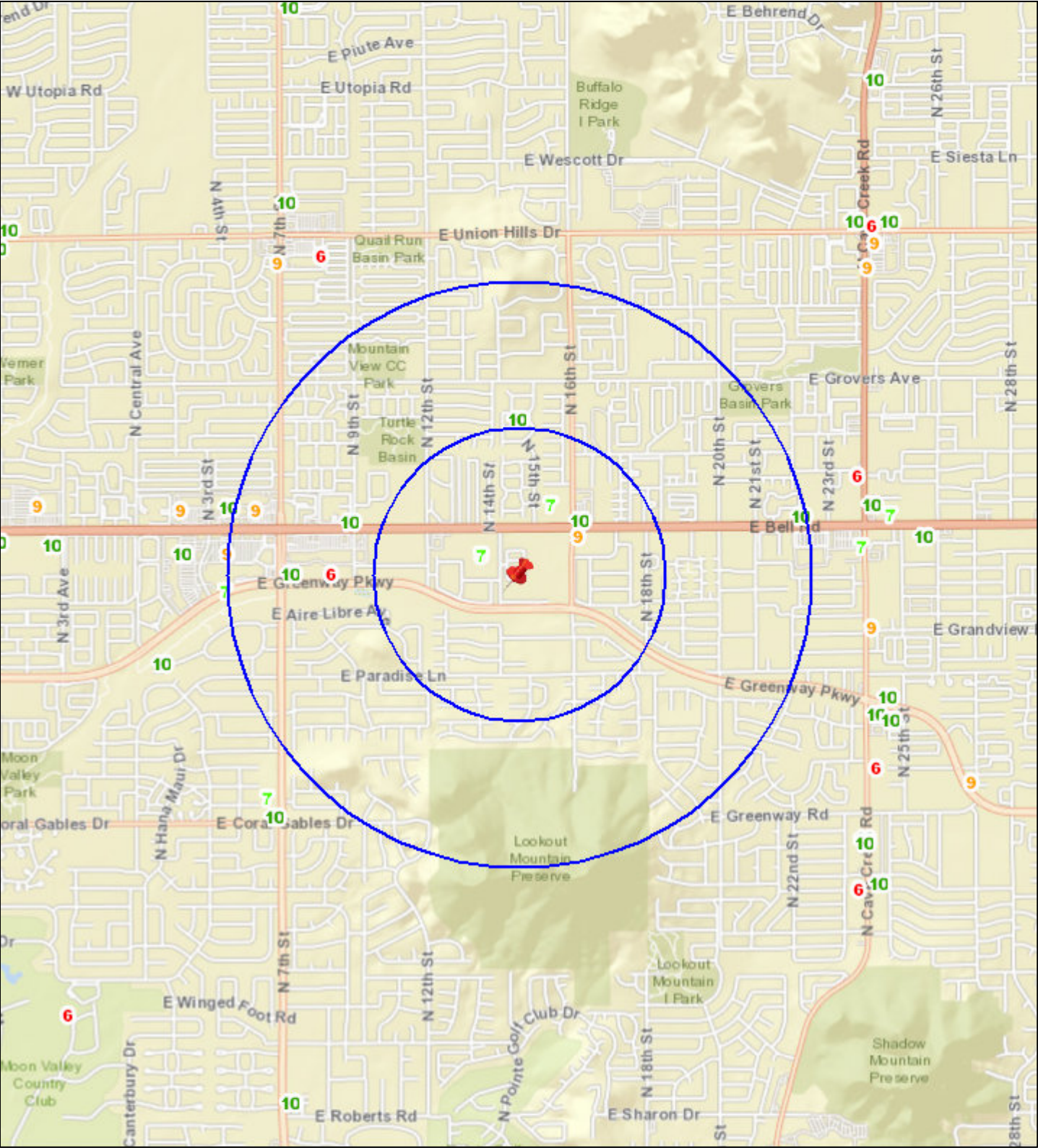
Description	Average	1/2 Mile Average
Parcels w/Violations	56	69
Total Violations	93	127

Census 2010 Data 1/2 Mile Radius

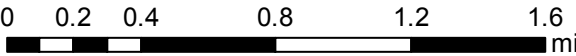
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036062	854	90 %	13 %	4 %
1036063	2174	78 %	13 %	25 %
1036111	1396	66 %	14 %	3 %
1036112	1335	87 %	10 %	0 %
6192001	1053	20 %	23 %	17 %
6192002	1223	0 %	15 %	29 %
6192003	2370	48 %	17 %	12 %
6194002	1484	18 %	18 %	8 %
6194003	1151	79 %	9 %	31 %
Average		61 %	13 %	19 %

Liquor License Map: ALDI #158

1401 E BELL RD



Date: 9/28/2021





Report

Agenda Date: 11/17/2021, Item No. 6

Liquor License - Special Event - Rosie's House: A Music Academy for Children, Inc.

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

Summary

Applicant

Kevin Gorman

Location

300 E. Indian School Road

Council District: 4

Function

Concert

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

Dec. 12, 2021 - 3 p.m. to 5 p.m. / 300 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.



Agenda Date: 11/17/2021, Item No. 7

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

Ari Levin

Location

5601 N. 16th St.

Council District: 6

Function

Community Event

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

Dec. 2, 2021 - 6 p.m. to 9:30 p.m. / 600 attendees

Dec. 3, 2021 - 6 p.m. to 9:30 p.m. / 600 attendees

Dec. 4, 2021 - 6 p.m. to 9:30 p.m. / 600 attendees

Dec. 5, 2021 - Noon to 3:30 p.m. / 600 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 - Frasher's Smokehouse

Request for a liquor license. Arizona State License Application 1207A257.

Summary

Applicant

Peter Schelstraete, Agent

License Type

Series 12 - Restaurant

Location

3222 E. Indian School Road

Zoning Classification: C-1

Council District: 6

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

The 60-day limit for processing this application is Nov. 24, 2021.

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

Other Active Liquor License Interest in Arizona

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

Frasher's Steakhouse (Series 12)

4180 N. Drinkwater Blvd., Scottsdale

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

Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been in the restaurant industry for many years. I will continue to abide by all liquor laws."

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 - Living Room Wine Cafe & Lounge

Request for a liquor license. Arizona State License Application 1207A518.

Summary

Applicant

Thomas Aguilera, Agent

License Type

Series 12 - Restaurant

Location

4905 E. Ray Road, Ste. 107

Zoning Classification: C-2

Council District: 6

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

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

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

Other Active Liquor License Interest in Arizona

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

Living Room Wine Cafe & Lounge (Series 12)

20751 N. Pima Road, Ste. 120, Scottsdale

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

Liquor license violations: None

Living Room Wine Cafe & Lounge/Humble Pie (Series 12)

2475 W. Queen Creek Road, #1, Chandler

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

Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I serve as agent on numerous liquor licenses in Arizona, I have been fingerprinted and background checked. I have practiced liquor law for over 20 years in Arizona. I, along with, the new controlling persons have submitted the Acquisition of Control forms to the Arizona DLLC and paid all fees and submitted all required fingerprint cards."

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 - Consular Corps of Arizona Foundation

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

Summary

Applicant

Alfredo Molina

Location

401 N. 1st St.

Council District: 7

Function

Dinner

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

Dec. 3, 2021 - 5 p.m. to Midnight / 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 - Friendly House, Inc.

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

Summary

Applicant

Jerardo Mendoza

Location

7252 S. Central Ave.

Council District: 7

Function

Dinner

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

Dec. 3, 2021 - 5:30 p.m. to 10 p.m. / 300 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 - First & Last Kitchen + Bar

Request for a liquor license. Arizona State License Application 162225.

Summary

Applicant

Ashley Hammond, Agent

License Type

Series 12 - Restaurant

Location

1001 N. 3rd Ave., Ste. 1

Zoning Classification: DTC - East Roosevelt HP

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 has plans to open in December 2021.

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

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I and my staff of professional host, servers, server assistants, and bartenders have the upmost respect for alcohol and the laws that govern it's receiving, storing, and distribution to the public. I as owner personally have twenty two years in the restaurant and bar business. For the past 3 years I have been a manager at a high volume fine dinning steak house on old town Scottsdale. Before that I spent 8 years as general manage of the Misfit restaurant + bar in Santa Monica California. I have taken all the prerequisite traning and certification. We look forward to being good stewards or privilege to sell alcohol. Thank you."

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

"We at First & last understand the value of strong neighborhood restaurants as welcome meeting place for the current residence as well as the new. In a area growing as fast as the west end of Roosevelt Row is, it is paramount that there are places to go to unwind, celebrate, and grow together Serving spirits is one of the oldest way do begin those interactions. We look forward to being a neighborhood institution for year to come. With the privilege of selling liquor, beer and wine we feel as though we can be that. Thank you so very much for your time and consideration in this matter. The employees of First & Last Restaurant."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - First & Last Kitchen + Bar

Liquor License Map - First & Last Kitchen + Bar

Responsible Department

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

Liquor License Data: FIRST & LAST KITCHEN + BAR

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	4	1
Government	5	8	4
Bar	6	44	13
Beer and Wine Bar	7	16	5
Liquor Store	9	5	1
Beer and Wine Store	10	9	3
Hotel	11	8	2
Restaurant	12	99	30
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	168.02	189.91
Violent Crimes	9.06	43.09	42.14

*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

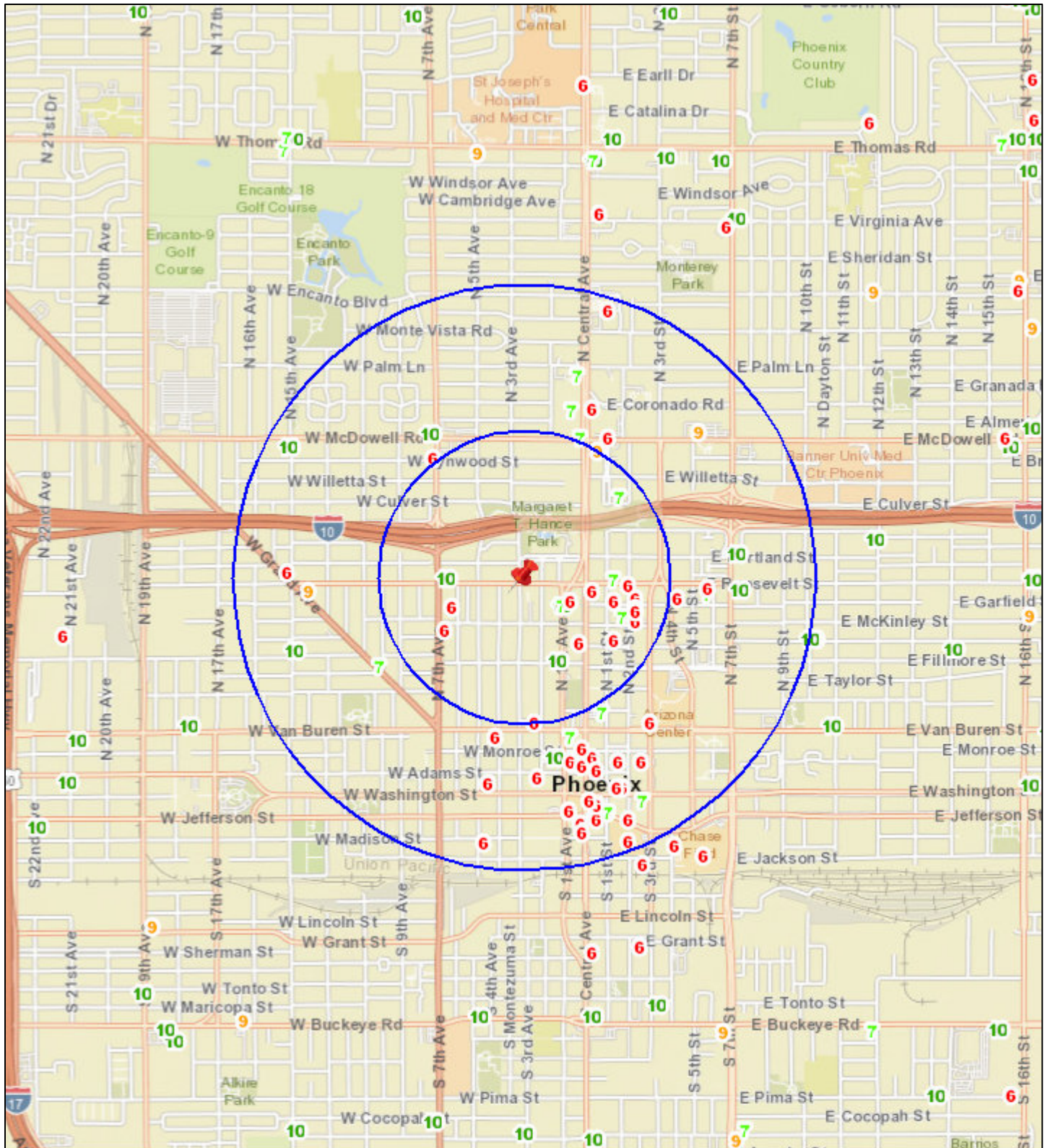
Description	Average	1/2 Mile Average
Parcels w/Violations	57	150
Total Violations	94	239

Census 2010 Data 1/2 Mile Radius

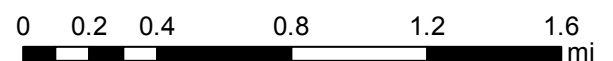
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1118002	1030	67 %	9 %	17 %
1129001	1670	70 %	4 %	19 %
1129002	815	37 %	22 %	24 %
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
Average		61 %	13 %	19 %

Liquor License Map: FIRST & LAST KITCHEN + BAR

1001 N 3RD AVE



Date: 10/6/2021



City Clerk Department



Liquor License - Gas & More

Request for a liquor license. Arizona State License Application 161253.

Summary

Applicant

Harun Ozcan, Agent

License Type

Series 10 - Beer and Wine Store

Location

709 W. Southern Ave.

Zoning Classification: C-1

Council District: 7

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

The 60-day limit for processing this application was Nov. 14, 2021. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I hold a certificate for 'The Basic Liquor Law Training'. This training provided me the opportunity of learning the importance and significance of obtaining a beer and wine license. I am assured to uphold the laws and regulations about beer and wine license. I have never been involved in any criminal activity, no record of getting in trouble with law and authorities."

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

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

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Gas & More

Liquor License Map - Gas & More

Responsible Department

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

Liquor License Data: GAS & MORE

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	0
Beer and Wine Bar	7	2	0
Liquor Store	9	7	2
Beer and Wine Store	10	16	3
Restaurant	12	6	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	149.36	158.28
Violent Crimes	8.73	29.11	35.24

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

Property Violation Data

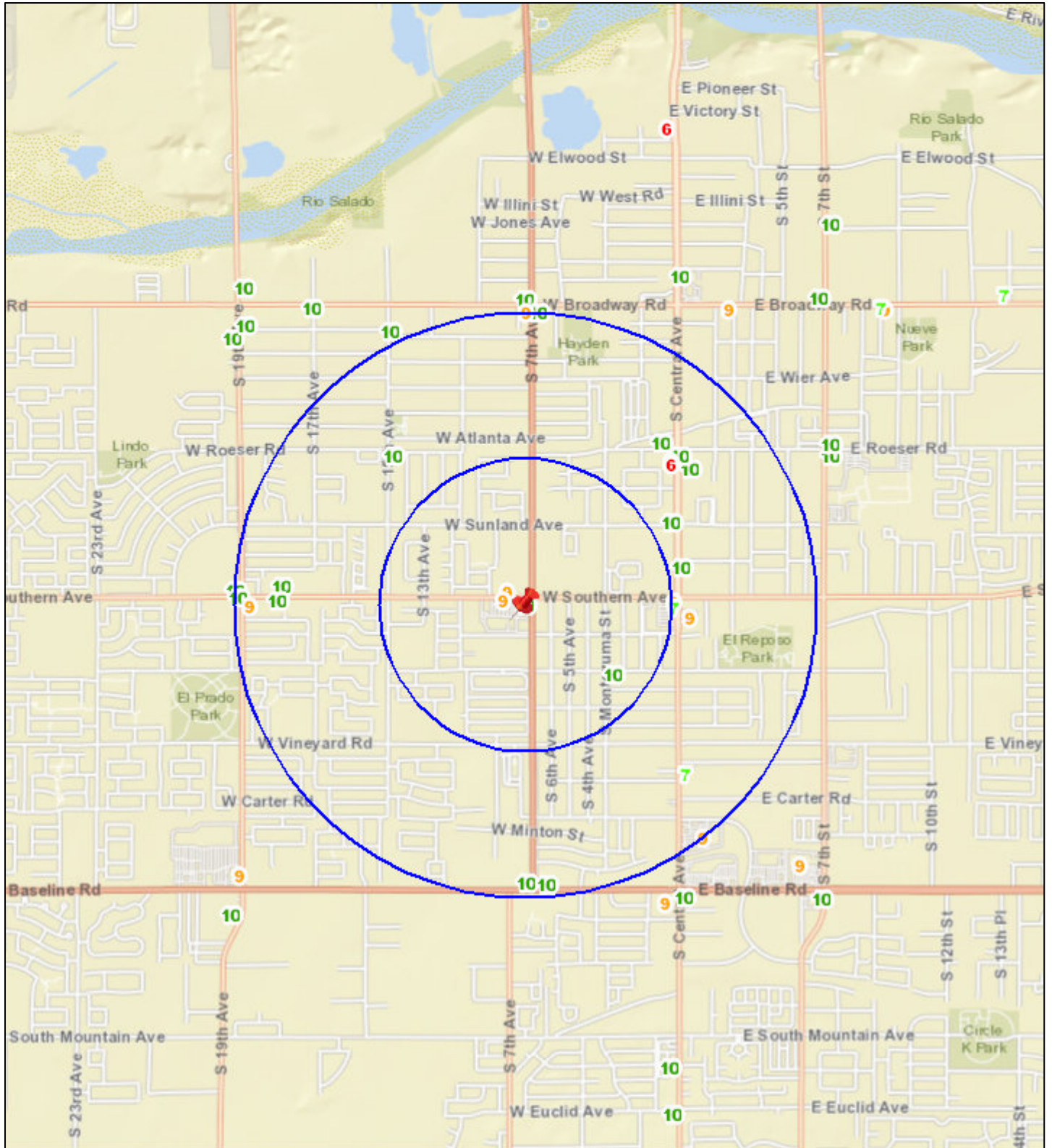
Description	Average	1/2 Mile Average
Parcels w/Violations	56	181
Total Violations	92	274

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1157001	2689	65 %	7 %	23 %
1157003	2039	51 %	20 %	33 %
1158022	1536	47 %	17 %	24 %
1165001	1778	66 %	2 %	27 %
1165002	1487	84 %	7 %	31 %
1166021	4695	66 %	10 %	35 %
1166022	3218	73 %	6 %	10 %
Average		61 %	13 %	19 %

Liquor License Map: GAS & MORE

709 W SOUTHERN AVE



Date: 9/16/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



Liquor License - Hanai Coffee + Beer + Wine

Request for a liquor license. Arizona State License Application 162116.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

3648 W. Southern Ave., Ste. 148-150

Zoning Classification: C-2

Council District: 7

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

The 60-day limit for processing this application is Nov. 24, 2021.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Our hope is to operate a successful business and bring a great place to the Laveen neighborhood. We will ensure our employees will attend ALIC's Title 4 training."

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

"We are your go to eat and drink place any time of day. Coffee, local drinks, and unique eats you will experience a taste of our Hanai."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Hanai Coffee + Beer + Wine

Liquor License Map - Hanai Coffee + Beer + Wine

Responsible Department

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

Liquor License Data: HANAI COFFEE + BEER + WINE

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	108.99	280.46
Violent Crimes	9.06	13.74	23.88

*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

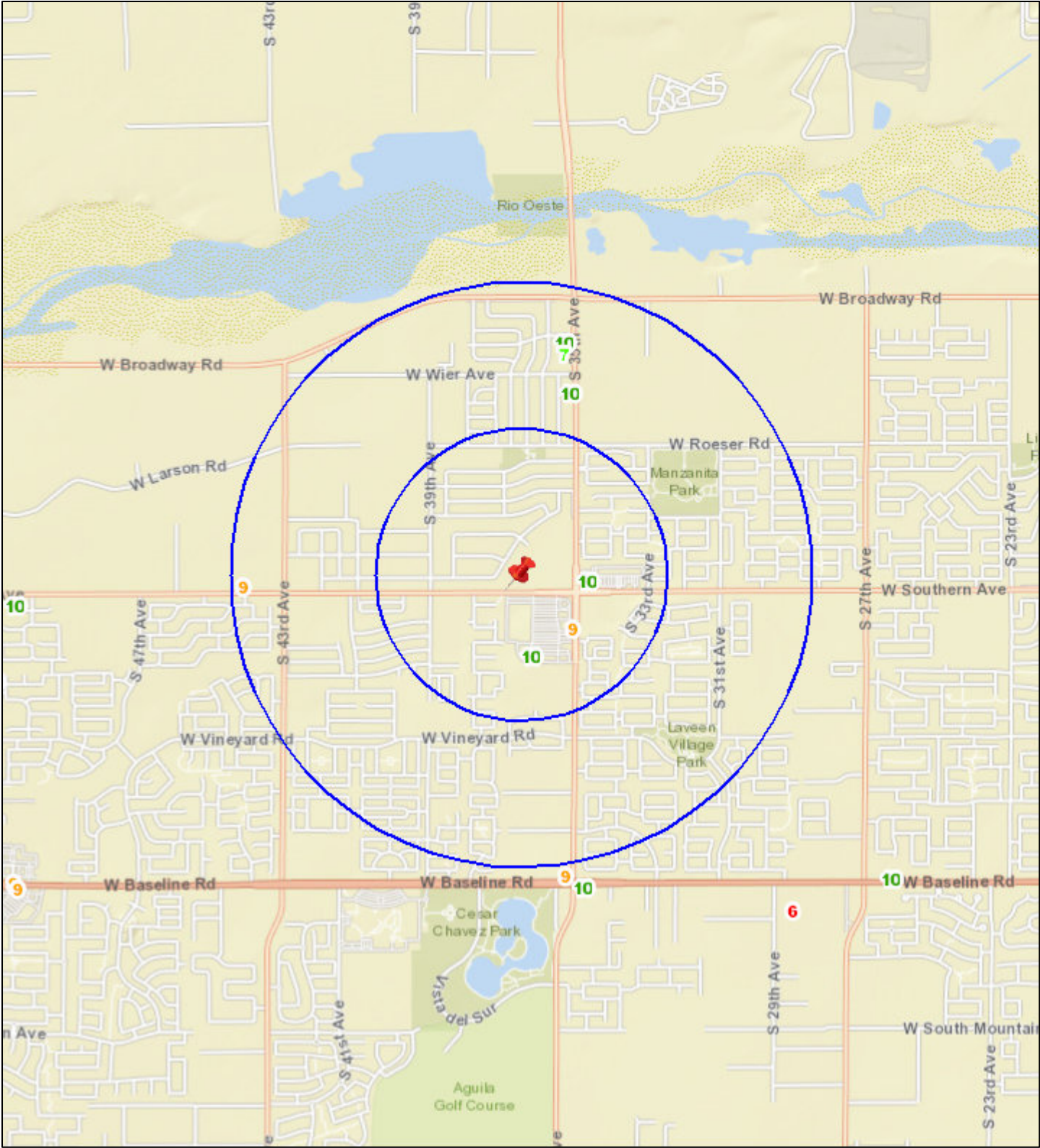
Description	Average	1/2 Mile Average
Parcels w/Violations	57	65
Total Violations	94	92

Census 2010 Data 1/2 Mile Radius

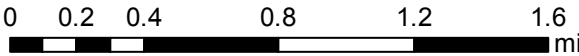
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1155001	1999	69 %	0 %	45 %
1155002	2124	66 %	4 %	27 %
1166061	2005	82 %	7 %	15 %
1166063	2092	67 %	0 %	29 %
1166071	3124	41 %	13 %	14 %
1166121	2293	90 %	9 %	4 %
Average		61 %	13 %	19 %

Liquor License Map: HANAI COFFEE + BEER + WINE

3648 W SOUTHERN AVE



Date: 10/12/2021





Liquor License - AC Hotel Phoenix Downtown

Request for a liquor license. Arizona State License Application 156428.

Summary

Applicant

Amy Nations, Agent

License Type

Series 11 - Hotel/Motel

Location

414 N. 5th St.

Zoning Classification: DTC-Business Core

Council District: 8

This request is for a new liquor license for a hotel. 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 Nov. 27, 2021.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
“NVM Management has multiple years of experience operating the food and beverage business and operating hotels and resorts located across the United States. We have extensive experience providing alcoholic beverages service to our guests and will operate the business in a safe and professional manner.”

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

“Today's business and leisure travellers expect a high level of service, convenience, and amenities when choosing a destination and hotel. There is continued expected demand for hotel occupancy in the Phoenix area. The hotel will support area businesses and residence by offering full service accommodations combined with food and beverage service and other amenities.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - AC Hotel Phoenix Downtown

Liquor License Map - AC Hotel Phoenix Downtown

Responsible Department

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

Liquor License Data: AC HOTEL PHOENIX DOWNTOWN

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	1
Wholesaler	4	1	0
Government	5	8	5
Bar	6	45	25
Beer and Wine Bar	7	13	9
Liquor Store	9	4	1
Beer and Wine Store	10	11	5
Hotel	11	8	4
Restaurant	12	90	57
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	156.76	229.29
Violent Crimes	9.06	36.38	52.76

*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

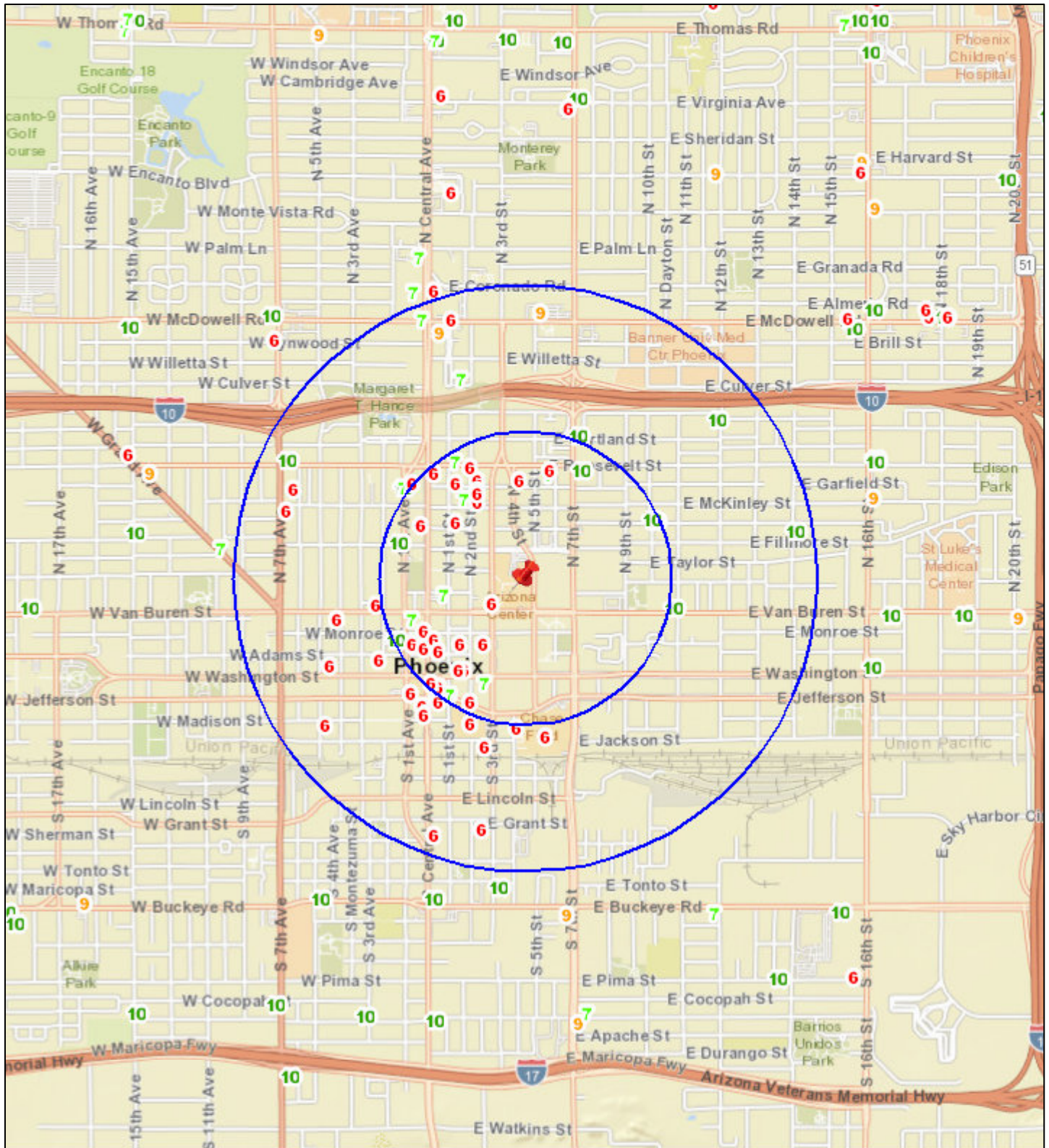
Description	Average	1/2 Mile Average
Parcels w/Violations	57	93
Total Violations	95	155

Census 2010 Data 1/2 Mile Radius

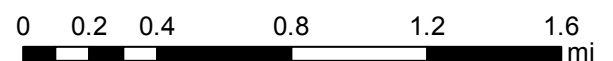
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1130002	873	29 %	21 %	38 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1140001	1831	25 %	20 %	47 %
1141001	2299	16 %	37 %	44 %
Average		61 %	13 %	19 %

Liquor License Map: AC HOTEL PHOENIX DOWNTOWN

414 N 5TH ST



Date: 10/5/2021



City Clerk Department



Liquor License - ALDI #157

Request for a liquor license. Arizona State License Application 162128 and 162128S.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 10 - Beer and Wine Store with Sampling Privileges

Location

5775 W. Baseline Road

Zoning Classification: S-1 (Approved R-3 and C-2)

Council District: 8

This request is for a new liquor license for a grocery store with sampling privileges. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is Nov. 24, 2021.

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

Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the

State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

ALDI #156 (Series 10)
2844 S. Alma School Road, Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

ALDI #160 (Series 10)
24665 N. Lake Pleasant Parkway, Peoria
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

ALDI #161 (Series 10)
845 N. Estrella Parkway, Goodyear
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

ALDI #165 (Series 10)
1801 E. Pecos Road, Gilbert
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We train all of our employees in responsible liquor sales. 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:
"This is a full-service grocery store serving the surrounding community and visiting public customers Sunday thru Saturday. While alcoholic beverage sales will generate a

small percentage of the overall sales, the investment in a liquor license is requested as a service and convenience to the customers as an integral part of the shopping experience. The inclusion of beer & wine will allow customers the same service that they would experience at other local supermarkets. We'll strive to become a valuable member of the community and will work hard to help the neighborhood achieve their development goal and continually improve the character of the neighborhood.

Our grocery store will be a desirable and unique addition to the community. Our store's location is the perfect convenience for those who work nearby. The office employees on N. West Ave and the retail store and restaurant workers on W. Shaw Ave. will find our store's location to be an ideal advantage with the ability to drop in and purchase everyday groceries that have been curated solely for them. In addition, our store's placement will be beneficial to the passersby's who are running an errand at the Bank of West on W. Shaw Ave or the Citi Bank ATM on N. West Ave. We will also be the perfect accommodation to those who want to pick up the groceries for dinner after their afternoon coffee at the nearby coffee shops.

Our store will prove to be extremely desirable to the public by providing area residents, visitors and nearby workers with the unique experience to "shop differently". This experience allows those in the community to have a faster, easier and smarter way to save money on high quality groceries. We want to provide our community with nothing but the best source of everyday food items while providing savings. We source only the best for our shelves are quick to spot the latest must-haves and work hard to bring them to ALDI stores without the trendy prices. We also source delivered-daily produce, fresh meats and fish, and carry an extensive line of organics, gluten-free and vegan foods.

In 2015, we removed certified synthetic colors, added MSG, and partially hydrogenated oils from all of our exclusive brand food products. These reformulated products are the exact same high-quality and taste shoppers expect from ALDI exclusive brands the most popular of which include our seasonal treat of Belgian Cocoa Dusted Truffles, our Paw Patrol Chicken Nuggets made of white meat and whole grain bread crumbs and our keto diet-friendly L'Oven Fresh Zero Net Carb Bread.

I respectfully request that the Arizona Department of Liquor finds that Public Necessity and Convenience would be served by the issuance of a liquor license to the requested premises. This is founded on 2 basic principles:

1. To offer great shopping items that are unique to the area.
2. To create a shopping environment where customers feel comfortable and welcome.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - ALDI #157

Liquor License Map - ALDI #157

Responsible Department

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

Liquor License Data: ALDI #157

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	1
Beer and Wine Bar	7	3	0
Liquor Store	9	3	0
Beer and Wine Store	10	8	4
Restaurant	12	10	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	49.41	15.18
Violent Crimes	8.73	9.76	3.18

*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	57	5
Total Violations	93	5

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1166032	3206	79 %	16 %	9 %
1166041	2095	60 %	28 %	0 %
1166042	1043	40 %	18 %	33 %
1166082	2287	89 %	2 %	2 %
1166091	1542	72 %	9 %	7 %
1166092	1243	95 %	19 %	3 %
Average		61 %	13 %	19 %

5775 W BASELINE RD



A horizontal scale bar with a black background and white markings. The markings are at 0, 0.2, 0.4, 0.8, 1.2, and 1.6. The unit 'mi' is at the right end.



Liquor License - G&F Convenient Store

Request for a liquor license. Arizona State License Application 162423.

Summary

Applicant

Matthew Donnelly, Agent

License Type

Series 10 - Beer and Wine Store

Location

2044 E. Yale St.

Zoning Classification: R1-6

Council District: 8

This request is for a new liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

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

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I hold a certificate for the basic liquor law training. This training provided me the opportunity of learning the importance and significance of obtaining a beer and wine license. I am assured to uphold the laws and regulations about beer and wine license."

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

"This store will provide a safe and secure place for the neighborhood to buy beer and wine. The location will be convenient for the people in neighborhood who may not have access to transportation. The convenient store I purchase have been at same location for over 20 years."

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 - G&F Convenient Store

Liquor License Map - G&F Convenient Store

Responsible Department

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

Liquor License Data: G&F CONVENIENT STORE

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	9	1
Beer and Wine Bar	7	4	1
Liquor Store	9	8	0
Beer and Wine Store	10	16	4
Restaurant	12	17	1
Craft Distiller	18	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	109.31	116.56
Violent Crimes	9.06	24.44	28.02

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

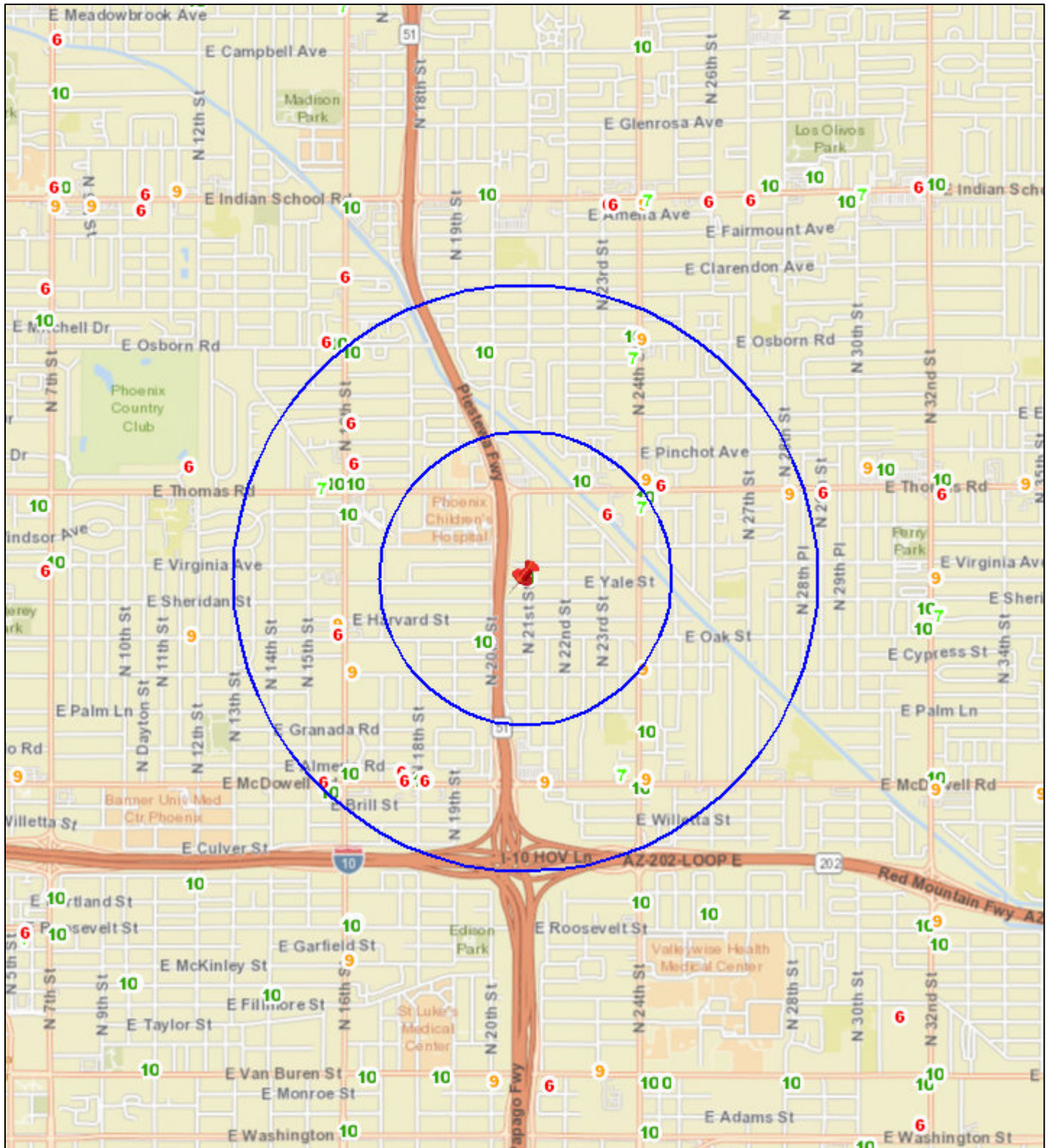
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	57	77
Total Violations	93	121

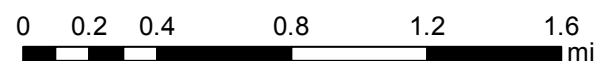
Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1107012	1519	40 %	19 %	29 %
1107022	2172	32 %	20 %	32 %
1108022	1168	33 %	16 %	7 %
1115011	2020	44 %	16 %	43 %
1115021	1414	46 %	21 %	34 %
1116011	1492	55 %	13 %	39 %
1116012	1200	65 %	11 %	40 %
1116021	814	0 %	42 %	73 %
1116022	2607	54 %	9 %	61 %
1116023	1963	21 %	19 %	82 %
Average		61 %	13 %	19 %

2044 E YALE ST



Date: 10/11/2021





Liquor License - Wok N' Roll

Request for a liquor license. Arizona State License Application 162222.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

330 E. Roosevelt St., Ste. B

Zoning Classification: DTC - East Evans Churchill

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 Nov. 27, 2021.

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

Other Active Liquor License Interest in Arizona

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

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

Wok N' Roll (Series 12)
2801 N. Central Ave., Phoenix
Calls for police service: 2
Liquor license violations: None

Wok N' Roll (Series 12)
4412 N. Miller Road, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I own a couple locations and wanted to expand into the downtown area. I will continue to abide by Title 4 liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I would like to offer my patrons the choice of having an adult beverage."

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 - Wok N' Roll
Liquor License Map - Wok N' Roll

Responsible Department

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

Liquor License Data: WOK N' ROLL

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	1
Government	5	8	4
Bar	6	45	13
Beer and Wine Bar	7	16	7
Liquor Store	9	4	1
Beer and Wine Store	10	11	4
Hotel	11	8	4
Restaurant	12	102	41
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	165.65	253.07
Violent Crimes	9.06	39.88	49.36

*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

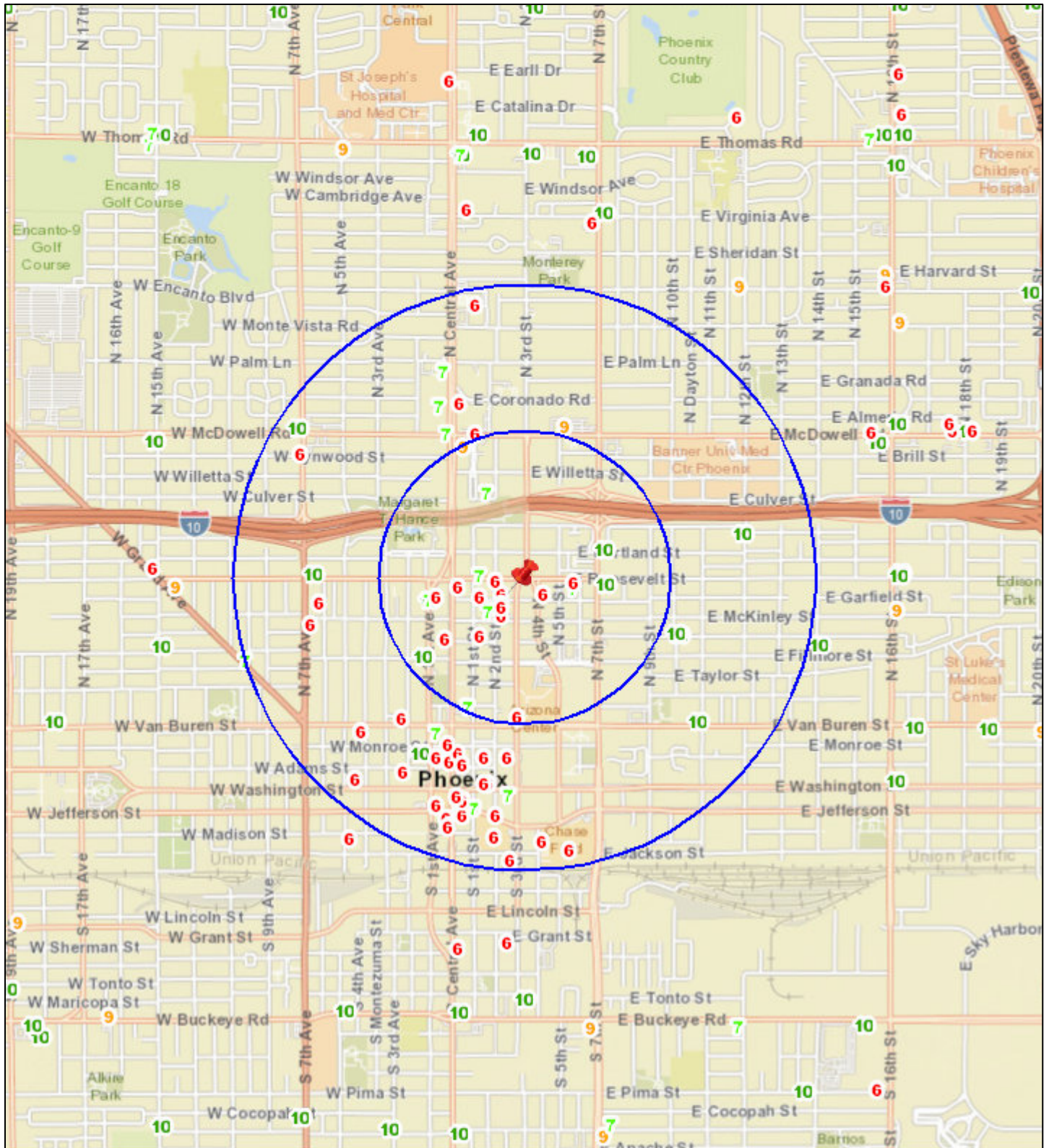
Description	Average	1/2 Mile Average
Parcels w/Violations	57	113
Total Violations	94	189

Census 2010 Data 1/2 Mile Radius

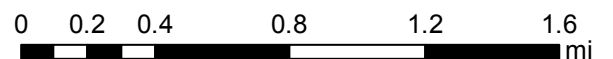
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1118004	671	62 %	6 %	6 %
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1132032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

Liquor License Map: WOK N' ROLL

330 E ROOSEVELT ST



Date: 10/6/2021



City Clerk Department



Liquor License - Nu Towne Saloon

Request for a liquor license. Arizona State License Application 06070492.

Summary

Applicant

Rory Kelley, Agent

License Type

Series 6 - Bar

Location

5002 E. Van Buren St.

Zoning Classification: C-3

Council District: 6

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

The 60-day limit for processing this application was Oct. 19, 2021. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "I have owned and operated my own businesses in the past, primarily in the Outdoor Advertising and on premise sign industries. I have always considered myself a responsible citizen, having been involved with numerous community groups as well as national organizations. Currently I am into my 49th consecutive years with the Fiesta Bowl (Life member), as well as serving on the management committee for the United States Croquet Association (Western Regional V.P) and a member of the Croquet Foundation of Arizona 'Hall of Fame' I am a graduate of Arizona State University and formerly served in the US Coast Guard. When I assume responsibility, I take responsibility. I consider myself to be physically & mentally capable."

Staff Recommendation

Staff recommends disapproval of this application based on a Police Department recommendation for disapproval due to misleading information provided on the application. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments

Liquor License Police Department Recommendation - Nu Towne Saloon

Responsible Department

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

LIQUOR LICENSE DISAPPROVAL FORM

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	Nu Towne Saloon	District	6
Business Location	5002 E. Van Buren Street		
Applicant Name	Rory Kelley	Series Type	6

The Police Department recommends disapproval of this liquor license application for the following reasons:

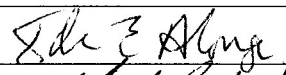
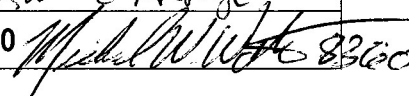
A.R.S. 4-210.A.3 states *"The licensee or controlling person knowingly files with the department an application or other document that contains material information that is false or misleading..."*

Rory Kelley Is listed as the agent and owner of the Nu Towne Saloon on the state liquor license application. On the city questionnaire, question 8 asks the applicant to list all persons having an ownership interest in the business. John Doran was listed. On 9/7/2021 Detective (Det.) Augustine spoke with Mr. Kelley by telephone and inquired about John Doran listed as owner. She was advised that Mr. Doran was the sole owner of the Nu Towne Saloon and Mr. Kelley was acting as the agent. Mr. Kelley was advised that he needed to amend his state application to reflect the new information. To date the ownership information on the application has not been amended as requested.

Based on the aforementioned reason the applicant has failed to show that they are reliable, capable or qualified and transfer of the liquor license for this establishment would not be in the best interest of the community.

This recommendation for disapproval is submitted by: Det. Theresa Augustine 10117

SIGNATURES

Administrative Licensing Investigator	I. Alonge A4289 
Liquor Enforcement Detail Supervisor	Sgt. M. Walter 8360 



Liquor License - Coyote Mexican Cuisine

Request for a liquor license. Arizona State License Application 159170.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

7822 N. 12th St., #B

Zoning Classification: PSC

Council District: 6

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow patron dancing.

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

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
“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 age, an adult beverage to accompany our fine dining.”

Staff Recommendation

Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department disapproval is based on concerns that the establishment is operating as a bar rather than a restaurant, inconsistencies in the application materials, and possible hidden ownership. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments

Liquor License Data - Coyote Mexican Cuisine

Liquor License Map - Coyote Mexican Cuisine

Liquor License Police Department Recommendation - Coyote Mexican Cuisine

Responsible Department

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

Liquor License Data: COYOTE MEXICAN CUISINE

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	5	1
Beer and Wine Bar	7	4	2
Liquor Store	9	1	0
Beer and Wine Store	10	5	2
Restaurant	12	14	6
Club	14	2	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.78	64.43	77.38
Violent Crimes	8.73	6.92	11.14

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

Property Violation Data

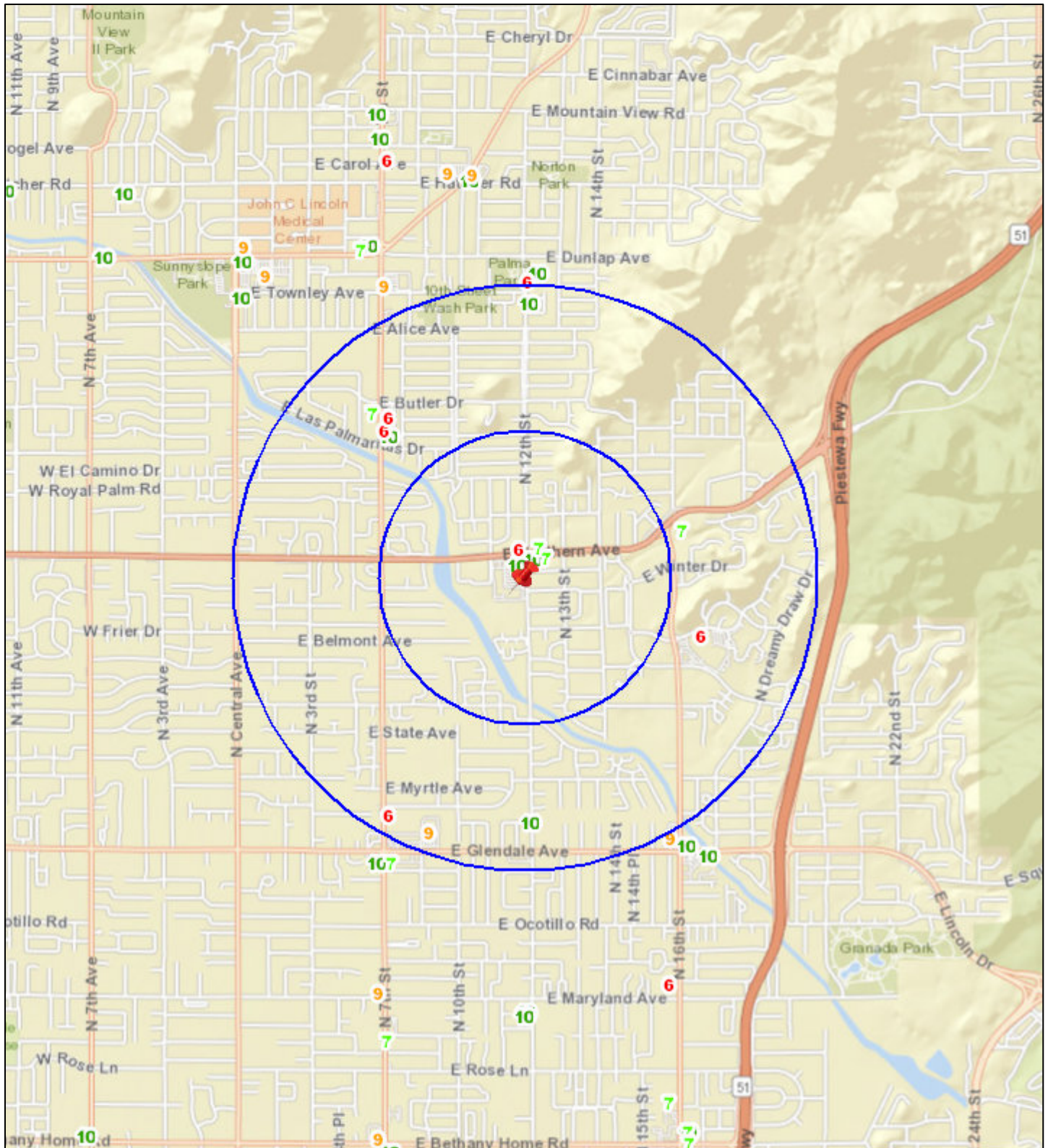
Description	Average	1/2 Mile Average
Parcels w/Violations	56	55
Total Violations	91	89

Census 2010 Data 1/2 Mile Radius

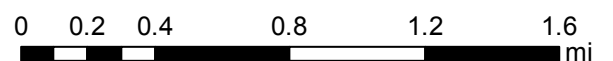
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1051023	1135	72 %	23 %	12 %
1052001	877	71 %	25 %	24 %
1052002	1702	63 %	7 %	23 %
1052004	2577	44 %	5 %	15 %
1053001	1959	84 %	11 %	9 %
1062002	1751	97 %	6 %	1 %
1063001	867	51 %	40 %	17 %
1063002	1099	67 %	24 %	17 %
1063003	1910	50 %	11 %	42 %
1063004	1060	59 %	22 %	20 %
Average		61 %	13 %	19 %

Liquor License Map: COYOTE MEXICAN CUISINE

7822 N 12TH ST



Date: 9/2/2021



City Clerk Department

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	Coyote Mexican Cuisine	District	6
Business Location	7822 N. 12th Street, Suite B		
Applicant Name	Andrews Samuka	Series Type	12

The Police Department recommends disapproval of this liquor license application for the following reasons:

Establishment operating as a nightclub/bar

This liquor license application is for a Series 12 restaurant license; however, The Police Department have found significant indications Coyote Mexican Cuisine, formerly known as Santo Coyote, is operating as a nightclub/bar (Exhibit A). The Phoenix Police Department found discrepancies between what is conveyed as being a nightclub while manifestly still in operation as Santo Coyote, when application suggests a restaurant under the name Coyote Mexican Cuisine.

Examples of these significant indications operating as a nightclub/bar include: 1. Hours of operation (3pm-2am) with no lunch service, 2. Promotions include bottle table service, VIP and cover charges, and party bus references, 3. Establishment provides DJ's, 21+ and ID at the door, bouncers, and 4. Advertising includes Club Zola, African Experience, admission fees (males \$20, females \$10), and entry tickets for purchase (Exhibit B).

Inconsistent Findings on Application

The application lists a seating capacity of 185 while promotional materials state 300. Of the 185, it states 160 seats are for dining, and 25 seats for the bar; yet only 10% of the space is used for dining while 80% is designated as the bar. The assembly permit nor certificate of occupancy was provided or posted in the facility. Information from neighboring businesses and social media postings suggest the facility is often over capacity. And social media indicates dining table are moved or removed to allow for dancing and DJ's as the questionnaire states.

An interview between the Phoenix Police Department and the applicant, Mr. Andrews Samuka, the Chef, Cesar Cruz and a representative from Arizona Liquor Industry Consultants was conducted at the premises on September 23, 2021. Prior to the interview Mr. Samuka was asked to provide bank statements to source the funds, the purchase agreement and operating agreement or operations plan. Mr. Samuka at the time of the interview provided a copy of the lease agreement and purchase agreement which came with the original application and did not provided a copy of bank statements or operating agreements or, information gathered from the interview process supports the assertion that this facility is not operating as a restaurant (Exhibit C).

Hidden Ownership

Hidden ownership is a concern at this establishment. The applicant, Mr. Andrews Samuka, either has assimilated or has a vested interest with former Santo Coyote Applicant Lorena Carbajal of the same location with the same business model which is focused on alcohol service rather than food service. This business, although in the application is named Coyote Mexican Cuisine, still appears to be in full operation as the previous name, Santo Coyote and using PIFF Entertainment, owned by Mr. Samuka, for advertising. Mr. Samuka denies knowing the former applicant Ms. Carbajal, yet PIFF entertainment appears to be

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	Coyote Mexican Cuisine	District	6
Business Location	7822 N. 12 th Street, Suite B		
Applicant Name	Andrews Samuka	Series Type	12

connected through numerous large-scale events such as Club Zola at various locations owned and operated by Ms. Carbajal.

Ms. Carbajal has ownership in the following three active liquor licensed businesses in the state of Arizona, two of which have liquor license concerns: 1. Club Silverado at 6108 N. 27th Avenue, 2. Silverado Canto Bar at 4809 N. 27th Avenue, and 3. La Consentida Tacos and Sushi at 2647 W. Glendale Avenue.



- Club Silverado history includes two shootings on 01/16/21 and 02/12/21. The shooting on 02/12/21 resulted in, an underage patron (20) suffering a gunshot wound, and in the arrest of another underage patron (18). Both patrons were reported to have been served in the club. There was also a vehicle collision as a result of the shooting.

In addition, on 03/20/21, the Department of liquor conducted an inspection of Club Silverado and found four (4) underage patrons in the club.

- La Consentida Tacos and Sushi was found to be in violation of Title 4 on two separate occasions: 02/28/20, (4-241.A Failure to request ID of underage patron, and 4-244.9 Sell, give, furnish underage patron), and on 07/23/20 (4.210.A.10 Failure to protect safety of patrons), (4-210.A.2 Failure to maintain Capable, Qualified, and reliable), and (4-210.A.9- failure to comply with Title 4).

The Phoenix Police Department believes that the applicant is operating Coyote Mexican Cuisine as a bar/nightclub and not as a restaurant. The department also believes Mr. Samuka has a personal stake, hidden ownership or involvement in this undertaking with Ms. Carbajal who has demonstrated that she is not capable, qualified, and reliable, to hold a liquor license, based on past history of liquor license violations at establishments owned by Ms. Carbajal. Based on the aforementioned reasons, the applicant has failed to show that they are reliable, capable, or qualified and the issuance of a liquor license for this establishment would not be in the best interest of the community and is therefore recommending disapproval of the Coyote Mexican Cuisine liquor license application.

This recommendation for disapproval is submitted by: Officer Rebecca Rees 10016

SIGNATURES	
Administrative Licensing Investigator	I. Alonge A4289 
Liquor Enforcement Detail Supervisor	Sgt. M. Walter 8360 



PAYMENT ORDINANCE (Ordinance S-48088) (Items 21-24)

Ordinance S-48088 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.

21 Settlement of Claim(s) Muhaymin v. City of Phoenix

To make payment of up to \$5,000,000.00 in settlement of claim(s) in *Muhaymin v City of Phoenix*, 16-0678-001, BI, GL, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of bodily injury claim arising out of a police incident on Jan. 4, 2017 involving the Police Department.

22 Settlement of Claim(s) Gutierrez v. City of Phoenix

To make payment of up to \$425,000.00 in settlement of claim(s) in *Gutierrez v. City of Phoenix*, 20-0702-001, BI, GL, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of bodily injury claim arising out of a police incident on Aug. 5, 2019.

23 Life Technologies Corporation

For \$28,000.00 in payment authority to purchase a one-year service maintenance agreement from Nov. 1, 2021 through Nov. 29, 2022 for two 3500xl Genetic Analyzers for the Laboratory Services Bureau, Forensic Deoxyribonucleic Acid (DNA) Section for the Police Department. The 3500xl Genetic Analyzers are proprietary and have been validated for use with laboratory reagents to meet national standards. The instruments are

critical for conducting DNA analysis on biological evidence collected during criminal investigations. Service is required to meet the federal standards for DNA casework laboratories.

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

For \$10,000.00 in payment authority for the use of the Maricopa County Rio Salado Community College Police Academy testing services for the Police Department. The funds will ensure that recruits are awarded college credit 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, the Arizona Department of Public Safety, and other police agencies in Arizona. The academy holds up to 12 classes per year, with an average of 30 recruits in each class.



Landscape and Utility Vehicles, Trailers and Equipment - Requirements Contract - ADSP018-202494 (Ordinance S-48092)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 150029 Drake Equipment of Arizona, Inc.; 150054 Alamo Group, Inc.; 150024 A&G Turf Equipment, Inc.; 150028 Fleming Trailers, Inc.; 150022 Diamond Mowers, LLC; 150055 A to Z Equipment; 150057 Deere & Company; 150027 Stotz Equipment; 150056 Sonsray Machinery LLC; 150030 GO AZ Motorcycles; 150031 Bingham Equipment Company for the purchase of utility vehicles, tractors, trailers, all-terrain vehicles, golf carts, lawn and garden equipment used by departments Citywide. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$10,017,588.

Summary

These contracts are used to provide trailers, landscaping equipment, and utility vehicles as needed for the maintenance of streets, water utilities, parks, solid waste collection and other areas that are vital to City operations. During the past two years, departments have worked to replace aging equipment at the same time there has been significant global price increases that necessitate the additional funding.

Contract Term

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

Financial Impact

Upon approval of \$10,017,588 in additional funds, the revised aggregate value of the contract will not exceed \$15,617,588. Funds are available in the various departmental budgets.

Concurrence/Previous Council Action

This contract was originally approved by City Council on May 15, 2019.

Responsible Department

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



Authorization to Enter into a Lease Agreement with International Flora Technologies, Ltd. at 28633 W. Patterson Road, Buckeye, Ariz. (Ordinance S-48091)

Request to authorize the City Manager, or his designee, to enter into a 10-year lease agreement with International Flora Technologies, Ltd. (Floritech) for continued occupancy of approximately 10.95 acres of land improved with a 25,837 square foot industrial building at 28633 W. Patterson Road. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

Floritech has operated at this location since Aug. 15, 2008, and currently leases approximately 10.95 acres of land improved with a 25,837 square foot industrial building for the purpose of administrative offices, manufacturing and distribution of cosmetic products, related uses, and processing and storage. A new lease agreement will be executed and will supersede lease agreement 124291 which expires on Aug. 14, 2023. Floritech is a long-term tenant in good standing.

The lease will be for a 10-year term plus two, 5-year options to extend. Each option period will be exercised upon mutual agreement of the City and Floritech.

Monthly base rent for the first year will be \$9,125, plus applicable taxes, which is within the range of market rents as determined by the Finance Real Estate Division. Base rent will be adjusted annually thereafter at a rate of three percent, and to market rent at the beginning of each option period, if exercised. Base rent will be abated in an amount not to exceed \$3,541.67 per month over the initial 10-year term to offset Floritech's costs for installation of a 300,000-gallon water storage tank and pump for the purpose of fire suppression. The City will retain ownership of the fire suppression system (i.e. the water storage tank and pump) upon termination of the lease.

Floritech is responsible for all costs associated with operation and maintenance of the property and all fees, repairs and maintenance related to the fire suppression system. Floritech will provide insurance and indemnification acceptable to the City's Risk Management Division and the Law Department. The lease may be canceled pursuant to A.R.S. section 38-511. The lease may contain such other terms and conditions

deemed necessary or appropriate by the City.

Contract Term

The lease agreement will be for a 10-year term, with two 5-year options.

Financial Impact

Net revenue, inclusive of abatement, during the 10-year term will be \$830,295, plus applicable taxes.

Concurrence/Previous Council Action

The City Council approved:

- Agreement 124291 (Ordinance S-35018) on May 7, 2008.
- Amendment 1 and Amendment 2 to Agreement (Ordinance S-40610) on Aug. 15, 2013.

Location

28633 W. Patterson Road, Buckeye, Ariz. - identified by Maricopa County Assessor parcel number 401-66-026C.

Council District: Out of City

Responsible Department

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



Acceptance and Dedication of Deeds and Easements for Roadway, Public Utility and Sidewalk Purposes (Ordinance S-48098)

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

Summary

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

Easement (a)

Applicant: Aida Ayala, its successor and assigns

Purpose: Public Utility

Location: 3545 W. Westcott Drive

File: FN 210097

Council District: 1

Easement (b)

Applicant: 1122 Investment Bismarck LLC, its successor and assigns

Purpose: Sidewalk

Location: 2107 W. Whispering Wind Drive

File: FN 210093

Council District: 1

Deed (c)

Applicant: Leonard Earl Thornton and Beverly Jo Thornton, its successor and assigns

Purpose: Roadway

Location: 10818 N. 17th Drive

File: FN 210082

Council District: 3

Easement (d)

Applicant: Ninety-Nine Holdings, LLC, its successor and assigns

Purpose: Public Utility
Location: 1701 N. 99th Ave.
File: FN 210070
Council District: 5

Easement (e)

Applicant: SSCW 99th Avenue Retail LLC, its successor and assigns
Purpose: Public Utility
Location: 1701 N. 99th Ave.
File: FN 210070
Council District: 5

Easement (f)

Applicant: Rogelio V. Gonzalez, its successor and assigns
Purpose: Public Utility
Location: 3403 W. Van Buren St.
File: FN 210092
Council District: 7

Easement (g)

Applicant: Jose Santana Bonilla Canchola and Thomas Velazquez, its successor and assigns
Purpose: Public Utility
Location: 702 W. Romley Road
File: FN 210087
Council District: 7

Easement (h)

Applicant: Kay DC Enterprises, LLC, its successor and assigns
Purpose: Sidewalk
Location: 2444 and 2454 E. Broadway Road
File: FN 210083
Council District: 8

Easement (i)

Applicant: Habitat for Humanity Central Arizona, its successor and assigns
Purpose: Public Utility
Location: 1216, 1220, 1221, 1224, 1227, 1228 and 1232 S. 12th Ave.
File: FN 210089
Council District: 8

Deed (j)

Applicant: Callie Lounie Evitt and Norma Garrison, its successor and assigns

Purpose: Roadway

Location: 8201 S. 9th St.

File: FN 210084

Council District: 8

Responsible Department

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



Acceptance of Easements for Drainage, Vehicular Non Access and Water Purposes (Ordinance S-48099)

Request for the City Council to accept easements for drainage, vehicular non access and water 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: 25th and Bell LIHTC, LLC, its successor and assigns

Purpose: Drainage

Location: 16801 N. 25th St.

File: FN 210078

Council District: 2

Easement (b)

Applicant: Rogelio V. Gonzalez, its successor and assigns

Purpose: Vehicular Non Access

Location: 3401 W. Van Buren St.

File: FN 210092

Council District: 6

Easement (c)

Applicant: William D.H. Francis and Shan L. Francis, Trustees UDT, Dated October 19, 1995, its successor and assigns

Purpose: Water

Location: 6027 E. Calle del Norte

File: FN 210086

Council District: 6

Easement (d)

Applicant: Zielinski Family Trust, U/A Dated June 24, 2021, its successor and assigns

Purpose: Water

Location: 4222 N. Paradise Way

File: FN 210086

Council District: 6

Easement (e)

Applicant: Highline Properties LLC, its successor and assigns

Purpose: Drainage

Location: 3812 E. Beverly Road

File: FN 210090

Council District: 8

Easement (f)

Applicant: MYIA Investments, LLC, its successor and assigns

Purpose: Drainage

Location: 10006 S. 19th Ave.

File: FN 210081

Council District: 8

Responsible Department

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



Acquisition of Real Property for a Street Improvement Project Located Along 13th Street Between Van Buren and Moreland Streets (Ordinance S-48090)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests required by donation, purchase within the City's appraised value, or by the power of eminent domain for a Street Improvement Project located along 13th Street between Van Buren and Moreland streets. Further request to authorize dedication of land with roadway and/or public improvements to public use for right of way purposes via separate recording instrument. Additionally request to authorize the City Controller to disburse all funds related to this item.

Summary

Acquisition of real property is required for roadway and other street improvements along 13th Street between Van Buren and Moreland streets. Improvements include pavement, curb, gutter and construction of Americans with Disabilities Act compliant sidewalks.

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

Financial Impact

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

Location

13th Street between Van Buren and Moreland streets.
Council District: 8

Responsible Department

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

Attachment A
Property Identification

City of Phoenix Street Improvement Project: 13th St. Van Buren to Moreland streets - ST85100442

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

APN	Address / Location
116-23-078A	1013 N. 13th St.
116-23-109	1121 N. 13th St.
116-23-122	1301 E. Moreland St.
116-23-190	1245 E. Portland St.
116-23-191A	1102 N. 13th St.
116-24-036	1246 E. Pierce St.
116-24-126	1301 E. McKinley St.
116-24-137	1302 E. Pierce St.
116-24-149	1301 E. Pierce St.
116-24-172A	811 N. 13th St.
116-25-021	1301 E. Fillmore St.
116-25-169A	506 N. 13th St.
116-25-170A	512 N. 13th St.
Unassessed	Northwest Corner 13th & Moreland Streets



Amendments to Pay Ordinance S-47689 in Accordance with Human Resources Committee 611 (Ordinance S-48116)

As part of a comprehensive proposal to address the job family of Street Maintenance Workers and establish a robust apprenticeship program, and to provide the Police Department with additional staffing flexibility with investigative duties, the following amendments to the Pay Ordinance [S 47689] are proposed in accordance with the recommendation of Human Resources Committee 611. The proposal will also require modifications to the City's Classification Plan [S-5815], which will be processed under a separate ordinance.

Insert New Language in Section 6

SECTION 6. On and after the effective date of this Ordinance, the pay rates for employees of the City of Phoenix shall be that shown in the Schedule II for each fiscal year, except that employees designated as Council Office Staff, Executive, or Middle Management **or enrolled in an apprenticeship program and assigned to apprentice compensation grades**, shall have a salary set by the City Manager which shall be at or between the minimum and maximum rates assigned to that classification as shown in the Schedule II for each fiscal year.

Insert New Subsection in Section 10

(y) Employees enrolled in an apprenticeship program and assigned to apprentice compensation grades may be advanced within their assigned pay grade by the City Manager based upon periodic review of the individual employee's work performance.

Establish the classification of Police Civilian Investigator, Job Code 62560, Salary Plan 001, Grade 033 (\$24.89 - \$37.87/hourly), Benefit Category 007, Labor Unit Code: 007, EEO-4 Category: Professionals, FLSA Status: Nonexempt.

Establish the classification of General Apprentice-U1 (NC), Job Code 00010, Salary Plan 100, Grade 190 (\$15.00 - \$35.00/hourly), Benefit Category 001, Labor Unit Code: 001, EEO-4 Category: Technicians, FLSA Status: Nonexempt.

Modify the Grade of Street Maintenance Worker I, Job Code 70110, from Salary Plan 002, Grade 111 (\$15.81 - \$20.83/hourly) to Salary Plan 002, Grade 112 (\$16.32 - \$21.58/hourly).

Modify the Class Title and Grade of Street Maintenance Worker II, Job Code 70120, from Salary Plan 003, Grade 113 (\$17.86 - \$22.55/hourly) to Street Maintenance Worker, Salary Plan 003, Grade 114 (\$18.47 - \$23.55/hourly).

Modify the assignment of Street Maintenance Worker II*Rapid Responder, Job Code 70121, from Salary Plan 003, Grade 114 (\$18.47 - \$23.55/hourly) to Street Maintenance Worker*Rapid Responder, Salary Plan 003, Grade 115 (\$19.16 - \$24.53/hourly).

Modify the assignment of Street Maintenance Worker II*Crew Leader, Job Code 70122, from Salary Plan 003, Grade 114 (\$18.47 - \$23.55/hourly) to Street Maintenance Worker*Crew Leader, Salary Plan 003, Grade 115 (\$19.16 - \$24.53/hourly).

Summary

POLICE DEPARTMENT

BACKGROUND

It has been past practice to use sworn Police Department staff to perform all investigator functions. Due to staffing challenges, this practice may result in pulling uniformed sworn Police Officers away from patrol and other public facing duties in order to manage investigator tasks, some of which do not necessarily need to be performed by a sworn peace officer.

Establishing a classification that allows for a civilian to perform selected investigator functions will provide necessary staffing flexibility and allow the Department to use their sworn staff where they are most needed. Assignments may include investigative or support responsibilities in the Drug Enforcement Bureau, Family Investigations Bureau, Property Crimes Bureau and Violent Crimes Bureau. This classification will not perform internal administrative investigations.

FINDINGS

Examples of similar job descriptions from other municipalities in the local labor market were reviewed, including Gilbert, Mesa, Peoria, and the Department of Public Safety. The target grade of 033 was identified as it aligns with two existing classifications within the Police Department; Police Research Analyst and Criminal Intelligence Analyst. This grade is also competitive with other municipalities.

STREET TRANSPORTATION DEPARTMENT BACKGROUND

The base classification of Street Maintenance Worker II is heavily reliant upon recruiting candidates to the “underfill” classification of Street Maintenance Worker I. Throughout the course of the study, however, it was determined that designing an attractive apprenticeship program would be more beneficial than continuing to use the entry level classification. At the time of the study, there were about 20 filled positions at the entry level and nearly 30 filled positions at the base level.

FINDINGS

Recent attempts to recruit new employees into the job family were ineffective suggesting that the initial entry rates were not competitive. Further analysis of other local municipalities combined with market pricing from other sources revealed that the City is about two percent behind the labor market.

A one-grade increase was recommended for the base classification and the two “assignments” immediately above the base class to maintain the competitive labor market position. And a new apprenticeship program was developed to address the attraction and recruiting issues.

APPRENTICESHIP

A new model for apprenticeships is proposed, using a generic classification and an open range without steps. This model will allow for the classification and salary range to be used by a variety of disciplines, and the specific rates of pay for the apprentices, as they progress through the program, will be developed in partnership between Classification/Compensation and the Apprenticeship Committee.

Financial Impact

The total estimated cost for the entire proposal is \$48,300. Funding is available in the Police and Street Transportation departments.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 611 on Oct. 11, 2021.

Responsible Department

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



Amendments to Classification Plan S-5815 in Accordance with Human Resources Committee 611 (Ordinance S-48117)

As part of a comprehensive proposal to address the job family of Street Maintenance Workers and establish a robust apprenticeship program, and to provide the Police Department with additional staffing flexibility with investigative duties, the following amendments to the Classification Plan [S-5815] are proposed in accordance with the recommendation of Human Resources Committee 611. The proposal will also require modifications to the City's Pay Ordinance [S-47689] which will be processed under a separate ordinance.

Establish the classification of Police Civilian Investigator, Job Code 62560, Salary Plan 001, Grade 033 (\$24.89 - \$37.87/hourly), Benefit Category 007, Labor Unit Code: 007, EEO-4 Category: Professionals, FLSA Status: Nonexempt.

Establish the classification of General Apprentice-U1 (NC), Job Code 00010, Salary Plan 100, Grade 190 (\$15.00 - \$35.00/hourly), Benefit Category 001, Labor Unit Code: 001, EEO-4 Category: Technicians, FLSA Status: Nonexempt.

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Modify the assignment of Street Maintenance Worker II*Rapid Responder, Job Code 70121, from Salary Plan 003, Grade 114 (\$18.47 - \$23.55/hourly) to Street Maintenance Worker*Rapid Responder, Salary Plan 003, Grade 115 (\$19.16 - \$24.53/hourly).

Modify the assignment of Street Maintenance Worker II*Crew Leader, Job Code 70122, from Salary Plan 003, Grade 114 (\$18.47 - \$23.55/hourly) to Street Maintenance Worker*Crew Leader, Salary Plan 003, Grade 115 (\$19.16 - \$24.53/hourly).

Summary

POLICE DEPARTMENT

BACKGROUND

It has been past practice to use sworn Police Department staff to perform all investigator functions. Due to staffing challenges, this practice may result in pulling uniformed sworn Police Officers away from patrol and other public facing duties in order to manage investigator tasks, some of which do not necessarily need to be performed by a sworn peace officer.

Establishing a classification that allows for a civilian to perform selected investigator functions will provide necessary staffing flexibility and allow the Department to use their sworn staff where they are most needed. Assignments may include investigative or support responsibilities in the Drug Enforcement Bureau, Family Investigations Bureau, Property Crimes Bureau and Violent Crimes Bureau. This classification will not perform internal administrative investigations.

FINDINGS

Examples of similar job descriptions from other municipalities in the local labor market were reviewed, including Gilbert, Mesa, Peoria, and the Department of Public Safety. The target grade of 033 was identified as it aligns with two existing classifications within the Police Department; Police Research Analyst and Criminal Intelligence Analyst. This grade is also competitive with other municipalities.

STREET TRANSPORTATION DEPARTMENT

BACKGROUND

The base classification of Street Maintenance Worker II is heavily reliant upon recruiting candidates to the “underfill” classification of Street Maintenance Worker I. Throughout the course of the study, however, it was determined that designing an attractive apprenticeship program would be more beneficial than continuing to use the entry level classification. At the time of the study, there were about 20 filled positions at the entry level and nearly 30 filled positions at the base level.

FINDINGS

Recent attempts to recruit new employees into the job family were ineffective suggesting that the initial entry rates were not competitive. Further analysis of other local municipalities combined with market pricing from other sources revealed that the

City is about two percent behind the labor market.

A one-grade increase was recommended for the base classification and the two “assignments” immediately above the base class to maintain the competitive labor market position. And a new apprenticeship program was developed to address the attraction and recruiting issues.

APPRENTICESHIP

A new model for apprenticeships is proposed, using a generic classification and an open range without steps. This model will allow for the classification and salary range to be used by a variety of disciplines, and the specific rates of pay for the apprentices, as they progress through the program, will be developed in partnership between Classification/Compensation and the Apprenticeship Committee.

Financial Impact

The total estimated cost for the entire proposal is \$48,300. Funding is available in the Police and Street Transportation departments.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 611 on Oct. 11, 2021.

Responsible Department

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



Agenda Date: 11/17/2021, Item No. 32

Amend Personnel Rule 5f and 15e (Ordinance S-48118)

Request City Council approval of amendments to City of Phoenix Personnel Rules 5f and 15e. This action establishes final rules and adopts changes to update the City's Personnel Rules.

Summary

The proposed rule changes are designed to improve current City practice on addressing seniority when reclassifying filled positions and ensure the City is, at minimum, in compliance with State law on administering military leave (**Attachment A - Personnel Rule 5 & 15**).

Public Outreach

A public meeting was conducted by the Human Resources Department on Oct. 19, 2021, to formally solicit comments on the proposed amendments.

Responsible Department

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

Attachment A

PURPOSE – The proposed amendments to Personnel Rule 5f improve current City practice on addressing seniority when reclassifying filled positions. The proposed amendments to Personnel Rule 15e are to ensure compliance, at a minimum, with State law.

New language to be included in the Personnel Rules is identified in all capital letters. Deletions are indicated by strikethrough. For convenience all amendments, including formatting changes, are highlighted in yellow.

RULE 5

CLASSIFICATION PLAN

5f. Reclassification of Filled Positions

The Human Resources Director shall from time to time, or upon request of the appointing authority, investigate any or all positions in the classified service. The findings of the Human Resources Director shall be reported to the appointing authority, ~~the~~ incumbent(s) of the position(s), and the Human Resources Committee. Affected employees and their authorized labor representative shall be given a reasonable opportunity to be heard by the Human Resources Committee. The Human Resources Committee shall reclassify such positions as it finds improperly classified to the correct classes. If the **SUPERVISOR VERIFIES AN** incumbent has been successfully performing the substantial portion of duties of the new classification for ~~over~~ **AT LEAST** one year **IMMEDIATELY PRIOR TO THE EFFECTIVE DATE OF THE CHANGE**, they shall not be required to serve the one-year period of probation stipulated in Rule 10; **AND FOR INCUMBENTS WHO HAVE NOT COMPLETED PROBATION, ANY PROBATION THEY HAVE SERVED IN THE PREVIOUS CLASSIFICATION WILL COUNT TOWARDS PROBATION IN THE NEW CLASSIFICATION**. For seniority calculations under Rule 14 and 16, or in cases where a probationary period is required, the time in the new classification shall begin when the reclassification action approved by the Human Resources Committee becomes effective **IF AN INCUMBENT HAS NOT BEEN SUCCESSFULLY PERFORMING THE SUBSTANTIAL PORTION OF DUTIES OF THE NEW CLASSIFICATION FOR AT LEAST ONE YEAR IMMEDIATELY PRIOR TO THE EFFECTIVE DATE OF THE CHANGE. IF AN INCUMBENT HAS BEEN SUCCESSFULLY PERFORMING THE SUBSTANTIAL PORTION OF DUTIES OF THE NEW CLASSIFICATION FOR AT LEAST ONE YEAR, THEIR PRIOR LENGTH OF TIME IN THE PREVIOUS CLASSIFICATION SHALL CONTINUE WITHOUT INTERRUPTION**. If a filled position at any time is reclassified to a different classification in order to correctly and accurately classify it, the incumbent shall be assigned by the Human Resources Committee as follows:

1. Position moved to a higher graded classification: The incumbent shall be moved into the higher classification. If the incumbent does not meet the minimum qualifications of the higher classification, they shall be allowed to underfill the position for up to one year.
2. Position moved to a different classification in an equivalent pay grade: The incumbent shall be moved into the new classification. Pay ranges with slight differences because of labor-negotiated rates shall be considered equivalent and the Human Resources Director is authorized to rule on such matters.
3. Position moved to a lower graded classification: The incumbent shall be transferred into a vacant position in the higher classification. If no vacancy exists, the incumbent shall retain their current rate of pay, consistent with the Y-rating policy in effect, and shall overfill the position until a position

vacancy occurs. If no vacancy becomes available and the period of Y-rating expires, or in the absence of a Y-rating policy, the Human Resources Director may place the employee in an equivalent classification with similar qualifications. If all other options are unsuccessful, the employee shall be entitled to bump as provided in the layoff/recall rule.

Classification changes as a result of reclassification shall not be considered a promotion, transfer, or demotion, regardless of whether the grade assignment changes or not. Pay changes as a result of a reclassification action are defined and described in the pay ordinance in effect at the time of the personnel action.

DRAFT

RULE 15

LEAVES OF ABSENCE

15e. Military Leave

- 15e1. National Guard: Leave for National Guard shall ~~be as specified in, AT A~~ **MINIMUM, COMPLY WITH** State law (A.R.S. Section 26-168) and **BE** issued by Administrative Regulation.
- 15e2. Military Reserve: Leave for Armed Services Reserve shall ~~be as specified in, AT~~ **A MINIMUM, COMPLY WITH** State law (A.R.S. Section 38-610) and **BE** issued by Administrative Regulation.
- 15e3. United States Armed Services in Wartime: All employees shall be entitled to an indefinite leave of absence without pay while serving on active duty in the military branch of the United States Government during time of war. This leave allowance also shall cover absences resulting from compulsory military training orders in peacetime. The position from which an employee is on military leave, if filled, shall be subject to the return of the employee from military leave.

The employee returning from military leave shall be reinstated to their position upon their request and presentation of their military termination papers to the Human Resources Director if they are physically fit to perform the duties of their former position. If the former position is no longer in existence, the employee shall be entitled to such employment or reinstatement rights as their seniority and performance rating entitle them. They shall be allowed ninety days to report to the department head for duty after the date of discharge or proper release from the Armed Services.

Employees on military leave of absence will be awarded a merit increase upon their return in accordance with USERRA.



Professional IT Services for Oracle Environment (Ordinance S-48130)

Request to authorize the City Manager, or his designee, to amend Ordinance S-43013, amend the terms and authorize additional expenditures for Agreement 144150 with Bias Corporation; Agreement 144149 with ERP Analysts, Inc.; Agreement 144147 with LCS Technologies, Inc.; and Agreement 144148 with Sofbang, LLC, for professional IT services for the City's Oracle environment for departments citywide, in an amount not to exceed \$450,000. Any remaining funds authorized by previous Council action will be applied to the extended contract term. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The City uses Oracle applications and technologies in multiple departments and for several critical citywide systems. These agreements provide specialized staff and technical services to implement and support citywide, enterprise level Oracle systems. Uses include PeopleSoft development and system administration for the City's Human Capital Management system supported by Information Technology Services, database administration for the Customer Care and Billing System (CC&B), Utilities Work and Asset Management (WAM), and Mobile Workforce Management (MWM) systems supported by the Water Services Department, and business intelligence development for the Public Works Department. Funding professional services to optimize the use of the City's Oracle systems creates efficiencies, improves customer service, and supports delivery of services to the public. Additionally, these contracts allow departments to quickly utilize highly experienced Oracle technology professionals to address unforeseen technology issues or support surges.

This request will also provide funding for additional Oracle technology staff and services for the Water Services Department's upgrade to the MWM system, which is used to manage the department's mobile workforce of field crews. The upgrade will provide new functionality and efficiencies which improves security and customer service.

These agreements are essential to the City, as they will allow departments to continue implementing, updating, or obtaining support of Oracle related applications and technologies on an as-needed basis.

Contract Term

The term of these agreements will be extended through Nov. 30, 2022.

Financial Impact

These contracts were originally approved on Nov. 30, 2016 with an aggregate value of \$7,500,000. With the additional \$450,000 (including taxes), the aggregate spending authority for these contracts is \$7,950,000 over the six-year term ending Nov. 30, 2022. Funds are available in various departments' budgets.

Concurrence/Previous Council Action

These agreements were originally approved by the City Council on Nov. 30, 2016, Ordinance S-43013.

Responsible Department

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



2021-22 HOME Investment Partnerships Program Call for Interest

Request City Council approval of the Housing Department's 2021-22 HOME Investment Partnerships Act (HOME) Program Call for Interest (CFI), Community Priorities for the HOME CFI, and the associated revisions to the Affordable Housing Loan Program (AHLP) Guidelines. The HOME Program is a federally funded program. There is no impact to the General Fund.

Summary

The AHLP's Community Priorities (Priorities) and Underwriting Guidelines allow the City to be proactive in communicating housing needs to developers of affordable and/or special needs housing. On Nov. 4, 2020, the City Council approved the Priorities as follows, and the Housing Department recommends continuing with these Priorities for the 2021-22 CFI:

1. Acquisition, rehabilitation, and/or new construction of properties that focus on homeless or special needs populations and provide appropriate services to assist and sustain these populations; and
2. Acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Program.

The total allocation available for the 2021-22 CFI is approximately \$6 million in HOME funding, of which \$883,814 must be awarded to CHDOs. The funds will allow for an estimated five to six affordable housing project awards with a maximum award of \$1 million.

Procurement Information

The CFI will be available through the City's website on Nov. 22, 2021. A selection committee will convene to evaluate proposed projects for the CFI-identified Priorities, based on the criteria listed below. The committee will be made up of representatives from City departments and community partners with housing development expertise who are not competing for the funding. Formal recommendation for the CFI award(s) will be presented to the Economic Development and Equity Subcommittee and City Council for approval.

Applicants must meet the following threshold criteria prior to moving forward for evaluation and scoring by the selection committee.

Threshold Criteria:

1. Application submitted before deadline;
2. Development team is not on the U.S. Department of Housing and Urban Development Debarment List;
3. Compliance with existing city loans;
4. Property management experience, minimum three years; and
5. Complete application as specified in the CFI.

Those applications that do not meet the threshold criteria will be rejected and not move forward to evaluation.

Evaluation criteria for selection will include the following:

Developer Experience - 260 points

Capacity and prior experience of the organization; its staff member and consultant experience in planning and completing projects similar to the proposed project; property management experience of those who will manage the proposed property, including compliance with federally subsidized units.

Project Merits - 430 points

Project need, proximity to services; sustainability as demonstrated in energy efficient design; location near transportation; amenities included in the project design; site plans and elevations; accessibility; experience of the General Contractor; project readiness and timeline.

Financial Feasibility - 260 points

Includes development financing plan; funding commitments; mitigation of identified risks; leverage of City funds.

Project Impact - 50 points

How likely the project is to succeed and accomplish its goals; serve the intended population; and demonstration of financial feasibility and project readiness.

AHLP Guidelines Revision

The City first adopted the AHLP and Underwriting Guidelines (Guidelines) in October 2005. Since then, the Guidelines have been periodically updated to reflect current City priorities, federal funding regulations and changes in lending practices. The Guidelines

were last updated in November 2020. The goals of the Guidelines are to:

1. Provide long-term housing affordability;
2. Outline clear guidelines for quality, well-constructed or rehabilitated housing;
3. Create predictable, clear underwriting and approval process; and
4. Manage risk and encourage high performing projects.

Proposed revisions to the AHLP Guidelines include the following clarifications:

1. Supportive Services to be provided to all qualifying special needs populations, regardless of the project type; and
2. A Material Change Request must be submitted when there is a deviation from the project that was proposed in the application such as number of units, population served, and project design.

There were no revisions to scoring, evaluation criteria and threshold for this CFI.

Financial Impact

There is no impact to the General Fund. HOME is a federally funded program.

Responsible Department

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



Authorization to Enter into Agreements with Aunt Rita's Foundation and the Arizona Community Foundation, Inc. to Support the Fast-Track Cities Initiative (Ordinance S-48101)

Request to authorize the City Manager, or his designee, to enter into agreements with Aunt Rita's Foundation (ARF) and the Arizona Community Foundation, Inc. (ACF) to provide funding to support HIV/AIDS awareness, education, and support services for individuals living with HIV through the City's Fast Track Cities Initiative. Expenditures will not exceed \$75,000 per agreement or \$150,000 in aggregate. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The Fast-Track Cities Initiative is an international effort working to end the HIV/AIDS pandemic, and the City of Phoenix is one of 25 cities in the U.S. working to reach this goal. This funding will serve to:

- Increase engagement and awareness so that individuals know their HIV status;
- Support linking those living with HIV to treatment;
- Support efforts in continual care for those living with HIV; and
- Support follow-up conducted with individuals who fall out of care.

ARF and ACF are leaders in providing critical HIV services to those living with and at-risk for HIV and AIDS. These organizations will subcontract with and disburse funding to their various partner agencies to expand advocacy and enhance access to care for evolving Antiretroviral Treatment and continue outreach to communities of color who are disproportionately impacted by HIV/AIDS. ARF is a founding member of the City of Phoenix Fast Track Cities Initiative and plays a vital role in advocating at the Arizona Legislature and State government to establish laws, regulations, and policies that further efforts to educate on, prevent, and treat HIV. ARF also fundraises on behalf of partner agencies in Arizona who offer services such as HIV testing, treatment and prevention, housing, substance use counseling, behavioral health, and harm reduction. ACF, through their fundraising, develops solutions and promotes innovation across a broad array of areas including education, health, community development, and more.

Contract Term

The term of each contract will begin on or about Dec. 1, 2021 and end June 30, 2022.

Financial Impact

The aggregate value of the contracts shall not exceed \$150,000. The funding for each entity will be:

- Aunt Rita's Foundation: \$75,000
- Arizona Community Foundation: \$75,000

Funding is available through the Human Services Department.

Responsible Department

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



Authorization to Enter Into an Intergovernmental Agreement with Maricopa County Department of Public Health (Ordinance S-48113)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with Maricopa County Department of Public Health (MCDPH) for media expansion of MCDPH's, "Positively You," campaign. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available through the Human Services Department. Aggregate expenditure will not exceed \$50,000.

Summary

MCDPH's, "Positively You," campaign is a media initiative designed to educate and empower young people with HIV to proactively engage in HIV treatments. The campaign uses multiple mediums to share the inspiring stories of six young, local individuals (Ambassadors) living with HIV. Through video, web, and printed materials, the Ambassadors share initial reaction to their diagnosis and how each overcame fear and internal stigma to access medical care and support services. Media expansion will include: additional Ambassador videos and photo shoots, re-design of current social media ads and website functionality, outreach events, and printed materials.

Contract Term

The term of the contract will begin on or about Nov. 17, 2021, and end on June 30, 2022.

Financial Impact

The aggregate value of the contract shall not exceed \$50,000. Funding is available through the Human Services Department.

Responsible Department

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



Golf Management System Request Contract Award Recommendation

Request to authorize the City Manager, or his designee, to negotiate and enter into a contract with NBC Sports Next Golf Now, LLC to provide golf management system technology software and services. There is no impact to the General Fund. The contractor will retain revenue generated by tee time fees.

Summary

The Parks and Recreation Department requires updated golf management software, which will be the new point of sale system for bookings, payment of tee times and purchasing of items. The system will also provide tracking, reporting of revenue streams and serve as an email marketing tool to increase marketing tactics.

On July 1, 2021, City Council approved staff to issue a Request for Proposals (RFP) to identify an experienced organization that can develop, implement, train, manage and support a system that will provide an enhancement to the City's municipal golf courses. The current agreement providing similar services will expire in the spring of 2022, and a new agreement is needed to ensure the continuity of golf management services and to provide needed updates.

If approved, NBC Sports Next Golf Now, LLC will begin working with staff to allow time for the configuration and implementation of the new golf management software system.

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

Procurement Information

Golf Management System Request for Proposals, PKS-RFP-21-004, was issued on Aug. 5, 2021 and conducted in accordance with Administrative Regulation 3.10. The City received three proposals from two organizations; one organization submitted two separate proposals. Of the three proposals received, one proposal from each organization was moved forward for demonstrations and interviews.

The proposals were evaluated and scored by a panel of golf, technology and finance professionals internal and external to the City. The evaluation panel recommends NBC Sports Next Golf Now, LLC for contract award, to provide the software and services as requested. Out of 1,000 possible points, the scoring results are as follows:

NBC Sports Next Golf Now, LLC:	890
Golf Compete, Inc dba foreUP:	845

Contract Term

The term of the contract will be for five years, with one option to extend for five additional years which may be exercised at the City's discretion.

Financial Impact

The agreement has no impact to the General Fund. The contractor will retain revenue generated by tee time fees.

Location

Council Districts: 3, 4, 5, 6 and 7

Responsible Department

This item is submitted by Deputy City Managers Inger Erickson and Toni Maccarone, and the Parks and Recreation and Information Technology Services departments.



Public Hearing and Resolution to Approve the 2022 Downtown Enhanced Municipal Services District Assessments (Resolution 21977)

Request to hold a public hearing for the approval of the 2022 Downtown Enhanced Municipal Services District (Downtown EMSD) assessments and adopt a resolution approving such assessments for the 2022 calendar year. The General Fund estimated annual expenditure for this program is \$449,664.17.

Summary

Pursuant to State law, a public hearing must be held prior to the annual adoption of the assessments for the Downtown EMSD. The City Council authorized the formation of the Downtown EMSD in 1990 to provide enhanced public services, above and beyond the level of services provided in the remainder of the City. The costs for the Downtown EMSD services are paid through assessments on property owners within the Downtown EMSD boundaries, which are generally bounded by Fillmore Street on the north, 7th Street on the east, 3rd Avenue on the west, and on the south by the railroad tracks south of Jackson Street.

The City contracts directly with Downtown Phoenix, Inc. (DPI) to implement the work program, as described in **Attachment A**. The work plan and budget for calendar year (CY) 2022 provides a variety of enhanced services in the downtown core, including business improvement services and overall business development.

The annual assessments for the Downtown EMSD will be levied for CY 2022 after the required legal process for the Downtown EMSD has been completed. Assessments are determined in proportion to the benefits received by each parcel. There are approximately 785 parcels in the Downtown EMSD that the budget will be assessed on. This is based on the approved Downtown EMSD assessment diagram that indicates the properties to be assessed for enhanced municipal services. This diagram is on file in the office of the Director of the City of Phoenix Street Transportation Department, and was posted online at the City's Community and Economic Development Department website.

The figures below represent the assessments for private and public property owners based on the approved 2022 Downtown EMSD budget of \$4,380,935. See

Attachment B for a breakdown of the expense categories. This includes \$162,509 for streetscape maintenance expenses, which are paid only by property owners and tenants adjacent to the Streetscape Improvement District (SID). The SID includes certain portions of Monroe Street from 3rd Avenue to 7th Street; Adams Street from 2nd Avenue to 2nd Street; 2nd Street from Jefferson to Van Buren streets; and 3rd Street from Monroe to Van Buren streets.

Estimated 2022 District Budget: \$4,380,935

Estimated 2022 Assessment Revenue: \$4,230,935

Estimated 2022 Non-assessment Revenue: \$150,000

Downtown EMSD Calendar Year 2022 Assessments

Private Property Owners Assessments: \$1,885,256

Public Property Assessments: \$2,345,679

Total Assessments: \$4,230,935

Streetscape Maintenance Expenses (expenses included in the figures above)

Private Property Owners Assessments: \$94,484

Public Property Assessments: \$68,025

Total Streetscape Expenses: \$162,509

Financial Impact

The City's total estimated annual expenditure for this program is \$1,432,799.21, which includes:

- \$449,664.17 from the General Fund (approximate \$110,173 increase from 2021);
- \$582,505.12 from the Phoenix Convention Center;
- \$139,146.73 from the Sports Facilities Fund;
- \$9,719.51 from the Genomics Facilities Operations and Maintenance Fund; and
- \$251,763.68 from collections from tenants on City-owned properties.

Concurrence/Previous Council Action

This item was recommended for approval at the Economic Development and Equity Subcommittee meeting on Sept. 28, 2021, by a vote of 4-0.

On Oct. 27, 2021, the City Council approved:

- The 2022 Downtown EMSD Budget, Assessments and Set Public Hearing Date of Nov. 17, 2021 for the hearing on the estimated assessments; and
- The 2022 Downtown EMSD Assessment Diagram.

Public Outreach

On Oct. 27, 2021, the City Council set the date of Nov. 17, 2021 as the date for the public hearing on the Downtown EMSD assessments. On Oct. 27, 2021, a total of 20 days prior to the hearing as legally required, all property owners were notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development departments. In addition, DPI has sent letters to all property owners, and the Downtown EMSD Board approved the 2022 budget at its July 2021 board meeting.

To answer any questions that property owners in the Downtown EMSD might have, Community and Economic Development Department staff made themselves available virtually for an hour prior to the Nov. 17, 2021 public hearing. Notice of the public hearing was also published in the Record Reporter as specified below. No further notification is required after the public hearing.

To be published:

The Record Reporter

- Nov. 3, 2021
- Nov. 5, 2021

Location

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

Council Districts: 7 and 8

Responsible Department

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

Attachment A

2022 Downtown Phoenix Partnership (DPP) Proposed Work Plan

Developed by staff for Board of Director and City Council approval, the following goals and objectives are guided by the priorities of Enhanced Municipal Service District (EMSD) stakeholders and take into consideration the objectives not accomplished in 2020/2021 due to the COVID-19 pandemic.

Administration, Finance, and Information Technology

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

Proposed Objectives to Achieve Goal

1. Complete buildout and opening of Downtown Phoenix Bike Commuter Facility
2. Implement website platform for PCA membership and stakeholder engagement using current applications to streamline accounting processes
3. Continue to identify process improvements, training, budget saving opportunities, and ways to help staff across all DPI departments and affiliates work more efficiently and effectively
4. Create documentation for all IT assets, processes, and security protocols
5. Support the work of all DPI departments and affiliates through finance, administrative, and IT services

Marketing & Events

Goal: Propelling our neighborhood forward through continued business support, dynamic storytelling, and enhanced visitor resources

Proposed Objectives to Achieve Goal

1. Continue to create content that enhances dtphx.org as an invaluable resource for Downtown news, event information, and development
2. Continue to enlist artists, community contributors, and social media influencers to help us tell diverse, inclusive, and authentic Downtown stories
3. Safely and strategically return our events portfolio to pre-pandemic levels, with special attention paid to cultural events, intellectual events, cross-over pop-up events, and family friendly events
 - a. Use large events as megaphones for telling Downtown's story
4. Continue to promote and raise awareness of family-friendly infrastructure
5. Continue to infuse Downtown with public art through our sustaining partnership with Artlink Phoenix, and by advocating for the value of art across all constituencies

6. Continue to work with Visit Phoenix, Phoenix Convention Center, and hospitality partners to bring convention business back to Downtown
 - a. Use conventions to tout the transformative growth that continues to push Downtown forward
7. Continue to support Downtown's bike culture and pedestrian experience with an emphasis on safety, especially once the Downtown Phoenix bike commuter facility opens
8. Dive deeper into data organization and consolidation so that stakeholder records can be accessed cross-departmentally
 - a. Streamline delivery lists for convention welcome posters and our popular What's Happening guides
9. Continue to work with Valley Metro and Kiewit to strategize around Light Rail construction mitigation
10. Ensure proper communication channels are in place with property management and security teams leading into Super Bowl 2023

DTPHX Ambassadors and Clean & Green Team

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

Proposed Objectives to Achieve Goal

1. Continue to serve as eyes and ears for Downtown and increase Ambassador presence as a safety tool
 - a. Return program to 24 full-time Ambassadors
2. Continue to develop Ambassadors through ongoing series of monthly trainings beyond new and improved 30/60/90-day onboarding program
 - a. Provide familiarization tours to teams to keep up with the rapid growth and development of Downtown
 - b. Offer trainings such as nonviolent crisis intervention, CPR, and self-defense
3. Continue to participate in the City's coordinated efforts to reducing homelessness by connecting individuals experiencing homelessness to services
4. Continue to clean and disinfect high touch, high traffic public spaces, and infrastructure with high pressure washing equipment
5. Further multi-modal transportation initiatives and act on recommendations from both the Parking and Curb studies
 - a. Determine feasibility of a shuttle service to better connect residents, visitors, students, and employees in Central City South, Warehouse District, and Roosevelt Row to amenities in the EMSD
 - b. Work with City of Phoenix Street Transportation Department to implement additional co-branded 15-minute metered parking spaces near new high rise residential and street level restaurants
6. Improve walkability of Downtown's corridors and enhance the street level experience through place-making efforts

- a. Increase shade through tree plantings and a new focus on shade structures for high traffic sidewalks where trees can't be planted
 - b. Add planters with flowering plants to beautify building exteriors near main intersections throughout the EMSD
 - c. In partnership with the city's Public Works Department, replace trash and recycling receptacles to better match needs of Downtown and improve diversion rates
 - d. Continue to commission art, including 3-D, and create cross-collaborative pop-up activations with stakeholders in public spaces
 - e. Build and maintain new lending libraries and develop a daily management plan for books
- 7. Assess and improve public amenities throughout the Streetscape Improvement District, such as:
 - a. Site furnishings like benches and chess/checkers tables
 - b. Outdoor string lights across pedestrian corridors and other decorative lighting
 - c. Interactive activations such as motion-detected street planter speakers
- 8. Assess existing vehicular and pedestrian wayfinding signage throughout the EMSD and provide recommendations for updating or sunsetting
- 9. Modify "hydration station" to be battery powered for easier mobility and to use as a mobile collateral kiosk by Ambassadors

Business Development

Goal: To foster Downtown as a sustainable, economically-viable business, education, and residential center of our city and region

Proposed Objectives to Achieve Goal

- 1. Promote and provide personalized tours of Downtown, in partnership with city's Community & Economic Development Department (CEDD), to developers, investors, companies, and brokers showcasing Downtown's growth and amenity package
- 2. Attend all pre-development meetings at the City of Phoenix and offer support to developers and business owners looking for data or assistance to move their project forward
- 3. Support the transition of the Phoenix Biomedical Campus (PBC) into a major employment center in health, bio and life sciences
- 4. Focus on retaining current Downtown-based companies and retailers
- 5. Act as the "one-stop" information resource for developers, brokers, investors, and companies interested in locating Downtown
- 6. Continue to support co-working growth and the growing entrepreneurial/start-up ecosystem in Downtown
- 7. Focus on adding Downtown non-food & beverage retail offerings in collaboration with CEDD
- 8. Focus on adding family-friendly infrastructure and programming to emphasize Downtown as a competitive place where families can live, work, play, and learn
- 9. Proactively seek opportunities to use GIS mapping and interactive visual storytelling to promote Downtown and engage new audiences in its growth and development

10. Raise awareness of Downtown development outside of our local sphere by pursuing opportunities to participate on panels and engage in relevant industry conferences

Attachment B
CY 2022 EMSD Budget - Estimated

	Account	2022 Budget
	General Office	485,990
	Admin Salaries	221,163
	Events	258,329
	Marketing	515,383
Expenses	Business Development	217,529
	BID Services	2,295,509
	Super Bowl	45,910
	SID	191,122
	Non-assessment Miscellaneous	150,000
	Total District Budget	4,380,935
Revenue	Assessment Revenue	4,230,935
	Non-assessment Revenue	150,000



Pay Invoices for 2022 Downtown Enhanced Municipal Services District (Ordinance S-48121)

Request to authorize the City Manager, or his designee, to pay all invoices received from Downtown Phoenix, Inc. (DPI) through the Phoenix Downtown Enhanced Municipal Services District (EMSD) Agreement, in an amount not to exceed \$4,380,935 for work related to the Calendar Year 2022 Downtown EMSD budget and work plan through Dec. 31, 2022. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The City Council authorized formation of the Downtown EMSD in 1990 to provide enhanced public services, above and beyond the level of services provided in the remainder of the City. The City contracts directly with DPI to implement the work program of the Downtown EMSD, including the Ambassadors program, streetscape improvements and maintenance, the Clean Team program, marketing, event promotion, business assistance and transportation services. Pursuant to State law, each year a budget must be approved for the Downtown EMSD. This action is the final step in the annual budget process to authorize the Community and Economic Development Department to pay DPI for services rendered in Calendar Year 2022 under the Downtown EMSD contract.

Financial Impact

The City's total estimated annual expenditure for this program is \$1,432,799.21, which includes:

- \$449,664.17 from the General Fund (approximate \$110,173 increase from 2021);
- \$582,505.12 from the Phoenix Convention Center;
- \$139,146.73 from the Sports Facilities Fund;
- \$9,719.51 from the Genomics Facilities Operations and Maintenance Fund; and
- \$251,763.68 from collections from tenants on City-owned properties.

An additional \$912,879 is collected from other government-owned properties including Maricopa County, Maricopa County Stadium District and the State of Arizona. The remaining \$1,885,256 of funds are collected from private property owners through an

assessment on their property tax bill.

Estimated 2022 District Budget: \$4,380,935

Estimated 2022 Assessment Revenue: \$4,230,935

Estimated 2022 Non-assessment Revenue: \$150,000

Concurrence/Previous Council Action

This item was recommended for approval at the Economic Development and Equity Subcommittee meeting on Sept. 28, 2021, by a vote of 4-0.

On Oct. 27, 2021, the City Council approved:

- The 2022 Downtown EMSD Budget, Assessments and Set Public Hearing Date of Nov. 17, 2021 for the hearing on the estimated assessments; and
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To answer any questions that property owners in the Downtown EMSD might have, Community and Economic Development Department staff made themselves available virtually for an hour prior to the Nov. 17, 2021 public hearing. Notice of the public hearing was also published in the Record Reporter as specified below. No further notification is required after the public hearing.

To be published:

The Record Reporter

- Nov. 3, 2021
- Nov. 5, 2021

Location

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

Council Districts: 7 and 8

Responsible Department

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



Uniformed Unarmed Security Services (Ordinance S-48094)

Request to authorize the City Manager, or his designee, to enter into contract with IPSA Security Services, LLC. to provide Uniformed Unarmed Security Services for the Phoenix Convention Center Department (PCCD). The agreement is for five years beginning on June 30, 2022 and shall be for an aggregate total of \$10,951,790 with an estimated annual amount of \$2,190,358. Request further authorization for the Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The PCCD is seeking to enter into a contract with IPSA Security Services, LLC. to provide Uniformed Unarmed Security Services. PCCD contracts for licensed security guard services, 24 hours a day, at the Phoenix Convention Center facilities, Symphony Hall, Orpheum Theatre and parking facilities. The service also includes, but is not limited to, staffing and operating the Operations Center, providing security services on an as-needed basis, mobile patrols by bicycle, fire watch, fire panel monitoring, monitoring access control and security systems, incident reporting and coordinating with first responders.

Procurement Information

The recommendation is in accordance with City of Phoenix Administrative Regulation 3.10, following the Request for Proposal (RFP) procurement process. There were nine proposals received by the PCCD Financial and Procurement Services section on Aug. 9, 2021. The offers were evaluated on price, responsiveness to specifications, and responsibility to provide the required service. The price was determined to be fair and reasonable. The solicitation notification was publicly posted and available for download from the City's website.

The top three responsive proposers were as follows:

IPSA Security Services, LLC.	#1: Score 816.14
Inter-Con Security Systems, Inc	#2: Score 774.64
GardaWorld Security Services	#3: Score 724.75

Contract Term

The contract term is for five years beginning June 30, 2022.

Financial Impact

The agreement is for five years and shall be for an aggregate total of \$10,951,790 with an annual estimated amount of \$2,190,358. Funds are available in the Phoenix Convention Center Department operating budget.

Location

Council Districts: 7 and 8

Phoenix Convention Center, 100 N. Third St.
Symphony Hall, 75 N. 2nd St.
Herberger Theater, 222 E. Monroe St.
Orpheum Theatre, 203 W. Adams St.
Regency Garage, 40 N. 2nd St.
Heritage Garage, 501 E. Monroe St.
East Garage, 601 E. Washington St.
West Garage, 185 N. 2nd St.
North Garage, 429 E. Monroe St.
Tonto Marshalling Yard, 1102 E. Tonto St.

Responsible Department

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



Authorization to Enter Into Agreement for FY 2021-22 and to Extend FY 2017-18 Agreement for Tourism and Hospitality Advisory Board Funds (Ordinance S-48114)

Request to authorize the City Manager, or his designee, to enter into a contract with the Greater Phoenix Convention and Visitors Bureau (GPCVB) for FY 2021-22 Tourism and Hospitality Advisory Board (THAB) funds and to extend the FY 2017-18 THAB funding agreement with GPCVB for five additional years. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Tourism and Hospitality Advisory Board (THAB) is the City of Phoenix Board that, annually, reviews and recommends projects and/or programs that enhance the City's tourism and hospitality industry. The 14-member board is comprised of eight hoteliers (one from each Council district), two at-large members from hospitality related industries, two citywide representatives, one non-voting representative from City staff, and one non-voting member from the GPCVB. For FY 2021-22, \$500,000 is appropriated for tourism and hospitality initiatives.

The hospitality industry has begun to gradually recover from the global Coronavirus pandemic. Robust booking activity for future conventions, trade shows and events in 2022 and beyond bodes well for the destination however, the industry continues to be impacted by the cancellation and/or postponement of some conventions, meetings and trade shows.

Procurement Information

The 2021-2022 funding recommendation is in accordance with City of Phoenix Administrative Regulation 3.10, following the approved City of Phoenix Request for Agreement (RFA) procurement process.

On September 21, 2021 at the THAB meeting, the GPCVB presented the proposed FY 2021-22 funding request and scope of work for consideration. In partnership with GPCVB, the current funding proposal will help aid in stimulating the local tourism and hospitality industry and assist in increasing activity to hotels and businesses in the local area; many impacted by the current pandemic. Under the proposal, the GPCVB

will utilize THAB funding in the following areas to support the City's tourism and hospitality industry now and over the next several years:

Convention Client Hosting Obligations (\$150,000) - Represents nine meetings and conventions to be held at the Phoenix Convention Center between June 2022 and November 2023. It is anticipated that these nine groups will generate approximately 48,000 convention attendees, more than 63,000 hotel room nights and more than \$494 in direct spending for every dollar invested.

Phoenix Convention Center Promotional Support (\$25,000) - Funds will be used to attract and support new convention business contracted during FY 2021-22 or later. The funds will assist newly contracted groups with support in areas of rental abatements, IT costs, AV costs, registration, or transportation assistance. GPCVB is targeting groups planning to host meetings or events during identified Phoenix Convention Center and Phoenix-area hotel need periods or short-term bookings exploring meeting options in the destination for 2022.

Mega Event Support for the 2023 NFL Super Bowl (\$200,000) - Funds will be utilized to offset expenses, such as facility costs, personnel, public safety, traffic barricades and street closures, fan and media events and other such hosting costs. This will be the fourth year of a five-year request to support the Super Bowl in 2023.

Mega Event Support for the 2024 NCAA Men's Final Four (\$125,000) - Funds will be utilized to offset expenses, such as facility costs, personnel, public safety, traffic barricades and street closures, fan and media events and other related hosting costs. This will be the third year of a five-year request to support the NCAA Men's Final Four tournament in 2024.

Additionally, during the September 21, 2021 THAB meeting, the GPCVB presented the results of prior year agreements. It was noted that the 2017-18 THAB funding request secured numerous events that were scheduled to take place in 2020 and 2021. As a result of pandemic related cancellations or postponements, the 2017-18 THAB funds will not be fully expended prior to the expiration of the contract. Accordingly, THAB has recommended that the 2017-18 THAB funding agreement with GPCVB approved by City Council on October 4, 2017 under ordinance S-43953 be extended an additional five years to allow time for events postponed to be rebooked in future years or be replaced with like events.

Contract Term

The contract term is five years with no extension options.

Financial Impact

The budget will not exceed \$500,000 over the life of the contract. Extending the term for the FY 2017-18 THAB funds agreement with GPCVB would result in no additional cost to the Phoenix Convention Center. THAB is funded through the Sports Facilities Fund, which is the hospitality industry's share of special excise taxes on hotel/motel lodging and rental cars.

Concurrence/Previous Council Action

The Economic Development and Equity (EDE) Subcommittee recommended approval of this item by a 4-0 vote at its October 27, 2021 meeting. This item was also unanimously approved by the Tourism and Hospitality Advisory Board at its September 21, 2021 meeting.

Responsible Department

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



Extend Contracts for Fire Station Alerting System Services and Equipment with U.S. Digital Designs, Inc. (Ordinance S-48132)

Request to authorize the City Manager, or his designee, to allow additional expenditures and to extend contracts 144392 and 144152 with U.S. Digital Designs, Inc. (USDD) for station alerting system services and equipment for the Fire Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$2,440,000.

Summary

The Phoenix Fire Department (PFD) is currently under contract with USDD to provide maintenance and service for the proprietary software and equipment (station alerting system) that is used at all Phoenix and regional fire stations to alert crews of an incoming emergency. Fire station alerting equipment, refers to the equipment in fire stations that notifies firefighters on shift that they are being dispatched on an emergency call. This equipment is installed in all Phoenix fire stations and all Valley fire stations participating in the regional CAD system. The equipment and maintenance is proprietary. In addition, the USDD alerting system has an interface with the current Northrup Grumman CAD system and the Motorola radio system. This combination of services, components and interfaces is used to facilitate seamless dispatching for first responders around the valley.

The current contracts are scheduled to expire on Dec. 8, 2021. While PFD is in process of finalizing two new contracts, extensions are necessary to ensure services are not interrupted prior to contract finalization.

Contract Term

Upon approval, the contract term for contracts 144392 and 144152 will be extended for up to 12 months, on a month-to-month basis, through Dec. 8, 2022.

Financial Impact

Upon approval of the \$2,440,000 in additional funds, the revised aggregate value of the two contracts will not exceed \$14,190,000. Funds are available in the Fire Department's budget.

Concurrence/Previous Council Action

These contracts were originally approved by City Council on Nov. 18, 2015.

Responsible Department

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



**Additional Expenditures for Fire Hose and Ladder Testing - Requirements
Contract - T15-091 (A) (Ordinance S-48100)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 149417 with Fire Catt LLC, to provide fire hose and ladder testing for the Phoenix Fire Department (PFD). Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$80,000.

Summary

The additional funds are needed due to the additional fleet of specialized vehicles equipped with numerous ladders and fire hoses. Pursuant to the National Fire Protection Association Standards 1962 and 1932, testing and inspections of fire hoses and ladders must be performed annually by trained personnel. Due to additional fleet and new hires, the PFD will need the additional funding to be added to the contract for the next two years of testing. Without proper testing and inspections, the Fire Department would experience equipment failures and be subject to potential property loss and jeopardize firefighter and public safety.

Contract Term

The contract term is Jan. 24, 2019 through Jan. 23, 2023.

Financial Impact

Upon approval of \$80,000 in additional funds, the revised aggregate value of the contract will not exceed \$214,000. Funds are available in the Fire Department's budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Jan. 23, 2019.

Responsible Department

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



Safety Fall Protection and Technical Rescue Equipment - Requirements Contract - RFA 16-152B (Ordinance S-48095)

Request to authorize the City Manager, or his designee, to extend Agreement 144580 with AHS Rescue, LLC and continue using funds approved under Ordinances S-43244 and S-47744 to purchase safety fall protection and technical rescue equipment for the Fire and Information Technology Services departments. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed.

Summary

The contract provides safety fall protection and technical rescue equipment as required for the Fire and Information Technology Services departments. Workers are required to climb communication towers and other structures for maintenance and repair. The equipment provided on this contract is critical for the safety of the employees as they perform their tasks. Central Procurement is currently in process of soliciting a new contract for these items.

Contract Term

Upon approval, the contract term will be extended through Dec. 31, 2022.

Financial Impact

The aggregate value of the contract is \$135,000. No additional funds are needed.

Concurrence/Previous Council Action

The contract was originally approved by the City Council on Feb. 15, 2017, and the Fire Department was added on June 23, 2021.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays, Deputy City Manager Inger Erickson, and the Fire and Information Technology Services departments.



Public Outreach and Community Engagement Services Contract - Amendment 1 (Ordinance S-48129)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 151323 with Gunn Communications, Inc., to add the Fire Department as a contract user, to provide additional contract capacity, and to increase expenditure authority for the contract. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed \$18,900.

Summary

This contract provides public outreach and community engagement services for various planning, design and construction projects, including transportation programs and services for the Street Transportation Department.

The purpose of this amendment is to add contract capacity to allow the City Manager's Office, via the Fire Department, to provide outreach and engagement services for the Community Advocacy Program. The program is critical in providing effective crisis response care to individuals who experience traumatic events, who are suffering from mental illness, substance abuse disorders, are victims of crime and assault, or are considered vulnerable or experiencing homelessness.

Contract Term

The contract term will remain unchanged, with potential options to extend the contract through Jan. 31, 2025.

Financial Impact

The initial authorization for the Public Outreach and Community Engagement Services contract was for an expenditure not-to-exceed \$1.5 million. This amendment will increase the authorization for the contract by an additional \$18,900, for a new total not-to-exceed contract value of \$1,518,900.

Funding for this amendment is available in the Fire Department's budget.

Concurrence/Previous Council Action

The City Council approved the Public Outreach and Community Engagement Services Contract 151323 (Ordinance S-46184) on Nov. 20, 2019.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays, Deputy City Managers Mario Paniagua and Ginger Spencer, and the City Manager's Office, Fire and Street Transportation departments.



Alco-Sensor Equipment, Parts and Supplies - Requirements Contract - IFB 21-083 (Ordinance S-48102)

Request to authorize the City Manager, or his designee, to enter into a contract with Intoximeters Inc. to purchase Alco-Sensor Evidential Breath Testing Device (Breathalyzer) for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$150,000.

Summary

The Breathalyzer is used to produce precise, accurate, and repeatable results on direct breath sample testing. The device has been used by the Phoenix Police Department for several years and has proven to be effective. The contract is partially funded through Proposition 207, an award from the Governor's Office of Highway Safety Enforcement and Street Racing and must be ordered and delivered by the Dec. 31, 2021 deadline.

Procurement Information

IFB 21-083 was conducted in accordance with Administrative Regulation 3.10. The Procurement Division received one offer on Aug. 6, 2021, which was evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to 170 suppliers and was publicly posted and available for download from the City's website.

The price was determined to be fair and reasonable based on a review of similar products available on State contract. The City of Phoenix is purchasing a particular product that has more accessories than the State contract, therefore pricing is slightly higher and the price difference is justified.

The Assistant Finance Director recommends that the offer from Intoximeters Inc. be accepted as the lowest priced, responsive, and responsible offer.

Contract Term

The five-year contract term will begin on, or about, Nov. 17, 2021.

Financial Impact

The aggregate contract value will not exceed \$150,000. Funds are available in the Police Department's budget.

Responsible Department

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



ANSI National Accreditation Board Services - Requirements Contract - EXC 22-014 (Ordinance S-48120)

Request to authorize the City Manager, or his designee, to enter into a contract with ANSI National Accreditation Board, LLC (ANAB) to provide accreditation in the field of forensic science testing under industry standard of International Standards Organization/International Electrotechnical Commission 17025 and supplemental requirements for forensic testing laboratories for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$228,162.

Summary

ANAB is recognized by the American Accreditation Cooperation and the International Laboratory Accreditation Cooperation and provides the Phoenix Police Department's Laboratory Services Bureau with the required accreditation in the field of forensic science testing necessary to apply for and receive critical grant funding. Accreditation services allow the Phoenix Police Crime Laboratory to fulfill their commitment to generate accurate, impartial scientific examinations and opinions for the criminal justice system in the interest of enhancing public safety.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated that ANAB is the only original accrediting body that can maintain and extend the granted accreditation status. Due to the nature of accreditation programs, there is no other vendor that can replace or substitute for the original accrediting body.

The Assistant Finance Director recommends that the contract with ANSI National Accreditation Board, LLC be accepted.

Contract Term

The five-year contract term will begin on or about Dec. 1, 2021.

Financial Impact

The aggregate contract value will not exceed \$228,162 and funds are available in the Police Department's budget.

Responsible Department

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



Body Worn Cameras - Requirements Contract - RFP 18-056B (Ordinance S-48125)

Request to authorize the City Manager, or his designee, to allow additional expenditures for Contract 149316 with Axon Enterprise, Inc. for additional body worn cameras for the Phoenix Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$2,002,801.

Summary

The Police Department currently has 2,200 body worn cameras (BWC) deployed to all first responders and requests an additional 783 BWCs to allow all sworn employees to have a camera. This will ensure that all uniformed sworn in an enforcement capacity, will have a BWC during mobilization of large events and investigative and administrative details that work supplemental overtime, to provide support in a first responder patrol function.

Contract Term

The contract term is Feb. 19, 2019 through Feb. 14, 2024.

Financial Impact

Upon approval of \$2,002,801 in additional funds, the revised aggregate value of the contract will not exceed \$8,182,085. Funds are available in the Police Department's operating budget.

Concurrence/Previous Council Action

This contract was originally approved by formal Council action on Feb. 6, 2019.

Responsible Department

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



Downtown Camera Project (Ordinance S-48123)

Request to authorize the City Manager, or his designee, to replace and redesign the security camera system in the City's downtown core. These cameras are critical to the City's overall security posture, protect the City's critical infrastructure, and support the public's safety and security during large-scale events in the downtown core. As the City of Phoenix prepares for the upcoming Super Bowl in February 2023, existing cameras continue to fail and have exceeded end of life and must be replaced. The downtown camera project is scalable and will be implemented in phases. Further request authorization for the City Controller to disburse all funds related to this item. The first phase is expected to cost approximately \$600,000, while the entire project is expected to cost approximately \$1.6 million to complete.

Summary

Between 2008-2012, the Phoenix Police Department's Homeland Defense Bureau's Threat Mitigation Unit utilized grant funding to begin incrementally building a downtown camera capability within the City's downtown core complex (defined as Jackson Street to the I-10 Freeway, 7th Avenue to 7th Street). Over time, the Homeland Security Grant Program funding was reduced and remains a highly competitive process. The Department of Justice/Federal Emergency Management Agency has also placed an increased emphasis on ensuring a regional benefit of all projects funded. This change in guidance no longer makes it possible for the City of Phoenix to utilize Urban Area Security Initiative (UASI) funding to sustain and grow the downtown camera system.

Of the original 60 cameras installed only about 25 remain in varying states of operational condition. As the City of Phoenix prepares for the upcoming Super Bowl and multiple high-profile activities that will take place in the downtown core, access to a comprehensive camera network is critical to effectively manage public safety and the preservation of our City's critical infrastructure.

The proposed project includes:

- The replacement of approximately 33 Homeland Defense Bureau cameras (approximate cost \$200,000).
- Installation of 15 cameras in the downtown core on a wireless transmission system

(approximate cost \$200,000).

- Adding necessary IT infrastructure, servers and storage (approximate cost \$200,000).

Once funding is approved, the Homeland Defense Bureau's Threat Mitigation Unit will partner with Public Works and Information Technology Services (ITS) for specific quotes and development of a deployment and installation plan. ITS is aware of this project; however, there is no current impact until the purchasing phase for the requested equipment.

Procurement Information

The items required for this project will be purchased utilizing existing City of Phoenix contract vendors. No competitive process will be required however, amendments to increase contract spending limits may be required in the future with dates to be determined.

Financial Impact

The initial cost of this project is \$600,000. The total project projected investment costs are estimated to be \$1.6 million to complete. Funds are available in the Phoenix Police Department's budget.

Concurrence/Previous Council Action

This item was recommended for City Council approval by the Public Safety and Justice Subcommittee on Nov. 10, 2021 by a vote of 3-1.

Location

Downtown core, Jackson Street to the I-10 Freeway, 7th Avenue to 7th Street.
Council Districts: 7 and 8

Responsible Department

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



Arizona Governor's Office of Youth, Faith and Family Child Abduction Response Team Grant (Ordinance S-48126)

Request authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept and enter into an agreement with the Arizona Governor's Office of Youth, Faith and Family and seven state law enforcement agencies. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The grant amount requested is \$14,000. No matching funds are required.

Summary

The Police Department is seeking state funding to purchase a trailer and equipment to support the efforts of the Arizona Child Abduction Response Team (AZCART).

The AZCART is comprised of over 600 trained sworn and civilian staff from law enforcement agencies throughout the state of Arizona. The AZCART is called into action when a child is missing and investigative analysis reveals there is a nexus to the kidnapping or abduction by a stranger. When needed, the AZCART may handle the statewide coordination to assist law enforcement agencies with the child abduction investigations and provide staffing, to include technical and resource assistance such as neighborhood canvasses, video/electronic canvasses, search, and rescue. They may also coordinate with the Federal Bureau of Investigation.

Each year through an intergovernmental agreement, the AZCART statewide coordination rotates from the following listed law enforcement agencies. This rotation would include the grant purchased trailer and equipment.

City of Apache Junction
Federal Bureau of Investigation
Town of Maricopa
Town of Paradise Valley

City of Chandler
Town of Gilbert
City of Mesa
City of Scottsdale

If awarded, grant funding will be utilized to purchase a trailer and equipment to be used by the AZCART.

Contract Term

There is not a project period associated with this grant.

Financial Impact

No matching funds are required.

Responsible Department

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



Public Safety Assessment Services Agreement for Police Recruit Applicants - Amendment 2 (Ordinance S-48122)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 152403 with International Public Management Association for Human Resources (IPMA-HR) for one year through May 20, 2023 and to authorize additional payment authority in the amount of \$65,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City entered into contract with IPMA-HR in 2020 as a pilot program to assess the efficacy of online testing which has proven successful. The Contractor provides written exams for Police Recruit applicants, access to live remote proctoring, and study guides. The exams are administered online by IPMA-HR and in person by the Human Resources and Police departments. Approval to extend the contract for one year will allow sufficient time for Human Resources Talent Acquisition and Police Department staff to conduct research on online testing best practices and existing online testing resources for Police Recruit and other city classifications prior to writing a Request for Proposals (RFP).

Council approved this contract on Jan. 29, 2020; however, the contract did not begin until May 21, 2020 due to the implementation period. The original contract term was for one year with one option to extend the term for one additional year. The extension is needed to ensure there is no interruption of testing services to fill critical Police Recruit positions. The number of Police Recruit vacancies is at an all-time high.

The Police Department will begin paying the applicant online testing fees, one-time per applicant, in an effort to reach a wider applicant pool which is hoped to also increase applicant diversity. In-person tests are paid by the Police Department.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing special circumstance without competition because research validated IPMA-HR as the national leader in public sector human resources that also provides assessment services to the public sector.

Financial Impact

Upon the approval of the additional payment authority of \$65,000, the revised aggregate value will be \$101,100. Funds are available in the Human Resources and Police departments' budgets.

Concurrence/Previous Council Action

The initial contract was approved by City Council on Jan. 29, 2020.

Responsible Department

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



Third-Party Monitoring Consultant Contract (Ordinance S-48128)

Request to authorize the City Manager, or his designee, to amend, allow additional expenditures, and extend Contract 153991 with 21st Century Policing, LLC (21CP) for the purchase of consulting services related to monitoring of the Phoenix Police Department administrative investigation. Further request authorization for the City Controller to disburse all funds related to this item. The expenditures will not exceed \$95,000.

Summary

Additional funds are needed for this existing contract with 21st Century Policing for a new scope to assist with monitoring an internal Professional Standards Bureau investigation (to include administrative duties, reviewing files, assisting with review of an investigative plan, attending interviews and drafting questions), then reviewing resulting disciplinary recommendations and summaries, and attending City meetings as needed. 21CP was selected after receiving resumes and information from five vendors, and then conducting interviews with three; two vendors withdrew. 21CP was chosen, in part, due to their familiarity with police processes through their existing work with the City; additionally, for their breadth of experience in the type of administrative investigation that is needed for this internal administrative investigation of the Oct. 17, 2020 arrests of protesters.

Contract Term

Upon approval, the contract term will be extended through Sept. 17, 2022.

Financial Impact

Approval of \$95,000 in additional funds for this contract are for this scope of work. Funds are available in the Law Department's budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on March 17, 2021.

Responsible Department

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



Ordinance to Repeal City Code Sections, Chapter 36, Sections 36-70.01 through 36-70.04 Regarding Impoundment of Vehicles Cited for Racing or Reckless Driving (Ordinance G-6919)

Council adopted City Code sections to allow for impoundment of vehicles for street racing or reckless driving, and a process for post-impoundment storage hearings, and earlier release. This past Legislative session, the Arizona Legislature passed laws that also address impoundment of vehicles for street racing and in some areas, conflict with City Code. The code sections adopted by Ordinance G-6822 will therefore be repealed, and the City of Phoenix will enforce state law.

Summary

In May 2021, City Council amended the City Code and adopted new code sections to address street racing and reckless driving, adding authority to impound vehicles, and conduct hearings to address allegations of improper impoundments. In addition, the Police Department has revised Operations Order 6.6, Towing and Wreckers, to implement the new code, and specifically to address situations encountered by the Street Racing Task Force. On Sept. 29, 2021, new state laws went into effect that address street racing, reckless driving, as well as obstruction of thoroughfares. The new state laws, in some ways, conflicted with the City Code, and also added new requirements and penalties that were not consistent with the City Code.

Some of the notable differences in the new state law included a 20-day impound for street racing or reckless driving. The City Code imposed 30 days. In addition, the new state law imposed a seven-day impound for obstruction of thoroughfares, which did not exist in City Code. The new state law added penalties for persons who "aid and abet" street racing or reckless driving. The City Code only addressed violations of the driver. The new state law increased the daily storage charge for impounded vehicles to \$25 per day. The City Code is \$15 per day.

The state law is a comprehensive framework of several statutes that address several aspects of street racing and reckless driving. Upon repeal, the Police Department will be able to rely on just one regulatory scheme, and utilize the many avenues provided under the new state law to combat this unlawful activity.

Responsible Department

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



Green Transit Technology Request for Proposals

Request to authorize the City Manager, or his designee, to approve the Public Transit Department's Request for Proposals process to procure vehicles for implementing a pilot program to operate and evaluate a sub-fleet of heavy-duty transit buses that use zero and/or near-zero emissions technology.

Summary

The Public Transit Department (PTD) has worked for many years to ensure that our fleet has the most up-to-date, environmentally friendly buses with the best-proven technology available to operate within Phoenix's environment, particularly in terms of vehicle range (how far buses travel with respect to regional transit services) and extreme temperatures (ensuring buses have adequate air conditioning and other on-board systems to provide a comfortable passenger experience during hotter months). This Request for Proposals would allow the department to establish a sub-fleet of green buses and test, on a long-term basis, a contingent of zero-emission buses for their ability to operate in our environment and support operating needs, such as peak passenger loads, on-board equipment, and higher-capacity air conditioning systems. This sub-fleet would serve as a pilot program, allowing PTD to gain experience with newer technologies to determine how best to integrate them into the City's transit fleet.

Procurement Information

The Request for Proposals will be issued in Spring 2022 and request proposals to manufacture buses using electric hybrid, battery electric, and/or hydrogen power, or other suitable technologies bus manufacturers might propose, along with detailing any associated charging and fueling equipment needed for the buses. PTD will assemble a pilot fleet of buses using one or more of these available technologies.

Contract Term

The term of the awarded contract shall be five years and consist of procuring approximately 20 buses.

Financial Impact

The contract's estimated aggregate value is approximately \$25 million. In conjunction with the purchase of these vehicles, staff will continue researching and applying for grant opportunities as they arise.

Based on research, it is estimated that the purchase of the buses will cost in the range of \$4 to \$5 million annually through the life of the contract. Staff estimates that additional infrastructure costs related to special charging/fueling requirements will cost an additional \$3 million at a single transit garage over the life of the project and will be procured separately.

Concurrence

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Oct. 20, 2021 by a vote of 4-0.

Responsible Department

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



40-Foot Heavy Duty Transit Bus Contract Award Recommendation (Ordinance S-48119)

Request to authorize the City Manager, or his designee, to enter into a contract with GILLIG, LLC to manufacture and deliver replacement 40-foot heavy-duty local transit buses for the Public Transit 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 \$145,023,384.

Summary

A Request for Proposals (RFP #PTD20-003) was issued to solicit this five-year contract with a transit vehicle manufacturing firm to manufacture and deliver 40-foot heavy-duty local transit buses that use compressed natural gas (CNG) or biodiesel as the fuel source. City Council approved the issuance of this solicitation at their Feb. 17, 2021 formal meeting. Buses will be ordered based on the Public Transit Department's replacement schedule for local buses that have met or exceeded their useful life under Federal Transit Administration guidelines.

The Public Transit Department will also issue a solicitation for the procurement, evaluation and use of zero and near-zero emission buses, if approved by Council. The City's most recent and previous testing of alternate transit vehicles demonstrated that CNG buses provided the best low-emissions option that also operates safely, effectively and reliably on long routes in the Phoenix climate. However, the "Green Transit" technology procurement will solicit the most up-to-date, environmentally friendly buses, including electric, hybrid or other alternative propulsion vehicles available for additional testing and on a long-term basis. The contract award recommended in this item will allow the City to replace buses that have exceeded their useful life and have reduced reliability and efficiency, while continuing to explore, evaluate and move forward with the alternative-powered buses as technologies advance and become available.

Procurement Information

RFP #PTD20-003 was issued on April 15, 2021, with two firms submitting proposals for consideration. An evaluation committee of qualified staff from Public Transit Department and Valley Metro was appointed to conduct detailed evaluations of all

proposals received, establish a competitive range, and select a proposer to receive the contract award.

A technical advisory team was also established to provide technical assistance to the evaluation committee based on the advisors' knowledge and experience with transit vehicle manufacturing and long-term maintenance practices. The technical advisory team's role was to review the technical portions of each proposal for compliance with RFP specifications.

Each RFP was evaluated and scored based on the following criteria (1,000 points total possible):

- Design, Quality, and Production Process (up to 400 points);
- Price (up to 400 points); and
- Warranty (up to 200 points).

Two proposals were received from the following firms:

- GILLIG, LLC; and
- New Flyer.

The evaluation recommendations were reached by consensus in consideration of published selection criteria, with the committee selecting GILLIG, LLC for award. The following summarizes the results:

<u>Proposers</u>	<u>Total points</u>
GILLIG, LLC	820
New Flyer	775

In accordance with Phoenix City Code section 43-14(J), a contract shall be awarded to the most highly-rated, responsible firm whose offer conforms in all material respects to the requirements and criteria outlined in the solicitation. Accordingly, the Public Transit Department's Procurement Officer recommends the award to GILLIG, LLC.

Included in the RFP's pricing schedule was the following language: "The estimated quantities shown on the enclosed Price Schedules are estimates only, contingent upon availability of appropriated funds and subject to change during the term of the Contract. The City is not obligated to make purchases in these exact amounts." As such, Public Transit Department staff will continue exploring other viable technologies that meet the region's operational needs and look for opportunities to transition to other proven propulsion technologies.

Financial Impact

The term of the awarded contract shall be five years with an aggregate value of \$145,023,384. Buses are funded 85 percent with federal funds and 15 percent with regional funds. The Public Transit Department estimates purchasing a maximum of 265 buses over the five-year period. Funds are available in the Public Transit Department's five-year Capital Improvement Program.

Concurrence

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Oct. 20, 2021 by a vote of 3-1.

Responsible Department

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



Request Retroactive Authorization to Submit Federal Transit Administration's American Rescue Plan Route Planning Restoration Grant Application and Enter into Grant Agreement (Ordinance S-48124)

Request to retroactively authorize the City Manager, or their designee, to submit an application to the Federal Transit Administration for grant assistance from the Route Planning Restoration Program under the American Rescue Plan Act. Further request to authorize the City Manager, or their designee, to execute an agreement with FTA for the purpose of accepting the grant if awarded, and to enter into an agreement with Valley Metro for receiving its pass-through share of the awarded grant funds. Additionally request to authorize the City Treasurer to receive, and the City Controller to disburse, all funds related to this item in accordance with the terms of the aforementioned grant and agreements. The total of all grant funds in the application is \$945,000.

Summary

Phoenix is the designated recipient of Federal Transit Administration (FTA) grant funds for the Phoenix-Mesa Urbanized Area. As such, Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region.

In partnership with Valley Metro, the City of Phoenix is requesting funding for the study of high-capacity transit (HCT) options in West Phoenix, an area with existing high transit ridership. The area to be studied is roughly between Central and 91st avenues, and McDowell and Camelback roads.

This study would build on past planning efforts in West Phoenix, as well as incorporate new developments like the Phoenix Bus Rapid Transit (BRT) Program, to identify an alternatives analysis, looking to identify the most productive corridors as well as an HCT mode (light rail and/or BRT).

Throughout the study, community outreach will be conducted and paired with data analysis to identify a Locally Preferred Alternative (LPA). This study may also include an examination of the bus network in the area to recommended changes to build-up transit service in advance of implementing HCT.

The application deadline is Nov. 15, 2021. Due to the timing of the grant application deadline, staff will need to submit the grant application prior to the Council's action. If the Council does not approve this request, staff would withdraw the application.

Financial Impact

Grant funds in the application total \$945,000. No City of Phoenix or local funds are included in the application as this grant has no local match requirement.

Location

Council Districts: 4, 5 and 7

Responsible Department

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



Request Authorization to Submit Federal Transit Administration's Buses and Bus Facilities Grant Application and Enter into Grant Agreements (Ordinance S-48127)

Request to authorize the City Manager, or the City Manager's designee, to submit an application to the Federal Transit Administration (FTA) for grant assistance from the FTA's Buses and Bus Facilities Program. Request also to authorize the City Manager, or the City Manager's designee, to execute an agreement with FTA for the purpose of accepting the grant if awarded, and to enter into an agreement with Valley Metro for receiving its pass-through share of the awarded grant funds. Further request to authorize the City Treasurer to receive, and the City Controller to disburse, all funds related to this item in accordance with the terms of the aforementioned grant and agreements. The total of all grant funds in the application will not exceed \$8,203,416.

Summary

Phoenix is the designated recipient of FTA grant funds for the Phoenix-Mesa Urbanized Area. As such, Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region.

In partnership with Valley Metro, City of Phoenix is requesting grant funding from the Section 5339 Buses and Bus Facilities Program. Grants under this Program are for capital projects to replace, rehabilitate, purchase, or lease buses and related equipment, or to rehabilitate, purchase, construct, or lease bus-related facilities. This Program supports local and federal initiatives to build modern infrastructure and an equitable, clean-energy future.

The Public Transit Department in partnership with Valley Metro will seek to utilize a combination of Section 5339 grant and local-match funding to implement a program for the purchase of a contingent of electric buses and the installation of supporting facility infrastructure and equipment to evaluate the utilization of electric bus technology for regional transit service.

The FTA application deadline is Nov. 19, 2021.

Financial Impact

Grant funds in the application total will not exceed \$8,203,416. The project will be utilizing pass-through funding from the Federal Transit Administration and \$844,973 in local funding provided by the Public Transportation Fund (Proposition 400), managed by Valley Metro. No City of Phoenix funds are included in the application.

Location

Council Districts: Citywide and Out of City

Responsible Department

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



Glacier Camera System at North Gateway Transfer Station, Materials Recovery Facility Pilot Program (Ordinance S-48105)

Request to authorize the City Manager, or his designee, to enter into an agreement with Glacier Technology, Inc. to install a vision camera system at the North Gateway Materials Recovery Facility. Further request to authorize the City Controller to disburse all funds related to this item. This agreement will have an aggregate amount of \$12,000.

Summary

Glacier Technology, Inc. will install a vision camera system over the residue belt in the Materials Recovery Facility (MRF) at the North Gateway Transfer Station. This camera will be installed on top of the belts and will scan material flowing through. It is programmed to recognize various materials and will provide real-time data of materials being lost on the residue belt over any period. The City conducts manual hand sorted material audits annually and spot checks of the residue line weekly. Installing this system will allow the City to measure the MRF processor performance in real-time.

Procurement Information

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

Contract Term

This contract is to begin after receiving City Council approval and will be for two years. This includes the installation and training phase and one year of collecting data.

Financial Impact

This project will have a total aggregate amount not to exceed \$12,000 over the term of the pilot program.

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

Location

North Gateway Transfer Station - 30205 N. Black Canyon Hwy.
Council District: 2

Responsible Department

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



Downtown Custodial Services Agreement (Ordinance S-48108)

Request to authorize the City Manager, or his designee, to enter into an agreement with 3H Service System, Inc., for custodial services in City-owned downtown facilities. Further request to authorize the City Controller to disburse all funds related to this item. The total aggregate amount is \$6,003,785 over the life of the agreement.

Summary

The Public Works Department is responsible for maintaining the cleanliness of City-owned facilities located in the downtown area. These facilities require daily custodial services including cleaning of the restrooms, public areas, conference rooms, floors, and other areas of the buildings. Ancillary services will be conducted on an as-needed basis including carpet cleaning, floor waxing, and top scrubbing. These services help maintain clean, sanitary, and safe work and public spaces within these facilities.

Procurement Information

Invitation for Bid 22-FMD-022 was conducted in accordance with Administrative Regulation 3.10. Seven offers were received by the Public Works Department Procurement Services Division on Aug. 25, 2021. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offer submitted by 3H Service System, Inc. was deemed fair and reasonable.

3H Service System, Inc.: \$1,200,757 estimated annual price for regular custodial and ancillary services of all 10 City-owned downtown facilities covered under this agreement.

Contract Term

The one-year term of the agreement will begin on or about Jan. 1, 2022. The agreement contains four, one-year options to extend the term, for a total agreement term of up to five years if all options are exercised.

Financial Impact

The aggregate value of the agreement, including all option years, is \$6,003,785, including all applicable taxes, with an estimated annual expenditure of \$1,200,757.

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

Location

Downtown Phoenix

Council District: 7

Responsible Department

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



Custodial Services for Public Works Department Locations Agreement (Ordinance S-48109)

Request to authorize the City Manager, or his designee, to enter into an agreement with UBM Enterprise, Inc., for custodial services of City-owned Public Works Department facilities. Further request to authorize the City Controller to disburse all funds related to this item. The total aggregate amount is \$3,720,720 over the life of the agreement.

Summary

The Public Works Department is responsible for maintaining the cleanliness of City-owned, Public Works facilities including fleet service centers and solid waste transfer stations. These facilities require daily custodial services including cleaning of the restrooms, public areas, conference rooms, floors, and other areas of the buildings. Ancillary services will be conducted on an as-need basis including carpet cleaning, floor waxing, and top scrubbing. These services help maintain clean, sanitary, and safe work and public spaces within these facilities.

Procurement Information

Invitation for Bid 22-FMD-023 was conducted in accordance with Administrative Regulation 3.10. Seven offers were received by the Public Works Department Procurement Services Division on Aug. 25, 2021. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offer submitted by UBM Enterprise, Inc. was deemed fair and reasonable.

UBM Enterprise, Inc.: \$59,511.92 monthly price for the regular custodial services of all 18 locations covered under this agreement. Ancillary services are provided on an as-needed basis in addition to the monthly price.

Contract Term

The one-year term of the agreement will begin on or about March 1, 2022. The agreement will contain four, one-year options to extend the term, for a total agreement term of up to five years if all options are exercised.

Financial Impact

The aggregate value of the agreement, including all option years, is \$3,720,720, including all applicable taxes, with an estimated annual expenditure of \$744,144.

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

Responsible Department

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



**Pavement Preservation - Two-Step Job Order Contracting Services -
4108JOC199 (Ordinance S-48097)**

Request to authorize the City Manager, or his designee, to enter into separate master agreements with three contractors to provide Pavement Preservation Two-Step Job Order Contracting services citywide for the Street Transportation Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed \$135 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 Contractors' services will be used on an as-needed basis to provide Pavement Preservation Job Order Contracting (JOC) services for asphalt emulsion fog sealing and rejuvenating asphalt emulsions on arterial, major collector, collector, minor collector, and local streets; asphalt sealcoating and cool pavement surface coatings on minor collector and local streets; and incidental surface preparation work as needed for proper application of pavement preservation coatings. All work will be in accordance with Maricopa Association of Governments (MAG) and/or Phoenix Supplement to MAG. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

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

Selected Firms

Rank 1: Viasun Corporation

Rank 2: Sunland Asphalt & Construction, LLC

Rank 3: M. R. Tanner Development and Construction, LLC

Additional Proposers

Rank 4: VSS International, Inc.

Rank 5: Cactus Asphalt, a division of Cactus Transport, Inc.

Contract Term

The term of each master agreement is for up to five years, or up to \$45 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact

The master agreement values for each of the JOC contractors will not exceed \$45 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed \$135 million. The value for each job order agreement performed under this mater agreement will be up to \$4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

Public Outreach

The public will be notified on each project if notification is required.

Responsible Department

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



**Crack Sealing - Two-Step Job Order Contracting Services - 4108JOC200
(Ordinance S-48112)**

Request to authorize the City Manager, or his designee, to enter into separate master agreements with four contractors to provide Crack Sealing Two-Step Job Order Contracting services Citywide for the Street Transportation Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed \$132 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 Contractors' services will be used on an as-needed basis to provide Crack Sealing Two-Step Job Order Contracting (JOC) services for sealing cracks in pavement surfaces on arterial, major collector, collector, minor collector, and local streets; other asphalt surface preparation work for future resurfacing; and incidental surface preparation work as needed for proper application of pavement preservation coatings. All work will be in accordance with Maricopa Association of Governments (MAG) and/or Phoenix Supplement to MAG. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

The selections were made using a two-step qualifications and price based selection

process set forth in section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-604(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Six firms submitted proposals and are listed below.

Selected Firms

Rank 1: M. R. Tanner Development and Construction, LLC

Rank 2: ViaSun Corporation

Rank 3: Sunland Asphalt & Construction, LLC

Rank 4: Weems Asphalt, LLC

Additional Proposers

Rank 5: Cactus Asphalt, a division of Cactus Transport, Inc.

Rank 6: VSS International, Inc.

Contract Term

The term of each master agreement is for up to five years, or up to \$33 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact

The master agreement values for each of the JOC contractors will not exceed \$33 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed \$132 million. The value for each job order agreement performed under this master agreement will be up to \$4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

Public Outreach

The public will be notified on each project if notification is required.

Responsible Department

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



Wastewater Facilities General Construction - Job Order Contracting Services - 4108JOC197 (Ordinance S-48089)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with three contractors, to provide Wastewater Facilities General Construction Job Order Contracting services for the Water Services Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed \$120 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 would be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The Contractors' services will be used on an as-needed basis to provide Wastewater Facilities General Construction Job Order Contracting (JOC) services for three wastewater treatment plants, 29 lift stations, and 4,900 miles of gravity sewer line throughout the service area. The work includes, but is not limited to: installation and/or replacement of mechanical equipment, such as pumps, chemical feed equipment, valves and/or actuators; installations of instrumentation and electrical equipment, such as analyzers, meters, sensors, variable frequency drives, and Supervisory Control and Data Acquisition (SCADA) system components, including conduit and/or wiring; programming Remote Terminal Units (RTUs), Programmable Logic Controllers (PLCs) and instrumentation to control facilities in accordance with City Operating Divisions control strategy; general work such as building modifications, structural repairs and/or

modifications, painting, specialized maintenance, and concrete, masonry or structural steel work; emergency repair services; pre-construction and post construction services; engineering design services when necessary or required; and sewer line rehabilitation, repair or replacement. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

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

Contract Term

The term of each master agreement is for up to five years, or up to \$40 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact

The master agreement values for each of the JOC contractors will not exceed \$40 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed \$120 million. The value for each job order agreement performed under this master agreement will be up to \$4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

Responsible Department

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

ATTACHMENT A

Selected Firms

Rank 1: Felix Construction Company

Rank 2: PCL Construction, Inc.

Rank 3: MGC Contractors, Inc.

Additional Proposers

Rank 4: B & F Contracting

Rank 5: J.R. Filanc Construction

Rank 6: Garney Companies, Inc.

Rank 7: Brycon Construction

Rank 8: Kiewit Infrastructure West Co.

Rank 9: Achen-Gardner Construction, LLC

Rank 10: KEAR Civil Corporation

Rank 11: Schofield Civil Construction

Rank 12: FPS Civil, LLC



Cave Creek and Lone Mountain Waterline Connection - Construction Manager at Risk Construction Services - WS85100032, WS85500451 and WS85400007 (Ordinance S-48093)

Request to authorize the City Manager, or his designee, to enter into an agreement with Garney Companies, Inc. to provide Construction Manager at Risk Construction Services for the Cave Creek and Lone Mountain Waterline Connection project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$14,050,000.

Summary

The purpose of this project is to construct approximately one mile of new waterline to connect between existing infrastructure south of Carefree Highway and the new 10A-B1 Booster Pump Station (BPS). Approximately one mile of new waterline will also be constructed along Lone Mountain Road for system resiliency when the BPS is operational.

Garney Companies, Inc.'s (Garney) initial services will include preparation of a Guaranteed Maximum Price proposal for the Construction Services provided under the agreement and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project. Garney will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. Garney will be required to solicit bids from pre-qualified subcontractors and to perform the work using the City's subcontractor selection process. Garney may also compete to self-perform limited amounts of work.

Garney's services include, but are not limited to: construct the Cave Creek Road and Lone Mountain Road waterlines, solicitation of bids for major portions of work, schedule and manage site operations, acquisition and maintenance of required permits and licenses, coordinate schedules and activities with other contractors, engineers, City of Phoenix departments, utility companies, and other agencies as required.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the Construction Manager at Risk Preconstruction Services selection process.

Contract Term

The term of the agreement is three 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 Garney will not exceed \$14,050,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved Construction Manager at Risk Preconstruction Services Agreement 153443 (Ordinance S-47136) on Dec. 2, 2020.

Location

- Cave Creek Road from Apache Rain Road to Carefree Highway; and
- Lone Mountain Road from Cave Creek Road to 56th Street.

Council District: 2

Responsible Department

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



Booster Pump Stations 5A-B1, 1-B3 and 4SA-B2 Rehabilitation and Replacement - Construction Manager at Risk Construction Services - WS85100032 (Ordinance S-48096)

Request to authorize the City Manager, or his designee, to enter into an agreement with Felix Construction Company to provide Construction Manager at Risk Construction Services for the Booster Pump Stations 5A-B1, 1-B3 and 4SA-B2 Rehabilitation and Replacement project. Further request authorization to execute amendments to the contract as necessary within the Council approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$17,050,000.

Summary

The purpose of this project is to rehabilitate or replace three Booster Pump Stations (BPS) deemed critical for the operation of the water distribution system. The rehabilitation design and construction of these facilities includes, but is not limited to: mechanical, structural, civil, electrical, and instrumentation and control upgrades, as well as potential increases in capacity.

Felix Construction Company's (Felix) initial services will include preparation of Guaranteed Maximum Price (GMP) proposals for the Construction Services provided under the agreement and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project. Felix will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. Felix will be required to solicit bids from pre-qualified subcontractors and to perform the work using the City's subcontractor selection process. Felix may also compete to self-perform limited amounts of work.

Felix's services include, but are not limited to: constructing the selected final plans and specifications; soliciting of bids for major portions of the work; scheduling and managing site operations; acquisition and maintenance of required permits and licenses; and coordinating with various City departments, utility companies, and other agencies, as required. Felix will prepare GMPs for the following BPS sites:

- 5A-B1 Firm Capacity: 2.8 million gallons per day (MGD); Improvements: Civil,

Mechanical, Electrical, Instrumentation

- 1-B3 Firm Capacity: 135 MGD; Improvements: Electrical, Instrumentation
- 4SA-B2 Firm Capacity: 1.34 MGD; Improvements: Civil, Mechanical, Electrical, Instrumentation

This Agreement is essential to the health, safety, and welfare of the public and critical operations for the City.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the Construction Manager at Risk Preconstruction Services selection process.

Contract Term

The term of the agreement is three 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 Felix will not exceed \$17,050,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved Construction Manager at Risk Preconstruction Services Agreement 150119 (Ordinance S-45708) on June 5, 2019.

Location

Council Districts: 2, 3 and 8

Responsible Department

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



Booster Pump Station Replacement 10A-B1 - Construction Manager at Risk Construction Services - WS85100032 (Ordinance S-48104)

Request to authorize the City Manager, or his designee, to enter into an agreement with Hunter Contracting Co. to provide Construction Manager at Risk Construction Services for the Booster Pump Station Replacement 10A-B1 project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$5,025,000.

Summary

The purpose of this project is to make improvements and upgrades to Booster Pump Station 10A-B1, and increase pumping capacity. This booster pump station serves the area along Cave Creek Road north of Dove Valley Road.

Hunter Contracting Co.'s (Hunter) initial services will include preparation of a Guaranteed Maximum Price proposal for the Construction Services provided under the agreement and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project. Hunter will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. Hunter will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. Hunter may also compete to self-perform limited amounts of work.

Hunter's services include, but are not limited to: constructing the selected final plans and specifications; soliciting of bids for major portions of the work; scheduling and managing site operations; acquisition and maintenance of required permits and licenses; and coordinating with various City departments, utility companies, and other agencies, as required.

This Agreement is essential to the health, safety, and welfare of the public and critical operations for the City.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the Construction Manager at Risk Preconstruction Services selection process.

Contract Term

The term of the agreement is three 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 Hunter Contracting Co. will not exceed \$5,025,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved Construction Manager at Risk Preconstruction Services Agreement 153442 (Ordinance S-47135) on Dec. 2, 2020.

Location

Council District: 2

Responsible Department

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



Copper Pipe - Request for Award (Ordinance S-48106)

Request to authorize the City Manager, or his designee, to enter into an agreement with Ferguson Enterprises, LLC., to provide copper pipe. Further request authorization for the City Controller to disburse all funds related to this item. This agreement will not exceed \$2 million.

Summary

The purpose of this agreement is to purchase copper pipe on an as-needed basis to maintain the infrastructure of various facilities within the Water Services Department. The pipes are used for installation, repair and maintenance of water production, distribution, wastewater collection and treatment infrastructure.

Ferguson Enterprises, LLC's services include but are not limited to the supply of various sizes of copper pipe.

Procurement Information

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

Two vendors submitted bids and are listed below. All bids were found to be responsive and responsible.

Selected Bidder:

Ferguson Enterprises, LLC.: \$1,540,436

Other Bidder:

Core & Main, LP: \$1,781,052

Contract Term

The agreement will begin on or about Dec. 1, 2021, for a five-year aggregate term with no options to extend.

Financial Impact

The agreement value for Ferguson Enterprises, LLC., will not exceed \$2 million for the five-year aggregate term.

Funding is available in the Water Services Department operating budget.

Responsible Department

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



Bar Screens, Components and Parts Agreement - Request for Award (Ordinance S-48107)

Request to authorize the City Manager, or his designee, to enter into separate agreements with MISCOWater and SUEZ WTS Solutions USA, Inc., to provide components and parts for the purpose of repairing and replacing bar screens for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The value of the agreements will not exceed \$684,600.

Summary

The purpose of this agreement is to purchase the repair components and parts for bar screens used at the Water Production and Wastewater Treatment plants. Bar screens operate 24 hours a day, 7 days per week, to remove solids from entering the plant. Over time, staff must replace parts due to corrosion, damage, wear and tear to ensure the equipment is continually operable.

Contractor's services include but are not limited to providing bar screen components and parts on an as-needed basis.

Procurement Information

The recommendations were made using an Invitation for Bids procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Two vendors submitted bids and are listed below. All bids were found to be responsive and responsible.

Selected Bidders:

Group 1 - SUEZ WTS Solutions USA, Inc.: \$38,457.18

Groups 2 and 3 - MISCOWater: \$657,597.26

Contract Term

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

Financial Impact

The agreement values will not exceed \$684,600 for the five-year aggregate term.

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

Responsible Department

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



Hauling of Water Sludge and Screening Hauling Services Agreement - Request for Award (Ordinance S-48111)

Request to authorize the City Manager, or his designee, to enter into an agreement with Western Utility Contractors dba Overlay's to provide hauling of water sludge and screening hauling services for the purpose of remaining in compliance with 40 CFR 503, Standards for the Use or Disposal of Sewage Sludge. Further request to authorize the City Controller to disburse all funds related to this item. The agreement will not exceed \$7.5 million.

Summary

The purpose of this agreement is to provide hauling of water sludge and screening hauling services for the Water Services Department's water and wastewater treatment plants.

Western Utility Contractors dba Overlay's services include, but are not limited to: removing, transporting and disposing of water sludge, barscreen conveyor and wastewater screenings, cleaning the work area, cleaning up spills or leaks, and replacing and moving rental roll-off bins upon request by the City.

Procurement Information

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

Three vendors submitted bids and are listed below, and all bids were found to be responsive and responsible.

Selected Bidder:

Western Utility Contractors dba Overlay's: \$1,418,771.75

Other Bidders:

Otto Trucking, Inc.: \$1,783,270

Minero Trucking, LLC: \$2,112,500

Contract Term

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

Financial Impact

The agreement value for Western Utility Contractors dba Overley's will not exceed \$7.5 million for the five-year aggregate term.

Funding is available in the Water Services Department Operating budget.

Responsible Department

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



Salt River Project Distribution Design and Construction Contract for Well 156 Beautification - WS85400200-4 (Ordinance S-48103)

Request to authorize the City Manager, or his designee, to enter into a Distribution Design and Construction Contract with Salt River Project to provide upgraded electrical service to City Well 156 located near North 59th Avenue and West Osborn Road. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. Additionally, request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$2,650.

Summary

The Water Services Department is constructing improvements at Well 156 located near North 59th Avenue and West Osborn Road which will require installation of a new commercial electrical service to the site. The total cost of work for the Distribution Design and Construction Contract is \$2,650. This work is in conjunction with City Project WS85400200-4 Well 156 Beautification.

Contract Term

The term of the contract will begin in November 2021 and will expire when the service is installed and power is provided to the site.

Financial Impact

Funding in the amount of \$2,650 is available in the Water Services Department's Capital Improvement Program budget.

Location

Near North 59th Avenue and West Osborn Road.
Council District: 7

Responsible Department

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



Agreement with Salt River Project to Produce a Wintertime Orographic Cloud Seeding Climatology for the White Mountains of Arizona (Ordinance S-48115)

Request to authorize the City Manager, or his designee, to enter into cost sharing agreement with the Salt River Project Agricultural Improvement and Power District to share the costs to develop a Wintertime Orographic Cloud Seeding Climatology for the White Mountains of Arizona. Further request to authorize the City Controller to disburse all funds related to this item. The cost will not exceed \$40,000.

Summary

Nearly 60 percent of the City's water supply originates in the Salt and Verde watersheds, and the primary source of water is precipitation in the form of winter snowpack. The State of Arizona has been in drought conditions for over 20 years, impacting water supplies from all sources. This is a concern for both Salt River Project Agricultural Improvement and Power District (SRP) and the City which rely upon water supplies generated from snowpack.

Cloud seeding is a process that introduces ice into subfreezing clouds containing super cooled liquid water which can enhance the precipitation efficiency of the clouds and add to the snowpack and subsequent runoff. During the late 20th century, the United States Bureau of Reclamation indicated there was significant potential to enhance surface water supplies from winter cloud seeding; however, the Salt River watershed in the White Mountains was not included in the research.

SRP would like to further study the value of cloud seeding in the Salt River watershed. Due to the Salt River watershed being a significant source of the City's water portfolio, SRP has requested that the City participate in a cost sharing agreement to support the study.

Contract Term

The agreement will terminate once the Wintertime Orographic Cloud Seeding Climatology study has been completed.

Financial Impact

The total cost estimate for the Wintertime Orographic Cloud Seeding Climatology

study is approximately \$140,000. The City's share of the costs as specified by the Agreement is \$40,000.

Funding for this agreement is available in the Water Services Department's Capital Improvement budget.

Location

White Mountains of Arizona

Council District: Out of City

Responsible Department

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



Report

Agenda Date: 11/17/2021, Item No. 72

Final Plat - Sky Crossing - Parcel 16 - Tract P - PLAT 210046 - North of Deer Valley Drive and East of 32nd Street

Plat: 210046

Project: 16-1029

Name of Plat: Sky Crossing - Parcel 16 - Tract P

Owner: Sky Crossing Community Association, Inc.

Engineer: HilgartWilson, LLC

Request: A private drive tract adjustment

Reviewed by Staff: Oct. 13, 2021

Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates a private drive tract.

Location

Generally located north of Deer Valley Drive and east of 32nd Street.

Council District: 2

Responsible Department

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



Agenda Date: 11/17/2021, Item No. 73

Final Plat - Northwest Corner of Central Avenue & Indian School Road - PLAT 200610 - Northwest Corner of Central Avenue and Indian School Road

Plat: 200610

Project: 19-598

Name of Plat: Northwest Corner of Central Avenue & Indian School Road

Owner: TB 4100 N Central Ave, LLC

Engineer: Jerry K Haws, RLS

Request: A 1 Lot Commercial Plat

Reviewed by Staff: Oct. 19, 2021

Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the northwest corner of Central Avenue and Indian School Road.
Council District: 4

Responsible Department

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



Agenda Date: 11/17/2021, Item No. 74

Final Plat - Arcadia 24 - PLAT 210036 - West of 38th Street and North of Osborn Road

Plat: 210036
Project: 20-2985
Name of Plat: Arcadia 24
Owner: 3622 N 38th Street LLC
Engineer: Adrian Burcham, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Oct. 13, 2021
Final Plat requires Formal Action Only

Summary

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

Location

Generally located west of 38th Street and north of Osborn Road.
Council District: 6

Responsible Department

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



Agenda Date: 11/17/2021, Item No. 75

Final Plat - McKinley Green - PLAT 200547 - Northeast Corner of 2nd Avenue and McKinley Street

Plat: 200547
Project: 19-1930
Name of Plat: McKinley Green
Owner: First McKinley Owner, LLC
Engineer: Troy A. Ray, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Oct. 20, 2021
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment V190063A. The sequence of recording is as follows: the resolution of abandonment is first, and this plat is second.

Location

Generally located at the northeast corner of 2nd Avenue and McKinley Street.
Council District: 7

Responsible Department

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



Agenda Date: 11/17/2021, Item No. 76

Final Plat - Diablo Business Park - PLAT 200517 - Northeast Corner of Wier Avenue and 36th Street

Plat: 200517
Project: 01-21563
Name of Plat: Diablo Business Park
Owner: BKM Diablo 227, LLC
Engineer: Anthony Slater, RLS
Request: An 8 Lot Commercial Plat
Reviewed by Staff: Oct. 6, 2021
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the northeast corner of Wier Avenue and 36th Street.
Council District: 8

Responsible Department

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



Partial Conservation Easement Release at 306 W. Almeria Road (Ordinance S-48110)

Request to authorize the City Manager, or his designee, to enter into necessary agreements and conveyances to release items for the recorded conservation easement at 306 W. Almeria Road in the Willo Historic District to allow an addition to the rear of the house.

Summary

City Council approved a \$10,000 grant in 2019 to assist with the rehabilitation of the house at 306 W. Almeria Road in the Willo Historic District. In exchange for the funds, owners Billy Shields and Lora Villasenor executed a 15-year conservation easement. The easement runs with the property until April 24, 2034. On July 17, 2020, the property was acquired by Jason and Jessica Blaydes. The Blaydes are looking to expand the house by constructing an addition to the rear. To facilitate the new addition, an existing Arizona room at the rear of the house would be removed, along with a carport connecting the house and detached garage. The addition would also require the removal of a small section of the original rear wall and three original steel casement windows.

Staff has no objections to the proposed rear addition as it meets the General Design Guidelines for Historic Properties and the criteria adopted by the Historic Preservation Commission for approval as a Certificate of No Effect (CNE). Neither the Arizona room nor the carport has historic value. Removal of a small section of the wall is allowed under the CNE policy, as long as a majority of the wall remains intact. The steel casement windows will be retained and reused in the proposed addition. Staff recommends these items be released from the conservation easement. Staff does not believe it is necessary to extend the terms of the easement or require repayment of the grant funds in this case.

Concurrence/Previous Council Action

The Historic Preservation Commission recommended approval on Oct. 18, 2021. The Economic Development and Equity Subcommittee considered this item on Oct. 27, 2021 and recommended approval.

Location

306 W. Almeria Road

Council District: 4

Responsible Department

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



Acceptance of Conservation Easement - 800 N. 1st Ave. (Ordinance S-48131)

Request to authorize the City Manager, or his designee, to accept a perpetual conservation easement at 800 N. 1st Ave. in conjunction with Abandonment Application V190063A. The conservation easement will be recorded via separate instrument.

Summary

On Dec. 18, 2019, the City Council heard the appeal to overturn the Abandonment Hearing Officer's approval of Case V190063A, the abandonment of an alleyway on a portion of the block bounded by 1st Avenue (East), 2nd Avenue (West) and McKinley (South). The City Council upheld the hearing officer's conditional approval of the original abandonment request subject to stipulations and added six additional stipulations.

One of the stipulations of the conditional approval was that a perpetual conservation easement, in accordance with the requirements of the City's Historic Preservation Office, be dedicated over the portion of the site known as the "McKinley Club," located at 800 N. 1st Ave. (APN 111-40-074A). Built in 1947, the McKinley Club building was originally a small medical center constructed by Dr. H.D. Ketcherside and Dr. Joseph Bank. These doctors, along with six other physicians, opened their offices in the structure in May 1947. Designed by architect Harold Ekman, the Midcentury Modern building has stuccoed exterior walls, steel casement windows, decorative planters and window grilles, and a tiled interior courtyard with a fountain.

The applicant, True North Studio, has worked with Historic Preservation and Law Department staff to develop the language for the conservation easement. Acceptance of the easement will satisfy the stipulation of the abandonment.

Financial Impact

Acceptance of the conservation easement will have no financial impact to the City.

Location

800 N. 1st Ave.

Council District: 7

Responsible Department

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



Abandonment of Alley - V190063A - North of McKinley Street between 1st and 2nd Avenue (Resolution 21978)

Abandonment: V190063A

Project: 19-1930

Applicant: True North Studio

Request: To abandon the alley adjacent to lots 1 - 10 per Plat, "Bennet Place"; Book 002, Page 43, recorded with Maricopa County Recorder.

Date of Decision/Hearing: Dec. 18, 2019

Summary

This resolution also needs to record concurrently with PLAT 200547. The sequence of recording is as follows: this resolution of abandonment is first, and PLAT 200547 is second.

Location

North of McKinley Street between 1st and 2nd Avenue

Council District: 7

Financial Impact

A consideration fee was also collected as part of this abandonment in the amount of \$36,200.

Responsible Department

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



Agenda Date: 11/17/2021, Item No. 80

Modification of Stipulation Request for Ratification of Oct. 20, 2021 Planning Hearing Officer Action - PHO-6-21--Z-29-03-1 - Southeast Corner of 67th Avenue Alignment and the Pinnacle Vista Drive Alignment (6524 West Gold Mountain Pass)

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 Oct. 20, 2021. This ratification requires formal action only.

Summary

Application: PHO-6-21--Z-29-03-1

Existing Zoning: R1-8

Acreage: .90

Applicant/Representative: Daniel Istrate

Owner: Daniel Ognean

Proposal:

1. Modification of Stipulation 1 regarding the developable area and preservation area of Lot 9.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee heard this case on Oct. 14, 2021 and recommended approval, by an 8-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Oct. 20, 2021, and recommended approval with a modification. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Southeast corner of 67th Avenue alignment and the Pinnacle Vista Drive alignment (6524 West Gold Mountain Pass)

Council District: 1

Parcel Address: 6524 W. Gold Mountain Pass

Responsible Department

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

Attachment A- Stipulations- PHO-6-21--Z-29-03-1

Location: Southeast corner of 67th Avenue alignment and the Pinnacle Vista Drive alignment (6524 West Gold Mountain Pass)

Stipulations:

1. Development (building envelopes) shall not be allowed above the 20% slope line with the exception of Lots 1, 8, 24, 25, 26, 27, and 28 on the site plan dated May 4, 2004, except Lots 4 and 5 which shall be in specific conformance to the site plan date stamped April 30, 2010, with specific regard to a maximum disturbed hillside area above the 10% slope of 15,620 square feet. The building envelope for Lot 1 shall not exceed the 1525 contour line as shown on the site plan. The existing manmade disturbed areas located above this line shall be chemically treated and revegetated to blend with the surrounding desert as approved by the Planning and Development Department. This stipulation is not intended to allow any further grading for Lot 1 beyond the building envelope. Lot 8 shall be allowed to develop up to the 25% slope line. Lots 25, 26, and 27 shall be allowed to develop up to the cut line as shown on the site plan. Lot 24 shall be allowed to develop up to the cut line as shown on the preservation easement area exchange exhibit date stamped April 22, 2015. The building envelopes for Lots 28 and 29 shall maintain a 100-foot setback from the southern property line. LOT 9 IS PERMITTED TO DEVELOP UP TO THE NEW HILLSIDE LINE AS SHOWN ON THE SITE PLAN AND PRESERVATION AREA EXCHANGE EXHIBIT DATE STAMPED AUGUST 18, 2021 IF ALL REQUIRED ADDITIONAL APPROVALS (INCLUDING BUT NOT LIMITED TO, HILLSIDE REVIEW AND ABANDONMENTS) ARE OBTAINED, AS DETERMINED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. The total numbers of lots on the site shall not exceed 30 lots.
2. Per the Street Transportation Department:
 - a. Right-of-way dedications and street alignments for local streets within the subdivision shall be determined by the Planning and Development Department at the time of Preliminary Subdivision Plat Review.
 - b. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
3. Trails shall be provided as an amenity as illustrated on the site plan date stamped March 31, 2003, as approved or modified by the Planning and Development Department to avoid cutting through lots. The intent is to provide central access of interior lots to the common open space.
4. ~~That~~ Lots along the south boundary of the site shall be limited to single story units.
5. ~~That,~~ Prior to the commencement of the sale of individual lots on the property, covenants, conditions and restrictions shall be developed and recorded with the

Maricopa County Recorder's Office which, among other things, shall give notice to potential buyers of the property that there exists a quarry/mine with a special permit for a landfill in the quarry, which allows the quarry to also be used as a construction debris landfill. These uses may generate dust and traffic in near proximity to the property. The real estate report filed with the State Real Estate Department shall also provide the same notice. The language of the notice shall be developed with the involvement of the quarry owner and the City of Phoenix Law Department.

The notice requirements shall not be amended without the consent of the quarry owner except as otherwise provided herein. Each special permit, license for a landfill, and mining permit is a separate entitlement which may permanently and separately be revoked without affecting other entitlements. Upon the permanent revocation of any one of these entitlements, the language in the C, C, and R's relating to the specific entitlement may be unilaterally amended or deleted by the property owner.

6. ~~That~~ The subject site has the potential to contain archaeological resources. The applicant shall submit an archaeological survey prior to final site plan approval for review and approval by the City Archeologist (602) 495-0901.
7. The developer shall combine Lots 4 and 5 and amend the larger Gold Mountain Subdivision site plan to show the combined lots as approved by the Planning and Development Department.
8. Portions of the combined 4 and 5 lot that are already disturbed below the 10% slope line shall be revegetated as approved by the Planning and Development Department.
9. The developer shall file for and pursue a grading waiver for the combined 4 and 5 lot through the Planning and Development Department.



Modification of Stipulation Request for Ratification of Oct. 20, 2021 Planning Hearing Officer Action - PHO-1-21--Z-57-06-7 - Approximately 300 Feet North of the Northwest Corner of 91st Avenue and Lower Buckeye Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Oct. 20, 2021. This ratification requires formal action only.

Summary

Application: PHO-1-21--Z-57-06-7

Existing Zoning: S-1 (Approved C-2)

Acreage: 7.10

Applicant/Representative: William Allison, Withey Morris PLC

Owner: Parkwood Partners LLC

Proposal:

1. Modification of Stipulation 1 regarding site plan, elevations and conceptual landscape plan date stamped August 15, 2006.
2. Deletion of Stipulation 1a regarding a master architecture theme.
3. Deletion of Stipulation 2 regarding a pedestrian circulation plan.
4. Deletion of Stipulation 3 regarding an enhanced landscape feature at the intersection of 91st Avenue and Lower Buckeye Road.
5. Deletion of Stipulation 4 regarding an enhanced landscape feature on both sides of entrances on 91st Avenue and Lower Buckeye Road.
6. Deletion of Stipulation 9 regarding a right of way triangle.
7. Technical corrections to Stipulation 5, 7, 8 and 10.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on Oct. 19, 2021 and recommended denial by a 5-2 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Oct. 20, 2021, and 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

Approximately 300 feet north of the northwest corner of 91st Avenue and Lower Buckeye Road

Council District: 7

Parcel Address: N/A

Responsible Department

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

Attachment A- Stipulations- PHO-1-21--Z-57-06-7

Location: Approximately 300 feet north of the northwest corner of 91st Avenue and Lower Buckeye Road

Stipulations:

SITE PLAN AND ELEVATIONS

1. ~~That the site shall be developed~~ THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE with the site plan, AND elevations and conceptual landscape plan date stamped ~~August 15, 2006~~ AUGUST 19, 2021 as approved or modified by the FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND Development Services Department.
 - a. ~~That prior to the first building being constructed, there shall be a master architecture theme that unifies the different building elements, colors, and materials.~~

PEDESTRIAN CIRCULATION

2. ~~That a pedestrian circulation plan, that includes shade along the front of the buildings, and the connections to the adjacent shops and pads shall be provided as approved or modified by the Development Services Department.~~
2. REQUIRED LANDSCAPE SETBACKS ALONG STREET FRONTAGES SHALL COMPLY WITH C-2 LANDSCAPE PLANTING STANDARDS AT A MINIMUM, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. WHERE PEDESTRIAN PATHWAYS CROSS DRIVE AISLES, PATHWAYS SHALL BE CONSTRUCTED OF DECORATIVE PAVERS, STAMPED OR COLORED CONCRETE, OR ANOTHER MATERIAL, OTHER THAN THOSE USED TO PAVE PARKING SURFACES AND DRIVE AISLES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4. THE DEVELOPER SHALL PROVIDE MINIMUM ONE PEDESTRIAN ACCESS POINT ALONG THE SOUTH PROPERTY LINE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
5. THE DEVELOPER SHALL PROVIDE SECURED BICYCLE PARKING AS REQUIRED IN CHAPTER 13, SECTION 1307.H FOR MULTI-FAMILY DEVELOPMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

LANDSCAPE FEATURE

6. ~~That~~ An enhanced landscape feature (a minimum of 75' x 75') shall be provided
3. at the intersection of 91st Avenue and Lower Buckeye Road that is in conformance with the Estrella Village Arterial Street Landscape Program, as approved by the PLANNING AND Development Services Department.

4. ~~That an enhanced landscape feature (a minimum of 50' x 50') shall be provided on both sides of the entrances on 91st Avenue and Lower Buckeye Road that is in conformance with the Estrella Village Arterial Street Landscape Program as approved by the Development Services Department. The public trail on the north side of Lower Buckeye Road shall blend in with the enhanced landscaped area.~~
7. ~~That~~ The developer shall be required to follow the Estrella Village Arterial Street Landscape Program for all on site landscaping, as approved by the PLANNING AND Development Services Department.

PUBLIC TRAIL

8. ~~That~~ The developer shall provide a 10-foot wide multi-use trail along the north side of Lower Buckeye Road per adopted city trail standards, as approved by the Parks and Recreation Department.

STREET IMPROVEMENTS

9. ~~That~~ Right-of-way for 91st Avenue shall be dedicated per the approved Master Street Plan for the development on the west side of the road, as approved by the Streets Transportation Department.
10. ~~That~~ Right-of-way for Lower Buckeye Road shall be dedicated per the approved Master Street Plan for Country Place, as approved by the Streets Transportation Department.
11. ~~That~~ A 21-foot by 21-foot right-of-way triangle shall be dedicated at the northwest corner of 91st Avenue and Lower Buckeye Road, as approved by the Streets Transportation Department.
12. ~~That~~ The developer shall construct all streets 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 Services Department. All improvements shall comply with all ADA accessibility standards.
13. ~~That~~ The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty (602) 262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clear air quality requirements.
14. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.



Modification of Stipulation Request for Ratification of Oct. 20, 2021 Planning Hearing Officer Action - PHO-2-21--Z-111-01-8(7) - Northwest Corner of 75th Avenue and Baseline Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Oct. 20, 2021. This ratification requires formal action only.

Summary

Application: PHO-2-21--Z-111-01-8(7)

Existing Zoning: R1-8, R-3A, and C-1

Acreage: 40.09

Applicant: Cassandra Ayres, Beus Gilbert McGroder

Owner: Coplen 61.4 LLC, et al.

Representative: Paul Gilbert, Beus Gilbert McGroder

Proposal:

1. Modification of Stipulation 1 regarding general conformance with the site plan date stamped April 10, 2002.
 2. Review of site plans and elevations by the Planning Hearing Officer per Stipulation 2.
 3. Deletion of Stipulation 9 regarding the completion of the Developer Project Information Form for the MAG Transportation Improvement Program.
 4. Deletion of Stipulation 17 regarding 50 percent open space being high and dry.
 5. Modification of Stipulation 22 regarding architectural character consistent with the Laveen Plan.
 6. Deletion of Stipulation 24 regarding corporate colors and associated graphics as an accent feature.
 7. Deletion of Stipulation 25 regarding pitched roofs on commercial buildings.
 8. Deletion of Stipulation 27 regarding windows on any facade with a primary customer entrance.
 9. Deletion of Stipulation 28 regarding landscaping of surface parking areas.
 10. Modification of Stipulation 35 regarding maximum height of service station
-

canopies or drive-through canopies.

11. Deletion of Stipulation 36 regarding canopy support pillar size and materials.

12. Modification of Stipulation 42 regarding a maximum of 312 lots.

13. Modification of Stipulation 43 regarding minimum lot widths.

14. Modification of Stipulation 45 regarding rural mail delivery and the use of gang mailboxes.

15. Modification of Stipulation 46 regarding roof treatment variety.

16. Modification of Stipulation 48 regarding general conformance with the site plan dated April 5, 2002.

17. Modification of Stipulation 52 regarding a variety of at least six different types of roof treatments.

18. Modification of Stipulation 53 regarding materials that would minimize stucco and tile.

19. Modification of Stipulation 56 regarding substantial conformance with view fence pictures.

20. Technical corrections to Stipulations 10, 23, 33 and 38.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Oct. 11, 2021 and recommended denial by a 8-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Oct. 20, 2021, and recommended denial as filed and approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Northwest corner of 75th Avenue and Baseline Road

Council District: 7

Parcel Address: N/A

Responsible Department

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

Attachment A- Stipulations- PHO-2-21--Z-111-01-8(7)

Location: Northwest corner of 75th Avenue and Baseline Road

Stipulations:

1. ~~That THE development shall be in general conformance with the site plan date stamped OCTOBER 19, 2021 April 10, 2002 by the City of Phoenix Planning Department with specific regard to~~ AS MODIFIED BY THE FOLLOWING STIPULATIONS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND WITH SPECIFIC REGARD TO THE FOLLOWING:
 - a. ~~The parcel designated for Laveen Conveyance Channel Corridor.~~

MULTIFAMILY RESIDENTIAL DEVELOPMENT ON THE PROPERTY ZONED C-1 SHALL NOT EXCEED 97 UNITS.
 - b. ~~The location of multi-family because of its proximity to the Laveen Conveyance Channel Corridor.~~
 - c. ~~The centralized open space provided for single-family development west of 75th Avenue.~~
2. ~~That at the time multi-family and/or commercial development is proposed, building elevations and site plans shall be submitted for review by Planning Hearing Officer, and Laveen Village Planning Committee shall be notified.~~

CONCEPTUAL BUILDING ELEVATIONS FOR SINGLE-FAMILY, MULTIFAMILY, AND/OR COMMERCIAL DEVELOPMENT SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO FINAL SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.

STREETS AND RIGHT-OF-WAY

3. ~~That~~ Right-of-way totaling 55 feet and a 10-foot sidewalk easement shall be dedicated for the north half of Baseline Road.
4. ~~That~~ Right-of-way totaling 30 feet shall be dedicated for the west half of 71st Avenue.
5. ~~That~~ Right-of-way totaling 80 feet with a 20-foot sidewalk easement shall be dedicated for 75th Avenue.
6. ~~That~~ A 21-foot by 21-foot right-of-way triangle shall be dedicated at the northeast and northwest corners of 75th Avenue and Baseline Road.

7. ~~That~~ A 21-foot by 21-foot right-of-way triangle shall be dedicated at the northwest corner of 71st Avenue and Baseline Road.
8. ~~That~~ 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
9. ~~That~~ The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty (602) 262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.

LANDSCAPED SETBACKS, OPEN SPACE, TRAILS, FENCING AND ENTRANCES

10. ~~That~~ Each entrance to the subdivision on Baseline Road shall incorporate subdivision entry signage and monumentation into the perimeter wall of the subdivision. Samples of fencing and entry design concepts shall be consistent with the Laveen Plan and approved by the PLANNING AND Development Services Department.
11. Fence line shown on southern boundary of parcels three and four to substantially conform to zoning exhibit dated April 5, 2002 and stay broken down into smaller segments that undulate to break up the fence line on Baseline Road as shown.
12. ~~That~~ Walls constructed adjacent to internal trails and open space areas shall be view walls. View walls shall be 100% wrought iron or a combination of 4 feet masonry and 2 feet of wrought iron. This standard is exclusive of the single-family homes next to 71st Avenue, open space on the southern portion of the site and the residential developments adjacent to commercial development.
13. ~~That~~ The development shall comply with the Laveen Plan regarding the 50-foot setback along Baseline Road.
14. ~~That~~ A 10-foot multi-use trail shall be provided along Baseline Road, and along the northern boundary of the property in conjunction with the property to the north. ~~That~~ An 8-foot multi-use trail shall be provided along the east side of 75th Avenue. Trails shall be consistent with the approved trail standards as approved by the Parks and Recreation Department.
15. ~~That~~ A 10-foot shared use path (sidewalk) shall be provided within the 20-foot sidewalk easement along the west side of 71st Avenue as approved by the Parks and Recreation Department.
16. ~~That~~ Passive and/or active recreational amenities shall be provided in the open space area.

~~17. That 50% of the open space shall be high and dry.~~

~~17. That~~ Pedestrian walkways/connections shall be provided between the multi-family and commercial development.

~~18. That~~ Pedestrian walkways/connections within the commercial and multi-family residential developments shall be constructed of materials other than asphalt. If concrete is used, it must be stamped.

TRANSIT STOPS

~~19. a. That~~ Right-of-way and construction of bus bay (P1257) and transit pad (P1261) shall be constructed at the following locations, Northbound 75th Avenue north of Baseline Road;

~~b. That~~ Right-of-way shall be dedicated at the following location for future construction of bus bay and transit pad: Westbound Baseline Road west of 75th Avenue.

~~20. That~~ Right-of-way and construction for transit pads (P1262) shall be constructed at the following locations:

a. Northbound 75th Avenue north of Fremont Road.

b. Southbound 75th Avenue south of Fremont Road.

c. Westbound Baseline Road west of 71st Avenue.

d. Westbound Baseline Road west of 73rd Avenue

COMMERCIAL DESIGN

~~21. That~~ All buildings shall have a similar architectural character. A theme consistent with the Laveen Plan shall be approved by the PLANNING AND Development Services Department prior to any preliminary site plan approval. The theme shall include a minimum of two of the following materials AS ACCENT MATERIALS: native stone, burnt adobe, textured brick, wood (when shaded by overhangs or deep recesses), or exposed aggregate concrete.

~~22. That~~ Rear and side facades and roofline treatment, including color, texture and material shall be "architecturally finished" to minimize visual impact to adjacent residential areas as approved by THE PLANNING AND Development Services Department.

~~24. That~~ corporate colors and associated graphics shall be used only as an accent feature as determined by the PLANNING AND Development Services Department, so that they will not dominate the architectural design of the development.

- ~~25. That commercial buildings shall have pitched roofs and/or pitched roof architectural elements.~~
23. That the A shade arcade, a minimum of ten feet in width, shall be provided
~~26.~~ along any building wall with a primary customer entrance.
- ~~27. That windows or windows with doors shall comprise a minimum of 50% of the square footage of any façade with a primary customer entrance.~~
24. That Fifteen percent of surface parking areas within the commercial
~~28.~~ development, exclusive of the required perimeter landscaping and front setbacks, shall be landscaped and maintained. Landscaping shall be dispersed throughout the parking area with the interior width of all planting islands to be no less than eight feet in width and a minimum of 120 square feet in area.
- ~~25.~~ That There shall be no more than six parking spaces between any pad
~~29.~~ structure and Baseline Road.
- ~~26.~~ That There shall be no overnight parking of recreational vehicles, travel trailers,
~~30.~~ or similar vehicles.
- ~~27.~~ That There shall be no permanent installation of mobile containers permitted,
~~31.~~ exclusive of temporary loading and unloading.
- ~~28.~~ That Any drive-through shall be screened from view of the perimeter street with
~~32.~~ a landscaped berm or a combination of a wall and landscaped berm at least four feet in height.
- ~~29.~~ That The site plan (commercial development), shall connect the
~~33.~~ parcels/buildings together with shade protected walkways as approved by the PLANNING AND Development Services Department. The pathways shall reflect a common landscaping theme and include a minimum of two-inch caliper shade trees placed 20 feet on center exclusive of driveway/roadway crossings.
- ~~30.~~ That The setbacks shall be landscaped with 2-inch caliper shade trees planted
~~34.~~ an average of 20 feet on center.
- ~~31.~~ That Any service station canopies or drive-through canopies shall not exceed
~~35.~~ 16 feet in height measured from the ground to the underside of the canopy.
- ~~32.~~ That All canopy support pillars shall be a minimum of two feet wide by two feet
~~36.~~ deep, from the ground to the underside of the canopy, and shall be finished with the same body and accent materials as the primary building.
- ~~33.~~ That Electrical and service boxes shall be painted to match the building and/or
~~37.~~ screened from view.
- ~~34.~~ That All canopy lighting shall be flush-mounted or recessed, as approved by
~~38.~~ THE PLANNING AND Development Services Department.

OTHER

35. ~~That~~ The property owner shall record documents that disclose to purchasers of
39. property within the development the existence and potential characteristics of
agricultural use property in the vicinity. The form and content of such
documents shall be reviewed and approved by the City Law Department prior
to final site plan approval.

36. ~~That~~ The subject site has the potential to contain archaeological resources.
40. ~~That~~ The applicant shall submit an archaeological survey for review and
approval by the City Archaeologist (602) 495-0901.

37. ~~That~~ The maximum density relating to the R1-8 PRD portion SHALL not
41. exceed 3.76 du/acre.

42. ~~That the maximum number of lots shall not exceed 312.~~

38. ~~That the minimum lot width of regular rectangle lots not be less than 55 feet,~~
43. ~~and slightly smaller lot widths may be allowed on cul-de-sacs and curves.~~

THE MINIMUM RESIDENTIAL LOT WIDTH SHALL BE 45 FEET FOR
SINGLE-FAMILY DETACHED RESIDENTIAL USES, EXCEPT THAT
SMALLER LOT WIDTHS ARE ALLOWED ON CUL-DE-SACS AND CURVES,
AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT
DEPARTMENT.

39. ~~That~~ The minimum amount of open space shall not be less than 12%. (This
44. 12% as indicated on the April 5, 2002 site plan will be "interior" to the overall
residential neighborhood, which includes the contiguous development to the
north. Also, open space is set aside for trail continuity, along the outside edge,
as part of the 12%).

40. ~~That~~ Sidewalks, curbs, and streetscapes ON RESIDENTIALLY ZONED
45. PROPERTY ~~will~~ SHALL be designed in such a way to allow for rural mail
delivery. ~~The use of gang mailboxes shall not be allowed.~~

41. ~~That~~ The minimum overhang on any given product with a peaked roof will be
46. 18 inches.

42. ~~That~~ On the site plan dated April 10, 2002, homes on lots 5-7, 124-128 (Parcel
47. 3), 8-11, 117-126 (Parcel 4) not exceed one-story.

48. ~~That the plan will remain in general conformance to the site plan dated April 5,~~
~~2002.~~

43. ~~That~~ Dwelling footprints will be placed in such a manner as to maximize the
49. distance between houses.

44. ~~That~~ Building setbacks will be offset along the street frontage.

50.

45. ~~That~~ Wrap-around architectural details and materials will be used on both sides
51. of houses along street frontages on corner lots.

46. ~~That~~ A variety of at least six TWO different types of roof treatments STYLES
52. (E.G., FLAT CONCRETE SHINGLES AND "S" CONCRETE SHINGLES)
SHALL be offered IN AT LEAST TWO COLORS ~~that include a range of roof~~
~~materials of clay, concrete, tile, shakes or shingles in an assortment of colors.~~

47. AT LEAST ONE ELEVATION PER FLOOR PLAN SHALL INCLUDE ~~That a~~
53. ~~range of durable materials that would minimize stucco and tile be offered such~~
~~as EITHER brick, decorative concrete block, and OR stone accents.~~

48. ~~That~~ All mechanical equipment and dishes larger than 20 inches must be
54. ground-mounted.

49. ~~That~~ Lots 111-121, Parcel 4, on the east side of the project SHALL be a
55. minimum of 10,000 square feet in size as shown on zoning exhibit dated April
5, 2002.

56. ~~That view fence substantially conform to pictures presented by Great Western~~
~~Homes, made of 2/3 (+/- four feet) decorative block on bottom and 1/3 (+/- two~~
~~feet) wrought iron on top separated every (+/- 10-12 feet) with minimum two-~~
~~foot square masonry posts with decorative caps including fence adjacent to~~
~~71st Avenue.~~

50. FOR MULTIFAMILY RESIDENTIAL DEVELOPMENT, THE DEVELOPER
SHALL PROVIDE SECURED BICYCLE PARKING AS REQUIRED IN
CHAPTER 13, SECTION 1307.H FOR MULTI-FAMILY DEVELOPMENT, AS
APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

51. ANY REQUEST TO CHANGE, DELETE, OR MODIFY STIPULATIONS SHALL
BE PRESENTED THROUGH THE PLANNING HEARING OFFICER
PROCESS AND NOTIFICATION SHALL BE GIVEN TO THE LAVERN
VILLAGE PLANNING COMMITTEE PRIOR TO THE PLANNING HEARING
OFFICER HEARING.

52. FRONT ELEVATIONS OF LOTS ZONED R1-8 AND R-3A ON THE WEST
SIDE OF 75TH AVENUE SHALL CONTAIN A COMBINATION OF THE
FOLLOWING ARCHITECTURAL EMBELLISHMENTS AND DETAILING:
TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, VARIATION IN
WINDOW SIZE AND LOCATION, OR OVERHANG CANOPIES, AS
APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

53. FRONT ELEVATIONS OF LOTS ZONED R1-8 AND R-3A ON THE WEST
SIDE OF 75TH AVENUE SHALL INCORPORATE A MINIMUM OF THREE OF
THE FOLLOWING BUILDING MATERIALS: STONE VENEER, TEXTURED
BRICK, STUCCO, AND BOARD AND BATTEN SIDING, SHUTTERS, OR

DECORATIVE GABLE VENTS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

54. FRONT ELEVATIONS OF LOTS ZONED R1-8 AND R3-A ON THE WEST SIDE OF 75TH AVENUE SHALL BE COMPRISED OF A MAXIMUM OF 75% STUCCO OR OTHER MAIN MATERIAL, AND A MINIMUM OF 25% ACCENT MATERIAL.
55. LOTS ZONED R1-8 AND R-3A ON THE WEST SIDE OF 75TH AVENUE SHALL INCLUDE THEME WALLS WHICH SHALL INCLUDE MATERIAL AND TEXTURAL DIFFERENCES SUCH AS STUCCO AND/OR SPLIT FACE BLOCK, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
56. GARAGE DOORS ON LOTS ZONED R1-8 AND R-3A ON THE WEST SIDE OF 75TH AVENUE SHALL INCORPORATE DECORATIVE EMBELLISHMENTS SUCH AS, ADDED MATERIALS SURROUNDING THE DOOR, GARAGE DOOR HARDWARE, OR STAMPED PANEL DOORS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
57. ATTACHED RESIDENTIAL UNITS ON THE PROPERTY ON THE WEST SIDE OF 75TH AVENUE SHALL REDUCE BUILDING MASS BY USING A COMBINATION OF THE FOLLOWING TECHNIQUES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
 - A. VARIATION IN THE ROOFLINE AND FORM.
 - B. USE OF PROTECTED OR RECESSED BUILDING ENTRANCES.
 - C. VERTICAL ELEMENTS ON OR IN FRONT OF EXPANSIVE BLANK WALLS.
 - D. USE OF WALL PLANE OFFSETS AND PROJECTIONS.
 - E. USE OF FOCAL POINTS AND VERTICAL ACCENTS.
 - F. INCLUSION OF WINDOWS ON ELEVATIONS FACING STREETS AND PEDESTRIAN AREAS.
58. FRONT FACADES GREATER THAN 60 FEET IN LENGTH OF ATTACHED RESIDENTIAL UNITS ON THE PROPERTY ON THE WEST SIDE OF 75TH AVENUE SHALL INCLUDE A MINIMUM OF TWO OF THE FOLLOWING ELEMENTS REPEATING AT APPROPRIATE INTERVALS, EITHER HORIZONTALLY OR VERTICALLY: TEXTURE AND MATERIAL CHANGES, OFFSETS, REVEALS, RECESSED FRONT ENTRIES, ARCHWAYS OR PROJECTING RIBS, WALL PLANE PROJECTIONS OR RECESSES, VARIATIONS IN WINDOW SYSTEMS, OR VERTICAL LANDSCAPE FEATURES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

59. ATTACHED RESIDENTIAL UNITS ON THE PROPERTY ON THE WEST SIDE OF 75TH AVENUE SHALL HAVE PITCHED, GABLE, OR HIPPED ROOF TYPES.
60. DRIVEWAYS FOR LOTS ZONED R1-8 AND R-3A ON THE WEST SIDE OF 75TH AVENUE SHALL BE 22 FEET IN LENGTH AS MEASURED FROM THE BACK OF THE SIDEWALK.
61. THE MAXIMUM BUILDING HEIGHT SHALL BE 25 FEET FOR ALL SINGLE-FAMILY DETACHED RESIDENTIAL LOTS ALONG 75TH AVENUE AND THE NORTHERN BOUNDARY OF THE SUBJECT PROPERTY.
62. ALL LOTS ZONED R1-8 AND R3-A ON THE WEST SIDE OF 75TH AVENUE, WHICH ARE DEVELOPED WITH SINGLE-FAMILY DETACHED RESIDENTIAL UNITS, SHALL PROVIDE MINIMUM FIVE-FOOT SIDE YARD BUILDING SETBACKS.
63. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.



Modification of Stipulation Request for Ratification of Oct. 20, 2021 Planning Hearing Officer Action - PHO-1-21--Z-142-03-7(8) - Approximately 115 Feet West of the Southwest Corner of 2nd Drive and Beverly 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 Oct. 20, 2021. This ratification requires formal action only.

Summary

Application: PHO-1-21--Z-142-03-7(8)

Existing Zoning: MUA

Acreage: 12.79

Applicant/Owner/Representative: John Haldiman

Proposal:

1. Modification of Stipulation 1 regarding specific conformance with the site plan date stamped November 24, 2003.
2. Deletion of Stipulation 2.B regarding zoning administrator determination regarding horse trailer storage.
3. Deletion of Stipulation 2.D regarding landscaped areas.
4. Deletion of Stipulation 3 regarding site plan approval for new development.
5. Deletion of Stipulation 5 regarding construction of streets adjacent to the development.
6. Technical corrections to Stipulations 2, 2.A and 2.C.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee heard this case on Oct. 12, 2021 and recommended approval by a 10-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Oct. 20, 2021, and recommended denial as filed and approval with a modification. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Approximately 115 feet west of the southwest corner of 2nd Drive and Beverly Road

Council District: 8

Parcel Address: N/A

Responsible Department

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

Attachment A- Stipulations- PHO-1-21--Z-142-03-7(8)

Location: Approximately 115 feet west of the southwest corner of 2nd Drive and Beverly Road

Stipulations:

1. ~~That~~ THE development shall be in specific GENERAL conformance to WITH the site plan date stamped November 24, 2003 SEPTEMBER 17, 2021, as modified by the following stipulations and/or APPROVED BY the PLANNING AND Development Services Department.
2. ~~That~~ Prior to vesting, the applicant shall submit a Certificate of Occupancy, or other documentation to the Planning AND DEVELOPMENT Department to verify completion of the following improvements:
 - a. ~~That~~ All areas used for parking and maneuvering of vehicles and trailers shall be dustproofed as approved by the PLANNING AND Development Services Department.
 - b. ~~That the applicant shall submit a letter and necessary documentation to the Zoning Administrator to determine if the storage of horse trailers is an allowed use in the Mixed Use Agricultural zoning district.~~
 - b. ~~That~~ The applicant shall address outstanding emergency vehicle access
 - e. and fire hydrant issues with the fire review section of the PLANNING AND Development Services Department.
 - d. ~~That a minimum of ten, twelve-foot by eight-foot landscaped areas shall be placed along the north, east, south and west property lines within the pastures as approved by the Development Services Department. These areas shall be landscaped with a minimum of two 1.5-inch trees and appropriate shrubs from the Mixed Use Agricultural Plant Materials list. One plant in each of the landscaped areas shall be Penstemon.~~
3. ~~That any new development shall be subject to site plan approval in the Development Services Department.~~

STREETS TRANSPORTATION

3. ~~That~~ Right-of-way totaling 25-feet shall be dedicated for the south half of Beverly
4. Road.
4. ~~That~~ The developer shall construct all streets adjacent to the development with
5. paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping, and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.



Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-69-08-8 - Northwest Corner of 36th Street and Southern Avenue (Ordinance G-6918)

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 Oct. 20, 2021.

Summary

Application: PHO-1-21--Z-69-08-8

Existing Zoning: C-1

Acreage: 5.0

Applicant: Avenue North

Owner: Hermes, Inc.

Representative: Benjamin Tate, Withey Morris PLC

Proposal:

1. Modification of Stipulation 1 regarding general conformance with the site plan and elevations date stamped July 3, 2008.
2. Technical corrections to Stipulations 4 and 5.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee heard this case on Oct. 12, 2021 and recommended approval with a modification and an additional stipulation, by a vote of 9-0-1.

PHO Action: The Planning Hearing Officer heard this case on Oct. 20, 2021 and recommended approval with a modification and additional stipulations. See

Attachment A for the full list of Planning Hearing Officer recommended stipulations.

Location

Northwest corner of 36th Street and Southern Avenue

Council District: 8

Parcel Address: N/A

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-69-08-8 PREVIOUSLY APPROVED BY
ORDINANCE G-5266.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as
follows:

SECTION 1. The zoning stipulations applicable located at the northwest
corner of 36th Street and Southern Avenue in a portion of Section 25, Township 1
North, Range 3 East, as described more specifically in Attachment "A", are hereby
modified to read as set forth below.

STIPULATIONS:

1. ~~That The development shall be in general conformance to WITH the site plan and elevations date stamped July 3, 2008~~ OCTOBER 18, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS ~~with specific regard to the amount and location of the common open space, however, the development shall follow the Mixed Use Agriculture (MUA) zoning district standards pertaining to quantity and type of landscape materials, and the parking lot landscaping standards, as~~ AND approved by the PLANNING AND Development Services Department.
2. THE DEVELOPMENT SHALL COMPLY WITH MIXED-USE AGRICULTURAL (MUA) ZONING DISTRICT STANDARDS PERTAINING TO QUANTITY AND TYPE OF LANDSCAPE MATERIALS AND PARKING LOT LANDSCAPING STANDARDS, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

3. BUILDING ELEVATIONS SHALL BE DEVELOPED TO THE FOLLOWING STANDARDS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
 - A. BUILDING ELEVATIONS SHALL CONTAIN MULTIPLE COLORS, EXTERIOR ACCENT MATERIALS AND TEXTURAL CHANGES THAT EXHIBIT QUALITY AND DURABILITY SUCH AS BRICK, STONE, COLORED TEXTURED CONCRETE OR STUCCO, TO PROVIDE A DECORATIVE AND AESTHETIC TREATMENT.
 - B. ALL BUILDING ELEVATIONS SHALL CONTAIN ARCHITECTURAL EMBELLISHMENTS AND DETAILING SUCH AS TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, VARIATION IN WINDOW SIZE AND LOCATION, AND/OR OVERHANG CANOPIES.
4. THE DEVELOPER SHALL PROVIDE SECURED BICYCLE PARKING FOR RESIDENTS AT A MINIMUM RATE REQUIRED BY CHAPTER 13, SECTION 1307.H FOR MULTI-FAMILY DEVELOPMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
5. IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND SUBMIT AN ARCHAEOLOGICAL SURVEY REPORT OF THE DEVELOPMENT AREA FOR REVIEW AND APPROVAL BY THE CITY ARCHAEOLOGIST PRIOR TO CLEARING AND GRUBBING, LANDSCAPE SALVAGE, AND/OR GRADING APPROVAL.
6. IF PHASE I DATA TESTING IS REQUIRED, AND IF, UPON REVIEW OF THE RESULTS FROM THE PHASE I DATA TESTING, THE CITY ARCHAEOLOGIST, IN CONSULTATION WITH A QUALIFIED ARCHAEOLOGIST, DETERMINES SUCH DATA RECOVERY EXCAVATIONS ARE NECESSARY, THE APPLICANT SHALL CONDUCT PHASE II ARCHAEOLOGICAL DATA RECOVERY EXCAVATIONS.
7. ~~That~~ If any archaeological materials are encountered during construction, the contractor shall cease all ground disturbing activities within 33 feet of the discovery and notify the City of Phoenix Archaeology Office immediately to allow time to properly assess the materials.
8. ~~That~~ The property owner shall record documents that disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided that have been reviewed and approved by the City Attorney.
9. ~~That~~ The following street transportation improvements shall be provided and approved by the PLANNING AND Development ~~Services~~ Department:

- a. Right-of-way totaling 60 feet shall be dedicated for the north half of Southern Avenue.
 - b. Right-of-way totaling 30 feet shall be dedicated for the west half of 36th Street.
 - c. A 25 foot by 25 foot right-of-way triangle shall be dedicated at the northwest corner of 36th Street and Southern Avenue
10. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping, and other incidentals as per plans approved by the PLANNING AND Development Services Department. All improvements shall comply with all ADA accessibility standards.
 - 5- 11. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5266, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5266 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 17th day of November, 2021.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey J. Barton, City Manager

Exhibits:

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-21--Z-69-08-8

PARCEL NO. 1:

TRACT B, A SUBDIVISION OF LOTS 48-60-61, BARTLETT-HEARD LANDS, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, RECORDED IN BOOK 14 OF MAPS, PAGE 34;

EXCEPT THE WEST 132 FEET THEREOF; AND

EXCEPT THAT PORTION THEREOF LYING WITHIN THE SOUTH 47 FEET OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; AND

EXCEPT THAT PORTION OF SAID LOT B LYING WITHIN THE WEST 31 FEET OF THE EAST 150 FEET OF THE NORTH 5 FEET OF THE SOUTH 52 OF SAID SOUTHWEST QUARTER; AND

EXCEPT BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SAID SOUTHWEST QUARTER AND THE NORTH LINE OF SAID SOUTH 47 FEET;

THENCE WESTERLY ALONG SAID NORTH LINE TO ITS INTERSECTION WITH THE WEST LINE OF THE EAST 25 FEET OF SAID SOUTHWEST QUARTER;

THENCE CONTINUING WESTERLY ALONG SAID NORTH A DISTANCE OF 20 FEET;

THENCE NORTHWESTERLY TO A POINT ON SAID WEST LINE THAT IS 30 FEET NORTHERLY OF LAST SAID INTERSECTION;

THENCE EASTERLY PARALLEL WITH SAID NORTHLINE TO THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTHERLY ALONG SAID EAST LINE TO THE POINT OF BEGINNING, AS CONVEYED BY INSTRUMENT RECORDED IN DOCUMENT NO. 91-013235, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

THE WEST 132 FEET OF TRACT B, A SUBDIVISION OF LOTS 48-60-61, BARTLETT-HEARD LANDS, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, RECORDED IN BOOK 14 OF MAPS, PAGE 34;

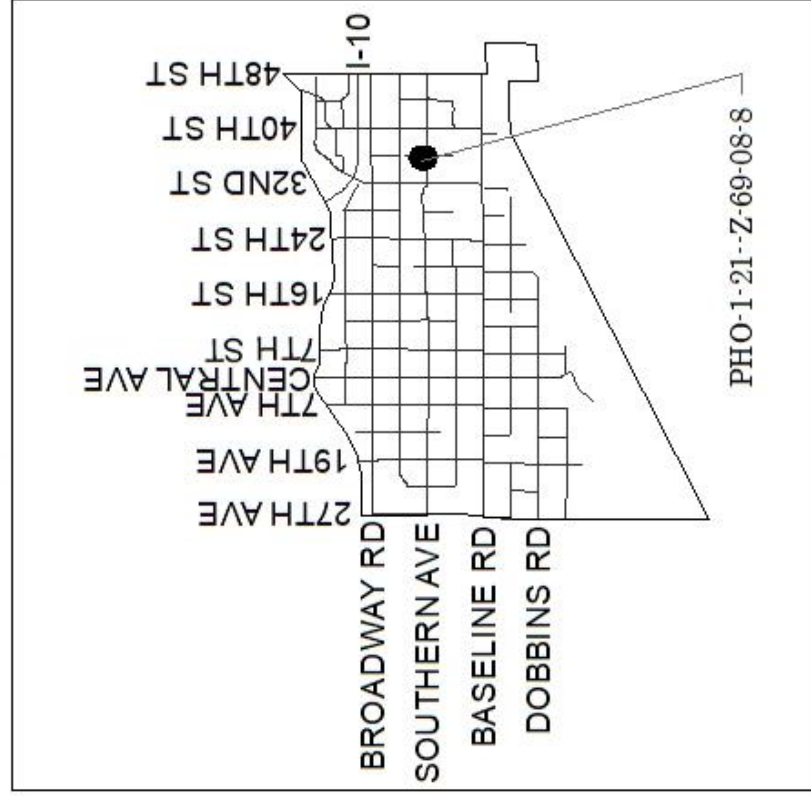
EXCEPT THE SOUTH 7 FEET THEREOF, AS CONVEYED BY INSTRUMENT RECORDED IN DOCKET 8546, PAGE 709, RECORDS OF MARICOPA COUNTY, ARIZONA.

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■■

Zoning Case Number: PHO-1-21-Z-69-08-8
Zoning Overlay: N/A
Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 10/25/2021