



City of Phoenix

Agenda

City Council Formal Meeting

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

Wednesday, June 28, 2023

2:30 PM

phoenix.gov

*****REVISED June 27, 2023*****

Item Corrected: 65

Item Requested to be Continued: 193

OPTIONS TO ACCESS THIS MEETING

Virtual Request to speak at a meeting:

- **Register online** by visiting the *City Council Meetings* page on phoenix.gov **at least 2 hours prior to the start of this meeting**. Then, click on this link at the time of the meeting and join the Webex to speak: <https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=eaceb5167926738124174f149e82ec50e>

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

In-Person Requests to speak at a meeting:

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

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

At the time of the meeting:

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

- **Call-in** to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 2559 841 1034# (for English) or 2553 145 5902# (for Spanish). Press # again when prompted for attendee ID.

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

Para nuestros residentes de habla hispana:

- **Para registrarse para hablar en español**, llame al 602-262-6001 **al menos 2 horas antes del inicio de esta reunión** e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 2553 145 5902#. El intérprete le indicará cuando sea su turno de hablar.

- **Para solamente escuchar la reunión en español**, llame a este mismo número el día de la reunión (602-666-0783; ingrese el número de identificación de la reunión 2553 145 5902#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

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

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

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| 1 | Mayor and Council Appointments to Boards and Commissions | Page 21 |
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LIQUOR LICENSES, BINGO, AND OFF-TRACK BETTING LICENSE APPLICATIONS

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| 2 | Liquor License - Anyway Smoke Shop | District 2 - Page 26 |
| 3 | Liquor License - La Oaxaquena Mexican Food | District 3 - Page 28 |
| 4 | Liquor License - Julio G's / Julio's Too | District 3 - Page 30 |
| 5 | Liquor License - MJ Mini Mart | District 3 - Page 35 |
| 6 | Liquor License - Hana Japanese Eatery | District 4 - Page 40 |
| 7 | Liquor License - Island Grill AZ | District 4 - Page 46 |
| 8 | Liquor License - Special Event - Puppy Love Foundation | District 5 - Page 51 |
| 9 | Liquor License - Special Event - Puppy Love Foundation | District 5 - Page 52 |
| 10 | Liquor License - Special Event - Puppy Love Foundation | District 5 - Page 53 |
| 11 | Liquor License - 7- Eleven #18117N | District 5 - Page 54 |
| 12 | Liquor License - Da KiTcHiN Grill | District 6 - Page 59 |
| 13 | Liquor License - Trevor's | District 6 - Page 64 |
| 14 | Liquor License - Latitude Wines | District 7 - Page 69 |
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| 15 | Liquor License - NICK THE GREEK | District 7 - Page 71 |
| 16 | Liquor License - LeDu Thai Restaurant | District 8 - Page 76 |
| 17 | Liquor License - Taqueria Obregon | District 8 - Page 81 |
| 18 | Bingo License - Christian Care Apts | District 3 - Page 86 |

PAYMENT ORDINANCE (Ordinance S-49904) (Items 19-43)

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| 19 | City of Goodyear - Annual Water Utility Payment |
| 20 | ON Advertising Inc. |
| 21 | Tata Consultancy Services Limited |
| 22 | Phoenix Sister Cities, Inc. |
| 23 | Timothy F. Hendershott, dba Tartan Associates |
| 24 | Laborers' International Union of North America (LIUNA)
Local 777 |
| 25 | American Federation of State, County and Municipal
Employees (AFSCME) Local 2384 |
| 26 | American Federation of State, County and Municipal
Employees (AFSCME) Local 2960 |
| 27 | American Federation of State, County and Municipal
Employees (AFSCME) Local 2960 |
| 28 | Digital Realty Trust, LP and Telx - Phoenix, LLC |
| 29 | Iron Mountain Data Centers, LLC |
| 30 | Mitrastech Holdings, Inc. |
| 31 | Alan Conrad Aimone |
| 32 | Motion Picture Licensing Corp |
| 33 | Mayo Clinic Arizona |
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- 34 **Apple Inc.**
- 35 **Rugged Solutions America dba Mobile Concept Technology, LLC**
- 36 **UCT, LLC**
- 37 **Oxford Instruments America, Inc.**
- 38 **Stop Sticks, LTD**
- 39 **Knight-Swift Transportation Holdings, Inc.**
- 40 **Lennar Communities Development, LLC**
- 41 **BC Graphics, Inc.**
- 42 **AZ Pro Signs, Inc., dba AZPRO Group**
- 43 **Settlement of Claim(s) 525 Bethany LLC v. City of Phoenix**

ADMINISTRATION

- 44 **Proposed I-17 and Jenny Lin Road Annexation (Ordinance S-50004)** District 1 - Page 95
 - 45 **Proposed 35th Avenue and Elliot Road Annexation (Ordinance S-50028)** District 8 - Page 97
 - 46 **Agreements with Aspirant Partners for Development of Property Located at 2nd Avenue North of Van Buren Street in Downtown Phoenix (Ordinance S-49923)** District 7 - Page 99
 - 47 **Request to Enter an Intergovernmental Agreement with Arizona State University Edson College of Nursing and Health Innovation** Citywide - Page 102
 - 48 **V-Desk II System Operator - RFA 19-021 - Amendment (Ordinance S-49983)** Citywide - Page 104
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50	Amend Chapter 2, Article I, Phoenix City Code Relating to Payment Ordinance Threshold (Ordinance G-7126)	Citywide - Page 108
51	Payment Ordinance for Summer Recess (Ordinance S-49939)	Citywide - Page 110
52	Amend Personnel Rule 15, Merit Pay Increase (Ordinance S-49971)	Citywide - Page 111
53	Acceptance of Easement for Drainage Purposes (Ordinance S-49940)	District 8 - Page 113
54	Acceptance of a Quitclaim Deed from Las Haciendas de Paradise Village for Real Property Near the Northeast Corner of Cactus Road and 40th Street (Ordinance S-49906)	District 3 - Page 114
55	Acceptance of a Traffic Control Easement Along the West Side of 40th Street, North of Bell Road (Ordinance S-49957)	District 2 - Page 115
56	Revocable License with Option to Purchase Real Property Owned by the State of Arizona at 1537 W. Jackson St. (Ordinance S-50021)	District 7 - Page 116
57	Termination of a Refuse Collection Easement Located West of 27th Avenue and North of Colter Street (Ordinance S-49909)	District 5 - Page 118
58	Voluntary Acquisition of Improved Real Property Located at 4050 and 4102 E. Air Lane for Phoenix Sky Harbor International Airport (Ordinance S-49938)	District 8 - Page 119
59	Acquisition of Real Property for the Durango Street Mobility Project Along Durango Street from Central Avenue to 5th Street, and Along 5th Street from	District 8 - Page 121

Durango to Mohave Streets (Ordinance S-49908)

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| 60 | Computer Hardware and Support Services - COOP 21-031 - Amendment (Ordinance S-50008) | Citywide - Page 124 |
| 61 | Facilities Maintenance and Repair and Operations and Industrial Supplies - COOP 20-056 - Amendment (Ordinance S-49914) | Citywide - Page 125 |
| 62 | MRO Supplies: Industrial, Building, Plumbing, Electrical and HVAC - COOP 20-096 - Amendment (Ordinance S-49915) | Citywide - Page 127 |
| 63 | Armed, Unarmed and Event Security Guard Services - IFB 18-299 - Amendment (Ordinance S-49912) | Citywide - Page 129 |
| 64 | Web Based Contract Management Software and Support Services Contract - EXC 23-059 - Request for Award (Ordinance S-49916) | Citywide - Page 130 |
| *65 | Mobile Computing Solutions - COOP 23-075 - Request for Award (Ordinance S-49985) ***CORRECTED*** | Citywide - Page 132 |
| 66 | Auctioneering Services - ADSPO17-174072 - Amendment (Ordinance S-49937) | Citywide - Page 134 |
| 67 | AV Equipment and Services - ADSPO17-00007302 - Amendment (Ordinance S-49972) | Citywide - Page 135 |
| 68 | Uninterruptible Power Supply Equipment, Service and Maintenance - IFB 17-171 - Amendment (Ordinance S-49995) | Citywide - Page 137 |
| 69 | Ready Mix Concrete - IFB 18-264 - Amendment (Ordinance S-49936) | Citywide - Page 139 |
| 70 | Master Agreement for Cloud Solutions - CTR046098 - Amendment (Ordinance S-50001) | Citywide - Page 140 |
| 71 | Multi-Temporary Staffing Services - Managed Services Provider - ADSPO 17-00006933 - Amendment | Citywide - Page 142 |
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| 72 | IT Staffing Services Contract - ITS RFQu 23-005 - Request for Award (Ordinance S-49964) | Citywide - Page 144 |
| 73 | Carrier and Broadband Provider Services - Amendments (Ordinance S-49955) | Citywide - Page 146 |
| 74 | Wireless Communications Services, Accessories, and Equipment - Amendments (Ordinance S-49956) | Citywide - Page 148 |
| 75 | Communication Tower Inspection, Maintenance, and Repair - IFB 18-112 - Amendment (Ordinance S-49954) | Citywide - Page 150 |
| 76 | Disaster Recovery-as-a-Service Contract - ITS RFP 23-003 - Request for Award (Ordinance S-50018) | Citywide - Page 152 |
| 77 | Authorization to Enter into Agreement with Element Technologies, LLC (Ordinance S-50000) | Citywide - Page 154 |
| 78 | Request to Establish the Phoenix Community Court (Ordinance S-50026) | Citywide - Page 156 |
| 79 | Request to Amend City Code - Chapter 8 Animals - Sections 8-1 and 8-3 (Ordinance G-7131) | Citywide - Page 162 |
| 80 | Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-49952) | Citywide - Page 165 |
| 81 | Authorization for the Issuance of Water Obligations for the Water Department's Capital Improvement Program (Ordinance S-49999) | Citywide - Page 166 |
| 82 | Authorization for the Issuance of Wastewater Obligations for the Water Department's Capital Improvement Program (Ordinance S-49998) | Citywide - Page 167 |

COMMUNITY SERVICES

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| 83 | Apply for the United States Environmental Protection Agency Environmental Justice | District 8 - Page 168 |
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Opportunity for Federal Fiscal Year 2022-23 - Federal
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| 85 | American Rescue Plan Act Affordable Housing Gap
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| 86 | American Rescue Plan Act Affordable Housing Gap
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| 87 | American Rescue Plan Act Affordable Housing Gap
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| 88 | Authorization to Enter into Purchase and Sale
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Community Enhancement, LLC. (Ordinance S-50009) | District 4 - Page 176 |
| 89 | Grant Writing Services Qualified Vendor List
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| 90 | Request to Enter Into a Agreement with the Booker T.
Washington Child Development Center for Use of a
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| 91 | Request to Amend the Facility Use Agreement Between
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| 92 | Authorization to Enter into Contract with Community
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| 93 | Authorization to Amend Emergency Shelter/Heat
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95	Retroactive Authorization to Apply for, Accept and Disburse Arizona Department of Housing Grant Funding (Ordinance S-49987)	Citywide - Page 189
96	Retroactive Authorization to Accept and Disburse Grant Funding from the Arizona Child and Family Advocacy Network (Ordinance S-50012)	Citywide - Page 190
97	Authorization to Accept and Disburse Area Agency on Aging, Region One, Inc. Grant for Home Delivered Meals Program (Ordinance S-49975)	Citywide - Page 192
98	Authorization to Amend Contract with the Industrial Development Authority of the City of Phoenix to Provide Case Management and Housing Navigation Services for Mobile Home Residents (Ordinance S-50013)	Citywide - Page 194
99	Online Investment Research Database Subscription - RFA 17-181 - Amendment (Ordinance S-49922)	Citywide - Page 196
100	Library Electronic Resources and Associated Services Contract - RFQu 23-001 - Request for Award (Ordinance S-49930)	Citywide - Page 198
101	Request to Enter into an Intergovernmental Agreement with Arizona State University for Opioid Response Planning	Citywide - Page 201
102	Annual Review and Updates to the Neighborhood Services Department's Code Enforcement Policy	Citywide - Page 203
103	Request to Apply for and Accept Grant Funds for the U.S. Department of Energy Buildings Upgrade Prize (Ordinance S-50014)	Citywide - Page 223
104	Request to Apply for and Accept Spark Grant Funds for	Citywide - Page 225

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- 105 **Authorization to Issue a Request for Qualifications to Create a Qualified Vendor List for Solar Installations on City Property (Ordinance S-50015)** Citywide - Page 226
- 106 **Authorization to Issue a Request for Proposals for an Owner Representative for Energy Performance Contracts (Ordinance S-50030)** Citywide - Page 230
- 107 **Authorization to Issue a Request for Qualifications for Energy Service Companies for Energy Performance Contracting (Ordinance S-50016)** Citywide - Page 232
- 108 **Donation from STACK Americas for the Parks and Recreation Department (Ordinance S-49982)** Citywide - Page 234
- 109 **Van Rental - IFB 18-179 - Amendment (Ordinance S-49966)** Citywide - Page 235
- 110 **Intergovernmental Agreement with Arizona Game and Fish Commission for City of Phoenix Community Fishing Program - Amendment (Ordinance S-49968)** Citywide - Page 236
- 111 **Fee Increase for Use of Phoenix Tennis Center (Ordinance S-50007)** District 5 - Page 238

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- 112 **Entertainment District Formation Consulting Services - Authorization to Issue Solicitation (Ordinance S-49918)** District 7 - Page 240
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- 113 **Western Maricopa Coalition (WESTMARC) Dues for Fiscal Years 2023-26 (Ordinance S-49921)** District 1 - Page 242
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- 114 **Arizona BioIndustry Association Annual Membership for Fiscal Year 2023-24 (Ordinance S-49917)** Citywide - Page 244
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| 115 | Business Attraction and Development Services
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| 116 | Phoenix Sister Cities, Inc. - Authorization to Extend
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| 117 | Authorization to Enter into a Temporary Parking
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| 118 | Amend Development Agreements with Phoenix IG, LLC
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| 119 | Authorization to Enter into an Intergovernmental
Agreement with Arizona State University for the
Development of Entrepreneurship and Innovation
Programs in Downtown Phoenix (Ordinance S-50019) | Citywide - Page 254 |
| 120 | Issuance of Multifamily Housing Revenue Bonds (Bret
Tarver Terrace Project), Series 2023 (Resolution 22136) | District 4 - Page 256 |
| 121 | Intelligent Lighting Fixtures Installation, Maintenance,
Repair and Parts Contract IFB PPC 23-0080 - Request
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| 122 | Audio Visual System Replacement Project, Phoenix
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| 123 | Event Security Services - RFP 16-005 - Amendment 7
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| 124 | One-Time Purchase of Ambulances (Ordinance
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| 125 | One-Time Purchase of Fire Pumper Trucks (Ordinance
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| 126 | One-Time Purchase of Fire Ladder Trucks (Ordinance S-49994) | Citywide - Page 264 |
| 127 | One-Time Purchase of Fire Utility and Ladder Tender Trucks (Ordinance S-49997) | Citywide - Page 265 |
| 128 | Donation from Donald Mills Jr. for Phoenix Fire Department Historical Preservation Purposes (Ordinance S-50005) | Citywide - Page 266 |
| 129 | Authorization to Enter into Agreement with Arizona Center for Fire Service Excellence (AzCFSE) (Ordinance S-49933) | District 7 - Page 267 |
| 130 | International Code Council Reference Materials Contract - EXC 23-036 - Request for Award (Ordinance S-49960) | Citywide - Page 269 |
| 131 | Paramedic Textbooks and Dictionaries - IFB 18-088 - Amendment (Ordinance S-49951) | Citywide - Page 271 |
| 132 | Fire Fighting Equipment - RFP 1605 - Amendment (Ordinance S-49974) | Citywide - Page 272 |
| 133 | Firefighting Personal Protective Equipment - PS16008 - Amendment (Ordinance S-49977) | Citywide - Page 273 |
| 134 | Amend Contract with Maricopa Association of Governments for 9-1-1 System Planning (Ordinance S-50006) | Citywide - Page 275 |
| 135 | Allow Additional Expenditures Under Contract 152101 for Fire Department Medical Direction (Ordinance S-50011) | Citywide - Page 277 |
| 136 | inPURSUIT Records Management System Professional Services and Support - Amendment (Ordinance S-49935) | Citywide - Page 279 |
| 137 | Firearms Transfer Agreement (Ordinance S-50010) | Citywide - Page 280 |
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138	Radar and Lidar Units Repair and Maintenance - RFA 18-143 - Amendment (Ordinance S-49973)	Citywide - Page 281
139	Body Worn Cameras - RFP 18-056 - Amendment (Ordinance S-49931)	Citywide - Page 283
140	Hardware and Software Maintenance for Mug Photo Workstations - ADSPO 13-038745 - Amendment (Ordinance S-49946)	Citywide - Page 285
141	CovertTrack Global Positioning Units & Surveillance Equipment - RFA 18-017 - Amendment (Ordinance S-49943)	Citywide - Page 287
142	Diving Equipment - IFB 18-144-Amendment (Ordinance S-49963)	Citywide - Page 288
143	LexisNexis Accurint and Accurint Crime Analysis Services - RFA 18-009 - Amendment (Ordinance S-49969)	Citywide - Page 289
144	Service Support Agreement for Forensic Equipment - RFA 17-158 - Amendment (Ordinance S-49934)	Citywide - Page 291
145	Maintenance and Certification of Chemical Hoods and Biological Safety Cabinets - ADSPO17 00007025 - Amendment (Ordinance S-49947)	Citywide - Page 292
146	Pre-Employment Psychological Examination and Evaluations - RFQu 23-111 Request for Award (Ordinance S-50003)	Citywide - Page 293
147	Authorization to Enter into an Agreement with the Arizona Attorney General's Office and Accept Funds for the Internet Crimes Against Children Task Force Program (Ordinance S-49984)	Citywide - Page 295
148	Authorization to Enter into Agreement with Arizona Peace Officer Standards and Training Board (Ordinance S-50027)	Citywide - Page 296

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149	Arizona Criminal Justice Commission Project Safe Neighborhoods Drive Test Scanner Grant (Ordinance S-49992)	Citywide - Page 297
150	Authorization to Enter into Agreement with Vertical Growth Partners LLC for Police Programs 2022 (Ordinance S-49981)	Citywide - Page 298
151	Amend Interim Executive Services Agreement 157017 (Ordinance S-50029)	Citywide - Page 299
<u>TRANSPORTATION AND INFRASTRUCTURE</u>		
152	GPT GIG BOA PORTFOLIO OWNER, LLC and RT Sky Harbor, LLC Ground Lease Amendment (Ordinance S-49980)	District 8 - Page 301
153	Request to Amend City Contract 154552 Lease and Development Agreement 154552-0 with Chicanos Por La Causa (Ordinance S-49990)	District 8 - Page 303
154	Amend City Contract 154383 with Sacred Heart Roman Catholic Parish Phoenix (Ordinance S-50020)	District 8 - Page 308
155	Temporary Traffic Signal Trailers Contract - RFA 24-FSD-009 - Request for Award (Ordinance S-49928)	Citywide - Page 310
156	Fleet Management and Smart Cities Contract - COOP 23-042 Request for Award (Ordinance S-49967)	Citywide - Page 311
157	Refuse Truck Body Repair Contract - IFB 24-FSD-003 Request for Award (Ordinance S-49979)	District 2 - Page 313 District 5 District 7 District 8
158	Emergency Vehicle Preemption System Contract - EXC 23-118 - Request for Award (Ordinance S-49978)	Citywide - Page 315
159	Intelligent Transportation System Devices and Communication Equipment - COOP 20-100 - Amendment (Ordinance S-49941)	Citywide - Page 317

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| 160 | Speed Hump/Speed Cushion Program - 2-Step Job Order Contracting Services - 4108JOC213 (Ordinance S-49925) | Citywide - Page 318 |
| 161 | Preformed Thermoplastic Pavement Marking Materials - IFB 18-249 - Amendment (Ordinance S-49945) | Citywide - Page 320 |
| 162 | Reflectorizing Glass Beads - IFB 18-250 - Amendment (Ordinance S-49962) | Citywide - Page 322 |
| 163 | Salt River Project Distribution Design and Construction Contracts for Installation of Electrical Facilities along Grand Canal from 47th to 75th Avenues - ST87600131 (Ordinance S-49959) | District 4 - Page 323
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| 164 | Authorization to Apply for and Accept Transportation Funding for Design Assistance Grants through Maricopa Association of Governments (Ordinance S-49989) | Citywide - Page 325 |
| 165 | Wireless Communications Equipment in Right of Way License Agreement with DISH Wireless (Ordinance S-49958) | Citywide - Page 327 |
| 166 | Amend Street Planning and Design Guidelines Manual (Ordinance S-49991) | Citywide - Page 328 |
| 167 | Support for Formation of Grove Park Estates Irrigation Water Delivery District (Resolution 22133) | District 6 - Page 470 |
| 168 | Toughbooks Computers - Request for Award (Ordinance S-50002) | Citywide - Page 478 |
| 169 | Brass Fittings and Meters - Request for Award (Ordinance S-49919) | Citywide - Page 480 |
| 170 | Automated Vehicle Locator Service - RFA 19-SW-008-Amendment (Ordinance S-49986) | Citywide - Page 482 |
| 171 | Locator Equipment Services - RFQ - 1920 - WDD - 231 - | Citywide - Page 484 |
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Amendment (Ordinance S-49905)

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| 172 | Maintenance, Support and Development Services Agreement - RFA-22203-WPC-583 - Request for Award (Ordinance S-49926) | Citywide - Page 486 |
| 173 | Apply for Water Infrastructure Finance Authority - Water Conservation Grant Fund Opportunity: Phoenix Water Conservation Corps Program Development Grant Opportunity for Fiscal Year 2023-24 - American Rescue Plan Act of 2021 (Ordinance S-49948) | Citywide - Page 488 |
| 174 | Apply for Water Infrastructure Finance Authority - Water Conservation Grant Fund opportunity: High Efficiency Toilet Replacement, Smart Irrigation Controller, and Turf Conversion Rebate Programs (Ordinance S-49949) | Citywide - Page 490 |
| 175 | Authorization to Amend Farming Lease Agreement 152025 with K-B Farms, LLC, to Increase Acreage of the Leased Premises and Extend Term (Ordinance S-49911) | District 7 - Page 492 |
| 176 | Public Hearing - Proposed Water Service Revenue Increase | Citywide - Page 494 |
| 177 | Public Hearing - Proposed Wastewater Service Revenue Increase | Citywide - Page 502 |
| 178 | Amend City Code - Proposed Water Service Revenue Increase (Ordinance G-7128) | Citywide - Page 510 |
| 179 | Amend City Code - Proposed Wastewater Service Revenue Increase (Ordinance G-7129) | Citywide - Page 513 |
| 180 | Amend Phoenix City Code Section 37-65(B) to Authorize an Increase in the Assessment of the Stormwater Excise Tax (Ordinance G-7127) | Citywide - Page 515 |
| 181 | Authorize Expenditures and New Positions Funded by the Stormwater Excise Tax Increase for MS4 Permit Compliance (Ordinance S-49965) | Citywide - Page 531 |
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PLANNING AND ZONING MATTERS

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| 182 | Final Plat - Pinnacle Peak and 23rd Ave - PLAT 230026 - Southwest Corner of William A. Alter Way and 23rd Avenue | District 1 - Page 541 |
| 183 | Final Plat - 29th Avenue and Sonoran Desert Drive - PLAT 220042 - Northwest Corner of 29th Avenue and Sonoran Desert Drive | District 2 - Page 542 |
| 184 | Final Plat - 17 North - Amended - PLAT 230030 - Northeast Corner of Blue Sky Drive and Black Canyon Highway | District 2 - Page 543 |
| 185 | Final Plat - Pierson and 11th Ave Townhomes - PLAT 220004 - Southeast Corner of 11th Avenue and Pierson Street | District 4 - Page 544 |
| 186 | Final Plat - Park Aldea II - PLAT 230002 - Southwest Corner of Montebello Avenue and 101st Avenue | District 5 - Page 545 |
| 187 | Final Plat - Ryder 202 and I-10 - PLAT 220085 - Northeast Corner of 57th Avenue and Latham Street | District 7 - Page 546 |
| 188 | Abandonment of Easement - ABND 230002 - 2800 West Sonoran Desert Drive (Resolution 22137) | District 2 - Page 547 |
| 189 | Abandonment of Easement - ABND 230024 - 17217 N. 17th Ave. (Resolution 22135) | District 3 - Page 548 |
| 190 | Abandonment of Right-of-Way and Easements - V180071 - 5546 West Latham Street (Resolution 22134) | District 7 - Page 549 |
| 191 | Authorization to Enter into a Development Agreement for Funding to Help Complete Sonoran Desert Drive and Dove Valley Road (Ordinance S-49976) | District 2 - Page 550 |
| 192 | Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-23--Z-9-20-6 - Southwest Corner of 16th Street and Colter Street (Ordinance G-7130) | District 6 - Page 552 |
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ADJOURN



City of Phoenix

City Council Formal Meeting

Report

Agenda Date: 6/28/2023, 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: June 28, 2023

Subject: BOARDS AND COMMISSIONS – APPOINTEES

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

Alhambra Village Planning Committee

I recommend the following for appointment:

Martin Shultz

Mr. Shultz is a retiree and a resident of District 5. He fills a vacancy for a partial term to expire November 19, 2023.

Audit Committee

I recommend the following for appointment:

Kesha Hodge Washington

Councilwoman Hodge Washington replaces Councilwoman Debra Stark for a term to expire June 28, 2025.

Central City Village Planning Committee

I recommend the following for reappointment:

Veronyka Lockhart

Ms. Lockhart is serving her fifth term to expire November 19, 2024.

Citizens Transportation Commission

I recommend the following for appointment:

Lina Bearat

Ms. Bearat is an Engineering Manager at Kimley-Horn & Associates. She replaces Rick Naimark as the Transportation Expert representative for a term to expire June 30, 2026.

Mike Huckins

Mr. Huckins is the Vice President of Public Affairs for the Greater Phoenix Chamber of Commerce. He replaces Jennifer Mellor as the Business and Industry representative for a term to expire June 30, 2026.

Fallon Webb

Ms. Webb is a student at Arizona State University. She replaces Brookelynn Nisenbaum as the Transit User representative for a term to expire June 30, 2026.

Deer Valley Village Planning Committee

Councilwoman Ann O'Brien recommends the following for appointment:

Gregory Freeman

Mr. Freeman is the Commercial Property Manager at MPB Realty Services, Inc. and a resident of District 1. He fills a vacancy for a term to expire November 19, 2024.

Encanto Village Planning Committee

Councilwoman Laura Pastor recommends the following for appointment:

Mark Cardenas

Mr. Cardenas is a Manager of Consultation and Partnership at Rio Tinto America and a resident of District 4. He fills a vacancy for a term to expire November 19, 2024.

Tom Doescher

Mr. Doescher is a retiree and a resident of District 4. He fills a vacancy for a partial term to expire November 19, 2023.

Sabrina Perez

Ms. Perez is the President of Development Global and a resident of District 4. She fills a vacancy for a term to expire November 19, 2024.

Human Relations Commission

I recommend the following for appointment:

Shane Anton

Mr. Anton is the Tribal Historic Preservation Officer for the Salt River Pima-Maricopa Indian Community. He replaces Ricardo Leonard for a term to expire May 3, 2026.

Human Services Commission

Councilwoman Laura Pastor recommends the following for appointment:

Brent Kleinman

Mr. Kleinman is a professor at Glendale Community College. He will serve a term to expire June 28, 2025.

Councilwoman Debra Stark recommends the following for appointment:

Nina Poole

Ms. Poole is the Founder of Thrive Phoenix. She fills a vacancy for a term to expire June 28, 2025.

Maryvale Village Planning Committee

Vice Mayor Yassamin Ansari recommends the following for appointment:

Melissa Acevedo

Ms. Acevedo is a Program Manager at Mountain Park Health Center and a resident of District 5. She fills a vacancy for a term to expire November 19, 2024.

Phoenix Business Workforce Development Board

I recommend the following for appointment:

Nick DePorter

Mr. DePorter is the Senior U.S. Public Policy & Government Affairs Manager at LinkedIn. He replaces Latasha Causey as a Business representative for a term to expire June 30, 2024.

Emily Paulson

Ms. Paulson is the Assistant Director at EY. She replaces Karen Hartson as a Business representative for term to expire June 30, 2026.

Brandon Ramsey

Mr. Ramsey is the Membership Services Director at Phoenix Community Alliance. He replaces Adam Hawkins as a Small Business representative and will fulfill his term to expire June 30, 2024.

I recommend the following for reappointment:

Jesus Love

Mr. Love will serve a third term to expire June 30, 2026.

John Soto

Mr. Soto will serve his first full term to expire June 30, 2026.

Plan Phoenix 2025 Leadership Committee

I recommend the following for appointment:

Carol Poore

Ms. Poore is the President of Poore & Associates Strategic Planning.

South Mountain Village Planning Committee

I recommend the following for reappointment:

Edward Aldama

Mr. Aldama is serving his first full term to expire November 19, 2023.



Liquor License - Anyway Smoke Shop

Request for a liquor license. Arizona State License Application 10076952.

Summary

Applicant

Jandark Savaya, Agent

License Type

Series 10 - Beer and Wine Store

Location

6245 E. Bell Road, Ste. 110

Zoning Classification: C-1

Council District: 2

This request is for an acquisition of control of an existing liquor license for a tobacco shop. This location is currently licensed for liquor sales. This location requires a Use Permit to allow package liquor sales.

The 60-day limit for processing this application is July 4, 2023.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling,

grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“I am over the age of 21 years old with clean records, no felonies, no violations, competent and responsible person, aware of City of Phoenix Rules and Regulation for having beer and wine sales off site permit.”

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 or Ordinances.

Responsible Department

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



Liquor License - La Oaxaquena Mexican Food

Request for a liquor license. Arizona State License Application 012070017225.

Summary

Applicant

Theresa Morse, Agent

License Type

Series 12 - Restaurant

Location

9822 N. 7th St., Ste. 6-8

Zoning Classification: C-2

Council District: 3

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 July 3, 2023.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: "I have acquired the restaurant from my brother. By trade I am a taxi driver however, I have also cooked and served customers at this restaurant. I also have retained an existing employee who has experience cooking and selling alcoholic beverages. She will be my manager on file at the Arizona Department of Liquor and will attend both Basic and Management liquor law training. I will also mandate all employees to attend liquor law training. Additionally, this location has had an active liquor license serving the community for several years. The alcohol is basically to complement the service of food. The primary purpose is a restaurant not a bar."

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 - Julio G's / Julio's Too

Request for a liquor license. Arizona State License Application 245552.

Summary

Applicant

Benjamin Christy, Agent

License Type

Series 12 - Restaurant

Location

12631 N. Tatum Blvd., Ste. A102 and A103

Zoning Classification: C-2 PCD

Council District: 3

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

The 60-day limit for processing this application is July 14, 2023.

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

Other Active Liquor License Interest in Arizona

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

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 working in the restaurant for 15 years. I am very familiar with rules and regulations regarding alcohol sales. We always maintain the highest standards."

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

"So we can continue to serve our community by providing the best food, drinks and service around."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Julio G's / Julio's Too

Liquor License Map - Julio G's / Julio's Too

Responsible Department

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

Liquor License Data: JULIO G'S / JULIO'S TOO

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	1
Liquor Store	9	4	3
Beer and Wine Store	10	5	2
Hotel	11	1	0
Restaurant	12	22	19

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.01	93.47	195.96
Violent Crimes	11.51	6.87	12.2

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

Property Violation Data

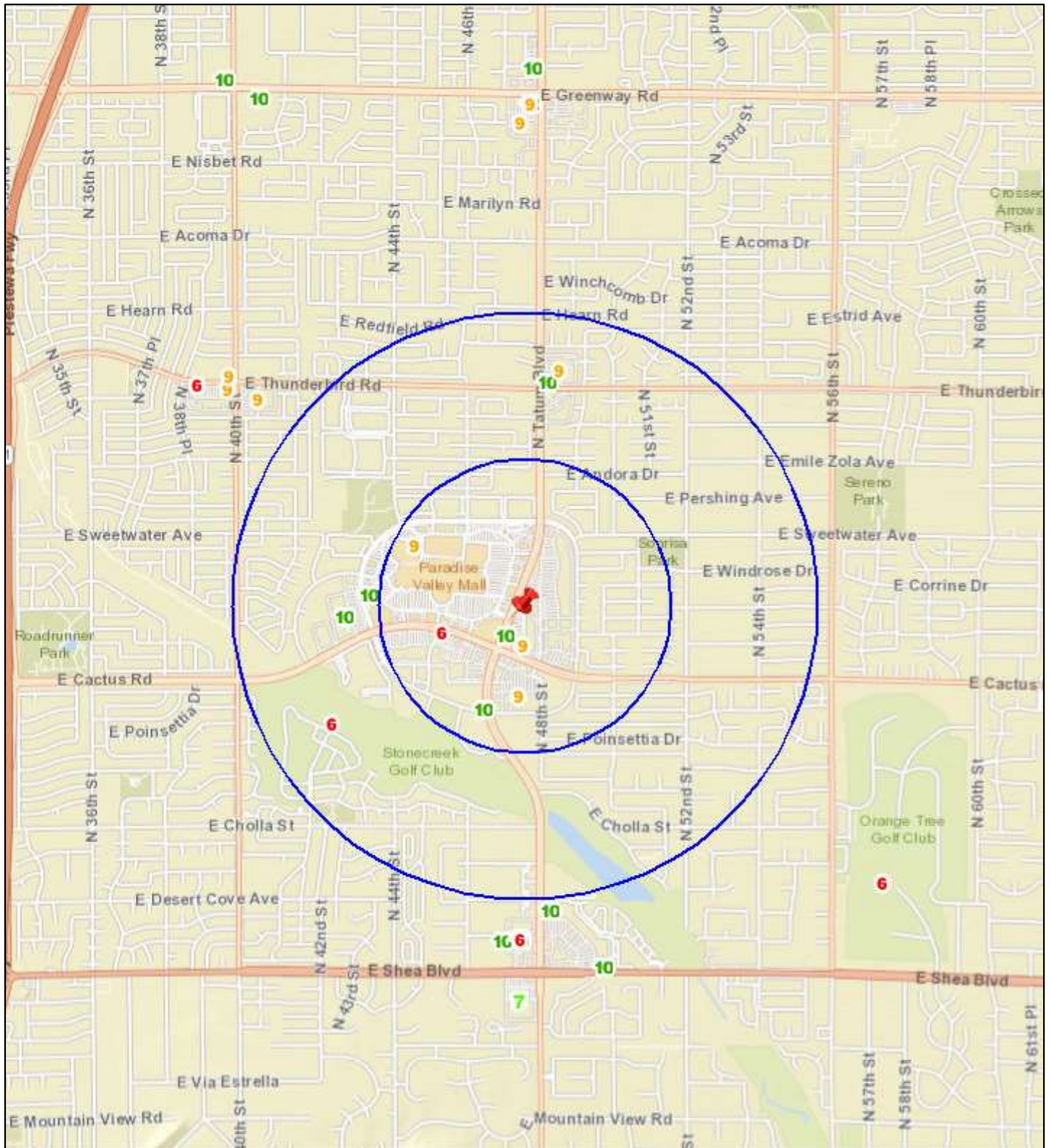
Description	Average	1/2 Mile Average
Parcels w/Violations	50	36
Total Violations	87	51

Census 2010 Data 1/2 Mile Radius

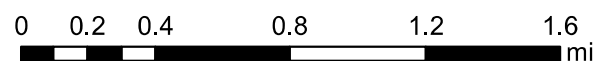
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032051	1834	100	6	0
1032052	1192	82	0	16
1032082	1548	38	36	18
1032091	804	74	0	24
1032101	872	20	20	12
1032102	1681	32	14	19
1032106	886	23	22	7
Average	0	61	13	19

Liquor License Map: JULIO G'S / JULIO'S TOO

12631 N TATUM BLVD



Date: 5/17/2023





Liquor License - MJ Mini Mart

Request for a liquor license. Arizona State License Application 245123.

Summary

Applicant

Lauren Merrett, Agent

License Type

Series 10 - Beer and Wine Store

Location

1201 W. Hatcher Road

Zoning Classification: C-2

Council District: 3

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 July 2, 2023.

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

Other Active Liquor License Interest in Arizona

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

Arizona.

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 this business. Managers and staff will be trained in the Title 4 and best practices for compliance with liquor laws and for the safety of the community."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Applicants business is a neighborhood convenience store, featuring a variety of food and beverage options. Providing continued alcoholic beverages for individuals 21 and older will be a convenience for the customers to enhance their experience."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - MJ Mini Mart

Liquor License Map - MJ Mini Mart

Responsible Department

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

Liquor License Data: MJ MINI MART

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	0
Liquor Store	9	5	0
Beer and Wine Store	10	11	5
Restaurant	12	8	1
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	59.36	139.94	126.85
Violent Crimes	11.38	41.64	41.61

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

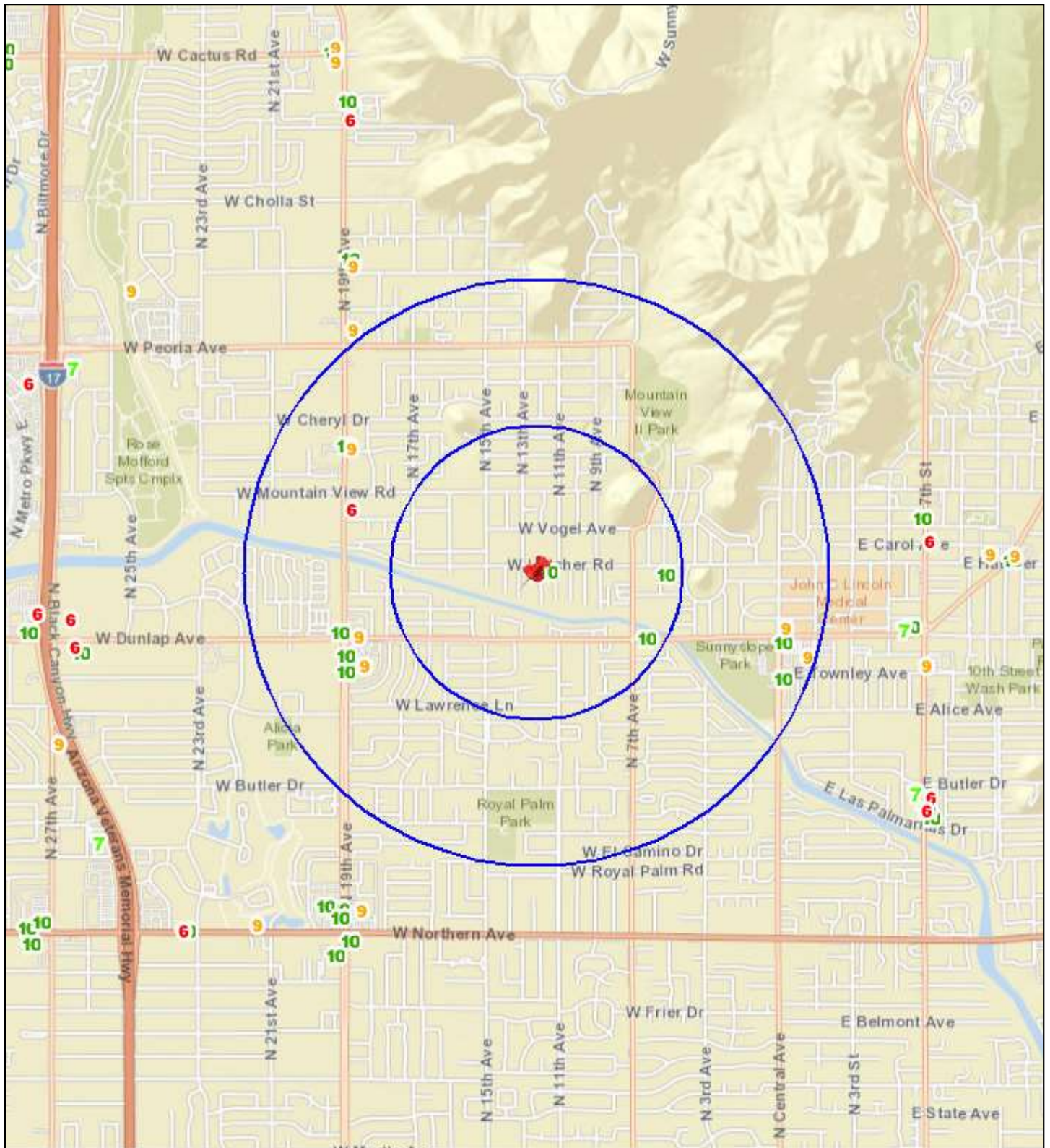
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	50	116
Total Violations	88	257

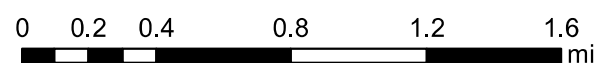
Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1045011	795	78	7	18
1045012	1110	5	29	23
1045013	1204	7	29	48
1045021	2058	40	14	50
1045022	2126	31	14	49
1045023	1538	57	20	33
1046003	1165	68	20	35
1053003	1205	96	9	0
1054001	1427	100	3	4
1054002	981	85	7	5
Average	0	61	13	19

1201 W HATCHER RD



Date: 5/4/2023





Liquor License - Hana Japanese Eatery

Request for a liquor license. Arizona State License Application 07070216.

Summary

Applicant

Juanita Esparza, Agent

License Type

Series 7 - Beer and Wine Bar

Location

5524 N. 7th Ave.

Zoning Classification: C-2

Council District: 4

This request is for an ownership and location transfer of a liquor license for a beer and wine bar. This location is currently licensed for liquor sales with a Series 12, Restaurant, liquor license. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption.

The 60-day limit for processing this application is July 3, 2023.

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

Other Active Liquor License Interest in Arizona

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

Hana Japanese Eatery (Series 12)
5524 N. 7th Ave., Phoenix
Calls for police service: 1
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:
"The owners of Hana Japanese Eatery are committed to upholding the highest standards for it's business practices, employees and, patrons. The owners and employees have been trained in the techniques of legal and responsibility and have taken the Title 4 Liquor Law Training Course within the past 3 years. As owners of the business they will oversee all employees and provide a safe enviroment"

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

"The owners of Hana Japanese Eatery wishes currently provide dining with alcohol on a series 12 restaurant liquor license at the request of the general public. The series 7 beer and wine license will be used for occasional tasting and off sale priviledge. In addition Hana Japanese Eatery will responsibly adhere to all state, city and, federal tax laws and maintain a strict adherence security requirements"

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 - Hana Japanese Eatery

Liquor License Map - Hana Japanese Eatery

Responsible Department

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

Liquor License Data: HANA JAPANESE EATERY

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Government	5	1	0
Bar	6	5	0
Beer and Wine Bar	7	10	0
Liquor Store	9	6	0
Beer and Wine Store	10	4	2
Restaurant	12	31	3

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	59.36	217.38	107.85
Violent Crimes	11.38	34.1	11.46

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

Property Violation Data

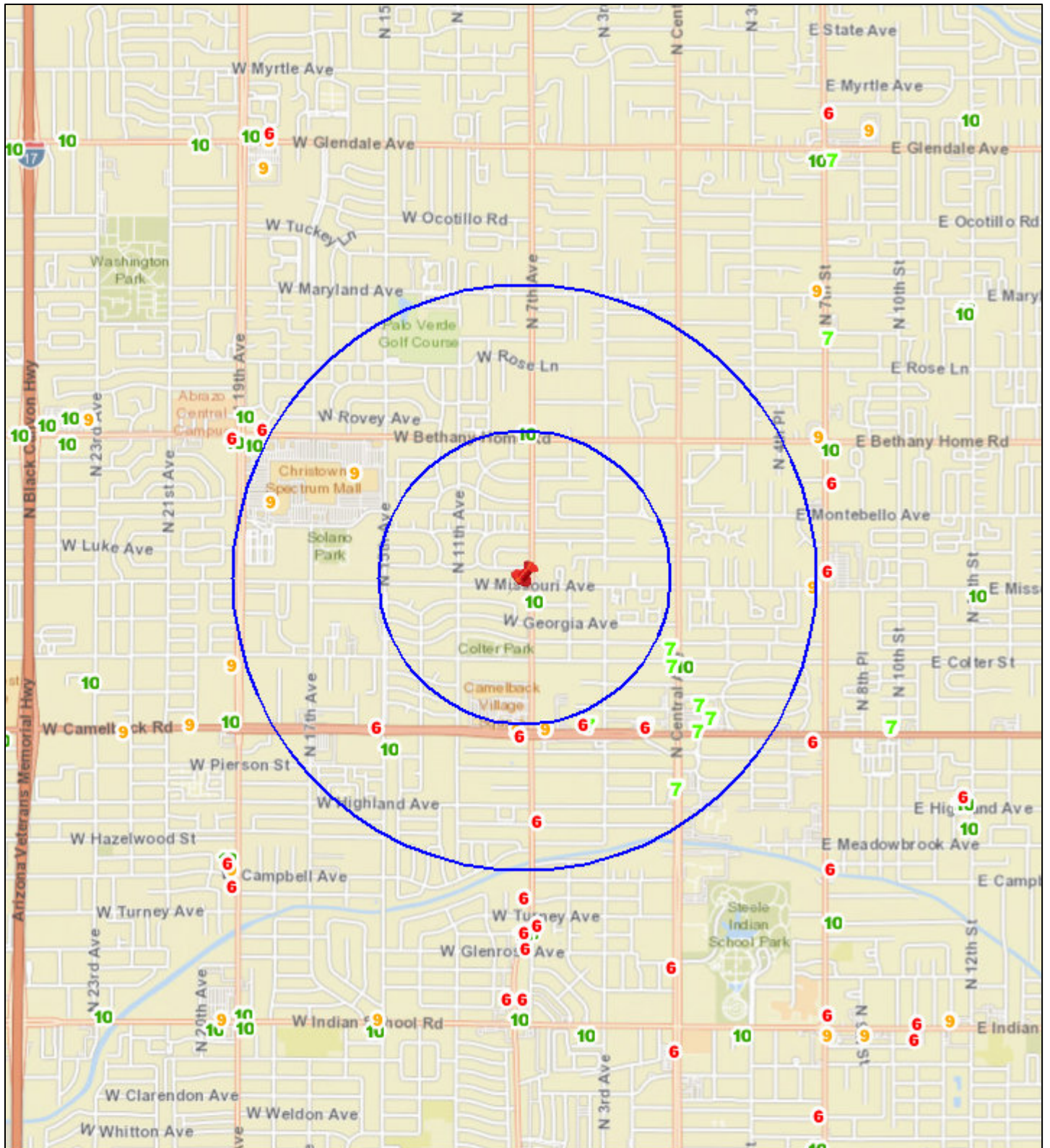
Description	Average	1/2 Mile Average
Parcels w/Violations	50	97
Total Violations	88	164

Census 2010 Data 1/2 Mile Radius

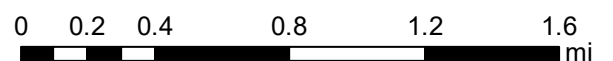
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1066001	1444	82	29	4
1067032	1120	92	0	4
1074001	1280	80	4	15
1074002	1009	62	7	16
1074003	839	0	6	56
1074005	661	0	30	77
1074006	2186	16	13	53
1075002	1458	74	7	15
1075003	1599	46	15	14
Average	0	61	13	19

Liquor License Map: HANA JAPANESE EATERY

5524 N 7TH AVE



Date: 5/5/2023



City Clerk Department



Liquor License - Island Grill AZ

Request for a liquor license. Arizona State License Application 238335.

Summary

Applicant

Rickardo Coote, Agent

License Type

Series 12 - Restaurant

Location

830 E. Indian School Road

Zoning Classification: C-2

Council District: 4

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

The 60-day limit for processing this application is June 30, 2023.

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

Other Active Liquor License Interest in Arizona

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

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 a legally recognized and appropriate establishment. I comply with all applicable laws and regulations, including alcohol regulations. I will show a commitment to responsible alcohol service, such as implementing age verification and training staff on responsible serving practices."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Having a licensed establishment within the community will provide residents with convenient options for socializing, dining out and enjoying a variety of experiences."

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 - Island Grill AZ

Liquor License Map - Island Grill AZ

Responsible Department

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

Liquor License Data: ISLAND GRILL AZ

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	13	4
Beer and Wine Bar	7	1	0
Liquor Store	9	4	3
Beer and Wine Store	10	13	5
Hotel	11	1	0
Restaurant	12	22	4

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.01	174.23	197.55
Violent Crimes	11.51	31.79	44.37

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

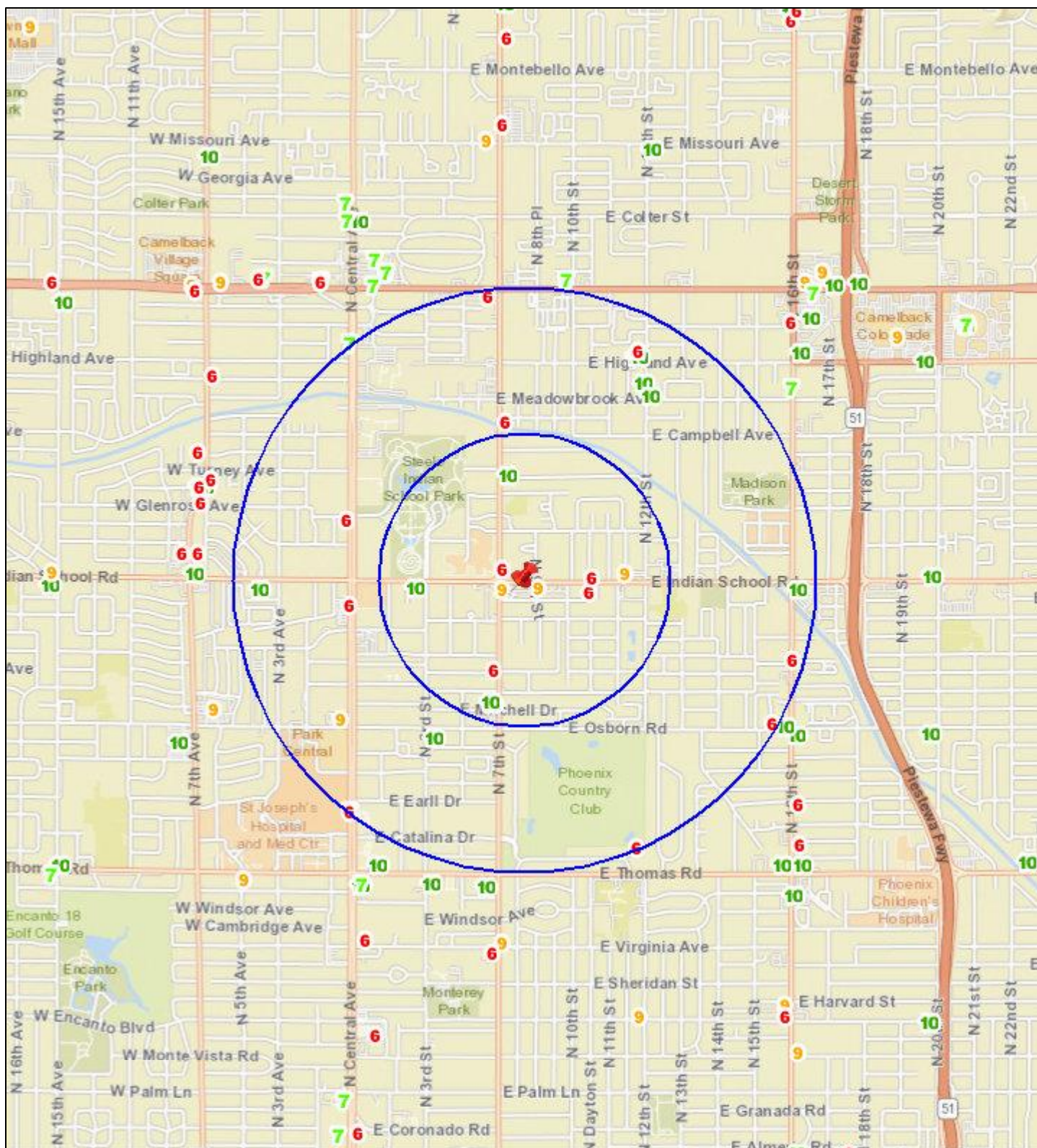
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	49	170
Total Violations	87	283

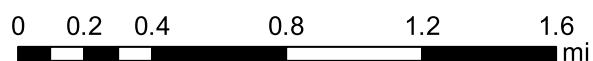
Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1086011	1374	18	29	41
1086012	1402	58	36	46
1105021	1057	13	34	30
1106001	1027	29	17	34
1106002	1339	64	17	24
1106003	801	27	29	49
1171001	2126	10	15	10
Average	0	61	13	19

830 E INDIAN SCHOOL RD



Date: 6/6/2023





Liquor License - Special Event - Puppy Love Foundation

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

Summary

Applicant

Jeffrey Stotler

Location

2209 N. 99th Ave.

Council District: 5

Function

Concert

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

July 1, 2023 - 6 p.m. to 10 p.m. / 2,000 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - Puppy Love Foundation

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

Summary

Applicant

Jeffrey Stotler

Location

2209 N. 99th Ave.

Council District: 5

Function

Concert

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

July 8, 2023 - 6 p.m. to 10 p.m. / 2,000 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - Puppy Love Foundation

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

Summary

Applicant

Jeffrey Stotler

Location

2209 N. 99th Ave.

Council District: 5

Function

Concert

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

July 15, 2023 - 6 p.m. to 10 p.m. / 2,000 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - 7- Eleven #18117N

Request for a liquor license. Arizona State License Application 245296.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 10 - Beer and Wine Store

Location

2651 W. Glendale Ave.

Zoning Classification: C-2

Council District: 5

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 July 4, 2023.

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

Other Active Liquor License Interest in Arizona

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

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.

7- Eleven #26062H (Series 10)
2401 E. McDowell Road, Phoenix
Calls for police service: 56
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:
"7- Eleven #18117 is a one-stop shop for convenience items and has been in operation for many years. Ownership was transferred back to corporate; applicant would like to continue to offer beer and wine to its customers 21 and over."

Staff Recommendation

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

Attachments

Liquor License Data - 7- Eleven #18117N
Liquor License Map - 7- Eleven #18117N

Responsible Department

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

Liquor License Data: 7-ELEVEN #18117N

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.78	193.47	215.6
Violent Crimes	11.66	55.14	67.94

*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

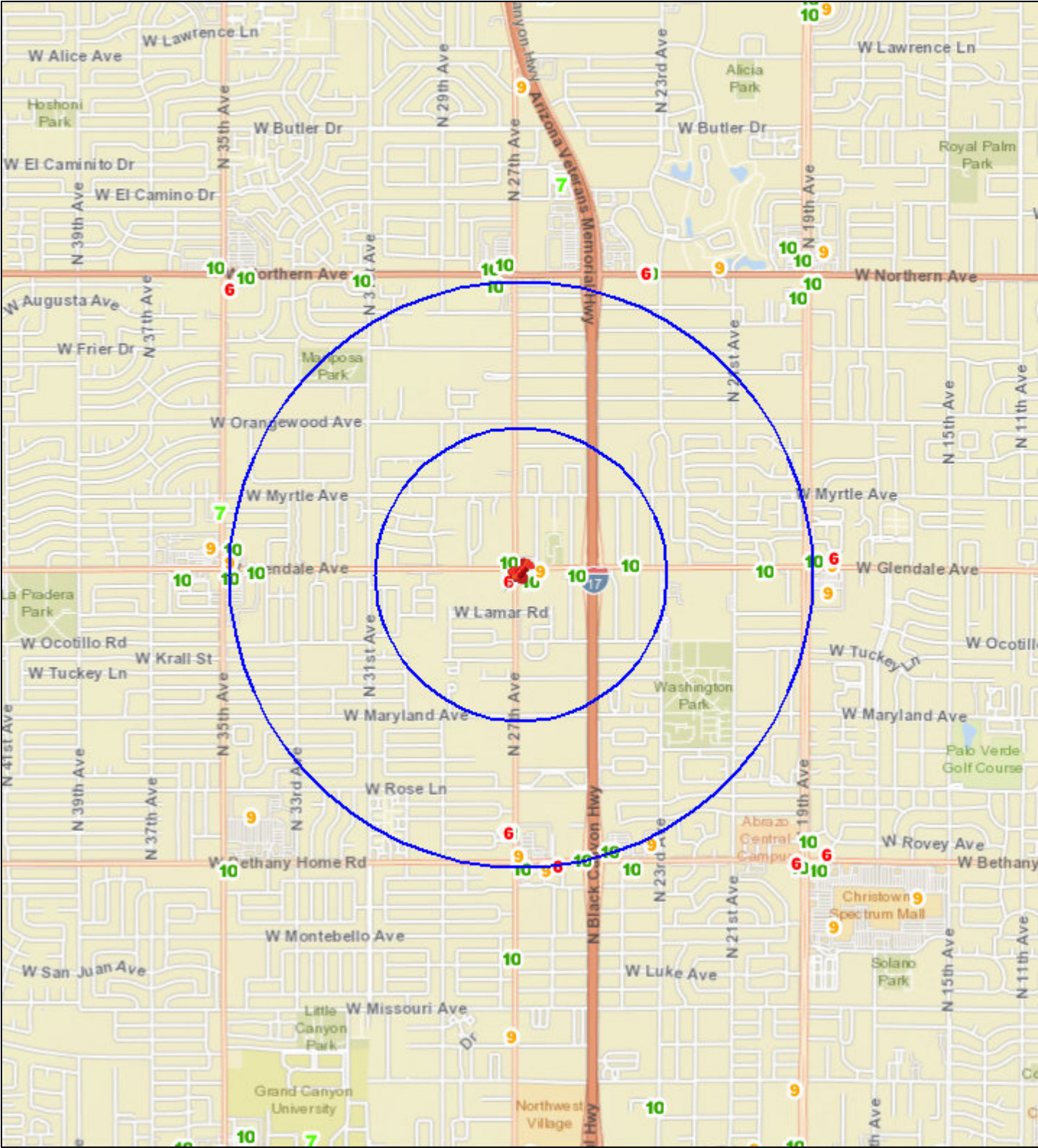
Description	Average	1/2 Mile Average
Parcels w/Violations	49	138
Total Violations	86	259

Census 2010 Data 1/2 Mile Radius

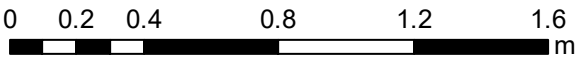
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1059003	1609	59	5	25
1060011	1487	31	17	50
1060032	1673	52	15	25
1068011	1652	2	12	52
1068012	1670	5	28	55
1068021	1099	60	0	9
1069001	1043	81	11	4
1069002	2629	71	5	22
Average	0	61	13	19

Liquor License Map: 7-ELEVEN #18117N

2651 W GLENDALE AVE



Date: 6/20/2023





Liquor License - Da KiTcHiN Grill

Request for a liquor license. Arizona State License Application 227657.

Summary

Applicant

Charles Stewart, Agent

License Type

Series 12 - Restaurant

Location

4902 E. Warner Road, Ste. 5, 7, 9

Zoning Classification: C-2

Council District: 6

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

The 60-day limit for processing this application is July 15, 2023.

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

Other Active Liquor License Interest in Arizona

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

Chariot Pizza & Pub (Series 12)
3930 N. Flowing Wells 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:
"I have been in the restaurant industry for 20 years and I am dedicated to the responsibility that requires the upmost attention to the law that govern the safety of the consumer in this industry."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"It provides tranquil path to serenity that all local communities would love to exercise at their leisure in a responsible manor in a casual adult setting"

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 - Da KiTcHiN Grill
Liquor License Map - Da KiTcHiN Grill

Responsible Department

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

Liquor License Data: DA KITCHIN GRILL

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	4	2
Beer and Wine Bar	7	6	3
Liquor Store	9	10	2
Beer and Wine Store	10	4	1
Hotel	11	1	0
Restaurant	12	24	6
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.01	69.77	76.96
Violent Crimes	11.51	6.76	12.1

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

Property Violation Data

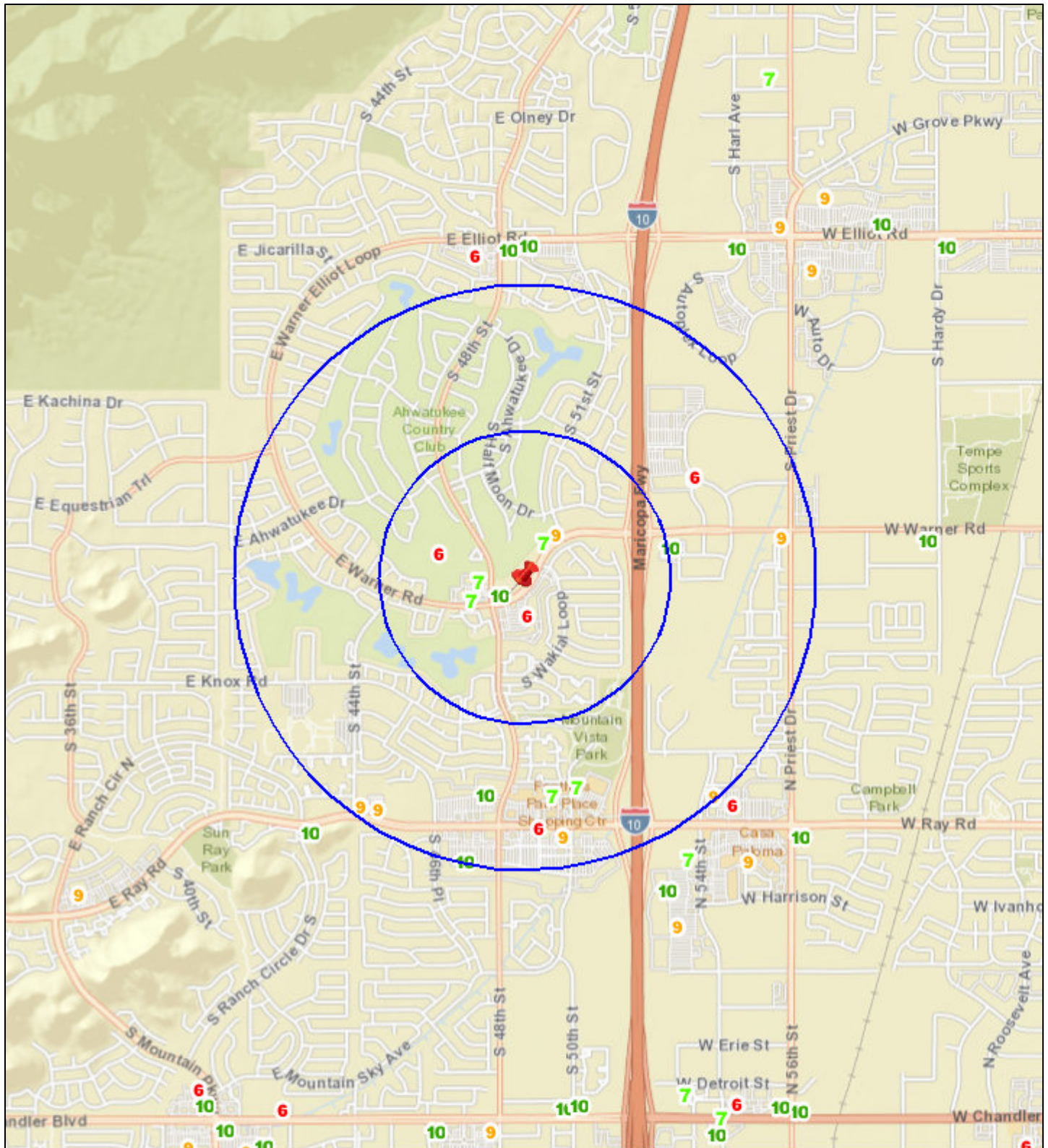
Description	Average	1/2 Mile Average
Parcels w/Violations	50	11
Total Violations	87	18

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167081	1516	88	0	2
1167082	1243	52	3	17
1167083	1314	34	0	7
1167084	1551	93	10	2
1167111	758	80	4	15
1167171	1769	0	25	11
1167172	1663	40	18	17
1167181	2685	40	10	9
3199101	2488	92	3	12
8100001	1870	83	10	0
Average	0	61	13	19

Liquor License Map: DA KITCHIN GRILL

4902 E WARNER RD



Date: 5/18/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



Liquor License - Trevor's

Request for a liquor license. Arizona State License Application 245148.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

3601 E. Indian School Road, Ste. A

Zoning Classification: C-2

Council District: 6

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

The 60-day limit for processing this application is July 2, 2023.

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

Other Active Liquor License Interest in Arizona

This information is not provided due to the multiple ownership interests held by the

applicant in the State of Arizona.

Public Opinion

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

Applicant's Statement

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Trevor's will provide a family-friendly, neighborhood restaurant offering a variety of pizzas, sandwiches and salads in a relaxing atmosphere. Applicant would like to offer alcoholic beverages to guests 21 and over."

Staff Recommendation

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

Attachments

Liquor License Data - Trevor's
Liquor License Map - Trevor's

Responsible Department

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

Liquor License Data: TREVOR'S

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	0
Bar	6	6	3
Beer and Wine Bar	7	6	0
Liquor Store	9	2	1
Beer and Wine Store	10	9	2
Restaurant	12	39	14

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	59.36	170.59	109.34
Violent Crimes	11.38	19.29	10.19

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

Property Violation Data

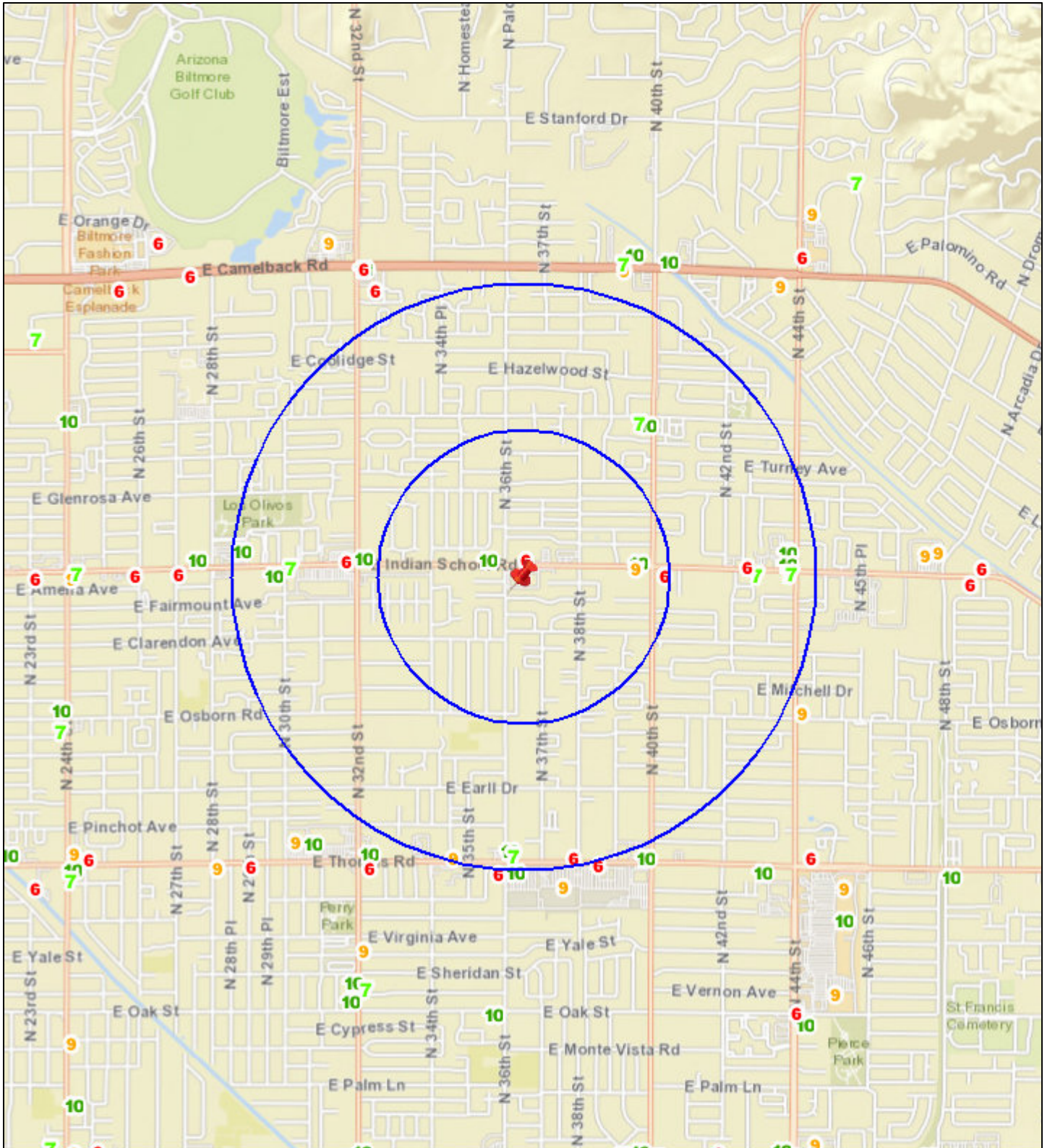
Description	Average	1/2 Mile Average
Parcels w/Violations	50	64
Total Violations	88	95

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1082003	1225	76	13	17
1083021	1229	70	16	3
1083022	1824	50	13	4
1109011	665	96	10	13
1109012	2669	23	19	27
1109021	2609	33	21	40
1109022	2224	39	7	18
1110001	781	25	11	3
1110002	1105	63	8	19
Average	0	61	13	19

Liquor License Map: TREVOR'S

3601 E INDIAN SCHOOL RD



Date: 5/5/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



Liquor License - Latitude Wines

Request for a liquor license. Arizona State License Application 244149.

Summary

Applicant

Camilia Alarcon, Agent

License Type

Series 4 - Wholesaler

Location

5446 W. Roosevelt St., Ste. 109

Zoning Classification: A-1

Council District: 7

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

The 60-day limit for processing this application is July 2, 2023.

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

Other Active Liquor License Interest in Arizona

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

Latitude Wines (Series 4)

625 S. 27th Ave., Ste.130B, Phoenix

Calls for police service: 69

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's members have interests in importer and wholesaler license throughout the United States. Latitude Wines has held a wholesaler license in Phoenix without incident since 2016, as well as an out-of-state producer license in Arizona since 2005. The applicant will continue its commitment to adhering to all applicable 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 - NICK THE GREEK

Request for a liquor license. Arizona State License Application 245448.

Summary

Applicant

Baljinder Sidhu, Agent

License Type

Series 12 - Restaurant

Location

11 W. Washington St., Ste. 120

Zoning Classification: DTC- Business Core

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 July 11, 2023.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I am a responsible and lawful citizen who always like to follow laws and regulations. I am a masters degree holder who also currently hold a real estate Licence In California for more than 5 years without any violation and Mortgage Loan originator license in California and Arizona State, which requires very strict background check, ethic training and credit check to obtain a license. Those licenses also requires to follow very strict state laws and regulations. Also Ranvir Bains who is premises manager and partner is also holding a liquor store Liquor License and California over 9 years without any violations. So i can say with confident that i am capable, reliable and qualified to obtain a liquor license.”

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

“Our Nick the Greek location is centrally located in the Cityscape complex where many people come for entertainment. Whether it be for local events, the comedy club, or simply to eat food, the community would definitely benefit from our ability to serve alcohol. The restaurants around us all serve alcohol as well and we all feel that there is definitely a demand for it. We have past experience with owning a liquor license (in California), so we feel confident we can responsibly serve the community.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - NICK THE GREEK

Liquor License Map - NICK THE GREEK

Responsible Department

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

Liquor License Data: NICK THE GREEK

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	1
Microbrewery	3	4	1
Wholesaler	4	1	0
Government	5	7	4
Bar	6	45	30
Beer and Wine Bar	7	12	6
Liquor Store	9	3	2
Beer and Wine Store	10	17	2
Hotel	11	6	5
Restaurant	12	103	48
Club	14	3	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.01	226.85	286.73
Violent Crimes	11.51	64.78	68.36

*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

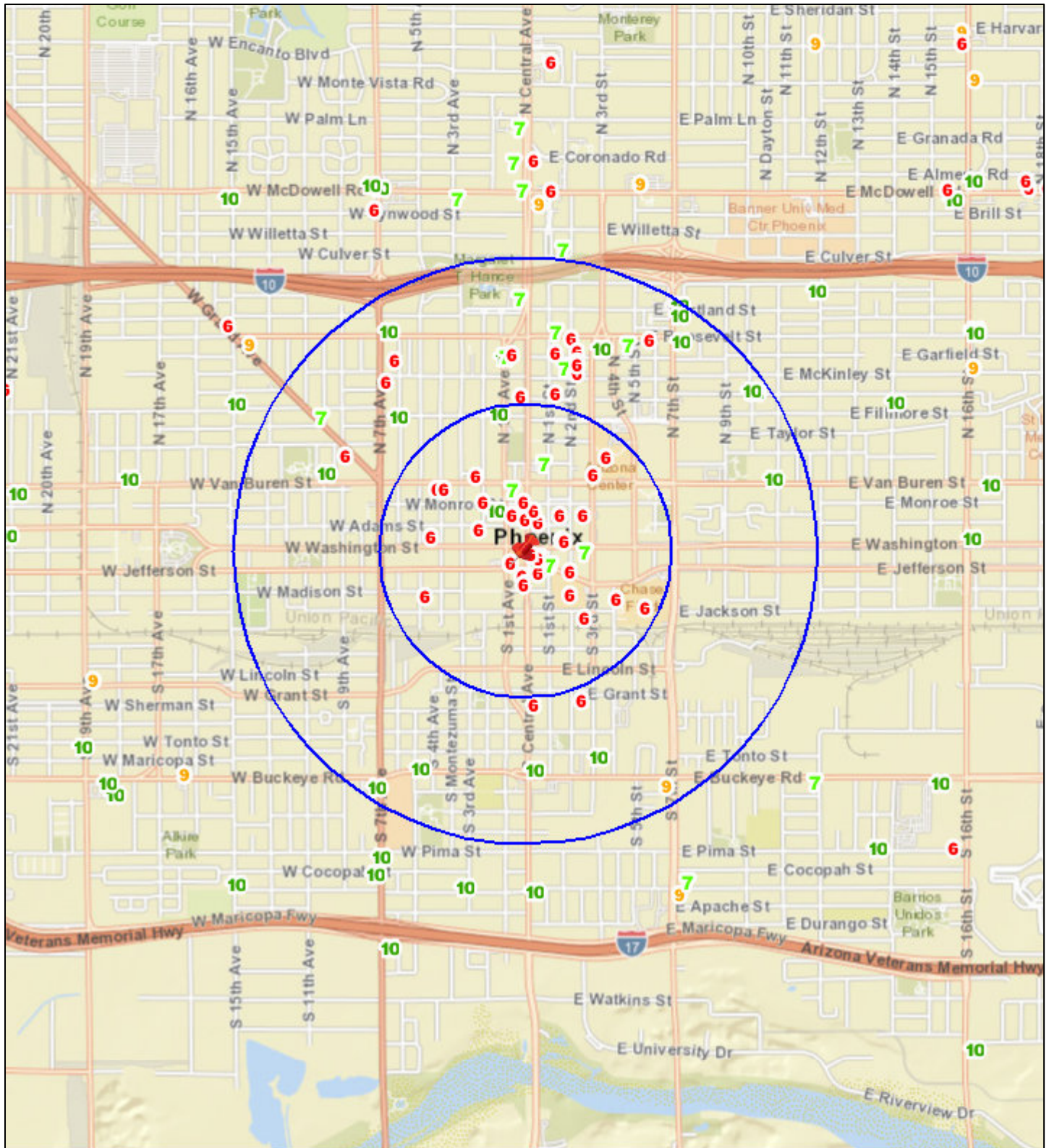
Description	Average	1/2 Mile Average
Parcels w/Violations	50	33
Total Violations	87	69

Census 2010 Data 1/2 Mile Radius

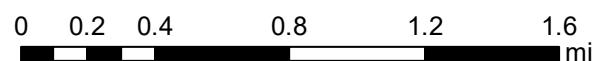
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1131001	1015	7	8	28
1131002	1242	3	7	33
1141001	2299	16	37	44
1142001	1321	36	22	50
1143011	1389	22	15	57
Average	0	61	13	19

Liquor License Map: NICK THE GREEK

11 W WASHINGTON ST



Date: 5/16/2023



City Clerk Department



Liquor License - LeDu Thai Restaurant

Request for a liquor license. Arizona State License Application 245982.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

915 N. 5th St.

Zoning Classification: DTC-Evans Churchill East

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. This business is currently being remodeled with plans to open in August 2023.

The 60-day limit for processing this application is July 11, 2023.

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

Other Active Liquor License Interest in Arizona

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

Arizona.

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 will train all of our employees in responsible liquor service. We will ensure our employees are Title 4 liquor law trained."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"LeDu Thai is an upscale restaurant that provides an authentic experience for people interested in this style of food. Thai chefs that specialize in the preparation of food, also an immersive experience in the interior decor. We are a sit down restaurant that encourages relaxing over a meal and drinks designed to complement the food. We are a restaurant that has a bar, not a bar that also sells food."

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 - LeDu Thai Restaurant

Liquor License Map - LeDu Thai Restaurant

Responsible Department

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

Liquor License Data: LEDU THAI RESTAURAUNT

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	0
Microbrewery	3	4	2
Wholesaler	4	1	0
Government	5	7	4
Bar	6	43	12
Beer and Wine Bar	7	16	6
Liquor Store	9	4	0
Beer and Wine Store	10	14	7
Hotel	11	6	3
Restaurant	12	114	43
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.01	239.57	276.96
Violent Crimes	11.51	51.22	58.59

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

Property Violation Data

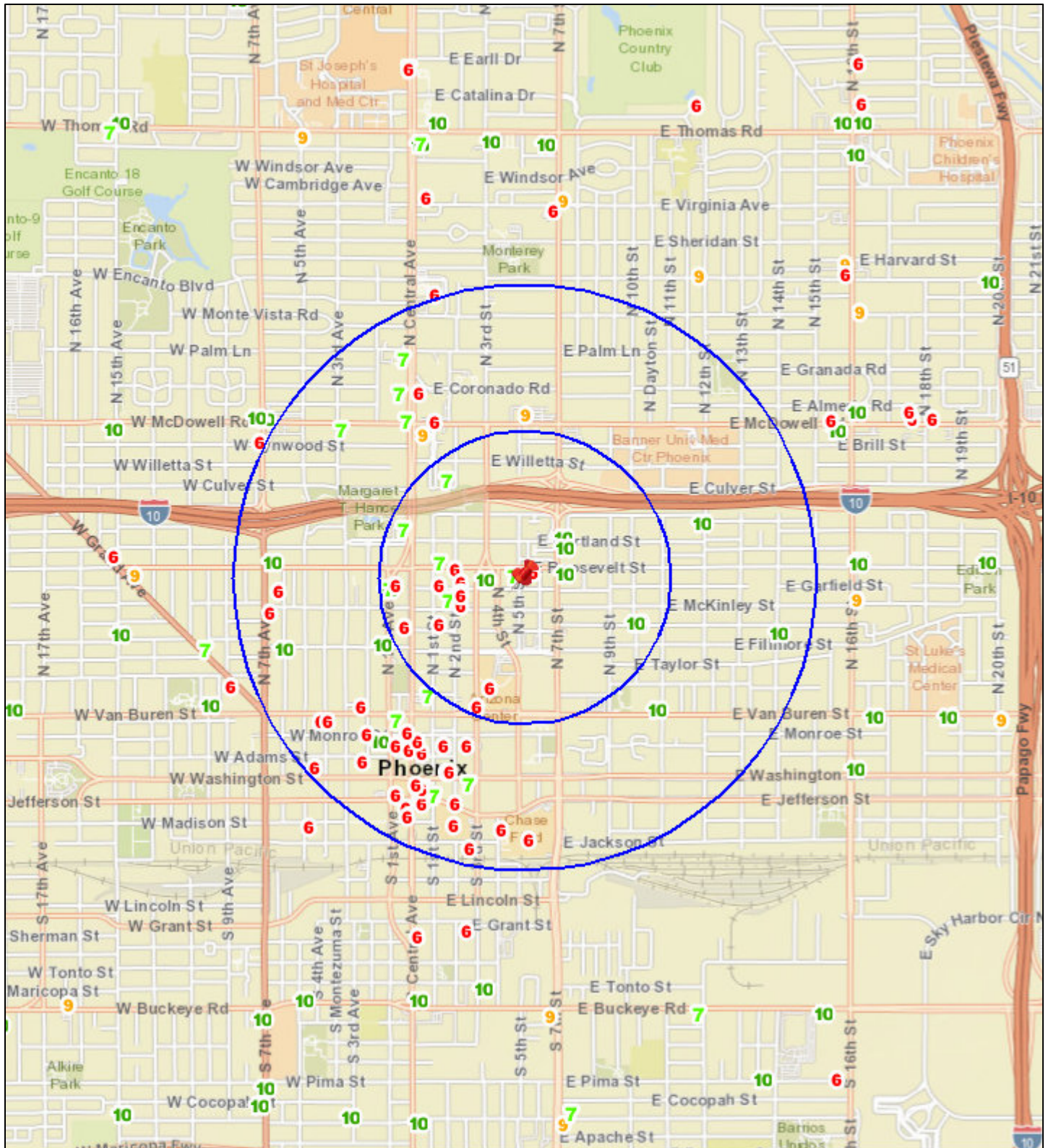
Description	Average	1/2 Mile Average
Parcels w/Violations	50	147
Total Violations	87	289

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1130001	1218	23	16	11
1130002	873	29	21	38
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
1140001	1831	25	20	47
1141001	2299	16	37	44
Average	0	61	13	19

Liquor License Map: LEDU THAI RESTAURAUNT

915 N 5TH ST



Date: 5/16/2023

0 0.2 0.4 0.8 1.2 1.6 mi



Liquor License - Taqueria Obregon

Request for a liquor license. Arizona State License Application 246089.

Summary

Applicant

Roberto Ramos, Agent

License Type

Series 12 - Restaurant

Location

3401 E. McDowell Road, Ste. 1

Zoning Classification: C-2

Council District: 8

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

The 60-day limit for processing this application is July 14, 2023.

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

Other Active Liquor License Interest in Arizona

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

Wing Kings (Series 12)
2836 E. Indian School Road, Ste. A-1, Phoenix
Calls for police service: 10
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 am consistent in implementing policies and procedures. - Training of new staff and ongoing for current staff. - Follow all state and federal law pertaining to the sell of alcohol. - I have taken manager and alcohol handling classes."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Protecting the community and citizens is my top priority. Will do this by constant training of staff and by monitoring the restaurant. Being a responsible retailer is my top priority."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Taqueria Obregon
Liquor License Map - Taqueria Obregon

Responsible Department

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

Liquor License Data: TAQUERIA OBREGON

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.01	173.03	190.76
Violent Crimes	11.51	46.78	52.01

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

Property Violation Data

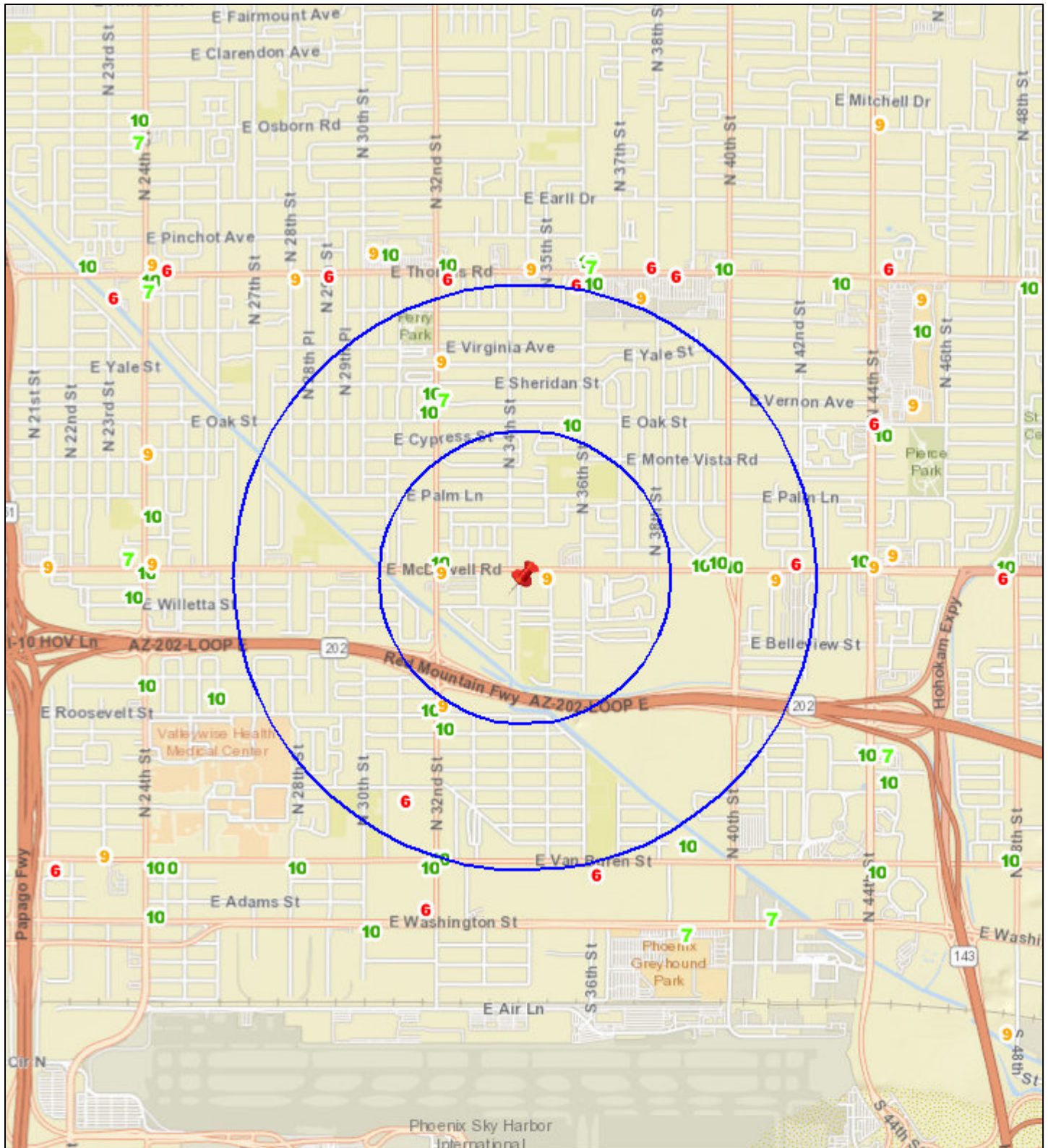
Description	Average	1/2 Mile Average
Parcels w/Violations	50	149
Total Violations	87	266

Census 2010 Data 1/2 Mile Radius

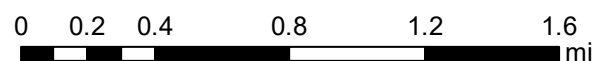
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1114012	2000	67	23	29
1114022	2120	45	17	31
1115011	2020	44	16	43
1115023	1245	32	14	50
1115024	1708	40	25	53
1135011	2332	25	12	55
1135012	1738	41	26	36
1136011	1911	16	21	11
1136012	1471	36	14	49
1136021	1061	49	11	53
1136022	1619	48	14	40
Average	0	61	13	19

Liquor License Map: TAQUERIA OBREGON

3401 E MCDOWELL RD



Date: 5/17/2023



City Clerk Department



Bingo License - Christian Care Apts

Request for a Class A Bingo License.

Summary

State law requires City Council approval before a State Bingo License can be issued.

Bingo License Types

Class A - gross receipts shall not exceed \$75,000 per year

Class B - gross receipts shall not exceed \$500,000 per year

Class C - anticipated gross receipts may exceed \$500,000 per year

Applicant

Gerald Glen Burroughs

Location

2002 W. Sunnyside Ave.

Zoning Classification: R-3A, R-5

Council District: 3

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.



PAYMENT ORDINANCE (Ordinance S-49904) (Items 19-43)

Ordinance S-49904 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.

19 City of Goodyear - Annual Water Utility Payment

For \$436,000 in payment authority to the City of Goodyear, for the Phoenix Goodyear Airport annual water utility charges, as provided in the airport's annual operating budget for the Aviation Department. The airport is physically located in the City of Goodyear and is required to pay for the monthly water utilities received from the City of Goodyear. The airport will be billed by the City of Goodyear for all water and sewer charges, including the tenants' portion. Goodyear Airport will then charge back to the tenants on a monthly basis for each tenant's responsible portion of the utility payments.

20 ON Advertising Inc.

For \$42,500 in payment authority to purchase graphic design services for the Office of Environmental Programs. This service will support an update of the City of Phoenix 2023 Climate Action Plan report and create attractive and informative public outreach materials. The development of public outreach materials will promote attendance at public meetings and encourage review of the 2023 Climate Action Plan update. Funding is available through the Office of Environmental Programs budget for Fiscal Year 2022-23.

21 Tata Consultancy Services Limited

For \$326,596 in additional payment authority for the required software support and maintenance services for the Tax Mantra system utilized by the Finance and City Clerk departments. The Tax Mantra system holds historical taxpayer information used by the Revenue Enforcement Division in Finance for research and reporting. The City Clerk Department relies on Tax Mantra to manage all regulatory license services for citizens and businesses.

22 Phoenix Sister Cities, Inc.

For \$70,000 in additional payment authority under Contract 154617 to reimburse for hosting a community event that directly benefited Phoenix residents. Specific associated costs include: event vendors, barricades, street closures, public safety measures and stage/setup equipment.

23 Timothy F. Hendershott, dba Tartan Associates

For \$8,775 in additional payment authority for Contract 148405, which provides dispatcher chairs for the Fire Department, to extend the term through Aug. 31, 2024, with an option to extend through Aug. 31, 2025. The ergonomic work chairs provide the Dispatch Center with physical support to minimize any health and physical issues to personnel by regulating body temperature and comfort for lengthy work schedules. This contract allows the Fire Department the ability to purchase new dispatch chairs for the Alarm Headquarters to replace older chairs that have exceeded their useful life.

**24 Laborers' International Union of North America (LIUNA)
Local 777**

For \$20,000 in additional payment authority for Contract 158238, through June 30, 2024, for City of Phoenix Apprenticeship Programs, to purchase training materials, uniforms, promotional outreach materials, instructional activities such as schools and workshops, and any other activity related to LIUNA Local 777-City of Phoenix Apprenticeship Programs for Unit 1 members approved to participate in apprenticeship programs, for the Human Resources Department. Approval will ensure compliance with the Memorandum of Understanding.

25 American Federation of State, County and Municipal Employees (AFSCME) Local 2384

For \$20,000 in payment authority for Contract 158239, through June 30, 2024, for designated members of the AFSCME Local 2384, Unit 2, to attend schools, conferences, workshops and training to develop skills in effective member representation, conflict resolution techniques, labor-management cooperation, and other employee relations areas which promote cooperative and harmonious relationships for the Human Resources Department. Approval will ensure compliance with the Memorandum of Understanding.

26 American Federation of State, County and Municipal Employees (AFSCME) Local 2960

For \$14,000 in additional payment authority for Contract 158240, through June 30, 2024, for designated members of AFSCME Local 2960 - Unit 3 to attend schools, conferences, workshops and training to develop skills in effective member representation, conflict resolution techniques, labor-management cooperation, and other employee relations areas that promote cooperative and harmonious relationships. Approval will ensure compliance with the Memorandum of Understanding.

27 American Federation of State, County and Municipal Employees (AFSCME) Local 2960

For \$45,000 in additional payment authority for Contract 158240, through June 30, 2024, for expenses of maintaining the AFSCME Local 2960 - Unit 3 Honor Guard, a professional organization that represents the City of Phoenix at official events, memorial services, and employee funerals and provides public education and community service. Approval will ensure compliance with the Memorandum of Understanding.

28 Digital Realty Trust, LP and Telx - Phoenix, LLC

For \$94,000 in payment authority to purchase circuits, network and connectivity services for departments Citywide. Digital Realty Trust, LP and Telx - Phoenix, LLC, provide a point-of-presence space, and interconnectivity for the City's fiber optic network. These critical connections are required to maintain the daily operation of information, communication, and technology for the City's enterprise data centers for

all departments.

29 Iron Mountain Data Centers, LLC

For \$16,000 in payment authority to purchase a power addition for new cabinets for the Information Technology Services Department in support of the City's alternate data center. The power addition supports new cabinets which will house equipment for the Unified Communications group supporting the City's call manager system. Critical upgrades for the call manager system rely on this service.

30 Mitrates Holdings, Inc.

For \$34,267 in payment authority for litigation management networking services for the Law Department. Mitrates provides litigation management networking services through a secure, private website for e-billing and administration of legal matters. This amount will cover invoices for provided services while the parties finalize the upcoming contract.

31 Alan Conrad Aimone

For \$72,000 in payment authority to purchase appraisal services for Burton Barr Central Library. The appraisal for the Rare Book Collection consists of 3,400 valuable and historical items, including rare books, first editions, illuminated manuscripts, artists' books, and rare and historical objects. The appraisal will provide up-to-date information on replacement and comparable value since this collection was last appraised in 1990. Funds are available through the Library Department's Fiscal Year 2022-23 operating budget.

32 Motion Picture Licensing Corp

For \$50,000 in payment authority for the purchase of an annual license subscription for the Parks and Recreation Department. This license allows the right to publicly perform, as defined by the United States Copyright Act, motion pictures, television programs and other audiovisual content originally intended for personal use only. The payment authority is for Calendar Years 2023 through 2027. The license will be renewed and paid annually.

33 Mayo Clinic Arizona

For \$1,564,544 in payment authority for reimbursement of permit and plan review fees to Mayo Clinic Arizona which equals the amount of construction sales tax paid between Jan. 1, 2022, and Dec. 31, 2022, for the Planning and Development Department. The payment will be made from the Development Repayment Agreement Trust Fund, which is reimbursed from City funds based on construction sales taxes remitted to the City from applicable activity authorized by Development Agreement CON 72047 executed between City of Phoenix and Mayo Foundation for Medical Educational Research on Jan. 3, 1996.

34 Apple Inc.

For \$21,727 in payment authority to purchase 13 Apple MacBook Pro laptops for the Drug Enforcement Bureau's Human Exploitation and Trafficking (HEAT) Unit of the Phoenix Police Department. The HEAT Unit is comprised of two squads of detectives that have the primary role of investigating human trafficking in all its forms. The HEAT Unit is also partnered with the Federal Bureau of Investigation's Greater Phoenix Child Exploitation and Human Trafficking Task Force to meet the HEAT Unit's investigative needs. Currently, the unit utilizes Apple products for human trafficking investigations and operations. At this time, there are not enough functioning laptops for investigators. These laptops are budgeted to be funded through the United States Department of Justice Bureau of Justice Assistance Human Trafficking Training and Technical Assistance Grant for Fiscal Year 2022-23.

35 Rugged Solutions America dba Mobile Concept Technology, LLC

For \$92,582 in payment authority to purchase 100 patrol vehicle laptop docks for the Information Technology (IT) Bureau of the Phoenix Police Department (PPD). The Havis Premium Vehicle Docks are specially designed to mount the Panasonic Toughbook 55 laptops that are utilized in PPD patrol vehicles. Vehicle docks are necessary for patrol laptops to

maintain global positioning systems (GPS), broadband, and power connectivity throughout the shift. The docks also provide a method of securing the laptop while the police officer's vehicle is in motion to prevent damage/injury to officers and equipment in the event of sharp turns or hard braking. These vehicle docks will replace the damaged/failed vehicle docks currently in use within the PPD patrol vehicles at the various precincts. Funding for this purchase will be provided by savings from the IT Bureau's Fiscal Year 2022-23 cellular phone budget.

36 UCT, LLC

For \$10,000 in additional payment authority for Contract 148127, which provides laboratory items for the Police Department, to extend the term through May 31, 2028. UCT, LLC, is the sole supplier of Styre Screen and Clean Screen extraction columns used for analyzing urine and blood for drug confirmations.

37 Oxford Instruments America, Inc.

For \$25,000 in additional payment authority for Contract 148555, which provides a Maintenance Agreement for Oxford equipment for the Police Department, to extend the term through May 31, 2026. This agreement provides software updates and annual preventative maintenance for the Oxford Energy Dispersive Spectrometer (EDS) which processes crime scene analyses to analyze gunshot residue, tape comparisons, and fiber comparisons.

38 Stop Sticks, LTD

For \$19,200 in additional payment authority for Contract 147777, for purchase of Stop Stick devices for the Police Department. This contract provides stop stick devices that the Police Department utilizes to safely reduce the mobility of a target vehicle that is being pursued. Stop sticks are designed to penetrate and deflate the tires of a moving target vehicle in a manner that will avoid catastrophic failure of the penetrated tire. The contract will be extended through May 31, 2024, with an option to extend through May 31, 2025.

39 Knight-Swift Transportation Holdings, Inc.

For \$43,593 in payment authority to purchase temporary freezer and

refrigeration temperature-controlled storage services for the Phoenix Police Department Property Management Unit (PPD-PMU). The Police Department's evidentiary freezer and refrigeration evidence storage was damaged and had to be emptied for emergency repairs. These containers hold all biological and blood evidence for the Police Department for criminal and civil investigations. Swift Transportation Company's storage trailers have been extensively vetted and comply with the required regulations for the temporary storage of evidentiary material. These services are crucial in maintaining the integrity of the evidentiary materials previously stored in the damaged evidentiary freezer and refrigeration storage. The funds for this request are budgeted through the Police Department's operating budget for Fiscal Year 2022-23.

40 Lennar Communities Development, LLC

Remit \$29,929 of developer collected escrow funds to Lennar Communities Development, LLC, for the completion of the constructed south half median per the Sonoran Foothills Master Street Plan project, permit number CPA 03029447. Lennar Communities completed the ultimate median to replace the existing interim improvements. The project will reimburse previously collected private escrow funds from the Street Transportation trust account.

41 BC Graphics, Inc.

For \$9,000 in additional payment authority for Contract 149658 for resident parking permits for the Street Transportation Department. This contract provides resident parking decals, visitor placards and year decals to residents who are eligible to participate in the City of Phoenix Resident Parking Permit Program.

42 AZ Pro Signs, Inc., dba AZPRO Group

For \$35,000 in payment authority to purchase the services to have traffic signal cabinets wrapped with art for the Street Transportation Department. The Street Transportation Department has established a pilot program to support decorative wraps for traffic signal cabinets to help showcase and enhance public spaces and community identity.

43 Settlement of Claim(s) 525 Bethany LLC v. City of Phoenix

To make payment of up to \$300,000 in settlement of claim(s) in 525 Bethany LLC v. City of Phoenix, 21-1075-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement payment of a claim involving the Water Services Department that occurred on May 26, 2022.



Proposed I-17 and Jenny Lin Road Annexation (Ordinance S-50004)

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Ariz., by annexing an area not within the present limits of the City of Phoenix, designated as the I-17 and Jenny Lin Road Annexation. Further request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

The annexation was requested by Adam Baugh with Withey Morris, PLC, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach

A public hearing was conducted on Nov. 16, 2022, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the Arizona Business Gazette newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

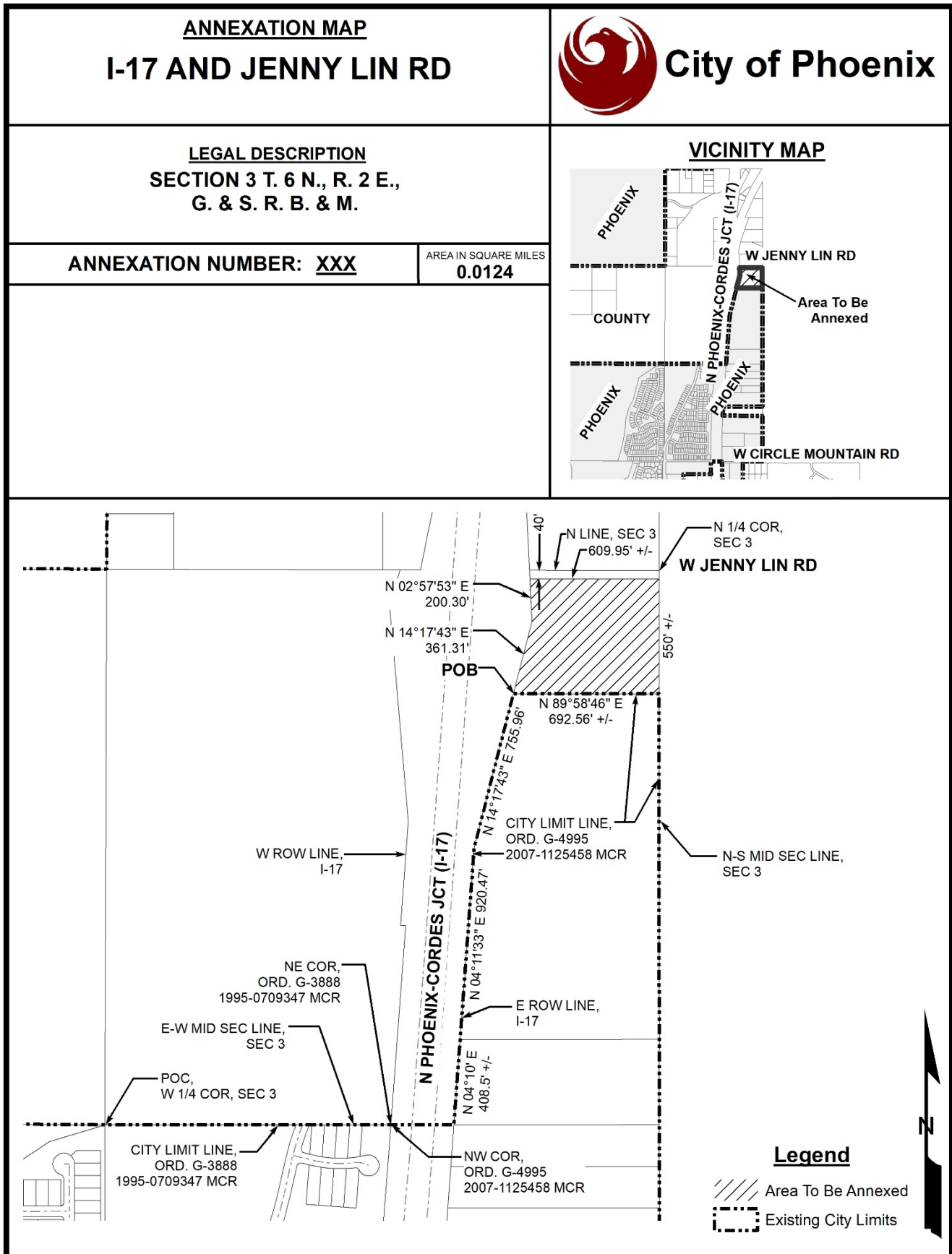
Location

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

Council District: 1

Responsible Department

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





Proposed 35th Avenue and Elliot Road Annexation (Ordinance S-50028)

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Ariz., by annexing an area not within the present limits of the City of Phoenix, designated as the 35th Avenue and Elliot Road Annexation. Further request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

The annexation was requested by Brian Cameron, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach

A public hearing was conducted on March 22, 2023, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the Arizona Business Gazette newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the are proposed to be annexed.

Location

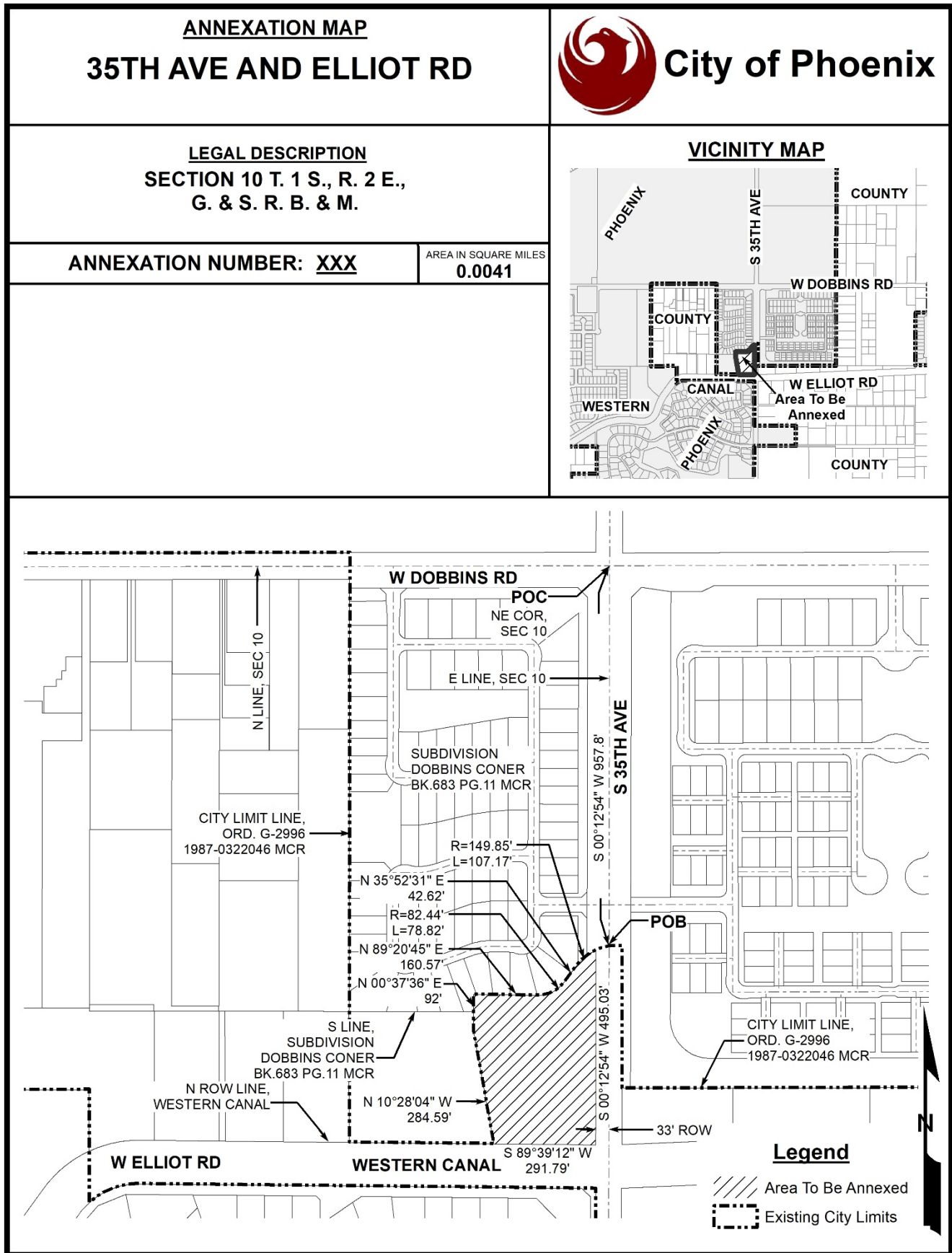
The proposed annexation area includes Maricopa County Assessor parcel 300-11-036H, located at 35th Avenue and Elliot Road (**Attachment A**). The annexation area is approximately 2.63 acres (0.0041 sq. mi.) and the population estimate is 2.8 individuals.

Council District: 8

Responsible Department

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

ATTACHMENT A





Agreements with Aspirant Partners for Development of Property Located at 2nd Avenue North of Van Buren Street in Downtown Phoenix (Ordinance S-49923)

Request to authorize the City Manager, or his designee, to enter into a development agreement, lease agreement, easements and other agreements as necessary (Agreements), with Aspirant Partners, or its City-approved designee (Developer), for the development of a two-phase multi-family rental and commercial project located on 2nd Avenue between Fillmore and Van Buren streets in downtown Phoenix. Further request to authorize the City Treasurer to accept all funds related to this item. There is no impact to the General Fund.

Summary

On June 11, 2020, the Developer submitted a project proposal requesting the City's consideration of a Government Property Lease Excise Tax (GPLET) transaction for the development of a multi-phased, mixed-use development on 2nd Avenue between Fillmore and Van Buren streets in downtown Phoenix. Now that the project is ready to move forward, the Developer re-submitted an updated project proposal on April 18, requesting the City's consideration of a GPLET transaction for the development of a two-phase, 697 rental unit, 229 hotel room, multi-family residential rental, and commercial project that would include approximately 36,000 square feet (SF) of commercial space, 185,000 SF of office space, and 1,156 parking spaces (Project) on approximately 2.18 acres of surface parking lot on 2nd Avenue between Fillmore and Van Buren streets in downtown Phoenix. The Project will bring a new co-living space option into the area, offers workforce housing units, adds 147 exclusive parking spaces for the neighboring YMCA, and extends a widened Paseo from its current terminus at the YMCA, across the alleyway, through the development, and over 2nd Avenue.

If approved, the Project will bring a capital investment of approximately \$535 million to downtown and create approximately 4,191 construction jobs and 2,563 permanent jobs. Upon issuance of a certificate of occupancy (C of O) for the Project, and other terms and conditions specified in the Agreements, the Developer will convey title of the property to the City, and the City will lease the property back to the Developer for a term not to exceed eight years. The GPLET on the Project will be abated for up to eight years from the date of the C of O. The Developer has also agreed that the

Project will generate to the City and other taxing jurisdictions new revenue in the form of certain minimum tax payments (in the construction and leasing of the Project, and in ad valorem property taxes after the lease term). These minimum tax payments would be estimated by a third party economic impact study. Details regarding those minimum tax payments will be specified in the Agreements, as well as other terms and conditions deemed necessary by City staff.

The Developer also recognizes the issues relating to affordable housing in this and other markets across the country. To help address this critical issue, the Developer has proposed a one-time contribution of 200 percent of the City's share of property taxes otherwise due during each of the two lease terms to the City's Affordable Housing Trust Fund, which will be used in the future by the City towards affordable housing in Phoenix.

Evaluation

An evaluation panel, consisting of a representative from the Roosevelt Action Association, the development community, and City staff from the Community and Economic Development and Planning and Development departments, was convened in September 2020 to review the proposal. The panel recommended the City begin negotiations with the Developer.

Contract Term

The lease term for each phase will be for a maximum of eight years upon issuance of the C of O for each phase. There are no extensions to the proposed lease, and upon conclusion of the term, ownership of the property will be transferred back to the Developer. The Developer will have the ability to terminate the lease at any time subject to the terms of the Agreements.

Financial Impact

The Project will have no expense impact to the General Fund. The estimated one-time construction sales tax revenue to the City is \$5,382,000, plus an estimated annual commercial rental and transaction privilege tax revenue generation of approximately \$4,396,500 at stabilization. The Developer will pay an annual rental payment, per phase, starting at \$25,000 in years one through four, and \$75,000 in years five through eight. The rent payments will be deposited into the Downtown Community Reinvestment Fund. The estimated total deposit into the Affordable Housing Trust Fund will be approximately \$5,500,000.

Public Outreach

Staff presented to the Roosevelt Action Association on Dec. 15, 2020 and the Downtown Voices Coalition on Jan. 9, 2021 and June 10, 2023. The Developer also

met with the Phoenix Elementary School District No. 1.

Previous Council Action

The item was recommended for approval by the Economic Development and Equity Subcommittee at the June 13, 2023 meeting by a vote of 4-0.

Location

333 - 377 N. 2nd Ave.

Council District: 7

Responsible Department

This item is submitted by Interim Deputy City Manager John Chan and the Community and Economic Development Department.



Request to Enter an Intergovernmental Agreement with Arizona State University Edson College of Nursing and Health Innovation

Request to authorize the City Manager, or his designee, to allow Volunteer PHX to enter into an Intergovernmental Agreement with the Arizona Board of Regents on behalf of Arizona State University (ASU) Edson College of Nursing and Health Innovation for student placements.

Summary

The Edson College of Nursing and Health Innovation trains and educates students working towards undergraduate, masters and doctorate degrees in nursing. At all levels of nursing education placements may be required or available for credit to support student learning and educational experience.

With the addition of the Office of Public Health, there is an enhanced focus on opportunities for public health programming. The City of Phoenix offers a unique opportunity and setting for community and clinical nursing placements focused on population and public health through a variety of departments and offices.

Volunteer PHX coordinates the City's volunteer opportunities, including volunteer placements and internships. Building on existing relationships with the College, including a partnership with the Office of Heat Mitigation and Response, Volunteer PHX will work closely with the Office of Public Health other departments to initiate and coordinate routine opportunities for nursing placements across programs. These placements will enhance the capacity of departments to address population health issues and support the education and development of the local nursing workforce.

Examples of routine nursing placements include:

- We're Cool summer outreach with vulnerable populations
- Vaccination support with Phoenix Fire's Baby Shots program
- Health Education opportunities with Office of Public Health

Contract Term

The agreement will be valid for five years from the date of execution by all parties.

Financial Impact

There is no cost or financial impact for these activities.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays, Deputy City Manager Inger Erickson, Volunteer PHX and the Office of Public Health.



V-Desk II System Operator - RFA 19-021 - Amendment (Ordinance S-49983)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148626 with Skyline Productions, Inc., to extend the contract term and allow additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$89,000.

Summary

This contract will provide highly technical, trained and skilled multi-robotics camera operator services for the robotic camera system located in the PHXTV studios, which provides live-broadcast capability for meetings in the City Council Chambers and City Hall Assembly Rooms, both on-air and online. The use of robotic cameras in the City Council Chambers and Assembly Rooms provides the City cost savings and staffing efficiencies, as fewer people are required to produce meeting coverage for broadcast.

Contract Term

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

Financial Impact

Upon approval of \$89,000 in additional funds, the revised aggregate value of the contract will not exceed \$219,000. Funds are available in the Communications Office operating budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- V-Desk II System Operator Contract 148626 (Ordinance S-45033) on Oct. 3, 2018;
- V-Desk II System Operator Contract 148626 (Ordinance S-49165) on Nov. 16, 2022.

Responsible Department

This item is submitted by City Manager Jeffrey Barton and the Communications Office.



Amend Chapter 43, Articles II and III, Phoenix City Code Relating to Formal Competitive Procurement Threshold (Ordinance G-7125)

Request City Council amend Phoenix City Code, Chapter 43, Article II, Section 43-10, entitled "Contract authorizations" and Article III, Section 43-11, entitled "Available source selection methods" to increase the formal competitive procurement threshold, effective Sept. 1, 2023.

Summary

The amendment to Phoenix City Code, Chapter 43, Article II, Section 43-10, and Article III, Section 43-11, will increase the formal competitive procurement threshold from \$100,000 to \$250,000. Specifically, as shown in Attachment A, "\$100,000" will be removed and replaced with "\$250,000" where it appears in Section 43-10 and Section 43-11.

City procurement staff must currently use formal competitive methods if the cost of goods and/or services is anticipated to exceed \$100,000. City staff evaluated procurement processes and determined increasing the formal competitive procurement threshold from \$100,000 to \$250,000 will allow for easier and increased opportunities for small and local business entities and result in increased efficiencies overall.

Concurrence/Previous Council Action

City Council adopted Phoenix City Code Chapter 43 on Oct. 15, 2014, and amended the same on June 17, 2015, July 1, 2015, and May 10, 2017.

Responsible Department

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

ATTACHMENT A

43-10 Contract authorizations.

- A. When determining which source selection method applies and what type of authorization is required, the Procurement Officer shall consider the likely aggregate price or cost of the goods or services to be procured.
- B. The City Manager may authorize contracts and direct the City Controller to expend public monies to procure goods or services.
- C. The City Manager may submit to City Council an annual ordinance to authorize contracts and contract payments, and to direct the City Controller to expend public monies to procure goods or services when the price or cost of a single contract is greater than the payment ordinance threshold but not more than ~~\$100,000.00~~ \$250,000.00.
- D. All contracts for goods or services with a price or cost in excess of the payment ordinance threshold must be submitted to City Council for contractual and payment authorization.

43-11 Available source selection methods.

Except as otherwise required by law or permitted by this chapter, all contracts for goods or services will be awarded by one of the following source selection methods:

A. Procurements of goods or services where the price or cost is anticipated to exceed ~~\$100,000.00~~ \$250,000.00 will be solicited and awarded using one of the following formal competitive methods in accordance with this chapter:

1. Competitive sealed bidding;
2. Multi-step competitive sealed bidding;
3. Competitive sealed proposals; or
4. Qualifications based selection.

B. Procurements of goods or services where the price or cost anticipated will not exceed ~~\$100,000.00~~ \$250,000.00 may be solicited and awarded using informal competitive methods in accordance with regulations.

C. Procurements of goods or services where the price or cost is not anticipated to exceed the payment ordinance threshold may be purchased in accordance with regulations.

D. Procurements of goods or services otherwise subject to competitive methods under this chapter may be procured without competition or using an alternative competitive method, in the following circumstances:

1. The procurement of goods or services without competition is authorized when there is only one source for the required goods or services if the Procurement Officer issues a determination describing the lack of other sources.
2. The procurement of goods or services without competition is authorized when there exists a threat to public health, welfare, safety, or other conditions, if the Procurement Officer issues a determination describing the emergency.
3. The procurement of goods or services without competition, or under an alternative method of competition, is authorized when special circumstances exist in accordance with the regulations. Any procurement under this subsection shall be made with as much competition as is practicable under the circumstances. The Procurement Officer will issue a determination describing the special circumstances that justify the alternative procurement.



Amend Chapter 2, Article I, Phoenix City Code Relating to Payment Ordinance Threshold (Ordinance G-7126)

Request City Council amend Phoenix City Code, Chapter 2, Article I, Section 2-4, entitled "City Manager authority for the enforcement of ordinances; distribution of work; settlement of claims" to increase the payment ordinance threshold, effective Sept. 1, 2023.

Summary

The amendment to Phoenix City Code, Chapter 2, Article I, Section 2-4(B), will increase the payment ordinance threshold from \$8,600 to \$32,000. Specifically, as shown in Attachment A, "eight thousand six hundred dollars" will be removed and replaced with "thirty two thousand dollars."

Per Phoenix City Charter, Chapter IV, Section 12, City Council has authority to adjust the payment ordinance threshold every four years to account for changes in the cost of living. City staff evaluated adjustment of the payment ordinance threshold using the Government Consumption Expenditures and Gross Investment (GCE) Index. GCE serves as a cost of living metric well suited for government entities. Applying the GCE average four-year increase rate from 1990 until 2023 supports an increase in the payment ordinance threshold to \$32,000.

Concurrence/Previous Council Action

City Council previously amended Phoenix City Code Chapter 2, Article I, Section 2-4 (Ordinance G-3286) on Dec. 6, 1989 and (Ordinance G-4796) on May 10, 2006.

Responsible Department

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

ATTACHMENT A

2-4. City Manager authority for the enforcement of ordinances; distribution of work; settlement of claims.

- A. The City Manager shall be empowered and authorized to promulgate regulations concerning the administration and enforcement of the purpose and intent of all existing ordinances of the City and he may, pending the passage of an ordinance, distribute the work of the departments or divisions in the administrative branch and establish temporary divisions.
- B. The City Manager of the City of Phoenix shall be authorized to appropriate and expend any public money for the City of Phoenix to settle all claims against the City which sum is less than ~~eight thousand six hundred~~ **thirty two thousand** dollars.
- C. The City Manager, or his representative, shall attend all Council meetings, unless excused by Council. The City Manager, or his representative, shall have the right to take part in discussions but may not vote.



Report

Agenda Date: 6/28/2023, Item No. 51

Payment Ordinance for Summer Recess (Ordinance S-49939)

The request is prepared each fiscal year end to allow for continuance of operations during the annual Council summer recess.

Summary

Request to authorize the City Controller to disburse funds, not to exceed \$100,000 per vendor, per occurrence, arising or otherwise due and payable during the period commencing on July 3, 2023, through Aug. 29, 2023, for the purpose of continuing payment authority for expenditure of public money for payment of claims against the City of Phoenix for normal, recurring, business operating expenditures.

Responsible Department

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



Amend Personnel Rule 15, Merit Pay Increase (Ordinance S-49971)

Request City Council approval of amendment to City of Phoenix Personnel Rule 15 (**Attachment A**). This action establishes final rules and adopts changes to update the City's Personnel Rules.

Summary

The proposed amendment to Personnel Rule 15 will remove 15g2, thereby permitting time taken on industrial leave or light duty assignment to be creditable for establishing the merit date.

Public Outreach

A public meeting was conducted by the Human Resources Department on May 30, 2023, to formally solicit comments on the proposed amendment.

Responsible Department

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

ATTACHMENT A

PURPOSE – The proposed amendment to Personnel Rule 15 repeals 15g2, thereby permitting time taken on industrial leave or light duty assignment to be creditable for establishing the merit date.

The amendment is highlighted in yellow, and the deleted language is indicated by strikethrough.

Personnel Rule 15g is modified to read:

15g. Industrial Leave

* * *

~~15g2. Merit Pay Increase: Time taken on Industrial Leave or light duty assignment, not in excess of thirty working days, shall be allowed as creditable time in determining eligibility for a normal merit pay increase. If the time exceeds thirty days and the circumstances of the injury so warrant, the employee may receive a merit pay increase on their anniversary date with the recommendation of the department head and approval of the City Manager.~~



Report

Agenda Date: 6/28/2023, Item No. 53

Acceptance of Easement for Drainage Purposes (Ordinance S-49940)

Request for the City Council to accept an easement for drainage purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)

Applicant: CTC Properties, LLC, its successor and assigns

Purpose: Drainage

Location: 5815 S. 36th St.

File: FN 220085

Council District: 8

Responsible Department

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



Acceptance of a Quitclaim Deed from Las Haciendas de Paradise Village for Real Property Near the Northeast Corner of Cactus Road and 40th Street (Ordinance S-49906)

Request for the City Council to accept a quitclaim deed, Maricopa County recording number 2013-0679775, from Las Haciendas de Paradise Village, for real property near the northeast corner of Cactus Road and 40th Street; further ordering the ordinance recorded.

Summary

The real property, identified by Maricopa County Assessor parcel numbers 167-27-068A and 167-27-068B, is approximately 402,761 square feet and is shown as drainage ways on the Las Haciendas de Paradise Village Plat, Maricopa County recording 207-22. The Street Transportation and Parks and Recreation departments have agreed to accept the fee title and maintain the property, including drainage ways, landscaping, walking trails and wash areas through the implementation of the following maintenance plan:

- Street Transportation Department - Maintain the concrete channel and its underlying drainage easement area in perpetuity.
- Parks and Recreation Department - Maintain the wash area and its underlying drainage easement area in perpetuity.

Location

Near the northeast corner of Cactus Road and 40th Street.
Council District: 3

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Street Transportation, Parks and Recreation and Finance departments.



Acceptance of a Traffic Control Easement Along the West Side of 40th Street, North of Bell Road (Ordinance S-49957)

Request for the City Council to accept a traffic control easement along west side of 40th Street, north of Bell Road, from Paradise Valley Unified School District No. 69, a Political Subdivision of the State of Arizona; further ordering the ordinance recorded.

Summary

The approximate 100 square-foot traffic control easement was donated by Paradise Valley Unified School District No. 69 for a traffic signal modernization project. The permanent easement, located along the west side of 40th Street, north of Bell Road, is within Maricopa County Assessor's parcel number 214-01-001H and is more fully described in the legal description to be recorded with the ordinance.

Location

Along the west side of 40th Street, north of Bell Road.
Council District: 2

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Street Transportation and Finance departments.



Revocable License with Option to Purchase Real Property Owned by the State of Arizona at 1537 W. Jackson St. (Ordinance S-50021)

Request to authorize the City Manager, or his designee, to enter into a revocable license agreement with an option to purchase real property owned by the State of Arizona at 1537 W. Jackson St. and to execute all agreements necessary in furtherance of this ordinance. Further request authorization for the City Controller to disburse, and for the City Treasurer to accept, all funds related to this item.

Additionally, request the City Council to grant an exception pursuant to Phoenix City Code section 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 section 42-18 as required by the State of Arizona.

Summary

The City will enter into short-term revocable license with an option to purchase real property ("Agreement") owned by the State of Arizona ("State") located at 1537 W. Jackson St. The property is zoned A-1 and consists of 4.22 acres, improved with an approximate 12,000 square foot industrial storage facility. The term of the license will not extend beyond Oct. 1, 2023, and the State may revoke the license for any reason with 30 days' written notice.

The purchase price includes consideration for the license fee and fee title to the property via quitclaim deed, not to exceed the market value set forth in the State's appraisal, to be reviewed and approved by the Finance Department's Real Estate Division. As part of the Agreement, the City will pay a non-refundable deposit of \$1,700,000 in addition to the purchase price for the State's cost to relocate operations from this location. The Agreement will include an Intergovernmental Agreement with Arizona Department of Public Safety to provide the City's Police Department primary jurisdiction over the property. The Agreement will contain additional terms and conditions acceptable to the City.

During the license period, the Office of Homeless Solutions will work with the

Planning and Development Department on approvals for a use of the property to assist the unsheltered population. The City will move forward with the purchase of the property, to be conveyed by quitclaim deed, if due diligence is deemed satisfactory and the property is approved for the desired use.

The parcels included in this request are identified by Maricopa County Assessor's parcel number and address:

- 112-07-164 located at 1501 W. Jackson St.
- 112-07-165 located at 1537 W. Jackson St.
- 112-07-166A located at 312 S. 15th Ave.

Financial Impact

Funding in the amount not to exceed a total of \$5.4 million, plus administrative and closing costs, is available through grant funds in the Human Services Department and the Office of Homeless Solutions operating budgets.

Concurrence/Previous Council Action

On Oct. 27, 2020, the Strategies to Address Homelessness Plan was approved by the City Council.

Location

Southwest corner of W. Jackson Street and S. 15th Avenue.

Council District: 7

Responsible Department

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



Agenda Date: 6/28/2023, Item No. 57

Termination of a Refuse Collection Easement Located West of 27th Avenue and North of Colter Street (Ordinance S-49909)

Request City Council to terminate a refuse collection easement located west of 27th Avenue and north of Colter Street; further ordering the ordinance recorded.

Summary

On Dec. 29, 1966, Donald M. and Mary Patrick granted the City a refuse collection easement conveyed by Maricopa County Recording Instrument 1966-0128738. The refuse collection easement is no longer required as the Public Works Department does not provide service within the easement area. The action to terminate the refuse collection easement will allow for the redevelopment of the area.

Location

West of 27th Avenue and north of Colter Street.

Council District: 5

Responsible Department

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



Voluntary Acquisition of Improved Real Property Located at 4050 and 4102 E. Air Lane for Phoenix Sky Harbor International Airport (Ordinance S-49938)

Request to authorize the City Manager, or his designee, to perform all acts necessary to acquire real property located at 4050 and 4102 E. Air Lane in fee simple title, together with associated improvements and appurtenances. Acquisition is to be by voluntary purchase from OTH Holdings, LLC, at a price not to exceed appraised value plus usual and customary closing costs. Further request to authorize the execution of a lease to allow occupants time to relocate, as may be necessary to and in furtherance of this acquisition. Additionally request to authorize the City Controller to disburse, and the City Treasurer to accept, all funds related to this item.

Summary

OTH Holdings, LLC, initiated a voluntary acquisition of the property consisting of 26,891 square feet of land, improved with two office buildings and warehouse structures totaling 16,059 square feet and associated land improvements. The property is strategically located adjacent to Phoenix Sky Harbor International Airport's north airfield fence line and operations. Currently, the property is occupied by Almond Brothers, LLC (Almond Brothers).

To allow occupants time to relocate, the City will lease 4102 E. Air Lane to Almond Brothers for a term of 18 months, plus one 18-month option to extend, that may be exercised at the sole discretion of the Director of Aviation, at a rental rate based on market rent.

Once the property is acquired and as the buildings become vacant, the Aviation Department intends to demolish the structures in favor of improvements to support aeronautical development. If an agreement to purchase cannot be reached at this time, the property may be acquired at a later date using other available means.

Financial Impact

The purchase price will not exceed appraised value, plus the usual and customary closing costs. Funds are available in the Aviation Department's Capital Improvement Program.

Location

4050 and 4102 E. Air Lane, identified by Maricopa County Assessor parcel numbers 124-01-006 and 124-01-005.

Council District: 8

Responsible Department

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



Acquisition of Real Property for the Durango Street Mobility Project Along Durango Street from Central Avenue to 5th Street, and Along 5th Street from Durango to Mohave Streets (Ordinance S-49908)

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 the Durango Street Mobility Project located along Durango Street from Central Avenue to 5th Street, and along 5th Street from Durango to Mohave 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, accept and grant all easements along the alignments, and execute all necessary licenses and agreements in furtherance of this ordinance. Additionally, request to authorize the City Controller to disburse all funds related to this item.

Summary

Acquisition of real property is required to enhance the roadway and sidewalk conditions for pedestrians, bicyclists and vehicular traffic. Roadway improvements include Americans with Disabilities Act compliant sidewalks, street lighting, curb and gutters. The project will include low-impact development facilities for storm water management.

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

Financial Impact

Funding is available in the Street Transportation and Neighborhood Services departments' Capital Improvement Program budgets.

Location

Along Durango Street from Central Avenue to 5th Street and along 5th Street from Durango to Mohave streets.

Council District: 8

Responsible Department

This item is submitted by Deputy City Managers Alan Stephenson and Gina Montes,

and the Street Transportation, Neighborhood Services and Finance departments.

ATTACHMENT A
Property Identification

City of Phoenix Street Improvement Project: ST87500052 - Acquisition of Real Property for the Durango Street Mobility Project Along Durango Street from Central Avenue to 5th Street and Along 5th Street from Durango to Mohave Streets.

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

APN	Address / Location
112-39-023	1748 S. 3rd St.
112-39-049	1725 S. 2nd St.
112-39-071	1745 S. 1st St.
112-39-072	1730 S. 2nd St.
112-39-086A	1755 S. Central Ave.
112-40-097	413 E. Mohave St.
112-40-131	1735 S. 4th St.
112-40-153	1728 S. 4th St.
112-40-157C	511 E. Mohave St.
112-40-971	1723 S. 3rd St.
112-41-970	331 E. Durango St.
112-42-003	123 E. Durango St.
112-42-014	2233 S. 2nd Place



**Computer Hardware and Support Services - COOP 21-031 - Amendment
(Ordinance S-50008)**

Request to authorize the City Manager, or his designee, to execute amendments to Contracts 155722 with HP, Inc.; 155893 with Hewlett Packard Enterprise; 156003 with Dell Marketing L.P.; 154977 with Transource Services Corporation; and 156814 with NetApp, Inc., to extend the contract terms. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$6,000,000.

Summary

These contracts will provide a wide variety of technology needs for all City departments. Purchases made under these contracts include on-going replacement of end user computer hardware, peripheral equipment, devices, laptops, tablets, monitors, power cables, other end of life user devices and support services.

Contract Term

Upon approval the contracts will be extended through Oct. 31, 2023, with an option to extend through Jan. 31, 2024.

Financial Impact

Upon approval of \$6,000,000 in additional funds, the revised aggregate value of the Contracts will not exceed \$43,500,000. Funds are available in the various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Computer Hardware and Support Services Contracts 155722, 155893, 156003 (Ordinance S-47594) on June 2, 2021;
- Computer Hardware and Support Services Contracts 155722, 155893, 156003 (Ordinance S-48765) on June 15, 2022.

Responsible Department

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



Facilities Maintenance and Repair and Operations and Industrial Supplies - COOP 20-056 - Amendment (Ordinance S-49914)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 151476, with W.W. Grainger, Inc., and Contract 151478, with Fastenal Company for the purchase of facilities maintenance and repair and operations and industrial supplies for Citywide use. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$14,000,000.

Summary

These contracts will provide the City with maintenance, repair, and operational (MRO) supplies which support the needs of City employees, facilities, and warehouses, as well as the general public. MRO supplies include, but are not limited to: electrical supplies, motors, lighting, hand and power tools, safety equipment, pumps, material handling equipment, pneumatic equipment, machine/cutting tools, heating ventilation and air conditioning (HVAC) equipment and supplies, test instruments, and wide variety of goods and services required for the City to remain operational on a daily basis. The primary departments utilizing the contracts are: Aviation, Fire, Parks and Recreation, Police, Phoenix Convention Center, Public Works, Street Transportation, and Water Services.

Contract Term

The contract term remains unchanged, ending on Dec. 31, 2024.

Financial Impact

Upon approval of \$14,000,000 in additional funds, the revised aggregate value of the contract will not exceed \$39,433,410. Funds are available in the various departments' budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Facilities Maintenance and Repair and Operations and Industrial Supplies Contracts 151476 (Ordinance S-46245) on Dec. 18, 2019;

- Facilities Maintenance and Repair and Operations and Industrial Supplies Contracts 151476 (Ordinance S-48496) on April 20, 2022.

Responsible Department

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



MRO Supplies: Industrial, Building, Plumbing, Electrical and HVAC - COOP 20-096 - Amendment (Ordinance S-49915)

Request to authorize the City Manager, or his designee, to allow additional expenditures for contracts 152625 with Voss Lighting; 152624 with Electric Supply, Inc.; 152622 with Rexel USA Inc.; 152621 with Lighting Unlimited, Inc.; 152623 with Border States Industries, Inc.; and 152620 with Ledergy Lighting LLC, for the purchase of maintenance, repair, and operational (MRO) supplies, including industrial, building, plumbing, electrical, and heating ventilation and air conditioning (HVAC) supplies, for Citywide use. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$6,000,000.

Summary

These contracts will provide MRO supplies which support the needs of City employees, facilities and warehouses, as well as the general public. MRO supplies include, but are not limited to industrial, building, plumbing, electrical and HVAC supplies required for the City to remain operational on a daily basis. The primary departments utilizing the contracts are Aviation, Fire, Phoenix Convention Center, Public Works and Water Services.

Contract Term

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

Financial Impact

Upon approval of \$6,000,000 in additional funds, the revised aggregate value of the contracts will not exceed \$13,000,000. Funds are available in the various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Industrial, Building, Plumbing, Electrical, and HVAC Supplies and Materials contracts 152625, 152624, 152622, 152621, 152623, 152620 (Ordinance S-46753) on June 17, 2020.

Responsible Department

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



Armed, Unarmed and Event Security Guard Services - IFB 18-299 - Amendment (Ordinance S-49912)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148625 with Surveillance Security, Inc. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$2,500,000.

Summary

This contract will provide armed, unarmed, and event security guard services to secure public and private interior and exterior property, in addition to providing security at City-sponsored events. Guard services will be used during operating and after hours to monitor City buildings and patrol City locations to deter crime and protect City property. Guard services will also be used to monitor video-surveillance systems, and fire detection, alarm and communication systems as well as provide fire watch services and emergency guard services, as needed. The contract will be available for Citywide use.

Contract Term

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

Financial Impact

Upon approval of \$2,500,000 in additional funds, the revised aggregate value of the contract will not exceed \$13,000,000. Funds are available in various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Armed, Unarmed and Event Security Guard Services 148625 (Ordinance S-45063) on Oct. 17, 2018.

Responsible Department

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



Web Based Contract Management Software and Support Services Contract - EXC 23-059 - Request for Award (Ordinance S-49916)

Request to authorize the City Manager, or his designee, to enter into a contract with Askreply, Inc., DBA B2Gnow, to provide web based contract management software and support services for the Equal Opportunity 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 \$181,362.

Summary

This contract will provide web based contract management software and support services to be used by the Equal Opportunity Department (EOD). This software helps EOD manage the data intensive contracts and certification processes that are part of contract management as required by the United States Department of Transportation and Chapter 18. This software system supports diversity based contracting, certification, and outreach programs. The software provides for instant data retrieval from Disadvantaged Business Enterprise (DBE), Airport Concessionaire Disadvantaged Business Enterprise (ACDBE), and Small Business Enterprise (SBE) programs by North American Industry Classification Systems codes and work descriptions, which are essential for DBE and SBE goal setting.

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

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved determination memo due to sole source. This software allows EOD to remain in compliance with the requirements associated with Title 49 of the Electronic Code of Federal Regulation, specifically Parts 23 and 26, under Subtitle A. The City of Phoenix is required by statute and federal regulations to maintain historical records for three full fiscal years. The city adopted this historical retention policy based upon Arizona state laws. EOD has determined that it would create an unnecessary obstacle in compliance to migrate to a different software system that will not contain any of the historical records necessary to manage the programs. EOD will continue to manage the DBE/ACDBE/SBE programs to ensure that federal, state, and

local requirements are being met.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed \$181,362 for the five-year aggregate term. Funding is available in the Equal Opportunity Department's operating budget.

Responsible Department

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



*****ITEM CORRECTED (SEE ATTACHED MEMO)*** Mobile Computing Solutions - COOP 23-075 - Request for Award (Ordinance S-49985)**

Request to authorize the City Manager, or his designee, to enter into a contract with Panasonic North America Connect to provide mobile computing solutions, through their authorized resellers Mobile Concepts Technology (MCT) and Route 1, for Citywide departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$27,058,000.

Summary

This contract will provide Panasonic toughbooks, tablets, accessories and services for Citywide departments. The devices are used as public safety measures to help employees collect, organize and transfer data faster, more efficiently and in real-time. These devices are the industry standard to be used for field work, work orders, and asset management because they can easily withstand repetitive docking and undocking. The device allows police officers to run license plates, scan fingerprints, and check records carside, so they never leave a subject unattended. In addition, the devices allow first responders to see addresses, hazard information, and sensitive information.

Panasonic devices are durable and can withstand rigorous movement, including drops, spills, dirt, intense shock and vibration, and have the ability to handle Arizona's extreme temperatures. The City saves money in longer replacement cycles, and experiences efficiency gains from less downtime associated with device failure.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved determination memo based on special circumstances, being no alternative competition. The Finance Department has researched other mobile computing solution cooperative contracts to find an alternative contract option. The Omnia Partners contract with Panasonic North America Connect and their authorized resellers provides the best volume discount, which equates to better pricing for the City. In addition, it best aligns with the City's needs. The contract was awarded consistent with the City's procurement processes.

Contract Term

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

Financial Impact

The aggregate contract value for will not exceed \$27,058,000 for the five-year aggregate term. Funding is available in various department budgets.

Responsible Department

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



To: Lori Bays
Assistant City Manager

Date: June 23, 2023

Thru: Kathleen Gitkin
Chief Financial Officer

From: Adriana Philips
Assistant Finance Director

Subject: CORRECTION ON ITEM 65, COOP 23-075 MOBILE COMPUTING SOLUTIONS ON THE June 28, 2023, FORMAL COUNCIL AGENDA MEETING.

This memo requests that the first paragraph be changed on the 6/28/23 RCA as follows:

From: Request to authorize the City Manager, or his designee, to enter into a contract with Panasonic North America Connect to provide mobile computing solutions, through their authorized resellers Mobile Concepts Technology (MCT) and Route 1, for Citywide departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$27,058,000.

To: Request to authorize the City Manager, or his designee, to enter into a contract with Panasonic North America Connect to provide mobile computing solutions, through their authorized resellers Mobile Concepts Technology (MCT), Rugged Solutions America, LLC, and Route 1, for Citywide departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$27,058,000.

Approved by: _____

Lori Bays
Assistant City Manager

Date: _____

6/23/23



Auctioneering Services - ADSP017-174072 - Amendment (Ordinance S-49937)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148111 with Sierra Auction Management, Inc., to extend contract term. Further request to authorize the City Controller to accept and disburse all funds related to this item. No funds are needed for this revenue generating contract, request to continue using Ordinance S-44835.

Summary

This contract will provide auction services required by Administrative Regulation 5.13, to protect the City's investments in fixed, sensitive, and low-value property. Fleet vehicles, obsolete computers, office furniture, appliances, lawn equipment, confiscated and unclaimed property are among the types of products auctioned. Sierra Auction Management, Inc., collects auction proceeds and remits the proceeds to the City.

This contract is paid through proceeds received from the sale of the City's property and revenue is deposited to the City's General and Enterprise Fund accounts.

Contract Term

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

Financial Impact

The aggregate value of revenue generated through this contract for the City of Phoenix is approximately \$15,481,330.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Auctioneering Services - Contract 148111 (Ordinance S-44835) on June 27, 2018;

Responsible Department

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



AV Equipment and Services - ADSP017-00007302 - Amendment (Ordinance S-49972)

Request to authorize the City Manager, or his designee, to execute amendments to contracts 147007 with Commercial Computer Services, Inc., dba CCS Presentation Systems; 147008 with Inter Technologies Corporation; 147009 with Bluum USA, Inc.; 147010 with Presentation Products, Inc., dba Spinitar; 147011 with Level 3 Audio Visual, LLC; 147438 with Ford Audio-Video Systems, LLC; and 155410 with IES Communications, LLC, to extend the contract terms and allow additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$1,480,000.

Summary

These contracts will provide the City with a broad range of audio video equipment and related services. The associated contractors provide essential services and equipment for the Emergency Operations Center, 911 Operations, PHXTV, Know99, City Council Assembly Rooms and Council Chambers, as well as direct engineering support, such as analysis, design, and configuration of existing systems. The extension of these contracts and additional funds are needed to continue essential department operations. The main users of these contracts include the Phoenix Convention Center, Municipal Court, and the Water Services, Fire, Public Transit, Aviation, Library, Parks and Recreation, Police, Human Resources, Public Works, and Human Services departments.

Contract Term

Upon approval the contract will be extended through Aug. 11, 2024.

Financial Impact

Upon approval of \$1,480,000 in additional funds, the revised aggregate value of these contracts will not exceed \$10,730,000. Funds are available in various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- AV Equipment and Services contracts 147007, 147008, 147009, 147010, 147011,

147438, 155410 (Ordinance S-44246) on Jan. 24, 2018.

- AV Equipment and Services Contract 147010 (Ordinance S-45757) on June 5, 2019.
- AV Equipment and Services contracts 147007, 147008, 147009, 147010, 147011, 147438 (Ordinance S-46260) on Dec. 18, 2019.
- AV Equipment and Services Contract 155410 (Ordinance S-47907) on Sept. 8, 2021.
- AV Equipment and Services contracts 147007, 147008, 147009, 147010, 147011, 147438, 155410 (Ordinance S-49132) on Nov. 2, 2022.
- AV Equipment and Services contracts 147007, 147008, 147009, 147010, 147011, 147438, 155410 (Ordinance S-49521) on March 22, 2023.

Responsible Department

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



**Uninterruptible Power Supply Equipment, Service and Maintenance - IFB 17-171
- Amendment (Ordinance S-49995)**

Request to authorize the City Manager, or his designee, to execute amendments to Contract 145554 with Titan Power, Inc., and Contract 145555 with Gruber Technical, Inc. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$2,150,000.

Summary

This contract will provide uninterruptible power supply (UPS) equipment and associated services and maintenance, which are vital for various City services that require constant, uninterrupted power. The UPS units supply power in the event of an outage, which allows continued operations until power resumes. Some critical operations include 911 call centers, Citywide data rooms, and water production and distribution functions. Additional funds are needed to conduct a replacement and correction of the City of Phoenix Enterprise Data Center (EDC). Replacing the UPS systems will aid the electrical security of the EDC and support the overall reliability and uptime.

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

Contract Term

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

Financial Impact

Upon approval of \$2,150,000 in additional funds, the revised aggregate value of the contract will not exceed \$5,390,000. Funds are available in Information Technology Services Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Uninterruptible Power Supply Equipment, Service and Maintenance 145554, 145555 Ordinance S-43740 on June 28, 2017.
- Uninterruptible Power Supply Equipment, Service and Maintenance 145554, 145555

Ordinance S-45948 on Aug. 28, 2019.

- Uninterruptible Power Supply Equipment, Service and Maintenance 145554, 145555

Ordinance S-48753 on June 15, 2022.

- Uninterruptible Power Supply Equipment, Service and Maintenance 145554, 145555

Ordinance S-49753 on May 31, 2023.

Responsible Department

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



Ready Mix Concrete - IFB 18-264 - Amendment (Ordinance S-49936)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148122 with Cemex Construction Materials South, LLC, to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed; request to continue using Ordinance S-44837.

Summary

This contract will provide a wide variety of ready mix concrete materials to City departments, including the Aviation, Parks and Recreation, Street Transportation, and Water Services departments. This contract is necessary for maintenance and upkeep of sidewalks, curbs, gutters, concrete pavements, slabs and construction projects throughout the City.

Contract Term

Upon approval the contract will be extended through June 30, 2024, with an option to extend through June 30, 2025.

Financial Impact

The aggregate value of the contract will not exceed \$2,024,080, and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Ready Mix Concrete Contract 148122 (Ordinance S-44837) on June 27, 2018.

Responsible Department

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



Master Agreement for Cloud Solutions - CTR046098 - Amendment (Ordinance S-50001)

Request to authorize the City Manager, or his designee to allow additional expenditures under Contract 151147 with Carahsoft Technology Corporation for the purchase of cloud-based and information technology solutions for Citywide departments. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$2,982,453.

Summary

This contract will provide cloud-based and information technology solutions including Software as a Service (SaaS), Infrastructure as a Service (IaaS), and Platform as a Service (PaaS). The contract is currently being used by the Planning and Development Department to purchase software licensing. The additional funds will allow use by additional City departments for the purchase of the full range of cloud-based and information technology solutions services offered by Carahsoft Technology Corporation.

Contract Term

The contract term remains unchanged, ending on Oct. 31, 2026.

Financial Impact

Upon approval of \$2,982,453 in additional funds, the revised aggregate value of the Carahsoft Technology Corporation contract will not exceed \$14,582,453. Total payment ordinance, to include Contracts 151147 (Carahsoft) and 151139 (Accenture, LLP), will not exceed \$64,565,410. Funds are available in various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Planning, Zoning, Plan Review, and Permitting Application - Contract 151147 (Ordinance S-46102) on Oct. 16, 2019;
- Planning, Zoning, Plan Review, and Permitting Application - Contract 151139 (Ordinance S-47874) on Aug. 25, 2021.

Responsible Department

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



Multi-Temporary Staffing Services - Managed Services Provider - ADSPO 17-00006933 - Amendment (Ordinance S-49970)

Request to authorize the City Manager, or his designee, to execute amendment to contract 148480 with Guidesoft, Inc. DBA Knowledge Services to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using ordinance S-48944.

Summary

This contract will provide information technology professional services through a Managed Service Provider (MSP) for technology projects and initiatives such as project management, system implementation, data conversion, and hardware and software configuration throughout the City. Extending this contract will enable the continuation of ongoing work assignments.

Contract Term

Upon approval the contract will be extended through Aug. 31, 2024, with an option to extend to Aug. 31, 2025.

Financial Impact

The aggregate value of the contract will not exceed \$12,076,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Multi-Temporary Staffing Services - Managed Services Provider Contract 148480 (Ordinance S-44975) on Sept. 5, 2018;
- Multi-Temporary Staffing Services - Managed Services Provider Contract 148480 (Ordinance S-45196) on Dec. 5, 2018;
- Multi-Temporary Staffing Services - Managed Services Provider Contract 148480 (Ordinance S-46189) on Nov. 20, 2019;
- Multi-Temporary Staffing Services - Managed Services Provider Contract 148480 (Ordinance S-47922) on Sept. 8, 2021;
- Multi-Temporary Staffing Services - Managed Services Provider Contract 148480 (Ordinance S-48944) on Aug. 31, 2022;

Responsible Department

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



IT Staffing Services Contract - ITS RFQu 23-005 - Request for Award (Ordinance S-49964)

Request to authorize the City Manager, or his designee, to enter into contracts with 22nd Century Technologies, Inc., Acro Service Corporation, Compunnel Software Group, Inc., DBA Compunnel, Inc., Compu-Vision Consulting, Inc., Guidesoft, Inc. doing business as Knowledge Services, Lancesoft, Inc., MGT of America Consulting, LLC, The Intersect Group, LLC to provide IT Staffing Services and Project Based Professional Services for the Information Technology Services Department (ITS) and in support of citywide departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$20 million.

Summary

These contracts will provide IT Staffing Services and Project Based Professional Services to fulfill short-term or highly specialized IT staffing needs and provide flexibility in allowing the department to select resources with skill sets and experience specific to the IT project being undertaken. The number and complexity of citywide IT projects can vary over time and the City will utilize contract resources to ensure that projects meet the necessary business requirements and expenses only occur as needed to provide the specific and unique expertise ensuring projects are successful.

Procurement Information

A Request for Qualifications procurement was processed in accordance with Administrative Regulation 3.10 to establish a Qualified Vendor List (QVL).

Sixteen offerors submitted qualifications and were deemed to be responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point of 1,000:

- Method of Approach 0-400 points
- Company History, Qualifications, and Experience 0-350 points
- Pricing 0-250 points

After reaching consensus, the evaluation committee recommends award to the

following offerors:

- 22nd Century Technologies, Inc. - 867 points
- Acro Service Corporation - 810 points
- Compunnel Software Group, Inc. dba as Compunnel, Inc. - 802 points
- GuideSoft, Inc. dba Knowledge Services - 757 points
- Lancesoft, Inc. - 755 points
- Compu-Vision Consulting, Inc. - 746 points
- MGT of America Consulting, LLC - 641 points
- The Intersect Group - 620 points

Contract Term

The contracts will begin on or about June 28, 2023, for a five-year term.

Financial Impact

The aggregate contracts value will not exceed \$20 million.

Funding is available in the various departments' budget.

Responsible Department

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



Carrier and Broadband Provider Services - Amendments (Ordinance S-49955)

Request to authorize the City Manager, or his designee, to execute amendments to contracts with CenturyLink Communications, LLC dba Lumen Technologies Group, LLC, Contract 155451; Cox Arizona Telecom, LLC, Contract 155343; and Zayo Group, LLC, Contract 155342 to allow additional expenditures and to extend the term of the Letters of Agreement to continue to purchase carrier and broadband provider services for departments Citywide. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$4.6 million.

Summary

City departments utilize carrier and broadband provider services for telecommunication lines, circuits and services used across the City. Services include internet, phone lines, data circuits and distributed denial of service protection. The usage of these technologies is critical to the operations of all City departments. Services are procured utilizing the State of Arizona cooperative agreements, which offer significant cost savings due to the benefit from local government pricing and volume discounts. Existing services and related expenses are essential to the operations of the City, as they provide telecommunication lines, circuits, and services used to satisfy a variety of needs across the City. Continuation of these agreements allows the City to pay for monthly carrier and broadband services while the City adopts the new State of Arizona cooperative agreements.

Contract Term

Upon approval the contracts will be extended through June 30, 2024. This request will allow additional time for the City to enter into and negotiate linking agreements and obtain City Council authorization to adopt them.

Financial Impact

Upon approval of \$4.6 million in additional funds, the revised aggregate value of the contracts will not exceed \$17.7 million. Funds are available in various City departments' budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Carrier and Broadband Provider Services through Ordinance S-48585 on May 11, 2022.
- Carrier and Broadband Provider Services through Ordinance S-48206 on Dec.15, 2021.
- Carrier and Broadband Provider Services through Ordinance S-47655 on June 2, 2021.

Responsible Department

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



Wireless Communications Services, Accessories, and Equipment - Amendments (Ordinance S-49956)

Request to authorize the City Manager, or his designee, to execute amendments to contracts with AT&T Mobility National Accounts, LLC, Contract 155219; T-Mobile USA, Inc. and Sprint Solutions, Inc., Contract 155270; and Cellco Partnership dba Verizon Wireless, Contract 155221 to allow additional expenditures and to extend the term of the Letters of Agreement to continue to purchase wireless communications services, accessories, and equipment for departments Citywide. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$7.5 million.

Summary

City departments utilize mobile devices, wireless services, equipment and accessories to conduct City business every day. Equipment and services are procured utilizing the State of Arizona cooperative agreements, which offer significant cost savings due to the benefit from national government pricing and volume discounts. Existing equipment and services are used by staff to provide critical services to the public in various locations throughout the valley. Currently, the City pays for services for more than 5,000 cellular phones, 6,000 air cards, 6,000 push to talk radios, 470 tablets, and various other services and equipment. Continuation of these agreements is essential to the City, as the agreements allow the City to pay for monthly cellular services and purchase equipment and accessories as needed while the City adopts the State of Arizona cooperative agreements.

Contract Term

Upon approval the contracts will be extended through June 30, 2024. This request will allow additional time for the City to enter into and negotiate linking agreements and obtain City Council authorization to adopt them.

Financial Impact

Upon approval of \$7.5 million in additional funds, the revised aggregate value of the contracts will not exceed \$26,375,000 Funds are available in various Departments' budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Wireless Communications Services, Accessories, and Equipment through Ordinance S-48586 on May 11, 2022.
- Wireless Communications Services, Accessories, and Equipment through Ordinance S-48207 on Dec. 15, 2021.
- Wireless Communications Services, Accessories, and Equipment through Ordinance S-47458 on April 7, 2021.

Responsible Department

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



Communication Tower Inspection, Maintenance, and Repair - IFB 18-112 - Amendment (Ordinance S-49954)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148450 with Arizona West Builders and Communications, Inc. to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-44996.

Summary

This contract will provide communication tower inspection, maintenance, and repair services for the Information Technology Services Department. These services support the radio infrastructure used by public safety and municipal members of the Regional Wireless Cooperative and include maintenance and support of radio towers and communication equipment located throughout the valley. Support services include the supervision, labor, materials, and equipment necessary to perform inspections, maintenance, repairs, installation or removal of equipment or cabling, tower remediation or modification, painting, testing, and structural engineering analysis.

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

Contract Term

Upon approval the contract will be extended through Aug. 31, 2024, with an option to extend through Aug. 31, 2025.

Financial Impact

The aggregate value of the contract will not exceed \$1,725,000.00 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Communication Tower Inspection, Maintenance, and Repair Contract 148450 (Ordinance S-44996) on Sep. 19, 2018;
- Communication Tower Inspection, Maintenance, and Repair Contract 148450

(Ordinance S-47660) on June 16, 2021.

Responsible Department

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



Disaster Recovery-as-a-Service Contract - ITS RFP 23-003 - Request for Award (Ordinance S-50018)

Request to authorize the City Manager, or his designee, to enter into a contract with Kyndryl, Inc. to provide Disaster Recovery-as-a-Service (DRaaS) for the Information Technology Department and in support of departments citywide. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$6.2 million. Additionally, request to grant an exception from the indemnification and limitation of liability provisions of Section 42-18 of the City Code.

Summary

This contract will provide a fully managed Disaster Recovery-as-a-Service (DRaaS) solution. Kyndryl, Inc. proposed a fully managed DRaaS solution that integrates with other existing cloud disaster recovery services, established security protections to meet regulatory requirements, and offers effective approaches to keep City business applications and data synchronized. The services also prevent unauthorized access, disclosure, and/or modification of the City's data to preserve data integrity and residents' trust.

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

Procurement Information

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

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

- DRaaS Solution Requirements 0-350 Points
- Method of Approach 0-300 Points
- Pricing 0-200 Points

- **Qualification and Experience 0-150 Points**

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

Kyndryl, Inc., 840 points

Contract Term

The contract will begin on or about July 1, 2023, for a four-year term with three two-year options to extend.

Financial Impact

The aggregate contract value will not exceed \$6,200,000.

Funding is available in the Information Technology Department's operating budget.

Responsible Department

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



**Authorization to Enter into Agreement with Element Technologies, LLC
(Ordinance S-50000)**

Request to authorize the City Manager through the City Attorney, or his designee, to enter into an agreement with Element Technologies, LLC, as a technology consultant to assist with the onboarding of NetDocuments, a cloud-based technology solution procured by the Law Department to serve as a Document Management System (DMS). Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Law Department has an on-premise DMS that is being replaced by a user-friendly cloud based system, NetDocuments. NetDocuments works with an implementation partner, Element Technologies, to merge the data from the existing DMS into the new platform, assisting with the implementation and configuration of the documents. Element Technologies will review the data, work with staff to design the migration strategy, build the repository, test the import, execute the migration and provide training to the employees on the new system.

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

Procurement Information

In accordance with Administrative Regulation 3.10, the City completed a cooperative procurement of NetDocuments. NetDocuments provided the option of two consultants it works with to onboard their technology solution. The proper implementation of NetDocuments as a document management system capable of integrating with other technology solutions is critical to the operation of the Law Department. Element Technologies submitted a more cost-effective proposal and has the required experience to integrate NetDocuments with ProLaw, which is the Law Department's case management system that must also be integrated with NetDocuments.

Contract Term

The contract term will be a two year term from June 30, 2023, through June 29, 2025.

Financial Impact

The contract value will not exceed \$200,000 and funds are available in the Law Department's budget.

Responsible Department

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



Request to Establish the Phoenix Community Court (Ordinance S-50026)

Request authorization for the City Manager, or his designee, to establish the Phoenix Community through the creation of 11 City positions and the appropriation of a rapid response funding. Further requests to enter into contracts to provide navigation services throughout the community, within jail facilities, and during court proceedings.

Summary

The Phoenix Municipal Court, in partnership with the City's Prosecutor's Office and Public Defender's Office, currently offers three Specialty Courts. These Specialty Courts are considered problem-solving courts that rely on evidence-based best practices and procedures to provide long-term solutions to offenders through an alternative path to traditional criminal justice systems. The current courts include the Phoenix Veterans Court, Phoenix Behavioral Health Court and the Maricopa County Regional Homeless Court.

The Veterans Court is a problem-solving alternative court that addresses the unique needs of defendants who are veterans of the United States Armed Forces. The goal of Veterans Court is to restore veterans to being successful, contributing members of the community by ensuring that veterans entering the criminal justice system make contact with specific programs to address the root causes of the behavior that resulted in the veteran becoming a defendant in the criminal justice system.

The Behavioral Health Court (BHC) is a problem-solving alternative court setting, for the unique needs of individuals with certain mental illnesses. The many goals of BHC include: reduced recidivism and incarceration of individuals with mental illness through early intervention and increased treatment engagement, collaboration and coordination with criminal justice, mental health, and other community partners.

The Maricopa County Regional Homeless Court (MCRHC) is a regional court that Phoenix participates in, which is designed to resolve outstanding issues, such as addressing fines and other barriers for individuals experiencing homelessness who demonstrate commitment to end their homelessness. This court is focused on individuals who have already been through the judicial system. Creation of the City's Community Court would allow a dedicated court to be created that engages all

stakeholders in a more robust specialty court process, which engages with individuals as they enter the Municipal Court process.

Each of the City's Specialty Courts have resulted in positive outcomes for individuals and for the community. However, a continuing and significant challenge for the community is assisting individuals currently experiencing homelessness. This challenge has resulted in unsheltered members of the community often being cited or arrested on minor charges, such as trespassing, and entering into the traditional criminal justice system with limited opportunities to seek services, establish stable housing, or access other resources. In order to better assist with this challenge, staff from the Municipal Court, Prosecutor's Office, Public Defender, and the City's Office of Homeless Solutions recommend establishing a new Specialty Court, the Phoenix Community Court. The Community Court will be based on best practices from other communities, such as the City of Mesa, that have provided an alternative approach outside of the traditional criminal justice systems to better support individuals currently experiencing homelessness.

The Phoenix Community Court will be a collaborative effort with staff from multiple City departments, including the Municipal Court, Police, City Prosecutor's Office, Public Defender, and Homeless Solutions. **Attachment A** provides a process flow of how the Phoenix Community Court will operate. The proposed Phoenix Community Court process is initiated through identification of individuals that have been cited or booked for criminal behavior. Staff recommend that all violations considered by the Phoenix Municipal Court, except domestic violence offenses and assaults, are eligible for the Community Court process.

Identification

There are two primary ways that an individual would be identified to be entered into the Phoenix Community Court. These include through citation/complaint, at arraignment, or during the booking process and court proceedings in County jail.

One option is through a citation from the Phoenix Police Department or a complaint from the City Prosecutor's Office. Staff recommends that citations proceed through the normal arraignment process. During the arraignment, staff from the City Prosecutor's Office, Public Defender's Office, and Municipal Court will identify individuals eligible to enter into the Community Court.

A second option for an individual to be entered into Phoenix Community Court is after the individual into jail following a violation and arrest. The Office of Homeless Solutions will have navigators to help assist the individual with navigation of available resources and work with staff from other departments to determine eligibility for Community

Court. Ideally, this will occur during the individual's appearance at Jail Court.

Court Interaction and Navigation

Once identified as eligible for Phoenix Community Court, navigators and staff assigned to each case will assist individuals throughout the duration of the remaining process. The Community Court Team include representation from the Municipal Court, Prosecutor's Office, Public Defender and Homeless Solutions. The process includes three primary steps with regular court appearances throughout, to ensure the individual is maintaining progress.

These steps include:

1. Needs Assessment and Screening - During this step, the Community Court Team meet to discuss the individual. Once approved, the navigator provides the individual with the option for Community Court. If the individual accepts, a customized services plan is then created.
2. Customized Service Plan - The plan details the required progress for the individual to proceed through the Community Court. An example of a milestone in the service plan could include establishing more stable housing. While progressing through the customized service plan, the individual will have regular court appearances and the Community Court Team will update the service plan based on the program participation.
3. Resolution - If the individual is able to complete their customized service plan, the individual will graduate from Phoenix Community Court. This graduation will result in either the dismissal of the person's case, a reduced charge, or a suspended sentence. If the individual does not complete their customized service plan, the individual will not graduate from the Phoenix Community Court and will be returned to regular court proceedings.

By initiating the Phoenix Community Court as outlined in this report, the City will be able to assist, empower and provide individuals with the tools and resources necessary to establish stable housing, receive services to assist with addiction, connect with mental health professionals, and reduce the tendency of criminal behavior to become cyclical. The Phoenix Community Court will be centered around a holistic and compassionate approach to provide long-term solutions that will positively impact individuals currently experiencing homelessness, and benefit the entire community.

Recommendation

In order to establish the Phoenix Community Court, staff recommends adding 11 full-time positions across several City departments, hiring 10 contracted navigators, creating the availability of rapid response funding, and purchasing equipment and

other administrative needs, for an annual cost of an approximately \$2.3 million. **Attachment B** provides a detailed breakdown of the annual and one-time costs associated with the recommendation.

The 11 full-time positions will include the following:

- Assistant City Attorney III in the Public Defender's Office
- Legal Assistant in the Public Defender's Office
- Casework Services Coordinator in the Public Defender's Office
- Two Attorney IIIs in the Prosecutor's Office
- Court/Legal Clerk I in the Prosecutor's Office
- Legal Assistant in the Prosecutor's Office
- Administrative Assistant II in the Prosecutor's Office
- Two Bailiffs in the Municipal Court
- Program Manager in the Office of Homeless Solutions

The 10 contracted staff will include the following:

- One lead navigator helping manage the entire navigation team
- Two court navigators focused on working with individuals identified in regular court proceedings
- Three external navigators engaged throughout the community at the early stages of the Community Court process
- Four jail navigators to assist individuals entering through Jail Court

Additionally, the rapid response funding will enable staff to quickly support individuals seeking stable housing, at risk of losing housing, or other related challenges or needs.

Financial Impact

Staff estimates the annual cost of establishing the Phoenix Community Court will be approximately \$2.3 million with one-time costs of \$45,000 for vehicles and other equipment. Costs will be incorporated into the Fiscal Year (FY) 2023-24 estimate and FY 2024-25 budget during the annual technical review process.

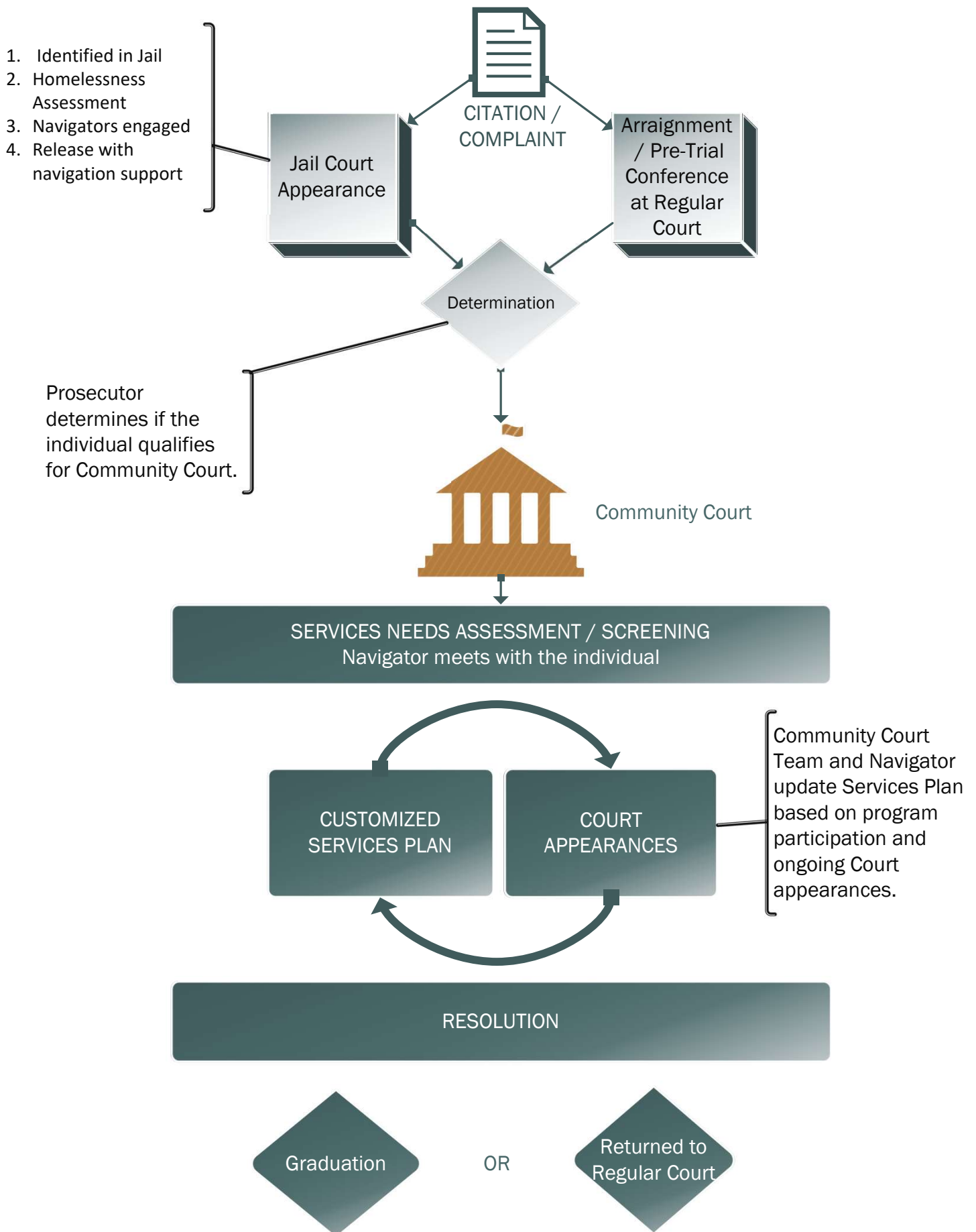
Concurrence/Previous Council Action

On June 14, 2023, the Public Safety and Justice Subcommittee recommended approval by the City Council to establish the Phoenix Community Court.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays, and the Police, Law, City Prosecutor, Public Defender and Homeless Solutions departments.

Phoenix Community Court



ATTACHMENT B

Phoenix Community Court Proposal

Estimated Annual Costs	Amount
Adding 11 City Employees	\$ 1,431,900
Hiring 10 Contracted Navigators	\$ 620,000
Administrative Costs	\$ 25,000
Rapid Response Funding	\$150,000
Total Annual Cost	\$2,226,900

Estimated One-Time Costs	Amount
Three Vehicles	\$ 30,000
Other Equipment	\$ 15,000
Total One-Time Costs	\$45,000



Request to Amend City Code - Chapter 8 Animals - Sections 8-1 and 8-3 (Ordinance G-7131)

Request to amend Phoenix City Code, Chapter 8 Animals, sections 8-1 and 8-3.

Summary

Staff conducted a review of the City's Animal Cruelty Ordinance with input from animal welfare organizations, several city departments, including the Police Department, Prosecutor's Office, Neighborhood Services as well as City Council offices. As a result of this review, staff proposes several updates intended to modernize, strengthen and clarify the ordinance. These proposed updates include the following:

- Definitions of "Animal" and "Livestock"
- Definition of "Adequate Shelter"
- Requirements for restraint of a dog (tethering)

Definitions of "Animal" and "Livestock"

Staff proposes to revise the definition of "animal" to exclude "livestock", which has its own definition. This update will help staff determine the appropriate response to animal cruelty with a more well defined application of the ordinance.

Current language:

"Animal means a mammal, bird, reptile, or amphibian, but excludes rodents..."

Proposed language:

"Animal means a mammal, bird, reptile, or amphibian, but excludes livestock and rodents..."

"Livestock is defined earlier in the ordinance as meat animals, horses, sheep, goats, swine, mules and asses."

Definition of "Adequate Shelter"

Staff proposes to add the definition of "adequate shelter" to ensure animals are under proper care.

Current language:

"Cruel neglect means fail to provide an animal with the necessary food that is

appropriate for the species and fit for consumption, water that is suitable for drinking or shelter suitable for weather conditions."

Proposed language:

"Cruel neglect means fail to provide an animal with the necessary food that is appropriate for the species and fit for consumption, water that is suitable for drinking or adequate shelter."

"Adequate shelter means any natural or artificial cover accessible throughout the year. The shelter shall be structurally sound, maintained in good repair to protect the animal from injury, and of sufficient size to permit the animal to enter, stand, turn around and lie down in a natural manner. Shelter must protect the animal from extreme weather conditions, have adequate ventilation and drainage, and shall be maintained in a manner which minimizes the risk of disease, infestations or parasites."

Unlawful Restraint of a Dog

Staff propose to update the portions of the ordinance that consider the restraint of a dog (tethering). The intention of the updates is to better align with recommended best practices and clarify the use of restraints under the other updates detailed in this report.

Current language:

"A restraint means a chain, rope, tether, leash, cable or other device that attaches a dog to a stationary object or trolley system."

Staff does not recommend a prohibition on all types of "tethering" as it may cause an increase in calls for loose animals, could subject citizens to criminal penalty if their loose animal were to cause harm to others, or cause citizens that have no confinement options to no longer own an animal or have a family pet. In order to address concerns regarding tethering or restraining dogs, staff recommends limiting the types of materials that can be used to remove "chain" from lawful options.

Proposed language:

"A restraint means a rope, tether, leash, cable or device other than a chain that attaches a dog to a stationary object or trolley system."

Current language:

"An owner shall not restrain a dog outside by use of a restraint that unreasonably limits the dog's movement or during extreme weather conditions.

A restraint unreasonably limits a dog's movement if the restraint:

1. Uses a collar that is not properly fitted to the dog;
2. Is in length shorter than ten feet;
3. Places the dog in unsafe or unsanitary conditions;
4. Causes injury to the dog; or
5. Does not permit the dog access to food, water, shade, dry ground, or shelter."

The proposed language clarifies the types of collars that may not be used for tethering. The proposed language also clarifies that access to food, water, shade, dry ground and adequate shelter, as defined under the proposed definition, must be provided at all times.

Proposed language:

"An owner shall not restrain a dog outside by use of a choke collar or pinch collar, or a restraint that unreasonably limits the dog's movement or during extreme weather conditions.

A restraint unreasonably limits a dog's movement if the restraint:

1. Uses a collar that is not properly fitted to the dog;
2. Is in length shorter than ten feet;
3. Places the dog in unsafe or unsanitary conditions;
4. Causes injury to the dog; or
5. Does not permit the dog access to food, water, shade, dry ground, or adequate shelter at all times."

With these proposed ordinance updates, upcoming educational campaign, and additional focus on hearing participation, staff will work to reduce the number of violations throughout the City of Phoenix, particularly during the hot summer months.

Concurrence/Previous Council Action

On June 14, 2023, the Public Safety and Justice Subcommittee recommended the City Council amend the City's Animal Ordinance.

Responsible Department

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



Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-49952)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Alisha Solano in the amount of \$58,451.92 to the Arizona State Retirement System. Further request to authorize the City Controller to disburse the funds.

Summary

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

Solano, Alisha: \$58,451.92

Concurrence/Previous Council Action

This item was approved by the COPERS Board at the June 1, 2023 meeting.

Responsible Department

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



Authorization for the Issuance of Water Obligations for the Water Department's Capital Improvement Program (Ordinance S-49999)

An ordinance authorizing the City Manager to cause the issuance of obligations of or by a municipal property corporation or by a private leasing company as short-term and/or long-term obligations and to issue long-term obligations to refund short-term obligations, including execution and delivery of all leases and other agreements necessary or appropriate for the financing costs of expanding and improving the water system of the City in a principal amount not to exceed \$900 million, and in an amount necessary to refund currently outstanding obligations issued for such purposes and in each case, related financing costs; granting an exemption to Phoenix City Code section 42-18 to include indemnification and legal remedy limitations, and authorizing the City Controller to expend all necessary funds therefore.

Summary

As part of the rate setting process, the Water Services Department provided the City Council with an overview of Water Capital Improvement Plan (CIP) infrastructure needs over the next five years totaling over \$1.5 billion. The Chief Financial Officer expects to fund approximately \$900,000,000 of the Water CIP with debt financing, consisting of issuing tax-exempt bonds and entering into Water Infrastructure Finance Authority (WIFA) of Arizona loans.

Financial Impact

This ordinance provides authorization to issue obligations to fund the Water CIP. All expenditures related to the issuance and payment of any such obligations will be funded by Water Services revenues.

Responsible Department

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



Authorization for the Issuance of Wastewater Obligations for the Water Department's Capital Improvement Program (Ordinance S-49998)

An ordinance authorizing the City Manager to cause the issuance of obligations of or by a municipal property corporation or by a private leasing company as short-term and/or long-term obligations and to issue long-term obligations to refund short-term obligations, including execution and delivery of all leases and other agreements necessary or appropriate for the financing costs of expanding and improving the wastewater treatment system of the City in a principal amount not to exceed \$830 million, and in an amount necessary to refund currently outstanding obligations issued for such purposes and in each case, related financing costs; granting an exemption to Phoenix City Code section 42-18 to include indemnification and legal remedy limitations, and authorizing the City Controller to expend all necessary funds therefore.

Summary

As part of the rate revenue setting process, the Water Services Department provided the City Council with an overview of Wastewater Capital Improvement Plan (CIP) infrastructure needs over the next five years totaling over \$1.4 billion. The Chief Financial Officer expects to fund approximately \$830,000,000 of the Wastewater CIP with debt financing, consisting of issuing tax-exempt bonds and entering into a Water Infrastructure Finance Authority (WIFA) of Arizona loan.

Financial Impact

This ordinance provides authorization to issue obligations to fund the Wastewater CIP. All expenditures related to the issuance and payment of any such obligations will be funded by Water Services wastewater revenues.

Responsible Department

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



Apply for the United States Environmental Protection Agency Environmental Justice Government-to-Government Program Grant Opportunity for Federal Fiscal Year 2022-23 - Federal Inflation Reduction Act Funding (Ordinance S-49927)

Request to retroactively authorize the City Manager, or his designee, to apply for, accept and, if awarded, enter into an agreement for disbursement of Federal funding from the United States Environmental Protection Agency through the Federal Fiscal Year 2022-23 Environmental Justice Government-to-Government Program grant opportunity. If awarded, the funding will be used to pilot a Community Cool Corridor led by community-based organizations in South-Central Phoenix. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Funding for this grant opportunity is available through the Federal Inflation Reduction Act. The total grant funds applied for will not exceed \$1 million, and there is no local match required from the City. There is no impact to the General Fund.

Summary

The Office of Environmental Programs (OEP) worked with other City departments to submit a grant application to the United States Environmental Protection Agency (EPA) through the Federal Fiscal Year 2022-23 Environmental Justice Government-to-Government (EJG2G) Program to fund a project to pilot the cool corridor concept in a South Phoenix neighborhood. This Community Cool Corridor pilot project is expected to mitigate climate and health risks from urban heat islands and extreme heat; facilitate engagement, education and training of marginalized communities; and empower community-based partners to implement resiliency and adaptation at a local level.

This project will include significant collaboration with community-based organizations to provide the opportunity for residents to become directly involved in decision-making to address environmental and public health challenges. This project implements visions and actions already identified and recommended by the South-Central community through previously completed transit, heat, and tree and shade plans. This community led project enhances access to existing and future transit, integrates publicly accessible drinking water, promotes opportunities for shade, and utilizes Green Stormwater Infrastructure (GSI) within the right-of-way, to achieve a more localized cooling effect. Art, culture and wayfinding will be incorporated into the project

to celebrate this unique community. Through this project, resident and community partnerships will create shared knowledge, installation and maintenance of native trees, shrubs and GSI features by strengthening connections to existing community destinations such as parks, schools, and libraries. This pilot will enable the City to evaluate and replicate this model across varying context and community priorities.

The EJG2G grant submittal deadline was April 14, 2023.

Due to the timing of the deadlines and a shortage of City staff, the application was submitted prior to obtaining City Council approval. If City Council does not approve this retroactive request, the application will be withdrawn by OEP.

Financial Impact

The estimated total cost for the project is \$1 million. No matching funds are required. Grant funds will be managed through OEP and reimbursed through the United States EPA. Potential grant funding received is available through the Federal Inflation Reduction Act, from the United States EPA through the Federal Fiscal Year 2022-23 EJG2G grant opportunity.

Location

The project focuses on a smaller geographic segment of the South-Central Communities identified as the North Area within the South Central TOD Community Plan.

Council District: 8

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Alan Stephenson and the Office of Environmental Programs.



**American Rescue Plan Act Affordable Housing Gap Financing Program
Amendment (Ordinance S-50022)**

Request to authorize the City Manager, or his designee, to amend Ordinance S-49895 amending the entity name listed from Morgan and Associates to Acacia Heights III LLC, Trinity Housing Development LLC, Acacia Heights III Manager LLC, Housing for Hope, Inc., Catholic Charities Community Services, or a City-approved nominee; amending the project address from 615 W. Pierson St. to 4747 N. 7th Ave., for the Acacia Heights III affordable housing development project; and to take all actions and execute all documents to complete the loan. Further request to authorize the City Controller to disburse all funds for the life of the contract.

Summary

The American Rescue Plan Act (ARPA) Affordable Housing Gap Financing program will provide the entity with a low-interest loan to subsidize the creation of affordable units serving households at or below 65 percent of the Area Median Income for a minimum period of 20 years. The Acacia Heights III project is located at 4747 N. 7th Ave. and plans to provide a total of 68 affordable units of which 41 will be ARPA funded units.

Financial Impact

This program is funded by ARPA, and there is no impact to the General Fund.

Loan execution is anticipated for Fiscal Year 2023-24.

Concurrence/Previous Council Action

On June 14, 2023, the Phoenix City Council approved the entity under the name Morgan and Associates.

Location

4747 N. 7th Ave.

Council District: 4

Responsible Department

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



**American Rescue Plan Act Affordable Housing Gap Financing Program
Amendment (Ordinance S-50023)**

Request to authorize the City Manager, or his designee, to amend Ordinance S-49896 amending the entity name listed as Partners for Housing Solutions to Mesquite Terrace Apartments LLC, Mesquite Terrace Apartments Manager LLC, Trinity Housing Development LLC, H4H Mesquite Terrace LLC, Housing for Hope Inc., Catholic Charities Community Services, or a City-approved nominee for the Mesquite Terrace Apartments affordable housing development project, and to take all actions and execute all documents to complete the loan. Further request to authorize the City Controller to disburse all funds for the life of the contract.

Summary

The American Rescue Plan Act (ARPA) Affordable Housing Gap Financing program will provide the entity with a low-interest loan to subsidize the creation of affordable units serving households at or below 65 percent of the Area Median Income for a minimum period of 20 years. The Mesquite Terrace Apartment project is located at 5055 N. 19th Ave. and plans to provide a total of 297 affordable units of which 41 will be ARPA funded units.

Financial Impact

This program is funded by ARPA, and there is no impact to the General Fund.

Loan execution is anticipated for Fiscal Year 2023-24.

Concurrence/Previous Council Action

On June 14, 2023, the Phoenix City Council approved the entity under the name Partners for Housing Solutions.

Location

5055 N. 19th Ave.
Council District: 4

Responsible Department

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



American Rescue Plan Act Affordable Housing Gap Financing Program - Amendment (Ordinance S-50024)

Request to authorize the City Manager, or his designee, to amend Ordinance S-49897 amending the entity name from Ulysses Development to Ulysses Development Group, South 12th St. Owner LLC, South 12th St. UDG Developer LLC, Affordable Housing Institute, Inc., or a City-approved nominee for the 12th Street Apartments affordable housing development project, and to take all actions and execute all documents to complete the loan. Further request the City Controller to disburse all funds for the life of the contract.

Summary

The American Rescue Plan Act (ARPA) Affordable Housing Gap Financing program will provide the entity with a low-interest loan to subsidize the creation of affordable units serving households at or below 65 percent of the Area Median Income for a minimum period of 20 years. The 12th Street Apartments project is located at 3616 and 3624 S. 12th St. and plans to provide a total of 126 affordable units, eight of which will be ARPA funded units.

Financial Impact

This program is funded by ARPA, and there is no impact to the General Fund.

Loan execution is anticipated for Fiscal Year 2023-24.

Concurrence/Previous Council Action

On June 14, 2023, the Phoenix City Council approved the entity under the name Ulysses Development.

Location

3616 and 3624 S. 12th St.
Council District: 8

Responsible Department

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



**American Rescue Plan Act Affordable Housing Gap Financing Program
Amendment (Ordinance S-50025)**

Request to authorize the City Manager, or his designee, to amend Ordinance S-49892 amending the entity name listed from Chicanos Por La Causa to Chicanos Por La Causa Inc., Chicanos Por La Causa Land Bank LLC, 25th & Bell LIHTC LLC, or a City-approved nominee for the 25th @ Bell Apartments, and to take all actions and execute all documents to complete the loan. Further request the City Controller to disburse all funds for the life of the contract.

Summary

The American Rescue Plan Act (ARPA) Affordable Housing Gap Financing program will provide the entity a low-interest loan to subsidize the creation of affordable units serving households at or below 65 percent of the Area Median Income for a minimum period of 20 years. The 25th @ Bell Apartments project is located at 16801 N. 25th St. and plans to provide 53 affordable units of which 11 will be ARPA funded units.

Financial Impact

This program is funded by ARPA, and there is no impact to the General Fund.

Loan execution is anticipated for Fiscal Year 2023-24.

Concurrence/Previous Council Action

On June 14, 2023, the Phoenix City Council approved the entity under the name Chicanos Por La Causa.

Location

16801 N. 25th St.
Council District: 2

Responsible Department

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



Authorization to Enter into Purchase and Sale Agreements with the Isaac School District and Phoenix Community Enhancement, LLC. (Ordinance S-50009)

Request authorization for the City Manager, or his designee, to allow the City to enter into purchase and sale agreements (Agreements) with the Isaac School District (District) and Phoenix Community Enhancement, LLC (PCE) for the acquisition and immediate resale of approximately 3.4 acres of certain real property located at 3101 W. McDowell Road. This transaction will help facilitate the development of the Bret Tarver Terrace Affordable Housing Project that will be operated pursuant to the terms of a long-term ground lease between PCE and UMOM Housing 9, LLC (UMOM). Additionally request authorization for the City Manager, or his designee, to enter into any additional agreements necessary to close this transaction. Further request authorization for the City Treasurer to accept, and City Controller to disburse, any funds under the term of the Agreements.

Summary

The City received a request from the Superintendent of the District to participate in the sale of approximately 3.4 acres of surplus real estate (Property). Under Arizona law, the District may only sell or lease school property to the State of Arizona, a county, a city, another school district or a tribal government agency required for a public purpose if the sale or lease of the property will not affect the normal operations of a school within the District. The Property is to be developed to support the Bret Tarver Terrace Affordable Housing Project (Project), which will create 96 affordable housing units of which 87 units will serve households at 60 percent Area Median Income (AMI) and 9 units will serve households at 50 percent AMI. Under the terms of the Agreements, the District shall sell the Property to the City, and upon taking title, the City shall record a Land Use Restriction Agreement (LURA) with the Maricopa County Recorder requiring the use of the Property be restricted to further the public purpose of increasing the supply of affordable housing. The LURA will require affordability for a minimum period of 40 years. Thereafter, the City shall immediately convey the Property to PCE, a special purpose nonprofit and wholly controlled affiliate of the Phoenix Industrial Development Authority (IDA). As required under the terms of the Agreements, PCE shall enter into a long-term ground lease with UMOM to develop the Project. The purchase price for the Property will be the lump sum rental payment under the long-term ground lease paid by UMOM to PCE. The District's Governing Board authorized

the sale of the Property under the structure contemplated herein on June 8, 2023.

Financial Impact

There will be no financial impact to the City. The purchase price paid to the District for the Property shall be the lump sum rental payment under the long-term ground lease paid by UMOM to PCE. In addition, under the terms of the Agreements, PCE shall pay any and all associated costs incurred by the City in connection with these transactions including, but not limited to, any title, insurance and closing costs.

Location

3101 W. McDowell Road
Council District: 4

Responsible Department

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



Grant Writing Services Qualified Vendor List (Ordinance S-49961)

Request authorization for the City Manager, or his designee, to award and enter into contracts with responsive offerors to the Request for Qualifications (RFQu) for Grant Writing Services. Further request authorization for the City Controller to disburse funds in an amount not to exceed \$395,000 for the life of the Qualified Vendor List (QVL). Funding is available from the Human Services, Housing and Neighborhood Services departments' budgets.

Summary

The City of Phoenix Human Services Department (HSD) provides a comprehensive array of services to help people meet emergency, short-and long-term needs, and help every individual reach their highest level of self-sufficiency.

The Housing Department (Housing) creates a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes.

The Neighborhood Services Department (NSD) partners with residents in building to preserve, enhance and engage Phoenix neighborhoods. NSD helps neighbors work together to connect, identify needs, build consensus, coordinate and advocate for their neighborhoods.

To assist in further elevating the services provided by HSD, Housing, and NSD, the departments seek to create a QVL with experienced professional grant writing consultants with a proven track record of researching, developing, writing, preparing and submitting successfully awarded grant proposals from diverse funding sources. The goal is to identify one or more grant writers who would be engaged on an as-needed project basis to assist program staff in pursuing grants and other funding opportunities.

Procurement Information

RFQu-22-MSD-62 was conducted in accordance with City of Phoenix Administrative Regulation 3.10. HSD received a total of eight offers on May 1, 2023, and all offers were determined to be responsive and responsible to the solicitation requirements.

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

- Experience writing at least two successful grant applications on behalf of one or more local governments from a federal, state, local, non-profit or private foundation grant opportunity.
- Knowledge of researching and identifying potential grant opportunities.
- Skills in demographic data collection and analysis.
- Staffing and/or capacity and sufficient resources to complete tasks of the Scope of Work.

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

- Ascend Nonprofit and Business Solutions, LLC
- Conethic Consulting Services, LLC
- Connected Philanthropy, LLC
- Hagerty Consulting, Inc.
- Intuitive Group, LLC
- NCW 'GRANTS' & Associates, PLLC
- River and Sparks, LLC
- Witt O'Brien's, LLC

Contract Term

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

Financial Impact

Expenditures will not exceed \$395,000 for the life of the QVL. Funding is available from the Human Services, Housing, and Neighborhood Services departments' budgets.

Responsible Department

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



Request to Enter Into a Agreement with the Booker T. Washington Child Development Center for Use of a Modular Building for the Head Start Birth to Five Program (Ordinance S-49907)

Request to authorize the City Manager, or his designee, to enter into an agreement with the Booker T. Washington Child Development Center to lease a modular building for the Head Start Birth to Five Program. Further request authority to enter related agreements to sublease and license the modular building to Head Start program partners.

Summary

The Human Services Department requests to enter into a 15-year agreement with Booker T. Washington Child Development Center to lease a modular building to operate the Head Start Birth to Five Program. The Booker T. Washington Child Development Center Head Start program has grown and requires more office space and meeting rooms for its administrative staff, teachers, and community partners. The new modular building will be placed in the same vicinity, ensuring continuity of services for children and families in the area.

The Office of Head Start requires an agreement allowing use for a minimum of 15 years for any modular building purchased with Head Start grant funds and placed on land owned by another entity. The City will lease the modular from Booker T. Washington Child Development Center and sublease and license the modular to Head Start program partners to ensure the modular is used for Head Start activities for a 15-year period.

The lease at Booker T. Washington Child Development Center includes plumbing, electricity, water, fencing, parking, a playground and access to the main campus.

Contract Term

The term of the facility use agreement will be 15 years from the installation of the modular building, beginning on or about July 1, 2023, and ending on or about Aug. 1, 2038.

Financial Impact

The Booker T. Washington Child Development Center does not charge a lease amount or taxes for the property where the modular building will be placed. Consideration for any subleases to Head Start Birth to Five Program sub-recipients and contractors will be based on the subleasee's performance of Head Start Birth to Five Program activities within the modular building.

Concurrence/Previous Council Action

On May 8, 2023, the Head Start Birth to Five Policy Council approved this item by a vote of 8-0.

Location

1519 E. Adams St.
Council District: 8

Responsible Department

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



Request to Amend the Facility Use Agreement Between the City of Phoenix Head Start Birth to Five Program and the Alhambra Elementary School District (Ordinance S-49913)

Request to authorize the City Manager, or appointed designee, to amend Facility Use Agreement (FUA) 145634 with the Alhambra Elementary School District to authorize payment of up to \$100,000 for upgrades and renovations to district-owned buildings used by the Head Start Birth to Five Program. Further, request to authorize the City Controller to disburse all funds related to this item. There is no impact on the General Fund. Funding is provided by the U.S. Department of Health and Human Services Office of Head Start.

Summary

In July 2017, the City of Phoenix Head Start Birth to Five Program entered into an FUA with the Alhambra Elementary School District to use space at 4730 W. Campbell Ave. for an Early Head Start Home-Based socialization site and office space for staff. The space houses six City of Phoenix Head Start Birth to Five staff. It is also used bi-weekly for Early Head Start families living in the Alhambra Elementary School District to interact and socialize.

The amendment to the FUA will provide a mechanism for the City of Phoenix Head Start Birth to Five Program to pay a percentage of upgrades and renovations to district-owned buildings. The upgrades and renovations include repairs to the Early Head Start socialization classrooms, such as replacing the sink, replacing ceiling tiles, and painting to ensure a healthy and safe environment for families during bi-weekly socializations.

Contract Term

The current term of the FUA is July 1, 2022, through June 30, 2026.

Financial Impact

The contract total will not exceed \$100,000. Funding is provided by the Office of Head Start. There is no impact on the General Fund.

Concurrence/Previous Council Action

On May 8, 2023, the Head Start Birth to Five Policy Council approved this item by a vote of 8-0.

Location

Alhambra Preschool Academy, Building J at 4730 W. Campbell Ave.
Council District: 5

Responsible Department

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



Authorization to Enter into Contract with Community Legal Services to Provide Tenants Eviction Assistance Project Services (Ordinance S-49929)

Request to authorize the City Manager, or his designee, to enter into contract with Community Legal Services, Inc. (CLS) in an amount not to exceed \$300,000 to provide legal assistance, advocacy and representation to Phoenix tenants facing eviction proceedings through local Justice Courts. Further request authorization for the City Controller to disburse all funds related to this item. Funding is provided from the Arizona Department of Economic Security (DES). There is no impact to the General Fund.

Summary

To address the impacts of COVID-19 and rising evictions on housing stability, in June 2020, CLS created the Tenants Eviction Assistance Project (TEAP) with financial support through the City of Phoenix Human Services Department Community Services Block Grant (CSBG) allocation. TEAP is staffed with attorneys providing legal assistance, advocacy and representation to low-income Phoenix residents experiencing eviction and court action. CLS does not charge a fee for this service and has an established relationship with the Phoenix-area Justice Courts. CLS also has considerable familiarity in working with low income and vulnerable populations.

The City Council approved Ordinance S-47988 for a new contract, Contract 155937 with CLS on October 6, 2021. This contract expired on September 30, 2022. City staff and CLS began discussions to continue the much needed services shortly thereafter, needing to identify a continuing fund source. Community Services Block Grant (CSBG) funding has been identified to resume services for the next six months.

Contract Term

The term of the contract will begin on or about July 1, 2023 through June 30, 2024.

Financial Impact

The total value of this contract shall not exceed \$300,000. Funding is provided from the Arizona Department of Economic Security through its CSBG allocation to the City of Phoenix Human Services Department. There is no impact to the General Fund.

Responsible Department

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



Authorization to Amend Emergency Shelter/Heat Related Respite Operator and Supportive Services Qualified Vendor List (Ordinance S-49924)

Request authorization for the City Manager, or his designee, to amend the Request for Qualifications (RFQ) for Emergency Shelter/Heat Related Respite Operator and Supportive Services Qualified Vendor List to add \$13.3 million for a new not to exceed amount of \$23.3 million. Further request authorization for the City Controller to disburse funds for the life of the Qualified Vendor List (QVL). Funding is available in the Human Services Department operating budget and the Fiscal Year (FY) 2023 Arizona Department of Housing (ADOH) Homelessness Shelter and Services Fund.

Summary

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

Contract Term

The term of the QVL is from Feb. 1, 2023, through June 30, 2028.

Financial Impact

The total cost of the contracts will not exceed \$23.3 million over the life of the QVL. Funding is available in the Human Services Department operating budget and FY 2023 ADOH Homelessness Shelter and Services Fund.

Concurrence/Previous Council Action

On Jan. 25, 2023, the City Council approved the QVL with Ordinance S-49352.

Responsible Department

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



Request to Accept Local Utility Assistance Funding from the Arizona Community Action Association dba Wildfire (Ordinance S-49944)

Request authorization for the City Manager, or his designee, to enter into an agreement with the Arizona Community Action Association, DBA Wildfire, to accept local utility assistance funds in an amount not to exceed \$322,210 for the period of July 1, 2023, through June 30, 2024. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. There is no impact to the General Fund.

Summary

Funds provided to the City of Phoenix through this agreement will be used to assist low-income individuals and families by removing barriers to self-sufficiency through utility bill assistance. This funding will allow the City of Phoenix to provide financial assistance to approximately 1,000 households to eliminate the threat of utility disconnection.

Contract Term

The contract term is one year beginning July 1, 2023 and ending June 30, 2024.

Financial Impact

Funding for Fiscal Year 2023-24 will be provided by various local funding sources awarded by the Arizona Community Action Association DBA Wildfire. There is no impact to the General Fund.

Responsible Department

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



Retroactive Authorization to Apply for, Accept and Disburse Arizona Department of Housing Grant Funding (Ordinance S-49987)

Request retroactive authorization for the City Manager, or his designee, to apply for and accept Arizona Department of Housing (ADOH) grant funding in an amount not to exceed \$13.3 million. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item for the life of the grant.

Summary

ADOH provides funding for housing and housing related services and currently has available funding for homeless shelter and services. The available grant funding will be used for programs that provide shelter and services to unsheltered persons who are experiencing homelessness. Allowable activities include, but are not limited to: operating support; motel and hotel vouchers; the acquisition and conversion of temporary accommodations such as hotels and motels; and other quick occupancy housing solutions. Funding will be used in support of efforts to address the issues around the Human Services Campus. This request is retroactive because there was a short window to apply, and there was not adequate time to request authority prior to the submission due date.

Contract Term

The grant term will begin on or about July 1, 2023 and end on or about June 30, 2024.

Financial Impact

Funding in an amount up to \$13.3 million will be provided by ADOH. No matching funds are required. There is no impact to the General Fund.

Responsible Department

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



Retroactive Authorization to Accept and Disburse Grant Funding from the Arizona Child and Family Advocacy Network (Ordinance S-50012)

Request retroactive authorization for the City Manager, or his designee, to accept grant funding in an amount not to exceed \$72,512.17 from the Arizona Child and Family Advocacy Network (ACFAN). Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Funding is available from ACFAN.

Summary

ACFAN provides a coordinated, evidence-based response to crime victims who have been abused through a multidisciplinary team approach using co-located facilities. Multidisciplinary teams consist of the following areas: Victim Advocacy, Law Enforcement, Arizona Department of Child Safety, Prosecutors, Forensic Interviewers, Medical and Mental Health professionals, and Community Partners.

Funding awarded to the City of Phoenix Human Services Department, Family Advocacy Center (FAC) will be used to provide children and adult victims of crime with mental health services at the FAC. These services are provided by professionals with training, who deliver trauma-informed, evidence-supported, mental health treatment. Funding also supports mental health services for FAC staff as they and their partners in law enforcement, child welfare, social services, and prosecution are on the front lines of the worst cases of child abuse and domestic violence.

The Human Services Department was notified on June 8, 2023, of the award thus not allowing time to request authorization to accept the funding in advance.

Contract Term

ACFAN does not require the City to execute a contract to receive these grant funds. Funds must be expended by March 29, 2024.

Financial Impact

Expenditures will not exceed \$72,512.17. Funding is available from ACFAN. There is no impact to the General Fund.

Responsible Department

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



Authorization to Accept and Disburse Area Agency on Aging, Region One, Inc. Grant for Home Delivered Meals Program (Ordinance S-49975)

Request authorization for the City Manager, or his designee, to accept annual home delivered meals funding from the Area Agency on Aging, Region One, Inc. (AAA) in the amount of \$2,450,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

In spring of 2019, the City of Phoenix was awarded a five-year grant which began July 1, 2019, and ends June 30, 2024. Funds provided to the City of Phoenix through AAA are used to fund the City's Home Delivered Meals (HDM) program. The HDM program assists with increasing the nutrient intake of at-risk older adults who are homebound and/or disabled, to allow them to remain independent in their homes.

The Human Services Department (HSD), through a contracted vendor, is projected to prepare and deliver approximately 300,000 nutritionally balanced meals to homebound and disabled seniors annually.

Contract Term

The initial term of the contract under the five-year grant began July 1, 2019, through June 30, 2020, with four one-year options to extend determined by AAA. AAA requires the City to reapply for funding and enter into a new contract for each additional year authorized under the grant.

The term of this contract extension is for the final year of the grant which will begin July 1, 2023, and end June 30, 2024.

Financial Impact

The contract amount for Fiscal Year (FY) 2023-24 shall not exceed \$2,450,000. The term of this contract is from July 1, 2023, through June 30, 2024. There is a 10 percent match requirement that will be addressed through in-kind, program donations from program participants, and general fund.

Concurrence/Previous Council Action

- Ordinance S-44610 was adopted on May 16, 2018, authorizing HSD to contract with Selrico Services, Inc. for food management of the Senior Programs Congregate Meal and HDM programs. Selrico Services produces and delivers meals according to the specified AAA standards for the HDM program grant. The contract term for Selrico Services is July 1, 2018, through June 30, 2023, with one two-year options to extend.
- Ordinance S-45521 was adopted on April 3, 2019, authorizing HSD to apply for, accept funding from and enter into the initial contract with AAA for an amount up to \$2,082,325 annually.
- Ordinance S-47112 was adopted on Nov. 18, 2020, authorizing HSD to accept an additional \$2,843,045 in funding for FY 2020-21.
- Ordinance S-47312 was adopted on Feb. 17, 2021, authorizing HSD to accept an additional \$500,000 in funding for FY 2020-21.
- Ordinance S-47799 was adopted on July 1, 2021, authorizing HSD to accept an additional \$5,425,370 in funding for FY 2021-22.
- Ordinance S-48842 was adopted July 1, 2022, authorizing HSD to accept an additional \$2,652,288 in funding for FY 2022-23.

Responsible Department

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



Authorization to Amend Contract with the Industrial Development Authority of the City of Phoenix to Provide Case Management and Housing Navigation Services for Mobile Home Residents (Ordinance S-50013)

Request to authorize the City Manager, or his designee, to amend Contract 157712 with the Industrial Development Authority of the City of Phoenix (IDA) to add an additional \$320,000 for a total contract value not to exceed \$620,000 over the life of the contract. Further, request to authorize the City Controller to disburse all funds related to this item. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) and is in the Utility and Rental Assistance program of the strategic plan.

Summary

The Human Services Department entered into Contract 157712 with the IDA for housing navigation and financial assistance services for displaced mobile home park residents up to \$300,000 to include holistic case management as a priority. Services may also include access to physical health care, behavioral health care, nutrition assistance, cash assistance, workforce development, and assistance with emergency rental/utility and housing voucher applications. This contract amendment will allow for continued services to residents of Las Casitas and Weldon Court Mobile Home Parks and will include assistance to individuals currently or formerly residing at Periwinkle Mobile Home Park, located at 2728 W. Colter Street.

Contract Term

The term of the contract began on or about Nov. 16, 2022, and ends on June 30, 2024.

Financial Impact

The total contract value will not exceed \$620,000 over the life of the contract. Funding is available through the City's allocation of ARPA funding. There is no impact to the General Fund.

Concurrence/Previous Council Action

- On Nov. 16, 2022, the City Council approved the contract with Ordinance S-49188.
- On March 22, 2023, the City Council approved to reallocate \$2.5 million in ARPA

funding to provide additional navigation services for the residents of the three mobile home parks.

Responsible Department

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



Online Investment Research Database Subscription - RFA 17-181 - Amendment (Ordinance S-49922)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 145959 with Morningstar, Inc. to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$76,000.

Summary

This contract will provide continued online access to the Morningstar Investment Research Center, an internet-based investing reference and research database. This database is available only through Morningstar, Inc. This database provides data on approximately 525,000 investment offerings and real-time global investment market data. The continuation of this subscription service is necessary for the Phoenix Public Library to offer current and accurate materials on investing to City of Phoenix residents. The utilization of the internet-based service reduces the time and cost of maintaining and updating these extensive reference materials in physical form.

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

Contract Term

Upon approval the contract will be extended through Aug. 31, 2028.

Financial Impact

Upon approval of \$76,000 in additional funds, the revised total value of the contract will not exceed \$154,054. Funds are available in the Library Department's operating budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Online Investment Research Database Subscription - Contract 145959 (Ordinance S-43817-57) on Aug. 30, 2017;
- Online Investment Research Database Subscription - Contract 145959 (Ordinance S-46852-18) on Aug. 26, 2020.

Responsible Department

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



Library Electronic Resources and Associated Services Contract - RFQu 23-001 - Request for Award (Ordinance S-49930)

Request to authorize the City Manager, or his designee, to enter into contracts with multiple offerors, detailed in **Attachment A**, to provide electronic resources and associated services for the Library Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate value of the contracts will not exceed \$12,500,000.

Summary

This contract will provide electronic resources and associated services for the Library's 16 branch libraries and the Central Library. The Library serves the needs of more than 900,000 registered borrowers. The Phoenix Public Library supports the City Manager's Strategic Plan by promoting early literacy, preparing young children for academic success, and achieving educational excellence for all Phoenix residents.

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

Procurement Information

A Request for Qualifications procurement was processed in accordance with Administrative Regulation 3.10 to establish a Qualified Vendor List (QVL).

Seventeen offerors submitted qualifications and were deemed to be responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following minimum qualifications:

1. Provide Internet-based electronic resources in one or more of the required content areas.
2. Disallow advertising or solicitation in content targeted towards the ages of birth up to 18 years old.
3. Support access and compatibility with all major browser applications.
4. Allow Library users to access the resources while physically onsite at any of the Library's locations.
5. Provide access 24 hours a day, 365 days a year.

6. Achieve and maintain a greater than 98 percent uptime over 12 months.
7. Respond to technical issues within two days.
8. Provide two business day advance notice of critical security updates.
9. Provide promotional materials that describe available resources.
10. Provide technical support at no additional cost to the Library.
11. Allow users 18 and over to opt out of receiving advertising or solicitations.
12. Include content in either English or Spanish, or both.
13. Provide an English language version of any resource interface.
14. Provide basic encryption for all user-hosted information.

After reaching consensus, the evaluation committee recommends award to the offerors in **Attachment A**.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed \$12,500,000.

Funding is available in the Library Department's Operating budget.

Responsible Department

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



Attachment A

Legistar File No.: 23-1369

Library Electronic Resources and Associated Services Contract - RFQu 23-001 – Request for Award

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

Baker & Taylor, LLC
Brainfuse, LLC
Cengage Learning/Gale Group
EBSCO Information Services, LLC
Global Intelligence Services, LLC
Kanopy, Inc.
Library Ideas, LLC
Midwest Tape, LLC
Niche Academy, LLC
OverDrive, Inc.
PBC Guru, LLC
Pronunciator, LLC
ProQuest, LP
Springshare, LLC
STEMfinity, LLC
World Book, Inc.



Request to Enter into an Intergovernmental Agreement with Arizona State University for Opioid Response Planning

Request to authorize the City Manager, or his designee, to allow the Office of Public Health to enter into an Intergovernmental Agreement with the Arizona Board of Regents on behalf of Arizona State University (ASU), ASU's Substance use and Addiction Translational Research Network (SATRN), for the City of Phoenix Opioid and Substance Use Response Planning. Further authorize the City Controller to disburse all funds related to this item.

Summary

In August 2021, 90 Arizona cities and towns and all 15 counties signed on to the One Arizona Opioid Settlement Memorandum of Understanding ("One Arizona Agreement"). Under the One Arizona Opioid Settlement Memorandum, funds must be used for future nationally recognized opioid strategies. Approved uses include evidence-based, evidence-informed strategies regarding:

- Treatment of Opioid Use Disorder (OUD)
- Support for people in treatment and recovery
- Support for people who have or are at risk of developing Opioid Use Disorder
- Prevention of overdose deaths and other harms
- Prevention of opioid misuse

As part of the initial assessment and planning phase and in accordance with the One Arizona abatement strategies, the Public Health office has outlined the following key activities:

1. Environmental scan of existing departmental policies and practices related to substance use and strategies identified in the One Arizona Agreement.
2. Development of trainings and professional development opportunities for City employees related to opioid prevention, treatment, harm reduction and evidence-based strategies.
3. Development and implementation of a resident survey.
4. Planning and implementation of community information and feedback forums.

The Public Health Office will work with ASU's Substance Use and Addiction Translational Research Network (SATRN) to support the identified activities and gain advice and assistance related to opioid response planning. SATRN's mission is to foster collaborations among community and university partners to conduct research related to substance use that impact the community and residents. Through SATRN the City of Phoenix will be able to access research expertise in substance use and leverage skills and capacity of ASU faculty, staff, and students.

Through the IGA, ASU may support the development and analysis of staff and resident surveys, develop reports with trends and key findings, support qualitative data collection via community focus group and assist with informing the city's opioid response plan.

Additionally, ASU will develop training modules for City staff on substance use prevention, treatment, recovery, and harm reduction. The implementation of substance use training for government staff is an identified strategy under the ONE Arizona Agreement.

Lastly, ASU will provide strategic advice and student time for opioid, and substance use related activities beyond the initial assessment, planning and training.

Contract Term

The agreement will be valid for five years from the date of execution by all parties.

Financial Impact

Activities under this agreement will be funded through Opioid Settlement dollars and in accordance with the One Arizona MOU up to a maximum of \$100,000. All costs must be agreed by both parties.

Public Outreach

This project will support public outreach through citywide community based forums and resident surveys.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Office of Public Health.



Annual Review and Updates to the Neighborhood Services Department's Code Enforcement Policy

Request City Council approval of changes to the Neighborhood Services Department's (NSD) Code Enforcement Policy (CEP), based on the annual review.

Summary

The CEP provides guidelines for enforcement of the Neighborhood Preservation Ordinance, Zoning Ordinance, and portions of other city codes/ordinances enforced by NSD. Each year, staff present a review of the policy with any recommended updates to the City Council, as stated in the policy, which was last updated June 15, 2022.

The CEP is comprised of five sections. Sections I through III of the CEP establish the purpose of standard code enforcement and the notification and enforcement options available to inspection staff; define recidivist person/properties and the possible consequences for repeat offenders; and describe the inspection and enforcement protocols for resident complaints, with exceptions for proactive code enforcement in the immediate area of a complaint and in strategic initiative areas. Section IV includes information encouraging the use of hardship assistance programs for low- and moderate-income households where funding is available. Section V provides guidance for NSD to work cooperatively with other departments and agencies to resolve complex and hazardous cases.

In March 2023, staff provided a presentation to the Community and Cultural Investment Subcommittee on the required annual review of the CEP. The presentation included the following possible updates identified by staff, City Council and the community to clarify and clean up current language and propose additional language to allow deviations from the standard enforcement process to address specific violations:

- Additional language addressing hardships related to homelessness and modification of the enforcement process to include increased communication about available resources to support compliance.
- Clarification of exceptions regarding health, safety, episodic and egregious

violations.

- Additional language about enforcement limitations in private communities.
- Simplification of the pre-notification requirement regarding confusing recidivist language more appropriately provided in the Notices of Ordinance Violation (NOV).
- Revision of the definition of recidivist to 12 months to be consistent with NSD's strategic enforcement process.

During the presentation, a member of the subcommittee also recommended NSD include a statement of intent in the policy.

Public Outreach

Following the Subcommittee presentation, NSD held three community outreach meetings: two virtual and one in-person. Outreach included social media (FaceBook, Twitter, Next Door, NSD Internet website), Neighborhood Associations listed with the Department, Arizona Multihousing Association and Arizona Association of Realtors. Approximately 56 residents attended the meetings and provided feedback on the proposed changes. Overall, staff received positive feedback and support for the proposed changes, with one resident expressing concern about the proposed language addressing hardships related to homelessness. Additionally, the community provided input specific to short term rental properties and the length of time for NOV's. Based on the feedback, staff added the following recommended changes:

- Statement of Intent.
- Language to address Short Term Rentals as part of the episodic violations.
- Standard timelines for NOV re-inspections, which are part of NSD's existing standard code enforcement practice.

All staff recommended updates to the CEP are highlighted in **Attachment B**, with the current CEP provided as **Attachment A** for reference.

Concurrence/Previous Council Action

On May 3, 2023, the Community and Cultural Investment Subcommittee unanimously recommended City Council approval of the CEP updates by a vote of 4-0.

Responsible Department

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



NEIGHBORHOOD SERVICES DEPARTMENT

CODE ENFORCEMENT POLICY

The Code Enforcement Policy, adopted by the Phoenix City Council, provides guidelines for enforcement of the Neighborhood Preservation Ordinance, Zoning Ordinance and portions of other codes and ordinances.



Effective June 15, 2022

Neighborhood Services Department Mission

To Preserve, Enhance and Engage Phoenix Neighborhoods

Contact Us

Report a code violation:

phoenix.gov/myPHX311

(602) 534-4444

Check the status of a code enforcement case:

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For information about the Neighborhood
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For a copy of this publication in an alternate format or for reasonable accommodations contact:

Neighborhood Services Department ADA Liaison,
200 W. Washington St., Phoenix, AZ 85003.
Voice (602) 534-4444. TTY 711.

Esta información está disponible en español.

Effective June 15, 2022

Code Enforcement Policy

I. Standard Code Enforcement

A. Purpose

It is the intent of the city of Phoenix to promote the health, safety, and welfare of the residents of Phoenix, Arizona. Part of this responsibility includes protecting neighborhoods from blighting and deteriorating conditions that have a negative impact on area property values and encourage social disorder and crime. This is achieved through ordinances and by establishing a policy to guide enforcement of the ordinances.

B. Standard Enforcement Policy

City of Phoenix residents are encouraged and supported in their efforts to maintain the physical environment of their neighborhoods through standards set in local ordinances. To assist in this endeavor, the following code enforcement policy has been established to guide the city in addressing properties with code violations.

The following actions will be taken on properties where there has been no case history or history of violations and/or previous enforcement action:

1. Inspection/Pre-notification

When a property complaint is received, the city will respond in the following manner:

a. Immediate Inspections

If the alleged violation concerns a potential health or safety hazard to the neighborhood or neighbors, inclusive of open/vacant buildings, fire and/or health hazards, unsecured pools or other health and safety hazards, the city will respond with an immediate inspection.

b. Pre-Notification Letter

If the alleged violation is not a potential health or safety hazard, if the property is occupied and if a mailing address is available, the city will issue a pre-notification letter to the owner/responsible parties notifying them that specific complaints have been received and that an inspection will be conducted within 10 days.

Included with the pre-notification letter will be an explanation that recidivists will receive only one official notice of ordinance violation for a violation and that future offenses of city ordinances may result in legal action without issuance of further notices of ordinance violation. Information on the most common blighting violations will also be included with the pre-notification letter.

2. Formal Notice of Ordinance Violation (NOV)

Except in cases involving health and safety violations, cases with previous history of code violations, violations of a transient nature such as commercial business violations, home occupation violations and violations involving vendors, the responsible party or parties will be officially notified that a violation has been discovered through an inspection and will be advised of specific corrective action required. They will also be advised through this process of what further action

Code Enforcement Policy

will be taken by the city if they do not comply. In addition, owners/responsible parties will be advised of available appropriate assistance as enumerated in Section IV.B. of this policy.

Also included with the NOV to owners/responsible parties who have not previously received the information with a pre-notification letter will be an explanation that recidivists will receive only one official notice of ordinance violation for a violation and that future offenses of city ordinances may result in legal action without issuance of further notices of ordinance violation. Information on the most common blighting violations will also be included with the NOV.

3. Civil Citation

Owners/responsible parties who fail to comply will be subject to the issuance of a civil citation that will be adjudicated by a hearing officer/judge. In the case of properties that are not owner occupied the following general guidelines will apply:

- In general, tenants/occupants will be held responsible for items concerning routine maintenance and for personal property items.
- In situations where tenants/occupants have failed to fulfill their responsibility for compliance with city ordinances, owners/responsible parties may also be held accountable.
- In cases involving unoccupied properties, owners/ responsible parties will be held accountable for all property conditions.

4. Criminal Complaint

Failure to comply with any of the preceding actions will be cause to proceed with a criminal complaint.

5. City Abatement

The city, at its own discretion, may choose to directly abate and assess (lien) for any and all violations that remain in non-compliance with city ordinances or regulations.

II. Recidivists Persons/Properties

A. Purpose

The recidivist process is designed to provide relief via an expedited enforcement process for neighborhoods experiencing problems with residents who repeatedly violate city ordinances and who have demonstrated an inability or unwillingness to remain a good neighbor by maintaining their property.

B. Definition

A recidivist case is a newly opened case on a property involving the same responsible party for the same violation or any of the common blight violations as specified in Section III (B) (4) (a), where within the last 24 months, the responsible party has been issued a Notice of Ordinance Violation and/or civil citation, and/or had criminal charges filed for, and/or contractual abatement initiated.

Code Enforcement Policy

A chronic recidivist case is a case on a property where within the last 24 months the property has had unresolved notice(s) of violation of the City codes for six months or more, excluding time for administrative appeals or hardship assistance processes. A chronic recidivist designation shall apply until the property has remained in compliance for past violation(s) and any of the common blight violations, as specified in Section III

(B) (4) (a) for a period of 90 days following the date the prior case was closed.

If unusual or mitigating circumstances warrant, the City Manager or designee may exempt a responsible party from the recidivist designation. In such cases, the City Manager or designee will seek input from the complainant, neighborhood associations or block watches in the area, area residents or other staff, as appropriate, to assist in making a determination.

C. Notification Policy

Cases with violation which have been determined to be recidivist or chronic recidivist will not be issued a pre-notification letter or standard NOV, and will proceed immediately to one of the following code enforcement actions based on the unique facts of the case:

- issue a NOV requiring the abatement of the violations
- issue a civil citation
- issue a criminal summons

III. Inspection/Enforcement

A. Purpose

The Neighborhood Preservation Ordinance, Zoning Ordinance and other ordinances and codes enforced by the Neighborhood Services Department are enforced on a complaint basis. This is designed to encourage resident, neighborhood association, block watch or other city department participation in the enforcement process. The graffiti supplies non-access regulations (Section 39-10 D) of the Neighborhood Preservation Ordinance and mobile vending regulations are enforced proactively.

Anonymous complaints will be accepted with the following exceptions: illegal commercial business complaints; when past complaints for the same alleged violation on the same property have been found to be invalid on three or more occasions; and in situations when a street address is not provided. Complaints in these categories will require that the complainant provide a name and contact phone number.

B. Exceptions

Exceptions to the complaint-based enforcement policy are as follows:

1. Active Neighborhood Fight Back Areas

The Neighborhood Fight Back Program is a resident mobilization effort that provides a temporary increase in city services to assist in community revitalization efforts. The increased services are targeted to reduce crime, eliminate, or prevent blight and help restore or stabilize neighborhoods. Deviation from the complaint-

Code Enforcement Policy

based enforcement process will take place at the request of, and with the active support and cooperation of, area residents.

2. **Neighborhood Initiative Areas**
Combined with the city's long-standing commitment to improve distressed areas, the Neighborhood Services Department is focusing resources for concentrated and comprehensive revitalization in five Neighborhood Initiative Areas. The concept is to concentrate resources, complete revitalization, then move to other areas of need. The neighborhoods identified and selected require a comprehensive approach for restoration and revitalization. Staff works with residents so that success can be defined, and a strategy developed to achieve it.
These and future designated NIAs will allow for non-complaint-based inspections and enforcement.
3. **Redevelopment Areas, Neighborhood Revitalization Areas or other Target Areas**
the Neighborhood Services Department works with resident advisory committees and neighborhood organizations in the city's designated Redevelopment Areas and other Target Areas to eliminate blight and to promote residential and commercial redevelopment and revitalization. In order to support and complement redevelopment and revitalization efforts within the designated redevelopment and Target Areas, systematic and non-complaint-based code enforcement may be required.

At the request of Phoenix City Council members, certain Neighborhood Revitalization Areas are designated by the Neighborhood Services Department for neighborhood organization and revitalization activities. Based upon the request of, and in partnership with, the neighborhood organization, non-complaint-based code enforcement may be implemented in these areas.

4. **Properties in the Immediate Area which are an Obvious Detriment or Blight**
When an initial inspection is conducted, based on a complaint, the inspector may:
 - a. Expand upon the initial complaint on the same property and determine whether violations exist on the following items identified by City Council:
 - High weeds/grass or dead/dry bushes, trees, weeds and/or other vegetation
 - Inoperable vehicles
 - Junk, litter and/or debris
 - Open/vacant buildings and structures
 - Outside storage
 - Fences in disrepair
 - Vehicles parked on non-dustproofed surfaces or in non-permitted areas of residential front or side yards
 - Graffiti

Code Enforcement Policy

- b. Inspect additional properties in the immediate area of the initial reported violation; and
- c. Limit the inspection to those items, which appeared as violations on the initial property on which the complaint was received; and the items listed in III (B)(4)(a).
- d. Initiate appropriate enforcement action.

5. Environmental, Imminent Hazard and/or Fire Safety Conditions

In order to maintain and protect neighborhoods from imminent hazards, environmental hazards, fire hazards and other types of similar conditions that may immediately endanger or place residents in peril, the city will summarily inspect/abate any and all conditions which are discovered without benefit of complaint.

6. Seamless Service Efforts

The Neighborhood Services Department may be called upon by other departments or governmental agencies to partner on issues of community concern in areas outside of the city's designated Target Areas. It is the department's goal to provide seamless and coordinated service in such circumstances to facilitate the resolution of an identified community problem. In order to support and complement these interagency/interdepartmental efforts, systematic and non-complaint-based code enforcement may be implemented with the approval of the City Manager or designee.

7. City-designated Slum Properties

In an effort to comprehensively and effectively address multiple violations at city- designated slum properties, the Neighborhood Services Department may implement non-complaint-based code enforcement.

8. Recidivist/Chronic Recidivist Properties

To address frequently recurring violations on recidivist properties, the Neighborhood Services Department may initiate non-complaint-based inspections/ code enforcement on recidivist properties after case resolution to check for a recurrence of the same violation(s) and/or any of the common blight violations as identified in Section III. (B) (4) (a).

To assure lasting compliance on chronic recidivist properties, the Neighborhood Services Department shall initiate non-complaint based exterior inspections/ code enforcement on designated chronic recidivist properties after case resolution, to check for a recurrence of the same violation(s) and/or any of the common blight violations as identified in Section III. B. (4) (a).

IV. Hardship Assistance

A. Purpose

It is the intent of the city to provide assistance to all low- and moderate-income households that are eligible for financial assistance. Assistance will be provided in the

Code Enforcement Policy

form of information, referral, counseling, the provision of volunteer labor and/or the provision of direct financial assistance.

B. Available Resources

Based upon funding availability and in some cases participant eligibility the Neighborhood Services Department will provide or coordinate the following types of assistance:

- Information

- Housing, financial, landlord/tenant counseling

- Referral to public, private, or nonprofit sources of assistance

- Tool lending

- Volunteer labor assistance

- Graffiti abatement supplies and assistance

- Financial assistance to bring violations into compliance

- Housing rehabilitation/reconstruction (limited geographic areas only)

V. Interdepartmental/Interagency Cooperation

A. Purpose

The Neighborhood Services Department will cooperate with other departments and agencies when appropriate to further the mutual goals of nuisance abatement and neighborhood maintenance for the benefit of the entire community.

B. Cooperation From Other Departments

Upon the request of the director or designee, the Police Department and any other department of the city will assist and cooperate with the director in the performance of duties related to the enforcement of ordinances. This cooperation may include assistance in enforcement or abatement actions, including removal of persons from buildings or structures to be demolished.

C. Hazardous Conditions

The city manager or designee may order immediate abatement of a hazard without notice. The Neighborhood Services Department may also request official concurrence from other departments as to whether immediate abatement action is necessary. These departments or agencies include, but are not limited to, Police, Fire, Public Works, Development Services, and the Maricopa County Environmental Services departments.

VI. Annual Review by City Council

This Code Enforcement Policy will be reviewed and evaluated annually by the City Council.



City of Phoenix

NEIGHBORHOOD SERVICES DEPARTMENT

CODE ENFORCEMENT POLICY

The Code Enforcement Policy, adopted by the Phoenix City Council, provides guidelines for enforcement of the Neighborhood Preservation Ordinance, Zoning Ordinance and portions of other codes and ordinances.



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Code Enforcement Policy

Statement of Intent

The Code Enforcement Policy is to be used to guide the efforts of the Neighborhood Services Department to address violations of the City Code. To achieve compliance, it is the intent of the department to lead with education, provide resources when hardships exist, and enforce when necessary. Code enforcement is intended to be used to foster partnership with residents to support the overall health, safety, and welfare of the City, and to protect neighborhoods against hazardous, blighting, and deteriorating influences or conditions. Neighborhood Preservation Inspectors provide excellent customer service and will operate with fairness, integrity, transparency, and consistent professionalism while working to meet the department's intent.

I. Standard Code Enforcement

A. Purpose

It is the intent of the city of Phoenix to promote the health, safety, and welfare of the residents of Phoenix, Arizona. Part of this responsibility includes protecting neighborhoods from blighting and deteriorating conditions that have a negative impact on area property values and encourage social disorder and crime. This is achieved through ordinances and by establishing a policy to guide enforcement of the ordinances.

B. Standard Enforcement Policy

City of Phoenix residents are encouraged and supported in their efforts to maintain the physical environment of their neighborhoods through standards set in local ordinances. To assist in this endeavor, the following code enforcement policy has been established to guide the city in addressing properties with code violations.

The following actions will be taken on properties where there has been no case history or history of violations and/or previous enforcement action:

1. Inspection/Pre-notification

When a property complaint is received, the city will respond in the following manner:

a. Immediate Inspections

If the alleged violation concerns a potential health or safety hazard to the neighborhood or neighbors, inclusive of open/vacant buildings, fire and/or health hazards, unsecured pools or other health and safety hazards, the city will respond with an immediate inspection.

b. Pre-Notification Letter

If the alleged violation is not a potential health or safety hazard, if the property is occupied and if a mailing address is available, the city will issue a pre-notification letter to the owner/responsible parties notifying them that specific complaints have been received and that an inspection will be conducted within

Code Enforcement Policy

ten days. Information on the most common blighting violations will also be included with the pre-notification letter.

2. Formal Notice of Ordinance Violation (NOV)

Except in cases involving health and safety violations, cases with previous history of code violations, violations of a transient nature such as commercial business violations, home occupation violations and violations involving vendors, the responsible party or parties will be officially notified that a violation has been discovered through an inspection and will be advised of specific corrective action required. They will also be advised through this process of what further action will be taken by the city if they do not comply. In addition, owners/responsible parties will be advised of available appropriate assistance as enumerated in Section IV.B. of this policy.

a. Timelines for NOV Reinspection

- i. Standard – 15 days (minor violations)
- ii. Standard – 35 days (significant cost to correct)
- iii. Abatement – 35 days
- iv. Hazard – 0 to 24 hours
- v. Graffiti – 10 days
- vi. Rental Registration – 10 days
- vii. Illegal Signs - 5 days
- viii. Mobile Vending – 0 to 15 days

The NOV will include an explanation that recidivists will receive only one official notice for a violation and that future offenses of city ordinances may result in legal action without issuance of further notices of ordinance violation. Information on the most common blighting violations will also be included with the NOV.

3. Civil Citation

Owners/responsible parties who fail to comply will be subject to the issuance of a civil citation that will be adjudicated by a hearing officer/judge. In the case of properties that are not owner occupied the following general guidelines will apply:

- In general, tenants/occupants will be held responsible for items concerning routine maintenance and for personal property items.
- In situations where tenants/occupants have failed to fulfill their responsibility for compliance with city ordinances, owners/responsible parties may also be held accountable.
- In cases involving unoccupied properties, owners/ responsible parties will be held accountable for all property conditions.

Code Enforcement Policy

4. Criminal Complaint

Failure to comply with any of the preceding actions will be cause to proceed with a criminal complaint.

5. City Abatement

The city, at its own discretion, may choose to directly abate and assess (lien) for any and all violations that remain in non-compliance with city ordinances or regulations.

6. Exceptions

Exceptions to the standard code enforcement policy are as follows:

Episodic Violations

- a. An episodic violation is one that occurs intermittently. To effectively address episodic violations in an expediated manner, the Neighborhood Services Department will deviate from the standard enforcement process and proceed to an immediate citation.

Violations include, but are not limited to, non-permitted events where the owner has been notified but activity continues, such as unauthorized parties that occur on commercial properties and events with outdoor entertainment without the appropriate use permit, as well as many of the common issues experienced with Short Term Rentals.

II. Recidivists Persons/Properties and Egregious Violations

A. Purpose

The recidivist process is designed to provide relief via an expedited enforcement process for neighborhoods experiencing problems with residents who repeatedly violate city ordinances and who have demonstrated an inability or unwillingness to remain a good neighbor by maintaining their property.

B. Definition

A recidivist case is a newly opened case on a property involving the same responsible party for the same violation or any of the common blight violations as specified in Section III (B) (4) (a), where within the last 12 months, the responsible party has been issued a Notice of Ordinance Violation and/or civil citation, and/or had criminal charges filed for, and/or contractual abatement initiated.

An egregious violation is when the condition or state of a property is in an extreme state of violation, which could present health and safety issues, or is beyond the reasonable scenario where the owner may not be aware there is a violation.

Code Enforcement Policy

If unusual or mitigating circumstances warrant, the City Manager or designee exempt a responsible party from the recidivist designation. In such cases, the City Manager or designee will seek input from the complainant, neighborhood associations or block watches in the area, area residents or other staff, as appropriate, to assist in making a determination.

C. Notification Policy

Cases with violation which have been determined to be recidivist or chronic recidivist will not be issued a pre-notification letter or standard NOV, and will proceed immediately to one of the following code enforcement actions based on the unique facts of the case:

- issue a NOV requiring the abatement of the violations
- issue a civil citation
- issue a criminal summons

III. Inspection/Enforcement

A. Purpose

The Neighborhood Preservation Ordinance, Zoning Ordinance and other ordinances and codes enforced by the Neighborhood Services Department are enforced on a complaint basis. This is designed to encourage resident, neighborhood association, block watch or other city department participation in the enforcement process. The graffiti supplies non-access regulations (Section 39-10 D) of the Neighborhood Preservation Ordinance and mobile vending regulations are enforced proactively.

Anonymous complaints will be accepted with the following exceptions: illegal commercial business complaints; when past complaints for the same alleged violation on the same property have been found to be invalid on three or more occasions; and in situations when a street address is not provided. Complaints in these categories will require that the complainant provide a name and contact phone number.

B. Exceptions

Exceptions to the complaint-based enforcement policy are as follows:

1. Active Neighborhood Fight Back Areas

The Neighborhood Fight Back Program is a resident mobilization effort that provides a temporary increase in city services to assist in community revitalization efforts. The increased services are targeted to reduce crime, eliminate, or prevent blight and help restore or stabilize neighborhoods.

Deviation from the complaint-based enforcement process will take place at the request of, and with the active support and cooperation of, area residents.

Code Enforcement Policy

2. Neighborhood Initiative Areas

Combined with the city's long-standing commitment to improve distressed areas, the Neighborhood Services Department is focusing resources for concentrated and comprehensive revitalization in five Neighborhood Initiative Areas. The concept is to concentrate resources, complete revitalization, then move to other areas of need. The neighborhoods identified and selected require a comprehensive approach for restoration and revitalization. Staff works with residents so that success can be defined, and a strategy developed to achieve it.

These and future designated NIAs will allow for non-complaint-based inspections and enforcement.

3. Redevelopment Areas, Neighborhood Revitalization Areas, or other Target Areas

The Neighborhood Services Department works with resident advisory committees and neighborhood organizations in the city's designated Redevelopment Areas and other Target Areas to eliminate blight and to promote residential and commercial redevelopment and revitalization. In order to support and complement redevelopment and revitalization efforts within the designated redevelopment and Target Areas, systematic and non-complaint-based code enforcement may be required.

At the request of Phoenix City Council members, certain Neighborhood Revitalization Areas are designated by the Neighborhood Services Department for neighborhood organization and revitalization activities. Based upon the request of, and in partnership with, the neighborhood organization, non-complaint-based code enforcement may be implemented in these areas.

4. Properties in the Immediate Area which are an Obvious Detriment or Blight

When an initial inspection is conducted, based on a complaint, the inspector may:

- a. Expand upon the initial complaint on the same property and determine whether violations exist on the following items identified by City Council:
 - High weeds/grass or dead/dry bushes, trees, weeds and/or other vegetation
 - Inoperable vehicles
 - Junk, litter and/or debris
 - Open/vacant buildings and structures
 - Outside storage
 - Fences in disrepair
 - Vehicles parked on a non-dust proofed surface or in non-permitted areas of residential front or side yards
 - Graffiti

Code Enforcement Policy

- b. Inspect additional properties in the immediate area of the initial reported violation
- c. Limit the inspection to those items, which appeared as violations on the initial property on which the complaint was received; and the items listed in III (B)(4)(a).
- d. Initiate appropriate enforcement action

5. Environmental, Imminent Hazard and/or Fire Safety Conditions

In order to maintain and protect neighborhoods from imminent hazards, environmental hazards, fire hazards and other types of similar conditions that may immediately endanger or place residents in peril, the city will summarily inspect/abate any and all conditions which are discovered without benefit of complaint.

6. Seamless Service Efforts

The Neighborhood Services Department may be called upon by other departments or governmental agencies to partner on issues of community concern in areas outside of the city's designated Target Areas. It is the department's goal to provide seamless and coordinated service in such circumstances to facilitate the resolution of an identified community problem. In order to support and complement these interagency/interdepartmental efforts, systematic and non-complaint-based code enforcement may be implemented with the approval of the City Manager or designee.

7. City-designated Slum Properties

In an effort to comprehensively and effectively address multiple violations at city- designated slum properties, the Neighborhood Services Department may implement non-complaint-based code enforcement.

8. Recidivist/Chronic Recidivist Properties

To address frequently recurring violations on recidivist properties, the Neighborhood Services Department may initiate non-complaint-based inspections/ code enforcement on recidivist properties after case resolution to check for a recurrence of the same violation(s) and/or any of the common blight violations as identified in Section III. (B) (4) (a).

To assure lasting compliance on chronic recidivist properties, the Neighborhood Services Department shall initiate non-complaint based exterior inspections/ code enforcement on designated chronic recidivist properties after case resolution, to check for a recurrence of the same violation(s) and/or any of the common blight violations as identified in Section III. B. (4) (a).

Code Enforcement Policy

9. Private Communities

Enforcement of violations within private communities with private roads and/or limited public access are generally the responsibility of the owner(s), responsible party, property manager, and/or park managers. NSD will enforce violations visible from the property boundaries and health and safety violations reported by residents within the community.

IV. Hardship Assistance

A. Purpose

It is the intent of the city to provide assistance to all low- and moderate-income households that are eligible for financial assistance, and support for owners/responsible parties who are impacted by homelessness. Assistance and support will be provided in the form of information, referral, counseling, outreach, the provision of volunteer labor and/or the provision of direct financial assistance. Additional time to achieve compliance may also be necessary due to the resources offered.

B. Available Resources

Based upon funding availability and in some cases participant eligibility the Neighborhood Services Department will provide or coordinate the following types of assistance:

- Information
- Housing, financial, landlord/tenant counseling
- Referral to public, private, or nonprofit sources of assistance
- Tool lending
- Volunteer labor assistance
- Graffiti abatement supplies and assistance
- Financial assistance to bring violations into compliance
- Housing rehabilitation/reconstruction (limited geographic areas only)

V. Interdepartmental/Interagency Cooperation

A. Purpose

The Neighborhood Services Department will cooperate with other departments and agencies when appropriate to further the mutual goals of nuisance abatement and neighborhood maintenance for the benefit of the entire community.

B. Cooperation From Other Departments

Upon the request of the director or designee, the Police Department and any other department of the city will assist and cooperate with the director in the performance of duties related to the enforcement of ordinances. This cooperation may include assistance in enforcement or abatement actions,

Code Enforcement Policy

including removal of persons from buildings or structures to be demolished.

C. **Hazardous Conditions**

The city manager or designee may order immediate abatement of a hazard without notice. The Neighborhood Services Department may also request official concurrence from other departments as to whether immediate abatement action is necessary. These departments or agencies include, but are not limited to, Police, Fire, Public Works, Development Services, and the Maricopa County Environmental Services departments.

VI. Annual Review by City Council

This Code Enforcement Policy will be reviewed and evaluated annually by the City Council.



Request to Apply for and Accept Grant Funds for the U.S. Department of Energy Buildings Upgrade Prize (Ordinance S-50014)

Request to authorize the City Manager, or his designee, to apply for, and, if awarded, accept prize funds from the U.S. Department of Energy Buildings Upgrade Prize to fund a solar for low-income pilot program. Further request to authorize a procurement process to identify an entity to administer the pilot program to fund the installation of solar on low-income homes in Phoenix. Additionally request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The total prize funds applied for is \$400,000.

Summary

The U.S. Department of Energy launched an innovative Buildings Upgrade Prize (Buildings UP) on Jan. 18, 2023 to accelerate the transformation of U.S. buildings into energy-efficient and clean energy-ready homes, commercial spaces, and communities. In Phase 1 of Buildings UP, applicants will propose a concept to deliver scalable and replicable upgrades to buildings in disadvantaged communities, low- and moderate-income households, and underserved commercial, nonprofit, and public buildings. Phase 1 Equity-Centered Innovation winners will each receive a \$400,000 cash prize.

Staff are proposing to use the prize funds to offer free solar installations on twenty low-income owner-occupied homes in the City of Phoenix on a first-come first-served basis. The purpose of the program is to document the impact of solar on energy affordability in homes where more than 15 percent of household income is typically spent on energy. Roof-top solar energy can, in many cases, reduce annual energy bills by 75 percent or more. The proposed program is envisioned to be administered by a non-profit, who will assist the homeowner to select the solar installer, inspect the installation and contracts to ensure a quality installation, and track and report the impact for the two years following. The City's Human Services Department will provide the income verification to qualify applicants.

Contract Term

The prize would likely be awarded in the fall of 2023 and will be free from any reporting requirements back to the U.S. Department of Energy.

Financial Impact

The prize is \$400,000. No matching funds are required. Prize funds will be managed through the Office of Sustainability.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Planning Subcommittee approved this item on June 21, 2023 by a vote of 3-0.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Office of Sustainability.



Request to Apply for and Accept Spark Grant Funds for Community Engagement in e-Mobility (Ordinance S-50017)

Request to authorize the City Manager, or his designee, to apply for, and, if awarded, accept grant funds from Vitalyst Health Foundation (Vitalyst) to enhance existing e-mobility outreach to underserved neighborhoods and provide support to community-based organizations such as Unlimited Potential that are assisting in the outreach. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The total grant funds applied for is \$25,000.

Summary

Vitalyst Health Foundation offers \$25,000 Spark Grants for unique initiatives that support and enhance outreach to underserved communities. As part of the Transportation Electrification Action Plan implementation, the City is currently conducting listening sessions in underserved neighborhoods to better understand the e-mobility and active transportation needs of the community and identify solutions such as cool corridors, e-bike-share, and e-carshare, that would improve their quality of life. Listening sessions have already been conducted in English and Spanish in Maryvale and South Phoenix. This Spark Grant would support listening sessions to diverse populations in Sunnyslope, Alhambra, North Phoenix, East Phoenix, Estrella, and Laveen communities. The grant funds will include costs for community outreach and listening session facilitation services by community-based organizations.

Contract Term

The grants funds would be awarded and disbursed in calendar year 2023.

Financial Impact

The Spark Grant is \$25,000. No matching funds are required. The funds and the listening sessions would be administered by the Office of Sustainability.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Office of Sustainability.



Authorization to Issue a Request for Qualifications to Create a Qualified Vendor List for Solar Installations on City Property (Ordinance S-50015)

Request to authorize the City Manager, or his designee, to issue a Request for Qualifications (RFQu) to create a Qualified Vendor List (QVL) for solar services. The requested procurement process will result in a recommended Qualified Vendors List and associated contracts to be proposed for City Council approval in the fall.

Summary

On Feb. 7, 2018, City Council approved the creation of a QVL for solar contractors with five-year contracts that extended to February 2023. Multiple solar projects were implemented under those agreements at both Aviation and Public Works facilities to bring the total number of solar installations on City property to 57 as shown in **Attachment 1**. Staff are forecasting that up to 20 new solar installations are likely to be completed by 2030, the majority of which could be completed through solar services agreements under a new qualified vendor list. Staff are seeking Council approval to proceed with the procurement process.

Procurement

The RFQu will be issued in accordance with Administrative Regulation 3.10, Qualified Based Selection. Qualifications must include demonstrated past experience and ability to finance installations through solar services agreements. The RFQu will result in a list of qualified vendors established on specific criteria, such as statements of qualification and work, key personnel and firm references.

Financial Impact

A recommendation for approval of firms will be brought back to City Council in the fall. Once solar projects are developed, the primary means of financing will require no upfront capital, but instead paid through solar services agreements that commit to purchasing the power they produce at a stated price competitive with existing and projected electric utility rates.

Concurrence/Previous Council Action

This item was approved by the Transportation, Infrastructure and Planning Subcommittee on June 21, 2023 by a vote of 3-0.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Office of Sustainability.

ATTACHMENT 1: Solar Installations on City Property

As of 5/30/2023



	Location Name	Address	Dept	Install Date	KW-DC	Est. kWh yr
<i>Built, owned, operated, and managed by CoP.</i>						
1	Aviation HQ	2485 E Buckeye Rd	AVN	2020	580	913,211
2	Fillmore Gardens I	802 N 22nd Pl	HSG	2012	207	340,492
3	Burton Barr Central Library	1221 N Central Ave	LIB	2011	150	227,064
4	Metro Facilities Building	2631 S 22nd Ave	PWD	2012	100	152,051
5	PCC - West Bldg	100 N 3rd St	CON	2007	100	160,567
6	Sunnyslope CC Gym & Main	802 E Vogel Ave	PRD	2011	100	163,482
7	A.E. England Building	444 N Central Ave	PRD	2008	53	85,608
8	Marcos de Niza I	305 W Pima St	HSG	2012	44	72,253
9	Helen Drake Senior Center	7600 N 27th Ave	HSD	2011	42	68,663
10	Paradise Village Apts	2525 E Aire Libre Ave	HSG	2010	41	66,241
11	McCarty on Monroe	1130 E Monroe St	HSG	2011	30	49,045
12	Pecos Community Center	17010 S 48th St	PRD	2007	30	48,170
13	Central Station Transit Center	300 N Central Ave	PTD	2011	24	39,890
14	24th St/Baseline PNR	7415 S 24th Pl	PTD	2015	24	39,935
15	Happy Valley PNR	24725 N 29th Ave	PTD	2012	45	73,790
16	Desert Sky Transit Center	7887 W Thomas Rd	PTD	2015	21	35,692
17	Fire Station #1	305 N 4th Ave	FIRE	2011	20	32,271
18	Fire Station #59	1111 S 65th Ave	FIRE	2011	15	24,522
19	Fire Station #72	33027 N Cave Creek Rd	FIRE	2010	14	22,379
20	Maryvale Pool	4444 N 51st Ave	PRD	2009	12	19,443
21	Walker Building	300 W Washington St	PWD	2013	10	17,167
22	Eastlake Park	1549 E Jefferson St	PRD	2013	10	17,236
23	Fire Training Academy	2425 W Lower Buckeye Rd	FIRE	2011	10	16,348
24	Washington Activity Center	2240 W Citrus Way	PRD	2011	10	16,348
25	Camp Colley (off grid)	FS Rd 95, Happy Jack, AZ	PRD	2007	8	13,568
26	27 W Baseline Park & Ride	2727 W Baseline Rd	PTD	2012	8	13,597
27	NG Transfer Station	30205 N Black Canyon Hwy	PWD	2006	7	11,189
28	Dust Devil Park	10645 W Camelback Rd	PRD	2012	7	10,838
29	North Mountain Visitor Ctr.	12950 N 7th St	PRD	2008	3	5,081
30	Peace Park	5221 S 13th Pl	PRD	2011	3	4,904
31	South Mt Preserve (Pima Canyon)	4500 E Pima Canyon Rd	PRD	2018	2	3,709
32	Sonoran Preserve (Apache Wash)	1600 E Sonoran Desert Dr	PRD	2014	2	2,734
33	Sonoran Preserve (Desert Vista)	W Desert Vista Trail	PRD	2012	2	2,709
					1,735	2,770,197
<i>Built by solar vendor with Solar Services Agreement</i>						
34	Lake Pleasant WTP	37000 N New River Rd	WSD	2012	7,500	12,775,444
35	Rental Car Center	1805 E Sky Harbor Cir So	AVN	2011	4,100	6,206,420
36	East Economy Parking Garages	4215 E Sky Harbor Blvd	AVN	2011	1,300	1,967,889
37	Adams St. Garage	310 W Adams St	PWD	2012	617	938,065
38	Fleet Services	2631 S 22nd Ave	PWD	2022	540	926,100
39	305 Garage	305 Washington St	PWD	2013	328	553,362
					14,385	23,367,280
<i>Built by CoP, operated, and managed by third parties</i>						
40	Frank Luke - Aeroterra Apartments	1650 E Villa St	HSG	2016	241	403,578
41	Footprint Center Arena Garage	132 S 1st St	PCC	2011	238	389,088
42	Pecos Park & Ride	17010 S 40th St	PTD	2003	100	157,651
43	Phoenix Children's Museum	215 N 7th St	PRD	2012	100	152,051
44	Audubon Visitor Center	3131 S Central Ave	PRD	2011	30	49,045
45	Heritage & Science Park	603 E Adams St	PRD	2012	30	49,263
46	NRG (Clearway) PCC Plant	75 N 2nd St	PCC	2011	4	5,885
					743	1,206,562

<i>On City property, but designed, built, owned, operated, and managed by third party</i>						
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47	SR-85, DESERT STAR	SR-85, Buckeye	PWD	2015	11,200	18,625,600
48	Valley Metro - Op. Center	605 S 48th St	PTD	2015	783	1,302,895
49	Summit Apartments	12830 N Paradise Village Pkwy	HSG	2021	225	374,175
50	Marcos de Niza II	305 W Pima St	HSG	2021	219	364,322
51	Washington Manor	1123 E Monroe St	HSG	2021	150	249,450
52	Monroe Gardens	1441 E Monroe St	HSG	2021	130	216,190
53	Sunnyslope Manor	205 E Ruth Ave	HSG	2021	113	187,088
54	Fillmore Gardens II	802 N 22nd Pl	HSG	2021	100	166,300
55	ASU DT - Walter Cronkite	555 N Central Ave	CEDD	2011	77	125,881
56	PHX Zoo - Doornbos Center	455 N Galvin Pkwy	PRD	2013	48	79,831
57	US Customs/Air National Guard Lot	3002 E Old Tower Rd	AVN	2012	23	37,933
					13,068	21,729,665

Grand total of solar on City property:

29,932 49,073,703



Authorization to Issue a Request for Proposals for an Owner Representative for Energy Performance Contracts (Ordinance S-50030)

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for an owner representative to assist City staff in evaluating energy efficiency and renewable energy project proposals submitted by energy service companies on contract with the City. Further request to authorize the City Manager, or his designee, to execute an amendment to Contract 146596 with JBA Consulting Engineers Inc. dba NV5 Consultants (NV5), that extends the end date of the current contract by 12 months to October 31, 2024 to ensure adequate time is available to conduct the full procurement process and contract signing prior to the current owner representative contract expiring. Additionally request to authorize the City Controller to disburse all funds related to this item.

Summary

The City has contracts with five Energy Service Companies (ESCO) under the Job Order Contract (JOC) program to install energy efficiency measures on a large number of City facilities totaling approximately 11.5 million square feet of space. The Owner Representative acts as a Project Facilitator, working with all ESCOs to achieve the City's energy reduction goals and provide oversight. The scope of work includes proposal analysis, project review, project implementation inspection, and post-completion Measurement and Verification (M&V) reviews.

The procurement process may require more than six months to complete and, therefore, staff are requesting an extension on the current owner representative contract with NV5 in order to ensure City services and projects are not interrupted.

Contract Term

The amendment to the current owner representative contract will extend the end date of the NV5 contract from Oct. 31, 2023 to Oct. 31, 2024.

Financial Impact

A recommendation for approval of the selected firm will be brought back to City Council at a later date. The current authorization for the Owner Representative was previously approved for expenditures not-to-exceed \$544,000 using the existing

revolving energy fund cost center. No additional spending authority is required.

Concurrence/Previous Council Action

The City Council approved:

- Owner Representative for Energy Performance Contracts with JOC Vendors Contract 146596 (Ordinance S-44026) on Nov. 1, 2017.
- Owner Representative for Energy Performance Contracts with JOC Vendors Contract 146596 - Amendment (Ordinance S-45818) on June 19, 2019.
- Owner Representative for Energy Performance Contracts with JOC Vendors Contract 146596 - Amendment (Ordinance S-48046) on Oct. 27, 2021.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Office of Sustainability.



Authorization to Issue a Request for Qualifications for Energy Service Companies for Energy Performance Contracting (Ordinance S-50016)

Request to authorize the City Manager, or his designee, to issue a Request for Qualifications (RFQu) for Energy Service Companies (ESCOs) to implement turnkey energy-saving projects in City facilities. The requested procurement process will result in a recommended Qualified Energy Contractors List for City Council approval in the fall.

Summary

On July 6, 2017, City Council approved five Energy Service Companies (ESCOs) to be on a Qualified Vendors List (QVL) to undertake cost-effective turn-key energy efficiency solutions to achieve energy savings that are sustainable throughout the operating life of the facilities. The scope of work included: surveying applicable sites and facilities; conducting investment grade audits and identifying energy-saving solutions that maximize the economic benefit to the City; providing project recommendations and evaluating cost-saving potential; constructing, implementing, commissioning, and financing of the projects.

Under the current QVL, energy upgrade projects have been completed at the airport, the convention center and in Public Works managed facilities, and numerous Investment Grade Audits (IGAs) are nearing completion. However, the current job order contracts expire at the end of September 2023. Staff are seeking Council approval to issue a Request for Qualifications (RFQu) to select an updated list of qualified vendors to undertake additional energy efficiency projects.

Projects completed by the current qualified vendors have been directly funded by the City using capital or other funds made available at the time of project proposals. However, under the proposed RFQu, vendors will be required to offer a Contingency Payment Agreement (CPA) such that the City can request the projects be fully funded by the vendor and paid exclusively out of energy savings verified by the third party. In this form of contract, no upfront capital is required by the City, but instead, payments are "contingent" on verified energy savings. In addition, because the payments are not fixed but contingent on savings, the rating agencies have confirmed the projects would not effect the borrowing capacity of the City. Lastly, because the savings are

guaranteed, the vendors typically underestimate the savings to manage their risk, so additional savings may be realized by the City beyond what is guaranteed in the payment agreements.

Procurement

The RFQu will be issued as soon as possible. Qualifications must include demonstrated past experience and ability to finance installations through contingency payment agreements. In accordance with Administrative Regulation 3.10, Qualifications Based Selection, a list of qualified vendors shall be established based on specific criteria, such as statements of qualification and work, key personnel, and firm references.

Financial Impact

A recommendation for approval of firms will be brought back to City Council in the fall. Once procurement is complete and projects are underway, participating departments may elect to use capital or other funds to pay for energy efficiency projects, however, the procurement will require that all vendors offer contingency payment arrangements as described in the narrative above. The Finance Department will review and approve all contingency payment agreements arising from approved energy performance contractors.

Concurrence/Previous Council Action

Council previously approved:

- Energy Efficiency Services Job Order Contract - 4108JOC157 (Ordinance S-43807) on July 6, 2017.
- This item was approved by the Transportation, Infrastructure and Planning SubCommittee on June 21, 2023 by a vote of 3-0.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Office of Sustainability.



**Donation from STACK Americas for the Parks and Recreation Department
(Ordinance S-49982)**

Request authorization for the City Manager, or his designee, to accept a donation of \$200,000 from STACK Americas for the Parks and Recreation Department. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this donation.

Summary

The Planning and Development Department confirmed that submittal and receipt of the donated funds to the Parks and Recreation Department will satisfy the intent and constitute compliance with Stipulation 8 regarding Rezoning Case No. PHO-2-07-Z-341-85-8.

Financial Impact

This donation does not require any matching funds.

Responsible Department

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



Van Rental - IFB 18-179 - Amendment (Ordinance S-49966)

Request to authorize the City Manager, or his designee, to execute contract amendments for van rental transportation with A-1 Leasing, Inc Contract (147968) and Carl Van Rentals Contract (147969) to extend the contract terms. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed; request to continue using Ordinance (S-44797).

Summary

These contracts enable the Parks and Recreation Department to rent vans to support various summer and recreational programs offered by the City to the community. The contracts include two different types of vans: a 15-passenger van and a 4-passenger wheelchair accessible van. The ability to rent vans for youth summer activities supports and enhances the quality of summer and recreational programs. The term extensions will allow staff additional time to conduct a competitive procurement process.

Contract Term

Upon approval the contracts will be extended through June 30, 2024.

Financial Impact

No additional funds are requested. The aggregate value of the contracts will not exceed \$100,000.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Van Rentals (Ordinance S-44797) on June 20, 2018.

Responsible Department

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



Intergovernmental Agreement with Arizona Game and Fish Commission for City of Phoenix Community Fishing Program - Amendment (Ordinance S-49968)

Request to authorize the City Manager, or his designee, to execute an amendment to the Intergovernmental Agreement (IGA) with Arizona Game and Fish Commission to continue the City's participation with the Community Fishing Program by extending the contract beyond term. Further request additional funding in the amount of \$66,000 and authorize the City Controller to disburse all funds related to this item. Funding for this item will not exceed \$353,879.

Summary

The City has participated in the Community Fishing Program since 1986 and it is very popular with Phoenix residents. The program provides urban fishing opportunities at seven City parks: Cortez, Cesar Chavez/Alvord Lake, Desert West, Encanto, Papago, Steele Indian School and Roadrunner. As part of the IGA, the Arizona Game and Fish Department will stock the seven lakes with various fish species for anglers and will market the program through its Community Fishing Program brochure and website. In addition, fishing education clinics will be offered, including an information station at each lake location.

Arizona Game and Fish Commission requested to enter into an amendment for beyond term to allow additional time for negotiating the next five-year agreement.

Contract Term

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

Financial Impact

Upon approval of \$66,000 in additional funds, the revised aggregate value of the contract will not exceed \$353,879. Funds are available in the Parks and Recreation Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Intergovernmental Agreement with Arizona Game and Fish Commission for City of

Phoenix Community Fishing Program S-44943 on Aug. 29, 2018.

Responsible Department

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



Fee Increase for Use of Phoenix Tennis Center (Ordinance S-50007)

This report requests the City Council increase court and light fees at the Phoenix Tennis Center. There will be no financial impact to the City as a result of this item.

Summary

The Phoenix Tennis Center (PTC) is located at 6330 N. 21st Ave. within Washington Park. The PTC is the largest public tennis complex in the Phoenix metropolitan area. Amenities at the PTC include 25 tennis courts, a hitting wall, pro-shop, clubhouse and restroom facilities.

In September 2019, Ragland Tennis Services, LLC (RTS) was awarded the concessionaire contract of the PTC for an initial five-year term with two five-year renewal options. RTS has installed a new online reservation system, scoring equipment and umpire chairs; and upgraded and painted the hitting wall. Additionally, RTS offers discounted or free services and equipment for low-income youth, employs members from the local community, offers wheelchair tennis instruction and play, and has an outreach program to local area schools. RTS has hosted tournaments for local and regional colleges and universities, high schools, and paraprofessional tennis clubs and organizations.

Per the existing contract, RTS has the right to renegotiate any provisions of the agreement, including court fees and light fees at select intervals during the agreement. The current fees were approved nine years ago by the Parks and Recreation Board and the Phoenix City Council in 2014. The current fees are as follows:

Per Person Court Fee

\$4.00 Adults per 1.5 hours

\$2.00 Juniors per 1.5 hours

\$5.00 Light fee added per court for any usage 6 p.m. or later

Due to current inflation rates, increases in minimum wage and rising utility costs, the PTC experienced a 36.3 percent increase in operating expenses between 2019 and 2023.

Staff recommends City Council approve increased fees for the Phoenix Tennis Center to be \$6 per adult per 90 minutes and \$6 per court for lighting per 90 minutes. Further recommend City Council approve no change to the current juniors fees of \$2 per junior per 90 minutes. The fee increase will allow the Phoenix Tennis Center to continue to provide affordable tennis options for the community in alignment with other municipal tennis centers while also providing a quality tennis facility.

Concurrence/Previous Council Action

This item was recommended for approval by the Parks and Recreation Board on April 27, 2023.

This item was recommended for approval by the Community and Cultural Investment Subcommittee on June 7, 2023.

Location

6330 N. 21st Ave.

Council District: 5

Responsible Department

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



Entertainment District Formation Consulting Services - Authorization to Issue Solicitation (Ordinance S-49918)

Request City Council to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for a consultant to assist in the identification, establishment, and activation of an entertainment district. There is no impact to the General Fund with this action.

Summary

In 2019, Conventions, Sports & Leisure International (CSL) completed a market study on behalf of the Phoenix Convention Center (PCC). The study included an analysis of the PCC's strategic advantages along with recommendations to enhance the PCC market capture through near and long-term space and site planning, hotel development, and destination enhancement. In 2022, an update to the study was completed to incorporate the effects and changes of the COVID-19 pandemic to the industry. A key finding and recommendation of both the 2019 study and the 2022 update was the creation of an entertainment district, to generally surround PCC. An entertainment district would provide conventioners, visitors, and residents a walkable, vibrant, safe, and navigable area that could include amenities such as density of restaurants, bars, attractions, street performers, public art, significant lighting and landscaping, scooter docks, and electric vehicle shuttles.

With approval, staff will issue an RFP to obtain entertainment district formation consulting services. The procurement will be led by the Community and Economic Development Department with support from key stakeholder departments and City partners.

The scope of work will include:

- Identification of potential boundaries for the Entertainment District.
- Market and feasibility analysis.
- Evaluation of land use and zoning ordinances that impact the recommended area.
- Stakeholder engagement and feedback.
- Plan development including location, Zoning/Code change recommendations, and

an implementation strategy.

Each proposer and its primary consultant will be required to have five years experience providing entertainment district formation consulting services. Prior to issuance, staff will complete research on best practices regarding the analysis and implementation of an entertainment district, and selection of a consultant.

Responsive proposals will be evaluated by a panel based on the following evaluation criteria:

- Primary Consultant's Qualifications and Experience (0-300 points).
- Approach to Scope of Work (0-250 points).
- Proposer's Qualifications and Experience (0-250 points).
- Fees (0-200 points).

Staff will return to City Council for contract award approval. Following the contract award, staff will conduct outreach to stakeholders concerning the results of the study as well as recommended strategies that will form the implementation plan.

Financial Impact

There is no impact to the General Fund as a result of this action.

Previous Council Action

The item was recommended for approval by the Economic Development and Equity Subcommittee at the June 13, 2023 meeting by a vote of 4-0.

Location

Council Districts: 7 and 8

Responsible Department

This item is submitted by Interim Deputy City Manager John Chan and the Community and Economic Development Department.



**Western Maricopa Coalition (WESTMARC) Dues for Fiscal Years 2023-26
(Ordinance S-49921)**

Request to authorize the City Manager, or his designee, to pay membership dues to Western Maricopa Coalition (WESTMARC) for Fiscal Years (FY) 2023-26 in the amount of \$20,000 annually, plus a consumer price index escalator each year after the first year, for a total not to exceed \$75,000 for the three years. Further request authorization for the City Controller to disburse funds related to this item.

Summary

WESTMARC was formed in 1990 to address important issues facing the West Valley's economic prosperity. WESTMARC, a public-private partnership, actively promotes the West Valley region of Greater Phoenix (area west of I-17) and represents 15 cities and the West Valley business community and education sector. In partnership with the Community and Economic Development Department (CEDD), WESTMARC gives specific focus to the Villages of Alhambra, Estrella, Deer Valley, Laveen, Maryvale, North Gateway, North Mountain, and Rio Vista.

CEDD participates in many of WESTMARC's committees, including the Economic Development, Quality of Life, Workforce and Marketing committees. Participation in these committees promotes collaboration with other west valley cities, businesses, investors and stakeholders. In addition, WESTMARC provides statistical information regarding workforce and West Valley demographics, which are utilized in preparing strategies for retail and business attraction to West Phoenix. CEDD has also had opportunities to promote West Phoenix Opportunity Zones and featured sites for restaurant and retail development at WESTMARC pitch events. The membership provides a table of 10 to each of WESTMARC's signature events including its annual meeting, Governor's State of the State Luncheon, Economic Development Summit, and the Best of the West Awards.

Financial Impact

Membership dues are based on population and communities with more than 100,000 residents, the cost is \$20,000 for FY 2023-24. A consumer price index escalator will be applied for subsequent years. The three-year, cumulative amount for Fiscal Years 2023-26 will not exceed \$75,000. Funding is available in CEDD's General Fund

budget.

Concurrence/Previous Council Action

This item was recommended for approval by the Economic Development and Equity Subcommittee at the June 13, 2023, meeting by a vote of 4-0.

Location

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

Responsible Department

This item is submitted by Interim Deputy City Manager John Chan and the Community and Economic Development Department.



**Arizona BioIndustry Association Annual Membership for Fiscal Year 2023-24
(Ordinance S-49917)**

Request City Council to authorize the City Manager, or his designee, to pay membership dues to the Arizona BioIndustry Association (AZBio) for Fiscal Year (FY) 2023-24 in the amount of \$15,000. There is no impact to the General Fund with this action. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

CBRE, Inc., a national commercial real estate firm, has recognized the City of Phoenix as a hub of bioscience activity and has ranked Phoenix fifth in the nation as an Emerging Life Science Market in its 2020 annual U.S. Life Science Report and first for Life Science Job Growth in Emerging Life Science Markets in its 2021 report. The City has been a member of the AZBio for six years and staff recommend continuing this membership for FY 2023-24 to maintain and grow the City's position in the industry. AZBio is the only statewide organization exclusively focused on building Arizona's bioindustry and it is committed to building a top-tier life science industry in Arizona and is a critical partner for Phoenix. As specialists, AZBio provides industry insight, programs specifically designed for life science organizations, visibility into investment opportunities, and a voice for the industry in the media, across the community, and with elected leaders and government agencies at the local, state, and federal levels.

Financial Impact

Annual membership is \$15,000. Funding is available in the Genomic Facilities and Operations Fund. There is no impact to the General Fund.

Concurrence/Previous Council Action

The item was recommended for approval by the Economic Development and Equity Subcommittee at the June 13, 2023, meeting by a vote of 4-0.

Responsible Department

This item is submitted by Interim Deputy City Manager John Chan and the Community and Economic Development Department.



Business Attraction and Development Services Contract Award - Greater Phoenix Economic Council (Ordinance S-49920)

Request to authorize the City Manager, or his designee, to enter into a contract with the Greater Phoenix Economic Council (GPEC) for business attraction and development services. The cost for year one of the contract will not exceed \$811,450. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available in the budgets of the Aviation, Community and Economic Development, Public Works and Water Services departments.

Summary

GPEC's mission is to attract and grow quality businesses in the region and advocate for Greater Phoenix's competitiveness. Its efforts include marketing the region, including coordinating regional prospect proposals and real estate tours, domestic and international sales missions, and other strategic activities resulting in business investment in Greater Phoenix.

The City has been a member of GPEC since the organization's inception in 1989. The fee for each GPEC member in Maricopa County is calculated using a per capita rate of \$0.4897, which has remained constant since 2020, and is based on the most current population estimates from the Arizona Office of Economic Opportunity. The 2022 population estimate for Phoenix is 1,657,035. Based on this formula, the Fiscal Year (FY) 2023-24 contract amount is \$811,450, which will be shared equally by the Aviation, Public Works, Water Services, and Community and Economic Development (CED) departments.

GPEC regularly collaborates with CED to generate prospects and attract new business investment from outside the region. As of Feb. 2023, GPEC's efforts this fiscal year have helped locate 25 companies to the region, with the expectation of creating nearly 5,000 jobs and capital investments exceeding \$397.4 million. To date, eight of those companies have chosen to locate in Phoenix. Over the past five years, Phoenix's return on investment from our partnership with GPEC has been \$107 of direct revenue for every \$1 invested.

GPEC represents 23 municipalities in the region, including Maricopa County, and

conducts a variety of diverse and value-added services and activities on behalf of its members. In addition to the public sector members, more than 190 private investors contribute resources to support GPEC's efforts.

Procurement Information

In accordance with Administrative Regulation 3.10, an exception to the procurement process was approved to select this vendor as a Sole Source given its unique role in performing business attraction and development services for the Greater Phoenix region.

Contract Term

If approved, the term of the contract will be one year with four one-year renewal options to be exercised at the City's discretion. Staff will return to Council for approval of each year's proposed contract amount. The contract term will begin on or around July 1, 2023.

Financial Impact

The FY 2023-24 contract amount is \$811,450, which will be shared equally by the Aviation, Public Works, Water Services and CED departments.

Concurrence/Previous Council Action

This item was recommended for approval by the Economic Development and Equity Subcommittee at the June 13, 2023 meeting by a vote of 4-0.

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Ginger Spencer, Interim Deputy City Manager John Chan, and the Aviation, Public Works, Water Services and Community and Economic Development departments.



Phoenix Sister Cities, Inc. - Authorization to Extend Contract (Ordinance S-49942)

Request to authorize the City Manager, or his designee, to extend the City's contract with Phoenix Sister Cities, Inc. (PSC). The original contract dates were July 1, 202, through June 30, 2024. The extension would continue the contract through June 30, 2026. The contract supports program coordination in youth and education, municipal and technical cooperation, business, and arts and culture with Phoenix's 11 Sister Cities. Additional expenditures are not to exceed \$1,350,000 through June 30, 2026.

Summary

Phoenix Sister Cities, Inc. is a 501(c)(3) nonprofit organization established in 1972. It is responsible for coordinating exchange programs in youth and education, municipal and technical cooperation, business, and arts and culture with Phoenix's 11 Sister Cities. Currently, the City has Sister Cities relationships with Calgary, Canada; Catania, Italy; Chengdu, China; Ennis, Ireland; Hermosillo, Mexico; Himeji, Japan; Grenoble, France; Prague, Czech Republic; Ramat-Gan, Israel; Suwon, South Korea; and Taipei, Taiwan.

PSC exists to create people-to-people relationships between the residents of Phoenix and its Sister Cities through commercial, educational, cultural, and artistic exchange programs and events that create and sustain global, long-term, international partnerships, and business opportunities for Phoenix. The City has contracted with PSC since the mid-1980s. The organization is administered by a Board of Directors composed of PSC Commission members, appointed by the Mayor and approved by the City Council, the chairpersons of the 11 Sister Cities committees, and the Disability Awareness Committee. Currently, four other community members serve as at-large Board members.

During the contract period July 1, 2021 through the present, PSC coordinated:

- The establishment of a Sister Cities relationship with Suwon, South Korea;
- Events and activities to welcome to Phoenix employees of the Taiwan Semiconductor Manufacturing Company and their families, including a celebration

- at Arizona State University (ASU) West for Double Ten (Taiwan's national holiday);
- A trade mission of companies from Calgary, Canada, exploring opportunities to launch their U.S. operations in consumer packaged goods from Phoenix;
- A trade mission of companies from the Czech Republic in artificial intelligence, biotech, fintech, and cybersecurity, exploring opportunities to launch their U.S. operations from Phoenix;
- An event to introduce Phoenix economic development opportunities to 27 economic attaches of the European Union (stationed in their respective embassies in Washington, D.C.) during a visit to Phoenix;
- A delegation of Phoenixians to Hermosillo, Mexico, to explore baseball, art, and cuisine in Phoenix's oldest Sister City;
- An event to introduce Phoenix economic development opportunities to 31 members of the Global Federation of Chinese Business Women (headquartered in Taipei, Taiwan) during a visit to Phoenix;
- Negotiations to establish a Sister Cities relationship with Medellin, Colombia, including sending a working delegation to Medellin and receiving a working delegation, in turn, to determine the terms of a Sister Cities agreement; and more.

These activities are accomplished by outsourcing the coordination of events and exchanges through a great number of PSC volunteers, totaling more than 13,000 hours and valued at more than \$400,000 between July 1, 2021 and June 30, 2022.

In March 2020, Council approved an International Trade Strategy to advance the City's economic development activities with multiple partners internationally. Described in the plan, amongst its many components, is the expansion of international inbound and outbound delegations to grow new international activity as well as partnerships.

Beginning in Fiscal Year 2024, PSC will expand its scope beyond its traditional role and provide support to the City's International Trade Strategy. To meet this expanded role and continue the work already undertaken, funding for PSC will support:

- The adoption of up to three new Sister Cities: one in India; one in Africa; and Medellin, Colombia (contingent upon City Council approval);
- Business Development programs - continuing the work that began with the trade missions outlined above; and
- Costs associated with the Phoenix Global Forum - an international economic development conference to be presented annually beginning in May 2024 in partnership with the International Economic Forum of the Americas.

The PSC program has been recognized by Sister Cities International for its excellence, receiving the award for Best Overall Program in the U.S. (for a city with a population over 500,001) 10 times in the last 24 years - most recently in 2022.

Procurement Information

In compliance with Administrative Regulation 3.10, an exception to the procurement process was approved to select this vendor as a sole sources given its unique role in providing these services to the City.

Contract Term

If approved, the revised contract term will be extended through June 30, 2026.

Financial Impact

City funds pay for staff salaries and benefits. All PSC exchanges, events and travel are privately funded. The budget for the remaining contract period through June 30, 2026, totals \$1,350,000. The funding increase for these expanded services in FY 2023-24 will come from the Downtown Community Reinvestment Fund and the funding for FY 2024-25 and FY 2025-26 will come from the General Fund.

Concurrence/Previous Council Action

The Economic Development and Equity Subcommittee recommended approval of this request on June 13, 2023, by a vote of 4-0.

Responsible Department

This item is submitted by Interim Deputy City Manager John Chan and the Community and Economic Development Department.



Authorization to Enter into a Temporary Parking License Agreement with Translational Genomics Research Institute (Ordinance S-49988)

Request to authorize the City Manager, or his designee, to enter into a temporary parking license agreement with Translational Genomics Research Institute (TGen) for temporary parking staging needs. Further request to authorize the City Treasurer to accept all necessary funds related to this item. There is no impact to the General Fund as a result of this action.

Summary

The Community and Economic Development Department (CEDD) manages the property at the southwestern corner of Fillmore and 7th streets. The property has been vacant for a number of years and is occasionally used to support development activities in the Phoenix Biosciences Core. CEDD requests authorization to enter into a temporary parking license agreement with TGen for the temporary parking of a mobile testing unit, MindCrowd. The mobile unit utilizes online 'games' to assess brain health and insights for brain diseases, including Alzheimer's. The mobile testing unit is expected to require six parking spaces.

Contract Term

The term of the license will be 30 days, with a maximum of two 30-day extensions as defined in the license, and will begin later this year. The specific start and end dates will be determined once the mobile testing unit's schedule has been finalized.

Financial Impact

The license fee will be based on market rent and/or other valuable consideration, and any fees received will be deposited into the City's Genomic Facilities and Operations Fund.

Location

Southwestern corner of Fillmore and 7th streets
Council District: 8

Responsible Department

This item is submitted by Interim Deputy City Manager John Chan and the Community and Economic Development Department.



Amend Development Agreements with Phoenix IG, LLC for Redevelopment of the Former Metrocenter Mall (Ordinance S-49950)

Authorize the City Manager, or his designee, to amend City Contracts 157702 and 157703 (Agreements) with Phoenix IG, LLC, or its City-approved designee (Developer), to facilitate proposed bond financing through the Phoenix Industrial Development Authority (Phoenix IDA) for the future redevelopment of Metrocenter Mall at 9617 N. Metro Parkway West (Site), as well as construction of additional public amenities at the Site and commitment of additional future transaction privilege tax (TPT) revenues generated by the project. Staff requests further authorization to enter into an intergovernmental agreement (IGA) with the Phoenix IDA and other agreements necessary to effectuate the terms of the amendments and authorization from the City Controller to disburse funds related to this item.

Summary

Developer has entered into Agreements with the City to facilitate the demolition and redevelopment of the Site into a mixed-use transit oriented development. In conjunction with executing those Agreements, Developer successfully purchased 65 acres of the former mall in January 2023.

Following the acquisition, Developer approached the City concerning its desire to utilize bond financing through the Phoenix IDA. To support the construction of bond-financed public amenities as part of the redevelopment, Developer has requested the City exercise its authority to facilitate assessments on the Site to re-pay the bond trustee to the extent permitted by law. There will be no financial obligation or debt liability to the City as a result of this action; the City will only be utilizing its authority to perform assessments to the extent permitted by law.

In addition, Developer has proposed to build further public amenities at the Site, including an expansion of the public plaza on the roof deck of the proposed garage and construction of shell office space for use by the Phoenix Police Department at the new development. Furthermore, additional private streets where public access will be beneficial to the City have been identified. The Developer has agreed to dedicate public access easements across these streets. These proposed additional public amenities will qualify for reimbursement by project-generated TPT payments as

contemplated by the TPT Development Agreement (TPT DA) (157703) previously authorized by City Council.

To support the public amenities constructed by Developer, City will pledge the additional non-restricted three percent portion of the City's Hotel Tax for a period equal to the 25-year period that is currently pledged under the TPT DA for the General Fund share of the Hotel Tax. This will only apply to the Site-generated TPT.

Beyond the public amenities at the Site, Developer has also committed to entering into maintenance agreements and revocable permits with the Street Transportation Department to accept maintenance and beautification of the City Right-of-Way at Cheryl Drive and Metro Parkway East adjacent to the new Metro Parkway Transit Center and Park and Ride, which is under construction.

All other terms and conditions of the Agreements will remain in full force and effect.

Financial Impact

The additional City financial impact will be the contribution of the full non-restricted portion of the Hotel TPT generated from properties within the Site. Staff estimates the additional non-restricted Hotel TPT over the term of the Agreements to equal \$7.2 million. Financial terms of the Agreements will be provided to the Budget and Research and Finance departments for review prior to execution of the Agreements.

Concurrence/Previous Council Action

City Council previously approved:

- Transaction Privilege Tax Development Agreement (Ordinance S-48677) on May 25, 2022; and
- Government Property Lease Excise Tax (GPLET) Development Agreement on Nov. 16, 2022.

Location

9617 N. Metro Parkway West
Council District: 1

Responsible Department

This item is submitted by City Manager Jeffrey Barton, Interim Deputy City Manager John Chan, and the Finance and Community and Economic Development departments.



Authorization to Enter into an Intergovernmental Agreement with Arizona State University for the Development of Entrepreneurship and Innovation Programs in Downtown Phoenix (Ordinance S-50019)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with Arizona State University (ASU) for the development of entrepreneurship and innovation programs in downtown Phoenix. There is no impact to the General Fund as a result of this action.

Summary

On Oct. 18, 2017, City Council authorized an IGA with ASU (Contract 146961) for the development of programs designed to assist Phoenix community-based entrepreneurs with launching, growing and scaling their ventures, and commercializing technologies, in downtown Phoenix. The ASU programs will also provide the opportunity to enhance learning environments, offering students a location to learn the practical application of coursework while providing the entrepreneur, hobbyist, inventor, and small-business community with access to the tools, services and physical space needed for startup business development. Services available to assist startup businesses will include hands-on instruction, mentorship, and business services such as legal, marketing and operational services. The programs will increase opportunity for connectivity and collaboration, and will leverage existing resources and clusters of active entrepreneurs. Additionally, the programs will increase intensity and attention, by highlighting downtown Phoenix's assets, enhance the reputation and visibility of Arizona as a leading state to support startups as well as development of an entrepreneurial ecosystem.

Due to COVID-19, the program planning and implementation efforts were halted. At the end of 2022, ASU began to re-imagine what these programs may look like moving forward, considering the change in the downtown landscape and programmatic needs post-COVID. The agreement expired in February 2023; this new IGA will contain substantially the same terms as the previous agreement. This IGA will alter the timeline and site requirements as follows:

- The term of the agreement shall be for three years.
- ASU and the City shall work together to identify a mutually agreeable site(s) for

program implementation.

Financial Impact

There is no impact to the General Fund as a result of this action.

Concurrence/Previous Council Action

- The Downtown, Aviation, Economy and Innovation Subcommittee recommended approval of this item on Oct. 4, 2017.
- City Council approved IGA 146961 (Ordinance S-44006) on Oct. 18, 2017.

Responsible Department

This item is submitted by Interim Deputy City Manager John Chan and the Community and Economic Development Department.



Issuance of Multifamily Housing Revenue Bonds (Bret Tarver Terrace Project), Series 2023 (Resolution 22136)

Requests City Council approval for the issuance of Multifamily Housing Revenue Bonds (Bret Tarver Terrace Project), Series 2023, to be issued in one or more tax-exempt and/or taxable series, in an aggregate principal amount not to exceed \$20,000,000.

Summary

Request City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Arizona (the "Phoenix IDA") has previously resolved to issue up to \$20,000,000 of Multifamily Housing Revenue Bonds (the "Revenue Bonds") for use by UMOM Housing 9, LLC (the "Borrower"), an Arizona limited liability company, to:

a.) finance, and/or refinance, as applicable, the acquisition, construction, development, improvement, equipping and/or operation of a multifamily residential rental housing community to be comprised of 96 units in Phoenix, Arizona, and

b.) pay certain costs related to the issuance of the Revenue Bonds.

Contract Term

The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on May 18, 2023.

Location

The Project is located at or near 3101 W. McDowell Road.

Council District: 4

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

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer.



**Intelligent Lighting Fixtures Installation, Maintenance, Repair and Parts Contract
IFB PPC 23-0080 - Request for Award (Ordinance S-49910)**

Request to authorize the City Manager, or his designee, to enter into a contract with Clearwing Systems Integration, LLC to provide intelligent lighting fixtures, installation, maintenance, repair, and parts for the Phoenix Convention Center Department (PCCD). Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$150,000.

Summary

This contract is for intelligent lighting fixtures, installation, maintenance, repair, and parts for the PCCD over a five-year period. The services will involve an annual visit by a factory-certified technician to inspect and service the highly specialized and sensitive computer components within the complex computerized lighting equipment. These components are extensively utilized in the Orpheum Theatre.

Procurement Information

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

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

Selected Bidder:

Clearwing Systems Integration, LLC

Contract Term

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

Financial Impact

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

Funding is available in the Phoenix Convention Center Department operating budget.

Location

Phoenix Convention Center Department, 100 N. 3rd St.

Council Districts: 7 and 8

Responsible Department

This item is submitted by Interim Deputy City Manager John Chan and the Phoenix Convention Center Department.



Audio Visual System Replacement Project, Phoenix Convention Center - IFB PCC 23-0098 - Request for Award (Ordinance S-49932)

Request to authorize the City Manager, or his designee, to enter into contracts with Bluum USA Inc., Clearwing Systems Integration, Ford Audio Video Systems LLC, OGMIS Group Inc., and Spinitar to provide audio visual equipment for the Phoenix Convention Center Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$300,000.

Summary

These contracts will provide various audio-visual equipment for the West Building 200 level audio-visual replacement items at the Phoenix Convention Center. The provided audio-visual equipment will be used in client meeting spaces to support, enhance, and complement the contracted client event activities within the department's facilities and meeting spaces. The current systems are more than 17 years old with outdated technology and are approaching the end of useful life. To maintain performance, reliability, and adhere to industry standards in conventions and live events, it is necessary to update the audio and video equipment and components specified in the contracts. The contracts offer a comprehensive selection of audio and visual equipment, along with the required account and delivery services. Examples of the equipment available through this contract include sound system components, microphones, and video equipment.

Procurement Information

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

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

- 1 - Bluum USA Inc.
- 2 - Clearwing Systems Integration
- 3 - Ford Audio Video Systems LLC

4 - OGMIS Group Inc.

5 - Spinitar

Contract Term

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

Financial Impact

The value of the contracts will not exceed \$300,000.

Funding is available in the Phoenix Conventions Center Operating budget.

Location: 100 N. Third St.

Council Districts: 7 and 8

Responsible Department

This item is submitted by Interim Deputy City Manager John Chan and the Phoenix Convention Center Department.



Event Security Services - RFP 16-005 - Amendment 7 (Ordinance S-49953)

Request to authorize the City Manager, or his designee, to execute Amendment 7 to Contract 143908 with Contemporary Services Corporation to extend the contract term. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

This contract provides Event Security Services at the Phoenix Convention Center Department (PCCD) and is set to expire on Nov. 1, 2023. The PCCD is scheduled to host several large, high-profile events through the end of the year. It is in the best interest of all parties to extend the current Event Security Services contract through Feb. 1, 2024, to provide a continuity of services and on-boarding to the awarded vendor at a time that is more conducive for our clients and the PCCD event calendar.

Contract Term

Upon approval the contract will be extended through Feb. 1, 2024.

Financial Impact

This is a revenue-generating contract with a 10 percent commission that generates approximately \$73,000 in revenue per year. PCCD clients pay the cost of all vendor services.

Concurrence/Previous Council Action

- The Downtown, Aviation, Economy and Innovation Subcommittee recommended City Council approval by a vote of 4-0 on Aug. 31, 2016.
- City Council approved Contract 143908 (Ordinance S-47596) with Contemporary Services Corporation on Sept. 21, 2016.

Location

Council Districts: 7 and 8

Responsible Department

This item is submitted by Interim Deputy City Manager John Chan and the Phoenix Convention Center Department.



One-Time Purchase of Ambulances (Ordinance S-49993)

Request to authorize the City Manager, or his designee, to enter into a contract with Redsky Fire Apparatus LLC., to provide six ambulance units for the Phoenix Fire 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 \$2,875,000.

Summary

The Public Works Department seeks to purchase new ambulances on behalf of the Fire Department to replace aging units. These units are vital to responding to residents and other emergencies throughout the City and is essential to safety, health and well-being of City residents and visitors.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition, due to the unique build specifications that have been reviewed and deemed acceptable by the Phoenix Fire and Public Works departments.

Contract Term

The contract will begin upon City Council approval, June 28, 2023, for the one-time purchase of six ambulance units.

Financial Impact

The contract value will not exceed \$2,875,000.

Funding is available in the Fire Department's budget.

Responsible Department

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



One-Time Purchase of Fire Pumper Trucks (Ordinance S-49996)

Request to authorize the City Manager, or his designee, to enter into separate contracts with Hughes Fire Equipment, Inc, H&E Equipment Services Inc., and Freightliner of Arizona, LLC, DBA Velocity Truck Centers to provide fire pumper trucks for the Phoenix Fire Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$18,400,000.

Summary

The Public Works Department is seeking to purchase fire pumper trucks on behalf of the Fire Department to replace aging units. These units are critical as they are used to provide emergency response services, including combating structural fires and providing emergency medical services to Phoenix residents and surrounding municipalities.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition due to the unique build specifications reviewed and deemed acceptable by the Fire and Public Works Department.

Contract Term

The contract will begin on or about City Council approval on June 28, 2023, for the purchase of pumper trucks.

Financial Impact

The contract value will not exceed \$18,400,000.

Funding is available in the Fire Department's budget.

Responsible Department

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



One-Time Purchase of Fire Ladder Trucks (Ordinance S-49994)

Request to authorize the City Manager, or his designee, to enter into a contract with H&E Equipment Services, Inc. to provide fire ladder trucks for the Phoenix Fire 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 \$8,050,000.

Summary

The Public Works Department is seeking to purchase fire ladder trucks on behalf of the Fire Department to replace aging units. These units are essential for operations and provide sure suppression to multi-story structure fires and large volume fire suppression needs.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition. Due to the unique build specifications reviewed and deemed acceptable by the Phoenix Fire and Public Works departments.

Contract Term

The contract will begin on or about June 28, 2023, for the purchase of the fire ladder trucks.

Financial Impact

The contract value will not exceed \$8,050,000. Funding is available in the Fire Department's budget.

Responsible Department

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



One-Time Purchase of Fire Utility and Ladder Tender Trucks (Ordinance S-49997)

Request to authorize the City Manager, or his designee, to enter into a contract with Freightliner of Arizona, LLC DBA Velocity Truck Centers to provide utility trucks and ladder tender trucks for the Phoenix Fire 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 \$4,945,000.

Summary

The Public Works Department is seeking to purchase fire utility trucks and ladder tender trucks on behalf of the Fire Department to replace aging units. The ladder tender units are critical and respond to emergency medical and vehicle patient extraction, along with response to fire calls. The utility trucks are used to respond to structure fires and other multi-unit incidents to provide air from large on-board compressors for breathing apparatus, as well as provide drinking fluid and scene lighting.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition, due to the unique build and specifications reviewed and deemed acceptable by the Fire and Public Works Departments.

Contract Term

The contract will begin on or about City Council approval on June 28, 2023, for the purchase of utility trucks and ladder tender trucks.

Financial Impact

The contract value will not exceed \$4,945,000.

Funding is available in the Fire Department's budget.

Responsible Department

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



Donation from Donald Mills Jr. for Phoenix Fire Department Historical Preservation Purposes (Ordinance S-50005)

Request authorization for the City Manager, or his designee, to accept a donation of historic fire equipment valued at approximately \$2,000 from Donald Mills Jr. for Phoenix Fire historical preservation purposes. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this donation. If not approved, the donation would be declined.

Summary

Donald Mills Jr. wishes to donate various fire equipment to the Fire Department for historical preservation.

The donation consists of the following equipment:

- Two three-wheeled hand pulled hose carts
- Electric golf cart fire truck (not operational)
- Four miscellaneous lamps
- Two Fire extinguishers
- Play pipe
- Photos
- Helmets
- Two standup call pull boxes
- Brass bell
- United States flag

This request adheres to the Fire Department's charitable donations process.

Responsible Department

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



Authorization to Enter into Agreement with Arizona Center for Fire Service Excellence (AzCFSE) (Ordinance S-49933)

Request authorization for the City Manager, or his designee, to enter into an agreement with Arizona Center for Fire Service Excellence (AzCFSE) for the annual Arizona Fire School to be hosted at the Phoenix Fire Department (PFD) Training Academy. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The Arizona Fire School (AFS) was created in 1973 to improve the safety and effectiveness of Arizona firefighters through education and training. AFS operates out of the Office of the State Fire Marshal and is actively managed by the AzCFSE. Held annually in early September, the AFS lasts for five days and includes a combination of classroom and hands-on fire training. All participants must be either an employee or representative of the sponsoring fire department or active emergency service personnel.

The PFD hosts the AFS and provides support and instructional assistance through the use of its facility, apparatus and training staff. Training includes the standard functions of a firefighter, such as search and rescue, hose line deployment and management, live fire training, and self-rescue and victim removal techniques. Training follows all applicable standards and guidelines including National Fire Protection Association (NFPA) 1403 Standard on Live Fire Training.

Contract Term

The term of the agreement, if approved, will be for five years, beginning Sept. 1, 2023, through Aug. 31, 2028.

Financial Impact

PFD will receive an aggregate amount not to exceed \$15,000 from AzCFSE to host and provide training for the annual Arizona State Fire School.

Location

The PFD Training Academy is located at 2425 W. Lower Buckeye Road.

Council District: 7

Responsible Department

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



International Code Council Reference Materials Contract - EXC 23-036 - Request for Award (Ordinance S-49960)

Request to authorize the City Manager, or his designee, to enter into a contract with International Code Council, Inc. to provide reference materials for construction codes, building standards, safety professional and related training services for the Phoenix Fire and Planning and Development departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$344,000.

Summary

This contract will provide construction code reference materials, guides and publications, subscription to premium digital codes, and related training and seminars, as necessary, to the departments' staff conducting inspections and testing within the City of Phoenix limits. Departments need to train and educate staff to maintain and enhance the city's building and fire codes. Building codes are published to meet the needs of local jurisdiction charged with enforcement of building standards for construction and use, and are updated to reflect the latest standards of life-safety and construction technology. The City of Phoenix is a member of the International Code Council. On June 6, 2018, the Phoenix City Council approved the adoption of the 2018 Phoenix Building Construction Code (PBCC). Departments intend to refer to the 2018 building codes, the 2021 fire codes through new code adoption and the 2024 building codes once adopted.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition. The City is a member of the International Code Council, which adopt building standard codes to meet compliance of the local jurisdiction.

Contract Term

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

Financial Impact

The aggregate contract value for will not exceed \$344,000 for the five-year term. Funding is available in the Phoenix Fire and Planning and Development departments' operating budgets.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays, Deputy City Manager Alan Stephenson and the Fire and Planning and Development departments.



Paramedic Textbooks and Dictionaries - IFB 18-088 - Amendment (Ordinance S-49951)

Request to authorize the City Manager, or his designee, to execute amendments to Contract 148191 and Contract 148192 with Complete Book and Media Supply, LLC, and Jones & Bartlett Learning, LLC, to extend the terms of the contracts. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$100,000.

Summary

These contracts will provide a wide variety of paramedic textbooks for the Fire Department used to train firefighters to become Emergency Medical Technician (EMT) and Advanced Life Support (ALS) certified. The training is needed for the Fire Department to provide immediate emergency response to medical situations.

Contract Term

Upon approval, the contracts will be extended through June 30, 2024, with an option to extend through June 30, 2025.

Financial Impact

Upon approval of \$100,000 in additional funds, the revised aggregate value of the contracts will not exceed \$458,963. Funds are available in the Fire Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Paramedic Textbooks and Dictionaries Contract 148191 and Contract 148192 (Ordinance S-44867) on July 5, 2018.

Responsible Department

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



Fire Fighting Equipment - RFP 1605 - Amendment (Ordinance S-49974)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 149261 with Municipal Emergency Services to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using ordinance S-45008.

Summary

This contract will provide fire protective clothing and personal protective equipment for Phoenix firefighters which is intended for extensive use and provides high thermal protection, and protection from body injuries related to structural firefighting activities. This gear is a critical part of the Fire Department's efforts to provide life safety services to the public.

Contract Term

Upon approval the contract will be extended through Aug. 31, 2024, with an option to extend through Aug. 31, 2025.

Financial Impact

The aggregate value of the contract will not exceed \$1,200,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Fire Fighting Equipment, Contract 14926 (Ordinance S-45008) Sept. 19, 2018.

Responsible Department

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



Firefighting Personal Protective Equipment - PS16008 - Amendment (Ordinance S-49977)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148481 with LION First Responder PPE, Inc., to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$4,000,000.

Summary

This contract will provide Personal Protective Equipment (PPE), such as protective coats, pants, and turnout gear, that are used by the Fire Department to protect the firefighters from radiant and thermal exposure, unexpected flashover conditions, and puncture and abrasion hazards during firefighting. This PPE also protects firefighters from extreme heat and flames, while battling fires. This gear is a critical part of the Fire Department's efforts to provide life safety services to the public. The contract extension will allow for the continued purchase of protective coats, pants and turnout gear needed for newly hired recruits, and to replace any expired or damaged PPE to stay current with the National Fire Protection Association standards.

Contract Term

Upon approval the contract will be extended through Aug. 31, 2024, with an option to extend through Aug. 31, 2025.

Financial Impact

Upon approval of \$4,000,000 in additional funds, the revised aggregate value of the contract will not exceed \$18,725,000. Funds are available in the Fire Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Firefighting Personal Protective Equipment Contract 148481 (Ordinance S-45007) on Sept. 19, 2018.
- Firefighting Personal Protective Equipment Contract 148481 (Ordinance S-47249) on Jan. 20, 2021.

Responsible Department

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



Amend Contract with Maricopa Association of Governments for 9-1-1 System Planning (Ordinance S-50006)

Request authorization for the City Manager, or his designee, to execute an amendment to City Contract 154162 to accept additional funds in the amount of \$135,000 from the Maricopa Association of Governments (MAG) to continue to provide emergency 9-1-1 system management and planning. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item.

Summary

Contract 154162 was approved by the City Council on March 3, 2021, to provide emergency 9-1-1 system management and planning. MAG will provide an additional \$135,000 for the renewal period of July 1, 2023, through June 30, 2024.

The System Administrator Agency for the Regional 9-1-1 Program Maricopa Region is the City of Phoenix (Fire Department). The City of Phoenix is the contracting agent of ongoing operations of the 9-1-1 call routing system. This authority is given through signed resolutions by MAG member agencies. These agreements act as the governing documents for the oversight of the 9-1-1 system design, implementation, and management in the MAG Region.

MAG is the recipient of 9-1-1 Special Assessments and intends to contract with the City of Phoenix to develop network plans and implementation strategies to enhance information transport into the 9-1-1 emergency system, support the economic goals of the State, provide an easily accessible emergency service to the community, and emergency 9-1-1 planning services.

Contract Term

The amended contract term is July 1, 2020, through June 30, 2024, with an additional one-year period, not to exceed a total extended term of five years.

Financial Impact

The Fire Department will be reimbursed for emergency 9-1-1 planning efforts in an amount not to exceed \$135,000 for Fiscal Year 2023-24.

Concurrence/Previous Council Action

Contract 154162 was approved by the City Council on March 3, 2021.

Responsible Department

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



Allow Additional Expenditures Under Contract 152101 for Fire Department Medical Direction (Ordinance S-50011)

Request authorization for the City Manager, or his designee, to allow additional expenditures under Contract 152101 with International Medical Direction, LLC for the provision of Emergency Medical Services (EMS) Medical Direction and related services for the Fire Department's EMS Program. Authorization is also requested for the City Controller to disburse funds. The additional funding will not exceed \$225,250.

Summary

The City entered into a five-year contract for medical direction services with International Medical Direction, LLC in May 2020.

The Phoenix Fire Department (PFD) is required to have medical direction for the Emergency Medical Services (EMS) program including its Emergency Medical Technician (EMT) and Emergency Medical Technician-Paramedic (EMT-P) programs. The Medical Director is responsible for establishing the following:

- Overall medical direction for patient care in accordance with state rules and regulations;
- Standards for basic and advanced training; providing continuing education programs for all EMS personnel;
- Appropriate medical protocols for all operational phases of the basic and advanced life support programs; and,
- Policy on the selection and use of medications, supplies and medical equipment in coordination with the Fire Department.

The Medical Director is also responsible for the management and coordination of online direction to PFD paramedics and for providing oversight to other physicians that may be used to provide medical direction to PFD paramedics while they are working in the field.

Additional funding is needed to add an Assistant Medical Director to the EMS section to support the Administrative Medical Director that is already in place. This position will liaison and support the Fire Department's nationally accredited Paramedic Training

program. This position will also participate in EMS programs that will result in quality improvement initiatives, including developing and implementing strategies to improve patient care outcomes and reduce gaps in pre-hospital patient management to the community.

Contract Term

The term of this Agreement is July 1, 2020 through June 30, 2025.

Financial Impact

Upon approval of \$225,250 in additional funds, the revised aggregate value of the contract will not exceed \$2,247,389. Funds are available in the Fire Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Fire Department Medical Direction, Ordinance S-46583 on May 6, 2020.

Responsible Department

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



inPURSUIT Records Management System Professional Services and Support - Amendment (Ordinance S-49935)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 148218 with Intergraph Corporation dba Hexagon Safety & Infrastructure to extend the contract term and allow additional expenditures for continued maintenance of the inPURSUIT Records Management System for the Phoenix Police Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$1,643,000.

Summary

This contract provides annual licensing, software maintenance, support and professional services in support of the heavily customized Records Management System (RMS) for Phoenix Police Department. The additional contract term and expenditures will allow the City to transition and replace its current system.

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

Contract Term

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

Financial Impact

Upon approval of \$1,643,000 in additional funds, the revised aggregate value of the contract will not exceed \$10,143,000. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- inPURSUIT Records Management System contract award, Contract 148218, Ordinance S-44430, on April 4, 2018.

Responsible Department

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



Firearms Transfer Agreement (Ordinance S-50010)

Request to authorize the City Manager, or his designee to execute an agreement with D.T. Gruelle (Gruelle) to transfer unclaimed firearms.

Summary

The City has selected approximately 500-600 unclaimed firearms to transfer through Gruelle, a private company which provides export and import services. Gruelle will transfer to the National Police of Ukraine. Only 9mm, 45mm, 39mm and 12 gauge firearms will be sent. Firearms are unclaimed when there has been no owner contact after a thirty day notice, in which case the City can dispose of them.

Contract Term

Contract term is for two years, from June 28, 2023 to June 28, 2025.

Financial Impact

No funds expended by the City.

Responsible Department

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



Radar and Lidar Units Repair and Maintenance - RFA 18-143 - Amendment (Ordinance S-49973)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148378 with Arizona Law Enforcement Radar Technology, LLC. to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$125,000.

Summary

This contract will provide radar and lidar units repair and maintenance services for the Police Department's Traffic Bureau. This service is vital for the Traffic Bureau to provide certification, annual function tests and frequency count on the handheld units, mounted units and radar trailers. In addition, this service will provide repairs, parts, and labor to the handheld units. This equipment is part of the Police Department's effort to provide life safety services to the public and will be used in critical incidents and complicated scenes. A five-year extension is recommended to continue the supply of products and services, with distinct specifications and limited suppliers, which are critical for Police Department operations.

Contract Term

Upon approval the contract will be extended through Aug. 31, 2028.

Financial Impact

Upon approval of \$125,000 in additional funds, the revised aggregate value of the contract will not exceed \$275,000. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Radar and Lidar Units Repair and Maintenance Contract 148378 Ordinance S-44902-0055, Aug. 29, 2018;
- Radar and Lidar Units Repair and Maintenance Contract 148378 Ordinance S-46550-0016, May 06, 2020;
- Radar and Lidar Units Repair and Maintenance Contract 148378 Ordinance S-48152, Dec. 01, 2021

Responsible Department

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



Body Worn Cameras - RFP 18-056 - Amendment (Ordinance S-49931)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 149316 with Axon Enterprise, Inc. to modify scope of work and extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$39,263,040.

Summary

This contract will provide a Body Worn Camera (BWC) equipment and software solution for use by the Phoenix Police Department. This request is for a bundled set of new features and functionality offered by the vendor which will increase operational efficiencies for the City and community. The five-year extension will allow for continued use and support of the City's BWC program, of the Police Department's continued commitment to transparency and accountability.

Examples of the additional features and functionality include:

- Unlimited 3rd-party storage to upload and store non-Axon videos and evidence.
- Capture Application, which allows officers to use City-issued smart phones to capture, upload, store and share digital evidence.
- Citizen Application, which allows citizens to directly share digital evidence with the Phoenix Police Department via smart phones.
- Investigative Pro Application and Training, used by the Forensix Imaging Unit for processing surveillance videos and other digital evidence.

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

Contract Term

Upon approval the contract will be extended through June 30, 2028.

Financial Impact

Upon approval of \$39,263,040 in additional funds, the revised aggregate value of the contract will not exceed \$47,445,125. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

This item was recommended for approval by the Public Safety and Justice Subcommittee on June 14, 2023.

The City Council previously reviewed this request:

- Body Worn Cameras - Contract 149316 (Ordinance S-45348) on Feb. 6, 2019.
- Body Worn Cameras - Contract 149316 (Ordinance S-46104) on Oct. 16, 2019.
- Body Worn Cameras - Contract 149316 (Ordinance S-48125) on Nov. 17, 2021.

Responsible Department

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



Hardware and Software Maintenance for Mug Photo Workstations - ADSP0 13-038745 - Amendment (Ordinance S-49946)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 145552 with ImageWare Systems, Inc. to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$60,000.

Summary

This contract will provide hardware and software maintenance and support of the mug photo workstations located at several Police precincts and bureaus.

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

Contract Term

Upon approval the contract will be extended through June 30, 2024, with an option to extend through June 30, 2025.

Financial Impact

Upon approval of \$60,000 in additional funds, the revised aggregate value of the contract will not exceed \$288,166. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Hardware and Software Maintenance for Mug Photo Workstations Contract 145552 (Ordinance S-42657) on June 15, 2016.
- Hardware and Software Maintenance for Mug Photo Workstations Contract 145552 (Ordinance S-43686) on June 21, 2017.
- Hardware and Software Maintenance for Mug Photo Workstations Contract 145552 (Ordinance S-48767) on June 15, 2022.

Responsible Department

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



CovertTrack Global Positioning Units & Surveillance Equipment - RFA 18-017 - Amendment (Ordinance S-49943)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148210 with CovertTrack Group Inc. to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$350,000.

Summary

This contract will provide the Police Department with electronic surveillance including GPS trackers, surveillance cell phones, unlimited five-second updated monitoring, and maintenance for the devices. The equipment is used for felony investigations by the Police Department's Drug Enforcement Bureau, as well as other bureaus within the department to aid in ensuring public safety.

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

Contract Term

Upon approval the contract will be extended through June 30, 2028.

Financial Impact

Upon approval of \$350,000 in additional funds, the revised aggregate value of the contract will not exceed \$658,000. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

The City Council previously approved this request:

- CovertTrack Global Positioning Units & Surveillance Equipment Contract 148210 (Ordinance S-44833) on June 27, 2018.

Responsible Department

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



Diving Equipment - IFB 18-144-Amendment (Ordinance S-49963)

Request to authorize the City Manager, or his designee, to execute amendments to contracts 148475 with AHS Rescue, LLC, 148476 with Saguaro Diving & Sports, Inc., 148477 with House of Scuba, Inc., 148478 with Dive Rescue International, Inc. and 148479 with American Diving Supply, LLC to extend the contract terms. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$61,170.

Summary

These contracts will provide a wide variety of diving equipment for the Police Department. The Department's Underwater Search and Recovery Dive Team is responsible for providing underwater search and recovery of drowning victims, evidence to crime scenes and removal of items deemed as hazardous to navigation. The team also provides rescue services to victims of water accidents. All dive equipment will be maintained in accordance with Commercial Diving Standards, Occupational Safety and Health Act and Arizona Division of Occupational Safety and Health guidelines.

Contract Term

Upon approval the contracts will be extended through Aug. 31, 2024 with an option to extend through Aug. 31, 2025.

Financial Impact

Upon approval of \$61,170 in additional funds, the revised aggregate value of the contracts will not exceed \$411,776.42. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Diving Equipment contracts 148475, 148476, 148477, 148478, 148479 (Ordinance S-44911) on Aug. 29, 2018.

Responsible Department

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



LexisNexis Accurint and Accurint Crime Analysis Services - RFA 18-009 - Amendment (Ordinance S-49969)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 148401 with LexisNexis Risk Solutions FL, Inc. to extend the contract term and allow additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$650,000.

Summary

This contract will provide two software applications for legal investigative research for the Phoenix Police Department (PPD). The two applications include Accurint LE and Accurint Crime Analysis.

The Accurint LE application allows PPD personnel to locate suspects, persons of interest and potential crime witnesses. Accurint LE will also provide the capabilities of locating individuals, discovering associations, visualizing complex relationships, investigating businesses and uncovering assets. The Accurint Crime Analysis application provides a secure online dashboard with a public-facing component that enables crime data sharing, pattern analysis, and crime mapping. Accurint Crime Analysis receives data from multiple established interfaces and is updated upon the finalization of each crime report. This ability to combine data from various sources into a seamless, standardized data set allows PPD personnel to view, analyze, and share data with other law enforcement agencies.

The combined capabilities of these applications are critical to PPD's operations as they allow personnel to solve open cases faster and they reduce the volume of public records requests received for neighborhood crime statistics. This ensures that staff have more time to work on high-priority case work and that costs associated with lengthy investigations are minimized. The extension of this contract and additional funds are necessary to maintain access to these vital applications.

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

Contract Term

Upon approval, the contract will be extended through Aug. 31, 2028.

Financial Impact

Upon approval of \$650,000 in additional funds, the revised aggregate value of the contract will not exceed \$1,054,000. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- LexisNexis Accurint LE and Accurint Crime Analysis Contract 148401 (Ordinance S-44909) on Aug. 29, 2018.

Responsible Department

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



Service Support Agreement for Forensic Equipment - RFA 17-158 - Amendment (Ordinance S-49934)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 147535 with Qiagen, Inc. to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$80,000.

Summary

This contract provides the Police Department, Laboratory Services Bureau, Forensic Biology Section, with maintenance and repair services on the QIAAsymphony and QIAcube equipment. The forensic instruments are used to process deoxyribonucleic acid (DNA) evidence collected from crime scenes. Regular maintenance of the instruments is vital to maintaining the appropriate International Organization for Standardization (ISO) standards. Qiagen is the sole provider of the maintenance and repair services of the forensic instruments.

Contract Term

Upon approval, the contract will be extended through May 31, 2024, with an option to extend through May 31, 2025.

Financial Impact

Upon approval of \$80,000 in additional funds, the revised aggregate value of the contract will not exceed \$281,030. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Service Support Agreement for Forensic Equipment Contract 147535 (Ordinance S-44551) on May 16, 2018.

Responsible Department

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



Maintenance and Certification of Chemical Hoods and Biological Safety Cabinets - ADSPO17 00007025 - Amendment (Ordinance S-49947)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 145129 with Controlled Environment Management, LLC to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$9,000.

Summary

This contract will provide annual certification, including velocity profile, maintenance, calibration and repair of chemical fume hoods and bio-safety cabinets for the Phoenix Police Department, which is needed to ensure that the equipment remains within compliance and in proper working order.

Contract Term

Upon approval the contract will be extended through May 23, 2024, with an option to extend through May 23, 2025.

Financial Impact

Upon approval of \$9,000 in additional funds, the revised aggregate value of the contract will not exceed \$44,000. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Maintenance and Certification of Chemical Hoods and Biological Safety Cabinets Contract 145129 (Ordinance S-43530-0036) on May 31, 2017.

Responsible Department

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



**Pre-Employment Psychological Examination and Evaluations - RFQu 23-111
Request for Award (Ordinance S-50003)**

Request to authorize the City Manager, or his designee, to enter into contracts with Arizona Police Psychology PLLC; IMA Evaluations LLC; and Jeni McCutcheon, PSY.D, PLLC to provide Pre-Employment Psychological Examination and Evaluation Services for the Police Department's Employment Services Bureau (ESB). Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$802,332.

Summary

The contracts will provide the ESB comprehensive psychological evaluation services for recruits, and expert witness testimony, as needed, for police personnel and police officers. The purpose of the pre-employment psychology evaluation is to determine the fitness of a recruit to perform the sworn duties of a police officer. Pre-employment psychological assessments for the Police Department are essential to ensure that candidates are psychologically suited for the demanding and critical nature of law enforcement work, to mitigate risks, and to support the well-being of the officers and the communities they serve.

Procurement Information

A Request for Qualifications procurement was processed in accordance with Administrative Regulation 3.10 to establish a Qualified Vendor List (QVL).

Three offerors submitted qualifications and were deemed to be responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following minimum qualifications:

- Experience
- Qualifications
- Capacity

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

- Arizona Police Psychology PLLC
- IMA Evaluations LLC
- Jeni McCutcheon, PSY.D, PLLC

Contract Term

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

Financial Impact

The aggregate contracts' value will not exceed \$802,332. Funding is available in the Police Department's operating budget.

Responsible Department

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



Authorization to Enter into an Agreement with the Arizona Attorney General's Office and Accept Funds for the Internet Crimes Against Children Task Force Program (Ordinance S-49984)

Request to authorize the City Manager, or designee, approval for the Police Department to enter into an agreement with the Arizona Attorney General's Office and accept funding for the Internet Crimes Against Children (ICAC) Program. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item.

Summary

The Police Department will enter into an agreement with the Arizona Attorney General's Office for the Internet Crimes Against Children (ICAC) Task Force program. Additionally, the Police Department requests ratification of Arizona Internet Crimes Against Children Task Force Intergovernmental Agreement 150924--0 (KR-2019-0852) and all related amendments between the Police Department and The Arizona Attorney General's Office. The Arizona Attorney General's Office agreement will provide reimbursement to support ICAC Task Force investigations. The agreement supports the ICAC Task Force by providing funding for personnel, technology, equipment and supplies. The goal of this task force is to identify, investigate and prosecute individuals who exploit children.

Contract Term

The contract term will be from July 1, 2023, through June 30, 2025.

Financial Impact

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

Responsible Department

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



Authorization to Enter into Agreement with Arizona Peace Officer Standards and Training Board (Ordinance S-50027)

Request authorization for the City Manager, or his designee, to enter into an agreement with the Arizona Peace Officer Standards and Training Board (AZPOST) for the reimbursement of basic training costs at the Phoenix Regional Police Academy. Further request authorization for the City Controller to receive and disburse all funds related to this item.

Summary

The Phoenix Regional Police Academy is managed by the Phoenix Police Department Training Bureau and trains recruits from multiple Arizona law enforcement agencies. The Phoenix Regional Police Academy holds approximately 12 classes per fiscal year. In Fiscal Year 2023-24, AZPOST shall pay \$2,500 per recruit who graduates and \$900 per recruit who completes at least 50 percent of the academy but does not graduate.

Contract Term

This agreement is effective when ratified by all signatories, and terminates June 30, 2028, with annual options to amend for the per recruit amount.

Financial Impact

Funds will be used for recruit training supplies, equipment, vehicle maintenance, fuel and capital improvements at the training facilities.

Concurrence/Previous Council Action

The City Council previously approved this request:

- Authorization to Enter into Agreement with Arizona Peace Officer Standards and Training Board 148135-003 (Ordinance S-44896) on July 5, 2018.

Responsible Department

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



Arizona Criminal Justice Commission Project Safe Neighborhoods Drive Test Scanner Grant (Ordinance S-49992)

Request retroactive 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 Criminal Justice Commission for the Project Safe Neighborhoods (PSN) Drive Test Scanner grant. Funding provided under this grant will not exceed \$194,975. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item.

Summary

The PSN grant is a nationwide initiative that brings together federal, state, local, tribal and territorial law enforcement officials, prosecutors, community-based partners and other stakeholders to identify the most pressing violent crime problems in a community and develop comprehensive solutions to address them.

The U.S. Department of Justice, Bureau of Justice Assistance, has awarded each State funding to implement a PSN Project within their jurisdiction. The Police Department is applying for funding in the amount of \$194,975 for equipment for the Violent Crimes Bureau. If authorization is denied, the grant application will be rescinded.

Contract Term

The term of the contract will be for six months, beginning on April 11, 2023, through Sept. 30, 2023.

Financial Impact

The amount of funding available is \$194,974. No matching funds are required.

Responsible Department

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



Authorization to Enter into Agreement with Vertical Growth Partners LLC for Police Programs 2022 (Ordinance S-49981)

Request retroactive authorization for the City Manager, or his designee, to allow the Police Department to enter into an agreement with the Vertical Growth Partners, dba Vitanya, to use Phoenix Police (PPD) locations to provide programs for first responders.

Summary

Vitanya seeks to enter and use a designated room at the Phoenix Police Headquarters and precinct locations to provide brain programs to volunteer participants, such as City employees and first responders. The intent of this agreement is to provide programs that will optimize the brain's health and increase mental resilience for first responders.

Contract Term

Services will be from Dec. 27, 2022 through Dec. 27, 2023.

Financial Impact

There will be no financial impact for this agreement.

Responsible Department

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



Amend Interim Executive Services Agreement 157017 (Ordinance S-50029)

Request to authorize the City Manager, or his designee, to execute amendments to Agreement 157017 with Michael Sullivan that outlines terms of his temporary employment with the City of Phoenix and extend the agreement to Oct. 31, 2024.

Summary

On Sept. 1, 2022, the City and Michael Sullivan entered into an agreement to fill a temporary employee position as Interim Police Chief. This temporary position included a salary of \$232,000 as well as executive level benefits available to temporary employees including a nine percent Deferred Compensation Plan contribution, \$120 per month communication allowance, vacation and sick leave accruals, life insurance benefits and access to other voluntary benefits.

Additional terms include a provision for termination with cause, or if without cause to be paid the remaining balance due under the term of the agreement, and requirement for 90 day notice of resignation.

Upon approval, the agreement will include the following amendments:

- Base salary to increase in alignment with Pay Ordinance Section 5(k) regarding Unit 18 (Police Executives), effective July 10, 2023 as well as Section 10(a) and Pay Plan 027 Grade 976, effective Aug. 7, 2023.
- Except as otherwise amended, all other terms and conditions of the Agreement and any prior amendments not in conflict will remain in full force and effect. If there is a conflict or ambiguity among amendments and the Agreement, the documents in the following order prevail and control: (a) the most recent amendment; and (b) the original Agreement.

Contract Term

Upon approval, the agreement will extended to Oct. 31, 2024. The initial term was for 12 months, which may be extended for up to 24 months, the length of which will be determined by the parties.

Financial Impact

Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Interim Executive Services Agreement 157017 (Ordinance S-48963) on Aug. 31, 2022.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the City Manager's



GPT GIG BOA PORTFOLIO OWNER, LLC and RT Sky Harbor, LLC Ground Lease Amendment (Ordinance S-49980)

Request to authorize the amendment of Ground Lease Agreement 48819 with GPT GIG BOA PORTFOLIO OWNER LLC (GPT) and Ground Lease Agreement 102545 with RT Sky Harbor, LLC by requesting that the extension option on Lease 48819 be approved and in exchange the \$11 million capital improvement be transferred to Lease 102545 with the condition that the capital improvement investment be completed as a condition to exercise the first extension option for Lease 102545.

Summary

The current premises consist of three separate parcels within Sky Harbor Center under two separate Ground Lease Agreements (Lease 48819 and Lease 102545). GPT is the tenant under Lease 48819 and RT Sky Harbor, LLC is the tenant under Lease 102545. GPT and RT Sky Harbor, LLC are owned by the same corporation, Link Logistics, LLC which is a division of Blackstone. Lease 48819 currently has a provision that GPT must spend \$11 million in capital improvements to the premises in order to achieve a 14-year lease extension option. Lease 102545 currently has no capital investment improvement provisions and has three extension options. Both parties are requesting that the extension option on Lease 48819 be approved and in exchange the \$11 million capital improvement investment be transferred to Lease 102545 with the requirement that the capital improvement investment be completed as a condition to exercise the first extension option under Lease 102545.

Contract Term

The current term for Lease 48819 will expire in 2053. This action will amend the term to Nov. 29, 2067. The current term for Lease 102545 ends Nov. 30, 2067. This action will amend the term by adding the required capital improvement investment condition for the extension options.

Financial Impact

There is no financial impact.

Concurrence/Previous Council Action

The City Council approved:

- Ground Lease 48819 Amendments (Ordinance S-22521, Ordinance S-45116 and Ordinance S-267373) on Jan. 11, 1995, on Nov. 7, 2018, and on Aug. 31, 2022; and
- Ground Lease 102545 Amendment (Ordinance S-37964) on June 8, 2011.

Location

Phoenix Sky Harbor International Airport - 1825 E. Buckeye Road
Council District: 8

Responsible Department

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



Request to Amend City Contract 154552 Lease and Development Agreement 154552-0 with Chicanos Por La Causa (Ordinance S-49990)

Request to authorize the City Manager, or his designee, to amend Unsubordinated Ground Lease No. 154552 (Ground Lease) and Development Agreement No. 154552-0 (collectively, Agreements), and any other agreement, as necessary, with Chicanos Por La Causa, an Arizona non-profit corporation (CPLC) to develop approximately 35 acres of land in Sky Harbor Center at Phoenix Sky Harbor International Airport located at the northeast corner of 16th St. and Buckeye Rd. and the northeast corner of Sky Harbor Circle North and Buckeye Rd. (Site); to consent to CPLC partnering with Trammel Crow Company (TCC) to form a limited liability company to develop the Site as “Developer” in the Development Agreement and as “Tenant” in the Ground Lease; to amend the term of the Ground Lease to include one 15-year option to extend the term subject to Federal Aviation Administration (FAA) approval; to allocate 2.5-acres on the Site for the development of a convenience store-gas station, including electric vehicle charging infrastructure and the delivery of other alternative energy services, such as hydrogen, as future demand warrants; and to modify certain development and business terms and conditions.

Summary

At the direction of Phoenix City Council, staff from the Aviation and Community and Economic Development Departments negotiated with CPLC for the use of the Site, which was purchased by the Aviation Department in the 1980s as part of the West Approach Land Acquisition program, which includes the historic Sacred Heart building.

On May 11, 2021, the City entered into a separate Unsubordinated Ground Lease No. 154383-0 with Sacred Heart Roman Catholic Parish Phoenix for the rehabilitation and activation of the historic Sacred Heart building on Parcel 2 of the Site.

On June 4, 2021, the City entered into the Agreements with CPLC for the development of a mixed-use project on the Site that included a focus on compatible, commercial uses and the construction of an 80,000 square foot corporate headquarters facility for CPLC on Parcel 1.

CPLC recently notified the City that it has been working with TCC on a development

for the Site and, in order to complete the development, CPLC requested modifications of certain business terms.

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

1. CPLC to partner with TCC to form a limited liability company to develop the Site as “Developer” in the Development Agreement and as “Tenant” in the Ground Lease.
2. Modify the Site Parcel Map exhibit in the Agreements to re-label the parcels as depicted on the parcel map attached and marked **Attachment A**.
3. Remove the 80,000 square foot corporate headquarter facility for CPLC on Parcel 1 and allow for the Site development to focus on employment-generating uses based on federal requirements for compatible land uses, including leasing buildings to general industrial, manufacturing, aviation-related, and aerospace tenants. The Site development will include community-orientated attributes and CPLC’s initiative of workforce training in the manufacturing space.
4. The Site will be designed and developed to a premium standard consistent with Commerce Park/General Commerce Park. If there are any zoning changes from the current Class A-1 Light Industrial zoning, then the zoning changes must be compatible uses for Sky Harbor Center and zoning uses that allow for distribution as the primary source of business operations are prohibited from the Site.
5. Provide a reinvestment capital requirement of cumulative \$10 million in upgrading existing or adding new building and leasehold improvements as tenant improvements. All improvements, whether completed by CPLC and TCC or the subtenants, must be documented and approved by the Aviation Department to qualify as part of the \$10 million reinvestment capital requirement.
6. Amend the Ground Lease term to include one fifteen-year option to extend the term that is subject to FAA approval. A request exercise the option to extend will be contingent in part upon the completion of the full reinvestment capital requirement and the Ground Lease shall be in good standing and not in default.
7. Modify the development timeline requirements for Phase 1 to include Parcels 1, 3, 4, and building(s) at a minimum of 10,000 square feet and a maximum of 210,000 square feet. Phase 1 must be completed within 24 months from the date the Phoenix City Council approved the amended terms. If construction is not completed and a certificate of occupancy is not issued on all subsequent phases, excluding

Phase 1 and Phase 2, within 72 months of the date the Phoenix City Council approved the amended terms, the City reserves its to terminate CPLC's and TCC's development rights, lease rights, and any subleases to those remaining parcels.

8. Allocate 2.5 acres of the Site as Parcel 1A located at the northwest corner of Sky Harbor Circle North and Buckeye Rd. for the development of a convenience store-gas station, including electric vehicle charging infrastructure as Phase 2 (see **Attachment A**). If construction does not commence on Parcel 1A within 30 months from the date the Phoenix City Council approved the amended terms, the City may terminate the Ground Lease and sublease for Parcel 1A and terminate CPLC's and TCC's development rights to Parcel 1A. In addition to the existing requirements to pay 10% of annual gross sales for a convenience store-gas station operation and a fuel flowage fee of \$0.10 per gallon, CPLC and TCC or the approved gas station operator subtenant agrees to pay \$0.50 per transaction for electric vehicle charging.
9. Establish short-term development milestones to ensure timely construction of the project, as well as development milestone payments based on modified development timeline performance benchmarks for Phase 1.
10. Modify Ground Lease rental rates (Rent) for each parcel (see **Attachment A** for parcel map):
 - Parcel 1: \$1.05 per square foot per year, or approximately \$622,900 per year.
 - Parcel 1.A: \$1.02 per square foot per year, or approximately \$111,078 per year.
 - Parcel 3: \$1.05 per square foot per year, or approximately \$528,344 per year.
 - Parcel 4: \$1.05 per square foot per year, or approximately \$266,450 per year.
11. Modify the Rent commencement date for Parcels 1, 3, and 4 to commence 24 months from the date the Phoenix City Council approved the amended terms or upon issuance of construction permits for Phase 1, whichever occurs first. Rent for Parcel 1A will commence 36 months from date the Phoenix City Council approved the amended terms or upon issuance of a certificate of occupancy for Phase 2, whichever occurs first.
12. Modify Rent adjustment to a Rent escalation schedule with Rent increasing every five years by a cumulative three percent and fair market value (FMV) adjustment based on an appraisal every ten years. The FMV Rent cannot decrease from the previous year's Rent by more than 95 percent or increase by more than 105 percent.
13. Amendments may include other terms and conditions deemed necessary or appropriate by the City Manager or his designee.

Contract Term

Subject to FAA approval, a one 15-year option to extend the term will be added to the Ground Lease for a total lease term of 65 years. In order to request the extension option, CPLC and TCC must complete the \$10 million capital reinvestment requirement and the Ground Lease contract must be in good standing and not in default. Extension of the term may be exercised at the sole discretion of the Director of Aviation Services.

Financial Impact

If amended, the project will have no expense impact on the General Fund. CPLC and TCC will pay Rent of approximately \$1.5 million for the first year and subject to a Rent escalation schedule for the remaining years.

Concurrence/Previous Council Action

The Phoenix City Council authorized the City to enter into a Ground Lease and Development Agreement with CPLC on Dec. 13, 2017 (Ordinance S-44141) and extended the execution deadline of the Ground Lease and Development Agreement on Dec. 12, 2018 (Ordinance S-45258).

Location

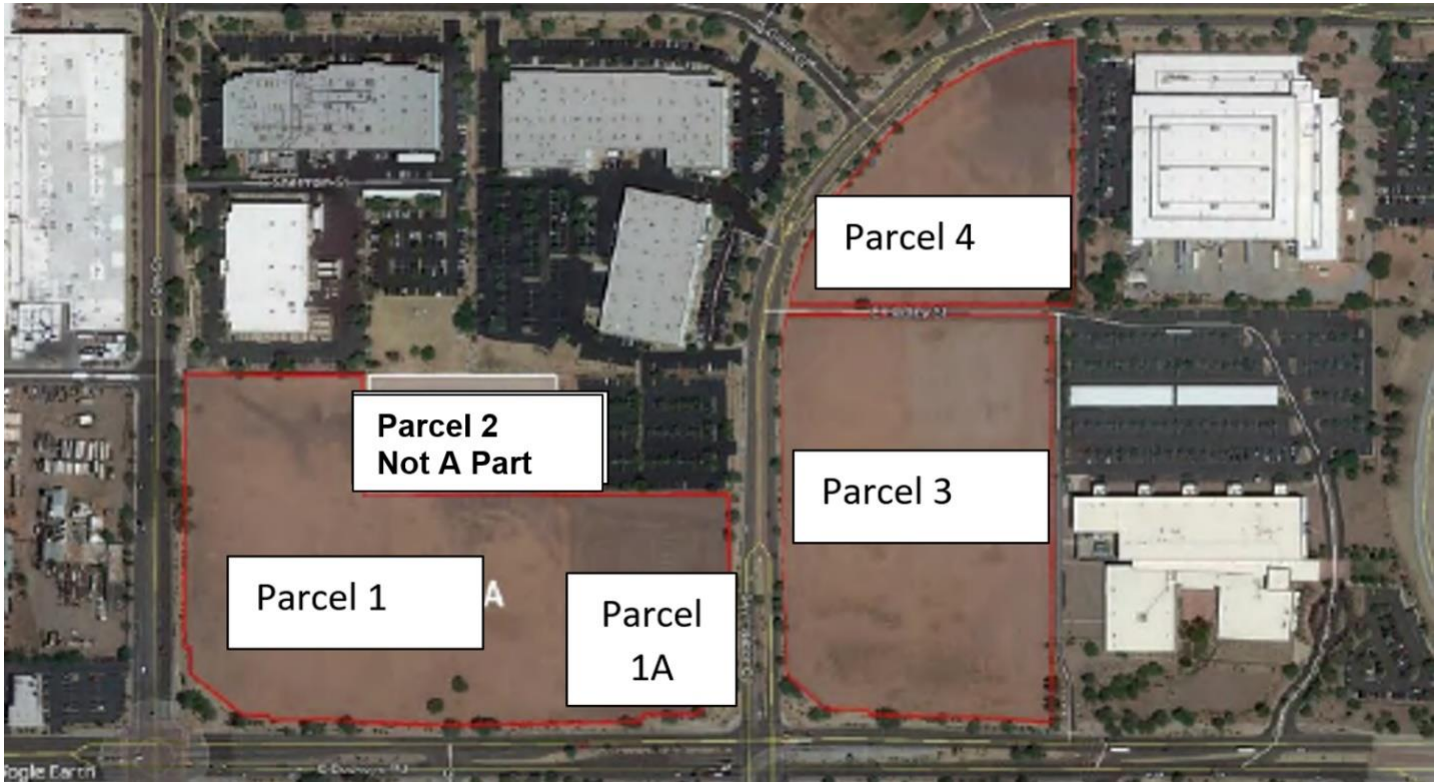
The Site is generally located on the northeast corner of 16th St. and Buckeye Rd. and the northeast corner of Sky Harbor Circle North and Buckeye Rd. in Sky Harbor Center at Phoenix Sky Harbor International Airport.

Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and Interim Deputy City Manager John Chan, and the Aviation and Community and Economic Development Departments.

ATTACHMENT A
Revised Exhibit A – Site Map Plan





Amend City Contract 154383 with Sacred Heart Roman Catholic Parish Phoenix (Ordinance S-50020)

Request to authorize the City Manager, or his designee, to amend Unsubordinated Ground Lease 154383 (Lease) with Sacred Heart Roman Catholic Parish Phoenix, an Arizona non-profit corporation, or its City-approved designee (Tenant), to extend the term of the Lease.

Summary

At the direction of the Phoenix City Council, staff from the Aviation and Community and Economic Development Departments negotiated with Tenant and Chicanos Por La Causa for the use of approximately 35 acres of land in Sky Harbor Center. The site, which includes the historic Sacred Heart Church (Building), was purchased by the Aviation Department in the 1980s as part of the West Approach Land Acquisition program.

On June 20, 2018, the Phoenix City Council approved business terms with the Tenant to lease the 5,200 square foot Building and approximately three acres of land for the establishment and use of a consecrated Catholic church and other potential development consistent with the uses in the Lease. The Lease was executed on May 11, 2021 (Effective Date) and the Tenant began its plans to rehabilitate the Building. Due to the COVID pandemic, inflation, and other economic impacts, the Tenant is seeking an additional two-years to renovate and activate the Building as required by Article 10.1(A) of the Lease. The current requirement is 36 months from the Effective Date and this amendment would change that requirement to 60 months from the Effective Date.

No other terms or conditions of the Lease will be amended.

Contract Term

The Lease Term is 50 years. This amendment would not change the term.

Financial Impact

This action will have no impact on the General Fund.

Concurrence/Previous Council Action

City Council authorized this Lease on the June 20, 2018 (Ordinance S-44586).

Location

The site is generally located on the northeast corner of 16th Street and Buckeye Road and the northwest corner of Sky Harbor Circle North and Buckeye Road in Sky Harbor Center at Phoenix Sky Harbor International Airport.

Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua, Interim Deputy City Manager John Chan, and the Aviation and Community and Economic Development Departments.



Temporary Traffic Signal Trailers Contract - RFA 24-FSD-009 - Request for Award (Ordinance S-49928)

Request to authorize the City Manager, or his designee, to enter into a contract with OMJC Signal, Inc. to purchase temporary traffic signal trailers. Further request to authorize the City Controller to disburse all funds related to this item. The contract value will not exceed \$1,200,000.

Summary

When large mast arm traffic signal poles are damaged, knocked down due to accidents or inclement weather, or inoperable, the Street Transportation Department uses 25-foot portable temporary traffic signal trailers. These trailers have adequate mast arm length to be positioned appropriately over the roadway for visibility to vehicles and pedestrian traffic. The purchase of temporary traffic signal sets on trailers will allow staff to create on-demand intersections. On-demand traffic intersection needs would include signaling needs during monsoon events or during special events requiring additional traffic signals for improved traffic flow.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Sole Source. OMJC Signal, Inc. is the only local provider that can provide these specialized 25-foot mast arm trailers with signals.

Contract Term

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

Financial Impact

The contract value will not exceed \$1,200,000 for the five-year term. Funding is available in the Street Transportation Department's budget.

Responsible Department

This item is submitted by Deputy City Managers Alan Stephenson and Mario Paniagua and the Street Transportation and Public Works departments.



Fleet Management and Smart Cities Contract - COOP 23-042 Request for Award (Ordinance S-49967)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement/contract with Samsara Inc., to provide fleet management technologies with related software solutions under the cooperative established by Sourcewell solicitation number RFP #020221 for the Public Works Department. City Council previously awarded a participating agreement/contract to Rubicon Global, LLC. under this cooperative. Samsara Inc. was not included at that time as the City was still in negotiations with them. Funds previously authorized by the City Council to vendor(s) under the cooperative may be applied to this agreement. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City code 42-18. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed.

Summary

This contract will provide safety camera systems for the Solid Waste Division vehicles, this will be utilized by all divisions within the solid waste utility at Union Hills, Okemah, Salt River, Glenrosa, North Gateway, 27th Avenue, and SR85 landfill. The safety camera system will be used to ensure safety standards are adhered to following federal, state, city laws, policies, and guidelines. Drivers will be provided instant feedback to correct risky driving behavior, and pictures or recordings taken by the camera system may be utilized to provide evidence against false claims filed against the city.

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

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Alternative Competition. The Public Works Department conducted a Request for Information (RFI) to learn about technologies on the market that would fit the requirements of the utility. Samsara Inc. responded to the RFI and through research Public Works has determined that the contract with Samsara Inc.

from Sourcewell is the best fit for the City. Sourcewell contract covers the purchase of fleet management technologies with related software solutions and was awarded consistent with the City of Phoenix's procurement processes.

Contract Term

The contract will begin on or about June 29, 2023 and expire on May 3, 2028.

Financial Impact

The contract value will not exceed \$3,780,000 and no additional funds needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Fleet Management Technology for Heavy-Duty Vehicles (Ordinance S-49672) on May 3, 2023.

Responsible Department

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



Refuse Truck Body Repair Contract - IFB 24-FSD-003 Request for Award (Ordinance S-49979)

Request to authorize the City Manager, or his designee, to enter into separate contracts with American Equipment Services, AMREP Manufacturing Company LLC., Balar Holding Corp. dba. Balar Equipment, BTE Body Company, Inc, Short Equipment, Inc., Spartan Truck Manufacturing, Inc. and Terrific Trucks & Equipment Sales, LLC, to provide refuse truck body repair services for the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$18,534,264.

Summary

The Public Works Department manages a fleet of approximately 300 solid waste refuse trucks, predominantly automated side loaders. Last fiscal year, approximately 400 different body repairs were made to the refuse truck fleet. Quick repair of these trucks minimizes downtime, allowing for timely provision of solid waste collection service to Phoenix residents. Contractors will perform all work in accordance with the current standards set forth by the original equipment manufacturer (OEM) for electrical, welding and repair of refuse trucks.

Procurement Information

An Invitation for Bid was processed in accordance with City of Phoenix Administrative Regulation 3.10. Nine groups were identified with the following different body types: Curbtender, Scorpion, AMREP, Heil, Spartan, Galbreath, McNeilus, NewWay, and Other Manufacturers. The Public Works Department, Procurement Section, received seven bids for all eight groups of refuse body types with an evaluation occurring on labor rate and pickup/delivery fees. All bids are deemed to be responsive to posted specifications and responsible to provide the required goods and services.

Selected Bidders

American Equipment Services - All groups: \$390.00
AMREP Manufacturing Company LLC - All groups: \$260.00
Balar Holding Corp. dba. Balar Equipment - All groups: \$493.00
BTE Body Company, Inc. - All groups: \$431.43
Short Equipment, Inc - All groups: \$363.00

Spartan Truck Manufacturing, Inc. - Only Group E - Spartan: \$332.50
Terrific Trucks & Equipment Sales, LLC. - All groups: \$387.00

Contract Term

The contracts will begin on or about July 1, 2023, for a three-year term with two one-year options to extend, for a total contract term of up to five years.

Financial Impact

The value of the contracts will not exceed \$18,534,264.

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

Location

Locations that could request on-site or mobile repairs are:

Glenrosa Service Center: 4021 W. Glenrosa Ave., District 5

Okemah Service Center: 3828 E. Anne St., District 8

Salt River Service Center: 3045 S. 22nd Ave., District 7

Union Hills Service Center: 138 E. Union Hills Drive, District 2

Council Districts: 2, 5, 7 and 8

Responsible Department

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



Emergency Vehicle Preemption System Contract - EXC 23-118 - Request for Award (Ordinance S-49978)

Request to authorize the City Manager, or his designee, to enter into a contract with Tomar Electronics, Inc. to provide Emergency Vehicle Preemption (EVP) system equipment for the Street Transportation 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 \$15,000,000.

Summary

This contract will provide the Street Transportation Department with EVP system equipment designed for full integration between Street Transportation's existing traffic control intersections and the existing Fire Department emergency vehicles. EVP system equipment allows responding Fire Department vehicles to manipulate the traffic signal light from red to green thereby expediting passage through an intersection to arrive at an emergency faster than having to wait at a red light. Devices are already installed on several existing traffic control boxes and traffic signal poles as well as Fire's emergency vehicles. Tomar's EVP system is also integrated with the City's traffic network management system.

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

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition. Pursuing an alternate EVP system could create a financial and operational challenge for the City.

Contract Term

The contract will begin on or about June 30, 2023, for a five-year term with one five-year option to extend.

Financial Impact

The aggregate contract value for will not exceed \$15,000,000 for the 10-year

aggregate term.

Funding is available in the Street Transportation Department's Operating and Capital Improvement Program budgets.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Street Transportation Department.



Intelligent Transportation System Devices and Communication Equipment - COOP 20-100 - Amendment (Ordinance S-49941)

Request to authorize the City Manager, or his designee, to execute amendments to Contracts 152715 with AM Signal, LLC, 152773 with Clark Electric Sales, Inc., 152759 with Enterprise Network Solutions, Inc., 152772 with MSI Tec, Inc., and 152739 with Summit Traffic Solutions, LLC to extend the contract term and add additional funds. The additional expenditures will not exceed \$2 million. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

These contracts will provide specialized equipment and supplies needed to perform critical maintenance on citywide infrastructure of the traffic signal system. Extension of these contracts and the additional funds requested will allow the City to maintain the current inventory, keep pace with changing technologies, and allow for consistent repairs and maintenance to the City's traffic signals.

Contract Term

Upon approval, the contracts will be extended through June 30, 2024.

Financial Impact

Upon approval of \$2 million in additional funds, the revised aggregate value of the contract will not exceed \$5 million. Funds are available in the Street Transportation Department's budget.

Concurrence/Previous Council Action

The City Council previously approved:

- Intelligent Transportation System Devices and Communication Equipment - 152715, 152773, 152759, 152772 and 152739 (Ordinance S-46649) on June 3, 2020; and
- Intelligent Transportation System Devices and Communication Equipment - 152715, 152773, 152759, 152772 and 152739 (Ordinance S-48755) on June 15, 2022.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Street Transportation Department.



Speed Hump/Speed Cushion Program - 2-Step Job Order Contracting Services - 4108JOC213 (Ordinance S-49925)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with two contractors to provide Citywide Speed Hump/Speed Cushion Program 2-Step Job Order Contracting services. 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 all services will not exceed \$2 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix 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 Speed Hump/Speed Cushion Program 2-Step Job Order Contract (JOC) services for installation, repair, replacement, or removal of speed humps, speed tables and speed cushions; furnish and install permanent signage with post, pavement markings and Blue Stake; apply crack seal to all pavement cracks; remove permanent signage and pavement markings; and proper disposal of debris. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

The selection was 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. Three firms submitted proposals and are listed below.

Selected Firms

Rank 1: Swaine Asphalt Corp.

Rank 2: M.R. Tanner Development and Construction, LLC

Additional Proposer

Rank 3: Sunland Asphalt & Construction, LLC

Contract Term

The term of each master agreement is up to five years. 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 combined master agreement value for the JOC contractors will not exceed \$2 million, including all subcontractor and reimbursable costs.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under these master agreements for up to \$1 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 and Operating budgets. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Public Outreach

Planned resident notification will be conducted by flyers and/or door hangers to be handed out prior to construction.

Responsible Department

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



Preformed Thermoplastic Pavement Marking Materials - IFB 18-249 - Amendment (Ordinance S-49945)

Request to authorize the City Manager, or his designee, to execute amendments to Contracts 147994 with Geveko Markings, Inc., 147995 with Ennis-Flint, Inc., and 147996 with Centerline Supply West, Inc. to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$50,000.

Summary

These contracts will provide the Street Transportation Department Signing and Striping Shop a variety of preformed thermoplastic pavement marking materials, such as turn arrows and bicyclist symbols, in addition to straight line segments to enhance traffic pavement markings throughout the City on street infrastructure. In addition, to standard white and yellow material, these contracts will also include colored marking materials for specialized applications.

Contract Term

Upon approval the contracts will be extended through June 30, 2024, with an option to extend through June 30, 2025.

Financial Impact

Upon approval of \$50,000 in additional funds, the revised aggregate value of the contracts will not exceed \$792,905. Funds are available in the Street Transportation Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Preformed Thermoplastic Pavement Marking Materials Contracts 147994, 147995 and 147996 (Ordinance S-44815) on June 20, 2018;
- Preformed Thermoplastic Pavement Marking Materials Contracts 147994, 147995 and 147996 (Ordinance S-46432) on March 18, 2020;
- Preformed Thermoplastic Pavement Marking Materials Contracts 147994, 147995 and 147996 (Ordinance S-47429) on April 7, 2021.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Street Transportation Department.



Reflectorizing Glass Beads - IFB 18-250 - Amendment (Ordinance S-49962)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 147983 with Potters Industries, LLC to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed; request to continue using Ordinance S-44704.

Summary

This contract will provide reflectorizing glass beads that the Street Transportation Department uses to add a retro-reflective element to pavement markings, making them more visible to the motoring and biking public. The beads are used by the Signing and Striping Shop for paint striping operations and are applied to all paint and thermoplastic pavement markings for use throughout the City of Phoenix street infrastructure.

Contract Term

Upon approval the contract will be extended through June 30, 2024, with an option to extend through June 30, 2025.

Financial Impact

The aggregate value of the contract will not exceed \$1,259,400, and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Reflectorizing Glass Beads Contract 147983 (Ordinance S-44704) on June 6, 2018.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Street Transportation Department.



Salt River Project Distribution Design and Construction Contracts for Installation of Electrical Facilities along Grand Canal from 47th to 75th Avenues - ST87600131 (Ordinance S-49959)

Request to authorize the City Manager, or his designee, to enter into 12 Distribution Design and Construction Contracts with Salt River Project for the design and construction of electrical facilities along the Grand Canal from 47th Avenue to 75th Avenue for City of Phoenix Project ST87600131. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. Additionally, request to authorize the City Controller to disburse all funds related to these items. The total value of the contracts will not exceed \$56,034.25.

Summary

The City is constructing canalscape improvements along the Grand Canal 47th Avenue to 75th Avenue which will include the design and construction of new electrical facilities. These contracts represent the costs for Salt River Project's design and construction to provide power services to new streetlights, High Intensity Activated CrossWalk (HAWK) signals, landscaping, and pathway lighting throughout the scope of the project limits.

Contract Term

The contracts will begin on or about July 10, 2023, and will end in one year.

Financial Impact

Funding in the amount of \$56,034.25 is available in the Street Transportation Department's Capital Improvement Program budget.

Location

Grand Canal from 47th Avenue to 75th Avenue
Council Districts: 4 and 5

Responsible Department

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



Authorization to Apply for and Accept Transportation Funding for Design Assistance Grants through Maricopa Association of Governments (Ordinance S-49989)

Request to authorize the City Manager, or his designee, to apply for, accept, and if awarded, enter into agreements, if necessary, for transportation funding through the Maricopa Association of Governments Design Assistance Program. Further request an exemption from the indemnification prohibition set forth in the Phoenix City Code section 42-18 for a governmental entity pursuant to Phoenix City Code section 42-20. The total value of requested grant funding will not exceed \$120,000.

Summary

Maricopa Association of Governments (MAG) has announced and shared the grant schedule for the upcoming Call for Projects for its Design Assistance Program, which provides funding to develop a project assessment or feasibility study up to a 15 percent design level on prospective bicycle and/or pedestrian projects. The goals of eligible projects under the Design Assistance Program should be focused on improving the quality of life, completing a regional shared use path and/or canal network, improving bicycle and pedestrian access to transit, or providing safety improvements for bicycle and pedestrian facilities. If funding is awarded for a City project, Street Transportation Department staff will select a consultant from MAG's approved on-call list, and MAG will enter into a contract for consulting services and manage the contract. Street Transportation Department staff will interact with MAG staff and the consultant to develop the project assessment or study for the project.

For Fiscal Year 2024, \$500,000 is available through MAG's Design Assistance Program and applications are due by June 30, 2023. Projects will be competitively scored and evaluated based on their individual merits.

Financial Impact

The total value of requested grant funding will not exceed \$120,000. There is no financial impact to the general fund as a local agency match is not required for this grant opportunity.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and Street Transportation Department.



Wireless Communications Equipment in Right of Way License Agreement with DISH Wireless (Ordinance S-49958)

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license agreement with DISH Wireless to construct, install, operate, maintain and use the Public Highways in the City of Phoenix for wireless communications equipment in, under, over and across the public rights of way in the City, subject to the terms and conditions contained in the license and Phoenix City Code. Further request that the licensee sign the license within 60 days of Council action, or this authorization will expire. Additionally, request to authorize the City Treasurer to accept all funds related to this item.

Summary

DISH Wireless is a communications company that has approached the City desiring to enter into a License Agreement to utilize City rights of way for the purpose of installing wireless communication equipment to serve wireless customers. The license will be for a period of 10 years with two five-year renewal options; contain appropriate insurance and indemnification provisions; require a performance bond and a security fund; provide for terms of transfer and revocation; and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way.

Contract Term

The license term is for a 10-year Wireless Communications Equipment in Right of Way License Agreement with up to two successive five-year renewal periods.

Financial Impact

There is no financial impact to the City. Licensee will pay an annual fee based on the type and location of the antenna structure and the cubic footage of ground equipment. The annual fee will have a three percent per year escalator.

Responsible Department

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



Amend Street Planning and Design Guidelines Manual (Ordinance S-49991)

Request City Council approval of amendments to the Street Planning and Design Guidelines Manual (SPDGM).

Summary

The Street Transportation Department has amended its current SPDGM which was last updated Dec. 1, 2009 (**Attachment A**). This update references appropriate State and Federal guidelines, aligns recent City adopted policies and plans, and incorporates many visual graphics and exhibits to increase ease of use. This plan provides design guidelines for public and private sector developments.

Concurrence/Previous Council Action

- Ordinance S-44639, approved June 6, 2018, procured the professional services contract for the updated SPDGM.
- The SPDGM was recently reviewed and approved by the Development Advisory Board (DAB), Technical Subcommittee Dec. 20, 2022, with Formal DAB approval Feb. 13, 2023.
- The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item by a vote of 4-0 on May 17, 2023.

Responsible Department

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

STREET PLANNING AND DESIGN GUIDELINES MANUAL

AUGUST 2022



City of Phoenix

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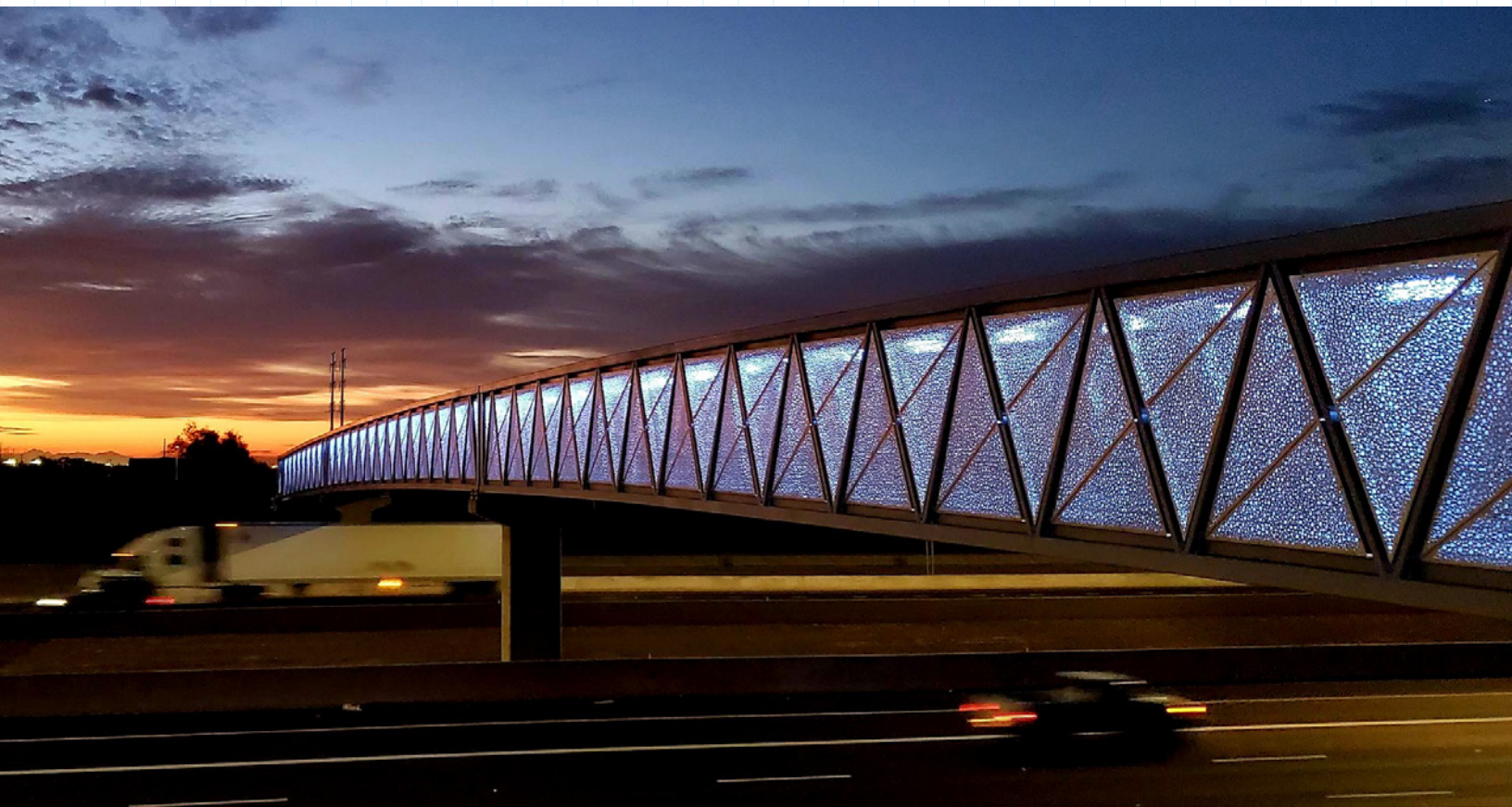
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1. INTRODUCTION

OVERVIEW

The City of Phoenix has developed this updated Street Planning and Design Guidelines (SPDG) Manual to assist City staff and others with the planning and design of streets that reflect City of Phoenix policies and guidelines informed by multimodal planning best practices.

It is intended that application of the transportation design and planning principles outlined in this manual will improve safety for all users, including bicyclists, pedestrians, and transit users.



1

1.1 AUTHORITY OF THIS DOCUMENT

These design guidelines, along with all future amendments, shall be known as the City of Phoenix Street Planning and Design Guidelines (hereinafter called “this manual”).

Preliminary approval of projects after adopted date shall fall under the requirements as outlined within this manual.

1.2 PURPOSE OF THIS STREET PLANNING AND DESIGN MANUAL

The purpose of this manual is to provide concise, usable information to assist in transportation planning and road design.

This manual:

- *Integrates current adopted codes, plans, and policies that support the City’s proactive efforts to make the streets safer and more comfortable to use for all.*
- *Provides reference to other accepted local and national state of the practice planning and design standards, policies, and guidelines.*

This manual standardizes roadway design elements where necessary for consistency and to ensure, as practical, that minimum requirements are met for efficiency, safety for all users (vehicles, bicyclists, and pedestrians), welfare, convenience, pleasant appearance, environmental sensitivity and economical maintenance.

The guidelines outlined in this manual cannot apply to all situations. They are intended to assist the professional engineer’s judgment but not serve as a substitute. Professional engineers are expected to bring the best of their skills and abilities to each project so that it is designed in an optimal manner.

For items not covered by this manual, the City of Phoenix may require the use of the resource standards as identified in Section 1.4 below.

These guidelines are not intended to unreasonably limit any innovative or creative effort that might result in a higher quality or increased savings. Any proposed departure from these guidelines will be evaluated based on whether such exception will yield an equivalent or better result for the road users and City residents.

While every effort has been made to ensure the accuracy and completeness of this manual, the City of Phoenix shall not be held responsible for any errors or omissions. It is the responsibility of the design engineer to ensure a proper design and the accuracy and completeness of construction documents sealed and signed by a registered professional engineer.

Vision, Goals and Objectives for Street Design in the City Of Phoenix

The overall philosophy of street design in the City of Phoenix is summarized in the Street Transportation Department Vision and Mission Statements:

VISION

We will provide a safe and sustainable transportation network and deliver infrastructure services through a forward thinking and dedicated workforce to address the changing needs of the City.

MISSION

To provide for the safe, efficient, and convenient movement of people and goods within the City and support citywide infrastructure projects to improve the quality of life in Phoenix.

To best address the changing needs of the City, this manual is a forward-looking manual and provides insights to emerging trends and potential future developments in transportation.

OBJECTIVES

1 EFFICIENCY, PUBLIC SAFETY AND CONVENIENCE. To protect the public health, safety, and welfare to the greatest extent possible and minimize inconvenience resulting from construction and maintenance activities within the public right-of-way.

2 MAINTAINING PUBLIC USE. To assure that bicycle, pedestrian and vehicular uses of rights-of-way are the primary uses thereof, and that the rights-of-way are properly maintained during construction and repair work in these areas.

3 STANDARDIZING CRITERIA. To protect the City's infrastructure investment by establishing standardized design, materials, construction, and repair criteria for all public improvements.

4 OPTIMIZING USE. To optimize the use of the limited physical capacity of public rights-of-way held by the City of Phoenix.

5 PROTECTING PRIVATE PROPERTY. To protect private property from damages that could occur because of faulty design during the construction of public improvements within public rights-of-way.



1.3 CITY OF PHOENIX IS COMMITTED TO STREET PLANNING AND DESIGN FOR ALL USERS

Over the past several years, the City of Phoenix has completed several multimodal-focused plans and initiatives, such as the following:

1. Comprehensive Bicycle Master Plan and Comprehensive Downtown Transportation Study: 20-year plan to develop, grow and connect bicycle facilities in Phoenix.
2. Plan PHX and Reinvent PHX: commits to develop walkable, opportunity-rich communities connected to light rail.
3. Transportation 2050 Program: emphasizes street needs including; street maintenance, new pavement, bike lanes, sidewalks and ADA accessibility which will all compliment the increase in transit services; commits to new sidewalks and new bike lanes.
4. City of Phoenix Complete Streets Design Guidelines (adopted in 2018) advances Phoenix's goal to create a multimodal transportation system that is safe and accessible for everyone. Complete streets provide infrastructure that encourages active transportation such as walking, bicycling, transportation choices and increased connectivity.

These advancements reflect the aspirations of elected officials, City staff, and residents to embrace a progressive approach to mobility, through context sensitive solutions that support neighborhood character, and provides mobility choices for a diverse population and their individual needs.

However, leveraging these investments into successful mobility is continually challenged by the diversity of needs and available choices. Public rights-of-way are being asked to provide more and more functions within existing footprints—"every road, every user, every function". This City of Phoenix Street Planning and Design Guide is written to address this challenge and provides the information and guidance to plan and design streets that reflect and balance community context area sensitivity, roadway function, capacity requirements, right-of-way, and mode-specific plans/design considerations.



CONSIDERATION OF EACH STREET ELEMENT WILL HELP ALL STAKEHOLDERS TO NAVIGATE THE COMPLICATED QUESTIONS SUCH AS:

“Is there enough room to accommodate all of the desired features within the existing right-of-way?”

“How should this driveway be designed to maximize safety for pedestrians?”

“What does a separated bicycle facility look like on a City street?”

“How do I prioritize roadway design features when there is simply not enough room to accommodate all modes of travel?”

1.4 | RESOURCES

Engineers and planners follow established standards and guidelines to prepare designs for roadway projects.

Relationship between this Manual and Other City Documents/Plans

This manual is intended to assist City staff and others with the planning and design of streets that reflect City of Phoenix policies and guidelines informed by multi-modal planning best practices.

Where possible, this manual refers to established policies, guidelines, and ordinances. **The user is directed to ensure that they are following the most current and recent version of the referenced document.**

NATIONAL STANDARDS, POLICIES, AND GUIDELINES

- **AASHTO Guide for the Development of Bicycle Facilities, 2019 (PENDING PUBLICATION)**
- **AASHTO A Policy on Geometric Design of Highways and Streets (AASHTO Green Book), 7th Edition, 2018**, <https://store.transportation.org/item/collectiondetail/180>
- **ADOT Arizona Supplement to the 2009 Edition of the Manual of Uniform Traffic Control Devices for Streets and Highways, January 2012**, [https://www.azdot.gov/docs/business/arizona-supplement-to-the-manual-on-uniform-traffic-control-devices-\(2009-mutcd-edition\).pdf?sfvrsn=0](https://www.azdot.gov/docs/business/arizona-supplement-to-the-manual-on-uniform-traffic-control-devices-(2009-mutcd-edition).pdf?sfvrsn=0)
- **FHWA Achieving Multimodal Networks: Applying Design Flexibility & Reducing Conflicts, FHWA-HEP-16-055, 2016**, https://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/multimodal_networks/
- **FHWA Flexibility in Highway Design**, <https://www.fhwa.dot.gov/environment/publications/flexibility/flexibility.pdf>
- **Highway Capacity Manual - Sixth Edition: A Guide for Multimodal Mobility Analysis, 2016**, <http://www.trb.org/Main/Blurbs/175169.aspx>
- **ITE Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, 2010**, <https://www.ite.org/pub/?id=e1cff43c%2D2354%2Dd714%2D51d9%2Dd82b39d4dbad>
- **NACTO Blueprint for Autonomous Urbanism, module 1**, <https://nacto.org/publication/bau/>
- **NACTO Transit Street Design Guide**, <https://nacto.org/publication/transit-street-design-guide/>
- **NACTO Urban Bikeway Design Guide (2nd Edition), 2014**, <https://nacto.org/publication/urban-bikeway-design-guide/>

- **NACTO Urban Street Design Guide, 2013**, <https://nacto.org/publication/urban-street-design-guide/>
- **NCHRP Report 672, Roundabouts: An Informational Guide, 2nd Edition, 2010**, <http://www.trb.org/Publications/Blurbs/164470.aspx>
- **United States Department of Justice, 2010 ADA Standards for Accessible Design**, https://www.ada.gov/2010ADASTandards_index.htm
- **USDOT MUTCD for Streets and Highways**, <https://mutcd.fhwa.dot.gov/>

STATE AND REGIONAL RESOURCES

- **MAG Uniform Standard Details for Public Works Construction, 2019 Revision to the 2015 Edition**, http://azmag.gov/Portals/0/Documents/MagContent/2019_Detail-Drawings-All-Bookmarked.pdf
- **MAG Uniform Standard Specifications for Public Works Construction, 2018 Revision to the 2015 Edition**, http://azmag.gov/Portals/0/Documents/MagContent/2019_Specifications_and_Details_Book.pdf

CITY OF PHOENIX POLICY DIRECTION

- **City of Phoenix Zoning Ordinance**, <https://www.codepublishing.com/AZ/Phoenix/>
- **PlanPHX, 2015 General Plan, Adopted March 4, 2015**, <https://www.phoenix.gov/pdd/pz/phoenix-general-plan>
- **Reinvent PHX - Transit-Oriented Development Policy Plans, 2015**, <https://www.phoenix.gov/pdd/topics/reinvent-phx>

BUILDING COMMUNITY REFERENCE MATERIAL

- **2012 City of Phoenix Supplements to MAG**, <https://www.phoenix.gov/streets/reference-material/2012maguniformstd>
- **2015 City of Phoenix Supplement to the 2015 Edition MAG Uniform Standard Specifications for Public Works Construction**, <https://www.phoenix.gov/streetssite/Documents/2015%20City%20of%20Phoenix%20Supplement%20to%20the%202015%20MAG%20Specifications.pdf>
- **2015 City of Phoenix Supplemental Standard Details for Public Works Construction**, <https://www.phoenix.gov/streetssite/Documents/2015%20City%20of%20Phoenix%20Supplemental%20Details.pdf>
- **Administrative Procedure 155 (Project Development Requirements and Guidelines)**, *February 2012*, <https://www.phoenix.gov/streetssite/Documents/ap155.pdf.pdf>
- **AutoCAD Tools for Consultants**, <https://www.phoenix.gov/streets/reference-material/autoCADhelp>
- **City of Phoenix Standard Traffic Signal Details**, https://www.phoenix.gov/streetssite/Documents/COP_Standard_Traffic_Signal_Details_09152017a.pdf
- **City of Phoenix Standard Specifications and Details for Public Works Construction, 2015 Edition**, <https://www.phoenix.gov/streetssite/Documents/City%20of%20Phoenix%20Specifications%20and%20Details%20for%20Public%20Works%20Construction,%202015%20Edition.pdf>
- **Design & Construction Management AutoCAD Standards**, <https://www.phoenix.gov/streetssite/Pages/DCM-AutoCAD-Standards.aspx>
- **SB1598 Licensing Time Frames**, <https://www.phoenix.gov/streetssite/Documents/091967.pdf>
- **Storm Water Policies and Standards Manual**, <https://www.phoenix.gov/streets/reference-material/sw-manual>
- **Street Classification Map**, <https://www.phoenix.gov/streetssite/Documents/7546mar2014.pdf>
- **Street Landscape Standards (2006)**, <https://www.phoenix.gov/streetssite/Documents/streetman.pdf>
- **Street Light Information for Development Projects**, <https://www.phoenix.gov/streets/reference-material/street-light-information-for-development-projects>

OTHER CITY OF PHOENIX GUIDELINES, STUDIES, AND PLANS

- **An Ordinance Establishing Complete Streets Guiding Principles**, *Ordinance S-41094, July 2014*, https://www.phoenix.gov/streetssite/Documents/Complete_Streets_Principles_Ordinance.pdf#search=An%20Ordinance%20Establishing%20Complete%20Streets%20Guiding%20Principles%2C
- **Complete Streets Design Guidelines**, *Adopted March 8, 2018*, <https://www.phoenix.gov/streetssite/Documents/CSAB%20Complete%20Streets%20Advisory%20Board%20Recommended%20Guidelines%20March%208%202018.pdf>
- **Comprehensive Bicycle Master Plan**, *November 2014*, <https://www.phoenix.gov/streetssite/Pages/Bicycle-Master-Plan.aspx>
- **Tree and Shade Master Plan**, *2010*, <https://www.phoenix.gov/streetssite/Documents/Shade%20Master%20Plan/Tree%20and%20Shade%20Master%20Plan.pdf#search=Tree%20and%20Shade%20Master%20Plan>
- **Phoenix Comprehensive Downtown Transportation Study: Final Study Report**, *September 2014*, <https://www.phoenix.gov/streetssite/Documents/DowntownComprehensiveTransportationPlan/FinalDowntownReport.pdf>
- **Traffic Barricade Manual**, *9th Edition, 2017*, https://www.phoenix.gov/streetssite/Documents/d_039129.pdf

1.5 | MANUAL OVERVIEW

This manual is comprised of ten chapters. A brief overview of these chapters is provided as follows.



INTRODUCTION: This chapter introduces the purpose, vision and goals of the Street Planning and Design Guidelines Manual and provides links to local and national design standards and policies that are references for this Manual.



GEOMETRIC DESIGN STANDARDS

Key topics include design considerations, pedestrian zone design, flex zone design (shared street areas that can be used for multiple purposes), roadway design, mobility zone design, intersections, crossings, and design details.



STREET CONSTRUCTION: This chapter provides information specific to the City of Phoenix and references source materials where possible. Topics include information on pavement thickness and approved asphalt mixes for street classes,

use of alternative paving materials, opportunities for incorporating other transportation improvements into the repair process, and stormwater management and green infrastructure construction.



TRAFFIC SIGNALS, SIGNING, AND STRIPING:

An overview of relevant design standards and policies for traffic signal improvements are provided in this chapter. Requirements for level of improvements for new development and funding in escrow are discussed.



TRAFFIC CALMING/TRAFFIC MANAGEMENT:

This chapter discusses traffic calming and traffic management policies. Requirements for level of improvements for new development and funding in escrow with respect to traffic calming and traffic management are discussed.



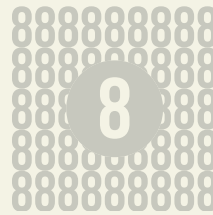
ACCESS MANAGEMENT: Topics discussed in this chapter include City of Phoenix requirements for:

- Driveways
- Frontage roads/ access roads
- Alleys
- Median spacing
- Median opening design
- Mid-block crossings
- Location of bus bays and pads



SUBDIVISION STREET PLANNING:

Topics discussed include requirements of the Subdivision Ordinance and Zoning Ordinance (Chapter 32) and the Downtown Urban Walkable Code as well as information on cul-de-sac street lengths, private street and gated access design standards.



BIKEWAYS AND PEDESTRIANS: This chapter discusses integrating bicycle and pedestrian infrastructure into roadway design. This chapter provides design guidance on bikeway system components, shared use paths, transit stops, and rail crossings, among others.



TRAFFIC IMPACT ANALYSIS: This chapter is prepared to assist an applicant to satisfy the requirement of performing a Traffic Impact Analysis (TIA) when requesting access to a city street.

2. GEOMETRIC DESIGN STANDARDS

OVERVIEW

Chapter 2 presents the geometric design standards for streets and roadways.

The design standards support Complete Streets principles, including safety for all travelers—pedestrians, bicyclists, transit users, and motorists



Chapter 2 --- GEOMETRIC DESIGN STANDARDS

2.1 INTRODUCTION

Chapter 2 presents the geometric design standards for streets and roadways. The design standards support Complete Streets principles, including safety for all travelers—pedestrians, bicyclists, transit users, and motorists.

The design standards presented in this chapter are not a substitute for experience, professional judgment, or ongoing communication between the designers and reviewers. An exception process provides flexibility when necessary to accommodate site-specific opportunities and constraints. All exceptions will be evaluated based on whether it will provide an equivalent or better result for the road users and City residents. When reviewing and approving projects in City of Phoenix right-of-way, the City makes every attempt to balance the vision for a project with adopted policy, regulation, user acceptance, and public safety.

2.1.1 COMPLETE STREETS

The City of Phoenix adopted Complete Street Guidelines on March 8, 2018, contains the following design principles:

- Design for Safety, returning balance to the transportation network for users of all modes of transportation
- Design for Comfort and Convenience
- Design for Context
- Design for Sustainability
- Design for Cost-Effectiveness

A Complete Streets design approach using context-sensitive methods may result in variable design parameters, function, and appearance throughout the City based on community input, surrounding land uses, available right-of-way, street type, adopted general and specific plans and overall intent of the corridor in coordination with other city codes and ordinances.

2.1.2 FLEXIBILITY IN DESIGN

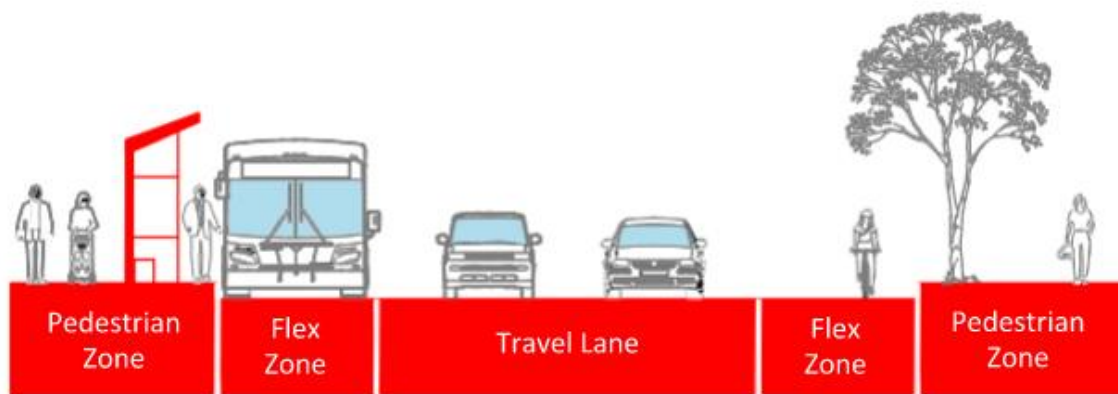
In many cases, existing right-of-way or utility requirements may not allow for the desired typical cross section to be constructed. Consistent with the desired function of the roadway, the design engineer must use engineering judgement to determine appropriate design values within limited or constrained right-of-way.

“Design flexibility is of critical importance because each project has a specific purpose and need, has specific context and constraints, serves a unique set of users, and fills a unique position in the transportation network.” — (AASHTO A Policy on Geometric Design of Highways and Streets)

2.1.3 RIGHT-OF-WAY ZONES

The City of Phoenix Street Classification Map defines right-of-way widths for City of Phoenix street cross-sections. The street cross section can be organized into three basic zones of the right-of-way, as illustrated in **Figure 2.1-1**.

- **Travel Lane:** Travel lanes can serve all modes or be dedicated to serve specific modes such as a bus or light rail.
- **Flex Zone:** Flex Zone is the space between the Travel Lane Zone and the Pedestrian Zone. This zone can contain multiple uses such as bike lanes, transit stops, commercial deliveries, on-street parking, taxi zones, passenger loading, and shared mobility areas. The Flex Zone serves as a buffer between moving vehicles in the Travel Lane Zone and the users in the Pedestrian Zone.
- **Pedestrian Zone:** This space includes the sidewalk, planting areas, bus shelters, street furniture, sidewalk cafes, and bicycle racks. It is always desirable to achieve preferred design widths to accommodate these features. At times accommodating preferred widths in urban settings is not possible due to various contextual constraints. When this occurs, design flexibility should be applied, and minimum widths considered where appropriate.



Source: Adapted from *Seattle Right-of-Way Improvements Manual, Standard 2.1 Right-of-Way Allocation*, <https://streetsillustrated.seattle.gov/street-types/row-allocation/>

Figure 2.1-1 Right-of-Way Zones

2.2 SUMMARY OF GEOMETRIC DESIGN CRITERIA BY ZONE

Table 2.2-1 summarizes Geometric Design Criteria for each zone. Subsequent sections include additional discussion and detail regarding each zone. All street design should follow City Code 32-27.

Table 2.2-1 Roadway Geometric Design Criteria by Zone

Street Design Element	A	B	C	CM	D	E	F	G	H	I
	Major Arterial	Major Arterial & Arterial	Major Arterial & Arterial	Major Arterial with Raised Median	Arterial and Major Collector	Collector	Minor Collector	Local Commercial & Multi-Family	Local (Single-Family Residential)	Local (Single-Family Residential)
<i>Design Speed</i>	Posted +10 mph	Posted +10 mph	Posted +10 mph	Posted +10 mph	Posted +10 mph	Posted +10 mph	Posted +10 mph	Posted +5 mph	Posted +5 mph	Posted +5 mph
<i>Right-of-Way Width</i>	140'	130'	110'	110'	100'	80'	60'	50'	50'	50'
<i>Pavement Width, Measured from Face of Curb to Face of Curb</i>	104'	94'	74'	74'	64'	50'	36 – 40' ⁷	36'	32'	28'
<i>Number of Travel Lanes</i>	6	6	4	4	4	2	2	2	2	2
<i>Travel Lane Width (Typical)¹</i>	10' – 11'	10' – 11'	11'	z11'	10' – 11'	12'	12' – 14' ⁸	-	-	-
<i>Median Width (Typical)</i>	24' Raised	14' Raised	12' Two-Way Left-Turn Lane	14' Raised	10' Two-Way Left-Turn Lane	10' Two-Way Left-Turn Lane	-	-	-	-
<i>Bicycle Lane²</i>	6'	6'	6' ⁶	6'	6', 5.5 min. ³	5.5'	-	-	-	-
<i>Curb Type⁴</i>	Vertical	Vertical	Vertical	Vertical	Vertical	Vertical	Vertical	Vertical	Vertical; Ribbon/Flush	Vertical
<i>Sidewalk⁵</i>	5'	5'	5'	5'	5'	5'	4' – 5'	4' – 5'	4'	4'

Note:

1. 10' wide outside travel lane will typically only be considered in cases of limited pavement width, as a retrofit to accommodate on-street bicycle facilities. Final lane widths will be determined by Street Transportation Department.
2. 5.5' wide bicycle lane allowable when combined with 2.5' wide buffer; may require width of other travel lanes to be narrowed; bike lane width measured from face of curb.
3. Bicycle lane may not be able to be accommodated within Cross-Section D. Final lane widths will be determined by Street Transportation Department.
4. Refer to City of Phoenix supplement to Uniform Standard Specifications and Details for Public Works Construction for cross sections and elements including curb type.
5. City of Phoenix Downtown Code (DTC), Walkable Urban (WU) Code, or other zoning overlays supersede published sidewalk widths.
6. 3' wide buffer allowed; travel lane width will be adjusted to provide width for the buffer.
7. Rear facing home (F) allows for 36' wide section.
8. 12' wide lanes with on-street parking or 14' wide lanes with a 6' wide bike lane.

2.3 TRAVEL LANE

2.3.1 DESIGN SPEED

Streets help define the character of neighborhoods. A street's design should interact with the surrounding context including its history, character, land uses, and nearby landmarks. Design speed contributes to the function and character of a street to be more walkable and bikeable, support investments in transit, foster social engagement and community pride, support the local economy and property values, and improve livability.

Design speed should be established considering surrounding land uses, available right-of-way, street type, adopted general and specific plans and overall intent of the corridor in coordination with other city codes and ordinances.

On City of Phoenix collector and arterial streets in typologies **outside of urban and downtown**, the **design speed is equal to the posted speed limit plus 10 MPH**. Design speed is governed by geometrics such as vertical and horizontal curves.

Within urban core and downtown street typologies, the design speed may be **equal to the posted speed limit**, in consultation with Street Transportation Department.

On local streets, the design speed is equivalent to the posted speed limit plus 5 MPH. Design speeds are shown in **Table 2.2-1**.

Lower speeds are desirable for thoroughfares in walkable, mixed use urban areas and this desire for lower speeds should influence the selection of the design speed. For the design of such speeds, a target speed should be selected. (AASHTO A Policy on Geometric Design of Highways and Streets)

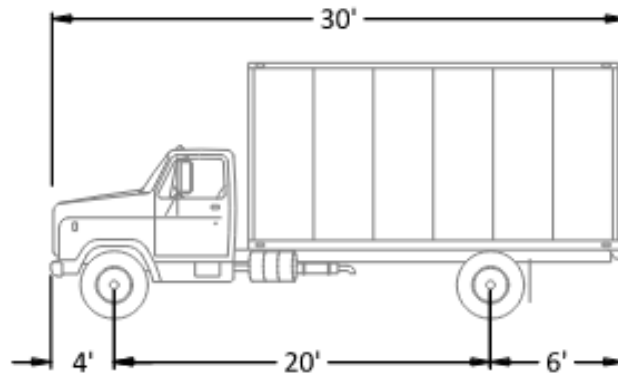
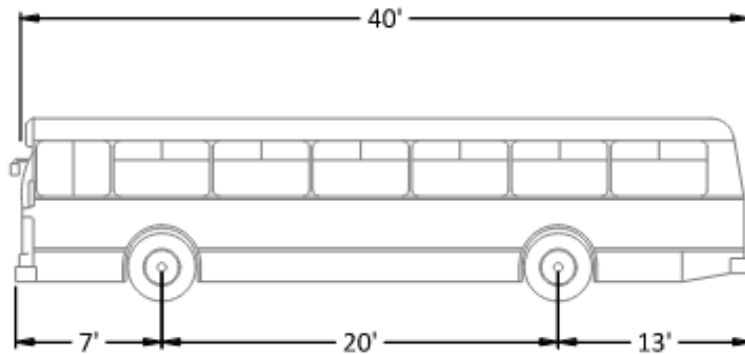
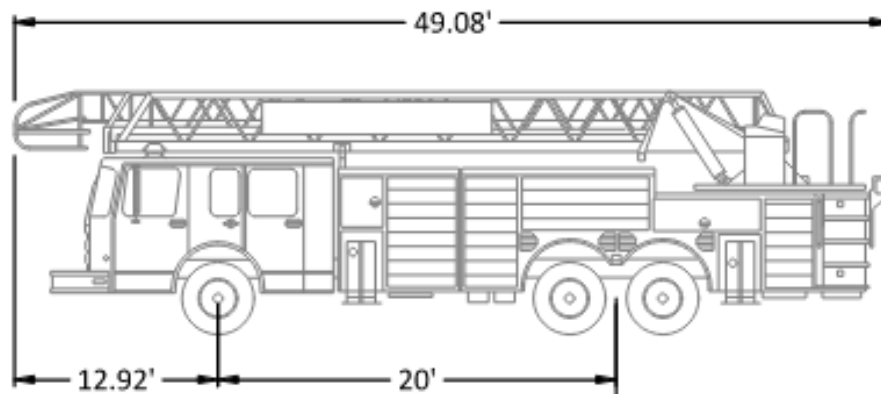
2.3.2 DESIGN VEHICLE

The **design vehicle** is a frequent user of a given street and dictates the minimum required turning radius and lane widths for street intersections and driveways. The design vehicle should be able to make all movements on the street and at intersections without encroaching in the travel way of conflicting vehicles. If the design vehicle is too small or has too small a minimum turning radius, conflicts in the pedestrian zone or street edge may occur. If a vehicle is excessively large for the context, there may be too much space allocated for motor vehicles.

The **control vehicle** is an infrequent large user. A control vehicle dictates how an intersection accommodates a larger vehicle's turning needs. In some cases, the control vehicle can encroach on other lanes or overhang an area unlikely to be occupied by other road users. The decision is made considering the context of the surrounding land uses and priority of the roadway.

- The design vehicle in downtown and urban typologies is a SU-30 truck.
- The design vehicle in suburban and rural typologies is a BU-40 school bus.
- The control vehicle on all city streets is a 49-foot fire truck.
- The control vehicle on streets in industrial areas is a WB-67 interstate semitrailer.

Design vehicles and control vehicles are shown in **Figure 2.3-1** unless otherwise dictated by the values in **Table 2.2-1**.

Downtown/Urban Areas: SU-30, 42-Foot Minimum Turning Radius**Suburban/Rural Areas: School Bus, BU-40, 39.1-Foot Minimum Turning Radius****Control Vehicle: Rear-Mounted Aerial Fire Truck****Sources:**

SU-30 Design Vehicle: AASHTO, *A Policy on Geometric Design of Highways and Streets*, 7th Edition, 2018, Page 2-65.

BU-40 Design Vehicle: AASHTO, *A Policy on Geometric Design of Highways and Streets*, 7th Edition, 2018, Page 2-71.

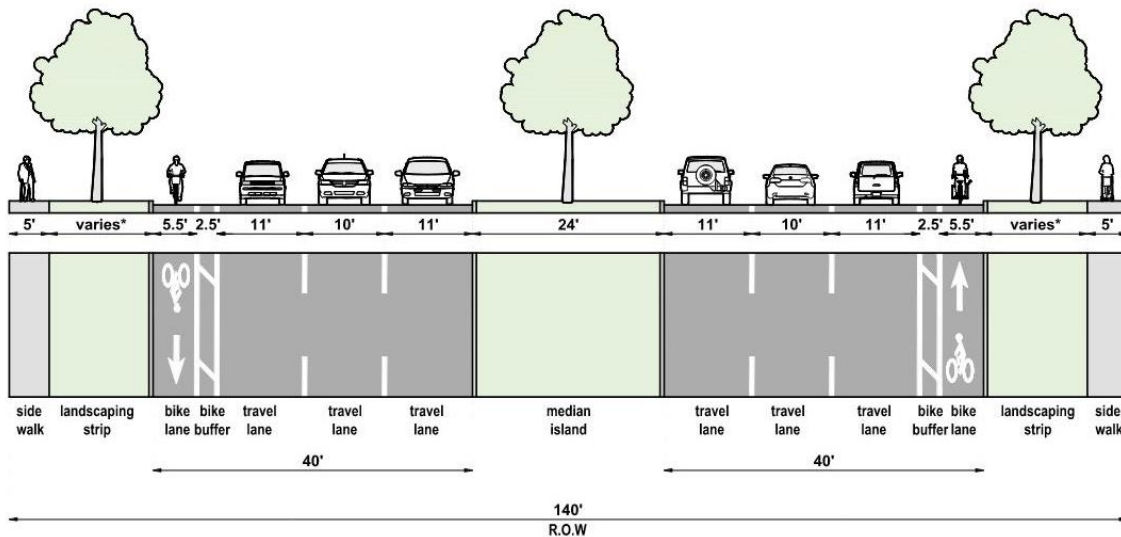
Three Axle, Rear-Mounted Aerial Fire Truck, AUTOTURN program.

Figure 2.3-1 Design Vehicle Illustrations

2.3.3 STREET CROSS-SECTIONS

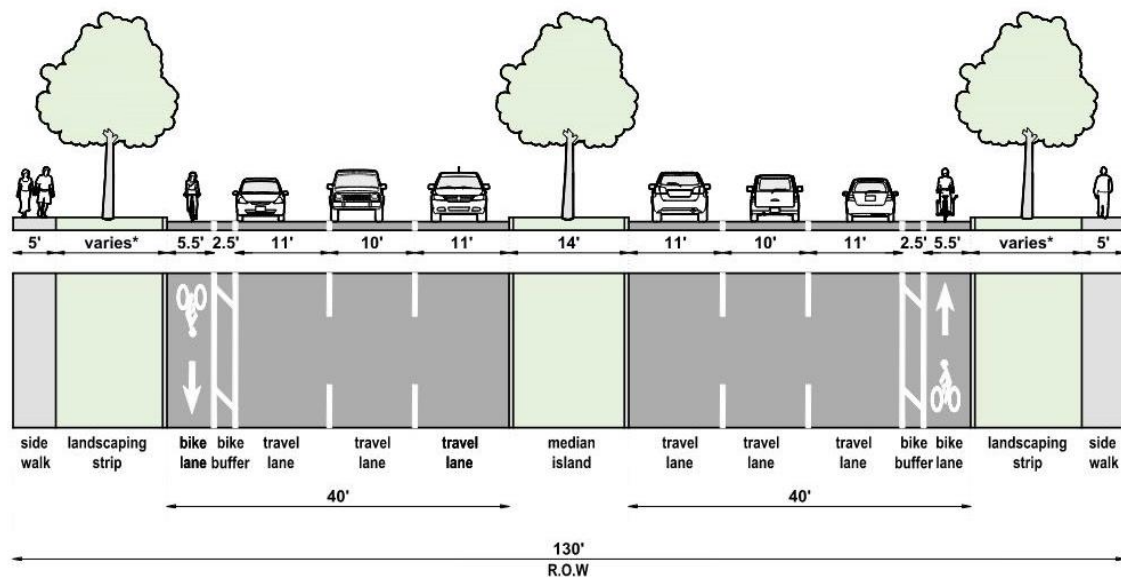
There are 11 street cross-sections (**Figure 2.3-2** through **Figure 2.3-12**) based upon the type and level of use for which the streets are intended. The adopted street cross-sections are shown on the *Street Classification Map* for each arterial and collector within the City.

The corresponding figures show the geometric details of each of the cross-sections. **Lane dimensions are typical, and subject to striping review from Street Transportation Department.** Lane widths may be modified with approval from the Street Transportation Department. Pavement width, as measured from curb face to curb face, generally remains fixed.



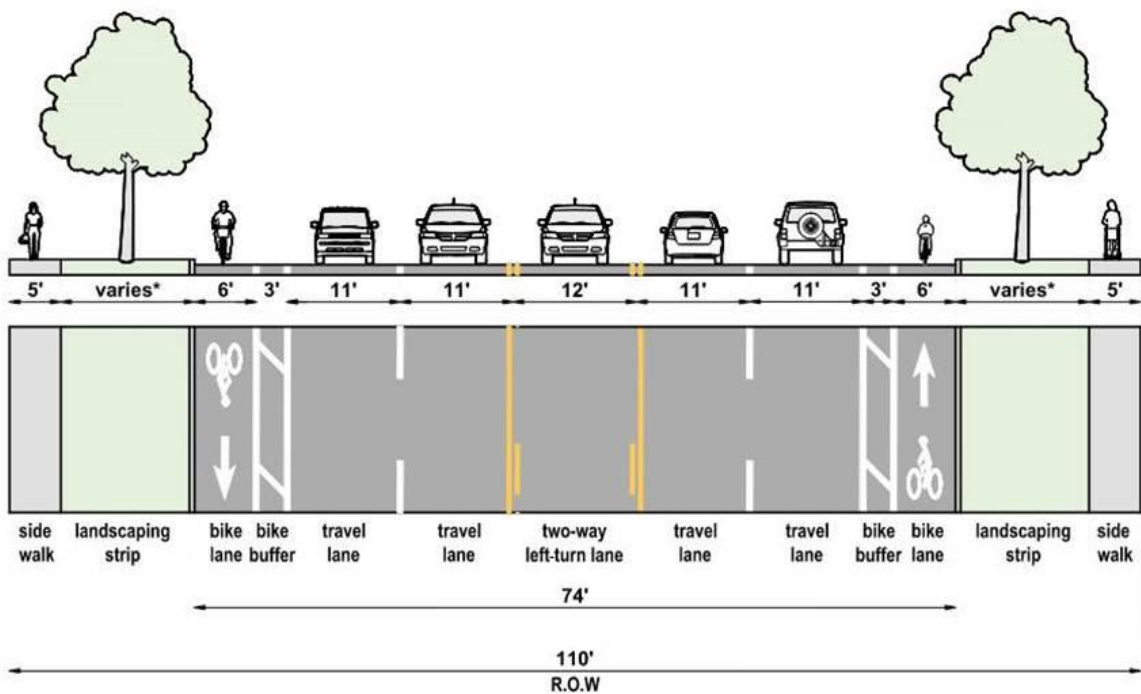
*Preferred minimum width is 10', and is subject to character area, neighborhood, or specific plans.

Figure 2.3-2 Cross-Section "A," Major Arterial



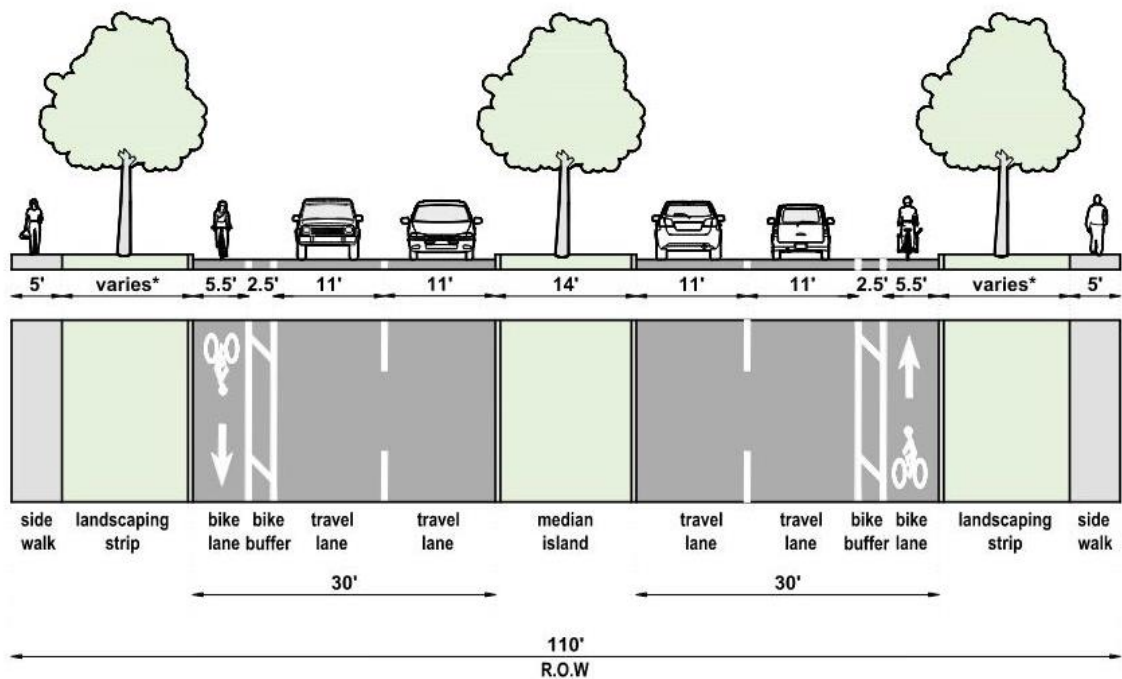
*Preferred minimum width is 10' and is subject to character area, neighborhood, or specific plans.

Figure 2.3-3 Cross-Section "B," Major Arterial and Arterial



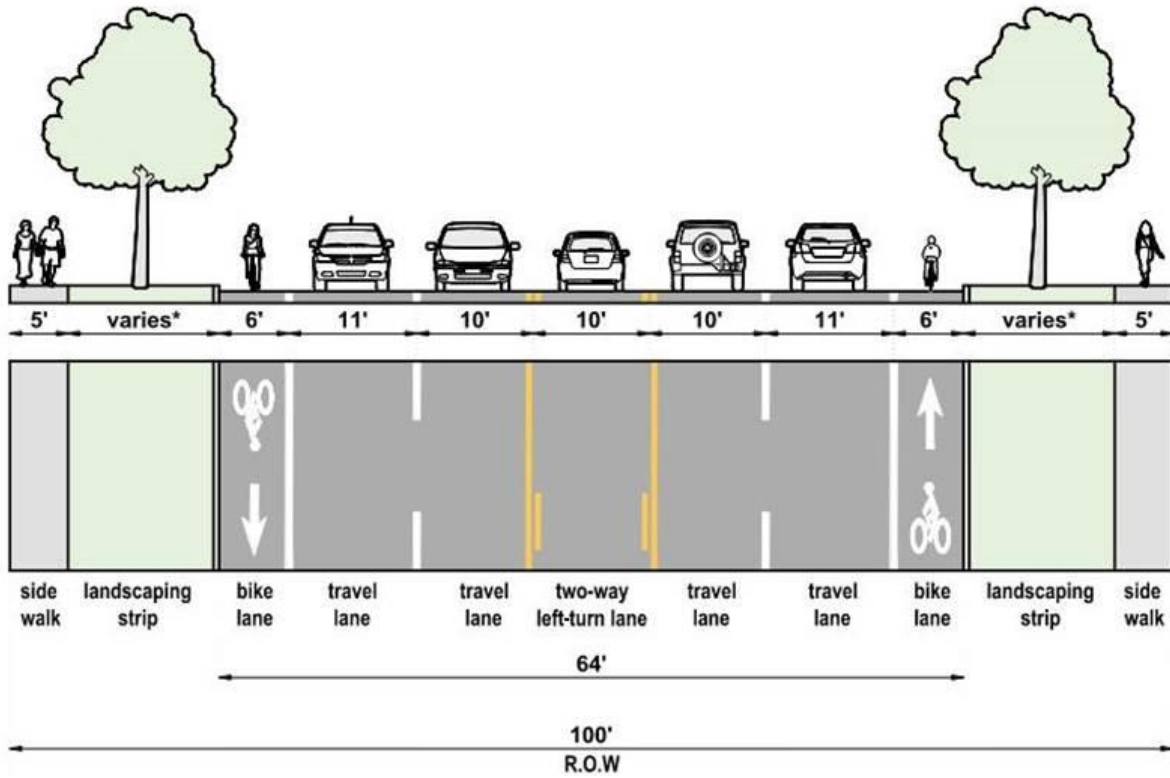
**Preferred minimum width is 10' and is subject to character area, neighborhood, or specific plans.*

Figure 2.3-4 Cross-Section "C," Major Arterial and Arterial



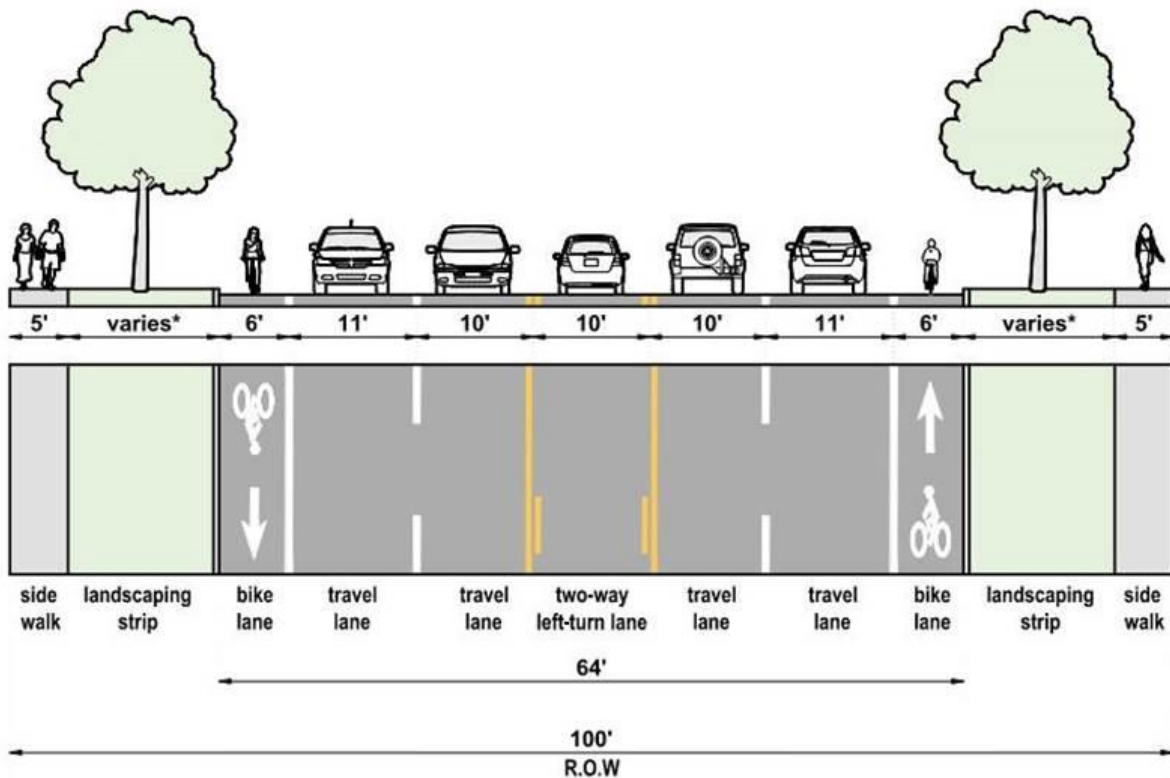
**Preferred minimum width is 10' and is subject to character area, neighborhood, or specific plans.*

Figure 2.3-5 Cross-Section "CM" (C with Raised Median), Major Arterial and Arterial



*Preferred minimum width is 10' and is subject to character area, neighborhood, or specific plans.

Figure 2.3-6 Cross-Section "D," Arterial, and Major Collector



*Preferred minimum width is 10', and is subject to character area, neighborhood, or specific plans.

Figure 2.3-7 Cross-Section "E", Collector

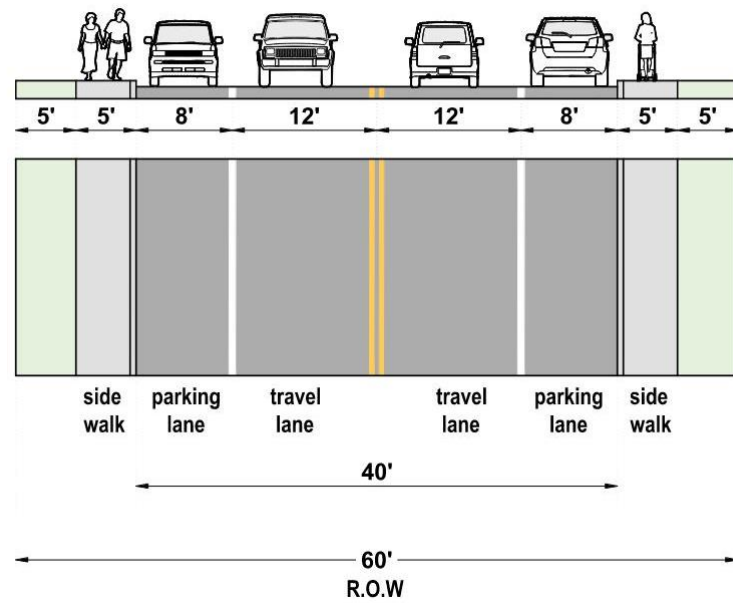


Figure 2.3-8 Cross-Section "F," Minor Collector with Parking

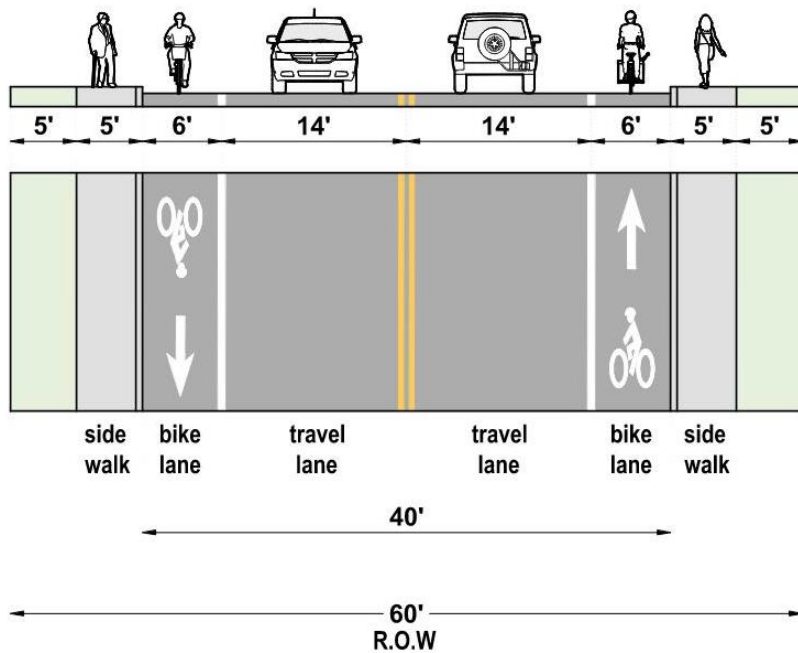


Figure 2.3-9 Cross-Section "F," Minor Collector with Bike Lane

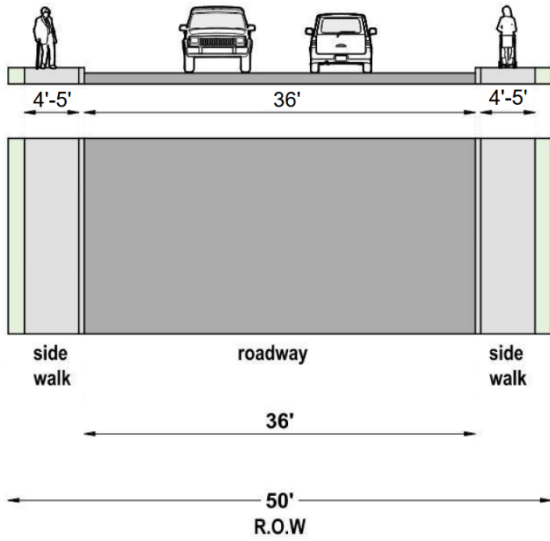


Figure 2.3-10 Cross-Section "G," Local
(Commercial and Multi-Family)

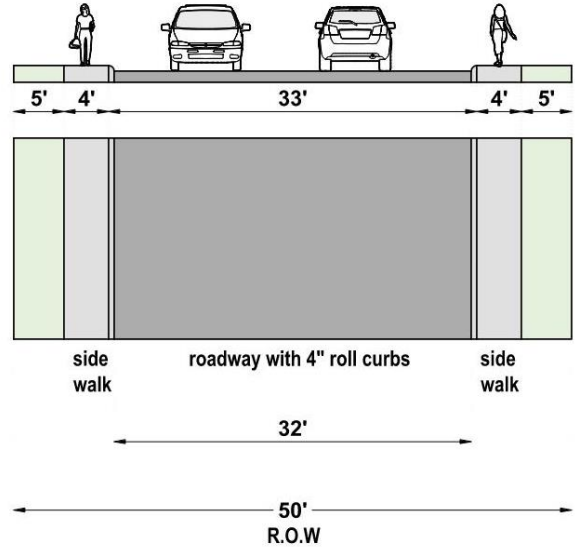
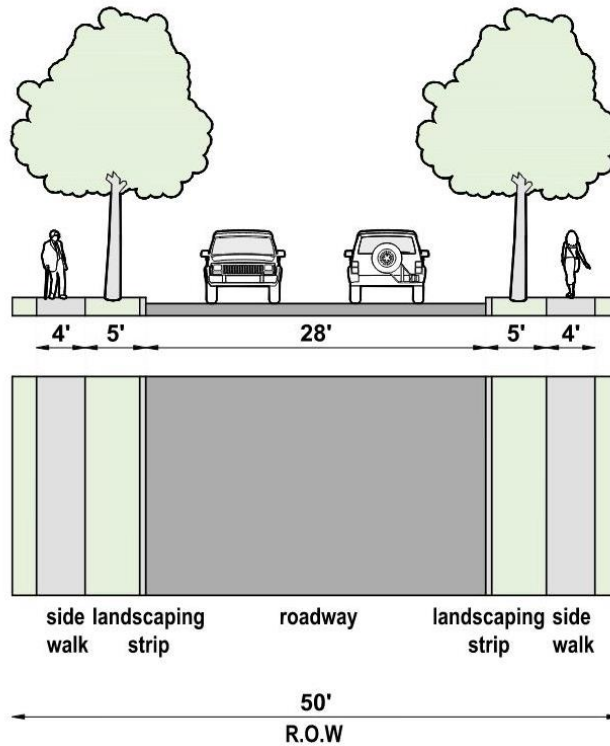


Figure 2.3-11 Cross-Section "H," Local
(Single Family Residential)



*Utilization of cross-section "I" requires approval of the Street Transportation Department; See Section 7.2.6 of this Manual.

Figure 2.3-12 Cross-Section "I," Local (Single Family Residential)

2.3.4 TRAVEL LANE AND TURN-LANE WIDTH

Travel lane widths are measured from the center of each longitudinal pavement marking lane line. Outside lane widths are measured to the face of curb and are inclusive of the gutter pan. Lane widths are specified in **Table 2.2-1. Chapter 4** contains additional information about pavement markings.

2.3.5 PAVEMENT TRANSITION TAPERS

AASHTO A Policy on Geometric Design of Highways and Streets specifies design criteria and guidelines for pavement tapers for lane transitions (**Figure 2.3-13**).

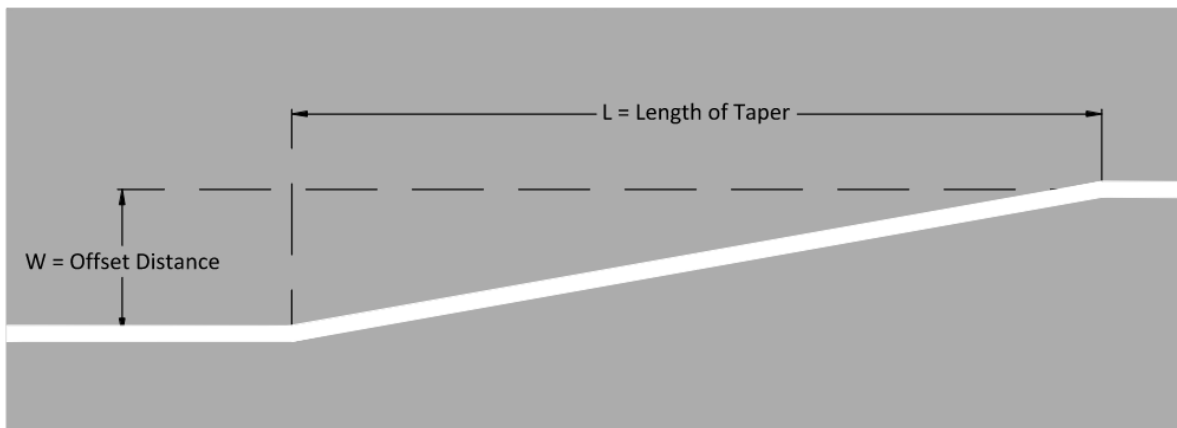
When development causes the widening of a portion of the pavement of an existing road, pavement transitions are required at each end of the widened portion. The transitions should be made on a tangent section whenever possible. Locations with horizontal and vertical sight distance restrictions should be avoided. Whenever feasible, the entire transition should be visible to the driver of a vehicle approaching the narrower section. Intersections at grade within the transition area should be avoided. A pavement taper is required regardless of the striping transition in the adjacent area.

Transition to a Wider Pavement Section

If right-of-way is available, a transition from a narrower cross-section to a wider cross-section should have a taper that is 25:1. Additional taper length may be required based on the location of cross streets and driveways downstream from the new improvements.

Transition to a Narrower Pavement Section

If right-of-way is available, a transition from a wider cross-section to a narrower cross-section should have a length equal to the difference of the two (2) widths in feet times the street design speed in miles per hour.



Source: Adapted from AASHTO Green Book, Straight Line Taper, page 9-103

Figure 2.3-13 Lane Transition Tapers

2.3.6 Turn Lanes

Right-Turn Lanes

At intersections or driveways, the width of a right-turn lane is 12' measured from face of curb to center of longitudinal lane line.

Typical storage length is 100' from curb return or driveway wing. The maximum allowable storage length is 250' and must be supported by a traffic study.

The taper length may be calculated by applying a taper rate of 8:1 for design speeds up to 30 mph; for 35 mph and 45 mph design speed the taper length may be 125'; and 180' for design speeds 50 mph and greater.

Continuous right-turn lanes between driveways will not be allowed. There will be a minimum of 20' from curb return/wing of driveway to the start of the approach taper for the next right-turn lane.

Left-Turn Lanes

Left-turn lane storage requirements are subject to a traffic engineering study. Storage lengths are typically as follows in **Table 2.3-1** and **Table 2.3-2**.

For high-speed rural highways, deceleration distances and large truck volumes must be considered when determining the total left-turn lane length.

Any left-turn storage lengths that differ from the guidelines must be reviewed and approved by the Traffic Services Division of the Street Transportation Division.

Refer to Detail 7336¹, Intersection Flare, available from Street Transportation Department for lane transitions. The detail shows transitions for addition of through lanes, right-turn lanes, and left-turn lanes for each cross-section. A representative depiction of how a Cross-Section F transitions to include taper and turn lane is shown in **Figure 2.3-14**.

Table 2.3-1 Arterial Street Left-Turn Lane Storage

<i>Intersection Type</i>	<i>Arterial Street Storage Length</i>
<i>Intersection with Arterial Streets (including dual left turns)</i>	250' ¹
<i>Intersection with Collector Streets</i>	150'
<i>Intersection with Local Streets</i>	100'
<i>Intersection with Driveways</i>	100'

¹Dual left-turn lanes are required when vehicle queue exceeds 250'.

Table 2.3-2 Collector Street Left-Turn Lane Storage

<i>Intersection Type</i>	<i>Collector Street Storage Length*</i>
<i>Intersection with Arterial Street</i>	100'

*Collector street turn lanes may be required based on TIA recommendations

¹ <https://www.phoenix.gov/streets/reference-material/>

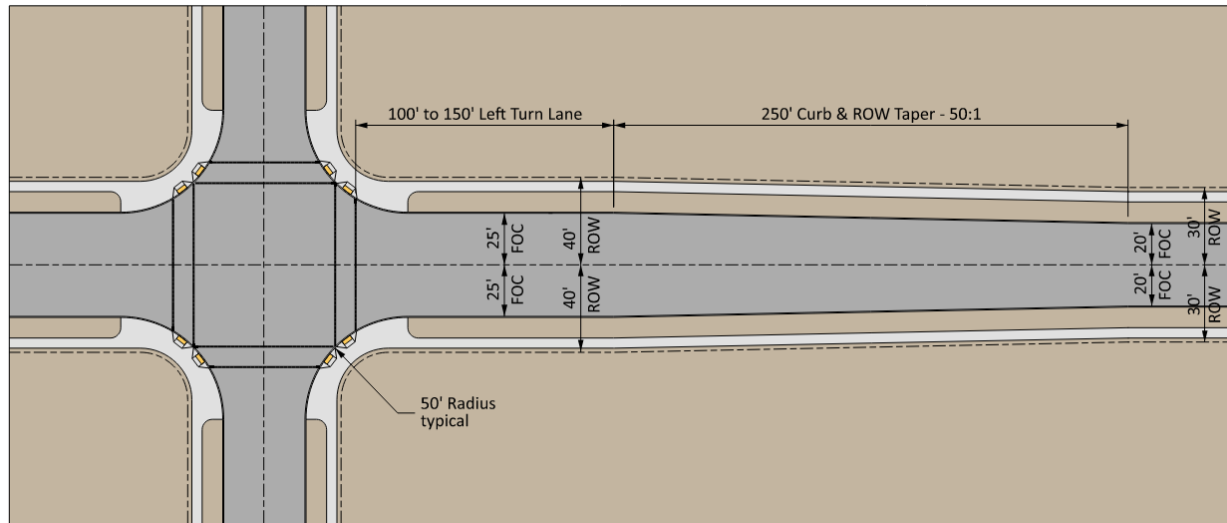


Figure 2.3-14 Intersection Flares, Cross-Section F

2.3.7 MEDIANS

Medians shall be provided as identified by street classification and may be permitted on collector and local streets with the approval of the Street Transportation Department and the inclusion of a private maintenance agreement. Raised median islands are intended to separate opposing traffic flows, restrict indiscriminate crossing maneuvers, control turns, and protect vehicles waiting to turn left. The basic purpose of a median island is to expedite traffic and increase vehicle and pedestrian safety. Too frequent openings may void these benefits.

Median Widths

The width of a raised median is measured from the face of median curb to the face of median curb. The nominal width of a raised median island is specified in **Table 2.2-1**.

At intersections, when a raised median island is narrowed for a left-turn pocket, the minimum width should be 4'. Only in exceptional circumstances will a raised median be approved to a width of less than 4'.

Raised Medians

Raised medians that are more than 4' in width are normally landscaped. Landscaping and other median features shall not restrict the sight distance for vehicles turning left on the through street. Median landscaping shall not restrict sight distance in the vicinity of intersections for side street traffic. Per City of Phoenix Street Landscape Manual, no plant material within 10' of the end of street median islands and no trees planted within 80' of the end of the street median. Street median islands 0 to 800' in length must maintain an open area equal to 30' in length at either end or have turning lane (non-signal) to provide for parking a service vehicle. Street median islands greater than 800' in length must maintain an open area equal to 75' length at the mid-point, and either end or have a turning lane (non-signal) to provide for parking of a service vehicle. A mid-point open area should be provided for each additional 1,000' of median island.

Street median island 4' or less in width to be hardscaped, including stamped concrete. Concrete to be 6" thick, 3000 psi with welded wire reinforcement and stamped brick finish. Coordinate with Street Transportation Department for texture, brick pattern, and color.

Raised medians on collector and local public streets shall be maintained by the Development's Homeowners Association and/or applicable private maintenance agreement with the City of Phoenix.

Where initial development constructed only one-half of the travel way, the development that completes the cross-section is responsible for construction of the median. This construction may extend beyond property frontage to tie to existing constructed medians.

Median Nose Islands

A median island nose of 4' to 5' in width should be paved. The paved surface should have the same cross-slope as the street pavement. Acceptable paving material is Portland concrete cement. The median island nose shall be constructed per City of Phoenix Standard Details for Construction.

Spacing and Location of Median Openings

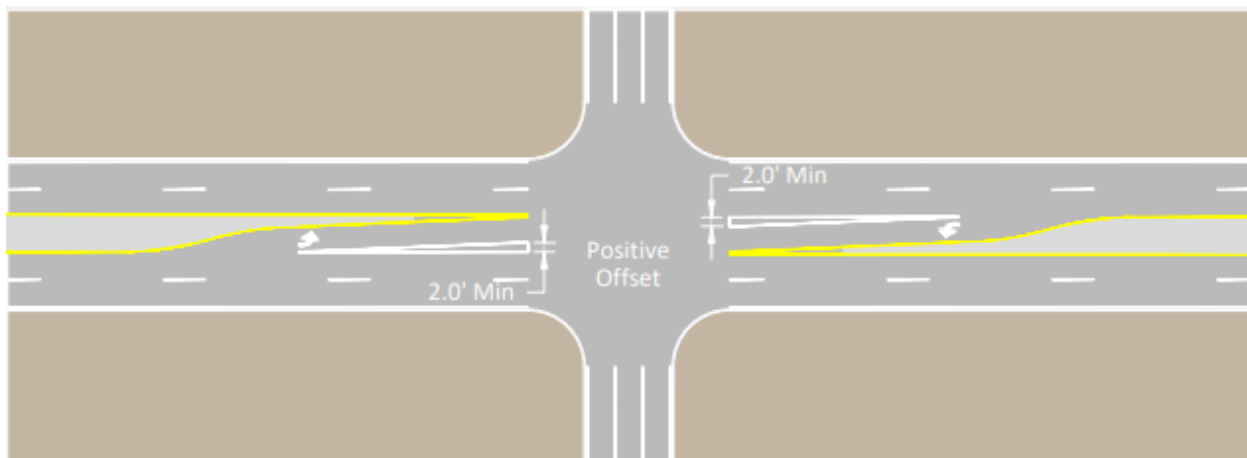
See **Chapter 6, Access Management**, for median opening criteria.

Intersection Raised Median Positive Offset

Medians at intersections should be constructed with positive offset. A positive offset of left-turn lanes improves sight distance and reduces risk of left-turn crashes.

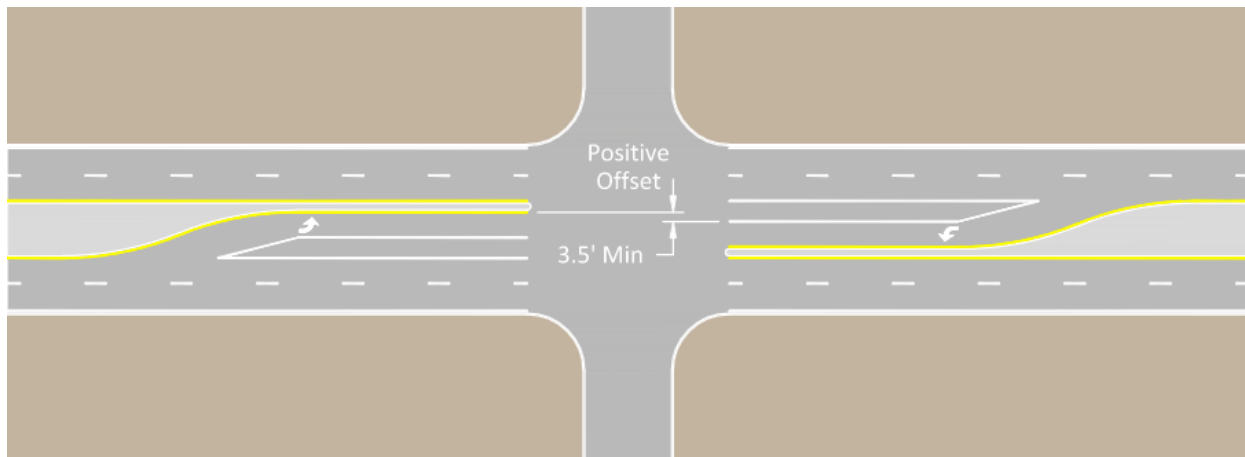
At intersection approaches that have straight alignment with no horizontal curves and the roads intersect at or close to 90 degrees, a 2' positive offset provides unrestricted sight distance when the opposing left-turn vehicle is a passenger car, as shown in **Figure 2.3-15**. A 3.5' positive offset provides unrestricted sight distance when the opposing left-turn vehicle is a truck (based on a truck width of 8.5', which corresponds to City Transit Bus, WB-50, and WB-67). These conditions generally apply to existing conditions where retrofit improvements are being made. Use truck offset conditions where 10% or more trucks are present.

When installing left-turn lanes or designing new intersections where left-turning traffic must yield to on-coming traffic, designer shall provide a minimum of 3.5' of positive offset for opposing left-turn lanes, as shown in **Figure 2.3-16** to ensure adequate sight distance for left-turning drivers. When median width is less than 2', the raised median may be terminated at the point where the median narrows to 4'. Striping and raised pavement markers, in accordance with City of Phoenix standards, is then carried through the remainder of the median taper and storage length, as shown in **Figure 2.3-17**.



Source: Adapted from MAG Left-Turn Crash Mitigation Implementation Template and Guidance, May 2018, p. 3

Figure 2.3-15 Positive Offset for Left-Turn Lanes



Source: Adapted from MAG Left-Turn Crash Mitigation Implementation Template and Guidance, May 2018, p. 3

Figure 2.3-16 Minimum Positive Offset for New Left-Turn Lanes

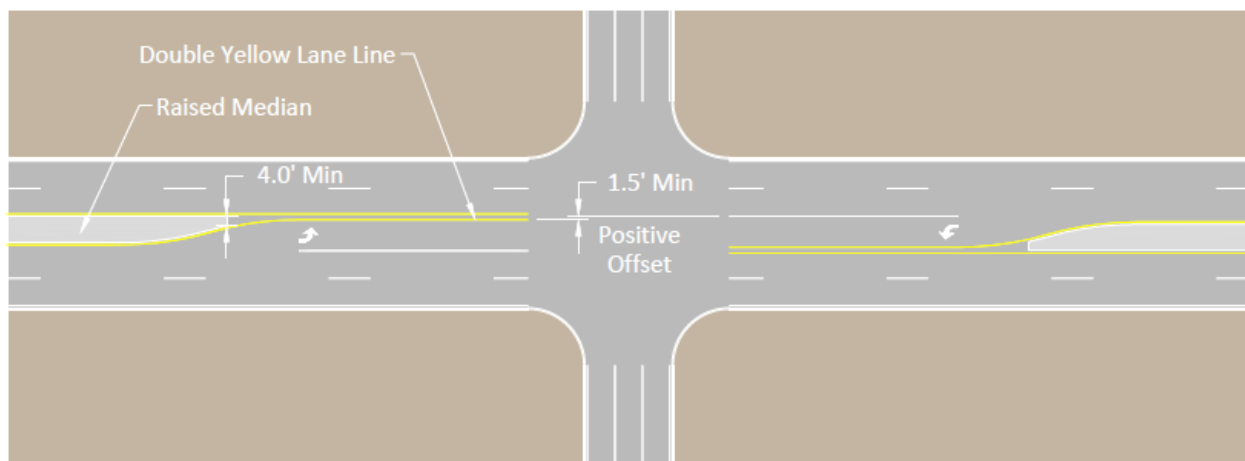


Figure 2.3-17 Truncated Raised Median to Striping for New Left-Turn Lanes

2.3.8 CURB TYPE

Vertical Curbs

Vertical curbs (6" typical) are required for all streets except local single-family residential streets, where traffic calming is not being implemented. Vertical curb is required on collector streets. New subdivisions must be platted accordingly to accommodate vertical curb. For new development within in-fill areas, front-facing single-family homes will need to be wing-type driveways when on collector designated streets.

Vertical curb shall be used through the curb return from the Point of Curve (PC) to the Point of Tangent (PT) regardless of whether the tangent curb sections are vertical, ribbon or roll curb. All curb returns shall be provided with curb ramps with sidewalk from PC to PT per the applicable City of Phoenix sidewalk ramp detail as required by the Americans with Disabilities Act (ADA).

Local single-family residential streets with special narrower cross-sections will be constructed with vertical curbs and offset (separated) sidewalks. Vertical curbs should also be used where drainage considerations make such use desirable. Vertical curbs with gutter are to be constructed in accordance with the current City of Phoenix supplements to the MAG (Maricopa Association of Governments) standard details.

Vertical curb and gutter type shall match the adjacent pavement slope to the gutter cross slope direction. The curb height shown on the standard detail is 6", but the following variations may be used where appropriate:

- Where fire lane or public maintenance vehicle access to abutting property must be provided over the curb, use mountable curb and gutter.

Ribbon Curb

Ribbon curb is permitted as specified by the City of Phoenix Zoning Ordinance, Section 32-35.C Option 2.2. Local residential streets may be paved with ribbon curbs if drainage and pedestrian traffic permit; all collector streets are to have vertical curbs and sidewalks. Ribbon curbs may be provided if the sidewalk is set back a minimum of 5' from the curb. Ribbon curb is discouraged but may be used in lieu of roll curb for local residential streets, where attached sidewalks are not provided. When ribbon curb is used, drainage runoff from the road shall not drain with the road but shall be directed to roadside drainage ditches.

Roll Curb

Roll curb is permitted on local single-family residential streets except where vertical curb is required for drainage and is to be constructed in accordance with the current City of Phoenix supplements to the MAG Standard Details.

2.3.9 HORIZONTAL ALIGNMENT

AASHTO A Policy on Geometric Design of Highways and Streets specifies design criteria and guidelines for horizontal curves. The City of Phoenix also requires:

Tangent Sections Between Reverse Curves

- On arterial and collector streets a tangent section must be provided between two curves that curve in the opposite direction. AASHTO requires that a tangent be provided between reverse curves long enough to satisfy superelevation transitions. For urban roadways without superelevation, a minimum tangent length of 100' is desired between reverse curves. Generally abrupt reversals in alignment should be avoided.

Tangent Sections Approaching Intersections

- Tangent sections must be provided between an intersection and a curve on collector and arterial streets. The tangent section should be designed to satisfy AASHTO's criteria for intersection sight distance.

Tangent Sections Between Curves in the Same Direction

- If super-elevation is provided in the curved portions of the roadway, tangent lengths will be determined by the super-elevation transition lengths indicated in AASHTO A Policy on Geometric Design of Highways and Streets.

2.3.10 VERTICAL ALIGNMENT

Longitudinal Grades

Longitudinal grades should follow the guidelines:

- **Arterial streets.** As determined by the Street Transportation Director.

- **Collector streets.** Maximum of seven percent.
- **Local streets.** Maximum of nine percent.
- **All streets:** Minimum of 0.4 percent; grades less than 0.4 percent to 0.15 percent require written approval from Street Transportation Department.

Cross Slopes

Cross slopes should follow the guidelines:

- Streets with concrete gutters:
 - ▶ Cross-slope desirable: 2 percent.
 - ▶ Cross-slope maximum: 3 percent
 - ▶ Cross-slope minimum: 1 percent, with a gutter slope minimum of 0.3 percent .

Where rigid adherence to these standards causes unreasonable or unwarranted hardship in design or cost without commensurate public benefit, exceptions may be made by the Street Transportation Department upon review and approval of the Department's Deputy Director.

Vertical Curves

AASHTO A Policy on Geometric Design of Highways and Streets specifies design criteria and guidelines for vertical curves. Vertical curves shall be designed to provide adequate sight distance, safety, comfortable driving, good drainage, and a pleasant appearance.

Algebraic difference in grades without a vertical curve on continuous roadways shall be equal to or less than the values specified for the following conditions:

- 0.2% Federal Aid Projects (applies to National Highway System roads)
- 0.3% Equal to or greater than 55 mph design speed
- 0.5% Equal to or greater than, 40 mph, but less than 55 mph design speed
- 1.0% Less than 40 mph design speed
- 2.0% Local residential street

Minimum Vertical Curve Lengths

Vertical curve should be in compliance with City Ordinance 32-27C.

A parabolic vertical curve is to be used. AASHTO A Policy on Geometric Design of Highways and Streets provides all necessary mathematical relations for computing a vertical curve for both crests and sags. Minimum vertical-curve lengths are determined by sight distance requirements for a given design speed.

Crest Vertical Curve Lengths

Minimum crest curve lengths are determined by either the stopping sight distance or the passing sight distance, whichever provides the greatest curve length, unless the street is striped for no passing.

i) The minimum crest vertical curve lengths on streets with two or more through travel lanes per direction must only meet stopping sight distance requirements.

ii) Two-Lane Streets – Passing sight distance requirements should be met on streets with one through travel lane per direction. When crest curve construction in accordance with passing sight distance requirements would result in the creation of drainage problems or excessive cuts or fills, the curve length may be reduced with the installation of appropriate traffic control measures.

iii) Minimum Crest Vertical Curve Length Determined by Stopping Sight Distance – The following equations are to be used to determine the minimum crest vertical curve lengths based upon stopping distance requirements (assumes AASHTO minimum requirements of 3.5' driver height and a 2.0' object height):

$$\text{When } S_s < L, L = \frac{AS_s^2}{2158}$$

$$\text{When } S_s > L, L = 2S_s - \frac{2158}{A}$$

Where:

S_s = Stopping sight distance in feet for a given design speed

L = Length of curve in feet

A = Algebraic grade difference in percent

iv) Minimum Crest Vertical Curve Length Determined by Passing Sight Distance – The following equations are to be used to determine the minimum crest vertical curve lengths based upon sight distance requirements (assumes AASHTO minimum requirements of 3.5' driver height and a 2.0' object height):

$$\text{When } S_p < L, L = \frac{AS_p^2}{2800}$$

$$\text{When } S_p > L, L = 2S_p - \frac{2800}{A}$$

Where:

S_p = Passing sight distance in feet for a given design speed

L = Length of curve in feet

A = Algebraic grade difference in percent

Sag Vertical Curve Lengths

Minimum sag vertical curve lengths are determined by either the stopping sight distance or comfort factors. The longer of the two possible minimum curve lengths will be used.

i) Minimum Sag Vertical Curve Length Determined by Stopping Sight Distance – The following equations are to be used to determine the minimum sag vertical curve length based upon stopping sight distance requirements (assuming AASHTO minimum requirements of two ft headlight height and a 1° divergence):

$$\text{When } S_s < L, L = \frac{A \times S_s^2}{400 + 3.5 \times S_s}$$

$$\text{When } S_s > L, L = 2 \times S_s - \frac{400 + 3.5 \times S_s}{A}$$

Where:

S_s = Stopping sight distance in feet for a given design speed

L = Length of curve in feet

A = Algebraic grade difference in percent

ii) Minimum Sag Vertical Curve Length Determined by Comfort – The following equation is to be used to determine the minimum sag vertical curve length based upon comfort:

$$L = \frac{A \times V^2}{46.5}$$

L = Length of curve in feet

A = Algebraic grade difference in percent

V = Design speed in mph

Combined Horizontal and Vertical Curves

Where horizontal and vertical curves are required, care should be taken to understand resulting alignment for sight distance and visual perception. Sharp horizontal curves should not be introduced at or near the top of significant crest vertical curves where sight distance may be limited. Horizontal curves near the bottom of short sag vertical curves appear foreshortened and influence driving. Where horizontal and vertical curves are combined, the horizontal curve lengths should lead (i.e., be made longer) than the vertical curve. Refer to AASHTO A Policy on Geometric Design of Highways and Streets.

2.3.11 ALIGNMENT SIGHT DISTANCE

Stopping sight distance is the minimum sight distance to be provided at all points on streets. Stopping sight distance is that required for a vehicle traveling at the design speed to bring the vehicle to a stop after an object on the road becomes visible under worst case (wet pavement, slow-driver reaction) conditions.

Stopping sight distance shall also be provided in the vicinity of intersections. Sight distance is measured from the driver's eye, 3.5' above the pavement to the top of an object on the pavement 2.0' high for stopping sight distance.

Minimum stopping sight distances is consistent with AASHTO A Policy on Geometric Design of Highways and Streets, shown in **Table 2.3-3** Stopping Sight Distance on Level Roadways. These distances vary with design speed.

City of Phoenix does not designate passing zones on City of Phoenix streets.

Table 2.3-3 Stopping Sight Distance on Level Roadways

Design Speed (mph)	25	30	35	40	45	50	55
Stopping Sight Distance (ft)	155	200	250	305	360	425	495

Source: AASHTO Green Book, 2018, Tables 3-1

Superelevation

Superelevation is not used on downtown and urban roadways. Superelevation is discouraged on suburban, rural, and industrial roadways. Superelevation may only be used when other means of design is not feasible. All superelevation will be reviewed by the Street Transportation Department. When superelevation is used, the following criteria shall be followed:

Superelevation 0.02 ft/ft (2%)

Superelevation of 0.02 ft/ft may be used when the standard radius cannot be provided due to circumstances beyond the control of the engineer and the general alignment cannot be changed.

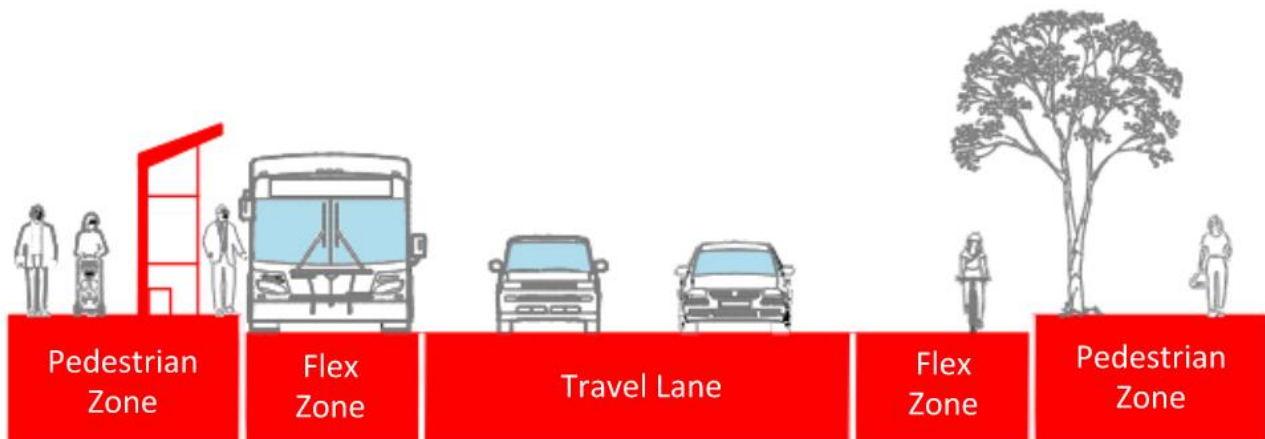
Superelevation Greater than 0.02 ft/ft (2%)

Superelevation greater than 0.02 ft/ft may not be used except when approved by the Street Transportation Department. In no case shall a superelevation exceed 0.04 ft/ft.

Transition for superelevation is consistent with AASHTO A Policy on Geometric Design of Highways and Streets. A 1% minimum slope is required in at least one direction for drainage purposes.

2.4 FLEX ZONE

The flex zone is the part of the right-of-way adjacent to an existing curb face that can be used for multiple purposes such as bicycle facilities, transit stops, parking, delivery zones, and drop off zones. The flex zone in relation to other right-of-way zones is depicted in **Figure 2.4-1**.



Source: Adapted from *Seattle Right-of-Way Improvements Manual, Standard 2.1 Right-of-Way Allocation*

Figure 2.4-1 Right-of-way Zones

2.4.1 BICYCLE FACILITIES

On-street bike lanes may be used where a minimum of 6' from curb face can be obtained. Where practical, it is desirable to provide 8' from curb face to provide a buffered bicycle lane.

ARS 28-815 prohibits motorized vehicles to park or stop in the bike lane. To recognize the needs of residents along commuter routes on collector/local streets, the bike lane may be signed as in effect for only part of the day and imposing parking restrictions only during commute periods (7:00 a.m. - 6:00 p.m. Monday through Friday).

More information on the design of bicycle facilities is provided in Chapter 8, Bikeways.

2.4.2 ON-STREET PARKING

General principles for when parking is desirable or allowed are described in this section.

Local streets and collectors provide for on-street parking to provide access to dwelling units but may be limited by specific ordinances which require a neighborhood parking permit or equivalent or in situations where parking would obstruct access to fire hydrants or cause a safety issue.

In general, parking is accounted for in the design of typical cross sections for local streets and collectors.

Streets in an industrial context should be designed for parking of the WB-67 interstate semi-trailer design vehicle, and parking is included in the typical cross section design for streets in industrial areas.

Arterials should not be designed for parking.

On-street parking may be desirable on collector streets in an urban context where sufficient curb width is available.

2.4.3 TRANSIT

Flex zone may include bus stops or bus pullouts/bus bays, boarding-bulb stops, and side-boarding island stops.

Transit Stops

Transit Stop Placement

The preferred location for a bus stop is on the intersection exit (far side) rather than the intersection approach. Near side bus-stop locations are normally less desirable than far-side bus stops, particularly near signalized intersections, because they:

- Block vehicles from turning right on red.
- Force following vehicles to stop even when there is a green signal.
- May partially obstruct motorist's and pedestrian's view of each other at crosswalks.

The Public Transit Department decides if a transit stop is needed to service their patrons and staff reviews operational considerations and determines the optimal location for signs. The following criteria should be considered in selecting bus stop locations:

- At unsignalized intersections, bus stops should normally be far-side and clear of the crosswalk to prevent blocking of pedestrian movements.
- At signalized intersections, bus stops should offer additional clearance from the crosswalk at locations with three through lanes. When only two through lanes exist, the bus stop should be further down the street if there is no bus pullout. For example, on signalized collector streets, the left lane is normally blocked by left turns, leaving only one lane, this means the bus stop should be located sufficiently downstream to not block the only effective through lane.

Design engineers should consult City of Phoenix Standard Details for location and layout design.

Bus Bays

Location of bus bays, bus bay shelters and installation and removal of existing bus bays/bus bay shelters are an important design feature and shall be evaluated and approved early in design with Valley Metro, Street Transportation Department, and the Public Transit Department.

Design engineers should reference City of Phoenix Standard Details for bus bay, pad, and shelter design.

2.5 PEDESTRIAN ZONE

The pedestrian zone is the portion of a street that is between the flex zone and the edge of right-of-way. It is comprised of the landscape/streetscape/furniture area, the pedestrian clear area, and the frontage area.

Landscape/Streetscape/Furniture Area (including the curb) is the area between the roadway curb face and the front edge of the pedestrian-clear zone. This area buffers pedestrians from the adjacent roadway and is the appropriate location for, street trees and vegetation, as well as amenities permitted by revocable permit with the city and includes the 6" curb in its dimensions. It is also the preferred location for other elements, such as signage, pedestrian lighting, hydrants, and above and below grade utilities. Clearance and setback requirements apply to many elements located in the landscape/furniture area.

Pedestrian Clear Area is the area of the sidewalk corridor that is specifically reserved for pedestrian travel. As required by City of Phoenix Zoning Ordinance or policy plans, wider clear area widths are required within transit areas and high-pedestrian activity areas street furniture, street trees, planters, and other vertical elements such as poles, fire hydrants and street furniture, as well as temporary signs and other items shall not protrude into the pedestrian clear area. The desirable clear area width is 5'. The clear area width must be compliant with ADA requirements.

Frontage Area is the area between the property line and pedestrian clear area. Frontage area can accommodate store entrances outdoor dining, landscaping, or other amenities. A minimum of 2' is recommended for the frontage area to allow for shy distance from fixed objects.

2.5.1 SIDEWALKS

Sidewalks shall be provided along all streets unless a specific exemption allows. Exceptions require approval by the Street Transportation Director.

Sidewalks should be constructed a minimum of 5' wide on arterial and collector streets, and 4' wide on local streets, and in no case less than identified on the City-approved Street Classification Map and/or adopted Neighborhood or Area Specific Plans. In areas with high pedestrian volumes, wider sidewalks may be required. Sidewalks shall be constructed consistent with current City of Phoenix standard cross-sections.

Sidewalks shall be designed in accordance with current ADA guidelines. A 5' by 5' passing area must be provided every 200' to allow wheelchairs to pass on all sidewalks less than 5' wide. Driveways and other connecting sidewalks may be used to provide the passing area, as long as the cross-slope meets ADA standards. Poles and fire hydrants may encroach into the pedestrian realm, but the sidewalk must meet current ADA minimum clear widths.

Sidewalks should stay at-grade and level (1.5 percent preferred cross-slope) across driveway openings.

Slopes of pedestrian facilities shall not exceed the maximum grades indicated in ADA: sidewalk cross slope of 2 percent, ramp slope of 8.33 percent, ramp and landing cross slope of 2 percent and flared side (wing) slope of 10 percent. Expansion joints and contraction joints are required to be constructed per the MAG Uniform Standard Specifications for Public Works Construction and Standard Details and the City of Phoenix Supplements to these.

The surface of concrete sidewalk or curb ramp shall not deviate in excess of 1/8" over 5' as tested with a five-foot straightedge except for the 1/4" recess of the preformed material in expansion joints.

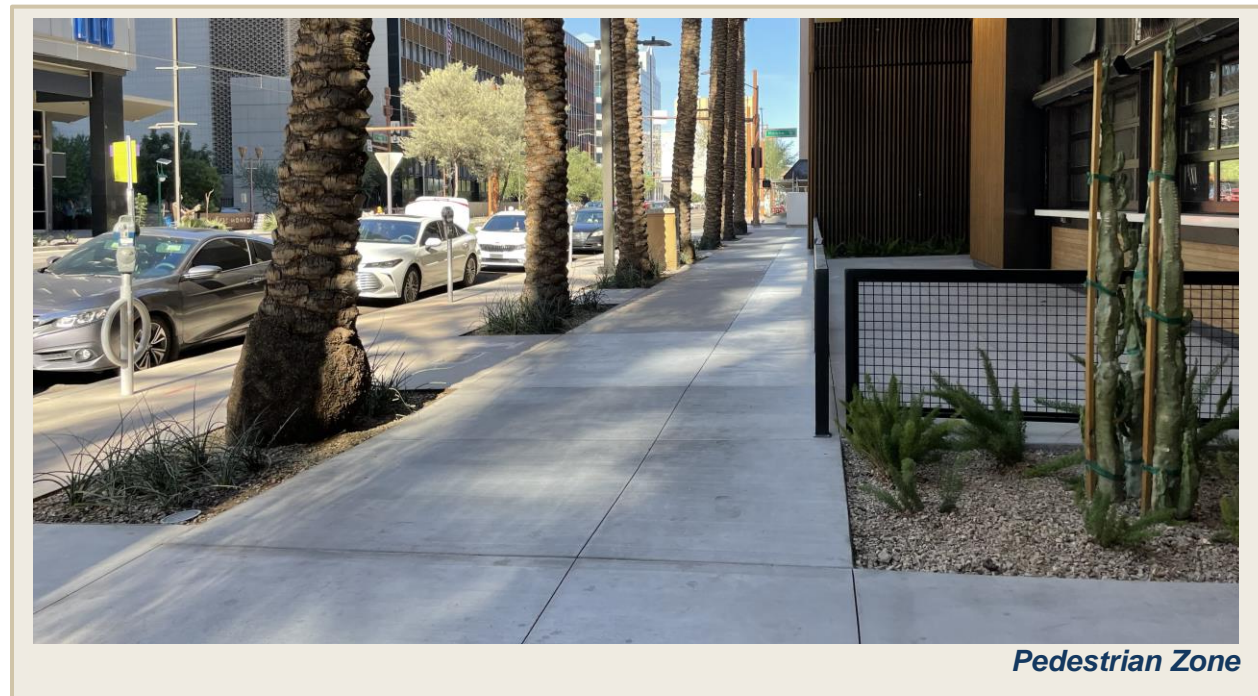


Figure 2.5-1 Pedestrian Zone Example

2.6 INTERSECTIONS

2.6.1 CURB RETURN RADII

Table 2.6-1 presents curb return radii to accommodate turning movements of vehicles by street typology.

Table 2.6-1 Curb Return Radii

Classification of Intersecting Streets	Curb Return Radii (ft) by Area Type			
	Downtown/Urban	Residential	Suburban	Industrial
Arterial and Arterial	20'	35'	35'	35'
Arterial and Collector	20'	30'	30'	35'
Arterial and Local	20'	25'	25'	35'
Collector and Collector	10'	30'	25'	35'
Collector and Local	10'	20'	20'	35'
Local and Local	10'	20'	20'	35'
Local and Private	10'	20'	20'	35'

2.6.2 INTERSECTION SIGHT DISTANCE

Intersection sight distance is the distance a motorist can see approaching vehicles before their line of sight is blocked by an obstruction near the intersection. The driver of a vehicle approaching or departing from a stopped position at an intersection should have an unobstructed view of the intersection, including any traffic control devices, and sufficient lengths along the intersecting roadway to permit the driver to anticipate and avoid potential collisions. Examples of obstructions include crops, hedges, trees,

parked vehicles, utility poles, or buildings. In addition, the horizontal and vertical alignment of the roadway approaching the intersection can reduce the sight triangle of vehicles navigating the intersection. Sight distance must also be provided for left-turning traffic turning from the major road.

The required intersection sight distance is dependent upon the traffic speed and width of the major road. Sight distance triangles should be calculated based on AASHTO A Policy on Geometric Design of Highways and Streets. The design speed shall be 10 mph higher than the speed limit of the major road.

The design must demonstrate that other vehicles, such as opposing left-turn vehicles, do not block sight distance, particularly along curves. Both approach triangles and departure sight triangles must be shown in intersection plans.

Landscaping plans must be consistent with sight visibility requirements. It is the responsibility of the developer to provide landscaping between the property line and the curb consistent with sight visibility triangle requirements. Vegetation within the sight triangle is allowable if it is of a low variety that remains below 24" when mature. Trees may be considered as long as the canopy is above 10' and if it is a single trunk variety and less than 12" in diameter.

Driveways shall not be placed where it creates a sight visibility issue with existing large diameter power poles, landscaping, and other obstructions. Conflicts should be resolved through utility relocation or by demonstrating through a sight distance analysis performed by a registered traffic engineer in conformance with AASHTO guidelines.

Approach Sight Triangles

Approach sight triangles demonstrates that drivers have sufficient time to react to vehicles on uncontrolled or yield-controlled intersecting cross streets. According to *AASHTO A Policy on Geometric Design of Highways and Streets*, "Each quadrant of an intersection should contain a triangular area free of obstructions that might block an approaching driver's view of potentially conflicting vehicles. The length of the legs of this triangular area, along both intersecting roadways, should be such that the driver can see any potentially conflicting vehicles in sufficient time to slow or stop before colliding within the intersection." Approach sight triangles are illustrated in **Table 2.6-2** and **Figure 2.6-1**.

Departure Sight Triangles

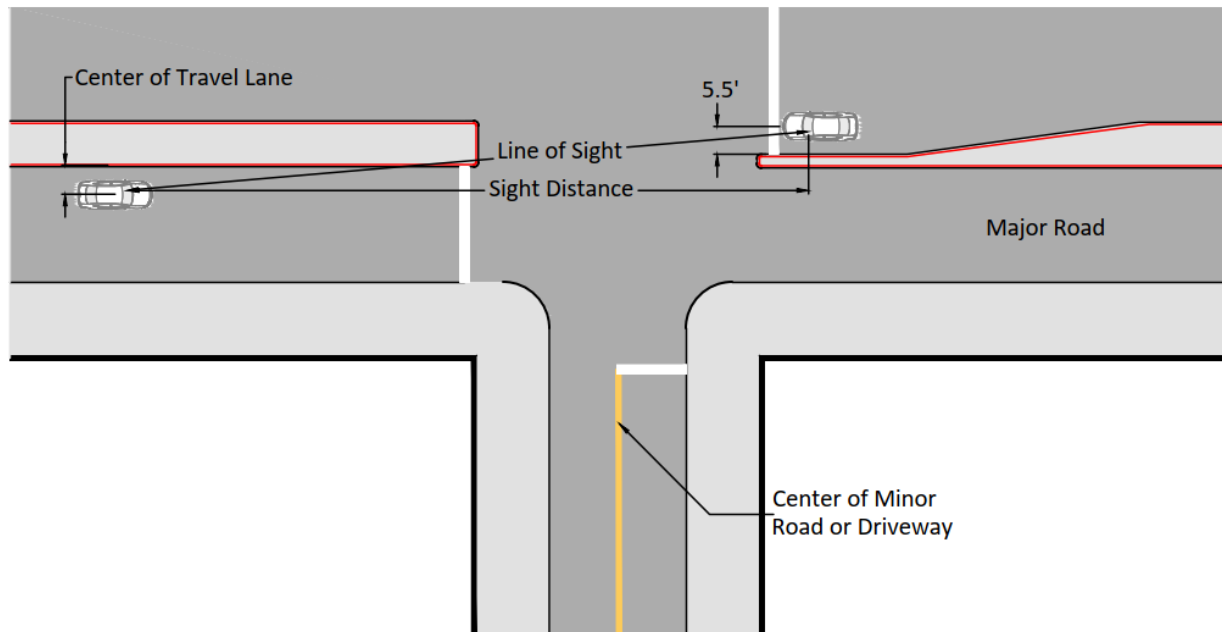
AASHTO A Policy on Geometric Design of Highways and Streets, states "A second type of clear-sight triangle (departure sight triangle) provides sight distance sufficient for a stopped driver on a minor-road approach to depart from the intersection and enter or cross the major road." Departure sight triangles are illustrated in **Table 2.6-3** and **Figure 2.6-2**.

Alignment and Profile

Intersections occurring on horizontal, or crest vertical curves are undesirable. When there is latitude in the selection of intersection locations, vertical or horizontal curvature should be avoided. An alignment or grade change is frequently warranted when major intersections are involved. If a curve is unavoidable, it should be as flat as site conditions permit. Where the grade of the through roadway is steep, flattening through the intersection is desirable as a safety and efficiency measure. Grade breaks through major-major, major-collector, and any other signalized or potentially signalized intersections shall not exceed 2.5 percent desirable or 3.0 percent absolute maximum. Sight triangles on horizontal curves are illustrated in **Table 2.6-4** and **Figure 2.6-3**.

Table 2.6-2 Required Sight Distance, Left Turn from Major Road

City of Phoenix Street Cross-Section	A	B	C, CM, D	E
Through Road Pavement Width	104'	94'	64', 74'	50'
Time Gap (sec)	8.25	7.75	7.25	6.5
Design Speed				
30 mph	364'	342'	320'	287'
35 mph	424'	399'	373'	334'
40 mph	485'	456'	426'	382'
45 mph	546'	513'	480'	430'
50 mph	606'	570'	533'	478'



*Passenger car, at-grade/level; adjustments required for trucks and grades

Figure 2.6-1 Sight Triangles, Left-Turn from Major Road

Table 2.6-3 Sight Distance (feet), Left-Turn from Stop

City of Phoenix Street Cross-Section	A	B	C, CM, D	E	F (Industrial)	F (Residential), FN, G, H, I
Through Road Pavement Width	104'	94'	64', 74'	50'	50'	36'
Time Gap (sec)	9.75 sec	9.5 sec	8.75 sec	8.5 sec	8 sec	7.75 sec
Design Speed						
30 mph	430'	419'	386'	375'	353'	342'
35 mph	502'	489'	450'	437'	412'	399'
40 mph	573'	559'	515'	500'	470'	N/A
45 mph	645'	628'	579'	562'	529'	N/A
50 mph	717'	698'	643'	N/A	N/A	N/A

Values are provided for guidance only based on passenger car equivalent and minor road approach grades of 3 percent or less; professional engineer should verify site-specific conditions including vehicle type, grades, and pavement widths

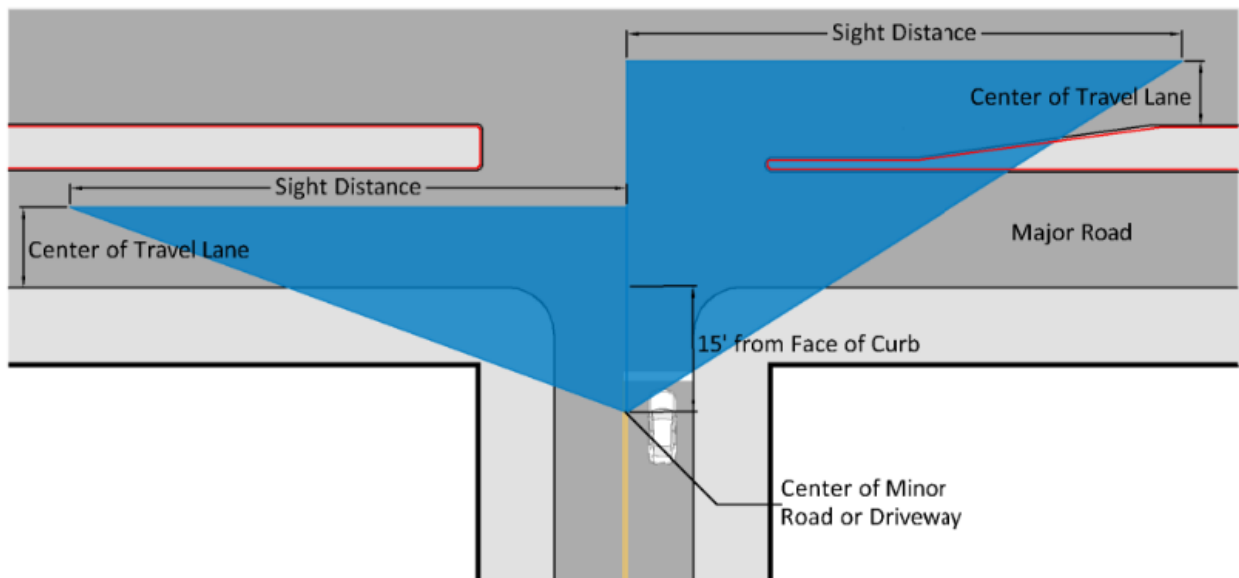


Figure 2.6-2 Sight Triangles, Left-Turn from Stop

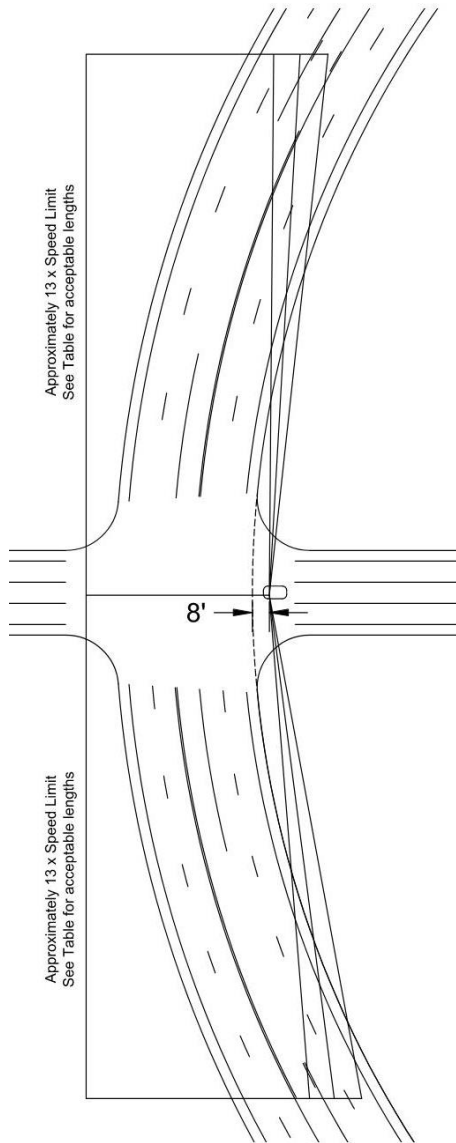


Figure 2.6-3 Sight Triangles, Horizontal Curve

Table 2.6-4 Sight Distance, Horizontal Curve

3-Lane Streets (Bike Lane, Thru, Left, Thru, Bike Lane) or Smaller			
Speed	Length Passenger Vehicle	Length Single Unit Truck	Acceptable Average
25 mph	280'	350'	315'
30 mph	335'	420'	380'
35 mph	390'	490'	440'
5-Lane Streets (Bike Lane, Two Thru, Left, Two Thru, Bike Lane)			
Speed	Length Passenger Vehicle	Length Single Unit Truck	Acceptable Average
25 mph	295'	375'	335'
30 mph	353'	450'	402'
35 mph	412'	525'	469'
40 mph	471'	600'	536'
45 mph	530'	675'	603'
50 mph	588'	750'	670'
6-Lane Streets (Bike Lane, Three Thru, Left, Three Thru, Bike Lane)			
Speed	Length Passenger Vehicle	Length Single Unit Truck	Acceptable Average
25 mph	315'	400'	358'
30 mph	380'	481'	431'
35 mph	438'	561'	500'
40 mph	500'	641'	571'
45 mph	563'	721'	642'
50 mph	625'	801'	713'

2.6.3 VISIBILITY FOR TRAFFIC CONTROL DEVICES

Stop Signs

All stop signs shall be fully visible to approaching traffic from a distance no less than the stopping sight distance. Design speed is 5 mph over the speed limit.

Stopping sight distance triangles for approaches controlled by stop signs are shown on **Figure 2.6-4**. There shall be no fence, wall, shrubbery, tree, or any other obstruction to vision between a height of 2.5' and 10' above the sidewalk within the stopping sight distance triangle approaching a stop sign.

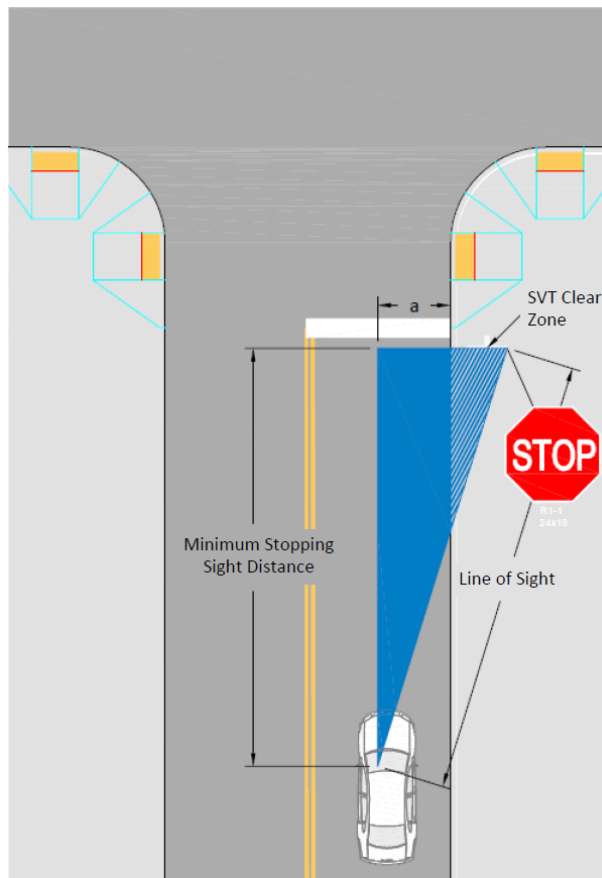


Figure 2.6-4 Sight Triangles Approaching STOP Signs

Table 2.6-5 Stopping Sight Distance, Approaching Stop Signs

Speed Limit of Street Approaching STOP Sign (mph)	Minimum Stopping Sight Distance (feet)
25	200'
30	250'
35	305'
40	360'
45	425'
50	495'

'a' = eye location, approximately measured from center of outside travel lane; lateral location of sign is defined by MUTCD Figure 2A-2.

Traffic Signals

Visibility of traffic signal indications shall be maintained per Section 4D.12 of the current *Manual on Uniform Traffic Control Devices (MUTCD)*.

2.7 INTERSECTION CONTROL EVALUATION

As described by FHWA², Intersection Control Evaluation (ICE) is a data-driven, performance-based framework and approach used to objectively screen alternatives and identify an optimal geometric and

² <https://safety.fhwa.dot.gov/intersection/ice/fhwasa18076.pdf>

control solution for an intersection. ICE is recommended for new intersections or when considering any substantive changes to the traffic control or geometry of existing intersections. Substantive changes are often considered for the following reasons:

- Safety improvement
- Congestion mitigation
- Broader corridor improvement/widening
- Multimodal facility enhancement
- Change of access to an adjacent parcel of land or land development

City of Phoenix encourages an ICE evaluation when considering the following intersection improvements:

- Roundabout
- Displaced Left-Turn/Continuous Flow Intersection
- Median U-turn/Indirect Left-Turn/Thru-Turn/Michigan Left-Turn
- Signalized or Unsignalized Restricted Crossing U-Turn Intersection Jug Handle Intersection/Quadrant Intersection

ICE is typically conducted in two scoping stages as described below.

2.7.1 SCOPING

The purpose of the scoping phase of ICE is to determine, from dozens of potential alternatives, which intersection type and control solutions merit further consideration for the project. The scoping phase of ICE occurs early in project development, helping to inform a project scope and develop a cost estimate and schedule. The purpose of Stage I is to assess the alternatives individually to determine if and to what extent they potentially meet project purpose and need, strategic program goals, project context, and funding constraints. The Stage I scoping analysis involves a combination of quantitative and qualitative performance metrics:

- Does the alternative meet the transportation purpose and need?
- Does the alternative address the key system performance criteria (e.g., safety, non-motorized user accommodation, operational quality, etc.)?
- Does the alternative meet the needs and values of the local community and directly affected stakeholders?

The scoping analysis includes and assessment of safety benefits, operational analysis, and multimodal considerations.

2.7.2 Alternative Selection

Stage II Alternative Selection is intended to differentiate among the intersection alternatives brought forward from the Stage I screening analysis. Stage II analysis is conducted as part of preliminary engineering and includes the estimating of environmental, utility, and right-of-way impacts. The analysis

occurs at a level of detail that allows objective comparisons of alternatives to each other. Stage II evaluates each viable alternative based on the following aspects:

- Safety performance (motorized and non-motorized)
- Operational performance (present vs. projected, peak vs. off-peak)
- Cost
- Benefit-cost
- Environmental, utility, and right-of-way impacts
- Multimodal accommodations (pedestrian, bike, and transit)
- Public opinion and input
- Context (consistency with future land use, transportation plans for the surrounding area)

2.8 ROUNDABOUTS

Roundabouts are circular intersections with design and traffic control features including yield control of all entering traffic, channelized approaches, and geometric curvature to ensure that travel speeds on the circulatory roadway are typically less than 30 mph. Roundabouts provide fewer conflict points, lower speeds, and easier decision points than intersections controlled by stop signs or traffic signals.

Roundabouts can offer advantages that conventional intersections (signalized or unsignalized) do not. Benefits can include enhanced safety and operational efficiency (capacity). Safety improvements at roundabouts may be realized due to fewer vehicle conflict points and reduced speeds. From an operations perspective, roundabouts typically function with lower vehicle delays as compared to other intersection forms and control types.

The City of Phoenix generally adheres to Roundabouts: An Informational Guide, U.S. Department of Transportation, Federal Highway Administration for development and design of roundabouts.³

For guidance regarding traffic circles for traffic-calming purposes, see Chapter 6 of this manual.

2.8.1 Roundabout Considerations

A majority of roundabouts within the City of Phoenix are at intersections of local/local, local/collector or collector/collector streets. All roundabouts on arterial and collector streets must be approved by the Street Transportation Department.

Locations recommended for roundabout design should be evaluated based on many factors including:

- At intersections where stop-control causes unnecessary delay
- At intersection with a high left-turn percentage from one or more intersection approaches
- Where a disproportionately high number of crashes involve crossing or turning traffic, resulting in head-on and right-angle crashes

³ <https://www.fhwa.dot.gov/publications/research/safety/00067/00067.pdf>

- Where it is not desirable to give priority to either roadway
- At intersections with unusual geometry

Roundabouts are NOT typically recommended for the following intersection conditions, but MAY be considered with City approval:

- At the intersection of a collector/arterial where any leg is posted 45 mph or higher
- Where the grade for any intersection leg exceeds 4 percent
- Where traffic volumes are unbalanced with higher flows on one or more intersection approaches
- Where a collector/arterial intersects with a local street and a roundabout would result in unacceptable delays to the collector/arterial street
- Where there is high pedestrian activity including special needs pedestrians
- Where there is inadequate sight distance
- Where there is a large volume of bicycle traffic
- Where a downstream traffic control device such as a traffic signal would result in a queue that extends into the roundabout

Locations where roundabouts are not recommended include intersections:

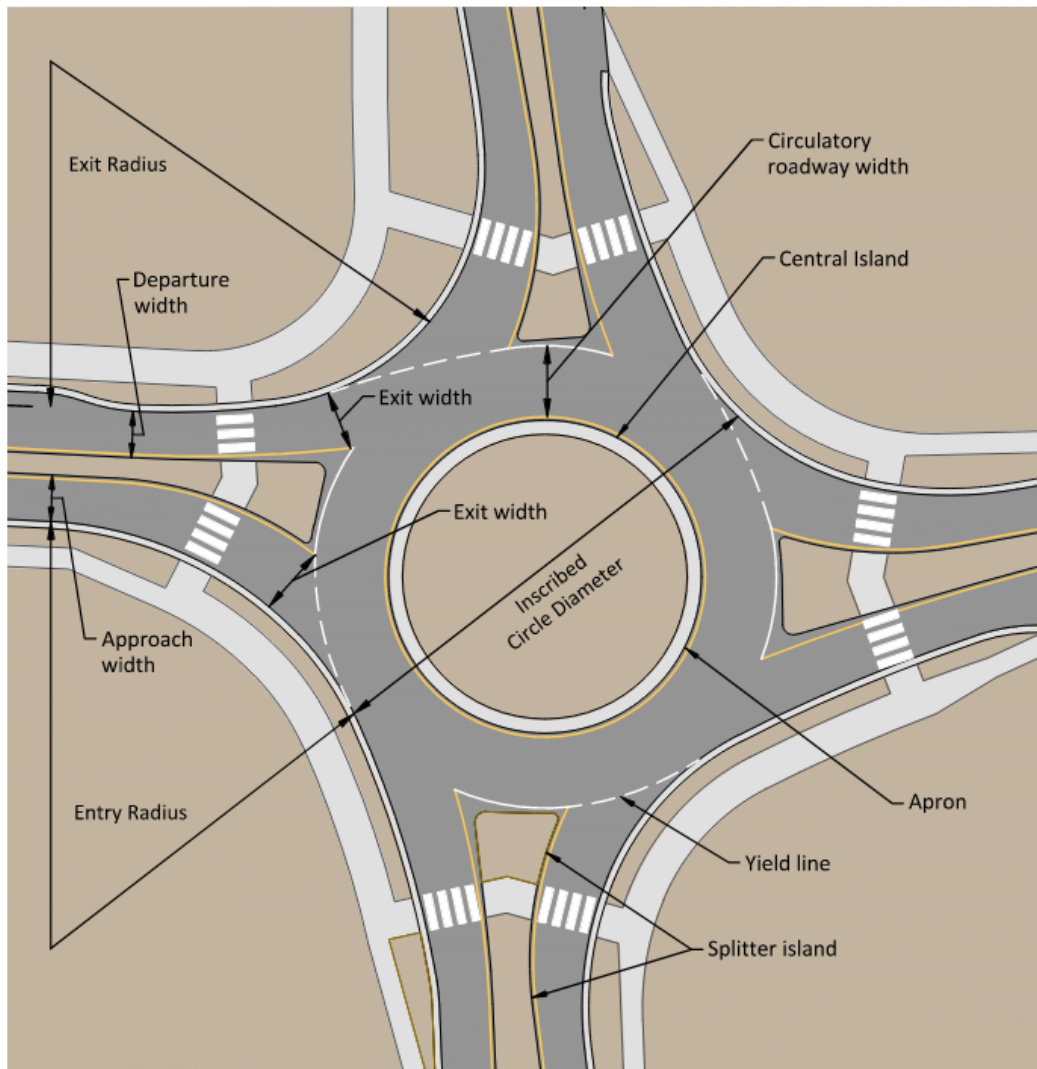
- Where a satisfactory design cannot be provided
- Where reversible lanes are required
- At a single intersection in a network of linked traffic signals
- Where a signal interconnect system provides a better level-of-service
- Where it is desirable to adjust traffic movements via signal timing

For operational and design purposes, roundabouts have several unique features and dimensions that must be considered.

City of Phoenix Street Transportation Department recommends following Roundabouts: An Informational Guide, U.S. Department of Transportation, Federal Highway Administration, for development and design of roundabouts. **Figure 2.8-1** illustrates these elements.

FHWA describes the inscribed circle diameter as the basic parameter in roundabout design. The inscribed circle diameter is the distance across the circle inscribed by the outer curb (or edge) of the circulatory roadway. It is the sum of the central island diameter (which includes the apron) and twice the circulatory roadway. The inscribed circle diameter is determined by a number of design objectives, which must be optimized for a given location. At single-lane roundabouts, the size of the inscribed circle is largely dependent upon the turning requirements of the design vehicle. At double-lane roundabouts, the size of the roundabout is usually determined either by the need to achieve deflection or by the need to fit the entries and exits around the circumference with reasonable entry and exit radii between them.

Generally, the inscribed circle diameter of a double-lane roundabout should be a minimum of 45 mph (150').



Source: Adapted from *Roundabouts: An Informational Guide*, Chapter 6, *Geometric Design*, FHWA

Figure 2.8-1 Key Roundabout Dimensions (Source: *Roundabouts: An Informational Guide*)

2.8.2 Traffic Volumes

Single-lane roundabouts can generally accommodate up to 25,000 veh/day (4-leg conditions) while double-lane roundabouts can service approximately 50,000 veh/day. To confirm effectiveness, roundabout traffic operations are to be evaluated in accordance with Highway Capacity Manual procedures. A variety of software tools are available for these purposes. **Table 2.8-1** provides preliminary guidance on capacity of a roundabout considering traffic volumes, number of lanes, and the percentage of left-turn traffic. The table shows that AADT may be used to predict the possible number of circulating lanes required for planning-level consideration.

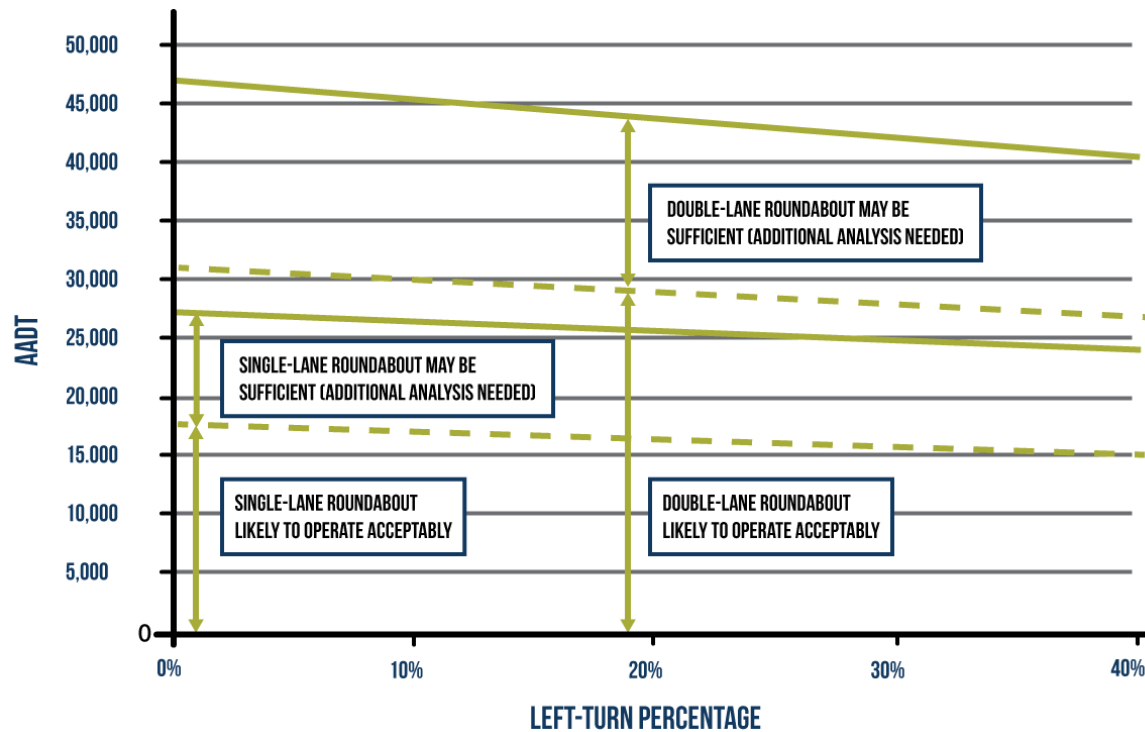


Table 2.8-1 Roundabout Planning-Level Daily Intersection Traffic Volumes (Source: Roundabouts: An Informational Guide)

2.8.3 Design Submittal and Review Requirements

All roundabout design submittals submitted to the City of Phoenix will need to include:

- Roundabout layout (including but not limited to the inscribed circle diameter, splitter islands, entry width, circulatory roadway, central island, entry and exit radius, and truck apron)
- Capacity Analysis
- Design Vehicle Accommodations and Tracking
- Fastest Path Review Documentation
- Sight Distance Review (stopping sight distance and intersection sight distance)
- Drainage
- Landscaping

Additionally, accommodations for pedestrians and bicyclists are to be appropriately designed.

2.9 SPECIAL CONSIDERATIONS

2.9.1 Construction of Half-Streets

Local half-street construction is avoided as per City Ordinance, Section 32 – 26 (k), which states “Half-streets at subdivision boundaries should be discouraged except where necessary for continuation of existing patterns. Where a platted half-street abutting the tract to be subdivided exists, and said half-street furnishes the sole access to residential lots, the remaining half shall be platted within the tract.”

Design of Cross-Section for Half-Streets

Local and Collector Streets

If a half-street must be constructed, a minimum of 24' of pavement shall be provided for local and collector streets. In the event that right-of-way is not available, and the developer is unable to obtain the additional right-of-way necessary to construct 24' of pavement, a minimum of 18' of paving for local streets or 20' for collector streets, shall be provided. Half-street construction should provide adequate transitions and full-depth asphalt tapers to the adjoining roadways.

Arterial Streets

Arterial half-street construction shall provide a minimum of ½ of the approved cross-section of the street, as per the Street Classification Map.

Design of Half-Street to Join Existing Street Pavement

The half-street shall be designed to match existing construction unless doing so is likely to create an unsatisfactory condition. If changes are needed to correct conditions on an existing half-street to properly construct the other half of the street, the solutions must be developed with Planning and Development Department, and/or Street Transportation Department staff. Plans for the new half-street must contain sufficient information on the profile and cross-sections of the existing street to demonstrate that the new construction shall match the old construction and result in a full street with a proper cross-section. Tapers are not limited to the frontage of the subject parcel and should extend beyond the subject parcel to the maximum extent consistent with available right-of-way.

Design of Half-Street at Intersections

Collector and arterial half-streets must be flared at all arterial street intersections to provide one lane in each direction and a left-turn lane. The inbound lane on a half street, at an arterial or collector street intersection should be a minimum of 18' in width. The outbound lane should be a minimum of 12' wide. Additional consideration must be given to the lane alignment if a street exists on the opposite side of the arterial street.

2.9.2 Street Terminations and Alleys

Cul-de-Sac Streets

Cul-de-sac streets in residential subdivisions shall terminate in a circular right-of-way 50' in radius with an improved traffic turning circle 45' in radius. The Street Transportation Department may approve an equally convenient configuration where extreme conditions justify.

Dead-End Streets

Sites designed with dead-end streets will not be approved except in locations designated by the Street Transportation Department as necessary for future extension in development of adjacent lands. In any case, a dead-end street serving more than four lots shall provide by easement a temporary turning circle with a 50-foot radius or other acceptable design to accomplish adequate access with an improved surface.

Access roads adjacent to arterial streets will be provided as required by current City standards.

3. STREET CONSTRUCTION

OVERVIEW

This chapter provides information specific to construction of City of Phoenix streets. Topics addressed include pavement design, culverts, stormwater management, and green infrastructure, among others.



Chapter 3 --- STREET CONSTRUCTION

This chapter provides information specific to the City of Phoenix and provides reference sources for design guidance.

3.1 PAVEMENT DESIGN

This section describes references for procedures to be used in the design of the structural section of flexible pavements which are to be constructed in Phoenix's public rights-of-way.

3.1.1 Definitions

- **Structural section:** the combination of an asphalt concrete surface course and a base course of either rock aggregate materials or asphalt concrete.
- **Subgrade:** native soil or fill material over which the structural section is to be placed.
- **Asphalt concrete course:** the total depth of asphalt concrete which may be placed in one or more layers. The upper layer is called asphalt concrete surface course (ACSC) and the lower layer is called asphalt concrete base course (ACBC).
- **Rock aggregate base material:** the total depth of rock aggregate material which may be placed in one or two layers. If one layer is placed, it shall be "Aggregate Base Course" (ABC) in accordance with Table 702 of the MAG Specifications. If two layers are placed, the top 4" must be ABC and the bottom layer may be ABC or "Select material" in accordance with Table 702 of the MAG Specifications. The rock aggregate base material is called the "base course" in this manual.

3.1.2 Geotechnical Investigation Requirements

General procedures for geotechnical investigation are provided in the City of Phoenix Street Transportation Department Design and Construction Management Division, Administrative Procedure (AP) No. 155, Project Development Requirements and Guidelines.

A geotechnical investigation shall be performed for all projects that include roadways; major structures in the right-of-way, such as bridges or box culverts; or underground facility design, including storm drain, water, and sewer. Additional borings shall be taken to clearly define limits of anomalous conditions including but not limited to poor soil conditions, hard rock if encountered, etc.

In addition to soil borings, most projects that have significant underground work shall also require seismic refraction surveys to provide understanding of subsurface soil conditions.

City of Phoenix shall review the Consultant's geotechnical report and recommended pavement structural section(s) for the new pavement.

3.1.3 Design Parameters

Resilient modulus (MR)

MR can be determined by any of the following methods:

- From relationships proposed by AASHTO,
 $MR = 1000 + 555 * R\text{-value}$ (for $R\text{-value} < 20$) or

$$MR \text{ (psi)} = 2555 \text{ (CBR)}^{0.64}$$

- B. From back-calculation of surface deflections measured using non-destructive devices such as Dynaflect or Falling Weight Deflectometer (FWD)
- C. From laboratory test on representative sample using AASHTO T274 procedure
- D. From Arizona Department of Transportation (ADOT) procedure using actual and correlated R-values.

The geotechnical engineer utilizes engineering judgment in choosing the most appropriate value of resilient modulus for the design.

Reliability

Arterials Reliability=95%

Collectors Reliability=90-95%

Local Streets Reliability=80%

Overall Standard Deviation(s)

Arterials s=0.4

Collectors and local streets s=0.45

Serviceability

Initial serviceability $P_o=5.0$

Terminal serviceability $P_t=2.5$

Change in serviceability index $PSI=2.5$

Regional Factor

This factor is used to adjust the Structural Number for climatic and environmental conditions different from those of the AASHTO road test site. The Regional Factor to be used for Phoenix is 1.0.

Projected Traffic Loading

The Projected Traffic Loading is based on the cumulative expected 18-kip single axle load (ESAL) during the analysis period, which is a minimum of 20 years. The information is typically obtained from project specific traffic studies or geotechnical design reports.

Design Procedure

Pavement thickness designs shall be determined using the *AASHTO Guide for Design of Pavement Structures 1993 version* (1993 AASHTO Guide) except as modified herein. The minimum thickness of asphalt concrete shall be calculated using the Layered Design Analysis presented in section 3.1.5 of the 1993 AASHTO Guide. The analysis shall be provided as an appendix in the geotechnical report.

Unsuitable Subgrade Soils

The geotechnical report shall address and provide roadway subgrade mitigation measures for conditions including but not limited to the following with concurrence of the City's materials Lab:

- Moderate to high plasticity and/or expansive (swelling) soils per **Table 3.1-1**.
- Non-granular soils with % fines >35% and Plasticity Index >10.
- Collapsible soils.
- Otherwise poor subgrade soils.

Table 3.1-1 Expansion Potential Mitigation

Expansion Potential	Recommended Treatment
< 2 percent	None
2 percent to 5 percent	Stabilize ^a in-place to depth determined by designer, but not less than 8"
> 5 percent	Stabilize ^a in-place to depth determined by designer, but not less 12"

^aThe soil can be stabilized with either lime, cement, or lime/cement combination by specifying the requirements of MAG Section 309 Lime Slurry Stabilization or MAG Section 311 Soil Cement Base Course. For either method, a minimum compressive strength of 160 psi shall be achieved when tested as required by the specification.

The soil should be stabilized with lime in at least two layers following the requirements of MAG Section 311. The bottom layer can be stabilized in place.

Structural Coefficients

Design structural number (SN) can be converted to thickness of various flexible pavement layers by using structural layer coefficients. In the absence of specific values, the following structural coefficients are recommended (**Table 3.1-2**):

Table 3.1-2 Structural Coefficients

Material	Structural Coefficient
Asphaltic Concrete	0.39
Aggregate Base	0.12
Select Material	0.11
Cement Treated Base	0.27
Bituminous Treated Base	0.31

Minimum Pavement Thickness

For the City's streets, the following are provided as the minimum allowable thicknesses for asphaltic concrete and base materials or full-depth sections on prepared subgrade (**Table 3.1-3**). Minimum pavement thickness only applies after a 20-year pavement design is conducted and the resulting design pavement thickness is less than the required minimum values in **Table 3.1-3**. If the resulting pavement design is thicker than the minimum, then the design thickness applies.

Table 3.1-3 Minimum Pavement Thickness

Street Type	Option 1		Option 2
	AC	ABC	Full-Depth AC on Prepared Subgrade
All Arterial Classifications	6"	8"	9"
All Collector Classifications ¹	5"	8"	8"
Local and Cul-de Sacs ²	3"	6"	5"

1. Also applies to local commercial/industrial streets

2. Also applies to paved alleys

Asphaltic Concrete Mixes

The following mixes and oil contents are general guides for arterial/high traffic volume streets and local streets/low volume streets.

Arterial/Collector Streets/High Traffic Volume:

A-1 1/2" Base Course only, Asphalt Binder Content: 4.3 +/- 0.4%

C- 3/4" Base and Surface Course, Asphalt Binder Content: 5.0 +/- 0.4%

D- 1/2" Surface Course only, Asphalt Binder Content: 5.1 +/- 0.4%

D-1/2" or Polymer modified Asphalt Concrete Surface course only, Binder: 8.0 +/- 0.4%

Local Streets/Low Traffic Volume:

C- 3/4" Base and Surface Course, Asphalt Binder Content: 5.5 +/- 0.4%

D- 1/2" Surface Course only, Asphalt Binder Content: 5.6 +/- 0.4%

D-1/2" or Polymer modified Asphalt Rubber Concrete Surface Course only, Binder 8.5 +/- 0.4%

The current list of approved mixes can be found at the following link:

<https://www.phoenix.gov/streetssite/Pages/COP-MaterialsLab.aspx>

The City of Phoenix Materials Lab can review other asphalt mixes for use on a project-by-project basis.

Substitution of Asphalt Concrete for Aggregate Base Material

If the total structural section depth determined is undesirable, a deeper asphalt concrete section can be used in lieu of some or all the aggregate base material at a rate of 1" of asphalt concrete for 3" of aggregate base material.

Recycled Asphalt Concrete and Asphalt Millings (RAP)

If these materials meet the MAG specifications for aggregate base course, then these materials shall be allowed in sub-base and as backfill. However, RAP can be used in the pavement structure on a case-by-case basis only with the approval of the Engineer and the City's Materials Lab and appropriate client Department.

3.2 CULVERTS

Storm drain design will be consistent with the most recent version of City of Phoenix Storm Water Policies and Standards.

3.2.1 Poured-in-Place Reinforced Concrete Arches Bridges in Subdivisions

City of Phoenix receives occasional requests to install poured-in-place reinforced concrete arch bridges, tunnels, and culverts. It is the policy of City of Phoenix that, if installed, they will be maintained by the developer, homeowners association, or neighborhood. A maintenance agreement between the City of Phoenix and the developer, homeowners association, or neighborhood is required, as part of the platting and development approval process, for installation of poured-in-place reinforced concrete arch system.

Poured-in-place reinforced concrete-arch bridges, tunnels, and culverts shall be designed with pedestrian facilities (sidewalk) and access ramps both upstream and downstream.

3.2.2 Culverts Under Half-Streets

A culvert provided in conjunction with half-street construction (**Figure 3.2-1**) must extend beyond the edge of the traveled way a minimum of 10' into the area where the other half of the street shall be constructed in the future. The 10' distance is measured perpendicular to the street alignment. The

culvert capacity, flow line slope, and alignment must be based upon the ultimate design requirements for the culvert if it were to be built under the full cross-section where it could be considerably longer.

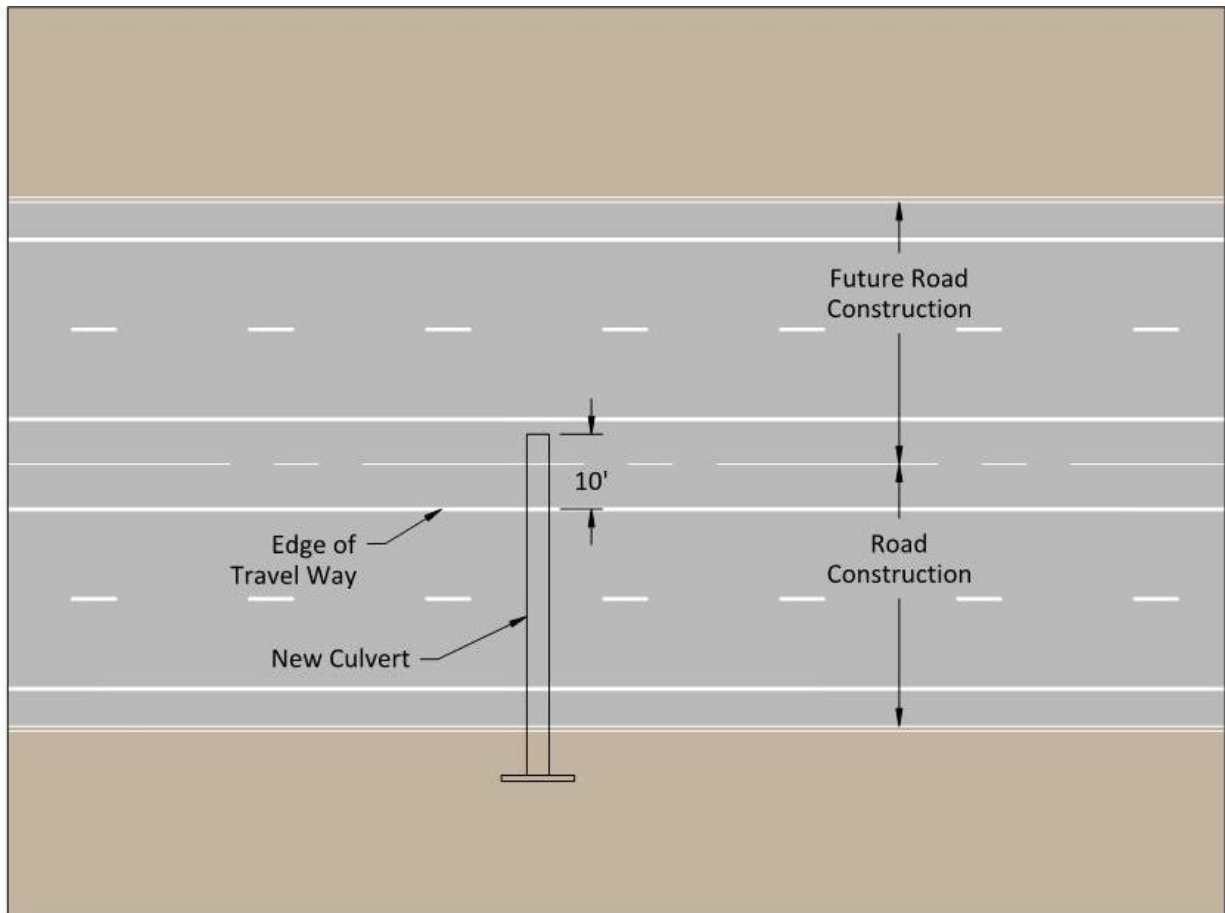


Figure 3.2-1 Culvert Under Half-Street

3.3 BRIDGES AND MAJOR STRUCTURAL PLANS

3.3.1 Bridges

ADOT Standard Specifications and Details serves as primary design reference for major structures, such as bridges, culverts, or special vaults. The Consultant shall provide any necessary special provisions or details.

City of Phoenix requires Load and Resistance Factor Design (LRFD) method. The Consultant shall verify the required method with the City of Phoenix Project Manager at the time of project scoping.

The Consultant shall refer to City of Phoenix Storm Water Policies and Standards Manual (<http://phoenix.gov/STREETS/index.html>) for other bridge design criteria.

The City of Phoenix Administrative Procedure (AP) No. 155, Project Development Requirements and Guidelines provides information on the sheet sequence for bridge and other major structural plans and references for bridge design guidelines. If a bridge structure exceeds 20' in length, there is a need to request a bridge number from ADOT.

Bridge Roadbed Width

The clear width of all bridges, including grade separation structures, shall equal the full width of the physical improvements of the approaching roadway, consisting of sidewalk, street, median, and curb and gutter.

Approach Guardrail

If a vehicular railing or safety-shaped barrier is provided, which is within 10' of a traveled way with or without a sidewalk, approach guardrails should be installed on all approach ends in accordance with AASHTO guidelines.

Several types of approach railings are available, including Metal Beam Guardrail, Bridge Approach Guardrail (Types I and II), and Safety-Shape Barriers. The type of approach railing selected should match the rail to be used on the bridge. When long runs of guardrail (such as embankment guardrail) precede the bridge, the guardrail should connect to the bridge railing and thus serve the approach railing function.

Cross Slope

The crown is normally centered on the bridge except for one-way bridges, where a straight-cross slope in one direction shall be used. The cross slope shall be the same as for the approach pavement.

Median

On multi-lane divided highways, a bridge median that is 26' wide or less shall be decked. The decking of all medians greater than 6' wide should be grated to allow natural light into the structure. Exceptions must be submitted to the Street Transportation Department for approval.

Railings

The railings to be used are the ADOT standard design railings.

3.3.2 Structural Clearances

Horizontal Clearance

All roadways shall comply with its approved street cross sections which all include a curb, gutter, and sidewalk. For curbed sections, the MUTCD, in chapter 2 and chapter 4, indicate that the distance for objects behind a curbed section shall be a minimum of 2' from the face of the curb. Designers should increase that distance when practicable.

If a standard street cross section cannot be constructed for a segment of roadway, then a clear zone shall be provided along that segment. The term "clear zone" is used to designate the unobstructed, relatively flat area provided beyond the edge of the traveled way for the recovery of errant vehicles. The clear zone includes any shoulders or auxiliary lanes. Horizontal clearances must follow AASHTO roadside design guidelines and ADOT standards. Horizontal clear zone requirements are presented in **Figure 3.3-1** and **Table 3.3-1**. If the clear zone requirements cannot be met at a segment of roadway, a guardrail section shall be used along that segment. Guardrail design shall be consistent with ADOT standards.

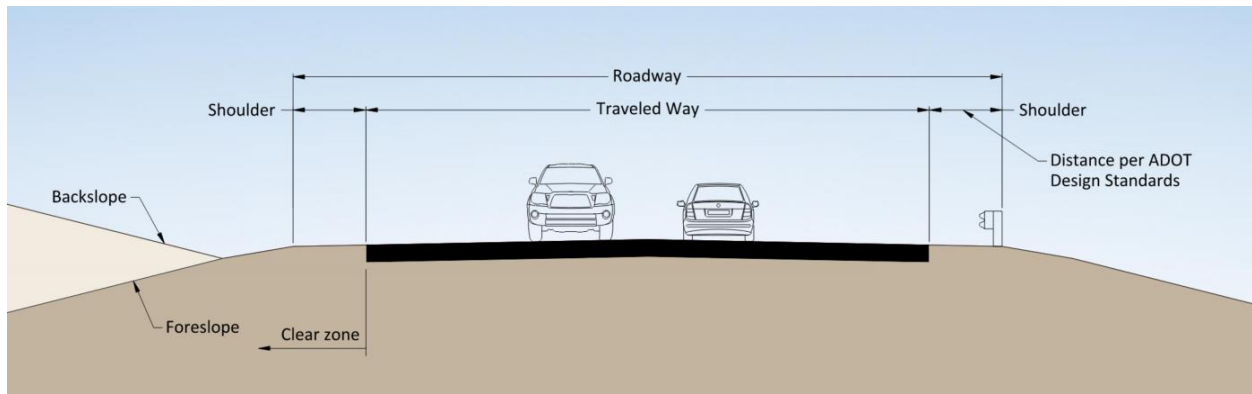


Figure 3.3-1 Horizontal Clearance Requirements

Table 3.3-1 Preferred Clear Zone Distances

	Foreslopes		Backslopes		
	6:1 or flatter	Steeper than 6:1, up to and including 4:1	Steeper than 4:1	4:1 or flatter, up to 6:1	6:1 or flatter
40 mph or less	16	18	16	16	16
45 – 50 mph	22	28	16	20	22
55 mph	24	32	18	22	24
60 mph	32	44	22	26	28

Vertical Clearance

The minimum vertical clearance shall be 16.5' over the entire width of the traveled way of an arterial street or major collector street. On other streets, the minimum shall be 14.5'. Exceptions must be submitted to, and approved by, the Street Transportation Department. Vertical clearance requirements are shown in **Figure 3.3-2**.

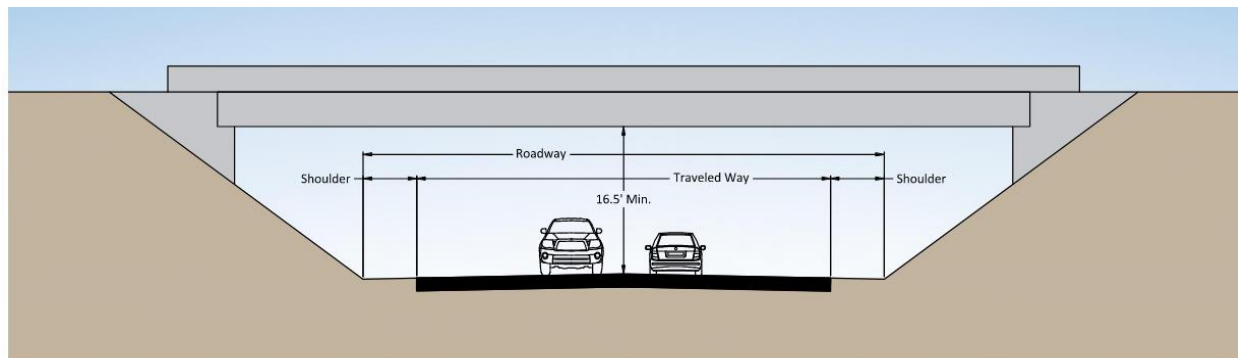


Figure 3.3-2 Vertical Clearance Requirements

3.4 CUT OR FILL SLOPES

Side slopes shall be designed for functional effectiveness, ease of maintenance, and pleasing appearance. Cut or fill lines shall be shown on the plans and roadway typical sections where significant cuts or fills shall be required to match proposed work to existing adjacent property.

The maximum slope of the cut or fill slope behind a sidewalk or shoulder area is 4:1. Cut slopes steeper than 4:1 may need to be set further back from the roadway or sidewalk. Retaining walls may be necessary. Fill slopes steeper than 4:1 may require vehicular protection, such as guard rail or barrier wall.

The top of all cut slopes shall be rounded where the material is other than solid rock. A layer of earth overlaying a rock cut also shall be rounded. The top and bottoms of all fill slopes for, or adjacent to a traveled way, sidewalk, or bicycle path shall also be rounded. Cut or fill slope requirements are presented in **Figure 3.4-1**.

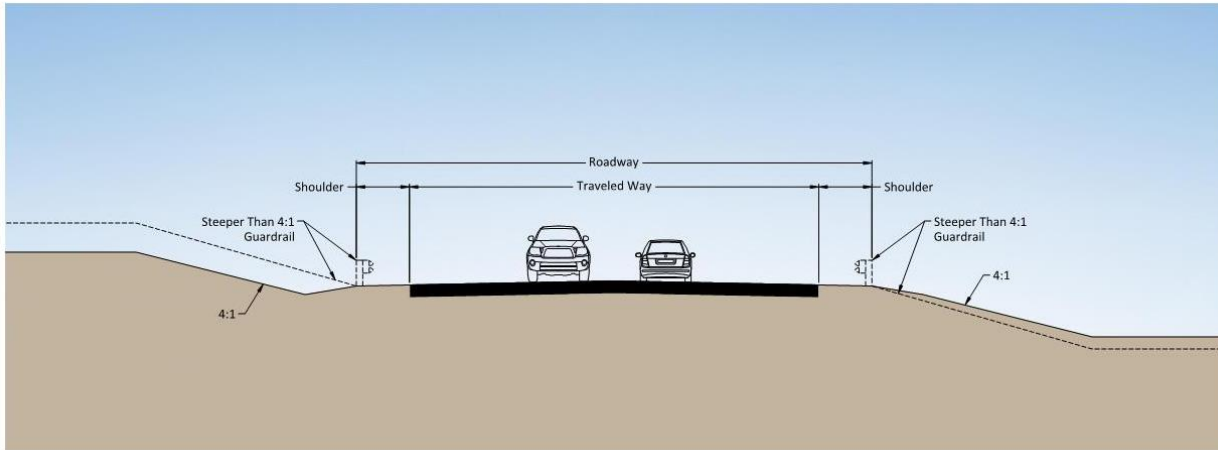


Figure 3.4-1 Cut or Fill Slopes

3.5 PAVEMENT TRANSITIONS

When development causes the widening of a portion of the pavement of an existing road, transitions between pavements of different widths should be consistent with the design standards of the superior facility. Taper treatments for lane transitions are discussed in Chapter 2, Section 2.3.5, Lane Transition Tapers.

3.6 STORMWATER MANAGEMENT

Design and construction guidance is provided in the most current version of the *City of Phoenix Storm Water Policies and Standards*.⁴

The City of Phoenix also uses storm water design software – Drainage Design Management System for Windows (Phoenix – DDMSW).

3.7 GREEN INFRASTRUCTURE

Green infrastructure (**Figure 3.7-1**) are techniques designed to help mitigate flooding, reduce runoff and stormwater, reduce heat-island effect, preserve natural wildlife. Common examples of green infrastructure are vegetated bioswales or stormwater harvesting basins, permeable pavement/pavers, and curb openings, sediment traps, and domes overflow structures.

⁴ <https://www.phoenix.gov/streets/reference-material/sw-manual>.

The information in this section is based on the *Greater Phoenix Metro Green Infrastructure and Low Impact Development (LID) Handbook* (2019). Current City adopted LID details are available in the City of Phoenix Supplement to the MAG Uniform Standard Specifications and Details.

3.7.1 Permeable Pavement

Permeable pavements can effectively reduce pollutants and elements can include pervious concrete, pervious concrete pavers, and permeable pavement with underground reservoir and underdrain.

Permeable pavement is not appropriate for use on areas exposed to vehicular traffic within the right-of-way. However, permeable pavement and pavers could potentially be used for private development on-site uses and privately maintained parking areas.

Refer to MAG Uniform Standard Specifications for Public Works Construction, Section 323, Placement of Pervious Concrete and Section 723, Pervious Concrete.



Figure 3.7-1 Green Infrastructure

3.7.2 Low Impact Development Curb Openings

Curb openings (LID-02 and LID-03) convey runoff into and out of features, such as swales or bioretention areas. This treatment can be retrofitted into an existing roadway or can be built as part of new construction. Considerations for use of these curb openings are:

- Acceptable for use with detached sidewalks. Curb openings are not recommended for use with attached sidewalks.
- Minimum 24" curb opening required to prevent clogging.
- A private maintenance agreement issued by the street transportation department is required in coordination with use of bioswales or bioretention areas within the right of way.
- Use in combination with MAG Detail 206, Concrete Scupper. The metal plate on top of the curb opening, as shown in the details, is not required.

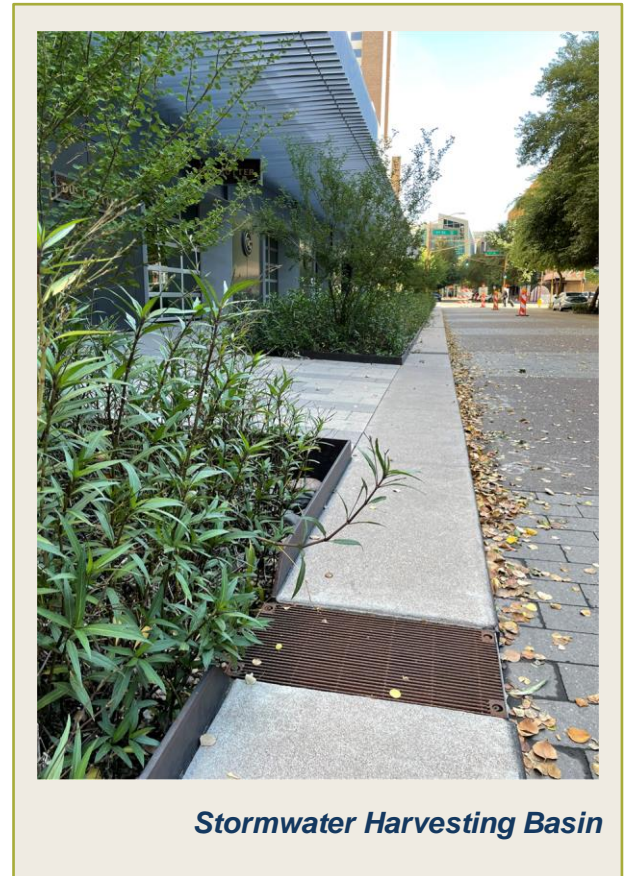
3.7.3 Sediment Traps

Sediment traps should be installed at curb openings and/or inlets that receive concentrated stormwater flows. A sediment trap provides a collection point for sediment and other debris before runoff enters a stormwater capture or LID facility. They are typically used in conjunction with curb openings and vegetated/rock bioswales.

3.7.4 Stormwater Harvesting Basins

Stormwater harvesting basins (**Figure 3.7-2**) are shallow vegetated earthen depressions that collect stormwater and cleanse it prior to the water percolating into the subsurface. These differ from typical retention basins in that they provide subsurface storage within the constructed facility. Harvesting basins require a larger area to implement. Implementation considerations are:

- This feature is appropriate for use in subdivisions.
- Because of space requirements, it is typically not suitable for use on public road projects, however there may be occasions when appropriate right-of-way space is available to accommodate this feature. Stormwater harvesting basins are not permitted along arterials.
- Basins are not permitted along arterial classified streets.



Stormwater Harvesting Basin

Figure 3.7-2 Stormwater Harvesting Basin

3.7.5 Vegetated or Rock Bioswales and Bioretention Systems

Vegetated or Rock Bioswales

Vegetated/rock swales are open, shallow channels that may have trees, grasses, and other low-lying vegetation covering the swale bottom and side slopes, with pervious surface materials, such as decomposed granite, larger rocks, and/or mulch. Vegetated or rock bioswales are designed to slow the flow of runoff to downstream discharge points. When landscaped, vegetated swales may provide additional pollutant removal. Bioswales can provide water harvesting opportunities, depending on the

site conditions and their hydraulic requirements. Similar to stormwater harvesting basins, a larger area is required to construct this feature. Implementation considerations are:

- Bioswales are more suitable for use in subdivisions.
- Can be used on public road projects if sufficient right-of-way is available.
- Bioswales are not permitted along arterial classified streets.

Bioretention Systems

Bioretention systems (LID-07) may either allow percolation into the subsoil or may have an underdrain that directs infiltrated stormwater to a downstream drainage system. These differ from stormwater harvesting basins and rain gardens because they are generally deeper, and their main purpose is to capture pollutants and to provide a medium to infiltrate stormwater. Implementation considerations are:

- Bioretention systems require space and are more suitable for use in subdivisions.
- Can be used on public road projects if sufficient right-of-way is available.
- Bioretention systems are not permitted along arterial classified streets.

3.7.6 Domed Overflow Structures

Domed overflow structures (LID-10) allow for ponding within multiple stormwater capture facilities and provide an outlet for larger storm events that exceed the capacity of each facility. Overflow structures drain into a downstream collection system, such as a storm drain, basin, channel, or natural wash.

Implementation considerations are:

- Suitable for public and private road projects within the right-of-way.
- A maintenance agreement is required for use in subdivisions or private development projects.

3.8 RIGHT-OF-WAY MANAGEMENT PROCEDURES

The City has procedures in place to assure that construction, maintenance, and events within street right-of-way are planned to minimize the disruption of traffic and maximize access to adjacent land use. These procedures are contained in the City of Phoenix Traffic Barricade Manual, 9th Edition and more information on certifications, Temporary Restrictions and Closures (TRACS) permits, regulations for traffic restrictions, and special requirements for the Phoenix downtown area are available through the Right-of-Way Management Program Office.

For private development projects within the downtown area (**Figure 3.8-1**), developers shall submit a Construction Logistics Plan to the Planning and Development Department for approval prior to building permit issuance.

Construction scheduling is provided on the City Manager's Construction Project Map.

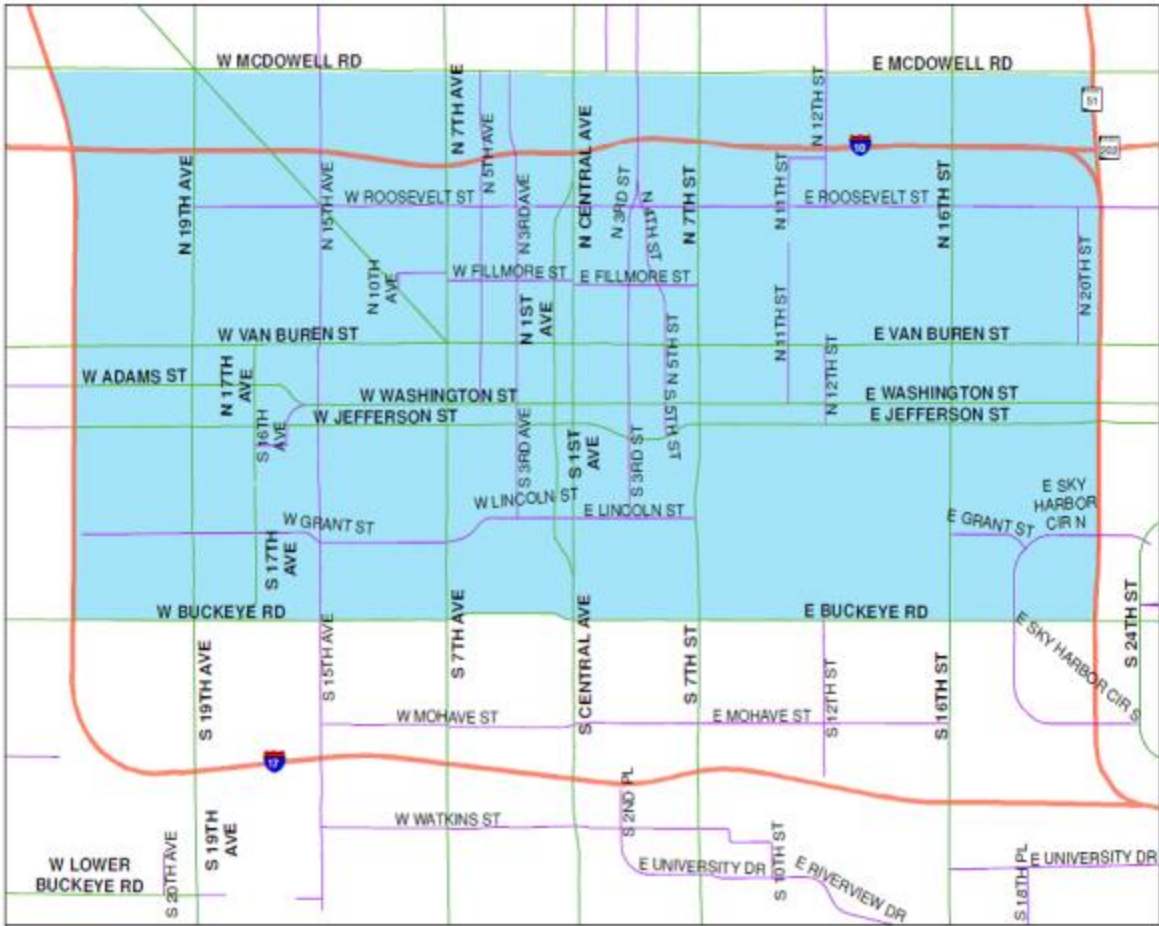


Figure 3.8-1. Downtown Right-of-Way Management Area Map

4. TRAFFIC SIGNALS, SIGNING + STRIPING

OVERVIEW

Chapter 4 provides an overview of City of Phoenix traffic design practices to assist consultants and others who are preparing traffic signal, signing, and striping plans for the City of Phoenix.



Chapter 4 --- TRAFFIC SIGNAL, SIGNING, AND STRIPING

4.1 INTRODUCTION

This chapter provides an overview of City of Phoenix traffic design practices to assist consultants and others who are preparing traffic signal, signing, and striping plans for the City of Phoenix.

4.1.1 Traffic Design References

All traffic signal, pavement markings, and sign plans must satisfy the current edition of the following guidelines and references:

- *City of Phoenix Standard Traffic Signal Details* [<https://www.phoenix.gov/streets/reference-material>]
- *City of Phoenix Standard Pavement markings and Sign Details* [<https://www.phoenix.gov/streets/reference-material>]
- *City of Phoenix Street Transportation Department, Administrative Procedure (AP) No. 155, Project Development Requirements and Guidelines, 2012*
- *U.S. Department of Transportation Federal Highway Administration, MUTCD, 2009*
- *Arizona Supplement to the MUTCD, 2009*



Traffic Signal at 16th Street and Bethany Home Road

4.2 TRAFFIC SIGNAL DESIGN

The City maintains standard detail sheets and specifications for traffic signal installation at: <https://www.phoenix.gov/streets/reference-material>.

4.2.1 Developer Traffic Signal Work Overview

Improvements within the right-of-way may require relocation of existing traffic signal equipment, installation of new traffic signals, or installation of conduit/junction boxes for a future signal. These are typically triggered under the following scenarios.

- 1) Physical change to an intersection:
 - a. Adding roadway curb returns
 - b. Adding or upgrading ramps, or other improvements to comply with ADA requirements and City of Phoenix traffic signals standards
 - i. Ramps should be upgraded if the facility only has a single ramp (diagonal or apex ramp).
 - ii. Dual ramps should be installed at all signalized intersections unless the designer (developer/staff/etc.) has completed a technical feasibility to determine the design has provided the Maximum Extent Feasible (MEF) threshold for design improvements.
 - c. Expansion of existing roadway, such as lanes of traffic, turn lanes, etc.
- 2) Operational change based upon development scope:
 - a. Traffic Impact Analysis requirement - Signal modification to mitigate increased capacity, such as adding vehicle movement to and within an intersection
 - b. One or more traffic signal warrants are met
 - c. Master Street Plan Document calls for new signal



Curb Ramp Under Construction

- 3) Future Signalized Intersection
 - a. Conduit and junction boxes are required to be installed to facilitate future signalization

For projects not initiated by the City, the developer shall bear the full responsibility and cost for all associated signal work.

4.2.2 Development Review Process

Traffic impact, street improvements, and traffic signal installation or

modification requirements are determined during the site plan review process. Street Transportation. Development Coordination Division's Traffic Engineer coordinates with the Planning and Development Department to review site development applications and provides comments to developers regarding

their street and traffic improvement or mitigation requirements. Street Transportation staff provide initial comments with the Preapplication Site Plan review.

Traffic Impact Studies are required to be approved prior to submission of Preliminary Site Plans so that all off-site traffic and roadway improvements are clearly indicated with Preliminary Site Plan approval.

Traffic signal and roadway improvements may be required, above and beyond those identified in the initial review of the preliminary site plan and/or associated Traffic Impact Study, due to prior-approved planning documents, such as a Master Street Plan, paving plans for an adjacent development.

4.2.3 Traffic Signal Plans

The developer is responsible for providing or paying for traffic signal plans for all signal work that will be a part of their project. This requirement is for traffic-signal modification of existing signals, constructing new traffic signals, and conduit-only plans. Signal plans require the full extent of the intersection with new work clearly identified, and unmodified equipment to be shown as existing. Signal plan notes will indicate the division of labor.

Final approved developer signal plans shall be signed by Deputy Director of Traffic Services Division. An approved set of plan documents shall be present on the job site during construction.

Developer Costs and Escrow Account

All work and costs incurred related to the construction, modification, or reconstruction of the intersection traffic signal is the responsibility of the developer. Traffic Services will provide a detailed cost estimate of the traffic signal work that includes a lump sum cost for signing and markings. The City of Phoenix policy requires that the developer provide a check in the amount of the estimate to create an escrow account to cover the amount of the estimated work.

Escrow accounts are set up and funded prior to any traffic signal final design and construction. The Traffic Signal Engineer and the Development Coordination Traffic Engineer will establish the appropriate cost share percentage for the project. When the development creates a need for a new traffic signal, the developer shall cause the installation of the signal at their full expense.

Traffic Services completes and submits a Capital Improvement Project (C.I.P.) request project form accompanied by a copy of the developer's check.

The Street Transportation Department establishes a project number to bill against. At the end of the project, the City prepares a final bill and either bills for any overage or refunds the remaining amount in escrow to the payee.

Maintenance of Traffic

As part of any site plan improvement that encroaches into the public right-of-way, a Temporary Restriction and Closure System (TRACS) permit will be required. The City of Phoenix Barricade Manual (https://www.phoenix.gov/streetssite/Documents/d_039129.pdf) includes the requirements and procedures to obtain this permit. The TRACS process is the City's mechanism to ensure safe operation and minimal disruption to the travelling public during construction activity on Phoenix streets. The required plans vary with the complexity of work and traffic design should generally consider constructability to assist in efficient installation.

4.3 PAVEMENT MARKINGS AND SIGN PLANS

The City of Phoenix relies on a streamlined approach to the design and installation of pavement markings and signs. The City of Phoenix fabricates and manages installation of all signs on public streets. The City of Phoenix installs all pavement markings on public streets.

The signing of streets and public rights-of-way is a critical design element. Sign choices, locations, and installation types can significantly impact their effectiveness for the intended use. All sign installations shall include a review of existing sign locations and types and a field review of existing conditions and visual sight lines to meet the intended use.

Final approved developer Pavement Marking and Signing plans shall be signed by Deputy Director of Traffic Services and Traffic Engineering Supervisor. An approved set of plan documents shall be present on the job site during construction.

4.3.1 Design – Signs and Pavement Markings

The City maintains standard detail sheet and a template CAD file that includes City of Phoenix standard blocks, line types, and title blocks. This template will be used to expedite the drafting and approval process. These standards and templates can be found at: <https://www.phoenix.gov/streets/reference-material/dcm-autocad-standards>. Signing and striping plans shall conform to the design information from the other applicable chapters of this manual.

4.3.2 Developer Requirements

Sign and pavement marking plans are required for any development project that impacts an existing City sign or will require the installation of any new sign or pavement marking. This requirement may be established as early as Preapplication Site Review, or as required as part of off-site paving plans submitted into the City. The developer is responsible for the cost of providing engineered drawings of signing and striping required as part of the development. The City performs the installation of any signing and pavement markings, or as required through permit procedures of the Planning and Development Department.

Traffic Services will review all Pavement Marking and Sign Plans and provide comments and feedback prior to approval of plans. **Paving plans will not be approved until the Pavement Markings and Sign plan has been approved.** Developers are encouraged to engage with Traffic Services early in the process for design assistance and informal feedback prior to filing of permits. Traffic Services holds weekly plan reviews. Developers may attend these meetings to receive input from Traffic Services engineers.

4.3.3 Signing

To eliminate unnecessary signposts, every effort should be made to use existing streetlights where applicable. Some types of signs, such as STOP signs, are in critical locations and cannot be moved to the nearest street light pole but many others, such as parking and speed limit signs, may be universally mounted on the nearest light pole.

Traffic signal poles are normally not to be used for sign placement. However, some signs, such as turn restrictions, large street-name signs (G-4), ONE WAY, KEEP RIGHT, and lane-control signs are intersection-related and are suited to signal pole mounting. Care must be taken to ensure that installing these signs on signal poles would not interfere with the pedestrian push-button signs.

4.3.4 Pavement Markings

The developer/contractor will be responsible for the removal of existing pavement markings as shown on the approved plans, or as directed by the inspector. The removal of pavement markings is preferred by a pavement treatment as defined in the City of Phoenix pavement cut ordinance.

An edge lane shall be installed on all arterials streets that do not have adjacent curb or gutter. When a bike lane is present the edge stripe is omitted.

Crosswalk striping shall be provided at all signalized intersections and all existing striped crosswalks. Or as determined by the Street Transportation Department.

4.3.5 Citizen Initiated Requests

Citizen requests for traffic signals are made to the Arterial Systems Management Section of the Street Transportation Department. Requestors can contact 602-262-6021 for further information or to report traffic signal problems 24 hours/7 days a week.

Citizen requests for signing and/or striping modifications are made to the Traffic Operations Section of the Street Transportation Department. Requestors can contact 602-262-6549 for further information.

5. NEIGHBORHOOD TRAFFIC CALMING

OVERVIEW

Chapter 5 provides an overview of allowable traffic calming elements and approaches within City of Phoenix right-of-way, to improve the safety and livability of neighborhoods by reducing vehicular speeds.



Chapter 5 --- NEIGHBORHOOD TRAFFIC CALMING

5.1 INTRODUCTION

Neighborhood traffic calming consists of design elements to improve the safety and livability of neighborhoods by reducing vehicular speeds. This chapter provides an overview of allowable traffic calming elements and approaches within City of Phoenix right-of-way.

5.2 RESIDENT REQUESTED TRAFFIC CALMING

The Street Transportation Department offers a program for neighborhoods to request speed humps and speed cushions along local and collector streets.⁵ The City of Phoenix offers the traffic calming programs as explained in this chapter.

5.2.1 Speed Hump Program

The City of Phoenix has a program for installing speed humps in existing local streets in neighborhood areas where the speed limit is 25 mph. Speed humps, illustrated in **Figure 5.2-1**, are only installed after completion of an approval process, which includes submission of a neighborhood petition.



Speed Hump

Figure 5.2-1 Speed Hump in City of Phoenix

⁵ <https://www.phoenix.gov/streets/neighborhood-traffic-programs-services/speed-hump-program>, and <https://www.phoenix.gov/streets/neighborhood-traffic-programs-services/speedcushions>.

5.2.2 Speed Cushion Program

Speed cushions as illustrated in **Figure 5.2-2** are speed humps that include wheel cutouts to allow emergency vehicles (fire trucks) to pass unaffected, while reducing passenger car speeds. They can be offset to allow unimpeded passage by emergency vehicles and are typically used on key emergency response routes. Speed cushions extend across one direction of travel from the centerline, with longitudinal gap provided to allow wide wheelbase vehicles to avoid going over the hump.

The City of Phoenix only allows speed cushions on public streets classified as minor collector streets in residential areas, with speeds of 30 mph or less. An information packet describing this approval process is available on the program website. Speed cushions should be located periodically along the corridor (every 500') to accomplish speed control.



Figure 5.2-2 Speed Cushion

5.3 TRAFFIC CALMING GUIDELINES

Traffic calming is most effective when it is self-enforcing by providing physical and visual cues in, and adjacent to, the roadway to encourage drivers to travel at slower speeds. The design of the roadway results in the desired effect, without relying on compliance with traffic control devices, such as signals,

signs, and enforcement. Street landscape may complement traffic calming strategies to provide visual cues that encourage people to drive more slowly.

Traffic calming devices should be aligned with open space and pedestrian pathways as much as possible, and consistent with City policies.

5.3.1 City of Phoenix Policies

The Phoenix General Plan, Plan Phoenix includes the following goal: *The community should be protected from the negative effects of the volume, speed, and cut-through traffic in neighborhoods (Part III, Core Values, Safe Neighborhoods-Traffic).*

The City of Phoenix Zoning Ordinance, Chapter 5, Section 507 TAB A, Guidelines for Design Review Part II. C. Subdivision Design/Development, states that “Local streets exceeding 600’ in length should incorporate traffic calming measures.”

Any traffic calming that is installed on an existing street will need to complete the Street Transportation Department petitioning process. Traffic calming that is installed on streets before being opened to the public does not require the public petition process.

5.3.2 Traffic Calming and Functional Classification

The purpose of traffic calming is to help traffic align with the posted speed limit of the street functional class and nature of adjacent land use. City of Phoenix local streets and collector streets, as defined on the *City of Phoenix Street Classification Map*, are eligible for traffic calming measures.

Arterials are major streets, which are typically the major north/south and east/west transportation corridors spaced at each mile. Traffic calming is not constructed on arterial streets as the primary function of arterials is to serve regional traffic. Arterials often connect to freeways, are several miles long, and have higher speeds and higher traffic volumes.

Collectors are important transportation corridors generally running on the ½-mile north/south and east/west streets between the arterial streets. Collector streets with multiple lanes in one direction are not eligible for traffic calming. Collector streets with a speed limit of 30 mph or less are eligible for traffic calming.

Local streets are typically in residential areas and provide connectivity between collectors and arterials for local traffic. Local streets are eligible for traffic calming.

5.4 TRAFFIC CALMING STRATEGIES

5.4.1 Speed Humps/Cushions

Speed humps/cushions are only allowed through the city sponsored speed hump program and are not allowed for development use to meet City of Phoenix Zoning Ordinance, Chapter 5, Section 507 TAB A Guidelines for Design Review Part II. C. Subdivision Design/Development for block length mitigation.

5.4.2 Speed Tables (Raised Crosswalks)

Speed tables (**Figure 5.4-1 Speed Table**) are longer than speed humps and flat on top rather than the rounded speed hump design. They allow for slightly higher operating speeds and can support transit and emergency vehicle access. They shall be incorporated into mid-block crossings and curb extensions to

increase the safety of such crossings and provide a level surface for pedestrians. Speed tables are not appropriate at intersections.

Design Considerations

- Permissible on streets with posted speed of 30 mph or less.
- Drainage must be accommodated within the device.
- Clear markings and signage are necessary to alert street users of presence.
- Device works well with curb extensions.
- The flat top shall be a minimum of 10' in width.
- The raised crosswalk location shall be installed in coordination with the City Street Light Policy.



Figure 5.4-1 Speed Table

5.4.3 Chicanes

Chicanes (Figure 5.4-2) are a series of curb extensions, pinch-points, parking bays, or landscaping features which alternate from one side of the road to the other, to establish a serpentine path of travel for motorists along a street. Chicanes reduce vehicle speeds by requiring motorists to shift laterally, by a distance of one half, to one full lane width. Chicanes may provide the opportunity to add street trees; mature tree canopy can have a traffic calming effect along a neighborhood street.

Design Considerations

- Device is permissible on streets with posted speed of 30 mph or less.
- Device requires curb and gutter and must accommodate drainage.
- The Chicane location shall be installed in coordination with the City Street Light Policy.
- No driveways or community mailboxes within or near the chicane.
- Device must be at least 500' from nearest traffic calming device.
- Device must be placed at least 200' from a traffic control device.
- Device may require the removal of on-street parking.
- Bike lanes shall be accommodated in the design if on a collector street.

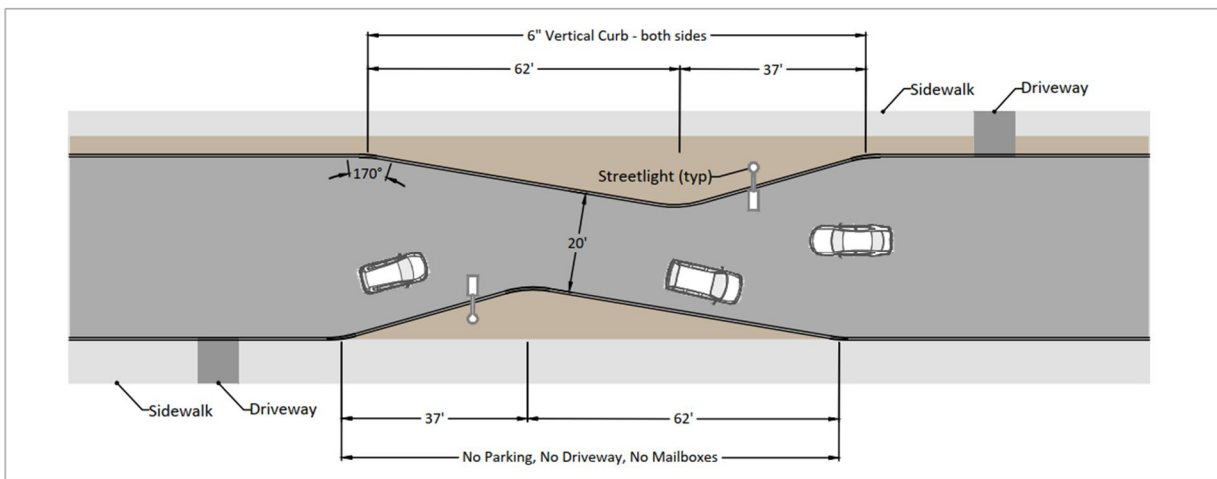


Figure 5.4-2 Chicane

5.4.4 Chokers

Long blocks can lead to high-traffic speeds as vehicles have longer travel distances between intersections. Traffic speeds can be reduced through mid-block neckdowns or “pinch-points,” which are mid-block bulb-outs that physically and visually narrow the roadway (**Figure 5.4-3**). They can add also public space to the sidewalk realm by allowing for additional landscaping/streetscaping.

Mid-block chokers (**Figure 5.4-4**) are mid-block curb extensions placed opposite each other to physically narrow the roadway, forcing motorists to reduce speed and yield to oncoming traffic to pass before proceeding.

Design Considerations

- Device is permissible on streets with posted speed of 30 mph or less.
- Device requires curb and gutter and must accommodate drainage.
- Location shall be installed in coordination with the City Street Light Policy.
- Should not be placed within driveways or near community mailboxes (at least 10' from the transition); chokers should be placed in open space areas.
- Device must be at least 500' from any other traffic calming device.
- Device must be placed at least 200' from a traffic control device.
- No parking shall be allowed within the limits of the choker.
- Bike lanes shall be accommodated in the design when built on a collector street; choker must be directly adjacent to the travel lane.



Source: <https://nacto.org/publication/urban-street-design-guide/street-design-elements/curb-extensions/>

Figure 5.4-3 Mid-Block Choker Examples

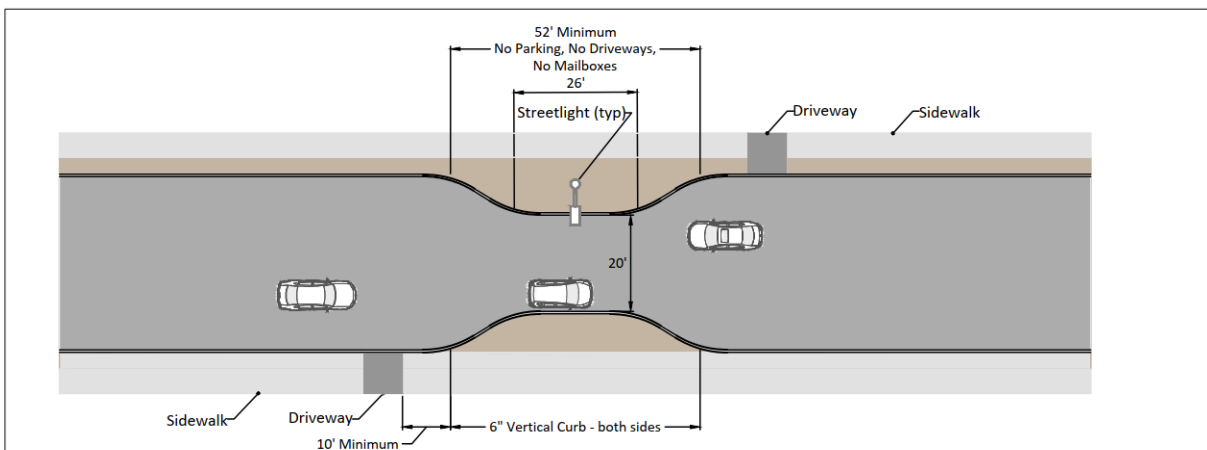


Figure 5.4-4 Choker

5.4.5 Center Islands

Center islands (**Figure 5.4-5**) are short medians placed in the center of the street at mid-block or at uncontrolled intersections to narrow motor vehicle lanes and create a small shift in the path of travel for roadway users. Center islands reduce street width from the middle rather than from the edges, encouraging vehicles to reduce speeds. Center islands can be designed in a circular shape “baseball” configuration (**Figure 5.4-6**) or an elongated shape “football” configuration (**Figure 5.4-7**).

Center medians may provide the opportunity to add landscaping and aesthetic features. A private maintenance agreement will be required for special treatment proposed within the island. Landscaping and planting will be required to meet visibility requirements.

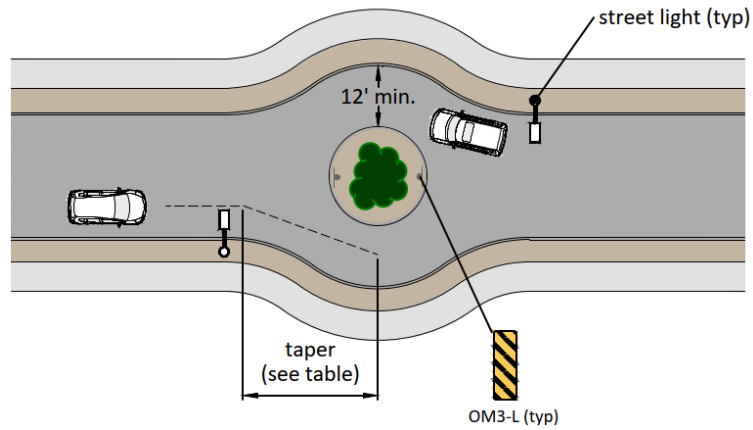
Design Considerations

- Device is permissible on streets with posted speed of 30 mph or less.
- Drainage must be accommodated within the device.
- The center island location shall be installed in coordination with the City Street Light Policy.
- No driveways, parking, or community mailboxes are allowed within the center island area.
- Device must be placed at least 300’ from nearest traffic calming device.
- Device requires curb and gutter.
- Installation requires approval from the City of Phoenix Fire Department and Valley Metro (if on a transit route); mountable curb may be necessitated to accommodate fire and transit.
- Bike lanes will be accommodated in the design when built along a collector street.



Center Island

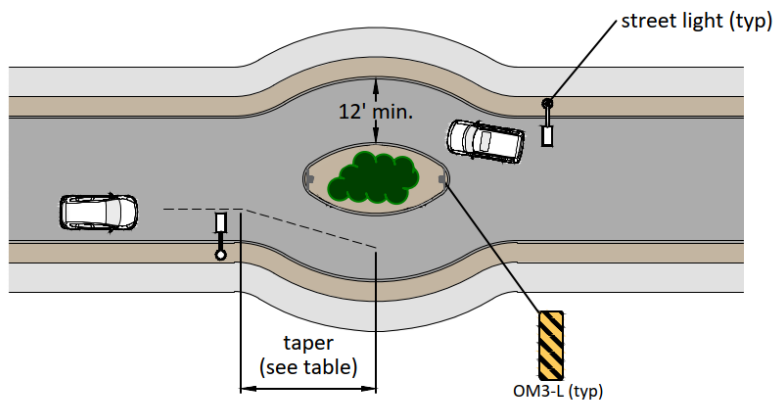
Figure 5.4-5 Center Island



SHIFTING TAPER	
PREFERRED	7:1
MINIMUM*	3:1

*ACCEPTABLE IN CONSTRAINED CONDITIONS WHERE ANTICIPATED OPERATING SPEED IS ≤ 13 MPH
SEE MUTCD SECTION 6C.08 FOR SHIFTING TAPER EQUATION TO DETERMINE APPROPRIATE TAPER WHERE OPERATING SPEED IS ANTICIPATED TO BE >20 MPH

Figure 5.4-6 Center Island, Baseball Configuration



SHIFTING TAPER	
PREFERRED	7:1
MINIMUM*	3:1

*ACCEPTABLE IN CONSTRAINED CONDITIONS WHERE ANTICIPATED OPERATING SPEED IS ≤ 13 MPH
SEE MUTCD SECTION 6C.08 FOR SHIFTING TAPER EQUATION TO DETERMINE APPROPRIATE TAPER WHERE OPERATING SPEED IS ANTICIPATED TO BE >20 MPH

Figure 5.4-7 Center Island, Football Configuration

5.4.6 T-Intersection Bulb-Out

Intersection bulb-outs calm traffic physically and visually by narrowing the street by extending the curb and sidewalk into the intersection, typically where a parking lane ends at an intersection.

Intersection bulb-outs are acceptable traffic calming for compliance with City of Phoenix Zoning Ordinance, Chapter 5, Section 507 TAB A, if the total length of the tangent is at least 25' with a minimum of 10' for one side of the intersection, as illustrated in **Figure 5.4-8**. The intersection shall meet the turning radius for a BU-40 school bus. The pedestrian crosswalk shall be accommodated in the bulb-out section.

Design Considerations

- Curb extensions tighten intersection curb radii and encourage slower turning speeds.
- The design of curb bulbs shall not reduce the resulting width of the traveled way below the requirement for the street type.
- Device is permissible on streets with posted speed of 30 mph or less.
- No parking is allowed within 30' from the device.
- Device requires curb and gutter; drainage and drainage inlets must be evaluated due to possible gutter realignment.
- Where application of a curb extension adversely impacts drainage, curb extensions may be designed as edge islands with a 1–2' gap from the curb or a trench drain.
- Typical device offset from travel lane at least 1.5'.
- Device should not extend into bicycle lanes.
- Landscaping should maintain visibility for intersection.

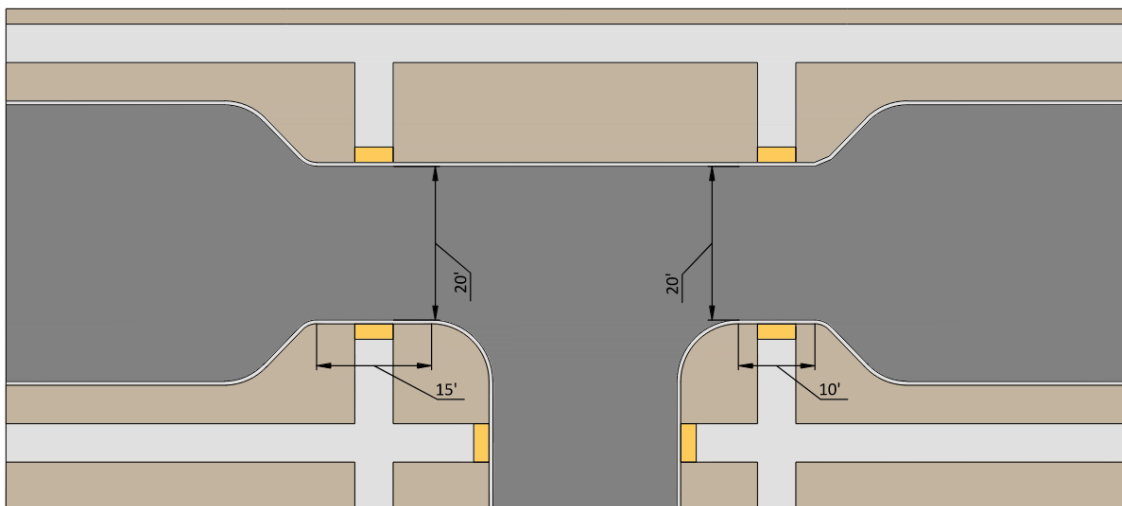


Figure 5.4-8 T-Intersection Bulb-Out

5.4.7 Neighborhood Traffic Circles

Traffic circles (**Figure 5.4-9**) replace stop signs at low volume, low-speed intersections (local streets). Neighborhood traffic circles slow traffic by requiring cars to deflect slightly as they travel through the

intersection. Neighborhood traffic circles are different than roundabouts. Neighborhood traffic circles are used for traffic calming purposes on local streets with low traffic volumes in residential areas and can include stop signs or yield signs. Neighborhood traffic circles are typically 20'-25' in diameter, much smaller than a single-land roundabout which may have a center island with a diameter of 75' or more. See **Section 2.8** for more information on roundabouts. The neighborhood traffic circle is designed to slow passenger vehicles, while still allowing occasional access for larger vehicles. The circle may be designed to be fully mountable for larger vehicles.

Design Considerations

- Traffic circle diameter should be large enough to slow a vehicle. Traffic circles placed at local/local intersections will typically have a central island of 20' to 25'. The circulating roadway is typically 20' from face of curb to face of curb.
- The design speed is 20 mph.
- Traffic circles shall be designed to not impede emergency vehicles.
- Traffic circles may incorporate green storm water infrastructure to optimize aesthetics.



Neighborhood Traffic Circle

Figure 5.4-9 Neighborhood Traffic Circle

5.5 MAINTENANCE

Landscaping on traffic circles, chokers, and other traffic calming devices must meet City guidelines and is maintained by the Homeowner's Association. If there is no Homeowner's Association, typically decomposed granite is used. For further information, contact the City of Phoenix Street Maintenance Department, 602-262-6441.

6. ACCESS MANAGEMENT

OVERVIEW

Chapter 6 provides guidance related to access management, the proactive management of vehicular access points to land parcels adjacent to roadways, to promote safe and efficient use of the roadways.



Chapter 6 --- ACCESS MANAGEMENT

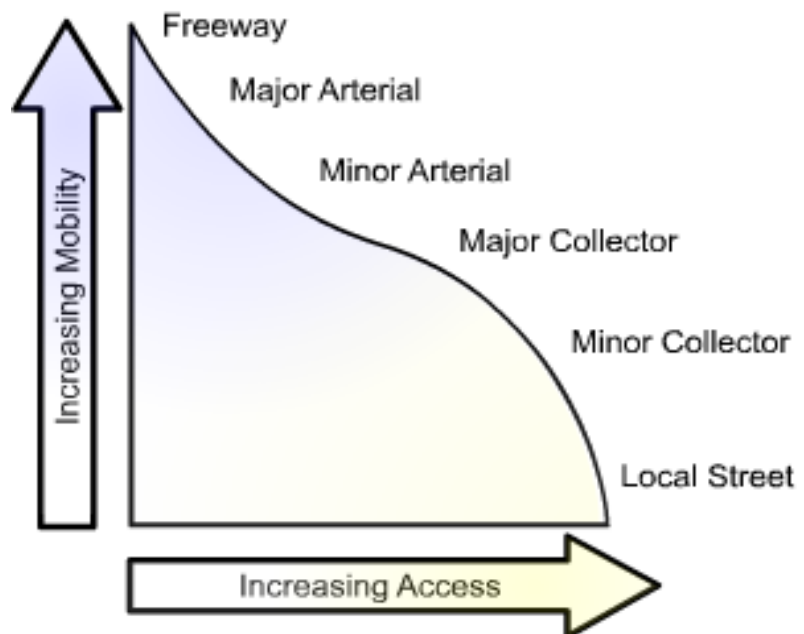
6.1 INTRODUCTION

Access management is the proactive management of vehicular access points to land parcels adjacent to roadways, to promote safe and efficient use of the roadways. Access management techniques include:

- Managing spacing between intersections.
- Managing number of and spacing between driveways.
- Providing left- and right-turn lanes.
- Constructing raised medians with appropriately spaced median openings.

Inadequate access management can result in inefficient traffic operations from blocked movements into and out of driveways, increased number of rear-end crashes, conflicting and confusing turns at intersections, and insufficient distance for vehicle maneuvers.

Access management principles are based on the relationship of functional classification of the roadway, to mobility and access. Functional classification of roads in City of Phoenix are described in *Street Classification Map*⁶. The relationship between access, mobility, and functional classification is shown in **Figure 6.1-1**. A local street provides access to adjacent land. Collectors and arterials balance access with the mobility needs of the traveling public. Freeways are fully access controlled and do not provide direct access to adjacent land.



Source: https://ops.fhwa.dot.gov/access_mgmt/what_is_accsmgmt.htm

Figure 6.1-1 Mobility and Functional Classification

6.2 GREENFIELD VS. EXISTING/ REDEVELOPMENT

The access guidelines presented in this chapter represent the desired condition for new roadways in new developments. When redevelopment is requested of existing parcels connecting to existing streets, the Applicant will strive to achieve the desired condition to the extent feasible. All signals, driveway locations, and access control that varies from these guidelines will be reviewed for safety and the

⁶ <https://www.phoenix.gov/streetssite/Documents/098996.pdf>

surrounding context. Deviation from these guidelines requires consultation and approval by the Street Transportation Department.

Large projects (TIA Category I to IV, as defined in **Table 9.2-1, Chapter 9**) requesting access to arterials will evaluate driveway locations, including a Level-of-Service analysis, in a Traffic Impact Study.

6.3 EXTERNAL AGENCY COORDINATION

6.3.1 Arizona Department of Transportation

Development within ¼-mile of an ADOT controlled facility requires notification to ADOT through a Red Border Letter submission. Development projects will be required to modify their design plans based upon ADOT stipulations within their right-of-way or access control limits prior to plan submittal and approval by the City.

Refer to ADOT's Roadway Design Guidelines for access control policies relative to ADOT jurisdiction.

Figure 506A stipulates access control within the vicinity of an interchange.

Traffic Signals: Proposed traffic signals within a ½ mile of an ADOT facility require the review of ADOT prior to City approval of an associated signal warrant analysis. Traffic signals located within ADOT controlled right-of-way or limits of control requires ADOT approval.

Driveway Location: Access proposed within ADOT's right-of-way or access control limits require ADOT approval prior to plan approvals by the City.

Traffic signal and access control within or adjacent to ADOT facilities shall follow the *ADOT 2021 Roadway Design Manual, Section 104 – Control of Access*.

6.3.2 Adjacent Municipality or Entity

Access control, traffic signalization, and/or infrastructure improvements to non-City controlled right-of-way requires the documentation of approval be presented from the affected jurisdiction or entity prior to plan approvals by the City.

6.4 ACCESS MANAGEMENT SUMMARY

6.4.1 Disclaimer

The City has the right to change or remove access as necessary, as specified in City Code Section 31-43.

"Provision may be made by the City for vehicular access to private property from streets and alleys, but in so doing due consideration must be given to pedestrian and vehicle safety, the resulting interference with the movement of vehicular traffic, and interference with public improvements. In establishing permissible curb cuts and sidewalk driveway crossings for access to private property, authorization shall not be granted where they are unnecessary or where they would unreasonably interfere with the rights of the public in the adjacent street or alley, and in no event shall any such cut or crossing be of greater width than necessary for reasonable access to the private property to be served thereby. (Code 1962, § 35-55)"

6.4.2 Authority of Street Transportation Director

City of Phoenix Code 31-44 designates the duty of the Street Transportation Director to authorize new driveway connections to City streets.

City of Phoenix Code 31-49 directs the removal of driveway connections for those that are not needed when a land use changes.

6.4.3 Access Management Guidelines Summary

The spacing and location of intersections, median openings, and driveways is critical to public safety. Their location must balance access to adjacent land uses with the capacity and traffic flow impacts to the roadway.

Access spacing requirements for signalized intersections, median opening, and driveways by street classification, are summarized in **Table 6.4-1**.

Table 6.4-1 Signalized and Unsignalized Intersection and Access Spacing Summary

	Major Arterials	Arterials	Collector	Minor Collector	Local
Signalized Intersections					
Downtown Core and Walkable Urban Areas	Per warrant analysis and approval from the Street Transportation Department				
Urban, Suburban, spacing in areas of significant density permitted as outlined in Section 6.5.2.	1-mile desirable, ½ mile minimum spacing	1-mile desirable, ½ mile minimum spacing	½ mile	½ mile	N/A
Rural	1-mile	1-mile	N/A	N/A	N/A
Unsignalized Median Opening Spacing					
Downtown Core and Walkable Urban Areas	Per Downtown Code and Walkable Urban Code, as applicable and approval from the Street Transportation Department				
Residential, Industrial, Suburban Commuter Center	660' intervals	660' intervals	660' intervals	N/A	N/A
Rural	660' intervals	660' intervals	660' intervals	N/A	N/A
Unsignalized Driveways and Corner Clearance Spacing					
Divided Roadways	150'	150'	100'	N/A	-
Undivided Roadways	300'	300'	150'	100'	-
Signalized Intersection Corner Clearance Spacing					
Divided Roadways, See Table 6.7-1	175-275' upstream, 360' downstream		175' upstream, 250' downstream		-
Undivided Roadways	360'	360'	250'	250'	-

6.5 SIGNALIZED INTERSECTIONS

6.5.1 Signalized Intersection Spacing

Traffic signals must meet warrants per the MUTCD. In the City of Phoenix, the typical spacing between signalized intersections is at ½-mile intervals. This spacing typically occurs at the intersection of arterial and collector streets. This spacing facilitates two-way signal coordination for traffic speeds of 35-45 mph.⁷

⁷ Transportation Research Board Access Management Manual, Second Edition, 2014, page 360
Chapter 6 | Access Management

6.5.2 Urban, Downtown Core, and Walkable Urban Areas

In urban or core areas, as well as other unique situations, the Street Transportation Department may consider signals at other spacing intervals as demonstrated through a signal warrant analysis or existing planning document (Downtown Transportation Study) identifying future signalized intersections. Alternative locations must be approved by the Street Transportation Department and demonstrated by an engineering analysis.

6.5.3 Signalized Access to Private Development

Signalized access to private development requires a higher level of design to accommodate traffic signal equipment and lane configurations. This may require additional right-of-way or additional easements to provide appropriate signal spacing. The intersection should be designed to a typical public street intersection for roadway design and ADA compliance, winged type driveways will not be allowed on the private side access unless approved by the Street Transportation Department.

Traffic signals proposed by private development projects must meet warrants per the MUTCD, as reviewed and approved through the Traffic Impact Study procedures and must be approved by the Street Transportation Department.

6.6 UNSIGNALIZED MEDIAN OPENINGS

Median island openings on arterials and collectors will be allowed at no less than 660-foot intervals. Openings other than at the 660' locations may be permitted if approved by the Street Transportation Department. Deviation may be considered based upon demonstrating the following:

- Does not create a conflict or negatively affect neighboring properties and future access control at appropriate spacing.
- Promotes cross access for adjoining uses.
- Site does not have frontage on any other public street providing access to the site.
- Does not conflict with any corridor specific roadway and landscaping plan.

Median openings may consist of full-median openings (left-in/left-out), or partial-median openings with left-turn restrictions.

6.7 DRIVEWAYS

6.7.1 Spacing

The distance between adjacent driveways must be sufficient to allow driveway vehicles to safely queue, accelerate, decelerate, and cross conflicting traffic streams, without excessive interference with through traffic or traffic using adjacent driveways.

Driveway spacing requirements (**Table 6.4-1**) are also reviewed in the context of the roadway and right-of-way, the size and location of parcels under development, and existing traffic control and safety mitigations.

6.7.2 Driveways Frequency and Location

In compliance with the City of Phoenix Complete Street Ordinance, driveways should be minimized to reduce pedestrian conflicts and support multimodal enhancements of the street. Multiple driveways

create additional vehicular conflict points and degrade the overall performance of the through street.

Generally, lots not associated with a larger development or subdivision process will be minimally allowed a single right-in, right-out drive access to a public street. There is no assurance of a full-access driveway. New developments that establish multiple parcels shall provide cross access between parcels to minimize the number of driveways to the street and meet the applicable spacing requirements.

For development over 2,000 SF of building footprint, Street Transportation review is typically triggered and will provide the Planning & Development Department documentation and review comments regarding access.

Existing, unused driveways must be replaced with curb, gutter and sidewalk constructed to City standards, consistent with City Code 43-49.

Downtown Core and Walkable Urban Areas

Driveway locations in the downtown core and urban neighborhoods in proximity to light rail are governed for driveway size and location by the Downtown Code, Walkable Urban Code, and Transit Overlay District areas.

Local /Collector Street Frontage

Zoning Ordinance 507 Tab A 6.3.1 directs that non-residential land uses should not be permitted to access local or collector streets if adequate access is available to arterial streets.

If necessary, a restricted-access driveway contravening the requirements for local or collector street access shall be requested to the Planning and Development Department. The applicant will need to overcome the presumption and demonstrate no negative effect on surrounding properties for consideration.

Residential Access

There should be no direct residential lot access to arterials. Direct residential lot access to collectors should be avoided in new Subdivision designs. Direct access may be considered by the Street Transportation Department on a case-by-case basis if arterial or collector access is the only available street frontage.

6.7.3 Alignment

Proposed driveways should align with any existing driveways on the opposite side of the roadway to reduce conflicts. If conditions prevent alignment and require offset driveways to be constructed, the left-turn movements should not overlap each other. Offset driveways shall be designed so the left-turn movements do not share the same space in existing or future two-way left-turn lane or left-turn pocket or otherwise interfere or create conflicts with intersecting street intersections.

Divided Roadways

Access points at full median openings should align or be offset by the limits of the left-turn lane striping or the driveway spacing requirement, whichever is greater, as outlined in **Table 6.4-1** and **Figure 6.7-1**.

Increased distance may be required to accommodate vehicle storage requirements, as analyzed in a Traffic Impact Study. If the noted design requirements for driveway locations cannot be met, then driveway turning movement restrictions may be imposed. Cross-access or shared access should be obtained where possible.

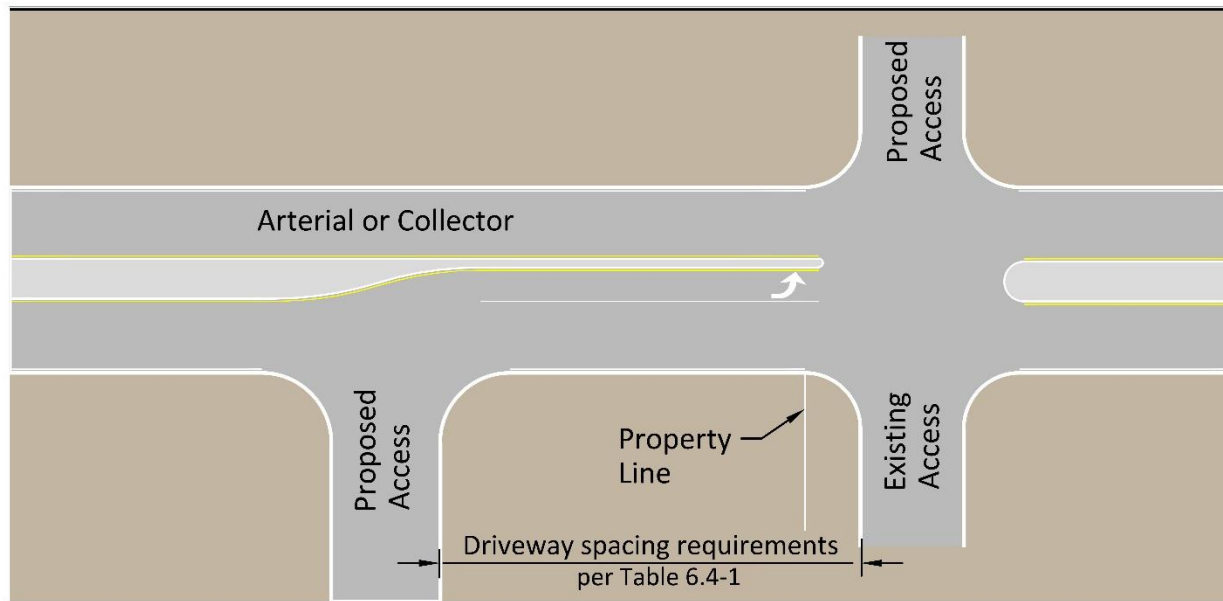


Figure 6.7-1 Divided Roadway, 150' Offset Driveway Locations – Median Opening

Undivided Roadways

On undivided arterial and collector roadways, the access points on both sides of the roadway should align or be offset by 300' for arterials, and 150' for collectors (Figure 6.7-2), as measured from edge of asphalt to edge of asphalt. If the noted design requirements for driveway locations cannot be met, then driveway turning movement restrictions may be imposed.

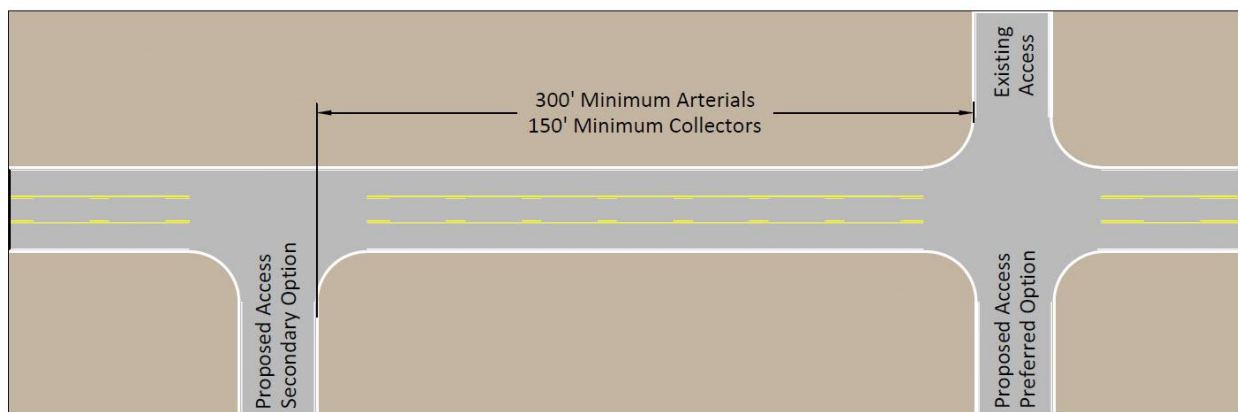


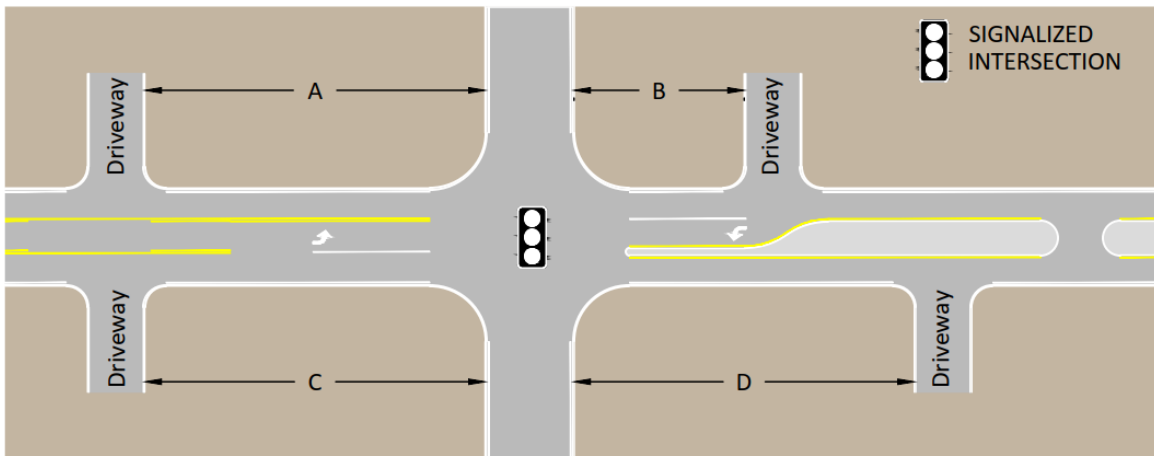
Figure 6.7-2 Undivided Roadway

6.7.4 Corner Clearance

Driveways to corner lots should be located as far away from the intersection as practical. Driveways located near a signalized intersection along a street are to meet the minimum corner clearance requirements shown in Table 6.7-1 and Figure 6.7-3. Distances are the minimum clear distance between the face of curb and the edge of the driveway.

Table 6.7-1 Driveway Corner Clearance (Signalized Intersections)

Distance	Corner Clearance Distance	
	Arterials, Major Arterials (ft)	Collector, Minor Collector (ft)
A	360	250
B	175-275 ¹	175 ¹
C	360	250
D	360	250



Note 1: Distance shall be no less than the length of the left-turn storage lane.

Figure 6.7-3 Corner Clearance

6.7.5 Non-Greenfield/Existing Constrained Environment

Arterial and collector roadways in established parts of the City, are frequently defined by small parcels with access driveways in close spacing. It may not be possible to constrain access locations to desired minimum spacing. The following considerations shall apply in order listed to determine site access:

- Establish and utilize cross-access to existing driveways on neighboring sites.
- Installation of right-in/right-out restricted driveways (per the P1243 standards series).
- Utilization of paint and sign alternatives for restriction of directional access.
- Notation of site plan establishing future access restrictions in the event of City safety improvement, such as median installation.
- The safety of the traveling public is paramount.
- For any lot with less than 300' of street frontage, the driveway shall be placed as far from the nearest street intersection as possible. Driveway access locations within 150' of an arterial intersection, or 100' of a collector intersection, require documented approval by the Street Transportation Department.

6.7.6 Driveway Width

Table 6.7-2 identifies driveway entrance widths for driveway types and land uses consistent with current City of Phoenix Standard Detail.

Wing type driveways will be the standard driveway type unless the need for a return type driveway is proven and approved by the Street Transportation Department. The top of wings for driveways should be located a minimum of 2'6" from the property line. Radius-return driveways will be considered on arterials and collectors with a speed limit of 45 mph or greater at high-turnover sites or sites with high truck volume. Pedestrian safety is paramount.

A minimum 36" clear accessible walkway must be provided around the perimeter of all driveways to provide a maximum cross slope of 2 percent MAX.

Table 6.7-2 Driveway Width

Street Classification	Type of Development				
	Single Family	Multi-Family/Commercial		Gas Station	Truck Facilities
		<30 Spaces	>30 Spaces		
Alley	16' Minimum	20'	20'	-	-
Local Residential	12' One Car 16' One Car – Recommended	24'-30'	30'	-	-
Local Commercial/Industrial	-	30' – 40' **	30' – 40' **	40' **	40' – 50' **
Collector Residential	16' Minimum	30' **	30' **	40' **	-
Collector Commercial/Industrial	-	30' – 40' **	30' – 50' **	40' – 50' **	40' – 50' **
Arterial	Discouraged except for large lot-circular drives*	30' **	40' **	40' – 50' **	40' – 50' **

Source: City of Phoenix Supplemental Standard Detail P1255-4 Driveway Widths Policy

*Minimum 82' property width.

**Median -30' Maximum unless there is significant truck access, then 40'.

6.7.7 One-Way Driveways

One-way directional driveways "In or Out" are discouraged to/from public streets. Allowance may be considered for sites that have existing constraints, such as existing buildings on a lot with constrained widths, or other existing non-site development induced constraints. Allowance shall require the approval of the street transportation department. The development will be responsible for installation and maintenance of all associated on-site directional signage and markings.

For one-way driveways the width shall be 24' for entrance-only driveways on all streets, 16' for exit-only driveways on local or collector streets, and 20' for exit-only driveways on arterial streets.

6.7.8 Cross Access and Common Driveway

Cross access is achieved when property owners agree to allow vehicles traveling to adjacent parcels to cross their property to access a driveway access point.

Common driveway access is achieved when adjacent property owners agree to share a single driveway that is located on the property line (half of the driveway on each parcel).

On major arterial and arterial streets, the sharing of driveways between adjacent properties and common ingress/egress easements is encouraged. New development creating multiple parcels or projects that seek to split lots shall require cross access between parcels to minimize the number of driveways connections to the street.

The City of Phoenix Planning and Development Department has developed a checklist for a cross access/common driveway/cross parking agreement, which is used when adjacent properties desire, or are required to, provide non-exclusive access (for vehicles and pedestrians) to driveways, maneuvering areas, and parking areas (https://www.phoenix.gov/pddsite/Documents/TRT/dsd_trt_pdf_00407c.pdf).

6.7.9 Light Rail Corridors

The following design considerations must be made throughout all Phoenix light rail corridors:

- Curb returns and driveways must be designed to minimize large truck and bus turning movement encroachments onto the guideway curb and trackway, where applicable. Fences, signs, poles, etc. must be set back far enough to minimize large vehicle maneuvers onto the trackway area. A truck turning analysis may be required to demonstrate safe maneuvers into and out of driveways.
- Vehicular access will not be allowed across the trackway except at traffic signal locations. Non-signalized driveways and cross-streets will be right-in/right-out and will not cross the rail line unless specifically permitted by roadway signage and striping.

6.8 AUXILIARY TURN LANES

6.8.1 Right-Turn Lanes

Right-turn/deceleration lanes may be required at driveways to assist traffic exiting the roadway. The need for right-turn lanes to developments are based on criteria that consider traffic volume and street cross section as identified in **Table 6.8-1**.

Street Transportation Department will indicate installation requirements based on the recommendations in consideration of the site context.

No driveways are to be located within the limits of deceleration lanes. Deceleration lanes will be constructed to serve individual driveways. No continuous deceleration lanes will be allowed to serve multiple driveways. Dimensions of storage and taper lengths for right-turn lanes is described in Chapter 2, Section 2.3.6.

Table 6.8-1 Site Driveways Turn Lane Criteria

Driveway Auxiliary Lane	Arterial and Collector Roadway	Industrial/Freight Development
Driveway Right-Turn Lane/Deceleration Lanes	<p>Driveway right-turn lane is to be provided when:</p> <ul style="list-style-type: none"> ▶ The outside/curb lane has an expected volume of 250 vph or greater and the right-turn volume is greater than 55 vph. <p>Or, when 3 of the following are met:</p> <ul style="list-style-type: none"> ▶ 5,000 vehicles per day on the adjacent street. ▶ Posted speed limit is greater than 35 mph. ▶ 1,000 vehicles per day are expected to use the driveway. ▶ At least 30 vehicles are expected to make right-turns into the driveway within a one-hour period. <p>Driveway right-turn lane/deceleration lanes may be required on interim-condition arterial roads that are not yet currently built to the ultimate cross section.</p>	<p>For large industrial or commercial developments with a significant percentage of truck traffic entering the site from a high-volume arterial, driveway right-turn deceleration lanes may be required at the below described criteria and will be evaluated on a case-by-case basis.</p> <p>Auxiliary lanes will be required for all sites with 25 or more truck bays at all primary entrance route driveways.</p>

6.8.2 Left-Turn Lanes

Traffic volume warrants for adding a left-turn lane to a roadway that a two-way left turn lane is not present are shown in **Table 6.8-2**. The volumes provided in **Table 6.8-2** are the minimum left-turn peak-hour volume and minimum through volume in the same direction. A left-turn lane will be required if the left-turn peak-hour volume is equal to or greater than the volume shown in **Table 6.8-2**.

Dimensions of storage and taper lengths for left-turn lanes is described in **Chapter 2, Section 2.3.6**.

Table 6.8-2 Volume Warrants for Auxiliary Left-Turn Lanes

Peak Hour Traffic Volume on the Roadway in the Advancing Direction	Minimum Peak Hour Left-Turn Traffic Volume			
	Number of Through Lanes Per Direction			
	1		2	
	< 45 MPH Posted Speed	≥ 45 MPH Posted Speed	< 45 MPH Posted Speed	≥ 45 MPH Posted Speed
≤ 200	30	15	-	-
201-300	12	12	40	30
301-400	12	12	30	25
401-500	12	12	25	18
501-600	12	12	15	12
601-1000	12	12	10	8
1001+	12	8	10	8

Source: MCDOT Roadway Design Manual, p. 7-19

6.8.3 Angle of Entry/Exit and Driveway Throat Length

The preferred driveway angle of entry and exit is 90 degrees. Up to 15 degrees deviation is permissible. The driveway throat should be of sufficient length to enable the intersection of the driveway and abutting roadway and the on-site circulation to function without interference with each other. Drivers

entering the site should be able to clear the intersection of the roadway and the driveway before encountering any on-site intersections. Driveway throat length is a minimum 60' (three car lengths) but could require longer lengths considering on-site circulation. On-site driveway aisle to a driveway to be a minimum 3:1 taper.

6.8.4 Driveway Sight Visibility Triangle

Single-family residential driveways should not be located within the curb radius return on a corner lot. A 10' by 20' sight visibility triangle is required on both sides of a driveway as illustrated in **Figure 6.8.1**. If a property has 10' of right of way behind the curb, then the sight visibility triangle could be measured 7' from back of curb.

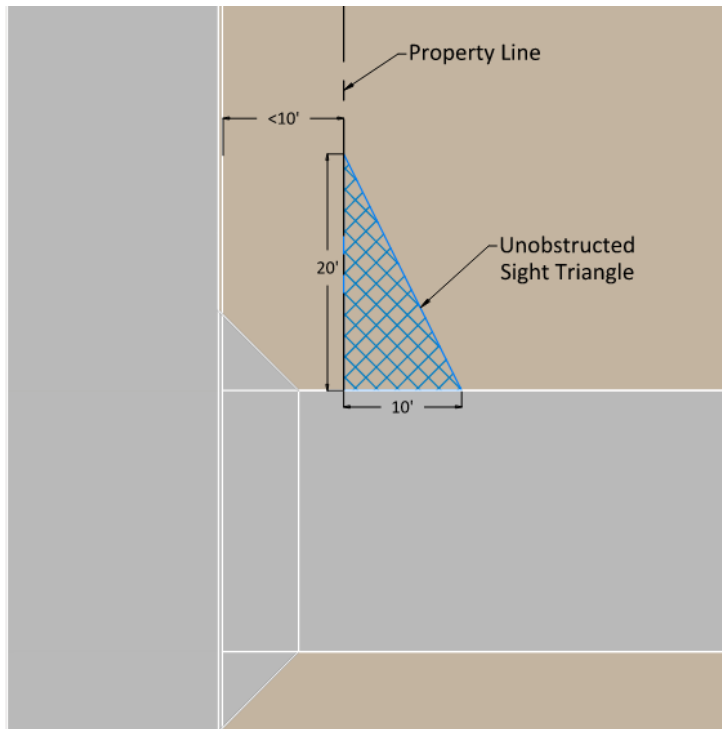


Figure 6.8-1 Driveway Sight Visibility Triangle

31-13 depicts the method used to determine the sight triangle as measured along the property line, as illustrated in **Figure 6.8-2**.

If a property has 10' or more of right-of-way behind the curb, then the sight visibility triangle could be measured 7' from back of curb as illustrated in **Figure 6.8-3** and **Table 6.8-3**.

6.8.5 Intersection Sight Visibility Triangle

Sight visibility triangles shall be used to limit the height of structures, vegetation, and other improvements on corner properties immediately adjacent to intersections.

Visibility triangles are not to be used as a substitute for intersection sight distance.

Visibility triangles provide visibility around corners for all intersection approaches and should be applied to the design of perimeter walls and landscape features. Items within the triangle shall be no higher than 36" measured from the roadway surface. City Ordinance

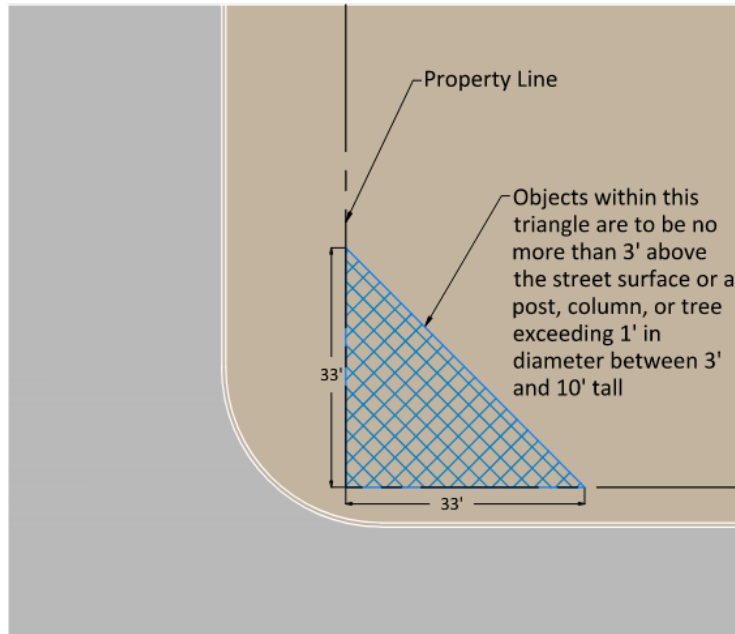


Figure 6.8-2 Street Intersection Sight Visibility Triangle

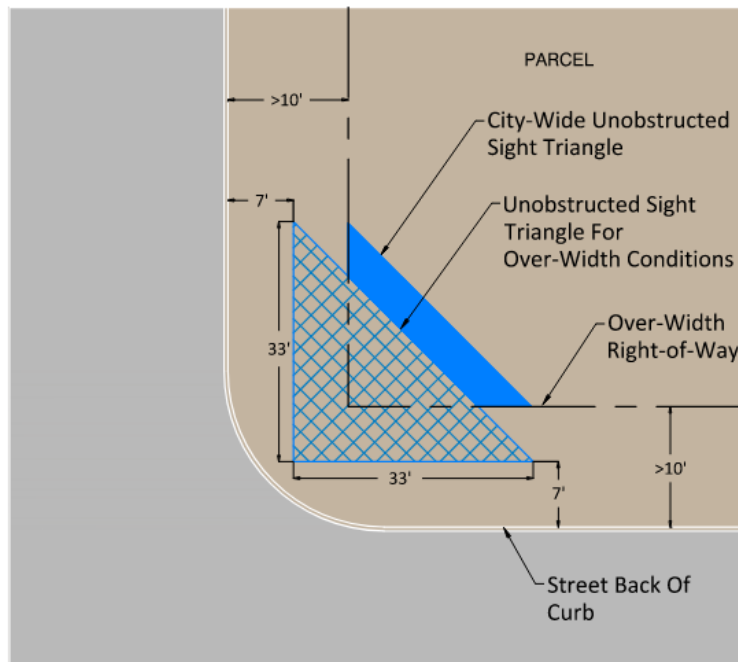


Figure 6.8-3 Street Intersection Alternative Sight Visibility Triangle

Sec. 31-13. OBSTRUCTING VISIBILITY AT INTERSECTIONS.

At public street intersections in residential areas, there shall be no fence or wall or hedge higher than 3', nor any obstruction to vision other than a post or column or tree not exceeding 1' in diameter between a height of 3' and 10' inside the triangular area formed by the lot lines at the following distances from the point of their intersection.

Table 6.8-3 Street Intersection Sight Visibility Triangle

Classification of Intersecting Street	Distance Measured Along Each Street
Local-Local	33'
Local-Collector	33'
Collector-Collector	33'
Collector-Arterial	33'
Arterial-Arterial	33'
Arterial-Local	33' along arterial street 15' along local street

In non-residential areas, the above provisions for unobstructed sight triangles on private property apply only to landscaping.

6.8.6 Turn Restrictions

Where full access will impact the safety along the adjacent roadway, turning restrictions at driveways may be implemented. The restriction may be for left-turn movements in or out of the driveway, which is a right-in, right-out driveway.

Turning restrictions should be imposed for driveways that are too close to signalized intersections, or where existing driveways or roadway characteristics may increase crash potential or at locations with a history of high-crash rates. **Figure 6.8-4** provides examples of turning movements restrictions. Signage identifying the movement restrictions shall be installed in the median per current MUTCD standards.

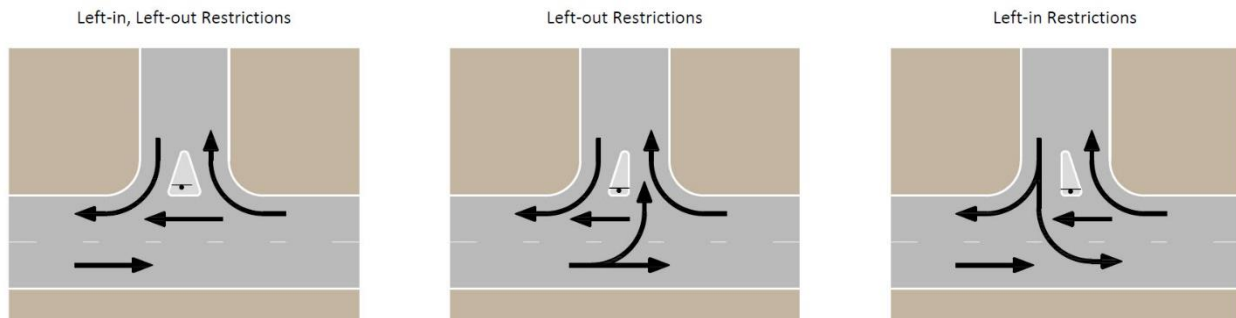


Figure 6.8-4 Examples of Turn Restrictions

6.8.7 Alleys

Alley access shall be provided where required by applicable City Ordinance. The Driveway Ordinance prohibits access from commercial property to alleys that abut residential property. Commercial access to residential alleys not permitted by City Ordinance must be applied for and shall be considered by the Driveway Hearing Officer.

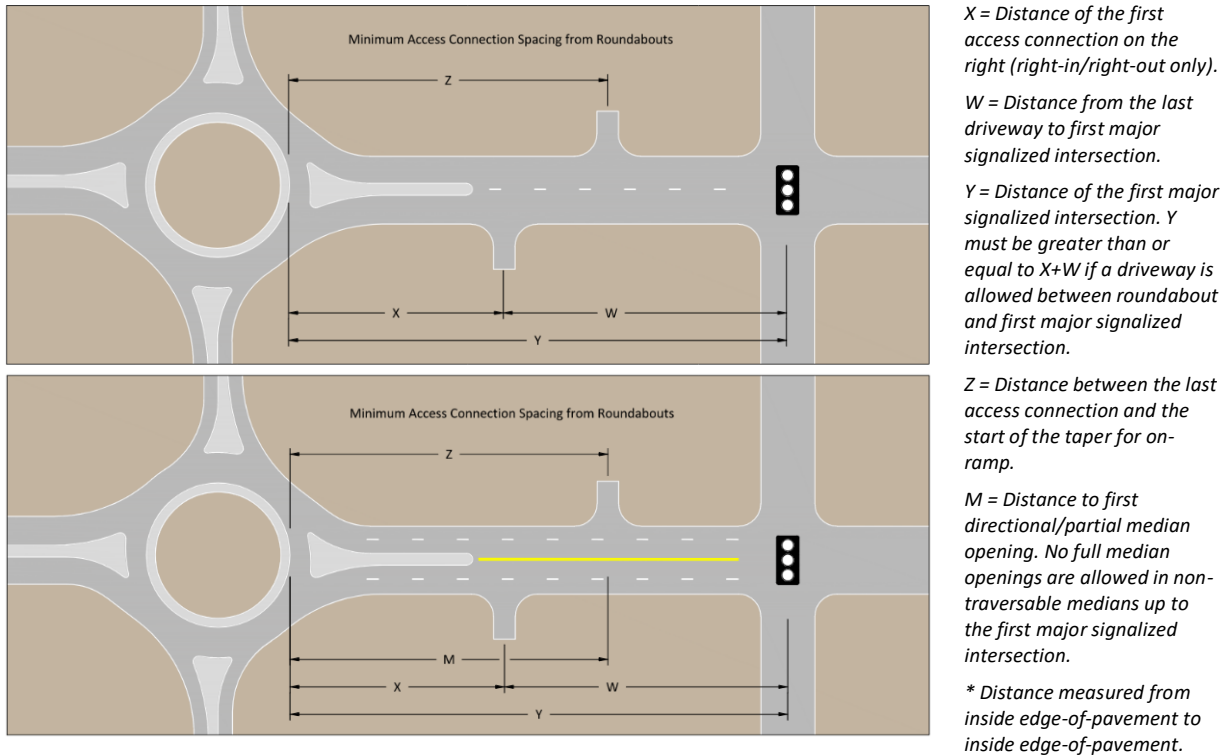
Alleys utilized for site access shall be paved to the nearest cross street. Development located mid-block or fronting 50 percent or more of the block shall be paved to the two nearest intersecting streets to a local street standard.

Vehicular movement shall be contained on-site and not within the alleyway unless approved by Planning Hearing Officer by variance through the Planning and Development Department. Contact the Planning and Development Department for additional information.

6.9 DRIVEWAY AND INTERSECTION SPACING NEAR ROUNDABOUTS

Table 6.9-1 presents typical driveway and intersection spacing recommendations for roundabouts along two-lane and four-lane streets in urban and suburban areas.

Table 6.9-1 Minimum Access Connection Spacing from Roundabouts



Urban Area		Spacing Dimension (feet)*				
Number of lanes	Design Speed (mph)	X	W	Y	Z	M
2-lane	25	400'	1000'	1000'	460'	N/A
	30	490'	1090'	1090'	460'	N/A
	35	590'	1140'	1140'	460'	N/A
4-lane	25	400'	1000'	1000'	510'	475'
	30	490'	1090'	1090'	510'	565'
	35	590'	1140'	1140'	510'	665'

Source: Transportation Research Board Access Management Manual, Second Edition (2014), p. 438

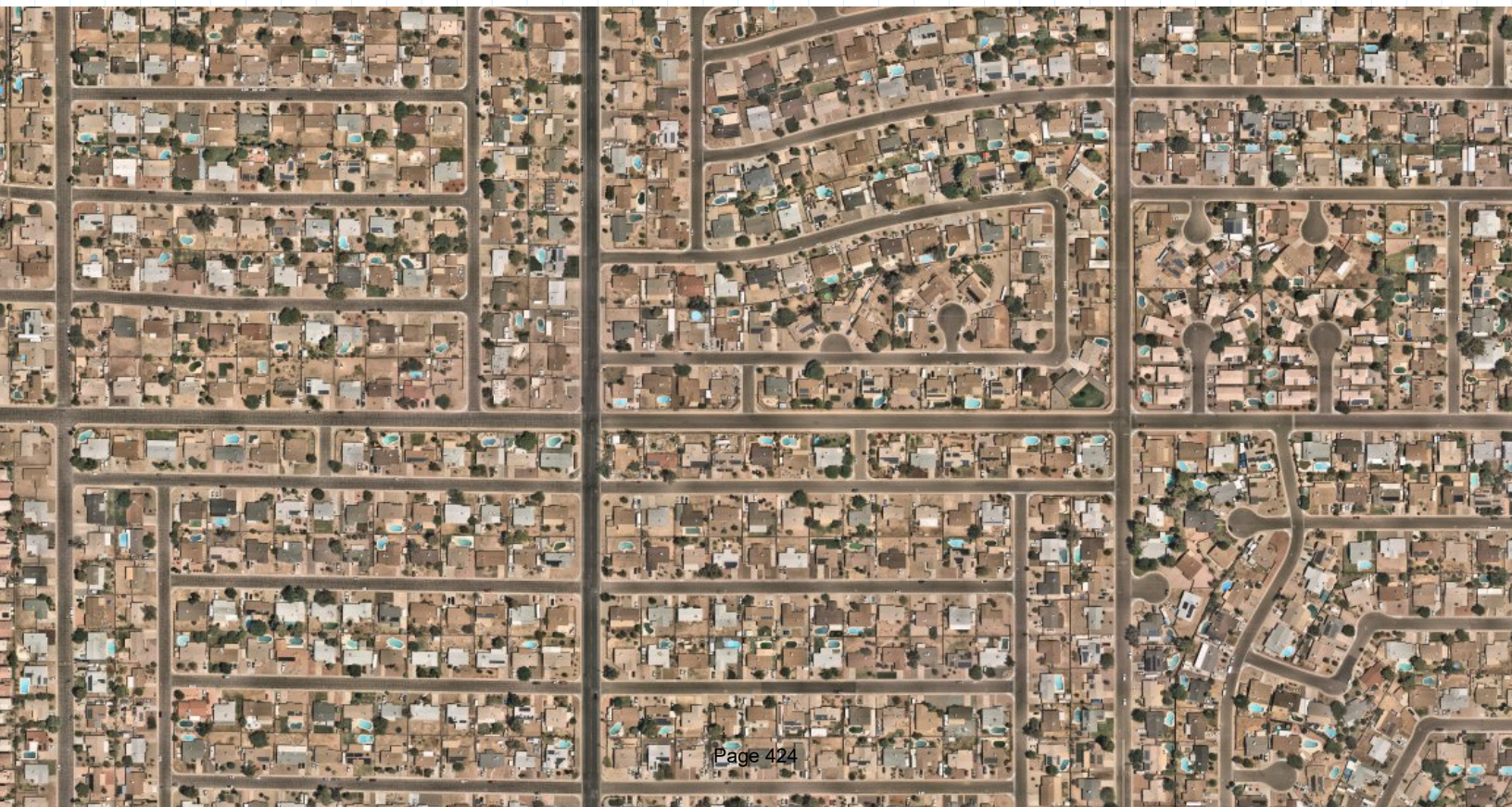
6.10 DRIVEWAYS AT BUS BAYS

City of Phoenix Public Transit Department standards and policies dictate placement of bus stops and bus bays. Additional requirements may include enhanced pedestrian infrastructure and shade. Driveways are prohibited within the passenger waiting area of bus stops. Driveways should be located such that bus stop improvements are beyond the projection of driveway visibility triangles and drivers will be able to see around bus stop improvements, both existing and planned. Driveways are not to be located within the flat portion of the bus bay (bus standing area). See City of Phoenix Supplemental Standard Details for Public Works. Contact the Public Transit Department at pubtrans@phoenix.gov or 602-262-7242 for more information.

7. SUBDIVISION STREET PLANNING

OVERVIEW

Chapter 7 provides an overview of key requirements and formal interpretations for subdivision street planning and design, such as street location principles, street design guidelines for subdivisions, and block design and connectivity



Chapter 7 --- SUBDIVISION STREET PLANNING

This chapter provides an overview of key requirements and formal interpretations for subdivision street planning and design, such as street location principles, street design guidelines for subdivisions, and block design and connectivity. Requirements for subdivision street planning are contained in Phoenix City Code, Chapter 32 – Subdivisions, as well as applicable sections of Phoenix Zoning Ordinance Sec 507 Tab A. C. Subdivision Design/Development. Further subdivisions shall meet the criteria and intent as outlined in the City of Phoenix adopted Complete Street Guidelines for all-inclusive multimodal design.

General design principles for public and private streets are contained in Chapter 32-25, Design Principles and Development Standards in General, which states:

Every subdivision shall conform to the requirements and objectives of the City General Plan, or any parts thereof, as adopted by the City Council, to the Zoning Ordinance, the Planning and Development Department Development Review Guidelines, and to other ordinances and regulations of the City, and to the Arizona Revised Statutes.

The following sections are to be viewed in relation to Chapter 32 of the City Code and Section 507 Tab A of the Phoenix Zoning Ordinance. It is the intent of this section to provide additional commentary, detail, and context sensitivity in providing City direction on subdivision planning and review.

7.1 STREET TYPE AND ARRANGEMENT

Street location and arrangement shall be consistent with City Code 32-26, as well as the City's current adopted Street Classification System (1992) Handbook^{8,9} and Council adopted specific plans.

7.1.1 Local Streets

- Local streets are not intended for regional through traffic; local streets provide internal trips connections to adjacent collector and arterial streets. Traffic volumes should be under 1,000 ADT; 100 vehicles an hour for single family homes, 2,000 ADT; 200 vehicles an hour within more dense developed areas.



Source: planPHX, 2015 General Plan, Adopted April 2018, p. 15.

⁸ https://www.phoenix.gov/pddsites/Documents/PZ/pdd_pz_pdf_00176.pdf

⁹ <https://www.phoenix.gov/streetsites/Documents/098996.pdf>

- Local streets' primary function is to provide direct access to abutting lands and for traffic movements within neighborhoods connecting to localized entities as schools, parks, trailheads, and shopping centers.
- The Street Classification map does not reflect local street locations or alignments.
- Local streets typically shall remain and/or be dedicated as public roadways.

7.1.2 Collector Streets

- The Street Classification map may not reflect all collector street locations and alignments. Collector streets are to be designated at the half-mile point east to west and north to south within every quarter section. Consideration can be given to existing topography, wash corridors, and existing street network in identifying its ultimate placement.
- Collector streets' primary function is to collect and distribute traffic between local streets or high-volume traffic generators and arterial streets at evenly disbursed intersections. As such collector streets shall remain and/or be dedicated as public roadways.
- Collector streets placement should reflect existing alignments and be connected and extended in areas where a collector street exists to facilitate network connectivity.
- Traffic volumes for collectors may range between 5,000 to 30,000 ADT dependent on one (1) or two (2) through lanes in each direction.
- Minor residential collector volumes may range between 1,000 to 8,000 ADT with one (1) lane in each direction.
- Single family lots fronting onto a collector street should be avoided. If proposed within a new subdivision, a minimum collector street section shall be provided to allow for on-street parking, separated bicycle lanes and turn lane striping at intersections.

7.1.3 Arterial Streets

- Arterial streets shall be dedicated as public streets as their primary function is to collect and disburse regional traffic at evenly disbursed intersections.
- Arterial street placement should reflect existing alignments and be connected and extended in areas where arterial street exists to facilitate network connectivity.
- Arterial street volumes may range between 15,000 to 50,000 ADT with two (2) to three (3) through lanes in each direction.
- Traffic volumes for major arterial streets may range between 30,000 to 60,000 ADT with three (3) lanes, up to four (4) lanes in the transition area where the street serves as an extension of a freeway or expressway in each direction upon build-out.

7.2 STREET DESIGN

Street design shall be consistent with City Code 32-25 thru 35 and Sec 507 Tab A. C. Subdivision Design/Development. When connecting into an existing platted subdivision, the requirements of existing City Code and following shall apply.

7.2.1 Block Lengths

The City of Phoenix Zoning Ordinance, Chapter 5, Section 507 TAB A, Guidelines for Design Review Part II. C. Subdivision Design/Development, states that “Local streets exceeding 600’ in length should incorporate traffic calming measures.” See Chapter 5 Neighborhood Traffic Calming for approved standards and details to be utilized.

7.2.2 Cul-de-Sac Streets

Cul-de-sac streets shall comply with City Code 32-27. In residential subdivisions cul-de-sacs shall terminate in circular right-of-way 50’ in radius with an improved traffic turning circle. A 45’ radius may be used when rolled curb is permitted. When vertical curb is required or where sidewalk is offset, the traffic turning circle shall be a minimum 50’ in radius. City of Phoenix Planning and Development Department may approve an equally convenient form of space where extreme conditions justify.

When a cul-de-sac terminates adjacent to an amenity area or public open space vertical curb should be utilized.

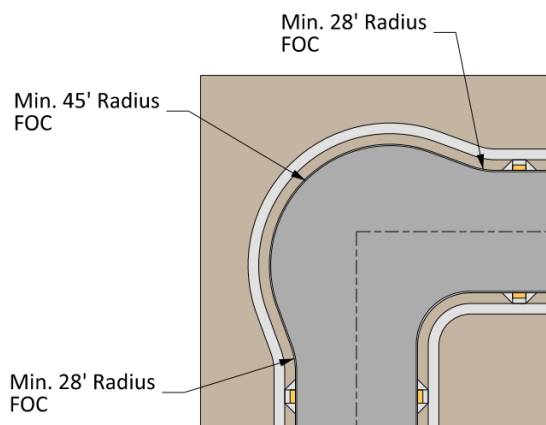
7.2.3 Knuckles

Subdivision knuckles (**Figure 7.2-1**) are areas on the roadway expanded to provide a turn-around and additional access or lot frontage on residential-collector and local streets. Knuckles are required at intersections where each street extends in only one direction from the intersection.

Sidewalk ramps are not required at knuckles; however, if they are provided, they should be in accordance with City Standard Details. Ramps should be provided if there are amenities on either side of the “elbow.” Knuckle dimensions are shown in **Figure 7.2-2**. Design shall consider sight visibility when designing the ramp location.



Figure 7.2-1 Neighborhood Street Knuckle



NOTES:

1. Alternate knuckle configurations may be used. Alternate design must accommodate a standard City of Phoenix Solid Waste Collection truck, inside wheel track radius of 28.4' and outside wheel track of 44', without the truck encroaching on the sidewalk.
2. Alternatives must be approved by Public Works.
3. Knuckles are not required if lots not requiring sanitation pick-up are proposed for the outside of the "elbow."
4. Pedestrian crossings shown require ramps on both sides of the street.

Figure 7.2-2 Subdivision Knuckles

7.2.4 Eyebrows

Eyebrows (**Figure 7.2-3**) are permitted between intersections to improve accessibility to odd-shaped sites. The design of an eyebrow should be in accordance with plans approved by the City of Phoenix Development Services Department.

7.2.5 Alleys

Alleys (**Figure 7.2-4**) shall comply with City Code 32-27 and 32-33. When an alley is proposed for site access or utilization for public or private services, the alley pavement structural section shall be paved to a minimum local street standard to the nearest cross street. Development located mid-block or fronting 50 percent or more of the block shall be paved to the two nearest intersecting streets.

7.2.6 Residential Subdivision Street Cross Sections

Single-family subdivision local streets requesting detached sidewalks shall be designed to a minimum cross section “H” City Std Detail with a minimum of 32’ of asphalt paving.

Subdivisions utilizing local street cross section City Std detail “I” with detached sidewalks shall be constructed with 6” vertical curb and City standard wing type driveways.

7.3 BLOCK DESIGN

Block Design shall be consistent with City Code 32-28. The maximum length of cul-de-sac streets is 400’, measured from the intersection of right-of-way lines to the extreme depth of the turning circle along the street centerline. An exception may be made where topography justifies but shall not be made merely because the tract has restrictive boundary dimensions, in which a provision should be made for extension of street pattern to the adjoining un-platted parcel and a temporary turnaround installed.

Cul-de-sac lengths in excess of the City Code maximum may be considered only if the following conditions are present:

- The subdivision is be zoned RE-43, RE-35, RE-24, R1-18, and R1-14.
- The minimum lot width 110’.
- In no instance shall the cul-de-sac length exceed 600’.

7.4 EASEMENT PLANNING

Easement shall follow City Code 32-30. Plats that seek to combine previously subdivided parcels for consolidation may not be required to dedicate an 8’ Public Utility Easement (PUE) adjacent to the right-of-way.

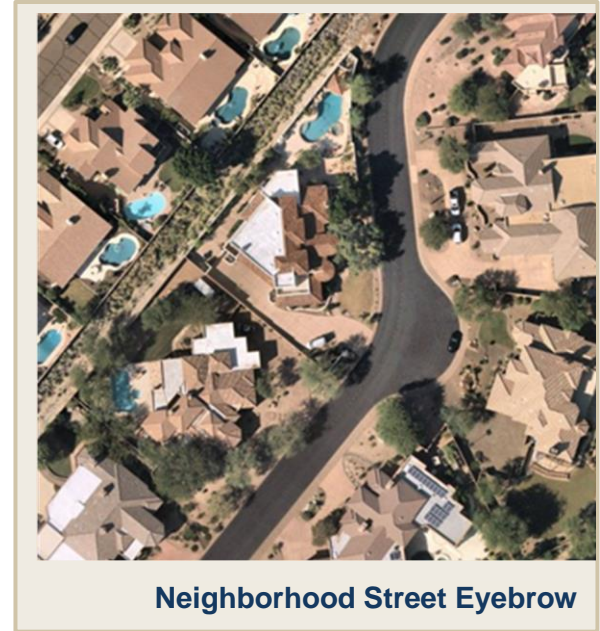


Figure 7.2-3 Eyebrow

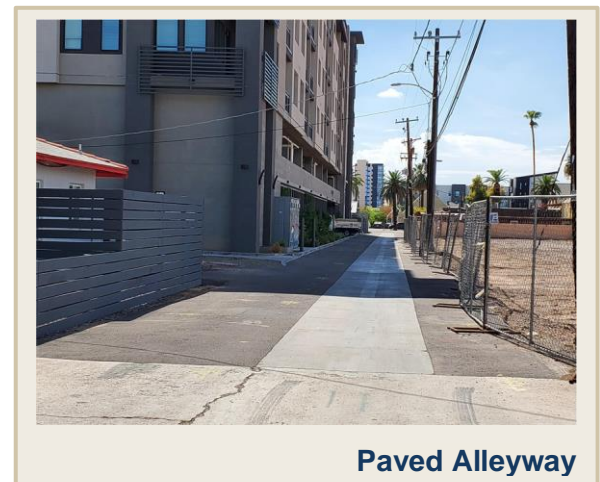


Figure 7.2-4 Paved Alleyway

7.4.1 Street Abandonment

Abandonments are to be in conformance to City Code, Chapter 31 Article V.

- An existing street may be considered for abandonment if it is not a street indicated on the City of Phoenix Street Classification Map or an Area Plan and will not eliminate reasonable and legal access to existing properties or negatively affect the connectivity of a neighborhood or street network. The abandonment should alleviate a significant traffic problem and not create new problems. If a street is approved to be abandoned, the abandonment must occur prior to the submittal of a final plat to the City Council. If a plat is required, the abandonment must occur concurrent with approval of the plat by City Council.
- Alleys and excess right-of-way as identified by the City's Street Classification System on any type of street may be considered for abandonment if approved by the City.

7.4.2 Street and Utility Improvement Requirements

Engaging with utilities early in a project is critical to prevent delay. Coordinating utility improvements on project that involve SRP Irrigation relocations (typically associated with a land transaction and the need for an SRP Irrigation design) can often take 18 months or more. A meeting with the City of Phoenix is not required prior to beginning discussions with SRP on Land and or Irrigation requirements.

Street and Utility Improvements Requirements shall be in conformance to City Code 32-33. The following provides additional detail, context and clarity in the design and intent of City Code 32-33.

SRP Irrigation Relocations:

- Existing SRP closed or open irrigation channels/facilities shall be tiled (i.e.) undergrounded, piped, and relocated outside of existing or proposed rights-of-way dedications or as approved by the Utility Coordination Section of the Street Transportation Department for areas where special conditions exist.
- When Irrigation facilities are within USA Fee land, the Developer shall apply for formal land transfer with SRP and the Bureau of Reclamation. Land transfers shall be relocated outside the entirety of existing or proposed rights-of-way and associated public utility easement and be completed prior to subdivision plat approval. Developments seeking exception will require the approval of the Utility Coordination Section of the Street Transportation Department for areas where special conditions exist.
- When Irrigation facilities are within USA Easement, the Developer shall apply for relocation of the easement with SRP and the Bureau of Reclamation. The USA Easement shall be relocated outside the entirety of existing or proposed rights-of-way and associated public utility easement and be completed prior to subdivision plat approval. Developments seeking exception will require the approval of the Utility Coordination Section of the Street Transportation Department for areas where special conditions exist.
- USA Easements may be platted over the right-of-way for the transition area between the relocated and existing facility tie-in point.
- USA Fee Title Transfers and USA Easements shall be coordinated through SRP in conformance with their most current processes.

- Per City Code 32-30 SRP easements shall not overlap within a public utility easement and shall begin at the back of the required 8' public-utility easement.
- Required right-of-way and site tree planting shall be designed to be outside of existing or proposed SRP designated areas.

Large Diameter Power Poles

- Developer will perform due diligence by engaging pole owners during project scope to obtain information pertaining to relocation and/or required roadway clearances, as well as any existing easements or land rights that need to be maintained or revised due to the development process.

Small Diameter Power Poles

- Small diameter power poles (12 kV or less) shall be in conformance with Phoenix Municipal Code 507 Tab A.II.B.7 (7.5), which requires that all new or relocated electric lines 12 kV and smaller, communications and cable television and all on premise wiring should be placed underground in all developments where visible from streets or adjoining properties. Phoenix Municipal Code 32-25 A.2 requires all electrical lines 12.5 kv and smaller shall be installed underground.

Overhead Conversion Power Poles

- Development plans that require the conversion of electrical conductors from overhead to underground shall have the underground installation shown in the engineered plans submitted to the Street Transportation Utility Coordination section. Any deviation from this requirement will be denied unless accompanied with by approved Technical Appeal from the Planning and Development Department.

Existing Overhead Power Pole Clearances

- Development plans that do not have an overhead to underground conversion requirement will perform due diligence by engaging pole owners during project scope to obtain requirements pertaining to overhead line clearances from vertical structures, or "clear zones" as represented by APS or SRP.
- Development plans that do not have an overhead to underground conversion requirement will perform due diligence by engaging pole owners during project scope to obtain requirements pertaining to any existing aerial easements that need to be maintained or revised due to the development process.

Street Transportation Requirements for Developer Utility Installations

Conduit installation by Developer for dry utilities requires a Trenching Permit from the Planning and Development Department that is only issued when accompanied by an approved APS or SRP Utility Permit issued by the Street Transportation Department. The bullet points below provide guidance on what information should be shown on Development plans provided to utility companies for submittal to obtain a Street Transportation Utility Permit.

- Development plans submitted to Street Transportation for utility permitting will be reviewed for adherence to Administrative Procedure (AP) 5.1 Requirements for Obtaining a Permit and Utility

Construction Guidelines in Public Rights-of-Way.¹⁰

- Development off-site plans for underground utility installation will identify whether utilities will be installed jointly, and if so, will include which utility companies will be occupying the joint utility trench.
- Development off-site plans for underground utility installation will identify whether underground installation will be performed via trench or bore.
- Developer will supply to utility companies their final version of off-site plans for utility design. Supplying preliminary designs where revisions may be needed will delay the Street Transportation permitting process, therefore delaying utility installation.
- Development supplied off-site plans will include a well-defined area for utility companies to include linear footages for work in rights-of-way, private streets, and public utility easements. Accurately providing this information is crucial to the creation and issuance of the Developer's Trenching Permit for conduit installation.

Existing Private Facilities within existing and/or proposed Right-of-Way

- When any existing underground or above-ground private facilities on private property must remain operational or in place, either as installed or within proximity to its current location to provide continuous operation of the service that it provides, the owner of the private facility and the property owner must contact the City's Street Transportation Department to determine if the private facility will be allowed to remain in the existing and/or proposed dedicated right-of-way.
- When existing underground private facilities are located on private property that will be or is acquired by a developer and the ongoing operation of the private facilities require it to remain underground in existing and/or proposed dedicated right-of-way, the owner of the facilities may apply for a Revocable Permit to allow for the facilities to remain in place. The City may allow the private facility to remain in place, require it to be relocated in another section of right-of-way, or require it to be relocated to private property. If the City allows the private facility to remain in the right-of-way under a Revocable Permit, the owner of the private facility must: 1) register their facility with AZ811 (Blue Stake) Center, 2) pay the fee for the Revocable Permit, and 3) maintain insurance in accordance with the terms of the Revocable Permit.
- When existing above-ground private facilities are located on private property that will be or is acquired by a developer and the Streets Transportation and the Planning and Development Departments have approved the ongoing presence and location of the above-ground private facilities in existing and/or proposed dedicated City right-of-way, the owner of the facilities may apply for a Revocable Permit to allow for the facilities to remain in place. The City may allow the private facility to remain in place, require it to be relocated in another section of right-of-way, or require it to be relocated to private property. If the City allows the private facility to remain in the right-of-way under a Revocable Permit, the owner of the private facility must: 1) register their facility with AZ811 (Blue Stake) Center, 2) pay the fee for the Revocable Permit, and 3) maintain insurance in accordance with the terms of the Revocable Permit.

¹⁰ <https://www.phoenix.gov/streetssite/Documents/AP%205%201%20-%20September%202017.pdf>

8. BIKEWAYS AND ACTIVE TRANSPORTATION

8

OVERVIEW

The City of Phoenix is committed to providing a safe, connected, and comfortable active transportation system. The primary purpose of the active transportation network is to provide enjoyable transportation options for all residents.

The focus of this chapter is to provide design guidance for facilities that are used by people riding bicycles.



Chapter 8 --- BIKEWAYS AND ACTIVE TRANSPORTATION

8.1 INTRODUCTION

The City of Phoenix is committed to providing a safe, connected, and comfortable active transportation system. The primary purpose of the active transportation network is to provide enjoyable transportation options for all residents. Active transportation supports sustainability and provides access to those who utilize active modes regularly or periodically. Active transportation includes walking, bicycling, using mobility aids, or other small electric vehicles, such as e-scooters.

While the focus of this chapter is to provide design guidance for facilities that are used by people riding bicycles; the City of Phoenix recognizes that scooters, non-motorized skateboards, and others may utilize the same infrastructure. For simplicity and clarity, the term “bicycles,” “bicycling,” or “persons riding a bicycle” are used, but not to the exclusion of people using mobility aids, riding scooters, and using non-motorized skateboards, etc.



Example of Active Transportation Improvement

8.1.1 Planning for Active Transportation

Active transportation can be used for commuting, utilitarian, social, recreational, or fitness/health purposes. Providing enjoyable active transportation infrastructure for all residents can:

- Replace the use of cars for many short trips.
- Help reduce traffic congestion, air pollution, and demand for parking.
- Benefit those who cannot drive or cannot afford a car.
- Provide healthy recreation for families and people of all ages.
- Help maintain Phoenix as a livable city with an outdoor lifestyle.

Planning for active transportation should be approached in a similar way to conventional transportation planning considering factors such as access, convenience, safety, cost, efficiency, latent demand, induced demand, travel demand, connections, and engineering.

However, unlike design guidelines for motor vehicle infrastructure, previous bicycle infrastructure design has focused on the users with the highest levels of risk tolerance. In order for bicycle infrastructure design to be widely used, all potential users must be considered in the design. As the age range of bicyclists includes children, the physical and cognitive abilities of children must be considered during design. Network connectivity is important for ensuring people using bicycles can access the

places they want to go. The bicycle network should facilitate short trips and make it easy for people to substitute car trips for bicycle trips or bicycle plus transit trips to take care of their everyday travel needs. Even a small network gap, such as a dropped bike lane at an intersection can deter someone from riding a given route. A connected network is one with no gaps, a density of routes appropriate for the intensity of land uses, and direct, seamless transitions between facilities.

The City of Phoenix encourages enhanced bikeway design in accordance with City of Phoenix Climate Action Plan, Complete Streets Policy, and Vision Zero resolution. Developers are encouraged to meet with City of Phoenix Street Department, Active Transportation Team, to discuss design need and requirements. Any design that would impact the roadway capacity will need approval of the Street Transportation Department.

8.2 BIKEWAY SYSTEM COMPONENTS

The types of bikeways used in the City of Phoenix are on-street bicycle lanes, including protected and buffered bike lanes, shared-use paths or multi-use trails, and bicycle boulevards.

Not all streets have a designated bicycle travel facility, but they are open to bicycles. This includes all public streets unless specifically posted to prohibit cyclists. While the suitability of streets will vary, the basic street grid will always provide the major foundation for bicycle travel.

Opportunities to provide bicycle access may occur in conjunction with public or private development, greenbelts, canal banks, flood control projects, vista corridors, or any place with available open space or right-of-way. It is the intention of Phoenix's bicycle planning efforts to remain flexible and open to new opportunities.

On-Street Bicycle Boulevard: Bicycle boulevards are local streets designed to prioritize bicycle travel. These streets have low traffic volumes, and the motor vehicles present are mostly making local trips and traveling at speeds 25 mph or lower. Traffic calming and diversion measures are necessary to achieve these conditions. Other important elements of bicycle boulevards include wayfinding signage/pavement markings and safe arterial crossings that include traffic control measures and minimize travel delay for bicyclists.

On-Street Bicycle Lanes: On-street bike lanes are an integral section of a roadway which is marked for exclusive bicycle use. On-street bike lanes are one-way facilities. Buffered bicycle lanes, with a buffer between the bicycle lane and the adjacent travel lane, enhance the bicyclists experience and comfort.

Protected Bike Lanes: Protected bike lanes (also known as cycle tracks or separated bike lanes) are bike lanes separated from adjacent traffic by a lateral buffer with vertical elements. These bikeways offer a higher degree of safety and comfort to people bicycling. When one-way protected bike lanes on both sides of the street are not feasible, two-way protected bike lanes can allow bicycle movement in both directions on one side of the street. These two-way protected bike lanes share the same design characteristics as one-way protected bike lanes but require additional considerations at driveways and intersections.

Shared-Use Paths: Shared-use paths are paved pathways that are clearly separate from the road infrastructure. Shared-use paths are shared with bicycles, scooters, skaters, and pedestrians. In general, shared-use paths are intended for two-way traffic.

Multi-Use Trails: The trails surface generally consists of stabilized, decomposed granite. These trails are open to equestrian, bicycle, and pedestrian travel.

Intersection treatments: Treatments including signalization and phasing can improve the safety and comfort of bicyclists. These include continuing the bike facility up to and through the intersection, providing queuing space out of the flow of vehicle traffic, bicycle signals, etc.

Grade-Separated Crossings: Underpasses or overpasses separate motorized and non-motorized traffic from each other at points where these roadway users intersect.

8.3 ON-STREET BICYCLE BOULEVARD

Many local and neighborhood streets with low-existing speeds and volumes provide the basic components of a safe and comfortable environment for people riding bicycles. These streets can be enhanced with design treatments, tailored to existing conditions and desired outcomes, to create neighborhood on-street bicycle boulevard:

1. Signs and Pavement Markings to make the boulevard easy to find and to follow.
2. Speed Management to slow motor vehicle speeds to 25 mph or less.
3. Volume Management to reduce motor vehicle volumes to less than 3,000 vehicle per day, 1,500 vpd preferable.
4. Minor Street Crossings to minimize bicyclist delay.
5. Major Street Crossings to provide safe and convenient crossings.
6. Green Infrastructure to enhance comfort.

Refer to the City of Phoenix Active Transportation Team for design example, at Bike@Phoenix.gov.

8.4 ON-STREET BICYCLE LANES

Striped/painted bike lanes are a portion of the roadway designated for preferential use by bicyclists by use of pavement markings and, optionally, signage. Parking should not be permitted in bike lanes at any time.

All collector streets should have striped/painted bike lanes unless otherwise directed by the Street Transportation Department. All new construction shall include striped/painted bike lanes on parkway, arterial, and collector streets.

Buffered bike lanes, separated bike lanes, or protected bike lanes may be required on streets with high traffic volumes or favorable curb to curb geometry.

8.4.1 Bike Lanes on Bridges/Tunnels/Grade Separation

Bridges, tunnels, or any grade separation structure, should allow the full width of the physical improvements including standard bike lanes. Bridges and tunnels with solid barriers alongside often become dangerous constriction points for bicycle travel. Consideration should be given to maintaining extra width on bridges and in tunnels even if the street does not have bike lanes.

8.4.2 Bike Lanes on Rural Streets

In rural areas, a paved shoulder can serve the function of a bike lane, in which case it should have a minimum of 5' of paving.

8.4.3 Bike Lanes on Streets with On-Street Parking/Parking Protected Bike Lanes

A bicycle lane can be delineated with striping between an area for parallel parking and a traffic lane or between parking and the curb. This second arrangement constitutes a parking protected bike lane. A parking protected bike lane should provide a 4' buffer between the bike lane and the parked car to allow the buffer to be used as a walkway to access the curb ramp at the nearest intersection.

8.4.4 Bike Lane Width

Bike lane width should meet dimensions summarized in **Table 8.4-1**. Changes in bike lane width and horizontal and vertical alignment should be smooth. A solid 8" white stripe is used to mark the bike lane. The use of minimum bike lane widths is preferable to the provision of wide outside vehicle-travel lanes. Minimum-width bike lanes should be limited to constrained situations where the preferred widths cannot be provided after all other travel lanes have been narrowed to minimum widths.

Table 8.4-1 Preferred and Minimum Widths of Bike Lanes

Bike Lane Description	Preferred Width (ft)	Minimum Width (ft)
<i>Bike lane with buffer</i>	6' (bike lane) 3' (Buffer)	5.5' (bike lane) 2.5' (Buffer)
<i>Bike lane adjacent to curb (from face of curb)*</i>	6' – 7.5'	5.5'
<i>Bike lane adjacent to edge of pavement</i>	5' – 7.5'	4.5'
<i>Bike lane between travel lanes and turn lanes</i>	6' – 7.5'	5'
<i>Bike lane adjacent to parking**</i>	6' – 7.5'	5'
<i>Intermediate or sidewalk level bike lane (see Figure 8.7.1)</i>	6' – 10'	5'
<i>Bike lane to allow side-by-side bicycling or passing</i>	8' – 10'	8'

*Parking protected bike lanes require a 4' buffer (3' minimum) between the bike lane and parking lane.

**Assumes a 1.5' gutter. Minimum bike lane width 4' (even surface) exclusive of gutter unless the gutter is integrated into the full width of the bike lane.

Adding buffer space or wider bike lanes may be preferable in the following situations:

- Where parking is present and turnover is high.
- Where it is desirable to allow bicyclists to travel side-by-side or to pass each other.
- On roadways with posted speeds over 25 mph or 3,000 vehicles/day.
- Where the percentage of heavy vehicles exceeds 5 percent.
- Where bicycle lanes are located between two moving travel lanes, such as between a through lane and a turning lane.
- Where there are multiple lanes of vehicle traffic per direction.

Bike lanes wider than 7.5' (assuming a 1.5' gutter) should include a buffer or buffer with vertical elements to minimize their appearance as a travel lane or parking lane for motorists.

8.4.5 Bicycle Stencils

Painted/striped bike lanes are demarcated with a white-lane line and green-backed bicycle stencils. Bicycle stencils are added to alert all users of the roadway that a designated area is identified as the bike lane.

Bicycle stencils (**Figure 8.4-1**) should be placed 30'-50' downstream from an intersection. The first marking after an intersection or driveway should be placed outside of the wheel path of turning vehicles, to reduce wear. If a far side bus stop is present, the bicycle lane marking should be placed after the bus stop, outside of the area frequently used for the bus to merge into the adjacent lane.

Bicycle stencils are generally spaced every quarter mile. In Downtown and urban areas, where conflicts with motorists may be higher (i.e., where there is significant parking turnover, at intersections, at driveways, at turn lanes), it is appropriate to space the symbols closer than the quarter mile spacing. In areas with long distances between intersections and little roadside activity, bicycle stencils may be spaced even further apart, as approved by the Street Transportation Department.

Bicycle stencils are added in conflict zones or to denote where a bike needs to move to another area. For example, where a bike lane continues on the left side of a right-turn-only lane, bicycle stencils should be placed in the bike lane adjacent to the turn arrows for the right-turn-only lane. Bike lanes should be continuous between intersections and not stop or leave a gap as approaching the intersections or driveways.

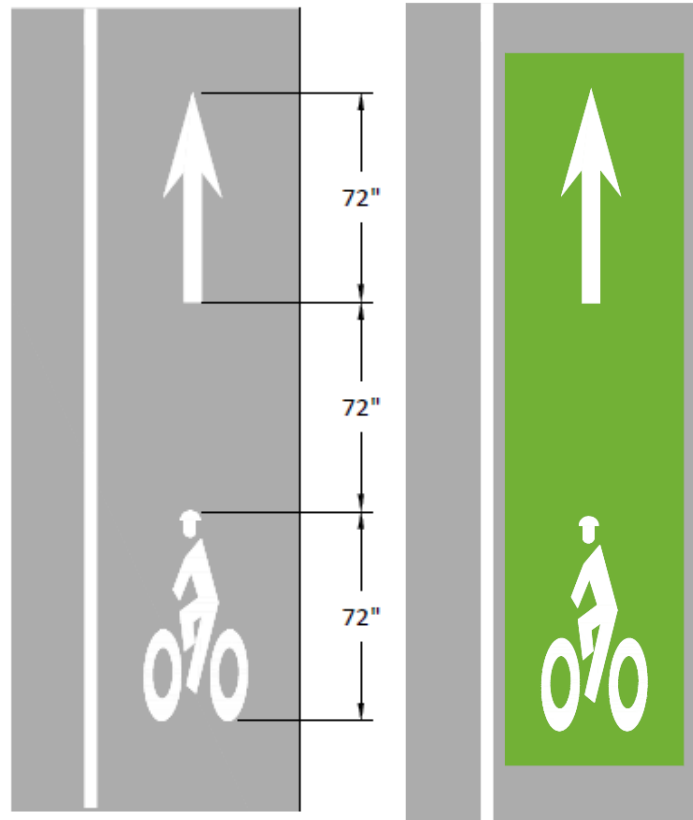


Figure 8.4-1 Standard and Green Backed Bike Symbol

8.5 ON-STREET BUFFERED BIKE LANES

Increasing the lateral separation between motor vehicles and people riding bicycles provides a more comfortable condition for both those riding bicycles and vehicles. Buffered bike lanes are the preferred bike lane wherever space allows.

Bike lanes can be improved through the provision of a painted buffer (Figure 8.5-1,

Figure 8.5-2, and Figure 8.5-3) between the bike lane and adjacent travel lane and/or between the bike lane and parking lane. The painted buffer provides a spatial and visual separation between parked or moving motor vehicles and the bicycle lane. The bike can be reduced to the 4' minimum



On-Street Buffered Bike Lane

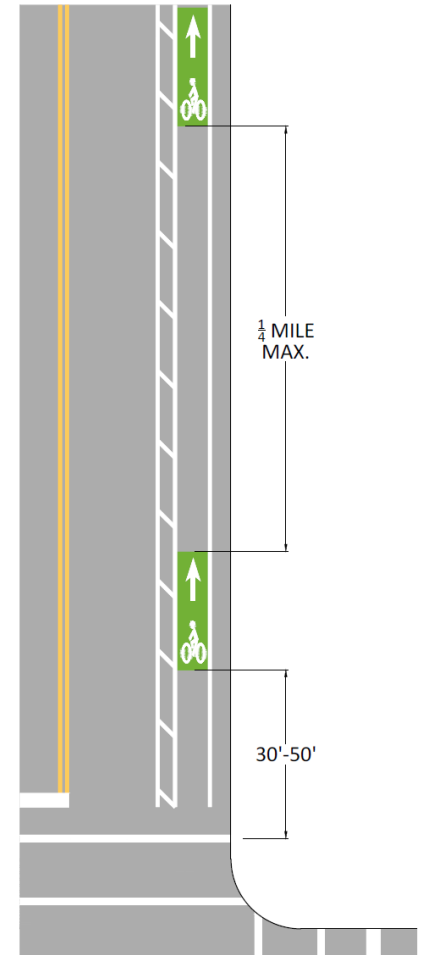


Figure 8.5-1 Typical Bike Lane Layout

(excluding gutter) to achieve a buffered bike lane.

Figure 8.5-2 On-Street Buffered Bike Lane

Buffered bike lanes (Figure 8.5-3) generally consist of a combination of standard longitudinal markings and cross hatching as illustrated in Figure 8.5-4. Buffers less than 2.5' in width are to be used only in short, constrained sections, and do not have cross hatching.

Where provided, cross hatching should be provided at a regular interval. A typical spacing (L) is 40' for speeds less than 40 mph and 80' for speeds 40 mph or greater. Spacing may be reduced to as frequent as 5' where engineering judgment determines a more frequent spacing is desirable.

The use of an additional buffer between the bike lane and parking lane is desirable when parking turnover is frequent (e.g., short-term parking), where loading/unloading activity is high, or when larger vehicles are typically using the parking lane.

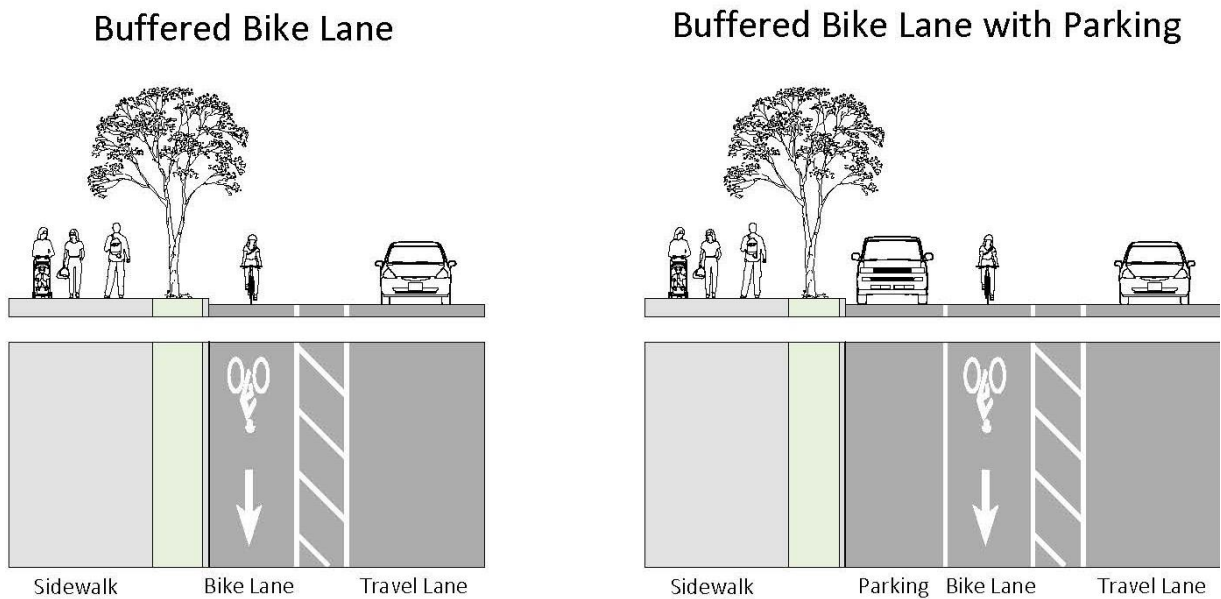
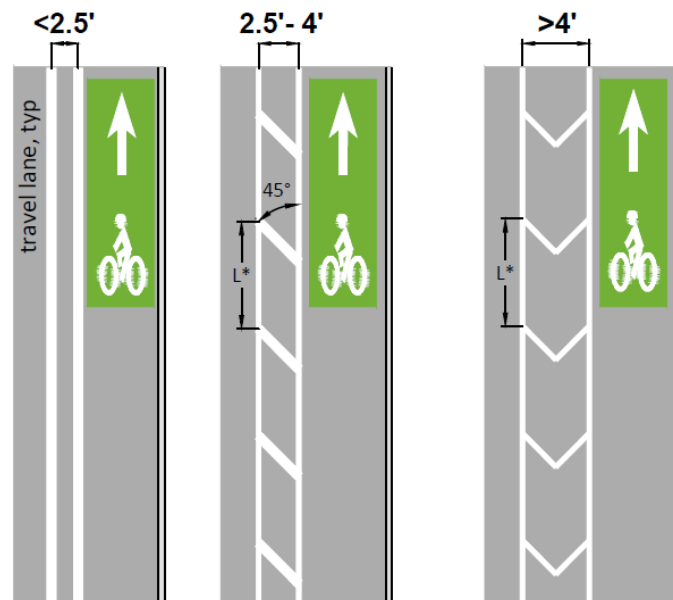


Figure 8.5-3 Typical Buffered Bike Cross-Sections



L = 20' (typical); L = posted speed limit (max)

*spacing may be reduced where engineering judgement determines more frequent spacing

Figure 8.5-4 Typical Buffered Bike Lane Pavement Markings

8.6 PROTECTED BIKE LANES

Protected bike lanes are a type of bicycle facility that provides an exclusive space for bicyclists along or within a roadway. Protected bike lanes (**Figure 8.6-1**) have two fundamental elements: horizontal offset from adjacent motor vehicle lanes and vertical objects located within that offset. An offset between bike lanes and pedestrian space is also desired if the bike lane is at sidewalk level. Developers are instructed to contact City of Phoenix Streets Department if a protected bike lane is adjacent, planned, or desired.

Protected bike lanes may be designed as either one-way or two-way (**Figure 8.6-2**), and may be constructed at street level, sidewalk level, or at an intermediate level between the street and sidewalk. Separation can be achieved by objects such as vertical curb, planters, flexible delineator posts, or parked vehicles, among others, placed in the street buffer.



Figure 8.6-1 Two-Way Protected Bike Lanes

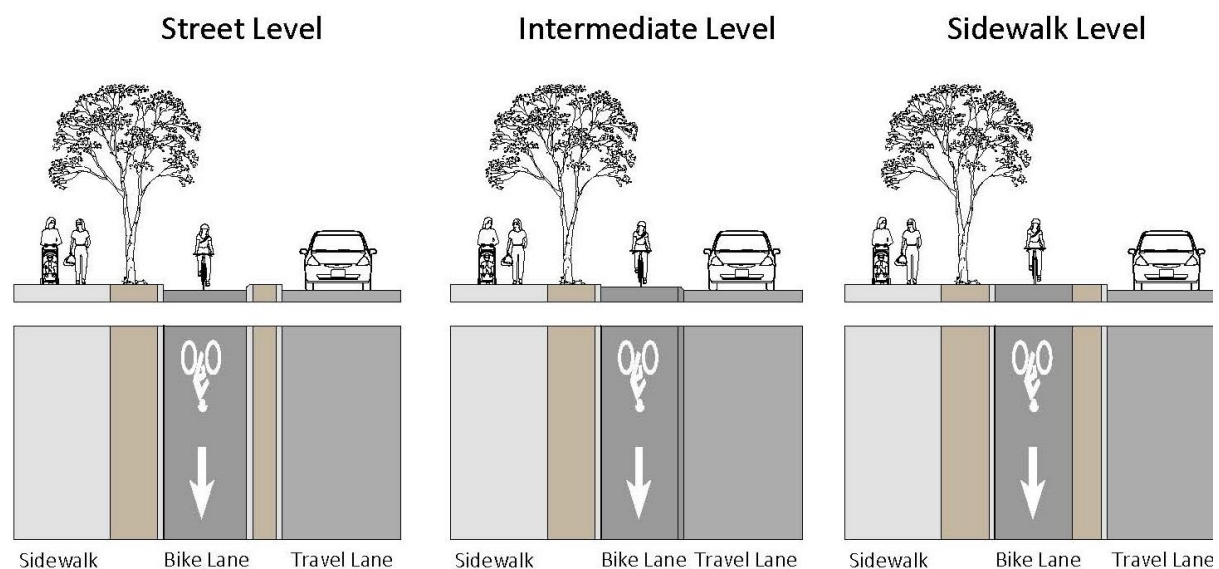


Figure 8.6-2 Separated Bike Lane Types

8.7 CURB INLETS/STORM DRAIN GRATES

Drainage grates with openings running parallel to the direction of bicycle travel can cause narrow bicycle wheels to drop into the gaps and cause a crash. It is preferable to avoid drainage grate concerns by installing inlets, which only have curb face openings. Drainage grates should be located outside the bicycle facility whenever possible, however when unavoidable, care should be taken to ensure that drainage grates are bicycle-compatible, with openings small enough to prevent a bicycle wheel from falling into the slots of the grate (See **Figure 8.7-1**).

Drainage grates and utility covers that extend into the bicyclist operating space may cause bicyclists to swerve, effectively reducing the usable width of the bike lane. Where grates are located within a bicycle facility or adjacent to bicyclists' operating space, the gap between the drainage grate and its frame should be 0.5" or less, and it should be perpendicular to the path of travel. Another option is to place the grate entirely within a gutter or curb rather than extending it into the bicycle facility.

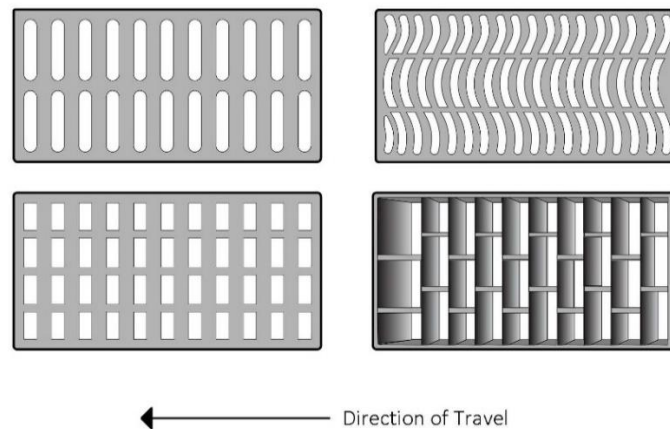


Figure 8.7-1 Bicycle Compatible Drainage Grates

8.8 CONNECTIONS TO PRIVATE PROPERTY

Developers are encouraged to provide comfortable and safe access from a protected bicycle lane to the adjacent property. Access may be provided at block ends, using a standard or widened curb ramps, mid-block using a driveway or a modified driveway (6'-8' wide) for bicycle access, or with a bike ramp with a trapezoidal delineator (**Figure 8.8-1**). Contact the City of Phoenix Street Transportation Department for information about a modified driveway for bicycle access.

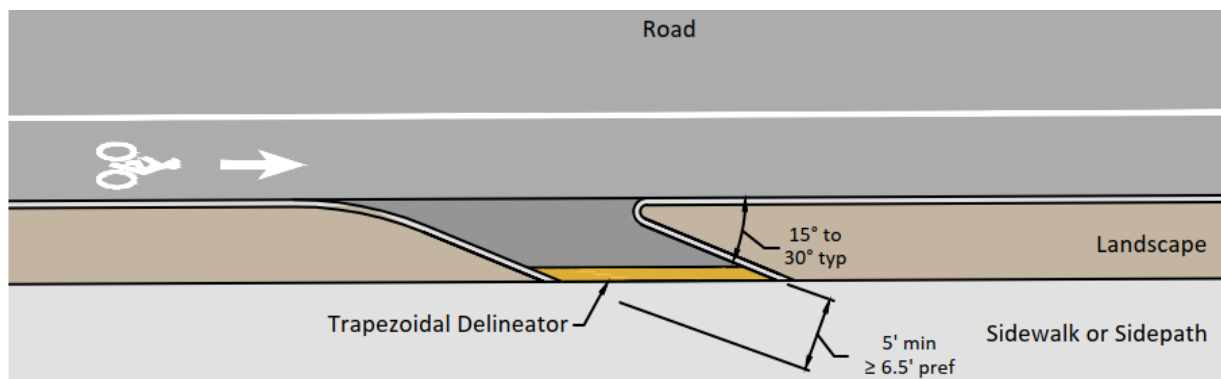


Figure 8.8-1 Example of Bike Ramp

8.9 SHARED-USE PATHS

8.9.1 Design Considerations

Shared use paths (**Figure 8.9-1**) are facilities on exclusive right-of-way. Shared use paths are sometimes referred to as trails; however, to some, the term trail means an un-improved recreational facility.

City of Phoenix requirements for shared-use paths (**Table 8.9-1**) are found in City of Phoenix Supplement to MAG Uniform Standard Specifications, section 429 and details P1130 and P1131. For additional information, please refer to the AASHTO Guide for the Development of Bicycle Facilities.

Every attempt should be made to avoid having a path adjacent to a street. If this is unavoidable, on arterial streets a separation of at least 8' with landscaping should be provided and on collector streets a separation of at least 5' should be provided.

Connections between different types of facilities is important to ensure an efficient and functional system. Shared-use paths may be used to connect sections of roadways that would otherwise dead-end. However, it is critical not to attempt to substitute a path or a sidewalk where bike lanes are warranted. Bike lanes allow direct, higher-speed travel for cyclists, unimpeded by pedestrians.

Shared-use paths are typically two-way; designing a path to connect with one-way bike lanes requires study and design to that the bicyclist does not end up riding the wrong way (against traffic) in one of the bike lanes.

As shared-use paths connect or cross arterial or collector streets, the crossing of the street needs to be considered in the overall design to maintain connectivity. A safe and convenient crossing needs to be implemented with the overall design of the shared-use path. A traffic signal, pedestrian hybrid beacon, or raised median island may be required depending on the volume, speed, width, and additional factors of the roadway. The developer is instructed to contact Street Transportation Department for type of crossing required.



Figure 8.9-1 Shared-Use Path

Table 8.9-1 Shared-Use Path Design Considerations

Design Speed	20 mph
Typical Width	10' wide (minimum) with 2'-foot graded shoulder on each side, 5' horizontal clearance, and 10' vertical clearance.
	8' or more where paths can be paired so each can have one-way travel.
	14' in areas with high use and/or a wide variety of users. Where pedestrian and bicycle activity are very high it may be advantageous to have separate paths for walking and bicycling rather than increase the path width to minimize speed differential between pedestrians and wheeled users.
Surface	Variables by use. Surfaces may include decomposed granite, turf, or concrete with medium broom finish. On concrete surface, it is desirable to provide traction, but not to a degree that impedes skaters.
Shoulders	Material for the shoulders should allow for recovery if a user runs off the path. Substances such as turf, decomposed granite, exposed aggregate, or very low shrubs/grasses are appropriate. No spiny/thorny plants.
Clear Zone	An area clear of fixed objects such as poles or tree trunks for another 3' beyond the shoulder is desirable.
Fencing/Rail	Where needed, fences or railings for paths or bikeways should be 54" in height (40" minimum) and be flared at the ends.
Vertical Clearance	8' over the path and shoulder areas; 10' for underpasses
Horizontal Grade	5 percent or percent or less. Where this is not feasible, refer to the AASHTO Guidelines.
Cross-Slope	Maximum side slope is 2 percent. Maximum cross-slope is 2 percent. Adjacent grades should always direct water away from the path surface.
Alignment	Alignment is as linear as possible. Avoid compound curves. Unnecessary "meandering" reduces the effective width of the path, can create sight distance problems, and increases possibility of users running off the path.
Tunnels	Tunnels should be lighted Provision in tunnels to keep nuisance water off the path and allow the water to rapidly drain or be removed. One solution is a small channel constructed with a sloping side, built on one side of the tunnel. Sump pumps are needed in areas prone to flooding.
Ramp	Path ramp design where the pan for any curb ramp shall be as wide as the path. The ramp should be aligned with the path, and not require users to make sudden swerves, or to be directed towards oncoming traffic.

8.9.2 Easements, Dedications, and Abandonments

Sometimes on-street facilities may need to be connected with short sections of paved path. As an example, connecting cul-de-sacs that have only one direct access to the public street system. The cul-de-sac street can be connected to allow bicycle and foot access to reach adjacent streets, paths, trails, or property.

If a private-gated community will cut off functional access for cyclists, means should be explored to maintain a public-use easement on the streets and through the gates for pedestrians and cyclists.

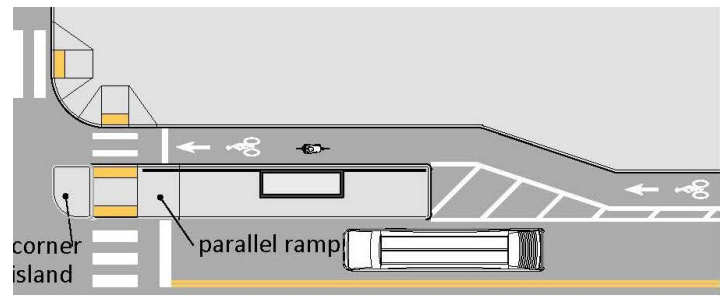
For off-street paths/trails, right-of-way may need to be obtained from development stipulations, or purchased. Any easements or dedications for paths should include a clear statement of maintenance responsibilities: for the actual concrete path, any adjacent landscaping or lighting, and for maintaining proper grades and drainage along the path. Dedicated right-of-way or public use easements for paths must be noted in the stipulations and on the site plan. This should occur in the Project Review process for new developments. If the classification of an existing or planned street is proposed to be changed, or a street easement or right-of-way proposed for abandonment, present and potential pedestrian and bicyclist connections should be reviewed. The proposed change shall be evaluated against the needs of the active transportation program. Public use easement for bicycle and/or foot access should be obtained or retained.

8.10 TRANSIT STOPS

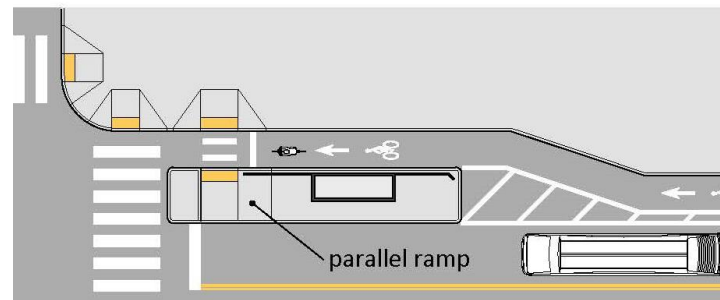
Transit stops in locations with bike lanes are generally configured in two ways: by continuing the bicycle facility through the stop area (requiring a bike/bus shared space, or bike/bus merge zone), or by routing the bicycle facility around or behind the transit platform (floating stop).

A bike/bus shared space is used in locations where there is insufficient space to route bicyclists behind the transit stop area. Depending on the available width, the bus may cross over or occupy the bike lane.

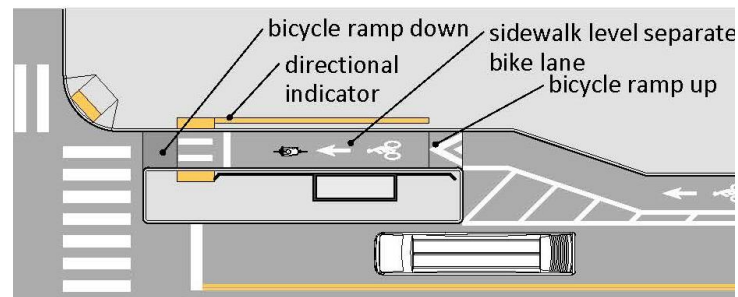
In locations where an in-lane transit stop is proposed, a floating stop should be considered, by routing the bicycle facility behind the transit platform. **Figure 8.10-1** through **Figure 8.10-3** shows configurations that are applicable for near, far, and mid-block stops. In all cases, a 5' by 8' clear boarding and alighting area that connects to a pedestrian access route must be provided. On multi-lane streets, floating transit stops should be placed on the far side of the intersection only. The pedestrian crossing of the bicycle facility should be marked with crosswalk markings and pavement marking/signage should indicate that bicyclists should stop for pedestrians accessing the transit platform. Additional guidance related to accessibility, clearances, and mitigating conflicts is provided in the AASHTO Guide for Development of Bicycle Facilities.



ALTERNATIVE 1

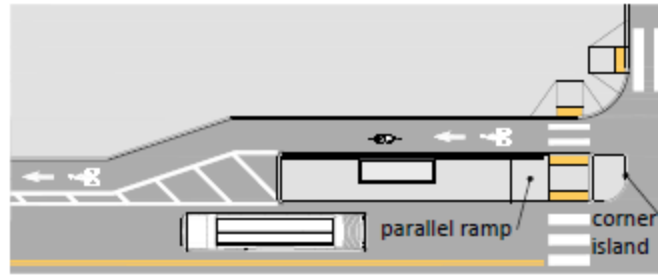


ALTERNATIVE 2

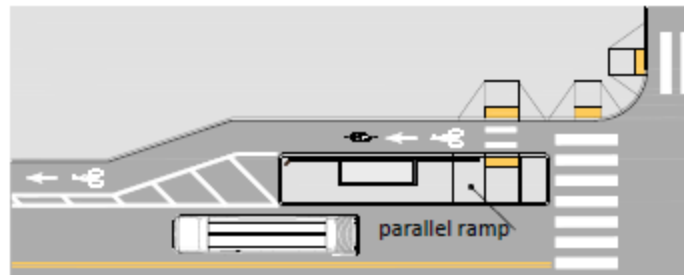


ALTERNATIVE 3

Figure 8.10-1 Bike Lane Routing Behind Transit Stop (Near-Side)



ALTERNATIVE 1



ALTERNATIVE 2

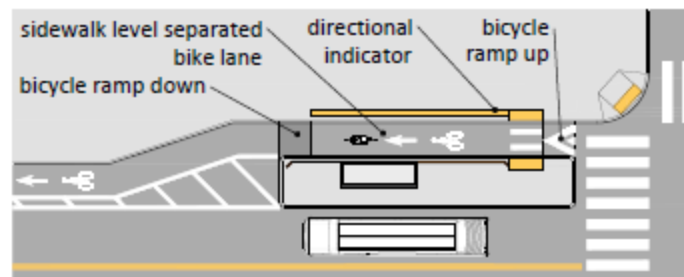
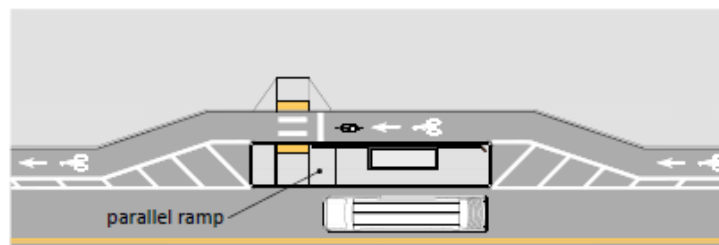


Figure 8.10-2 Bike Lane Routing Behind Transit Stop (Far-Side)



ALTERNATIVE 1

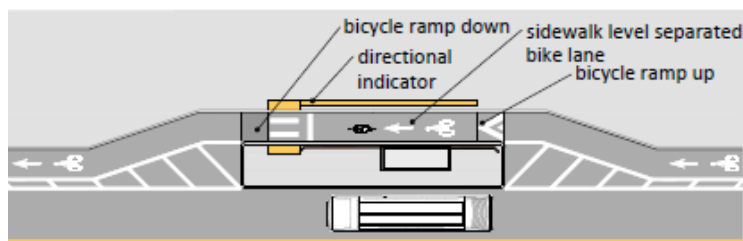


Figure 8.10-3 Bike Lane Routing Behind Transit Stop (Mid-Block)

8.11 RAIL CROSSINGS

The angle at which at-grade rail lines intersect with a bicycle facility is a critical design consideration. The preferable skew angle between the center line of the tracks and the bicycle facility is between 60 and 90 degrees (**Figure 8.11-1**) so bicyclists can avoid catching their wheels in the flange and losing their balance.

When rails curve through an intersection, the safe path for a cyclist may not be intuitive. In this case, pavement markings may be used to indicate the bicyclists' path of travel across the rails. Care should be taken that the path of travel does not conflict with movements from other roadway users.

When rails are located parallel to a bicycle facility, consideration should be given to connections to adjacent bicycle facilities at intersections. Two-stage turn queue boxes are provided to facilitate a 90-degree crossing of the rails, to indicate an alternative to crossing the parallel tracks.



Figure 8.11-1 Bike Lanes at Rail Crossings

8.12 TRANSITION POINTS AND ENDING BICYCLE FACILITIES

Each bicycle facility begins and ends at a specific location and will either terminate or transition into another distinct bikeway. The following section describes design considerations to safely transition and terminate the facilities described above.

Transitions of two-way separated bike lanes to bikeways or shared lanes that require one-way bicycle operation require particular attention. Bicyclists operating counterflow to traffic will be required to cross two roadways. Failure to provide a clear transition to the desired one-way operation may result in wrong-way bicycle riding. It may also be desirable to use green-colored pavement within crossings and

two-stage bicycle turn boxes to improve legibility and provide strong visual guidance of the intended path across the intersection to all users. The crossing may warrant bicycle signals at signalized crossings. The signal should be coordinated with the intersecting street signal phase. Site-specific conditions and engineering judgement should determine the most appropriate treatments for ensuring a safe and intuitive bikeway transition.

8.13 CONFLICT ZONE MARKINGS

At locations where designated bicycle facilities cross intersections and driveways, conflict markings (**Figure 8.13-1**) may be provided to guide bicyclists along their path of travel while clearly designating locations where bicycles and motor vehicles will intersect. Bicycle intersection treatments requires coordination with traffic services and the City of Phoenix Active Transportation Team.

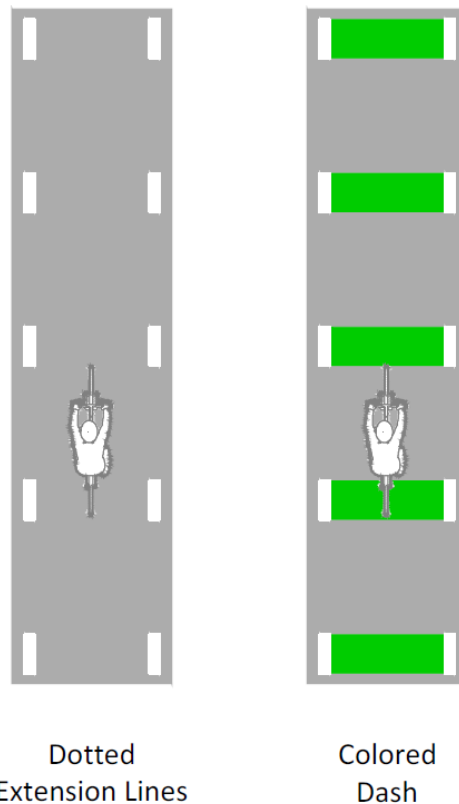


Figure 8.13-1 Typical Bicycle Conflict Markings

9. TRAFFIC IMPACT ANALYSIS

OVERVIEW

This chapter is prepared to assist an applicant to satisfy the requirement of performing a Traffic Impact Analysis (TIA) when requesting access to a city street.



Chapter 9 --- TRAFFIC IMPACT ANALYSIS

9.1 INTRODUCTION

This chapter is prepared to assist an applicant to satisfy the requirement of performing a Traffic Impact Analysis (TIA) when requesting access to a city street.

Development or redevelopment may require improvements to adjacent and nearby streets to ensure that traffic continues to operate safely and efficiently. A TIA evaluates the magnitude of traffic impact resulting from the proposed development or redevelopment project and provides recommendations to effectively mitigate adverse contributions.

The TIA scope is tailored to the scale of the proposed development activity. Development that is expected to have minimal traffic impacts will complete a focused and limited analysis or potentially no analysis.

Development or redevelopment activity that is expected to have greater impacts would complete a broader, multimodal, in-depth analysis. The Applicant and Street Transportation Department will coordinate to define the scope, type, and scale of analysis appropriate to the development or redevelopment activity.

The TIA shall be prepared in accordance with guidelines published by the Institute of Transportation Engineers and submitted studies shall be sealed by a Civil Engineer duly experienced in their preparation and licensed by the State of Arizona.

9.1.1 Scoping Process

The requirement and scope for a TIA is identified considering the scale of the project, intensity of land use, and the resulting anticipated vehicular trip generation. Additional considerations that may lead to a TIA or an expanded scope, include:

- Identified traffic safety or crash histories adjacent or nearby to the site.
- Existing neighborhood traffic concerns or complaints.
- Access control considerations.
- Proximity to transit or other amenities with significant pedestrian demand.
- An overview of the TIA Process Flow is provided in **Figure 9.1-1**.

The Applicant is strongly encouraged to arrange a pre-application scoping meeting with Street Transportation Department staff. At this meeting, Street Transportation Department staff and the Applicant will review the project, discuss any known critical issues pertaining to site access, and discuss TIA assumptions and methodologies.

9.1.2 City of Phoenix Street Classification Map

The City of Phoenix publishes a General Plan that includes a Street Classification Map. Prior to commencing any study within the City of Phoenix, the Applicant should reference the Street Classification Map for minimum roadway alignments and cross-sections.

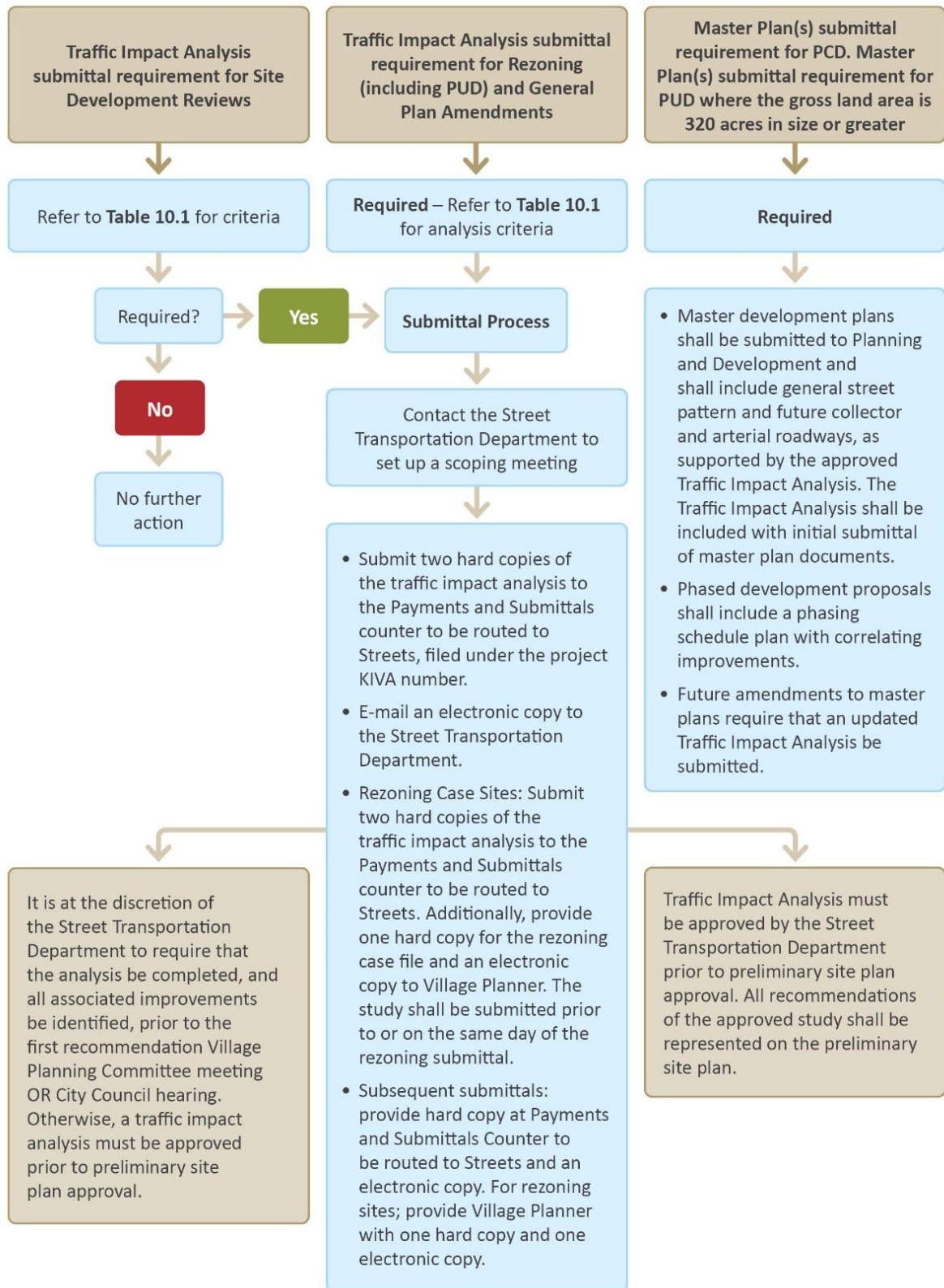


Figure 9.1-1 TIA Flowchart

9.2 CITY OF PHOENIX TIA REQUIREMENTS

The Street Transportation Department reserves the right to require a traffic study, and its component scope, from any proposed development project in consideration of unique project elements, existing traffic operational or safety concerns, or reasonably anticipated operational challenges.

The City may require or request TIA submission to or from adjacent municipalities or agencies, in which controlling jurisdictions roadways or facilities may be affected. It is the responsibility of the submitter to coordinate these reviews and provide necessary approvals from municipalities or agencies prior to final TIA approval being granted.

9.2.1 Site Development Permits

Generally, any project that creates a subdivision of property, or a ground disturbance of at least 2,000 square feet, is routed to the Street Transportation Department for review. All such projects are evaluated for traffic study requirements. Where Street Transportation staff determine that a TIA is required, a stipulation will be indicated on the site plan review report. Refer to Chapter 5 of the City's Zoning Ordinance for additional information regarding site development requirements.

A TIA that is prepared for a site development will conduct the evaluation against observed traffic counts.

9.2.2 Zoning Applications

A TIA for a land entitlement/rezoning process will conduct the evaluation against observed traffic counts. In addition, the TIA will include an evaluation of the projected trip generation for the requested entitlement/rezoning, in comparison with projected trip from the current entitlement/rezoning. This comparison will demonstrate the net effect of the zoning/entitlement change. All applications for modifications of property entitlements require documentation of the expected change in vehicular trip generation to accompany the public review process of the zoning application. Certain zoning modification procedures require more well-defined TIA scope and timing for review and approval.

9.2.3 Planned Community Development (PCD)

Refer to Section 636 of the Zoning Ordinance for full procedural requirements. Traffic studies are required, with approval prior to development of Master Street Plans. Projects at the PCD scale typically involve multiple parcels with phased installation of roadway infrastructure exceeding individual parcel frontages as necessary to support regional growth.

9.2.4 Planned Unit Development (PUD)

Refer to Section 671 of the Zoning Ordinance for full procedural requirements. The PUD model allows for flexible development standards that may not correspond to traditional land use categories. As such, a TIA is required with the initial application to inform the anticipated traffic impacts associated with the proposal. Street Transportation, in coordination with the Planning and Development Department, will determine whether TIA approval is required prior to setting City Council hearing dates.

9.2.5 Downtown Code, Walkable Urban Code, and Transit-Oriented Design Districts

Urban-focused districts require additional evaluation of the non-vehicular interface to public right-of-way. All studies within these districts must include analytical and/or narrative elements discussing active modes considerations and the streetscape interface. The TIA must include a section addressing pedestrian considerations.

TIA recommendations must be consistent with the Downtown Code, Walkable Urban, or Transit-Oriented Development Zoning Districts. These include the use of alleyways and minimal use of driveway access points.

9.2.6 Guidelines for Traffic Study Scope

The scope of the TIA is commensurate with the number of trips to be generated by the development. **Table 9.2-1** presents approximate ranges for anticipated vehicular trip generation by TIA analysis category. The appropriate scope must be discussed with the Street Transportation Department prior to commencing data collection or analysis. Projects that generate less than 100 peak-hour trips may *initially* submit a traffic statement that provides key information about the project for further evaluation. Street Transportation may accept the statement as fulfillment of the study requirement.

Table 9.2-1 Criteria for Determining TIA Study Requirements

Analysis Category	Development Characteristic	Study Horizons	Minimum Study Area
Traffic Statement	Single phase developments which generate < 100 peak hour trips during AM or PM per hour	-	-
I	Single phase developments which generate < 500* peak hour trips during the AM or PM peak hour <i>Note: *200 peak hour trips for Downtown Code, Walkable Urban Code, or Transit-Oriented Development Code</i>	1. Opening year	1. Site access drives 2. Signalized and/or potential signalized intersections adjacent to development
II	Single phase or multi-phase developments which generate 500 or more peak hour trips but fewer than 1,000 trips during the AM or PM peak hour	1. Opening year 2. 5 years after opening	1. Site access drives 2. Signalized and/or potential signalized intersections within ¼ mile of development
III	Single phase or multi-phase developments which generate 1,000 or more peak hour trips but fewer than 1,500 trips during the AM or PM peak hour	1. Opening year 2. 10 years after opening	All site access drives Signalized and/or potential signalized intersections within ½ mile of development
IV	Multi-Phase developments (such as PCDs), and developments which generate more than 1,500 trips during the AM or PM peak hour	1. Opening year 2. Significant phases 3. 15 years after opening	Determined by the Street Transportation Department based on project size, location, and surrounding traffic conditions; typically, major intersections within one (1) mile of the development

a. Assume full occupancy and build-out for single-phase developments. Multi-phase developments may require assessment of multiple horizon year's corresponding to key phases as directed by the Street Engineering Department.

b. An enlarged study area may be required when the minimum study areas identified in 10.1 does not provide sufficient information to meet the intent of the Traffic Impact Study guidelines.

9.3 TRAFFIC IMPACT STUDY CONTENT

The following must be included in the Traffic Impact Study:

9.3.1 Required Sections

- **Introduction:** Describe the reason for the TIA, identify the project, and state its location. Identify the TIA Category.
- **Proposed Development:** Include information on location, land use, size, density, phasing, build-out year, access points, and any other relevant descriptions of the development.
- **Study Area:** Identify intersections and roadways analyzed within the report.
- **Surrounding Land Use:** Describe the existing land uses surrounding the development.
- **Surrounding Transportation System:** Describe the existing streets, intersections, transit, bike, and pedestrian facilities. Include information regarding planned improvements in the area not a part of the planned development.
- **Existing Traffic Counts:** State when, where, and how counts were collected. Include count data in the Appendix.
- **Analysis Time Periods and Study Horizon Years:** Document the peak hours to be analyzed within the report and all scenarios (existing, background, total, improved, etc.) to be analyzed.
- **Proposed Development Traffic:** Describe the trips to be generated by the proposed development and how the generated trips will be distributed to the street network.
 - ▶ **Trip Generation:** Document the estimated trips generated by the development using the Institution of Transportation Engineers (ITE) Trip Generation. Include the calculations in the Appendix.
 - ▶ **Trip Reductions:** Document Street Transportation Department approved trip reductions for internal capture, pass-by or mode split.
 - ▶ **Distribution:** Document the trip distribution of development trips based on the employment and population data for the study area. This can be done on a figure.
 - ▶ **Assignment:** Document the specific route trips will take to arrive at and depart from the development. This can be done on a figure.
- **Off-Site Future Traffic:** Describe the process utilized to calculate the growth rate and future traffic volumes in the study area.
- **Analysis:** Include the calculations for all analyses required by the Street Transportation Department (Level-Of-Service, auxiliary lanes, etc.). Document multimodal considerations and impacts.
- **Safety:** Discuss crash data and key findings of the crash analysis; sight distance, alignment of driveway/streets; speed; multimodal considerations.
- **Recommendations:** Identify any improvements necessary for safe and efficient operation of the transportation system. Identify multimodal considerations and recommendations.

9.3.2 Required Figures

- **Site Location:** Area map showing site location and area of influence.

- **Conceptual Plan of Proposed Development:** Land use components, access points for vehicular and pedestrian connections, and on-site circulation.
- **Surrounding Transportation System:** All major streets, minor streets adjacent to site, planned improvements not part of proposed development, transit, bicycle, and major pedestrian routes, right-of-way widths, and traffic signal locations.
- **Existing and Anticipated Area Development:** Existing and future land uses in area.
- **Existing Traffic Volumes:** Daily traffic volumes and peak-hour traffic volumes; turning movement counts for peak hours.
- **Distribution:** Portion (by percentages) of site traffic approaching and departing proposed development.
- **Site Traffic:** Daily traffic volumes and peak hour traffic volumes for each horizon year (if separate phasing is expected); turning movement counts for the peak hours.
- **Off-Site Future Traffic:** Daily traffic volumes and peak-hour traffic volumes for each scenario (horizon year); turning movements for peak hours.
 - ▶ Analysis scenarios (horizon years) analyzed in the report must be described such as *‘Existing Traffic Volumes + Site Phase 1 Traffic Volumes’* and *‘Year 2025 Traffic Volumes + Site Full Build-out Traffic Volumes’*; figures showing the total traffic volumes for each scenario and analysis time period.
- **Total Traffic:** Daily traffic volumes and peak hour traffic volumes for each scenario (horizon year); turning movements for peak hours.
- **Recommend Improvements:** Recommended geometrics, cross sections, and traffic control. Include phasing if applicable.

9.4 SPECIAL CONSIDERATIONS FOR TRAFFIC COUNTS

The City of Phoenix generally experiences reduced traffic volumes during summer months. Traffic counts collected during summer months, or for periods where schools are not in normal operation, should be adjusted by a seasonal factor between 0.90 and 0.95. Collected counts should be divided by the agreed on seasonal factor.

Projects with unique traffic patterns may include data collection from comparison sites, adjusted for relevant factors, such as square footage or number of operational units.

Street Transportation concurrence on modification factors should be obtained prior to conducting the study analysis.

- All data shall be collected in accordance with the ITE Manual of Traffic Engineering Studies or as directed by the Street Transportation Department.
- Traffic count data should be no more than two years old.
- Adjust counts for average conditions due to seasonal differences when necessary.

- Existing daily traffic volumes may be obtained from the Street Transportation Department's 'Average Weekday Traffic Flow' map or from our Traffic Count Section.
- The directional split should be based on existing conditions. In the case where existing peak traffic is not available, a 60/40 split should be used.
- The peak factor (K) should be based on existing conditions. If traffic data are not available, 7 percent of daily traffic should be used for the morning peak hour and 8 percent for the evening peak hour.

9.5 TRIP REDUCTIONS FOR PASS-BY AND/OR INTERNAL TRIPS

Trip reductions, if appropriate, may be applied subject to approval by the Street Transportation Department:

- The ITE *Trip Generation Manual, 10th Edition* introduced subcategories for land use codes corresponding to urban project settings. These categories are the preferred method for estimating internal capture and mode split reductions. Reductions for pass-by or diverted trips may be based on ITE data or documentation of similar case in type and location.
- Internal trip reductions should generally not exceed 5-10 percent. All applications of trip reductions require an affirmative justification. Internal trip reductions in excess of 10 percent require approval from Street Transportation prior to submittal of the study.

9.6 OFF-SITE FUTURE TRAFFIC

As applicable, growth rates, MAG projections, and/or other traffic studies in the area may be used.

If the proposed site is surrounded by future developments or developable land, the Street Transportation Department may require that these developments be considered when estimating future traffic volumes.

9.7 LEVEL-OF-SERVICE ANALYSIS

Level-of-service analyses must be performed for the analysis time periods for each study intersection and site access in accordance with the Highway Capacity Manual.

Each analysis scenario (horizon year) should be analyzed with and without recommended improvements. The level-of-service calculations will be included in the Appendix.

Level-of-service 'D' is the minimum acceptable level-of-service at both signalized and unsignalized intersections during the peak hours. Level-of-service 'D' may be achieved by increasing intersection capacity and/or reducing vehicular traffic demand.

A level-of-service 'E' may be acceptable during peak hours within the most densely developed sections of Phoenix with the approval of the Street Transportation Department.

When requested by the Street Transportation Department, additional traffic analyses should be included in the study, such as queuing, gap, and speed. For large commercial developments, an internal circulation plan inclusion is required.

9.8 AUXILIARY TURN LANES

9.8.1 Intersections

Auxiliary lanes (right-turn, left-turn lanes) at intersections are required when thresholds as presented in **Table 9.8-1** are expected to be met with the addition of the projected development traffic.

Thresholds presented in **Table 9.8-1** are consistent with those established by *Maricopa County Department of Transportation, Roadway Design Manual, Section 6.1.6 (February 2020)*.

Table 9.8-1 Intersection Auxiliary Turn Lane Criteria

Intersection Auxiliary Lane	Criteria
Intersection Right-Turn Lane/Deceleration Lanes	<p>Intersection right-turn lane is to be provided:</p> <ul style="list-style-type: none"> ▶ When the roadway has 2 approach through lanes, a posted speed limit of 45 mph or greater, and an expected right-turn peak hour volume of 300 vph or greater. ▶ When the roadway has 1 approach through lane, a posted speed limit of 35 mph or greater, and an expected right-turn peak hour volume of 300 vph or greater. ▶ On any roadway where a traffic impact analysis indicates the level-of-service would be increased to a level-of-service of D or better with the addition of a right-turn lane. <p>In rural and developing urban areas with higher speeds, a separate right-turn lane may be required for lower right-turn volumes.</p>
Intersection Left-Turn Lane	<p>Intersection left-turn lane is to be provided:</p> <ul style="list-style-type: none"> ▶ At all signalized intersections.¹ ▶ When the left-turn movement into another roadway results in a level-of-service less than the minimum level-of-service of D during any peak hour.
Intersection Dual Left-Turn Lanes	<p>Intersection dual left-turn lane is to be provided:</p> <ul style="list-style-type: none"> ▶ When the peak hour left-turn volume exceeds 300 vehicles per hour. ▶ When the peak hour conflicting through movement volume exceeds 1,000 vehicles per hour. ▶ When a traffic impact analysis indicates the level-of-service would be increased to a level-of-service of D or better with the addition of dual left turns.

1. In some circumstances, left-turn lanes may not be required at signalized intersections; those intersections will generally require split phase signal operation and will be evaluated by the City on a case-by-case basis.

9.8.2 Site Driveways

Driveway Right-Turn Lane/Deceleration Lane

Right-turn/deceleration lanes may be required at driveways to assist traffic entering or exiting the roadway. The need for right-turn lanes to developments are based on criteria that consider traffic volume and street cross section as identified in **Table 9.8-2**. Street Transportation Department will indicate installation requirements based on the recommendations in consideration of the site context.

No driveways are to be located within deceleration lanes. Deceleration lanes will be constructed to serve individual driveways. No continuous lanes will be allowed to serve multiple driveways.

Table 9.8-2 Site Driveways Turn Lane Criteria

Driveway Auxiliary Lane	Arterial and Collector Roadway	Industrial/Freight Development
Driveway Right-Turn Lane /Deceleration Lanes	<p>Driveway right-turn lane is to be provided when:</p> <ul style="list-style-type: none"> ▶ The outside lane has an expected volume of 250 vph or greater and the right-turn volume is greater than 55 vph. <p>Or, when three of the following are met:</p> <ul style="list-style-type: none"> ▶ 5,000 vehicles per day on the adjacent street. ▶ Posted speed limit is greater than 35 mph. ▶ 1,000 vehicles per day are expected to use the driveway. ▶ At least 30 vehicles are expected to make right-turns into the driveway within a one-hour period. 	<p>For large industrial or commercial developments with a significant percentage of truck traffic entering the site from a high-volume arterial, driveway right-turn deceleration lanes may be required at below the above-described criteria and will be evaluated on a case-by-case basis.</p> <p>Auxiliary lanes will be required for all sites with 25 or more truck bays at all primary entrance route driveways.</p>

Driveway Left-Turn Lanes

Traffic volume warrants for adding a left-turn lane to an arterial or collector roadway are shown in **Table 9.8-3**. The volumes provided in **Table 9.8-3** are the minimum left-turn peak hour volume and minimum through volume in the same direction. A left-turn lane will be required if the left-turn peak hour volume is equal to or greater than the volume shown in **Table 9.8-3**.

Table 9.8-3 Volume Warrants for Auxiliary Left-Turn Lanes

Peak Hour Traffic Volume on the Roadway in the Advancing Direction	Minimum Peak Hour Left-Turn Traffic Volume			
	Number of Through Lanes Per Direction			
	1		2	
	< 45 mph Posted Speed	≥ 45 mph Posted Speed	< 45 mph Posted Speed	≥ 45 mph Posted Speed
≤ 200	30	15	-	-
201-300	12	12	40	30
301-400	12	12	30	25
401-500	12	12	25	18
501-600	12	12	15	12
601-1000	12	12	10	8
1001+	12	8	10	8

9.9 MITIGATION

Applicants will propose mitigations for all development action impacts that degrade modes to unacceptable performance levels or that generate travel demand in a way inconsistent with city goals.

Mitigation measures are identified by comparing Future Conditions with and without the proposed mitigation. A summary table of the Total Future analysis with the proposed mitigation measures, and for each phase of multi-phase developments will be presented and a map of the analysis results also be prepared.

9.9.1 Approach to Mitigation

The approach to mitigate vehicle trip impacts to the transportation network is to first establish optimal site design and operations to support efficient site circulation. When these efforts alone cannot properly mitigate an action's impact, reducing vehicle parking; implementing travel demand management (TDM) measures; and making upgrades to the pedestrian, bicycle, and transit networks to encourage use of non-auto modes shall be proposed.

In some instances, it may not be feasible to mitigate impacts to all modes. For example, established high-density areas typified by heavy vehicular traffic and constrained right-of-way will have few if any options for improving traffic operations. In these cases, the TIA must describe the challenges in mitigating impacts, with a focus on constrained right-of-way and negative secondary impacts on other modes. The Applicant shall instead explore and commit to other non-auto mitigations that have the potential to reduce demand for vehicular travel to the site. Performance monitoring may be appropriate in certain circumstances to ensure that a development's actual impacts do not exceed the impacts projected during zoning review and could require additional mitigation measures.

Any change required to the transportation network to reduce or minimize an action's impacts is considered "mitigation." All actions with proposed mitigation measures to be implemented over multiple phases will require the Applicant to commit to an implementation schedule by phase.

9.9.2 Non-Automotive Network Impacts

An assessment of non-automotive network impacts is required for sites within the Downtown Code, Walkable Urban, or Transit-Oriented Development Zoning Districts in support of the City's adopted Complete Street Ordinance.

Definitions for impacts to non-auto transportation networks and infrastructure are less quantitative than impacts to the roadway network. In general, any action is said to have an impact and requires mitigation if:

- It leads to overcrowding on infrastructure such as sidewalks, bike lanes, or transit service and facilities. This pedestrian or bicycle congestion may be measured via Highway Capacity Manual methodologies, other quantitative means (such as area of sidewalk per pedestrian, etc.), or shown via qualitative site and facility analysis; and
- There are any inadequate or missing pedestrian facilities, bicycle facilities, or transit stops in the vicinity of the site that are anticipated to be used by site-generated trips.
- The Following Sections should be considered and incorporated within the TIA in support of the City's adopted Complete Streets Ordinance.

9.9.3 Non-Automotive Network Enhancements

It is expected that the Applicant will fill gaps in the non-automotive network and fix substandard non-automotive facilities, as identified in the TIA. The Applicant should look for opportunities to upgrade site-adjacent and off-site pedestrian, bicycle, and transit facilities. The Applicant should focus particularly on improvements to facilities that link between the site and transit facilities, schools, parks, and other major activity centers.

9.9.4 Pedestrian Facilities

When determining appropriate pedestrian mitigations, special attention should be paid to facilities that promote pedestrian safety. Examples include installing missing sidewalk segments, widening sidewalks, correcting non-ADA compliant curb ramps, removing right-turn slip lanes, refurbishing crosswalks and pedestrian signage, installing curb extensions to shorten wide pedestrian crossings, installing pedestrian signal heads, and planting new street trees. Improvements to the pedestrian network should be accessible for all users and encourage a reduction in speeds of vehicles which in turn reduces the likelihood of collision with a pedestrian or bicyclist as well as the severity of the crash. For larger projects, both internal and external pedestrian circulation should be considered.

9.9.5 Bicycle Facilities

A principal impact for development projects on the stress of the bicycle network is the number and access condition of site driveways. For sites fronting an identified bicycle route, all reasonable efforts should be made to consolidate access locations, utilize shared access, and narrow site driveways. For larger projects, providing protected or conventional bike lanes and space for, or contributing to, a multi-use trail may be appropriate during the development process. Typically, on-street bicycle facilities are not required unless a project is large enough to cover an entire block or more. Smaller projects adjacent to City-planned bicycle lanes are expected to reserve space along the site frontage, as appropriate, to ensure the facility can be installed. However, an Applicant may be required as mitigation to upgrade facilities to a greater degree of cyclist protection where appropriate (i.e., converting conventional bicycle lanes to separated facilities by flipping the parking and bicycle lane).

9.9.6 Transit Facilities

Improved access to and quality of Valley Metro bus stops and Light Rail stations should be considered for mitigation. Connections should be provided directly to building entrances, utilize distinct surface materials, and offer concentrated shade. Examples include coordinating with Valley Metro and the City on bus stop relocation to locations that are preferred for safety and operations, ensuring ADA-accessibility, electrification of bus shelters, and installation of real-time digital displays or new wayfinding signage.

9.9.7 Roadway Operational and Geometric Changes

If traffic operation changes on a street are proposed (i.e., closing, direction change, reconfiguration of traffic lanes, etc.), analysis and clear rationale should be provided to support the change. In addition to operational changes, restrictions to site access points at other intersections may be appropriate, including turning and time-of-day restrictions. Restrictions may need to be reinforced through design elements, such as internal signage, physical barriers, or channelization identified in the project impact assessment phase.

The Street Transportation Department will review the proposed changes and determine if they are feasible, effective, and appropriate. The mitigations shall be designed to sufficient detail for the City to evaluate their potential effectiveness. Proposals for widening roads or installing turn lanes must be accompanied by a right-of-way analysis to determine if the available right-of-way can accommodate the proposed mitigation, along with impacts to existing street trees and on-street parking. Preliminary engineering may be needed to determine the feasibility of proposed changes.

9.9.8 Intersection Control

For all intersections where the Applicant is proposing a change in intersection control, such as converting an existing two-way stop control intersection to all-way stop control, an assessment of appropriate traffic control shall be performed. Refer to Section 2.7 of this manual.

Traffic signal warrant analyses, as established by the MUTCD, should be provided for site access locations and adjacent intersections that demonstrate operational degradation.

Warrant analysis shall be included for any arterial/arterial or arterial/collector intersection within the study area. Additional intersections may be subject to warrant evaluation based on the engineer's judgement or by request of the Street Transportation Department.

Satisfaction of warrant criteria is not the sole consideration for a recommendation or requirement to install a traffic signal as identified in a study. Proportional funding may be required regardless of warrant satisfaction due to considerations, such as existing master plans prepared by prior development and location of collector street intersections anticipated to meet signal warrants for time horizons beyond the scope of the development's study.

Development projects may be required to install underground traffic signal infrastructure, such as conduits and junction boxes, with corresponding off-site improvements due to the efficiencies gained in limiting future excavation work.

If the proposed traffic control device is a traffic signal, Pedestrian Hybrid Beacon (PHB) (**Figure 9.9-1**), also referred to as a HAWK, or Rectangular Rapid Flashing Beacon (RRFB) and is primarily driven by traffic

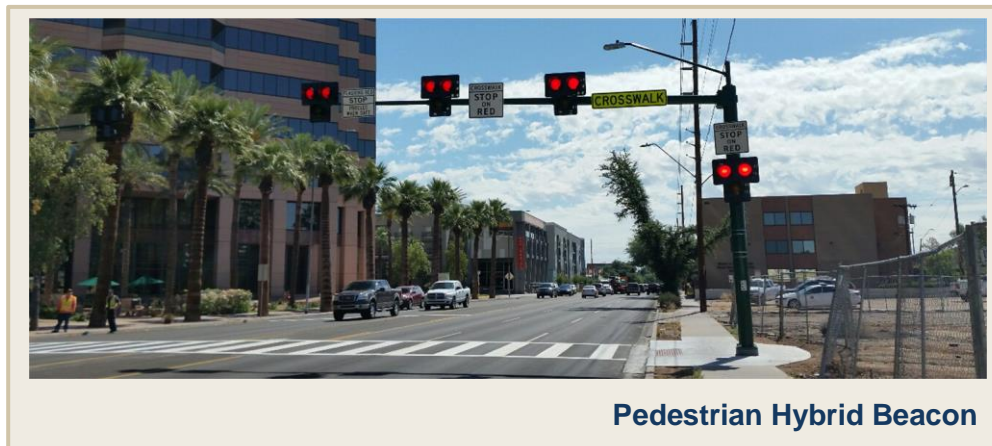


Figure 9.9-1 Pedestrian Hybrid Beacon

conditions anticipated by the "Total Future" scenario, the Applicant will be required to provide a traffic control justification in support of the recommendations. The justification shall include future traffic volume analysis of the threshold necessary to reach the signal warrant thresholds.

Development funding responsibilities will be identified in the response letter provided by the Street Transportation upon final review of a study, or as stipulations provided to site development or zoning application review reports.

REFERENCES

CHAPTER 2

2.1 Introduction

AASHTO A Policy on Geometric Design of Highways and Streets, 7th Edition, 2018, Section 1.8 Design Flexibility, p. 1-32

2.1.3 Right-of-way Zones

City of Phoenix, Key Corridors Master Plan

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City of Seattle, Right-of-Way Improvements Manual, Standard 2.1 Right-of-Way Allocation

2.3 Travel Lanes Zone

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2.3.1 Design Speed

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2.3.2 Design Vehicle

AASHTO A Policy on Geometric Design of Highways and Streets, 7th Edition, 2018, Section 2.8 Design Vehicles, pp. 2-55 to 2-85

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2.3.3 Street Section Elements

City of Phoenix Street Transportation Department, Traffic Operations Manual, Chapter 4, Pavement Narrowing Treatments, p. 144-145

Maricopa County 2018 Roadway Design Manual, Section 5.20.1, Narrowing Transitions

2.3.6 Turn Lanes

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2.3.7 Medians

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City of Phoenix Street Planning and Design Guidelines 2009

MAG Left-Turn Crash Mitigation Implementation Template and Guidance, May 2018, p. 3-8

2.3.8 Curb Type

2009 City of Phoenix Street Planning and Design Guidelines, Sections 3.5.4 Curb Returns, p. 3-7 and p. 3-8.

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2.3.9 Horizontal Alignments

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2.3.10 Vertical Alignment

AASHTO, A Policy on Geometric Design of Highways and Streets, 7th Edition, 2018, pp. 3-167, 3-171, 3-173

2.3.11 Alignment Sight Distance

AASHTO, A Policy on Geometric Design of Highways and Streets, 7th Edition, 2018, Section 3.2.6.2

Superelevation

AASHTO, A Policy on Geometric Design of Highways and Streets, 7th Edition, 2018, p. 2-24

2.4 Flex Zone

2.4.1 Bicycle Facilities

Arizona Revised Statute 28-815, Riding on roadway and bicycle path; bicycle path usage

City of Phoenix Street Transportation Department, Traffic Operations Handbook— Chapter 5 Bicycle Facilities, pp. 167 - 168

2.4.2 On-Street Parking

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City of Phoenix Zoning Ordinance 663, Interim Transit-Oriented Zoning Overlay District 2 (TOD-2), Section L, Parking and Loading Regulations

2.4.3 Transit

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City of Phoenix Street Transportation Department, Traffic Operations Manual, Chapter 14, Bus Stop Signing, pp. 420-421

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City of Phoenix Standard Details

P1256-1 Bus Bay (Type 1)

P1256-2 Bus Bay (Type 2)

P1258 bus shelter pad location (bus stop)

P1260 bus shelter/accessory pad bus stop

P1261 bus shelter/accessory pad bus bay

P1262 parkway bus shelter/accessory pad

P1263-1 bus shelter/accessory pad frontage road mid-block

P1263-2 parkway bus shelter/accessory pad

2.5 Pedestrian Zone

2.5.1 Sidewalks

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2.6 Intersections

2.6.2 Intersection and Driveway Sight Distance

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City of Phoenix Street Transportation Department, Traffic Operations Manual, Chapter 9, Traffic Circle/Roundabout Signing and Pavement Markings, p. 220-221

CHAPTER 3

3.1 Introduction

3.1.2 Definitions

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3.1.3 Geotechnical Investigation Requirements

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MAG Standard Specifications for Public Works Construction, 2019 Revisions to the 2015 Edition

3.1.3 Design Parameters

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ADOT Standard Drawing C-05.40, Median Paving and Nose Taper

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3.3 Bridges and Major Structural Plans

3.3.1 Bridges

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AASHTO LRFD Bridge Design Specifications

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3.3.2 Structural Clearances

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3.4 Cut or Fill Slopes

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3.5 Pavement Transitions

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3.6 Stormwater Management

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<https://www.phoenix.gov/waterservicessite/Pages/STORMWATER-Construction.aspx>

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3.7 Green Infrastructure

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3.8 Right-of-way Management Procedures

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CHAPTER 4

4.2 Traffic Signal Design

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4.2.3 Traffic Design Reference

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4.3 Pavement Markings and Signing Plans

4.3.3 Signing

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CHAPTER 6

6.4 Access Management Summary

6.4.3 Access Management Guidelines Summary

Transportation Research Board Access Management Manual, Second Edition, 2014

6.7 Driveways

City of Phoenix Supplemental Standard Details for Public Works Construction (2021):

- No. P1243: Return Type Driveways with Attached Sidewalk
- No. P1243-1: Limited Access Driveway with No LT-In and without Deceleration Lane
- No. P1243-2: Limited Access Driveway with No LT-In/Out and without Deceleration Lane
- No. P1243-3: Limited Access Driveway with No LT-In and with Deceleration Lane
- No. P1243-4: Limited Access Driveway with No LT-In/Out and with Deceleration Lane
- No. P1244: Driveway-Pedestrian Ramp Combination (For use at T type intersections)
- No. P1255-1: Driveway Entrance – Type I (Sidewalk Adjacent to Curb)
- No. P1255-2: Driveway Entrance – Type II (Detached Sidewalk)
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6.8 Auxiliary Turn Lanes

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No. P1258: Bus Shelter Pad Location (Bus Stop)

CHAPTER 8

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American Association of State Highway and Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities, current version

National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide, most current version. NACTO has prepared additional guidance documents relevant to bikeway design that should be referenced.

MAG Active Transportation Plan and Toolbox, 2020

MAG Uniform Standard Specifications for Public Works Construction

City of Phoenix Active Transportation Plan

City of Phoenix Trails Master Plan

City of Phoenix Supplement to MAG Uniform Standard Specifications

City of Phoenix Complete Streets Policy and Complete Streets Design Guidelines



City of Phoenix



Support for Formation of Grove Park Estates Irrigation Water Delivery District (Resolution 22133)

Request to adopt a resolution to support formation of the Grove Park Estates Irrigation Water Delivery District (IWDD) through Maricopa County. The proposed IWDD includes the single-family residential properties bounded by Earll Drive to the south, Osborn Road to the north, 52nd Street to the west and 54th Street to the east. This action has no financial impact to the City of Phoenix.

Summary

Under the provisions of Arizona Revised Statutes (A.R.S.) Chapter 20, Title 48, Irrigation Water Delivery Districts, when the majority of the lot or parcel owners entitled to or capable of receiving irrigation water from the same system want irrigation water delivered to their lands, they may propose organization of an IWDD. Maricopa County requires that applicants for an IWDD within City of Phoenix boundaries obtain City Council support before the County will start the process of forming or re-establishing a district.

If approved by the City Council, landowning neighbors seeking an IWDD complete a special taxation impact statement and submit this document to the Maricopa County Board of Supervisors. The Board of Supervisors, along with Salt River Project (SRP), will decide if a petition to organize an IWDD may be circulated. See **Attachment A** for the consent from SRP to the Board of Supervisors and map of the SRP delivery system.

This request has been reviewed by the Street Transportation and Water Services departments.

Financial Impact

This action has no financial impact to the City of Phoenix.

Public Outreach

On Feb. 2, 2023, the City received a formal written request from City of Phoenix resident Brett Bacon, representative for the Grove Park Estates neighborhood, to pursue City Council approval to form an IWDD with Maricopa County (**Attachment B**).

Location

The proposed IWDD includes the single-family residential properties bounded by Earl Drive to the south, Osborn Road to the north, 52nd Street to the west and 54th Street to the east.

Council District: 6

Responsible Department

This item is submitted by Deputy City Managers Alan Stephenson and Ginger Spencer, and the Street Transportation and Water Services departments.

ATTACHMENT A
Consent from SRP to Board of Supv and Map of SRP Delivery System
EXHIBIT "C".

BEFORE THE BOARD OF SUPERVISORS OF MARICOPA COUNTY

In the Matter of the Application and)	CONSENT OF SALT RIVER PROJECT
Petition for the Formation of an Irrigation)	AGRICULTURAL IMPROVEMENT
Water Delivery District to be known as:)	AND POWER DISTRICT AND SALT
Grove Park Estates Irrigation Water)	RIVER VALLEY WATER USERS'
Delivery District of Maricopa County)	ASSOCIATION, COLLECTIVELY
	REFERRED TO AS SRP.

TO: THE BOARD OF SUPERVISORS OF MARICOPA COUNTY,
STATE OF ARIZONA

Erica Trapp, being first duly sworn upon her oath, deposes and says:

That she is the Director of Water Delivery Services of the SRP.

That the lands to be included within the **Grove Park Estates** Irrigation Water Delivery District are within the Salt River Project Agricultural Improvement and Power District and the Salt River Valley Water Users' Association.

That the Board of Directors of the Salt River Project Agricultural Improvement and Power District and the Board of Governors of the Salt River Valley Water Users' Association consent to the formation of said Irrigation Water Delivery District and said action was duly authorized by resolutions dated March 5, 2001.

That she has read this Consent and knows the content thereof and that the matters and things contained herein are true and correct to the best of her own knowledge, information, and belief.

SUBSCRIBED AND SWORN TO before me this Erica Trapp
2nd day of February, 2023

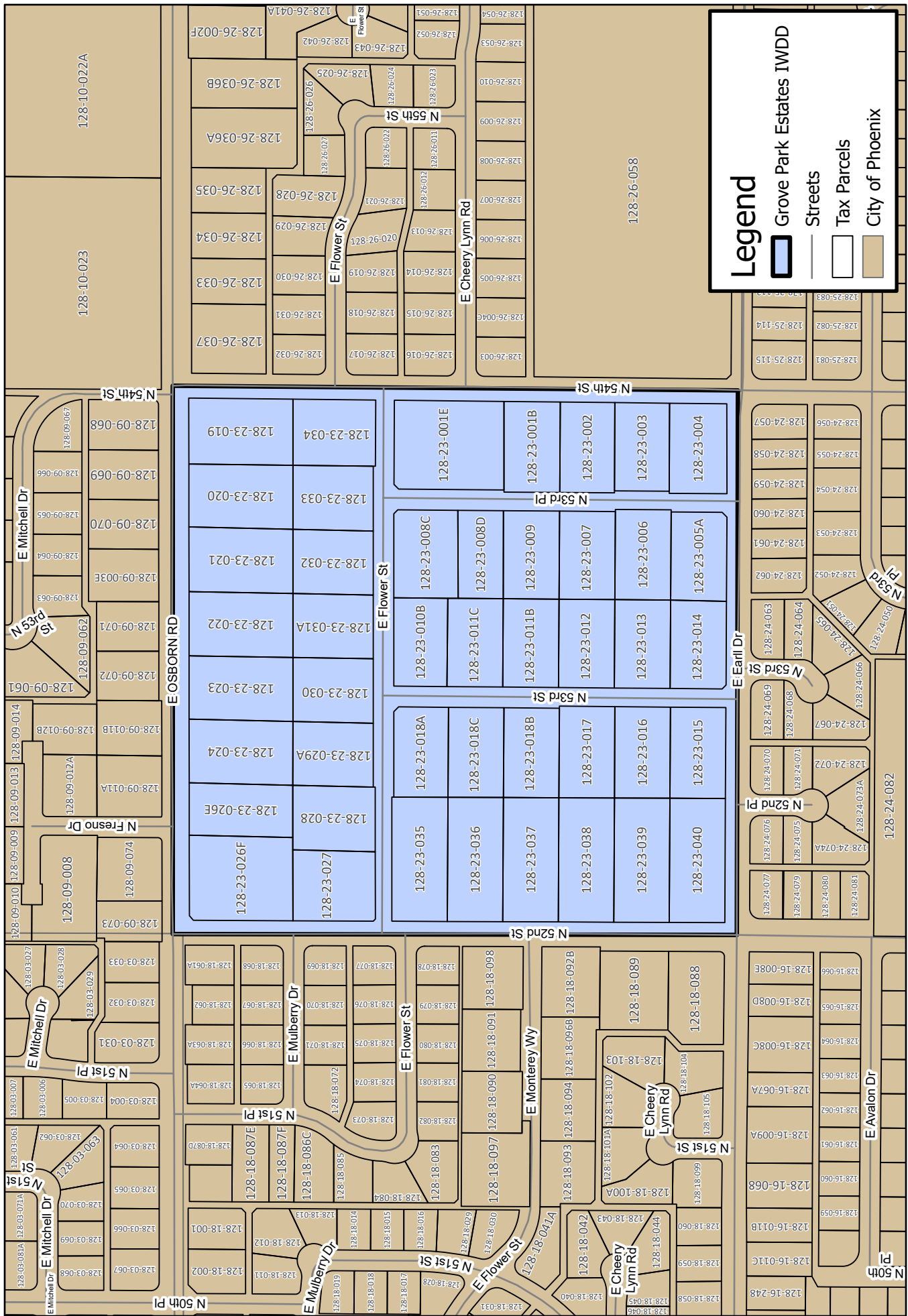
My commission expires:

March 2nd, 2026

Stephanie Jo-Ann Berry
Notary Public



Grove Park Estates IWDD



Date: 1/31/2023

ATTACHMENT B
Request Letter and Map Submitted by Grove Park Estates

To: City of Phoenix
CC: Salt River Project
Thursday, February 2, 2023

From: Brett Bacon
RE: Request for Formation of Irrigation Water Delivery District

Dear City of Phoenix,

We as a neighborhood **Grove Park Estates**, are requesting consent to form an Irrigation Water Delivery District (IWDD) from the **City of Phoenix**. The purpose of an IWDD is to create an equitable distribution of costs associated with the use and maintenance of the private neighborhood irrigation system. This is accomplished using an annual Maricopa County property assessment. We are asking the **City of Phoenix** to pass this request of resolution, authorizing the formation of **Grove Park Estates IWDD**.

Enclosed you will find Salt River Project's approval along with maps of the proposed district, legal description, and the homeowner list. I will be the representative for the proposed IWDD. Once we receive approval from the **City of Phoenix**, an Impact Statement to form will be sent to the Maricopa County Board of Supervisors to move the process forward. We appreciate your attention to this request. For questions please contact me at the number below.

Sincerely,

Brett Bacon
5302 E Flower St.
Phoenix, AZ 85018
baconbuild@gmail.com
602-327-6721

EXHIBIT A

LEGAL DESCRIPTION

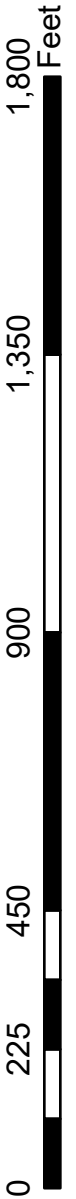
Lots 1 through 16, of GROVE PARK ESTATES , a Subdivision of the Northwest Quarter of the Southeast Quarter, and of the Southwest Quarter of the Northeast Quarter, of Section 29, Township 2 North, Range 4 East, of the Gila and Salt River Base and Meridian according to the Plat of Record in the Office of the County Recorder of Maricopa County, Arizona, Recorded in Book 35 of Maps, Page 10;

TOGETHER WITH

Lots 17 through 32, of GROVE PARK ESTATES PLAT B, a Subdivision of the Northwest Quarter of the Southeast Quarter, of Section 29, Township 2 North, Range 4 East, of the Gila and Salt River Base and Meridian according to the Plat of Record in the Office of the County Recorder of Maricopa County, Arizona, Recorded in Book 40 of Maps, Page 29;

TOGETHER WITH

Lots 1 through 6, of CAMELBACK ACRES, a Subdivision of the Northwest Quarter of the Southeast Quarter, of Section 29, Township 2 North, Range 4 East, of the Gila and Salt River Base and Meridian according to the Plat of Record in the Office of the County Recorder of Maricopa County, Arizona, Recorded in Book 39 of Maps, Page 10.



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Proposed Grove Park Estates WDD Ownership Report
1/31/2023

Parcel Number	Tax Year	Owner Name	In Care Of	Mailing Address	City State Zip	Situs Address	Situs City Zip	Total Net FCV	Total Acreage	Average Lot Size
128-23-001B	2023	SINGLETON LIVING TRUST	SINGLETON JACOB LSHAYNE M TR	3135 N 53RD PL	PHOENIX AZ 85018	3135 N 53RD PL	PHOENIX 85018	103,420	0.674	
128-23-001E	2023	MCREARY STEVEN E/KELLY		3145 N 53RD PL	PHOENIX AZ 85018	3145 N 53RD PL	PHOENIX 85018	177,600	1.290	
128-23-002	2023	ALPHONUS VINCENT LLC		12980 METCALF AVE STE 500	OVERLAND PARK KS 662132652	3131 N 53RD PL	PHOENIX 85018	171,120	0.658	
128-23-003	2023	WINTER KRISTEN/ WILLIAM		3111 N 53RD PL	PHOENIX AZ 85018	3111 N 53RD PL	PHOENIX 85018	133,610	0.658	
128-23-004	2023	DELMONICO JOSEPH P/BENNETT TRACEY E TR		3101 N 53RD PL	PHOENIX AZ 85018	3101 N 53RD PL	PHOENIX 85018	136,500	0.658	
128-23-005A	2023	ANGELL CRAIG S/C LARE A		3102 N 53RD PL	PHOENIX AZ 85018	3102 N 53RD PL	PHOENIX 85018	98,070	0.666	
128-23-006	2023	SWENSON DAVID JAMES/ROBIN BLYTHE		3112 N 53RD PL	PHOENIX AZ 85018	3112 N 53RD PL	PHOENIX 85018	108,170	0.674	
128-23-007	2023	GOLDSMITH RICHARD N & SUSAN N TR		3124 N 53RD PLACE	PHOENIX AZ 85018	3124 N 53RD PL	PHOENIX 85018	127,910	0.674	
128-23-008C	2023	STECKNER CLARK FAMILY TRUST	STECKNER MATTHEW/CLARK MARI JO TR	5325 E FLOWER ST	PHOENIX AZ 85018	5325 E FLOWER ST	PHOENIX 85018	138,550	0.755	
128-23-008D	2023	ARNOLD WILLIAM A/TORI E		3144 N 53RD PL	PHOENIX AZ 85018	3144 N 53RD PL	PHOENIX 85018	136,380	0.510	
128-23-009	2023	STAFFORD TRUST	STAFFORD PATRICK N/HEATHER TR	3138 N 53RD PL	PHOENIX AZ 85018	3138 N 53RD PL	PHOENIX 85018	250,970	0.658	
128-23-010B	2023	FISCHER NICHOLAUS CARLUPELE PEACOCK		5309 E FLOWER ST	PHOENIX AZ 85018	5309 E FLOWER ST	PHOENIX 85018	254,230	0.633	
128-23-011B	2023	NICHOLS WENDY J/CONATANCE C ROSSMAN REVOCABLE TRUST		5648 E WINDSOR AVE	SCOTTSDALE AZ 85257	3137 N 53RD ST	PHOENIX 85018	106,530	0.658	
128-23-011C	2023	SEEGERS BRYAN J		3145 N 53RD ST	PHOENIX AZ 85018	3145 N 53RD ST	PHOENIX 85018	137,710	0.658	
128-23-012	2023	BOYLE JOHN ZWORTH ARIEL I		3123 N 53RD ST	PHOENIX AZ 85018	3123 N 53RD ST	PHOENIX 85018	108,810	0.658	
128-23-013	2023	GUNNER ROADRUNNER LLC		3111N 53RD ST	PHOENIX AZ 85018	3111 N 53RD ST	PHOENIX 85018	170,370	0.658	
128-23-014	2023	LAMB RAYMOND		3101 N 53RD ST	PHOENIX AZ 85018	3101 N 53RD ST	PHOENIX 85018	224,900	0.658	
128-23-015	2023	PRASAD ANITA G/FORE BRIAN C		3102 N 53RD ST	PHOENIX AZ 85018	3102 N 53RD ST	PHOENIX 85018	176,230	0.658	
128-23-016	2023	MARY JO HELMICK TRUST		3120 N 53RD ST	PHOENIX AZ 85018	3120 N 53RD ST	PHOENIX 85018	104,480	0.658	
128-23-017	2023	JAMES M AUSBERGER LIVING TRUST		3124 N 53RD ST	PHOENIX AZ 85018	3124 N 53RD ST	PHOENIX 85018	131,050	0.658	
128-23-018A	2023	LAVALEE MICHAEL S		5233 E FLOWER ST	PHOENIX AZ 85018	5233 E FLOWER ST	PHOENIX 85018	154,000	0.658	
128-23-018B	2023	KLINCK BRIAN/LINDSAY		3138 N 53RD ST	PHOENIX AZ 85018	3138 N 53RD ST	PHOENIX 85018	144,620	0.658	
128-23-018C	2023	SG FAMILY TRUST	SARGENT STEPHEN C/GARRETT ANNE T TR	3148 N 53RD ST	PHOENIX AZ 85018	3148 N 53RD ST	PHOENIX 85018	177,380	0.658	
128-23-019	2023	ROONEY SHANE		5339 E OSBORN RD	PHOENIX AZ 85018	5339 E OSBORN RD	PHOENIX 85018	151,220	0.907	
128-23-020	2023	LOWE STEFANIE O/FERRI JNIKULA SHANNON ALYSE		2303 N 44TH ST UNIT 14-1149	PHOENIX AZ 85008	5327 E OSBORN RD	PHOENIX 85018	107,550	0.882	
128-23-021	2023	BUL TRUST	LEMIEUX BERNARD J TR	5313 E OSBORN RD	PHOENIX AZ 85018	5313 E OSBORN RD	PHOENIX 85018	120,910	0.913	
128-23-022	2023	GAM LIVING TRUST	GASTELUM ADRIAN R/MEGAN L TR	5301 E OSBORN RD	PHOENIX AZ 85018	5301 E OSBORN RD	PHOENIX 85018	181,260	0.906	
128-23-023	2023	COLVIN DONALD A/CHRISTINE TR	COLVIN FAMILY TRUST	5235 E OSBORN	PHOENIX AZ 85018	5235 E OSBORN RD	PHOENIX 85018	182,480	0.893	
128-23-024	2023	NOJUAN LIVING TRUST	JAIN NEAL TR	5227 E OSBORN RD	PHOENIX AZ 85018	5227 E OSBORN RD	PHOENIX 85018	137,110	0.892	
128-23-026E	2023	POWERS ROBERT B		5215 E OSBORN RD	PHOENIX AZ 85018	5215 E OSBORN RD	PHOENIX 85018	254,750	0.715	
128-23-026F	2023	PACELEY FAMILY TRUST	PACELEY BARRY E/JOAN S TR	5201 E OSBORN RD	PHOENIX AZ 85018	5201 E OSBORN RD	PHOENIX 85018	166,820	1.188	
128-23-027	2023	RAK LIVING TRUST	KENNEDY ROBERT C/ALYSON P TR	5202 E FLOWER ST	PHOENIX AZ 85018	5202 E FLOWER ST	PHOENIX 85018	218,020	0.771	
128-23-028	2023	FERNANDEZ MICHAEL J/LISA JEAN		5214 E FLOWER ST	PHOENIX AZ 85018	5214 E FLOWER ST	PHOENIX 85018	191,480	0.707	
128-23-029A	2023	DYAR KAREN E TR		5226 E FLOWER ST	PHOENIX AZ 85006	5226 E FLOWER ST	PHOENIX 85018	131,830	0.684	
128-23-030	2023	FRIEND KYLE/BRITTA		5240 E FLOWER ST	PHOENIX AZ 85018	5240 E FLOWER ST	PHOENIX 85018	228,610	0.688	
128-23-031A	2023	BACON BRETT/SHEILA		5302 E FLOWER ST	PHOENIX AZ 85018	5302 E FLOWER ST	PHOENIX 85018	125,810	0.689	
128-23-033	2023	COOK FAMILY TRUST	COOK MICHAEL W/BARBARA A TR	5320 E FLOWER ST	PHOENIX AZ 85018	5320 E FLOWER ST	PHOENIX 85018	152,010	0.708	
128-23-034	2023	DAVIS FAMILY TRUST	DAVID A AND ELIZABETH M DAVIS TR	5344 E FLOWER ST	PHOENIX AZ 85018	5344 E FLOWER ST	PHOENIX 85018	111,610	0.694	
128-23-035	2023	NEWBOLD MICHAEL DEAN/CYNTHIA SUE		5201 E FLOWER ST	PHOENIX AZ 85018	5201 E FLOWER ST	PHOENIX 85018	145,130	0.926	
128-23-036	2023	RATTER MAXINE TR		3145 N 52ND ST	PHOENIX AZ 85018	3145 N 52ND ST	PHOENIX 85018	110,380	0.927	
128-23-037	2023	LINDSAY CHRISTINE MARIE/JOHN P JR		3135 N 52ND ST	PHOENIX AZ 85018	3135 N 52ND ST	PHOENIX 85018	269,020	0.914	
128-23-038	2023	YOST REVOCABLE LIVING TRUST	YOST BROCK/BETH L	3123 N 52ND ST	PHOENIX AZ 85018	3123 N 52ND ST	PHOENIX 85018	178,800	0.917	
128-23-039	2023	MASON FAMILY TRUST	MASON ROBERT W/SHARON K	3113 N 52ND ST	PHOENIX AZ 85012	3113 N 52ND ST	PHOENIX 85018	111,600	0.922	
128-23-040	2023			6502 E EXETER BLVD	SCOTTSDALE AZ 85251	3111 N 52ND ST	PHOENIX 85018	101,200	0.885	
								\$ 5,960,490	34.176	0.759



Toughbooks Computers - Request for Award (Ordinance S-50002)

Request to authorize the City Manager, or his designee, to ratify the existing purchase order for a one-time purchase with Rugged Solutions America, LLC, DBA Mobile Concepts Technology to provide ruggedized laptops for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The expenditures will not exceed \$226,653.64.

Summary

The purpose of this request is to ratify the purchase and delivery of 89 Toughbooks. Various Water Services Department (WSD) Divisions use ruggedized laptops to perform essential job functions. A ruggedized laptop is required for these positions due to the exposure of extreme outside elements and higher drop ratings. WSD attempted to procure Toughbooks laptops from the contract with Mobile Concepts Technology, (MCT), but the contract expired prior to completing the purchase. MCT, unaware the contract expired, processed and delivered 89 Toughbooks. With the supply chain issues due to a microchip shortage, and the unsuccessful attempts to procure from other vendors, the Toughbooks delivered by MCT were retained.

Procurement Information

WSD attempted to source the Toughbooks from multiple vendors including CDW-G, Mobile Concepts Technology, SHI International Corp, and Panasonic. Of the four vendors contacted, MCT was the only vendor that had a contract in place at the time and a quote was provided by the contractor. A review of pricing was conducted, and it was determined that the price quote received from MCT was competitive as well as fair and reasonable.

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition-One Time Contract-Due to Time Restrictions.

Contract Term

This is a one-time purchase to procure ruggedized laptops.

Financial Impact

The total value of the one-time purchase will not exceed \$226,653.64.

Funding is available in the Water Services Department Operating Budget.

Responsible Department

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



Brass Fittings and Meters - Request for Award (Ordinance S-49919)

Request to authorize the City Manager, or his designee, to execute a one-time purchase to multiple vendors to provide brass fittings and water meter supplies for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The expenditures will not exceed \$320,000.

Summary

The purpose of this request is to provide funding for Water Services Department (WSD) critical items where contracted vendors have declared extended lead times of nine months or greater. Supply has been located on these critical items from off contracted vendors who have inventory available for WSD to purchase. In order to ensure repairs to the City's water infrastructure are timely, it is necessary to procure specific items off contract.

Procurement Information

WSD contacted multiple vendors including Dana Kepner Company, LLC and Core & Main LP to procure the critical brass fittings and meter supply with a shorter lead time. Additional vendors are being contacted for future purchases under this request, in order to fulfill business critical needs until the contracted vendors can supply the identified items.

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: After the Fact Determination.

Contract Term

This is a one-time purchase to ensure water infrastructure repairs and ongoing projects continue without interruption.

Financial Impact

The total value of the one-time purchase will not exceed \$320,000.

Funding is available in the Water Services Department Operating Budget.

Responsible Department

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



Automated Vehicle Locator Service - RFA 19-SW-008-Amendment (Ordinance S-49986)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 148595 with Manhattan Telecommunications Corporation to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-44634.

Summary

This contract will provide the Water Services, Public Works and Street Transportation departments with electronic vehicle and equipment tracking capabilities for all department vehicles. The amendment will extend the current contract while Water Services Department (WSD) finalizes a new exemption agreement with Manhattan Telecommunications Corporation that is in progress. To satisfy the needs of the city, WSD is requesting a six month extension on the current contract.

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

Contract Term

Upon approval the contract will be extended from June 30, 2023 to Dec. 31, 2023.

Financial Impact

The aggregate value of the contract will not exceed \$2,910,001 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council approved:

- Automated Vehicle Locator Service Agreement 148595 (Ordinance S-44634) on June 6, 2018.
- Automated Vehicle Locator Services Agreement 148595 - Amendment (Ordinance S-47906) on Sept. 8, 2021.
- Automated Vehicle Locator Services Agreement 148595 - Amendment (Ordinance

S-47965-0046) on Oct. 6, 2021.

Responsible Department

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



Locator Equipment Services - RFQ - 1920 - WDD - 231 - Amendment (Ordinance S-49905)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 151225 with AZ Locators, LLC to provide additional funding to the agreement. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed \$19,500.

Summary

The purpose of this amendment is to request additional funds to allow necessary services related to locator equipment services. AZ Locators, LLC is responsible for providing testing, calibration, maintenance, and repair services for City owned locator equipment, which is used by utility technicians to detect subterranean pipes while performing repairs on water and wastewater infrastructure.

Contract Term

The contract term will remain unchanged ending on Jan. 14, 2025.

Financial Impact

The initial authorization for the contract was authorized for an expenditure not-to-exceed \$50,000. An amendment increased the authorization for the contract by \$9,500. This amendment will increase the agreement by an additional \$19,500, for a new total not-to-exceed agreement value of \$79,000.

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

Concurrence/Previous Council Action

The City Council approved:

- Locator Equipment Services Contract 151225 - (Ordinance S-46129) on Nov. 6, 2019.
- Locator Equipment Services Contract 151225 - (Ordinance S-47658-0015) on June 16, 2021.

Responsible Department

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



Maintenance, Support and Development Services Agreement - RFA-22203-WPC-583 - Request for Award (Ordinance S-49926)

Request to authorize the City Manager, or his designee, to enter into an agreement with OZ Engineering, LLC to provide Maintenance, Support and Development Services for Water Department Services. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed \$1,894,600.

Summary

The agreement will provide the Water Services Department the ability to purchase technical support, maintenance and development services, as well as provide ongoing enhancements for data interface applications developed by OZ Engineering, LLC. These services will allow water services to meet regulatory performance requirements, comply with federal, state and county regulations.

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

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition as there exists a lack of available, qualified, vendors to provide services, which makes a competitive selection process impracticable, unnecessary, or contrary to the public interest.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed \$1,894,600 for the five-year aggregate term.

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

Responsible Department

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



Apply for Water Infrastructure Finance Authority - Water Conservation Grant Fund Opportunity: Phoenix Water Conservation Corps Program Development Grant Opportunity for Fiscal Year 2023-24 - American Rescue Plan Act of 2021 (Ordinance S-49948)

Request to retroactively authorize the City Manager, or his designee, to apply for accept and, if awarded, enter into an agreement for disbursement from the state of Arizona (Federal funding origin) from the Water Infrastructure Finance Authority, beginning on or about May 2023 through Fiscal Year (FY) 2026-27. This is the Water Conservation Grant Fund (WIFA-WCGF) opportunity. Further request the City Controller to disburse all funds related to this item. Total grant funds applied for will not exceed \$3 million and the City's local match will not exceed \$2 million.

Summary

The Water Services Department (WSD) submitted a grant application to the Water Infrastructure Finance Authority for a Water Conservation Grant Fund award. This award would be used to pilot and operate a collaborative program to implement residential water conservation solutions. If awarded, WSD would procure a partner organization; ideally, a nonprofit organization which is locally-based and has a demonstrated history of successful conservation work through partnerships with diverse entities (federal, state, city, local, tribal, etc.). The program would be a collaborative effort, and WSD and the Partner would organize and operate a water conservation "corps": a team of young environmental professionals who implement water conservation solutions with Phoenix residents through voluntary educational methods.

The grant program period would have a developmental phase beginning in Summer 2023 and ending in Summer 2024. The conservation corps would begin work at the start of FY 2024-25 and the corps would operate for two years with work concluding in FY 2026-27. The deadline to utilize the WIFA-WCGF funds is Dec. 31, 2026.

The WIFA-WCGF submittal deadline was May 19, 2023.

Financial Impact

The estimated total cost for the program is approximately \$5 million. The maximum

WIFA award is \$3 million. The required local match, if awarded, is 25 percent of the award. If the maximum award is received, the minimum match is \$750,000. WSD projects a water savings of 1,000 to 4,000 acre feet of water as a result of only two years of the programs operation. WSD's plans to go beyond the match, not to exceed \$2 million.

Funding for the local match is available in the Water Services Department's operating budget. There is potential for additional match funding from upcoming Bureau of Reclamation grant opportunities for water conservation related work.

Responsible Department

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



Apply for Water Infrastructure Finance Authority - Water Conservation Grant Fund opportunity: High Efficiency Toilet Replacement, Smart Irrigation Controller, and Turf Conversion Rebate Programs (Ordinance S-49949)

Request to retroactively authorize the City Manager, or his designee, to apply for and accept, if awarded, enter into an agreement for disbursement of Arizona state and Federal funding from the Water Infrastructure Finance Authority, beginning on or about May 2023 through Fiscal Year (FY) 2026-27 the Water Conservation Grant Fund (WIFA-WCGF) opportunity. Further request to authorize the City Controller to disburse all funds related to this item. The total grant funds applied for will not exceed \$3,105,000 and the City's local match will not exceed \$2,600,000.

Summary

The Water Services Department (WSD) submitted a grant application to the Water Infrastructure Finance Authority for a Water Conservation Grant Fund award. This award would be used to offer rebates/incentives to WSD customers for replacing their toilets with a high-efficiency toilet; installing a smart irrigation controller; and/or converting turf grass to desert-adapted landscaping. If awarded, WSD would initiate a program of accepting application for rebates, verifying program eligibility requirements are met, and issuing rebates in the form of a check. The rebate programs would meet an increasing demand for rebates throughout the city and fulfill components of the city's Drought Management Plan.

The grant programs would be phased in over the grant period of FY 2023-24 through FY 2026-27 with operations beginning as soon as possible. The deadline to utilize The WIFA-WCGF funds is Dec. 31, 2026.

The WIFA-WCGF submittal deadline was May 19, 2023.

Due to the timing of the deadline put forth by WIFA, WSD submitted applications prior to obtaining City Council approval. If City Council does not approve this retroactive request, the application will be withdrawn by WSD.

Financial Impact

The estimated total cost for the project is approximately \$5,705,000. The maximum

WIFA award is \$3,100,000. The required local match, if awarded, is 25 percent of the award. If the maximum award is received, the minimum match is \$776,250. WSD projects a water savings of 273 acre-feet of water as a result of only two years of the program's operation. The lifetime savings is estimated to be 1,500 acre-feet. WSD plans to go beyond the match, not to exceed \$2,600,000.

Funding for the local match is available in the Water Services Department's operating budget. There is potential for additional match funding from upcoming Bureau of Reclamation grant opportunities for water conservation related work.

Responsible Department

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



Authorization to Amend Farming Lease Agreement 152025 with K-B Farms, LLC, to Increase Acreage of the Leased Premises and Extend Term (Ordinance S-49911)

Request to authorize the City Manager, or his designee, to amend Lease Agreement 152025 with K-B Farms, LLC, to increase acreage of the leased premises to approximately 7.94 acres and to extend the lease term for three years, plus three additional one-year options. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

The Water Services Department owns approximately 41.64 acres of undeveloped land located west of 99th and Southern avenues. K-B Farms currently leases approximately 6.9 acres and is seeking to expand farming operations by 1.04 acres, increasing the leased premises to approximately 7.94 acres. Additionally, the term of the lease will be extended three years, plus three additional one-year options to extend. Annual rent at the beginning of the extended term is \$196.69 per acre, plus applicable taxes, to be adjusted three percent annually during the three-year extension and at the beginning of each option period. As consideration for the extension, the tenant will forego the remaining term and options under the existing lease agreement.

K-B Farms is a long-term tenant in good standing. All other terms and conditions will remain the same.

Contract Term

Three years, beginning on or around July 1, 2023, plus three additional one-year options to extend.

Financial Impact

Annual revenue during the first year of the extended term will be \$1,561.72, plus applicable taxes.

Concurrence/Previous Council Action

Agreement 152025 authorized by Ordinance S-45991, adopted Sept. 4, 2019.

Location

West of 99th and Southern avenues, within a portion of Maricopa County Assessor parcel numbers 101-49-002K, 101-49-002L, and 101-49-008A.

Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Water Services and Finance departments.



Public Hearing - Proposed Water Service Revenue Increase

Request to hold a public hearing to receive comments on proposed amendment to Section 37-63 of the Phoenix City Code, to provide for an increase in revenues for water service by modifying water rates and decreasing the base allowance of water included with service. This hearing is held in accordance with Arizona Revised Statute 9-511.01.

Summary

Phoenix water rates remain among the most affordable in major cities throughout the Southwest. The proposed increases apply to the volume charges assessed on the water that is used above the modified base allowance amount included in the fixed monthly service charge. As a result of the increase, approximately 17,000 or 4.3 percent of current residential customers, whose usage is under the allowance, will be impacted if they made no changes in their current water usage. The impact of the proposed rate modification to the average single-family home is estimated to be approximately \$17 over the three-year period starting on March 2023. If customers reduced their monthly usage by conserving water, and do not exceed the new allowance amounts, the customers would not see any increase in their water charges.

Public Outreach

Information detailing the proposed decrease in the base allowance of water included with basic water service to 800 cubic feet in the summer months and 500 cubic feet in the non-summer months, from the current level of 1000 cubic feet in the summer months and 600 cubic feet in the non-summer months, and the proposed water revenue increase of 26 percent over a three-year period of calendar years 2023, 2024 and 2025 is available to the public in the City Clerk Department of the City of Phoenix located at 200 W. Washington St., 15th Floor. Information is also available on the City of Phoenix website: <https://www.phoenix.gov/waterrates>.

During the months of March, April, May and June information on the proposed rate increase and changes to the base allowance, was mailed to all water account holders through the City Services bill and PHX at your Service (PAYS). A total of 35 community outreach meetings were held to present information and obtain feedback, and numerous media interviews and social media posts occurred (**Attachment A**). The

Citizens' Water and Wastewater Rate Advisory Committee recommended the proposed revenue increase, citing that it would generate the revenue required to maintain a reliable and cost-effective water services, and invest in the future of the City of Phoenix. The rate revenues proposed will offset financial pressure imposed by substantial increases in costs to supplies and materials due to inflation and maintain an adequate fund balance to retain a AAA bond rating. **(Attachment B)**.

Concurrence/Previous Council Action

On April 18, 2023, the City Council heard the Notice of Intention to consider an increase in water rates and/or rate components and set a public hearing date to consider the proposed increase.

On Jan. 26, 2023, the Citizens' Water/Wastewater Rate Advisory Committee recommended:

- Water rate revenue increases of 6.5 percent effective October 2023, 6.5 percent effective March 2024, and 13 percent effective March 2025.
- Decrease the allowance to 800 cubic feet in the summer months and 500 cubic feet in the non-summer months from the current level of 1000 cubic feet in the summer months and 600 cubic feet in the non-summer months.

On Feb. 15, 2023, the Transportation, Infrastructure, and Innovation Subcommittee:

- Heard information on the proposed rate revenue increase that included updates on the financial plans and inflationary pressures.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Water Services and Finance departments.

ATTACHMENT A
City of Phoenix Water Services Department

Proposed Water Revenues: Outreach and Communication

The Water Services Department conducted extensive public outreach to present information and obtain feedback for the proposed increase to water service revenues.

During the months of March – June 2023, the Water Services Department engaged in the following efforts:

- Public meetings:
 - April 27 at 6:00 p.m. – Virtual (English)
 - May 4 at 6:00 p.m. – In-person (bi-lingual)
 - May 9 at 6:00 p.m. – In-person (bi-lingual)
 - May 15 at 6:00 p.m. – Virtual (Spanish)
 - May 23 at 6:00 p.m. – In-person (bi-lingual)
 - May 25 at 6:00 p.m. – In-person (bi-lingual)
 - June 10 at 11:00 a.m. – In-person (bi-lingual)

Video recordings of public meetings in English and Spanish available on www.phoenix.gov/proposedrates

- 15 Presentations and Questions/Answers at Village Planning Committees (VPCs):
 - March 20 – Laveen VPC
 - March 21 – Estrella Village Planning Committee
 - March 28 – Alhambra VPC
 - April 3 – Encanto VPC
 - April 4 – Desert View VPC
 - April 11 – South Mountain VPC
 - April 12 – Maryvale VPC
 - April 13 – North Gateway VPC
 - April 17 – Central City VPC
 - April 19 – North Mountain VPC
 - April 20 – Deer Valley VPC
 - April 24 – Ahwatukee Foothills VPC
 - May 1 – Paradise Valley VPC
 - May 2 – Camelback East VPC
 - May 9 – Rio Vista VPC
- 6 Meetings Requested by City Council Offices:
 - April 20 at 8:30 a.m. – Coffee Chat – District 3
 - April 24 at 6:00 p.m. – Community Meeting – District 1

Attachment A
City of Phoenix Water Services Department

Proposed Water Revenues: Outreach and Communication

- April 26 at 6:00 p.m. – Leaders Meeting – District 5
- May 30 at 6 p.m. – Community Meeting – District 4
- May 31 at 10 a.m. – Community Meeting – District 1
- June 7 at 6 p.m. – Community Meeting – District 4
- Additional Community Outreach:
 - April 21 at 10:00 a.m. – Women in Leadership
 - May 18 at 6 p.m. – Greater Green Gables HOA

Outreach:

- A new webpage was created for the proposed rate increase at phoenix.gov/proposedrates. The page has been continuously updated as needed.
- An email address (watersmart@phoenix.gov) was advertised to the public for comments and concerns.
- Educational information was posted on Water Services and City of Phoenix social media accounts (Facebook, Instagram, Twitter and Nextdoor)
- A one-page fact sheet in English and Spanish was posted on www.phoenix.gov/proposedrates on March 2023.
- Article appeared in the PAYS newsletter for the months of April and May.
- Bill Messages on the City Services Bill about the proposed rate increase in April and May
- Sent a postcard via regular mail to all residential and commercial customers who receive their City Services bill by mail and sent an email to all customers who receive their bill electronically.
- A newsroom story was posted on phoenix.gov on March 16, 2023.
- Sent a news release to all local media on March 16, 2023, and again in May to promote the in-person public meetings.
- The Phoenix.gov homepage and Water Dept. slider added in March 2023.
- The Notice of Intent (NOI) to raise Water Rates was posted on the City of Phoenix website.
- Newsletter articles in the Library and Neighborhood Services newsletters.
- Phoenix City Hall elevator digital displays.
- The water rate estimator was updated on the www.phoenix.gov/rates website.
- Created a [website public comment form](#) asking people for feedback about the proposed rate increase.

Attachment A
City of Phoenix Water Services Department

Proposed Water Revenues: Outreach and Communication

- Produced and distributed flyers/handouts, postcards at all public meetings and community outreach events.
- Trained the Water Wranglers to demonstrate the rates estimator for attendees at public meetings.

Media promotion:

- 12 News – television interview on March 17, 2023.
- KTAR – radio mention on March 19, 2023.
- Daily Independent – digital article on March 19, 2023.
- FOX 10 – television mention and digital story on March 20, 2023.
- ABC15 Arizona – television interview and digital story on March 20, 2023.
- KTAR – radio interview on March 20, 2023.
- Univision – television interview on March 20, 2023. (Spanish)
- Arizona's Family – television interview on March 20, 2023.
- The Center Square – digital article on March 21, 2023.
- Cronkite News – television interview and digital article on March 27, 2023. (Shared by multiple outlets including Phoenix Business Journal)
- Ahwatukee Foothills News – digital article on April 30, 2023.
- Arizona's Family – television interview on May 3, 2023.
- Cronkite News – television interview on May 4, 2023.
- 12 News – digital article on May 4, 2023.
- KTAR – radio interview on May 4, 2023.
- Telemundo Arizona – television interview on May 4, 2024. (Spanish)
- Univision – television interview on May 8, 2023. (Spanish)
- La Onda | Enlace – radio interview on May 11, 2023.
- The Notice of Intent to raise Water Rates published in Arizona Business Gazette (English).
- GroceryTV: A 15 second video in English and Spanish promoting the water revenue increase placed in Food City and Bashas stores (18 locations) April 6, 2023 – June 28, 2023.

Overall Feedback:

- The public outreach included touch points from in-person meetings and the creation of the online comment form.

Attachment A
City of Phoenix Water Services Department

Proposed Water Revenues: Outreach and Communication

- Reached over 440 participants at public meetings, which generated 200 comments and received nearly 414 comments from the online comment form. Based on feedback gained during public outreach efforts, it appears that residents are generally understanding of why the proposed rate increase is needed.
 - Residents were generally understanding of the need for a rate increase. Many people do not understand how charges are calculated for water and wastewater services. Some people think Phoenix needs higher water rates to motivate people to conserve water. Many people are concerned about being able to afford the higher rates because of their fixed incomes. Some people said the changes to the water allowance will impact them significantly and they think the new allowance levels are unrealistic. Others think that commercial, industrial, and institutional customers should pay more for water service, so the residential customers pay less.

On Jan. 26, 2023, the citizens' Water/Wastewater Rate Advisory Committee unanimously voted to recommended:

- Water rate revenue increases of 6.5 percent effective Oct. 2023, 6.5 percent effective March 2024, and 13 percent effective March 2025; by a vote of 9-0.
- Wastewater rate revenue increases of 6.5 percent effective Oct. 2023, 6.5 percent effective March 2024, and 7 percent effective March 2025, by a vote of 9-0.
- Decrease the current water allowance from 600 cubic feet (6 units) per month to 500 (5 units) from Oct. to May and from 1000 (10 units) to 800 (8 units) from June to Sept., by a vote of 9-0.

On Feb. 15, 2023, the City Council Transportation, Infrastructure and Planning Subcommittee heard information on water resources, infrastructure, and financial plans and provided comment to the Water Services and Finance departments.

At the April 18, 2023, Policy meeting, the City Council voted to adopt the Notice of Intention to consider increases in water rate revenues (noted below) and set a public hearing for the June 28, 2023, Formal meeting.

- 6.5 percent effective Oct. 2023, 6.5 percent effective March 2024, and 13 percent effective March 2025; by a vote of 6 yes, 2 no, and 1 absent.

Attachment A
City of Phoenix Water Services Department

Proposed Water Revenues: Outreach and Communication

- Wastewater rate revenue increases of 6.5 percent effective Oct. 2023, 6.5 percent effective March 2024, and 7 percent effective March 2025; by a vote of 6 yes, 2 no, and 1 absent.
- Decrease the current water allowance from 600 cubic feet (6 units) per month to 500 (5 units) from Oct. to May and from 1000 (10 units) to 800 (8 units) from June to Sept., by a vote of 6 yes, 2 no, and 1 absent.

ATTACHMENT B

May 10, 2023

Mayor Kate Gallego
City of Phoenix

Dear Mayor Gallego and Members of the City Council:

As Chair of the City of Phoenix Water/Wastewater Rate Advisory Committee (WWRAC), I write to express the committee's full support for the proposed water and wastewater revenue increases and other recommended changes. We encourage the Mayor and Council to adopt the proposed revenue increases to ensure that the Water Services Department has the resources necessary to provide high-quality, reliable, and cost-effective water services that meet public needs and maintains support.

Specifically, the Committee endorses the proposed water rate revenue increases of 6.5 percent effective October 2023, 6.5 percent effective March 2024, and 13 percent effective March 24. Also, the committee supports the decrease in the allowance to 800 cubic feet in the summer months and 500 cubic feet in the non-summer months from the current level of 1000 cubic feet in the summer months and 600 cubic feet in the non-summer months. Furthermore, the Committee supports the proposed wastewater revenue increases of 6.5 percent effective October 2023, 6.5 percent effective March 2024, and 7 percent effective March 2025.

While the committee is sensitive to the impact of the proposed revenue increases on residents, we note that the Water Services Department rates are among the most affordable in the region, across multiple metrics, and will continue to be so under the new structure. Under the last water revenue approval in 2021, the Water Services Department ensured full Capital Improvement Program (CIP) funding, continued all Capital Programs after implementation of new rates, and continued Equity Initiatives as proposed. This demonstrates the Department's ongoing commitment to excellence and the highest levels of financial management.

However, inflationary pressures are significantly impacting both Operations and Capital Program budgets, including unprecedented increases in chemicals, electricity, raw water. The proposed plan addresses inflationary adjustments to support future Operations and Maintenance cost, as well as projected bond debt for near-term CIP investment. Further, this addresses the ongoing impacts of the Colorado River shortage by investing in the future through conversion of the Cave Creek Water Reclamation Plant to an Advanced Water Purification Treatment Facility, creating valuable new potable water supplies for Phoenix residents.

I would also like to commend the Water Services Department for providing comprehensive and transparent briefings to the WWRAC. The Director and city staff have fully briefed the WWRAC on water resources, financial forecasts and planning, equity and affordability, and customer experience. After careful consideration and deliberation, the committee was able to make an informed decision.

In closing, the Committee encourages you to adopt proposed water and wastewater rate revenue increases and updates to the allowances. We thank you for the opportunity to serve our community on this committee. If I can offer any additional comments, please contact me at dave.white@asu.edu or (480) 221-0960.

Dave D. White, Ph.D.



Chair, Water/Wastewater Rate Advisory Committee

Cc: Jeff Barton, City Manager
Alan Stephenson, Deputy City Manager
Troy Hayes, Water Services Director



Public Hearing - Proposed Wastewater Service Revenue Increase

Request to hold a public hearing to receive comments on proposed amendment to Sections 28-39 and 28-92 of the Phoenix City Code to provide for a change in the rates for wastewater services. This hearing is held in accordance with Arizona Revised Statute 9-511.01.

Summary

Phoenix wastewater rates remain among the most affordable in major cities throughout the Southwest. The impact of the proposed rate modification to the average single-family home is estimated to be approximately \$6 over the three-year period starting on March 2023.

Public Outreach

Information detailing the proposed water revenue increase of 20 percent over a three-year period of calendar years 2023, 2024, and 2025, is available to the public in the City Clerk Department at the City of Phoenix, located at 200 W. Washington St., 15th Floor. Information is also available on the City of Phoenix website:

<https://www.phoenix.gov/waterrates>.

During the months of March, April, May and June 2023, information on the proposed rate increase was mailed to all water account holders through the City Services bill, and PHX at your Service (PAYS). A total of 35 community outreach meetings were held to present information and obtain feedback, and numerous media interviews and social media posts occurred (**Attachment A**). The Citizens' Water and Wastewater Rate Advisory Committee recommended the proposed revenue increase, citing that it would generate the revenue required to maintain reliable and cost-effective water services, and invest in the future of the City of Phoenix. The rate revenues proposed will offset financial pressure imposed by substantial increases in costs to supplies and materials due to inflation and maintain an adequate fund balance to retain a AAA bond rating. (**Attachment B**).

Concurrence/Previous Council Action

On April 18, 2023, the City Council heard the Notice of Intention to consider an increase in wastewater rates and set a public hearing date to consider the proposed

increase.

On Jan. 26, 2023, the Citizens' Water/Wastewater Rate Advisory Committee recommended:

- Wastewater rate revenue increases of 6.5 percent effective October 2023, 6.5 percent effective March 2024, and 7 percent effective March 2025.

On Feb. 15, 2023, the Transportation, Infrastructure, and Innovation Subcommittee:

- Heard information on the proposed rate revenue increase that included updates on the financial plans, inflationary pressures, and advanced water purification.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Water Services and Finance departments.

ATTACHMENT A
City of Phoenix Water Services Department

Proposed Water Revenues: Outreach and Communication

The Water Services Department conducted extensive public outreach to present information and obtain feedback for the proposed increase to water service revenues.

During the months of March – June 2023, the Water Services Department engaged in the following efforts:

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City of Phoenix Water Services Department

Proposed Water Revenues: Outreach and Communication

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- A new webpage was created for the proposed rate increase at phoenix.gov/proposedrates. The page has been continuously updated as needed.
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Attachment A
City of Phoenix Water Services Department

Proposed Water Revenues: Outreach and Communication

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Attachment A
City of Phoenix Water Services Department

Proposed Water Revenues: Outreach and Communication

- Reached over 440 participants at public meetings, which generated 200 comments and received nearly 414 comments from the online comment form. Based on feedback gained during public outreach efforts, it appears that residents are generally understanding of why the proposed rate increase is needed.
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On Jan. 26, 2023, the citizens' Water/Wastewater Rate Advisory Committee unanimously voted to recommended:

- Water rate revenue increases of 6.5 percent effective Oct. 2023, 6.5 percent effective March 2024, and 13 percent effective March 2025; by a vote of 9-0.
- Wastewater rate revenue increases of 6.5 percent effective Oct. 2023, 6.5 percent effective March 2024, and 7 percent effective March 2025, by a vote of 9-0.
- Decrease the current water allowance from 600 cubic feet (6 units) per month to 500 (5 units) from Oct. to May and from 1000 (10 units) to 800 (8 units) from June to Sept., by a vote of 9-0.

On Feb. 15, 2023, the City Council Transportation, Infrastructure and Planning Subcommittee heard information on water resources, infrastructure, and financial plans and provided comment to the Water Services and Finance departments.

At the April 18, 2023, Policy meeting, the City Council voted to adopt the Notice of Intention to consider increases in water rate revenues (noted below) and set a public hearing for the June 28, 2023, Formal meeting.

- 6.5 percent effective Oct. 2023, 6.5 percent effective March 2024, and 13 percent effective March 2025; by a vote of 6 yes, 2 no, and 1 absent.

Attachment A
City of Phoenix Water Services Department

Proposed Water Revenues: Outreach and Communication

- Wastewater rate revenue increases of 6.5 percent effective Oct. 2023, 6.5 percent effective March 2024, and 7 percent effective March 2025; by a vote of 6 yes, 2 no, and 1 absent.
- Decrease the current water allowance from 600 cubic feet (6 units) per month to 500 (5 units) from Oct. to May and from 1000 (10 units) to 800 (8 units) from June to Sept., by a vote of 6 yes, 2 no, and 1 absent.

ATTACHMENT B

May 10, 2023

Mayor Kate Gallego
City of Phoenix

Dear Mayor Gallego and Members of the City Council:

As Chair of the City of Phoenix Water/Wastewater Rate Advisory Committee (WWRAC), I write to express the committee's full support for the proposed water and wastewater revenue increases and other recommended changes. We encourage the Mayor and Council to adopt the proposed revenue increases to ensure that the Water Services Department has the resources necessary to provide high-quality, reliable, and cost-effective water services that meet public needs and maintains support.

Specifically, the Committee endorses the proposed water rate revenue increases of 6.5 percent effective October 2023, 6.5 percent effective March 2024, and 13 percent effective March 24. Also, the committee supports the decrease in the allowance to 800 cubic feet in the summer months and 500 cubic feet in the non-summer months from the current level of 1000 cubic feet in the summer months and 600 cubic feet in the non-summer months. Furthermore, the Committee supports the proposed wastewater revenue increases of 6.5 percent effective October 2023, 6.5 percent effective March 2024, and 7 percent effective March 2025.

While the committee is sensitive to the impact of the proposed revenue increases on residents, we note that the Water Services Department rates are among the most affordable in the region, across multiple metrics, and will continue to be so under the new structure. Under the last water revenue approval in 2021, the Water Services Department ensured full Capital Improvement Program (CIP) funding, continued all Capital Programs after implementation of new rates, and continued Equity Initiatives as proposed. This demonstrates the Department's ongoing commitment to excellence and the highest levels of financial management.

However, inflationary pressures are significantly impacting both Operations and Capital Program budgets, including unprecedented increases in chemicals, electricity, raw water. The proposed plan addresses inflationary adjustments to support future Operations and Maintenance cost, as well as projected bond debt for near-term CIP investment. Further, this addresses the ongoing impacts of the Colorado River shortage by investing in the future through conversion of the Cave Creek Water Reclamation Plant to an Advanced Water Purification Treatment Facility, creating valuable new potable water supplies for Phoenix residents.

I would also like to commend the Water Services Department for providing comprehensive and transparent briefings to the WWRAC. The Director and city staff have fully briefed the WWRAC on water resources, financial forecasts and planning, equity and affordability, and customer experience. After careful consideration and deliberation, the committee was able to make an informed decision.

In closing, the Committee encourages you to adopt proposed water and wastewater rate revenue increases and updates to the allowances. We thank you for the opportunity to serve our community on this committee. If I can offer any additional comments, please contact me at dave.white@asu.edu or (480) 221-0960.

Dave D. White, Ph.D.



Chair, Water/Wastewater Rate Advisory Committee

Cc: Jeff Barton, City Manager
Alan Stephenson, Deputy City Manager
Troy Hayes, Water Services Director



Amend City Code - Proposed Water Service Revenue Increase (Ordinance G-7128)

Request the City Council amend Section 37-63 of the Phoenix City Code to adjust water service rates and rate components to increase rate revenue by 26 percent over the next two fiscal years.

Summary

The Finance Department, in conjunction with the Water Services Department, develops a Financial Plan, as necessary, to generate revenue required to invest in the future of the City of Phoenix by offsetting financial pressure imposed by substantial increases in costs to supplies and materials due to inflation and maintain an adequate fund balance to retain a AAA bond rating. To support these needs, changes are proposed to the water rates and rate components to be implemented October 2023, March 2024, and March 2025. The rate and rate component proposals are estimated to produce: \$45.5 million in additional revenue in Fiscal Year (FY) 2023-24, \$111.9 million in additional revenue in FY 2024-25, and \$163.1 million in additional revenue in FY 2025-26.

The proposed water rate changes for Oct. 2023 will be applied to the low, medium, and high seasonal volume charges. Beginning October 2023, the water allowance will be reduced to 800 cubic feet (8 units) in the summer months and 500 cubic feet (5 units) in the non-summer months from the current level of 1000 cubic feet (10 units) in the summer months and 600 cubic feet (6 units) in the non-summer months. On average, customer bills for water will increase 6.5 percent. Depending on the actual water consumption and month in which the consumption occurs, some customers may pay more or less than this average.

The proposed water rate changes for March 2024 also will be applied to the low, medium, and high seasonal volume charges. On average, customer bills for water will increase 6.5 percent. Depending on the actual water consumption and the month in which the consumption occurs, some customers may pay more or less than this average.

The proposed water rate changes for March 2025 also will be applied to the low,

medium, and high seasonal volume charges. On average, customer bills for water will increase 13 percent. Depending on the actual water consumption and the month in which the consumption occurs, some customers may pay more or less than this average.

An independent rate consultant has reviewed and evaluated the Water Financial Plan and determined that the financial plan information supports rate adjustments that are reasonable and consistent with rating agency standards (**Attachment A**).

Concurrence/Previous Council Action

On April 18, 2023, the City Council adopted the Notice of Intention (NOI) to consider an increase in water rates and/or rate components:

- Council approved NOI and set public hearing date for June 28, 2023.

On Feb. 15, 2023, the Transportation, Infrastructure, and Innovation Subcommittee:

- Heard information on the proposed revenue increase that included updates on the financial plans, inflationary pressures, and advanced water purification.

On Jan. 26, 2023, the Citizens' Water/Wastewater Rate Advisory Committee recommended:

- Water rate increases of 6.5 percent effective October 2023, 6.5 percent effective March 2024, and 13 percent effective March 2025; and
- Decreasing the allowance to 800 cubic feet (8 units) in the summer months and 500 cubic feet (5 units) in the non-summer months from the current level of 1000 cubic feet (10 units) in the summer months and 600 cubic feet (6 units) in the non-summer months.

Public Outreach

In accordance with Arizona Revised Statute 9-511.01, the City Council will conduct a public hearing on June 28, 2023, to receive comments on the proposed increase in water rates. Additional information regarding public outreach efforts is detailed in the Council Report for the public hearing agenda item. Following the hearing, Council can act upon the proposed amendments to Section 37-63 of the Phoenix City Code to adjust the rates for wastewater service.

Information detailing the proposed water rate revenue increase is available to the public in the City Clerk Department of the City of Phoenix located at 200 W. Washington St., 15th Floor. Additional information can be found on the City of Phoenix website: phoenix.gov/public-notice-tax-and-fee-changes.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the Water Services and Finance departments.



Amend City Code - Proposed Wastewater Service Revenue Increase (Ordinance G-7129)

Request the City Council amend Sections 28-39 and 28-92 of the Phoenix City Code to adjust rates for wastewater service to increase rate revenue by 20 percent over the next two fiscal years.

Summary

The Finance Department, in conjunction with the Water Services Department, develops a Financial Plan, as necessary to generate revenue required to invest in the future of the City of Phoenix by offsetting financial pressure imposed by substantial increases in costs to supplies and materials due to inflation and maintain an adequate fund balance to retain a AAA bond rating. To support these needs, changes are proposed to the wastewater rates to be implemented October 2023, March 2024 and March 2025. These changes are estimated to produce \$16 million in additional revenue in Fiscal Year (FY) 2023-24, \$33.3 million in additional revenue in FY 2024-25, and \$45 million in additional revenue in FY 2025-26.

The proposed wastewater rate changes for October 2023 will be applied to the volume and environmental charges. On average, customer bills for wastewater will increase 6.5 percent. Depending upon the actual amount of water consumption, some customers may pay more or less than this average.

The proposed wastewater rate changes for March 2024 will be applied to the volume and environmental charges. On average, customer bills for wastewater will increase 6.5 percent. Depending upon the actual amount of water consumption, some customers may pay more or less than this average.

The proposed wastewater rate changes for March 2025 will be applied to the volume and environmental charges. On average, customer bills for wastewater will increase 7 percent. Depending upon the actual amount of water consumption, some customers may pay more or less than this average.

An independent rate consultant has reviewed and evaluated the Water Financial Plan and determined that the financial plan information supports rate adjustments that are

reasonable and consistent with rating agency standards (**Attachment A**).

Concurrence/Previous Council Action

On April 18, 2023, the City Council adopted the Notice of Intention (NOI) to consider an increase in wastewater rates and/or rate components and set a public hearing date to consider the proposed increase:

- Council approved NOI and set public hearing date for June 28, 2023.

On Feb. 15, 2023, the Transportation, Infrastructure, and Innovation Subcommittee:

- Heard information on the proposed revenue increase that included updates on the financial plans, inflationary pressures, and advanced water purification.

On Jan. 26, 2023, the Citizens' Water/Wastewater Rate Advisory Committee recommended:

- Wastewater rate increases of 6.5 percent effective October 2023, 6.5 percent effective March 2024, and 7 percent effective March 2025.

Public Outreach

In accordance with Arizona Revised Statute 9-511.01, the City Council will conduct a public hearing on June 28, 2023, to receive comments on the proposed increase in water rates. Additional information regarding public outreach efforts is detailed in the Council Report for the public hearing agenda item. Following the hearing, Council may act upon the proposed amendments to Sections 28-39 and 28-92 of the Phoenix City Code to adjust the rates for wastewater service.

Information detailing the proposed wastewater rate revenue increase is available to the public in the City Clerk Department of the City of Phoenix located at 200 W. Washington St., 15th Floor. Additional information can be found on the City of Phoenix website: phoenix.gov/public-notice-tax-and-free-changes.

Responsible Department

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



Amend Phoenix City Code Section 37-65(B) to Authorize an Increase in the Assessment of the Stormwater Excise Tax (Ordinance G-7127)

Request the City Council amend Section 37-65(B) of the Phoenix City Code to adjust the Stormwater Excise Tax (SET) to increase revenue for the Stormwater Management Program, effective Oct. 1, 2023.

Summary

The City of Phoenix operates a Municipal Separate Storm Sewer System (MS4) via a permit issued under the Federal Clean Water Act from the Arizona Department of Environmental Quality (ADEQ). Compliance with the City's MS4 permit requires a multi-departmental effort to manage citywide stormwater quality via the City's Stormwater Management Program (Program).

Generally, the MS4 permit authorizes discharges from the City's stormwater infrastructure into protected surface waters. The City's stormwater infrastructure includes catch basins, storm drains and outfalls that collect and convey stormwater from streets and other public and private surfaces to retention/detention basins and surface water channels throughout the City. ADEQ issued the City a new MS4 permit that became effective July 1, 2021. This new permit requires the expansion of some existing Program elements and the addition of new Program elements.

New and expanded elements of the Program include: a new stormwater postconstruction control program, a retrofit feasibility study, expanded public outreach requirements, expanded inspection requirements, and expanded reporting and mapping requirements. Non-compliance by the City with the MS4 permit would result in notices of violation and fines from ADEQ and the U.S. Environmental Protection Agency. Other cities across the country who have failed to comply with their stormwater permit are operating under a consent decree, a significantly more stringent and inflexible process.

The Program is funded by a stormwater excise tax (SET) that is assessed on city services bills in accordance with Phoenix City Code Section 37-65(B). The current SET is not sufficient to cover the costs of the new and expanded permit requirements. An increase in the SET is needed to fund the new requirements and for the City to

maintain compliance with the MS4 permit.

Staff evaluated multiple implementation methods for new Program requirements for compliance and the approach that adds minimal staff for private and public sector compliance requirements and keeps costs as low as practicable was selected. The proposed increase reflects that approach.

The SET was originally approved by City Council during Fiscal Year 1993-94 to defray costs associated with the City's MS4 permit (then issued by the U.S. Environmental Protection Agency). Collection of the SET began in October 1993 and was set up as a graduated rate based on account water meter size. Since SET implementation, there have only been two increases (1997 and 2010) to accommodate expanded requirements of the City's prior MS4 permits. The current SET is \$0.70 per single family residential meter.

City staff are requesting an increase in the typical single-family residential water meter rate from \$0.70 to \$0.95 per month. In accordance with the SET structure, the proposed increase is scaled at a graduated rate by meter size using the equivalent dwelling unit methodology.

City staff researched stormwater fees from similar cities that operate under a MS4 permits. No precise equivalent for MS4 permit requirements and stormwater fee approach was found. Of the most similar cities (either in terms of permit requirements or stormwater fee approach), stormwater fees ranged from \$3.75 per month to \$18.06 per month, except for Tucson, which charges \$0.13 per month specifically to fund green stormwater infrastructure projects. Of the cities investigated, the closest equivalents to Phoenix for activities using the fee are San Jose, Calif., San Antonio, Texas, and Oklahoma City, Okla. These cities have monthly residential stormwater fees ranging from \$3.75 to \$14.95 per month. City of Scottsdale, Ariz. has a flat stormwater fee of \$6.10 for all customers.

The City of Phoenix monthly charges currently assessed to water users and the requested changes are shown below.

A. All single-family residential accounts

Current Monthly Charge: \$0.70

New Monthly Charge: \$0.95

B. All other water accounts based on water meter size as follows:

Meter Size	Current Monthly Charge	New Monthly Charge
5/8" or 3/4"	\$0.70	\$0.95

1"	\$1.46	\$1.99
1.5"	\$3.50	\$4.77
2"	\$4.85	\$6.61
3"	\$12.80	\$17.44
4"	\$19.75	\$26.91
6" and Larger	\$30.00	\$40.88

The new SET rate would provide funding for the new and expanded programs and practices required by the City's MS4 permit, supplying a total of approximately \$2 million in additional revenue annually. A summary of the permit requirements and needed resources are included in the attached SET Report (**Attachment B**).

Concurrence/Previous Council Action

The City Council last approved an increase to the SET on April 6, 2010, (Ordinance G-5491) in connection with the prior MS4 permit requirements.

On Feb.15, 2023, the Transportation, Infrastructure and Planning Subcommittee heard information on the proposed SET increase, and on April 18, 2023, information on the proposed SET increase was heard at the City Council Policy Session.

Public Outreach

The Office of Environmental Programs, along with the Water Services, Planning and Development, and Street Transportation departments, conducted public outreach in conjunction with the Water Services Department's water and wastewater rates outreach efforts in the months of March through June 2023.

See **Attachment A** for detailed outreach information.

Responsible Department

This item is submitted by Deputy City Managers Ginger Spencer and Alan Stephenson, the Water Services, Planning and Development and Street Transportation departments, and the Office of Environmental Programs.

ATTACHMENT A

Stormwater Excise Tax Outreach and Communication

Representatives from the Stormwater Management Program comprised of staff from the Office of Environmental Programs, Planning and Development, Street Transportation, and Water Services Departments, conducted extensive public outreach to present information, answer questions, and obtain feedback for the proposed increase to the Stormwater Excise Tax (SET). During the months of March – June 2023, the representatives engaged in the following efforts:

Budget Hearings

Staff participated in all 12 budget hearing meetings with an informational table containing a SET fact sheet and educational materials.

https://www.phoenix.gov/budgetsite/Documents/2023_City_of_Phoenix_Budget_Hearing_Location_List.pdf

Public Community Meetings

Staff from the Stormwater Management Program conducted a joint presentation with the Water Services Department at the following seven meetings:

Date	Location	Time	Format
April 27	Virtual	6:00 pm	English
May 4	Paradise Valley Community Center	6:00 pm	English & Spanish
May 9	Devonshire Senior Center	6:00 pm	English & Spanish
May 15	Virtual	6:00 pm	Spanish
May 23	Maryvale Community Center	6:00 pm	English & Spanish
May 25	South Mountain Community Center	6:00 pm	English & Spanish
June 10	Burton Barr Library	11:00 am	English & Spanish

Video recordings of public meetings in English and Spanish are available on www.phoenix.gov/proposedrates.

Village Planning Committees (VPCs) Meetings

Staff from the Stormwater Management Program conducted a joint presentation with the Water Services Department at all 15 village planning committee meetings:

Date	Village	Type of Meeting
March 20	Laveen VPC	Virtual
March 21	Estrella Village VPC	Virtual
March 28	Alhambra VPC	Virtual
April 3	Encanto VPC	In-person
April 4	Desert View VPC	In-person
April 11	South Mountain VPC	In-person

Date	Village	Type of Meeting
April 12	Maryvale VPC	In-person
April 13	North Gateway VPC	In-person
April 17	Central City VPC	In-person
April 19	North Mountain VPC	In-person
April 20	Deer Valley VPC	In-person
April 24	Ahwatukee Foothills VPC	In-person
May 1	Paradise Valley VPC	In-person
May 2	Camelback East VPC	In-person
May 9	Rio Vista VPC	In-person

Meetings By Request

Date	Requestor	Location	Time
April 20	City Council District 3	Shadow Mountain Senior Center	8:30 am
April 24	City Council District 1	Deer Valley Community Center	6:00 pm
May 22	Arizona Chapter of Associated General Contractors / City of Phoenix Joint Cooperative Committee	Phoenix City Hall and Virtual	3:00 pm
May 30	City Council District 4	Encanto Park Clubhouse	6:00 pm
May 31	City Council District 1	Cholla Public Library	10:00 am
June 7	City Council District 4	Bret Tarver Learning Center	6:00 pm

Public Education and Communication

- Website - A new webpage was created and continuously updated to provide meeting information and detailed information on the proposed rate increases and SET: phoenix.gov/proposedrates.
- E-mail address was advertised to the public for comments and concerns: wsd.esd.outreach@phoenix.gov
- Fact Sheet – One-page informational sheet with versions in English and Spanish, explaining the history of the SET, new and expanded permit requirements requiring the increase, and proposed new rates.
- Report – Per Administrative Regulation 1.98, a report was prepared by staff to explain and justify the increased fee. This comprehensive report is available in both English and Spanish: <https://www.phoenix.gov/public-notice-tax-and-fee-changes>

Media and Public Outreach

- 60-Day Notice of Intent to Modify a Fee – <https://www.phoenix.gov/public-notice-tax-and-fee-changes> - March 2023
- Social Media – Twitter, Facebook, NextDoor
- Phoenix At Your Service (PAYS) Article (English and Spanish) – April and May
- City Services Bill Messages - April and May
- Postcard - Sent to all residential and commercial customers who receive their City Services bill by mail in English and Spanish
- Direct E-mail - E-mail sent to all customers who receive their bill electronically
- City of Phoenix News Release – March 17, 2023
- Newsletter articles in the Library and Neighborhood Services publications
- Phoenix City Hall elevator and lobby digital displays
- Utilized a [website public comment form](#) asking people for feedback about the proposed rate increase.
- 15-Day Notice of intent to Modify a Fee – June 13, 2023

Media Promotions

- North Central News – digital story on March 1, 2023
- Public Now – digital story on March 16, 2023
- All About Arizona News – digital story on March 17, 2023
- KTAR – digital story on March 19, 2023
- Phoenix Independent – digital story on March 19, 2023
- ABC15 Arizona – television interview and digital story on March 20, 2023
- Fox10 – news coverage and digital story on March 20, 2023
- Your Valley – digital news story on March 20, 2023
- AZ Family – digital news story on March 20, 2023
- District 3 Newsletter – March 30, 2023
- Foothills Focus – digital story on April 27, 2023
- AZ PBS – digital news story on April 27, 2023
- Arizona Capital Times – digital story on April 28, 2023
- 12 News – digital article on May 3, 2023

Overall Feedback

Between March and June 2023, staff reached over 400 participants at public meetings which generated 33 written and verbal comments. Overall, there was an understanding of the need to fund this permit-required program.

Most of the comments and questions from in-person meetings centered around regulatory and permit requirements, city budget structure, flood mitigation,

stormwater harvesting, and green stormwater initiatives. Written comments submitted through the website were more procedural in nature with residents requesting clarification on regulatory requirements and use of funds while also expressing concern about inflationary pressures.



City of Phoenix

Stormwater Excise Tax Proposed Increase
Information Report
April 7, 2023

Introduction

The City of Phoenix (City) owns and operates a Phase I Municipal Separate Storm Sewer System (MS4) under a permit issued by the Arizona Department of Environmental Quality (ADEQ) under the federal Clean Water Act, 33 U.S.C. §§ 1251 *et seq.* This MS4 permit is required under federal and state law because discharges to protected surface waters are highly regulated. The City is required to comply with the terms of the MS4 permit.

To protect water quality and minimize the discharge of pollutants, the City established a comprehensive, multi-departmental Stormwater Management Program (Program) to adhere to the City's MS4 permit requirements. This effort includes but is not limited to:

- Maintaining legal authority to control discharges
- Regulating discharges associated with industrial activity
- Controlling discharge of pollutants from construction activity
- Prohibiting and investigating illicit discharges and illegal dumping
- Controlling spills, dumping, and disposal of materials other than stormwater
- Conducting inspections and monitoring to determine permit compliance
- Public education and outreach
- Employee training
- Compliance administration, reporting, and enforcement

The Program is supported by a Stormwater Excise Tax (Tax) that has been in place since 1993 and is currently codified in Phoenix City Code Section 37-65(B). The City is proposing an increase to the Tax for all City water service accounts. This increase is primarily the result of new and expanded permit requirements from the City's latest MS4 permit, which became effective July 1, 2021.

Excise Tax Summary

The Tax is levied monthly on the City Services Bill under the header “State and Other Taxes.” This line item also includes a State of Arizona tax, a Maricopa County freeway tax, a jail tax, and a Hazardous Waste Disposal Tax. An example is provided below.

Figure 1 – Phoenix City Services Bill Example

City of Phoenix City Services Bill

Account Number: 111111111
Billing Date: 3/21/2019
Page 1 of 2

Amount Due \$83.69
Due Date 4/11/2019

Account Summary as of 3/21/2019

Previous Balance	\$78.87
Payments Received - Thank You	-78.87
Balance Forward	0.00
Current Charges	83.69
Total Amount Due	\$83.69

Water and Sewer Service, Fees and Taxes.

Water Base Fee - Based on the customer's meter size, this fee includes 6 units/4,488 gallons from October - May and 10 units/7,480 gallons from June-September.

Water Usage Fee - This is the charge for each unit of water that exceeds the amount included in the Base fee.

Environmental Mandates for Water and Wastewater - Implemented in 1992, these fees support facility modifications and operations, as well as maintenance related to water or sewer services required to meet federal, state and county laws and regulations.

City Services Tax - This excise tax went into effect July 19, 2014, and is based on meter size.

Sewer Fee - This fee is for sewer service and is based on the customer's average monthly water usage billed during the preceding January, February and March, typically the lowest water use months.

State Mandated Jail Costs - This fee, based on meter size, helps the city pay Maricopa County to house inmates that are arrested in Phoenix, and helps pay the costs for State mandated jail sentences.

City Sales Tax - These fees include a Utility Services Tax and a Wastewater Removal Services Tax.

State and Other Taxes - These Fees include taxes from the State of Arizona, Maricopa County Freeway and Jail Taxes, a Hazardous Waste Disposal Tax, and Stormwater Fees based on meter size.

Water/Sewer Service from 2/23/2019 to 3/21/2019

Water Base Fee	5.56
Water Usage Fee	3.05
Environmental Mandates - Water	2.00
City Services Tax	1.50
State Mandated Jail Costs	1.00
State and Other Taxes	1.52
Sewer Fee	32.00
Environmental Mandates - Sewer	6.90
City Sales Tax	1.39
Total	\$56.84

Public Works/Solid Waste from 2/23/2019 to 3/21/2019

Solid Waste Fee	26.80
State Landfill Disposal Fee	0.05
Total	\$26.85

Total Current Charges this period \$83.69

Please detach and return the portion below with your payment

Account Number: 111111111
Amount Paid

Background on Excise Tax

In 1993, the Tax was established to defray the costs associated with the US Environmental Protection Agency (EPA) issued MS4 permit and mandated Program (Ordinance G-3651). All single-family residential City Services bills were assessed \$0.15 per month. All other water accounts were charged a graduated rate by meter size using the equivalent dwelling unit methodology.

The Phoenix City Council approved an increase to implement revisions to the Program after the issuance of a new permit in 1997 (Ordinance G-4029). The single-family rate increased from \$0.15 to \$0.20 per month. All other water accounts continued to be charged a graduated rate by meter size using the equivalent dwelling unit methodology.

Based on EPA and ADEQ review, it was evident that the current funding structure was insufficient to implement the existing permit requirements and expanded 2009 MS4 permit requirements. The city completed an extensive review of the Program, calculated operating costs, and researched comparable city fees for stormwater programs. In 2010, City Council approved a third increase in 17 years to cover new positions and an additional \$3.0 million in operating expenses (Ordinance G-5491).

The single-family monthly rate was established at \$0.70 per month and intended to be sufficient until the next ADEQ permit was issued.

Table 1: Summary of Excise Tax (1993 to Present)

Water Meter Size (Inches)	1993	1997	2010 - Current
5/8"	\$ 0.15	\$ 0.20	\$ 0.70
3/4"	\$ 0.15	\$ 0.20	\$ 0.70
1"	\$ 0.38	\$ 0.51	\$ 1.46
1.5"	\$ 0.75	\$ 1.00	\$ 3.50
2"	\$ 1.20	\$ 1.60	\$ 4.85
3"	\$ 2.25	\$ 3.00	\$ 12.80
4"	\$ 3.75	\$ 5.00	\$ 19.75
6"	\$ 7.50	\$ 10.00	\$ 30.00

*5/8" and 3/4" water meters are typical single family residence water meter sizes

New Permit Requirements

A new permit was issued in January 2021 and became effective on July 1, 2021. The new MS4 Permit requires the implementation of new programs and practices and the expansion of existing program elements. New and expanded elements of the Program include: a new stormwater post-construction control program, retrofit feasibility study, increased public outreach requirements, expanded inspection and monitoring requirements, and expanded reporting and mapping requirements.

Non-compliance by the city with the MS4 permit would result in notices of violations, significant fines, and civil penalties up to \$25,000 per day per violation from ADEQ and the EPA. Other cities across the country who have failed to comply with their stormwater permit have ended up operating under a consent decree, and consequently more stringent and inflexible requirements.

The current Tax is not sufficient to implement the new and expanded permit requirements, therefore an increase to cover the expenses of those requirements must be pursued.

Proposed Increase

Single-family home residential customers would have an increase of \$0.25 per month, which adds up to \$3.00 per year. All other water account increases are calculated at a graduated rate by meter size using the equivalent dwelling unit methodology, in accordance with the current tax structure.

Table 2: Proposed Excise Tax Increase

Meter Size (Inches)	Proposed Increase per month
5/8	\$ 0.25
3/4	\$ 0.25
1	\$ 0.53
1.5	\$ 1.27
2	\$ 1.76
3	\$ 4.64
4	\$ 7.16
6 and larger	\$ 10.88

The cost of the new and expanded MS4 permit elements was calculated via a multi-step process. First, the framework for the new stormwater post-construction program required by the permit had to be developed. Once the framework was established, a reasonable estimate of program costs could then be calculated.

The current Program and expanded elements that are covered by the existing Tax were evaluated. Only those elements not currently supported by the existing Tax were evaluated for additional cost projection. The current number of projects and facilities being reviewed by the City were identified, along with the most recent estimated growth rate to forecast cost over time for these Program elements. The increase in education and outreach, inspections, and reporting requirements were evaluated against current and historic staff loads to identify additional personnel needs and levels. In addition, a cost evaluation of the storm system management improvements was completed.

Staff is confident that all reasonably foreseeable costs of the new and expanded Program elements have been captured by the Tax analysis, including forecasted estimates for cost escalations of equipment, supplies, personnel, database upgrades and support.

The City has worked to minimize the costs of new and expanded permit requirements in a variety of ways. For example:

- Although there are many locations for which local flooding and drainage concerns need to be investigated, the Tax increase limits the support to an investigation of up to 10 locations annually. Limiting this number allows the city to keep the Tax increase minimized. Expanding this investigation to more locations could occur if a proportional increase in the Tax were approved.

- The new stormwater post-construction program is being developed to avoid unnecessary implementation expenses in multiple ways, including utilizing existing programs and procedures wherever possible; siting the program in the Planning and Development Department to capitalize on existing expertise and plan review functions; and emphasizing owner-led inspections and submittal of compliance documentation to reduce program costs and minimize the tax increase.

These additional Program resources will enable the City to maintain compliance with the ADEQ-issued MS4 permit and will alert City staff on the status of the storm system to proactively, rather than reactively, identify and address concerns.

The tax will be used to implement these actions that are currently unfunded. It is estimated to supply a total of approximately \$2 Million in additional revenue annually needed for the Program elements detailed in Table 3 below.

Table 3: Permit Requirements and Needed Resources

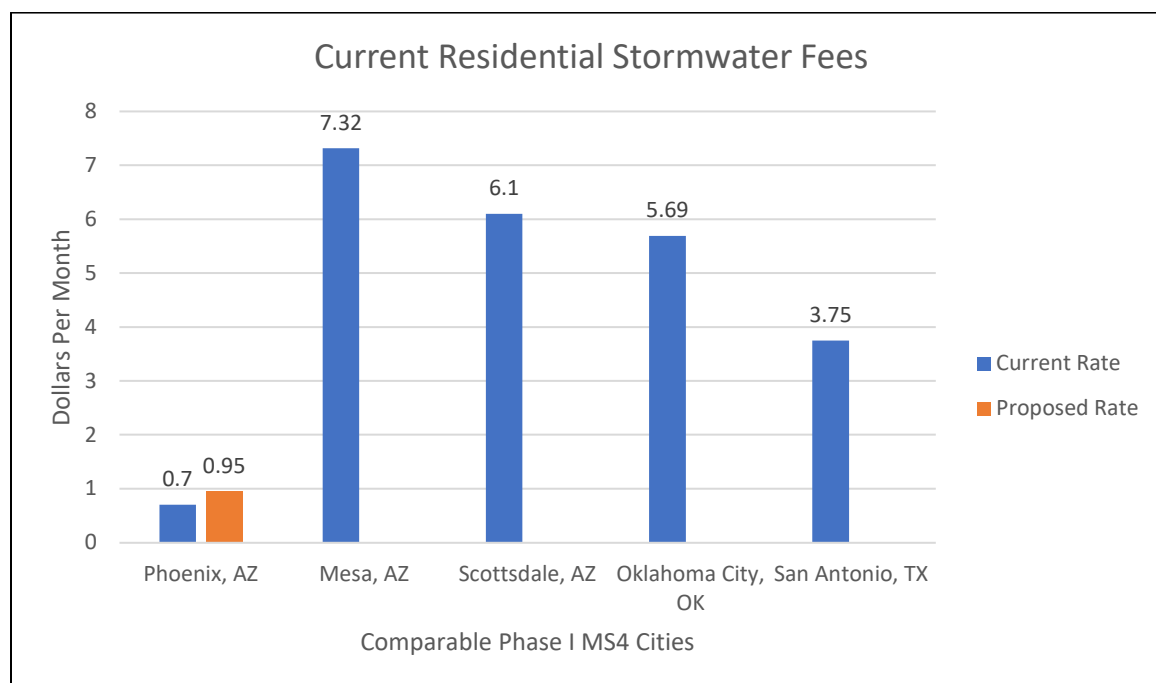
Department	MS4 Permit Actions and Programs	New Resources	Average Annual Financial Impact
Planning & Development	Develop and implement the new permit-required program to inventory, track, inspect and confirm adequate maintenance of post-construction stormwater controls for all private and public development and redevelopment projects.	<ul style="list-style-type: none"> • 5 new positions (phased in over 4 years) • Equipment, supplies, and database development • Training development and education/outreach to owners of post-construction controls • Contractual services 	\$900,000
Water Services	Support expanded permit requirements including public outreach messaging and program modification, increased reporting of non-filers and wet weather monitoring, stormwater management plan updates, tracking and reporting.	<ul style="list-style-type: none"> • 2 new positions • Database development, maintenance, and support 	\$300,000

Department	MS4 Permit Actions and Programs	New Resources	Average Annual Financial Impact
Street Transportation	Improve efficiency and effectiveness related to storm drain evaluation and maintenance.	<ul style="list-style-type: none"> • Develop storm drain asset management program • Support a citywide storm system assessment • Perform up to 10 site evaluations annually of local drainage issues. 	\$ 800,000

City Comparisons

A review of similar cities with Phase I MS4 permits (including Mesa, Scottsdale, Oklahoma City, San Antonio, and Austin) shows current residential storm water taxes and fees ranging from \$3.75 to \$18.06/month. Of the cities investigated, the closest equivalents to Phoenix for activities are Scottsdale, AZ, Mesa, AZ, San Antonio, TX, and Oklahoma City, OK. These cities have monthly residential stormwater fees or taxes ranging from \$3.75 to \$14.95/month. Oklahoma City rates increase by meter size and go up to \$658.92/month. City of Scottsdale, AZ has a flat stormwater fee of \$6.10 for all customers that supports stormwater and capital drainage and flood control projects. City of Mesa has a flat environmental fee of \$7.32 that supports stormwater, dust, and hazardous waste activities.

Graph 1: Comparable Phase I MS4 Cities



Public Outreach

The city plans to conduct public outreach through virtual and in-person community meetings, social media, and online outreach. Below is a schedule of meetings and opportunities to learn more about the proposed Tax increase.

Table 4: Schedule

Month	Activity
February 15, 2023	Notify Transportation and Infrastructure (TIP) Subcommittee
March 2023	Initiate Public Outreach
March - May, 2023	Village Planning Committee Meetings (Water Rate and Stormwater Tax Joint Meeting)
April 18, 2023	City Council Policy Meeting
April – May	Virtual Public Meetings (Water Rate and Stormwater Tax Joint Meeting)
April – May	In-Person Public Meetings (Water Rate and Stormwater Tax Joint Meeting)
May 16, 2023	Publish Notice of Intent with City Clerk and Public Venues
June 2023	Formal Phoenix City Council Meeting for Approval
July - Sept 2023	Public Notification
October 1, 2023	Tax increase goes into effect if approved

Public information on the proposed increase, along with the outreach schedule are available at <https://www.phoenix.gov/public-notice-tax-and-fee-changes>.

Any questions or comments about the excise tax increase can be sent to Wsd.esd.outreach@phoenix.gov and include the term “SW Excise Tax” in the subject line. Staff will respond to any questions posed.

15-Day Notice of Intent

Notice Date: June 13, 2023

Council Date: June 28, 2023

Type: Tax

Description: The City of Phoenix hereby gives notice of its intent to increase the Stormwater Excise Tax.

1. Date, time, and place of meeting.

The proposed tax or fees will be considered by the Phoenix City Council at its formal meeting on June 28, 2023, commencing at 2:30 p.m. at Phoenix City Council Chambers, 200 W. Jefferson St., Phoenix, AZ 85003.

2. Reference to more details.

See information related to the proposed tax under notice date of March 20, 2023:

<https://www.phoenix.gov/public-notice-tax-and-fee-changes>

Department: Water Services Department, Street Transportation Department, Planning and Development Department

Statutory and City Code Reference: Phoenix City Code 37-35(B)

More Information/Contact: Email - wsd.esd.outreach@phoenix.gov (include Stormwater Excise Tax in the subject line) Visit - [Phoenix.gov/ProposedRates](https://www.phoenix.gov/ProposedRates)

60-Day Notice

Notice Date: March 20, 2023

Council Date: June 28, 2023

Type: Tax

Description: The City of Phoenix hereby gives notice of a proposed increase to the Stormwater Excise tax. This increase is primarily the result of new and expanded permit requirements from the City's latest MS4 permit, which became effective July 1, 2021. This increase is projected to provide the additional revenue required for the Program through October 2028.

1. Date, time, and place of meeting.

Information will be provided at the March and April Village Planning Committee Meetings. Additional public meeting information is available online at [Phoenix.gov/ProposedRates](https://www.phoenix.gov/ProposedRates). The proposed tax increase will be considered at the Phoenix City Council Formal meeting on or after June 28, 2023, at 2:30 PM. The meeting will be held at Phoenix City Council Chambers, 200 West Jefferson Street, Phoenix, AZ 85003.

2. Reference to more details.

This notice of intent is posted effective: March 20, 2023.

See information related to the proposed tax under notice date of March 20, 2023:

<https://www.phoenix.gov/public-notice-tax-and-fee-changes>

English Information (PDF) – Attached

Información en español (PDF) – Attached

Department: Water Services Department, Street Transportation Department, Planning and Development Department

Statutory and City Code Reference: Phoenix City Code 37-35(B)

More Information/Contact:

Email - wsd.esd.outreach@phoenix.gov (include Stormwater Excise Tax in the subject line)

Visit - [Phoenix.gov/ProposedRates](https://www.phoenix.gov/ProposedRates)



Authorize Expenditures and New Positions Funded by the Stormwater Excise Tax Increase for MS4 Permit Compliance (Ordinance S-49965)

Request to authorize the City Manager, or his designee, to add seven new positions to the multi-departmental Stormwater Management Program and to expend funds related to the City's new MS4 permit and associated Stormwater Excise Tax (SET) increase. No General Fund dollars are requested to support this request; funding will be provided by the proposed increase to the SET.

Summary

The City of Phoenix operates a Municipal Separate Storm Sewer System (MS4) via a permit issued under the federal Clean Water Act from the Arizona Department of Environmental Quality (ADEQ). Compliance with the City's MS4 permit requires a multi-departmental effort to manage citywide stormwater quality via the City's Stormwater Management Program (Program).

Generally, the MS4 permit authorizes discharges from the City's stormwater infrastructure into protected surface waters. The City's stormwater infrastructure includes catch basins, storm drains and outfalls that collect and convey stormwater from streets and other public and private surfaces to retention/detention basins and surface water channels throughout the City. ADEQ issued the City a new MS4 permit that became effective July 1, 2021. This new permit requires the expansion of some existing Program elements and the addition of new Program elements.

New and expanded elements of the Program include: a new stormwater post construction control program, a retrofit feasibility study, expanded public outreach requirements, expanded inspection requirements, and expanded reporting and mapping requirements. Non-compliance by the City with the MS4 permit would result in notices of violation and fines from ADEQ and the Environmental Protection Agency. Other cities across the country who have failed to comply with their stormwater permit are operating under a consent decree, a significantly more stringent and inflexible process.

This is the second part of a joint request to increase the stormwater excise tax (23-1540) and obtain approval to expend the funds for MS4 permit compliance activities

and resources and add new staff positions to support compliance as funding permits.

Staff evaluated multiple implementation methods for new Program elements and ultimately selected the approach that adds minimal staff for compliance requirements. The proposed SET increase and number of new staff positions reflects that approach. The positions would be phased in over the course of three years to meet permit compliance needs.

See **Attachment A** for details on the new positions being requested and the attached Stormwater Excise Tax Increase Report (**Attachment B**) for more detail on other program elements to be funded by the SET increase.

Concurrence/Previous Council Action

The City Council last approved an increase to the SET on April 6, 2010, (Ordinance G-5491) in connection with the prior MS4 permit requirements.

On Feb. 15, 2023, the Transportation, Infrastructure and Planning Subcommittee heard information on the proposed SET increase and on April 18, 2023, information on the proposed SET increase was heard at the Council Policy Session. The proposed SET increase is in front of Council for decision at this June 28, 2023, Formal Council Meeting.

Financial Impact

The estimated cost for the new staff positions for the remainder of Fiscal Year 2023-24 is estimated to be \$280,826 and full year costs for Fiscal Year 2024-25 are estimated to be \$837,817. Average annual costs of the new and expanded activities covered by the SET increase is \$1,960,547. No General Funds are requested to support these staffing and Stormwater Management Program requirements. The SET increase would provide the funding.

Responsible Department

This item is submitted by Deputy City Managers Ginger Spencer and Alan Stephenson, and the Water Services, Planning and Development and Street Transportation departments.

ATTACHMENT A
Stormwater Management Program Additional Positions

POSITION	NEED
Economic Development Program Manager (1) Planning & Development Department	Develop and implement the new permit-required stormwater post-construction program to inventory, track, inspect and confirm adequate maintenance of post-construction controls for all private and public development projects. Lead development and management of program and supervise staff, complaint, and enforcement response.
Principal Engineering Technician (2) Planning & Development Department	These positions are anticipated to be hired in the first and third years after SET approval is obtained. These positions are the primary staff evaluating functionality of post-construction controls through administrative and field inspections, conducting initial complaint investigations, and enforcement actions when necessary.
Administrative Assistant I Planning & Development Department	Provides support to the post-construction program, updates database information, researches property ownership, prepares communication and outreach to stakeholders, facilitates contractual services, and assists with staff training and development.
GIS Technician or Similar (1) Planning & Development Department or Street Transportation Department	Focuses on updating central records and/or the spatial inventory of stormwater post-construction controls in a timely manner and assists with mapping stormwater infrastructure. Options are being evaluated to determine the most effective placement of this position.
Water Services Project Coordinator (1) Water Services Department	To lead implementation and management of program and supervise staff, assess rules/regulations for impacts on the Department and City, report preparation, evaluate effectiveness of public outreach and enforcement response, serve as primary contact for stakeholder activities.
Environmental Quality Specialist (1) Water Services Department	To verify and update Industrial and Commercial facility inspection data, complete and submit Discharge Monitoring Reports, annual report generation and documentation for program modification, coordination of training and outreach requirements.
TOTAL STAFF	7



City of Phoenix

Stormwater Excise Tax Proposed Increase
Information Report
April 7, 2023

Introduction

The City of Phoenix (City) owns and operates a Phase I Municipal Separate Storm Sewer System (MS4) under a permit issued by the Arizona Department of Environmental Quality (ADEQ) under the federal Clean Water Act, 33 U.S.C. §§ 1251 *et seq.* This MS4 permit is required under federal and state law because discharges to protected surface waters are highly regulated. The City is required to comply with the terms of the MS4 permit.

To protect water quality and minimize the discharge of pollutants, the City established a comprehensive, multi-departmental Stormwater Management Program (Program) to adhere to the City's MS4 permit requirements. This effort includes but is not limited to:

- Maintaining legal authority to control discharges
- Regulating discharges associated with industrial activity
- Controlling discharge of pollutants from construction activity
- Prohibiting and investigating illicit discharges and illegal dumping
- Controlling spills, dumping, and disposal of materials other than stormwater
- Conducting inspections and monitoring to determine permit compliance
- Public education and outreach
- Employee training
- Compliance administration, reporting, and enforcement

The Program is supported by a Stormwater Excise Tax (Tax) that has been in place since 1993 and is currently codified in Phoenix City Code Section 37-65(B). The City is proposing an increase to the Tax for all City water service accounts. This increase is primarily the result of new and expanded permit requirements from the City's latest MS4 permit, which became effective July 1, 2021.

Excise Tax Summary

The Tax is levied monthly on the City Services Bill under the header “State and Other Taxes.” This line item also includes a State of Arizona tax, a Maricopa County freeway tax, a jail tax, and a Hazardous Waste Disposal Tax. An example is provided below.

Figure 1 – Phoenix City Services Bill Example

City of Phoenix
City Services Bill

Account Number: 111111111
Billing Date: 3/21/2019
Page 1 of 2

Amount Due \$83.69
Due Date 4/11/2019

Account Summary as of 3/21/2019

Previous Balance	\$78.87
Payments Received - Thank You	-78.87
Balance Forward	0.00
Current Charges	83.69
Total Amount Due	\$83.69

Water and Sewer Service, Fees and Taxes.

Water Base Fee - Based on the customer's meter size, this fee includes 6 units/4,488 gallons from October - May and 10 units/7,480 gallons from June-September.

Water Usage Fee - This is the charge for each unit of water that exceeds the amount included in the Base fee.

Environmental Mandates for Water and Wastewater - Implemented in 1992, these fees support facility modifications and operations, as well as maintenance related to water or sewer services required to meet federal, state and county laws and regulations.

City Services Tax - This excise tax went into effect July 19, 2014, and is based on meter size.

Sewer Fee - This fee is for sewer service and is based on the customer's average monthly water usage billed during the preceding January, February and March, typically the lowest water use months.

State Mandated Jail Costs - This fee, based on meter size, helps the city pay Maricopa County to house inmates that are arrested in Phoenix, and helps pay the costs for State mandated jail sentences.

City Sales Tax - These fees include a Utility Services Tax and a Wastewater Removal Services Tax.

State and Other Taxes - These Fees include taxes from the State of Arizona, Maricopa County Freeway and Jail Taxes, a Hazardous Waste Disposal Tax, and Stormwater Fees based on meter size.

Water/Sewer Service from 2/23/2019 to 3/21/2019

Water Base Fee	5.56
Water Usage Fee	3.05
Environmental Mandates - Water	2.00
City Services Tax	1.50
State Mandated Jail Costs	1.00
State and Other Taxes	1.52
Sewer Fee	32.00
Environmental Mandates - Sewer	6.90
City Sales Tax	1.39
Total	\$56.84

Public Works/Solid Waste from 2/23/2019 to 3/21/2019

Solid Waste Fee	26.80
State Landfill Disposal Fee	0.05
Total	\$26.85

Total Current Charges this period \$83.69

Please detach and return the portion below with your payment

Account Number: 111111111
Amount Paid

Background on Excise Tax

In 1993, the Tax was established to defray the costs associated with the US Environmental Protection Agency (EPA) issued MS4 permit and mandated Program (Ordinance G-3651). All single-family residential City Services bills were assessed \$0.15 per month. All other water accounts were charged a graduated rate by meter size using the equivalent dwelling unit methodology.

The Phoenix City Council approved an increase to implement revisions to the Program after the issuance of a new permit in 1997 (Ordinance G-4029). The single-family rate increased from \$0.15 to \$0.20 per month. All other water accounts continued to be charged a graduated rate by meter size using the equivalent dwelling unit methodology.

Based on EPA and ADEQ review, it was evident that the current funding structure was insufficient to implement the existing permit requirements and expanded 2009 MS4 permit requirements. The city completed an extensive review of the Program, calculated operating costs, and researched comparable city fees for stormwater programs. In 2010, City Council approved a third increase in 17 years to cover new positions and an additional \$3.0 million in operating expenses (Ordinance G-5491).

The single-family monthly rate was established at \$0.70 per month and intended to be sufficient until the next ADEQ permit was issued.

Table 1: Summary of Excise Tax (1993 to Present)

Water Meter Size (Inches)	1993	1997	2010 - Current
5/8"	\$ 0.15	\$ 0.20	\$ 0.70
3/4"	\$ 0.15	\$ 0.20	\$ 0.70
1"	\$ 0.38	\$ 0.51	\$ 1.46
1.5"	\$ 0.75	\$ 1.00	\$ 3.50
2"	\$ 1.20	\$ 1.60	\$ 4.85
3"	\$ 2.25	\$ 3.00	\$ 12.80
4"	\$ 3.75	\$ 5.00	\$ 19.75
6"	\$ 7.50	\$ 10.00	\$ 30.00

*5/8" and 3/4" water meters are typical single family residence water meter sizes

New Permit Requirements

A new permit was issued in January 2021 and became effective on July 1, 2021. The new MS4 Permit requires the implementation of new programs and practices and the expansion of existing program elements. New and expanded elements of the Program include: a new stormwater post-construction control program, retrofit feasibility study, increased public outreach requirements, expanded inspection and monitoring requirements, and expanded reporting and mapping requirements.

Non-compliance by the city with the MS4 permit would result in notices of violations, significant fines, and civil penalties up to \$25,000 per day per violation from ADEQ and the EPA. Other cities across the country who have failed to comply with their stormwater permit have ended up operating under a consent decree, and consequently more stringent and inflexible requirements.

The current Tax is not sufficient to implement the new and expanded permit requirements, therefore an increase to cover the expenses of those requirements must be pursued.

Proposed Increase

Single-family home residential customers would have an increase of \$0.25 per month, which adds up to \$3.00 per year. All other water account increases are calculated at a graduated rate by meter size using the equivalent dwelling unit methodology, in accordance with the current tax structure.

Table 2: Proposed Excise Tax Increase

Meter Size (Inches)	Proposed Increase per month
5/8	\$ 0.25
3/4	\$ 0.25
1	\$ 0.53
1.5	\$ 1.27
2	\$ 1.76
3	\$ 4.64
4	\$ 7.16
6 and larger	\$ 10.88

The cost of the new and expanded MS4 permit elements was calculated via a multi-step process. First, the framework for the new stormwater post-construction program required by the permit had to be developed. Once the framework was established, a reasonable estimate of program costs could then be calculated.

The current Program and expanded elements that are covered by the existing Tax were evaluated. Only those elements not currently supported by the existing Tax were evaluated for additional cost projection. The current number of projects and facilities being reviewed by the City were identified, along with the most recent estimated growth rate to forecast cost over time for these Program elements. The increase in education and outreach, inspections, and reporting requirements were evaluated against current and historic staff loads to identify additional personnel needs and levels. In addition, a cost evaluation of the storm system management improvements was completed.

Staff is confident that all reasonably foreseeable costs of the new and expanded Program elements have been captured by the Tax analysis, including forecasted estimates for cost escalations of equipment, supplies, personnel, database upgrades and support.

The City has worked to minimize the costs of new and expanded permit requirements in a variety of ways. For example:

- Although there are many locations for which local flooding and drainage concerns need to be investigated, the Tax increase limits the support to an investigation of up to 10 locations annually. Limiting this number allows the city to keep the Tax increase minimized. Expanding this investigation to more locations could occur if a proportional increase in the Tax were approved.

- The new stormwater post-construction program is being developed to avoid unnecessary implementation expenses in multiple ways, including utilizing existing programs and procedures wherever possible; siting the program in the Planning and Development Department to capitalize on existing expertise and plan review functions; and emphasizing owner-led inspections and submittal of compliance documentation to reduce program costs and minimize the tax increase.

These additional Program resources will enable the City to maintain compliance with the ADEQ-issued MS4 permit and will alert City staff on the status of the storm system to proactively, rather than reactively, identify and address concerns.

The tax will be used to implement these actions that are currently unfunded. It is estimated to supply a total of approximately \$2 Million in additional revenue annually needed for the Program elements detailed in Table 3 below.

Table 3: Permit Requirements and Needed Resources

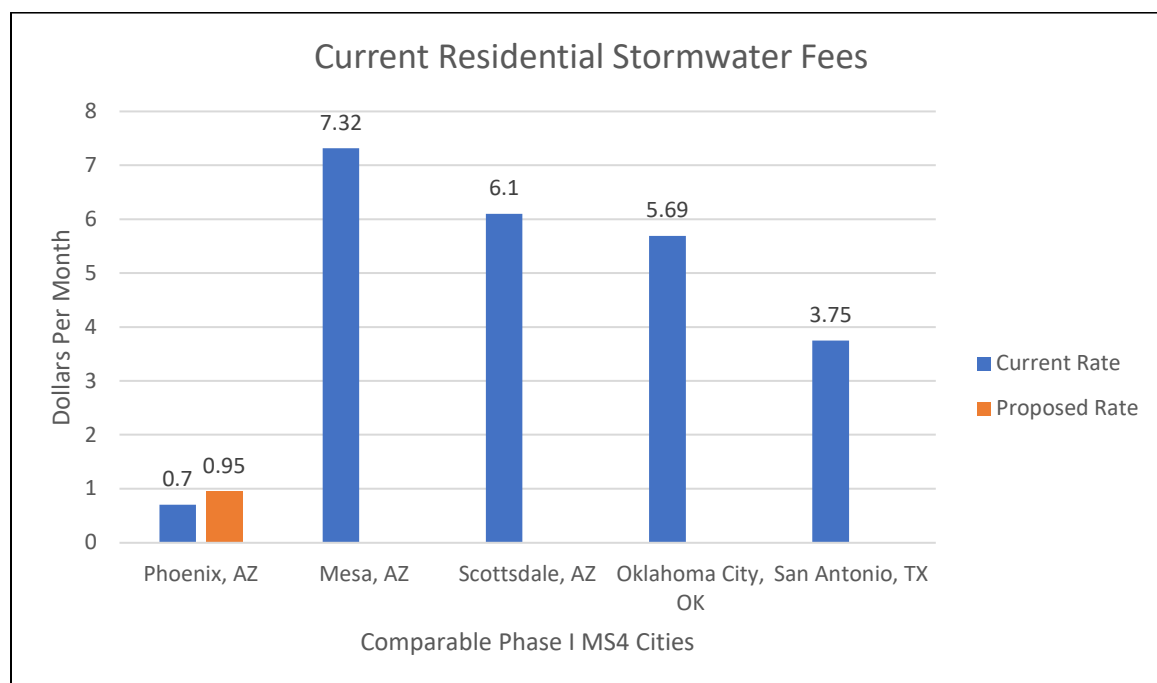
Department	MS4 Permit Actions and Programs	New Resources	Average Annual Financial Impact
Planning & Development	Develop and implement the new permit-required program to inventory, track, inspect and confirm adequate maintenance of post-construction stormwater controls for all private and public development and redevelopment projects.	<ul style="list-style-type: none"> • 5 new positions (phased in over 4 years) • Equipment, supplies, and database development • Training development and education/outreach to owners of post-construction controls • Contractual services 	\$900,000
Water Services	Support expanded permit requirements including public outreach messaging and program modification, increased reporting of non-filers and wet weather monitoring, stormwater management plan updates, tracking and reporting.	<ul style="list-style-type: none"> • 2 new positions • Database development, maintenance, and support 	\$300,000

Department	MS4 Permit Actions and Programs	New Resources	Average Annual Financial Impact
Street Transportation	Improve efficiency and effectiveness related to storm drain evaluation and maintenance.	<ul style="list-style-type: none"> • Develop storm drain asset management program • Support a citywide storm system assessment • Perform up to 10 site evaluations annually of local drainage issues. 	\$ 800,000

City Comparisons

A review of similar cities with Phase I MS4 permits (including Mesa, Scottsdale, Oklahoma City, San Antonio, and Austin) shows current residential storm water taxes and fees ranging from \$3.75 to \$18.06/month. Of the cities investigated, the closest equivalents to Phoenix for activities are Scottsdale, AZ, Mesa, AZ, San Antonio, TX, and Oklahoma City, OK. These cities have monthly residential stormwater fees or taxes ranging from \$3.75 to \$14.95/month. Oklahoma City rates increase by meter size and go up to \$658.92/month. City of Scottsdale, AZ has a flat stormwater fee of \$6.10 for all customers that supports stormwater and capital drainage and flood control projects. City of Mesa has a flat environmental fee of \$7.32 that supports stormwater, dust, and hazardous waste activities.

Graph 1: Comparable Phase I MS4 Cities



Public Outreach

The city plans to conduct public outreach through virtual and in-person community meetings, social media, and online outreach. Below is a schedule of meetings and opportunities to learn more about the proposed Tax increase.

Table 4: Schedule

Month	Activity
February 15, 2023	Notify Transportation and Infrastructure (TIP) Subcommittee
March 2023	Initiate Public Outreach
March - May, 2023	Village Planning Committee Meetings (Water Rate and Stormwater Tax Joint Meeting)
April 18, 2023	City Council Policy Meeting
April – May	Virtual Public Meetings (Water Rate and Stormwater Tax Joint Meeting)
April – May	In-Person Public Meetings (Water Rate and Stormwater Tax Joint Meeting)
May 16, 2023	Publish Notice of Intent with City Clerk and Public Venues
June 2023	Formal Phoenix City Council Meeting for Approval
July - Sept 2023	Public Notification
October 1, 2023	Tax increase goes into effect if approved

Public information on the proposed increase, along with the outreach schedule are available at <https://www.phoenix.gov/public-notice-tax-and-fee-changes>.

Any questions or comments about the excise tax increase can be sent to Wsd.esd.outreach@phoenix.gov and include the term “SW Excise Tax” in the subject line. Staff will respond to any questions posed.



Report

Agenda Date: 6/28/2023, Item No. 182

Final Plat - Pinnacle Peak and 23rd Ave - PLAT 230026 - Southwest Corner of William A. Alter Way and 23rd Avenue

Plat: 230026
Project: 20-162
Name of Plat: Pinnacle Peak and 23rd Ave
Owner: MREG Deer Valley SFR, LLC
Engineer: James A. Brucci, RLS
Request: A One-Lot Commercial Plat
Reviewed by Staff: May 24, 2023
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southwest corner of William A. Alter Way and 23rd Avenue
Council District: 1

Responsible Department

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



Report

Agenda Date: 6/28/2023, Item No. 183

Final Plat - 29th Avenue and Sonoran Desert Drive - PLAT 220042 - Northwest Corner of 29th Avenue and Sonoran Desert Drive

Plat: 220042

Project: 21-1206

Name of Plat: 29th Avenue and Sonoran Desert Drive

Owner: Blueprint Sonoran, LLC, Sonoran Desert Retail, LLC, CWS 29th Sonoran MF, L.P.

Engineer: James G. Spring, RLS

Request: A Three-Lot Commercial Plat

Reviewed by Staff: May 11, 2023

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 230002.

Location

Generally located at the northwest corner of 29th Avenue and Sonoran Desert Drive
Council District: 2

Responsible Department

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



Final Plat - 17 North - Amended - PLAT 230030 - Northeast Corner of Blue Sky Drive and Black Canyon Highway

Plat: 230030
Project: 20-2966
Name of Plat: 17 North - Amended
Owner: Brookfield Holdings, LLC
Engineer: James A. Loftis, RLS
Request: A 272-Lot Residential Plat
Reviewed by Staff: May 16, 2023
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

Northeast corner of Blue Sky Drive and Black Canyon Highway
Council District: 2

Responsible Department

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



Final Plat - Pierson and 11th Ave Townhomes - PLAT 220004 - Southeast Corner of 11th Avenue and Pierson Street

Plat: 220004
Project: 20-2152
Name of Plat: Pierson and 11th Ave Townhomes
Owner: Rich Frank
Engineer: Shane R. Barnett, RLS
Request: A 13-Lot Residential Plat
Reviewed by Staff: May 30, 2023
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southeast corner of 11th Avenue and Pierson Street
Council District: 4

Responsible Department

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



Final Plat - Park Aldea II - PLAT 230002 - Southwest Corner of Montebello Avenue and 101st Avenue

Plat: 230002
Project: 18-3875
Name of Plat: Park Aldea II
Owner: TC Park Aldea Phase 2 Venture, LLC
Engineer: James M. Williamson, RLS
Request: A Four-Lot Commercial Plat
Reviewed by Staff: May 25, 2023
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southwest corner of Montebello Avenue and 101st Avenue
Council District: 5

Responsible Department

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



Final Plat - Ryder 202 and I-10 - PLAT 220085 - Northeast Corner of 57th Avenue and Latham Street

Plat: 220085
Project: 18-3673
Name of Plat: Ryder 202 and I-10
Owner: Ryder System, Inc.
Engineer: Thomas E. Granillo, RLS
Request: A One-Lot Commercial Plat
Reviewed by Staff: May 18, 2023
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 180071. The sequence of recording is that the resolution of abandonment is recorded first and the plat second.

Location

Generally located at the northeast corner of 57th Avenue and Latham Street
Council District: 7

Responsible Department

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



**Abandonment of Easement - ABND 230002 - 2800 West Sonoran Desert Drive
(Resolution 22137)**

Abandonment: ABND 230002

Project: 21-1206

Applicant: Blueprint Sonoran, LLC

Request: To abandon the 120-foot drainage easement north of Sonoran Desert Drive for Parcel 16A.

Date of Decision/Hearing: March 8, 2023

Summary

The resolution of the abandonment and PLAT 220042 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location

2800 West Sonoran Desert Drive

Council District: 2

Financial Impact

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

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

Responsible Department

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



Abandonment of Easement - ABND 230024 - 17217 N. 17th Ave. (Resolution 22135)

Abandonment: ABND 230024

Project: 01-21134

Applicants: APSP Phoenix LLC, c/o Andover Properties, LLC

Request: To abandon the 16-foot wide public utility easement (PUE) 99 feet south of the north property line of APN# 201-08-007W.

Date of Decision/Hearing: June 13, 2023

Location

17217 N. 17th Ave.

Council District: 3

Financial Impact

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

No consideration fee was required as a part of this easement abandonment, although filing fees were paid.

Responsible Department

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



Abandonment of Right-of-Way and Easements - V180071 - 5546 West Latham Street (Resolution 22134)

Abandonment: V180071A

Project: 18-1533

Applicants: Rod Jarvis and Greg Loper; Earl & Curley P.C.

Request: To abandon right-of-way and public utility easements, bounded by parcels APN 103-27-018, 103-27-017C and 103-27-062B.

Date of Decision/Hearing: Jan. 22, 2019

Summary

The resolution of the abandonment and PLAT 220085 are to be recorded together with the Maricopa County recorder on the same day at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location

5546 W. Latham St.

Council District: 7

Financial Impact

A consideration fee was also collected as part of this right-of-way and easements abandonment in the amount of \$34,025.

Responsible Department

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



Authorization to Enter into a Development Agreement for Funding to Help Complete Sonoran Desert Drive and Dove Valley Road (Ordinance S-49976)

Request to authorize the City Manager, or his designee, to negotiate and enter into a development agreement between the City of Phoenix, Taylor Morrison/Arizona, INC., and Macewen Ranch LLC outlining the parties' participation contributions to Sonoran Desert Drive and Dove Valley Road. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, funds related to this item.

Summary

Taylor Morrison is proposing a contribution to address their traffic impacts to Sonoran Desert Drive resulting from their development of a residential community (Verdin) in north Phoenix. The contribution is consistent with the City Council adopted Sonoran Desert Drive Funding Policy as follows:

- The developer will make a contribution for each home built within their development at the time building permits are purchased for new home construction.
- The funds will be combined with other funding to design and construct Sonoran Desert Drive in the future.
- The contribution will be adjusted for inflation periodically in accordance with an agreed upon index.
- The developer anticipates an approximately 8-10 year development horizon to reach full build out of the parcel.

Financial Impact

The City will receive a proportionate funding contribution in lieu of built improvements to be held in a separate account for future completion of Sonoran Desert Drive and Dove Valley Road between North Valley Parkway and Cave Creek Road.

Concurrence/Previous Council Action

City Council has approved:

- Sonoran Desert Drive Funding Policy (Resolution 22048) on July 1, 2022.
 - Formation of the Verdin Community Facilities District (CFD) (Resolution 22114) on April 19, 2023.
 - Authorization to negotiate a development agreement for CFD administrative costs (Ordinance S-49611) on April 19, 2023.
-

Location

The Verdin CFD is generally the 473 acres of land on the south side of Sonoran Desert Drive between the 16th and 24th Street alignments.

Council District: 2

Responsible Department

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



Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-23--Z-9-20-6 - Southwest Corner of 16th Street and Colter Street (Ordinance G-7130)

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 May 17, 2023.

Summary

Application: PHO-1-23--Z-9-20-6

Existing Zoning: C-O, PUD

Acreage: 3.48

Applicant: Trinsic Residential Group

Owner: Willowick Square Owner LLC

Representative: Benjamin Tate, Withey Morris Baugh PLC

Proposal:

1. Request to review and approve proposed modifications to a conceptual site plan (building footprint and south building setback) that do not meet the criteria for administrative review per Section 671.E.3.b.

VPC Recommendation: The Camelback East Village Planning Committee chose not to hear this case.

PHO Recommendation: The Planning Hearing Officer recommended approval with modifications and additional stipulations.

Location

Southwest corner of 16th Street and Colter Street

Council District: 6

Parcel Address: 5150 N 16th St.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-9-20-6 PREVIOUSLY APPROVED BY
ORDINANCE G-6816.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as
follows:

SECTION 1. The zoning stipulations applicable located at the
southwest corner of 16th Street and Colter Street in a portion of Section 16,
Township 2 North, Range 3 east of the Gila and Salt River base and meridian,
Maricopa County, Arizona, as described more specifically in Attachment "A", are
hereby modified to read as set forth below.

STIPULATIONS:

1. An updated Development Narrative for the Willowick PUD reflecting the
changes approved through this request shall be submitted to the Planning
and Development Department within 30 days of City Council approval of this
request. The updated Development Narrative shall be consistent with the
Development Narrative date stamped ~~December 21, 2020~~ JUNE 9, 2022, as
modified by the following stipulations:
 - a. ~~Front cover: Revise the submittal date information on the bottom to
add the following: Hearing draft: December 21, 2020; City Council
adopted: [Add adoption date].~~

EXHIBIT 4: REMOVE EXISTING CONCEPTUAL SITE PLAN AND
REPLACE WITH THE SITE PLAN DATE STAMPED MARCH 30,

2023.

2. The developer shall retain the right-of-way and bus stop pad on southbound 16th Street south of Colter Street. The bus stop pad shall be compliant with City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from the intersection of 16th Street and Colter Street as per City of Phoenix Standard Detail P1258, as approved by the Planning and Development Department.
3. A MINIMUM 10-FOOT WIDE SIDEWALK EASEMENT SHALL BE DEDICATED ALONG THE WEST SIDE OF 16TH STREET, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4. The developer shall utilize the existing driveway along 16th Street on Parcel No. APN 162-12-001X to access the site. The developer shall record a cross access easement between Parcel Nos. 162-12-001X and 162-12-009, to allow for ingress from the existing driveway south of the site. The agreement is to be reviewed and approved by the Planning and Development Department prior to recordation with Maricopa County.
5. The developer shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study had been reviewed and approved by the City. Additional off-site improvements and right-of-way dedications may be required as identified in the approved traffic study. Development shall be responsible for the cost associated with these improvements and dedications.
6. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
7. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
8. Prior to preliminary site plan approval, the landowner shall execute a proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6816 this portion of the rezoning is now

subject to the stipulations approved pursuant to Ordinance G-6816 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 28th day of June, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A - Legal Description (2 Pages)

B - Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A
LEGAL DESCRIPTION FOR PHO-1-23--Z-9-20-6

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN PHOENIX, IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE WEST LINE OF THE 40 FOOT STRIP OF LAND CONVEYED TO THE CITY OF PHOENIX BY DEED RECORDED FEBRUARY 13, 1970 IN DOCKET 7998, PAGE 117 AND THE NORTH LINE OF THE SOUTH 210.00 FEET OF SAID NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 16;

THENCE ALONG SAID NORTH LINE SOUTH 89 DEGREES 58 MINUTES 27 SECONDS WEST 293.32 FEET;

THENCE PARALLEL WITH THE WEST LINE OF SAID NORTH HALF, NORTH 0 DEGREES 04 MINUTES 29 SECONDS WEST 240.49 FEET;

THENCE PARALLEL WITH THE NORTH LINE OF SAID NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 16, SOUTH 89 DEGREES 58 MINUTES 25 SECONDS WEST 22.00 FEET TO THE SOUTHEAST CORNER OF PARCEL 1, AS DESCRIBED IN THE DEED TO THE CITY OF PHOENIX, AS RECORDED IN DOCKET 8661, PAGE 117;

THENCE ALONG THE EASTERLY LINE OF PARCEL 1 AND ITS NORTHERLY PROLONGATION, NORTH 00 DEGREES 04 MINUTES 29 SECONDS WEST 180.00 FEET TO THE SOUTH LINE OF THE NORTH 30.00 FEET OF SAID NORTH HALF;

THENCE ALONG SAID SOUTH LINE, NORTH 89 DEGREES 58 MINUTES 25 SECONDS EAST 271.65 FEET TO THE WEST LINE OF THE EAST 83.00 FEET OF SAID NORTH HALF;

THENCE ALONG SAID WEST LINE, SOUTH 00 DEGREES 10 MINUTES 00 SECONDS EAST 10.00 FEET TO THE SOUTH LINE OF THE NORTH 40.00 FEET OF SAID NORTH HALF;

THENCE ALONG SAID SOUTH LINE, NORTH 89 DEGREES 58 MINUTES 25 SECONDS EAST 43.00 FEET TO THE WEST LINE OF SAID 40 FOOT STRIP OF LAND AS DESCRIBED IN DEED RECORDED IN SAID DOCKET 7998, PAGE 117;

THENCE ALONG SAID WEST LINE, SOUTH 00 DEGREES 10 MINUTES 00 SECONDS EAST 410.49 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION CONVEYED TO LIV CAMELBACK AT 16TH, LLC IN
RECORDING NO. 20160854027, RECORDS OF MARICOPA COUNTY, ARIZONA.

DRAFT

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■ ■ ■ ■ ■



llonepod\Shared\Department Share\Information Systems\PL GIS\US_TeamCore_Functions\Zoning\Supp\Maps_OrdMaps2023\Ord15-14-2316-14-23.aprx



Agenda Date: 6/28/2023, Item No. *193

*****REQUEST TO BE CONTINUED (SEE ATTACHED MEMO)*** Modification of Stipulation Request for Ratification of May 17, 2023, Planning Hearing Officer Action - PHO-3-23--Z-182-87-8 - Southeast Corner of Central Avenue and Olympic Drive**

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 17, 2023. This ratification requires formal action only.

Summary

Application: PHO-3-23--Z-182-87-8

Existing Zoning: C-2 BAOD

Acreage: 3.82

Owner: BENT Design and Development LLC, et al.

Applicant: Andrew Biskind, TBBG Acquisitions LLC

Representative: Benjamin Tate, Withey Morris PLC

Proposal:

1. Modification to Stipulation 2 regarding general conformance to site plan dated July 27, 1993 (PHO-1-93).
2. Modification to Stipulation 2 regarding general conformance to site plan date stamped Oct. 25, 2006, and Landscape Plan approved on Dec. 27, 2006 (PHO-2-06).
3. Technical corrections to Stipulations 1, 5, 8, 10, 11 and 13 (PHO-1-93 and PHO-2-06).

VPC Action: The South Mountain Village Planning Committee was scheduled to hear this case on May 9, 2023, but did not have a quorum.

PHO Action: The Planning Hearing Officer recommended approval with modifications and additional stipulations.

Location

Southeast corner of Central Avenue and Olympic Drive

Council District: 8

Parcel Address: N/A

Responsible Department


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



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: June 27, 2023

From: Joshua Bednarek 
Planning and Development Director

Subject: CONTINUANCE OF ITEM 193 ON THE JUNE 28, 2023 FORMAL AGENDA –
PLANNING HEARING OFFICER APPLICATION PHO-3-23--Z-182-87-8 –
SOUTHEAST CORNER OF CENTRAL AVENUE AND OLYMPIC DRIVE

Item 193 is a modification of stipulation request for ratification of Planning Hearing Officer Application No. PHO-3-23--Z-182-87-8. This is a request to modify stipulations for a 3.82-acre site located at the southeast corner of Central Avenue and Olympic Drive to allow for an update to previous zoning for the future construction of a medical office building. The request includes modifications to the approval letters for both PHO-1-93--Z-182-87 and PHO-2-06--Z-182-87 regarding general conformance to site plans and a landscape plan, and technical corrections to Stipulation Nos. 1, 5, 8, 10, 11 and 13.

Staff has received correspondence from the owner's representative requesting a continuance to the August 28, 2023, City Council meeting so the applicant can address some internal items prior to council ratification.

Staff concurs with this request for continuance.

Approved:



Alan Stephenson, Deputy City Manager

Enclosure

*Continuance request

Racelle Escolar

From: Benjamin Tate <ben@wmbattorneys.com>
Sent: Monday, June 26, 2023 3:04 PM
To: Samuel S Rogers; Racelle Escolar
Subject: Continuance for PHO-3-23--Z-182-87 - Highline Flats - Item 193

Importance: High

Good Afternoon,

I need to request a continuance of this item to the first formal meeting after the summer recess. We need to address some internal items prior to Council ratification.

Please let me know if you have any questions or need anything else from me.

Thank you,

Benjamin L. Tate
Withey Morris Baugh, PLC
2525 E. Arizona Biltmore Circle, Ste A-212
Phoenix, AZ 85016
Direct: 602-346-4610
Cell: 623-341-1825



[Check out our podcast: Dirt to Development \[witheymorris.com\]](#)



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ATTACHMENT A
Stipulations PHO-3-23—Z-182-87-8

Location: Southeast corner of Central Avenue and Olympic Drive

STIPULATIONS:

Stipulations: PHO-1-93--Z-182-87-8

PHO recommended legislative edit of stipulations applicable to that portion of the site subject to PHO-1-93--Z-182-87-8.

Base stipulations are those outlined in the staff memo dated March 15, 2023.

1.	That Development SHALL be subject to PLANNING AND Development DEPARTMENT Coordination Office site plan approval per Section 511 of the Zoning Ordinance.
2.	That THE development SHALL be in general conformance to WITH the site plan, LANDSCAPE PLAN AND ELEVATIONS dated July 27, 1993 with the exception of the YMCA parcel DATE STAMPED MARCH 2, 2023 AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3.	That An average landscaped setback of 25 feet SHALL be provided along Central Avenue measured from the property line.
4.	That There shall be mature landscaping along Central Avenue to include 24-inch box trees spaced a maximum 25 feet on center or placed in equivalent groupings.
5.	That All parking along Central Avenue and the new road shall be screened with landscaped berms, a three-foot wall, or combination thereof, as approved by the PLANNING AND Development DEPARTMENT Coordination Office.
6.	That Five percent or more of interior parking shall be landscaped with reasonable distribution throughout the parking area and along the face of the buildings.
7.	That No drive-through facility on the site will have its drive-through lane adjacent to any public right-of-way with the exception of the new road.

8.	That A pedestrian bike trail SHALL be provided and maintained along Central Avenue and the new road, the location, width, coloration, and design of which is to be determined by the PLANNING AND Development DEPARTMENT Coordination Office .	
9.	A 30-FOOT-WIDE MULTI-USE TRAIL EASEMENT (MUTE) SHALL BE DEDICATED ALONG THE EAST SIDE OF CENTRAL AVENUE AND A MINIMUM 10-FOOT-WIDE MULTI-USE TRAIL (MUT) SHALL BE CONSTRUCTED WITHIN THE EASEMENT IN ACCORDANCE WITH THE MAG SUPPLEMENTAL DETAIL AND AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
10 9.	That All rooftop mechanical units shall be screened by parapet walls, building walls, or enclosed in a mechanical equipment penthouse that shall be architecturally integrated with the buildings.	
11. 10.	That Mr. Don Radford, 36 East Beautiful Lane, is to be notified of all PLANNING AND Development DEPARTMENT Coordination Office meetings regarding this project.	
12. 11.	That Signage will be in conformance with the guidelines (recommendations) adopted by the South Mountain VILLAGE Planning Committee (the "Committee") for the Baseline Scenic CORRIDOR Parkway provided:	
	a.	Those guidelines are adopted by the time the applicant is ready to install signage.
	b.	The applicant has the opportunity to provide input to the Committee concerning the appropriate dimensions and appearance of the signage.
	c.	The guidelines specifically address signage for commercial shopping centers.
13. 12.	That Future signalization of the new roadway with Central Avenue will be at the expense of the developer unless otherwise covered by an improvement district. Traffic signals will not be installed until the warrants are met.	
14. 13.	That Walls or fencing along the north side of the Highline Canal, if needed, shall be offset to reduce scale and bulk and to maximize the safety and security for pedestrians and other persons using the trail along the canal, as approved by the PLANNING AND Development DEPARTMENT	

	Coordination Office. If masonry walls are used along the north side of the canal, they shall be attractively landscaped and maintained and shall be colored to blend in with the surrounding landscape. That building orientation and design together with landscaping and amenities adjacent to the Highline Canal shall be sensitive to the use of the Canal as an enhanced recreational amenity.
15. 14.	That THE DEVELOPER SHALL PROVIDE right-of-way dedications for Central Avenue, to include right turn lanes and bus bays, as may be required.
16. 15.	That Prior to the vesting of zoning for the YMCA parcel the applicant shall submit a legal description for review and approval describing the C-O portion of the approval action.

Stipulations: PHO-2-06—Z-182-87-8

PHO recommended legislative edit of stipulations applicable to that portion of the site subject to PHO-2-06—Z-182-87-8.

1.	That Development SHALL be subject to PLANNING AND Development DEPARTMENT Coordination Office site plan approval per Section 511 of the Zoning Ordinance.
2.	That THE development SHALL be in general conformance to WITH the site plan, LANDSCAPE PLAN AND ELEVATIONS date stamped MARCH 2, 2023 October 25, 2006, and the Landscape Plan approved by the Zoning Adjustment Hearing Officer on December 27, 2006, as MODIFIED BY THE FOLLOWING STIPULATIONS AND approved by the PLANNING AND Development Services Department.
3.	That An average landscaped setback of 25 feet SHALL be provided along Central Avenue measured from the property line.
4.	That There shall be mature landscaping along Central Avenue to include 24-inch box trees spaced a maximum 25 feet on center or placed in equivalent groupings.
5.	That All parking along Central Avenue and the new road shall be screened with landscaped berms, a three-foot wall, or combination thereof, as approved by the PLANNING AND Development DEPARTMENT Coordination Office.

6.	That Five percent or more of interior parking shall be landscaped with reasonable distribution throughout the parking area and along the face of the buildings.
7.	That No drive-through facility on the site will have its drive-through lane adjacent to any public right-of-way with the exception of the new road.
8.	That A pedestrian bike trail SHALL be provided and maintained along Central Avenue and the new road, the location, width, coloration, and design of which is to be determined by the PLANNING AND Development DEPARTMENT Coordination Office .
9.	A 30-FOOT-WIDE MULTI-USE TRAIL EASEMENT (MUTE) SHALL BE DEDICATED ALONG THE EAST SIDE OF CENTRAL AVENUE AND A MINIMUM 10-FOOT-WIDE MULTI-USE TRAIL (MUT) SHALL BE CONSTRUCTED WITHIN THE EASEMENT IN ACCORDANCE WITH THE MAG SUPPLEMENTAL DETAIL AND AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
10 9.	That All rooftop mechanical units shall be screened by parapet walls, building walls, or enclosed in a mechanical equipment penthouse that shall be architecturally integrated with the buildings.
11 10.	That Mr. Don Radford, 36 East Beautiful Lane, is to be notified of all PLANNING AND Development DEPARTMENT Coordination Office meetings regarding this project.
12. 11.	That Signage will be in conformance with the guidelines (recommendations) adopted by the South Mountain VILLAGE Planning Committee (the "Committee") for the Baseline Scenic CORRIDOR Parkway, provided:
	a. Those guidelines are adopted by the time the applicant is ready to install signage.
	b. The applicant has the opportunity to provide input to the Committee concerning the appropriate dimensions and appearance of the signage.
	c. The guidelines specifically address signage for commercial shopping centers.
13. 12.	That Future signalization of the new roadway with Central Avenue will be at the expense of the developer unless otherwise covered by an

	improvement district. Traffic signals will not be installed until the warrants are met.
14. 13.	That Walls or fencing along the north side of the Highline Canal, if needed, shall be offset to reduce scale and bulk and to maximize the safety and security for pedestrian and other persons using the trail along the canal, as approved by the PLANNING AND Development DEPARTMENT Coordination Office. If masonry walls are used along the north side of the canal, they shall be attractively landscaped and maintained and shall be colored to blend in with the surrounding landscape. That building orientation and design together with landscaping and amenities adjacent to the Highline Canal shall be sensitive to the use of the Canal as an enhanced recreational amenity.
15. 14.	That THE DEVELOPER SHALL PROVIDE right-of-way dedications for Central Avenue, to include right turn lanes and bus bays, as may be required.
16. 15.	That Prior to the vesting of zoning for the YMCA parcel the applicant shall submit a legal description for review and approval describing the C-O portion of the approval action.

Final Stipulations: PHO-3-23--Z-182-87-8

Final stipulations reflecting the PHO recommended legislative edits of both PHO-1-93--Z-182-87-8 and PHO-2-06--Z-182-87-8, resulting in a single set of stipulations for PHO-3-23--Z-182-87-8. See Finding #1 for detailed information.

1.	Development shall be subject to Planning and Development Department site plan approval per Section 511 of the Zoning Ordinance.
2.	The development shall be in general conformance with the site plan, landscape plan and elevations date stamped March 2, 2023 as modified by the following stipulations and approved by the Planning and Development Department.
3.	An average landscaped setback of 25 feet shall be provided along Central Avenue measured from the property line.
4.	There shall be mature landscaping along Central Avenue to include 24-inch box trees spaced a maximum 25 feet on center or placed in equivalent groupings.

5.	All parking along Central Avenue and the new road shall be screened with landscaped berms, a three-foot wall, or combination thereof, as approved by the Planning and Development Department.
6.	Five percent or more of interior parking shall be landscaped with reasonable distribution throughout the parking area and along the face of the buildings.
7.	No drive-through facility on the site will have its drive-through lane adjacent to any public right-of-way with the exception of the new road.
8.	A pedestrian bike trail shall be provided and maintained along Central Avenue and the new road, the location, width, coloration, and design of which is to be determined by the Planning and Development Department.
9.	A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the east side of central avenue and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.
10	All rooftop mechanical units shall be screened by parapet walls, building walls or enclosed in a mechanical equipment penthouse that shall be architecturally integrated with the buildings.
11	Mr. Don Radford, 36 East Beautiful Lane, is to be notified of all Planning and Development Department meetings regarding this project.
12.	Signage will be in conformance with the guidelines (recommendations) adopted by the South Mountain Village Planning Committee (the "Committee") for the Baseline Scenic Corridor, provided:
a.	Those guidelines are adopted by the time the applicant is ready to install signage.
b.	The applicant has the opportunity to provide input to the Committee concerning the appropriate dimensions and appearance of the signage.
c.	The guidelines specifically address signage for commercial shopping centers.
13.	Future signalization of the new roadway with Central Avenue will be at the expense of the developer unless otherwise covered by an improvement district. Traffic signals will not be installed until the warrants are met.

14.	Walls or fencing along the north side of the Highline Canal, if needed, shall be offset to reduce scale and bulk and to maximize the safety and security for pedestrian and other persons using the trail along the canal, as approved by the Planning and Development Department. If masonry walls are used along the north side of the canal, they shall be attractively landscaped and maintained and shall be colored to blend in with the surrounding landscape. That building orientation and design together with landscaping and amenities adjacent to the Highline Canal shall be sensitive to the use of the Canal as an enhanced recreational amenity.
15.	The developer shall provide right-of-way dedications for Central Avenue, to include right turn lanes and bus bays, as may be required.
16.	Prior to the vesting of zoning for the YMCA parcel the applicant shall submit a legal description for review and approval describing the C-O portion of the approval action.

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotape or computer diskette. To request a reasonable accommodation, please contact Angie Holdsworth at angie.holdsworth@phoenix.gov or (602) 329-5065 or TTY: 7-1-1



**Public Hearing - Amend City Code and Ordinance Adoption - Rezoning
Application Z-SP-12-22-8 - Approximately 260 Feet North of the Northeast Corner
of 24th Street and University Drive (Ordinance G-7132)**

Request to hold a public hearing on the request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-12-22-8 and rezone the site from A-2 RSIOD (Industrial District, Rio Salado Interim Overlay District) to A-2 SP RSIOD (Industrial District, Special Permit, Rio Salado Interim Overlay District) to allow a homeless shelter.

Summary

Current Zoning: A-2 RSIOD

Proposed Zoning: A-2 SP RSIOD

Acreage: 3.77 acres

Proposal: Homeless shelter

Owner: South 24th, LLC

Applicant: Dan Hines, Community Bridges, Inc.

Representative: Wendy Riddell, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Central City Village Planning Committee was scheduled to hear this case on May 8, 2023, for recommendation; however, there was no quorum.

PC Action: The Planning Commission heard this case on June 1, 2023, and recommended approval, per the staff recommendation, by an 8-0 vote.

The Planning Commission recommendation was appealed on June 8, 2023.

Location

Approximately 260 feet north of the northeast corner of 24th Street and University Drive

Council District: 8

Parcel Address: 2425 S. 24th St.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-SP-12-22-8) FROM A-2 RSIOD (INDUSTRIAL DISTRICT, RIO SALADO INTERIM OVERLAY DISTRICT) TO A-2 SP RSIOD (INDUSTRIAL DISTRICT, SPECIAL PERMIT, RIO SALADO INTERIM OVERLAY DISTRICT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 3.77-acre property located approximately 260 feet north of the northeast corner of 24th Street and University Drive in a portion of Section 14, Township 1 North, Range 3 East, as described more specifically in Exhibit “A,” is hereby changed from “A-2 RSIOD” (Industrial District, Rio Salado Interim Overlay District) to “A-2 SP RSIOD” (Industrial District, Special Permit, Rio Salado Interim Overlay District) to allow a homeless shelter.

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance to the site plan date stamped February 7, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. The site shall contain a maximum of 117 beds.
3. An Operational Plan shall be developed to govern operational features of the shelter. The plan shall address at minimum, the following:
 - a. The facility shall operate as a "Closed Campus" (defined as no walk-up admission to the program with all screening of potential program participants to be held off-site).
 - b. Any services, on-site, will be provided only to program participants residing in the shelter.
 - c. Program participants will be screened for eligibility prior to admission.
 - d. On-site security shall be provided 24 hours a day, 7 days a week.
 - e. Security video cameras will be provided on the site and monitored to secure the site.
 - f. A hotline number shall be maintained for surrounding businesses to call and notify the operator of any potential issues.
 - g. Drugs and/or alcohol are to be prohibited.
 - h. Signage discouraging loitering shall be posted and visible from public rights-of-way.
 - i. Procedures for discharge.
4. The operator shall engage with members of the community as listed below:

- a. The operator shall host semiannual community meetings to allow for opportunities to discuss any concerns and follow up requests related to site operations.
 - b. The operator shall maintain updated facility contact information and provide the contact information to the community leaders of registered neighborhood organizations within a one-mile radius of the subject site to address any issues that may arise.
5. The operator shall enroll in a virtual block watch program with the City of Phoenix Police Department.
6. The perimeter of the site shall be fenced to secure the site, as approved by the Planning and Development Department.
7. Site lighting shall be provided at building entrances/exits and parking and refuse areas, as approved by the Planning and Development Department.
8. Landscaping shall be replenished with minimum 2-inch caliper shade trees within the existing landscape setback along 24th Street and surface parking lot, as approved by the Planning and Development Department.
9. The developer shall dedicate a minimum 10-foot-wide sidewalk easement along the east side of 24th Street, as approved by the Planning and Development Department.
10. Upon complete redevelopment or development that increases the cumulative floor area by more than 15% from that depicted on the site plan date stamped February 7, 2023, the developer shall construct a minimum 6-foot-wide detached sidewalk and minimum 10-foot-wide landscape strip located between the back of curb and sidewalk along the east side of side of 24th Street, as approved by the Planning and Development Department. The landscape strip shall be planted with minimum 2-inch caliper shade trees. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

12. The property owner shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
13. 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.
14. 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.
15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. 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 28th day of June, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-SP-12-22-8

THE LAND REFERRED TO HEREIN BELOW IS SITUATED PHOENIX, IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1: (Tax Parcel No. 121-43-057V)

That portion of the Southwest quarter of Section 14, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and the portion of Lot 1, ARIZONA INTERSTATE INDUSTRIAL CENTER UNIT THREE, as shown on the plat recorded in Book 110 of Maps, page 49, records of Maricopa County, Arizona, described as follows

BEGINNING at a point on the West line of Lot 1, from which the Southwest corner of said Lot 1 bears South 00 degrees 12 minutes 30 seconds West, 247.36 feet;

thence South 89 degrees 24 minutes 30 seconds East, 176.40 feet;

thence North 00 degrees 35 minutes 30 seconds East, 331.19 feet to the North line of Lot 1 which is also the South right-of-way line of Interstate Highway 10;

thence North 76 degrees 39 minutes 20 seconds West, 183.41 feet along said right-of-way of Interstate Highway 10 to the Northwest corner of Lot 1;

thence continuing North 76 degrees 39 minutes 20 seconds West, 30.77 feet along said right-of-way line;

thence North 73 degrees 50 minutes 00 seconds West, 41.77 feet along said right-of-way line;

thence North 89 degrees 48 minutes 30 seconds West, 22.86 feet;

thence South 00 degrees 35 minutes 30 seconds West, 201.73 feet;

thence North 89 degrees 24 minutes 30 seconds West, 248.00 feet to the East right-of-way line of 24th Street;

thence South 00 degrees 35 minutes 30 seconds West, 187.80 feet along said right-of-way line of 24th Street;

thence South 89 degrees 24 minutes 30 seconds East, 248.00 feet;

thence South 89 degrees 24 minutes 30 seconds East, 95.60 feet to the POINT OF BEGINNING.

Parcel No. 2: (Tax Parcel No. 121-43-077)

That portion of the Southwest quarter of Section 14, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian Maricopa County, Arizona, described as follows;

(The basis of bearings for this description is the West line of said Southwest quarter of the Southwest quarter (centerline of 24th Street) which bears North 00 degrees 35 minutes 30 seconds West.)

BEGINNING at the Northwest corner of said Southwest quarter of the Southwest quarter of Section 14;

thence South 89 degrees 48 minutes 30 seconds East, 40.00 feet along the North line of said Southwest quarter of the Southwest quarter of Section 14 to a point on the East line of 24th Street;

thence South 00 degrees 35 minutes 30 seconds East, 200.00 feet along said East line of 24th Street;

thence North 89 degrees 24 minutes 30 seconds East, 186.00 feet to the East line of the property described in instrument recorded in Docket 12288, page 1442, said point being the TRUE POINT OF BEGINNING;

thence North 89 degrees 24 minutes 30 seconds East, 62.00 feet to the East line of the property described in Docket 9913, page 316;

thence North 00 degrees 35 minutes 30 seconds West along said East line, 68.00 feet;

thence South 89 degrees 24 minutes 30 seconds West, 62.00 feet to the East line of said property;

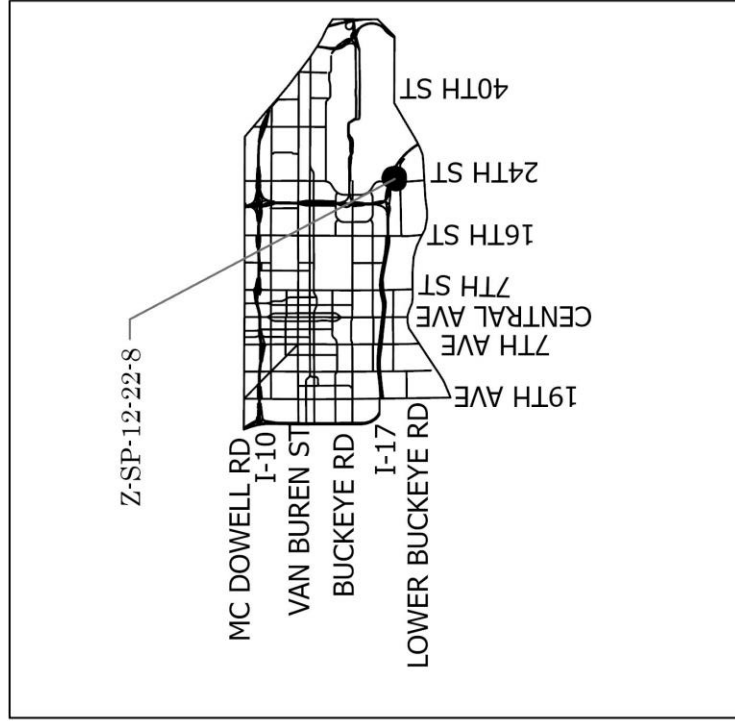
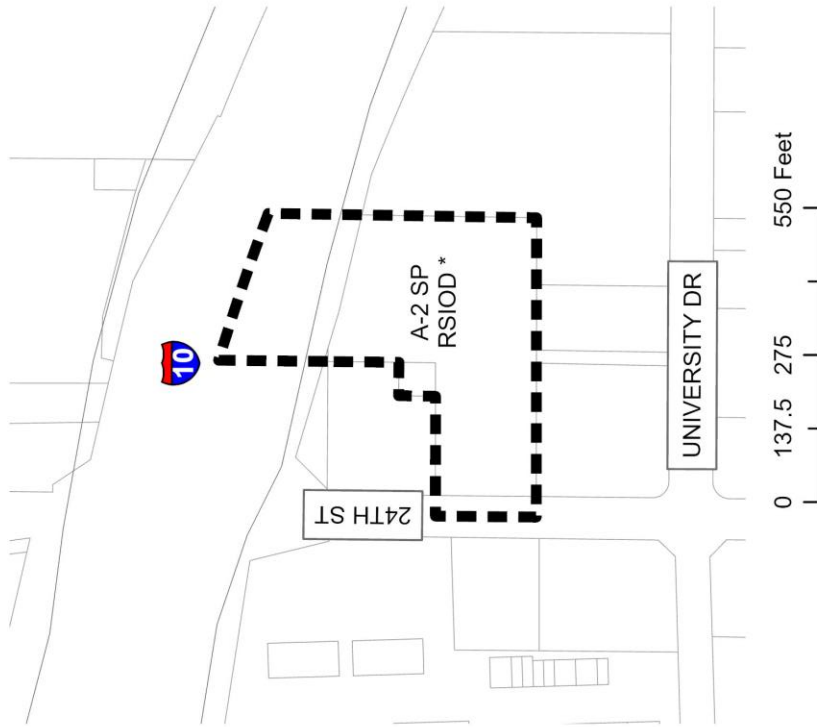
thence South 00 degrees 35 minutes 30 seconds East, 68.00 feet to the POINT OF BEGINNING.

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -

Zoning Case Number: Z-SP-12-22-8
Zoning Overlay: Rio Salado Interim Overlay District
Planning Village: Central City



NOT TO SCALE



Drawn Date: 5/30/2023

\\one\pdd\Shared\Planning\Rezoning\Ordinances\Location Maps\2023\6-28-23\Z-SP-12-22-8.aprx

ATTACHMENT B



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-SP-12-22-8

May 5, 2023

[Central City Village Planning Committee](#) Hearing Date:

May 8, 2023

[Planning Commission](#) Hearing Date: June 1, 2023

Request From:

[A-2 RSIOD](#) (Industrial District, Rio Salado Interim Overlay District) (3.77 acres)

Request To:

[A-2 SP RSIOD](#) (Industrial District, Special Permit, Rio Salado Interim Overlay District) (3.77 acres)

Proposal:

Homeless Shelter

Location:

Approximately 260 feet north of the northeast corner of 24th Street and University Drive

Owner:

South 24th, LLC

Applicant:

Dan Hines, Community Bridges, Inc.

Representative:

Wendy Riddell, Berry Riddell, LLC

Staff Recommendation:

Approval, subject to stipulations

[General Plan Conformity](#)

[General Plan Land Use Map Designation](#)

Commercial

[Street Map Classification](#)

24th Street

Arterial

40-foot east half street

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE: CERTAINTY & CHARACTER; LAND USE PRINCIPLE: Disperse group homes and homeless shelters throughout the city in locations where they are compatible with surrounding densities. They should not be concentrated in any one neighborhood or urban village.

The subject site is located south of a freeway and surrounded by industrial-zoned properties, where no other homeless shelters or residences are located nearby.

General Plan Conformity

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE: CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.

The proposal is for a Special Permit for a homeless shelter to operate within an existing hotel building, and no development on the site is proposed. Therefore, the proposal remains consistent with the existing scale and character of the neighborhood.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal will replenish the landscaping within the 24th Street setback and surface parking lot and upon redevelopment, will provide a detached shaded sidewalk on 24th Street.

Applicable Plans, Overlays and Initiatives

[Rio Salado Interim Overlay District](#) – See Background Item No. 5.

[Housing Phoenix Plan](#) – See Background Item No. 6.

[Strategies to Address Homelessness](#) – See Background Item No. 7.

[Complete Streets Guiding Principles](#) – See Background Item No. 8.

[Tree and Shade Master Plan](#) – See Background Item No. 9.

[Zero Waste PHX](#) – See Background Item No. 10.

Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Hotel	A-2 RSIOD
North	Commercial office and freeway	A-2
South	Commercial office and retail	A-2 RSIOD
East	Commercial offices	A-2 RSIOD
West (across 24th Street)	Commercial office and retail	A-2 RSIOD

A-2 (Industrial District)		
<u>Standards</u>	<u>Requirements</u>	<u>Met or Not Met</u>
<i>Building Setbacks</i>		
Street (West)	25 feet	92 feet (Met)
Side (North)	0 feet	21 feet (Met)
Side (South)	0 feet	41 feet (Met)
Rear (East)	0 feet	48 feet (Met)
<i>Landscaped Setbacks</i>		
Street (West)	Eight times the lot frontage, measured in square feet	25 feet (Met)
Side (North)	0 feet	0 feet (Met)
Side (South)	0 feet	0 feet (Met)
Rear (East)	0 feet	0 feet (Met)
Lot Coverage	N/A	28 percent (Met)
Maximum Building Height	56 feet 80 feet with use permit	30 feet (Met)
Parking	58 spaces	167 spaces (Met)

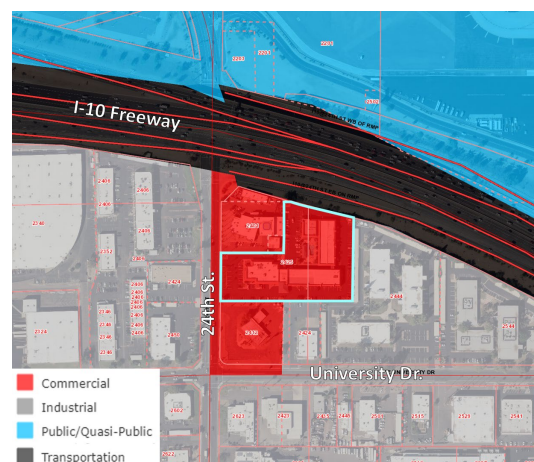
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 3.77 acres located approximately 260 feet north of the northeast corner of 24th Street and University Drive from A-2 RSIOD (Industrial District, Rio Salado Interim Overlay District) to A-2 SP RSIOD (Industrial District, Special Permit, Rio Salado Interim Overlay District) for a homeless shelter.

GENERAL PLAN LAND USE MAP

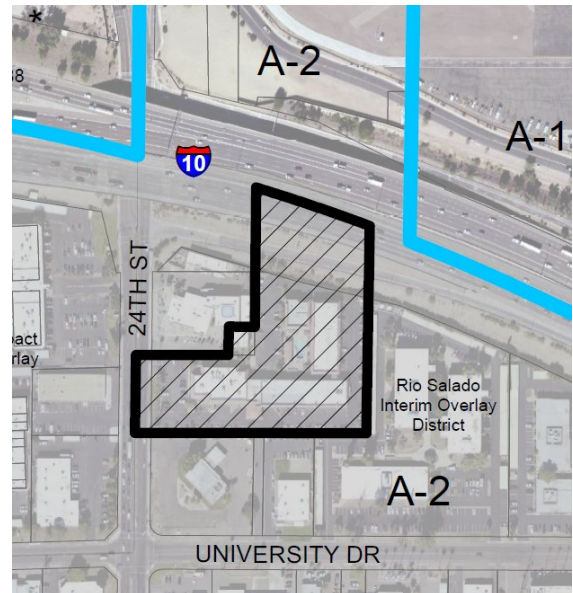
2. The General Plan Land Use Map designation for this site is Commercial. The proposal is consistent with the General Plan Land Use Map designation. The General Plan Land Use Map designates properties to the east and west as Industrial, properties to the south as Commercial and Industrial, property to the northwest as Commercial, and the freeway to the north as Transportation.



General Plan Land Use Map, Source: Planning and Development Department

EXISTING CONDITIONS AND SURROUNDING ZONING

3. The subject site is zoned A-2 RSIOD and contains an existing hotel, which the applicant intends to convert to a homeless shelter use. The surrounding area to the east, south, and west is also zoned A-2 RSIOD and contains commercial uses, including a mix of small office parks, standalone office uses, and retail. The I-10 Maricopa Freeway is adjacent to the site to the north. The area across the freeway to the north is zoned A-2 and includes Sky Harbor Airport property.



Zoning Aerial Map, Source: Planning and Development Department

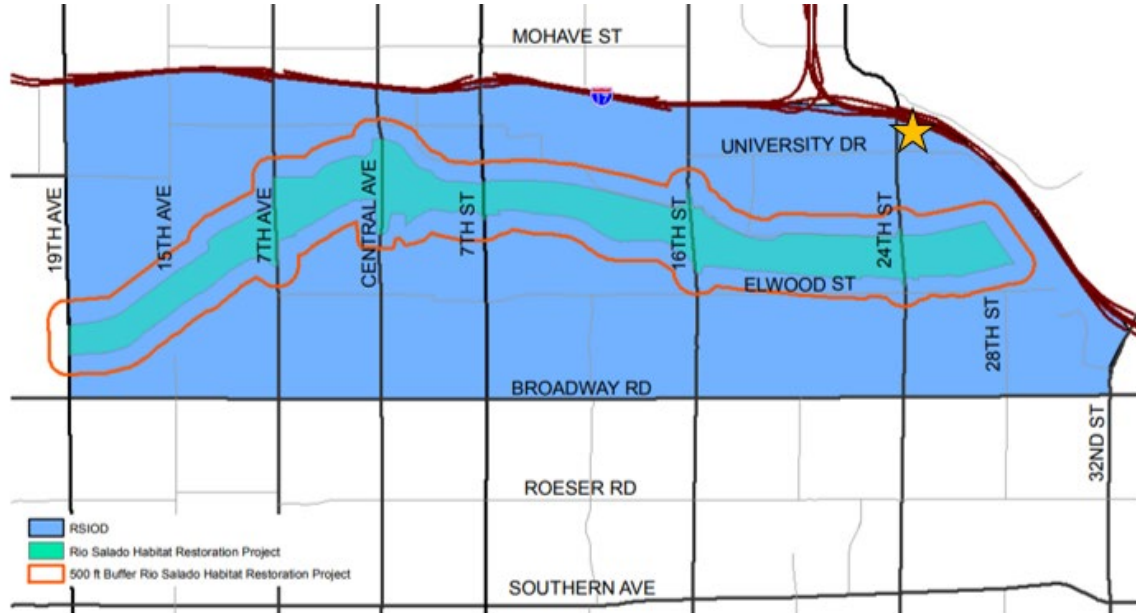
PROPOSAL

4. As shown on the conceptual site plan attached as an exhibit, the proposal is to maintain the existing two-story hotel on the site and convert it to a homeless shelter. Along the frontage with 24th Street, there is a 25-foot landscape setback and a surface parking lot between the building and the street. The building is setback from all sides with surface parking and drive aisles between the building and the lot lines. Staff recommends general conformance to the site plan and to limit the facility to 117 beds (Stipulation Nos. 1 and 2). These stipulations ensure that the site will be used as proposed by the applicant and limit the impact on the surrounding area. Additionally, staff recommends the following stipulations to enhance the safety and quality of the site.
- The perimeter of the site shall be fenced to secure the site (Stipulation No. 6).
 - Site lighting shall be provided at building entrances/exits and parking and refuse areas (Stipulation No. 7).
 - Landscaping shall be replenished with minimum two-inch caliper shade trees within the existing landscape setback along 24th Street (Stipulation No. 8).

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

5. [Rio Salado Interim Overlay District](#)
The subject site is located within the Rio Salado Interim Overlay District. The district is designed to “control open, outdoor land uses and other uses in order to have a positive impact on the Rio Salado Habitat Restoration Project and add to the long-term value of adjacent land.” The development advances the intent of

the overlay through enhanced site development standards. The Rio Salado Interim Overlay District requires a special permit for homeless shelters in the A-2 district.



Rio Salado Interim Overlay District, Source: Planning and Development Department

6. Housing Phoenix Plan

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing.

While shelter beds are not considered "units" of housing, the proposal seeks to provide accommodations for persons experiencing homelessness and is consistent the Housing Phoenix Plan Policy.

7. Strategies to Address Homelessness

In June 2020, the City of Phoenix released the Strategies to Address Homelessness plan focusing on strategies for persons experiencing homelessness as well as developing best practices to mitigate impacts to surrounding communities and neighborhoods. The plan notes a chronic shortage of shelter beds and identifies housing strategies that include utilizing vacant hotels to provide adequate shelter by partnering with non-profits to operate and provide services. The proposal advances this objective and works to alleviate the shortage of shelter beds in Phoenix.

8. **Complete Streets Guiding Principles:**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. Per Stipulation No. 10, upon redevelopment of the site, the developer would be required to provide a shaded, detached sidewalk along 24th Street, enhancing the public right-of-way for pedestrians.

9. **Tree and Shade Master Plan:**

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. The development will replenish the landscape setback with new shade trees to provide thermal comfort for pedestrians on the sidewalk, and upon redevelopment, the development would provide a shaded detached sidewalk along 24th Street to enhance shade on the sidewalk. These are addressed in Stipulation Nos. 8 and 10.

10. **Zero Waste Phoenix PHX:**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs.

Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed-use developments meeting certain criteria. The applicant states that recycling receptacles will be provided on site.

COMMUNITY INPUT SUMMARY

11. As of the writing of this report, staff has received one letter in support and three letters in opposition to this request. The letters in opposition cite concerns regarding the compatibility of surrounding uses and activities, a lack of services nearby, and safety.

INTERDEPARTMENTAL COMMENTS

12. The Street Transportation Department requested that the development dedicate a minimum 10-foot-wide sidewalk easement along the east side of 24th Street, that upon complete redevelopment or development that modifies the cumulative floor area of any building by more than 15 percent, the development shall include a minimum six-foot-wide detached sidewalk with a 10-foot-wide landscape strip between the sidewalk and back of curb, and that the developer shall construct all

streets within and adjacent to the development, including consistency with ADA standards. These are addressed in Stipulation Nos. 9 through 11.

13. The Office of Homeless Solutions provided comments on this request. In coordination with the Office of Homeless Solutions, staff has developed recommended stipulations regarding an operational plan for the facility and requirements for ongoing engagement with the community in order to maintain safety and quality of life for the surrounding area. The operational plan shall include several items, including that the facility will be a closed campus, on-site services will only be provided to individuals residing in the shelter, participants will be screened for eligibility, on-site 24/7 security will be provided, security cameras will be used, a hotline will be maintained for neighbors to notify of any issues, drugs and alcohol will be prohibited, signage discouraging loitering will be in place, and there will be procedures for discharge. Additionally, the applicant is to continue engagement with the community by hosting semiannual meetings and by updating facility contact information with surrounding organizations. Further, the applicant shall enroll in a virtual block watch program with the Phoenix Police Department. These are addressed in Stipulation Nos. 3 through 5.
14. The City of Phoenix Water Services Department has noted the property has existing water and sewer mains that can potentially serve the proposed development, however water capacity is a dynamic condition that can change over time due to a variety of factors.
15. The Aviation Department commented that an aviation easement shall be provided to the City of Phoenix. This is addressed in Stipulation No. 12.

OTHER

16. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 13 through 15.
17. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required

by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 16.

18. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Zoning adjustments, abandonments or other formal actions may also be required.

Findings

1. The proposal is consistent with the General Plan Land Use Map, the intent of the Rio Salado Interim Overlay District, and with the character of the surrounding area.
2. The proposal will provide additional shelter beds, necessary for addressing homelessness in Phoenix, at an appropriate location, consistent with the Phoenix General Plan, the Housing Phoenix Plan, and the Strategies to Address Homelessness plan.
3. The proposal will enhance connectivity in the immediate vicinity by providing additional shade for the adjacent sidewalk and upon redevelopment, providing detached sidewalks, consistent with the Tree and Shade Master Plan and the Complete Streets Guiding Principles.

Stipulations

1. The development shall be in general conformance to the site plan date stamped February 7, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. The site shall contain a maximum of 117 beds.
3. An Operational Plan shall be developed to govern operational features of the shelter. The plan shall address at minimum, the following:
 - a. The facility shall operate as a "Closed Campus" (defined as no walk-up admission to the program with all screening of potential program participants to be held off-site).
 - b. Any services, on-site, will be provided only to program participants residing in the shelter.
 - c. Program participants will be screened for eligibility prior to admission.

- d. On-site security shall be provided 24 hours a day, 7 days a week.
 - e. Security video cameras will be provided on the site and monitored to secure the site.
 - f. A hotline number shall be maintained for surrounding businesses to call and notify the operator of any potential issues.
 - g. Drugs and/or alcohol are to be prohibited.
 - h. Signage discouraging loitering shall be posted and visible from public rights-of-way.
 - i. Procedures for discharge.
4. The operator shall engage with members of the community as listed below:
- a. The operator shall host semiannual community meetings to allow for opportunities to discuss any concerns and follow up requests related to site operations.
 - b. The operator shall maintain updated facility contact information and provide the contact information to the community leaders of registered neighborhood organizations within a one-mile radius of the subject site to address any issues that may arise.
5. The operator shall enroll in a virtual block watch program with the City of Phoenix Police Department.
6. The perimeter of the site shall be fenced to secure the site, as approved by the Planning and Development Department.
7. Site lighting shall be provided at building entrances/exits and parking and refuse areas, as approved by the Planning and Development Department.
8. Landscaping shall be replenished with minimum 2-inch caliper shade trees within the existing landscape setback along 24th Street and surface parking lot, as approved by the Planning and Development Department.

9. The developer shall dedicate a minimum 10-foot-wide sidewalk easement along the east side of 24th Street, as approved by the Planning and Development Department.
10. Upon complete redevelopment or development that increases the cumulative floor area by more than 15% from that depicted on the site plan date stamped February 7, 2023, the developer shall construct a minimum 6-foot-wide detached sidewalk and minimum 10-foot-wide landscape strip located between the back of curb and sidewalk along the east side of side of 24th Street, as approved by the Planning and Development Department. The landscape strip shall be planted with minimum 2-inch caliper shade trees. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
12. The property owner shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
13. 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.
14. 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.
15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33- foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Staff Report: Z-SP-12-22-8

May 5, 2023

Page 11 of 11

Writer

Anthony Grande

May 5, 2023

Team Leader

Racelle Escolar

Exhibits

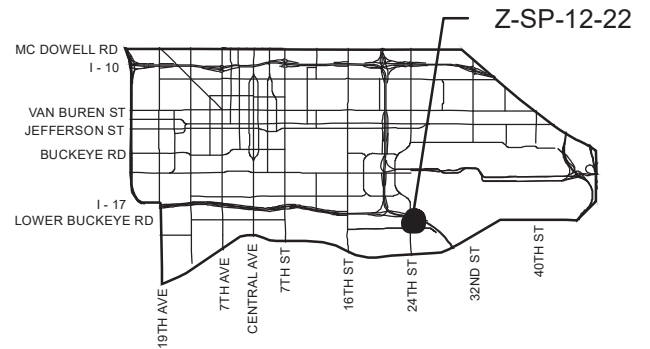
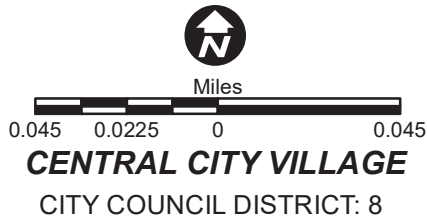
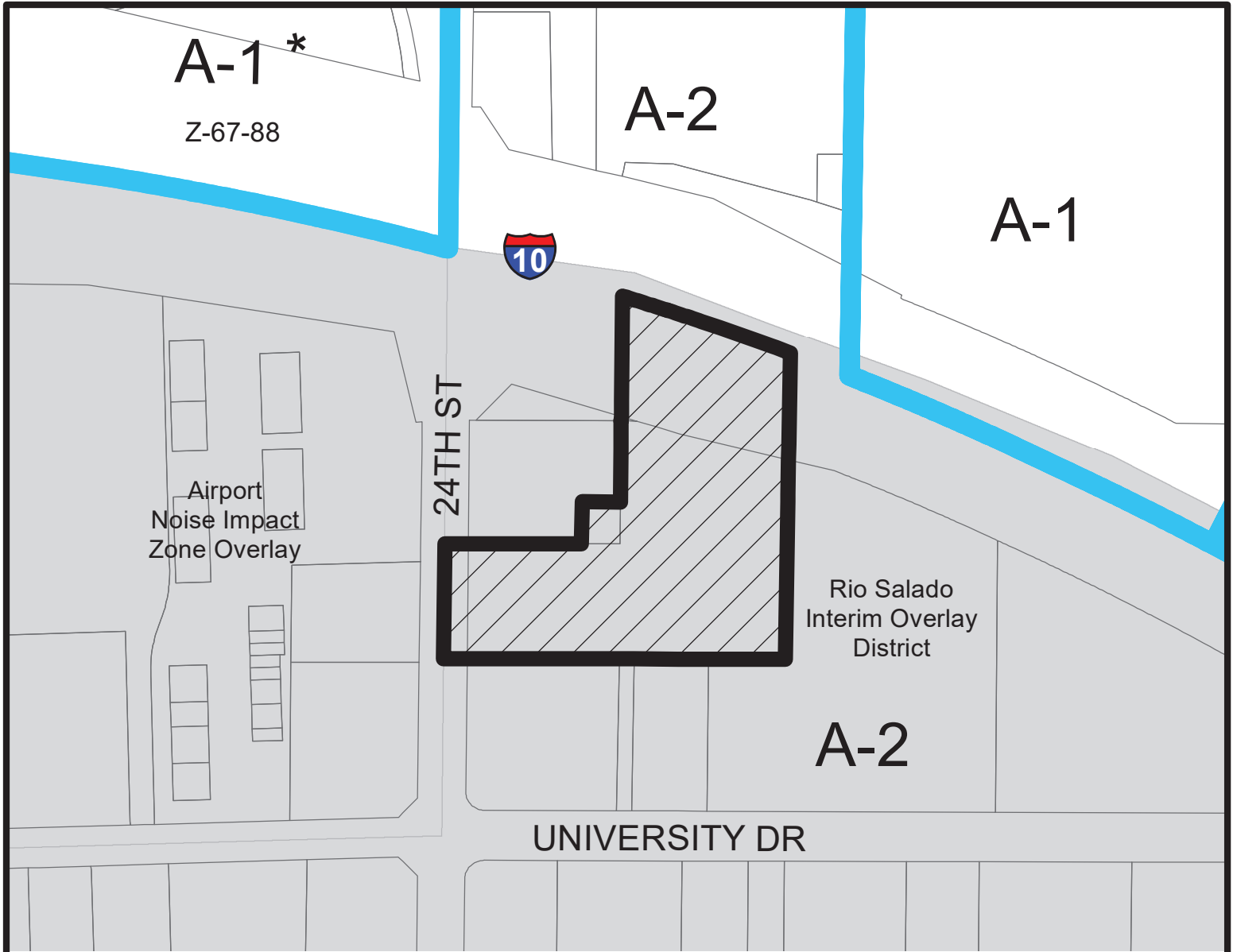
Sketch Map

Aerial Map

Conceptual Site Plan date stamped February 7, 2023

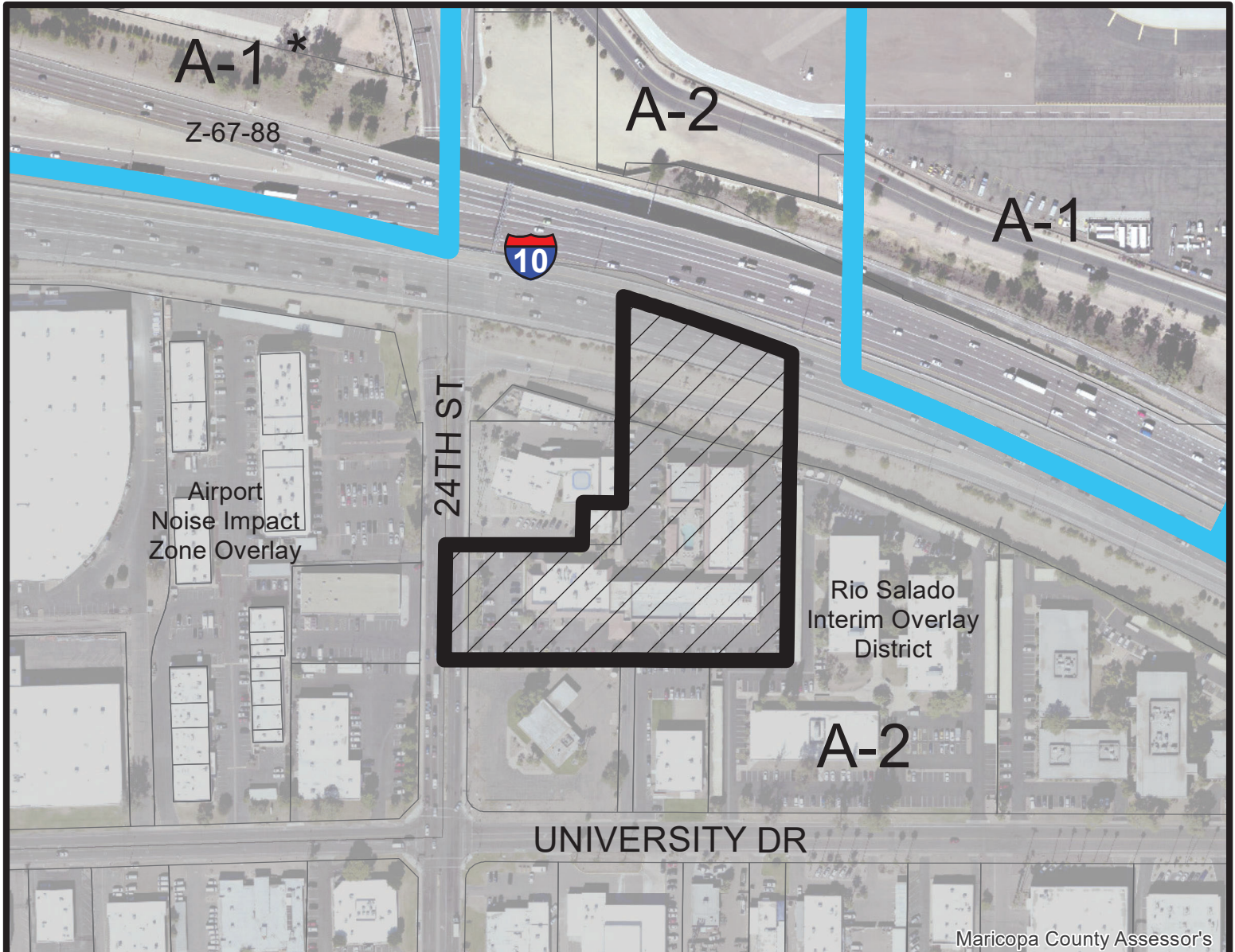
Building/site photographs date stamped December 28, 2022

Community Correspondence (7 pages)

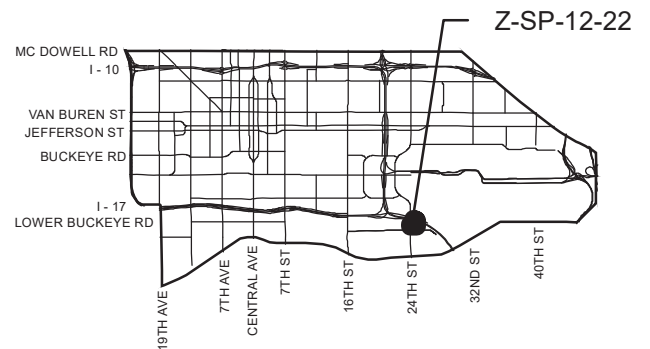
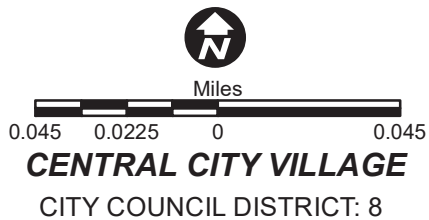


APPLICANT'S NAME: Community Bridges, Inc / Dan Hines		REQUESTED CHANGE:	
APPLICATION NO. Z-SP-12-22	DATE: 1/24/2023 REVISION DATES:	FROM: A-2 RSIOD (3.77 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 3.77 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 7-33	ZONING MAP E-9	TO: A-2 SP RSIOD (3.77 a.c.)
MULTIPLES PERMITTED A-2 RSIOD A-2 SP RSIOD	CONVENTIONAL OPTION N/A N/A		* UNITS P.R.D. OPTION N/A N/A

* Maximum Units Allowed with P.R.D. Bonus



Maricopa County Assessor's



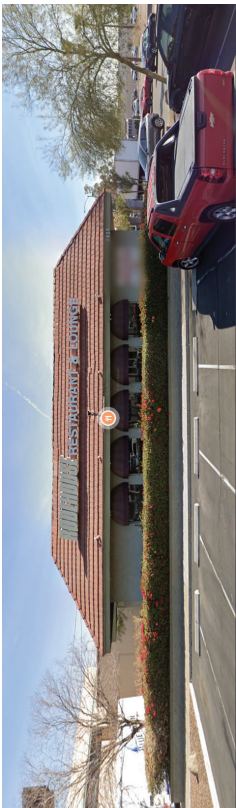
APPLICANT'S NAME: Community Bridges, Inc / Dan Hines		REQUESTED CHANGE:	
APPLICATION NO. Z-SP-12-22	DATE: 1/24/2023 REVISION DATES:	FROM: A-2 RSID (3.77 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 3.77 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 7-33	ZONING MAP E-9	TO: A-2 SP RSID (3.77 a.c.)
MULTIPLES PERMITTED A-2 RSID A-2 SP RSID	CONVENTIONAL OPTION N/A N/A		* UNITS P.R.D. OPTION N/A N/A

* Maximum Units Allowed with P.R.D. Bonus

Parking:



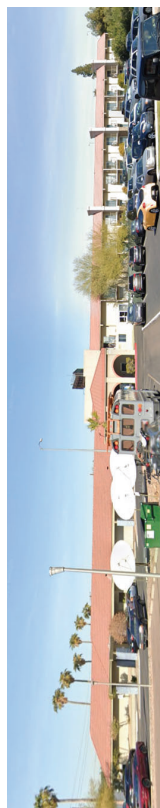
Page 592



WEST EXTERIOR ELEVATION



WEST INTERIOR ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION

CITY OF PHOENIX

DEC 28 2022

Planning & Development
Department

From: [Ali Pace](#)
To: msantoro@gblaw.com; [PDD Long Range Planning](#)
Subject: Rezoning
Date: Tuesday, January 17, 2023 5:17:34 PM
Attachments: [image001.png](#)
[image002.png](#)

Mr. Santoro,

I am reaching out regarding a rezoning hearing for 2425 South 24th Street. I understand the need the city has for housing the homeless population, which I am in full agreement needs to happen. I respect your organization very much and the work you do. Our company has donated over 210k meals to the homeless population and are dedicated to bettering the lives of this population.

I am however concerned with this chosen location for the proposed rezoning. The proximity to the freeway and airport seems to pose an increased health risk to the housed individuals. 30% of these individuals have untreated mental illness and the proximity to the freeway and airport seems like a poor location to house a population that suffers from co-occurring mental illness and substance abuse. I would imagine that general area would exponentially increase the likelihood of loss of life which would seem to be in direct conflict with CBI's commitment to the population they are supposed to serve. What is the risk factor for placing a shelter this close to a major freeway and airport?

The other issue is the disturbance to a very high traffic area from these individuals. They will likely pose a hazard to the general function of the area. Since it is such a high commerce and traffic area any disturbance made by the housed individuals could potentially damage the ability for the city to function properly. The proposed location is at the cross-section of I-10 and the 17, and it's not even a mile from private jet companies and Sky Harbor Airport. Doesn't this seem like a poor choice for a homeless shelter?

Another issue is the proximity the proposed location is to a marijuana dispensary that is located directly across the street, JARS Cannabis. This same dispensary just purchased the TV station that is a neighbor to the proposed location. The dispensary plans to use that location for the same purpose to expand its operations. As I mentioned prior, the homeless population has co-occurring issues with mental illness and substance abuse. The percentage of individuals who suffer from substance abuse is at least 50% and it seems like an ethically poor and ill-considered decision to house people who suffer from substance abuse right next to a business that dispenses the very thing that is debilitating them and causing their illness. I find it concerning that CBI who is dedicated to patient recovery would even consider placing a homeless shelter right next to one of these facilities. The optics alone does not shed a positive light on your company- it appears hypocritical and counter-productive. I know your company cares deeply about the lives of the homeless population and your reputation that is tied to that commitment might suffer in the eyes of the public.

The other issue of course is the very real consequences a homeless shelter brings to my business, personal safety, and real estate. We have already had an issue with an individual being housed there. My husband was accosted and had to have police involvement. My young children regularly come to our business, and I am not happy about the chances they have encountering individuals

with untreated mental illness and substance abuse. I also am concerned for my employees and customers that patronize our businesses.

The financial implications this rezoning will my on my business is a very real concern of mine. What financial responsibility does CBI plan to take for the surrounding businesses? Does your company plan to pay for the 12% decrease in our property value that a homeless facility brings? Or the 24-hour surveillance that is going to be required to ensure our business can function properly? Or the increase rate for our business insurance?

I would like the ordinance regarding this zoning that pertains to proximity of high traffic areas/ airports/ major freeway cross-sections/ marijuana dispensaries/ industrial commerce to the proposed rezoning location.

I believe there is a much more appropriate location that would be more mutually beneficial to this population of people and CBI.

I greatly appreciate your corporation, time, and the work you do.

Kindest regards,

ALI JEANNE PACE
OWNER-OPERATOR
a.pace@scratchculinary.com
Phone: 520.471.1491
www.ScratchCulinary.com
[\[scratchculinary.com\]](http://scratchculinary.com)
www.CraftedMealPrep.com
[\[craftedmealprep.com\]](http://craftedmealprep.com)



CRAFTED



February 6, 2023

City of Phoenix Planning and Development Department
200 West Washington Street, 2nd Floor
Phoenix, AZ 85003

Re: 2425 South 24th Street; Case No, Z-SP-12-22

To Whom It May Concern:

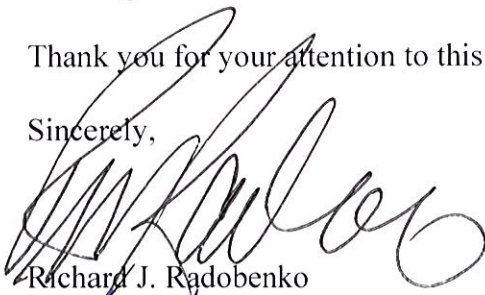
As the Chairman of the Board for Global Roofing Group (“GRG”), I am writing to express GRG’s opposition to the proposal for the development of a vacant hotel into a homeless shelter.

GRG has been at the 2401 East Magnolia Street location within a short walking distance to the current hotel for more than ten years. While this area has experienced a growth in retail business the past few years, none of them are equipped to serve the needs of the homeless or residential community. This area is primarily industrial with no grocery or department stores nearby. There also happens to be a marijuana dispensary across the street from the shelter and a marijuana growing facility within a very short walking distance, and on most days the smell of marijuana is pervasively in the air—conditions not ideal for shelter residents attempting recovery. Furthermore, the presence of homeless people loitering near the stores and businesses in the area would hurt business traffic and increase safety concerns.

While GRG is sympathetic to the needs for homeless housing in Phoenix due to the increase in homelessness, we do not believe the placement of a facility in this area will effectively help serve its residents and transition them into independent housing. GRG stands firmly against the proposed rezoning of the site.

Thank you for your attention to this matter.

Sincerely,



Richard J. Radobenko
Chairman of the Board

2-7-23

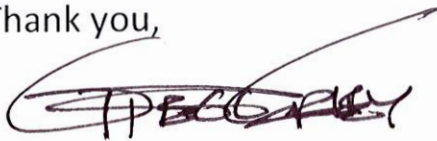
RE: Case #Z-SP-12-22

2425 S. 24th St Phx, Az.

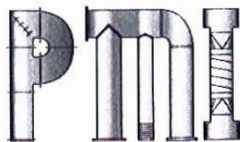
To whom it may concern,

We adamantly oppose the rezoning request to change this facility into a homeless shelter. In the cover letter dated 1-11-23 (attached), it is stated that it will be a closed campus shelter for individuals experiencing homelessness. To date this has not been approved yet and should not be an active shelter yet. In the last few weeks we have witnessed a large increase in individuals with nothing more to do than to case our facility for future illegal activity while we are not here. It obviously is not a closed campus and they should not be allowed to stay there until it is approved. In the letter it states that "CBI always strives to be an agent of positive change in each community they serve and to maintain the dignity of human life". This new change of letting homeless drug addicted people walk our streets and threaten the safe protected business environment we once knew, neither is a positive change or is maintaining the dignity of human life of the established hard working people in this entire area. We stand with a multitude of our surrounding neighbors in opposing this rezoning action.

Thank you,



The owners of Preferred Mechanical, Inc.



Mechanical Contractor
AZ LIC ROC 131693
ROC 131694
ROC 185327

PREFERRED MECHANICAL INC.

Gregg Corley

Vice President / Operations Manager

2310 E. Magnolia Street
Phoenix, AZ 85034
Email: gregg@preferredmech.com

Phone: 602-431-9844
Fax: 602-431-9855
Mobile: 602-312-6259

CITY OF PHOENIX

FEB 15 2023

**Planning & Development
Department**

GAMMAGE & BURNHAM, PLC

ATTORNEYS AT LAW

40 NORTH CENTRAL AVENUE

20TH FLOOR

PHOENIX, ARIZONA 85004

TELEPHONE (602) 256-0566
FACSIMILE (602) 256-4475

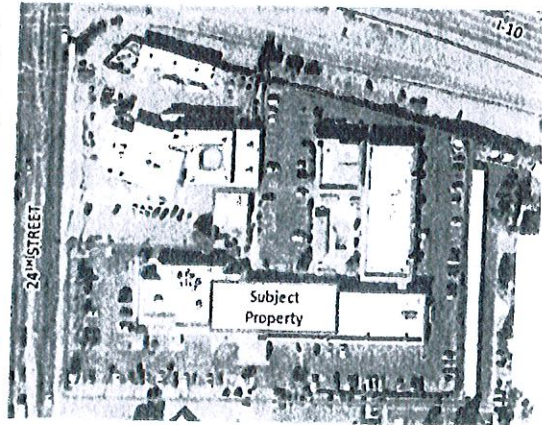
WRITER'S DIRECT LINE
(602) 256-4486

January 11, 2023

RE: 2425 South 24th Street- Z-SP-12-22

Dear Property Owner or City Registered Neighborhood Organization:

The purpose of this letter is to inform you that on behalf of Community Bridges, Inc ("CBI"), we have recently filed a rezoning request for an approximately 3.64-acre site located south of the southeast corner of 24th Street and the I-10 Freeway, as shown in the aerial to the right. Rezoning case number Z-SP-12-22 requests to change the zoning from A-2 RSIOD (Rio Salado Interim Overlay District) to A-2 RSIOD SP (Special Permit) to allow for the redevelopment of a vacant hotel into a closed-campus shelter for individuals experiencing homelessness. We would like to invite you to a neighborhood meeting to discuss this rezoning request.



Community Bridges, Inc. is celebrating its 40th anniversary as one of Arizona's premier providers of comprehensive, medically integrated behavioral health care, addiction recovery programs, educational outreach, and services for veterans and individuals experiencing homelessness. CBI always strives to be an agent of positive change in each community they serve and to maintain the dignity of human life.

Coming out of the pandemic, the number of individuals experiencing homelessness has dramatically increased. With the rising cost of shelter, inflation in the price of basic goods, and job loss due to the pandemic, the City of Phoenix has seen a 30% increase in its unsheltered population since 2019, as evidenced by the encampments found throughout the City – not just downtown anymore. In 2021 alone, 3,700 encampments were reported through the Phoenix CARES system. Shelters are filled every night of the week with long wait lists for entry, creating an immediate and urgent need for more housing and services for this increased population.

Attached is a copy of the cover letter of our application, the aerial/site plan, and existing elevations.

A neighborhood meeting will be held on Wednesday, February 8, 2023, at 6:00PM at the Subject Property located at 2425 S. 24th Street (enter through the main lobby).

You are invited to attend this meeting to learn about the project and proposed zoning. If you are unable to attend, please contact me at msantoro@gblaw.com or 602-256-0566 to learn more about the case. The City of Phoenix Village Planner assigned to this case is Anthony Grande and can be reached at pdd.longrange@phoenix.gov or 602-534-3753. This planner can answer your questions regarding the City review and hearing processes as well as the staff position once their report is complete. You may also make your feelings known on this case by writing to the City of Phoenix Planning and Development Department, 200 West Washington Street, 2nd Floor, Phoenix, AZ 85003, referencing the case number. Your letter will be made part of the case file.

Please be advised that meetings and hearings before the Central City Village Planning Committee and the Planning Commission are planned to review this case. Specific meeting and hearing dates have not yet been set. You should receive a subsequent notice identifying the date and location of the meeting/hearings when they have been scheduled.

Again, I would be happy to answer any questions that you may have regarding this proposal. You may reach me at msantoro@gblaw.com or 602-256-0566.

Sincerely,
GAMMAGE & BURNHAM, PLC



By Michelle Santoro
Senior Land Use Planner

Attachments: Copy of Signed Application
Aerial / Site Plan
Existing Elevations

Monday, April 3, 2023

CITY OF PHOENIX

To Whom It May Concern at:

APR 14 2023

City of Phoenix Planning & Development Department

**Planning & Development
Department**

200 West Washington Street, 2nd Floor

Phoenix, Arizona 85003

CASE: Z-SP-12-22

We at Capistrano's Bakery, 2635 South 24th Street, Phoenix, Arizona 85034, would like you to know that we are supportive of the zoning change that will allow Community Bridges to operate this homeless shelter in our neighborhood.

Please let us know how we can help in this process.

Sincerely,

A handwritten signature in dark ink, reading "Edward Eisele". The signature is written in a cursive, flowing style.

Edward Eisele

Owner, Capistrano's Bakery



Village Planning Committee Meeting Summary Z-SP-12-22-8

Date of VPC Meeting	May 8, 2023
Request From	A-2 RSIOD
Request To	A-2 SP RSIOD
Proposed Use	Homeless Shelter
Location	Approximately 260 feet north of the northeast corner of 24th Street and University Drive
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION June 1, 2023

ITEM NO: 12	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-SP-12-22-8
Location:	Approximately 260 feet north of the northeast corner of 24th Street and University Drive
From:	A-2 RSIOD
To:	A-2 SP RSIOD
Acreage:	3.77
Proposal:	Homeless Shelter
Applicant:	Dan Hines, Community Bridges, Inc.
Owner:	South 24th, LLC
Representative:	Wendy Riddell, Berry Riddell, LLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Central City 5/8/2023 No Quorum.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion: N/A

Motion details: Commissioner Simon made a MOTION to approve Z-SP-12-22-8, per the staff recommendation.

Maker: Simon
Second: Perez
Vote: 8-0
Absent: Howard
Opposition Present: Yes

Findings:

1. The proposal is consistent with the General Plan Land Use Map, the intent of the Rio Salado Interim Overlay District, and with the character of the surrounding area.
2. The proposal will provide additional shelter beds, necessary for addressing homelessness in Phoenix, at an appropriate location, consistent with the Phoenix General Plan, the Housing Phoenix Plan, and the Strategies to Address Homelessness plan.
3. The proposal will enhance connectivity in the immediate vicinity by providing additional shade for the adjacent sidewalk and upon redevelopment, providing detached sidewalks, consistent with the Tree and Shade Master Plan and the Complete Streets Guiding Principles.

Stipulations:

1. The development shall be in general conformance to the site plan date stamped February 7, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. The site shall contain a maximum of 117 beds.
3. An Operational Plan shall be developed to govern operational features of the shelter. The plan shall address at minimum, the following:
 - a. The facility shall operate as a “Closed Campus” (defined as no walk-up admission to the program with all screening of potential program participants to be held off-site).
 - b. Any services, on-site, will be provided only to program participants residing in the shelter.
 - c. Program participants will be screened for eligibility prior to admission.
 - d. On-site security shall be provided 24 hours a day, 7 days a week.
 - e. Security video cameras will be provided on the site and monitored to secure the site.
 - f. A hotline number shall be maintained for surrounding businesses to call and notify the operator of any potential issues.
 - g. Drugs and/or alcohol are to be prohibited.
 - h. Signage discouraging loitering shall be posted and visible from public rights-of-way.
 - i. Procedures for discharge.
4. The operator shall engage with members of the community as listed below:
 - a. The operator shall host semiannual community meetings to allow for opportunities to discuss any concerns and follow up requests related to site operations.
 - b. The operator shall maintain updated facility contact information and provide the contact information to the community leaders of registered neighborhood organizations within a one-mile radius of the subject site to address any issues that may arise.
5. The operator shall enroll in a virtual block watch program with the City of Phoenix Police Department.
6. The perimeter of the site shall be fenced to secure the site, as approved by the Planning and Development Department.

7. Site lighting shall be provided at building entrances/exits and parking and refuse areas, as approved by the Planning and Development Department.
8. Landscaping shall be replenished with minimum 2-inch caliper shade trees within the existing landscape setback along 24th Street and surface parking lot, as approved by the Planning and Development Department.
9. The developer shall dedicate a minimum 10-foot-wide sidewalk easement along the east side of 24th Street, as approved by the Planning and Development Department.
10. Upon complete redevelopment or development that increases the cumulative floor area by more than 15% from that depicted on the site plan date stamped February 7, 2023, the developer shall construct a minimum 6-foot-wide detached sidewalk and minimum 10-foot-wide landscape strip located between the back of curb and sidewalk along the east side of side of 24th Street, as approved by the Planning and Development Department. The landscape strip shall be planted with minimum 2-inch caliper shade trees. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
12. The property owner shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
13. 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.
14. 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.
15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.

ATTACHMENT E

CITY OF PHOENIX PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:				
APPLICATION NO/ LOCATION	Z-SP-12-22-8 Approximately 260 feet north of the northeast corner of 24th Street and University Drive	(SIGNATURE ON ORIGINAL IN FILE)		
		opposition	x	applicant
APPEALED FROM:	PC 6/1/23	2198 E. Camelback Road, Suite 305 Phoenix, AZ 85016		
	<i>PC DATE</i>	<i>STREET/ADDRESS/CITY/STATE/ZIP</i>		
TO PC/CC HEARING	CC 6/28/2023	Timothy A. La Sota 602-515-2649 tim@timlasota.com		
	<i>CC DATE</i>	<i>NAME / PHONE / EMAIL</i>		
REASON FOR REQUEST: The rezoning should be denied.				
RECEIVED BY:	Jerroid Hopkins	RECEIVED ON:	6/8/2023	

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Stephanie Vasquez
Diana Hernandez
David Urbinato
Vikki Cipolla-Murillo

Greg Harmon
Paul M. Li
Village Planner
GIS
Applicant
Byron Easton (for PHO Appeals)

The **PLANNING COMMISSION** agenda for June 1, 2023 is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. June 8, 2023.

Any member of the public may, within seven (?) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. June 8, 2023.

2. A **WRITTEN PROTEST** is filed, no later than seven (?) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. June 8, 2023.

The Planning and Development Department will verify ownership by protesters to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. June 15, 2023.

FORM TO REQUEST CITY COUNCIL HEARING

I **HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:**

Z-SP-12-22-8
APPLICATION NO.

Approximately 260 feet north of the northeast corner of 24th Street and University Drive
LOCATION OF APPLICATION SITE

June 1, 2023
DATE APPEALED FROM

☒ **OPPOSITION**
☐ **APPLICANT**

Jerrold Hopkins Planner I
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Timothy A. La Sota
PRINTED NAME OF PERSON APPEALING

Timothy La Sota
SIGNATURE

2198 E. Camelback Road, Suite 305
STREET ADDRESS

6/6/23
DATE OF SIGNATURE

Phoenix, AZ 85016
CITY, STATE & ZIP CODE

602-515-2649
TELEPHONE NO.

tim@timlasota.com
EMAIL ADDRESS

REASON FOR REQUEST

The rezoning should be denied.

CITY OF PHOENIX

JUN 08 2023

**Planning & Development
Department**

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

J. Hay
Zoning Planner I

ATTACHMENT F

From: [Anthony M Grande](#)
To: [Anthony M Grande](#)
Subject: FW: Rio Fresco
Date: Tuesday, May 9, 2023 8:52:59 AM
Attachments: [seal-black-50px_a3d9a4d7-d742-435e-a8ed-1b9f58bdcdb29.png](#)

From: Jessica Berg <JBerg@svdpaz.org>
Sent: Monday, May 8, 2023 5:02 PM
To: Rachel B Milne <rachel.milne@phoenix.gov>; Scott Hall <scott.hall@phoenix.gov>
Subject: Rio Fresco

To the Village Planning Committee:

Thank you for considering this matter - Z-SP-12-22-8 – to rezone for the “Rio Fresco” homeless shelter run by Community Bridges Inc.

I am in favor of this rezoning, and have experienced first hand how beneficial a community-embedded shelter can be to a neighborhood, both those residents temporarily living within the shelter, and the businesses and individuals in the neighborhood.

St Vincent de Paul is just about to have its first anniversary of running the Washington Street Shelter at 28th Street and Washington.

We went through a similar process before we opened, reaching out to the neighbors and ensuring we had a clear operating plan and “Good Neighbor Agreement” that outlined our intentions to be the best possible neighbor.

To this day, we get great feedback from local business owners, and in fact very often folks don’t even know there’s a shelter there.

There are no lines out front, no tents, and there’s no noticeable “overflow” on the street.

Because we have had the ability to hire security, to work with local police, to have a fence around the property, and to have a dog run inside the property, we are able to provide dignity for those living inside as well as those living or working nearby.

While Community Bridges has been running Rio Fresco since November, they are currently leasing the rooms, thus they have some limitations as to what they can do (eg, security, fencing, etc).

They will be purchasing the property, and with the proper zoning and ownership, they will have the freedom to do more with the space to be able to be the best possible neighbors.

In fact, CBI has been working with us at the Washington Street, and they too have enjoyed the space, the closed campus model, and the great relationships with neighbors. They will be attempting to emulate this model, and we will continue to partner with them to assist with any tools they may need.

Washington Street, a closed-campus, emergency, community-embedded shelter with services for pets, is an important model for our community. We need more facilities and programs like this one, spread out throughout the City, County, and State.

I welcome anyone to visit anytime to talk more about these types of temporary housing programs. I’m eager to support CBI as they build a similar program at Rio Fresco.

Thank you!

-Jessica Berg



Jessica Berg | Chief Program Officer

St. Vincent de Paul | Feed.Clothe.House.Heal.

O 602.850.6931 | JBerg@svdpaz.org

[\[azgives.org\]](#) [\[azgives.org\]](#) [\[100days.stvincentdepaul.net\]](#) [\[reflectinghope.stvincentdepaul.net\]](#)
[\[reflectinghope.stvincentdepaul.net\]](#) [\[stvincentdepaul.net\]](#) [\[stvincentdepaul.net\]](#) [\[stvincentdepaul.net\]](#)
[\[stvincentdepaul.net\]](#)
[\[100days.stvincentdepaul.net\]](#) [\[stvincentdepaul.net\]](#) [\[100days.stvincentdepaul.net\]](#)

[\[stvincentdepaul.net\]](#) [\[summerrelief.stvincentdepaul.net\]](#)

To whom it may concern,

After many conversations with the team at Community Bridges, Inc. We have decided to relinquish our opposition to their purchasing of the property at:

2425 S. 24th Street Phoenix, AZ 85034.

We feel the relationship between CBI and our local community of business owners will benefit the clients of CBI in some way, shape, or form.

Sincerely,

Giovanni and Ali Pace.

05/30/2023



May 30, 2023

Members of the City of Phoenix Planning Commission,

I am writing to support the zoning application for the Rio Fresco shelter located on 24th St and University Drive. Lutheran Social Services of the Southwest is located in the office park directly next door to the shelter location. Our offices look onto the parking lot and rooms on the east side of the hotel facility.

As an employer we are very concerned about the safety of our staff members and our property. We believe that a well maintained and managed shelter facility is an excellent neighbor. Since they began using the building, we have had no concerns.

Homelessness is a crisis in our community, and it is imperative that additional facilities be made available as soon as possible. The location of the hotel makes it a perfect candidate, as it is in a light industrial area with easy access to transportation and services.

Thank you for your consideration of this zoning application.

Sincerely,

A handwritten signature in cursive script, appearing to read "Connie Phillips".

Connie Phillips
President and CEO

2502 E. University Drive, #125
Phoenix, AZ 85034
480-396-3795 | fax 480.325.3643 | www.lss-sw.org

3364 E. Grant Road
Tucson, AZ 85716
520-784-2300 | fax 520.748.2355 | www.lss

6/9/2023

Anthony Grande
Planner II | Village Planner
City of Phoenix
Planning & Development Department
Long Range Planning
200 West Washington Street
Phoenix, AZ 85003

Re: **Z-SP-12-22-8** Rezone 3.77 acres from A-2 RSIOD to A-2 SP RSIOD for a homeless shelter.

Dear Phoenix City Council Members,

I am writing this letter in support of Z-SP-12-22-8. I am a local Urban Planner, Chair of the Central City Village Planning Committee, and owner of a small business within 3.5 miles of the property (310 E. Buchanan Street, Phoenix). I support this proposed rezone and project because it will bring a much-needed housing resource to the Downtown community in a way that effectively alleviates the current housing crisis in Phoenix.

The project's proposed use is compatible and appropriate for the property size, location, and surrounding area. This project would provide a crucially needed housing type for the fastest growing demographic in Phoenix: people experiencing homelessness. Community Bridges has presented a viable redevelopment plan for the site that will significantly impact the thousands of individuals and families sleeping on Phoenix streets. Residents will not benefit from denying additional shelter and relief is needed today.

Approving Z-SP-12-22-8 will provide more Phoenix residents experiencing homelessness with the essential resources of shelter and social services in a timely response to the volatile post-COVID housing market. The positive impact that this project will have on the City drastically outweighs any potential growing pains or "NIMBYism" that inherently occurs when introducing a shelter into the community. It is in the City's best interest to approve this rezone application and support Community Bridges' homeless shelter.

Thank you,

Nicholas Gonzales
City of Phoenix
Central City Village Planning Committee Chair
310 E. Buchanan Street
Phoenix, AZ 85004

ATTACHMENT G



ACC Machinery Co., Inc. 2622 S 24th Street; Phoenix, AZ 85034 (602) 258-7330

March 15, 2023

Dear Councilmember Garcia:

Am writing to you as a concerned business partner at 2622 S 24th Street. We understand that the City of Phoenix is considering rezoning a property at 2425 S. 24th St. in Phoenix to allow for a homeless shelter. This is the one from Community Bridges, case number Z-SP-12-22.

We were never provided a letter of notice and thus did not know about a meeting scheduled on this matter back in February. Our mail carrier informed us of what was going on at the hotel near us. He shared many bad experiences other neighbors had already had to go through and warned we should be more careful, especially women.

Currently, there are zero assurances that what is proposed to be allowed will not negatively affect the neighborhood. Just a few weeks ago, many fire trucks, police officers, command stations were gathered at that area trying to control a meth lab installation attempt. And a week or so ago, there was a murder. Our business recently had a break in attempt with a crow bar and the lock on our gate cut off and taken. Mind you we cannot ever fully fence our property due to easements and need for utility access.

How can this shelter and homeless residents already be at this location before rezoning is approved?

How can the State, City, CBI and others provide assurances that our business, customers, vendors, peers and providers will not be in subjected to harm?

Why should we have to even consider adding costs to our business for security, cameras, fencing, additional locks, schedule adjustments and the like when the City isn't considering do this the right way?

Just the other day, in the parking lot next to ours, on a weekend, I witnessed a homeless man defecating in the grass. The bus stop by our location has had far more activity and garbage littered about. There have been more people on bikes with backpacks riding through parking lots obviously looking for crimes of opportunity. One doesn't look into a car that is not their own with good motives.

We care about the homeless and give to many charities in support. To do that requires we earn a good living and to do that requires our business is not negatively affected by situations we are now having to experience. I bring my grandchildren to work on weekends sometimes to teach them about accounting, filing, etcetera. Can't do that now.

It feels as if the zoning part of this project is being rushed through, almost an afterthought since this is already happening. Why not put the brakes on and allow more input from the neighbors. It's possible we have good ideas to share and better ways of helping the homeless. At the very minimum, the City needs to immediately provide better security, onsite, 24/7 and we deserve to know who is living at that location. Afterall, they know who we are. Please help us work through this matter in a more upfront, clear eyed manner rather than the under the radar sneaky way it seems to be happening at this moment. Thank you.

Respectfully,

Stephanie McDowell

ACC Machinery Co., Inc.



Public Hearing - Amend City Code - Ordinance Adoption - Offsite Manufactured Home Developments - Z-TA-2-23-Y (Ordinance G-7133)

Request to hold a public hearing on a proposed text amendment Z-TA-2-23-Y and to request City Council approval per the Planning Commission recommendation which amends Chapter 2 (Rules of Construction and Definitions) and Chapter 6 (Zoning Districts) of the Phoenix Zoning Ordinance regarding offsite manufactured home developments.

Summary

Application: Z-TA-2-23-Y

Proposal: Amend Chapter 2, Section 202 (Definitions) to add definitions for offsite manufactured home, offsite manufactured home developments, and revise modular home and park model, amend Chapter 6, Section 608.F (Residence Districts) to add offsite manufactured home developments subject to a use permit and Section 647.A.2.k (Special Permit Uses) to delete mobile home developments.

Applicant: City of Phoenix, Planning Commission

Representative: City of Phoenix, Planning and Development

Staff Recommendation: Approval of Z-TA-2-23-Y as shown in Exhibit A of the staff report (**Attachment B**).

VPC Action: The request was heard by nine Village Planning Committees (VPCs). Eight VPCs recommended approval, per the staff recommendation; one VPC recommended approval, per the staff recommendation, with a modification that the Special Permit requirement remain; and six VPCs did not have quorum, as reflected in **Attachments C and D**.

PC Action: The Planning Commission heard this case on June 1, 2023, and recommended approval, per the staff recommendation, by a vote of 8-0.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING PORTIONS OF THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX BY AMENDING CHAPTER 2, SECTION 202 (DEFINITIONS) TO ADD OFFSITE MANUFACTURED HOME, OFFSITE MANUFACTURED HOME DEVELOPMENT, AND CLARIFY MODULAR HOME AND PARK MODEL. AMEND CHAPTER 6, SECTION 608.F (RESIDENCE DISTRICTS) TO ADD PARAGRAPH F.9 AND SECTION 647.A.2.K TO DELETE MOBILE HOME DEVELOPMENTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1: That Chapter 2, Section 202 (Definitions), is amended to read:

Amend Chapter 2, Section 202 (Definitions) to add offsite manufactured home, offsite manufactured home development and clarify modular home and park model as follows:

Manufactured Home: A multi-sectional dwelling unit manufactured after June 15, 1976, and built to the Manufactured Housing Construction and Safety Standards and the State of Arizona Installation Requirements For Manufactured Housing.

Mobile Home: A structure built prior to June 15, 1976 that is a movable or portable dwelling unit constructed either to be towed on its own chassis, or designed to be installed or parked with or without a permanent foundation for human occupancy.

Mobile Home Development: Any lot, tract, or parcel of land used or offered for use in whole or in part, with or without charge, for the parking of occupied mobile homes.

Modular Home: A dwelling unit which is either wholly or in substantial part manufactured at an off-site location to be assembled on-site, except that it does not include a manufactured home, mobile home, park model, or recreational vehicle as defined in this

section. MODULAR HOME CAN INCLUDE SHIPPING CONTAINER BUILT FOR RESIDENTIAL USE.

OFFSITE MANUFACTURED HOME: A DWELLING UNIT WHICH IS EITHER WHOLLY OR IN SUBSTANTIAL PART MANUFACTURED AT AN OFF-SITE LOCATION TO BE ASSEMBLED ON-SITE, WHICH INCLUDES A MANUFACTURED HOME, MOBILE HOME, PARK MODEL, OR MODULAR HOME AS DEFINED IN THIS SECTION.

OFFSITE MANUFACTURED HOME DEVELOPMENT: ANY LOT, TRACT, OR PARCEL OF LAND USED OR OFFERED FOR USE IN WHOLE OR IN PART, WITH OR WITHOUT CHARGE, FOR THE PARKING OF OCCUPIED OFFSITE MANUFACTURED HOMES.

Park Model: A trailer type unit not exceeding 400 square feet that is primarily designed to provide temporary living quarters for recreational, camping, or seasonal use that is built TO AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) STANDARDS AND on a single chassis mounted on wheels. PARK MODEL CAN INCLUDE STRUCTURE COMMONLY REFERRED AS "TINY HOME".

Recreational Vehicle: A vehicular type unit thirty-two (32) feet or less in length and eight (8) feet or less in width, primarily designed as a temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.

Recreational Vehicle Park: Any lot, tract, or parcel of land used or offered for use in whole or in part with or without charge, for the parking of occupied recreational vehicles, tents, park models, or similar devices used for temporary living quarters for recreational camping or travel purposes.

SECTION 2: That Chapter 6, Section 608.F (Residence Districts), is amended to read:

Amend Chapter 6, Section 608.F. (Residence Districts) to add paragraph F.9 accordingly:

9. OFFSITE MANUFACTURED HOME DEVELOPMENTS.

a. OFFSITE MANUFACTURED HOME DEVELOPMENT IS ALLOWED R-2, R-3, R-3A, R-4, R-5, R-4A, C-1, C-2, AND C-3 ZONING DISTRICTS SUBJECT TO A USE PERMIT AND THE CONDITIONS OUTLINED BELOW:

(1) PLACEMENT FOR EACH OFFSITE MANUFACTURED HOME SHALL BE PROVIDED AS FOLLOWS:

(a) THERE SHALL BE A MINIMUM OF TWENTY FEET BETWEEN OFFSITE MANUFACTURED HOMES AND TEN FEET BETWEEN AWNINGS AND CANOPIES. ALL ANNEXES OR STRUCTURAL ADDITIONS SHALL BE CONSIDERED PART OF THE OFFSITE MANUFACTURED HOME.

(b) THERE SHALL BE AT LEAST FORTY FEET BETWEEN OFFSITE MANUFACTURED HOMES ON OPPOSITE SIDES OF A PRIVATE ACCESSWAY.

(c) NO OFFSITE MANUFACTURED HOME, ANNEX OR STRUCTURAL ADDITION SHALL BE CLOSER THAN EIGHT FEET TO ANY PRIVATE ACCESSWAY OR PRIVATE DRIVE.

(2) EACH OFFSITE MANUFACTURED HOME SPACE SHALL HAVE PRIVATE OUTDOOR LIVING SPACE OF AT LEAST 150 SQUARE FEET. THE DIMENSION OF THIS SPACE SHALL BE AT LEAST FIFTEEN FEET IN WIDTH.

(3) FOR EACH OCCUPIED OFFSITE MANUFACTURED HOME SPACE, THERE SHALL BE AN ENCLOSED STORAGE LOCKER FOR YARD TOOLS AND OTHER BULKY ITEMS CONVENIENT TO THE SPACE WITH A STORAGE CAPACITY OF AT LEAST ONE HUNDRED FIFTY CUBIC FEET.

(4) ALL AREAS NOT COVERED BY STRUCTURES OR PAVED

SURFACES SHALL BE LANDSCAPED AND MAINTAINED IN ACCORDANCE WITH THE SITE PLANS REQUIRED UNDER SECTION 507.

- (5) SCREENING THE PERIMETER OF AN OFFSITE MANUFACTURED HOME DEVELOPMENT BY A WALL OR OTHER APPROVED MATERIAL MAY BE REQUIRED.
- (6) THERE SHALL BE A NETWORK OF PEDESTRIAN WALKS CONNECTING OFFSITE MANUFACTURED HOME SPACES WITH EACH OTHER AND WITH DEVELOPMENT FACILITIES.
- (7) IF STORAGE YARDS ARE PROVIDED, THERE SHALL BE A SCREENED STORAGE YARD OR YARDS FOR BOATS, RECREATIONAL VEHICLES, ETC. SUCH STORAGE YARDS SHALL HAVE A MINIMUM OF SIXTY SQUARE FEET OF STORAGE SPACE FOR EACH OFFSITE MANUFACTURED HOME SPACE IN THE DEVELOPMENT AND SHALL BE LOCATED SO AS TO NOT DETRACT FROM SURROUNDING PROPERTIES. ALL BOATS AND RECREATIONAL VEHICLES SHALL BE PARKED IN THE STORAGE YARD.
- (8) EACH OFFSITE MANUFACTURED HOME SHALL A): BE AFFIXED PERMANENTLY TO THE GROUND OR B): HAVE "SKIRTING" AROUND ITS PERIMETER TO SCREEN ITS WHEELS AND UNDERCARRIAGE.
- (9) ALL UTILITIES AND THE WIRES OF ANY CENTRAL TELEVISION OR RADIO ANTENNA SYSTEM SHALL BE UNDERGROUND.
- (10) NOT MORE THAN FIFTEEN PERCENT OF THE SPACES IN ANY ONE OFFSITE MANUFACTURED HOME DEVELOPMENT SHALL BE DEVELOPED OR USED FOR RECREATIONAL VEHICLES.
- (11) DEVELOPMENT OF OFFSITE MANUFACTURED HOME COMMUNITIES SHALL BE UNDER THE PLANNED RESIDENTIAL DEVELOPMENT OPTION OF THE UNDERLYING ZONING DISTRICT.
- (12) PRIVATE DRIVES MAY BE USED FOR ACCESS TO EACH OFFSITE MANUFACTURED HOMES ONLY WHEN THERE IS NO SUBDIVISION OF THE MOBILE HOME DEVELOPMENT INTO INDIVIDUAL LOTS.
- (13) THERE SHALL BE A MINIMUM OF FIVE PERCENT OF THE TOTAL AREA OF THE OFFSITE MANUFACTURED HOME

DEVELOPMENT DEDICATED OR RESERVED AS USABLE COMMON "OPEN SPACE" LAND. COMMON "OPEN SPACE" LANDS SHALL BE CLEARLY DESIGNATED ON THE PLAN AS TO THE CHARACTER OF USE AND DEVELOPMENT BUT SHALL NOT INCLUDE:

- (a) AREAS RESERVED FOR THE EXCLUSIVE USE OR BENEFIT OF AN INDIVIDUAL TENANT OR OWNER; NOR
- (b) DEDICATED STREETS, ALLEYS, AND OTHER PUBLIC RIGHTS-OF-WAY; NOR
- (c) VEHICULAR DRIVES, PARKING, LOADING, AND STORAGE AREAS; NOR
- (d) REQUIRED SETBACK AREAS AT EXTERIOR BOUNDARIES OF THE SITE; NOR
- (e) GOLF COURSES.

ADEQUATE GUARANTEES MUST BE PROVIDED TO ENSURE PERMANENT RETENTION OF "OPEN SPACE" LAND AREA RESULTING FROM THE APPLICATION OF THESE REGULATIONS, EITHER BY PRIVATE RESERVATION FOR THE USE OF THE RESIDENTS WITHIN THE DEVELOPMENT OR BY DEDICATION TO THE PUBLIC, OR A COMBINATION THEREOF.

SECTION 3: That Chapter 6, Section 647.A.2.k. (Special Permit Uses), is amended to read:

Amend Chapter 6, Section 647.A.2.k. (Special Permit Uses) to delete mobile home developments and renumber remaining section accordingly:

~~k. Mobile home developments.~~

- (1) **~~Purpose.~~** ~~The purpose of this mobile home park development section is to allow an alternative living style and dwelling type to conventional single-family and multifamily housing. Mobile homes can provide a major source of acceptable housing for moderate income persons with minimal maintenance. The standards contained in this section are intended to afford adequate air and space between units, screening, open and pedestrian spaces, and storage areas and other customary accessory facilities. In~~

~~addition, the district regulations and development review are designed to protect and enhance the mobile home site and its environs.~~

~~(2) **Permitted uses.** Mobile home development only when located in an R-2 and R-3 district, and subject to the following conditions:~~

- ~~(a) The site shall be at least ten acres unless it is an expansion of an existing development.~~
- ~~(b) Open space for each mobile home shall be provided as follows:
 - ~~(i) There shall be twenty feet of open space between mobile homes. The width of any common walk between mobile homes shall not be counted as part of this required open space. All annexes or structural additions shall be considered part of the mobile home. This space may be reduced to ten feet between awnings or canopies.~~
 - ~~(ii) There shall be at least forty feet between mobile homes on opposite sides of a private accessway.~~
 - ~~(iii) No mobile home shall be closer than eight feet to any private accessway or private drive.~~~~
- ~~(c) Each mobile home space shall have private outdoor living space of at least three hundred square feet. The least dimension of this space shall be at least fifteen feet.~~
- ~~(d) For each occupied mobile home space, there shall be a storage locker for yard tools and other bulky items convenient to the space. It shall be at least six feet high with a storage capacity of at least one hundred fifty cubic feet.~~
- ~~(e) All areas not covered by structures or paved surfaces shall be landscaped and maintained in accordance with the site plans required under Section 507.~~
- ~~(f) Screening the perimeter of a mobile home development by a wall or other approved material may be required.~~
- ~~(g) There shall be a network of pedestrian walks connecting mobile home spaces with each other and with development facilities.~~
- ~~(h) There shall be a laundry with a screened clothes drying yard.~~
- ~~(i) There shall be a screened storage yard or yards for boats,~~

~~recreational vehicles, etc. Such storage yards shall have a minimum of sixty square feet of storage space for each mobile home space in the development and shall be located so as to not detract from surrounding properties. All boats and recreational vehicles shall be parked in the storage yard.~~

- ~~(j) Each mobile home shall have "skirting" around its perimeter to screen its wheels and undercarriage, or the mobile home shall be placed in an excavation specifically designed to hide the wheels and undercarriage from view.~~
- ~~(k) All utilities and the wires of any central television or radio antenna system shall be underground.~~
- ~~(l) Not more than fifteen percent of the spaces in any one mobile home development shall be developed or used for recreational vehicles.~~
- ~~(m) Development shall be under the planned residential development option of the underlying zoning district.~~
- ~~(n) Private drives may be used for access to each mobile home only when there is no subdivision of the mobile home development into individual lots.~~
- ~~(o) There shall be a minimum of five percent of the total area of the mobile home development dedicated or reserved as usable common "open space" land. Common "open space" lands shall be clearly designated on the plan as to the character of use and development but shall not include:~~
 - ~~(i) Areas reserved for the exclusive use or benefit of an individual tenant or owner; nor~~
 - ~~(ii) Dedicated streets, alleys, and other public rights-of-way; nor~~
 - ~~(iii) Vehicular drives, parking, loading, and storage areas; nor~~
 - ~~(iv) Required setback areas at exterior boundaries of the site; nor~~
 - ~~(v) Golf courses.~~

~~Adequate guarantees must be provided to ensure permanent retention of "open space" land area resulting from the application of these regulations, either by private reservation for the use of the residents within the development or by dedication to the public, or a combination thereof.~~

~~(p) Manufactured homes are permitted in mobile home developments which were existing prior to May 7, 2010 and shall not be subject to the design review standards outlined in the Guidelines for Design Review Section of the Zoning Ordinance.~~

~~***~~

PASSED by the Council of the City of Phoenix this 28th day of June, 2023

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report
Zoning Ordinance Text Amendment
Z-TA-2-23-Y
(Offsite Manufactured Home Developments)
April 21, 2023

Application No. Z-TA-2-23-Y: Amend Chapter 2, Section 202 (Definitions) to add definitions for offsite manufactured home, offsite manufactured home development, and revise modular home and park model, amend Chapter 6, Section 608.F. (Residence Districts) to add offsite manufactured home developments subject to a use permit and Section 647.A.2.k. (Special Permit Uses) to delete mobile home developments.

Staff recommendation: Staff recommends approval of Z-TA-2-23-Y as shown in Exhibit A.

BACKGROUND

Residents of mobile home communities throughout the City of Phoenix have faced displacement due to the redevelopment of mobile home park sites. In response to community concerns and in coordination with the Mayor and City Council, an internal work group was formed on September 28, 2022, to determine how the city could assist families facing imminent displacement and to identify measures to reduce future risk.

The Work Group was comprised of City staff from throughout the organization and included the Phoenix Industrial Development Authority (IDA). The team was charged with evaluating all legal and financial assistance the City could offer to the tenants of the displaced communities. The team also reviewed and evaluated options to develop long-term strategies to prevent this issue from happening in the future. The resulting research report from the internal work group was issued November 25, 2022, and an updated report was issued on February 23, 2023 (Exhibit B).

The report detailed programs, initiatives, and strategies to address the displacement of mobile home residents in the city of Phoenix. However, due to limitations from Arizona Revised Statutes, the city is limited from taking certain actions. The report included legal analysis and also covered approaches taken by other jurisdictions to address similar challenges in their communities. Each proposed program and strategy were detailed in this report along with a set of recommended actions. Recommended programs and strategies were organized by the following:

1. Immediate Solutions - Financial Assistance and Support Services;
2. Medium Term Solutions - Planning and Zoning Initiatives;
3. Long Term Solutions - Ownership and Acquisition Strategies.

On March 22, 2023, Mayor and Council directed staff to move forward with 12 viable recommended actions outlined in Exhibit B. Action Item #6 recommended modifications to mobile home park development requirements.

Staff obtained input from various stakeholders and held four meetings to review and request additional input on the proposed text amendment. Stakeholders included individuals from the following organizations:

- Manufactured Housing Communities of Arizona (MHCA)
- Manufactured Housing Industry of Arizona (MHIA)
- Arizona Department of Housing Board of Manufactured Housing Member
- Affordable Housing/Private Developers
- Arizona State University, Real Estate Development

PURPOSE

There is a need to expand housing types and development options available within the city. The General Plan and the Housing Phoenix Plan promotes offering diverse housing types. The intent of the proposed text amendment is to modernize mobile home park development requirements and remove any potential challenges to developing new parks. The proposed text amendment adds new definitions for offsite manufactured home, offsite manufactured home development and clarify modular home and park model, expands offsite manufactured home developments to all multifamily districts subject to a use permit, eliminates the minimum acreage size and removes the special permit provisions for mobile home developments. These proposed changes would allow for new offsite manufactured home developments to be built and the ability to offer more affordable housing options.

DESCRIPTION OF THE PROPOSED TEXT

Definitions

Modular Home: The term “Shipping Container” was included in this definition.

Offsite Manufactured Home: A new definition was created to include different housing types that are manufactured at an off-site location and assembled on-site.

Offsite Manufacture Home Development: A new definition was created to define developments on a lot for housing types that are manufactured at an off-site location and assembled on-site.

Park Model: This term has been revised to be consistent with other off-site manufactured structures references to manufacturer standards. Park Models are manufactured under American National Standards Institute (ANSI) standards. In addition, the term “Tiny Home” was included in this definition.

Offsite Manufactured Home Requirements

- Expand offsite manufactured home developments to all multifamily districts subject to a use permit (R-2, R-3, R-3A, R-4, R-5 and R-4A). In addition, C-1, C-2 and C-3 which include multifamily development standards.

Existing mobile home park developments are limited to R-2 and R-3 zoning districts with a Special Permit. The Special Permit process adds an unnecessary step and additional cost to the development that is not required of other housing developments (single-family homes, apartments, townhomes, etc.). Offsite manufactured housing provides an essential housing product to address affordability and sustainability.

- Eliminate the minimum 10-acre size requirement for the development. The Planned Residential Development (PRD) Option has established development standards for density, setbacks, lot coverage, etc. for the underlying zoning districts which is consistent with other housing developments.

CONCLUSION

The proposed text amendment will add new definitions for offsite manufactured home, offsite manufactured home development and clarify modular home and park model, expand offsite manufactured home developments to all multifamily districts subject to a use permit, eliminate the minimum acreage size and remove the Special Permit provisions for mobile home developments.

Staff recommends approval of Z-TA-2-23-Y as proposed in Exhibit A.

Writer

T. Gomes
4/21/23

Exhibits

- A. Proposed Language
- B. Research Report City Manager's Office dated 2/23/23

EXHIBIT A
Text Amendment Z-TA-2-23-Y:
Offsite Manufactured Home Developments

Proposed Language:

Amend Chapter 2, Section 202 (Definitions) to add offsite manufactured home, offsite manufactured home development and clarify modular home and park model as follows:

Manufactured Home: A multi-sectional dwelling unit manufactured after June 15, 1976, and built to the Manufactured Housing Construction and Safety Standards and the State of Arizona Installation Requirements For Manufactured Housing.

Mobile Home: A structure built prior to June 15, 1976 that is a movable or portable dwelling unit constructed either to be towed on its own chassis, or designed to be installed or parked with or without a permanent foundation for human occupancy.

Mobile Home Development: Any lot, tract, or parcel of land used or offered for use in whole or in part, with or without charge, for the parking of occupied mobile homes.

Modular Home: A dwelling unit which is either wholly or in substantial part manufactured at an off-site location to be assembled on-site, except that it does not include a manufactured home, mobile home, park model, or recreational vehicle as defined in this section. MODULAR HOME CAN INCLUDE SHIPPING CONTAINER BUILT FOR RESIDENTIAL USE.

OFFSITE MANUFACTURED HOME: A DWELLING UNIT WHICH IS EITHER WHOLLY OR IN SUBSTANTIAL PART MANUFACTURED AT AN OFF-SITE LOCATION TO BE ASSEMBLED ON-SITE, WHICH INCLUDES A MANUFACTURED HOME, MOBILE HOME, PARK MODEL, OR MODULAR HOME AS DEFINED IN THIS SECTION.

OFFSITE MANUFACTURED HOME DEVELOPMENT: ANY LOT, TRACT, OR PARCEL OF LAND USED OR OFFERED FOR USE IN WHOLE OR IN PART, WITH OR WITHOUT CHARGE, FOR THE PARKING OF OCCUPIED OFFSITE MANUFACTURED HOMES.

Park Model: A trailer type unit not exceeding 400 square feet that is primarily designed to provide temporary living quarters for recreational, camping, or seasonal use that is built TO AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) STANDARDS AND on a single chassis mounted on wheels. PARK MODEL CAN INCLUDE STRUCTURE COMMONLY REFERRED AS "TINY HOME".

Recreational Vehicle: A vehicular type unit thirty-two (32) feet or less in length and eight (8) feet or less in width, primarily designed as a temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.

Recreational Vehicle Park: Any lot, tract, or parcel of land used or offered for use in whole or in part with or without charge, for the parking of occupied recreational vehicles, tents, park models, or similar devices used for temporary living quarters for recreational camping or travel purposes.

Amend Chapter 6, Section 608.F. (Residence Districts) to add paragraph F.9 accordingly:

9. OFFSITE MANUFACTURED HOME DEVELOPMENTS.

- a. OFFSITE MANUFACTURED HOME DEVELOPMENT IS ALLOWED R-2, R-3, R-3A, R-4, R-5, R-4A, C-1, C-2, AND C-3 ZONING DISTRICTS SUBJECT TO A USE PERMIT AND THE CONDITIONS OUTLINED BELOW:
 - (1) PLACEMENT FOR EACH OFFSITE MANUFACTURED HOME SHALL BE PROVIDED AS FOLLOWS:
 - (a) THERE SHALL BE A MINIMUM OF TWENTY FEET BETWEEN OFFSITE MANUFACTURED HOMES AND TEN FEET BETWEEN AWNINGS AND CANOPIES. ALL ANNEXES OR STRUCTURAL ADDITIONS SHALL BE CONSIDERED PART OF THE OFFSITE MANUFACTURED HOME.
 - (b) THERE SHALL BE AT LEAST FORTY FEET BETWEEN OFFSITE MANUFACTURED HOMES ON OPPOSITE SIDES OF A PRIVATE ACCESSWAY.
 - (c) NO OFFSITE MANUFACTURED HOME, ANNEX OR STRUCTURAL ADDITION SHALL BE CLOSER THAN EIGHT FEET TO ANY PRIVATE ACCESSWAY OR PRIVATE DRIVE.
 - (2) EACH OFFSITE MANUFACTURED HOME SPACE SHALL HAVE PRIVATE OUTDOOR LIVING SPACE OF AT LEAST 150 SQUARE FEET. THE DIMENSION OF THIS SPACE SHALL BE AT LEAST FIFTEEN FEET IN WIDTH.
 - (3) FOR EACH OCCUPIED OFFSITE MANUFACTURED HOME SPACE, THERE SHALL BE AN ENCLOSED STORAGE LOCKER

FOR YARD TOOLS AND OTHER BULKY ITEMS CONVENIENT TO THE SPACE WITH A STORAGE CAPACITY OF AT LEAST ONE HUNDRED FIFTY CUBIC FEET.

- (4) ALL AREAS NOT COVERED BY STRUCTURES OR PAVED SURFACES SHALL BE LANDSCAPED AND MAINTAINED IN ACCORDANCE WITH THE SITE PLANS REQUIRED UNDER SECTION 507.
- (5) SCREENING THE PERIMETER OF AN OFFSITE MANUFACTURED HOME DEVELOPMENT BY A WALL OR OTHER APPROVED MATERIAL MAY BE REQUIRED.
- (6) THERE SHALL BE A NETWORK OF PEDESTRIAN WALKS CONNECTING OFFSITE MANUFACTURED HOME SPACES WITH EACH OTHER AND WITH DEVELOPMENT FACILITIES.
- (7) IF STORAGE YARDS ARE PROVIDED, THERE SHALL BE A SCREENED STORAGE YARD OR YARDS FOR BOATS, RECREATIONAL VEHICLES, ETC. SUCH STORAGE YARDS SHALL HAVE A MINIMUM OF SIXTY SQUARE FEET OF STORAGE SPACE FOR EACH OFFSITE MANUFACTURED HOME SPACE IN THE DEVELOPMENT AND SHALL BE LOCATED SO AS TO NOT DETRACT FROM SURROUNDING PROPERTIES. ALL BOATS AND RECREATIONAL VEHICLES SHALL BE PARKED IN THE STORAGE YARD.
- (8) EACH OFFSITE MANUFACTURED HOME SHALL A): BE AFFIXED PERMANENTLY TO THE GROUND OR B): HAVE "SKIRTING" AROUND ITS PERIMETER TO SCREEN ITS WHEELS AND UNDERCARRIAGE.
- (9) ALL UTILITIES AND THE WIRES OF ANY CENTRAL TELEVISION OR RADIO ANTENNA SYSTEM SHALL BE UNDERGROUND.
- (10) NOT MORE THAN FIFTEEN PERCENT OF THE SPACES IN ANY ONE OFFSITE MANUFACTURED HOME DEVELOPMENT SHALL BE DEVELOPED OR USED FOR RECREATIONAL VEHICLES.
- (11) DEVELOPMENT OF OFFSITE MANUFACTURED HOME COMMUNITIES SHALL BE UNDER THE PLANNED RESIDENTIAL DEVELOPMENT OPTION OF THE UNDERLYING ZONING DISTRICT.
- (12) PRIVATE DRIVES MAY BE USED FOR ACCESS TO EACH OFFSITE MANUFACTURED HOMES ONLY WHEN THERE IS NO SUBDIVISION OF THE MOBILE HOME DEVELOPMENT INTO INDIVIDUAL LOTS.
- (13) THERE SHALL BE A MINIMUM OF FIVE PERCENT OF THE TOTAL AREA OF THE OFFSITE MANUFACTURED HOME DEVELOPMENT DEDICATED OR RESERVED AS USABLE

COMMON "OPEN SPACE" LAND. COMMON "OPEN SPACE" LANDS SHALL BE CLEARLY DESIGNATED ON THE PLAN AS TO THE CHARACTER OF USE AND DEVELOPMENT BUT SHALL NOT INCLUDE:

- (a) AREAS RESERVED FOR THE EXCLUSIVE USE OR BENEFIT OF AN INDIVIDUAL TENANT OR OWNER; NOR
- (b) DEDICATED STREETS, ALLEYS, AND OTHER PUBLIC RIGHTS-OF-WAY; NOR
- (c) VEHICULAR DRIVES, PARKING, LOADING, AND STORAGE AREAS; NOR
- (d) REQUIRED SETBACK AREAS AT EXTERIOR BOUNDARIES OF THE SITE; NOR
- (e) GOLF COURSES.

ADEQUATE GUARANTEES MUST BE PROVIDED TO ENSURE PERMANENT RETENTION OF "OPEN SPACE" LAND AREA RESULTING FROM THE APPLICATION OF THESE REGULATIONS, EITHER BY PRIVATE RESERVATION FOR THE USE OF THE RESIDENTS WITHIN THE DEVELOPMENT OR BY DEDICATION TO THE PUBLIC, OR A COMBINATION THEREOF.

Amend Chapter 6, Section 647.A.2.k. (Special Permit Uses) to delete mobile home developments and renumber remaining section accordingly:

k. ~~Mobile home developments.~~

- (1) ~~**Purpose.** The purpose of this mobile home park development section is to allow an alternative living style and dwelling type to conventional single-family and multifamily housing. Mobile homes can provide a major source of acceptable housing for moderate income persons with minimal maintenance. The standards contained in this section are intended to afford adequate air and space between units, screening, open and pedestrian spaces, and storage areas and other customary accessory facilities. In addition, the district regulations and development review are designed to protect and enhance the mobile home site and its environs.~~
- (2) ~~**Permitted uses.** Mobile home development only when located in an R-2 and R-3 district, and subject to the following conditions:~~
 - (a) ~~The site shall be at least ten acres unless it is an expansion of an existing development.~~
 - (b) ~~Open space for each mobile home shall be provided as follows:~~

- ~~(i) There shall be twenty feet of open space between mobile homes. The width of any common walk between mobile homes shall not be counted as part of this required open space. All annexes or structural additions shall be considered part of the mobile home. This space may be reduced to ten feet between awnings or canopies.~~
 - ~~(ii) There shall be at least forty feet between mobile homes on opposite sides of a private accessway.~~
 - ~~(iii) No mobile home shall be closer than eight feet to any private accessway or private drive.~~
- ~~(c) Each mobile home space shall have private outdoor living space of at least three hundred square feet. The least dimension of this space shall be at least fifteen feet.~~
- ~~(d) For each occupied mobile home space, there shall be a storage locker for yard tools and other bulky items convenient to the space. It shall be at least six feet high with a storage capacity of at least one hundred fifty cubic feet.~~
- ~~(e) All areas not covered by structures or paved surfaces shall be landscaped and maintained in accordance with the site plans required under Section 507.~~
- ~~(f) Screening the perimeter of a mobile home development by a wall or other approved material may be required.~~
- ~~(g) There shall be a network of pedestrian walks connecting mobile home spaces with each other and with development facilities.~~
- ~~(h) There shall be a laundry with a screened clothes drying yard.~~
- ~~(i) There shall be a screened storage yard or yards for boats, recreational vehicles, etc. Such storage yards shall have a minimum of sixty square feet of storage space for each mobile home space in the development and shall be located so as to not detract from surrounding properties. All boats and recreational vehicles shall be parked in the storage yard.~~
- ~~(j) Each mobile home shall have "skirting" around its perimeter to screen its wheels and undercarriage, or the mobile home shall be placed in an excavation specifically designed to hide the wheels and undercarriage from view.~~
- ~~(k) All utilities and the wires of any central television or radio antenna system shall be underground.~~
- ~~(l) Not more than fifteen percent of the spaces in any one mobile home development shall be developed or used for recreational vehicles.~~

- (m) ~~Development shall be under the planned residential development option of the underlying zoning district.~~
- (n) ~~Private drives may be used for access to each mobile home only when there is no subdivision of the mobile home development into individual lots.~~
- (o) ~~There shall be a minimum of five percent of the total area of the mobile home development dedicated or reserved as usable common "open space" land. Common "open space" lands shall be clearly designated on the plan as to the character of use and development but shall not include:~~
 - ~~(i) Areas reserved for the exclusive use or benefit of an individual tenant or owner; nor~~
 - ~~(ii) Dedicated streets, alleys, and other public rights of way; nor~~
 - ~~(iii) Vehicular drives, parking, loading, and storage areas; nor~~
 - ~~(iv) Required setback areas at exterior boundaries of the site; nor~~
 - ~~(v) Golf courses.~~

~~Adequate guarantees must be provided to ensure permanent retention of "open space" land area resulting from the application of these regulations, either by private reservation for the use of the residents within the development or by dedication to the public, or a combination thereof.~~

- (p) ~~Manufactured homes are permitted in mobile home developments which were existing prior to May 7, 2010 and shall not be subject to the design review standards outlined in the Guidelines for Design Review Section of the Zoning Ordinance.~~



City of Phoenix

RESEARCH REPORT CITY MANAGER'S OFFICE		
		DATE ISSUED 2/23/23
TO: Mayor and Council	FROM: Jeff Barton, City Manager	
SUBJECT Mobile Home Resident and Mobile Home Park Displacement Options		

Introduction

Residents of mobile home communities throughout the City of Phoenix have faced displacement due to the redevelopment of mobile home park sites. Residents of three communities, including Periwinkle, Weldon Court, and Las Casitas, are under imminent threat of displacement. Many residents of these communities have contacted the City of Phoenix to seek assistance. In response to these concerns and in coordination with the Mayor and City Council, an internal work group was formed on Sept. 28, 2022, to determine how the City of Phoenix can assist families facing imminent displacement and to identify measures to reduce this risk in the future.

Background

The Work Group is comprised of City staff from throughout the organization and includes the Phoenix Industrial Development Authority (IDA). The team was charged with evaluating all legal and financial assistance the City could offer to the tenants of the three properties mentioned earlier in this report. The team also reviewed and evaluated options to develop long-term strategies to prevent this issue from happening in the future.

This report details programs, initiatives, and strategies to address the displacement of mobile home residents in the City of Phoenix. However, due to limitations from Arizona State Statutes, the City is constrained from taking certain actions. This report includes legal analysis and also covers approaches taken by other jurisdictions to address similar challenges in their communities. Each proposed program and strategy is detailed in this report along with a set of recommended actions. Recommended programs and strategies are organized by the following:

1. Immediate Solutions - Financial Assistance and Support Services;
2. Medium Term Solutions - Planning and Zoning Initiatives;
3. Long Term Solutions - Ownership and Acquisition Strategies.

Staff also recommends supporting Arizona State legislative changes that would increase the State-administered displacement funds for each resident that is impacted by redevelopment of mobile home parks, as well as any legislative changes that would allow for a Right of First Refusal Purchase by the existing residents when mobile home park developments are offered for sale.

The section entitled **Viable Options** details the actions staff recommends the City implement to assist families facing displacement. The section entitled **Non-Viable Options** provides information on programs and strategies that were evaluated but determined to be non-viable options. **Attachment A** provides an overview of staff recommendations as well as the evaluated programs which were determined to be non-viable options, based on legal analysis and the research conducted by the Work Group.

Legal Analysis and Discussion

The Work Group on mobile home parks asked the Law Department to analyze the legal risks of:

1. Imposing a development moratorium on redeveloping mobile home parks;
2. Eliminating non-mobile home park zoning entitlements from existing mobile homes;
3. Requiring mobile home park landlords to pay relocation assistance exceeding the amount required by Arizona Revised Statute;
4. Using City funds to pay residents additional relocation assistance exceeding the amount required by Arizona Revised Statute.

First, the City cannot impose a development moratorium on any private property, including mobile home parks, without clear justification. The Arizona State Legislature has declared development moratoriums a matter of statewide concern, because moratoriums could negatively affect property rights and property owners. The City would have to determine that a moratorium is justified (e.g., a lack of adequate infrastructure, among other things), and limit the location and duration of any moratorium.

Second, the City can eliminate non-mobile home park zoning entitlements from an existing mobile home park without exposing the City to potentially significant claims for diminution of property value under Prop. 207. However, any land use law that diminishes a landowner's existing rights to use, divide, sell or possess their land would require the City to compensate the landowner for the diminished value.

Third, the State established a regulatory system for all mobile landlord-tenant relationships, including a relocation fund to pay relocation assistance to tenants displaced from a mobile home park. Thus, the City is potentially preempted from requiring landlords to pay more than what is available from the site relocation fund.

Finally, the Arizona Constitution prohibits the City from giving or loaning its public resources (e.g., general fund dollars) to aid, donate, or subsidize individuals or companies. The City may be subject to a challenge for violation of the gift clause if the City expends general funds to provide additional relocation assistance to mobile home park tenants.

Viable Options

This section details recommended actions for the City of Phoenix to implement to assist individuals and families facing displacement from mobile home communities.

Immediate Solutions: Financial Assistance and Support Services

1. Rental/Utility Deposit and Rental Payment Assistance

Staff recommends two financial assistance programs which can be implemented immediately to support impacted residents. Using already approved American Rescue Plan Act (ARPA) Tranche One and remaining Emergency Rental Assistance (ERA) funds, the proposed programs include rent and utility (water/sewer, gas and electric) deposits, and rental/utility payments for up to 15 months (inclusive of three months forward rent and utility credits) or 12 months lump sum rental payment.

The following eligibility requirements will be used for deposit and payment assistance:

- Must be a Phoenix resident.
- Must have an income at or below 120 percent of Area Median Income (AMI) or \$106,560 for a family of four.
- Must qualify for unemployment benefits, experience a reduction in income, or experience other financial hardships caused by the COVID-19 pandemic.
- Must demonstrate risk of homelessness or housing instability.
- Must have incurred rent (including deposits, move-in costs, legal and late fees) and utility bills after March 13, 2020. **(If rent has not been charged, they are not eligible for assistance beyond help securing a new dwelling unit.)**

2. Case Management and Housing Navigation Services

Staff recommends a new program to provide case management and housing navigation services in partnership with a local, community-based non-profit that specializes in providing these types of services. If approved, the Human Services Department will request Council Approval to enter into an Intergovernmental Agreement (IGA) for up to \$300,000 using American Rescue Plan Act (ARPA) Tranche One funding with the City of Phoenix Industrial Development Authority (IDA) to contract with Helping Families in Need (HFIN). Currently, Trellis is providing these services through a contract with Grand Canyon University (GCU) for Periwinkle residents.

With Council approval, HFIN would provide services to residents of the Las Casitas and Weldon Court communities. The services would include case management that supports

housing needs, access to physical healthcare, behavioral healthcare, nutrition assistance, cash assistance, workforce development, emergency rental assistance and vouchers, etc.

3. Emergency Housing Vouchers (EHV)

Staff recommends providing Emergency Housing Vouchers (EHV) to assist individuals and families facing displacement from mobile home parks. The EHV program is available through the American Rescue Plan Act (ARPA) via the U.S. Department of Housing and Urban Development (HUD). The vouchers are available to assist individuals and families who are homeless, at risk of homelessness, recently homeless or have a high risk of housing instability. The program is managed through a direct referral process from the Continuum of Care (CoC) regional Coordinated Entry (CE) System and could potentially be utilized by displaced residents, pending availability and meeting eligibility requirements.

Eligibility for use of the voucher program is determined through the CoC CE System. At least one family member must be a U.S. Citizen or eligible non-citizen to utilize the program. Once eligibility has been determined, referrals are made to the Housing Department through designated coordinated entry points. This resource is limited and will be utilized until exhausted.

4. Communication Strategy and Action Protocol

Staff recommends developing a communication strategy and action protocol to inform residents of critical information related to their potential displacement as well as available assistance programs and other resources.

In 2019, the City of Apache Junction and Arizona State University completed a study on Mobile Home Parks. The study focused on preserving affordable housing, improving the conditions of mobile home parks, increasing the quality of life for residents, and promoting the redevelopment of parks when appropriate. One of the key recommendations was the creation of a communication strategy and action protocol for the notification and provision of resource assistance for mobile home residents when the park in which they reside becomes available for sale.

This recommendation is to develop communication strategies that connect mobile home residents with resources and inform residents at risk of displacement of opportunities for other affordable housing options. The information would include an overview of the rights of mobile home residents, approved programs within this report and other available resources, such as the State of Arizona's Mobile Home Relocation Fund. This fund provides monetary assistance to mobile home owners when mobile home parks are closed or redeveloped. The fund provides moving expense assistance, through direct payment to an installer, of up to \$7,500 for a single-wide or \$12,500 for a multi-section home.

5. Homeownership Down Payment Assistance

A. Open Doors Down Payment Assistance Program

Staff recommends providing residents information and assistance to participate in the Open Doors Down Payment Assistance program, which is designed to assist eligible first-time homebuyers with the purchase of an affordable home in the City of Phoenix.

The program, funded by the federal HOME Investment Partnerships Program, provides down payment and/or closing cost assistance to households earning at or below 80 percent of the Area Median Income (AMI). The beneficiary must be a U.S. citizen or eligible non-citizen. To utilize program funding for a manufactured home purchase, the home must be affixed as real property, on a permanent foundation and connected to permanent utility hook-ups.

Total assistance is based on eligibility and individual need. Homebuyers will be required to attend pre-purchasing counseling provided by a U.S. Department of Housing and Urban Development (HUD) certified housing counseling agency and certified housing counselor. Homeownership down payment assistance funds are offered as a deferred payment loan that:

- Has an interest rate of 0 percent with no monthly principal payments;
- Provides up to 10 percent of the purchase price of a home;
- Is fully forgiven after the period of affordability;
- Can be layered with other homeownership down payment assistance programs.

B. Additional Support through Community Development Block Grant (CDBG)

Staff also recommends pursuing the possibility of supplementing the Housing Department's Open Doors Down Payment Assistance Program with available CDBG funding. The additional assistance could be provided to eligible families interested in homeownership. Beneficiary must be a U.S. citizen or eligible non-citizen.

CDBG funds can assist low- to moderate-income households with the following homeownership activities for the purchase of single-family homes:

- 50 percent of the lender required down payment;
- Payment of closing costs, which must be deemed reasonable;
- Subsidized interest rates and mortgage principal amounts.

Note: The following medium- and long-term recommended solutions would be included in the City's overall strategy to assist residents of mobile home communities. However, these recommendations would not address the current concerns related to the imminent displacement of residents at the three identified communities.

6. Modify Existing Special Permit Mobile Home Park Development Requirements

Staff recommends the consideration of modifying existing Special Permit Mobile Home Park Development requirements to make it easier to continue to operate, expand, or create new mobile home parks. This could be done by modifying the existing special permit allowances.

Staff recommends modifying the existing special permit allowances for mobile home parks through a text amendment to the zoning ordinance. This text amendment would address current zoning ordinance requirements to look for ways to increase market viability so that developers could develop new mobile home parks. This amendment would look at zoning requirements for items such as but not limited to minimum acreage size, spacing between units, and common open space. It could also allow other housing types within the new mobile home park. This could allow for new parks to be built that would offer more affordable housing than traditional homes. The expansion could include additional relocation requirements if developed under the new text amendment provisions.

7. Create A Mobile Home Park Zoning Overlay Incentive District

Staff recommends the consideration of drafting a Mobile Home Park Zoning Overlay Incentive District with incentives for property owners of existing mobile home parks to opt into the overlay and operate as a mobile home park.

With the Overlay District, property owners could “opt in” and obtain greater property entitlements in one of two ways. The first option would be the property owner would maintain the existing mobile home park for (e.g., 10 years) in exchange for additional density, height, or setbacks, etc. after the specified timeframe was met. The second option would allow the property owner to redevelop the site in exchange for additional density, height, or setbacks, etc., before the specified timeframe was met, if onsite affordable housing was provided or funds were allocated for relocation fees. In order for this option to be viable, logistical challenges would need to be remedied through robust stakeholder meetings and feedback, to discuss any potential incentive for additional setbacks, height requirement, density, etc. As a result, there could be significant challenges associated with this option.

Arizona Revised Statute (A.R.S.) 12-1134 precludes the City from requiring the overlay be applied to existing mobile home parks but incentivizes the maintenance of existing mobile home parks.

8. Modify Legal Non-Conforming Zoning Ordinance Provisions

Staff recommends modifying Legal Non-Conforming Zoning Ordinance provisions to allow for expansion of existing mobile home parks. Staff recommends a text amendment that specifically allows for the expansion of legal non-conforming zoning rights to cite

additional mobile home units and other types of units like tiny homes in existing mobile home parks. This effort will also allow for a review of the on-site development code and infrastructure requirements to ensure that minimum requirements are as safe and efficient as possible. Staff recommends expanding the allowable housing types such as tiny homes (Park Models) to replace existing mobile homes. Tiny homes provide an affordable alternative to mobile or manufactured homes. Currently, Phoenix Zoning Ordinance allows existing mobile home parks to replace older mobile homes (built prior to June 15, 1976) with a manufactured home (built after June 15, 1976, per U.S. Department of Housing and Urban Development (HUD) standards) by right.

Additionally, most existing mobile home parks are considered nonconforming. Many were annexed from Maricopa County or were developed under different zoning requirements which rendered them nonconforming. An expansion of a nonconforming use is limited to a structure housing a nonconforming single-family residential use or an accessory structure for a nonconforming single-family residential use. Existing mobile home parks are frozen in time at the time they became nonconforming. Any expansions or changes would require bringing the site into compliance with existing requirements for mobile home parks, adding significant costs for improvements. An amendment to the Phoenix Zoning Ordinance to allow existing mobile home parks to expand by adding additional units and make proportional improvements could also be considered.

9. Explore Opportunities to Partner with Qualified Opportunity Fund (QOF)

Staff recommends exploring opportunities to partner with a Qualified Opportunity Fund (QOF) to invest in purchasing mobile home park land when a property owner desires to sell for redevelopment. Purchase by the fund would allow for additional time to help impacted mobile home residents move to another location or pursue other options. Any purchased land would take advantage of the Mobile Home Park Zoning Overlay Incentive District allowances to enhance their interest in purchasing the parcel.

Long Term Solutions: Ownership and Acquisition Strategies

10. Partner with Nonprofit(s) to Purchase Mobile Home Parks

Staff recommends working to identify nonprofit partners to purchase existing mobile home parks to stabilize the existing park operations and/or allow for redevelopment of the property that limits displacement of existing residents.

If redevelopment is pursued, the City can partner by offering funding assistance for new affordable housing development that prioritizes new housing options for mobile home park residents. Available funding for purchase and/or redevelopment must be identified and may have residency requirements. Due to the timing associated with redevelopment, residents may need to be temporarily relocated and potentially pursue alternative housing options.

The Phoenix Industrial Development Authority (IDA) has agreed to work with the City to develop financing options that may assist non-profits or other community partners in their purchasing efforts.

11. Establish Resident Owned Communities (ROC USA)

Staff recommends engaging with ROC USA, which is a national nonprofit that assists existing mobile homeowners in forming a cooperative entity to finance the purchase of a mobile home park.

ROC USA works with regional technical assistance affiliates to study the feasibility of purchasing mobile home parks, helping residents form a cooperative association, and identifying funding sources for the purchase. ROC USA may be able to provide loans to assist with the resident purchase of a mobile home park. To pursue resident purchase of a mobile home park, park ownership concurrence and traditional and/or nonprofit funding sources must be identified. Increasing land values and potential for park redevelopment could make it difficult to find park owners who are willing to participate in this program.

12. Develop a Comprehensive Strategy and Action Plan

Staff recommends the development of a Comprehensive Strategy and Action Plan related to mobile home communities and manufactured housing. This Comprehensive Strategy and Action Plan would be developed through the formation of a steering committee comprised of City staff, community members, and housing experts.

The City of Boulder, Colorado developed a Manufactured Housing Strategy with an Action Plan focused on efforts that encourage the preservation of existing manufactured home communities, facilitating the development of new manufactured home communities, increasing opportunities for Resident Owned Communities (ROCs), reducing or eliminating health and safety issues, and rehousing displaced households.

By engaging in a comprehensive study and analysis the City will be better prepared to take a proactive approach in assisting residents of mobile home and manufactured housing communities.

Non-Viable Options

This section provides information on the programs and strategies that were evaluated by staff but determined to be non-viable options to assist individuals and families facing displacement from mobile home communities.

Financial Assistance and Support Services

1. City of Phoenix Affordable Housing Units and Housing Choice Vouchers

Staff evaluated the possibility of providing displaced mobile home residents access to public housing or affordable units by housing displaced communities at City properties. Staff also evaluated providing Housing Choice Vouchers to eligible individuals and families. Both strategies were determined to be non-viable solutions.

Currently all public housing and affordable housing properties have high occupancy rates and a wait list of interested residents. Similarly, the Housing Choice Voucher wait list is currently closed. The current U.S. Department of Housing and Urban Development (HUD) approved Administrative Plan for wait list local preferences does not include private displacement action, therefore mobile home park residents being displaced by private action could not be directly placed into vacant units or provided a Housing Choice Voucher.

Ownership and Acquisition Strategies

2. City Purchase of At-Risk Mobile Home Parks

Staff evaluated the possibility of the City of Phoenix purchasing mobile home parks that are at risk of investor purchase, which would potentially result in the displacement of residents. This option would prevent resident displacement and increase stability while preserving affordable housing.

However, staff determined this was a non-viable solution due to the following challenges:

- Current park owners would need to agree to sell to the City of Phoenix.
- There is a high number of mobile home parks Citywide.
- There would be additional costs including required infrastructure improvements, replacement of unsafe units, contract with third-party management companies, etc.
- It would be inconsistent with previous community planning efforts.
- Long-term financial costs associated with being a mobile home park owner are not in line with City priorities.

3. City Acquisition of Land for Mobile Home Use

Staff evaluated the possibility of the City of Phoenix purchasing land for mobile home use. This option would increase affordable housing options. However, staff determined this was a non-viable solution due to the following challenges:

- It would be an inefficient use of land and subsidy when higher density housing could be developed to address the current housing shortage more effectively.
- There is limited availability of suitable sites (10-acre minimum, correct zoning, etc.).
- There would be additional costs including required infrastructure improvements, replacement of unsafe units, contract with third-party management company, etc.
- It would be inconsistent with previous community planning efforts.

4. City-Owned Property for Use as Manufactured/Mobile Home Park or Tiny Homes

Staff reviewed the list of City-owned properties for use as a manufactured home park and the requirements for use including development, relocation of units, and management. The minimum site size for development of an average 100-space park is seven and one-half acres.

Staff concluded the use of City-owned property for use as a manufactured home park is non-viable since the City does not have excess land suitable for this purpose. Furthermore, the high cost and risk associated with this type of development, as well as ongoing management and maintenance, are impediments to using City-owned property. The current inventory of City-owned land is comprised of sites that are either too small to accommodate a manufactured home park or larger sites set aside for affordable housing, future fire stations, water facilities, other public uses, or located within a residential neighborhood and originally planned for a neighborhood park.

Utilizing City-owned property would require homes currently facing displacement to be physically moved from their current locations. This type of move is estimated to cost approximately \$10,000 to relocate a mobile home. In most situations, moving professionals have been unwilling to relocate these structures due to the age and associated risk of moving these units. Additionally, development cost of a 100-space manufactured home park is estimated to be approximately \$1.8 million. Considering the gift clause, the use of City-owned land as a manufactured home park would require leases at market rent. Management fees are generally seven to ten percent of collected rents, plus ongoing operation and maintenance costs, reserves for replacement, liability, and risk. As a result, residents would still face affordability challenges. For these reasons, staff determined the utilization of City-owned property is a non-viable option.

Planning and Zoning Initiatives

5. Exclusive Zoning District for Mobile Home Parks

Staff does not recommend the consideration of drafting a Mobile Home Park Zoning District and rezoning existing mobile home parks because it would be a new land use that diminishes the value of the properties zoning entitlements, and the City would be required to pay for the diminished value under Arizona Revised Statute (A.R.S.) 12-1134.

This exclusive zoning district would limit the allowed land use to mobile home parks and accessory uses for the park (e.g., clubhouse, pool, etc.). Most existing mobile home parks are entitled with multifamily or commercial zoning which makes the land extremely vulnerable to redevelopment, loss of low-income housing options, and contributes further to resident displacement. This approach was found not to be a regulatory taking in the State of Washington under *LAUREL PARK COMMUNITY v. CITY OF TUMWATER*; however, the City is liable to diminution of property value under Arizona Revised Statute

(A.R.S.) 12-1134 if new zoning district is applied retroactively, meaning landowners would need to be compensated. American Rescue Plan Act (ARPA) funds are likely not a source of compensation for affected landowners.

Recommendations

Based on legal analysis and the research conducted by the Work Group:

Staff recommends the following immediate programs:

- Utilizing American Rescue Plan Act (ARPA) and Emergency Rental Assistance (ERA) funding for Rental/Utility Deposit, Rental Payment Assistance, Case Management and Housing Navigation Services. It is important to note that the amount of funds available is limited, as is the timeframe the funds are available.
- Providing Emergency Housing Vouchers (EHV) to individuals facing displacement.
- Developing a Communication Strategy and Action Protocol.
- Focusing outreach efforts of the Open Doors Down Payment Assistance Program to benefit mobile home park residents, and possibly supplementing the program with Community Development Block Grant (CDBG) funding.

Staff recommends the following medium-term programs:

- Addressing existing Special Permit Mobile Home Park Development requirements, making it easier for landowners to continue to operate, expand, or create new mobile home parks.
- Creating a Mobile Home Park Zoning Overlay Incentive District to provide incentives for property owners to delay redevelopment of existing mobile home parks.
- Addressing Legal Non-Conforming Zoning Ordinance provisions to allow expansion of existing mobile home parks and tiny homes.
- Explore opportunities to partner with a Qualified Opportunity Fund (QOF) to invest in purchasing mobile home park land when a property owner desires to sell for redevelopment.

Staff recommends the following long-term programs:

- Partnering with nonprofit(s) to purchase mobile home parks.
- Working with residents at risk of displacement to engage with and create Resident Owned Communities (ROC USA).
- Developing a comprehensive strategy and action plan to take a proactive approach in assisting residents of mobile home and manufactured housing communities.

Staff also recommends supporting Arizona State legislative changes that would the State-administered displacement funds for each resident that is impacted by the redevelopment of mobile home parks, as well as any legislative changes that would allow for a Right of First Refusal Purchase by the existing residents when mobile home park developments are offered for sale.

Attachment A

Based on legal analysis, staff recommends the following proposed programs and strategies to assist mobile home residents in the City of Phoenix:

RECOMMENDED PROGRAMS	TIMELINE
Rental/Utility Deposit and Rental Payment Assistance	Immediate
Case Management and Housing Navigation Services	Immediate
Emergency Housing Vouchers (EHV)	Immediate
Communication Strategy and Action Protocol	Immediate
Homeownership Down Payment Assistance	Immediate
Modify Existing Special Permit Mobile Home Park Development Requirements	Medium Term
Create A Mobile Home Park Zoning Overlay Incentive District	Medium Term
Modify Legal Non-Conforming Zoning Ordinance Provisions	Medium Term
Explore Opportunities to Partner with Qualified Opportunity Fund (QOF)	Medium Term
Partner with Nonprofit(s) to Purchase Mobile Home Parks	Long Term
Establish Resident Owned Communities (ROC USA)	Long Term
Develop a Comprehensive Strategy and Action Plan	Long Term

Staff evaluated the following programs and strategies but determined they are non-viable options to assist families facing displacement from mobile home communities:

EVALUATED PROGRAMS – NON-VIABLE OPTIONS	TIMELINE
City Affordable Housing Units and Housing Choice Vouchers	N/A
City Purchase of At-Risk Mobile Home Parks	N/A
City Acquisition of Land for Mobile Home Parks	N/A
City Property for Manufactured/Mobile Home Park or Tiny Homes	N/A
Exclusive Zoning District for Mobile Home Parks	N/A

ATTACHMENT B
TA-2-23: Offsite Manufactured Home Developments
-
Village Planning Committee Summary Results

Village	Date	Recommendations	Vote
Paradise Valley	5/1/23	Approved, per the staff recommendation	12-1
Encanto	5/1/23	Approved, per the staff recommendation	14-0
Camelback East	5/2/23	Approved, per the staff recommendation	13-2-2
Desert View	5/2/23	Approved, per the staff recommendation	9-0
Central City	5/8/23	No Quorum	N/A
Laveen	5/8/23	Approved, per the staff recommendation	6-0
Rio Vista	5/9/2023	Continued to June 13, 2023	6-0
	6/13/2023	Approved, per the staff recommendation	4-0
South Mountain	5/9/23	No Quorum	N/A
Maryvale	5/10/23	No Quorum	N/A
Deer Valley	5/11/23	Approved, per the staff recommendation with a modification to maintain the Special Permit requirement	5-3
North Gateway	6/8/23	Approved, per the staff recommendation	5-0
Estrella	5/16/23	No Quorum	N/A
North Mountain	5/17/23	Approved, per the staff recommendation	13-0
Ahwatukee Foothills	5/22/23	No Quorum	N/A
Alhambra	5/23/23	No Quorum	N/A



Village Planning Committee Meeting Summary

Z-TA-2-23-Y

Date of VPC Meeting	May 22, 2023
Request	Amend Chapter 6, Section 647.A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

Staff comments regarding VPC Recommendation:

None.



REVISED
Village Planning Committee Meeting Summary
Z-TA-2-23-Y

Date of VPC Meeting	May 2, 2023
Request	Amend Chapter 6, Section 647.A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	13-2-2

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

STAFF PRESENTATION

Sarah Stockham, staff, provided a presentation on a text amendment to update the Zoning Ordinance address development standards and non-conforming standards. Ms. Stockham discussed the summary of the text amendment, background, modernization of development standards, definitions and alternative housing types. Ms. Stockham described the current requirements and what the request includes and the new definitions and the applicability for residential zones. Ms. Stockham discussed the removal of special permits and intent of removing roadblocks in the process. Ms. Stockham stated that the text amendment is being presented to all the Village and will proceed to the Planning Commission in June.

QUESTIONS FROM COMMITTEE

Ms. Schmieder asked if the text amendment would be grand fathered into existing residential zones and how does this impact neighborhoods. **Ms. Stockham** responded that the applicability would be for new development subject to permitting.

Mr. Abbott asked about timing and restrictions on the time for use and would this be a temporary use that may impact surrounding developments. **Ms. Stockham** responded that the amendment would be applicable in the residential zoned districts, and it would not be limited to a temporary use.

Ms. Jurayeva asked about permitting in residential districts for alternative housing types. **Ms. Stockham** stated the text amendment change would change the requirement from a special permit to a use permit which are heard by the zoning adjustment hearing officer and is a separate process.

Mr. Paceley asked would the text amendment apply to a tiny house on the same property for family or certain conditions. **Ms. Stockham** responded that the question may be more related to an accessory unit which is different, and the underlying zoning is still applicable.

Ms. Jurayeva asked what has been the response for the proposed text amendment and has there been any feedback. Ms. Stockham stated that the information is being presented at all the Villages and what is presented is in response to what the City Council has been hearing in relation to mobile home residents who are at risk of being displaced and the availability affordable of housing.

Ms. Baumer inquired about ownership of mobile homes and does this allow alternative home parks. **Ms. Stockham** said the applicability is for mobile home and alternative homes to expand into multifamily districts, this does not create a mobile home overlay.

Ms. Schmieder asked why there is a text amendment and not zoning that is more responsive and does this really address affordable housing and equality. **Ms. Stockham** responded this would allow for offsite manufacture developments, update the standards and allow for more flexibility. Ms. Schmieder stated this seems beyond the scope of a text amendment. Ms. Stockham stated the allowance for mobile homes is in the zoning ordinance and the text amendments are updates.

Mr. O'Malley asked would this allow someone to buy an older mobile home and place it on a lot on a temporary basis. **Ms. Stockham** responded that manufactured homes would have to be approved by the state and would be subject to standards.

PUBLIC COMMENT

None.

MOTION:

Committee member Dawn Augusta motioned to recommend approval of Z-TA-2-23-Y. **Committee member Danny Sharaby** seconded the motion.

VOTE:

13-2-2; motion to recommend approval of Z-TA-2-23-Y passed with Committee members Abbott, Augusta, Baumer, Beckerleg Thraen, Eichelkraut, Garcia, Grace, Langmade, Miller, Nye, Paceley, Sharaby, and Swart in favor, Committee Member Schmieder and Fischbach in opposition, and Committee Member Jurayeva, and O'Malley in abstention.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Staff has no comments.

Village Planning Committee Meeting Summary Z-TA-2-23-Y

Date of VPC Meeting	May 8, 2023
Request	Amend Chapter 6, Section 647.A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

REVISED
Village Planning Committee Meeting Summary
Z-TA-2-23-Y

Date of VPC Meeting	May 11, 2023
Request	Amend Chapter 6, Section 647.A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments
VPC Recommendation	Approval, per the staff recommendation with a modification
VPC Vote	5-3

No members of the public registered to speak on this request.

VPC DISCUSSION:

Mr. Matteo Moric, staff, provided an overview of the proposed text amendment.

Acting Chair Trilese DiLeo said that the 10 acre or more requirement is limiting options in the City and asked if there would be a minimum acreage size.

Keith Greenburg noted he was concerned with negatively impacting house values.

Al Field stated he wanted to see when one existing trailer park area gets removed a new one could come in as an exchange and he believed there were other items to consider in addition to the value of the homes.

Will Novak liked the reduction of the acreage size requirement and asked about the artificial increase of cost due to parking requirements.

Mr. Field felt parking spaces were too small to fit a full-size vehicle.

Acting Chair DiLeo mentioned this would provide a more affordable housing option and would address the concern of a more diverse housing stock and felt this would help with the affordable housing concerns.

Ozzie Virgil stated there was no affordable housing anymore and believed this text amendment would not help anyone. **Mr. Virgil** said developers are just coming in and throwing up all these apartment complexes, and added the City needs to keep these projects out of the airlight path.

James Sutphen believed this was already going to be a done deal and brought to the Village Planning Committees as a courtesy.

Mr. Field shared that for every acre developed for these manufactured home developments another one would be taken out, and the City has municipal powers to be able to make this happen.

Acting Chair DiLeo wanted to send the message and note in the record that there are multiple dilapidated mobile home parks in need of some love.

Mr. Novak said the impetus was by GCU to find ways to relocate these homes, and to open the opportunity to build smaller five acre lots. **Mr. Novak** commented that he felt it would open more diversity and options.

Brandon Shipman recommended to eliminate the acreage and keep the special permit requirement.

Mr. Moric responded to the parking question that it's based on the size and number of bedrooms of each unit. Mr. Moric also noted the minimum size of land would be based on the development standards such as density, setbacks, and lot coverage based on the zoning district it would fall within.

Ms. Racelle Escolar, staff, stated that there may be a future text amendment related to parking, but it is not part of this text amendment. Ms. Escolar also explained how the use permit process was less cumbersome than the Special Permit, and stated the use permit process would still require a public hearing with notification but would not need to come before the Village Planning Committee, Planning Commission or City Council. **Ms. Escolar** stated it was like a variance, falling under the Zoning Adjustment process and added that this would allow for more diversity in housing.

Ms. Escolar explained if land already had the appropriate multifamily or commercial zoning in place, this text amendment would allow the applicant to go through the use permit process.

PUBLIC COMMENTS:

None.

MOTION:

Al Field motioned to recommend approval of Z-TA-2-23-Y per the staff recommendation with modifications that for each new development one dilapidated parcel be removed. **Keith Greenburg** seconded the motion.

VOTE:

2-6; motion to recommend approval of Z-TA-2-23-Y per the staff recommendation with a modification was not passed with Committee Members Field and Greenberg in favor; and Davenport, Novak, Shipman, Sutphen, Virgil and DiLeo in opposition.

MOTION:

Brandon Shipman motioned to recommend the approval of Z-TA-2-23-Y per the staff recommendation with a modification that the special permit requirement remain.
Ozzie Virgil seconded the motion.

VOTE:

5-3; motion to recommend approval of Z-TA-2-23-Y per the staff recommendation with a modification that the special permit requirement remain passed with Committee Members Davenport, Shipman, Sutphen, Virgil and DiLeo in favor; and Field, Greenberg and Novak in opposition.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-2-23-Y

Date of VPC Meeting	May 2, 2023
Request	Amend Chapter 6, Section 647.A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	9-0

VPC DISCUSSION:

No members of the public registered to speak on this item.

STAFF PRESENTATION

Anthony Grande, staff, described the proposed text amendment and provided an overview of the purpose and intent of the request and the details of the proposed changes to the text.

QUESTIONS FROM THE COMMITTEE

Chair Bowser asked about input from stakeholders. **Mr. Grande** replied that a work group had been formed to develop the recommendations.

Committee Member Kirkilas asked about the impetus behind forming the work group and proposing the text amendment. **Mr. Grande** described concerns with displacement pressures and affordable housing.

Committee Member Reynolds asked for clarification that this proposal would allow manufactured home developments to be developed in any multifamily district. **Mr. Grande** replied that it would with a use permit.

Committee Member Dickson asked about whether use permits would be periodically reviewed. **Mr. Grande** replied that stipulations can be applied to use permit approvals on a case-by-case basis.

Committee Member Nowell noted that regulations changed in 1976 and that manufactured homes built today are different than in the past. **Mr. Grande** agreed and noted the different manufactured home types described in the presentation.

Committee Member Kollar asked for clarification that the special permit process is described as unnecessary because of the steps in the rezoning process. **Mr. Grande** stated that the rezoning process is required for special permits and that it is what is referenced as the unnecessary step. **Mr. Kollar** asked about the development standards for new manufactured home developments. **Mr. Grande** stated that they would be treated the same as multifamily developments, using the Planned Residential Development option.

Committee Member Dickson asked for clarification on the definitions. **Mr. Grande** replied that the definitions are based on industry standards.

Committee Member Nowell asked for clarification that the 10-acre minimum lot size is eliminated in this proposal and whether that means one single manufactured home could be built on a small lot. **Mr. Grande** replied that it would be possible. **Chair Bowser** noted that the zoning would need to be a multifamily district. **Mr. Grande** agreed it would only be possible in multifamily zoning districts.

Committee Member Kirkilas asked about the statement that the special permit process is unnecessary for this type of development. **Mr. Grande** replied that multifamily districts already allow multifamily housing and that requiring a special permit for manufactured homes is adding an additional step that isn't required for other forms of housing in the same district.

Vice Chair Lagrave asked about the spacing of individual homes within a development. **Mr. Grande** noted that the proposed text includes a spacing requirement.

Committee Member Kollar asked about the other text amendments mentioned in the report. **Mr. Grande** replied that one of the other text amendments would be considered as the next agenda item and that the other one is not developed yet.

PUBLIC COMMENTS

None.

STAFF RESPONSE

None.

MOTION

Vice Chair Lagrave made a motion to recommend approval of Z-TA-2-23-Y, per the staff recommendation. **Committee Member Barto** seconded the motion.

VOTE

9-0, motion to recommend approval of Z-TA-2-23-Y, per the staff recommendation, passed; Members Barto, Dickson, Israel, Kirkilas, Kollar, Nowell, Reynolds, Lagrave, and Bowser in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

REVISED
Village Planning Committee Meeting Summary
Z-TA-2-23-Y

Date of VPC Meeting	May 1, 2023
Request	Amend Chapter 6, Section 647 A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	14-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

STAFF PRESENTATION

John Roanhorse, staff, provided a presentation on Z-TA-2-23-Y, a text amendment to address offsite manufactured homes by creating and refining definitions in Section 202 of the Phoenix Zoning Ordinance. Mr. Roanhorse added that the changes are intended to modernize and expand housing types to address affordability and include definitions for mobile homes and park models. Mr. Roanhorse discussed the schedule for the text amendment to the Planning Commission and City Council.

QUESTIONS FROM THE COMMITTEE

Committee Member Matthew Jewett asked if the changes will address pedestrians and walkability in mobile home parks. **Mr. Roanhorse** responded that any changes will be subject to development standards which includes sidewalk.

Committee Member Brent Kleinman asked how many mobile parks would be impacted with the text amendment change. **Mr. Roanhorse** stated that for the purpose of the text amendment there is no inventory of mobile home parks and the changes are intended to include this housing type as an option to address housing needs.

Committee Member Rick Mahrle asked how the amended language would impact utility connections within the right-of-way. **Mr. Roanhorse** responded that utility connections would not change and if a mobile home park were to expand it would still have to follow the same requirements for utility and infrastructure access.

Committee Member Jeremy Thacker asked how does the proposed amendment change impact the Walkable Urban Code and is this different from ADU's (accessory dwelling unit). **Mr. Joshua Bednarek**, staff, stated that ADU's are different and they will be addressed in future actions and that walkability would remain part of the review as it is applicable.

Committee Member Jeremy Thacker asked with multifamily districts being included how does this request also include single family developments as well. **Mr. Bednarek** responded that the amendment addresses multifamily residential districts and removal of the special permit requirement.

Committee Member Ann Cothron stated that mobile homes are low-income and an affordable housing option for some and asked are there other options for people that will be displaced if mobile homes are no longer available. **Mr. Roanhorse** expressed that mobile homes are one housing option and the amendment is intended to allow mobile homes to continue to be residential options and the amendment will allow mobile homes to improve and possibly expand as a housing type.

Committee Member Drew Bryck asked if a special permit is not needed will a use permit include stipulations, who will make those determinations. **Mr. Bednarek** stated that design standards would be administratively reviewed by the Zoning Administrator.

Committee Member Aaron Searle thanked Joshua Bednarek for clarifying the details of the text amendment.

PUBLIC COMMENT

None.

MOTION:

Committee Member Jayson Matthews made a motion to recommend approval of Z-TA-2-23-Y. **Committee Member Matthew Jewett** seconded to the motion.

DISCUSSION:

None.

VOTE:

14-0; motion to recommend approval of Z-TA-2-23-T per the staff recommendation passes with Committee Members Benjamin, Bryck, Cothron, Jewett, Kleinman, Mahrle, Matthews, Picos, Procaccini, Schiller, Searles, Tedhams, Thacker, and Chair Wagner in favor, none in dissent, and none in abstention.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

Village Planning Committee Meeting Summary

Z-TA-2-23-Y

Date of VPC Meeting	May 16, 2023
Request	Amend Chapter 6, Section 647.A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

Staff comments regarding VPC Recommendation:

None.

Village Planning Committee Meeting Summary Z-TA-2-23-Y

Date of VPC Meeting	May 8, 2023
Request	Amend Chapter 6, Section 647.A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	6-0

VPC DISCUSSION

Staff Presentation:

Nayeli Sanchez Luna, staff, described the proposed text amendment and provided an overview of the purpose and intent of the request and the details of the proposed changes to the text. Mrs. Sanchez Luna concluded the presentation by providing staff's recommendation and the text amendment hearing dates.

Questions from the committee:

Patrick Nasser-Taylor asked if the proposal would apply to multifamily residential zoning districts. **Mrs. Sanchez Luna** confirmed that the proposal would apply to multifamily residential zoning districts and commercial districts since it would allow for multifamily development by right. **Mr. Nasser-Taylor** asked if the text amendment would override any rules established by homeowner associations. **Tricia Gomes**, Deputy Director of the Planning and Development Department, stated that the text amendment would apply to new mobile home developments. Ms. Gomes noted that it would not impact existing mobile home developments. Ms. Gomes added that a manufactured home could be placed on a single-family lot, or a subdivision could be created utilizing manufactured homes if it met all the development requirements. Ms. Gomes noted that this would apply to numerous units on one lot.

Dean Chiarelli asked what type of density could be expected while meeting setback and frontage requirements. **Ms. Gomes** stated that the existing multifamily residential zoning districts already have setback and density requirements. Ms. Gomes noted that any new mobile home development would have to meet these requirements. **Mr. Chiarelli** stated that he had concerns with the proposed language as it did not point to the multifamily development requirements. **Ms. Gomes** stated that the proposal would apply to Section 608 of the Zoning Ordinance which addresses residential zoning districts. Ms. Gomes noted that the proposal would require mobile home developments to follow planned residential development requirements within the multifamily residential zoning districts.

Public Comment:

None.

Committee Discussion:

JoAnne Jenson noted that there have been news reports where mobile home developments are sold, and people are displaced. Ms. Jenson asked if this text amendment would address this sort of displacement. **Ms. Gomes** stated that three mobile home park developments have been purchased and as a result, people will have to find alternative housing. Ms. Gomes added that the City Council has asked staff to find potential solutions and to create alternative housing types. Ms. Gomes noted these text amendments are possible solutions that Planning and Development has brought forth to create alternative housing types and to prevent displacement. Ms. Gomes stated that it doesn't change the mobile home development where some people own the mobile home but not the land. Ms. Gomes noted that there are programs to assist the residents to own the land and the mobile home. **Ms. Jenson** stated that she was in favor of affordable alternative housing.

Mr. Chiarelli stated that individuals have had issues with moving due to the complexity of a mobile home unit or the reimbursement process. Mr. Chiarelli asked if the proposed text amendment would address the programs that help with moving the mobile home unit. **Ms. Gomes** stated that the relocation programs were occurring at the State level. Ms. Gomes added that the City has looked into working with the State but that the relocation programs were not part of the text amendment.

MOTION

Patrick Nasser-Taylor made a motion to recommend approval of Z-TA-2-23-Y, per the staff recommendation. **Dean Chiarelli** seconded the motion.

VOTE

6-0, Motion to recommend approval of Z-TA-2-23-Y, per the staff recommendation, passed with Committee Members Barraza, Chiarelli, Jensen, Nasser-Taylor, Ortega, and Hurd in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION

None.



Village Planning Committee Meeting Summary Z-TA-2-23-Y

Date of VPC Meeting	May 10, 2022
Request	Amend Chapter 6, Section 647.A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

Staff comments regarding VPC Recommendation:

None.

Village Planning Committee Meeting Summary
Z-TA-2-23-Y

Date of VPC Meeting	May 11, 2023
Request	Amend Chapter 6, Section 647.A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments
VPC Recommendation	Meeting was cancelled
VPC Vote	Meeting was cancelled

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

None.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Meeting was cancelled due to a lack of quorum.

Village Planning Committee Meeting Summary Z-TA-2-23-Y

Date of VPC Meeting	June 8, 2023
Request	Amend Chapter 6, Section 647.A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	5-0

VPC DISCUSSION:

Staff Presentation:

Mr. Zambrano provided an overview of text amendment case Z-TA-2-23-Y, describing the request and the purpose and intent of the request. Mr. Zambrano shared the new definitions proposed and displayed some examples of the new definitions. Mr. Zambrano shared the upcoming hearing schedule, noting that the Planning Commission already heard this item on June 1, and that this item was supposed to be heard by the Committee last month, but was not able to be heard due to the meeting being cancelled because of a lack of quorum. Mr. Zambrano then stated that staff recommends approval per the language in Exhibit A of the staff report.

Questions from Committee:

Mr. Johnson asked about removing the Special Permit requirement. **Mr. Zambrano** responded that it would be changing it from the Special Permit process, which is a legislative process heard by the Village Planning Committee, Planning Commission, and City Council, to the Use Permit process, which is a quasi-judicial process that would still be a public hearing process upon the Zoning Hearing Officer, which could then be appealed to the Board of Adjustments and could then be appealed to the courts. Mr. Zambrano added that the intent behind changing the Special Permit process to a Use Permit process is that it is an unnecessary step that adds additional costs to these types of developments that is not required of other housing developments.

Vice Chair Ricart asked where this text amendment came from. **Mr. Zambrano** responded that the text amendment is trying to address the housing shortage, housing affordability and equity for different types of housing developments.

Public Comments:

None.

Staff Response to Public Comment:

None.

Discussion:

None.

MOTION – Z-TA-2-23-Y:

Vice Chair Ricart motioned to recommend approval of Z-TA-2-23-Y, per the staff recommendation. **Mr. Johnson** seconded the motion.

VOTE – Z-TA-2-23-Y:

5-0; motion to recommend approval of Z-TA-2-23-Y passes with Committee members French, Johnson, Simon, Ricart and Read in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-2-23-Y

Date of VPC Meeting	May 17, 2023
Request	Amend Chapter 6, Section 647.A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	13-0-0

VPC DISCUSSION

Mr. Klimek, staff, provided an overview of the text amendment and the staff recommendation.

APPLICANT PRESENTATION
None.

QUESTIONS FROM COMMITTEE

Committee Members Freeman and **O'Hara** expressed support for the text amendment. **Chair Jaramillo** expressed support also.

Committee Member Larson asked for confirmation that this pertains to ownership products rather than rentals. **Mr. Klimek** responded that the city does not regulate based on ownership or rental and that these housing types could conceivably be either.

Committee Member Perez asked if it is possible for someone to rezone a parcel to one of the districts that would newly permit these product types. **Mr. Klimek** responded that it is unlikely but technically possible if the applicant were to successfully navigate a full public rezoning process and then a public use permit process.

PUBLIC COMMENTS
None.

APPLICANT RESPONSE
None.

FLOOR/PUBLIC DISCUSSION CLOSED

MOTION:

Committee Member Perez made a motion to recommend approval of Z-TA-2-23-Y per the staff recommendation. **Committee Member O'Hara** seconded the motion.

DISCUSSION:

None.

VOTE: 13-0-0, motion to approve Z-TA-2-23-Y per the staff recommendation passes with Committee Members Alauria, Freeman, Larson, Matthews, McBride, O'Connor, O'Hara, Perez, Member Veidmark Whitney, Wiedoff, Vice Chair Fogelson, and Chair Jaramillo in favor; none in opposition, and none abstaining.

STAFF COMMENTS REGARDING VPC RECOMMENDATION

None.

Village Planning Committee Meeting Summary Z-TA-2-23-Y

Date of VPC Meeting	May 1, 2023
Request	Amend Chapter 6, Section 647.A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	12-1

VPC DISCUSSION:

Staff Presentation:

Adrian Zambrano, staff, provided an overview of text amendment case Z-TA-2-23-Y, describing the request and the purpose and intent of the request. Mr. Zambrano shared the new definitions proposed and displayed some examples of the new definitions. Mr. Zambrano shared the proposed refined definitions and described the proposed changes. Mr. Zambrano shared the upcoming hearing schedule and stated that staff recommends approval per the language in Exhibit A of the staff report.

Questions from the Committee:

Chair Popovic asked if the intent of deleting the 10-acre minimum requirement was for infill lots and smaller developments. **Mr. Zambrano** responded that the majority of existing mobile home parks throughout the City are less than 10 acres in size. **Chair Popovic** asked if the mobile home parks could be converted to a tiny home or shipping container community. **Mr. Zambrano** responded affirmatively, adding that additional units could also be added if there is enough room.

Ms. Sepic clarified that a park model, per the definition, is a trailer type unit not to exceed 400 square feet that is primarily designed to provide temporary living quarters for recreational, camping, or seasonal uses. Ms. Sepic stated that this definition, in her opinion, does not meet affordable housing criteria. Ms. Sepic recommended that tiny homes should not be lumped together with the park model definition nor shipping containers built for residential use with the modular home definition. Ms. Sepic stated that she believes a park model is more of a hotel concept which could be within commercial areas. Ms. Sepic stated that the park model definition sounds like it would

be for camping and recreational vehicles whereas mobile homes and modular homes are meant for long-term living.

Sarah Stockham, staff, stated that park model is meant for units of 400 square feet or less in size that are on wheels, which includes tiny homes.

Ms. Sepic stated that the request is to have these in any type of residential zoning. **Ms. Stockham** clarified that it would only be allowed in all multifamily zoning districts. **Ms. Sepic** stated that it was also proposed in C-1, C-2 and C-3 districts. **Ms. Stockham** clarified that those are the commercial zoning districts which allow multifamily residential development by-right. **Ms. Sepic** stated that she believes the park model type, specifically, should only be allowed in the commercial zoning districts.

Mr. Mazza asked if she believes that because it is temporary housing. **Ms. Sepic** responded affirmatively. **Ms. Sepic** stated that she believes the request needs to be changed since the park model is more of a hotel use since it is not meant for long-term living.

Ms. Stockham stated that tiny homes do not have to be temporary. **Ms. Sepic** stated that they are temporary while on wheels, and then get taken off the wheels, since they are built somewhere else off-site and then transported to the site.

Mr. Mazza stated that the confusing part is the existing language because it says it is primarily for temporary living quarters. **Mr. Mazza** asked for clarification if it would apply to permanent residences as well. **Ms. Stockham** responded affirmatively, noting that they could be made as shipping containers or tiny homes, and that the intent is to establish these terms.

Mr. Goodhue stated that many years ago, park models found their way into mobile home parks, so there were enforcement issues since they were meant for temporary living quarters, whereas modular and mobile homes were meant for long-term living quarters. **Mr. Goodhue** stated that the City integrated this into the Zoning Ordinance and that the proposal appears to be blending in tiny homes into the existing definition since it is a newer trend. **Mr. Goodhue** stated that originally, park models were temporary mobile homes that were brought in and out, but things are changing. **Mr. Goodhue** stated that he is concerned with the safety of the structures and that they need to be inspected ahead of time before they reach the site. **Mr. Goodhue** asked what assurance the City has that these units would be labeled by the State as a park model, modular home or manufactured home. **Ms. Stockham** responded that she believes they are already required to have an inspection off-site and that it has to be approved by the State regardless.

Chair Popovic asked if the committee could add stipulations to the case.

Mr. Goodhue stated that these structures are exempt from City permits other than the electric meter. **Mr. Goodhue** stated that the State inspects the structures and that they would have to be certified and approved by the State. **Mr. Goodhue** was concerned that

tiny homes may be manufactured in people's garages and then transported somewhere else. Mr. Goodhue wanted to ensure that inspection processes exist. **Ms. Stockham** responded that manufactured homes have to come through the Arizona Department of Housing approved list. **Mr. Goodhue** responded that he was more concerned with tiny homes, since someone could build a tiny home less than 400 square feet, tow it on the back of a truck and place it on a piece of property. **Ms. Stockham** responded that staff could ask if tiny homes are required to go through the same process and get that information back to the Committee.

Ms. Sepic stated that she was also concerned with bus conversions and camper vans. Ms. Sepic asked if the use permit versus the special permit deviates for the types of homes that are affixed or if all types are required to go through the process regardless of if they are affixed or not. Mr. Zambrano responded that the manufactured home development would require a use permit and include all the types of homes. **Mr. Zambrano** stated that mobile homes are permitted by-right on single-family lots in subdivisions, subject to the single-family design guidelines. **Ms. Sepic** asked if the design guidelines include ensuring they are affixed. **Mr. Zambrano** responded that he believed they do.

Mr. Goodhue stated that modular homes are allowed on single-family lots and manufactured homes and mobile homes have to go into a park. **Ms. Sepic** responded that they still have to be affixed. **Mr. Goodhue** responded that the affixed ones are modular homes, and the other ones are not.

Ms. Sepic was concerned with allowing these additional types if some were affixed and some were not.

Ms. Stockham stated that the difference between a special permit and a use permit is that a special permit is like a rezoning case that goes to the Village Planning Committee, Planning Commission and City Council and ends up with an ordinance which is legislative, whereas a use permit is also a public meeting but is heard by the Zoning Adjustment Hearing Officer and can be appealed to the Board of Adjustment, and is a quasi-judicial process so it can end up being appealed to the courts.

Mr. Goodhue stated that he does not see a major difference with the definitions and has no concerns as long as they are checked by the State.

Mr. Wise asked for clarification that the proposal is revising the definitions and is not related to a specific development but is rather defining it for the future. **Ms. Stockham** responded affirmatively, adding that it is also eliminating the 10-acre minimum requirement, changing it from the special permit process to the use permit process, and changing it from being allowed in R-2 and R-3 to being allowed in all the multifamily residence zoning districts and commercial zoning districts. Ms. Stockham clarified that this would not be allowed in single-family zoning districts, such as R1-6, and if someone wanted to do this in a single-family zoning district, they would still need to go through the rezoning process to rezone to one of the allowable districts.

Public Comment

None.

Staff Response:

None.

MOTION – Z-TA-2-23-Y:

Mr. Wise motioned to recommend approval of Z-TA-2-23-Y, per the staff recommendation. **Mr. Goodhue** seconded the motion.

VOTE – Z-TA-2-23-Y:

12-1; motion to recommend approval of Z-TA-2-23-Y, per the staff recommendation, passes with Committee members Bowman, Bustamante, DeMoss, Gerst, Goodhue, Gubser, Hall, Mazza, Soronson, Wise, Mortensen and Popovic in favor and Committee member Sepic opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-2-23-Y

Date of VPC Meeting	May 9, 2023
Request	Amend Chapter 6, Section 647.A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments
VPC Recommendation	Continued
VPC Vote	6-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

MOTION:

Jeff Riederer motioned to continue Z-TA-2-23-Y to the next Rio Vista Village Planning Committee meeting date. **Massimo Sommacampagna** seconded the motion.

VOTE:

6-0; motion to continue Z-TA-2-23-Y to the next Rio Vista Village Planning Committee meeting date passes with Committee members Holton, Riederer, Scharboneau, Sommacampagna, Virgil and Lawrence in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

The committee members continued the item because the meeting facility was closing and there was no time to hear the case.

Village Planning Committee Meeting Summary Z-TA-2-23-Y

Date of VPC Meeting	June 13, 2023
Request	Amend Chapter 6, Section 647.A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	4-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Staff Presentation:

Mr. Zambrano provided an overview of text amendment case Z-TA-2-23-Y, describing the request and the purpose and intent of the request. Mr. Zambrano shared the new definitions proposed and displayed some examples of the new definitions. Mr. Zambrano shared the proposed refined definitions and described the proposed changes. Mr. Zambrano shared the upcoming hearing schedule, noting that the Planning Commission already heard and voted on the item on June 1, and that the Committee was supposed to hear and vote on this item last month but had to continue it due to time constraints. Mr. Zambrano then stated that staff recommends approval per the language in Exhibit A of the staff report.

Questions from the Committee:

Vice Chair Ferreira asked about the Park Model definition being defined for temporary living quarters. **Mr. Zambrano** responded that the definition is worded like that because the homes are built off-site and then transported to the location where it will be placed.

Mr. Virgil stated that it is considered temporary as long as it is movable.

Mr. Zambrano added that these homes would typically still be on a chassis but would have skirting around the bottom to screen it.

Chair Lawrence added that it would not be considered permanent because the home would not be bolted to a foundation.

Mr. Sommacampagna asked what the difference is between a Special Permit and a Use Permit. **Mr. Zambrano** responded that a Special Permit is a legislative process similar to the rezoning process that require public hearings by the Village Planning Committee, Planning Commission, and City Council, whereas the Use Permit process is a quasi-judicial process that would only be heard by the Zoning Hearing Officer, and then could be appealed to the Board of Adjustments, and then to the courts.

Chair Lawrence asked for clarification that the City is trying to simplify the process and make it easier for developers to build mobile home parks with smaller modular homes.

Mr. Zambrano responded affirmatively, indicating that the text amendment would allow different types of housing products that are not currently addressed in the Zoning Ordinance, and that it would allow these types of developments to be built within all multifamily and commercial zoning districts, subject to a Use Permit, which is a less complicated and less burdensome process than the Special Permit process, which is not required of other types of housing developments. **Chair Lawrence** asked if the site plan and elevations would still be reviewed during that process. **Mr. Zambrano** responded affirmatively, adding that the text amendment would also create new development standards that new mobile home parks would need to comply with, which would all be reviewed during the Use Permit process.

Mr. Sommacampagna asked what the Planning Commission voted. **Mr. Zambrano** responded that the Planning Commission recommended approval, per the staff recommendation, by an 8-0 vote.

Vice Chair Perreira stated that he believes there needs to be a more intensive permitting process for shipping container homes. Vice Chair Perreira stated that they should only be located in certain areas. **Mr. Zambrano** responded that nearby neighbors would still have an opportunity to provide input on a new mobile home park through the Use Permit process, indicating that notification of the public hearing would still be sent out to surrounding neighbors.

Chair Lawrence asked for clarification that the ultimate goal would be to align and simplify the permitting process for tiny homes with the permitting process of typical residential developments. **Mr. Zambrano** responded affirmatively, adding that a Use Permit would still be required, and that the text amendment would also create new development standards for these types of developments, and would allow new types of housing products that are not currently in the Zoning Ordinance.

Public Comments:

None.

Staff Response:

None.

MOTION – Z-TA-2-23-Y:

Mr. Sommacampagna motioned to recommend approval of Z-TA-2-23-Y, per the staff recommendation. **Chair Lawrence** seconded the motion.

VOTE – Z-TA-2-23-Y:

4-0; motion to recommend approval of Z-TA-2-23-Y per the staff recommendation passes with Committee members Sommacampagna, Virgil, Perreira and Lawrence in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

**Village Planning Committee Meeting Summary
Z-TA-2-23-Y**

Date of VPC Meeting	May 9, 2023
Request	Amend Chapter 6, Section 647.A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION June 1, 2023

ITEM NO: 13	
	DISTRICT NO.: Citywide
SUBJECT:	Text Amendment
Application #:	Z-TA-2-23-Y
Proposal:	Amend Chapter 6, Section 647.A.2.k of the Phoenix Zoning Ordinance regarding mobile home developments.
Applicant:	City of Phoenix, Planning Commission
Representative:	City of Phoenix, Planning and Development Department

ACTIONS:

Staff Recommendation: Approval, per Exhibit A.

Village Planning Committee (VPC) Recommendation:

Ahwatukee Foothills 5/22/2023 No Quorum.

Alhambra 5/23/2023 No Quorum.

Camelback East 5/2/2023 Approval, per the staff recommendation. Vote: 13-2-2.

Central City 5/8/2023 No Quorum.

Deer Valley 5/11/2023 Approval, per the staff recommendation with a modification. Vote: 5-3.

Desert View 5/2/2023 Approval, per the staff recommendation. Vote: 9-0.

Encanto 5/1/2023 Approval, per the staff recommendation. Vote: 14-0.

Estrella 5/16/2023 No Quorum.

Laveen 5/8/2023 Approval, per the staff recommendation. Vote: 6-0.

Maryvale 5/10/2023 No Quorum.

North Gateway 5/11/2023 Meeting Canceled.

North Mountain 5/17/2023 Approval, per the staff recommendation. Vote: 13-0.

Paradise Valley 5/1/2023 Approval, per the staff recommendation. Vote: 12-1.

Rio Vista 5/9/2023 Continued to June 13, 2023. Vote 6-0.

South Mountain 5/9/2023 No Quorum.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion: N/A

Motion details: Acting Vice-Chairperson Boyd made a MOTION to approve Z-TA-2-23-Y, per the staff recommendation.

Maker: Acting Vice-Chairperson Boyd

Second: Mangum

Vote: 8-0

Absent: Howard

Opposition Present: No

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.



Public Hearing - Amend City Code - Ordinance Adoption - Expansion of Nonconforming Mobile Home Developments - Z-TA-3-23-Y (Ordinance G-7134)

Request to hold a public hearing on a proposed text amendment Z-TA-3-23-Y and to request City Council approval per the Planning Commission recommendation which amends Chapter 9 (Nonconformities) of the Phoenix Zoning Ordinance regarding expansion of nonconforming mobile home developments.

Summary

Application: Z-TA-3-23-Y

Proposal: Amend Chapter 9, Section 902 (Expansion of Nonconforming Use) of the Phoenix Zoning Ordinance to allow existing mobile home developments to increase the number of units by 50 percent with administrative review and approval by the Zoning Administrator.

Applicant: City of Phoenix, Planning Commission

Representative: City of Phoenix, Planning and Development

Staff Recommendation: Approval of Z-TA-3-23-Y as shown in Exhibit A of the staff report (**Attachment B**).

VPC Action: Eight Village Planning Committees (VPCs) considered the request. Four VPCs recommended approval, per the staff recommendation; one VPC recommended approval, per the staff recommendation, with direction to require site improvements for improved safety such as lighting, signage, walls and landscaping; one VPC recommended approval, per the staff recommendation with a modification to add a use permit requirement; one VPC recommended approval, per the staff recommendation with a modification to add a notification requirement for administrative review and to strengthen the provisions related to the review; two VPCs recommended denial; and six VPCs did not have a quorum, as reflected in **Attachments C and D**.

PC Action: The Planning Commission heard this case on June 1, 2023, and recommended approval, per the staff recommendation, by a vote of 7-1.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING PORTIONS OF THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX BY AMENDING CHAPTER 9, SECTION 902 (EXPANSION OF NONCONFORMING USE) TO ALLOW EXISTING MOBILE HOME DEVELOPMENTS TO INCREASE THE NUMBER OF UNITS BY 50% WITH ADMINISTRATIVE REVIEW AND APPROVAL BY THE ZONING ADMINISTRATOR.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1: That Chapter 9, Section 902 (Expansion of Nonconforming Use), is amended to read:

Amend Chapter 9, Section 902 (Expansion of Nonconforming Use) as follows:

A nonconforming use shall not be expanded or extended beyond the floor area or lot area that it occupied on the effective date of these regulations, the effective date of any amendment to these regulations, or the effective date of annexation into the City rendering such use nonconforming, except that:

- A. A structure housing a nonconforming single-family residential use may be expanded up to fifty percent beyond the floor area or lot area that it occupied on the date it was rendered nonconforming, subject to obtaining a use permit in accordance with the procedures and standards of section 307; and
- B. An accessory structure for a nonconforming single-family residential use may be expanded up to fifty percent beyond the floor area or lot area that it occupied on the date it was rendered nonconforming, subject to obtaining a use permit in accordance with the procedures and standards of section 307.
- C. AN EXPANSION OF A MOBILE HOME DEVELOPMENT SHALL BE PERMITTED TO INCREASE THE NUMBER OF MOBILE HOME UNITS BY UP TO FIFTY PERCENT OF THE UNITS THAT LEGALLY EXISTED BEFORE JULY 1, 2023 WITH ADMINISTRATIVE REVIEW AND APPROVAL BY THE ZONING

ADMINISTRATOR. THE ZONING ADMINISTRATOR SHALL REVIEW AND HAVE DISCRETION TO ENSURE THAT THE ADDED UNITS MEET THE INTENT OF ADEQUATE SETBACK BETWEEN UNITS, PERIMETER SETBACKS, AND OTHER DEVELOPMENT STANDARDS THAT ARE CONSISTENT WITH THAT MOBILE HOME DEVELOPMENT.

No provision in this chapter shall be construed to permit expanding or extending a nonconforming use beyond the confines of the lot or parcel of land upon which it was located on the date the use became nonconforming or to permit any expansion of a nonresidential or multiple-family residential nonconforming use.

PASSED by the Council of the City of Phoenix this 28th day of June, 2023

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report
Zoning Ordinance Text Amendment
Z-TA-3-23-Y
(Expansion of Nonconforming Mobile Home Developments)
April 21, 2023

Application No. Z-TA-3-23-Y: Amend Chapter 9, Section 902 (Expansion of Nonconforming Use) of the Phoenix Zoning Ordinance to allow existing mobile home developments to increase the number of units by 50% with administrative review and approval by the Zoning Administrator.

Staff recommendation: Staff recommends approval of Z-TA-3-23-Y as shown in Exhibit A.

BACKGROUND

Residents of mobile home communities throughout the City of Phoenix have faced displacement due to the redevelopment of mobile home park sites. In response to community concerns and in coordination with the Mayor and City Council, an internal work group was formed on September 28, 2022, to determine how the city could assist families facing imminent displacement and to identify measures to reduce future risk.

The Work Group was comprised of City staff from throughout the organization and included the Phoenix Industrial Development Authority (IDA). The team was charged with evaluating all legal and financial assistance the City could offer to the tenants of the displaced communities. The team also reviewed and evaluated options to develop long-term strategies to prevent this issue from happening in the future. The resulting research report from the internal work group was issued November 25, 2022, and an updated report was issued on February 23, 2023 (Exhibit B).

The report detailed programs, initiatives, and strategies to address the displacement of mobile home residents in the city of Phoenix. However, due to limitations from Arizona Revised Statutes, the city is limited from taking certain actions. The report included legal analysis and also covered approaches taken by other jurisdictions to address similar challenges in their communities. Each proposed program and strategy were detailed in this report along with a set of recommended actions. Recommended programs and strategies were organized by the following:

1. Immediate Solutions - Financial Assistance and Support Services;
2. Medium Term Solutions - Planning and Zoning Initiatives;
3. Long Term Solutions - Ownership and Acquisition Strategies.

On March 22, 2023, Mayor and Council directed staff to move forward with 12 viable recommended actions outlined in Exhibit B. Action Item #8 recommended modifications to nonconforming Zoning Ordinance provisions.

Staff obtained input from various stakeholders and held four meetings to review and request additional input on the proposed text amendment. Stakeholders included individuals from the following organizations:

- Manufactured Housing Communities of Arizona (MHCA)
- Manufactured Housing Industry of Arizona (MHIA)
- Arizona Department of Housing Board of Manufactured Housing Member
- Affordable Housing/Private Developers
- Arizona State University, Real Estate Development

PURPOSE

The intent of the proposed text amendment is to allow for the expansion of legal nonconforming mobile home developments by increasing the number of mobile home units and other types of units like Park Models (aka Tiny Homes) in existing mobile home developments. Many existing mobile home developments within the City of Phoenix are considered nonconforming. Many were annexed from Maricopa County or were developed under different zoning requirements which rendered them nonconforming. An expansion of a nonconforming use is limited to a structure housing a nonconforming single-family residential use or an accessory structure for a nonconforming single-family residential use. Existing mobile home developments are frozen in time at the time they became nonconforming. Any expansions or changes would require bringing the site into compliance with existing requirements for offsite manufactured home developments, adding significant costs for improvements. The proposed text amendment would allow existing mobile home developments to expand by adding additional units through an administrative review to ensure that the added units meet the intent of adequate setback between units, perimeter setbacks, and other development standards that are consistent with that mobile home development.

DESCRIPTION OF THE PROPOSED TEXT

The proposed text provides an administrative process for existing legal nonconforming mobile home developments to increase the number of mobile homes units that existed legally before July 1, 2023, up to 50%. The administrative review would include adequate setbacks between units, perimeter setbacks, and other development standards that are consistent with that mobile home development.

CONCLUSION

The proposed text amendment will allow existing mobile home developments to increase the number of units by 50% with administrative review and approval by the Zoning Administrator.

Z-TA-3-23-Y
June 1, 2023 Planning Commission
Page 3 of 3

Staff recommends approval of Z-TA-3-23-Y as proposed in Exhibit A.

Writer

T. Gomes
4/21/23

Exhibits

- A. Proposed Language
- B. Research Report City Manager's Office dated 2/23/23

EXHIBIT A
Text Amendment Z-TA-3-23-Y:
Expansion of Nonconforming Mobile Home Developments

Proposed Language:

Amend Chapter 9, Section 902 (Expansion of Nonconforming Use) as follows:

A nonconforming use shall not be expanded or extended beyond the floor area or lot area that it occupied on the effective date of these regulations, the effective date of any amendment to these regulations, or the effective date of annexation into the City rendering such use nonconforming, except that:

- A. A structure housing a nonconforming single-family residential use may be expanded up to fifty percent beyond the floor area or lot area that it occupied on the date it was rendered nonconforming, subject to obtaining a use permit in accordance with the procedures and standards of section 307; and
- B. An accessory structure for a nonconforming single-family residential use may be expanded up to fifty percent beyond the floor area or lot area that it occupied on the date it was rendered nonconforming, subject to obtaining a use permit in accordance with the procedures and standards of section 307.
- C. AN EXPANSION OF A MOBILE HOME DEVELOPMENT SHALL BE PERMITTED TO INCREASE THE NUMBER OF MOBILE HOME UNITS BY UP TO FIFTY PERCENT OF THE UNITS THAT LEGALLY EXISTED BEFORE JULY 1, 2023 WITH ADMINISTRATIVE REVIEW AND APPROVAL BY THE ZONING ADMINISTRATOR. THE ZONING ADMINISTRATOR SHALL REVIEW AND HAVE DISCRETION TO ENSURE THAT THE ADDED UNITS MEET THE INTENT OF ADEQUATE SETBACK BETWEEN UNITS, PERIMETER SETBACKS, AND OTHER DEVELOPMENT STANDARDS THAT ARE CONSISTENT WITH THAT MOBILE HOME DEVELOPMENT.

No provision in this chapter shall be construed to permit expanding or extending a nonconforming use beyond the confines of the lot or parcel of land upon which it was located on the date the use became nonconforming or to permit any expansion of a nonresidential or multiple-family residential nonconforming use.



City of Phoenix

RESEARCH REPORT CITY MANAGER'S OFFICE		
		DATE ISSUED 2/23/23
TO: Mayor and Council	FROM: Jeff Barton, City Manager	
SUBJECT Mobile Home Resident and Mobile Home Park Displacement Options		

Introduction

Residents of mobile home communities throughout the City of Phoenix have faced displacement due to the redevelopment of mobile home park sites. Residents of three communities, including Periwinkle, Weldon Court, and Las Casitas, are under imminent threat of displacement. Many residents of these communities have contacted the City of Phoenix to seek assistance. In response to these concerns and in coordination with the Mayor and City Council, an internal work group was formed on Sept. 28, 2022, to determine how the City of Phoenix can assist families facing imminent displacement and to identify measures to reduce this risk in the future.

Background

The Work Group is comprised of City staff from throughout the organization and includes the Phoenix Industrial Development Authority (IDA). The team was charged with evaluating all legal and financial assistance the City could offer to the tenants of the three properties mentioned earlier in this report. The team also reviewed and evaluated options to develop long-term strategies to prevent this issue from happening in the future.

This report details programs, initiatives, and strategies to address the displacement of mobile home residents in the City of Phoenix. However, due to limitations from Arizona State Statutes, the City is constrained from taking certain actions. This report includes legal analysis and also covers approaches taken by other jurisdictions to address similar challenges in their communities. Each proposed program and strategy is detailed in this report along with a set of recommended actions. Recommended programs and strategies are organized by the following:

1. Immediate Solutions - Financial Assistance and Support Services;
2. Medium Term Solutions - Planning and Zoning Initiatives;
3. Long Term Solutions - Ownership and Acquisition Strategies.

Staff also recommends supporting Arizona State legislative changes that would increase the State-administered displacement funds for each resident that is impacted by redevelopment of mobile home parks, as well as any legislative changes that would allow for a Right of First Refusal Purchase by the existing residents when mobile home park developments are offered for sale.

The section entitled **Viable Options** details the actions staff recommends the City implement to assist families facing displacement. The section entitled **Non-Viable Options** provides information on programs and strategies that were evaluated but determined to be non-viable options. **Attachment A** provides an overview of staff recommendations as well as the evaluated programs which were determined to be non-viable options, based on legal analysis and the research conducted by the Work Group.

Legal Analysis and Discussion

The Work Group on mobile home parks asked the Law Department to analyze the legal risks of:

1. Imposing a development moratorium on redeveloping mobile home parks;
2. Eliminating non-mobile home park zoning entitlements from existing mobile homes;
3. Requiring mobile home park landlords to pay relocation assistance exceeding the amount required by Arizona Revised Statute;
4. Using City funds to pay residents additional relocation assistance exceeding the amount required by Arizona Revised Statute.

First, the City cannot impose a development moratorium on any private property, including mobile home parks, without clear justification. The Arizona State Legislature has declared development moratoriums a matter of statewide concern, because moratoriums could negatively affect property rights and property owners. The City would have to determine that a moratorium is justified (e.g., a lack of adequate infrastructure, among other things), and limit the location and duration of any moratorium.

Second, the City can eliminate non-mobile home park zoning entitlements from an existing mobile home park without exposing the City to potentially significant claims for diminution of property value under Prop. 207. However, any land use law that diminishes a landowner's existing rights to use, divide, sell or possess their land would require the City to compensate the landowner for the diminished value.

Third, the State established a regulatory system for all mobile landlord-tenant relationships, including a relocation fund to pay relocation assistance to tenants displaced from a mobile home park. Thus, the City is potentially preempted from requiring landlords to pay more than what is available from the site relocation fund.

Finally, the Arizona Constitution prohibits the City from giving or loaning its public resources (e.g., general fund dollars) to aid, donate, or subsidize individuals or companies. The City may be subject to a challenge for violation of the gift clause if the City expends general funds to provide additional relocation assistance to mobile home park tenants.

Viable Options

This section details recommended actions for the City of Phoenix to implement to assist individuals and families facing displacement from mobile home communities.

Immediate Solutions: Financial Assistance and Support Services

1. Rental/Utility Deposit and Rental Payment Assistance

Staff recommends two financial assistance programs which can be implemented immediately to support impacted residents. Using already approved American Rescue Plan Act (ARPA) Tranche One and remaining Emergency Rental Assistance (ERA) funds, the proposed programs include rent and utility (water/sewer, gas and electric) deposits, and rental/utility payments for up to 15 months (inclusive of three months forward rent and utility credits) or 12 months lump sum rental payment.

The following eligibility requirements will be used for deposit and payment assistance:

- Must be a Phoenix resident.
- Must have an income at or below 120 percent of Area Median Income (AMI) or \$106,560 for a family of four.
- Must qualify for unemployment benefits, experience a reduction in income, or experience other financial hardships caused by the COVID-19 pandemic.
- Must demonstrate risk of homelessness or housing instability.
- Must have incurred rent (including deposits, move-in costs, legal and late fees) and utility bills after March 13, 2020. **(If rent has not been charged, they are not eligible for assistance beyond help securing a new dwelling unit.)**

2. Case Management and Housing Navigation Services

Staff recommends a new program to provide case management and housing navigation services in partnership with a local, community-based non-profit that specializes in providing these types of services. If approved, the Human Services Department will request Council Approval to enter into an Intergovernmental Agreement (IGA) for up to \$300,000 using American Rescue Plan Act (ARPA) Tranche One funding with the City of Phoenix Industrial Development Authority (IDA) to contract with Helping Families in Need (HFIN). Currently, Trellis is providing these services through a contract with Grand Canyon University (GCU) for Periwinkle residents.

With Council approval, HFIN would provide services to residents of the Las Casitas and Weldon Court communities. The services would include case management that supports

housing needs, access to physical healthcare, behavioral healthcare, nutrition assistance, cash assistance, workforce development, emergency rental assistance and vouchers, etc.

3. Emergency Housing Vouchers (EHV)

Staff recommends providing Emergency Housing Vouchers (EHV) to assist individuals and families facing displacement from mobile home parks. The EHV program is available through the American Rescue Plan Act (ARPA) via the U.S. Department of Housing and Urban Development (HUD). The vouchers are available to assist individuals and families who are homeless, at risk of homelessness, recently homeless or have a high risk of housing instability. The program is managed through a direct referral process from the Continuum of Care (CoC) regional Coordinated Entry (CE) System and could potentially be utilized by displaced residents, pending availability and meeting eligibility requirements.

Eligibility for use of the voucher program is determined through the CoC CE System. At least one family member must be a U.S. Citizen or eligible non-citizen to utilize the program. Once eligibility has been determined, referrals are made to the Housing Department through designated coordinated entry points. This resource is limited and will be utilized until exhausted.

4. Communication Strategy and Action Protocol

Staff recommends developing a communication strategy and action protocol to inform residents of critical information related to their potential displacement as well as available assistance programs and other resources.

In 2019, the City of Apache Junction and Arizona State University completed a study on Mobile Home Parks. The study focused on preserving affordable housing, improving the conditions of mobile home parks, increasing the quality of life for residents, and promoting the redevelopment of parks when appropriate. One of the key recommendations was the creation of a communication strategy and action protocol for the notification and provision of resource assistance for mobile home residents when the park in which they reside becomes available for sale.

This recommendation is to develop communication strategies that connect mobile home residents with resources and inform residents at risk of displacement of opportunities for other affordable housing options. The information would include an overview of the rights of mobile home residents, approved programs within this report and other available resources, such as the State of Arizona's Mobile Home Relocation Fund. This fund provides monetary assistance to mobile home owners when mobile home parks are closed or redeveloped. The fund provides moving expense assistance, through direct payment to an installer, of up to \$7,500 for a single-wide or \$12,500 for a multi-section home.

5. Homeownership Down Payment Assistance

A. Open Doors Down Payment Assistance Program

Staff recommends providing residents information and assistance to participate in the Open Doors Down Payment Assistance program, which is designed to assist eligible first-time homebuyers with the purchase of an affordable home in the City of Phoenix.

The program, funded by the federal HOME Investment Partnerships Program, provides down payment and/or closing cost assistance to households earning at or below 80 percent of the Area Median Income (AMI). The beneficiary must be a U.S. citizen or eligible non-citizen. To utilize program funding for a manufactured home purchase, the home must be affixed as real property, on a permanent foundation and connected to permanent utility hook-ups.

Total assistance is based on eligibility and individual need. Homebuyers will be required to attend pre-purchasing counseling provided by a U.S. Department of Housing and Urban Development (HUD) certified housing counseling agency and certified housing counselor. Homeownership down payment assistance funds are offered as a deferred payment loan that:

- Has an interest rate of 0 percent with no monthly principal payments;
- Provides up to 10 percent of the purchase price of a home;
- Is fully forgiven after the period of affordability;
- Can be layered with other homeownership down payment assistance programs.

B. Additional Support through Community Development Block Grant (CDBG)

Staff also recommends pursuing the possibility of supplementing the Housing Department's Open Doors Down Payment Assistance Program with available CDBG funding. The additional assistance could be provided to eligible families interested in homeownership. Beneficiary must be a U.S. citizen or eligible non-citizen.

CDBG funds can assist low- to moderate-income households with the following homeownership activities for the purchase of single-family homes:

- 50 percent of the lender required down payment;
- Payment of closing costs, which must be deemed reasonable;
- Subsidized interest rates and mortgage principal amounts.

Note: The following medium- and long-term recommended solutions would be included in the City's overall strategy to assist residents of mobile home communities. However, these recommendations would not address the current concerns related to the imminent displacement of residents at the three identified communities.

6. Modify Existing Special Permit Mobile Home Park Development Requirements

Staff recommends the consideration of modifying existing Special Permit Mobile Home Park Development requirements to make it easier to continue to operate, expand, or create new mobile home parks. This could be done by modifying the existing special permit allowances.

Staff recommends modifying the existing special permit allowances for mobile home parks through a text amendment to the zoning ordinance. This text amendment would address current zoning ordinance requirements to look for ways to increase market viability so that developers could develop new mobile home parks. This amendment would look at zoning requirements for items such as but not limited to minimum acreage size, spacing between units, and common open space. It could also allow other housing types within the new mobile home park. This could allow for new parks to be built that would offer more affordable housing than traditional homes. The expansion could include additional relocation requirements if developed under the new text amendment provisions.

7. Create A Mobile Home Park Zoning Overlay Incentive District

Staff recommends the consideration of drafting a Mobile Home Park Zoning Overlay Incentive District with incentives for property owners of existing mobile home parks to opt into the overlay and operate as a mobile home park.

With the Overlay District, property owners could “opt in” and obtain greater property entitlements in one of two ways. The first option would be the property owner would maintain the existing mobile home park for (e.g., 10 years) in exchange for additional density, height, or setbacks, etc. after the specified timeframe was met. The second option would allow the property owner to redevelop the site in exchange for additional density, height, or setbacks, etc., before the specified timeframe was met, if onsite affordable housing was provided or funds were allocated for relocation fees. In order for this option to be viable, logistical challenges would need to be remedied through robust stakeholder meetings and feedback, to discuss any potential incentive for additional setbacks, height requirement, density, etc. As a result, there could be significant challenges associated with this option.

Arizona Revised Statute (A.R.S.) 12-1134 precludes the City from requiring the overlay be applied to existing mobile home parks but incentivizes the maintenance of existing mobile home parks.

8. Modify Legal Non-Conforming Zoning Ordinance Provisions

Staff recommends modifying Legal Non-Conforming Zoning Ordinance provisions to allow for expansion of existing mobile home parks. Staff recommends a text amendment that specifically allows for the expansion of legal non-conforming zoning rights to cite

additional mobile home units and other types of units like tiny homes in existing mobile home parks. This effort will also allow for a review of the on-site development code and infrastructure requirements to ensure that minimum requirements are as safe and efficient as possible. Staff recommends expanding the allowable housing types such as tiny homes (Park Models) to replace existing mobile homes. Tiny homes provide an affordable alternative to mobile or manufactured homes. Currently, Phoenix Zoning Ordinance allows existing mobile home parks to replace older mobile homes (built prior to June 15, 1976) with a manufactured home (built after June 15, 1976, per U.S. Department of Housing and Urban Development (HUD) standards) by right.

Additionally, most existing mobile home parks are considered nonconforming. Many were annexed from Maricopa County or were developed under different zoning requirements which rendered them nonconforming. An expansion of a nonconforming use is limited to a structure housing a nonconforming single-family residential use or an accessory structure for a nonconforming single-family residential use. Existing mobile home parks are frozen in time at the time they became nonconforming. Any expansions or changes would require bringing the site into compliance with existing requirements for mobile home parks, adding significant costs for improvements. An amendment to the Phoenix Zoning Ordinance to allow existing mobile home parks to expand by adding additional units and make proportional improvements could also be considered.

9. Explore Opportunities to Partner with Qualified Opportunity Fund (QOF)

Staff recommends exploring opportunities to partner with a Qualified Opportunity Fund (QOF) to invest in purchasing mobile home park land when a property owner desires to sell for redevelopment. Purchase by the fund would allow for additional time to help impacted mobile home residents move to another location or pursue other options. Any purchased land would take advantage of the Mobile Home Park Zoning Overlay Incentive District allowances to enhance their interest in purchasing the parcel.

Long Term Solutions: Ownership and Acquisition Strategies

10. Partner with Nonprofit(s) to Purchase Mobile Home Parks

Staff recommends working to identify nonprofit partners to purchase existing mobile home parks to stabilize the existing park operations and/or allow for redevelopment of the property that limits displacement of existing residents.

If redevelopment is pursued, the City can partner by offering funding assistance for new affordable housing development that prioritizes new housing options for mobile home park residents. Available funding for purchase and/or redevelopment must be identified and may have residency requirements. Due to the timing associated with redevelopment, residents may need to be temporarily relocated and potentially pursue alternative housing options.

The Phoenix Industrial Development Authority (IDA) has agreed to work with the City to develop financing options that may assist non-profits or other community partners in their purchasing efforts.

11. Establish Resident Owned Communities (ROC USA)

Staff recommends engaging with ROC USA, which is a national nonprofit that assists existing mobile homeowners in forming a cooperative entity to finance the purchase of a mobile home park.

ROC USA works with regional technical assistance affiliates to study the feasibility of purchasing mobile home parks, helping residents form a cooperative association, and identifying funding sources for the purchase. ROC USA may be able to provide loans to assist with the resident purchase of a mobile home park. To pursue resident purchase of a mobile home park, park ownership concurrence and traditional and/or nonprofit funding sources must be identified. Increasing land values and potential for park redevelopment could make it difficult to find park owners who are willing to participate in this program.

12. Develop a Comprehensive Strategy and Action Plan

Staff recommends the development of a Comprehensive Strategy and Action Plan related to mobile home communities and manufactured housing. This Comprehensive Strategy and Action Plan would be developed through the formation of a steering committee comprised of City staff, community members, and housing experts.

The City of Boulder, Colorado developed a Manufactured Housing Strategy with an Action Plan focused on efforts that encourage the preservation of existing manufactured home communities, facilitating the development of new manufactured home communities, increasing opportunities for Resident Owned Communities (ROCs), reducing or eliminating health and safety issues, and rehousing displaced households.

By engaging in a comprehensive study and analysis the City will be better prepared to take a proactive approach in assisting residents of mobile home and manufactured housing communities.

Non-Viable Options

This section provides information on the programs and strategies that were evaluated by staff but determined to be non-viable options to assist individuals and families facing displacement from mobile home communities.

Financial Assistance and Support Services

1. City of Phoenix Affordable Housing Units and Housing Choice Vouchers

Staff evaluated the possibility of providing displaced mobile home residents access to public housing or affordable units by housing displaced communities at City properties. Staff also evaluated providing Housing Choice Vouchers to eligible individuals and families. Both strategies were determined to be non-viable solutions.

Currently all public housing and affordable housing properties have high occupancy rates and a wait list of interested residents. Similarly, the Housing Choice Voucher wait list is currently closed. The current U.S. Department of Housing and Urban Development (HUD) approved Administrative Plan for wait list local preferences does not include private displacement action, therefore mobile home park residents being displaced by private action could not be directly placed into vacant units or provided a Housing Choice Voucher.

Ownership and Acquisition Strategies

2. City Purchase of At-Risk Mobile Home Parks

Staff evaluated the possibility of the City of Phoenix purchasing mobile home parks that are at risk of investor purchase, which would potentially result in the displacement of residents. This option would prevent resident displacement and increase stability while preserving affordable housing.

However, staff determined this was a non-viable solution due to the following challenges:

- Current park owners would need to agree to sell to the City of Phoenix.
- There is a high number of mobile home parks Citywide.
- There would be additional costs including required infrastructure improvements, replacement of unsafe units, contract with third-party management companies, etc.
- It would be inconsistent with previous community planning efforts.
- Long-term financial costs associated with being a mobile home park owner are not in line with City priorities.

3. City Acquisition of Land for Mobile Home Use

Staff evaluated the possibility of the City of Phoenix purchasing land for mobile home use. This option would increase affordable housing options. However, staff determined this was a non-viable solution due to the following challenges:

- It would be an inefficient use of land and subsidy when higher density housing could be developed to address the current housing shortage more effectively.
- There is limited availability of suitable sites (10-acre minimum, correct zoning, etc.).
- There would be additional costs including required infrastructure improvements, replacement of unsafe units, contract with third-party management company, etc.
- It would be inconsistent with previous community planning efforts.

4. City-Owned Property for Use as Manufactured/Mobile Home Park or Tiny Homes

Staff reviewed the list of City-owned properties for use as a manufactured home park and the requirements for use including development, relocation of units, and management. The minimum site size for development of an average 100-space park is seven and one-half acres.

Staff concluded the use of City-owned property for use as a manufactured home park is non-viable since the City does not have excess land suitable for this purpose. Furthermore, the high cost and risk associated with this type of development, as well as ongoing management and maintenance, are impediments to using City-owned property. The current inventory of City-owned land is comprised of sites that are either too small to accommodate a manufactured home park or larger sites set aside for affordable housing, future fire stations, water facilities, other public uses, or located within a residential neighborhood and originally planned for a neighborhood park.

Utilizing City-owned property would require homes currently facing displacement to be physically moved from their current locations. This type of move is estimated to cost approximately \$10,000 to relocate a mobile home. In most situations, moving professionals have been unwilling to relocate these structures due to the age and associated risk of moving these units. Additionally, development cost of a 100-space manufactured home park is estimated to be approximately \$1.8 million. Considering the gift clause, the use of City-owned land as a manufactured home park would require leases at market rent. Management fees are generally seven to ten percent of collected rents, plus ongoing operation and maintenance costs, reserves for replacement, liability, and risk. As a result, residents would still face affordability challenges. For these reasons, staff determined the utilization of City-owned property is a non-viable option.

Planning and Zoning Initiatives

5. Exclusive Zoning District for Mobile Home Parks

Staff does not recommend the consideration of drafting a Mobile Home Park Zoning District and rezoning existing mobile home parks because it would be a new land use that diminishes the value of the properties zoning entitlements, and the City would be required to pay for the diminished value under Arizona Revised Statute (A.R.S.) 12-1134.

This exclusive zoning district would limit the allowed land use to mobile home parks and accessory uses for the park (e.g., clubhouse, pool, etc.). Most existing mobile home parks are entitled with multifamily or commercial zoning which makes the land extremely vulnerable to redevelopment, loss of low-income housing options, and contributes further to resident displacement. This approach was found not to be a regulatory taking in the State of Washington under LAUREL PARK COMMUNITY v. CITY OF TUMWATER; however, the City is liable to diminution of property value under Arizona Revised Statute

(A.R.S.) 12-1134 if new zoning district is applied retroactively, meaning landowners would need to be compensated. American Rescue Plan Act (ARPA) funds are likely not a source of compensation for affected landowners.

Recommendations

Based on legal analysis and the research conducted by the Work Group:

Staff recommends the following immediate programs:

- Utilizing American Rescue Plan Act (ARPA) and Emergency Rental Assistance (ERA) funding for Rental/Utility Deposit, Rental Payment Assistance, Case Management and Housing Navigation Services. It is important to note that the amount of funds available is limited, as is the timeframe the funds are available.
- Providing Emergency Housing Vouchers (EHV) to individuals facing displacement.
- Developing a Communication Strategy and Action Protocol.
- Focusing outreach efforts of the Open Doors Down Payment Assistance Program to benefit mobile home park residents, and possibly supplementing the program with Community Development Block Grant (CDBG) funding.

Staff recommends the following medium-term programs:

- Addressing existing Special Permit Mobile Home Park Development requirements, making it easier for landowners to continue to operate, expand, or create new mobile home parks.
- Creating a Mobile Home Park Zoning Overlay Incentive District to provide incentives for property owners to delay redevelopment of existing mobile home parks.
- Addressing Legal Non-Conforming Zoning Ordinance provisions to allow expansion of existing mobile home parks and tiny homes.
- Explore opportunities to partner with a Qualified Opportunity Fund (QOF) to invest in purchasing mobile home park land when a property owner desires to sell for redevelopment.

Staff recommends the following long-term programs:

- Partnering with nonprofit(s) to purchase mobile home parks.
- Working with residents at risk of displacement to engage with and create Resident Owned Communities (ROC USA).
- Developing a comprehensive strategy and action plan to take a proactive approach in assisting residents of mobile home and manufactured housing communities.

Staff also recommends supporting Arizona State legislative changes that would the State-administered displacement funds for each resident that is impacted by the redevelopment of mobile home parks, as well as any legislative changes that would allow for a Right of First Refusal Purchase by the existing residents when mobile home park developments are offered for sale.

Attachment A

Based on legal analysis, staff recommends the following proposed programs and strategies to assist mobile home residents in the City of Phoenix:

RECOMMENDED PROGRAMS	TIMELINE
Rental/Utility Deposit and Rental Payment Assistance	Immediate
Case Management and Housing Navigation Services	Immediate
Emergency Housing Vouchers (EHV)	Immediate
Communication Strategy and Action Protocol	Immediate
Homeownership Down Payment Assistance	Immediate
Modify Existing Special Permit Mobile Home Park Development Requirements	Medium Term
Create A Mobile Home Park Zoning Overlay Incentive District	Medium Term
Modify Legal Non-Conforming Zoning Ordinance Provisions	Medium Term
Explore Opportunities to Partner with Qualified Opportunity Fund (QOF)	Medium Term
Partner with Nonprofit(s) to Purchase Mobile Home Parks	Long Term
Establish Resident Owned Communities (ROC USA)	Long Term
Develop a Comprehensive Strategy and Action Plan	Long Term

Staff evaluated the following programs and strategies but determined they are non-viable options to assist families facing displacement from mobile home communities:

EVALUATED PROGRAMS – NON-VIABLE OPTIONS	TIMELINE
City Affordable Housing Units and Housing Choice Vouchers	N/A
City Purchase of At-Risk Mobile Home Parks	N/A
City Acquisition of Land for Mobile Home Parks	N/A
City Property for Manufactured/Mobile Home Park or Tiny Homes	N/A
Exclusive Zoning District for Mobile Home Parks	N/A

ATTACHMENT C
TA-3-23: Nonconforming Mobile Home Developments
-
Village Planning Committee Summary Results

Village	Date	Recommendations	Vote
Paradise Valley	5/1/23	Approved, per the staff recommendation with direction to to require that any expansion of illegal and legal non-conforming parks have site improvements for improved safety, including lighting, signage, walls and landscaping	11-2
Encanto	5/1/23	Approved, per the staff recommendation with a modification to add a use permit requirement	11-3
Camelback East	5/2/23	Denied	9-5-3
Desert View	5/2/23	Approved, per the staff recommendation with a modification to add a notification requirement for administrative review and to strengthen the provisions related to the review.	9-0
Central City	5/8/23	No Quorum	N/A
Laveen	5/8/23	Denied	4-3
Rio Vista	5/9/23 6/13/23	Continued to June 13, 2023 Approved, per the staff recommendation	6-0 3-1
South Mountain	5/9/23	No Quorum	N/A
Maryvale	5/10/23	No Quorum	N/A
Deer Valley	5/11/23	Approved, per the staff recommendation	7-1
North Gateway	6/8/23	Approved, per the staff recommendation	5-0
Estrella	5/16/23	No Quorum	N/A
North Mountain	5/17/23	Approved, per the staff recommendation	13-0
Ahwatukee Foothills	5/22/23	No Quorum	N/A
Alhambra	5/23/23	No Quorum	N/A



Village Planning Committee Meeting Summary Z-TA-3-23-Y

Date of VPC Meeting	May 22, 2023
Request	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

Staff comments regarding VPC Recommendation:

None.

Village Planning Committee Meeting Summary
Z-TA-3-23-Y

Date of VPC Meeting	May 23, 2023
Request	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

REVISED
Village Planning Committee Meeting Summary
Z-TA-3-23-Y

Date of VPC Meeting	May 2, 2023
Request	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments
VPC Recommendation	Denial
VPC Vote	9-5-3

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

STAFF PRESENTATION

Sarah Stockham provided a presentation on mobile home developments, the status, background and non-conforming conditions and text amendment changes. Ms. Stockham mentioned that existing mobile homes originally in the County were not built to City standards and had limitations for expansion. Ms. Stockham stated that mobile homes would be allowed to expand but still be required to meet standards and would still be subject to administrative review to be consistent with the text amendment.

QUESTIONS FROM COMMITTEE:

Ms. Eichelkraut asked about the administrative review and noted concern about safety and conditions of mobile home parks, displaced residents and the City's response. **Ms. Stockham** responded that increasing density would require an administrative review for compliance with site standards by the Zoning Administrator. Ms. Eichelkraut asked if site conditions would be taken into consideration for the review. Ms. Stockham mentioned that all conditions would be considered for safety and access.

Ms. Jurayeva ask if a two- or three-story development could be added to increase density. **Ms. Stockham** responded that it would depend on the standards of the zoning district they are in.

Ms. Schmieder asked if a mobile home could currently be added to a residential zoned district to increase density for a future expansion and what is the time frame to be considered non-conforming. **Ms. Stockham** responded that the date for a legal non-conforming addition is July,1 2023.

Mr. Grace asked about density on a site and if you can add other alternative home types on a site. **Ms. Stockham** responded that it would depend on the density and the space depending on the development type.

Ms. Schmieder asked about parking standards on a site. **Ms. Stockham** responded that parking requirements would have to follow underlying standards for the zoning district.

Ms. Nye stated that this amendment does not seem to address housing needs and only intends to respond to site requirements.

Mr. O'Malley stated that this amendment as presented is going to raise public concerns and he is not in support of the measure and this should have been brought to the Committee a couple of times to frame the problem and explore solutions and engage with other parties.

Mr. Sharaby stated that more information is needed for this text amendment.

PUBLIC COMMENTS:

Neal Haddad with the Arcadia Osborn Neighborhood Association introduced himself and provided background on the text amendment and noted that cities are responding to legislative actions to eliminate local control of zoning. Mr. Haddad stated that there is a push because cities do not operate fast enough and the administrative review will be very important in the text amendment process in moving forward.

STAFF RESPONSE:

Ms. Stockham responded that the intent is to address displacement of residents and for the issue of timing that the Council wants to hear this matter before the summer break.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION AND VOTE:

Chair Swart stated that he agrees with Mr. Sharaby when it comes to text amendment introductions and movement and there are concerns because the details need to be vetted and there needs to be time for review. Chair Swart stated that amendments need time and members cannot support these measures if they have not studied the actions.

Ms. Stockham stated that all the Committee comments will be shared and noted that the Committee expressed a need to hear the amendments as information only prior to voting.

MOTION:

Committee member Vic Grace motioned to recommend denial of T-TA-3-23-Y.
Committee member Sharon Schmieder seconded the motion.

VOTE:

9-5-3; motion to recommend denial Z-TA-3-23-Y passed with Committee members Baumer, Eichelkraut, Garcia, Grace, Paceley, Schmider, Sharaby, Fischbach, and Swart in favor, Committee Member Augusta, Beckerleg Thraen, Langmade, Miller, Nye in opposition, and Committee Member Abbott, Jurayeva and O'Malley in abstention.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

**Village Planning Committee Meeting Summary
Z-TA-3-23-Y**

Date of VPC Meeting	May 8, 2023
Request	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

REVISED
Village Planning Committee Meeting Summary
Z-TA-3-23-Y

Date of VPC Meeting	May 11, 2023
Request	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	7-1

No members from the public registered to speak on this item.

VPC DISCUSSION:

Mr. Matteo Moric, staff, provided an overview of the proposed text amendment.

Keith Greenberg asked what legal nonconforming meant.

Mr. Moric explained that it meant a structure was built legally at the time of construction - either it was done while it was part of the County or when the City rules were different, but no longer complied to the requirements of today. **Mr. Moric** explained that not all the parks would be able to expand the 50 percent.

Will Novak stated that homes in his neighborhood were legal nonconforming and asked if this would be to allow more units.

Mr. Moric stated that the applicant would have to submit a site plan for review by the Zoning Administrator.

Racelle Escolar, staff, explained that this is more of an opportunity for more options where they could go. **Ms. Escolar** indicated that the City Managers Report shows how there are many efforts related to mobile home parks, and this is just one effort.

PUBLIC COMMENTS:

None.

MOTION:

Brandon Shipman motioned to recommend approval of Z-TA-3-23-Y per the staff recommendation. **Will Novak** seconded the motion.

VOTE:

7-1; motion to recommend approval of Z-TA-3-23-Y per the staff recommendation passes with Committee Members Davenport, Greenberg, Novak, Shipman, Virgil and DiLeo in favor; and Field in opposition.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-3-23-Y

Date of VPC Meeting	May 2, 2023
Request	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments
VPC Recommendation	Approval, per the staff recommendation with modifications
VPC Vote	9-0

VPC DISCUSSION:

One member of the public registered to speak on this item.

STAFF PRESENTATION

Anthony Grande, staff, described the proposed text amendment and provided an overview of the purpose and intent of the request and the details of the proposed changes to the text.

QUESTIONS FROM THE COMMITTEE

Vice Chair Lagrave asked about setback requirements and about the process. **Mr. Grande** stated that the Zoning Administrator would review and that the intent would be to maintain existing setbacks.

Chair Bowser asked about a process to ensure that manufactured homes will follow life and safety requirements. **Mr. Grande** replied that the developments would all be reviewed to ensure safety.

Committee Member Dickson asked about notification requirements. **Mr. Grande** replied that the process would be administrative and would not require notifications.

Committee Member Reynolds expressed concern that the proposed text could lead to further displacement as property owners make changes to their existing mobile home parks. **Mr. Grande** stated that the intent was to allow additional units, which would expand affordable housing options.

Committee Member Israel asked about the potential for stacking units vertically. **Mr. Grande** stated that vertically stacking units would go beyond the definition of manufactured homes and would be considered multifamily housing.

Committee Member Kollar asked about density limits for developments approved for expansion and about the rationale for allowing a 50 percent increase. **Mr. Grande** replied that density limits may not be relevant for nonconforming developments, but that each instance would be evaluated on a case-by-case basis. **Racelle Escolar**, staff, stated that the 50 percent increase is the same as what the code allows for expansion of nonconforming single-family uses.

Committee Member Kollar noted that the example mobile home park in the presentation seemed dense and may not be appropriate for expansion. **Mr. Grande** replied that the example aerial photo demonstrates that the Zoning Administrator would have to review and determine if any additional mobile homes were appropriate, rather than simply allow the 50 percent increase.

Chair Bowser asked for clarification on how mobile homes are nonconforming. **Mr. Grande** replied that it could be that they are in a district that doesn't allow mobile homes or that they don't meet the development standards in the code.

Committee Member Kirkilas asked about the number of nonconforming mobile home parks in Phoenix. **Mr. Grande** replied that staff wasn't able to provide that number.

Committee Member Nowell asked about setbacks and whether the Desert View Village has any mobile home parks. **Mr. Grande** replied that setbacks would be based on the existing perimeter of the development, rather than a fixed standard in the code, noting that nonconforming mobile home parks often wouldn't have a standard to reference in their zoning district. **Committee Member Dickson** stated that there is one mobile home park in Desert View.

Vice Chair Lagrave stated that any reference to allowing the Zoning Administrator to enforce requirements should be changed to make it a mandate.

Committee Member Kollar asked about compliance with the rest of the code for mobile home parks allowed to expand. **Mr. Grande** stated that they would not necessarily be required to meet all the site and development standards.

Chair Bowser provided a hypothetical example of a mobile home park with some unused space that could be filled in with some additional units, noting that it would be difficult to bring the rest of the site up to code.

Committee Member Nowell noted there is significant cost with site improvements and that is an issue for providing affordable housing.

Committee Member Reynolds stated that the application of setbacks and other standards should not be discretionary.

Committee Member Kirkilas asked whether nonconforming setbacks would be allowed to continue and apply to new units in this scenario. **Mr. Grande** replied that the setbacks would be related to the existing build-out of the site, rather than a fixed standard in the code. **Chair Bowser** noted the example that it might not make sense to apply standards from an industrial district to a mobile home use if a nonconforming mobile home park were in that district.

Vice Chair Lagrave suggested that the language in the proposed text should be changed to “Zoning Administrator shall review and mandate that the added units” rather than “Zoning Administrator shall review and have discretion to ensure that the added units.”

Committee Member Dickson stated that a notification requirement should be included in the text, noting that the existing residents of the community deserve to be notified.

Committee Member Kollar suggested that the proposed text should be changed to “meet the existing setbacks,” rather than “meet the intent of adequate setbacks.”

Committee Member Reynolds suggested revising the word “shall” to “may” in the first sentence of the added text and asked about the height requirements. **Mr. Grande** replied that height would be included in the development standards under review in this process.

PUBLIC COMMENTS

Lee Reynolds introduced himself and stated that he supported the modifications discussed by the committee members to remove discretion from the process.

STAFF RESPONSE

None

MOTION

Vice Chair Lagrave made a motion to recommend approval of Z-TA-3-23-Y with modifications. **Committee Member Israel** seconded the motion.

Modifications:

1. “An expansion of a mobile home development ~~shall~~ may be permitted to increase the number of mobile home units by up to fifty percent of the units that legally existed before July 1, 2023 with administrative review and approval by the Zoning Administrator. The Zoning Administrator shall review and ~~have discretion to ensure~~ mandate that the added units meet the ~~intent of adequate~~ existing setback between units, perimeter setbacks, and other development standards that are consistent with that mobile home development.”
2. That language is added for a requirement that all residents of a mobile home park be notified prior to any changes and provided the opportunity to make comments to

the Zoning Administrator.

VOTE

9-0, motion to recommend approval of Z-TA-3-23-Y with modifications passed; Members Barto, Dickson, Israel, Kirkilas, Kollar, Nowell, Reynolds, Lagrave, and Bowser in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

REVISED
Village Planning Committee Meeting Summary
Z-TA-3-23-Y

Date of VPC Meeting	May 1, 2023
Request	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	11-3

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

STAFF PRESENTATION

John Roanhorse, staff, provided a presentation on Z-TA-3-23-Y. Mr. Roanhorse explained that the request-to allow the expansion of non-conforming mobile home developments which includes increasing the number of mobile home units, review by the Zoning Administrator and allowing alternative units. Mr. Roanhorse discussed the schedule for moving the text amendment to the Planning Commission and City Council.

QUESTIONS FROM THE COMMITTEE

John Roanhorse, staff, provided a presentation on Z-TA-3-23-Y. Mr. Roanhorse explained that the request-to allow the expansion of non-conforming mobile home developments which includes increasing the number of mobile home units, review by the Zoning Administrator and allowing alternative units. Mr. Roanhorse discussed the schedule for moving the text amendment to the Planning Commission and City Council.

Committee Member Drew Bryck asked how the underlying zoning for density would be addressed and would there be any requirements to rezone a site. **Mr. Roanhorse** said that development standards would still be applicable and the amendment is to allow flexibility for mobile home residents.

Committee Member Jorge Picos inquired about the addition of tiny homes and container homes and if they are viable options that can be brought into existing parks. **Mr. Bednarek** responded that it would be allowable but they would be subject to development standards.

Committee Member Paul Benjamin questioned the status of mobile home parks and the situations for owners and residents who lease the space and how the expansion would impact them. **Mr. Bednarek** stated that the changes are intended to provide flexibility and to include mobile and manufactured homes as affordable home options.

Committee Member Paul Benjamin referenced the distinction of manufactured homes and how they are treated in trailer parks where they are commonly more expensive.

Committee Member Jeremy Thacker asked if park owners could increase lease prices and drive out residents, are there any protections to prevent divestment, and will there be a shift away from mobile homes. Mr. Thacker asked how costs for changes would be handled. **Mr. Bednarek** stated that the amendment is to provide housing options and development and changes are subject to review and approval.

Committee Member Rick Mahrle asked will this change effect lots where mobile homes are leased and will property lines be created to identify individual homes. **Mr. Roanhorse** stated that any changes or additions would be subject to development standards so it not expected that there will be substantial changes in current mobile home parks.

Committee Member Drew Bryck asked are the text amendments clear and ready to move forward, and can they be brought back at a later date. **Mr. Bednarek** stated that the amendments are set for Council review and that the process for developing the language has been extensive and they are ready to move forward.

Chairperson Opal Wagner asked is there a map of where mobile homes are located, and how many units are located in the City. Committee Chair Opal Wagner mentioned that the text amendment allows the Zoning Administrator to make decisions on zoning issues and there should be more public input. **Mr. Roanhorse** responded that there is no current inventory of mobile parks and the amendment will allow improvements and continued use as available housing. **Mr. Bednarek** stated that they are bringing the text amendments to all the Villages expect to get feedback in the process.

Chair Opal Wagner asked is there a map of where mobile homes are located and is it known how many units are located in the City. Chair Wagner mentioned that the text amendment allows the Zoning Administrator to make decisions on zoning issues and there should be more public input. **Mr. Roanhorse** responded that there is no current inventory of mobile parks and the amendment will allow improvements and continued use as available housing. **Mr. Bednarek** stated that they are bringing the text amendments to all the Villages and expect to get feedback in the process.

PUBLIC COMMENT

None.

MOTION:

Committee Brent Kleinman made a motion to recommend approval of Z-TA-3-23-Y per the staff recommendation. **Committee Member Paul Benjamin** seconded to the motion.

DISCUSSION:

None.

VOTE:

11-3; motion to recommend approval of Z-TA-3-23-Y per the staff recommendation passes with Committee Members Benjamin, Bryck, Jewett, Kleinman, Matthews, Procaccini, Schiller, Searles, Tedhams, Thacker, and Chair Wagner in favor; and Committee Members Cothron, Mahrle, and Picos opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

Village Planning Committee Meeting Summary

Z-TA-3-23-Y

Date of VPC Meeting	May 16, 2023
Request	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

Staff comments regarding VPC Recommendation:

None.

Village Planning Committee Meeting Summary Z-TA-3-23-Y

Date of VPC Meeting	May 8, 2023
Request	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments
VPC Recommendation	Denied
VPC Vote	4-3

VPC DISCUSSION:

Committee Member Rebecca Perrera entered during this item, bringing quorum to 7.

Staff Presentation:

Nayeli Sanchez Luna, staff, described the proposed text amendment and provided an overview of the purpose and intent of the request and the details of the proposed changes to the text. Mrs. Sanchez Luna concluded the presentation by providing staff's recommendation and the text amendment hearing dates.

Questions from the committee:

Dean Chiarelli noted that the meeting agenda had 'by 50 percent' and the presentation had 'up to 50 percent' and asked for what language would be used when making a motion. **Mrs. Sanchez Luna** stated that the language proposed in the staff report would be language used. **Mr. Chiarelli** asked for clarification on the language in the staff report. **Tricia Gomes**, the Deputy Director for the Planning and Development Department, stated that the language was 'up to 50 percent'. Ms. Gomes added that the intent would be to allow up to 50 percent but there would still have to be an analysis based on technical requirements.

Patrick Nasser-Taylor noted that the example could allow up to 15 additional units but wanted clarification on where those units would be located. Mr. Nasser-Taylor stated that most mobile home developments were at capacity and asked if all units within one development would be moved to accommodate the additional units. **Ms. Gomes** noted that the example was not presented to the City Council, but the example was an existing mobile home park within the city. Ms. Gomes noted that some mobile home parks will be at capacity and will not allow for any additional units, but others would. Ms. Gomes added that the current example will probably not have the capacity for 15 additional units. Ms. Gomes stated that many nonconforming mobile home parks came in through the county and in the mid 1960's and 1970's the requirements for mobile home developments changed significantly. Ms. Gomes noted

that additional research would be required to determine the number of units allowed. **Mr. Nasser-Taylor** asked how this would affect nonconforming mobile home parks. Ms. Gomes stated that nonconforming means that it currently doesn't meet current standards. Ms. Gomes noted that whatever was permitted legally in the past code, then that would be analyzed.

JoAnne Jensen asked what the review process would be and what involvement would village planning committees have in the process. **Ms. Gomes** stated that the entire review process has not been finalized, but that it would be done administratively. Ms. Gomes stated that staff would review the requests. **Ms. Jensen** asked for clarification on the committee's role in the process. **Ms. Gomes** stated that the committee's role would be to provide a recommendation for the proposed text amendment. Ms. Gomes stated that the proposal would be like a site plan review where numerous staff reviewing a proposal.

Mr. Nasser-Taylor asked if the City has done any research on the impact on mobile home parks based on distance requirements and other design requirements. **Ms. Gomes** stated that each proposal will be reviewed on a case-by-case basis. Ms. Gomes noted that there were numerous items to be reviewed.

Carlos Ortega stated that any text amendment approved should also protect individuals living in existing mobile home parks. Mr. Ortega asked for additional policies to protect mobile home renters.

Mr. Nasser-Taylor asked if a property owner could remove all existing units and redevelop the site with the 50 percent additional units and displace individuals. **Ms. Gomes** stated that if someone owns the mobile home and rents the space, the owner can't sell the mobile home unit. Ms. Gomes noted that if the property owner also owns the mobile home unit, then they can remove the old unit and create a new one. Ms. Gomes reiterated that the property owner cannot remove a mobile home unit if it owned by a different individual. **Mr. Nasser-Taylor** stated that if an individual owns the mobile home but not the lot, the owner could still evict the individual. **Ms. Gomes** stated that the proposed text amendment would not change who owns the property.

Rebecca Perrera stated that proposed text amendment could incentivize mobile home park owners to redevelop their properties, creating displacement. **Ms. Gomes** stated that redevelopment would eliminate any nonconforming rights. Ms. Gomes noted that the text amendment would maintain existing parks by allowing a modest expansion.

Mr. Ortega noted that the example provided was a poor.

Ms. Perrera stated that she would like to see some sort of staff policy in the review process to prevent property owners from pushing out existing renters. **Vice Chair Hurd** stated that it hard to understand the review process since one hasn't been finalized.

Mr. Nasser-Taylor stated that an analysis of all mobile home parks could help with the assessment. **Ms. Gomes** stated that existing mobile home parks cannot expand their number of units. Ms. Gomes summarized numerous design features that would be reviewed for any additional units.

Public Comment:

Phil Hertel asked if an existing mobile home park development is nonconforming, would any changes have to meet current code requirements. **Ms. Gomes** stated that staff would be reviewing the distances between units and other requirements. **Mr. Hertel** asked if the new units would have to meet the nonconforming standards. **Ms. Gomes** stated that there would be a staff analysis on spacing, access, but that the setbacks would be to the nonconforming standards. **Mr. Hertel** asked if the number of units would change if a double-wide mobile home was removed and replace it with two single units. **Ms. Gomes** stated that staff is looking at the number of units. **Mr. Hertel** asked if only a portion of the site was modified, then the other half would be nonconforming. **Ms. Gomes** noted that each additional unit would be reviewed by staff through the administrative process.

Jon Kimoto stated that the majority of mobile home parks in Laveen are nonconforming. Mr. Kimoto added that he would like to see improvements in existing mobile home parks and requested a public hearing process to review any changes to mobile home parks. **Ms. Gomes** clarified that the text amendment would allow the expansion through an administrative review and not a public hearing process. Ms. Gomes stated that the intent is not to cram units into one development but to allow for a modest expansion.

Staff Response:

None.

Committee Discussion:

Vice Chair Stephanie Hurd asked for clarification on the intent of Z-TA-3-23-Y. **Ms. Gomes** stated that it would allow existing mobile home parks up to a 50 percent expansion and the requirements are reviewed through an administrative process in a case by cases basis to improve existing parks.

JoAnne Jensen asked for clarification if the purpose would be to improve existing mobile home parks. **Ms. Gomes** stated that if the existing units don't meet the requirements, then staff would work with the property owner, so all units meet standards.

Mr. Ortega stated that the text amendment would be an opportunity to improve existing mobile home parks.

Mr. Nasser-Taylor stated that the allowed expansion of 50 percent would encourage property owners to evict existing renters. **Mr. Nasser-Taylor** asked if there are existing nonconforming mobile home parks in Laveen. **Ms. Gomes** stated that the City does not map mobile home park locations. **Mr. Nasser-Taylor** stated that the idea was great in theory but that there would be a lot of unintended consequences to this text amendment.

Vice Chair Hurd asked if the analysis would consider the type of mobile home units proposed to avoid displacing people. **Ms. Gomes** stated that the review would include setbacks, building code, and other requirements.

Motion:

Francisco Barraza made a motion to recommend approval of Z-TA-3-23-Y, per the staff recommendation. **Carlos Ortega** seconded the motion.

Vote:

3-4-0, Motion to recommend approval of Z-TA-2-23-Y, per the staff recommendation, did not pass with Committee Members Barraza, Ortega, and Hurd in favor and Committee Members Chiarelli, Jensen, Nasser-Taylor, and Perrera in opposition.

Mr. Chiarelli stated that he voted no because he would like to see some opportunity to remove hazards and improve existing mobile home developments and bring them up to current code. Mr. Chiarelli stated that the proposal is a good idea, but it needs modifications to prevent unprecedented consequences. **Ms. Jensen** voiced her agreement.

Mr. Nasser-Taylor stated that he voted no because of the proposal could lead to exploitation based on the vagueness of the language.

Ms. Perrera stated that she voted no because she had concerns with the proposal creating more harm than good.

Ms. Perrera asked if the committee could make a motion with a recommendation. **Ms. Jensen** asked why the motion failed. **Ms. Gomes** stated that the proposed motion failed. **Ms. Perrera** stated that the committee could make a motion to recommend denial or a motion to recommend approval with a certain recommendation. **Ms. Jensen** stated that the committee should recommend denial or approval.

Vice Chair Hurd asked if a new motion needed to be made. **Mrs. Sanchez Luna** stated that if the committee did not make a new motion, then there would be no recommendation since the previous motion failed. Ms. Sanchez Luna stated that if the committee did not support the text amendment, the committee could make a motion to recommend denial.

Motion:

JoAnne Jensen made a motion to recommend denial of Z-TA-3-23-Y. **Patrick Nasser-Taylor** seconded the motion.

Vote:

4-3-0, Motion to recommend denial of Z-TA-2-23-Y passed with Committee Members Chiarelli, Jensen, Nasser-Taylor, and Perrera in favor and Committee Members Barraza, Ortega, and Hurd in opposition.

Vice Chair Hurd asked if both motions will be provided to Planning Commission. **Mrs. Sanchez Luna** confirmed that the village planning committee summary would include both motions. **Vice Chair Hurd** asked if the reasoning would also be included. **Mrs. Sanchez Luna** confirmed.

Mr. Ortega asked if this would go through all villages. **Vice Chair Hurd** confirmed.

Vice Chair Hurd asked what recommendations were received by the other villages. **Ms. Gomes** stated that the majority recommended approval, but others have approved with recommendation or modifications. Ms. Gomes noted that one other village has recommended denial.

Mr. Nasser-Taylor stated that more research should be done on the current land uses and existing mobile home developments.

Vice Chair Hurd stated that the text amendment would still go to Planning Commission and City Council and that members could still provide comments at the public hearings. **Mr. Ortega** voiced his agreement.

Staff comments regarding VPC Recommendation:

None.



Village Planning Committee Meeting Summary

Z-TA-3-23-Y

Date of VPC Meeting	May 10, 2023
Request	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

Staff comments regarding VPC Recommendation:

None.

Village Planning Committee Meeting Summary
Z-TA-3-23-Y

Date of VPC Meeting	May 11, 2023
Request	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments
VPC Recommendation	Meeting was cancelled
VPC Vote	Meeting was cancelled

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

None.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Meeting was cancelled due to a lack of quorum.

Village Planning Committee Meeting Summary Z-TA-3-23-Y

Date of VPC Meeting	June 8, 2023
Request	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	5-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Staff Presentation:

Mr. Zambrano provided an overview of text amendment case Z-TA-3-23-Y, describing the request and the purpose and intent of the request. Mr. Zambrano shared the proposed changes and displayed an example of an existing nonconforming mobile home park. Mr. Zambrano shared the upcoming hearing schedule, noting that the Planning Commission already heard this item on June 1, and that this item was supposed to be heard by the Committee last month, but was not able to be heard due to the meeting being cancelled because of a lack of quorum. Mr. Zambrano then stated that staff recommends approval per the language in Exhibit A of the staff report.

Questions from Committee:

None.

Public Comments:

None.

Staff Response to Public Comment:

None.

Discussion:

None.

MOTION – Z-TA-3-23-Y:

Mr. Johnson motioned to recommend approval of Z-TA-3-23-Y, per the staff recommendation. **Ms. Simon** seconded the motion.

VOTE – Z-TA-3-23-Y:

5-0; motion to recommend approval of Z-TA-3-23-Y passes with Committee members French, Johnson, Simon, Ricart and Read in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-3-23-Y

Date of VPC Meeting	May 17, 2023
Request	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	13-0-0

VPC DISCUSSION:

No speaker cards were received on this case.

STAFF PRESENTATION

Mr. Klimek, staff, provided an overview of the text amendment and the staff recommendation.

APPLICANT PRESENTATION

None.

QUESTIONS FROM COMMITTEE

Committee Members noted the example should be replaced with one that does not appear so overcrowded and expressed concern that the proposal may allow non-conforming mobile home parks to replace their amenity areas with new units and that parks without amenity areas would not be required to install amenities. **Committee Members O'Hara** and **Freeman** noted that the staff report clearly states that amenities are required and that non-conforming parks will need to be brought into compliance before adding additional units.

PUBLIC COMMENTS

None.

APPLICANT RESPONSE

None.

FLOOR/PUBLIC DISCUSSION CLOSED

MOTION:

Committee Member Matthews made a motion to recommend approval of Z-TA-3-23-Y per the staff recommendation. **Committee Member Perez** seconded the motion.

DISCUSSION:

None.

VOTE: 13-0-0, motion to approve Z-TA-3-23-Y per the staff recommendation passes with Committee Members Alauria, Freeman, Larson, Matthews, McBride, O'Connor, O'Hara, Perez, Member Veidmark Whitney, Wiedoff, Vice Chair Fogelson, and Chair Jaramillo in favor; none in opposition, and none abstaining.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-3-23-Y

Date of VPC Meeting	May 1, 2023
Request	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments
VPC Recommendation	Approval, per the staff recommendation, with direction
VPC Vote	11-2

VPC DISCUSSION:

Staff Presentation:

Mr. Zambrano provided an overview of text amendment case Z-TA-3-23-Y, describing the request and the purpose and intent of the request. Mr. Zambrano shared the proposed changes and displayed an example of an existing nonconforming mobile home park. Mr. Zambrano shared the upcoming hearing schedule and stated that staff recommends approval per the language in Exhibit A of the staff report.

Questions from the Committee and Discussion:

Ms. Sepic asked how there could be a 50% increase for the mobile home park example if it is already nonconforming and not meeting minimum requirements and who would cover the price of relocating mobile home residents. **Mr. Zambrano** responded that the request is a change to the nonconforming section of the Phoenix Zoning Ordinance and that there are provisions that allow other nonconforming developments to expand to a certain extent. Mr. Zambrano stated that the request is to allow the same kind of expansion that other nonconforming developments are already allowed.

Mr. Goodhue asked if the request would also make existing violations of mobile home parks exceeding their maximum allowed density to become legalized administratively. **Mr. Zambrano** responded that he was unsure if that was part of the intent of the request, but that theoretically they would become legalized as long as it does not exceed the 50% expansion.

Ms. Gerst asked what prompted the initiation of this text amendment. **Mr. Zambrano** responded that the Planning Commission initiated this request to address the housing crisis and housing affordability. Mr. Zambrano stated that the request is addressing

equity as well to allow existing nonconforming mobile home parks to expand as other types of nonconforming developments are already allowed per Chapter 9 of the Phoenix Zoning Ordinance. **Ms. Gerst** asked if the 50% expansion would allow mobile home parks to expand as long as they stay within the required setbacks and do not overcrowd the property. **Mr. Zambrano** responded affirmatively, adding that some mobile home parks may have been built while under Maricopa County jurisdiction, and when annexed into the City of Phoenix jurisdiction, it did not meet the current standards for the City of Phoenix, making it legal non-conforming. Mr. Zambrano added that they can remain legal non-conforming and expand up to 50% with the proposed text amendment. Mr. Zambrano stated that if a mobile home park were illegally non-conforming, the City would need to verify how the park existed during annexation to verify what needs to come into conformance.

Ms. Stockham stated that part of the request is the Zoning Administrator administrative review which will look at certain requirements such as setbacks, landscaping, separation requirements, access, and safety. Ms. Stockham stated that with the expansion there still has to be the administrative review which would look at all these elements.

Mr. Gubser asked if review of legal non-conforming mobile home park expansions would look at other items that may be non-conforming, such as landscaping. **Ms. Stockham** stated that it depends on proportionality and depends on what part of the site is non-conforming, and that the Zoning Administrator may ask to bring it up to code depending on the specific site in question. **Mr. Gubser** asked for clarification that the administrative review may potentially ask to bring certain items up to code. **Ms. Stockham** responded that it depends on how much the property owner wants to change on the site.

Abram Bowman asked if there is a push to have a greater number of smaller dwelling units, such as tiny homes. **Ms. Stockham** responded that the request is just to allow more density where possible in these types of developments.

Vice Chair Anita Mortensen asked if a mobile home could be removed and replaced with two tiny homes. **Ms. Stockham** responded that she believes the intent is to allow a mobile home park to expand if they have enough vacant land to expand.

Mr. Gubser recommended that a better example be used.

Mr. Wise stated he believes the request may allow a place for residents to relocate to from mobile home parks that are being closed down and redeveloped.

Chair Popovic concurred.

Ms. Sepic stated that she would like to make a motion that the language be updated to have a maximum limitation on illegal non-conforming mobile home parks and to require code violations to be brought up to code. Ms. Sepic stated that a lot of mobile home parks that are being developed have a lot of issues such as insufficient lighting and

landscaping. Ms. Sepic stated that she believes it should be a requirement that these items should be improved. Ms. Sepic stated that pushing more people into an unsafe neighborhood does not benefit anyone.

Mr. Zambrano asked for clarification if Ms. Sepic was only referring to illegal non-conforming mobile home parks. **Ms. Sepic** responded affirmatively, adding that other non-conforming mobile home parks should also require lighting improvements and a minimum standard for landscaping improvements.

Mr. Goodhue added that signage should also be improved to City code standards.

Ms. Sepic stated that there is an old mobile home park on 40th Street and McDowell Road which has fencing that is falling down, insufficient lighting, and overgrown and excessive weeds. Ms. Sepic stated that the proposed language is generic and needs to address major City code issues that exist in these older parks so they can be brought up to code.

Ms. Stockham asked if Ms. Sepic was referring to the entire site being brought up to code. **Ms. Sepic** responded affirmatively. **Ms. Stockham** asked for clarification that Ms. Sepic was referring to both illegal and legal non-conforming mobile home parks. **Ms. Sepic** responded affirmatively. Ms. Sepic reiterated that adding density alone does not help these communities if they are already crowded and not designed well. Ms. Sepic stated that she does not believe it helps the situation to remove a mobile home and place two tiny homes in its spot without doing anything else to improve those residents' lives.

Mr. Goodhue stated that the use permit is reviewed by several departments, including the Neighborhood Services Department, and that if there were an active violation case, the Neighborhood Services Department would advise the Hearing Officer to stipulate the improvements per the violation. Mr. Goodhue stated that if there are any violations that the City is aware of, it would be taken care of during the use permit review process.

Ms. Sepic stated that if the special permit process was kept, it would be required to go through a more in-depth analysis.

Ms. Stockham stated that a special permit is a rezoning case.

Mr. Zambrano stated that the use permit goes to the Zoning Hearing Officer also at a public hearing, but is a quasi-judicial process, whereas the special permit would require three different public hearings that the rezoning process requires.

Ms. Sepic stated that she will have to change her vote to be opposed to the prior request, Z-TA-2-23-Y, based on that information.

Public Comment

None.

Staff Response:

None.

MOTION – Z-TA-3-23-Y:

Ms. Sepic motioned to recommend approval of Z-TA-3-23-Y, per the staff recommendation, with direction to require that any expansion of illegal and legal non-conforming parks have site improvements for improved safety, including lighting, signage, walls and landscaping. **Ms. Gerst** seconded the motion.

Discussion:

Ms. Hall stated that she cannot understand the purpose for this text amendment. Ms. Hall stated that adding 50% more density to non-conforming mobile home parks is a lot. Ms. Hall stated that the previous text amendment allowed more flexibility for these types of parks to come in and that now this text amendment is allowing older mobile home parks to add a lot more smaller units.

Mr. Goodhue clarified that the 50% allowance does not mean they would be allowed up to 50% due to varying factors.

Ms. Hall stated that she is not comfortable with the request.

Mr. Goodhue stated that various mobile home parks may have added more units over the years without City approval, and the request is a way of now allowing those additional units. **Ms. Hall** responded that it would be awarding bad behavior.

Mr. Goodhue stated that the 50% increase allowance is misleading because there are other factors to consider.

Ms. Sepic stated that theoretically more units could be added if the mobile homes are being changed to tiny homes.

Mr. Goodhue stated that it could be possible to add more units to a park if removing mobile homes and replacing them with tiny homes but would depend on if the property owner wants to go through redevelopment of the property.

Ms. Sepic stated that the request is allowing that additional density and with a very limited public process. Ms. Sepic stated that she believes that is very important and that the language needs to be clarified to understand if the unit would be affixed or not, if units would be moving in and out of the park and having all the different types of housing options in the park. Ms. Sepic stated that tiny homes could constantly be coming in and out of the park versus manufactured homes that are affixed. **Mr. Goodhue** responded that manufactured homes are not affixed. Mr. Goodhue stated that modular homes are built to building code standards and are affixed whereas manufactured homes are on a chassis with skirting to block the view underneath them.

Mr. Goodhue stated that manufactured homes could be permanent, but in mobile home parks they are not permanent and can be moved out. Mr. Goodhue stated that manufactured homes are more permanent than park models were, which were seasonal, but are now more long-term and tiny homes are now falling into these parks.

Ms. Sepic responded that she has a problem with those definitions being lumped together and believes it should be updated to differentiate all the different types of housing.

Mr. Bowman asked if staff knows how many non-conforming park developments there are for the Paradise Valley Village. **Mr. Zambrano** responded that staff does not know and that the request is general City-wide.

VOTE – Z-TA-3-23-Y:

11-2; motion to recommend approval of Z-TA-3-23-Y, per the staff recommendation, with direction, passes with Committee members Bustamante, DeMoss, Gerst, Goodhue, Gubser, Mazza, Sepic, Soronson, Wise, Mortensen and Popovic in favor and Committee members Bowman and Hall opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.



Village Planning Committee Meeting Summary Z-TA-3-23-Y

Date of VPC Meeting	June 13, 2023
Request	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	3-1

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Staff Presentation:

Mr. Zambrano provided an overview of text amendment case Z-TA-3-23-Y, describing the request and the purpose and intent of the request. Mr. Zambrano shared the proposed changes and displayed an example of an existing nonconforming mobile home park. Mr. Zambrano shared the upcoming hearing schedule, noting that the Planning Commission already heard and voted on the item on June 1, and that the Committee was supposed to hear and vote on this item last month but had to continue it due to time constraints. Mr. Zambrano then stated that staff recommends approval per the language in Exhibit A of the staff report.

Questions from the Committee:

Chair Lawrence asked for clarification that mobile home park owners would be allowed the additional units but would not be able to move all the units and separate them. Chair Lawrence asked how it would be allowed and stated he does not see the benefit of increasing the number of units.

Mr. Virgil stated that another text amendment to allow a reduction in parking may allow them to add additional units in place of the parking spaces.

Chair Lawrence stated that mobile home parks are already tight enough as they are and asked why they should be allowed an increase of units by 50%. **Mr. Zambrano** responded that 50% is the theoretical number of units that could be added, but that they would still need to comply with setbacks and other development standards. Mr. Zambrano added that although they would be allowed a 50% increase in units, it would not mean that they would be able to fit in that many units. **Chair Lawrence** asked about the intent of the text amendment. **Mr. Zambrano** responded that it is trying to address housing affordability by allowing mobile home parks to expand if they have enough room. **Chair Lawrence** asked what makes a mobile home park considered to be nonconforming. **Mr. Zambrano** responded that it means that certain development

standards are not being met, such as setbacks or lot coverage. **Chair Lawrence** stated that he does not see how spending all the money to reconfigure the lots would address affordability, unless there is vacant land on a property. **Mr. Zambrano** responded that in the presentation example, they likely would not be able to fit many more units on the property. **Chair Lawrence** asked if there are existing zoning development standards for mobile home parks. **Mr. Zambrano** responded affirmatively, adding that new mobile home parks are currently limited to the R-2 and R-3 zoning districts. **Chair Lawrence** stated that he understands that it would provide more affordable housing units in the City but does not understand how owners of these developments would be able to spend all the money to reconfigure their site and still keep it affordable. **Chair Lawrence** added that the presentation example does not meet fire access. **Mr. Zambrano** responded that those items would be reviewed by the Zoning Administrator and other City departments to ensure that the development is still meeting required vehicular access and circulation, in addition to life and safety requirements.

Mr. Virgil asked where the mobile home park in the presentation example is located. **Mr. Zambrano** responded that he does not know.

Vice Chair Perreira stated that he does not think of crammed modular home developments when thinking about his vision of Phoenix. Vice Chair Perreira acknowledged that there is a housing shortage but stated that this proposal is not a permanent solution and is not fixing the problem.

Mr. Zambrano stated that the text amendment is also trying to address a problem that has been occurring with nonconforming mobile home developments. **Mr. Zambrano** stated that many nonconforming mobile home developments have wanted to expand but were not allowed to with the current provisions in the Phoenix Zoning Ordinance. **Mr. Zambrano** continued that what has happened is that nonconforming mobile home developments are being redeveloped and are displacing all of the lower-income people that lived in the nonconforming mobile home developments. **Mr. Zambrano** stated that the main intent behind this text amendment is to help avoid displacement of lower-income people.

Chair Lawrence stated that he is supportive of nonconforming mobile home parks being able to add units as long as they meet requirements for fire and life and safety. **Chair Lawrence** added that he does not understand how it would make sense financially to revamp a mobile home development to be able to add additional units.

Mr. Virgil added that if mobile home developments would need to spend money to revamp the site to add additional units, it will not be low-income housing anymore because they would want to get top dollar for their housing units after having to spend that much money.

Mr. Zambrano clarified that not every nonconforming mobile home development would be able to expand and that it would be reviewed on a case-by-case basis based on if there is enough room to allow that expansion.

Vice Chair Perreira stated that he has a problem with the language because of the potential being a 50% increase. Vice Chair Perreira added that he would be more supportive if it was a 25% increase.

Chair Lawrence added that the language could say that the expansion is allowed based on what would realistically be able to fit on an individual site.

Mr. Zambrano stated that density is the same, since a maximum density allows a certain number of units, but based on the size of the lot, setbacks, lot coverage, and building height limitations, sometimes developers are not always able to get the maximum density allowed on a lot.

Chair Lawrence stated that the 50% expansion would only require administrative review by the Zoning Administrator, indicating that no one else would look at it except the City of Phoenix internally. **Mr. Zambrano** responded affirmatively, stating that the Zoning Administrator and other designated staff in the City would be reviewing these requests to ensure they are still meeting life and safety requirements.

Mr. Virgil stated that the City has not denied any project that have come through.

Chair Lawrence stated that he would support the proposal if it resulted in improvements to the park. Chair Lawrence asked how many mobile home developments would be successful in following this process. **Mr. Zambrano** responded that in the presentation example, they may only be able to add a couple units, but in other mobile home developments across the City, they may have more room to be able to expand.

Vice Chair Perreira stated that the picture of the mobile home park development in the presentation example looks like the homes are already crammed into the site and indicated a different example could have helped the Committee to better understand how many additional units would be able to fit in an existing nonconforming mobile home park.

Chair Lawrence stated that this proposal is only for nonconforming mobile home parks. **Mr. Zambrano** responded affirmatively, stating that a development is considered nonconforming because they are not meeting certain development standards, such as perimeter setbacks. **Chair Lawrence** asked if the additional units would have to conform to current standards. **Mr. Zambrano** responded that they could conform with the development standards of the nonconforming mobile home park. **Chair Lawrence** asked if there are existing development standards for RV parks. **Mr. Zambrano** responded that RV parks are different because they are actual vehicles with wheels. Mr. Zambrano stated that mobile homes would be on a chassis and typically would be skirted. **Chair Lawrence** asked what the existing development standards would be for a new mobile home park. **Mr. Zambrano** responded that new mobile home parks are currently only allowed in the R-2 and R-3 zoning districts, and that the previous text amendment, Z-TA-2-23-Y, was to allow new mobile home developments in all multifamily and commercial zoning districts. Mr. Zambrano added that with the previous

text amendment, it would change the process to require a Use Permit, which would be a public hearing process. Mr. Zambrano clarified that the text amendment currently being discussed would be for existing nonconforming mobile home developments. **Chair Lawrence** asked if the intent is to try to improve existing nonconforming mobile home developments so they can become conforming. **Mr. Zambrano** responded that it would allow nonconforming mobile home developments to expand to a certain number of units, reiterating that mobile home parks have wanted to expand, but cannot with the current Phoenix Zoning Ordinance provisions, so they are being closed and sold to developers, resulting in displacement of all the low-income people that lived in those parks. Mr. Zambrano added that there is a housing affordability issue as well which does not help this problem.

Vice Chair Pereira stated that the residents would still be displaced if the owners of these mobile home developments have to spend so much money to reconfigure and rearrange their site to be able to fit the additional units, which would result in the owners wanting a higher rent or mortgage for the homes, especially if the newer homes look a lot nicer.

Mr. Virgil stated that the City would get more money.

Mr. Zambrano stated that it would only allow a 50% increase, and after that it would require the site to be brought up to current standards.

Vice Chair Pereira asked how the City currently addresses nonconforming mobile home developments. **Mr. Zambrano** responded that currently nonconforming mobile home developments are not allowed to add any additional units.

Chair Lawrence stated that this allowed expansion could potentially keep some of these nonconforming mobile home developments from being sold.

Mr. Zambrano stated that the 50% increase comes from the existing nonconformities chapter of the Phoenix Zoning Ordinance, which allows nonconforming single-family homes to expand up to 50%.

Chair Lawrence stated that adding additional square footage to a house is different than adding additional units, and that for a development with 100 units, it would allow 50 more units. Chair Lawrence added that he likes the idea of trying to save the mobile home developments from being sold to developers that would redevelop them. Chair Lawrence stated that he would want to ensure these developments are still meeting fire and life and safety requirements. **Mr. Zambrano** responded that those requirements would still be reviewed by the Zoning Administrator and designated staff in those disciplines.

Mr. Sommacampagna asked what the Planning Commission vote was. **Mr. Zambrano** responded that the Planning Commission recommended approval, per the staff recommendation.

Public Comments:

None.

Staff Response:

None.

MOTION – Z-TA-3-23-Y:

Mr. Virgil motioned to recommend approval of Z-TA-3-23-Y, per the staff recommendation. **Mr. Sommacampagna** seconded the motion.

VOTE – Z-TA-3-23-Y:

2-2; motion to recommend approval of Z-TA-3-23-Y per the staff recommendation fails with Committee members Sommacampagna and Virgil in favor and Committee members Perreira and Lawrence opposed.

MOTION – Z-TA-3-23-Y:

Chair Lawrence motioned to recommend approval of Z-TA-3-23-Y, per the staff recommendation. **Mr. Virgil** seconded the motion.

VOTE – Z-TA-3-23-Y:

3-1; motion to recommend approval of Z-TA-3-23-Y per the staff recommendation passes with Committee members Sommacampagna, Virgil and Lawrence in favor and Committee member Perreira opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary
Z-TA-3-23-Y

Date of VPC Meeting	May 9, 2023
Request	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION June 1, 2023

ITEM NO: 14	
	DISTRICT NO.: Citywide
SUBJECT:	Text Amendment
Application #:	Z-TA-3-23-Y
Proposal:	Amend Chapter 9 of the Phoenix Zoning Ordinance to address nonconforming mobile home developments.
Applicant:	City of Phoenix, Planning Commission
Representative:	City of Phoenix, Planning and Development Department

ACTIONS:

Staff Recommendation: Approval, per Exhibit A.

Village Planning Committee (VPC) Recommendation:

Ahwatukee Foothills 5/22/2023 No Quorum.

Alhambra 5/23/2023 No Quorum.

Camelback East 5/2/2023 Denial. Vote: 9-5-3.

Central City 5/8/2023 No Quorum.

Deer Valley 5/11/2023 Approval, per the staff recommendation. Vote: 7-1.

Desert View 5/2/2023 Approval, per the staff recommendation with modifications. Vote: 9-0.

Encanto 5/1/2023 Approval, per the staff recommendation with a modification. Vote: 11-3.

Estrella 5/16/2023 No Quorum.

Laveen 5/8/2023 Denial. Vote: 4-3.

Maryvale 5/10/2023 No Quorum.

North Gateway 5/11/2023 Meeting Canceled.

North Mountain 5/17/2023 Approval, per the staff recommendation. Vote: 13-0.

Paradise Valley 5/1/2023 Approval, per the staff recommendation with direction. Vote: 11-2.

Rio Vista 5/9/2023 Continued to June 13, 2023. Vote: 6-0.

South Mountain 5/9/2023 No Quorum.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion: N/A

Motion details: Commissioner Jaramillo made a MOTION to approve Z-TA-3-23-Y, per the staff recommendation.

Maker: Jaramillo
Second: Gorraiz
Vote: 7-1 (Perez)
Absent: Howard
Opposition Present: No

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.