



# Agenda

## City Council Formal Meeting

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Wednesday, May 25, 2022

2:30 PM

phoenix.gov

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\*\*\*REVISED May 24, 2022\*\*\*

Item Revised: 52; Item Requested to be Continued: 62

### 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=ecda4459fbe182c45dc9892dd3195efe0>

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

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

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

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

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

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

- **Call-in** to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 2558 794 0079# (for English) or 2552 912 0093# (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 2552 912 0093#. El intérprete le indicará cuando sea su turno de hablar.

- **Para solamente escuchar la reunión en español**, llame a este mismo número el día de la reunión (602-666-0783; ingrese el número de identificación de la reunión 2552 912 0093#). 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**

- |   |  |         |
|---|--|---------|
| 1 | <b>Mayor and Council Appointments to Boards and Commissions</b>                  | Page 13 |
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| 2 | <b>Reappointment of Phoenix Municipal Court Judges and Chief Presiding Judge</b> | Page 16 |

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

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| 3  | <b>Liquor License - Koi Sushi &amp; Wok</b>             | District 1 - Page 17 |
| 4  | <b>Liquor License - Rosati's Pizza &amp; Sports Pub</b> | District 2 - Page 21 |
| 5  | <b>Liquor License - Trevors</b>                         | District 2 - Page 25 |
| 6  | <b>Liquor License - Jinya Ramen Bar</b>                 | District 4 - Page 29 |
| 7  | <b>Liquor License - The Joy Lush Club</b>               | District 4 - Page 34 |
| 8  | <b>Liquor License - Gogi &amp;</b>                      | District 6 - Page 39 |
| 9  | <b>Liquor License - Nello's</b>                         | District 6 - Page 44 |
| 10 | <b>Liquor License - Grab N Go 909</b>                   | District 8 - Page 50 |
| 11 | <b>Liquor License - The Lost Leaf</b>                   | District 8 - Page 55 |

**PAYMENT ORDINANCE (Ordinance S-48615) (Items 12-30)**

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|----|---|
| 12 | <b>Lift Him Higher Productions, doing business as Excellent Wearables</b>                   |
| 13 | <b>Hospital Forms Services of Arizona, Inc. doing business as Forms Management Services</b> |
| 14 | <b>Race Forward</b>   |
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- 15    **Cuattro, LLC**
- 16    **Aviation Specialties Unlimited, Inc.**
- 17    **BlasterOne Energetic System Controls, Inc.**
- 18    **FirstTwo, Inc.**
- 19    **J&N Tactical, LLC doing business as J&N Tactical**
- 20    **Microception, Inc.**
- 21    **Gabriel, Roeder, Smith & Company**
- 22    **Resolution Video, Inc.**
- 23    **FARO Technologies, Inc.**
- 24    **State of Arizona Department of Environmental Quality**
- 25    **Goldman Sachs Renewable Power Operating Company  
LLC doing business as Solar Star Arizona III, LLC**
- 26    **EPCOR Water USA, Inc.**
- 27    **Settlement of Claim(s) Canney v. City of Phoenix**
- 28    **Settlement of Claim(s) Herrera v. City of Phoenix**
- 29    **Settlement of Claim(s) Selbst v. City of Phoenix**
- 30    **Settlement of Claim(s) Udofia v. City of Phoenix**

**ADMINISTRATION**

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| 32 | <b>Acceptance of an Easement for Sewer Purposes<br/>(Ordinance S-48647)</b>   | District 4 - Page 69                             |

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| 33 | <b>Grant of Public Utility Easement on City-Owned Property near 23rd Avenue and Durango Street (Ordinance S-48625)</b>                | District 7 - Page 70 |
| 34 | <b>Fertilizers - Requirements Contract - IFB 22-070 (Ordinance S-48619)</b>   | Citywide - Page 73   |
| 35 | <b>Authorization to Enter into a License with the State of Arizona for Use of the Ben Avery Shooting Facility (Ordinance S-48633)</b> | District 1 - Page 75 |
| 36 | <b>Metlang - Requirements Contract- EXC 22-064 (Ordinance S-48634)</b>  | Citywide - Page 77   |
| 37 | <b>RFP 22-097 - Growth Projections and Land Use Assumption Update - Requirements Contract (Ordinance S-48639)</b>                     | Citywide - Page 79   |
| 38 | <b>Purchase of Property and Casualty Insurance Policies for the City of Phoenix (Ordinance S-48661)</b>                               | Citywide - Page 81   |
| 39 | <b>Annual Expenditure Limitation Report Designee to Arizona Auditor General (Resolution 22026)</b>                                    | Citywide - Page 83   |
| 40 | <b>Cancer Screening Services Contract RFP HR 21-020 - Request for Award (Ordinance S-48667)</b>                                       | Citywide - Page 84   |
| 41 | <b>Intergovernmental Agreement with Maricopa County for Telecommunications Facilities Site Sharing (Ordinance S-48624)</b>            | Citywide - Page 86   |
| 42 | <b>Oracle Software, Hardware, Support and Maintenance Contract (Ordinance S-48632)</b>  | Citywide - Page 87   |

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| 44 | <b>Transfer of Collections to Tribal Repositories and Museums</b>   | District 8 - Page 92 |
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- 45     **Special Event Cleaning Services - Requirements  
Contract IFB 22-013 (Ordinance S-48651)**     Citywide - Page 94

**ECONOMIC DEVELOPMENT**

- 46     **Authorization to Issue Request for Proposals for  
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Services**     Citywide - Page 96
- 47     **Authorization to Host a Familiarization Tour in 2023  
with VisitPhoenix (Ordinance S-48635)**     Citywide - Page 99
- 48     **Contract Extension with CO+HOOTS LLC to Continue  
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S-48653)**     Citywide - Page 101
- 49     **Amend City Contract No. 111 a Lease of City-owned  
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- 50     **Enhanced Municipal Services District Financial  
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- 51     **Authorization to Enter into Contract with the Greater  
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- \*52     **Authorization to Enter into Development Agreement  
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- 53     **Event Services Contracted Labor Contract - IFB 20-004  
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- 59     **Ammunition Products Statewide - CTR043473(A) (Ordinance S-48644)**     Citywide - Page 125
- 60     **Randex Laboratories-US Limited Liability Company - Requirements Contract EXC 22-074 (Ordinance S-48620)**     Citywide - Page 126
- 61     **IBIS Brasstrax System Maintenance and Support Services - Requirements Contract - RFA 17-134A (Ordinance S-48627)**     Citywide - Page 128
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| 67 | <b>Visual Interpreting Services for Phoenix Sky Harbor International Airport (Ordinance S-48642)</b>  | District 8 - Page 137                             |
| 68 | <b>Request Authorization to Submit Federal Transit Administration Low- or No-Emission Grant Program and Buses and Bus Facilities Grant Applications and Enter into Grant Agreements - Federal Bipartisan Infrastructure Law Funding (Ordinance S-48658)</b> | Citywide - Page 139                               |
| 69 | <b>Request to Submit Annual Federal Transit Administration Grant Applications and Enter into Grant Agreements (Ordinance S-48675)</b>   | Citywide - Page 141                               |
| 70 | <b>Holiday Decorations on Central Avenue Agreement (Ordinance S-48621)</b>  | District 4 - Page 143<br>District 7<br>District 8 |
| 71 | <b>Programming Consulting Services for Budget Database Agreement (Ordinance S-48622)</b>  | Citywide - Page 145                               |
| 72 | <b>Recycled Content Uniforms - RFQ 22-SW-047 - Requirements Contract (Ordinance S-48631)</b>  | Citywide - Page 147                               |
| 73 | <b>Purchase and Installation of Overhead Hoists and Crane - Contract Recommendation (Ordinance S-48636)</b>   | District 8 - Page 149                             |
| 74 | <b>One-time Purchase of Hunter Elite Tire Balancer (Ordinance S-48640)</b>  | District 8 - Page 151                             |
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| 77 | <b>Roof Anchorage Annual Inspections and Repairs Agreement (Ordinance S-48663)</b>   | District 2 - Page 157<br>District 7 |
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| 81 | <b>Grant Writing Consulting - On-Call Services (Ordinance S-48623)</b>   | Citywide - Page 166                 |
| 82 | <b>Barricade Stock Type I and Vertical Panels - Requirements Contract- IFB 22-092 (Ordinance S-48628)</b>  | Citywide - Page 168                 |
| 83 | <b>Deer Valley Airport Precision Approach Path Indicator System Upgrade - Design-Bid-Build Services - AV31000091 ADOT (Ordinance S-48637)</b>  | District 1 - Page 170               |
| 84 | <b>2021 Local Drainage Mitigation Program - Engineering Services - ST83140125 (PW27070001) (Ordinance S-48643)</b>   | Citywide - Page 172                 |
| 85 | <b>IT Consulting and Programming Services - RFP 63-0026 - Amendment (Ordinance S-48652)</b>  | Citywide - Page 175                 |
| 86 | <b>Salt River Project Construction License for Broadway Road, 17th to 20th Streets - ST85160017 (Ordinance S-48659)</b>  | District 8 - Page 177               |
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| 88 | <b>Media Buying Service Contract - Request for Award -<br/>IFB 2122-WPP-507 (Ordinance S-48618)</b>  | Citywide - Page 179   |
| 89 | <b>Roofing Analysis Consultant - Requirements Contract -<br/>RFP 21-004 - Amendment to Ordinance S-48176<br/>(Ordinance S-48629)</b>   | Citywide - Page 181   |
| 90 | <b>End Shores - Requirements Contract - Request for<br/>Award (Ordinance S-48630)</b>  | Citywide - Page 182   |
| 91 | <b>Liquid Copper Sulfate Agreement - IFB 2122-WPP-506 -<br/>Request for Award (Ordinance S-48645)</b>  | Citywide - Page 184   |
| 92 | <b>Water Main Replacement Risk Model Evaluation -<br/>Engineering Services - WS85509098 (Ordinance<br/>S-48648)</b>  | Citywide - Page 185   |
| 93 | <b>Lake Pleasant Water Treatment Plant Service<br/>Agreement - Amendment (Ordinance S-48649)</b>   | District 1 - Page 187 |
| 94 | <b>Northwest Wastewater Master Plan Package 2A -<br/>Construction Manager at Risk Construction Services -<br/>Amendment - WS90400094 (WS85500455 and<br/>WS90500307) (Ordinance S-48650)</b>     | District 1 - Page 189 |
| 95 | <b>Salt River Project Construction License for 48th Street<br/>and McDowell Road, Cross Cut Canal - WS85509099<br/>(Ordinance S-48657)</b>   | District 6 - Page 191 |
| 96 | <b>Authorization to Execute a Memorandum of<br/>Understanding to Include a License Agreement with the<br/>United States of America for Access on City-Owned<br/>Property (Ordinance S-48668)</b> | District 6 - Page 192 |

**PLANNING AND ZONING MATTERS**

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|----|---|-----------------------|
| 97 | <b>Final Plat - 21 Vista Villas - PLAT 170118 - Southeast<br/>Corner of 21st Place and Sharon Drive</b> | District 3 - Page 193 |
| 98 | <b>Final Plat - Aura Uptown - PLAT 220005 - Southeast<br/>Corner of Coolidge Street and 3rd Avenue</b>  | District 4 - Page 194 |
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|-----|---|-----------------------|
| 99  | <b>Final Plat - 32nd Street and Highline Canal - PLAT 210105 - North of South Mountain Avenue and West of 32nd Street</b>   | District 8 - Page 195 |
| 100 | <b>Map of Dedication - Parcel 23 - MOD 220001 - Southeast Corner of 99th Avenue and Campbell Avenue</b>   | District 5 - Page 196 |
| 101 | <b>Abandonment of Easement - ABND 200549 - North Happy Valley Road and East 21st Avenue (Resolution 22023)</b>  | District 1 - Page 197 |
| 102 | <b>Abandonment of Right-of-Way - ABND 210033- 9015 North 15th Place (Resolution 22021)</b>  | District 3 - Page 198 |
| 103 | <b>Abandonment of Easements - V180014A - Southeast Corner of 21st Place and Sharon Drive (Resolution 22027)</b>   | District 3 - Page 199 |
| 104 | <b>Abandonment of Alleyway - ABND 200515 - Southwest Corner of Cave Creek Road and Sharon Drive (Resolution 22028)</b>  | District 3 - Page 200 |
| 105 | <b>Abandonment of Alleyway - ABND 210038 - Kaler Drive and 7th Place (Resolution 22025)</b>   | District 3 - Page 201 |
| 106 | <b>Abandonment of Right-of-Way - ABND 210037 - Northeast Corner of 17th Avenue and Clarendon Avenue (Resolution 22024)</b>  | District 4 - Page 202 |
| 107 | <b>Abandonment of Alleyway - ABND 200557 - Northwest Corner of 12th Street and Van Buren Street (Resolution 22022)</b>  | District 7 - Page 203 |
| 108 | <b>Abandonment of Right-of-Way - ABND 210002 - 8th Place and Euclid Avenue (Resolution 22020)</b>   | District 8 - Page 204 |
| 109 | <b>Amend City Code - Ordinance Adoption - Rezoning Application PHO-2-22--Z-48-07-1- Northeast and Southeast Corners of I-17 and Arroyo Norte Drive (Ordinance G-6986)</b> | District 1 - Page 205 |
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City of Phoenix

## City Council Formal Meeting

### Report

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**Agenda Date: 5/25/2022, Item No. 1**

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

### **Summary**

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

### **Responsible Department**

This item is submitted by the Mayor's Office.

## ATTACHMENT A



### City of Phoenix

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

**Date:** May 25, 2022

**Subject:** BOARDS AND COMMISSIONS – APPOINTEES

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

#### **Human Relations Commission**

I recommend the following for appointment as Vice Chair:

Michael Mazzocco

Mr. Mazzocco will serve as Vice Chair for a term to expire May 25, 2023.

#### **Human Services Commission**

I recommend the following for appointment as Chair:

Alejandro Flores

Mr. Flores will serve as Chair for a term to expire June 30, 2023.

I recommend the following for appointment as Vice Chair:

Jayson Matthews

Mr. Matthews will serve as Vice Chair for a term to expire June 30, 2023.

I recommend the following for reappointment:

Ito Elijah

Ms. Elijah will serve her first full term to expire June 30, 2024.

Alejandro Flores

Mr. Flores will serve his third term to expire June 30, 2025.

Roberta Mack

Ms. Mack will serve her third term to expire June 25, 2025.

Bonnie Temme

Ms. Temme will serve her second term to expire June 30, 2024.

Councilmember Carlos Garcia recommends the following for appointment:

Petra Falcon

Ms. Falcon is the Founder of Promise Arizona. She will serve a term to coincide with Councilmember Garcia's term or until replaced.

Councilwoman Ann O'Brien recommends the following for reappointment:

Guy Mikkelson

Mr. Mikkelson will serve a term to coincide with Councilwoman O'Brien's term or until replaced.

Councilwoman Betty Guardado recommends the following for appointment:

Cecilia Maes

Ms. Maes is the Superintendent of the Alhambra Elementary School District. She will serve a term to coincide with Councilwoman Guardado's term or until replaced.

**Maryvale Village Planning Committee**

Councilwoman Betty Guardado recommends the following for appointment:

JJ Bazzi

Mr. Bazzi is a franchise owner of Chevron and a resident of District 5. He fills a vacancy for a partial term to expire November 19, 2022.

Delbert Hawk

Mr. Hawk is the President of International Brotherhood of Electrical Workers L.U. 640 and a resident of District 5. He fills a vacancy for a partial term to expire November 19, 2022.



## **Reappointment of Phoenix Municipal Court Judges and Chief Presiding Judge**

Request City Council to reappoint Judge Tina Solomon to a four-year term as Judge of the Phoenix Municipal Court, expiring June 29, 2026 and Judge Laura Lowery to a four-year term as Judge of the Phoenix Municipal Court, expiring Sept. 30, 2026. Further request to reappoint Judge B. Don Taylor III to an annual term as Chief Presiding Judge, expiring June 30, 2023.

### **Summary**

On April 8, 2022, the Judicial Selection Advisory Board recommended reappointment of Judge Tina Solomon as a Judge of the Phoenix Municipal Court for a four-year term expiring June 29, 2026 and Judge Laura Lowery as Judge of the Phoenix Municipal Court for a four-year term expiring Sept. 30, 2026.

On April 8, 2022, the Judicial Selection Advisory Board also recommended the reappointment of Judge B. Don Taylor III to an annual term as Chief Presiding Judge, expiring June 30, 2023.

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

On May 11, 2022, the Public Safety and Justice Subcommittee unanimously recommended these reappointments to the City Council.

### **Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Phoenix Municipal Court.





## **Liquor License - Koi Sushi & Wok**

Request for a liquor license. Arizona State License Application 192872.

### **Summary**

#### Applicant

Lorena Hughes, Agent

#### License Type

Series 12 - Restaurant

#### Location

4205 W. Anthem Way, Ste. 109

Zoning Classification: C-2 PCD

Council District: 1

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 June 1, 2022.

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

#### Other Active Liquor License Interest in Arizona

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

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Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I have run a restaurant business with a liquor License for the last decade, understand and implement the most appropriate way to serve customers as well, as follow the instruction and restriction enforced by the law."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"As a local restaurant business, we have received a high demand to serve liquor to the Local, our restaurant has a great ambiance, music, and finger food. perfect for friends and family gatherings. It's in the community's best interest to provide a hangout place for the neighbors."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Koi Sushi & Wok

Liquor License Map - Koi Sushi & Wok

**Responsible Department**

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

# Liquor License Data: KOI SUSHI & WOK

## Liquor License

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

## Crime Data

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

\*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

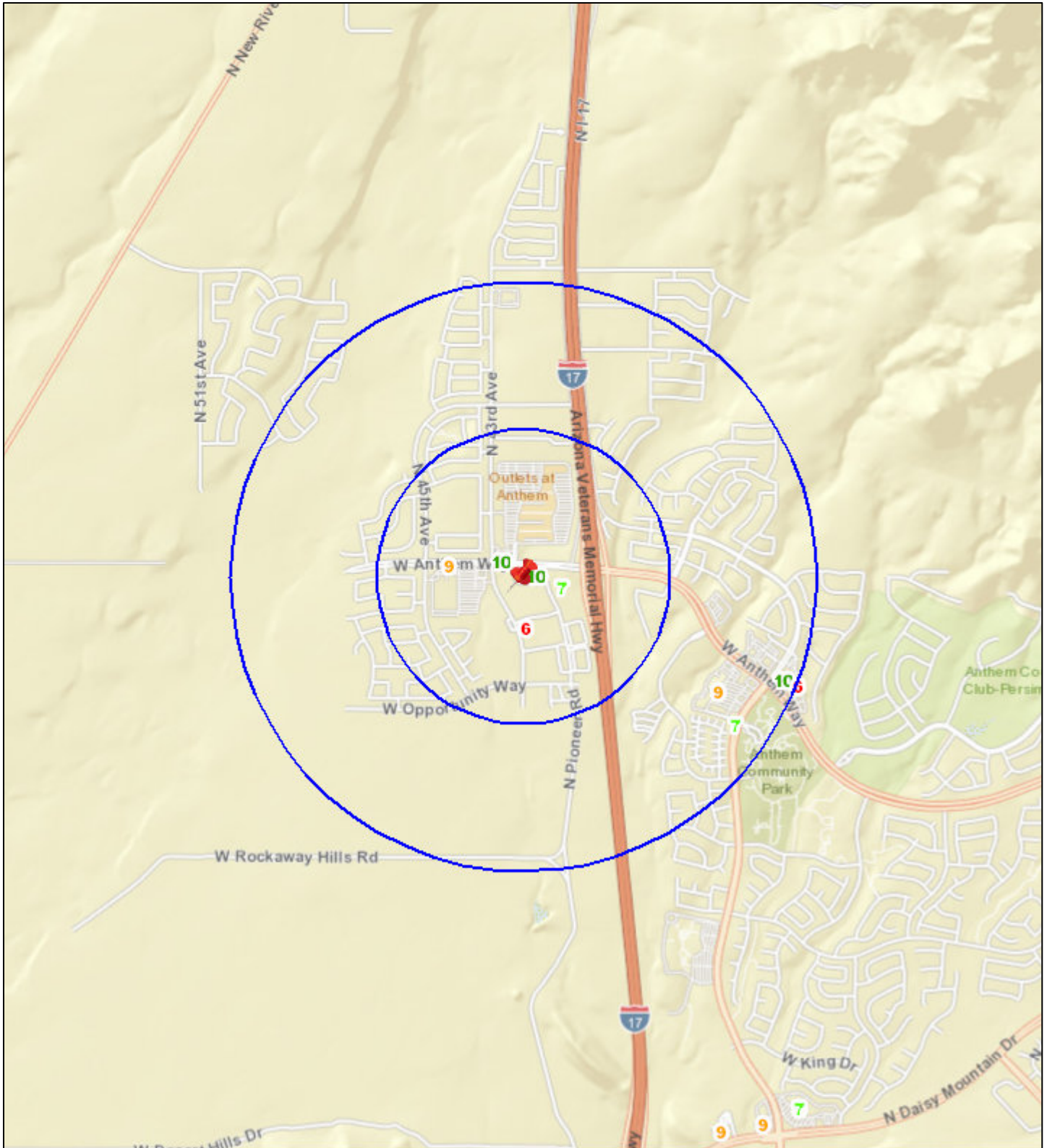
Description	Average	1/2 Mile Average
Parcels w/Violations	54	1
Total Violations	94	1

## Census 2010 Data 1/2 Mile Radius

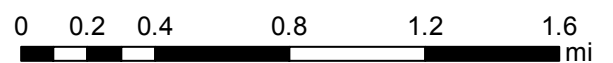
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6100003	1546	54 %	25 %	3 %
6100004	2234	70 %	6 %	4 %
6102003	1703	53 %	21 %	5 %
Average		61 %	13 %	19 %

# Liquor License Map: KOI SUSHI & WOK

4205 W ANTHEM WAY



Date: 4/7/2022





## **Liquor License - Rosati's Pizza & Sports Pub**

Request for a liquor license. Arizona State License Application 191085.

### **Summary**

#### Applicant

Jeffrey Nachtweih, Agent

#### License Type

Series 12 - Restaurant

#### Location

28325 N. Tatum Blvd., Ste. 7

Zoning Classification: C-1

Council District: 2

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 May 29, 2022.

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

#### Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
“We have operated businesses for some time and have done well. We will work hard to ensure a successful business. Our employee's and ourselves will attend liquor training to make sure all liquor laws are followed.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
“Rosati's pizza has been in this location since 2014. Our neighbors love the restaurant as it has become one of cave creek's most popular restaurants.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Rosati's Pizza & Sports Pub

Liquor License Map - Rosati's Pizza & Sports Pub

**Responsible Department**

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

# Liquor License Data: ROSATI'S PIZZA & SPORTS PUB

## Liquor License

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

## Crime Data

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

\*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	54	3
Total Violations	94	4

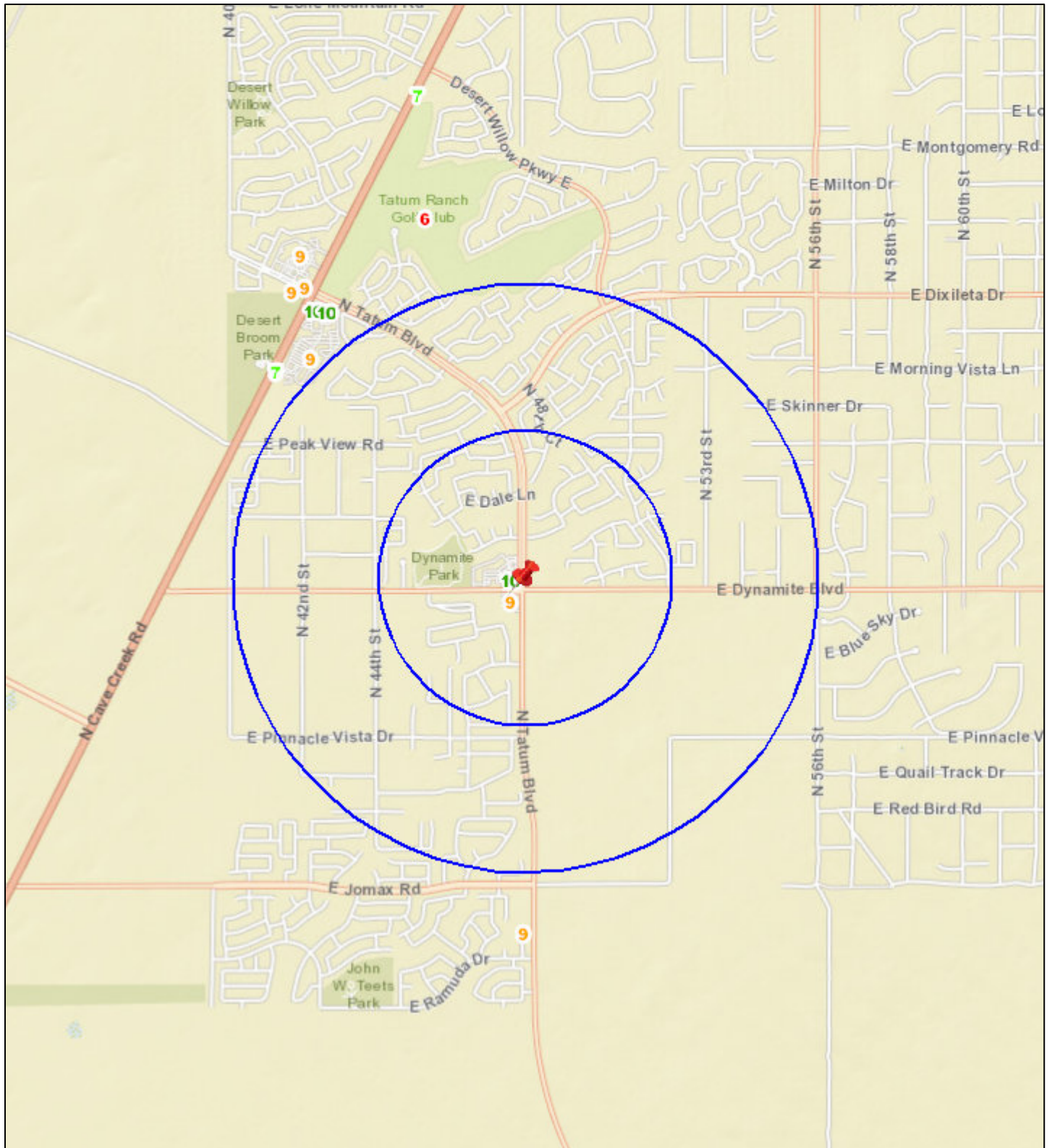
## Census 2010 Data 1/2 Mile Radius

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

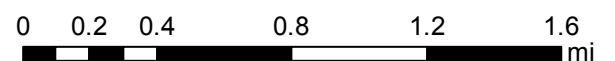


# Liquor License Map: ROSATI'S PIZZA & SPORTS PUB

28325 N TATUM BLVD



Date: 5/4/2022



City Clerk Department





## **Liquor License - Trevors**

Request for a liquor license. Arizona State License Application 192983.

### **Summary**

#### Applicant

Christopher Hanna, Agent

#### License Type

Series 9 - Liquor Store

#### Location

7000 E. Mayo Blvd., Bldg. 25

Zoning Classification: PUD

Council District: 2

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

The 60-day limit for processing this application is June 1, 2022.

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

#### Other Active Liquor License Interest in Arizona

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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.

Hudson Eatery & Bar (Series 7 & Series 12)  
1601 E. Apache Blvd., Tempe  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"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:  
"Trevor's is a neighborhood bar offering customers the opportunity to sit and enjoy their beverage. 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 - Trevors  
Liquor License Map - Trevors

#### **Responsible Department**

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

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## Liquor License Data: TREVORS

### Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	7	5
Liquor Store	9	1	1
Hotel	11	1	1
Restaurant	12	23	19

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	51.45	0.21	0
Violent Crimes	9.65	0.10	0

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

### Property Violation Data

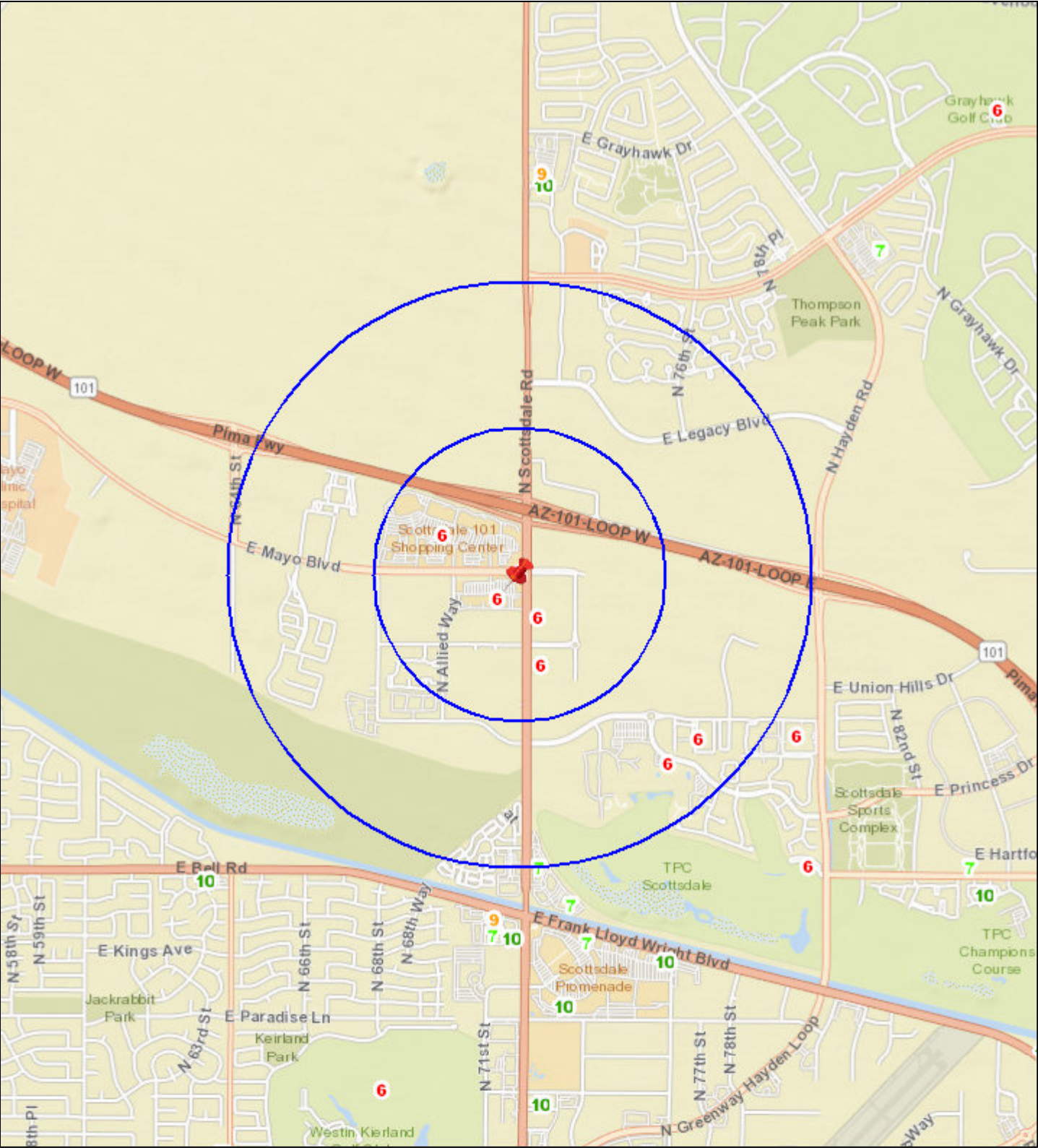
Description	Average	1/2 Mile Average
Parcels w/Violations	54	0
Total Violations	94	

### Census 2010 Data 1/2 Mile Radius

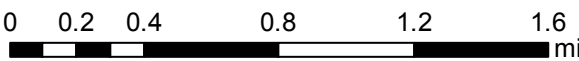
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
2168442	1681	50 %	43 %	4 %
2168452	694	23 %	38 %	8 %
6152001	1993	8 %	29 %	12 %
Average		61 %	13 %	19 %

# Liquor License Map: TREVORS

7000 E MAYO BLVD



Date: 4/4/2022





## **Liquor License - Jinya Ramen Bar**

Request for a liquor license. Arizona State License Application 192998.

### **Summary**

#### Applicant

Daradee Olson, Agent

#### License Type

Series 12 - Restaurant

#### Location

5120 N. Central Ave., Ste. 100

Zoning Classification: C-2 TOD-District Uptown

Council District: 4

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in September 2022.

The 60-day limit for processing this application is June 1, 2022.

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

#### Other Active Liquor License Interest in Arizona

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

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

Jinya Ramen Noodle Bar (Series 12)  
130 S. Arizona Ave., #1, Chandler  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I am an upstanding citizen in the local community. I am extremely reliable and have high moral standards. I will ensure all of my employees are knowledgeable and fully understand all of the liquor rules and regulations."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"I will make sure my establishment provides an amazing dining and drinking atmosphere for the community. The community will enjoy amazing food and a fun laid back environment. Our few specialty cocktails pair nicely with our ramen."

#### 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 - Jinya Ramen Bar  
Liquor License Map - Jinya Ramen Bar

#### **Responsible Department**

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

# Liquor License Data: JINYA RAMEN BAR

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	2
Bar	6	14	2
Beer and Wine Bar	7	11	10
Liquor Store	9	7	2
Beer and Wine Store	10	9	1
Restaurant	12	55	23

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	51.45	521.86	1273.46
Violent Crimes	9.65	96.65	234.81

\*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	54	56
Total Violations	94	97

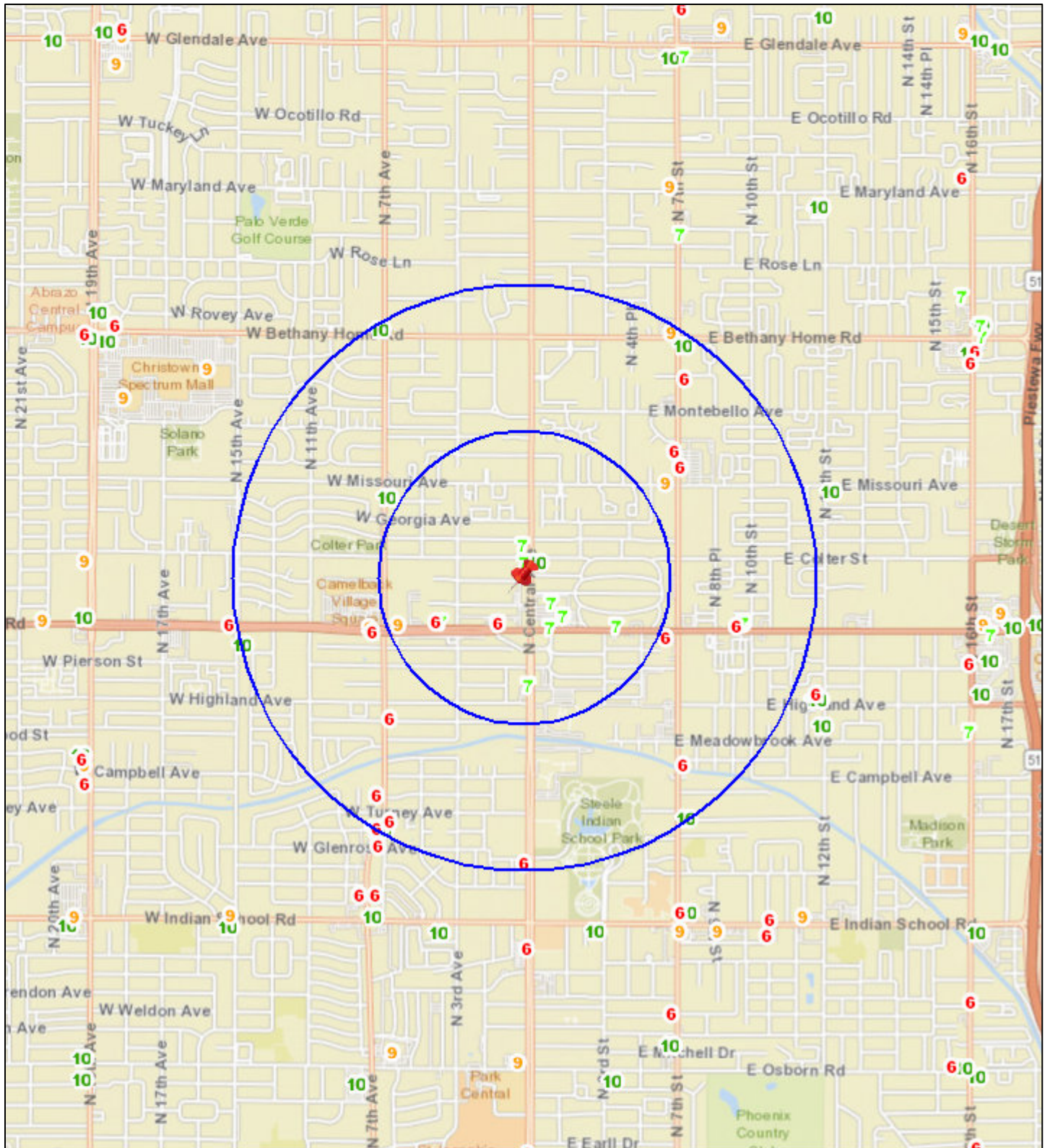
**Census 2010 Data 1/2 Mile Radius**

<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1074002	1009	62 %	7 %	16 %
1074005	661	0 %	30 %	77 %
1075001	758	80 %	2 %	3 %
1075002	1458	74 %	7 %	15 %
1075003	1599	46 %	15 %	14 %
1088021	1456	23 %	32 %	31 %
1088022	435	43 %	41 %	19 %
Average		61 %	13 %	19 %

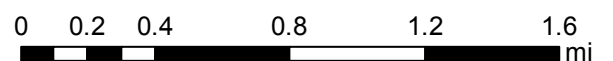


# Liquor License Map: JINYA RAMEN BAR

5120 N CENTRAL AVE



Date: 4/5/2022



City Clerk Department



## **Liquor License - The Joy Lush Club**

Request for a liquor license. Arizona State License Application 192951.

### **Summary**

#### Applicant

Michael Fasel, Agent

#### License Type

Series 7 - Beer and Wine Bar

#### Location

24 W. Camelback Road, Ste. D and E

Zoning Classification: C-2

Council District: 4

This request is for a liquor license for a beer and wine bar. This location was previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow patron dancing. This business has plans to open in June 2022.

The 60-day limit for processing this application is June 1, 2022.

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

#### Other Active Liquor License Interest in Arizona

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

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Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I have worked the bar, restaurant and beverage industries for 10+ years. I hold 2 undergraduate degrees and a law degree and am a current small business owner/operator in Arizona. I understand the monetary, legal, tax and municipality requirements needed to successfully run a viable business and will do the same for this new venture. Thank you for your support of a new, small, Mom & Pop, beer and wine bar in North Central Phoenix."

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

"I am creating a space and bar for our neighborhood and community, the neighborhood I am raising my 2 kids in with my wife Kate. I understand the need for respect and preservation of the neighborhood feel when there's a bar nearby from my experience listed above. This place will be one for everyone in our community, and will feature local Phoenix events, holiday celebrations of all sorts, Phoenix sports, and will be a gathering place for the residents in the North Central Corridor."

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 - The Joy Lush Club

Liquor License Map - The Joy Lush Club

**Responsible Department**

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

# Liquor License Data: THE JOY LUSH CLUB

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	2
Bar	6	15	4
Beer and Wine Bar	7	11	10
Liquor Store	9	6	3
Beer and Wine Store	10	7	1
Restaurant	12	50	25

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	51.45	524.86	1278.98
Violent Crimes	9.65	97.16	240.65

\*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	54	59
Total Violations	94	107

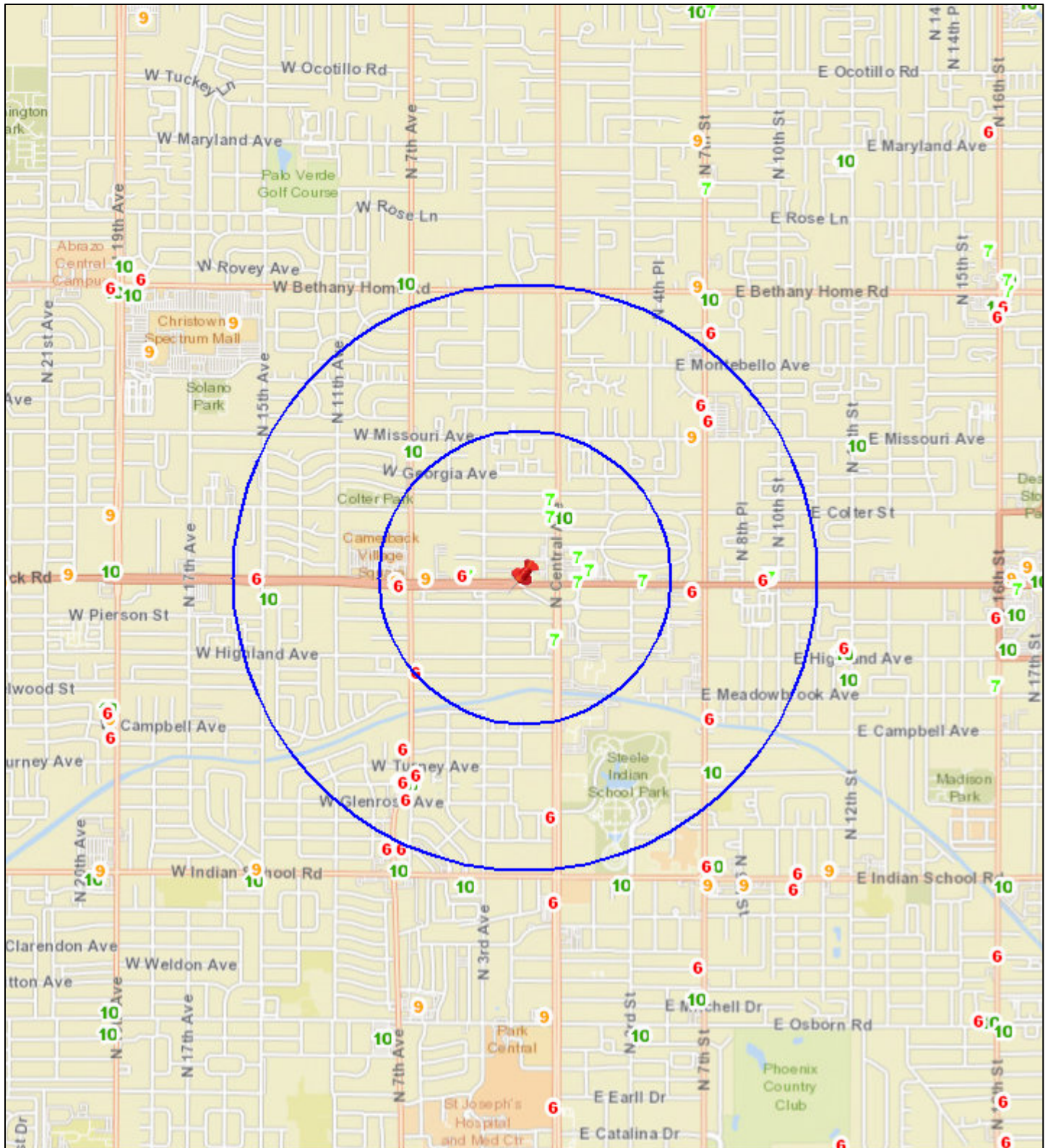
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1074002	1009	62 %	7 %	16 %
1074005	661	0 %	30 %	77 %
1075001	758	80 %	2 %	3 %
1075002	1458	74 %	7 %	15 %
1075003	1599	46 %	15 %	14 %
1088021	1456	23 %	32 %	31 %
1088022	435	43 %	41 %	19 %
1089023	1072	28 %	3 %	47 %
1171001	2126	10 %	15 %	10 %
1171002	703	57 %	27 %	12 %
Average		61 %	13 %	19 %

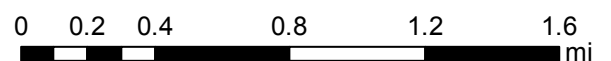


# Liquor License Map: THE JOY LUSH CLUB

24 W CAMELBACK RD



Date: 4/6/2022



City Clerk Department



## **Liquor License - Gogi &**

Request for a liquor license. Arizona State License Application 192858.

### **Summary**

#### Applicant

Kim Sunok, Agent

#### License Type

Series 12 - Restaurant

#### Location

4905 E. Ray Road, Ste.102

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.

The 60-day limit for processing this application is June 1, 2022.

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

#### Other Active Liquor License Interest in Arizona

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

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Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I have many experience with liquor well."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"Liquor should be well controled served property."

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 - Gogi &  
Liquor License Map - Gogi &

**Responsible Department**

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



## Liquor License Data: GOGI &

### Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	4	1
Beer and Wine Bar	7	7	3
Liquor Store	9	9	1
Beer and Wine Store	10	9	4
Hotel	11	1	1
Restaurant	12	43	13

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	51.45	0.10	0.21
Violent Crimes	9.65	0.15	0.53

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

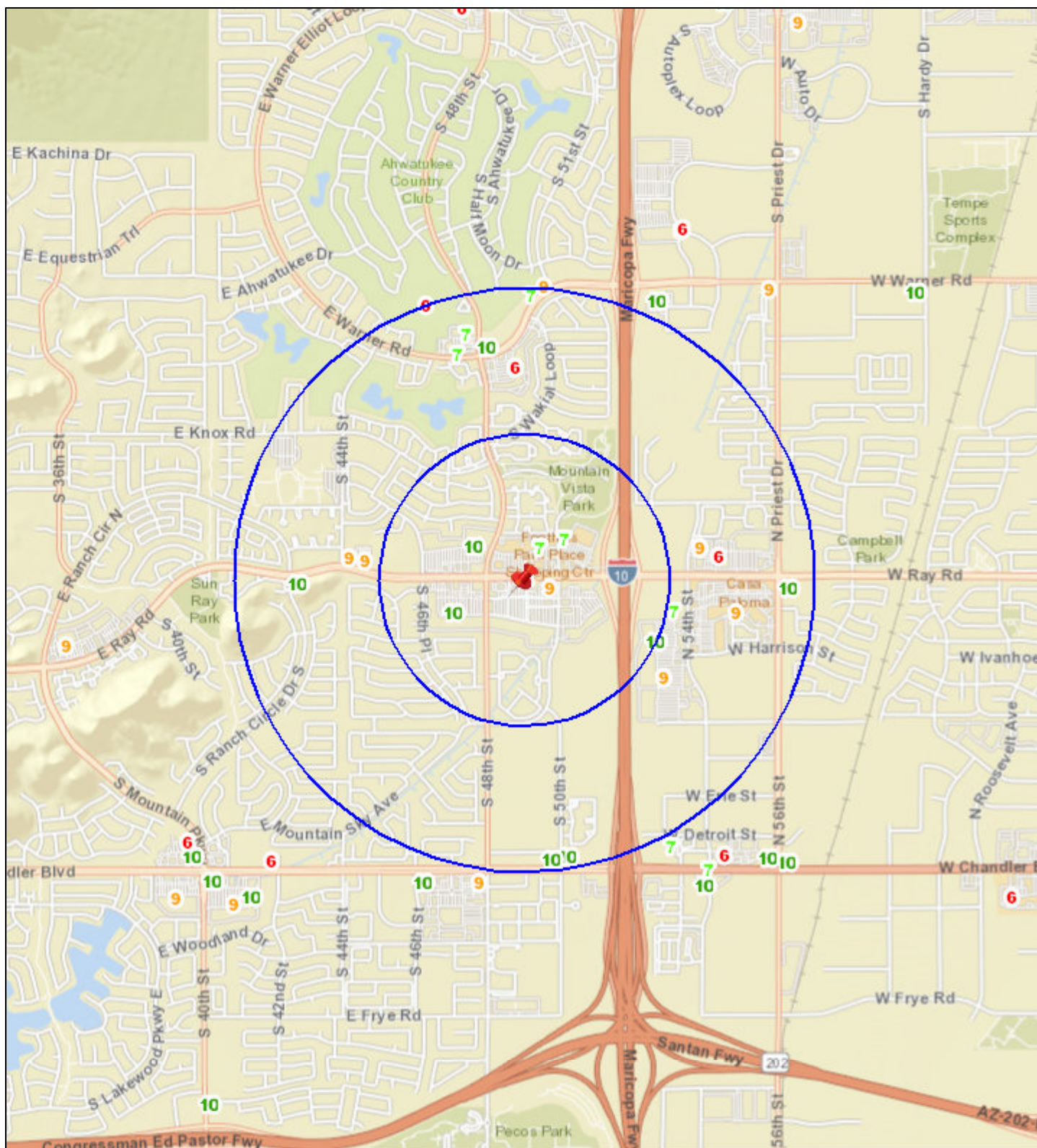
### Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	54	2
Total Violations	94	4

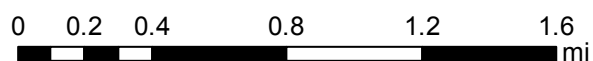
**Census 2010 Data 1/2 Mile Radius**

<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1167171	1769	0 %	25 %	11 %
1167172	1663	40 %	18 %	17 %
1167181	2685	40 %	10 %	9 %
1167192	1023	3 %	7 %	22 %
1167193	1688	72 %	17 %	14 %
8104002	314	3 %	25 %	12 %
Average		61 %	13 %	19 %

4905 E RAY RD



Date: 4/6/2022





## **Liquor License - Nello's**

Request for a liquor license. Arizona State License Application 07070234.

### **Summary**

#### Applicant

Amy Nations, Agent

#### License Type

Series 7 - Beer and Wine Bar

#### Location

4710 E. Warner Road, Ste.10

Zoning Classification: C-1

Council District: 6

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

The 60-day limit for processing this application is June 6, 2022.

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

#### Other Active Liquor License Interest in Arizona

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

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

Cien Agaves Tacos & Tequila (Series 12)  
7228 E. 1st Ave., Scottsdale  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

Cien Agaves Tacos & Tequila (Series 12)  
7000 E. Mayo Blvd. Bldg. #18, Ste. 1072, Phoenix  
Calls for police service: 211  
Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"We train all of our employees in responsible liquor service. We also conduct regular audits to ensure compliance. The owners have also recently taken the basic and management training again to stay up to date. The own and operate other restaurants and have operated for many years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"Nello's Ahwatukee opened in 1996. Customer loyalty is what helped Nello's long standing and continued success. The new owners have been longtime customers and did not want to see this restaurant change. As longtime Arizona residents, the new owners knew of the reputation Nello's has and would like to continue to be a part of it."

#### 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 - Nello's

Liquor License Map - Nello's

**Responsible Department**

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

## Liquor License Data: NELLO'S

### 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	7	2
Beer and Wine Store	10	5	1
Hotel	11	1	0
Restaurant	12	23	6

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	14.45	17.99	16.02
Violent Crimes	5.03	3.15	5.20

\*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	54	7
Total Violations	94	13

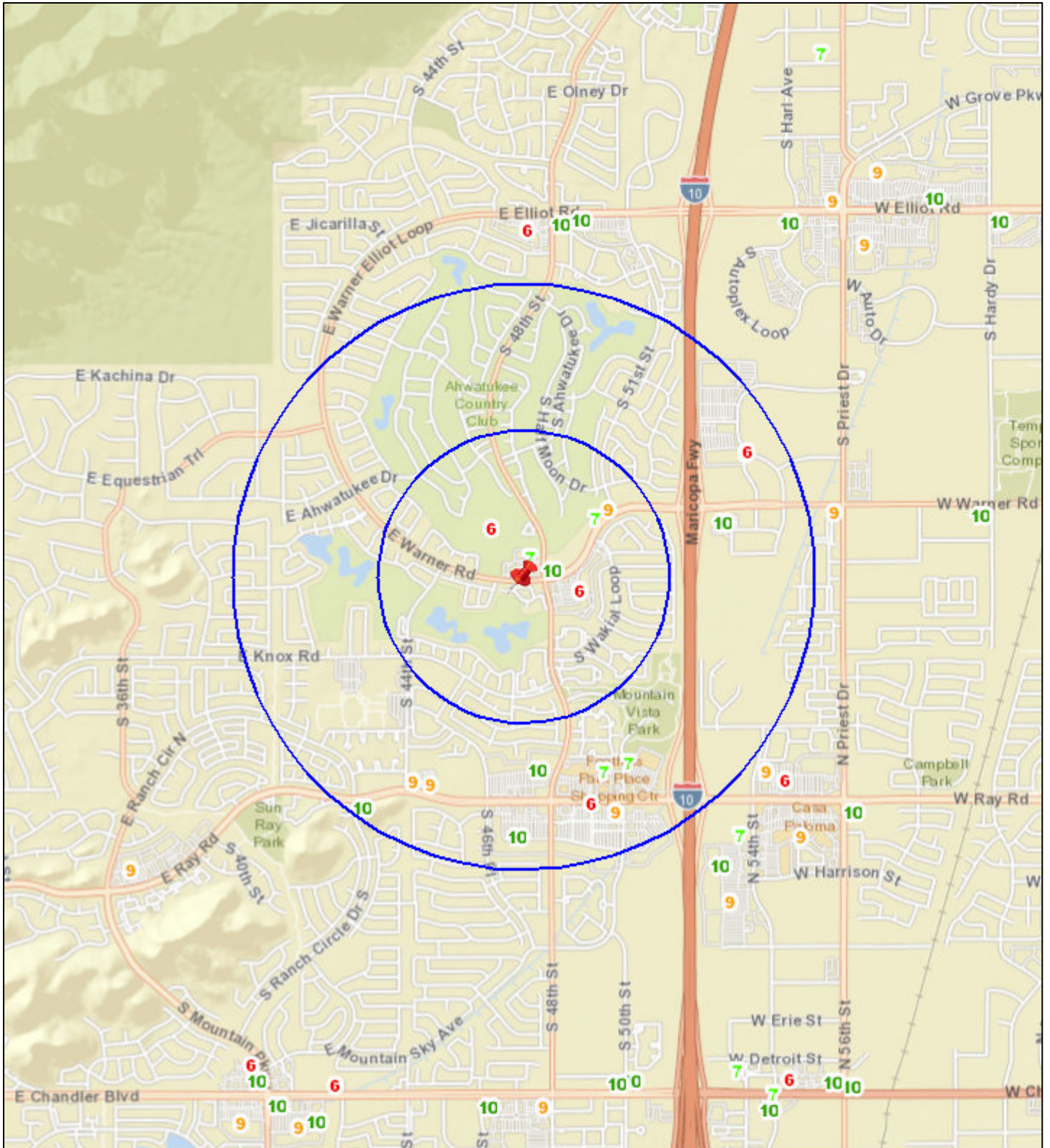
## Census 2010 Data 1/2 Mile Radius

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 %
1167112	1154	28 %	15 %	11 %
1167171	1769	0 %	25 %	11 %
1167172	1663	40 %	18 %	17 %
1167181	2685	40 %	10 %	9 %
Average		61 %	13 %	19 %

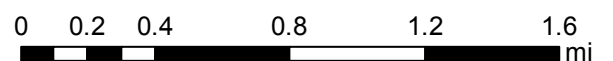


# Liquor License Map: NELLO'S

4710 E WARNER RD



Date: 4/8/2022



City Clerk Department



## **Liquor License - Grab N Go 909**

Request for a liquor license. Arizona State License Application 192668.

### Summary

#### Applicant

Vaneet Sapra, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

8802 S. Central Ave.

Zoning Classification: C-2

Council District: 8

This request is for a new liquor license for a beer and wine store. 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 May 31, 2022.

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

#### Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"Already owns 10 locations. Very involve in all businesses. Follow all laws and regulation. Trained all my employees."

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

"We will involve in neighborhood community. We will do community donation. Card ID. We will keep store all clean and very safe for all customers."

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 - Grab N Go 909

Liquor License Map - Grab N Go 909

**Responsible Department**

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

## Liquor License Data: GRAB N GO 909

### Liquor License

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

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	51.45	205.83	172.29
Violent Crimes	9.65	27.22	29.29

\*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

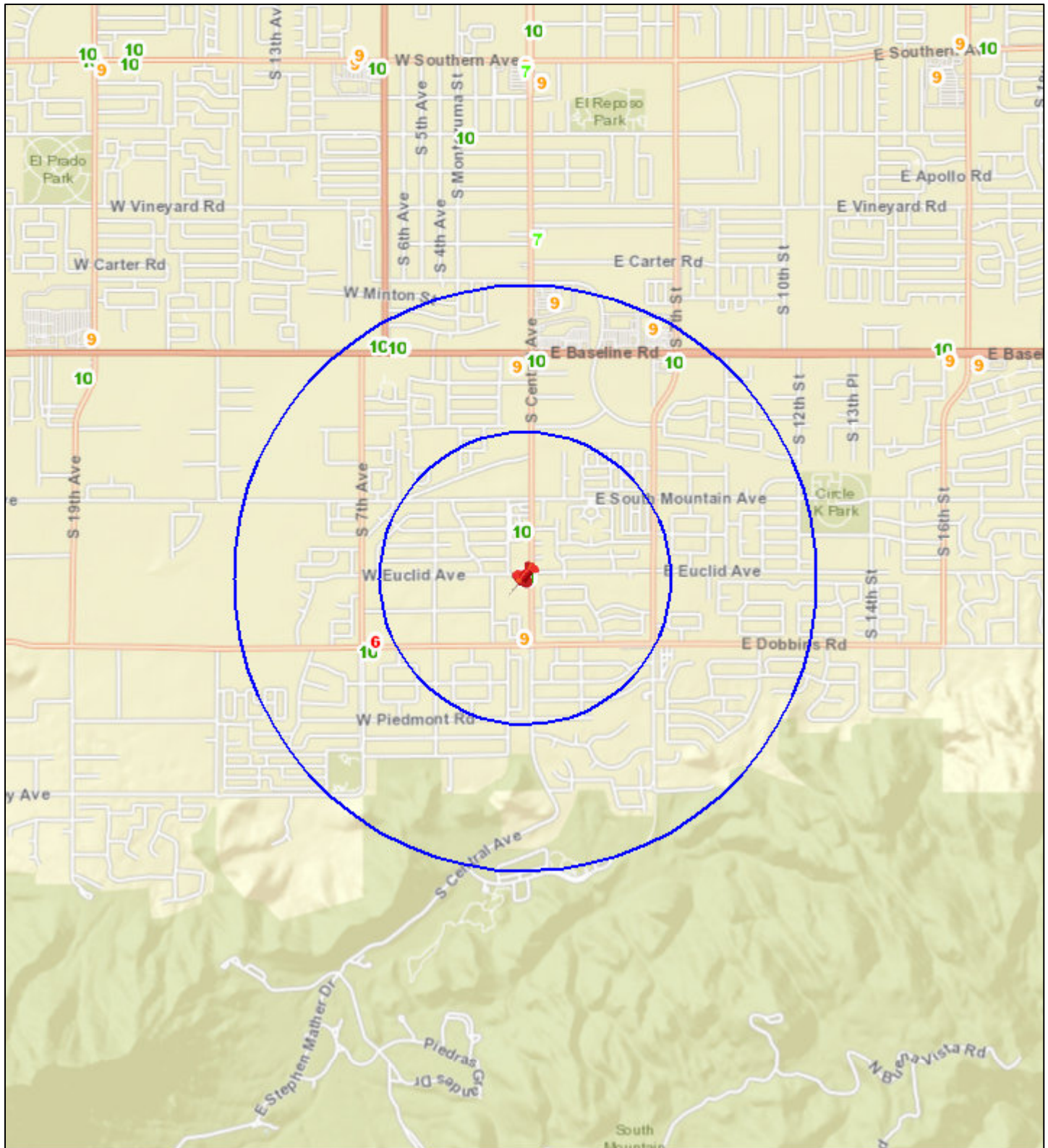
Description	Average	1/2 Mile Average
Parcels w/Violations	54	76
Total Violations	94	128

## Census 2010 Data 1/2 Mile Radius

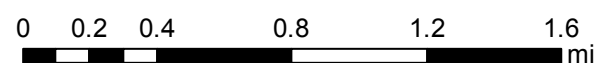
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167021	1299	70 %	8 %	11 %
1167022	2175	59 %	21 %	36 %
1167023	2617	48 %	12 %	28 %
1167024	306	76 %	24 %	0 %
1167025	483	82 %	22 %	23 %
1167031	2524	69 %	15 %	26 %
1167032	1141	89 %	7 %	6 %
1167321	2659	85 %	14 %	33 %
1167322	1053	73 %	8 %	26 %
Average		61 %	13 %	19 %



8802 S CENTRAL AVE



Date: 4/4/2022





## **Liquor License - The Lost Leaf**

Request for a liquor license. Arizona State License Application 07073003.

### **Summary**

#### Applicant

Amy Nations, Agent

#### License Type

Series 7 - Beer and Wine Bar

#### Location

914 N. 5th St.

Zoning Classification: DTC- East Evans Churchill

Council District: 8

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

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

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

#### Other Active Liquor License Interest in Arizona

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

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

Chars Live (Series 6)  
4631 N. 7th Ave., Phoenix  
Calls for police service: 3  
Liquor license violations: None

Handle Bar & Grill (Series 6)  
680 S. Mill Ave. #B1-109, Tempe  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

#### Public Opinion

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

#### Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"The new owner of The Lost Leaf owns and operates several businesses mostly in the Phoenix area. Many of these businesses hold liquor licenses as well. He believes in giving back to the community and purchases struggling businesses for historical value to the area's which they are located. He has attended basic and management training to ensure liquor law compliance. His employees will be attending in the near future."

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

"The original 1922 building has had a long history in Phoenix Culture. Inside you will still see the original wood floors and handmade brick that forged the early days of Phoenix. We provide a place for artists and musicians to be free to the public. The Lost Leaf is a must for first Friday's and we encourage people to explore the neighborhood for all its hidden secrets."

#### Staff Recommendation

Staff recommends approval of this application.



**Attachments**

Liquor License Data - The Lost Leaf

Liquor License Map - The Lost Leaf

**Responsible Department**

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

# Liquor License Data: THE LOST LEAF

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	4	2
Wholesaler	4	1	0
Government	5	9	4
Bar	6	44	13
Beer and Wine Bar	7	16	8
Liquor Store	9	4	0
Beer and Wine Store	10	12	6
Hotel	11	7	4
Restaurant	12	105	40
Club	14	2	0

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	51.45	1122.77	448.61
Violent Crimes	9.65	246.92	120.27

\*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

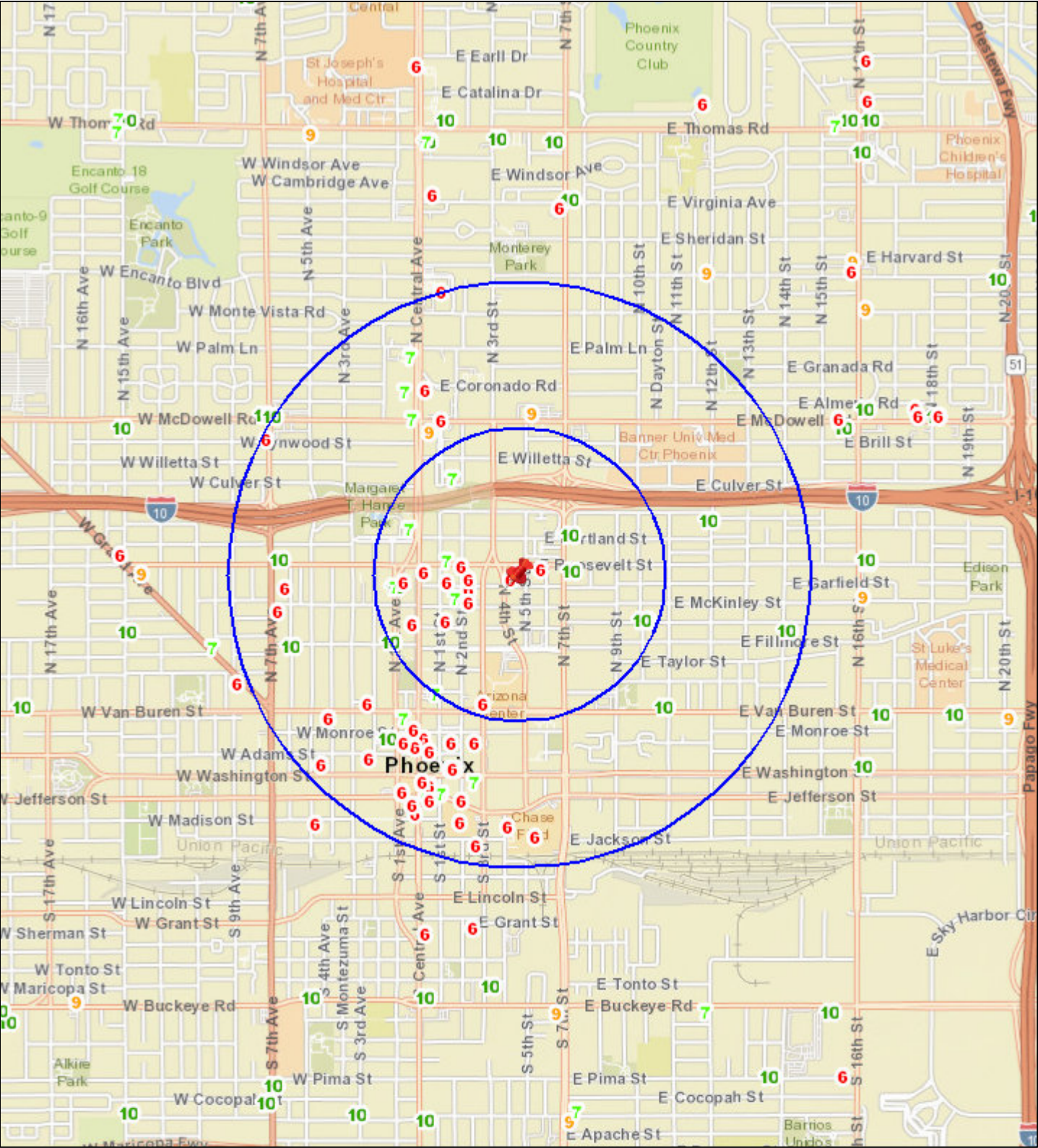
Description	Average	1/2 Mile Average
Parcels w/Violations	54	136
Total Violations	94	235

## Census 2010 Data 1/2 Mile Radius

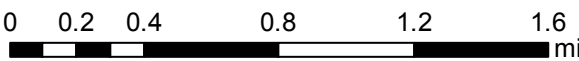
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1132032	638	28 %	7 %	70 %
1140001	1831	25 %	20 %	47 %
1141001	2299	16 %	37 %	44 %
Average		61 %	13 %	19 %

# Liquor License Map: THE LOST LEAF

914 N 5TH ST



Date: 4/6/2022





### **PAYMENT ORDINANCE (Ordinance S-48615) (Items 12-30)**

*Ordinance S-48615 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.*

**12 Lift Him Higher Productions, doing business as Excellent Wearables**

For \$75,000.00 in payment authority for a new contract to be entered into on or about July 1, 2022, for a five-year aggregate contract term for screen printed and embroidered blazers, volunteer vests, and dog volunteer vests on an as-needed basis for the Aviation Department. The blazers and vests are for the customer service volunteers and volunteer dogs for the Navigator Volunteer Program at Phoenix Sky Harbor International Airport.

**13 Hospital Forms Services of Arizona, Inc. doing business as Forms Management Services**

For \$49,750.00 in payment authority for a new contract, entered on or about June 1, 2022, for a term of five years for check stock for the Accounts Payable Division in the Finance Department. The Accounts Payable Division requires check stock for various payment applications citywide and make payments to fulfill the City's payment obligation to its many outside vendors.

**14 Race Forward**

For \$17,500.00 in payment authority for City membership to the Government Alliance on Race and Equity (GARE) for Fiscal Year

2022-23. GARE membership will provide leadership and staff access to a national network of governments providing resources and tools to achieve racial equity and advance opportunities for all. The Office of Diversity, Equity and Inclusion will manage membership and take leadership for the City to meet its diversity, equity and inclusion goals.

**15 Cuattro, LLC**

For \$50,504.00 in payment authority to purchase one portable X-Ray system for the Police Department. The specific kit includes the Cuattro HD-EOD Wireless AED, Glass Free TFT-Flat Panel Detector 35cm x 43cm, Cuattro tactical software, and related accessories. The Cuattro image processing system utilizes the newest available technology to increase service life and compatibility. The Bomb Squad will use it to obtain rapid images of suspected hazardous devices and IEDs. The X-Ray system is light and small and will allow bomb technicians to respond to in-progress incidents quickly and safely. Funds are available under the Fiscal Year 2021 State Homeland Security Grant Program's Enhancement Response Vehicle Grant.

**16 Aviation Specialties Unlimited, Inc.**

For \$58,578.00 in payment authority to purchase four new AN/AVS-9 - M949 White Phosphor Night-Vision Goggles for the Air Support Unit of the Police Department. The goggles are certified military-grade and meet all required FAA compliance standards. In addition, the specific goggles meet the most advanced technical standard in aviation night-vision goggles. The goggles will allow the Air Support Unit to provide effective airborne surveillance, such as patrol support, search and rescue, high-speed pursuits, observation, air patrol, and control of large-scale public events and incidents. The devices will be purchased utilizing funds from the Fiscal Year 2021 Gila River Indian Community Grant.

**17 BlasterOne Energetic System Controls, Inc.**

For \$11,000.00 in payment authority to purchase a custom-built Blaster One Remote Firing System Kit and accessories for the Police Department. The kit includes two remote blasting systems and two remote blasting receivers explicitly configured to the specifications requested by the Homeland Defense Bureau Bomb Squad. Bomb Technicians will use the kit to initiate electric and non-electric blasting

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caps in training and rendering safe procedures for suspected hazardous devices and IEDs. The purchase provides the Bomb Squad with a reliable, modern, remote firing system. In addition, it reduces overall costs by wirelessly connecting the ends of the system instead of using electric wires or an expensive non-electric shock tube. Funding is available under the Fiscal Year 2021 State Homeland Security Enhancement Response Vehicle grant.

**18 FirstTwo, Inc.**

For \$14,400.00 in payment authority to purchase a one-year license renewal for the Homeland Defense Bureau (HDB) for the Phoenix Police Department. HDB responds to a variety of calls involving search warrants, hostage-barricade situations, major fires, officer-involved shootings, injured officers, and threats to law enforcement and public officials. The license will provide access to a powerful web application that compiles open-source data from a variety of sources to deliver real-time visual intelligence to public safety professionals. The renewal of the license supports the continued use of the online platform, up to 350 users on any smart device from July 1, 2021, to June 30, 2022. The platform will provide first responders with real-time updates and critical information to ensure the appropriate response to incidents.

**19 J&N Tactical, LLC doing business as J&N Tactical**

For \$22,550.00 in payment authority to purchase the patented Draco Gas Delivery System for the Special Assignments Unit (SAU) for the Phoenix Police Department. The SAU responds to various high-risk scenarios including barricaded subjects, high-risk search warrants, arrests of potentially violent subjects, and active shooter incidents. The system is equipped with hardened break tips to breach fortified structures or vehicles, and mounting hardware for armored vehicles. It will enable officers to deploy in a controlled manner from the safety of an armored truck. The system will support safe surrender outcomes and peaceful resolutions to high-risk incidents, as well as increased safety measures for law enforcement and the public. Funds are available in the Police Department's budget.

**20 Microception, Inc.**

For \$14,760.00 in additional payment authority to purchase Microception Video Oversight Software Services for the Police Department. The service includes annual maintenance, upgrades, telephone, and online support. Microception Video Oversight Software is used by the Violent Crimes Bureau to record interviews which are securely archived in a central repository. The system allows for video verification confirming the recordings are unedited and ensuring admissibility.

**21 Gabriel, Roeder, Smith & Company**

For \$80,000.00 in additional payment authority on Contract 155166-0 for actuarial services for the Finance Department. The services are required to determine asset and liabilities for other post-employment benefits and compensated absences as required by Governmental Accounting Standards 16, 74 and 75 and other special studies as needed.

**22 Resolution Video, Inc.**

For \$10,500.00 in payment authority to purchase customized training on retrieval and examination of video evidence for the Police Department. The training topics will include understanding the best practices for Image Comparison using still images and videos. The Phoenix Police Department's Forensic Imaging Unit is responsible for the collection, archiving, enhancement and analysis of video surveillance. The detectives must continually educate themselves on processing techniques and teaching comparison methods. Funding is available in the Police Department's budget.

**23 FARO Technologies, Inc.**

For \$82,024.00 in payment authority to purchase software and hardware updates, additional scanners, freestyle kits, accessories, and warranties for the Faro 3D laser scanning systems for the Laboratory Services and Traffic Bureaus for the Police Department. The 3D scanners are used to create detailed 3D imagery and documentation of violent crime scenes and serious traffic collisions resulting in injuries for the adjudication of criminal cases. Funds are available in the Police Department's budget and through a grant with the Arizona Governor's Office of Highway Safety.

**24 State of Arizona Department of Environmental Quality**

For \$308,000.00 in payment authority for annual payment of regulatory

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fees for the Public Works Department. The City operates and maintains one open landfill, five closed landfills and two transfer stations that must meet regulatory requirements as mandated by the Arizona Department of Environmental Quality (ADEQ). ADEQ requires the City to pay several routine fees including but not limited: landfill and transfer station registration fees, quarterly landfill fees, storm water permit fees, superfund program oversight fees, aquifer protection permit administration fees, underground storage tank fees and financial assurance fees.

**25 Goldman Sachs Renewable Power Operating Company  
LLC doing business as Solar Star Arizona III, LLC**

For \$1,300,000.00 for annual payment authority for Contract 132993 to provide solar power services to the Lake Pleasant Water Treatment Plant for the Water Services Department. The 7.5-megawatt solar facility produces approximately 75 percent of the plant's power needs.

**26 EPCOR Water USA, Inc.**

For \$196,000.00 for annual payment authority for Contract 93040 to provide water and wastewater treatment services for the West Anthem service area for the Water Services Department.

**27 Settlement of Claim(s) Canney v. City of Phoenix**

To make payment of up to \$550,000.00 in settlement of claim(s) in *Canney v. City of Phoenix*, CV2019-011516, 18-0894-002, GL, BI, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement for a bodily injury and property damage claim arising from a Police incident on Aug. 22, 2018.

**28 Settlement of Claim(s) Herrera v. City of Phoenix**

To make payment of up to \$60,000.00 in settlement of claim(s) in *Herrera v. City of Phoenix*, CV2020-094734, 19-1239-001, GL, BI, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a bodily injury and property damage claim arising from a motor vehicle accident on Dec. 2, 2019, involving the Public Works Department.

**29 Settlement of Claim(s) Selbst v. City of Phoenix**

To make payment of up to \$138,500.00 in settlement of claim(s) in *Selbst v. City of Phoenix*, CV2020-016295, 19-0599-002, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement for a property damage claim arising from a sewage backup on Dec. 13, 2019.

**30 Settlement of Claim(s) Udofia v. City of Phoenix**

To make payment of up to \$250,000.00 in settlement of claim(s) in *Udofia v. City of Phoenix*, CV2021-018285, 20-0550-002, GL, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement for a bodily Injury claim arising from a Police incident on Nov. 30, 2020.



**Acceptance and Dedication of an Easement and Deeds for Public Utility and Roadway Purposes (Ordinance S-48641)**

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

**Summary**

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

Easement (a)

Applicant: OMAZ, LLC, its successor and assigns

Purpose: Public Utility

Location: 16039 N. 40th Place

File: FN 220022

Council District: 2

Deed (b)

Applicant: Russell E. Moore who acquired title as Russel E. Moore, its successor and assigns

Purpose: Roadway

Location: 5535 E. Earll Drive

File: FN 220028

Council District: 6

Deed (c)

Applicant: Carson 52, LLC, its successor and assigns

Purpose: Roadway

Location: 246 W. Carson Road

File: FN 220040

Council District: 7

Deed (d)

Applicant: West Phoenix Holdings, LLC, its successor and assigns

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Purpose: Roadway

Location: 301 W. Elwood St.

File: FN 220027

Council District: 7

**Responsible Department**

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



### **Acceptance of an Easement for Sewer Purposes (Ordinance S-48647)**

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

#### **Summary**

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

#### **Easement (a)**

Applicant: D.B. Chamberlin & Associates, LLC, its successor and assigns

Purpose: Sewer

Location: 500 E. Thomas Road

File: FN 220026

Council District: 4

#### **Responsible Department**

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



**Grant of Public Utility Easement on City-Owned Property near 23rd Avenue and Durango Street (Ordinance S-48625)**

Request the City Council to grant a public utility easement, for consideration of \$1 and/or other valuable consideration, for installation of a fiber communication line to accommodate Qwest Corporation dba CenturyLink QC on City-owned property within the Arizona Public Service (APS) service area; and further ordering the Ordinance be recorded. This easement is required to provide utilities for construction of the Microgrid near 23rd Avenue and Durango Street.

**Summary**

This public utility easement is more fully described in the legal description ("Easement Premises") recorded with the ordinance and will be granted to all public service corporations, agricultural improvement districts, and telecommunication corporations (collectively "Grantee") providing utility service to the property located at 2304 W. Lower Buckeye Rd. for an indefinite period, subject to the following terms and conditions:

- A. Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate and maintain utility facilities together with appurtenant fixtures for use in connection therewith (collectively "Grantee Facilities") to, through, across and beyond Grantor's property within the Easement Premises. Subject to the notice requirements provided in paragraph "I," Grantee shall at all times have the right of full and free ingress and egress to and along the Easement Premises for the purposes herein specified. Grantee acknowledges and accepts that Grantee shall share the Easement Premises with other Grantees and shall use such Easement Premises with other Grantees in accordance with and consistent with industry standards and customs for shared use. Grantor agrees to coordinate the location of Grantee's Facilities within the Easement Premises and to pay costs for relocation of Grantee's Facilities as provided in paragraph "F."
- B. Grantor shall not locate, erect or construct, or permit to be located or erected or constructed, any building or structure within the limits of the Easement Premises. However, Grantor reserves all other rights, interests, and uses of the Easement Premises that are not inconsistent with Grantee's easement rights herein conveyed and which do not interfere with or endanger any of the Grantee Facilities.

Notwithstanding the foregoing, Grantor shall not have the right to lower by more than one foot or raise by more than two feet the surface grade of Easement Premises without the prior written consent by the Grantee whose facilities will be affected by the change of elevation.

- C. Grantee shall not have the right to use the Easement Premises to store gasoline or petroleum products, hazardous or toxic substances, or flammable materials; provided however, that this prohibition shall not apply to any material, equipment or substance contained in, or a part of, the Grantee Facilities, provided that Grantee must comply with all applicable federal, state and local laws and regulations in connection therewith. Additionally, the Easement Premises may not be used for the storage of construction-related materials or to park or store construction-related vehicles or equipment except on a temporary basis to construct, reconstruct, replace, repair, operate or maintain the Grantee Facilities.
- D. Grantor shall maintain an appropriate three-foot clear area around all edges of all equipment pads for Grantee Facilities in addition to a clear operational area that extends 12 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstruction, trees, shrubs, fixtures or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs or other obstruction within said areas.
- E. Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work or use by Grantee within the Easement Premises, the affected area, including without limitation, all pavement, landscaping, concrete and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.
- F. Grantor reserves the right to require the relocation of Grantee Facilities to a new location within Grantor's property; provided however, that: 1) Grantor pays the entire cost of redesigning and relocating existing Grantee Facilities to the new location; and 2) Grantor provides Grantee with a new and substantially similar public utility easement at no cost to Grantee. After relocation of Grantee Facilities to the new easement area, Grantee shall abandon its rights to use the Easement Premises granted in this easement without cost or consequence to Grantor.
- G. Each public service corporation and telecommunication services corporation as a Grantee shall coordinate and work with other Grantees in the use of the Easement Premises. In the event that a third party or other Grantee requests the relocation of existing Grantee Facilities to a new location (whether or not) within the Easement Premises, the requesting party shall pay the entire cost of redesigning and relocating the existing Grantee Facilities.
- H. Grantee shall not have the right to transfer, convey or assign its interests in this easement to any individual, corporation or other entity without the prior written

consent of Grantor, which consent shall not be unreasonably withheld. Grantee shall notify Grantor of any proposed transfer, conveyance or assignment of any rights granted herein at address listed below.

- I. Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where the Easement Premises are located:  
1) on a site that includes Aviation Department facilities; 2) water and wastewater treatment facilities; 3) Police Department headquarters located at 620 W. Washington St.; 4) Fire Department headquarters located at 150 S. 12th St.; 5) City Hall located at 200 W. Washington St.; 6) City Court Building located at 300 W. Washington St.; 7) Calvin C. Goode Building located at 251 W. Washington St.; 8) Transit Operations Center located at 320 N. 1st Ave. or West Transit Facility located at 405 N. 79th Ave.; or 9) in a secured or fenced area.

**Location**

23rd Avenue Wastewater Treatment Plant  
Council District: 7

**Responsible Department**

This item is submitted by City Manager Jeffrey Barton, Deputy City Manager Inger Erickson and the Water Services and Finance departments.





## **Fertilizers - Requirements Contract - IFB 22-070 (Ordinance S-48619)**

Request to authorize the City Manager, or his designee, to enter into a contract with Scruggs Industries, LLC dba Ameriturf; DAJ Enterprises, LLC dba Eco Works Supply; Simplot AB Retail, Inc dba Simplot Turf and Horticulture; and SiteOne Landscape Supply, LLC to provide fertilizers for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$1,775,000.

### **Summary**

This contract will provide the Parks and Recreation Department with fertilizers to promote the growth of turf and plants in various parks and sports fields. The fertilizers ensure that the turf grass areas are being maintained at the standards required to provide quality parks to Phoenix residents.

### **Procurement Information**

IFB 22-070 was conducted in accordance with Administrative Regulation 3.10. The Finance Department Procurement Division received five offers on March 15, 2022, which were evaluated on price, responsiveness to specifications and responsibility to provide the required goods and services. The bid notification was sent to 171 suppliers, publicly posted and available for download from the City's website.

The Assistant Finance Director recommends that the offers from Scruggs Industries, LLC dba Ameriturf; DAJ Enterprises, LLC dba Eco Works Supply; Simplot AB Retail, Inc dba Simplot Turf and Horticulture; and SiteOne Landscape Supply, LLC be accepted as responsive and responsible offers that are most advantageous to the City.

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

### **Contract Term**

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

**Financial Impact**

The aggregate contract value will not exceed \$1,775,000.

Funds are available in the Parks and Recreation Department's budget.

**Responsible Department**

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



**Authorization to Enter into a License with the State of Arizona for Use of the Ben Avery Shooting Facility (Ordinance S-48633)**

Request to authorize the City Manager, or his designee, to enter into a license with the State of Arizona, by and through the Arizona Game and Fish Commission, for the Ben Avery Shooting Facility. Further request authorization for the City Controller to disburse all funds related to this item.

Further request the City Council to grant an exception pursuant to Phoenix Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix Code 42-18, which is a necessary condition of the license.

**Summary**

The City is currently licensing a portion of the Ben Avery Shooting Facility, under License Agreement 132558, for conducting employment related firearms training and qualifying police officers. The current 10-year license will expire June 30, 2022.

The City and the Arizona Game and Fish Commission will enter into a new license beginning July 1, 2022, for a five-year period with one, five-year option to renew. The annual fee of \$30,000, plus applicable taxes is based on the City's average number of users over the prior three years multiplied by a daily fee of \$8.00. The annual license fee will be recalculated every two and one-half years based on the average number of users over the prior three years and the current daily rate at the time of adjustment.

The State and City are self-insured governmental entities and will be responsible for their respective tort and property damage liabilities. The license may be canceled pursuant to A.R.S. 38-511, or upon 30-day written notice from either party. The license may contain other terms and conditions deemed necessary by the City.

**Contract Term**

The term is five years with one five-year option to renew.

**Financial Impact**

The annual license fee for the first year is \$30,000, plus applicable taxes. Funds are

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available in the Police Department's budget.

**Concurrence/Previous Council Action**

Ordinance S-38335 adopted on Nov. 11, 2011, authorized License Agreement 132558.

**Location**

4044 W. Black Canyon Blvd.

Council District: 1

**Responsible Department**

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



## **Metlang - Requirements Contract- EXC 22-064 (Ordinance S-48634)**

Request to authorize the City Manager, or his designee, to enter into a contract with Metlang LLC to purchase certified monitoring, transcription, and translation services for the Phoenix Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$1.5 million.

### **Summary**

The Phoenix Police Department (PPD) participates in a joint task force with the United States Drug Enforcement Administration (DEA) to conduct sensitive electronic surveillance investigations targeting Drug Trafficking Organizations requiring certified monitoring, transcription, and translation services. Metlang LLC is a translation and interpreting services provider dedicated to supporting the law-enforcement community. The continued partnership between the DEA and PPD's Drug Enforcement Bureau (DEB) requires the use of Metlang LLC translation and interpreting services by both agencies. This service is essential to PPD in order to continue its cooperative investigative partnership with the DEA of the US Department of Justice.

### **Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated the need to continue the DEB's cooperative investigation partnership with the DEA by using a DEA-certified vendor for linguistic service, which is currently Metlang LLC.

The Assistant Finance Director recommends that the contract with MetLang LLC be accepted.

### **Contract Term**

The 5-year contract term will begin on or about June 1, 2022.

### **Financial Impact**

The aggregate contract value will not exceed \$1.5 million and funds are available in the Police Department's budget.

**Responsible Department**

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



**RFP 22-097 - Growth Projections and Land Use Assumption Update - Requirements Contract (Ordinance S-48639)**

Request to authorize the City Manager, or his, designee, to enter into a contract with Applied Economics, LLC to purchase services for the Growth Projection and Land Use Assumptions Update for the Planning and Development Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$414,000.

**Summary**

The Planning and Development Department leads the efforts to establish the Infrastructure Financing Plan (IFP), consisting of the Impact Fee Report, Land Use Assumptions, and the Infrastructure Improvements Plans. The assumptions, values, and methodologies from IFP are used to update development impact fees every five years. The development impact fees are assessed on new developments to help pay for public infrastructure.

Additionally, the Contractor will assist with organizing development and land use data, reporting on existing and planned development profiles, and preparing growth projections for the City and specific sub-regions within the City. This work will help prepare the City for the subsequent development impact fee update and other infrastructure planning purposes, as the City of Phoenix intends to update development impact fees in 2025.

**Procurement Information**

RFP 22-097 was conducted in accordance with Administrative Regulation 3.10. There was one offer received by the Procurement Division on March 28, 2022. The notification was sent to 291 suppliers and was publicly posted and available for download from the City's website.

The proposal was scored by a five-member evaluation panel on the following criteria:

Method of Approach - 375

Experience and Qualifications - 300

Capability - 200

Price - 125

The Assistant Finance Director recommends that the offer from Applied Economics, LLC be accepted as the highest scored, responsive and responsible offer most advantageous to the City. The price was determined to be fair and reasonable based on market research and the current contract information for the similar services.

**Contract Term**

The initial term of the contract will be for two-years beginning on or about June 1, 2022. Provisions of the contract include an option to extend up to an additional three years, in one-year increments.

**Financial Impact**

The aggregate contract value will not exceed \$414,000. Impact Fee Administration funds are available in the Planning and Development Department's operating budget.

**Responsible Department**

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





## **Purchase of Property and Casualty Insurance Policies for the City of Phoenix (Ordinance S-48661)**

Request to authorize the City Manager, or his designee, to purchase various property and casualty insurance policies on behalf of the City for July 2022 through June 2023. Further request authorization for the City Controller to disburse funds, not to exceed \$22,036,000.

### **Summary**

Competitive quotes are sought from all viable commercial insurance markets to assure the best coverage and cost available. The total estimated cost for all insurance is approximately \$22,036,000 for Fiscal Year 2022-23, up from \$14,785,387 in the current year. The increase of \$7,250,613 is due to: (1) a high demand for insurance coverage in the property and excess liability coverage and a reduced supply of capacity in the commercial insurance market throughout the country; (2) the City experienced a large property loss over the last 10 years that exceeded \$10 million; (3) the City experienced its first loss that pierced the excess liability insurance; (4) claims are increasing in frequency and severity throughout the country; (5) insurers are hesitant to underwrite public entity insurance programs; (6) the former Wells Fargo Plaza at 100 W. Washington St. was added to the City's schedule of covered properties; and (7) ransomware and other cyber attacks globally are driving unprecedented increases in the cyber liability market.

Citywide insurance policies are purchased from the Risk Management Self-Insurance Fund or the Workers' Compensation Self-Insurance Fund and are then allocated to each department's budget. Funds for special policies purchased are available from those departments' budgets. The insurance quote process is ongoing, and staff will continue to gather bids through mid-June. The amount requested is based on estimated rate increases as advised by the City's contracted insurance broker, Marsh USA, Inc. Depending on final quotes, staff may need to return to Council for a retroactive increase in spending authority.

<b>Insurance Policy Type</b>	<b>Department</b>	<b>Estimated Cost</b>
Blanket Property and Boiler and	Citywide	\$8,701,000

**Machinery Insurance**

Excess Liability Insurance (Multiple Layers)	Citywide	\$8,456,000
Excess Workers' Compensation Insurance	Citywide	\$405,000
Network Security and Cyber	Citywide	\$3,052,000
Police Aircraft Liability and Hull Insurance	Police	\$210,000
Aviation Airport Liability Insurance	Aviation	\$714,000
Miscellaneous Property and Casualty Insurance	Citywide	\$498,000

**Financial Impact**

The amount will not exceed \$22,036,000, comprised of funds from the Risk Management Self-Insurance Fund, and are included in the Fiscal Year 2022-23 budget.

**Responsible Department**

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



**Annual Expenditure Limitation Report Designee to Arizona Auditor General  
(Resolution 22026)**

Request City Council approval to designate Chief Financial Officer Kathleen Gitkin for purposes of submitting the fiscal year 2022 Annual Expenditure Limitation Report (AELR) to the Arizona Auditor General on the governing body's behalf.

**Summary**

Arizona Revised Statutes 41-1279.07 (E) requires each county, city, town and community college district to annually provide to the Auditor General by July 31 of each year the name of the Chief Fiscal Officer that the governing board designates to submit the current year's AELR on the governing body's behalf.

**Responsible Department**

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



**Cancer Screening Services Contract RFP HR 21-020 - Request for Award  
(Ordinance S-48667)**

Request to authorize the City Manager, or his designee, to enter into a contract with Vincere Physicians Group to provide cancer screening services to City employees. 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 is needed to provide cancer screening services to city employees whose occupations make them a high risk for cancer. As an example, cancer is the number one cause of death among firefighters, accounting for approximately 32 percent of firefighter deaths. The City has approximately 1,687 firefighting staff ranging from firefighter recruit to the Fire Chief that may be eligible for these cancer screening services.

The initial assessment of an employee will consider the occupational risk of cancer to determine if a consultation is warranted. Appointments will be prioritized by occupational risk factors and employees at greater risk will be prioritized over those with less risk. Services include dermatology exams, low-dose CT scans, MRIs, ultrasounds, endoscopies, colonoscopies, blood draws and other testing to screen for cancers.

**Procurement Information**

A Request for Proposal procurement, RFP HR 21-020, was processed in accordance with City of Phoenix Administrative Regulation 3.10.

One vendor submitted a proposal deemed responsive and responsible. The Notice of Solicitation was emailed to 732 vendors registered in procurePHX. An evaluation committee of City staff evaluated the offer based on the following criteria with a maximum possible point total of 1,000.

Qualifications and Experience	0 - 350 points
Method of Approach	0 - 350 points
Pricing	0 - 300 points

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

Vincere Physicians Group                      930 points

A Best and Final Offer (BAFO) was conducted but a price reduction did not result.

**Contract Term**

The contract will begin on or about Jul. 1, 2022, for a five-year term.

**Financial Impact**

The aggregate contract value will not exceed \$15,000,000. Funding is available in the Human Resources department's operating budget.

**Responsible Department**

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



**Intergovernmental Agreement with Maricopa County for Telecommunications Facilities Site Sharing (Ordinance S-48624)**

Request to authorize the City Manager, or his designee, to extend the established Intergovernmental Agreement (IGA) No. 90036 with Maricopa County for continued shared use of telecommunication facilities, and the addition of a site specific supplemental agreement for a 10-year period with an option to extend for one additional 10-year period, at no cost, not to interfere basis. There is no financial impact to the City of Phoenix.

**Summary**

This IGA permits and supports sharing of telecommunication facilities owned and operated by the City of Phoenix (City) and/or Maricopa County. The City and Maricopa County both operate extensive telecommunication systems within the City and Maricopa County. Potential electronic sites are limited, and in order to avoid a proliferation of site development by a number of users, it is in the public's interest for both agencies to share those facilities that service a common good. The City and Maricopa County agree that sharing telecommunication facilities reduces duplication of efforts, is cost effective and improves service.

**Procurement Information**

In accordance with Administrative Regulation 3.10, IGA's are excluded and subject to Arizona Revised Statutes.

**Contract Term**

The City of Phoenix is exercising a 10-year option to extend through Jan. 31, 2032, with an option to extend for one additional 10-year period.

**Financial Impact**

There is no financial impact to the City of Phoenix.

**Responsible Department**

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



## **Oracle Software, Hardware, Support and Maintenance Contract (Ordinance S-48632)**

Request to authorize the City Manager, or his designee, to authorize additional expenditures under the Master Services Agreement 142562AR 2021 with Oracle America Inc. for the purchase of citywide products, services, software licensing, support and maintenance for the Information Technology Services (ITS) Department, in support of multiple departments' applications, databases, computing hardware, maintenance agreements and technologies. The additional expenditures will be for one year and will not exceed \$9.5 million including taxes. Further request to authorize the City Controller to disburse all funds related to this item.

### **Summary**

The City uses Oracle applications and technologies in multiple departments for various technology systems that are an integral part of the daily operations of the City. Oracle applications and technologies are used in several citywide critical systems, such as the Police Department's Records Management System, the Water Services Department's Customer Care and Billing system used for water and solid waste billing, the Human Capital Management system used for human resources and payroll functions, and the citywide Business Intelligence infrastructure. ITS has consolidated the management of agreements under the Master Services Agreement and works closely with departments on payments and to evaluate licensing, support, and maintenance for Oracle software in use by the City. ITS requests funding for continued support and maintenance on behalf of all City departments.

### **Contract Term**

The Master Services Agreement is valid for a five-year term, which will end on or about April 21, 2026. This funding is for multiple license and support agreements under the Master Services Agreement and is projected to cover one year of various renewals. Due to various end dates of agreements, and potential savings from license consolidations, this funding would be valid through the term of the Master Services Agreement.

### **Financial Impact**

Upon approval of \$9.5 million in additional funds, the revised aggregate value of the

contract will not exceed \$16,504,000. Funds are available in various departments' budget.

**Concurrence/Previous Council Action**

The Master Services agreement was originally approved by City Council on Feb. 17, 2021, through Ordinance S-47326.

**Responsible Department**

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





## **ARPA Phoenix Resilient Food System Programs - Enter into Agreements for Resilient and Sustainable Agriculture Grants (Ordinance S-48671)**

Request to authorize the City Manager, or his designee, to enter into individual agreements with: The Food Forest Cooperative; Society of St. Vincent de Paul; Maya's Farm; Creighton Community Foundation; YoBro Farms; and Recycled City LLC, to disburse funds for the Resilient and Sustainable Agriculture Grant program. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the federal government and is in the Phoenix Resilient Food System category of the strategic plan. There is no impact to the General Fund. The additional aggregate expenditures included in this amendment will not exceed \$245,000.

### **Summary**

In response to the COVID-19 pandemic, the Office of Environmental Programs (OEP) developed a food assistance plan to address the food needs of vulnerable populations and communities impacted by COVID-19. The plan provides: 1) access to healthy foods for impacted populations; 2) infrastructure assistance regarding transportation and delivery with a focus on home delivery; 3) support for food banks, food pantries and community agencies; 4) support for increased local food production; and 5) business and employment opportunities throughout the food system spectrum.

### **Resilient Food System**

#### **Resilient and Sustainable Agriculture Grant**

The Resilient and Sustainable Agriculture Grant will provide funds to five private and non-profit farms implementing projects accelerating the transition toward a resilient, sustainable, equitable, and thriving food system, as follows:

- The Food Forest Cooperative, located at Spaces of Opportunity, South Phoenix, will use the grant funds to strengthen and enhance the existing food forest by increasing their ability to grow and sell products and connect with community members. The grant funds will be used for a greenhouse, shade infrastructure, solar pump, water tank, signage, pathway supplies, stipends, and insurance;
- Society of St. Vincent de Paul will use the grant funds to install permanent seasonal shade structures over two existing South Phoenix urban farms that provide free

fresh food to food-insecure and low-income community members and people experiencing homelessness;

- Maya's Farm, a 3.3-acre farm in South Phoenix, will use the grant funds to increase efficiency by purchasing a tractor and soil amendments. Additionally, the farm will initiate an agroforestry project to increase shade and additional produce;
- Creighton Community Foundation's Ascension Urban Farm Project located in East-Central Phoenix addresses hunger and increases access to local food and nutrition. The grant funds will be used to support expansion of the existing food growing operation at a new 1.5-acre site at New Valley/Ascension Church by purchasing construction materials, farm startup supplies, tools, rentals, and funds for a Master Gardener;
- YoBro Farms, a small farm in West Phoenix, will expand its mushroom growing business by implementing an outdoor, solar-powered vertical mushroom farming system that will enhance resiliency and expand sustainable food production practices by purchasing photovoltaic supplies, a shed, air conditioning units, production and operations supplies, sales equipment, and materials; and
- Recycled City, LLC, a composting and farm in South Phoenix, will offer composting services and a fresh produce farm box for 38 weeks to 26 households located in food deserts in South Phoenix. This award is partial funding of the total request made by Recycled City due to the amount of funds that were available.

The grant awards were selected following criteria identified in the grant application and were evaluated by a panel consisting of City staff and external stakeholders.

### **Procurement Information**

Services may be procured, as needed, in accordance with Administrative Regulation 3.10 to implement and administer programs intended to prevent, prepare for, and respond to the COVID-19 pandemic.

### **Contract Term**

The term of the agreements will begin on or about June 1, 2022 to June 30, 2023. Agreements may be extended based on continuous need and available funding, which may be exercised by the City Manager, or his designee.

### **Financial Impact**

There is no impact to the General Fund. Funding is available through the City's allocation of ARPA funding received from the federal government and is in the Phoenix Resilient Food System category of the ARPA Strategic Plan approved by Mayor and Council.

The funding breakdown is as follows:

- Food Forest Cooperative - \$75,000;
- Society of St. Vincent de Paul - \$41,000;
- Maya's Farm - \$30,000;
- Creighton Community Foundation - \$35,000;
- YoBro Farms - \$49,000; and
- Recycled City, LLC - \$15,000.

**Concurrence/Previous Council Action**

The City Council approved the ARPA Strategic Plan on June 8, 2021.

**Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Office of Environmental Programs.



## **Transfer of Collections to Tribal Repositories and Museums**

Request authorization for the City Manager, or his designee, to transfer collections belonging to the Bureau of Indian Affairs and the former Phoenix Museum of History, along with the associated archival documentation, at the Pueblo Grande Museum to Tribal repositories or museums.

### **Summary**

Pueblo Grande Museum (Museum) is the archaeological repository for the City. The Museum has in its possession, collections belonging to the Bureau of Indian Affairs (BIA) and collections from the former Phoenix Museum of History. During Tribal consultation, the Museum received requests from the BIA, the Gila River Indian Community and the Salt River Pima-Maricopa Indian Community (SRP-MIC) to transfer the aforementioned collections to Tribal repositories or museums.

The Museum has held collections belonging to the BIA since 1939. Objects were collected, under a Department of the Interior permit, from lands within the borders of the Gila River Indian Reservation, Salt River Reservation and Gila Bend Indian Reservation. The BIA Solicitor has determined that ownership (or control) of these collections remains with the BIA. The BIA and the SRP-MIC have requested the Museum transfer these collections to a Tribal repository.

Collections from the former Phoenix Museum of History were transferred from the Arizona Science Center to the Museum in 2012 and 2013. These collections consist of approximately 600 artifacts, mostly from unknown archaeological sites. The majority of these objects have not been added to the Museum's permanent collection and less than 20 of these objects have been used for educational purposes.

The Parks and Recreation Department believes it is in the best interest of the objects, City, BIA and Tribes to transfer these collections to a Tribal repository or museum.

### **Financial Impact**

There is no impact to the General Fund.

**Concurrence/Previous Council Action**

This item was heard by the Community and Cultural Investment Subcommittee on May 4, 2022, and recommended for City Council approval by a vote of 4-0.

**Location**

Pueblo Grande Museum, 4619 E. Washington St.

Council Districts: 8

**Responsible Department**

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



**Special Event Cleaning Services - Requirements Contract IFB 22-013 (Ordinance S-48651)**

Request to authorize the City Manager, or his designee, to enter into contracts with Jani-Serv, Inc and S. Sarkissian Company, LLC to purchase Special Event Cleaning Services for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$125,000.

**Summary**

The City's Parks and Recreation Department hosts multiple events and parades throughout the year, including the Fabulous Phoenix 4th and APS Electric Light Parade. This contract will supply the labor and materials necessary for pre-event, during event and post-event cleaning services that includes parks, streets, neighborhoods, roadways and parking lots located within the surrounding event area, as well as fireworks display debris cleanup.

**Procurement Information**

IFB 22-013 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Procurement Division on April 15, 2022, which were evaluated on price, responsiveness to the specifications and responsibility to provide the required goods and services. The bid notification was sent to over 255 suppliers and was publicly posted and available for download from the City's website.

The Assistant Finance Director recommends that the offers from Jani-Serv, Inc and S. Sarkissian Company, LLC be accepted as the lowest priced, responsive and responsible offers.

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

**Contract Term**

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

**Financial Impact**

The aggregate contract value will not exceed \$125,000. Funds are available in the

Parks and Recreation Department's budget.

**Responsible Department**

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



## **Authorization to Issue Request for Proposals for Hermosillo Mexico Trade Development Consulting Services**

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for Hermosillo Mexico Trade Development Consulting Services.

### **Summary**

In 2019 with City Council authorization, the Community and Economic Development Department issued a solicitation and subsequently entered into a professional services contract for Mexico trade development representative services to position the City and its partners to be proactive, focused and committed to long term, bilateral and strategic economic engagement in and around Hermosillo, Mexico. Due to the City's focus on combating COVID-19 and its negative impacts in the community in 2020 and part of 2021, the City did not execute the contract for the trade services until Nov. 27, 2021. This contract expires on Nov. 26, 2022.

Mexico is recognized as the top trading partner for both the City of Phoenix and the State of Arizona. Mexico direct investments in Phoenix have increased exponentially in diverse sectors in recent years. The City has established a recognized leadership position in Mexico as it relates to key relationships and economic opportunity. Maintaining this leadership position requires a sustained effort to leverage the success to date, and position Phoenix for increased economic opportunity. The Phoenix Metro region has experienced record exports to Mexico, most recently totaling over \$11 billion in 2021. Active engagement with Mexico is important and necessary to further expand these exports, which will result in new job creation.

With approval, staff will issue an RFP for Hermosillo Mexico Trade Development Consulting Services to facilitate economic activity between Hermosillo and Phoenix. These services will focus on:

- Expanding the City's footprint in Hermosillo through the existing trade office.
- Developing and enhancing business to business connections between Hermosillo-based companies and companies operating in Phoenix.
- Fostering Phoenix business expansion connections for Hermosillo-based



companies seeking growth opportunities in the United States.

- Identifying perspective Phoenix investments from Hermosillo-based investors seeking both development investment opportunities and business ventures in the United States.

The successful proposer will also conduct outreach to support strong relationships between the City and local, state, and federal government agencies in and around Hermosillo Mexico.

It is anticipated the RFP will be open at least 30 days and will require each proposer and its primary consultant to have three years' experience providing Mexico trade development consulting services.

Responsive proposals will be evaluated by a panel based on the following evaluation criteria (1,000 possible points):

- Primary Consultant's Qualifications & Experience (0-300 points).
- Approach to Scope of Work (0-250 points).
- Proposer's Qualifications & Experience (0-250 points).
- Fees (0-200 points).

Staff will return to the Economic Development and Equity Subcommittee and full City Council for contract award approval. Should the new contract not be executed prior to the current contract's expiration of Nov. 26, 2022, staff requests authority to extend the current consultant's contract on a month-to-basis to ensure the Hermosillo office remains open and operational until the new contract is executed and operational.

Additionally, staff will return to City Council in the future with a separate action that outlines a plan for an additional office in Mexico City, among others.

### **Contract Term**

If approved, the contract term will be for a one-year term with four one-year renewal options that may be exercised by the City Manager or his designee.

### **Financial Impact**

There is no impact to the General Fund by this action.

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

On Dec. 10, 2019, City Council authorized staff to issue an RFP for Trade Development Services in Hermosillo and Mexico City to facilitate economic activity

between Mexico and Phoenix. On March 23, 2022 the Economic Development and Equity Subcommittee unanimously recommended approval of this item.

**Responsible Department**

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



**Authorization to Host a Familiarization Tour in 2023 with VisitPhoenix  
(Ordinance S-48635)**

Request authorization for the City Manager, or his designee, to enter into an agreement with VisitPhoenix for the coordination of a familiarization tour for national site selectors and developers during the time of the Super Bowl LVII in February 2023. Further request authorization for the City Controller to disburse funds related to this action. There is no General Fund impact from this action.

**Summary**

In the coming few years, Phoenix will be hosting several mega events including the Super Bowl and Final Four. To capitalize on the interest of these events, staff proposes to implement tours with national commercial real estate executives, developers, consultants, site selectors and real estate investment trusts. This effort will showcase Phoenix as a place to do business, a solid location for both new residential and commercial development, as well as a strong place to make significant capital investments and create jobs.

Economic development and location decisions by both real estate developers, and companies is fiercely competitive. These significant investments have a multitude of locations to select from when they are ready to make a national investment. To remain competitive, it is necessary for the City of Phoenix to showcase all that it has to offer which could result in new investment into the market and new jobs into Phoenix.

Staff proposes a familiarization tour to include up to 16 industry leaders and a guest, in a multi-day tour of Phoenix in February 2023. The program would include a presentation by city staff and our partners, an overall tour of Phoenix, tours of key buildings and sites, meetings with City dignitaries, attendance at the celebration events in Downtown Phoenix, and culminating with attendance at the Super Bowl game.

Hosting costs for this initiative will include: hotel accommodations in Downtown Phoenix, airfare and ground transportation, event tickets and reception costs.

Although not guaranteed, staff would expect to see a significant return on investment, over time for this program.

**Contract Term**

The contract will be for a term of one year with no extensions.

**Financial Impact**

The total cost for this agreement will be \$75,000. There will be no impact to the General Fund, funding is available and programmed in the Downtown Community Reinvestment Fund.

**Concurrence/Previous Council Action**

This item was unanimously approved by the Economic Development and Equity Subcommittee on March 23, 2022.

**Responsible Department**

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



### **Contract Extension with CO+HOOTS LLC to Continue Small Business Community Platform (Ordinance S-48653)**

Request to authorize the City Manager, or his designee, to extend a contract with CO+HOOTS LLC to continue PHXbizConnect, a technology-driven Small Business Community Platform, to support small businesses impacted by and recovering from the COVID-19 pandemic. Further request authorization for the City Controller to disburse all funds related to this item. There is no impact to the General Fund. Funding will not exceed \$265,500 and is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the federal government and is under the City's Small Business Workforce Program category.

#### **Summary**

In May 2020, City Council approved \$100,000 in federal Coronavirus Relief Funds to invest in a small business program to assist Phoenix businesses with their pandemic recovery efforts. On Nov. 4, 2020, City Council authorized a six-month contract with CO+HOOTS LLC to implement this program.

The Community and Economic Development Department (CEDD) and CO+HOOTS LLC launched PHXbizConnect by HUUB in March 2021. PHXbizConnect is a social media platform where business owners connect with like-minded business owners, ask questions, share successes, and find solutions to business related issues. The platform is available in both English and Spanish, streamlines support for small businesses in one central, virtual location and helps to boost the resilience of Phoenix small businesses.

In July 2021, City Council authorized a one-year \$295,000 contract extension that included a technical assistance consulting program to provide one on one consulting from business advisors. By April 2022, more than 580 businesses had registered on the platform. Eighty percent of these businesses have fewer than 10 employees; many are restaurants, retail shops and professional services providers. Marketing and sales are the highest need requested for technical assistance. Registered businesses have indicated PHXbizConnect has been vital in helping them navigate through the pandemic, connect to resources, learn new skills, find grants and grow their businesses.

The City's contract with CO+HOOTS LLC is due to expire on July 1, 2022. If approved, the proposed extension would begin in July 2022 and expire in one year. CO+HOOTS LLC will continue to provide reporting and performance metrics to CEDD to track assistance to Phoenix small businesses.

**Procurement Information**

CO+HOOTS LLC was selected through Alternative Competition based on its experience creating a similar program for the City of Mesa.

**Contract Term**

If approved, the proposed extension would begin in July 2022 and expire after one year.

**Financial Impact**

Funding to extend the Small Business Community Platform via CO+HOOTS LLC will not exceed \$265,500. There is no impact to the General Fund. Funding is available through the City's allocation of ARPA funds.

**Concurrence/Previous Council Action**

At the May 5, 2020 City Council Policy meeting, City Council approved \$100,000 to create a tool that would provide small businesses with expertise on key business topics, guidelines to assist with business recovery and on-demand solutions during this unprecedented time. On Nov. 4, 2020, City Council authorized staff to enter in a contract with CO+HOOTS LLC. On July 1, 2021, City Council authorized a contract extension for \$295,000 with CO+HOOTS LLC.

**Responsible Department**

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



**Amend City Contract No. 111 a Lease of City-owned Property at 723 W. Polk St with the American Legion Post No. 1 (Ordinance S-48654)**

Request to authorize the City Manager, or his designee, to amend City Contract No. 111, and any other agreements as necessary (Amendment), with the American Legion Post No. 1, a nonprofit service organization for military veterans (Legion), to extend the lease term for the Legion's use of City-owned property located at 723 W. Polk Street, also known as 364 N. 7th Avenue (Site). Further request authorization for the City Treasurer to accept funds related to this item. There is no expense impact to the General Fund as a result of this action. The lease extension will generate \$100 in annual revenue to the General Fund.

**Summary**

On Feb. 20, 1920, the City and Legion entered into a 99-year lease of the 1.7 acre Site for the purpose of creating a location and facility for the Frank Luke Jr. Post No. 1 of the American Legion. The lease agreement terminated on Feb. 20, 2019, pursuant to the terms of the contract. On Sept. 5, 2018, the City Council authorized an extension to the lease which terminated on Aug. 1, 2020; however, the amendment was never executed. On July 1, 2021 the City Council authorized an amendment to the lease to retroactively extend the Legion's term from Feb. 20, 2019 until August 1, 2022. Concurrently, the Community and Economic Development Department is negotiating the terms of a disposition and redevelopment agreement for the Site, pursuant to a Request for Proposal authorized by City Council on June 26, 2019.

This amendment will allow for month-to-month extensions of the lease on an as needed basis until the developer is prepared to act on the property and allows the Legion to remain undisturbed in their current location for as long as possible.

**Contract Term**

This Amendment will extend the lease term on a month-to-month basis, as needed, beginning Aug. 1, 2022, unless earlier terminated by the City.

**Financial Impact**

There is no expense impact to the General Fund as a result of this action. The Amendment will create a pro-rated annual lease payment of \$100 which will be

deposited into the General Fund.

**Concurrence/Previous Council Action**

Resolution 524, authorizing this contract, was passed by the Commission of the City of Phoenix on March 3, 1920. Ordinance S-44976, authorizing the first amendment, was passed by the City Council on Sept. 5, 2018, but the amendment was never executed. Ordinance S-47830, authorizing the retroactive amendment, was passed by the City Council on July 1, 2021.

**Location**

723 W. Polk Street (also known as 364 N. 7th Ave.)  
Council District: 7

**Responsible Department**

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





**Enhanced Municipal Services District Financial Analysis Services Informal Solicitation Contract Award (SOL-CED-21-FAS) (Ordinance S-48655)**

Request to authorize the City Manager, or his designee, to enter into a contract with Applied Economics, LLC for financial analysis services for the Enhanced Municipal Services District (EMSD). The total aggregate contract value will not exceed \$36,875. Funding is available in the Community Reinvestment Fund. Further request authorization for the City Treasurer to accept funds and the City Controller to disburse funds related to this item.

**Summary**

City Council authorized the formation of the Downtown EMSD in 1990 to provide enhanced public services, above and beyond the level of services provided in the remainder of the City. Costs for Downtown EMSD services are paid through assessments on property owners within the Downtown EMSD boundaries, between 3rd Avenue and 7th Street and from Fillmore Street to Buchanan Street. The City contracts directly with Downtown Phoenix, Inc. (DPI) to implement and provide services to the Downtown EMSD. The Downtown EMSD annual budget provides a variety of enhanced services in the downtown core, including business improvement services and overall business development. The Downtown EMSD reimburses the City for all expenses related to this contract.

In compliance with Title 48 of the Arizona Revised Statutes (ARS), the City requires financial analysis services that include assessment calculations based on property valuation data provided by the Maricopa County Assessor, the City and DPI. The data must be analyzed to determine the annual EMSD assessment for each property located within the Downtown EMSD. The assessment calculations are based on property type, usage, lot square footage, and linear square footage. The financial analysis services must also include an annual EMSD Assessment Diagram, based on the details described in the calculations. The diagram must also include property type, usage, lot square footage, building square footage, and linear square footage pursuant to ARS 47-575 (D).

**Procurement Information**

An informal solicitation, SOL-CED21-FAS, was issued on March 8, 2022 and

conducted in accordance with Administrative Regulation 3.10. The City received one responsive proposal from Applied Economics, LLC by the proposal deadline. Staff recommends moving forward with Applied Economics, LLC, the sole responsive proposer, for EMSD financial analysis services.

**Contract Term**

The initial term of the contract will be 18 months beginning on or about June 24, 2022, and will include three one-year renewal options.

**Financial Impact**

Estimated annual expenditure for the contract is approximately \$7,375, not to exceed \$36,875 over the span of the contract. There will be no impact to the General Fund; funding is available in the Downtown Community Reinvestment Fund and reimbursed to the City by the Downtown EMSD.

**Location**

Council District(s): 7 and 8

**Responsible Department**

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



**Authorization to Enter into Contract with the Greater Phoenix Economic Council (Ordinance S-48666)**

Request to authorize the City Manager, or his designee, to enter into a one-year contract with the Greater Phoenix Economic Council for Fiscal Year (FY) 2022-23 for business attraction and development services. Further request to authorize the City Controller to disburse all funds related to this item. The contract will not exceed \$798,306.

**Summary**

Greater Phoenix Economic Council's (GPEC) mission is to attract and grow quality businesses and advocate for Greater Phoenix's competitiveness. Its efforts include marketing the region, coordination of regional prospect proposals and real estate tours, domestic and international sales missions and other strategic activities resulting in business investment in the region.

The City of Phoenix 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 the per capita rate of \$0.4897, which is the same as last year, and is based on the most current population estimates from the Arizona Office of Economic Opportunity. The 2021 population estimate for Phoenix is 1,630,195. Based on this formula, the FY 2022-2023 contract amount is \$798,306, which will be shared equally by the Aviation, Public Works, Water Services, and Community and Economic Development (CED) departments.

GPEC specifically collaborates with CED every year to generate prospects and attract new business investment from outside the region. As of April 2022, GPEC has helped locate 38 companies to the region, expecting to create more than 8,628 jobs and make capital investments totaling more than \$2.9 billion. So far, 12 of those companies have chosen to locate in Phoenix.

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 170 private investors contribute resources to support GPEC's efforts.

**Contract Term**

The contract will begin on or about July 1, 2022 to June 30, 2023.

**Financial Impact**

The FY 2022-2023 contract amount is \$798,306, 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 April 27, 2022 meeting by a vote of 4-0.

**Responsible Department**

This item is submitted by Deputy City Managers: Mario Paniagua, Karen Peters and Ginger Spencer; and the Aviation, Public Works, Water Services and Community and Economic Development departments.



**\*\*\*ITEM REVISED (SEE ATTACHED MEMO)\*\*\* Authorization to Enter into Development Agreement and other Agreements with Concord Wilshire Capital, LLC for the Redevelopment of Metrocenter Mall and the Acquisition and Construction of Public Parking Garages (Ordinance S-48677)**

Request to authorize the City Manager, or his designee, to enter into a development agreement with Concord Wilshire Capital, LLC or its City-approved designee (Developer) for the redevelopment of the former Metrocenter Mall and the construction and acquisition of up to nine public parking garages, as well as a garage asset management agreement and other agreements as necessary. Further requests authorization for the City Controller to disburse funds related to this item.

**Summary**

Developer is under contract to purchase five parcels, totaling an estimated 79 acres, located at the former Metrocenter Mall located at 9817 N. Metro Pkwy. W (Site). Developer intends to demolish the former mall, which closed in June 2020 and redevelop the property transforming it into a mixed-use project (Project) supporting City redevelopment goals. Site is located in the North Mountain Redevelopment Area established by Council in 2014, which contemplates revitalization of the former mall. At full build-out, the project will contain an estimated 2,800 multi-family units, 383,000 square feet of retail & commercial space, a public greenspace and an estimated 5,786 parking spaces located in up to nine (9) parking garages throughout the Site. The Project is intended to be built in three (3) phases and at full-build-out will represent a total capital investment of \$935.9 Million.

The City recognizes the significant economic impact of the redevelopment, and has identified a need for public parking facilities to accommodate additional densities as authorized by the Planned Unit Development (PUD) approved by Council in 2016. To assist with the redevelopment, staff recommends the City enter into a Development Agreement (DA) with the Developer. The proposed DA shall contain the following business terms that have been negotiated by Staff and the Developer:

- Developer shall have six (6) months from Council authorization to enter into the DA and secure additional parcels to construct the Project. Any deviation to the parcels composing the Site and the resulting Project must be approved by the Community

and Economic Development Director.

- Developer shall finance, develop and construct all Project improvements and must comply with the applicable provisions of Title 34 of the Arizona Revised Statutes for any improvements proposed to be transferred to City ownership.
  - The Developer shall have the right to transfer parking garage assets constructed by Developer to City ownership once it has received a Certificate of Occupancy (CofO) and Developer has satisfied all environmental and real estate due diligence on each garage parcel to the City's satisfaction. Each garage will be built on the Site, but the exact locations of each garage parcel will be subject to further negotiation between the Developer and City staff.
  - Each parking garage asset, land and structure, has an estimated value of \$16.4 Million. City shall reimburse Developer the cost of construction, a commercially reasonable management fee of up to 4.5 percent, and the fair market value of the land as verified by a City-approved appraisal. City also may reimburse Developer for the cost to build a public greenspace and other City-approved public amenities, if Developer elects to make the greenspace and amenities publicly available and executes a public access easement or similar instrument to the City.
  - Upon transfer of the first garage of the Project, a Metrocenter Garage Revenue Fund shall be established to collect all user revenue. The fund shall be utilized to pay all annual operations and maintenance (O&M) costs as well as fund a capital reserve for long-term capital needs.
  - Each garage shall contain easement agreements with the property owners within the Site. Easements shall contain terms & conditions obligating properties who benefit from the easements to pay at least sufficient annual O&M and capital costs to operate and maintain each garage. These annual amounts shall be determined by an independent third-party feasibility analysis.
  - Upon the initial date of transfer to the City of first garage constructed through the agreement, the City shall dedicate 100 percent of the General Fund share of transaction privilege tax dollars (TPT) generated from the construction, lease, retail and other eligible transactions from the Project, as verifiable by the City, to the Garage Revenue Fund for a period of 25 years, from two geographies described below:
1. Project Site Area: Includes the Site location upon completion of each phase improvements as described above. Within the Project Site Area, 100 percent of the General Fund share of TPT generated from eligible activities will be dedicated to the Metrocenter Garage Revenue Fund for a period of 25 years from the completion of each garage. The term for each phase will begin upon completion of the phase and continue for a period of 25 years after, except that the initial phase shall also include the General Fund portion of TPT generated from the commencement of the

demolition of the existing mall. The eligible TPT generated by all phases is estimated at \$58.6 Million total over the term of the agreement. This amount includes an estimated \$3.43 Million of construction sales tax, which will be generated prior to the 25-year term, but will not be deposited into the Metrocenter Garage Revenue Fund until the Developer receives a CofO for a Parking Garage Asset.

2. **Benefited Area:** Bounded by 35th Avenue to the West, Peoria Ave. to the North, I-17 to the East and the Arizona Canal to the South. This area is designed to capture increased economic activity resulting from the Project, but beyond the boundaries of the Site. In this area, for a period of 25 years from the completion of the first phase, 100 percent of the General Fund share of TPT generated from eligible economic activity over and above the current baseline amount of TPT generated as of FY 2021-22 will be deposited into the Metrocenter Garage Revenue Fund. The total eligible TPT in this area is estimated at \$9.2 Million total over the 25-year period.
- Once annual O&M and capital requirements for all garages are satisfied, the City shall make an annual payment to the Developer for a period of not longer than 25 years for each phase in the amount of the TPT deposited into the Metrocenter Garage Revenue Fund plus the user generated revenue, less the O&M and capital expenses. The aggregate value of these payments shall not exceed the acquisition value of the garages. Any additional funds remaining in the Metrocenter Garage Revenue Fund after completion of the payments for the last garage would be the property of the City.
- Should the revenues pledged by the City from TPT collections and annual payments from the Garage Revenue Fund over the term of the DA not equal the acquisition cost for any garage or public amenity at the end of the applicable 25-year period, the City shall have no obligation to address any shortfall. The City's financial contribution is limited to these aforementioned sources.
- Developer shall have the option to enter into a management agreement with the City to manage the garages.
- Parking Garages shall be open to public and parking revenue generated by public parking, special event parking, surface parking revenue, etc., will be contributed towards the Metrocenter Garage Revenue Fund.
- Developer shall have the following construction performance benchmarks:
  1. Within twenty-four (24) months of signing the DA, Developer shall obtain demolition permits for the existing mall structure and receive the first building permit for the Project.
  2. Within eighteen (18) months of receiving the demolition permits, Developer shall complete the demolition and commence construction on the first phase of the Project.

3. Within forty (40) months of commencing construction on the first phase, Developer shall receive CofO for the first phase of the Project, which shall include the greenspace.
4. Following completion of the first phase, Developer shall have an additional forty (40) months to receive a CofO for the second phase of the Project and an additional forty (40) months thereafter to receive a CofO for the third phase in order to retain eligibility for any reimbursements. Any previously conveyed Parking Garages
  - Public access to the greenspace constructed adjacent to the future LRT Station shall be secured through a perpetual easement agreement with the Developer.
  - Developer will have a first right of refusal to purchase any garages from the City at fair market value at the conclusion of the 25-year reimbursement period.
  - The DA will include other terms and conditions as needed, and performance benchmarks may be modified at the .

Developer and the City are discussing the potential of the establishment of a Community Facilities District (CFD) to facilitate development of the Project. Should Developer intend to utilize a CFD, the Developer shall file an application with the City pursuant to Arizona Revised Statutes (ARS), title 48, chapter 4, article 6 (A.R.S. Sections 48-701 to 48- 724) and the City's CFD Financial Policy and Process Guidelines. Should the Developer file and complete the CFD application process, staff will review and an item will be placed on a future Council Agenda to request the formal creation of the CFD. Staff requests to collaborate with Developer on this application should the Developer select this option for the Project.

### **Project Timeline**

- Summer 2022 - Developer completes real estate transactions to acquire Site
- Winter 2023 (to Summer 2024) - Demolition of former Metrocenter Mall
- Early 2023 (to Late 2025) - Commence Construction of Phase 1
- Early 2025 (to Summer 2029) - Completion of Phase 1
- 2025 - 2027 (to Summer 2032) - Phase 2 Construction and Completion
- 2027 - 2029 (to Late 2035) - Phase 3 Construction and Completion
- 2029 (to Late 2035) - Completion of All Phases
- 2054 (to 2060) - End of City Reimbursement of Garage/Amenity Costs

### **Financial Impact**

The City's financial impact will be the contribution the General Fund share of TPT generated from the properties located within the Project Site and new sales taxes generated in the surrounding Benefited Area. Staff estimates the following TPT proceeds (General Fund portion only) to be generated and pledged to acquisition of the Garage Assets:



#### Project Area Generated TPT

An estimated total of \$58.6 Million for Project Area Generated TPT. The first phase is anticipated to receive a Certificate of Occupancy in FY 2024-25. Construction Sales Tax will be generated as early as FY 2022-23, but will not be reimbursed until CofO is received.

#### Benefited Area Generated TPT

An estimated total of \$9.2 Million.

The estimated TPT generated and pledged to the project from the above categories is \$67.8 Million.

Only revenue generated by the Project within the Project Site or the Benefited Area shall be used for reimbursements. No other City revenues beyond these two geographies and the revenue from the garages shall be utilized.

The Project is expected to generate \$89.4 Million in non-General Fund TPT Revenues over 25 years. Furthermore, the Project will be at the center of an important economic development opportunity that will create several thousand new jobs for the community.

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

This item was recommended for approval by the Economic Development and Equity Subcommittee on April 27, 2022 by a vote of 4-0.

#### **Public Outreach**

Staff and the Developer presented the Project to the North Mountain Village Planning Committee on April 20, 2022, a meeting of District 1 Residents on April 25, 2022, and a meeting of the Metro District Community Collaboration Group on April 27, 2022.

#### **Location**

9817 N Metro Pkwy N.  
Council District: 1

#### **Responsible Department**

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



## City of Phoenix

**To:** Ginger Spencer  
Deputy City Manager

**Date:** May 23, 2022

**From:** Christine Mackay  
Community and Economic Development Director

**Subject:** REQUEST TO AMEND ITEM 52 ON THE MAY 25, 2022, FORMAL AGENDA –  
AUTHORIZATION TO ENTER INTO DEVELOPMENT AGREEMENT AND  
OTHER AGREEMENTS WITH CONCORD WILSHIRE CAPITAL, LLC FOR THE  
REDEVELOPMENT OF METROCENTER MALL AND THE ACQUISITION AND  
CONSTRUCTION OF PUBLIC PARKING GARAGES (ORDINANCE S-48677)

The purpose of this memo is to add an additional term into file Item 52 and Ordinance S-48677, by adding the following sentence at the end of the Summary of terms section of this file.

City agrees that the PUD Zoning, including any amendments adopted subsequent to the date of the PUD, but prior to the City Council authorization of the Development Agreement are considered vested.

Approved:

  
\_\_\_\_\_  
Ginger Spencer, Deputy City Manager



## **Event Services Contracted Labor Contract - IFB 20-004 Request for Award (Ordinance S-48638)**

Request to authorize the City Manager, or his designee, to enter into contracts with On Target Staffing, L.L.C. and 3H Service Systems Inc. to provide contracted event services labor 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 contracts will not exceed \$4,000,000 over the term of the agreements.

### **Summary**

This contract provides temporary labor resources on an as-needed basis to support events at six separate venues including the West, North and South Convention Center Buildings, Symphony Hall, Orpheum Theatre and Herberger Theatre Center. This supplemental labor will provide general cleaning, event support, including set-up and take-down.

### **Procurement Information**

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

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

#### Selected Bidders

On Target Staffing L.L.C.

3H Service Systems Inc.

### **Contract Term**

The contracts will begin on or about July 1, 2022 for a 5-year term with no options to extend.

### **Financial Impact**

The aggregate value of both contracts will not exceed \$4,000,000. Funding is available

in the Phoenix Convention Center Department operating budget.

**Location**

Phoenix Convention Center, 100 N 3rd St., Phoenix AZ 85004.

Symphony Hall, 75 N. 2nd St., Phoenix AZ 85004.

Orpheum Theatre, 203 W. Adams St. Phoenix AZ 85003.

Herberger Theater Center, 222 E. Monroe St., Phoenix AZ 85004.

Council Districts: 7 and 8

**Responsible Department**

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



## **Edwards Fire Life Safety Systems Ordinance - Requirements Contract (Ordinance S-48646)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 148842 with Southwest Integrated Solutions to provide testing, inspection, and repair services for the Networked Edwards Fire Life Safety System for the Phoenix Convention Center Department (PCCD). Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$130,000.00.

### **Summary**

This contract provides annual testing, maintenance, and repair of the Edwards Fire Alarm System in Symphony Hall, Herberger Theater Center, Orpheum Theatre, Phoenix Convention Center South Building, Regency Garage, Heritage Garage, and East Garage. The current contract to replace discontinued smoke and duct detectors requires additional funding. Funds will also be used for requested projects and items including maintenance and repairs of the fire alarm system due to acts of nature, damage, or vandalism.

### **Contract Term**

The contract term is Dec. 1, 2018 through Nov. 30, 2023.

### **Financial Impact**

Upon approval of \$130,000.00 in additional funds, the revised aggregate value of the contract will not exceed \$430,000.00. Funds are available in the Phoenix Convention Center Department's budget.

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

The City Council previously reviewed this request on November 17, 2018:

Edwards Fire Life Safety Systems Contract 148842 (Ordinance S-45095)

### **Location**

Phoenix Convention Center, 100 N. 3rd St. and 33 S. 3rd St. Phoenix, AZ.  
Symphony Hall 75, N. 2nd St. Phoenix, AZ.

Herberger Theater, 22 E. Monroe St, Phoenix, AZ 85004.  
Orpheum Theatre, 203 W. Adams St. Phoenix, AZ 85003.  
Regency Garage, 40 N. 2nd St. Phoenix, AZ 85004.  
Heritage Garage, 123 N. 5th St. Phoenix, AZ 85004.  
East Garage, 601 E. Washington St. Phoenix, Az 85004.  
Council Districts: 7 and 8

**Responsible Department**

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



**Custodial Services Contract RFP 20-002 - Request for Award (Ordinance S-48660)**

Request to authorize the City Manager, or his designee, to enter into a contract with Universal Building Maintenance, LLC. dba Allied Universal Janitorial Services to provide custodial services 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 \$9,668,436.00

**Summary**

This contract will provide professional custodial services including labor, cleaning supplies, equipment and the necessary supervision to clean the Phoenix Convention Center facilities, Symphony Hall, Orpheum Theatre and the Herberger Theater Center. The PCCD campus encompasses more than two million square feet of interior space, which includes lobbies, restrooms, dining areas, audience chambers and dressing rooms that require cleaning before and after use. Since the onset of COVID-19, cleaning and sanitization standards have become a focal point for meeting planners and guests that attend conventions and events at the Phoenix Convention Center and Venues. This contract will replace the previous custodial services contract that was terminated as the vendor was unable to fulfill the terms of the agreement.

**Procurement Information**

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

**Contract Term**

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

**Financial Impact**

The aggregate contract value will not exceed \$9,668,436.00.

Funding is available in the Phoenix Convention Center Department operating budget.

**Location**

Phoenix Convention Center, 100 N. 3rd Street and 33 S. 3rd Street. Symphony Hall, 75 N. 2nd Street.

Orpheum Theatre, 203 W. Adams Street.

Herberger Theater Center, 222 E. Monroe Street.

**Responsible Department**

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





**Agreement with State of Arizona Department of Administration for 9-1-1 Program (Ordinance S-48626)**

Request authorization for the City Manager, or his designee, to authorize the Phoenix Fire Department to apply for, accept, and enter into an agreement with the State of Arizona Department of Administration Office of Grants and Federal Resources to receive a 9-1-1 grant not to exceed \$12,743,062. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

**Summary**

The Arizona Department of Administration requires 9-1-1 planning be done at a local level as referenced in the State of Arizona Administrative Code, Title 2, Chapter 1, Article 4 Emergency Telecommunications Services Revolving Fund (<https://aset.az.gov/administrative-code>). The State of Arizona Office of Grants and Federal Resources, Arizona 9-1-1 Program Office, has announced the availability of funds for the Arizona 9-1-1 Program to be distributed during FY 2023. Funding will be available for multiple grants and allocated to each System Administrator Agency to pay, on behalf of the Public Safety Answering Points (PSAP), 9-1-1 system costs and approved projects that support the goals of the Arizona 9-1-1 Program.

The System Administrator Agency for the 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 system. This authority is given through signed resolutions by Maricopa Association of Governments (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.

The 9-1-1 Grant funding would be used to support:

- 9-1-1 networking, telecom, and IP infrastructure.
- 9-1-1 related hardware, software, and maintenance equipment.
- 9-1-1 related services and support.
- Regional 9-1-1 Services section staffing.

**Procurement Information**

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

**Contract Term**

The grant Period of Performance is projected to begin on or around July 1, 2022 and end one year later.

**Financial Impact**

There is no cost to the City of Phoenix. All equipment, services, and personnel-related costs are reimbursed by the State of Arizona.

**Location**

The Phoenix Fire Department Regional 9-1-1 Services section provides 9-1-1 service, and related technical support, across the Valley.

**Responsible Department**

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



**Donation from Royal Palm Women's Club for Phoenix Fire Department  
Paramedic Restricted Fund (Ordinance S-48665)**

Request authorization for the City Manager, or his designee, to accept a donation of \$2,025 from the Royal Palm Women's Club for the Phoenix Fire Department Paramedic Restricted Fund. 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 turned down.

**Summary**

The Royal Palm Women's Club wishes to express their appreciation for the Phoenix Fire Department's service by donating \$2,025 to the Department. The donation will be used to fund training, equipment, and/or conferences related to paramedic certification.

**Contract Term**

There is no contract term associated with this donation.

**Financial Impact**

This donation does not require any matching funds. The funds will be used in accordance with City policies.

**Responsible Department**

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



**Phoenix Police Department Hiring Software (E-SOPH)-Requirements Contract EXC 22-057 (Ordinance S-48669)**

Request to authorize the City Manager, or his designee, to approve an adjustment to Ordinance S-48465 for Agreement EXC 22-057 with Miller Mendel, Inc. to include an exception to Phoenix City Code section 42-18. Further request authorization for the City Controller to disburse all funds related to this item. No additional funds are needed.

**Summary**

The Police Department requires this software, which will streamline background investigations of prospective applicants and electronic reference checks and will increase efficiencies when data is shared with the 11 Arizona law enforcement agencies that already use E-SOPH. This software allows the City to request and send applicant files to other law enforcement agencies to conduct file reviews. As the Police Department is currently experiencing significant staffing shortages, this new software will automate business processes, streamline case management and reduce applicant processing times.

For the waiver of Phoenix City Code section 42-18, the contract provisions include language regarding indemnification and limitation of liability that otherwise would not be permitted.

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

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived because of an approved Determination Memo, which noted the relevant software is a patented system and that Miller Mendel, Inc is the sole vendor able to provide the software.

**Contract Term**

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

**Financial Impact**

No additional funds are needed. The previously approved aggregate contract value will not exceed \$611,770. These funds are available in the Police Department's budget.

**Concurrence/Previous Council Action**

The contract was originally approved by City Council on April 6, 2022.

**Responsible Department**

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



**Ammunition Products Statewide - CTR043473(A) (Ordinance S-48644)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 150510 with Diamondback Police Supply Co, Inc. for the purchase of ammunition products statewide for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$400,000.

**Summary**

The Police Department's Special Assignment Unit and Training Bureau utilize Combined Tactical Systems (CTS) ammunition and less lethal products on a routine basis. The CTS products include flash bang diversionary devices, flash bang diversionary training device components, chemical de-escalation agents, smoke and less lethal impact products. The Advanced Less Lethal Pilot Program (ALLPP) was created to provide front-line officers with contemporary less lethal options for use in de-escalating dynamic encounters. The goal of the program is to equip officers with additional options to utilize during high stress incidents to help reduce violent encounters between police officers and community members. Additional funds are being requested to expand the program to two remaining precincts to assist in daily operations.

**Contract Term**

The contract term is June 26, 2019 through June 25, 2024.

**Financial Impact**

Upon approval of \$400,000 in additional funds, the revised aggregate value of the contract will not exceed \$825,000. Funds are available in the Police Department's budget.

**Concurrence/Previous Council Action**

The contract was originally approved by City Council on June 26, 2019. (Ordinance S-45871).

**Responsible Department**

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

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**Randox Laboratories-US Limited Liability Company - Requirements Contract  
EXC 22-074 (Ordinance S-48620)**

Request to authorize the City Manager, or his designee, to enter into a contract with Randox Laboratories-US Ltd. to purchase toxicology quality control materials and services for the Phoenix Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$344,508.

**Summary**

The contract will provide ultra-blood kits, ultra-blood controls, an evidence investigator analyzer and an annual maintenance package to ensure the ability to provide timely results to successfully support criminal investigations. The ultra-blood kits, ultra-blood controls and evidence investigator analyzer serve as the preliminary drug screening instruments for all blood specimens and can provide analysis of a large scope using a small sample volume. The Police Department's Toxicology Section of the Laboratory Services Bureau provides support for traffic, sexual assault and homicide investigations through analysis of biological samples for substances that influence human performance. Procuring Randox's instruments has ensured efficient and effective continuity of operations.

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated that Randox Laboratories US-Ltd. is the sole producer, manufacturer and authorized provider of the ultra-blood kits, ultra-blood controls, evidence investigator analyzer and annual maintenance services.

The Assistant Finance Director recommends that the contract with Randox Laboratories-US Ltd. be accepted.

**Contract Term**

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

**Financial Impact**

The aggregate contract value will not exceed \$344,508 and funds are available in the Phoenix Police Department's budget.

**Responsible Department**

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





**IBIS Brasstrax System Maintenance and Support Services - Requirements  
Contract - RFA 17-134A (Ordinance S-48627)**

Request to authorize the City Manager, or his designee, to extend and allow additional expenditures under Contract 145221 with Ultra Electronics Forensic Technology, Inc. for the purchase of Integrated Ballistic Identification System (IBIS) Brasstrax System for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$78,000.

**Summary**

This contract provides maintenance and support services for the IBIS Brasstrax System for the Phoenix Police Department Laboratory Services Bureau (LSB) and Violent Crimes Bureau (VCB). The LSB and VCB operate the IBIS Brasstrax System to collect data and access the National Integrated Ballistic Information Network (NIBIN) operated by the United States Bureau of Tobacco, Firearms, and Explosives (ATF). Ballistic evidence is entered into the IBIS Brasstrax System and the findings are compared against other captured ballistic exhibits stored in the NIBIN database which enables law enforcement to link weapons and casings to crime scenes and provide investigative leads throughout the State of Arizona. Extending the contract will allow additional time for a new solicitation to be developed.

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

**Contract Term**

Upon approval, the contract term will be extended through May 31, 2023.

**Financial Impact**

Upon approval of \$78,000 in additional funds, the revised aggregate value of the contract will not exceed \$369,500. Funds are available in the Police Department's budget.

**Concurrence/Previous Council Action**

This contract was originally approved by City Council on June 7, 2017 (Ordinance S-43613)

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**Responsible Department**

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



**\*\*\*REQUEST TO CONTINUE (SEE ATTACHED MEMO)\*\*\* Authorization to Enter into Agreement with Arizona Humane Society (Ordinance S-48672)**

Request to authorize the City Manager, or his designee, to enter into an agreement with the Arizona Humane Society (AHS) to provide shelter, appropriate veterinary care, and other necessary services for animals held in protective custody during the course of Phoenix Police Department operations. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of the contract will not exceed \$5,085,548.

**Summary**

The City lacks a suitable facility for sheltering animals and does not employ trained personnel who can provide appropriate veterinary care and other necessary services to animals held in protective custody. The non-competitive provision is necessary because the AHS is the only animal care organization in the Phoenix Metropolitan area that has the facilities and staff that can provide appropriate care and other necessary services to animals.

**Contract Term**

This agreement shall commence on July 1, 2022, and the term will be for five years.

**Financial Impact**

The estimated expenditure for FY 2022-23 shall not exceed \$833,000. The aggregate amount of the five-year contract shall not exceed \$5,085,548.

**Responsible Department**

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



## City of Phoenix

**To:** Lori Bays  
Assistant City Manager

**Date:** May 24, 2022

**From:** Jeri Williams  
Police Chief

**Subject:** REQUEST TO CONTINUE ITEM 62, AUTHORIZATION TO ENTER INTO AGREEMENT WITH ARIZONA HUMANE SOCIETY (ORDINANCE S-48672), FROM THE MAY 25, 2022 FORMAL AGENDA TO THE JUNE 15, 2022 FORMAL AGENDA

The Police Department requests approval to continue Item 62, Authorization to Enter into Agreement with Arizona Humane Society (Ordinance S-48672), from the May 25, 2022 to the June 15, 2022 Formal agenda in order to finalize program details.

Approved by:



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Lori Bays, Assistant City Manager



**Authorization to Enter into Agreement with U.S. Department of Agriculture for Police Services (Ordinance S-48673)**

Request to authorize the City Manager, or his designee, to allow the Police Department to enter into an agreement with the U.S. Department of Agriculture - Office of Inspector General (OIG) to reimburse the Police Department up to \$30,000 per-fiscal-year for police services. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

**Summary**

The purpose of this agreement is to receive reimbursement for police services associated with joint law enforcement operations, involving Supplemental Nutrition Assistance Program (SNAP) fraud. The goal is to identify and locate individuals and businesses involved in SNAP fraud, conduct investigations and effectuate prosecution. In turn, the OIG will reimburse for police overtime incurred in support of the investigations. The OIG will not reimburse for fringe benefits associated with the overtime, therefore, the City will incur that expense as an in-kind component.

**Contract Term**

From date of execution through Sept. 30, 2022.

**Financial Impact**

The U.S. Department of Agriculture - Office of Inspector General will reimburse the Police Department up to \$30,000 per-fiscal-year.

**Responsible Department**

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



**FY 2022 Law Enforcement Mental Health and Wellness Act Grant (Ordinance S-48674)**

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 U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), for the FY 2022 Law Enforcement Mental Health and Wellness Act Grant (LEMHWA) in an amount not to exceed \$175,000. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

**Summary**

The LEMHWA Grant provides funding to improve the delivery of and access to mental health and wellness services for law enforcement officers through the implementation of peer support, training, family resources, suicide prevention, and other promising practices for wellness programs. Good mental and psychological health is just as essential as good physical health for law enforcement officers to be effective in keeping our communities safe from crime and violence. The funds requested on this grant would be used for equipment to support a public safety officer coaching platform. Applications were due by April 29, 2022.

**Contract Term**

Two years beginning Sept. 1, 2022 through Aug. 31, 2024.

**Financial Impact**

The total funding request is \$175,000. No matching funds are required.

**Responsible Department**

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



Report

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Agenda Date: 5/25/2022, Item No. 65

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**FY 2023 Full Service Forensic Crime Laboratory Grant (Ordinance S-48676)**

Request to authorize the City Manager, or his designee, to allow the Police Department to apply for, accept, and enter into an agreement for state grant funds through the Arizona Criminal Justice Commission's FY 2023 Full Service Forensic Crime Laboratory grant program. Funding provided under this grant will not exceed \$500,000. 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's Laboratory Services Bureau has applied for and been awarded funds through this grant program for several years. The purpose of this grant is to improve the efficiency and effectiveness of the state's various full-service crime laboratories. If awarded, grant funding will be used to pay for overtime, related fringe benefits, travel/training, and equipment.

**Contract Term**

One-year beginning July 1, 2022 through June 30, 2023.

**Financial Impact**

The eligible funding amount is \$500,000. No matching funds are required.

**Responsible Department**

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



**Phoenix Sky Harbor International Airport Utility Vault Upgrade and Infield Paving - Construction Manager at Risk Preconstruction Services - AV08000074 (Ordinance S-48617)**

Request to authorize the City Manager, or his designee, to enter into an agreement with J. Banicki Construction, Inc. to provide Construction Manager at Risk Preconstruction Services for the Phoenix Sky Harbor International Airport Utility Vault Upgrade and Infield Paving project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$300,000.

**Summary**

The purpose of this project is to upgrade utility vaults and manholes across Phoenix Sky Harbor International Airport's south airfield by raising the City's airfield lighting vaults, replacing vault lids as necessary, adjusting the Federal Aviation Administration's utility and communication vaults, and grading the immediate area around them to improve drainage. The project will also include infield asphalt paving to ensure proper elevations and drainage in the infields to divert water runoff around the utility structures and minimize, if not eliminate, water intrusion within each vault. This project is necessary to improve drainage so water does not pond or infiltrate utility vaults; and reduce loose material that could become foreign object debris which could damage aircraft.

J. Banicki Construction, Inc. will begin in an agency support role for CMAR Preconstruction Services. J. Banicki Construction, Inc. will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

J. Banicki Construction, Inc.'s services include, but are not limited to: cost estimating; project planning and scheduling; assisting in the permitting process; providing alternate systems evaluation and constructability studies; providing long-lead procurement studies and initiating procurement of long-lead items; protecting the City's sensitivity to quality, safety, and environmental factors; and ensuring compliance with all federal, state, and local requirements for grant funded projects.



### **Procurement Information**

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

#### Selected Firm

Rank 1: J. Banicki Construction, Inc.

#### Additional Proposers

Rank 2: ViaSun Corporation

Rank 3: Ames Construction, Inc.

Rank 4: Rummel Construction, Inc.

Rank 5: William Charles Construction Company, LLC

### **Contract Term**

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

### **Financial Impact**

The agreement value for J. Banicki Construction, Inc. will not exceed \$300,000, including all subcontractor and reimbursable costs.

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

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

The City Council approved:

- CMAR Design Phase Agreement 142157 (Ordinance S-42335) on Feb. 17, 2016; and
- CMAR Construction Phase Agreement 142741 (Ordinance S-42612) on June 1, 2016; and
- CMAR Construction Phase Agreement 142741 - Amendment 1 (Ordinance S-45686) on June 5, 2019.

**Location**

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

**Responsible Department**

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



## **Visual Interpreting Services for Phoenix Sky Harbor International Airport (Ordinance S-48642)**

Request to authorize the City Manager, or his designee, to enter into a contract with Aira Tech Corp to provide visual interpretation services for individuals at Phoenix Sky Harbor International Airport who are blind or visually-impaired. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$50,000.

### **Summary**

The Aviation Department strives to provide a welcoming and inclusive experience for all its customers. This includes providing accessible accommodations for people with disabilities to support their independence while traveling or conducting business at Phoenix Sky Harbor International Airport. As part of this commitment to our customers, the Aviation Department has researched ways to expand offerings for those individuals who are blind or visually-impaired. After conducting research on options available, the Department is requesting to enter into an agreement with Aira Tech Corp (Aira) to provide visual interpretation services at the Airport.

Aira's service allows individuals to use their smartphones to connect with a specially trained professional agent. The agent uses the video from the customer's phone camera, optical character recognition, GPS and other data to provide visual descriptions to assist passengers with a variety of needs, including moving through crowds, avoiding obstacles, finding gates, using self-service kiosks and navigating through Transportation Security Administration checkpoints.

The Aviation Department will pay an annual fee for this service, making it free to all users at Phoenix Sky Harbor International Airport. The fee is arranged through an agreement with Aira to include unlimited minutes. The fee is based on airport size as defined by the Federal Aviation Administration. The rate for large hub airports is currently set at \$10,000 annually.

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

**Procurement Information**

In accordance with Administrative Regulation 3.10, a sole source Determination Memo was approved to contract with Aira. Aira is the sole source provider for this professional service for blind and visually-impaired customers.

**Contract Term**

The initial contract term is for one year, with four one-year options to extend for a five-year aggregate contract term at the sole discretion of the Aviation Director.

**Financial Impact**

The cost for services is estimated to be \$10,000 annually, or not to exceed \$50,000 for the five-year aggregate contract term.

Funding is available in the Aviation Department budget.

**Location**

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

**Responsible Department**

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



**Request Authorization to Submit Federal Transit Administration Low- or No-Emission Grant Program and Buses and Bus Facilities Grant Applications and Enter into Grant Agreements - Federal Bipartisan Infrastructure Law Funding (Ordinance S-48658)**

Request to authorize the City Manager, or the City Manager's designee, to submit applications to the Federal Transit Administration (FTA) for grant assistance from the FTA's Low- or No-Emission Program and Buses and Bus Facilities Program and to enter into an agreement with FTA to accept any grants awarded. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Funding for these grant opportunities is available through the Federal Bipartisan Infrastructure Law. The total grant funds applied for will not exceed \$16,362,600.

**Summary**

The City of Phoenix is the designated recipient of FTA grant funds for the Phoenix-Mesa Urbanized Area. The City is requesting grant funding from the Section 5339 Low - or No-Emission Program and Buses and Bus Facilities Program. Grants under these programs are provided for capital projects that: replace, rehabilitate, purchase, or lease buses (including zero- and low-emission transit buses) and related equipment; or rehabilitate, purchase, construct, or lease bus-related facilities. These programs support local and federal initiatives to build modern infrastructure and an equitable, clean-energy future.

The Public Transit Department will seek to utilize a combination of local-match and grant funding for the City's purchase of zero-emission bus technology (including battery electric and hydrogen-fuel-cell electric buses), spare parts, specialized tools, and infrastructure required to support the vehicles; as well as for workforce training needed to maintain the vehicles.

The grant submission will be a scalable request so that FTA may award grant funding for the purchase of either three, six or 18 zero-emission buses, and associated infrastructure and workforce training, depending on funding availability.

The FTA's application deadline is May 31, 2022.

**Financial Impact**

The maximum total grant request will not exceed \$16,362,600, with \$2,474,400 local match.

The local match portion will be a mixture of regional Public Transportation Funds (Proposition 400) and Public Transit Transportation 2050 (T2050) funds. Potential grant funding received is available through the Bipartisan Infrastructure Law.

**Responsible Department**

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



## **Request to Submit Annual Federal Transit Administration Grant Applications and Enter into Grant Agreements (Ordinance S-48675)**

Request to authorize the City Manager or his designee to: submit applications to the Federal Transit Administration for grant assistance; enter into agreements with the Federal Transit Administration for the purpose of accepting any grants awarded; and enter into agreements with any local governments and agencies receiving a pass-through share of the awarded grant funds. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The total of all grant funds in the application is \$433,753,791.

### **Summary**

The City of Phoenix is the designated recipient of Federal Transit Administration (FTA) grant funds for the Phoenix-Mesa Urbanized Area (UZA) and the direct recipient of FTA grant funds for the Avondale-Goodyear UZA. Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region. All projects are in the MAG-approved Transportation Improvement Plan (TIP) and the ADOT-approved State Transportation Improvement Plan (STIP). Grant funds directly allocated to Phoenix will be used to:

- Purchase replacement transit fleet vehicles;
- Perform preventative maintenance for vehicles and transit assets/systems; and
- Conduct program administration.

### **Financial Impact**

All grant funds to be sought in the applications total \$433,753,791. Within this total, Phoenix's direct allocation amounts to \$49,367,014, for which the matching funds of \$10,411,130 are available from the Transportation 2050 Plan and the Proposition 400 Public Transportation Fund in the Public Transit Department's Fiscal Year 2022-23 operating budget and five-year Capital Improvement Program for Fiscal Years 2022-23 through 2026-27.

The applications and total federal amounts by fund type are:

- FTA Section 5307 Phoenix-Mesa UZA Formula funding for capital, planning, and operating assistance projects benefiting the entire Phoenix-Mesa region:

\$75,652,370;

- FTA Section 5307 Avondale-Goodyear Urbanized Area Formula funding apportioned to the Avondale-Goodyear urbanized UZA: \$4,290,529;
- Federal Congestion Mitigation and Air Quality Improvements funding and Surface Transportation Block Grant Program funding transferred from the Federal Highway Administration to FTA for capital projects: \$24,806,264 and \$14,378,688;
- FTA Section 5339 Bus and Bus Facilities Formula funding to include capital projects benefiting the Phoenix-Mesa UZA: \$5,913,157;
- FTA Section 5337 State of Good Repair - High Intensity Motorbus Program funding to include capital projects benefiting the Avondale-Goodyear UZA: \$405,558;
- FTA Section 5337 State of Good Repair - High Intensity Motorbus Program funding to include capital projects benefiting the Phoenix-Mesa UZA: \$7,351,885;
- FTA Section 5337 State of Good Repair - Fixed Guideway Program funding to include capital projects benefiting the Phoenix-Mesa UZA: \$5,535,554;
- FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities funding to include capital projects benefiting the Phoenix-Mesa UZA: \$5,178,379;
- FTA Section 5309 Capital Investment Grant for New Starts Projects - Northwest Extension Light Rail Phase II: \$58,122,079; and
- FTA Section 5309 Capital Investment Grant for New Start Projects - South Central Extension/Downtown Hub: \$232,119,328.

**Responsible Department**

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





## **Holiday Decorations on Central Avenue Agreement (Ordinance S-48621)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Saguaro Summit, LLC doing business as Christmas Light Decorators for the annual installation and removal of holiday decorations on Central Avenue between Baseline and Camelback Road. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed \$290,000.

### **Summary**

The Public Works Department is responsible for the holiday decorations that are displayed on Central Avenue from the week of Thanksgiving through early January. This agreement will provide materials, installation, maintenance, and removal of the holiday decorations annually. The decorations are installed in an alternating combination of lit and unlit banners, skyline, and pole decorations along Central Avenue between Baseline and Camelback roads.

### **Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing unusual nature. Christmas Light Decorators have acquired decorations for the City and are familiar with the design and requirements, and have the proven quality necessary to provide this service.

### **Contract Term**

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

### **Financial Impact**

The aggregate value of the agreement, including all options years is \$290,000, including all applicable taxes, with an estimated annual expenditure of \$58,000.

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

**Location**

Central Avenue between Baseline and Camelback Roads

Council Districts: 4, 7 and 8

**Responsible Department**

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



**Programming Consulting Services for Budget Database Agreement (Ordinance S-48622)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Dredger & Associates, Inc. to purchase technical support and maintenance of the Operating and Capital Improvement Program Budget Databases on an on-call basis. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed \$800,000.

**Summary**

Public Works uses Operating and Capital Improvement Program (CIP) Budget databases to manage financial information. The purpose of this agreement is to provide ongoing technical support and maintenance of the databases on an as-needed basis. The services provided by Dredger & Associates, Inc. include responding to software and hardware related issues, generating customized reports and functions, and providing occasional training. These services are in support of a previous agreement in which the vendor installed, designed and built custom databases, and configured new databases to interface with the City's financial and budget systems. The budget databases are used by the Aviation, Parks and Recreation, Water Services, and Public Works departments' Fiscal staff to meet various needs for financial information.

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

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a determination memo citing that Dredger & Associates, Inc. is the sole source provider for the technical support and maintenance of the Operating and CIP Budget databases.

**Contract Term**

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

**Financial Impact**

The aggregate value of the agreement, including all option years, is \$800,000, including all applicable taxes, with an estimated annual expenditure of \$160,000.

Funding is available in the Aviation, Parks and Recreation, Water Services, and Public Works departments' budgets.

**Responsible Department**

This item is submitted by Mario Paniagua, Inger Erickson, and Karen Peters, and the Aviation, Parks and Recreation, Water Services, and Public Works departments.



## **Recycled Content Uniforms - RFQ 22-SW-047 - Requirements Contract (Ordinance S-48631)**

Request to authorize the City Manager, or his designee, to enter into a contract with International Corporate Apparel to provide high-visibility and standard uniforms created from post-consumer and sustainable material on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item over the life of the contract. The aggregate value of the contract will not exceed \$100,000.

### **Summary**

This contract is for purchase of uniforms made from post-consumer and sustainable materials. Solid Waste employees are required to wear uniforms while performing their job duties. The uniforms are made from post-consumer polyethylene terephthalate (PET) and Airlume combed, ring-spun cotton and recycled PET. The department is dedicated to reducing, reusing, recycling and being environmentally responsible. This contract will also allow for Public Works to explore alternative uniform samples that could help meet the sustainability goals and long-term vision of a sustainable uniform program.

### **Procurement Information**

Request for Quote, RFQ 22-SW-047, was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received one offer on March 28, 2022. This offer was determined to be responsive and responsible to the solicitation requirements.

The Procurement Officer evaluated the quote based on price, responsiveness to all specifications, terms and conditions and the responsibility to provide the required goods. Group One was evaluated on a quantity of one uniform by size small through 6XL, with an estimated annual quantity of 1,860. Groups Two and Three were evaluated on a quantity of 12 uniforms by size small through 3XL for both men and women.

International Corporate Apparel Inc.

Group One - Portwest: \$100.26

Group Two - Next Level Apparel: \$634.80

Group Three - Bella Canvas - \$1,167.24

**Contract Term**

The contract term will be for one year, beginning on or about June 1, 2022. Provisions of this contract include two options to extend to be taken in one-year increments.

**Financial Impact**

The total aggregate value will not exceed \$100,000 for the term of the contract including option years. The estimated annual expenditure of the contract is \$33,333.

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

**Responsible Department**

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



## **Purchase and Installation of Overhead Hoists and Crane - Contract Recommendation (Ordinance S-48636)**

Request to authorize the City Manager, or his designee, to enter into a contract with American Equipment, LLC for purchase and installation of a new hoist and crane system. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of \$82,413.

### **Summary**

The Public Works Department seeks to remove and replace an existing 10-ton overhead hoist and crane system with a new 10-ton hoist and crane to maintain operations. The current hoist and crane failed an equipment inspection and parts are no longer available to repair the system. The hoist and crane located at the Okemah Service Center is in high demand and used for fleet maintenance to remove and replace heavy duty equipment parts for the citywide fleet including solid waste refuse trucks.

### **Procurement Information**

Invitation for Bid (IFB) 22-FSD-046 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department reached out to 87 vendors, and received one bid that was evaluated on responsiveness and responsibility with the below bid for the cost of the hoist and crane system.

American Equipment, LLC: \$82,413

### **Contract Term**

This item will be for the one-time purchase of an overhead hoist and crane that will begin on or about Council approval on June 1, 2022.

### **Financial Impact**

This will be for the one-time purchase of an overhead hoist and crane with an aggregate amount of \$82,413.

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

**Location**

Okemah Service Center - 3828 E. Anne St.  
Council District: 8

**Responsible Department**

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





### **One-time Purchase of Hunter Elite Tire Balancer (Ordinance S-48640)**

Request to authorize the City Manager, or his designee, to enter into a contract with Arizona Automotive Equipment, dba Mohawk Automotive Lifts SW for purchase of one Hunter Elite Tire Balancer. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of up to \$25,571.

#### **Summary**

The Public Works Department repairs and maintains fire apparatus equipment used by the Phoenix Fire Department. This tire balancer will be used to ensure proper tire balance on equipment such as fire pumper trucks and ladder trucks. This balancer will help identify potential balance problems with tires, which could reduce wear on tire treads.

#### **Procurement Information**

Request for Quote (RFQ) was conducted in accordance with Administrative Regulation 3.10. The Public Works Department reached out to 118 vendors, and received three responsive and responsible quotes. The vendors below were evaluated based on price, responsiveness, and responsibility with Mohawk Automotive Lifts SW being recommended for award:

##### Offeror Selected for Award

Mohawk Automotive Lifts SW: \$25,570.07

##### Additional Offerors

NAPA Auto Parts: \$26,263.73

OGMIS Group: \$30,139.24

#### **Contract Term**

This contract will be for one-time purchase of a Hunter Elite Tire Balancer that will begin on or about June 1, 2022.

#### **Financial Impact**

This item will have an aggregate amount of up to \$25,571.

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

**Location**

Fleet Services Fire Operations Service Center - 2625 S. 19th Ave.

Council District: 8

**Responsible Department**

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



## **Exhaust System Maintenance Agreement (Ordinance S-48656)**

Request to authorize the City Manager, or his designee, to enter into an agreement with K.M. Facility Services, LLC, to provide exhaust system maintenance and repair services at the solid waste transfer stations on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to the item. The total value of the agreement will not exceed \$250,000.

### **Summary**

The Public Works Department is responsible for maintenance and repairs of the exhaust systems at the solid waste transfer stations. This service is necessary to ensure the rooftop exhaust fans at the 27th Avenue and North Gateway Transfer Stations are clean and in proper working order. These critical systems provide proper ventilation at these locations for the health and safety of employees and the public. Maintaining these systems also helps minimize equipment failure, costly repairs, and an unsafe work environment at these facilities.

### **Procurement Information**

Invitation for Bid 23-FMD-011 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Public Works Department on March 30, 2022. The offer was evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offer submitted by K.M. Facility Services, LLC is deemed to be fair and reasonable. The following bid was submitted for as-needed maintenance and repair services at the solid waste transfer stations.

K.M. Facility Services, LLC: \$48,816

### **Contract Term**

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

### **Financial Impact**

The aggregate value of the agreement, including all option years is \$250,000,

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including all applicable taxes, with an estimated annual expenditure of \$50,000.

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

**Location**

North Gateway Transfer Station - 30205 N. Black Canyon Hwy.

27th Avenue Transfer Station - 3060 S. 27th Ave.

Council Districts: 2 and 7

**Responsible Department**

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



## **Test and Balance Services Agreement (Ordinance S-48662)**

Request to authorize the City Manager, or his designee, to enter into separate agreements with Arizona Air Balance Company and Omega Test & Balance, LLC, for test and balance services on heating, ventilation, and air conditioning (HVAC) systems in City-owned facilities. Further request to authorize the City Controller to disburse all funds related to this item. The total aggregate value of the agreements will not exceed \$750,000.

### **Summary**

The Public Works Department is responsible for maintaining HVAC systems and equipment in City-owned facilities. The test and balance services help ensure proper airflow and heat transfer throughout the system. Testing and balancing HVAC systems will help the heating and cooling equipment to operate more efficiently and improve the comfort of personnel in the facilities. These services will also help provide improved energy efficiency and performance while minimizing costly repairs.

### **Procurement Information**

Invitation for Bid 23-FMD-012 was conducted in accordance with Administrative Regulation 3.10. Two offers were received by the Public Works Department Procurement Services Division on April 6, 2022. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offers submitted by Arizona Air Balance Company and Omega Test & Balance, LLC were deemed fair and reasonable.

Arizona Air Balance Company: \$16,725 bid total  
Omega Test & Balance, LLC: \$11,655 bid total

### **Contract Term**

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

### **Financial Impact**

The aggregate value of the agreements, including all option years, is \$750,000,

including all applicable taxes, with an estimated annual expenditure of \$150,000.

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

**Responsible Department**

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



## **Roof Anchorage Annual Inspections and Repairs Agreement (Ordinance S-48663)**

Request to authorize the City Manager, or his designee, to enter into an agreement with ECS Southwest, LLP for roof anchorage annual inspections and repair services on City-owned facilities. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed \$162,500.

### **Summary**

The Public Works Department is responsible for maintaining the roof anchorage systems on City-owned facilities. Roof anchorage systems are installed on high-rise buildings that are above 75 feet to allow workers to safely perform essential maintenance, repairs, and cleaning operations on the exterior of the buildings. These services will provide annual inspections and necessary repairs to these systems to ensure the systems do not have any deficiencies that may reduce their carrying capacity. The Phoenix Convention Center is responsible for ensuring annual inspections, repairs, and maintenance of the roof anchorage system on its facilities.

### **Procurement Information**

Invitation for Bid 23-FMD-009 was conducted in accordance with Administrative Regulation 3.10. Two offers were received by the Public Works Department Procurement Services Division on March 30, 2022. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offer submitted by ECS Southwest, LLP was deemed fair and reasonable.

ECS Southwest, LLP: \$11,500 bid total

### **Contract Term**

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

### **Financial Impact**

The aggregate value of the agreement, including all option years, is \$162,500,

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including all applicable taxes, with an estimated annual expenditure of \$32,500.

Funding is available in the Phoenix Convention Center and Public Works department's budgets.

**Location**

Phoenix City Hall - 200 W. Washington St.

Municipal Court - 300 W. Washington St.

Burton Barr Library - 1221 N. Central Ave.

Desert Broom Library - 29710 N. Cave Creek Road

100 West Washington Building - 100 W. Washington St.

Phoenix Convention Center - 100 N. 3rd St.

Council Districts: 2 and 7

**Responsible Department**

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





**Intergovernmental Agreement with City of Peoria for Processing Recyclable Materials - Amendment (Ordinance S-48670)**

Request to authorize the City Manager, or his designee, to execute an amendment to Intergovernmental Agreement 149287 with the City of Peoria, to accept an additional infrastructure investment from the City of Peoria for the North Gateway Transfer Station Material Recovery Facility equipment upgrade and provide for credits for the investment. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The additional funding received in this amendment will not exceed \$200,000.

**Summary**

The purpose of this amendment is to update the terms of the Intergovernmental Agreement (IGA) in consideration of City of Peoria's \$200,000 investment for the North Gateway Transfer Station Material Recovery Facility (MRF) equipment upgrades. With Peoria's investment, in a market with low commodity prices, the City of Phoenix will credit the portion of processing fees owed by the City of Peoria up to a maximum of \$200,000 over the term of the IGA. The City of Peoria pays the City of Phoenix for each ton of recyclables accepted and processed at the MRFs. The processing fee per ton that Peoria pays applies a blended rate per ton shipped from the City of Phoenix MRFs to different commodity brokers.

**Contract Term**

The IGA term will remain unchanged, ending on Dec. 31, 2023.

**Financial Impact**

This amendment is not adding any new expenses. Actual fees and revenues from this IGA and amendment may be higher or lower depending on recycling tonnage collected and commodity sales.

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

**Concurrence/Previous Council Action**

The City Council approved IGA 149287 (Ordinance S-45286) on Jan. 9, 2019.

**Location**

North Gateway Material Recovery Facility - 30205 N. Black Canyon Hwy.

27th Avenue Material Recovery Facility - 3060 S. 27th Ave.

Council Districts: 2 and 7

**Responsible Department**

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



**Apply for Highway Safety Improvement Program Funding for Road Safety Improvement Projects in Federal Fiscal Years 2024-25 and 2025-26 - Federal Bipartisan Infrastructure Law Funding**

Request to authorize the City Manager, or his designee, to apply for, accept and if awarded, enter into agreements for federal funding from the Highway Safety Improvement Program through the Arizona Department of Transportation for road safety improvement projects. If awarded, the funding will be used to construct a new traffic signal at one intersection and improve traffic signal visibility at eight intersections. Further request to authorize the City Treasurer to accept, and the City Controller to disperse, all funds related to this item. Funding for these grant opportunities is available through the Federal Bipartisan Infrastructure Law. The total grant funds applied for will not exceed \$6 million.

**Summary**

The Arizona Department of Transportation (ADOT) is soliciting applications for the Highway Safety Improvement Program (HSIP) for improving road safety. On Feb. 28, 2022, ADOT announced a Call for Projects for the Federal Highway Administration's HSIP for two fiscal years. The City is eligible to compete for up to \$24 million in federal funding available for Federal Fiscal Year (FFY) 2024-25 and up to \$35 million for FFY 2025-26. The Street Transportation Department will submit three applications for the HSIP funding opportunity to construct a new traffic signal at one intersection (43rd and Missouri avenues) and improve traffic signal visibility at eight intersections (43rd Avenue and Thunderbird Road, 53rd Avenue and Indian School Road, 43rd Place and Broadway Road, Jesse Owens Parkway and Baseline Road, 52nd Street and McDowell Road, 7th Street and McDowell Road, Cave Creek Road and Greenway Parkway, and 27th Avenue and McDowell Road). Traffic signal visibility improvements at the eight intersections will include yellow flashing arrows for left-turn movements, additional traffic signal heads for each through lane, and additional intersection lighting.

The Street Transportation Department aims to pursue federal funding whenever solicitations are made by ADOT that align with the City's transportation goals and objectives. This recent ADOT Call for Projects is an opportunity to leverage City dollars while increasing the City's ability to complete more transportation related projects that

enhance the community. This program funding has its own competitive review and ranking process managed by ADOT.

Between now and the application due date of Aug. 1, 2022, staff will continue to refine the locations, costs, and scope of each grant submittal to be competitive with other local regional submittals.

### **Financial Impact**

The maximum federal participation rate is 94.3 percent with a minimum local match of 5.7 percent of the total construction cost. The funding covers construction only and does not cover any design, environmental studies, or other federal clearances that are required as a part of the federal delivery process. The total costs for the projects are approximately \$11 million of which \$6 million is eligible for the HSIP federal funding. Of the remaining \$5 million, the City's costs will be approximately \$500,000 for the HSIP federal match and \$4.5 million for non-HSIP eligible costs.

Funding is available in the Street Transportation Department's Capital Improvement Program budget. Potential grant funding received is available through the Federal Bipartisan Infrastructure Law.

### **Location**

43rd and Missouri avenues, 43rd Avenue and Thunderbird Road, 53rd Avenue and Indian School Road, 43rd Place and Broadway Road, Jesse Owens Parkway and Baseline Road, 52nd Street and McDowell Road, 7th Street and McDowell Road, Cave Creek Road and Greenway Parkway, and 27th Avenue and McDowell Road.

### **Responsible Department**

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



**Citywide General Construction Job Order Contract Services - Amendment - 4108JOC178 (Ordinance S-48616)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 149740 with DL Norton General Contracting, Inc. to provide \$2.9 million in additional General Construction Job Order Contracting Services, and to authorize execution of a Job Order Agreement in an amount up to \$8.9 million for the Replace Phoenix City Hall Sanitary Sewer Lines and Repair Roof Drain System project. Further request to authorize execution of amendments to Master Agreement 149740 as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed \$2.9 million.

**Summary**

The purpose of this project is to replace the sanitary waste and vent piping and provide re-sloping of storm drain piping at Phoenix City Hall (City Hall).

In 2018, a consultant was hired to perform an assessment at City Hall which resulted in recommendation of a full system replacement to avoid a potential widespread system failure. In 2019, the same consultant was hired to complete design through its Engineering On-Call contract. In August 2020, staff pursued the specialized design and construction expertise of DL Norton General Contracting, Inc. under an existing Job Order Contract (JOC), to provide pre-construction services which included working with the design consultant to prepare final construction drawings, prepare a construction schedule which projected a timeline of 12 months for completion, and a cost estimate for construction.

Due to the complexity of the project, impact and coordination required to work with multiple departments residing in City Hall, as well as the security and logistical requirements of working within City Hall, it is imperative that the City use a contractor that can meet these requirements. DL Norton Contracting, Inc. has assembled a specialized team of subcontractors, all of which have a vast knowledge and familiarity with the existing conditions.

Use of a JOC construction services contract allows the City to address the timeline requirements and specialized aspects of the project. To ensure DL Norton Contracting, Inc.'s contract has sufficient capacity for replacement of the sanitary sewer line and roof drain repair project, staff recommends increasing the JOC contract capacity and spending authority of DL Norton Contracting, Inc.'s current JOC by an additional \$2.9 million to complete this project. This amendment will allow for issuance of a job order agreement to DL Norton Contracting, Inc. for an amount not to exceed \$8.9 million for the City Hall replacement of sanitary sewer lines and repair of the roof drain system.

This amendment is necessary because funding for this project was phased between Fiscal Year 2021 and Fiscal Year 2022. Due to the phased funding approach, work remains to be completed and the cost of construction industry-wide has increased at an unprecedented rate. Cost increases in commercial construction have averaged between 20 percent to 35 percent for materials and five percent to 15 percent for labor. Currently \$6 million in contracts have been executed to lock in pricing and control further escalation. Remaining competitive bids have been received that will be used to execute the remaining \$2.9 million of the project and avoid further cost increases.

### **Contract Term**

The term of the agreement will not change. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

### **Financial Impact**

- The initial master agreement for Job Order Contracting Services was approved for an amount not to exceed \$10 million, including all subcontractor and reimbursable costs.
- An amendment increased the master agreement by an additional \$4 million, for a new total amount not to exceed \$14 million, including all subcontractor and reimbursable costs.
- This amendment will increase the master agreement by an additional \$2.9 million, for a new total amount not to exceed \$16.9 million, including all subcontractor and reimbursable costs.

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

**Concurrence/Previous Council Action**

The City Council approved:

- Master Agreement 149740 (Ordinance S-45604) on May 1, 2019; and
- Master Agreement 149740 Amendment (Ordinance S-47546) on May 19, 2021.

**Responsible Department**

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



### **Grant Writing Consulting - On-Call Services (Ordinance S-48623)**

Request to authorize the City Manager, or his designee, to enter into separate agreements with the six consultants listed below, to provide Grant Writing Consulting On-Call Services citywide related to the federal Infrastructure Investment and Jobs Acts, also called the Bipartisan Infrastructure Law, as well as other grant opportunities. 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 an aggregate value of \$3 million.

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

### **Summary**

The On-Call consultants will be responsible for providing On-Call Grant Writing Consulting services that include, but are not limited to: reviewing grant application guidelines and identifying tasks to be completed, by whom, and by what dates; establishing deadlines for completing 1) the initial grant application for City staff's review, and 2) the revised draft grant application reflecting City staff's edits; conducting necessary research, such as population statistics or demographic information, and other relevant data to support the grant application; ensuring all grant application requirements are met; and preparing and submitting the final grant application documentation to City staff prior to the grant application deadline in accordance with the established timeline.



### **Procurement Information**

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

#### Selected Firms

Rank 1: HDR Engineering, Inc.  
Rank 2: Hazen and Sawyer, P.C.  
Rank 3: Y.S. Mantri & Associates LLC  
Rank 4: Wilson & Company Inc.  
Rank 5: Ayres Associates Inc.  
Rank 6: LSI Business Development, Inc.

#### Additional Proposer

Rank 7: iParametrics, LLC

### **Contract Term**

The term of each agreement is up to five years, or up to \$3 million aggregate, whichever occurs first. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

### **Financial Impact**

The agreement value for the On-Call consultants will not exceed \$3 million aggregate, including all subconsultant and reimbursable costs. The total fee for all services will not exceed an aggregate value of \$3 million.

Funding is available in the Citywide Departments' Capital Improvement Program and Operating budgets. The Budget and Research Department will review and approve funding availability prior to issuance of any On-Call task order of \$100,000 or more. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

### **Responsible Department**

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



**Barricade Stock Type I and Vertical Panels - Requirements Contract- IFB 22-092 (Ordinance S-48628)**

Request to authorize the City Manager, or his designee, to enter into a contract with Construction Guide, LLC to purchase Barricade Stock - Type I and Vertical Panels for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate value will not exceed \$150,000.

**Summary**

This contract is for the purchase of barricades, equipment, parts and accessories utilized by the Street Transportation Department in maintaining the City's roadways. Barricades assist with the traffic flow during area maintenance in the roads and rights-of-way citywide. In addition, this contract will supply the ancillary equipment and replacement parts necessary to maintain safety and traffic flow throughout the City.

**Procurement Information**

IFB 22-092 was conducted in accordance with Administrative Regulation 3.10. There was one offer received by the Procurement Division on March 16, 2022 which was evaluated on responsiveness to the specifications and responsibility to provide the required goods and services. The bid notification was sent to over five hundred suppliers and was publicly posted and available for download from the City's website.

The price was determined to be fair and reasonable compared to other contracts and market research. The Assistant Finance Director recommends that the offer from Construction Guide, LLC be accepted as the responsive and responsible offer.

**Contract Term**

The five-year contract term will begin on or about May 25, 2022.

**Financial Impact**

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

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

**Responsible Department**

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



**Deer Valley Airport Precision Approach Path Indicator System Upgrade - Design-Bid-Build Services - AV31000091 ADOT (Ordinance S-48637)**

Request to authorize the City Manager, or his designee, to accept Rural Electric, Inc. as the lowest-priced, responsive and responsible bidder, and to enter into an agreement with Rural Electric, Inc. for Design-Bid-Build Services for the Phoenix Deer Valley Airport System Upgrade project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed \$725,895.

**Summary**

The purpose of this project is to upgrade existing two-box Precision Approach Path Indicators (PAPI) at Deer Valley Airport to four-box LED PAPIs.

Rural Electric, Inc.'s services include, but are not limited to: demolition of the existing PAPI systems, purchase, install and flight check support of new four-box LED PAPI systems on both ends of both runways, for a total of four complete PAPI systems; replacement of existing power cabling and transformers from the lighting vault to each site location; conduit and duct banks necessary to complete the installation and facilitate the proper operation of the new systems, and other work as required for a complete project.

**Procurement Information**

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Three bids were received on April 12, 2022 and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Disadvantaged Business Enterprise (DBE) program requirements.

The Opinion of Probable Cost and the two lowest responsive, responsible bidders are listed below:

Opinion of Probable Cost: \$794,906

Rural Electric, Inc.: \$725,895

Vellutini Corporation: \$1,027,777

Bidders who were deemed non-responsive are listed below, in alphabetical order:  
Utility Construction Company, Inc.

The bid award amount is within the total budget for this project.

### **Contract Term**

The term of the agreement is 365 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

### **Financial Impact**

The agreement value for Rural Electric, Inc. will not exceed \$725,895, including all subcontractor and reimbursable costs.

This project is receiving Arizona Department of Transportation grants and is subject to the requirements of 49 Code of Federal Regulations Part 26 and the U.S. Department of Transportation DBE program. Funding is available in the Aviation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

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

The City Council approved:

- Engineering Services Agreement 152896 (Ordinance S-46895) on Sept. 2, 2020; and
- Engineering Services Agreement 152896 Amendment (Ordinance S-48352) on Feb. 16, 2022.

### **Location**

Deer Valley Airport - 702 W. Deer Valley Road  
Council District: 1

### **Responsible Department**

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



**2021 Local Drainage Mitigation Program - Engineering Services - ST83140125 (PW27070001) (Ordinance S-48643)**

Request to authorize the City Manager, or his designee, to enter into separate agreements with the three consultants listed below, to provide Engineering Services that include completing a study, final design, environmental services, post-design services, and possible construction administration and inspection services for the 2021 Local Drainage Mitigation Program. 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 \$2.93 million.

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

**Summary**

The purpose of this project is to complete several priority flood control projects by mitigating localized drainage issues caused by existing surrounding topography, and designing the solution to address the drainage.

The Engineering Consultant's services include, but are not limited to: complete updated drainage reports if the studies were completed more than five years ago, prepare final construction plans, National Environmental Protection Agency assessment reports, associated specifications, engineering estimates, public involvement services, provide post-design assistance with the construction bid selection process, and possible construction administration and inspection services.

The team will also be expected to provide data collection information, topographic surveying, utility investigation for conflict identification and relocations, geotechnical testing, and preparing proper documents for right-of-way acquisition and temporary construction easements, if necessary.

### **Procurement Information**

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

#### Selected Firms

Rank 1: AZTEC Engineering Group, Inc.

Rank 2: Ritoch-Powell & Associates, an Ardurra Company

Rank 3: Wood, Patel & Associates, Inc.

#### Additional Proposers

Rank 4: AECOM Technical Services, Inc.

Rank 5: Michael Baker International, Inc.

Rank 6: J2 Engineering and Environmental Design, LLC

Rank 7: Entellus, Inc.

Rank 8: Coe and Van Loo II, LLC

Rank 9: Wilson & Company, Inc. Engineers & Architects

### **Contract Term**

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

### **Financial Impact**

- The agreement value for AZTEC Engineering Group, Inc. will not exceed \$1,078,500, including subconsultant and reimbursable costs.
- The agreement value for Ritoch-Powell & Associates, an Ardurra Company will not exceed \$930,000, including subconsultant and reimbursable costs.
- The agreement value for Wood, Patel & Associates, Inc. will not exceed \$921,500, including subconsultant and reimbursable costs.
- The total fee for all services will not exceed \$2.93 million, including subconsultant and reimbursable costs.

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

**Public Outreach**

Public outreach will be completed by each firm through information dispersal to community stakeholders as needed for feedback.

**Responsible Department**

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Public Works and Street Transportation Departments, and the City Engineer.





## **IT Consulting and Programming Services - RFP 63-0026 - Amendment (Ordinance S-48652)**

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 145512 with CyberTech Systems and Software, Inc., to provide additional funding and time to the contract. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed \$715,000.

### **Summary**

The purpose of this amendment is to provide the necessary time to explore other options and complete the solicitation process for a new contract. The amendment will allow the continued use of three IT contract programmers to support critical business applications, and to provide programming support for several other functions. The request to extend the term and for additional funding is required to continue to provide contracted information technology programmers who have an in-depth knowledge of Street Transportation's applications, including an IT consultant dedicated to working on T2050 projects. A month-to-month agreement is requested for up to one year with CyberTech Systems and Software, Inc.

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

### **Contract Term**

This amendment will extend the end date of the contract term, on a month-to-month basis from June 30, 2022 through June 30, 2023.

### **Financial Impact**

The initial authorization for Contract 145512 was for an expenditure not-to-exceed \$2.5 million. An amendment increased the authorization for the contract by \$1,192,000. This amendment will increase the authorization for the contract by an additional \$715,000, for a new total not-to-exceed contract value of \$4,407,000.

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

**Concurrence/Previous Council Action**

The City Council approved:

- IT Consulting and Programming Services Contract 145512 (Ordinance S-43571) on May 31, 2017;
- IT Consulting and Programming Services Contract 145512 - Amendment (Ordinance S-43988) on Oct. 18, 2017.

**Responsible Department**

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



**Salt River Project Construction License for Broadway Road, 17th to 20th Streets  
- ST85160017 (Ordinance S-48659)**

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

**Summary**

The City is installing streetlights on Broadway Road from 17th to 20th streets, and the purpose of this license is to allow the City to install 11 new streetlights that will parallel Salt River Project irrigation facilities. This work is in conjunction with City Project ST85160017.

**Contract Term**

The term of the Construction License is one year, effective when the City begins construction, expected to be June 2022.

**Financial Impact**

There is no financial impact to the City of Phoenix for this license.

**Location**

Broadway Road, 17th to 20th streets.

Council District: 8

**Responsible Department**

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



**Authorization to Enter into an Intergovernmental Agreement with Roosevelt School District for Funding Participation (Ordinance S-48664)**

Request authorization for the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Roosevelt School District for funding participation on a Capital Improvement Program project near Sunland Elementary School located at 5401 S. 7th Ave. Further request the City Council to grant an exception pursuant to Phoenix City Code section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item.

**Summary**

The Street Transportation Department is partnering with the Roosevelt School District to design and build a half street improvement including curb, gutter, sidewalk and Americans with Disabilities Act (ADA) ramps. The project is located at the southwest corner of 5th Avenue and Chambers Street near Sunland Elementary School. The project is estimated at \$700,000. The school district has agreed to contribute \$200,000 in funding towards the project cost. The project is set to initiate design in Fiscal Year (FY) 2022-23 with construction to begin in FY 2023-24.

**Financial Impact**

The cost to fund this project is estimated at \$700,000. Funding for the City share in the amount of \$500,000 is currently available in the Street Transportation Department's Capital Improvement Program (ST87500054).

**Location**

5th Avenue and Chambers Street.  
Council District: 7

**Responsible Department**

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



**Media Buying Service Contract - Request for Award - IFB 2122-WPP-507  
(Ordinance S-48618)**

Request to authorize the City Manager, or his designee, to enter into a contract with M&M Media Solutions, Inc., to provide media buying services for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The agreement value will not exceed \$100,000.

**Summary**

The purpose of this agreement is to provide media buying services for purposes of researching, recommending, planning, buying, and tracking of all media purchases for the summer of 2022 Drought Awareness and Water Conservation Campaign.

**Procurement Information**

This recommendation was made using an Invitation for Bid procurement and was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Six vendors submitted bids deemed to be responsive and responsible. Following an evaluation based on price, the procurement officer recommends award to the following vendor:

Selected Bidder

M&M Media Solutions, Inc. 8 percent (\$8,000)

Other Bidders

Esser Design, LLC	11 percent (\$11,000)
Commit Agency	12 percent (\$12,000)
The Colibri Collective, LLC	15 percent (\$15,000)
The Lavidge Company	15 percent (\$15,000)
Northern Arizona Partners, LLC	\$45,000

**Contract Term**

The contract will begin on or about June 1, 2022, for a one-year term with no options to extend.

**Financial Impact**

The aggregate value for M&M Media Solutions, Inc. will not exceed \$100,000.

Funding is available in the Water Services Department Operating budget.

**Responsible Department**

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



**Roofing Analysis Consultant - Requirements Contract - RFP 21-004 -  
Amendment to Ordinance S-48176 (Ordinance S-48629)**

Request to authorize the City Manager, or his designee, to execute an amendment to Ordinance S-48176 to replace Tremco Roofing, Inc., and to enter into a contract with its wholly-owned subsidiary, Weatherproofing Technologies, Inc., for purchase of roofing analysis and consultative services Citywide. There are no additional expenditures included in this amendment.

**Summary**

The purpose of this amendment is to address an administrative error from the original award that was authorized by Council which listed the parent company, rather than the subsidiary.

This contract provides roofing consulting services to inspect and assess current roofing structures of City-owned buildings to ensure roofs are properly maintained and repaired in accordance with building codes for the safety of occupants, employees, and the public. In addition, a roofing assessment is necessary for building maintenance to ensure that buildings meet the City's building codes and are available to the public.

**Contract Term**

The contract term will remain unchanged, ending on Dec. 14, 2026.

**Concurrence/Previous Council Action**

The City Council approved (Ordinance S-48176) on Dec.15, 2021.

**Responsible Department**

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



## **End Shores - Requirements Contract - Request for Award (Ordinance S-48630)**

Request to authorize the City Manager, or his designee, to enter into an agreement with OGMIS Group Inc., to provide hydraulic shoring systems for the purpose of keeping workers in trenches safe. Further request to authorize the City Controller to disburse all funds related to this item. The agreement will not exceed \$1,710,129.75.

### **Summary**

The purpose of this agreement is to provide hydraulic shoring systems on an as-needed basis. The personnel protective devices must be specifically designed and professionally engineered to provide excavation safety protection for workers in trenches.

OGMIS Group Inc.'s services include, but are not limited to: providing end shores, corrugated sheets, struts, and sheeting guides.

### **Procurement Information**

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

Two vendors submitted bids and one bid was found to be responsive and responsible. The bid is listed below:

#### Selected Bidder

OGMIS Group Inc.: \$342,025.95

### **Contract Term**

The agreement will begin on or about June 1, 2022, for a five-year aggregate term.

### **Financial Impact**

The total agreement value will not exceed \$1,710,129.75.

Funding is available in the Water Services Department operating budget.



**Responsible Department**

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



Report

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Agenda Date: 5/25/2022, Item No. 91

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**Liquid Copper Sulfate Agreement - IFB 2122-WPP-506 - Request for Award (Ordinance S-48645)**

Request to authorize the City Manager, or his designee, to enter into an agreement with TR International Trading Company, to provide Liquid Copper Sulfate for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$1.25 million.

**Summary**

The purpose of this agreement is to provide Liquid Copper Sulfate for treatment of water. TR International Trading Company will also sell and deliver Liquid Copper Sulfate.

**Procurement Information**

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

Two vendors submitted bids and one bid was deemed to be responsive 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

TR International Trading Company: \$244,636

**Contract Term**

The contract will begin on or about June 1, 2022, for a five-year aggregate term.

**Financial Impact**

The agreement value for TR International Trading Company will not exceed \$1.25 million.

Funding is available in the Water Services Department Operating Budget.

**Responsible Department**

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

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**Water Main Replacement Risk Model Evaluation - Engineering Services - WS85509098 (Ordinance S-48648)**

Request to authorize the City Manager, or his designee, to enter into an agreement with HDR Engineering, Inc., to provide Engineering Services that include study and programming services for the Water Main Replacement Risk Model Evaluation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority, and for the City Controller to disburse all funds related to this item. This agreement will not exceed \$400,000.

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 development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

**Summary**

The purpose of this project is to evaluate and update the asset management system used to assess risk for water mains 16-inch and smaller in diameter. The risk model incorporates multiple factors to predict the likelihood of failure and the consequences to determine a risk score.

HDR Engineering, Inc.'s services include, but are not limited to: evaluate internal procedures and accuracy to provide updated optimization of our model and to automate some of the manual steps; update recommendation to the risk model; assist with evaluation of existing external water main asset management software packages or services; implement selected asset management vendor and assist in exporting and importing needed model data; and provide a final recommendation on internal risk and future improvements verses continuing with external risk model services.

### **Procurement Information**

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

#### Selected Firm

Rank 1: HDR Engineering, Inc.

#### Additional Proposer

Rank 2: GHD, Inc.

### **Contract Term**

The term of the agreement is 365 calendar days from issuance of the Notice to Proceed. The work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

### **Financial Impact**

The agreement value for HDR Engineering, Inc. will not exceed \$400,000, including subconsultant and reimbursable costs.

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

### **Responsible Department**

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



## **Lake Pleasant Water Treatment Plant Service Agreement - Amendment (Ordinance S-48649)**

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 107745 with Contract Services, LLC which is an affiliate of Veolia North America, Inc., to exercise the City's renewal option to extend the service agreement for five years, and to execute other documents as may be necessary or appropriate to implement the provisions of this Ordinance and the extension. 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 \$38 million.

### **Summary**

The purpose of this amendment is to extend the contract to continue operation and maintenance of the Lake Pleasant Water Treatment Plant (WTP).

The Water Services Department (WSD) originally contracted with American Water Services, Inc., subsequently known as American Water Enterprises, Inc. (American Water) to operate and maintain the Lake Pleasant WTP. American Water then assigned the contract to Contract Services, LLC as approved by Council in 2018. The initial fifteen-year term of the contract with Contract Services, LLC expires June 30, 2022. WSD seeks authorization to exercise the City's renewal option and to execute the five-year extension as outlined in the original contract.

### **Contract Term**

This amendment will extend the end date of the contract term from June 30, 2022 to June 30, 2027.

### **Financial Impact**

This amendment will authorize an amount not to exceed \$38 million in spending authority over the term of the extension.

Funding is available in the Water Services Department Operating Budget.

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

The City Council approved:

- Service Agreement with American Water Services, Inc., - Lake Pleasant WTP Design Build Operate Contract 107745 on July 2, 2003;
- Service Agreement with American Water Services, Inc., - Lake Pleasant WTP Design Build Operate Contract 107745 - Amendment (Ordinance S-32365) on Sept. 14, 2005; and
- Lake Pleasant WTP Service Contract 107745 - Amendment (Ordinance S-44899) on July 5, 2018.

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on May 18, 2022, by a vote of 3-0.

**Location**

Lake Pleasant WTP  
Council District: 1

**Responsible Department**

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



**Northwest Wastewater Master Plan Package 2A - Construction Manager at Risk Construction Services - Amendment - WS90400094 (WS85500455 and WS90500307) (Ordinance S-48650)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 154037 with Felix Construction Company to provide additional Construction Services for the Northwest Wastewater Master Plan Package 2A Construction Manager at Risk project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed \$4,947,779.

**Summary**

The purpose of this project is to construct new wastewater infrastructure for potential growth in the area north of the Central Arizona project canal, south of Carefree Highway, west of Interstate-17 all the way to the City of Phoenix limits.

This amendment is necessary because additional work was required by the Contractor to complete lift station construction and commissioning including addressing revisions between the 90 percent drawings, conformed construction documents, addition of a discharge header, and underground piping, which added the option and flexibility to pump to the south.

Felix Construction Company's additional services include, but are not limited to: asphalt paving, subgrade preparation, concrete flatwork, site finish grading, structural excavation, site signage, shade canopy installation, programming, influent manhole revisions, additional wire and conduit, and the addition of a discharge header and underground piping.

**Contract Term**

The term of the agreement remains unchanged. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

## **Financial Impact**

- The initial agreement for Construction Services was approved for an amount not to exceed \$22 million, including all subcontractor and reimbursable costs.
- This Amendment will increase the agreement by an additional \$4,947,779, for a new total amount not to exceed \$26,947,779, including all subcontractor and reimbursable costs.

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

## **Concurrence/Previous Council Action**

The City Council approved:

- Engineering Services Agreements 153380 and 153381 (Ordinance S-47069) on Nov. 18, 2020;
- Preconstruction Services Agreement 154036 (Ordinance S-47422) on April 7, 2021; and
- Construction Services Agreement 154037 (Ordinance S-47422) on April 7, 2021.

## **Location**

Northwest corner of 51st Avenue and the Loop 303  
Council District: 1

## **Responsible Department**

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





**Salt River Project Construction License for 48th Street and McDowell Road, Cross Cut Canal - WS85509099 (Ordinance S-48657)**

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

**Summary**

The City is constructing waterline improvements on 48th Street north of McDowell Road, and the purpose of this license is to allow the City to install waterlines that will cross both over and under Salt River Project irrigation facilities. This work is in conjunction with the Water Main Replacement Distribution Relocation Project WS85509099.

**Contract Term**

The term of the Construction License is for one year from the date when the construction begins, which is expected to be no later than June 30, 2022.

**Financial Impact**

There is no financial impact to the City of Phoenix for this license.

**Location**

48th Street and McDowell Road  
Council District: 6

**Responsible Department**

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



**Authorization to Execute a Memorandum of Understanding to Include a License Agreement with the United States of America for Access on City-Owned Property (Ordinance S-48668)**

Request to authorize the City Manager, or his designee, to execute a Memorandum of Understanding (MOU) to include a license agreement with the United States of America for access onto City-owned property between June 6, 2022 through June 11, 2022 to conduct realistic urban military training exercises for and on behalf of the United States Department of the Navy, I Marine Expeditionary Force. Further request to authorize the City Manager, or his designee, to grant an exception pursuant to Phoenix City Code section 42-20 to include indemnification and assumption of liability provisions in the MOU if required that would otherwise be prohibited by Phoenix City Code section 42-18.

**Summary**

The United States Department of the Navy, I Marine Expeditionary Force (IMEF) is requesting use of a City-owned property and personnel resources between June 6, 2022 through June 11, 2022 for training to assist in responding to incidents that involve national security defense. The MOU including the license to access City-owned property may be terminated at any time upon the mutual written consent of both parties. The MOU will contain insurance and indemnification acceptable to the Finance Department's Risk Management Division and the Law Department. The MOU may contain other terms and conditions deemed necessary by the City. There is no fee associated with this MOU, with IMEF responsible for all costs related to its use.

**Contract Term**

The MOU will be for the period between June 6, 2022 through June 11, 2022.

**Location**

Near 24th Street and Lincoln Drive.  
Council District: 6

**Responsible Department**

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



**Final Plat - 21 Vista Villas - PLAT 170118 - Southeast Corner of 21st Place and Sharon Drive**

Plat: 170118  
Project: 16-648  
Name of Plat: 21 Vista Villas  
Owner(s): TBBG Sharon, LLC  
Engineer(s): Robert J. Blake, RLS  
Request: A 20 Lot Residential Plat  
Reviewed by Staff: March 17, 2022  
Final Plat requires Formal Action Only

**Summary**

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with the resolution of abandonment for ABND V180014A and ABND 200515. The sequence of recording is as follows: the resolutions are recorded first, then the plat.

**Location**

Generally located at the southeast corner of 21st Place and Sharon Drive.  
Council District: 3

**Responsible Department**

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



Report

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Agenda Date: 5/25/2022, Item No. 98

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**Final Plat - Aura Uptown - PLAT 220005 - Southeast Corner of Coolidge Street and 3rd Avenue**

Plat: 220005  
Project: 20-3452  
Name of Plat: Aura Uptown  
Owner: CH DOF I-TRG MF PHoenix Coolidge, LLC  
Engineer: Adrian Burcham  
Request: A 1-Lot Commercial Plat  
Reviewed by Staff: April 13, 2022  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

Southeast corner of Coolidge Street and 3rd Avenue  
Council District: 4

**Responsible Department**

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



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Agenda Date: 5/25/2022, Item No. 99

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**Final Plat - 32nd Street and Highline Canal - PLAT 210105 - North of South Mountain Avenue and West of 32nd Street**

Plat: 210105  
Project: 21-1526  
Name of Plat: 32nd Street and Highline Canal  
Owner: Plhaz Holdings, LLC  
Engineer: Brian J. Diehl, RLS  
Request: A 19 Lot Residential Subdivision Plat  
Reviewed by Staff: February 16, 2022  
Final Plat requires Formal Action Only

**Summary**

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment 210060.

**Location**

Generally located north of South Mountain Avenue and west of 32nd Street.  
Council District: 8

**Responsible Department**

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



Report

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Agenda Date: 5/25/2022, Item No. 100

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**Map of Dedication - Parcel 23 - MOD 220001 - Southeast Corner of 99th Avenue and Campbell Avenue**

MOD: 220001  
Project: 20-4725  
Name of Plat: Parcel 23  
Owner: Alta 99th Ave, LP  
Engineer: Robert J Blake  
Request: A 1-Lot Commercial Map of Dedication  
Reviewed by Staff: April 14, 2022  
Map of Dedication 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 map of dedication dedicates the streets and easements as shown to the public.

**Location**

Generally located at the Southeast corner of 99th Avenue and Campbell Avenue  
Council District: 5

**Responsible Department**

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



**Abandonment of Easement - ABND 200549 - North Happy Valley Road and East 21st Avenue (Resolution 22023)**

Abandonment: ABND 200549

Project: 16-86

Applicant: Chandra McCarty, EPS Group Inc.

Request: To abandon drainage easement, recorded with document number 2017-0464524; located Northeast Corner of 21st Avenue and Happy Valley Road.

Date of Decision/Hearing: Nov. 17, 2020

**Location**

North Happy Valley Road and East 21st Avenue.

Council District: 1

**Financial Impact**

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

**Responsible Department**

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



Report

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Agenda Date: 5/25/2022, Item No. 102

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**Abandonment of Right-of-Way - ABND 210033- 9015 North 15th Place  
(Resolution 22021)**

Abandonment: ABND 210033

Project: 02-3987

Applicant: Teresa Duhancik

Request: The partial circular right-of-way area adjacent to 9015 N. 15th Place and 1521 East Eva St., south of the 15th Place cul-de-sac.

Date of Decision/Hearing: July 15, 2021

**Location**

9015 N. 15th Place.

Council District: 3

**Financial Impact**

A consideration fee was also collected as part of this abandonment in the amount of \$658.00.

**Responsible Department**

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





**Abandonment of Easements - V180014A - Southeast Corner of 21st Place and Sharon Drive (Resolution 22027)**

Abandonment: V180014A

Project: 16-648

Applicant(s): Noah Brocious c/o Thomas Weber, Clouse Engineering, Inc.

Request: All public easements dedicated on Lot 1 (APN 166-10-099) per plat Verde Vista Villas II as recorded in Book 959 Page 46, MCR; the easements include Water/Sewer, Refuse Collection, Pedestrian Access, Sidewalk, Emergency & Service Vehicles, and a 16-foot Alley easement.

Date of Decision/Hearing: April 16, 2018

**Summary**

The resolution of this abandonment as well as abandonment ABND 200515 and PLAT 170118 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 resolutions are recorded first, then the plat is recorded second.

**Location**

Southeast Corner of 21st Place and Sharon Drive.

Council District: 3

**Financial Impact**

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

**Responsible Department**

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



Report

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Agenda Date: 5/25/2022, Item No. 104

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**Abandonment of Alleyway - ABND 200515 - Southwest Corner of Cave Creek Road and Sharon Drive (Resolution 22028)**

Abandonment: ABND 200515

Project: 16-648

Applicant: Noah Brocious, Sharon 18, LLC

Request: To abandon a portion of 16-foot by 181-foot alley, running north to south between addresses identified as APN 166-10-078 and 166-10-099. Recorded on Book 712 Page 27 and Book 959 Page 46.

Date of Decision/Hearing: August 6, 2021

**Summary**

The resolution of this abandonment as well as ABND V180014A and PLAT 170118 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 resolutions are recorded first, then the plat is recorded second.

**Location**

Southwest Corner of Cave Creek Road and Sharon Drive.

Council District: 3

**Financial Impact**

A consideration fee was also collected as part of this abandonment in the amount of \$13,000.00.

**Responsible Department**

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



Report

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Agenda Date: 5/25/2022, Item No. 105

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**Abandonment of Alleyway - ABND 210038 - Kaler Drive and 7th Place  
(Resolution 22025)**

Abandonment: ABND 210038

Project: 98-0005479

Applicant: Julian Lucas

Request: The alley south of Kaler Drive and east of 7th Place.

Date of Decision/Hearing: Aug. 12, 2021

**Location**

Kaler Drive and 7th Place.

Council District: 3

**Financial Impact**

A consideration fee was also collected as part of this abandonment in the amount of \$1,748.00.

**Responsible Department**

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



**Abandonment of Right-of-Way - ABND 210037 - Northeast Corner of 17th Avenue and Clarendon Avenue (Resolution 22024)**

Abandonment: ABND 210037

Project: 99-40793

Applicant: Carlos and Kimberly Villabon

Request: 112.83 - feet of 7-foot wide right-of-way adjacent to the west side of 1646 West Clarendon Ave.

Date of Decision/Hearing: Aug. 12, 2021

**Location**

Northeast Corner of 17th Avenue and Clarendon Avenue.

Council District: 4

**Financial Impact**

A consideration fee was also collected as part of this abandonment in the amount of \$506.41.

**Responsible Department**

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



**Abandonment of Alleyway - ABND 200557 - Northwest Corner of 12th Street and Van Buren Street (Resolution 22022)**

Abandonment: ABND 200557

Project: 03-195

Applicant: Lindsay C. Schube, Gammage & Burnham PLC

Request: To abandon the "L" shaped alley located north and west of the northwest corner of 12th and Van Buren streets.

Date of Decision/Hearing: Jan. 14, 2021

**Location**

Northwest Corner of 12th Street and Van Buren Street.

Council District: 7

**Financial Impact**

A consideration fee was also collected as part of this abandonment in the amount of \$17,000.00.

**Responsible Department**

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



**Abandonment of Right-of-Way - ABND 210002 - 8th Place and Euclid Avenue  
(Resolution 22020)**

Abandonment: ABND 210002

Project: 20-4356

Applicant: Adam Baugh, Withey Morris

Request: The entirety of 8th Place right-of-way, south of Euclid Avenue.

Date of Decision/Hearing: March 4, 2021

**Location**

8th Place and Euclid Avenue.

Council District: 8

**Financial Impact**

A consideration fee was also collected as part of this abandonment in the amount of \$3,093.68.

**Responsible Department**

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



**Amend City Code - Ordinance Adoption - Rezoning Application PHO-2-22--Z-48-07-1- Northeast and Southeast Corners of I-17 and Arroyo Norte Drive (Ordinance G-6986)**

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 April 20, 2022.

**Summary**

Application: PHO-2-22--Z-48-07-1

Existing Zoning: C-2

Acreage: 18-87

Owner: AV 203 LLC

Applicant: Trammell Crow Residential

Representative: Nick Wood, Snell & Wilmer LLP

**Proposal:**

1. Review of conceptual site plan and elevations per Stipulation 1.
2. Technical corrections to Stipulations 2, 3, and 7.

**Concurrence/Previous Council Action**

Village Planning Committee (VPC) Recommendation: The Rio Vista Village Planning Committee heard this case on April 12, 2022, and recommended approval by a vote of 3-1.

PHO Action: The Planning Hearing Officer heard this case on April 20, 2022, and recommended approval with a modification and an additional stipulation. See

**Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

**Location**

Northeast and southeast corners of I-17 and Arroyo Norte Drive.

Council District: 1

Parcel Address: N/A

**Responsible Department**

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



## ATTACHMENT A

**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-48-07-1 PREVIOUSLY APPROVED BY  
ORDINANCE G-4948.

\_\_\_\_\_  
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as  
follows:

SECTION 1. The zoning stipulations applicable located at the northeast  
and southeast corners of I-17 and Arroyo Norte Drive in a portion of Section 10,  
Township 6 North, Range 2 East, as described more specifically in Attachment “A”,  
are hereby modified to read as set forth below.

#### STIPULATIONS:

1. ~~That conceptual site plan(s) and elevations shall be approved by the Planning Hearing Officer through the public hearing process prior to Development Services Department preliminary site plan approval. The site plan(s) and elevations shall include the following:~~

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE  
SITE PLAN AND ELEVATIONS DATE STAMPED APRIL 13, 2022, AS  
MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE  
PLANNING AND DEVELOPMENT DEPARTMENT.

- a. ~~Elevations which provide architectural consistency in building mass and style, wall treatments, lighting, and signage.~~
- b. ~~The primary finishing materials for buildings shall consist of natural desert materials or materials which are appropriate for the natural desert context.~~

- ~~e. Drive-thru facilities shall be oriented so that drive-thru windows are not directly visible from adjacent public streets.~~
  - ~~d. Landscaping, arcades, or overhangs which provide shaded walkways shall be utilized.~~
  - ~~e. That parking areas shall be designed with landscaped areas to break up the large expanses of parking.~~
  - ~~f. Special consideration shall be given to site design for residential uses to adequately mitigate the impacts of the proximity to Interstate 17, such as innovative site design, increased setbacks, sound barriers, and increased landscaping.~~
  - ~~g. An architectural plan shall be approved with the elevations. The architectural plan shall convey a sense of continuity throughout the development and at a minimum include the following:~~
    - ~~i) Natural accent materials such as brick, stone, or tile for buildings and signage.~~
    - ~~ii) Architectural detailing such as recesses, pop outs, shade walls, parapets, artistic insets, or pilasters.~~
    - ~~iii) Street appurtenances such as benches, seat walls, ramadas, shade structures, trash enclosures, lighting and wayfinding signage.~~
    - ~~iv) Detail sections for screening and perimeter walls as well as walls interior to the site; said walls shall be designed and finished with materials similar to those of the buildings' architectural detailing.~~
- ~~2. That A comprehensive sign plan for the entire property shall be approved by the Zoning Administrator in accordance with Section 705 of the Zoning Ordinance prior to PLANNING AND Development Services Department final site plan approval for the first phase of development.~~
  - ~~3. That 25 feet of right-of-way shall be dedicated for the south half of Teresa Lane or as otherwise approved by the PLANNING AND Development Services Department.~~
  - ~~4. That Additional right-of-way shall be dedicated for the future expansion of the freeway/frontage road as approved by the Street Transportation Department.~~
  - ~~5. That The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals as per plans approved or modified by the Street Transportation Department.~~

6. ~~That~~ The applicant shall 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. Further archaeological monitoring and/or testing (trenching) may be necessary based on the results of the survey.
7. ~~That~~ The following persons, organizations and associations shall be notified by the applicant at least 15 days before the meeting or hearing of any PLANNING AND Development Services Department preliminary site plan meetings; Zoning Adjustment hearings; or Planning Hearing Officer hearings:
  - a. New River Desert Hills Community Association, Inc.  
515 E. Carefree Highway, #300  
Phoenix, AZ 85085-8839
  - b. Shareen Goodroad  
scgoodroad@msn.com  
623-742-0150
  - c. Terry Marron  
t.marron@yahoo.com  
623-587-7039
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-4948 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-4948 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 25th day of May,  
2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:  
\_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Jeffrey Barton, City Manager

Exhibits:  
A - Legal Description (4 Pages)  
B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-2-22--Z-48-07-1

The Land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

THAT PORTION OF THE FOLLOWING PROPERTY:

A PORTION OF THE NORTH HALF OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 10, BEING A GLO BRASS CAP FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 10, BEING A GLO BRASS CAP, BEARS SOUTH 00 DEGREES 03 MINUTES 56 SECONDS EAST, A DISTANCE OF 2,634.93 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 05 SECONDS EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 10, A DISTANCE OF 2,645.69 FEET TO THE NORTH QUARTER CORNER OF SECTION 10;

THENCE NORTH 89 DEGREES 44 MINUTES 33 SECONDS EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 10, A DISTANCE OF 131.55 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, LEAVING SAID NORTH LINE, A DISTANCE OF 660.34 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 120.20 FEET TO A POINT ON THE WEST LINE OF A 40.00 FOOT WIDE ELECTRIC EASEMENT PER DOCUMENT 1714, PAGE 432, MARICOPA COUNTY RECORDS, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE SOUTH 00 DEGREES 05 MINUTES 17 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 1,973.87 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 10;

THENCE SOUTH 89 DEGREES 59 MINUTES 13 SECONDS WEST, DEPARTING THE WEST LINE OF SAID ELECTRIC EASEMENT AND PROCEEDING ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER, A DISTANCE OF 932.74 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE NORTH BOUND I-17 FRONTAGE ROAD;

THENCE NORTH 05 DEGREES 28 MINUTES 24 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 774.64 FEET TO THE BEGINNING OF A NONTANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 22,714.32

FEET THE CENTER OF WHICH BEARS NORTH 84 DEGREES 31 MINUTES 09 SECONDS EAST;

THENCE NORTHERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE AND ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 1,205.99 FEET, THROUGH A CENTRAL ANGLE OF 03 DEGREES 02 MINUTES 31 SECONDS TO A POINT OF NONTANGENCY;

THENCE NORTH 89 DEGREES 58 MINUTES 49 SECONDS EAST, LEAVING SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1,086.90 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

EXCEPT A PORTION OF THE LEGAL DESCRIPTION WHICH IS CONVEYED IN SPECIAL WARRANTY DEED RECORDED AS 2010-670622 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTH HALF OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 10, MONUMENTED WITH A G.L.O. BRASS CAP, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 10, MONUMENTED WITH A G.L.O. BRASS CAP, BEARS NORTH 89 DEGREES 59 MINUTES 13 SECONDS EAST, A DISTANCE OF 5281.22 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 13 SECONDS EAST, ALONG THE SOUTH LINE OF SAID NORTH HALF, A DISTANCE OF 2507.07 FEET TO A POINT ON A LINE WHICH IS PARALLEL WITH AND 150.00 FEET WESTERLY, AS MEASURED AT RIGHT ANGLES, FROM THE WEST LINE OF A 40.00 FOOT WIDE ELECTRIC EASEMENT PER DOCKET 1714, PAGE 432, MARICOPA COUNTY RECORDS, SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 05 MINUTES 17 SECONDS WEST, ALONG SAID PARALLEL LINE, 150.00 FEET TO A POINT ON A LINE WHICH IS PARALLEL WITH AND 150.00 FEET NORTHERLY, AS MEASURED AT RIGHT ANGLES, FROM THE SOUTH LINE OF SAID NORTH HALF;

THENCE NORTH 89 DEGREES 59 MINUTES 13 SECONDS EAST, A DISTANCE OF 150.00 FEET TO A POINT ON THE WEST LINE OF SAID ELECTRIC EASEMENT;

THENCE SOUTH 00 DEGREES 05 MINUTES 17 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 150.00 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTH HALF;

THENCE SOUTH 89 DEGREES 59 MINUTES 13 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT A PORTION OF THE LEGAL DESCRIPTION WHICH IS CONVEYED IN SPECIAL WARRANTY DEED RECORDED AS 2021-0642570 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF LAND BEING SITUATED WITHIN THE NORTH HALF OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT A AS SHOWN ON THE RE-PLAT OF "ARROYO NORTE-UNITS 5, 6 & 7", AS RECORDED IN BOOK 1129, PAGE 23, RECORDS OF MARICOPA COUNTY, ARIZONA, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 10 BEARS NORTH 61 DEGREES 24 MINUTES 54 SECONDS EAST, 2990.59 FEET, AND ALSO THE EAST QUARTER CORNER OF SAID SECTION 10 BEARS SOUTH 65 DEGREES 11 MINUTES 18 SECONDS EAST, 2893.02 FEET;

THENCE NORTH 89 DEGREES 48 MINUTES 12 SECONDS WEST, 607.85 FEET ALONG THE NORTH RIGHT OF WAY LINE OF ARROYO NORTE DRIVE AS SHOWN ON THE MAP OF DEDICATION FOR "ARROYO NORTE" AS RECORDED IN BOOK 896, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE LEAVING SAID NORTH RIGHT OF WAY LINE, NORTH 02 DEGREES 46 MINUTES 20 SECONDS EAST, 757.97 FEET TO THE SOUTH RIGHT OF WAY LINE OF THERESA LANE;

THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, NORTH 89 DEGREES 59 MINUTES 51 SECONDS EAST, 569.99 FEET TO THE WEST LINE OF SAID TRACT A;

THENCE ALONG SAID WEST LINE, SOUTH 00 DEGREES 05 MINUTES 23 SECONDS EAST, 759.20 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT A PORTION OF THE LEGAL DESCRIPTION WHICH IS CONVEYED IN SPECIAL WARRANTY DEED RECORDED AS 2021-0743159 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE PARCEL DESCRIBED IN DEED RECORDED IN DOCUMENT 050507564, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID CORNER BEING ALSO THE NORTHWEST CORNER OF TRACT "C",  
ACCORDING TO THE FINAL PLAT FOR "ARROYO NORTE – UNIT 4", RECORDED IN BOOK 1004, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE CONTINUING ALONG THE WEST LINE OF SAID TRACT "C", SOUTH 00 DEGREES 05 MINUTES 17 SECONDS EAST, 1004.63 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 41 SECONDS WEST, 150.00 FEET;

THENCE SOUTH 00 DEGREES 05 MINUTES 17 SECONDS EAST, 150.00 FEET TO A POINT ON THE NORTH LINE OF TRACT "D", ACCORDING TO THE FINAL PLAT FOR "ANTHEM UNIT 57";

THENCE ALONG SAID NORTH LINE OF TRACT "D", SOUTH 89 DEGREES 59 MINUTES 41 SECONDS WEST, 535.68 FEET;

THENCE NORTH 27 DEGREES 01 MINUTES 32 SECONDS EAST, 247.46 FEET;

THENCE NORTH 05 DEGREES 17 MINUTES 51 SECONDS WEST, 894.37 FEET;

THENCE NORTH 23 DEGREES 01 MINUTES 36 SECONDS WEST, 50.18 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF ARROYO NORTE DRIVE;

THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH 89 DEGREES 47 MINUTES 21 SECONDS, 12.44 FEET;

THENCE SOUTH 00 DEGREES 12 MINUTES 39 SECONDS WEST, 25.00 FEET;

THENCE SOUTH 89 DEGREES 47 MINUTES 21 SECONDS EAST, 55.00 FEET;

THENCE NORTH 00 DEGREES 12 MINUTES 39 SECONDS EAST, 25.00 FEET;

THENCE SOUTH 89 DEGREES 47 MINUTES 21 SECONDS EAST, 606.23 FEET TO THE POINT OF BEGINNING.

EXCEPT ALL COAL AND OTHER MINERALS IN SAID LAND AS RESERVED TO THE UNITED STATES IN THE PATENT TO THE LAND.

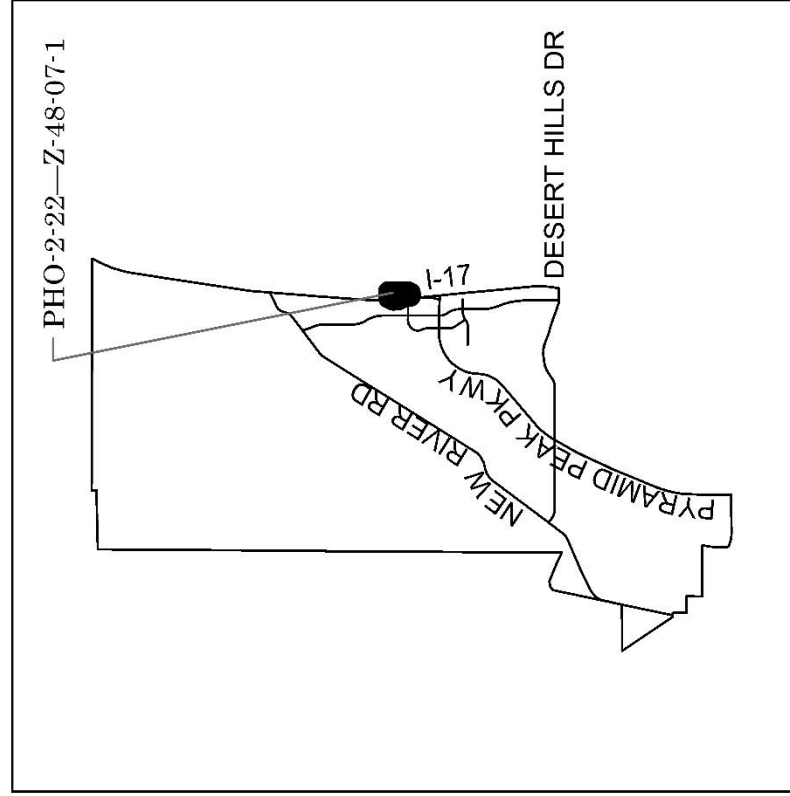
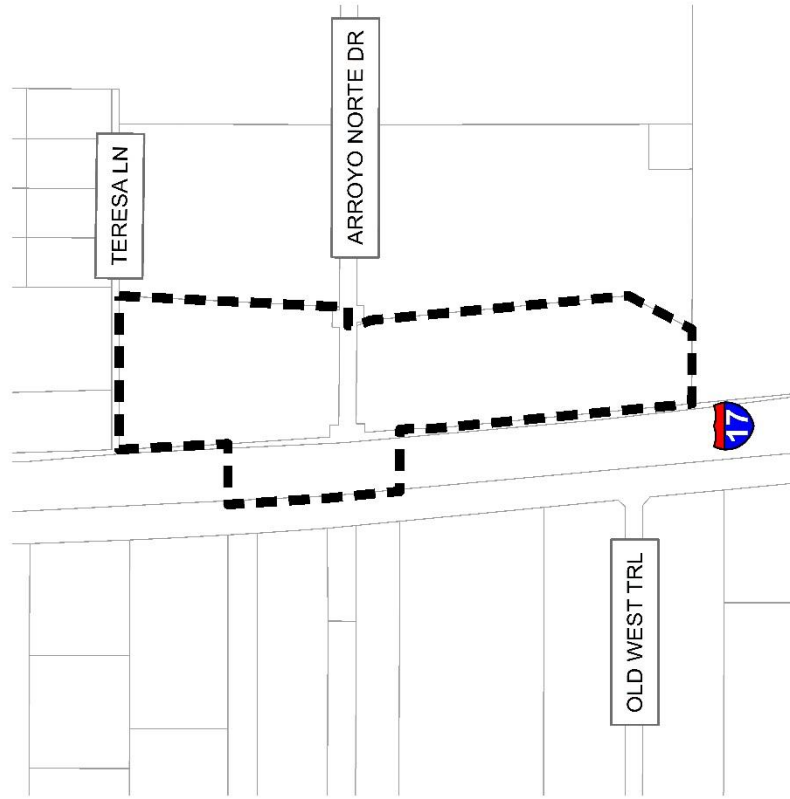


EXHIBIT B

ORDINANCE LOCATION MAP

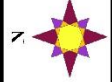
Zoning Case Number: PHO-2-22—Z-48-07-1  
Zoning Overlay: N/A  
Planning Village: Rio Vista

ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: ■ ■ ■ ■ ■



0 265 530 1,060 Feet

NOT TO SCALE



Drawn Date: 4/25/2022



**Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-22--Z-51-08-7 - Approximately 1,500 Feet South of the Southwest Corner of 35th Avenue and Southern Avenue (Ordinance G-6987)**

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 April 20, 2022.

**Summary**

Application: PHO-1-22--Z-51-08-7

Existing Zoning: R-4, C-1

Acreage: 14.38

Applicant/Owner: Laveen 12 LLC

Representative: Benjamin Graff, Quarles & Brady LLP

**Proposal:**

1. Modification of Stipulation 1 regarding general conformance with the residential elevations date stamped May 20, 2008, and the site plan date stamped Aug. 11, 2008.
  2. Deletion of Stipulation 1.a regarding the maximum size of the commercial building to the north.
  3. Deletion of Stipulation 1.b regarding the maximum size of the commercial building to the south.
  4. Deletion of Stipulation 2 regarding the Planning Hearing Officer approval of elevations for the commercial pads.
  5. Modification of Stipulation 3 regarding general conformance with the conceptual landscaping plan date stamped July 25, 2008.
  6. Modification of Stipulation 4 regarding perimeter wall material and textural differences.
  7. Modification of Stipulation 5 regarding shading and connectivity of pedestrian walkways.
  8. Modification of Stipulation 12 regarding a maximum number of 276 residential units.
  9. Deletion of Stipulation 13 regarding fencing, landscaping, and parking standards for the western property area.
  10. Deletion of Stipulation 15 regarding a minimum 15-foot landscape setback along
-

the southern perimeter of the property.

11. Modification of Stipulation 16 regarding Laveen Village Planning Committee review and comment on final landscape plans, lighting plans, and sign packages.

12. Deletion of Stipulation 17 regarding parking lot screen and landscape along 35th Avenue.

13. Deletion of Stipulation 19 regarding commercial monument signs.

14. Technical corrections to Stipulations 8, 9, 10, and 14.

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

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on April 11, 2022, and recommended approval by a vote of 8-0.

PHO Action: The Planning Hearing Officer heard this case on April 20, 2022, and recommended approval with a modifications and additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

### **Location**

Approximately 1,500 feet south of the southwest corner of 35th Avenue and Southern Avenue.

Council District: 7

Parcel Address: N/A

### **Responsible Department**

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

## ATTACHMENT A

**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-51-08-7 PREVIOUSLY APPROVED BY  
ORDINANCE G-5246.

\_\_\_\_\_  
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as  
follows:

SECTION 1. The zoning stipulations applicable located approximately  
1,500 feet south of the southwest corner of 35th Avenue and Southern Avenue in a  
portion of Section 34, Township 1 North, Range 2 East, as described more  
specifically in Attachment "A", are hereby modified to read as set forth below.

#### STIPULATIONS:

1. ~~That~~ The development shall be in general conformance with the ~~residential~~  
~~elevations date stamped May 20, 2008 and the site plan date stamped APRIL 7,~~  
~~2022 August 11, 2008~~, as modified by the following stipulations and approved  
by the PLANNING AND Development ~~Services~~ Department, with specific regard  
to the following:

- a. ~~That the commercial building to the north be a maximum of 5300 square~~  
~~feet.~~

THE PROJECT SHALL NOT EXCEED 173 DWELLING UNITS.

- b. ~~That the commercial building to the south be a maximum of 6700 square~~  
~~feet.~~

A MINIMUM OF 89% OF THE TOTAL NUMBER OF UNITS SHALL BE LIMITED TO ONE STORY AND 18 FEET IN HEIGHT.

2. ~~That the elevations for the commercial pads shall be approved by the Planning Hearing Officer through the public hearing process prior to Development Services Department preliminary site plan approval. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Development Services Department.~~

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE RESIDENTIAL ELEVATIONS DATE STAMPED MARCH 4, 2022, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, WITH SPECIFIC REGARD TO THE FOLLOWING:

- A. THE FRONT ELEVATIONS SHALL CONTAIN A MINIMUM OF 25% NON-STUCCO OR ACCENT MATERIALS.
3. ~~That landscaping~~ THE DEVELOPMENT shall be in general conformance with the ~~conceptual Landscaping~~ LANDSCAPE plan date stamped APRIL 7, 2022, ~~July 25, 2008, with the addition of landscape diamonds provided approximately every 6 stalls in the commercial and guest residential parking areas, as approved or modified by the~~ FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND Development Services Department, WITH SPECIFIC REGARD TO THE FOLLOWING:
    - A. UNCOVERED PARKING AREAS WITH MORE THAN SIX STALLS SHALL INCLUDE LANDSCAPE ISLANDS.
  4. ~~That The~~ EAST AND WEST perimeter walls shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile, glass insets, or stamped designs, as approved by the PLANNING AND Development Services Department.
  5. ~~That All~~ pedestrian walkways shall be shaded USING LANDSCAPING AND/OR OTHER SITE FEATURES TO THE EXTENT PRACTICABLE and connect all residential buildings to project amenities, ~~commercial pads to the east and the commercial site to the north,~~ as approved OR MODIFIED by the PLANNING AND Development Services Department.
  6. ~~That The~~ developer shall conduct archaeological monitoring and/or testing by a qualified archaeologist within all areas of the development prior to clearing and grubbing, landscape salvage, and/or grading, as approved or modified by the City Archaeologist. Further data recovery may be necessary based on results of the testing.
  7. ~~That The~~ property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property. The form and content of such

documents shall be according to the templates and instructions provided, which have been reviewed and approved by the City Attorney.

8. ~~That~~ Right-of-way totaling 55 feet shall be dedicated for the west half of 35th Avenue, as approved by the PLANNING AND Development Services Department.
9. ~~That~~ Right-of-way totaling 25 feet shall be dedicated for the east half of 37th Avenue, as approved by the PLANNING AND Development Services Department.
10. ~~That~~ The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the PLANNING AND Development Services Department. All improvements shall comply with all ADA accessibility standards.
11. ~~That~~ The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
12. ~~That the maximum number of residential units shall not exceed 276.~~
13. ~~That the western property area shall be designed in the following manner as approved or modified by the Development Services Department:~~
  - a. ~~That owner shall file for and pursue a variance to allow for a maximum 8-foot ornamental iron view fence on the western property line;~~
  - b. ~~Minimum 8-foot wide landscape setback between the block wall/view fence and the proposed parking structures along the western perimeter (additional landscaping shall occur outside the perimeter fence);~~
  - c. ~~Covered parking spaces adjacent to required view fencing, located on the west end of the property shall be screened from the residential properties to the west of the site. The screening method shall consist of either landscaping or a wall attached to the parking canopy;~~
  - d. ~~A mixture of 75% 4 to 6-inch caliper trees within the landscaped setback shall be planted to act as a visual buffer between the western most apartment buildings and the residential properties to the west.~~
12. ~~That~~ Mature trees shall be salvaged and utilized within all the landscape setbacks with specific regard to placement of the larger specimens within the western landscape setback as approved by the PLANNING AND Development Services Department.
14. ~~That the applicant shall provide a minimum 15-foot landscape setback along the southern perimeter of the property. The setback shall be landscaped with a~~

~~staggered double row of a 75% mixture of 3 to 6 inch caliper trees planted approximately 25 feet on center as approved by the Development Services Department.~~

- ~~16. That the final landscape plan, lighting plan, and sign package for the commercial and residential project shall be submitted to the Laveen Village Planning Committee for review and comment prior to preliminary site plan approval by the Development Services Department. That all signs shall not exceed 6 feet in height as approved by the Development Services Department.~~
- ~~17. That the parking lot screen wall and landscape pallet within the 35th Avenue landscaped setback shall compliment the adjacent existing development to the north and be compatible in color, texture, form and materials as approved by the Development Services Department.~~
13. That The applicant shall notify the following individuals 15 days prior to any of the following events, Preliminary site plan review meeting, Zoning Adjustment hearing or Planning Hearing Officer hearing.
- ~~18.~~
  - a. Steven Klein - 6820 S. 66th Ave., Laveen, AZ 85339
  - b. Phil Hertel - 2300 W. Broadway Rd., Phoenix, AZ 85041
  - c. Jon Kimoto - 3216 W. Ansell Rd., Laveen, AZ 85339
  - d. Mark Williams - 7150 E. Camelback Rd. #285, Scottsdale, AZ 85251
  - e. Randy Raskin – 5110 N. 40th Street, Suite 100, Phoenix, AZ 85018
- ~~19. That the two commercial monument signs on 35th Avenue, and the lighted signs on the commercial building shall be limited to a maximum of one user each, as approved by the Development Services Department.~~
14. THE DEVELOPER SHALL REPLENISH THE EXISTING LANDSCAPE AREA ALONG 35TH AVENUE, LOCATED BETWEEN BACK OF CURB AND SIDEWALK, TO ACHIEVE 50 PERCENT SHADE AT MATURITY. PLANTING TYPE, FREQUENCY, AND SIZE TO BE AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
15. THE DEVELOPER SHALL PROVIDE A MINIMUM OF 20 SECURED BICYCLE PARKING SPACES, DESIGNED PER THE STANDARDS OF SECTION 1307.H FOR MULTI-FAMILY DEVELOPMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
16. THE DEVELOPER SHALL PROVIDE AN ENHANCED AND SHADED PEDESTRIAN ACCESSWAY FROM THE SITE TO THE EXISTING BUS STOP ALONG 35TH AVENUE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5246 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5246 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 25th day of May, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:  
\_\_\_\_\_  
\_\_\_\_\_



REVIEWED BY:

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Jeffrey Barton, City Manager

Exhibits:

A - Legal Description (2 Pages)

B - Ordinance Location Map (1 Page)

DRAFT

## EXHIBIT A

### LEGAL DESCRIPTION FOR PHO-1-22--Z-51-08-7

#### **PARCEL 1** **APN 105-89-003J**

That portion of the Southeast quarter of the Northeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the Northeast corner of said Southeast quarter of the Northeast quarter of the Section 34, from whence the Northeast corner of Section 34 bears North 00 degrees 54 minutes 04 seconds East, a distance of 1314.05 feet;

Thence South 00 degrees 54 minutes 04 seconds West along the East line of said Southeast quarter, a distance of 236.03 feet to the South line of the North 236.00 feet of the Southeast quarter of the Northeast quarter of Section 34;

Thence North 89 degrees 59 minutes 25 seconds West along the said South line, a distance of 336.08 feet;

Thence South 00 degrees 54 minutes 04 seconds West parallel with the East line of the Southeast quarter of the Northeast quarter of Section 34, a distance of 259.03 feet to the South line of the North 495.00 feet of said Southeast quarter;

Thence North 89 degrees 59 minutes 25 seconds West along said South line, a distance of 983.63 feet to the West line of the Southeast quarter of the Northeast quarter of Section 34;

Thence North 00 degrees 52 minutes 06 seconds East along said West line, a distance of 495.08 feet to the Northwest corner thereof;

Thence South 89 degrees 59 minutes 25 seconds East, along the North line of the Southeast quarter of the Northeast quarter of Section 34, a distance of 1319.99 feet to the POINT OF BEGINNING.

Approximately 13.0 acres (gross)

#### **PARCEL 2** **APN 105-89-003L**

The South 259.00 feet of the North 495.00 feet of the Southeast quarter of the Northeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian;

EXCEPT the following described property:

That portion of the Southeast quarter of the Northeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the Northeast corner of said Southeast quarter of the Northeast quarter of the Section 34, from whence the Northeast corner of Section 34 bears North 00 degrees 54 minutes 04 seconds East, a distance of 1314.05 feet;

Thence South 00 degrees 54 minutes 04 seconds West along the East line of said Southeast quarter, a distance of 236.03 feet to the South line of the North 236.00 feet of the Southeast quarter of the Northeast quarter of Section 34;

Thence North 89 degrees 59 minutes 25 seconds West along the said South line, a distance of 336.08 feet;

Thence South 00 degrees 54 minutes 04 seconds West parallel with the East line of the Southeast quarter of the Northeast quarter of Section 34, a distance of 259.03 feet to the South line of the North 495.00 feet of said Southeast quarter;

Thence North 89 degrees 59 minutes 25 seconds West along said South line, a distance of 983.63 feet to the West line of the Southeast quarter of the Northeast quarter of Section 34;

Thence North 00 degrees 52 minutes 06 seconds East along said West line, a distance of 495.08 feet to the Northwest corner thereof;

Thence South 89 degrees 59 minutes 25 seconds East, along the North line of the Southeast quarter of the Northeast quarter of Section 34, a distance of 1319.99 feet to the POINT OF BEGINNING.

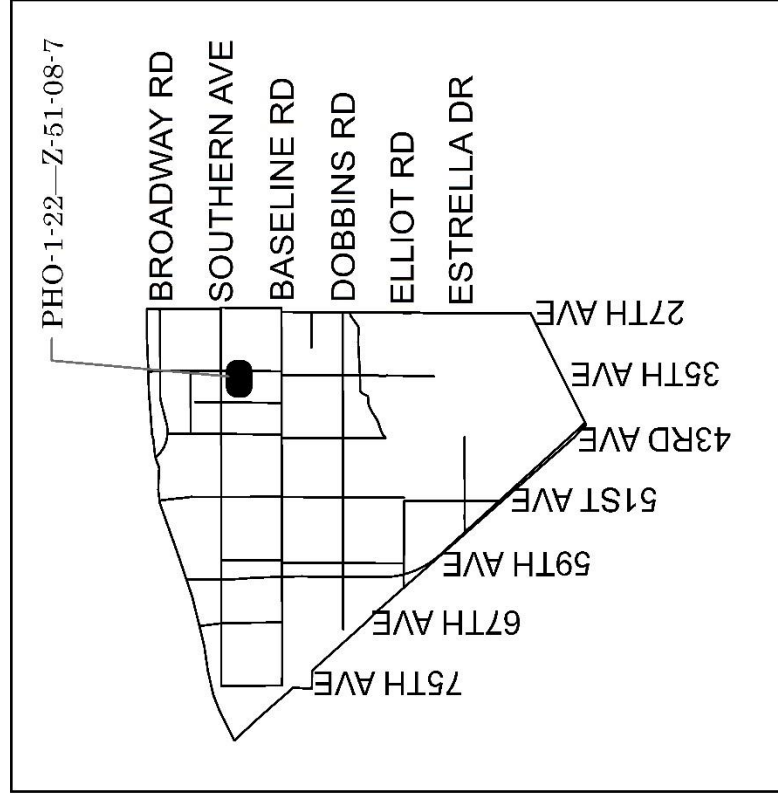
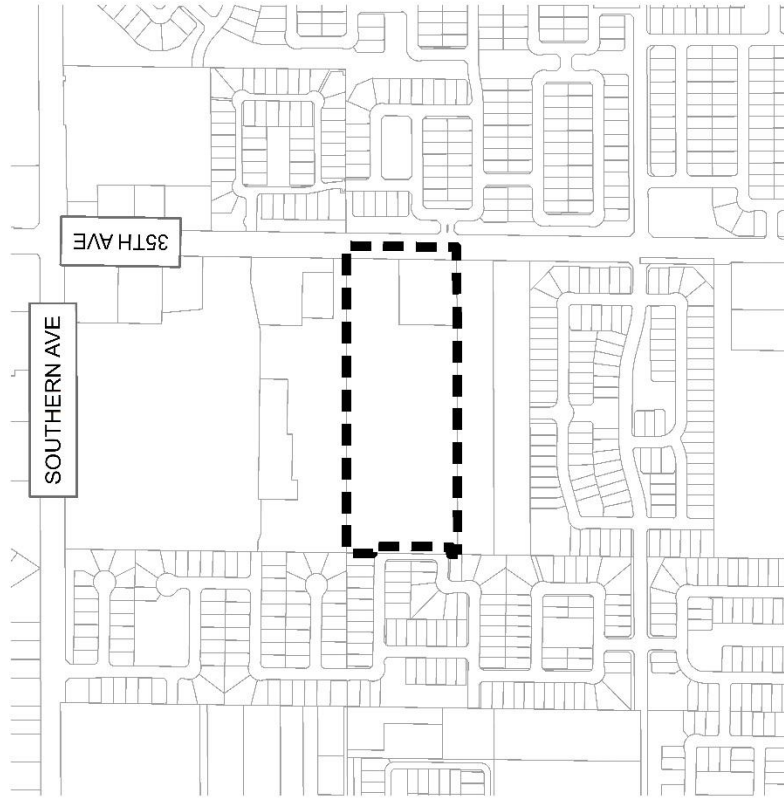
Approximately 1.998 acres (gross).

EXHIBIT B

ORDINANCE LOCATION MAP

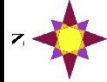
Zoning Case Number: PHO-1-22—Z-51-08-7  
Zoning Overlay: N/A  
Planning Village: Laveen

ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: ■ ■ ■ ■ ■



0 340 680 1,360 Feet

NOT TO SCALE



Drawn Date: 4/25/2022



**Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-22--Z-58-19-7- Northeast Corner of 6th Avenue and Broadway Road (Ordinance G-6988)**

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 April 20, 2022.

**Summary**

Application: PHO-1-22--Z-58-19-7

Existing Zoning: PUD RSIO

Acreage: 10.90

Owner: Chicanos Por La Causa

Applicant/Representative: Prince Twumasi

**Proposal:**

1. Modification of Stipulation 6 regarding undergrounding and relocation of existing irrigation facilities.

**Concurrence/Previous Council Action**

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

PHO Action: The Planning Hearing Officer heard this case on April 20, 2022 and recommended approval. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

**Location**

Northeast corner of 6th Avenue and Broadway Road.

Council District: 7

Parcel Address: N/A

**Responsible Department**

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

## ATTACHMENT A

**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-58-19-7 PREVIOUSLY APPROVED BY  
ORDINANCE G-6716.

\_\_\_\_\_

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as  
follows:

SECTION 1. The zoning stipulations applicable located at the northeast  
corner of 6th Avenue and Broadway Road in a portion of Section 20, Township 1  
North, Range 3 East, as described more specifically in Attachment “A”, are hereby  
modified to read as set forth below.

#### STIPULATIONS:

1. An updated Development Narrative for the Broadway and Central PUD  
reflecting the changes approved through this request shall be submitted to the  
Planning Department within 14 days of City Council approval of this request.  
The updated Development Narrative shall be consistent with Development  
Narrative date stamped April 24, 2020 as modified by the following stipulations.
  - a. Page 1:
    - 1) Add “Hearing Draft: April 24, 2020”
    - 2) Add “City Council adopted: [Insert Adoption date]”
  - b. Page 7:
    - 1) Replace text with the following: Where buildings are adjacent to  
a pedestrian accessway, a frontage type shall be required. If

frontage does not contain an entrance, units adjacent to a pedestrian accessway shall be designed with windows and/or balconies overlooking the accessway.

c. Pages 6 and 7:

- 1) Add the following text in Section 1304 General Site Development Standards: The western most paseo may deviate from the 3rd Avenue alignment up to 175 feet if the deviation is marked by pedestrian oriented wayfinding; the southern most connection to Broadway Road shall be constructed after the SRP facility is buried and easements issues resolved, no later than the development of the townhomes depicted on Exhibit E.

d. Page 8:

- 1) Replace text in Section 1309 Landscape Standards, 6th Avenue and Pueblo Avenue frontage, with the following: Shall be planted with large canopy, single trunk, shade trees placed a minimum of 20 feet on center or in equivalent groupings installed between the sidewalk and the buildings. The trees allowed in the planting area may be adjusted or removed based on input from SRP or the Water Services Department.
- 2) Replace text in Section 1309 Landscape Standards, Broadway Road, with the following: The sidewalk and tree diagram contained in Exhibit C of this PUD shall apply. Planting details are provided in Section 1312 character areas of this table. The trees allowed in the planting area may be adjusted based on input from SRP or the Water Services Department; however, the requirement for trees shall not be removed.

e. Replace Exhibit E with the Site Plan date stamped May 21, 2020.

2. The developer shall provide a total of 32 feet of paving with curb, gutter, a minimum five-foot wide sidewalk and streetlighting along Pueblo Avenue and facilitate the pavement along the "out parcel" (APN 113-05-045). If the developer is unable to procure the "out parcel" for the local street pavement requirement, the development shall not have access along the entirety of Pueblo Avenue except for one combined access point for emergency and refuse collection only at the eastern limits of the property, as determined by Planning and Development and Street Transportation Departments.
3. The developer shall dedicate 25 feet of right-of-way for the south half of Pueblo Avenue, as approved by the Planning and Development Department.
4. The developer shall dedicate a 14-foot Sidewalk Easement along Broadway Road, for the entire length of the development, to accommodate a detached

sidewalk and shade trees adjacent to the sidewalk, as approved by the Planning and Development and Street Transportation Departments.

5. The developer shall dedicate 5 feet of right-of-way for the east half of 6th Avenue, as approved by the Street Transportation Department.
6. Existing irrigation facilities along 6th Avenue and Broadway Road are to be undergrounded and relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate facilities. Relocations that require additional dedications or land transfer require completion prior to obtaining ~~plat and/or civil plan review approval~~ A CERTIFICATE OF OCCUPANCY FOR THE DEVELOPMENT.
7. The developer shall provide enhanced internal pedestrian circulation with a primary access point at the intersection of 6th Avenue and Broadway Road. The access point shall be enhanced with a minimum 700 square foot landscaped area planted with drought-tolerant plant materials providing seasonal interest and 75 percent live cover and a bollard light path or lighted art element visible from the perimeter of the site. The above shall be approved by the Planning and Development Department.
8. 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.
9. The applicant shall submit a Traffic Impact Study/Statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact Mr. Matthew Wilson, Traffic Engineer III, (602) 262-7580, to set up a meeting to discuss the requirements of the statement/study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Design Section.
10. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.
11. 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.
12. 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-6716 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6716 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 25th day of May, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

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Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:

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REVIEWED BY:

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Jeffrey Barton, City Manager

Exhibits:

A - Legal Description (2 Pages)

B - Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-22--Z-58-19-7

PARCEL NO. 1: 113-07-120A:

A part of the Southwest quarter of Section 20, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at an iron pipe on the South line of said Section 20, a distance of 959.4 feet West of the intersection of said Section line with the center of Central A venue, being at the Southeast corner of the tract and identical with the Southwest corner of the Pasely Tract, running;

THENCE North 454.6 feet to a point identical to the Northwest corner of Rosas Tract;

THENCE West on a straight line continuing the course of the North line of the Rosas Tract, 576 feet;

THENCE South 454 feet to a point on the South line of said Section;

THENCE East on the Section line 576 feet to the POINT OF BEGINNING.

PARCEL NO. 2: 113-05-044:

That part of the Southwest quarter of Section 20, Township 1 North, Range 3 East of the Gila River and Salt River Base and Meridian, described as follows:

BEGINNING at a point on the South line of said Section, distant 1535.4 feet West of the point of intersection of said Section line with the center line of Central A venue, said point being identical with the Southwest corner of the A.J. Crawford Tract;

Thence North along said West line of the A.J. Crawford Tract, 150 feet;

Thence South 89 degrees 44 minutes West parallel to the South line of Pueblo A venue, as shown on map of Central Gardens, recorded in Book 31 of Maps, page 3, records of Maricopa County, Arizona, 182.6 feet;

Thence North parallel to the West line of the A.J. Crawford Tract 298 feet to the South line of said Pueblo Avenue;

Thence South 89 degrees 44 minutes west along the South line of Pueblo Avenue, a distance of 400 feet to a stone being the Northwest corner of tract of land herein described;

Thence South 5 degrees 35 minutes East 448 feet to a point on the South line of said Section;

Thence East along the South line of said Section 544.6 feet to the Point of Beginning,

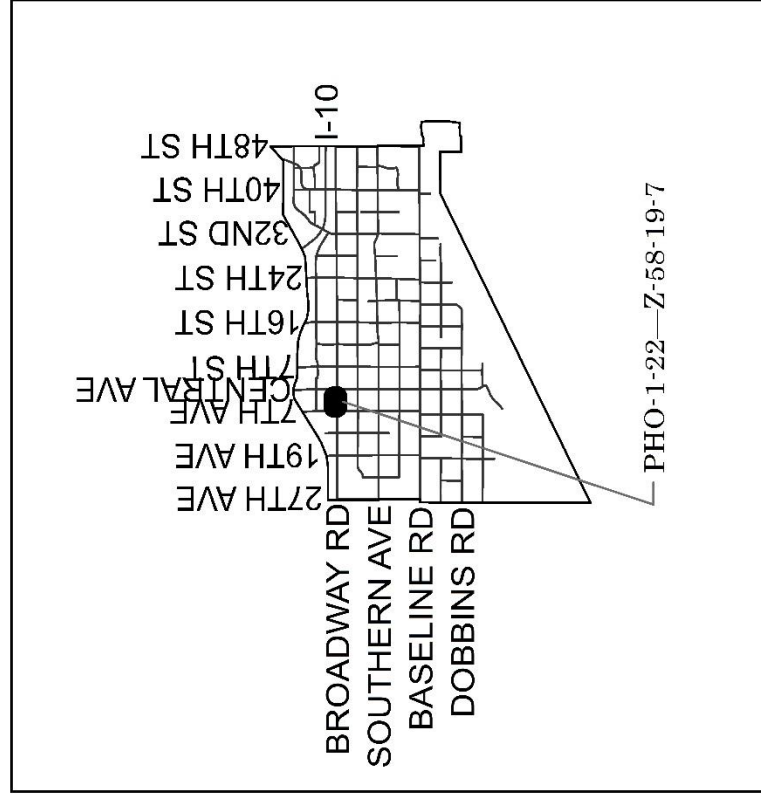
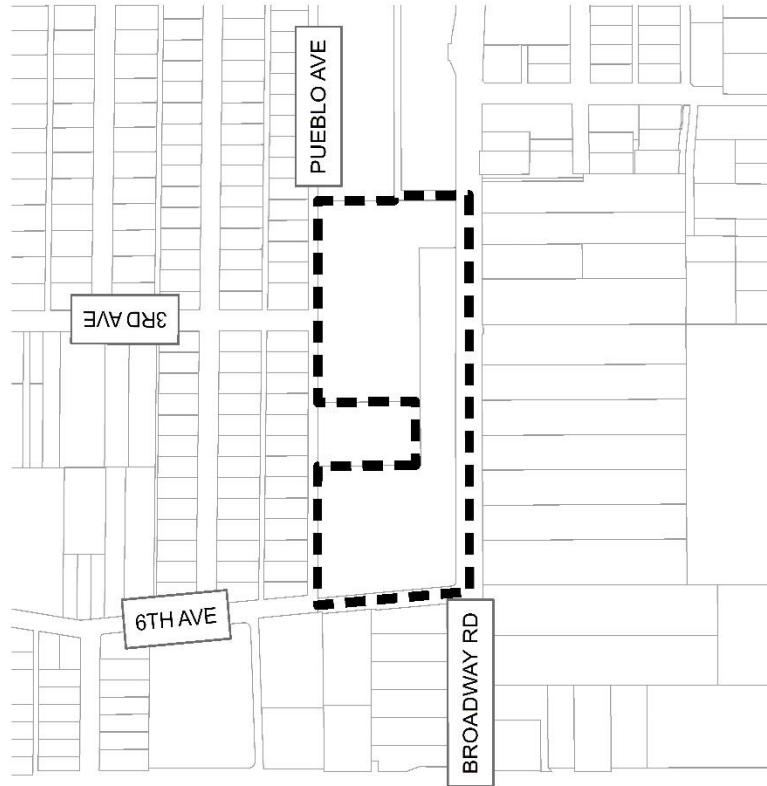
EXCEPT that portion conveyed to the City of Phoenix in deed recorded in Docket 7998, page 223.

DRAFT

# ORDINANCE LOCATION MAP

ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: PHO-1-22—Z-58-19-7  
Zoning Overlay: Rio Salado Interim Overlay District  
Planning Village: South Mountain



NOT TO SCALE

Drawn Date: 4/25/2022