

City Council Formal Meeting

Wednesday, March 2, 2022

2:30 PM

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CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, March 2, 2022 at 2:32 p.m. in the Council Chambers.

Present: 9 - Councilwoman Yassamin Ansari, Councilman Sal DiCiccio, Councilmember Carlos Garcia, Councilwoman Betty Guardado, Councilwoman Ann O'Brien, Councilwoman Debra Stark, Councilman Jim Waring, Vice Mayor Laura Pastor and Mayor Kate Gallego

The Mayor and Councilmembers attended the meeting virtually.

Mayor Gallego acknowledged the presence of Mario Barajas, a Spanish interpreter. In Spanish, Mr. Barajas announced his availability to the audience.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6964 through G-6972, S-48364 through S-48370, S-48372 through S-48391, and Resolutions 21997 through 22002 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

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

BOARDS AND COMMISSIONS

1 Mayor and Council Appointments to Boards and Commissions

Summary

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

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

Fast Track Cities Ad Hoc Committee

Appoint Jason Vail Cruz, as recommended by Mayor Gallego.

Appoint Duvia Lozano, as recommended by Mayor Gallego.

Mayor's Commission on Disability Issues

Appoint Benee Hilton-Spiegel, filling a vacancy on the commission for a term to expire March 2, 2025, as recommended by Mayor Gallego.

Paradise Valley Village Planning Committee

Appoint Regina Schmidt, replacing Katie Belous on the committee for a term to expire Nov. 19, 2023, as recommended by Councilwoman Stark.

Reappoint Larisa Balderrama, serving a second term to expire Nov. 19, 2023, as recommended by Councilwoman Stark.

Reappoint Toby Gerst, serving a fifth term to expire Nov. 19, 2023, as recommended by Councilwoman Stark.

Reappoint Rob Gubser, serving a fourth term to expire Nov. 19, 2023, as recommended by Councilwoman Stark.

Reappoint Jennifer Hall, serving a fifth term to expire Nov. 19, 2022, as recommended by Councilwoman Stark.

Reappoint Alex Popovic, serving a second term to expire Nov. 19, 2023, as recommended by Councilwoman Stark.

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

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Pastor and Mayor Gallego

No: 0

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

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

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that items 2-18 be recommended for approval, except Item 7. The motion carried by the following voice vote:

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Pastor and Mayor Gallego

No: 0

2 Liquor License - Chennai Chetinaad Palace

Request for a liquor license. Arizona State License Application 180061.

Summary

Applicant

Zubair Zulfiquir, Agent

License Type

Series 12 - Restaurant

Location

2814 W. Bell Road, Ste. 1454 and 1455

Zoning Classification: C-2

Council District: 1

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 March 13, 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:

“For your information: here in Arizona I, Zubair Zulfiquir have working and managing experience convenience store including alcohol products for long time. I have successfully conducted my duty sales and customer service without any violation. . I myself consider I ' m a competent person. I bear moral ethic and human dignity, knowingly I have never done and will not violate any law. recently I have attended Arizona liquor training class for law and management and obtain certificate and deposited to AZ department of liquor. I ' m a confident, reliable and capable person to conduct a business with all respect.”

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

“As you know it is very suitability and privileges for restaurant patron if

they can be serve their choice beverage including alcohol with their food. and certain food make test better with alcoholic ' s beverage. the area of my restaurant is a very neat and nice community. lot of decent societies lice around the restaurant. the neighborhood people been choosing this restaurant as their dream place to have good food and choice able beverages. this are people will be happy to have this restaurant continued in business and serve them good food and beverages.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Chennai Chetinaad Palace

Liquor License Map - Chennai Chetinaad Palace

This item was recommended for approval.

3 Liquor License - Special Event - Lump Busters

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

Summary

Applicant

Terri Gall

Location

2601 E. Rose Garden Lane

Council District: 2

Function

Dinner

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

April 9, 2022 - 6 p.m. to 10:30 p.m. / 150 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

4 Liquor License - Coconut's Fish Cafe

Request for a liquor license. Arizona State License Application 169777.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

7000 E. Mayo Blvd., Ste. 1108

Zoning Classification: PUD PCD

Council District: 2

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

The 60-day limit for processing this application is March 13, 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 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.

Coconut's Fish Cafe (Series 12)

16640 N. Scottsdale Road, Ste.103, Scottsdale

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

Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

"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:

"Moving to its new location, Coconut's Fish Cafe is a popular family friendly neighborhood restaurant offering fresh fish and seafood dishes, burgers, pastas, soups and salads in a unique island/beach theme setting. Applicant would like to offer alcohol to its guests 21 and over as an incident to their favorite dishes served."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Coconut's Fish Cafe

Liquor License Map - Coconut's Fish Cafe

This item was recommended for approval.

5 Liquor License - Hello Vietnam Pho & Roll

Request for a liquor license. Arizona State License Application 179619.

Summary

Applicant

Hello Vietnam Pho & Roll

License Type

Series 12 - Restaurant

Location

12847 N. Tatum Blvd., Ste. E01

Zoning Classification: C-2 PCD

Council District: 3

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

The 60-day limit for processing this application is March 8, 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 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.

Hello Vietnam Pho & Roll (Series 12)
25245 N. Lake Pleasant Pkwy., #1100, Peoria
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Hello Vietnam Pho & Roll (Series 12)
8752 E. Shea Blvd., #C-11, Scottsdale
Call for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

"I have taken both employee + management training for liquor law training I have managed Sushi Ko, Inc with a liquor license I am also 1/2 owner of Hello Vietnam Pho & Roll at 8752 E. Shea Blvd. Scottsdale AZ 85260."

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

“We provide a safe & clean place where customers can enjoy a drink with quality food. Our liquor sales are low compared to the amount of food sold. Our hours are 10AM - 8PM so food & liquor sales are cut off relatively early.”

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 - Hello Vietnam Pho & Roll

Liquor License Map - Hello Vietnam Pho & Roll

This item was recommended for approval.

6 Liquor License - Abyssinia Restaurant & Cafe

Request for a liquor license. Arizona State License Application 1207A919.

Summary

Applicant

Azeb Getahun, Agent

License Type

Series 12 - Restaurant

Location

842 E. Indian School Road

Zoning Classification: C-2

Council District: 4

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales. This location requires a Use Permit to allow outdoor dining.

The 60-day limit for processing this application is March 19, 2022.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

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

"I am over 21 years old and I have the ability to uphold the State and Federal laws."

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.

This item was recommended for approval.

8 Liquor License - Kwik Corner 305

Request for a liquor license. Arizona State License Application 176080.

Summary

Applicant

Subhash Thathi, Agent

License Type

Series 10 - Beer and Wine Store

Location

305 E. Thomas Road

Zoning Classification: C-1

Council District: 4

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

The 60-day limit for processing this application is March 5, 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 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.

Sinclair 1101 (Series 10)

1101 N. 7th St., Phoenix

Calls for police service: 66

Liquor license violations: None

Kwik Corner #5059 (Series 10)
5059 W. Olive Ave., Glendale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Mobil Kwik Corner 1957 (Series 10)
1957 N. Country Club Drive, Mesa
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 fully trained and have 8 of these stores which I run day to day."

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

"This business been here for more than 30 years and we have lot of regular customer who comes in to buy all the convenience items including bear and wine."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Kwik Corner 305
Liquor License Map - Kwik Corner 305

This item was recommended for approval.

9 Liquor License - Virginia Market

Request for a liquor license. Arizona State License Application 179924.

SummaryApplicant

Hussam Yousef, Agent

License Type

Series 9 - Liquor Store

Location

702 E. Virginia Ave.

Zoning Classification: C-2

Council District: 4

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

The 60-day limit for processing this application is March 12, 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 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.

Virginia Market (Series 10)
702 E. Virginia Ave., Phoenix
Calls for police service: 10
Liquor license violations: None

Mesa Liquor (Series 9)
1930 E. Broadway Road, #2, Mesa
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 developed good experience from managing two stores one of them is liquor store since March 2017. In addition to the work experience I armed with a master in Financial management."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Enforcing Liquor regulations and licensing law keep the community safe and reduce alcohole problems."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Virginia Market

Liquor License Map - Virginia Market

This item was recommended for approval.

10 Liquor License - Special Event - CASA Academy

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

Summary

Applicant

Tacey Cundy

Location

8047 N. 35th Ave.

Council District: 5

Function

Community Event

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

April 8, 2022 - 7 p.m. to 10 p.m. / 250 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

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

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

Summary

Applicant

Ari Levin

Location

5601 N. 16th St.

Council District: 6

Function

Broadway Show

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

March 31, 2022 - 6 p.m. to 9:15 p.m. / 900 attendees

April 1, 2022 - 6 p.m. to 9:15 p.m. / 900 attendees

April 2, 2022 - Noon to 9:15 p.m. / 1,800 attendees

April 3, 2022 - 6 p.m. to 9:15 p.m. / 900 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Special Event - Villa Montessori School

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

SummaryApplicant

Athena Moskoyes

Location

2802 E. Meadowbrook Ave.

Council District: 6

Function

Dinner

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

April 23, 2022 - 5 p.m. to 10 p.m. / 250 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Native Grill & Wings

Request for a liquor license. Arizona State License Application 177435.

Summary

Applicant

Jared Repinski, Agent

License Type

Series 12 - Restaurant

Location

5030 E. Ray Road, Ste. 5

Zoning Classification: C-2 PCD

Council District: 6

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

The 60-day limit for processing this application is March 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 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.

Native Grill & Wings (Series 12)
1339 E. Chandler Blvd., #101, Phoenix
Calls for police service: 6
Liquor license violations: None

Native Grill & Wings (Series 12)
8225 N. Courtney Page Way, Marana
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Native Grill & Wings (Series 12)
3100 E. Speedway Blvd., Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

"I have been representing liquor licensed establishments in Arizona for over 15 years."

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

"Tourism plays an important role in our local economy and liquor licensed

establishments (the sale of alcohol) is a very important aspect of tourism. Therefore, if the City of Phoenix continues to lead the State of Arizona by approving quality and diverse businesses (restaurants, bars, microbreweries, distilleries, hotels, resorts, golf courses, special events, convenience / grocery stores & gas stations) similar to this proposed liquor licensed business, all businesses will prosper.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Native Grill & Wings

Liquor License Map - Native Grill & Wings

This item was recommended for approval.

14 Liquor License - Special Event - Phoenix Children's Hospital Foundation

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

Summary

Applicant

Desiree Garcia

Location

380 N. 1st Ave.

Council District: 7

Function

Fashion Show

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

April 22, 2022 - 6 p.m. to 8 p.m. / 200 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - El Zaguan Bistro

Request for a liquor license. Arizona State License Application 179529.

Summary

Applicant

Jesus Rodriguez Figueroa, Agent

License Type

Series 12 - Restaurant

Location

16 W. Adams St.

Zoning Classification: DTC - Business Core

Council District: 7

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

The 60-day limit for processing this application is March 7, 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:

"As a business owner I feel privileged to provide a great service and experience to our guests, as a person with strong values making sure I set an example of responsibility and accountability."

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

"By providing a great family and friendly atmosphere for our visitors to have an excellent and safe experience for all."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - El Zaguan Bistro

Liquor License Map - El Zaguan Bistro

This item was recommended for approval.

16 Liquor License - Walter Studios

Request for a liquor license. Arizona State License Application 177527.

Summary

Applicant

Camila Alarcon, Agent

License Type

Series 12 - Restaurant

Location

747 W. Roosevelt St.

Zoning Classification: DTC - Commercial - 1

Council District: 7

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

The 60-day limit for processing this application is March 5, 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:

"The Applicant's member has significant experience as an entertainment and production company and currently holds a Series 3 microbrewery, Series 7 bar and a Series 6 bar license in Phoenix. The Applicant is committed to upholding the highest standards with all Arizona liquor laws and regulations and will ensure proper training of managers and staff on the same."

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

"Applicant intends to open a restaurant, event space, and art gallery in downtown Phoenix. It complements the other establishments currently operating in the Roosevelt neighborhood of downtown Phoenix, and provides an additional dining option to the surrounding community."

Staff Recommendation

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

Attachments

Liquor License Data - Walter Studios

Liquor License Map - Walter Studios

This item was recommended for approval.

17 Liquor License - Kwik Corner 3001

Request for a liquor license. Arizona State License Application 175152.

SummaryApplicant

Subhash Thathi, Agent

License Type

Series 10 - Beer and Wine Store

Location

3001 E. Washington St.

Zoning Classification: A-1

Council District: 8

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

The 60-day limit for processing this application is March 5, 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 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.

Sinclair 1101 (Series 10)

1101 N. 7th St., Phoenix

Calls for police service: 66

Liquor license violations: None

Kwik Corner #5059 (Series 10)

5059 W. Olive Ave., Glendale

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

Liquor license violations: None

Mobil Kwik Corner 1957 (Series 10)

1957 N. Country Club Drive, Mesa

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 fully trained and have 8 of these stores which I run day to day."

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

"This business been here for more than 30 years and we have lot of regular customer who comes in to buy all the convenience items including bear and wine."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Kwik Corner 3001

Liquor License Map - Kwik Corner 3001

This item was recommended for approval.

18 Liquor License - The Garfield Phoenix

Request for a liquor license. Arizona State License Application 159738.

Summary

Applicant

Amy Nations, Agent

License Type

Series 12 - Restaurant

Location

924 E. Roosevelt St.

Zoning Classification: C-1 ACOD

Council District: 8

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

The 60-day limit for processing this application is March 5, 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:

"As a mom of three, and self-made entrepreneur, I've learned 1st hand the importance of due diligence, research, and accountability. Having the ability to make decisions and assess certain situations from a liability standpoint is crucial. Since completing my Title 4 liquor training, I have gained a great deal of knowledge and understanding of the AZ liquor laws as well as new insight to the immense responsibility that comes along with offering alcohol, and its impact on people's lives. This is something I take very seriously, and am committed to the safety of my staff, customers, and the public whom may be impacted. My focus is to ensure that our establishment is in compliance with city and state laws at all times, and to continue to build relationships with the local community as well as our neighborhood law enforcement. By doing this, I feel we can facilitate a responsible, positive dining and drinking environment."

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

"Since occupying our current location, we've received a lot of positive feedback from the neighborhood. People are happy that we have taken this vacant historic diner and have resurrected it into an attractive property that provides great food and drink. We are community and food focused and strive to offer a safe and welcoming gathering place that will foster responsible alcohol consumption. We plan to work with local purveyors and create an establishment that contributes to the enhancement & revitalization of the downtown Arts district."

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 Garfield Phoenix

Liquor License Map - The Garfield Phoenix

This item was recommended for approval.

7 Liquor License - Chicas Cabaret

Request for a liquor license. Arizona State License Application 07070720.

Summary

Applicant

Christian Nava Cruz, Agent

License Type

Series 7 - Beer and Wine Bar

Location

2802 N. 35th Ave.

Zoning Classification: A-1

Council District: 4

This request is for an ownership and location transfer of a liquor license for a topless 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 March 19, 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 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.

T &A Cabaret (Series 6)

3420 S. Central Ave., Phoenix

Calls for police service: 38

Liquor license violations: None

Showtime Cabaret (Series 6)

3614 W. McDowell Road, Phoenix

Calls for police service: 9

Liquor license violations: None

Public Opinion

Six letters protesting the issuance of this license have been received and are on file in the Office of the City Clerk. The letters are from local residents and property owners. They feel that the issuance of the liquor license is not in the best interest of the community due to late night service of alcohol, potential unsafe driving through the neighborhood, and loud activity in the parking lot of the establishment.

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 22 year of experience in this business I started from the bottom cleaning toilets to handing out flyer's Business to Business I also worked security/Bartender/DJ to manager to Gm I also had a management marketing company taking companies from closig to being some of the to businesses in the country."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "I took this business from being the worst club in the city this place had lot's of Liquor violation act of violence also police Ice raids I changed it to a safe & fun bar for the community I have a great relationship with the neighborhood association La Familia & Im the president of maryvalle business alliance so public interest is top priority we also provide job's for 150 to 200 people that provide for there families."

Staff Recommendation

Staff gave careful consideration to the protest letters received, however after reviewing the application in its entirety staff is recommending approval of this application.

Attachments

Liquor License Data - Chicas Cabaret

Liquor License Map - Chicas Cabaret

Discussion

Vice Mayor Pastor made a motion of no recommendation for Item 7.

Councilwoman Stark seconded the motion.

Mayor Gallego mentioned there were individuals signed up to speak in support only if necessary, and asked if any councilmembers wanted to hear from them.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that this item be forwarded to the State with no recommendation. The motion carried by the following vote:

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Pastor and Mayor Gallego

No: 0

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

Discussion

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

Vice Mayor Pastor made a motion that items 19-73 be approved or adopted, except items 25, 35-36, 43, 51, and 67-73; noting Items 65 is continued to the April 6, 2022 City Council Formal Meeting; and Item 71 is as corrected. She added items 51 and 71 were excluded for public comment.

Councilwoman Stark seconded the motion.

Mayor Gallego asked Deputy City Manager Alan Stephenson if Item 66 needed to be continued.

Mr. Stephenson replied that was correct, Item 66 needed to be continued to the April 6, 2022 City Council Formal Meeting because there was a problem with the applicant's sign posting of the notice for the meeting.

Vice Mayor Pastor noted Item 66 is continued to the April 6, 2022 City Council Formal Meeting.

Councilwoman Stark affirmed.

Note: Two electronic comments were submitted for Item 65 in opposition.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that items 19-73 be approved or adopted, except items 25, 35-36, 43, 51, and 67-73; noting items 65-66 are continued to the April 6, 2022 City Council Formal Meeting; and Item 71 is as corrected. The motion carried by

the following vote:

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio,
Councilmember Garcia, Councilwoman Guardado,
Councilwoman O'Brien, Councilwoman Stark, Councilman
Waring, Vice Mayor Pastor and Mayor Gallego

No: 0

Items 19-24, 26-27, Ordinance S-48364 was a request to authorize the City Controller to disburse funds, up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

19 Settlement of Claim(s) Udd, et al. v. City of Phoenix

To make payment of \$273,000.00 in settlement of claim(s) in *Udd, et al. v. City of Phoenix*, 2:18-CV-01868-JJT, 17-1190-001, GL, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of lost wages claim on June 27, 2018, involving the Police Department.

This item was adopted.

20 ADK Consulting, Inc.

For \$93,000.00 in payment authority for a new contract for a term of two years to conduct an executive search for Assistant Aviation Director - Chief Development Officer, and Assistant Aviation Director - Chief Revenue Officer for the Human Resources Department. The executive search firm will write recruitment marketing materials, advertise, conduct applicant searches, identify a diverse applicant pool, coordinate interviews, write interview questions, and facilitate offer and negotiations. The Human Resources Department conducted a Request for Qualifications.

This item was adopted.

21 West Publishing Corporation, doing business as Thomson Reuters Elite

For \$249,000.00 in payment authority for Contract 105718, through June 30, 2026, for the support-maintenance and rules calendaring plan for the Law Department's ProLaw software, which is the Civil Division's case management and client billing system. This will continue the annual maintenance plan which provides ongoing software updates and technical support.

This item was adopted.

22 Ralph Steven Fisher doing business as Sentinel Concepts, LLC

For \$10,000.00 in payment authority to purchase a two-day low light handgun instructor development course for the Police Department. The Department's Firearms Training Detail topics will include range safety and medical plans, how to deal with training performance-accuracy issues and how to identify corrective actions, updated malfunction clearances, red dot sighting systems with a white visible light, heavy emphasis on accuracy and speed based on a positive target identification, and effective low light handheld and pistol mounted light use. The Phoenix Police Departments Firearms Training Detail is responsible for the effective training of thousands of officers and recruits annually. The instructors must continually educate themselves on current techniques and teaching methods. Funding is available in the Police Department's budget.

This item was adopted.

23 NicheVision Forensics, LLC

For \$10,400.00 in payment authority for refresher training workshops for the Police Department. The training includes a mix of e-learning content and live presentations for approximately two six-hour sessions, with two instructors for up to 25 attendees. Funding for the training is available in the Police Department's Laboratory Services Bureau, 2019 DNA Capacity Enhancement and Backlog Reduction Grant.

This item was adopted.

24 Integrated Medical Evaluations, Inc.

For \$550,100.00 in payment authority for new Contract 155827, entered on or about Feb. 2, 2022, for a term of five years, for independent medical evaluations. Independent medical evaluations are used when the Local Police and Fire Retirement Boards (Local Boards) require

information to determine the eligibility of individuals for a disability retirement. Furthermore, State statute requires all public safety members who have filed an application for disability retirement be referred for an independent medical evaluation by a board certified, Arizona licensed physician to determine if they meet the criteria listed in Arizona Revised Statutes, section 38-859. The Local Boards granted approval at the Jan. 4, 2022 meetings.

This item was adopted.

26 Arizona Public Service Company doing business as APS

For \$11,500.00 in payment authority to APS for the installation of 12 new City-provided luminaries and mast arms on existing 12kV distribution poles and one secondary transition from overhead to underground for the Street Transportation Department. The services are needed to ensure that project ST87210040 Area Bounded by 7th Avenue to 7th Street and Lincoln Road to Watkins Street, meets roadway lighting standards. The project was authorized based on recommendations by the Transportation 2050 - T2050 South Downtown Neighborhoods Mobility Study - Mobility Area 1 to improve the safety of residents who walk and ride bicycles. The work is necessary to ensure this area meets arterial lighting standards. The work is budgeted and funded in FY 2021-22.

This item was adopted.

27 Doege Development LLC

For \$213,440.00 in additional payment authority for Agreement 154721, for Change Order 1, Project AV41000074 for the Phoenix-Goodyear Drainage Improvements Project for the Aviation Department. Additional spending authority is due to the discovery of unforeseen site conditions during the excavation for pipe. The project is necessary to improve the drainage system by constructing a covered storm-water pipeline to replace the current open-drainage ditch which runs through the airport northwest and southeast of the runway and taxiways. Since the Phoenix-Goodyear Airport facility was originally build before World War II and was owned by several entities, the as-built documentation for underground utilities was inaccurate.

This item was adopted.

28 Acceptance of a Right-of-Way Assignment from Arizona State Land

Department for Access Road to Lift Station 42 (Ordinance S-48365)

Request the City Council to accept an assignment of right-of-way from the Arizona State Land Department for an access road to Lift Station 42.

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

Summary

Access to Lift Station 42 was severed by construction of the Loop 202 South Mountain Freeway by the Arizona Department of Transportation (ADOT). Arizona State Land Department (ASLD) granted a perpetual right-of-way to ADOT (R/W number 16-121778-00) for the construction, operation, and maintenance of an access road south of the freeway. The right-of-way was assigned by ASLD to the City at the request of ADOT to restore access to Lift Station 42.

Location

Pecos Road Alignment, south of Loop 202 South Mountain Freeway.
Council District: 6

This item was adopted.

29 Acceptance and Dedication of Easements for Sidewalk, Public Utility, or Landscape and a Deed for Roadway Purposes (Ordinance S-48368)

Request for the City Council to accept and dedicate easements for sidewalk, public utility, or landscape and a deed for 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: PPO Carlsbad, LLC, Red Mountain Asset Fund II, LLC,

PPO Apple Valley MN, LLC, and H&H Family Trust, its successor and assigns

Purpose: Sidewalk

Location: 3514 W. Peoria Ave.

File: FN 210129

Council

District: 1

Easement (b)

Applicant: NS Van Buren, LLC, its successor and assigns

Purpose: Public Utility

Location: 7420 W. Van Buren St.

File: FN 210122

Council

District: 7

Deed (c)

Applicant: Performance Food Group, Inc., its successor and assigns

Purpose: Roadway

Location: 445 and 455 S. 75th Ave.

File: FN 210116

Council

District: 7

Easement (d)

Applicant: New Hope in Christ Church which acquired title as New Hope Community, its successor and assigns

Purpose: Landscape

Location: 1616 E. Portland St.

File: FN 210114

Council

District: 8

Easement (e)

Applicant: RJ7 2021 Dobbins, LLC, its successor and assigns

Purpose: Public Utility

Location: 9225 S. 19th Ave.

File: FN 210121

Council
District: 8

Easement (f)

Applicant: 3308 N 28th St LLC, its successor and assigns
Purpose: Public Utility
Location: 3308 N. 28th St.
File: FN 220002
Council
District: 8

Easement (g)

Applicant: KLAD, LLC, its successor and assigns
Purpose: Public Utility
Location: 3310 N. 28th St.
File: FN 220002
Council
District: 8

This item was adopted.

30 Acceptance of an Easement for Drainage Purposes (Ordinance S-48376)

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

Summary

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

Easement (a)

Applicant: Prolux Homes, LLC and Dahlia Rostenberg, its successor and assigns
Purpose: Drainage
Location: 2255 E. Desert Lane
File: FN 210123
Council District: 8

This item was adopted.

31 Dedication of Right-of-way Along the South Side of Campbell Avenue, East of 99th Avenue (Ordinance S-48383)

Request for the City Council to dedicate right-of-way to public use for utility, sidewalk, and roadway purposes along the south side of Campbell Avenue, east of and 99th Avenue; further ordering the ordinance recorded.

Summary

The land to be dedicated was acquired for right-of way-purposes but was not formally dedicated to public use. The 17,130 square foot parcel is located along the south side of Campbell Avenue, east of 99th Avenue. Dedication is necessary to accommodate public improvements including sidewalk and public utilities along the roadway. The parcel is more fully described in the legal description to be recorded with the ordinance.

Location

Along the south side of Campbell Avenue, east of 99th Avenue, identified by Maricopa County Assessor parcel number 102-18-003G. Council District: 5

This item was adopted.

32 Ratification of a Recorded Easement and Conveyance of an Access Easement Across City-owned Property Located North and East of 28th and Elwood Streets (Ordinance S-48384)

Request the City Council ratify a recorded easement, Maricopa County recording 20090644034 recorded on June 14, 2009, for purposes of ingress and egress, a multi-use trail and utilities. Further request authorization for the City Manager, or his designee, to convey an access easement within the recorded easement area for access to an adjacent property.

Summary

The Easement to be ratified, MCR 20090644034 (Easement), was part of the Planning and Development Department's code modification

process (CMOD 090060) for private utilities to cross property lines for the Southwest Solar project (Development) located at 3545 S. 28th St. The Easement, signed by the then Building Official and Parks and Recreation Director, included uses for ingress and egress, a multi-use trail and utilities. Upon recording of the Easement, utilities and a private roadway were constructed for access to the Development. The multi-use trail within the Easement, along Rio Salado, connects to a multi-use trail along the north side of the Development that was dedicated to the City as part of the Development.

Hecktech Inc., its successors and/or assigns (Hecktech), is currently developing the property north and east of the 28th Street cul-de-sac, adjacent to the Easement, and requires access across the Easement for a development (KIVA 19-371). The access easement will exclude the multi-use trail and will be conveyed via separate recording instrument, with standard maintenance and indemnification required from Hecktech. The access easement will not modify the existing use within the area of the Easement.

Location

North and east of 28th and Elwood streets, within Maricopa County
Assessor parcel number 122-24-003N.
Council District: 8

This item was adopted.

33 External Audit Services for the Annual Comprehensive Financial Report (Ordinance S-48373)

Request to authorize the City Manager, or his designee, to extend and allow additional expenditures under Contract 145008 with BKD, LLP., to conduct the FY 2021-22 financial statement audits and federal grant audits for the City Auditor Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$579,250.

Summary

The City of Phoenix Charter and Code require that the City Auditor Department arrange for an annual audit of the City's annual

comprehensive financial report and the federal single audit. These audits must be conducted by one or more certified public accountants who are not City employees (external auditors). Due to changes in the Governmental Accounting Standards (i.e., GASB 87), limited staff resources for the dedicated on-going support of departments, and the need to focus staff resources on new reporting requirements for the Coronavirus Aid, Relief, and Economic Security (CARES) Act and American Rescue Plan Act (ARPA) funding, the Finance and City Auditor departments are recommending extending the contract with BKD, LLP for one year.

Contract Term

Upon approval, the contract term will be extended through June 30, 2023.

Financial Impact

Upon approval of \$579,250 in additional funds, the revised aggregate value of the contract will not exceed \$3,310,740. Funds are available in the City Auditor Department's budget.

Concurrence/Previous Council Action

The City Council approved:

Contract 145008 (Ordinance S-43235) on Feb. 15, 2017;

Payment Authority (Ordinance S-44629) on June 6, 2018;

Payment Authority (Ordinance S-44902) on Aug. 29, 2018.

This item was adopted.

**34 Industrial and Medical Gases - Requirements Contract
Cooperative Agreement ADHS12-020682 (Ordinance S-48374)**

Request to authorize the City Manager, or his designee, to extend and continue using Ordinance S-45994 under Contract 144279 with Matheson Tri-Gas, Inc. to provide industrial and medical gases to Citywide departments. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed.

Summary

Matheson Tri-Gas provides a broad range of industrial gases such as oxygen, acetylene, argon, hydrogen, and carbon dioxide tanks used for

medical emergencies and other industrial applications to numerous City departments. The primary departments using the contract are Aviation, Fire, Police, and Water Services. This extension is necessary to allow additional time to establish a new cooperative purchasing agreement for these industrial and medical gases.

Contract Term

Upon approval, the contract term will be extended through June 30, 2022.

Financial Impact

The aggregate value of this contract is \$940,000 and no additional funds are needed for the extension. Funding is available in the various City departments' budgets.

Concurrence/Previous Council Action

The contract was originally approved by City Council on May 30, 2012; supplemental actions included Ordinance S-43005 approved on Nov. 30, 2016 and Ordinance S-45994 approved on Sep. 4, 2019.

This item was adopted.

37 Mayo Reimbursement Payment Ordinance Correction (Ordinance S-48385)

Request for \$4,620,953.50 in payment authority for reimbursement of permit and plan review fees to Mayo Foundation for Educational Research previously authorized by Development Agreement CON 72047. Further request the City Controller to disburse all funds related to this item.

Summary

The Development Agreement (Contract 72047) was executed between City of Phoenix and Mayo Foundation for Educational Research ("Mayo") on Jan. 3, 1996, with a contract term of 50 years. The Development Agreement describes the reimbursement of construction sales tax for permit/plan review fees paid for Phase I improvements up to the amount of construction sales tax paid. It includes a provision for unused reimbursement credits that carry over if applicable.

The Development Agreement was executed after the associated

Ordinance; however, the Development Agreement is inconsistent with the Ordinance with regards to reimbursement amount. Staff does not have records that explain the discrepancy.

The City Council Report dated Sept. 14, 1995, (GEN81552) refers to the permit fee reimbursements "estimated cost" of \$1,045,000.

The Payment Ordinance dated Sept. 20, 1995, (S-23079) Section 1.f. specifies that the City shall reimburse Mayo in an amount "not to exceed" \$1,045,000.

The Development Agreement (CON 72047) dated Jan. 3, 1996, Section 6 provides for reimbursements limited to the amount of construction sales tax remitted to the city, with no hard cap or maximum amount.

To date, the City has paid Mayo \$5,665,953.50 as reimbursement of permit and plan review fees collected by the Development Services/Planning & Development Department for Phase I construction activity provided by the Development Agreement Jan. 3, 1996, to Dec. 31, 2020. Additional payment authority of \$4,620,953.50 is requested to correct the discrepancy between the previously approved Ordinance amount (\$1,045,000) and the total amount reimbursed to date. Payments to Mayo are made from the Development Repayment Agreement Trust Fund, which is reimbursed from City funds based on construction sales taxes remitted to the City from applicable activity under the Development Agreement.

Future reimbursement requests will be reviewed per the terms of the Development Agreement. Additional payment authority needed to process payment for future reimbursements will be requested on an annual basis.

Financial Impact

All expenditures and fund transfers for reimbursements related to this item were completed in prior years.

Previous Council Action

Authorized Development Agreement (CON 72047) and approved Payment Ordinance (S-23079) on Sept. 20, 1995.

This item was adopted.

38 Development Agreement with Mayo Clinic Arizona for Installation of Public Infrastructure Improvements (Ordinance S-48386)

Request to authorize the City Manager, or his designee, to negotiate and enter into a Development Agreement (DA) with Mayo Clinic Arizona (Mayo) for installation of public infrastructure improvements, drainage and dedication of public right-of-way (ROW) or easements, and any other agreements as necessary (Agreements) for a mixed-use project to be located on approximately 228 acres south of Loop 101, east of 56th Street, west of 64th Street, and as described in the Arizona State Land Department (ASLD) Auction No. 53-122049 (Site). Also request authorization to amend the 1996 DA with the Mayo Foundation for Medical Education and Research (MFMER), City Contract No. 72047, to utilize any "Unused Reimbursement Credit" for reimbursement as described below. Also request to authorize the City Controller to disburse all funds under the terms of the Agreements.

Summary

Mayo is a nonprofit organization committed to patient care, clinical practice, education, and research and providing expert, whole-person care to those who need healing. Mayo selected Phoenix for an expansion following a national search that concluded in 1995. On January 3, 1996, the City and FMER entered into a DA, City Contract No. 72047, for medical education and research in the connection with the development of a mixed-use medical campus with a hospital and ancillary uses. As part of this initial DA, that is still in effect, the City reimburses Mayo for permitting fees through construction sales tax. The DA culminated with Mayo commencing construction in 1996 on their existing campus in North Phoenix. Mayo's Phase I Hospital has been operational ever since with subsequent expansions including the addition of their Proton Therapy facility in 2014 to deliver specialized cancer treatments to its patients.

Mayo is currently undergoing a \$748 million dollar expansion on their existing north Phoenix campus to enhance their top-ranked patient care, clinical research, and medical school for a total footprint of more than three million square-feet. This expansion will nearly double the footprint on the Phoenix campus.

In December 2021, Mayo was the successful bidder at a public ASLD

auction to acquire approximately 228-acres of land located immediately adjacent to their existing north Phoenix campus. Mayo envisions the development and creation of this Site as the “Discovery Oasis”, similar to the “Discovery Square” adjacent to its campus in Rochester, Minn. Discovery Square is a 16-block sub-district built in collaboration with Mayo in a highly connected urban life science hub. In Phoenix, “Discovery Oasis” will be home to early and later stage healthcare, life sciences, technology, and other industry-related companies, adding approximately 2,000 new high wage jobs and approximately 500,000 square-feet of new development representing an estimated \$250 million in capital investment.

Mayo has been a strategic partner of the City of Phoenix as it works to attract life science and health technology leaders, and jobs, to the community. The creation of Discovery Oasis will further accelerate these efforts as companies are attracted to being co-located with Mayo as a top-ranked research and patient care organization.

To facilitate the development of the Discovery Oasis on the Site, enhanced new public infrastructure improvements and drainage solutions at an estimated cost of \$40 million will need to be installed by Mayo, including:

- Construction of the north half of Mayo Boulevard along project frontage including streets, curb, gutter, sidewalk, and landscaping;
- Construction of the east half street of 56th Street frontage including street, curb, gutter, sidewalk, and landscaping;
- Reconstruction of the interim traffic signal located at the intersection of Mayo Boulevard and 64th Street, unless developed sooner by others;
- Additional public street improvements and traffic signal infrastructure as required by the approved traffic impact analysis;
- Construction or redevelopment of roadway striping or resurfacing to accommodate restriping;
- Contribution of \$4.7 million towards the construction of the 64th Street improvements, including the bridge over the Reach;
- 16-inch water main extension within Mayo Boulevard, from 56th to 64th streets;
- Distribution water main extension along 64th Street north of Mayo

Boulevard;
Connection of the main within 64th Street connecting to the existing
12-inch main within Mayo Boulevard;
Construction of water main extensions within the new public ROW
adjacent to, or incorporated in, the project;
Construction of new fire hydrants located in the public ROW;
Construction of new sewer mains or upsizing of existing sewer mains
located in the public ROW;
Improvements related to public transit including bus stops, bus shelters
and enhanced street improvements to accommodate for public transit;
and
Construction of the ultimate 100-year storm event box culverts along both
Mayo Boulevard and 64th Street.

Subject to City Council approval, the following major business terms have
been negotiated with Mayo and would be implemented through the
Agreements:

Mayo will privately finance and construct the public infrastructure and
drainage solutions as outlined above;
Mayo will dedicate and convey public rights of way or easements in a
mechanism approved by the City;
Mayo must comply with Title 34 of the A.R.S. in constructing
improvements;
Public improvements must be preapproved by the City;
City will reimburse Mayo for public infrastructure in the following manner:
Years 1-35, 100 percent of the General Fund share of Transaction
Privilege Tax (TPT) revenue generated from new development activity
at the Site, including construction sales tax and lease tax;
Any "Unused Reimbursement Credit" from the 1996 Mayo Hospital
Campus DA; and
To accommodate for the drainage improvements to be installed on the
south side of Mayo Boulevard, which is an existing public street, a
reimbursement not to exceed a total of \$1 million shall be paid over a
three-year period from the Strategic Economic Development Fund.
Reimbursement shall not exceed actual verifiable costs for approved
public infrastructure improvements.
Reimbursement will not begin until after Mayo completes the public

infrastructure improvements, and the City has accepted those improvements;

Infrastructure improvements may be completed in phases, as the Site develops;

Reimbursements to be made annually, in arrears;

No other sources of funds would be used if above resources are not adequate to meet projected construction expense; and

Agreements will include other terms and conditions as deemed necessary by the City.

The development of Desert Oasis is an important economic development opportunity that will create approximately 2,000 high wage jobs over time for the community and will yield significant financial and public benefits for the City of Phoenix, above and beyond the TPT and Construction Sales tax revenues generated.

Contract Term

The DA will terminate 35 years after execution and the City's acceptance of the public infrastructure improvements and drainage solutions.

Financial Impact

The City will reimburse Mayo up to \$40 million of the General Fund share of TPT revenue generated from the Site. This includes 100 percent of the General Fund share of TPT revenue generated from new development activity including Construction Sales Tax and Commercial Lease Tax and any "Unused Reimbursement Credit" from the 1996 Mayo Hospital Campus DA. Additionally, up to \$1 million shall be paid as a reimbursement to Mayo for the construction, and acceptance by the City, of the drainage improvements on the south side of Mayo Boulevard, which is an existing public street. Reimbursements for the drainage shall follow the same reimbursement requirements as the TPT reimbursement, but will be paid over a three-year time period, estimated to start in FY2024-25, from the Strategic Economic Development Fund. Financial terms of the Agreements will be reviewed by the Budget and Research Department to verify funding availability prior to execution. No other sources of funds would be used if above resources are not adequate to meet projected construction expense.

Concurrence/Previous Council Action

This item was recommended for approval by the Economic Development and Equity Subcommittee at the Feb. 23, 2022, meeting by a vote of 4-0. On Sept. 20, 1995, City Council approved entering into a DA with MFMER via Ordinance S-23079.

Location

Generally located on approximately 228 acres south of Loop 101; east of 56th Street; west of 64th Street, and as described in the ASLD Auction No. 53-122049.

Council District: 2

This item was adopted.

**39 National Registry of Emergency Medical Technician (NREMT)
Testing Representatives for Fire Department's Emergency Medical
Services Program (Ordinance S-48366)**

Request authorization for the City Manager, or his designee, to enter into five-year contracts with Robert Dotterer, and with Terrie Pasch for the provision of a National Registry of Emergency Medical Technician (NREMT) Representative for proctoring and testing services required for the Fire Department's Emergency Medical Services (EMS) Program. The aggregate value of both contracts will not exceed \$33,600. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Phoenix Fire Department (PFD) Emergency Medical Services (EMS) Division is an accredited educational organization that provides a NREMT-Paramedic training program on an annual basis with an occasional additional course per fiscal year dependent upon department need and computer-based and psychomotor examinations.

National Registry Emergency Medical Technician psychomotor examinations are standardized examinations administered in a variety of locations across the United States. All advanced level psychomotor exams (Advanced EMT and Paramedic) are authorized and monitored by an official National Registry Exam Representative.

The NREMT psychomotor examination for national certification is

required by law in the state of Arizona to obtain initial state Paramedic certification per Arizona Revised Statutes (A.R.S.) Title 36 and Arizona Administrative Code (A.A.C.) Chapter 9, Rule 25. Pursuant to this requirement during the testing process, the NREMT representative will provide proctoring services and deliver the testing material to the testing site, be present through the testing process until completion, and manage the overall testing process.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived, citing a determination memo - without competition.

Contract Term

The term of the agreements is March 15, 2022 through March 14, 2027.

Financial Impact

The aggregate five-year contract value for the two contracts shall not exceed \$33,600. Funds are available in the Fire Department's operating budget.

This item was adopted.

40 Request to Apply for and Accept 2021 Staffing for Adequate Fire and Emergency Response (SAFER) Grant (Ordinance S-48387)

Request to retroactively authorize the City Manager, or his designee, to apply for, and accept, if awarded, up to \$10,984,800 from federal fiscal year (FFY) 2021 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program funds. If awarded, request to authorize the City Manager, or his designee, to add 32 new sworn positions. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. If not approved, the grant, if awarded, would be turned down and no new positions would be added.

Summary

The grant application period opened on Jan. 3, 2022 and closed on Feb. 4, 2022. The purpose of SAFER grants is to increase the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards. The grant application will request \$10,984,800 to

hire 32 new firefighter positions lost through attrition (retirements and resignations). These positions will be used to increase service coverage area and improve emergency response time. Funding will be distributed over a three-year period with no cost match required. If awarded, federal funding will be up to \$10,984,800, over the period of performance.

Contract Term

The grant period of performance, if awarded, is three years and is estimated to begin on or around March 2023 with a program end date on or around May 2026.

Financial Impact

If awarded, the City of Phoenix Fire Department will receive up to \$10,984,800 in grant funding for 32 new firefighter positions. No match will be required from the city.

This item was adopted.

41 Request for Resolution to Adopt the 2021 Maricopa County Multi-Jurisdictional Hazard Mitigation Plan (Resolution 22000)

Request to approve a resolution to authorize the City Manager, or his designee, to adopt and administer the 2021 Maricopa County Multi-Jurisdictional Hazard Mitigation Plan as the Federal Emergency Management Agency (FEMA) approved Hazard Mitigation Plan for the City of Phoenix.

By adopting this Resolution, the City of Phoenix recognizes the consequences and need to reduce and mitigate the impacts of disasters.

Summary

In 2015, the Phoenix City Council approved the Maricopa County Multi-Jurisdictional Hazard Mitigation Plan that expired in 2020. Due to delayed federal funding and COVID-19, the multi-jurisdictional planning team began meeting in July 2020 through November 2020. The City's Local Planning Team (LPT) also met monthly beginning in August 2020 and finishing all assignments by December 2020. The pandemic consumed most jurisdictions resources and subsequent "catch up meetings" were conducted to assist several jurisdictions with finalizing assignments and the first draft of the updated 2021 plan was issued September 2021. FEMA provided approval in November 2021, pending

jurisdiction adoption.

Key components of the Disaster Mitigation Act of 2000 (DMA 2000):

- Requires all local, county, and tribal governments to develop a hazard mitigation plan for eligibility to receive certain federal non-emergency mitigation funds (Hazard Mitigation Grant Program, Building Resilient Infrastructure and Communities Program known as BRIC).
- Prioritization of hazard mitigation planning at the local level, with an increased emphasis placed on planning and public involvement, assessing risks, implementing loss reduction measures, and ensuring that critical services/facilities survive a disaster.

Summary of updates to 2021 City of Phoenix Hazard Mitigation Plan based on LPT collaboration, coordination and data analysis:

- Nine Natural Hazards selected for mitigation (See **Attachment A**).
- Critical and non-critical facilities within the City, exposed to identified hazards, estimated at least \$7.8 billion. Replacement value for residential buildings exposed to identified hazards estimated over \$167.5 billion.
- Twenty mitigation actions, projects, and implementation strategies submitted, fifteen are on-going efforts revised and carried over from the 2015 Plan (ID No. 1-15), five are new actions and projects added to the Plan for 2021 which four have already been implemented by the City (ID No. 16-19). The fifth new project is being led by Downtown Phoenix Partnership (See **Attachment B**).
- Phoenix conducted two public involvement and input opportunities that provided the community education and awareness of the 2015 Plan with a survey to capture comments and access to the “draft” 2021 Plan with an opportunity to provide comments.

Financial Impact

Funding for the identified projects, programs and efforts implemented to address mitigation strategies is part of the specified departments budget. The potential financial impact of the identified hazards in the event of an emergency or disaster far outweighs the estimates of recommended mitigation strategies (**Attachment C**).

Public Outreach

In November 2020, Office of Emergency Management and Communications Office staff developed and released the Hazard Mitigation Public website. The 2015 Multi-Jurisdictional Hazard Mitigation Plan was provided for public comment. Several resource links and a Fact Sheet was developed to help provide an overview of the hazard mitigation plan process. A ten question survey in English and Spanish, developed by Maricopa County Department of Emergency Management, was provided on the website with a link to the Maricopa County Department of Emergency Management website as well.

As part of the public involvement process, staff developed and published a social media campaign for the month of December 2021 with social media postings two times a week. All communications promoted the Hazard Mitigation website to encourage community engagement and education. Additionally, staff conducted a virtual community meeting to share details about the 2015 Multi-Jurisdictional Plan, the purpose of the 2021 Hazard Mitigation planning process, and the importance of public comment during the process and on the 2021 draft plan.

Concurrence/Previous Council Action

This item was recommended for approval by the Public Safety and Justice Subcommittee on Feb. 9, 2022, by a vote of 4-0.

This item was adopted.

42 Request Authorization to Apply for, Accept and Enter Into Agreements for Fiscal Year 2022-23 Governor's Office of Highway Safety Grants (Ordinance S-48389)

Request authorization for the City Manager, or his designee, to allow staff to apply for, accept and enter into grant contracts for Fiscal Year 2022-23 with the Arizona Governor's Office of Highway Safety (GOHS), which includes funding from the DUI Abatement Council and Proposition 207 funding. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The GOHS announced the availability of funding on January 2022. Grant

proposals are due by March 4, 2022. If awarded, these funds will be used to support new traffic safety programs and enhance existing programs in the City Prosecutor's Office, the Fire Department, the Street Transportation Department and the Police Department. The total Citywide request for funding is \$5,657,178.

City Prosecutor's Office - Total Funding Request \$225,000

Traffic Safety Resource Prosecutor: If awarded, grant funds will be used to pay the salary, expenses, supplies and travel for an existing Traffic Safety Resource Prosecutor (TSRP), Attorney IV. Approximately half of the funding will be sought from the Oversight Council on Driving or Operating Under the Influence Abatement Council. The other half will be requested through a grant from GOHS. GOHS will administer all funds. The TSRP program has four primary objectives:

- Provide training for prosecutors and law enforcement officers in the prosecution of traffic safety related crimes.
- Act as a resource for questions about traffic laws and trial advocacy.
- Improve communication between prosecutors, law enforcement officers, and members of the judiciary.
- Act as a liaison for individuals and agencies committed to the enforcement and prosecution of traffic safety related crimes.

GOHS has funded the TSRP program since its inception in 2007. Though the grant project is administered by Phoenix, it also benefits citizens, law enforcement, and prosecutors across Arizona. The TSRP is a resource to both small and large jurisdictions for legal issues related to the enforcement of DUI and traffic laws. The TSRP also provides training to prosecutors, law enforcement officers, crime lab personnel, interns and community groups. It is anticipated that up to \$19,000 of employee-related expenses will need to be covered by City general funds.

Fire Department - Total Funding Request \$360,000

Occupant Protection and Child Car Seat Program: Funding will be requested for training, overtime, related fringe benefits, materials, public

education and equipment related to child safety seats and seat belt usage. This funding will maintain current occupant protection efforts and increase the frequency for conducting child safety technician certification and recertification classes; increase the opportunities to educate residents at car seat check events, increase the number of locations of designated car seat check fitting stations to enhance geographical outreach; and to enhance outreach for occupant protection public education in K-12 schools.

(DUI) Youth Alcohol Awareness: Funding will be requested for overtime and related fringe benefits, materials, and equipment related to high school education campaigns including dramatic mock crashes and classroom education. The program informs young drivers of the danger of distracted driving, alcohol, and other drug impairment with the goal of decreasing preventable injuries and fatalities associated with impaired and distracted driving.

Bicycle and Pedestrian Safety: Funding will be requested for overtime, related fringe benefits, materials, and equipment related to education campaigns to increase safety awareness, traffic awareness, and skills necessary for young pedestrians and bicyclists. This program provides bike rodeos for young cyclists, bike and pedestrian school safety assemblies, and public education opportunities at community safety fairs and events.

Distracted Driving: Funding will be requested for overtime and related fringe benefits, materials, and equipment related to high school education campaigns including teen and adult education as we build this program with the idea of eliminating or minimizing injuries and deaths from a preventable choice to drive distracted. Education will include educating drivers to recognize distractions; taking your hands off the wheel to adjust electronic devices in the vehicle, texting or talking on cell phones; visual and mentally focusing on the primary task of driving. The program informs young drivers of the danger of distracted driving, with the goal of decreasing preventable injuries and fatalities associated with distracted driving.

Police Department - Total Funding Request \$5,000,000

DUI Enforcement (Traffic Bureau): Funding will provide training, overtime, related fringe benefits and equipment to support and enhance DUI enforcement within the City of Phoenix and joint enforcement efforts throughout the valley.

Occupant Protection (Traffic Bureau): Funding will provide training, materials, supplies, overtime and related fringe benefits associated with Click It or Ticket enforcement activities, child passenger safety technician certification classes, car seat events, Buckle Up, Baby Hotline and various seatbelt enforcement campaigns.

Pedestrian and Bicycle Safety (Traffic Bureau): Funding will provide training, materials, supplies, overtime and related fringe benefits associated with education and enforcement campaigns designed to increase safety awareness, traffic law knowledge, and skills among pedestrians and bicyclists.

Traffic Services (Traffic Bureau): Funding will provide training, materials, supplies, equipment (radar/laser speed detection devices), overtime and related fringe benefits associated with education and enforcement campaigns such as: Traffic Impact Programs, school zone enforcement, construction zone enforcement, Traffic Complaint Hotline enforcement, and selective traffic enforcement programs.

DUI Abatement Council DUI (Traffic Bureau): Funding will be requested from the DUI Abatement Council for overtime and related fringe benefits associated with DUI enforcement and innovative Know Your Limit Programs.

Proposition 207 Funding (Traffic Bureau): Funding will be requested for training, overtime, related fringe benefits, and equipment to support and enhance DUI enforcement, pedestrian and bicycle safety, occupant protection, and traffic services within the City of Phoenix.

Street Transportation Department - Total Funding Request \$72,178

Roadway Safety/Education Programs: This funding will develop and

enhance the educational campaigns and tools for school, bicycle, and pedestrian/driver safety. Requests for Pedestrian and Bicycle Safety includes funds for Pedestrian and driver safety promotional materials, bicycle helmets, and LED flashing Stop paddles.

Contract Term

One year beginning Oct. 1, 2022 through Sept. 30, 2023. The contract term for Proposition 207 funds is Jan. 1, 2022 through Dec. 31, 2022.

Financial Impact

Total funding request is \$5,657,178. The cost to the City is personnel expenses and in-kind resources only.

This item was adopted.

44 Add Civilian Positions in Police Department for Staffing Relief (Ordinance S-48391)

Request authorization for the City Manager, or his designee, to allow the Police Department to add 33 civilian positions to the Investigations Division and North/South Patrol Divisions to provide staffing relief.

Summary

The Police Department requests to add 25 positions to the Investigations Division and eight positions to the North/South Patrol Divisions as part of the Department's civilianization efforts (**Attachment A**). Due to current and future sworn staffing challenges, it is critical for the Department to identify job functions that are currently being performed by sworn personnel, that can be completed by civilians.

The Police Civilian Investigators will provide support to the Violent Crimes, Family Investigations, Property Crimes, and Drug Enforcement Bureaus. This classification will perform selected investigator functions to provide necessary staffing flexibility, increase effectiveness with the Department's investigative capacity, and allow the Department to use sworn staff where they are most needed.

The Police Assistants for the precincts will perform several tasks of a quasi-police nature in support of the law enforcement activities in the North/South Patrol Divisions. The positions will respond to calls for

service not requiring the presence of a sworn officer, assist with civil traffic collisions, provide traffic control, and respond to misdemeanor crimes with no follow-up. In FY2017-18 the Department received 16 precinct Police Assistant positions. These positions have allowed officers to respond to higher priority calls and has been very successful in providing relief.

Financial Impact

There is no financial impact as funding is already available in the Police Department's budget.

This item was adopted.

45 Terminal 4 South 1 (T4S1) Concourse Retail Concessions Phase I at Phoenix Sky Harbor International Airport Award Recommendation (Ordinance S-48378)

Request to authorize the City Manager, or his designee, to enter into a Lease agreement with The Marshall Retail Group, LLC to develop, operate, and manage the T4S1 Phase 1 retail concessions at Phoenix Sky Harbor International Airport for 10 years with no options to extend. Further request to authorize the City Treasurer accept all funds related to this item.

Summary

Phoenix Sky Harbor International Airport is among the busiest airports in the United States, serving over 46 million passengers in 2019 and approximately 22 million passengers in 2020 due to the impact of the COVID-19 pandemic. With increased passenger projections as the airport recovers from the pandemic, comes the need to grow the airport's footprint and concessions program. The Aviation Department received approval to construct a new eight-gate concourse at Terminal 4 in 2016. The new T4S1 concourse is scheduled to be operational in the Summer of 2022 and will be home to Southwest Airlines.

On March 17, 2021, Phoenix City Council authorized the Aviation Department to issue a Revenue Contract Solicitation (RCS) for a retail concession operator within the new concourse at Terminal 4. The goals of the RCS were to optimize sales and revenue over the term of the lease, provide quality and unique retail merchandise to passengers, emphasize local culture in the design of the facility, and select a

respondent with experience operating successful retail concessions in the U.S. and/or abroad.

Procurement Information

Aviation issued the RCS on May 27, 2021, with responses due on Sept. 17, 2021. Five responses were received and deemed responsive. The evaluation panel met for the initial consensus meeting on Oct. 27, 2021 and respondent interviews were held on Nov. 16, 2021. The panel's award recommendation was posted to the City's public award website on Dec. 2, 2021.

The panel consensus scoring and ranking for each respondent is shown below:

The Marshall Retail Group, LLC	880 Points
Stellar LAM PHX III LLC	825 Points
Paradies Lagardere at PHX, LLC	810 Points
HG CYS PHX Retailers JV dba Hudson	790 Points
Gideon Toal Management Services, LLC	650 Points

Contract Term

The term will be for 10 years with no options to extend.

Financial Impact

The estimated annual revenue to the City will be the established Minimum Annual Guarantee (MAG) or percentage of gross sales, whichever is greater. MAG for the first year will be set at \$1,010,000. The MAG will be adjusted annually thereafter at 85 percent of the prior year's annual rent owed by the Lessee or 100 percent of MAG for the first Lease year, whichever is greater.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Feb. 16, 2022, by a vote of 4-0.

Public Outreach

This solicitation process included all standard and required outreach efforts, including advertising in Aviation industry publications.

Location

Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.

Council District: 8

This item was adopted.

**46 Terminal 4 South 1 (T4S1) Common-Use Airport Lounge Award
Recommendation (Ordinance S-48379)**

Request to authorize the City Manager, or his designee, to enter into a lease with AD Partnership LLC dba Sapphire Lounge by The Club for the development, operation and management of a Common-Use Airport Lounge Concession in the new Terminal 4 South 1 Concourse at Phoenix Sky Harbor International Airport for 10 years. Further request to authorize the City Treasurer accept all funds related to this item.

Summary

Phoenix Sky Harbor International Airport (PHX) is among the busiest airports in the United States, serving over 46 million passengers in 2019 and approximately 22 million passengers in 2020 due to the impact of the COVID-19 pandemic. With increased passenger projections as the airport recovers from the pandemic comes the need to grow the airport's footprint and concessions program. The Aviation Department received approval to construct a new eight-gate concourse at Terminal 4 in 2016. The new Terminal 4 South 1 Concourse (T4S1) concourse is scheduled to be operational in the Summer of 2022 and will be home to Southwest Airlines.

On March 17, 2021, Phoenix City Council authorized the issuance of a Revenue Contract Solicitation (RCS) for a Common-Use Airport Lounge (Lounge) in the new T4S1 concourse. The goals of the RCS were to optimize sales and revenue over the term of the lease, develop the quality and uniqueness of the lounge facility, emphasize local culture in the design of the facility and in food and beverage offerings, and select a respondent with experience operating successful airport lounges in the U.S. and/or abroad. In addition, the lounge must offer access to passengers of its partnering airlines and other clients or customers wishing to pay for lounge access at PHX.

Procurement Information

Aviation issued the RCS May 27, 2021, with responses due Sept. 17, 2021. Four responses were received. Three responses were deemed responsive. One response was deemed non-responsive as they did not meet the minimum qualification for experience operating a lounge in a large-hub airport. The evaluation panel met for the initial consensus meeting on Oct. 20, 2021 and respondent interviews were held on Oct. 28, 2021. The panel's award recommendation was posted to the City's public award website on Dec. 2, 2021.

The consensus score and ranking for each Respondent is shown below:

AD Partnership LLC dba Sapphire Lounge by The Club

925 Points

Joint Billion USA Holdings LLC dba Capital One | Plaza Premium Lounge
LLC 818 Points

MAG US Lounge Management LLC dba Escape Lounges
764 Points

The panel recommendation was reached by consensus in consideration of the above criteria.

Contract Term

The term will be 10 years with no options to extend.

Financial Impact

The estimated annual revenue to the City will be the greater of a Minimum Annual Guarantee (MAG) or 13 percent of gross sales, whichever is greater. MAG for the first year will be \$1.8 million. The MAG will be adjusted annually thereafter at 85 percent of the prior year's annual rent revenues or 103 percent of MAG for the prior year, whichever is greater.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Feb. 16, 2022, by a vote of 4-0.

Public Outreach

This solicitation process included all standard and required outreach efforts, including advertising in Aviation industry publications.

Location

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

This item was adopted.

**47 Terminal 4 South 1 (T4S1) Concourse Food and Beverage
Concessions Phase I Package 1 at Phoenix Sky Harbor
International Airport Award Recommendation (Ordinance S-48380)**

Request to authorize the City Manager, or his designee, to enter into a lease agreement with The Grove, Inc. to develop, operate, and manage the T4S1 Phase I Package 1 food and beverage concessions at Phoenix Sky Harbor International Airport for 10 years with no options to extend. Further request to authorize the City Treasurer accept all funds related to this item.

Summary

Phoenix Sky Harbor International Airport is among the busiest airports in the United States, serving over 46 million passengers in 2019 and approximately 22 million passengers in 2020 due to the impact of the Covid-19 pandemic. With increased passenger projections as the airport recovers from the pandemic, comes the need to grow the airport's footprint and concessions program. The Aviation Department received approval to construct a new eight-gate concourse at Terminal 4 in 2016. The new T4S1 concourse is scheduled to be operational in the Summer of 2022 and will be home to Southwest Airlines.

On March 17, 2021, Phoenix City Council authorized the issuance of a Revenue Contract Solicitation (RCS) for food and beverage concessions in the new T4S1 concourse. The goals of the RCS were to optimize sales and revenue over the term of the lease, provide quality food and beverage offerings to passengers, emphasize local culture in the design of the facility, and select respondents with experience operating successful food and beverage concessions in the US and/or abroad.

Procurement Information

Aviation issued the RCS on May 27, 2021, with responses due on Sept. 17, 2021. Two responses were received for Package 1 and all responses were deemed responsive. The evaluation panel met for the initial consensus meeting on Nov. 2, 2021 and respondent interviews

were held on Nov. 9, 2021. The panel's award recommendation was posted to the City's public award website on Dec. 2, 2021.

The panel consensus scoring and ranking for each respondent is shown below:

The Grove, Inc.	885 Points
Kind Hospitality, Inc.	800 Points

Contract Term

The term will be for 10 years with no options to extend.

Financial Impact

The estimated annual revenue to the City will be the established Minimum Annual Guarantee (MAG) or percentage of gross sales, whichever is greater. MAG for the first year will be set at \$850,000. The MAG will be adjusted annually thereafter at 85 percent of the prior year's annual rent owed by the Lessee or 100 percent of MAG for the first Lease year, whichever is greater.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Feb. 16, 2022, by a vote of 4-0.

Public Outreach

This solicitation process included all standard and required outreach efforts, including advertising in Aviation industry publications.

Location

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

This item was adopted.

48 Terminal 4 South 1 (T4S1) Concourse Food and Beverage Concessions Phase I Package 2 at Phoenix Sky Harbor International Airport Award Recommendation (Ordinance S-48381)

Request to authorize the City Manager, or his designee, to enter into a Lease agreement with Emerging Domestic Market Ventures, LLC to develop, operate, and manage the T4S1 Phase I Package 2, small

business opportunity, food and beverage concessions at Phoenix Sky Harbor International Airport for 10 years with no options to extend. Further request to authorize the City Treasurer accept all funds related to this item.

Summary

Phoenix Sky Harbor International Airport is among the busiest airports in the United States, serving over 46 million passengers in 2019 and approximately 22 million passengers in 2020 due to the impact of the COVID-19 pandemic. With increased passenger projections as the airport recovers from the pandemic comes the need to grow the airport's footprint and concessions program. The Aviation Department received approval to construct a new eight-gate concourse at Terminal 4 in 2016. The new T4S1 concourse is scheduled to be operational in the Summer of 2022 and will be home to Southwest Airlines.

On March 17, 2021, Phoenix City Council authorized the issuance of a Revenue Contract Solicitation (RCS) for food and beverage concessions, a small business opportunity, in the new T4S1 concourse. The goals of the RCS were to optimize sales and revenue over the term of the lease, provide quality food and beverage offerings to passengers, emphasize local culture in the design of the facility, and select respondents with experience operating successful food and beverage concessions in the US and/or abroad.

Procurement Information

Aviation issued the RCS on May 27, 2021, with responses due on Sept. 17, 2021. Three responses were received for Package 2 and all responses were deemed responsive. The evaluation panel met for the initial consensus meeting on Nov. 2, 2021 and respondent interviews were held on Nov. 9, 2021. The panel's award recommendation was posted to the City's public award website on Dec. 2, 2021.

The panel consensus scoring and ranking for each respondent is shown below:

Emerging Domestic Market Ventures, LLC	945 Points
Mosby & Company, Inc.	875 Points
TMG Services, LLC	845 Points

Contract Term

The term will be for 10 years with no options to extend.

Financial Impact

The estimated annual revenue to the City will be the established Minimum Annual Guarantee (MAG) or percentage of gross sales, whichever is greater. MAG for the first year will be set at \$115,000. The MAG will be adjusted annually thereafter at 85 percent of the prior year's annual rent owed by the Lessee or 100 percent of MAG for the first Lease year, whichever is greater.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Feb. 16, 2022, by a vote of 4-0.

Public Outreach

This solicitation process included all standard and required outreach efforts, including advertising in Aviation industry publications.

Location

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

This item was adopted.

**49 Bus and Transit Furniture Advertising Revenue Contract Award
(Ordinance S-48369)**

Request to authorize the City Manager, or his designee, to enter into a contract with Lamar Transit, LLC to provide bus advertising and transit furniture advertising services for the Public Transit Department. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

The bus advertising and transit furniture advertising programs generate revenue for the Public Transit Department (PTD), which in turn is one of the components which funds the City's transit system. The advertising contractor is responsible for all costs associated with the installation, maintenance, and restoration of advertising surfaces pertaining to buses and transit furniture advertisements.

Procurement Information

PTD issued a Revenue Contract Solicitation (RCS) based upon percentage bids that yield the overall greatest advertising revenues to the City on individual or combined contracts for bus and transit-furniture advertising services. The selection was made using a RCS procurement process in accordance with Phoenix City Code Chapter 43 and Administrative Regulation 3.10.

The evaluation panel, which consisted of qualified staff having experience with the advertising programs, evaluated and scored each proposal based on the following criteria (1,000 points total):

Method of Approach (450 points);

Price Proposal (350 points); and

Qualifications and Experience (200 points).

The evaluation recommendations were reached by consensus in consideration of the published selection criteria, with the panel selecting Lamar Transit, LLC for contract award of both the bus advertising and transit-furniture advertising programs. The following summarizes the results of the evaluations:

<u>Proposer</u>	<u>Total Points</u>
Lamar Transit, LLC	801
Clear Channel Outdoor, Inc.	741
Intersection Media	670
Outfront Media Group	663

Contract Term

The initial five-year base contract term will begin July 1, 2022, and the contract includes two one-year options to extend if the contractor has performed satisfactorily and it is in the City's best interest to exercise the available options.

Financial Impact

This is a revenue generating contract, with all related expenses being borne by the advertising contractor. The RCS and resulting contract

provide that the City will be paid the percentage of net sales revenue submitted in the proposal or the Minimum Annual Guarantee (MAG), whichever is greater.

The net sales revenue share percentage for Lamar Transit, LLC is 69.25 percent for the combined advertising program. The MAG is defined as \$1.9 million annually for transit furniture advertising and \$1.4 million annually for bus advertising. The MAG will not decrease below the level of annual revenue outlined in PTD's current advertising contracts.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Feb. 16, 2022, by a vote of 4-0.

This item was adopted.

50 Paratransit Services (Phoenix Dial-a-Ride) Contract Award (Ordinance S-48370)

Request to authorize the City Manager, or his designee, to enter into a contract with MV Transportation, Inc. for the management and operation of paratransit (Phoenix Dial-a-Ride) service. Further request to authorize the City Controller to disburse all funds related to this item. The total cost of the contract will not exceed \$153,454,595.

Summary

The City provides Phoenix Dial-a-Ride service for individuals who, because of a disability, cannot access or navigate local bus or light-rail services. This shared-ride, origin-to-destination service is mandated by the Federal Government as required with the enactment of the Americans with Disabilities Act (ADA) of 1990. Commonly known as "paratransit service," Phoenix Dial-a-Ride acts as a safety net for individuals with disabilities and affords them the same level of transit service as other passengers, operating during the same hours and covering the same areas as bus and light-rail services. While the ADA requires the provision of paratransit service only within a three-quarter mile radius around local bus routes and light rail stations, Phoenix Dial-a-Ride operates within the entirety of the City's incorporated city limits south of Jomax Road.

Phoenix Dial-a-Ride is operated as a turnkey service, with the service provider responsible for all aspects of the operation, which include

scheduling reservations, dispatching trips, operating and maintaining vehicles, and providing administrative and support activities, with PTD supplying the fleet. This service is operated out of a centrally-located facility leased by the contractor and staffed with about 200 employees to operate, maintain, and administer this contract on behalf of the City. The current contract expires June 30, 2022.

Procurement Information

City Council approved the issuance of this solicitation at its June 2, 2021 Formal Meeting. PTD issued a Request for Proposals (RFP) in October 2021 to solicit a contract for the operation of Phoenix Dial-a-Ride service. Because PTD receives funding from Federal Transit Administration grants to operate transit services, all procurements and contracts must comply with federal requirements and process guidelines. The process used to develop the work scope for the RFP and select the contractor for recommended award complies with federal guidelines.

An evaluation committee, with the aid of a technical advisory team, evaluated the proposals to select the proposer recommended for contract award. Both the committee and the technical team consisted of qualified staff from the City's Public Transit and Human Services departments and Valley Metro, which coordinates regional transit services with the City.

The following evaluation criteria were used by the panel (1,000 points possible):

Qualifications, experience, and past performance (250 points);

Method of approach and transition plan (200 points);

Proposed organizational structure and personnel (150 points); and

Cost (400 points).

The result of the evaluation committee's deliberations is a recommendation to award the contract to MV Transportation, Inc., which received the highest overall technical score based on the evaluation criteria above. The final scoring and cost proposal for the aggregate term of the contract are shown below:

Proposer

Total Points

Contract Amount

MV Transportation, Inc.	912 points	\$153,454,595
First Transit	825 points	\$170,587,800

Additional Information

In addition to the 200 local jobs currently supported by this contract, MV Transportation, Inc. will partner with a third-party contractor to provide additional service capacity as necessary to meet service requirements. The contractor's service plan also includes employing technology to integrate with the current scheduling system to provide real-time service updates to monitor and track service performance, and customer-focused apps to allow riders to manage their trips and receive service notifications.

Contract Term

The initial five-year base contract term will begin July 1, 2022, and the contract includes one two-year option to extend if the contractor has performed satisfactorily and it is in the City's best interest to exercise the available option.

Financial Impact

The total cost of the contract with MV Transportation, Inc. is estimated at \$153,454,595 for the aggregate term, which includes the initial five-year base term and two-year extension option.

Transportation 2050 funds are available for the estimated first contract year amount of \$20,244,948 in the Public Transit Department's proposed Fiscal Year 2022-23 operating budget, recognizing that the City is reimbursed annually by Valley Metro with regional Public Transportation Funds to fund Phoenix Dial-a-Ride service entirely.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Feb. 16, 2022, by a vote of 4-0.

This item was adopted.

52 Baseline Road Fiber Optic Cable and Equipment Loop 202 to I-10 - Design-Bid-Build Services - ST89360036 (Ordinance S-48367)

Request to authorize the City Manager, or his designee, to accept William

Charles Construction Company as the lowest-priced, responsive and responsible bidder and to enter into an agreement with William Charles Construction Company for Design-Bid-Build Services for the Baseline Road Fiber Optic Cable and Equipment Loop 202 to I-10 project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed \$3,529,437.07.

Summary

The purpose of this project is to construct a fiber transportation enhancement along Baseline Road from Loop 202 to Interstate 10. The project will be constructed within the existing right-of-way of the City of Phoenix, City of Tempe and the Arizona Department of Transportation.

William Charles Construction Company's services include, but are not limited to: installing new conduit, fiber, and pull box infrastructure; installing fiber through existing conduit, directional drilling and installing new conduit underneath asphalt, concrete and canals; reconditioning existing conduit and pull boxes and installing new pull boxes; installing electrical system fiber optic equipment; and other improvements as required for a complete project in compliance with approved plans.

Procurement Information

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Four bids were received on Dec. 21, 2021, 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: \$4,249,752.19

William Charles Construction Company: \$3,529,437.07

MP Nexlevel LLC: \$8,434,184.49

Bidders who were deemed non-responsive are listed below, in alphabetical order:

BPG Designs, L.L.C.

Martell Electric, LLC

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

The reason for the variance from the Opinion of Probable Cost (OPC) to the lowest, responsive, responsible bid is the OPC is based on contractor's pricing on similar projects for the City of Phoenix in 2020. A factor of safety was added to the average of bid unit prices known in 2020 given the amount of available work in the Phoenix Metro area exceeded labor forces available and the difficulty of conditions anticipated along Baseline Road.

Contract Term

The term of the agreement is 300 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 William Charles Construction Company will not exceed \$3,529,437.07, including all subcontractor and reimbursable costs.

This project will utilize federal funds 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 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

William Charles Construction Company will work with the City of Phoenix Street Transportation Department on public outreach, if needed.

Location

Baseline Road/Loop 202 to I-10

Council Districts: 6, 7, 8 and Out of City

This item was adopted.

53 Street Transportation Department Environmental, Natural-Cultural Resources, National Environmental Policy Act On-Call Consulting Services for Calendar Years 2021-2022 - Amendment (Ordinance S-48382)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 153067 with Archaeological Consulting Services, Ltd., to approve a name change to Commonwealth Heritage Group, Inc.

Summary

Commonwealth Heritage Group, Inc. will be responsible for providing On-Call Environmental / Natural-Cultural Resources / National Environmental Policy Act (NEPA) consulting services that include, but are not limited to: NEPA documentation and related supporting technical analysis and reports; cultural resources; biology and natural resources; Rivers and Harbors Act Section 408 permitting; Clean Water Act sections 404, 401 and 402; Clean Air Act; green infrastructure; and developing and updating environmental compliance training programs.

This amendment is necessary because Archaeological Consulting Services, Ltd. merged with Commonwealth Heritage Group, Inc. on Aug. 11, 2021. All responsible project personnel from Archaeological Consulting Services, Ltd. shall remain actively involved and oversee the projects under this Agreement.

Contract Term

The term of original 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 amount remains unchanged.

Concurrence/Previous Council Action

The City Council approved On-Call Consulting Services Agreement 153067 (Ordinance S-46960) on Oct. 7, 2020.

This item was adopted.

54 Padlocks for Water Customer Services (Ordinance S-48372)

Request to authorize the City Manager, or his designee, to enter into an agreement with Anderson Lock and Safe to provide padlocks 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 \$555,403.

Summary

The purpose of this agreement is to purchase padlocks for the Water Services Department, on an as needed basis. The padlocks are used to secure items within the department including fire hydrants, meter vaults, safety-related lock-out tag-out procedures and other anti-theft and security purposes.

Anderson Lock and Safe will supply padlocks of varying sizes as needed by the Water Meters Division.

Procurement Information

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

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

Selected Bidder

Anderson Lock and Safe: \$115,466

Other Bidders

Accredited Lock Supply: \$123,570

Doyle Security: \$124,430

Independent Hardware: \$123,928

Intermountain Lock: \$122,840

Locking Solutions R Us: \$152,186
White Cap: \$137,950

Contract Term

The term of the agreement is five years and will begin on or about March 15, 2022.

Financial Impact

The agreement value for Anderson Lock and Safe will not exceed a total value of \$555,403.

Funding is available in the Water Services Department Operating Budget.

This item was adopted.

55 Track Out Services Agreement - Request for Award (Ordinance S-48375)

Request to authorize the City Manager, or his designee, to enter into an agreement with Clean Sweep Companies, Inc. dba Clean Sweep Property Services, to provide track out services for the purpose of ensuring compliance with Maricopa County Air Pollution Control Regulation, Rule 310. Further request to authorize the City Controller to disburse all funds related to this item. The agreement will not exceed \$766,250.

Summary

The purpose of this agreement is to provide track out services for the Water Services Department Water Distribution Division.

The services of Clean Sweep Companies, Inc. dba Clean Sweep Property Services, include, but are not limited to: removing and disposing of excavated material, construction debris, mud, dirt, rock, sand, gravel, concrete or asphalt from public streets, alleys or sidewalks using street sweepers, vacuum trucks, wet brooms, or by manually sweeping up the deposits.

Procurement Information

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

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

Selected Bidder:

Clean Sweep Companies, Inc. dba Clean Sweep Property Services:
\$153,250

Other Bidders:

Newman Services, LLC dba American Sweeping: \$104,750
Offsite Sweeping, LLC: \$132,500

Contract Term

The agreement will begin on or about March 2, 2022, for a five-year aggregate term.

Financial Impact

The agreement value for Clean Sweep Companies, Inc. dba Clean Sweep Property Services will not exceed \$766,250.

Funding is available in the Water Services Department Operating budget.

This item was adopted.

56 Final Plat - Talinn Phase 4 - PLAT 210103 - North of Deer Valley Drive and East of 56th Street

Plat: 210103

Project: 06-657

Name of Plat: Talinn Phase 4

Owner: D.R. Horton, LLC

Engineer: Brian J. Diehl, RLS

Request: A 108 Lot Residential Plat

Reviewed by Staff: January 20, 2022

Final Plat requires Formal Action Only

Summary

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

Location

Generally located north of Deer Valley Drive and east of 56th Street.
Council District: 2

This item was approved.

57 Final Plat - Blueprint Midtown - PLAT 210090 - Northwest Corner of Catalina Drive and 2nd Street

Plat: 210090

Project: 20-4691

Name of Plat: Blueprint Midtown

Owner: 3010 Westmount, LLC

Engineer: James B. Flack, RLS

Request: A 1 Lot Commercial Plat

Reviewed by Staff: Jan. 19, 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 210030. The sequence of recording is as follows: the resolution of abandonment is to be recorded first, then the plat recorded second.

Location

Generally located at the northwest corner of Catalina Drive and 2nd Street.
Council District: 4

This item was approved.

58 Final Plat - West 202 Logistics - PLAT 210056 - Northeast Corner of South Mountain Freeway and Van Buren Street

Plat: 210056

Project: 20-4327

Name of Plat: West 202 Logistics

Owner: Southern Cross, LLC

Engineer: Jared Hansmann, RLS

Request: An 8 Lot Commercial Plat

Reviewed by Staff: Jan. 21, 2022

Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the northeast corner of South Mountain Freeway and Van Buren Street.

Council District: 7

This item was approved.

59 Final Plat - Desert Sky Multi-Family and Senior Living - PLAT 210062 - Northeast Corner of 79th Avenue and Encanto Boulevard

Plat: 210062

Project: 20-2134

Name of Plat: Desert Sky Multi-Family and Senior Living

Owner: Westpen Associates, LLC

Engineer: James A. Brucci, RLS

Request: A 2 Lot Commercial Subdivision Plat

Reviewed by Staff: Feb. 2, 2022

Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and

easements as shown to the public.

Location

Generally located at the northeast corner of 79th Avenue and Encanto Boulevard.

Council District: 7

This item was approved.

60 Final Plat - Jackson Street Properties Amended - PLAT 210042 - Southwest Corner of Jackson Street and 18th Street

Plat: 210042

Project: 03-3206

Name of Plat: Jackson Street Properties Amended

Owner: MT. Shasta Investments, LLC

Engineer: David S. Klein, RLS

Request: A 1 Lot Commercial Plat

Reviewed by Staff: Feb. 2, 2022

Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southwest corner of Jackson Street and 18th Street.

Council District: 8

This item was approved.

61 Abandonment of Easement - ABND 210030 - 3010 North 2nd Street (Resolution 21998)

Abandonment: ABND 210030

Project: 20-4691

Applicant: Mike Kocourek, 3010 Westmount LLC

Request: The western 12' of the PUE parallel to 2nd Street from Catalina

Drive to the northern boundary of APN 118-35-083B. The PUE covers the entirety of APN 118-35-083B which was right-of-way that was abandoned but retained rights as a PUE per MCR 85-251148 (COP abandonment V-188-84).

Date of Decision/Hearing: July 29, 2021

Summary

The resolution of the abandonment and PLAT # 210090 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording is as follows: the resolution of abandonment is recorded first, then the plat is recorded second.

Location

3010 North 2nd St.

Council District: 4

Financial Impact

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

This item was adopted.

62 Abandonment of Alleyway Easement - ABND 210015 - Calle Redonda between 54th Way and 54th Court (Resolution 21999)

Abandonment: ABND 210015

Project: 05-1208

Applicant: Mike Ragland

Request: The alley area between 54th Way and 54th Court, from Calle Redonda north to the corner of the second alleyway that provides access to 54th Court.

Date of Decision/Hearing: Oct. 6, 2021 (City Council Formal)

Location

Calle Redonda between 54th Way and 54th Court.

Council District: 6

Financial Impact

A consideration fee was also collected as part of this abandonment in the

amount of \$1,474.

This item was adopted.

**63 Amend City Code - Ordinance Adoption - Rezoning Application
Z-SP-3-21-1 - Southwest Corner of Central Avenue and Alameda
Road (Ordinance G-6968)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-3-21-1 and rezone the site from A-1 SP DVAO (Light Industrial, Special Permit, Deer Valley Airport Overlay District) and A-1 DVAO (Light Industrial, Deer Valley Airport Overlay District) to A-1 SP DVAO (Light Industrial, Special Permit, Deer Valley Airport Overlay District) to allow the continuation of a sand and gravel mining operation, concrete batch plant, asphalt blending plant, and all underlying A-1 uses.

Summary

Current Zoning: A-1 SP DVAO and A-1 DVAO

Proposed Zoning: A-1 SP DVAO

Acreage: 39.54 acres

Proposed Use: Continuation of a sand and gravel mining operation, concrete batch plant, asphalt blending plant, and all underlying A-1 uses.

Owner: Airpark 30, LLC

Applicant: Paul Gilbert, Beus Gilbert McGroder, PLLC

Representative: Paul Gilbert, Beus Gilbert McGroder, PLLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Deer Valley Village Planning Committee heard the case on Jan. 13, 2022, and recommended approval, per the staff recommendation, by a vote of 9-0.

PC Action: The Planning Commission heard the case on Feb. 3, 2022, and recommended approval, per the Deer Valley Village Planning Committee recommendation, with an additional stipulation, by a vote of 7-0.

Location

Southwest corner of Central Avenue and Alameda Road.

Council District: 1

Parcel Addresses: 23742 N. Central Ave.

Responsible Department

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

This item was adopted.

**64 Amend City Code - Ordinance Adoption - Rezoning Application
Z-74-21-2 - Northwest Corner of the 29th Avenue and Bronco Butte
Trail Alignments (Ordinance G-6965)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-74-21-2 and rezone the site from C-2 M-R NBCOD (Intermediate Commercial, Mid-Rise, North Black Canyon Overlay District) to C-2 HGT/WVR DNS/WVR NBCOD (Intermediate Commercial, Height Waiver, Density Waiver, North Black Canyon Overlay District) to allow multifamily residential.

Summary

Current Zoning: C-2 M-R NBCOD

Proposed Zoning: C-2 HGT/WVR DNS/WVR NBCOD

Acreage: 18.81 acres

Proposed Use: Multifamily residential

Owner: Plas North Valley Land, LLC

Applicant: Bond Companies

Representative: Wendy Riddell, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The North Gateway Village Planning Committee heard this case on Jan. 13, 2022, and recommended approval, per the staff recommendation, by a vote of 3-0.

PC Action: The Planning Commission heard this case on Feb. 3, 2022, and recommended approval, per the North Gateway Village Planning Committee recommendation, with an additional stipulation, by a vote of 8-0.

Location

Northwest corner of the 29th Avenue and Bronco Butte Trail alignments.

Council District: 2

Parcel Address: N/A

This item was adopted.

**65 Amend City Code - Ordinance Adoption - Rezoning Application
Z-20-21-4 - Approximately 1,300 Feet North of the Northeast Corner
of Central Avenue and Indian School Road (Ordinance G-6964)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-20-21-4 and rezone the site from UR TOD-1 (Urban Residential, Interim Transit-Oriented Zoning Overlay District One) to PUD (Planned Unit Development) to allow multifamily and single-family attached residential.

Summary

Current Zoning: UR TOD-1

Proposed Zoning: PUD

Acreage: 4.34 acres

Proposed Use: Multifamily and single-family attached residential

Owner: Midtown Central Hotel Corporation

Applicant: Cresleigh Homes Arizona, LLC

Representative: Alan Beaudoin, Norris Design

Staff Recommendation: Approval, subject to stipulations.

VPC Info: The Encanto Village Planning Committee heard this case on June 7, 2021, for information only.

VPC Action: The Encanto Village Planning Committee heard this case on Sept. 13, 2021, and recommended approval, per the staff recommendation, by a vote 11-3.

PC Action: The Planning Commission heard this case and continued the item on Oct. 7, Nov. 4, Dec. 2, 2021; and Jan. 6, 2022. The Planning Commission heard this case on Feb. 3, 2022, and recommended approval, per the Addendum A Staff Report, with an additional and modified stipulation by a vote of 6-2.

Location

Approximately 1,300 feet north of the northeast corner of Central Avenue and Indian School Road

Council District: 4

Parcel Address: 4325 N. Central Ave.

This item was continued to the April 6, 2022 City Council Formal Meeting.

**66 Amend City Code - Ordinance Adoption - Rezoning Application
Z-70-21-5 - Approximately 500 Feet South of the Southeast Corner
of 75th Avenue and Camelback Road (Ordinance G-6966)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-70-21-5 and rezone the site from R1-6 (Single-Family Residence District) to R-3A (Multifamily Residence District) to allow multifamily residential.

Summary

Current Zoning: R1-6

Proposed Zoning: R-3A

Acreage: 6.50

Proposed Use: Multifamily residential

Owner: Sheri Ranger, Ranger Homes

Applicant: Daryn Murphy, Commonwealth Development

Representative: Rod Jarvis, Earl and Curley, PC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Maryvale Village Planning Committee heard this case on Jan. 12, 2022, and recommended approval, per the staff recommendation, by a vote of 9-0.

PC Action: The Planning Commission heard this case on Feb. 3, 2022, and recommended approval, per the Maryvale Village Planning Committee recommendation, with an additional stipulation, by a vote of 8-0.

Location

Approximately 500 feet south of the southeast corner of 75th Avenue and Camelback Road

Council District: 5

Parcel Addresses: 4705 and 4735 N. 75th Ave.

This item was continued to the April 6, 2022 City Council Formal Meeting.

Item 25, Ordinance S-48364 was a request to authorize the City Controller to disburse funds, up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

25 National Association of City Transportation Officials, Inc.

For \$25,000.00 in payment authority for a one-year 2022 membership in the National Association of City Transportation Officials (NACTO) for the Street Transportation and Public Transit departments. The NACTO Membership is vital to service, delivery, and the operation of the Street Transportation Department. The Street Transportation Department will pay \$20,000.00, 80 percent of the total fee, and the Public Transit Department will pay \$5,000.00, 20 percent. The item will be heard by the Transportation, Infrastructure, and Planning Subcommittee on February 16, 2022.

Discussion

Vice Mayor Pastor made a motion to adopt Item 25.

Councilwoman Stark seconded the motion.

Mayor Gallego commented she looked forward to supporting this item, and added the National Association of City Transportation Officials, Inc. were great partners with the City. She mentioned examples of Vision Zero, emerging technologies and said this association was a great resource for the City.

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

Yes: 7 - Councilwoman Ansari, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Vice Mayor Pastor and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

35 TigerMountain Foundation Agreement for ARPA Phoenix Resilient Food System, Backyard Garden Program and Council District Food Action Initiatives - Amendment (Ordinance S-48388)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 155310 with TigerMountain Foundation, to provide additional funding of \$30,300 and time to the contract for two additional garden beds related to the Backyard Garden Program and for construction of six raised bed gardens at the John F. and Mary P. Long Homestead Park. 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 under the Phoenix Resilient Food System category of the strategic plan. There is no impact to the General Fund.

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.

Local Food Consumption/Production

The Backyard Food Production Pilot Project aka Backyard Garden Program

This program will empower residents to grow healthy food in their own backyards to improve health, promote physical activity, decrease food insecurity and hunger, and potentially decrease their food budgets. TigerMountain Foundation (TMF) is providing a total of 32 raised bed gardening systems to eligible residents in the Backyard Garden Program, which includes system installation, including equipment, materials, supplies and labor, and gardening training throughout the 12-month program. Program outreach materials, application, and training materials will be provided in English and Spanish. The original Subrecipient Agreement was for 30 gardens and two have been added at the request of Council District 7 using a portion of their allocation from the ARPA Resilient Food System program.

Equity and Inclusion

Council District Food Action Plans or Initiatives

As part of the Council District Food Action Initiatives, TMF will install six raised bed gardening systems to establish a community garden at John F. and Mary P. Long Homestead Park located at 2602 W Glendale Ave. The community garden is being established at the request of Council District 5 using a portion of their allocation from the ARPA Resilient Food System program. OEP is coordinating the effort with Parks and Recreation Department and Council District 5.

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

This amendment will extend the end date of the contract from Oct. 31, 2022, to April 30, 2023. Contracts may be extended based on continuous need and available funding, which may be exercised by the City Manager or designee.

Financial Impact

The initial authorization for Subrecipient Agreement 155310 with TMF was authorized for \$138,000. This amendment will increase the authorization for the contract by \$30,300, for a new total not-to-exceed

contract value of \$168,300.

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 under the Phoenix Resilient Food System category of the ARPA Strategic Plan approved by Mayor and Council.

Concurrence/Previous Council Action

The City Council approved Agreement 155310 (Ordinance S-47932) with TMF for ARPA Phoenix Resilient Food System on Sept. 8, 2021.

Discussion

Councilwoman Guardado made a motion to adopt Item 35.

Councilwoman Stark seconded the motion.

Councilwoman Guardado expressed her excitement, and thanked staff for their work on this item. She noted this item would ensure the neighborhoods along the John F. and Mary P. Long Homestead Park would have access to a community garden. She thanked the Office of Environmental Programs staff and neighbors who worked together for this item.

Councilwoman Ansari thanked staff in the Office of Environmental Programs, and mentioned how amazing the City's food resiliency efforts had been. She noted American Rescue Plan Act funds were used to create two additional gardens, and added this would be valued to the community.

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

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Pastor and Mayor Gallego

No: 0

36 Small Business Workforce Training Program (Ordinance S-48377)

Request to authorize the City Manager, or his designee, to utilize the remaining \$1.625 million of the \$2 million American Rescue Plan Act (ARPA) funded Small Business Workforce Program for the implementation of a new Small Business Workforce Training Improvement Program and to execute contracts to codify program requirements with the awarded entities. Further request the City Controller to disburse all funds related to this item. This item will have an aggregate amount of \$1.625 million. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) received from the federal government and is under the City's Small Business Workforce Program category.

Summary

On June 8, 2021, City Council authorized \$2 million in ARPA funding for a Small Business Workforce Training Program to assist small businesses in Phoenix with specialized training resources and/or assistance to enhance or expand their talent pipeline. To date, two programs have been implemented.

PHXbizConnect

On May 5, 2020, City Council approved \$100,000 of federal Coronavirus Relief Funds to invest in a small business program to assist Phoenix businesses with their recovery efforts. On Nov. 4, 2020, City Council authorized a contract with CO+HOOTS to launch and maintain a technology-driven community platform. This platform, called the HUUB, a robust digital platform that supports local governments in revitalizing small businesses during, and after the COVID-19 pandemic, was launched on March 3, 2021, and is providing on-demand expertise, guidelines and solutions to assist Phoenix small businesses in recovering from the impacts of COVID-19. This platform, is made available in both English and Spanish, and streamlines support for small businesses in one central location, or hub, to assist with business stabilization, recovery, and resiliency of Phoenix small businesses. On July 1, 2021, City Council approved a one-year \$295,000 contract extension with CO+HOOTS using ARPA funds as registered businesses indicated PHXbizConnect had been vital in helping them navigate through the pandemic, connect to grants, and grow their business during this critical time.

Local First Arizona Incubator Kitchen

On Jan. 5, 2022, City Council approved an \$80,000 sponsorship for a new walk-in cooler at the Rio Salado College Thomas campus located at 3631 W. Thomas Rd. for the development of a new Local First Arizona incubator kitchen facility to amplify efforts to grow food businesses in west Phoenix. The development of this new incubator kitchen facility will be leveraged to implement business development and technical assistance programs aimed at rebuilding the restaurant industry and strengthening the food economy in an under-resourced area of Phoenix, benefiting approximately 125 entrepreneurs annually with the physical resources needed to grow their businesses.

Proposed Small Business Workforce Training Improvement Program

This proposed new program will assist Phoenix-based organizations with capital investments or improvements to expand or enhance small business training programs and/or demonstration projects that benefit the Phoenix entrepreneurial/small business community. Organizations can apply for up to \$200,000 to expand and/or enhance their offerings with the following eligibility and requirement criteria:

Eligibility: The program and/or demonstration project must operate in Phoenix and provide proof of the concept to include: a) History of the proposed program and/or demonstration project; and b) One year proven success rate for the program or equivalent experience in the project's industry.

Requirements: Applicants must provide three quotes for the requested equipment or physical improvements to expand/enhance their organization's small business training offerings, and provide the number of people to be served and to benefit from the program improvement funds.

An evaluation panel comprised of City staff and Phoenix Business and Workforce Development Board members will review each application for eligibility and provide recommendation for approval or denial. Approved applicants will enter into contracts with the City to outline the terms and conditions of awarded funds.

Contract Term

Agreements with awarded organizations will be executed to effectuate terms and conditions.

Financial Impact

The aggregate amount of the Small Business Workforce Training Improvement Program is \$1.625 million. This amount reflects the remaining funds available from the original \$2 million that City Council authorized for the Small Business Workforce Training Program, of which \$375,000 was previously approved for funding. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) received from the federal government and is under the City's Small Business Workforce Program category.

Discussion

Mayor Gallego mentioned Vice Mayor Pastor would not be participating in this item due to a conflict of interest.

Councilwoman Stark made a motion to adopt Item 36.

Councilwoman Ansari seconded the motion.

Mayor Gallego commented small business was big business in Phoenix, and expressed appreciation for partners supporting the small business community.

Councilwoman Ansari inquired if Community and Economic Development Director Chris Mackay was available to answer questions.

Mayor Gallego introduced Ms. Mackay.

Councilwoman Ansari said Local First Arizona Incubator Kitchen was an awardee, and asked if Ms. Mackay could give examples of other demonstration projects that could contend for these funds. She questioned if there were any limitations to this, or if any business with an idea could apply for this.

Ms. Mackay replied this program could be used by other small businesses and small business training programs to add value in capital improvement or long-term training for the community. She mentioned Rio Solado Community College and Local First as examples, and described the process of Council funding through American Recovery Plan Act funds. She noted climate change and sustainability would influence future architectural projects, and added metrics would need to be met on those projects.

Councilwoman Ansari thanked Ms. Mackay and expressed excitement for this program.

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

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring and Mayor Gallego

No: 0

Conflict: 1 - Vice Mayor Pastor

43 Hickey Family Foundation Grant (Ordinance S-48390)

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 Hickey Family Foundation. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The grant amount is \$249,400. No matching funds are required.

Summary

The Police Department is requesting grant funding from the Hickey Family Foundation in support of the Department's Human Exploitation and Trafficking (H.E.A.T) Unit's mission to combat human trafficking, with emphasis on commercial sexual exploitation of children and domestic minor sex trafficking. The unit intends to build on their existing success through proactive and reactive investigations, undercover operations and victim outreach. The funding will directly impact the unit's ability to efficiently and effectively investigate the various forms of human

trafficking and will enable a positive impact to the human trafficking victims throughout the state.

If awarded, grant funding will be utilized for operational and investigative expenses, training and equipment. If the request is denied, the grant application will be rescinded.

Contract Term

One year beginning Sept. 1, 2022 through Aug. 30, 2023.

Financial Impact

No matching funds are required.

Discussion

Councilman Waring thanked the Hickey Foundation for their participation in helping fund City Human Exploitation and Trafficking (H.E.A.T.) units, and discussed the vital role they play in protecting young people and families.

Councilman Waring made a motion to adopt Item 43.

Vice Mayor Pastor seconded the motion.

Mayor Gallego expressed appreciation for the Hickey Family Foundation.

Note: One electronic comment was submitted for the record in favor of Item 43.

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

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Pastor and Mayor Gallego

No: 0

51 Downtown Shared Electric Scooter Pilot Program Extension and Electric Bicycle Legalization (Ordinance G-6967)

Request to authorize the City Manager, or his designee, to approve a 12-month extension of the existing Downtown Shared Electric Scooter Pilot Program, to amend Ordinance G-6602 to extend the sunset provision by an additional 12 months to allow shared electric scooters to continue to operate within the Downtown Shared Electric Scooter Pilot Program area, and to amend Phoenix City Code to allow for the use of electric bicycles on public streets Citywide.

Summary**Downtown Shared Electric Scooter Pilot Program**

On June 26, 2019, City Council unanimously approved the Downtown Shared Electric Scooter Pilot Program (Pilot Program), which allowed shared electric scooter vendors to obtain a permit to operate within the City of Phoenix. As part of the Pilot Program, City Council approved Ordinance G-6602, amending the Phoenix City Code to allow shared electric scooters to operate on public streets. The Ordinance amendment also included definitions for an electric scooter and authorized the City of Phoenix Police Department or peace officer to issue civil traffic citations for, among other things, speed limit violations, yielding the right-of-way, parking violations, and riding on the sidewalk. Additionally, the Ordinance amendment included a one-year sunset provision, which effectively would repeal the Code changes on June 25, 2020.

The initial six-month Pilot Program was to end on March 16, 2020. On Feb. 19, 2020, City Council approved Ordinance G-6676, extending the Pilot Program for an additional six months and to open the permit application process to allow new vendors to apply for the Pilot Program. Ordinance G-6676 also amended Ordinance G-6602 to extend the sunset provision until Dec. 31, 2020.

Due to the COVID-19 pandemic, the start of the second six-month pilot program was delayed. In October 2020, staff issued permits for the second six-month Pilot Program to two electric scooter vendors: Razor and Spin. The second six-month Pilot Program commenced on Oct. 1, 2020. On Dec. 2, 2020, City Council approved Ordinance G-6772, extending the second six-month Pilot Program through March 31, 2021, and amending Ordinance G-6602 to extend the Phoenix City Code

sunset provision to Dec. 31, 2021.

On March 17, 2021, City Council approved a 12-month extension of the Pilot Program through March 31, 2022, and an amendment to Ordinance G-6602 to extend the Phoenix City Code sunset provision to June 30, 2022. The extension was approved to allow staff time to research and develop a new program to replace the Pilot Program.

The requested action to extend the Pilot Program through March 31, 2023, and the Phoenix City Code sunset provision to June 30, 2023, will allow shared electric scooters to continue to operate within the Pilot Program area and Street Transportation Department staff time to continue to develop a Request for Proposals process for a new Comprehensive Micromobility Program. The program extension will also allow the City to progress further with the development and implementation of a Road Safety Action Plan (RSAP), and to incorporate micromobility transportation options into the RSAP.

Electric Bicycles

Electric bicycles, or e-bikes as they are commonly known, have increased immensely in popularity over the past few years. The COVID-19 pandemic spurred a significant uptake in biking. E-bikes, in particular, saw a 145 percent increase in sales between 2019 and 2020. Bikes and e-bikes can be a means of reducing traffic congestion and lowering our carbon footprint. Along with health benefits, e-bikes have the added benefit of making cycling easier with the assistance of an electric motor. In fact, it is expected that between 2020 and 2023 more than 130 million e-bikes will be sold worldwide.

E-bikes are classified into three types in many states. Class 1 e-bikes are defined as e-bikes that provide pedal assist up to 20 miles per hour. Class 2 e-bikes, on the other hand, accelerate with the use of a throttle up to 20 miles per hour. Lastly, Class 3 e-bikes provide pedal assist up to 28 miles per hour. As of 2019, e-bike manufacturers and distributors are required to add a sticker stating the classification number, top assisted speed, and motor wattage of the bicycle.

In 2018, Arizona updated state statutes to define e-bikes and permit their

use. However, they are still considered illegal within Phoenix city limits due to the “motorized play vehicles” ordinance. This ordinance prohibits the use of certain vehicles in the public right-of-way unless they are defined by state statutes as a motor vehicle, motorcycle, motor-driven cycle, electric stand-up scooter, motorized wheelchair, or electric personal assistive mobility device. Unfortunately, e-bikes are omitted which renders them illegal. Therefore, City Code must be updated to allow Phoenix residents to use this viable form of transportation. In fact, according to staff’s observations, e-bikes are already being used by residents on city roadways. Additionally, the City’s adopted Climate Action Plan identifies the promotion of active transportation as a key goal toward reducing single occupancy vehicle use and lowering emissions. In addition, staff anticipates e-bikes being part of the future Comprehensive Micromobility Program.

The requested action to amend Phoenix City Code to allow for the use of e-bikes on public streets Citywide will permit the use of Class 1 and Class 2 e-bikes in the public right-of-way.

Financial Impact

There is no financial impact to the City of Phoenix to amend Ordinance G-6602 to extend the sunset provision or to amend Phoenix City Code to allow for the use of e-bikes on public streets.

Concurrence/Previous Council Action

The Aviation and Transportation Subcommittee:

Recommended approval of the initial Pilot Program on Jan. 22, 2019, by a vote of 3-0; and

Reviewed the program on June 25, 2019.

The Transportation, Infrastructure, and Innovation Subcommittee:

Was provided with a three-month update on the Pilot Program on Jan. 7, 2020;

Recommended approval of the Pilot Program extension on Feb. 5, 2020, by a vote of 4-0;

Was provided with an update on the Pilot Program extension on Feb. 3, 2021, and requested the item be brought back to the March 3, 2021, meeting; and

Was provided with an update on the second six-month extension and recommended approval of a twelve-month extension on March 3, 2021, by a vote of 4-0.

The Planning and Economic Development Subcommittee:

Was provided information on the initial Pilot Program on Feb. 5, 2019;
and

Received an update for information and discussion on June 4, 2019.

The Workforce and Economic Development Subcommittee:

Was provided a report with a summary of the second six-month extension on Feb. 24, 2021, and requested the item be presented on March 24, 2021.

The Transportation, Infrastructure and Planning Subcommittee:

Was provided with an update on the Pilot Program and information on the proposed Comprehensive Micromobility Program on Oct. 20, 2021.

The City Council approved:

The Pilot Program (Ordinance G-6602) on June 26, 2019;

A Pilot Program extension (Ordinance G-6676) on Feb. 19, 2020;

A sunset provision extension (Ordinance G-6772) on Dec. 2, 2020;

A Pilot Program extension and a sunset provision extension (Ordinance G-6823) on March 17, 2021; and

Fee increases to ensure full cost recovery (Ordinance G-6835) on April 21, 2021.

Location

The main boundaries of the Pilot Program are from 7th Avenue to 7th Street and from Buckeye to McDowell roads. The Pilot Program boundary includes an extension of the area bounded by Roosevelt Street and Grand Avenue, and a reduction of the northern boundary to Portland Street between 7th and Central avenues.

Council Districts: 4, 7 and 8

The amendment of Phoenix City Code to allow for e-bikes would apply Citywide.

Discussion

City Clerk Denise Archibald read the title of Ordinance G-6967.

Vice Mayor Pastor made a motion to adopt Item 51.

Councilwoman Ansari seconded the motion.

Vice Mayor Pastor questioned with this extension, would the program be opened up to other vendors.

Street Transportation Director Kini Knudsen explained there would be opportunities to bring in additional vendors, and clarified Spin and Razor were active vendors with the City. He mentioned Bird and Lime were active earlier in the inception of this program, but were no longer active. He said the City had the ability to add both of those vendors back into the program for this year and added it would be difficult to add any new vendors this year due to the vetting process.

Vice Mayor Pastor asked for clarification that Bird and Lime were active in the program and are no longer active, but had the ability to reengage in the program.

Mr. Knudsen responded that was correct.

Phuong Bui spoke in favor, and mentioned she was the Head of Government Partnerships for Spin. She said she was also commenting on behalf of Razor and noting they also supported extending the pilot program. She expressed support for e-bikes on public streets citywide, and noted Spin and Razor looked forward to continuing serving constituents.

Cyndy Gaughan spoke in favor, and said she was speaking on behalf of Phoenix Community Alliance (PCA). She discussed how PCA had been involved in bringing electric scooters to downtown Phoenix since 2018, and mentioned various groups they worked with. She commented these scooters provided micro-mobility options for residents downtown, students and visitors. She said this extension would help reduce congestion on downtown streets and would contribute to the City's

climate action plan by reducing emissions.

Councilwoman Ansari thanked Ms. Gaughan for providing comments, and mentioned the downtown community had been working on advancing micro-mobility for years. She stated Vision Zero was voted on recently, and commented this item would help regarding safety on roadways.

Note: One electronic comment was submitted for the record in favor of Item 51.

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

Yes: 7 - Councilwoman Ansari, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Vice Mayor Pastor and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

67 Public Hearing and Resolution Adoption - General Plan Amendment GPA-PV-3-21-2 - Southwest Corner of 71st Street and Marilyn Road (Resolution 21997)

Request to hold a public hearing on a General Plan Amendment for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved. This file is a companion case to Z-56-21-2 and must be heard first, followed by Z-56-21-2.

Summary

Current Plan Designation: Industrial and Mixed Use (Commercial / Commerce/Business Park)

Proposed Plan Designation: Mixed Use (Commercial / Commerce/Business Park / Residential 15+ dwelling units per acre)

Acreage: 4.21 acres

Reason for change: Minor General Plan Amendment for a mix of commercial, commerce park, and residential 15+ dwelling units per acre

Owner: Kierland Office Park Condo Assoc, et al.

Applicant: Nick Wood, Esq., Snell & Wilmer, LLP

Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval.

VPC Info: The Paradise Valley Village Planning Committee heard the case on Oct. 4, 2021, for information only.

VPC Action: The Paradise Valley Village Planning Committee heard the case on Jan. 10, 2022, and recommended approval, per the staff recommendation, by a vote of 13-1.

PC Action: The Planning Commission heard the case on Feb. 3, 2022, and recommended approval, per the Paradise Valley Village Planning Committee, by a vote of 8-0.

Location

Southwest corner of 71st Street and Marilyn Road.

Council District: 2

Parcel Addresses: 7077 E. Marilyn Road.

Discussion

Mayor Gallego declared the public hearing open.

After announcing there were no members of the public wishing to speak except for the representative of the applicant, Mayor Gallego closed the public hearing.

The hearing was held. A motion was made by Councilman Waring, seconded by Councilwoman Stark, that this item be approved per the Planning Commission recommendation, with adoption of the related resolution. The motion carried by the following vote:

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Pastor and Mayor Gallego

No: 0

68 Public Hearing and Ordinance Adoption - Rezoning Application Z-56-21-2 (Davis Kierland PUD) - Southwest Corner of 71st Street and Marilyn Road (Ordinance G-6970)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by

adopting Rezoning Application Z-56-21-2 and rezone the site from CP/GCP PCD (Commerce Park/General Commerce Park, Planned Community District) to PUD (Planned Unit Development) to allow multifamily residential and commercial uses. This is a companion case and should be heard following GPA-PV-3-21-2.

..Report

Summary

Current Zoning: CP/GCP PCD

Proposed Zoning: PUD

Acreage: 4.21 acres

Proposed Use: Multifamily residential and commercial uses

Owner: Kierland Office Park Condo Assoc, et al.

Applicant: Michael Lee, Davis Development

Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.

VPC Info: The Paradise Valley Village Planning Committee heard the case on Oct. 4, 2021, for information only.

VPC Action: The Paradise Valley Village Planning Committee heard the case on Jan. 10, 2022, and recommended approval, per the staff recommendation, by a vote of 12-2.

PC Action: The Planning Commission heard the case on Feb. 3, 2022, and recommended approval, per the Paradise Valley Village Planning Committee recommendation, with an additional stipulation, by a vote of 8-0.

Location

Southwest corner of 71st Street and Marilyn Road.

Council District: 2

Parcel Addresses: 7077 E. Marilyn Road.

Responsible Department

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

Summary

Current Zoning: CP/GCP PCD

Proposed Zoning: PUD

Acreage: 4.21 acres

Proposed Use: Multifamily residential and commercial uses

Owner: Kierland Office Park Condo Assoc, et al.

Applicant: Michael Lee, Davis Development

Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.

VPC Info: The Paradise Valley Village Planning Committee heard the case on Oct. 4, 2021, for information only.

VPC Action: The Paradise Valley Village Planning Committee heard the case on Jan. 10, 2022, and recommended approval, per the staff recommendation, by a vote of 12-2.

PC Action: The Planning Commission heard the case on Feb. 3, 2022, and recommended approval, per the Paradise Valley Village Planning Committee recommendation, with an additional stipulation, by a vote of 8-0.

Location

Southwest corner of 71st Street and Marilyn Road.

Council District: 2

Parcel Addresses: 7077 E. Marilyn Road.

Responsible Department

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

Discussion

Mayor Gallego declared the public hearing open.

After announcing there were no members of the public wishing to speak except for the representative of the applicant, Mayor Gallego closed the public hearing.

The hearing was held. A motion was made by Councilman Waring, seconded by Councilwoman Stark, that this item be approved per the Planning Commission recommendation, with adoption of the related ordinance. The motion carried by the following vote:

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Pastor and Mayor Gallego

No: 0

69 Public Hearing - Amend Airport Height Map - Ordinance Adoption - Text Amendment Application Z-TA-2-21-7 - (Ordinance G-6969)

Request to hold a public hearing for a proposed text amendment to the City Code, Text Amendment Z-TA-2-21-7, amending Article XIII (Airport Zoning), Section 4-241(Zones) to permit up to 250 feet in height at the southwest corner of 1st Street and Jackson Street.

Summary

The intent of this proposed text amendment is to amend Article XIII (Airport Zoning), Section 4-241(Zones) of the City Code to permit up to 250 feet in height at the southwest corner of 1st Street and Jackson Street.

Owner: 39 East Jackson, LLC

Applicant: Phoenix Airport Zoning Commission

Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff recommendation: Approval.

VPC Info: The Central City Village Planning Committee heard this item on Nov. 8, 2021 for information only.

VPC Action: The Central City Village Planning Committee heard this item on Jan. 10, 2022, and recommended approval, per the staff recommendation with direction, by a vote of 11-0.

AZC Action: The Airport Zoning Commission heard the item on Feb. 3, 2022, and recommended approval, per the Central City Village Planning Committee recommendation, by a vote of 7-0.

Location

Southwest corner of 1st Street and Jackson Street

Council District: 7

Parcel Address: 39 E. Jackson St.

Discussion

Mayor Gallego introduced Deputy City Manager Alan Stephenson to give a brief presentation.

Mr. Stephenson stated this item was a text amendment to the City Code for the airport zoning maps, and added this request would change the section 4-241 zones to permit a height of up to 250 feet at the southwest corner of 1st Street and Jackson Street. He said staff recommended approval and noted the Central City Village Planning Committee recommended approval by an 11-0 vote as well as the Airport Zoning Commission recommending approval.

Mayor Gallego declared the public hearing open.

After announcing there were no members of the public wishing to speak except for the representative of the applicant, Mayor Gallego closed the public hearing.

The hearing was held. A motion was made by Councilwoman Ansari, seconded by Councilwoman Stark, that this item be approved per the Airport Zoning Commission recommendation, with adoption of the related ordinance. The motion carried by the following vote:

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Pastor and Mayor Gallego

No: 0

70 Public Hearing - Amend City Code - Ordinance Adoption - Interior Suites with Accessory Cooking Facilities Expansion - Text Amendment Application Z-TA-4-21 (Ordinance G-6971)

Request to hold a public hearing for a proposed text amendment Z-TA-4-21, to amend Chapter 6, Section 608.D.8 of the Zoning Ordinance to expand the applicability of interior suites with accessory cooking facilities.

Summary

The intent of this proposed text amendment is to expand the applicability of interior suites with accessory cooking facilities to the South Mountain, North Mountain and Maryvale Villages.

Applicant: Taylor C. Earl, Earl & Curley, PC

Representative: Taylor C. Earl, Earl & Curley, PC

Staff recommendation: Approval, as shown in Exhibit A of the Staff Report (Attachment B).

VPC Info: The South Mountain Village Planning Committee heard this item on Nov. 9, 2021, for information only. The Maryvale Village Planning Committee heard this item on Nov. 10, 2021, for information only. The North Mountain Village Planning Committee heard this item on Nov. 17, 2022, for information only. Summaries of these meetings are provided in Attachment C.

VPC Action: The South Mountain Village Planning Committee heard this item on Dec. 14, 2021, and recommended approval, per the staff recommendation, by a vote of 9-1. The Maryvale Village Planning Committee heard this item on Jan. 12, 2022, and recommended approval, per the staff recommendation, by a vote of 10-0. The North Mountain Village Planning Committee heard this item on Jan. 19, 2022, and recommended approval, per the staff recommendation, by a vote of 13-1. Summaries of these meetings are provided in Attachment D.

PC Action: The Planning Commission heard the item on Jan. 6, 2022, for information only. The Planning Commission heard the item on Feb. 3, 2022, and recommended approval, per the Village Planning Committee recommendations, by a vote of 8-0.

Location

South Mountain, North Mountain and Maryvale Villages.

Council District: Citywide

Parcel Address: N/A

Discussion

Mayor Gallego introduced Deputy City Manager Alan Stephenson to give a brief presentation.

Mr. Stephenson stated this item was a text amendment to the Phoenix Zoning Ordinance to expand the applicability of interior suites with accessory cooking facilities to the South Mountain, North Mountain and Maryvale villages. He noted all three village planning committees recommended approval, as well as the Planning Commission recommending approval by an 8-0 vote. He said staff recommended approval per the Planning Commission recommendation with adoption of the related ordinance.

Mayor Gallego declared the public hearing open.

After announcing there were no members of the public wishing to speak except for the representative of the applicant, Mayor Gallego closed the public hearing.

The hearing was held. A motion was made by Vice Mayor Pastor, seconded by Councilwoman Ansari, that this item be approved per the Planning Commission recommendation, with adoption of the related ordinance. The motion carried by the following vote:

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Pastor and Mayor Gallego

No: 0

71 Public Hearing and Resolution Adoption - General Plan Amendment GPA-SM-CC-1-21-7-8 (South Central TOD Community Plan) - Area Generally Bounded by Union Pacific Railroad Tracks (South of Jefferson Street) on the North, 7th Street on the East, South Mountain Avenue on the South, and 7th Avenue on the West (Resolution 22002)

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission's recommendation and the related resolution if approved. Request to adopt a resolution approving the South Central TOD Community Plan.

Summary

Application: General Plan Amendment GPA-SM-CC-1-21-7-8

Owner: Various

Applicant: City of Phoenix

Representative: City of Phoenix

Staff Recommendation: Approval.

VPC Info: The Central City Village Planning Committee heard this case for information only on March 8, 2021, and the South Mountain Village Planning Committee heard this case for information only on March 9, 2021.

VPC Action: The Central City Village Planning Committee heard this case on Jan. 10, 2022, and recommended approval, per staff recommendation, by a vote of 13-0.

VPC Action: The South Mountain Village Planning Committee heard this case on Jan. 11, 2022, and recommended approval, per staff recommendation, by a vote of 15-0.

PC Action: The Planning Commission heard this case on Feb. 3, 2022, and recommended approval per the Addendum A Staff Report, by a vote of 8-0.

Location

Area generally bounded by Union Pacific Railroad tracks (south of Jefferson Street) on the north, 7th Street on the east, South Mountain Avenue on the south, and 7th Avenue on the west.

Council Districts: 7,8

Parcel Addresses: Multiple parcels within the community led area plan boundaries.

Discussion

Mayor Gallego introduced Deputy Planning and Development Director Josh Bednarek to give a brief presentation on this item.

Mr. Bednarek explained how over the past three years staff had collaborated with the south central Phoenix community on the South Central Transit Orientated Development Plan (TOD). He introduced Special Projects Administrator Joel Carrasco and Planner III Elias Valencia who had been the lead on this item.

Mr. Carrasco stated this plan could not have been done without the previous leadership and direction from Council throughout the last decade, and mentioned the City was fortunate to receive a federal TOD planning grant for the south central community. He displayed a map showing all TODs in Phoenix, and added the direction lead by Council had encouraged more walkable transit-orientated communities. He noted the South Central TOD would be the 7th Transit Orientated district in Phoenix.

Mr. Valencia explained the South Central TOD was approximately a five-mile area between 7th Avenue and 7th Street, with Union Pacific Railroad to the north and South Mountain Avenue to the south. He commented this TOD was a community vision crafted by the residents of south central Phoenix that rejects displacement and supports equitable transit-oriented development. He stated this plan's vision would move forward by providing a comprehensive framework that guides investment and designates areas of the community to protect, enhance and invest. He talked about how this plan had a policy framework for future funding in infrastructure and gave examples of areas where this future funding would be implemented. He discussed how the plan focused on four distinct sub-areas: North, South, Rio Salado and South Mountain, and noted this approach has strengthened inter-departmental relationships and community partnerships. He listed six planning elements in Spanish, and added it was intended to be in Spanish because there was a fully-translated version of this plan in Spanish available online. Mr. Valencia commented residents, businesses and government would be necessary to implement this plan, and talked about the bilingual engagement and outreach effort in the community. He thanked a member of the TOD grant team named Amina who had recently passed away and thanked the rest of the TOD grant team, the South Central TOD Steering Committee, South Central Collaborative and Councilwoman Ansari and Councilmember Garcia. He mentioned staff recommended approval per the Feb. 28, 2022 correction memo from the Planning and Development Deputy Director along with the South Central TOD Steering Committee, South Mountain and Central City village planning committees and the Planning Commission.

Mayor Gallego acknowledged a member of the TOD grant team named

Lyle that also passed away during this process.

Councilmember Garcia thanked staff for their amazing work and added he was excited to support this item. He talked about the community input that went into this plan and thanked the South Central TOD Steering Committee, the South Mountain Village Planning Committee and the South Central Collaborative for their time and effort. He thanked Mr. Carrasco and Mr. Valencia and commented he could tell how proud of the work they did on the plan with the challenges they faced. He talked about how doing a real community process was hard to do, and said it was important to understand how much work went into this plan.

Mayor Gallego declared the public hearing open.

Gregory Brownell spoke in favor based on the understanding to Council that this process had challenges. He commented the Planning and Development Department staff worked hard on this plan, and suggested that all members of Council should be involved in this plan rather than two councilmembers and some attorneys that get to decide what goes where. He added this plan shouldn't be determined by developers, and noted the community had done a remarkable job throughout this process.

Samuel Gomez spoke in favor and stated this plan would be remarkable after all of the effort that had been done throughout the process. He talked about how this plan would change the future and create a new model for these communities on how they deal with development. He mentioned he supported arts and culture and looked forward to empowering and enhancing more arts and culture projects in the future. He thanked those involved in the plan for their long hours of dedication and sacrifice that it took to put this together.

Councilmember Garcia thanked Mr. Gomez for the work he did on this plan, and asked him to speak more on how future projects and designs coming to this area would be implemented.

Mr. Gomez replied during outreach for design with the community, Empower Phoenix asked to work with youth to see what their vision was and they were able to get great design ideas that were documented. He

talked about how renderings were made, specifically for the Central Avenue and Broadway Road location, and added other locations including South Plaza were in the renderings made. He discussed how cultural practices were included in design for shade structures and places where families could gather. He stated he would like to see the community continue to be part of the conversation on this plan.

Gabriel Jaramillo spoke in favor and added it was amazing to be part of this process and create guidelines and to work with the community on the vision they wanted to see. He mentioned these guidelines would help in partnering with developers and businesses coming in so residents benefit.

Francisca Montoya spoke in favor and thanked the City for seeking out public input and participation on how best to design a future for the south central corridor. She talked about how this area had previously been seen as forgotten, and commented this was a beautiful community. She talked about the benefits of the design laid out in the plan, and added this was just the beginning for south Phoenix.

Eva Olivas spoke in favor and expressed appreciation for the support to the South Central TOD Steering Committee from the City while serving as Chair. She talked about the outreach done in the community and said residents, businesses and the City needed to be involved to move this plan forward. She mentioned there was no end date or sunset date to this plan and will require endless work. She thanked committee members for their work on this plan.

Mayor Gallego thanked Ms. Olivas for her service.

Star Reyes spoke in favor and mentioned she was born and raised in south Phoenix. She described how much this area meant to her and added it was an honor for her to volunteer in the development of the TOD plan and to have a voice in the process. She expressed excitement for the light rail extension in south Phoenix, and suggested this plan would act as a guide to future development in Phoenix and the south central area.

Armando Ruiz spoke in favor and commented he had lived in south Phoenix his whole life. He mentioned he was a member of the South Central TOD committee, and said plans only work with good partnerships. He talked about the neighborhoods along Central Avenue being destabilized due to construction and added some of the development had not been good to the community. He repeated this plan was good, but would only be effective long term if the City worked with the neighborhoods and the neighborhoods worked with the City.

Genaro Ruiz spoke in favor and noted he was a partner of the South Central Collaborative. He talked about how a community with a strong transit system with street-scaping elements and equitable development opportunities could discourage vehicle dependence and congestion. He discussed the benefits of active transportation in the community, and how that improves quality of life in the area.

Shannon Scutari spoke in favor and congratulated staff and Council on their work for this plan. She requested the City immediately implement the plan and to commit the necessary staff resources to prioritize successful implementation of the plan. She asked the City to work with the South Central Collaborative and other partners throughout the corridor, and to utilize funding from local, regional, state and federal entities to provide the necessary infrastructure that was promised to this community. She stated she would recommend developing programs to involve black, indigenous and people of color housing developers to build necessary mixed-income housing and commercial developments.

Krista Sheperd spoke in favor and mentioned she was a Principal at Gould Evans and previously was a resident in Council District 8 for 20 years. She said voting in favor of this item would prioritize equity for the entire city. She talked about documenting the community's vision through workshops and other methods to create a better quality of life for their families, and noted not only was that documented but a technical analysis was done factoring in the high risk of displacement in this area.

Jose J. Vaquera spoke in favor on behalf of families and communities in south central Phoenix. He discussed how this plan was a huge endeavor because of the construction along Central Avenue, and added he

accepted this because ultimately this plan was for the future. He commented this plan was comprehensive because it addressed his concerns for the future of his family and voting for this plan.

Victor Vidales spoke in favor, and mentioned out of all of the years he had been involved in organizing and working in the community that he had never seen an effort like this. He talked about how so much of this plan came from outreach in the community, and added he was proud of the staff who worked on this to help put together this plan. He discussed how light rail would bring in even more investment into development to the area, and added putting people first in this plan was key to seeing this be successful.

Jeffrey Walker spoke in favor and suggested it was vital that residents in south Phoenix had their voices heard. He mentioned the potential of light rail coming into this area, but noted it must be implemented in a caring and concerned way that would prevent gentrification and displacement. He commented this was the first step in adoption, and stressed this plan needed to be implement immediately. He noted this plan would go a long way in providing opportunity for the community.

Mayor Gallego declared the public hearing closed.

Councilmember Garcia mentioned Petra Falcone was available to speak.

City Clerk Denise Archibald clarified Ms. Falcone did not register to speak, but was available online.

Mayor Gallego thanked Ms. Falcone for her work, and expressed her appreciation for contacting 10 thousand residents.

Councilwoman Ansari commented this was an exciting day for south Phoenix residents who had long called for investments in their community. She talked about how this process started in 2016 and added various non-profits and the South Central TOD Steering Committee worked hard to put forth a plan to attract and guide plans for housing, economic development and infrastructure. She mentioned her office held an infrastructure tour with leaders who had been part of this

process, and repeated implementation needed to happen. She said this plan created strategies for displacement and would help create a prosperous and sustainable south central corridor. She listed the names of leaders who she was able to work with and get to know throughout this process and thanked them along with City staff. She expressed her condolences for the family of Amina who passed away before this plan would be implemented, and mentioned much of her work would be implemented and carried out through this plan. She stated the true work starts now, and added for future plans she would make sure the City continued to work with the community.

Mayor Gallego thanked Councilwoman Ansari for working on this so quickly.

Councilwoman Guardado expressed her excitement for this plan and thanked those in the community who were part of it. She commented Council appreciated when the community gets involved in plans and added this was why these plans are successful because of community input. She thanked Councilmember Garcia for his hard work and leadership on this plan.

Councilwoman Stark commented this was what planning was all about, by working with the community to develop a vision and make strategies to implement the vision. She said this plan was done very well and added she was proud to support this. She thanked staff for their work on this plan and suggested she could not wait to see this plan be replicated in other parts of Phoenix along the light rail.

Vice Mayor Pastor congratulated the community for their many years of hard work, and commented she was glad to hear this plan was a plan of the people. She talked about the importance of preserving culture and diversity of the south central Phoenix area while the city grows. She stressed the importance of limiting displacement, and directed the City to ensure this would not happen. She clarified the responsibility of the community would be to elect officials that would support the TOD of the future.

Mayor Gallego thanked those involved in this process along with City

staff, and mentioned there were 10 residents from Council Districts 7 and 8 who went to Washington, D.C. to advocate for this project. She said this TOD plan was more robust than previous plans, and added she hoped this would help people move towards what they want for their community.

Note: Two electronic comments were submitted for the record opposed to Item 71.

The hearing was held. A motion was made by Councilmember Garcia, seconded by Vice Mayor Pastor, that this item be approved as corrected per the Feb. 28, 2022 memo from the Planning and Development Deputy Director, with adoption of the related resolution. The motion carried by the following vote:

Yes: 7 - Councilwoman Ansari, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Vice Mayor Pastor and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

72 Public Hearing and Resolution Adoption - General Plan Amendment GPA-SM-3-21-8 - Southwest Corner of 19th Avenue and South Mountain Avenue (Resolution 22001)

Request to hold a public hearing on a General Plan Amendment for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved. This item is a companion case to Z-58-21-8 and must be heard first, followed by Z-58-21-8.

Summary

Current Plan Designation: Residential 1 to 2 dwelling units per acre

Proposed Plan Designation: Residential 2 to 3.5 dwelling units per acre

Acreage: 20.76 acres

Reason for Change: Minor General Plan amendment to allow single-family residential up to 3.5 dwelling units per acre

Owner: PW Again, LLC

Applicant: Paul Gilbert, Beus Gilbert McGroder, PLLC

Representative: Paul Gilbert, Beus Gilbert McGroder, PLLC

Staff Recommendation: Approval.

VPC Action: The South Mountain Village Planning Committee heard the case on Dec. 14, 2021, and continued the case, by a vote of 11-0. The South Mountain Village Planning Committee heard the case again on Jan. 11, 2022, and recommended denial, by a vote of 10-4-1.

PC Action: The Planning Commission heard the case on Jan. 6, 2022, and continued the case, by a vote of 8-0. The Planning Commission heard the case again on Feb. 3, 2022, and recommended approval, per the staff recommendation, by a vote of 6-2.

Location

Southwest corner of 19th Avenue and South Mountain Avenue.

Council District: 8

Parcel Addresses: 8410, 8420 S. 19th Ave.; and 2075 W. South Mountain Ave.

Discussion

Mayor Gallego announced there would be a public hearing for both Item 72 and 73, and introduced Deputy City Manager Alan Stephenson.

Mr. Stephenson said Item 72 was a General Plan Amendment and Item 73 was a related rezoning case, and noted the location of both items was the southwest corner of 19th Avenue and South Mountain Avenue. He mentioned the General Plan Amendment would change the land use map from residential one to two dwelling units per acre to two to three-and-a-half dwelling units per acre. He stated the South Mountain Village Planning Committee recommended denial by a 10-4 vote, and the Planning Commission recommended approval per the staff recommendation by a 6-2 vote. He said the related zoning case would go from S1 to approved R1-18 and R1-18 to R1-10 for a single-family residential development of all detached homes. He mentioned the South Mountain Village Planning Committee recommended denial, and the Planning Commission recommended approval per the Addendum C staff report by a 6-2 vote that would drop the density and make site plan changes to address neighborhood concerns.

Mayor Gallego declared the public hearing open.

After announcing there were no members of the public wishing to speak except for the representative of the applicant, Mayor Gallego closed the public hearing.

Councilmember Garcia thanked the community for coming together, and talked about the changes made to the project since it was introduced at the South Mountain Village Planning Committee.

Note: One electronic comment was submitted for the record opposed to Item 72.

The hearing was held. A motion was made by Councilmember Garcia, seconded by Vice Mayor Pastor, that this item be approved per the Planning Commission recommendation, with adoption of the related resolution. The motion carried by the following vote:

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Pastor and Mayor Gallego

No: 0

73 Public Hearing and Ordinance Adoption - Rezoning Application Z-58-21-8 - Southwest Corner of 19th Avenue and South Mountain Avenue (Ordinance G-6972)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-58-21-8 and rezone the site from S-1 (Ranch or Farm Residence District), approved R1-18 (Single-Family Residence District) to R1-10 (Single-Family Residence District) to allow detached single-family residential. This file is a companion case and must be heard following GPA-SM-3-21-8.

Summary

Current Zoning: S-1 (Approved R1-18)

Proposed Zoning: R1-10

Acreage: 20.76 acres

Proposed Use: Detached single-family residential

Owner: PW Again, LLC

Applicant: Paul Gilbert, Beus Gilbert McGroder, PLLC

Representative: Paul Gilbert, Beus Gilbert McGroder, PLLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The South Mountain Village Planning Committee heard the case on Dec. 14, 2021, and recommended a continuance by a vote of 11-0. The South Mountain Village Planning Committee heard the case again on Jan. 11, 2022, and recommended denial by a vote of 9-4-1.

PC Action: The Planning Commission heard the case on Jan. 6, 2022, and recommend a continuance, by a vote of 8-0. The Planning Commission heard the case again on Feb. 3, 2022, and recommended approval, per the Addendum C staff report, by a vote of 6-2.

Location

Southwest corner of 19th Avenue and South Mountain Avenue.

Council District: 8

Parcel Addresses: 8410, 8420 S. 19th Ave. and 2075 W. South Mountain Ave.

Note: For discussion on Item 73, refer to discussion on Item 72.

Note: One electronic comment was submitted for the record in favor of Item 73.

The hearing was held. A motion was made by Councilmember Garcia, seconded by Vice Mayor Pastor, that this item be approved per the Planning Commission recommendation, with adoption of the related ordinance. The motion carried by the following vote:

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio,
Councilmember Garcia, Councilwoman Guardado,
Councilwoman O'Brien, Councilwoman Stark, Councilman
Waring, Vice Mayor Pastor and Mayor Gallego

No: 0

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

City Attorney Cris Meyer stated during Citizen Comments, members of the public may address the City Council for up to three minutes on issues of interest or concern to them. He advised the Arizona Open Meeting Law permits the City Council to listen to the comments, but prohibits council members from discussing or acting on the matters presented.

Jeremy Thacker submitted a citizen's petition to clarify how the City handles citizen's petitions and how his previous citizen's petitions were handled. He discussed how citizen's petitions were handled through City Council subcommittee meetings, and suggested changes to the process would need to be held through an election.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 4:03 p.m.


MAYOR

ATTEST:


CITY CLERK

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CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 2nd day of March, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 12th day of June, 2024.


CITY CLERK

