

WEDNESDAY, NOV. 18, 2020
PHOENIX CITY COUNCIL FORMAL AGENDA



Mayor
Kate Gallego

Vice Mayor
District 5
Betty Guardado

District 1
Thelda Williams

District 2
Jim Waring

District 3
Debra Stark

District 4
Laura Pastor

District 6
Sal DiCiccio

District 7
Michael Nowakowski

District 8
Carlos Garcia

*Online agendas and
results available at
www.phoenix.gov*

City Council Chambers
200 W. Jefferson St.
Phoenix, AZ 85003

WASHINGTON STREET

3RD AVE

CALVIN
C.
GOODE
BUILDING

HISTORIC
CITY
HALL

CITY
COUNCIL
CHAMBERS

1ST AVE

JEFFERSON STREET

WELCOME!

Thank you for participating in the process of representative local government. We welcome your interest and hope you and your neighbors will often attend Phoenix City Council meetings. Democracy cannot endure without an informed and involved electorate.

Phoenix operates under a Council-Manager form of local government. Policy is set by the Mayor and Council, and the City Manager, who is appointed by the Council, directs staff to carry out the policies. This separation of policy-making and policy administration is considered the most economical and efficient form of city government.

FORMAL CITY COUNCIL MEETINGS

The Council generally holds formal meetings at 2:30 p.m. on Wednesdays to take official action on Ordinances, Resolutions, and other items on the agenda. Although the formal agenda is subject to change, all changes to the printed agenda will be available at least 24 hours prior to the meeting. Visit phoenix.gov/cityclerk/publicmeetings to view the agenda and meeting schedule.

The formal meeting may appear to proceed very quickly, with important decisions reached with little discussion. However, councilmembers receive the agenda the week prior to the meeting, giving them the opportunity to study every item and to ask questions of City staff members. If no additional information is presented at the meeting, action may be taken without discussion.

HOW CITIZENS CAN PARTICIPATE

Phoenix City Council meetings are live streamed on phoenix.gov and available to view on Phoenix Channel 11.

For updated information on how residents can provide input on Council agenda items, please visit phoenix.gov/cityclerk/publicmeetings or call 602-262-6001.

For other questions involving the City, you are encouraged to contact your District councilmember at 602-262-7029 or the City Manager's Office at 602-262-4449. To reach the Mayor's Office, call 602-262-7111. We will do everything possible to be responsive to your individual requests.

REGISTERED LOBBYISTS

Individuals paid to lobby on behalf of persons or organizations other than themselves must register with the City Clerk prior to lobbying or within five business days thereafter and must re-register annually. If you have any questions about registration or whether or not you must register, visit lobbyist.phoenix.gov or contact the City Clerk's Office at 602-256-3186.

ACCESSIBILITY

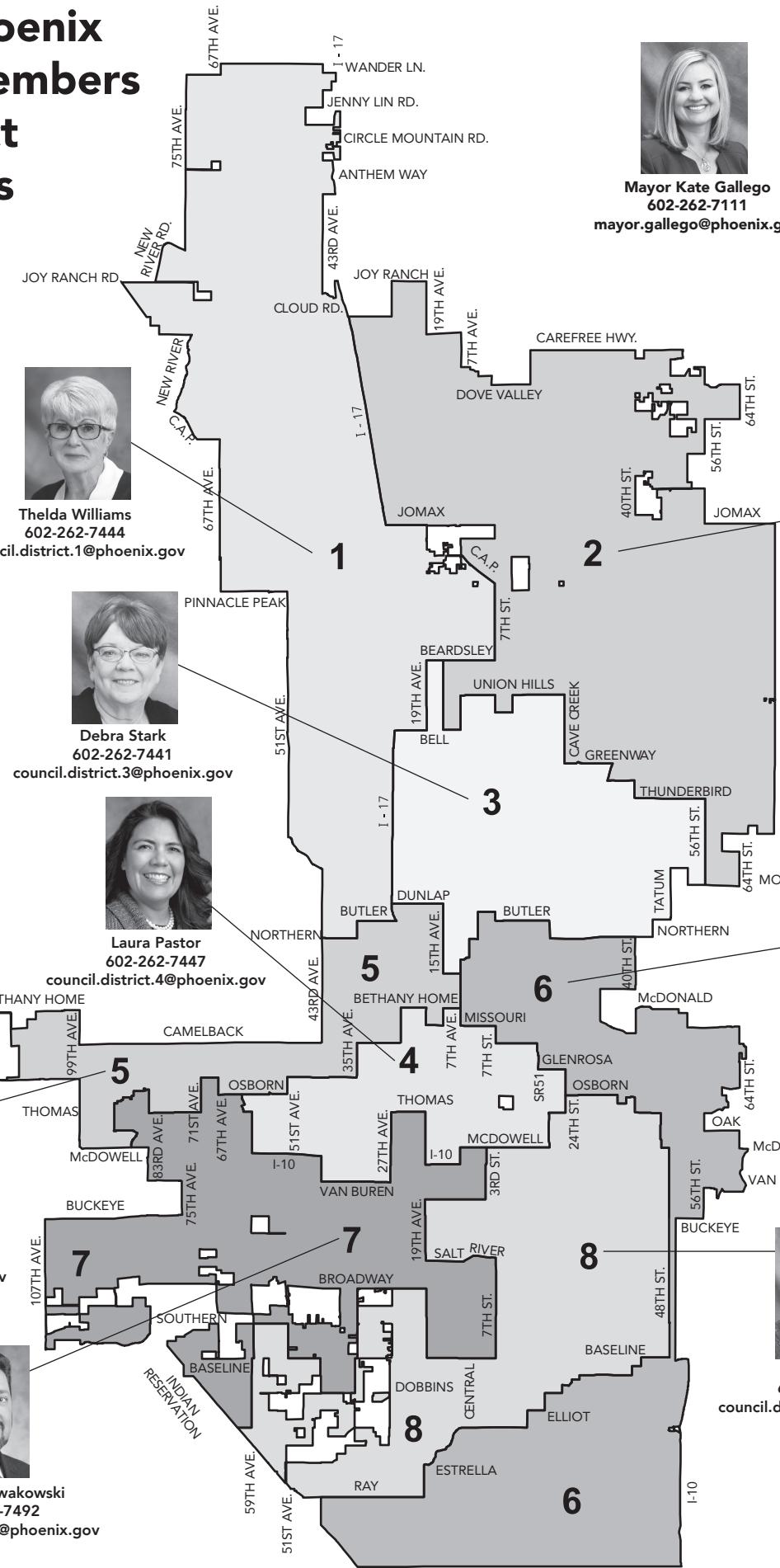
For further information or reasonable accommodations, please call 602-256-3186 or Relay 7-1-1 as early as possible to coordinate needed arrangements.

Si necesita asistencia o traducción en español, favor de llamar lo mas pronto posible a la oficina de la Secretaría Municipal de Phoenix al 602-256-3186.

City of Phoenix Council members and district boundaries



Mayor Kate Gallego
602-262-7111
mayor.gallego@phoenix.gov





Agenda

City Council Formal Meeting

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

Wednesday, November 18, 2020

2:30 PM

phoenix.gov

*****REVISED Nov. 17, 2020*****

Item Requested to be Continued: 23; Item Revised: 28

OPTIONS TO ACCESS THIS MEETING

- **Watch** the meeting live streamed on phoenix.gov or Phoenix Channel 11 on Cox Cable.
- **Call-in** to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 126 708 0821# (for English) or 126 726 7770# (for Spanish). Press # again when prompted for attendee ID.

- **Register and speak during a meeting:**

- **Register online** by visiting the City Council Meetings page on phoenix.gov at least 1 hour prior to the start of this meeting. Then, click on this link at the time of the meeting and join the Webex to speak.

<https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=e3333a3970085007389d894d4542a6116>

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

CALL TO ORDER AND ROLL CALL

MINUTES OF MEETINGS

BOARDS AND COMMISSIONS

2 Mayor and Council Appointments to Boards and Commissions

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

3	(CONTINUED FROM NOV. 4, 2020) - Liquor License - Los Pinos Surf and Turf	District 5 - Page 20
4	Liquor License - Bell 76	District 1 - Page 26
5	Liquor License - Kings Beer & Wine	District 4 - Page 30
6	Liquor License - Kings Beer & Wine	District 4 - Page 35
7	Liquor License - Original Genos	District 4 - Page 40
8	Liquor License - CVS/Pharmacy #11478	District 5 - Page 45
9	Liquor License - Quick Snack and Gas	District 5 - Page 50
10	Liquor License - Beaut Burger	District 6 - Page 55
11	Liquor License - Carniceria Los Vaqueros	District 7 - Page 61
12	Liquor License - Pemberton	District 7 - Page 66
13	Liquor License - The Rough Rider	District 7 - Page 72
14	Liquor License - PIP Coffee and Clay	District 8 - Page 77

15	Off-Track Pari-Mutuel Wagering Permit - Dubliner Irish Pub & Restaurant	District 3 - Page 82
<u>PAYMENT ORDINANCE (Ordinance S-47067) (Items 16-21)</u>		Page 87
16	Firefighters Bookstore Inc.	
17	Arizona Forward Membership Renewal	
18	North American Region of the Airports Council International doing business as Airports Council International - North America	
19	Settlement of Claims(s) Cordova v. City of Phoenix	
20	Settlement of Claim(s) Kiesner v. City of Phoenix	
21	Articulate Global, Inc.	
<u>ADMINISTRATION</u>		
22	Enter into Development Agreement with Taiwan Semiconductor Manufacturing Company (Ordinance S-47129)	District 1 - Page 89
*23	Canvass of Vote - November 2020 Mayor and Council Election ***REQUEST TO CONTINUE***	Citywide - Page 92
24	Proposed 77th Avenue and Glass Lane Annexation - Public Hearing	District 7 - Page 94
25	Proposed Central Avenue and Jomax Road Annexation - Authorization to File	District 2 - Page 99
26	Proposed 11th Avenue and Jomax Road Annexation - Authorization to File	District 2 - Page 101
27	Adoption of an Ordinance Adding a New Chapter 20 to the Phoenix City Code Establishing the Office of Accountability and Transparency (Ordinance G-6770)	Citywide - Page 103

*28	SAP Programming Support Services (Ordinance S-47123) ***REVISED***	Citywide - Page 115
29	Acquisition of Real Property for Installation of Fire Hydrants from Roma Avenue to Indian School Road, Between 24th to 27th Streets (Ordinance S-47071)	District 6 - Page 117
30	Grant of Public Utility Easements on City-Owned Property for Sewer Lift Station 41 (Ordinance S-47073)	District 6 - Page 119
31	Grant of Public Utility Easement on City-owned Property for 39th Avenue Interceptor Odor Control Station (Ordinance S-47077)	District 1 - Page 122
32	Cutter Aviation Equipment, Supplies and Maintenance - Requirement's Contract - EXC 20-076 (Ordinance S-47081)	Citywide - Page 125
33	Acceptance and Dedication of a Deed and Easements for Public Utility, Sidewalk, and Roadway Purposes (Ordinance S-47084)	District 4 - Page 126 District 6 District 7
34	Life Technologies Contract for DNA Analysis - Requirements Contract - RFA 16-017 (Ordinance S-47089)	Citywide - Page 128
35	Ballot Sorting System Lease, Including Training, Maintenance, and Repair - Requirements Contract - RFP 21-001 (Ordinance S-47104)	Citywide - Page 129
36	Landscape, Sprinkler and Irrigation Supplies (Ordinance S-47109)	Citywide - Page 131
37	Authorization to Execute All Real Property Agreements and Grant Easements for State Route 85 Landfill Gas-to-Energy Production Facility (Ordinance S-47117)	Out of City - Page 132
38	Authorization to Accept and Dedicate Land for Roadway Purposes Pursuant to City Contract 143841 (Ordinance S-47122)	District 6 - Page 133

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40	Hitachi Maintenance and Support (Ordinance S-47113)	Citywide - Page 136
41	Master Telecom Infrastructure Agreement (Ordinance S-47074)	Citywide - Page 137
42	Authorization to Apply for Grant Funding for Network Storage and Payment Portal Project Costs (Ordinance S-47116)	Citywide - Page 138
43	Amendment to Intergovernmental Agreement with Arizona Department of Health Services for Immunization Services Provided by Fire Department (Ordinance S-47075)	Citywide - Page 139
44	Authorization to Amend Contract with Central Arizona Shelter Services for COVID-19 Emergency Shelter and Rapid Re-housing Services (Ordinance S-47118)	Citywide - Page 140
45	Adoption of a New Street Name to Replace Robert E. Lee Street (Ordinance S-47115)	District 2 - Page 142
46	Adoption of a New Street Name to Replace S**** Peak Drive (Ordinance S-47125)	District 6 - Page 153
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47	Enter into Contracts with Buyer's Choice Home Inspections LLC dba Blackstone Property Inspections, First Step Home Inspectors, LLC and Independent Inspector Network LLC for Home Inspection Services for Single-Family Homes (Ordinance S-47082)	Citywide - Page 171
48	Voluntary Acquisition of Real Property for Affordable and/or Mixed Income Housing Located North of Northwest Corner of Van Buren Street and 5th Avenue (Ordinance S-47121)	District 7 - Page 173
49	Authorization to Amend Contract with Area Agency on	Citywide - Page 175

**Aging, Region One, Inc. for Home Delivered Meals
(Ordinance S-47112)**

50 **2021-22 Housing and Urban Development Consolidated Plan Annual Action Plan Process** Citywide - Page 177

51 **2020 Community Development Block Grant Reprogramming Request (Ordinance S-47076)** Citywide - Page 179

52 **Electrical Services Citywide - Ordinance S-45778 Amendment (Ordinance S-47087)** Citywide - Page 180

53 **Artist Design Contract for Cortez Park Well Site and Arizona Canal Public Art Project (Ordinance S-47110)** District 1 - Page 182

54 **Artist Fabrication and Construction Oversight Contract for Community Well Site 156 Art Project (Ordinance S-47111)** District 7 - Page 184

ECONOMIC DEVELOPMENT

55 **Phoenix Convention Center Department COVID-19 Response** District 7 - Page 186
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56 **Public Hearing and Resolution to Approve the 2021 Downtown Enhanced Municipal Services District Assessments (Resolution 21880)** District 7 - Page 192
District 8

57 **Authorization to Pay Invoices for 2021 Downtown Enhanced Municipal Services District (Ordinance S-47103)** District 7 - Page 197
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58 **Authorization to Enter into Agreement for FY 2020-21 Tourism and Hospitality Advisory Board Funds (Ordinance S-47083)** Citywide - Page 200

59 **Authorization to Enter into a Requirements Contract for Payroll and Stagehand Services (Ordinance S-47101)** District 7 - Page 202
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60 **Authorization to Enter into Intergovernmental** Citywide - Page 204

Agreement with Arizona Health Care Cost Containment System in Support of Arizona State Opioid Response II Grant (Ordinance S-47120)

61 **Authorization to Enter into Agreement with Arizona Secretary of State to Receive Reimbursement for Police Services (Ordinance S-47124)** Citywide - Page 206

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62 **Distributed Antenna System Solicitation Request** District 8 - Page 207

63 **Amend City Ordinance S-45743 for Sale of City Property (Ordinance S-47102)** District 8 - Page 209

64 **AerSale, Inc. Amendment to Add 12 Acres at Phoenix Goodyear Airport (Ordinance S-47105)** Out of City - Page 210

65 **Worldwide Flight Services, Inc. Ground Lease at Phoenix Sky Harbor International Airport (Ordinance S-47106)** District 8 - Page 211

66 **Luke Air Force Base 56th Fighter Wing Intergovernmental Agreement (Ordinance S-47107)** District 1 - Page 212
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67 **Public Transportation Agency Safety Plan - Request for Approval** Citywide - Page 214

68 **Light Rail Small Business Financial Assistance Program Pilot (Ordinance S-47126)** District 1 - Page 293
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69 **Water Wagon Rental (Ordinance S-47080)** Out of City - Page 298

70 **Trommel Machine - Purchase and Maintenance of Equipment - Agreement Recommendation (Ordinance S-47085)** District 7 - Page 300

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73	Northwest Water and Wastewater Master Plan - Engineering Services - WS85500455 and WS90500307 (Ordinance S-47069)	District 1 - Page 307
74	Instrumentation and Control Systems Inspection and Testing Services for Water Remote Facilities - Engineering Services - WS85400011 (Ordinance S-47070)	Citywide - Page 310
75	Arc Flash Analysis, Electrical Design and Inspection Services for Water Remote Facilities - Engineering Services - WS85400011 (Ordinance S-47072)	Citywide - Page 313
76	Materials Testing and Construction Administration and Inspection On-Call Services for Light Rail Extensions - Amendment 1 (Ordinance S-47078)	District 1 - Page 316
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77	Salt River Project Land Use License at 7th Street and the Arizona Canal - WS90501002 Lift Station 53 (Ordinance S-47090)	District 6 - Page 317
78	Central Arizona Water Conservation District Land Use Licenses for City of Phoenix Fiber Optic Facilities (Ordinance S-47091)	District 1 - Page 318
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79	Salt River Project Construction License for City Subsurface Utility Excavation Purposes for City Project WS85500436 (Ordinance S-47092)	District 8 - Page 320
80	Salt River Project Construction License for City Subsurface Utility Excavation Purposes for City Project WS85500428-1 (Ordinance S-47093)	District 7 - Page 321
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81	Salt River Project Construction License for City Subsurface Utility Excavation Purposes for City Project WS85500429-2 (Ordinance S-47094)	District 8 - Page 322
82	Salt River Project Construction License for City Subsurface Utility Excavation Purposes for City Project WS85509047 (Ordinance S-47095)	District 8 - Page 323
83	Salt River Project Construction License for City Subsurface Utility Excavation Purposes for City Project WS85509026-1 (Ordinance S-47096)	District 8 - Page 324
84	Salt River Project Construction License for Traffic Signal Installation for City Project ST89340592 (Ordinance S-47097)	District 6 - Page 325
85	Salt River Project Land Use License with City of Phoenix for Private Commercial Development Project Laveen Gateway Plaza and Commons (Ordinance S-47098)	District 7 - Page 326
86	Salt River Project Distribution Design and Construction Contract for South Mountain Ranger Station (Ordinance S-47099)	District 6 - Page 327 District 8
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88	Request Retroactive Authorization to Apply for and Accept Funding from Flood Control District of Maricopa County for Fiscal Year 2021-22 Small Project Assistance Program (Ordinance S-47108)	District 1 - Page 329 District 3
89	Water Services Department 23rd Avenue Wastewater Treatment Plant Microgrid - Amendment - Ordinance S-45905 (Ordinance S-47119)	District 7 - Page 331
90	Water Facility Drawing Management System with eQuorum - Amendment (Ordinance S-47079)	Citywide - Page 333
91	Intergovernmental Agreement with Arizona Department	Citywide - Page 335

**of Environmental Quality for Operator Certification Test
Administration Services - Amendment (Ordinance
S-47086)**

92 **Hauling Water Sludge, Otto Trucking, Inc. - Amendment
(Ordinance S-47114)** Citywide - Page 337

93 **Resolution Adoption to Issue Bonds for Unpaid
Assessments - Gold Key Racquet Club Repaving
Improvement District - ST87200002 (ID 1308)
(Resolution 21879)** District 3 - Page 338

PLANNING AND ZONING MATTERS

94 **Final Plat - SWC 32nd Street & Bell Road - PLAT 200520
- Southwest Corner of 32nd Street and Bell Road** District 2 - Page 341

95 **Final Plat - Haverly Amended - PLAT 200593 - Southeast
Corner of Central Avenue and Thomas Road** District 4 - Page 342

96 **Final Plat - Seasons at Dobbins - PLAT 200511 - 9510 S.
7th Street** District 8 - Page 343

97 **Final Plat - Estrella Estates - PLAT 200567 - North of
Apollo Road and West of 8th Place** District 8 - Page 344

98 **Abandonment of Easement - ABND 200512 - Northwest
Corner of Thunderbird Trail and 7th Street (Resolution
21881)** District 8 - Page 345

99 **Modification of Stipulation Request for Ratification of
Oct. 21, 2020 Planning Hearing Officer Action -
PHO-4-20_Z-125-01-2 - Approximately 2,146 Feet West
of the Southwest Corner of Black Mountain Parkway
(48th Street Alignment) and Carefree Highway** District 2 - Page 346

100 **Modification of Stipulation Request for Ratification of
Oct. 21, 2020 Planning Hearing Officer Action** District 7 - Page 352

**PHO-3-20_Z-122-03-7 - Approximately 430 Feet West of
the Northwest Corner of 51st Avenue and Southern
Avenue**

101 **Modification of Stipulation Request for Ratification of
Oct. 21, 2020 Planning Hearing Officer Action** District 8 - Page 359

**PHO-3-20_Z-121-03-7(8) - Approximately 660 Feet East
of the Northeast Corner of 23rd and South Mountain
Avenues**

102 **Amend City Code - Ordinance Adoption - Rezoning
Application PHO-1-20_Z-70-18-4- Approximately 170
Feet South of the Southwest Corner of 17th Street and
Glenrosa Avenue (Ordinance G-6766)** District 4 - Page 366

103 **Amend City Code - Ordinance Adoption - Rezoning
Application PHO-6-20_Z-50-08-5 - Approximately 780
Feet East of 23rd Avenue and Butler Drive (Ordinance
G-6767)** District 5 - Page 374

104 **Amend City Code - Ordinance Adoption - Rezoning
Application PHO-1-20_Z-19-19-6 - Northeast Corner of
51st and Taylor Streets (Ordinance G-6769)** District 6 - Page 385

105 **Amend City Code - Ordinance Adoption - Rezoning
Application PHO-7-20_Z-50-08-5 - Approximately 1,100
Feet North and 790 Feet West of the Northwest Corner
of 19th and Northern Avenues (Ordinance G-6768)** District 5 - Page 391

106 **Amend City Code - Ordinance Adoption - Rezoning
Application Z-36-A-19-6 - Northwest Corner of 44th
Street and Camelback Road (Ordinance G-6765)** District 6 - Page 400

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 1

For Approval or Correction, the Minutes of the Formal Meeting on Nov. 6, 2019

Summary

This item transmits the minutes of the Formal Meeting of Nov. 6, 2019, for review, correction and/or approval by the City Council.

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

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 2

Mayor and Council Appointments to Boards and Commissions

Summary

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

Responsible Department

This item is submitted by the Mayor's Office.

ATTACHMENT A



City of Phoenix

To: City Council **Date:** November 18, 2020
From: Mayor Kate Gallego
Subject: BOARDS AND COMMISSIONS – APPOINTEES

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

Alhambra Village Planning Committee

Councilwoman Laura Pastor recommends the following individual for appointment:

Drew Bryck

Mr. Bryck is the Senior Energy and Conservation Specialist at Boeing and a resident of District 4. He replaces Ardyce Edstrom for a term to expire November 19, 2022.

Camelback East Village Planning Committee

Councilwoman Laura Pastor recommends the following individual for reappointment:

Dawn Augusta

Ms. Augusta will serve her second term to expire November 19, 2022.

Development Advisory Board

I recommend the following individual for appointment:

Joy Seitz

Ms. Seitz is the Chief Executive Officer at American Solar & Roofing and a resident of District 6. She fills a Contractor vacancy for a term to expire November 18, 2023.

Encanto Village Planning Committee

Councilwoman Laura Pastor recommends the following individual for appointment:

Opal Wagner

Ms. Wagner is a retired Nurse Practice Consultant at the Arizona State Board of Nursing and a resident of District 4. She fills a vacancy for a term to expire November 19, 2022.

Environmental Quality and Sustainability Commission

I recommend the following individual for appointment:

Columba Sainz

Ms. Sainz is a Field Consultant with Moms Clean Air Force and a resident of District 8. She fills a vacancy for a term to expire August 31, 2023.

Historic Preservation Commission and Heritage Commission

I recommend the following individual for reappointment:

Christina Noble

Ms. Noble will serve her second term in the Architects category to expire October 9, 2023.

Phoenix Youth and Education Commission

I recommend the following individuals for reappointment:

Tacy Ashby

Ms. Ashby will serve her eighth and final term to expire August 31, 2021.

Jeanine Bashir

Ms. Bashir will serve her fifth term to expire August 31, 2021.

Tracey Beal

Ms. Beal will serve her fifth term to expire August 31, 2021.

Debbi Burdick

Dr. Burdick will serve her eighth and final term to expire August 31, 2021.

Lauren Eckstein

Ms. Eckstein will serve her second term to expire August 31, 2021.

Daniil Gunitskiy

Mr. Gunitskiy will serve his eighth and final term to expire August 31, 2021.

Larry Johnson

Mr. Johnson will serve his second term to expire August 31, 2021.

Martin Perez

Mr. Perez will serve his fifth term to expire August 31, 2021.

Larry Sandigo

Mr. Sandigo will serve his fourth term to expire August 31, 2021.

Nedda Shafir

Chair Shafir will serve her eighth and final term to expire August 31, 2021.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 3

(CONTINUED FROM NOV. 4, 2020) - Liquor License - Los Pinos Surf and Turf

Request for a liquor license. Arizona State License Application 119830.

Summary

Applicant

Juanita Esparza, Agent

License Type

Series 12 - Restaurant

Location

3618 W. Camelback Road

Zoning Classification: C-2

Council District: 5

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

The 60-day limit for processing this application is Nov. 8, 2020.

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

One letter protesting the issuance of this license has been received and is on file in the Office of the City Clerk. The letter is from the Sevilla Neighborhood Association. They feel that based on the responses provided during interviews with the applicant, the applicant does not have the capability, qualifications and reliability to hold and control a liquor license. The neighborhood opposition also indicates concern with additional traffic, noise and over flow parking into nearby business and residential streets.

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "I am an experienced licensee committed to upholding the highest standards for its business practices & employees. I have been trained in the techniques of legal & responsibility & have taken the Title 4 liquor law training course. I will oversee all employees and they will be properly trained in all aspects of the liquor law training course. I will provide a safe experience for staff & rest patrons."

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

"Los Pinos Surf and Turf wishes to provide great quality service for all patrons. The restaurant will be a family facility for dining and will provide a safe environment for the public. In addition Los Pinos will responsibly adhere to all local government body rules & regs."

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

Attachments

Liquor License Data - Los Pinos Surf and Turf
Liquor License Map - Los Pinos Surf and Turf

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: LOS PINOS SURF AND TURF

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	38.38	100.71	129.40
Violent Crimes	6.79	26.11	37.68

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

Property Violation Data

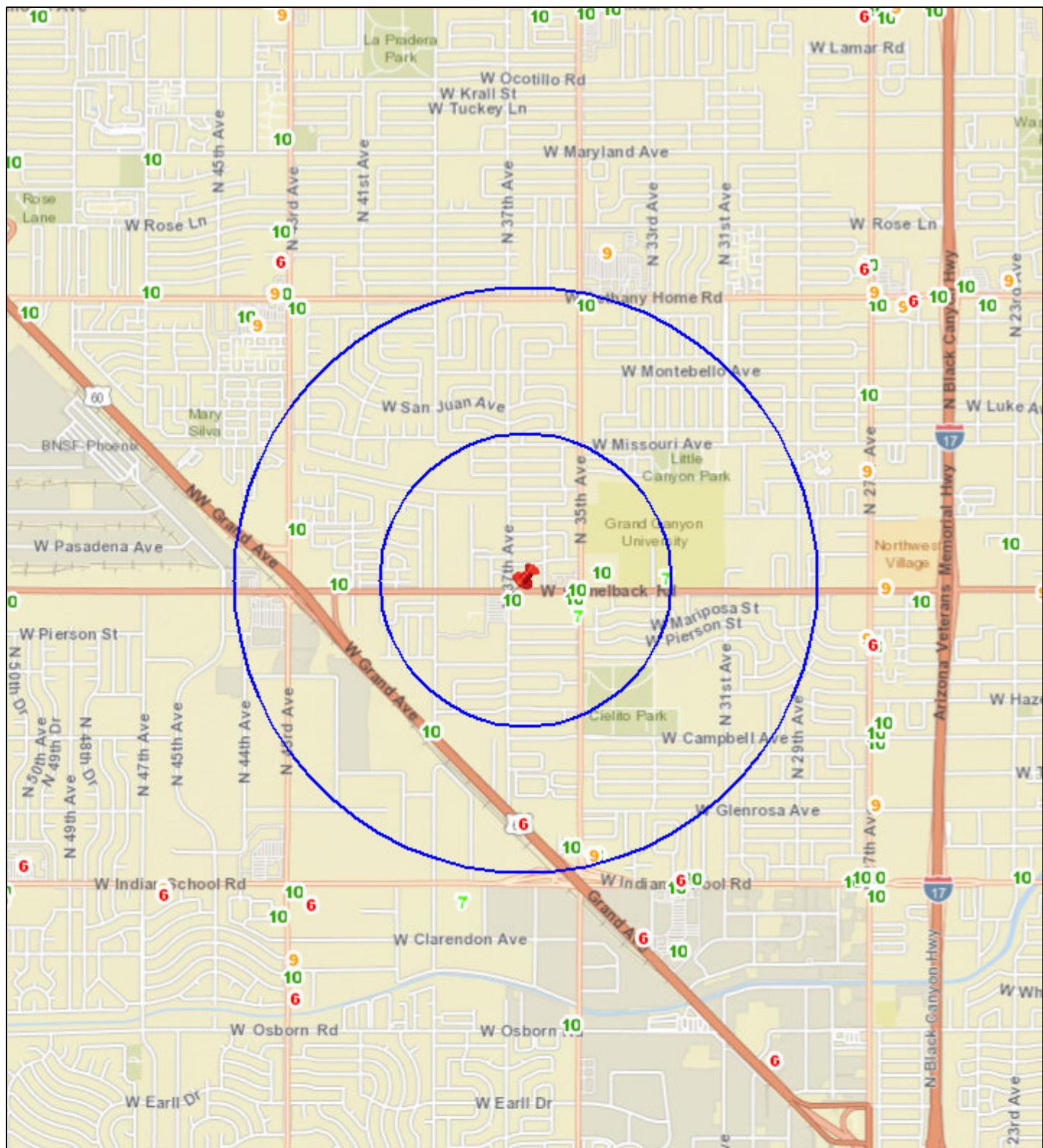
Description	Average	1/2 Mile Average
Parcels w/Violations	61	249
Total Violations	106	417

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1071012	2416	62 %	10 %	43 %
1071021	1531	50 %	17 %	42 %
1071022	2275	45 %	20 %	45 %
1071023	2082	32 %	14 %	38 %
1072011	2335	21 %	25 %	49 %
1072021	3137	64 %	9 %	29 %
1091011	1722	69 %	0 %	34 %
1092001	1455	52 %	10 %	45 %
1092002	1665	36 %	30 %	46 %
1092003	1593	11 %	26 %	32 %
Average		61 %	13 %	19 %

Liquor License Map: LOS PINOS SURF AND TURF

3618 W CAMELBACK RD



Date: 9/11/2020

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 4

Liquor License - Bell 76

Request for a liquor license. Arizona State License Application 117716.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 10 - Beer and Wine Store

Location

4121 W. Bell Road

Zoning Classification: C-2

Council District: 1

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 Nov. 27, 2020.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is committed to upholding the highest standards for 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:

"The gas station/market at Bell 76 has offered fuel, grocery, household and convenience items, including beer and wine for many years. Applicant would like to continue to offer beer and wine to its customers 21 and over."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Bell 76

Liquor License Map - Bell 76

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: BELL 76

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	38.38	43.86	62.84
Violent Crimes	6.79	6.21	9.23

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

Property Violation Data

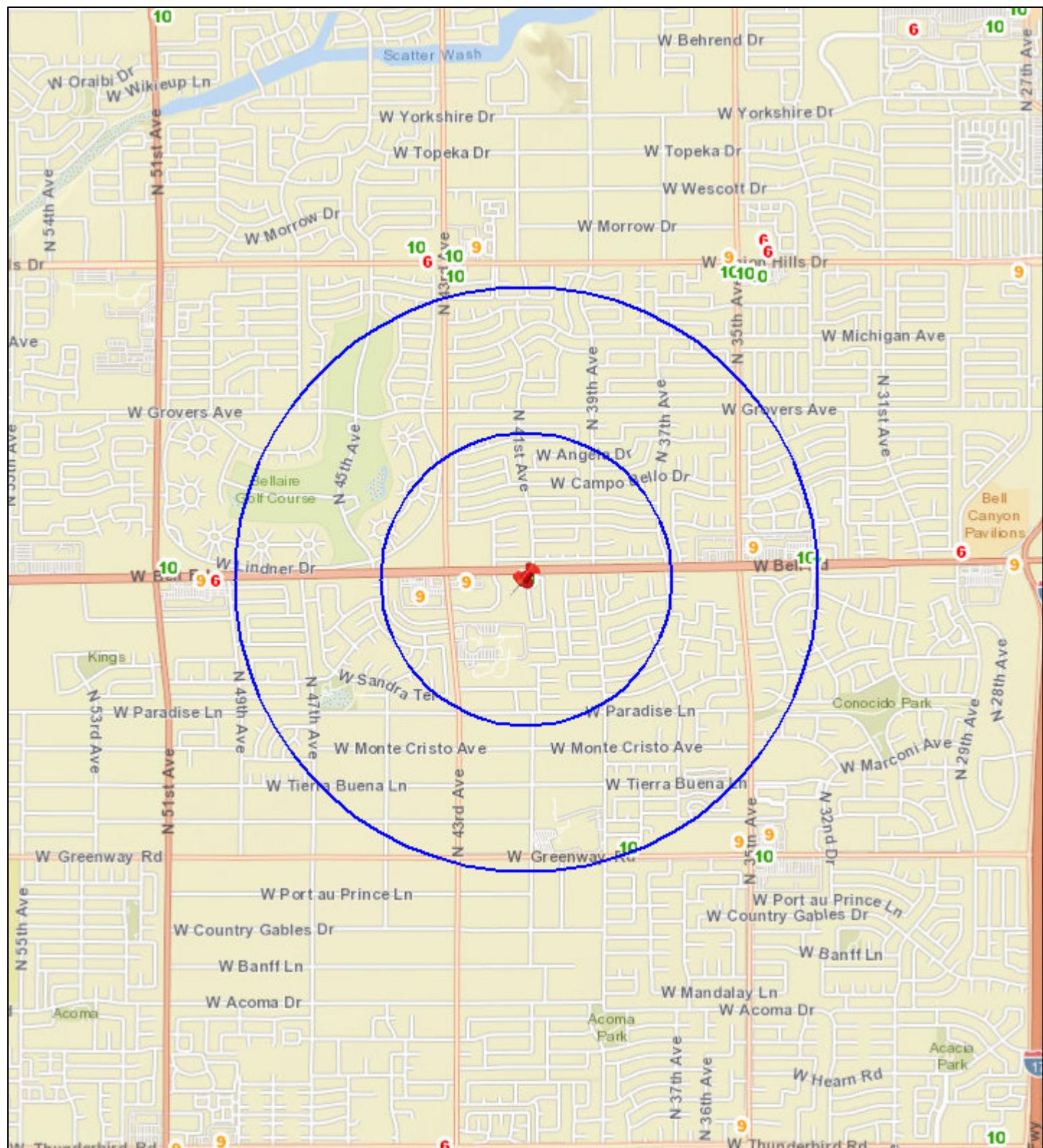
Description	Average	1/2 Mile Average
Parcels w/Violations	61	87
Total Violations	106	144

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1042251	1242	53 %	8 %	9 %
1042261	949	26 %	8 %	11 %
1042262	1244	92 %	0 %	4 %
1042264	1538	92 %	7 %	15 %
6181001	1795	84 %	3 %	7 %
6183001	1982	94 %	7 %	9 %
6183002	1444	74 %	0 %	4 %
Average		61 %	13 %	19 %

Liquor License Map: BELL 76

4121 W BELL RD



Date: 10/19/2020

0 0.2 0.4 0.8 1.2 1.6 mi



City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 5

Liquor License - Kings Beer & Wine

Request for a liquor license. Arizona State License Application 07070717.

Summary

Applicant

Sarah Fogleman, Agent

License Type

Series 7 - Beer and Wine Bar

Location

2811 N. Central Ave.

Zoning Classification: C-2 HRI TOD-1

Council District: 4

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

The 60-day limit for processing this application is Nov. 24, 2020.

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:
"My husband and I are career beverage-alcohol industry professionals with nearly 40 years combined industry experience. We understand the serious responsibilities that come with this incredible industry. We have responsibly operated in this industry for decades without incident."

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

"Kings beer & wine is a neighborhood institution that regulars call "the Cheers of Phoenix". Kings Beer & Wine was just voted "Best Bottle Shop 2020" by Phoenix Magazine readers and this shop draws customers daily from across the valley to shop at Kings due to the incredibly diverse extremely limited & continuously rotating craft beer & wine offerings. We will always support local Arizona brewers & wineries without this license we cannot operate Kings Beer & Wine."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Kings Beer & Wine

Liquor License Map - Kings Beer & Wine

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: KINGS BEER & WINE

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	9	2
Beer and Wine Bar	7	4	1
Liquor Store	9	5	1
Beer and Wine Store	10	8	4
Hotel	11	2	1
Restaurant	12	32	12
Club	14	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	38.38	97.98	83.75
Violent Crimes	6.79	13.90	15.39

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

Property Violation Data

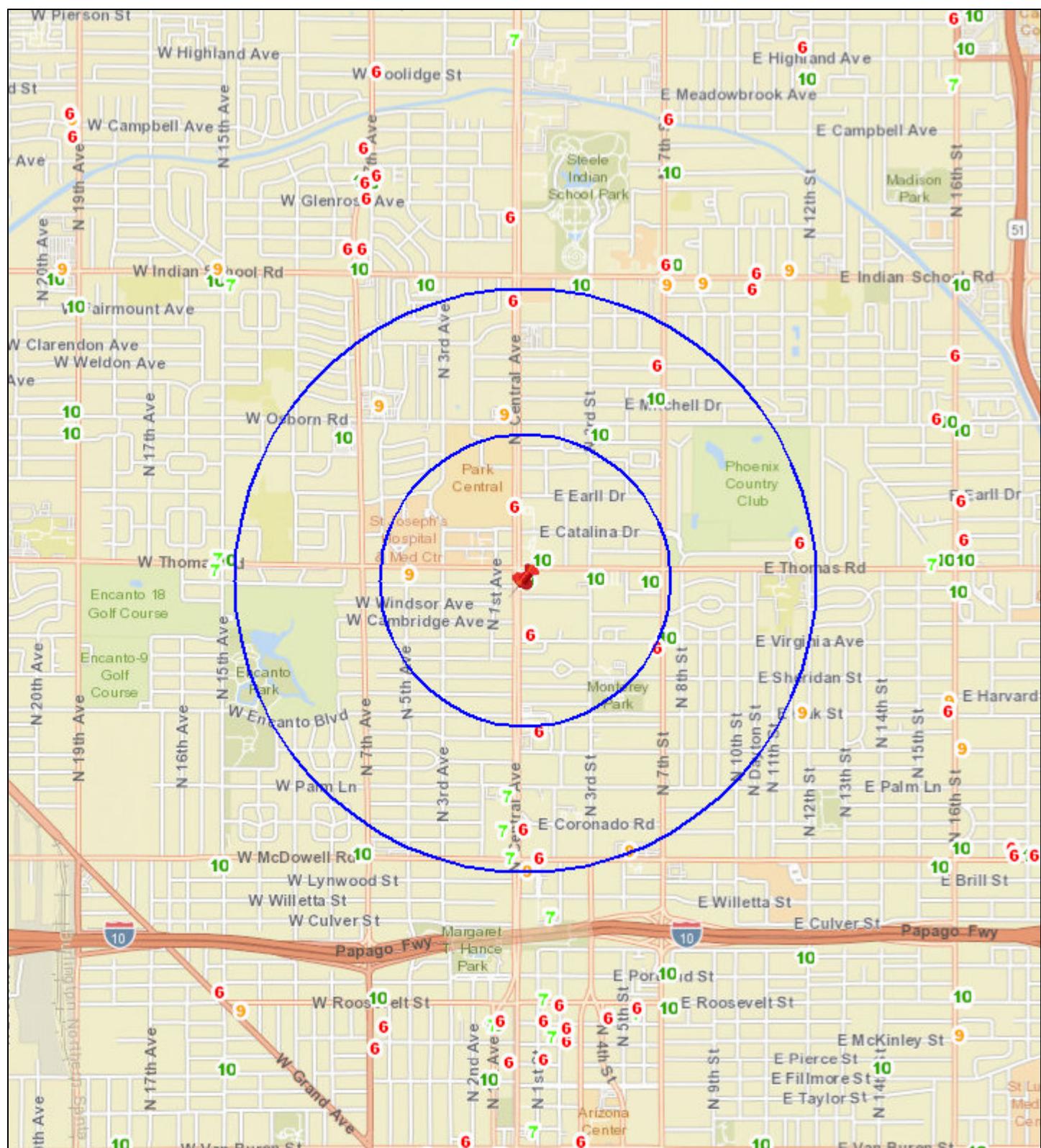
Description	Average	1/2 Mile Average
Parcels w/Violations	61	34
Total Violations	105	44

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1105013	824	16 %	17 %	40 %
1105022	1216	28 %	19 %	23 %
1106004	1456	47 %	27 %	3 %
1117004	1227	75 %	20 %	21 %
1118001	742	44 %	28 %	5 %
1118002	1030	67 %	9 %	17 %
1118003	996	65 %	15 %	4 %
1118004	671	62 %	6 %	6 %
Average		61 %	13 %	19 %

Liquor License Map: KINGS BEER & WINE

2811 N CENTRAL AVE



Date: 9/28/2020



0 0.2 0.4 0.8 1.2 1.6 mi

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 6

Liquor License - Kings Beer & Wine

Request for a liquor license. Arizona State License Application 120806 & 120806S.

Summary

Applicant

Sarah Fogleman, Agent

License Type

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

Location

2811 N. Central Ave.

Zoning Classification: C-2 HRI TOD-1

Council District: 4

This request is for a new liquor license for a beer and wine store with sampling privileges. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Nov. 24, 2020.

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:
"My husband and I are career beverage-alcohol industry professionals with nearly 40 years combined industry experience. We understand the serious responsibilities that come with this incredible industry. We have responsibly operated in this industry for decades without incident."

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

"Kings Beer & Wine is a neighborhood institution that regulars call "the Cheers of Phoenix". Kings Beer & Wine was just voted "Best Bottle Shop 2020" by Phoenix Magazine readers and this shop draws customers daily from across the valley to shop at Kings due to the incredibly diverse, extremely limited & continuously rotating craft beer & wine offerings. We will always support local Arizona breweries & wineries. Without this license we cannot operate Kings Beer & Wine."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Kings Beer & Wine

Liquor License Map - Kings Beer & Wine

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: KINGS BEER & WINE

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	9	2
Beer and Wine Bar	7	4	1
Liquor Store	9	5	1
Beer and Wine Store	10	8	4
Hotel	11	2	1
Restaurant	12	32	12
Club	14	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	38.38	97.98	83.75
Violent Crimes	6.79	13.90	15.39

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

Property Violation Data

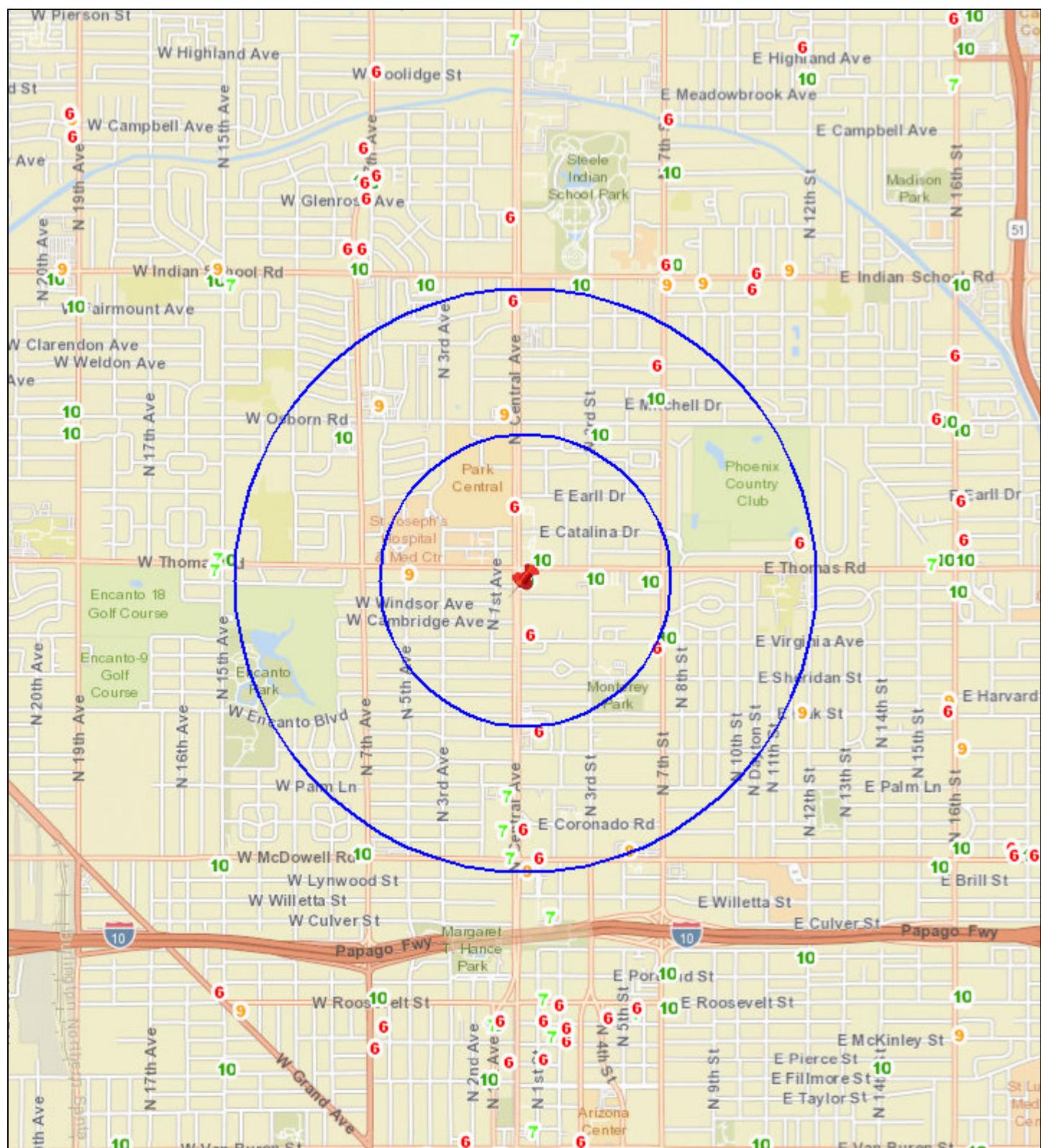
Description	Average	1/2 Mile Average
Parcels w/Violations	61	34
Total Violations	105	44

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1105013	824	16 %	17 %	40 %
1105022	1216	28 %	19 %	23 %
1106004	1456	47 %	27 %	3 %
1117004	1227	75 %	20 %	21 %
1118001	742	44 %	28 %	5 %
1118002	1030	67 %	9 %	17 %
1118003	996	65 %	15 %	4 %
1118004	671	62 %	6 %	6 %
Average		61 %	13 %	19 %

Liquor License Map: KINGS BEER & WINE

2811 N CENTRAL AVE



Date: 9/28/2020



0 0.2 0.4 0.8 1.2 1.6 mi

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 7

Liquor License - Original Genos

Request for a liquor license. Arizona State License Application 121747.

Summary

Applicant

David Ogaard, Agent

License Type

Series 12 - Restaurant

Location

2211 W. Camelback Road, Ste. 178 & 180

Zoning Classification: C-2

Council District: 4

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

The 60-day limit for processing this application is Dec. 4, 2020.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a 37yr business owner."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We have a warm and friendly atmosphere that will responsibly serve our neighbors."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Original Genos

Liquor License Map - Original Genos

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: ORIGINAL GENOS

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	40.27	205.73	149.15
Violent Crimes	7.26	54.19	57.43

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

Property Violation Data

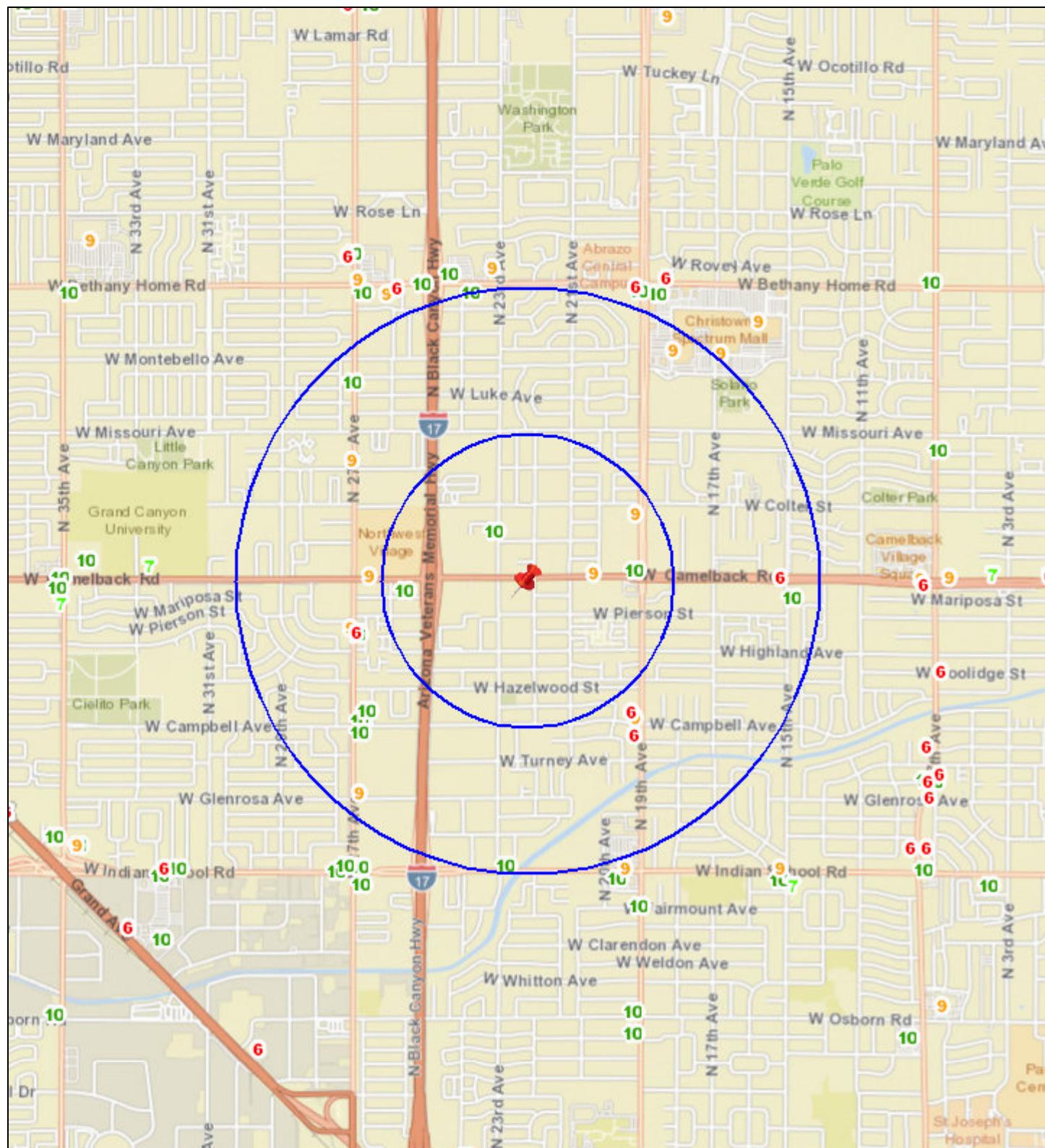
Description	Average	1/2 Mile Average
Parcels w/Violations	61	211
Total Violations	104	434

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1073002	1165	57 %	16 %	22 %
1073003	737	75 %	37 %	24 %
1073004	2614	23 %	5 %	31 %
1074004	1382	20 %	26 %	30 %
1074006	2186	16 %	13 %	53 %
1089021	1258	16 %	12 %	49 %
1090011	1552	19 %	22 %	42 %
1090021	1571	18 %	15 %	41 %
1090022	2291	15 %	18 %	63 %
1090023	622	62 %	39 %	4 %
1090031	2380	23 %	26 %	52 %
Average		61 %	13 %	19 %

Liquor License Map: ORIGINAL GENOS

2211 W CAMELBACK RD



Date: 10/6/2020

0 0.2 0.4 0.8 1.2 1.6 mi

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 8

Liquor License - CVS/Pharmacy #11478

Request for a liquor license. Arizona State License Application 09070107.

Summary

Applicant

Jason Morris, Agent

License Type

Series 9 - Liquor Store

Location

3502 W. Camelback Road

Zoning Classification: C-2

Council District: 5

This request is for an ownership and location transfer of a liquor license for a retail pharmacy. This location is currently licensed for liquor sales with a Series 10 - Beer and Wine Store, liquor license.

The 60-day limit for processing this application is Nov. 29, 2020.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "CVS/pharmacy holds approximately 6,500 licenses to sell alcoholic beverages throughout the United States and has comprehensive measures in place, including training programs, to ensure compliance with alcohol-related laws and regulations. CVS/pharmacy has over 14 stores in Arizona, the majority of which hold a Series 9/liquor store or Series 10/beer & wine store license with an excellent record with the Arizona liquor department."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "CVS/pharmacy is committed to providing quality goods and services to its customers. The ability of sell alcoholic beverages assures that customers are conveniently and substantially served by a responsible retailer."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - CVS/Pharmacy #11478

Liquor License Map - CVS/Pharmacy #11478

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: CVS/PHARMACY #11478

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	40.27	94.50	97.13
Violent Crimes	7.26	27.60	30.25

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

Property Violation Data

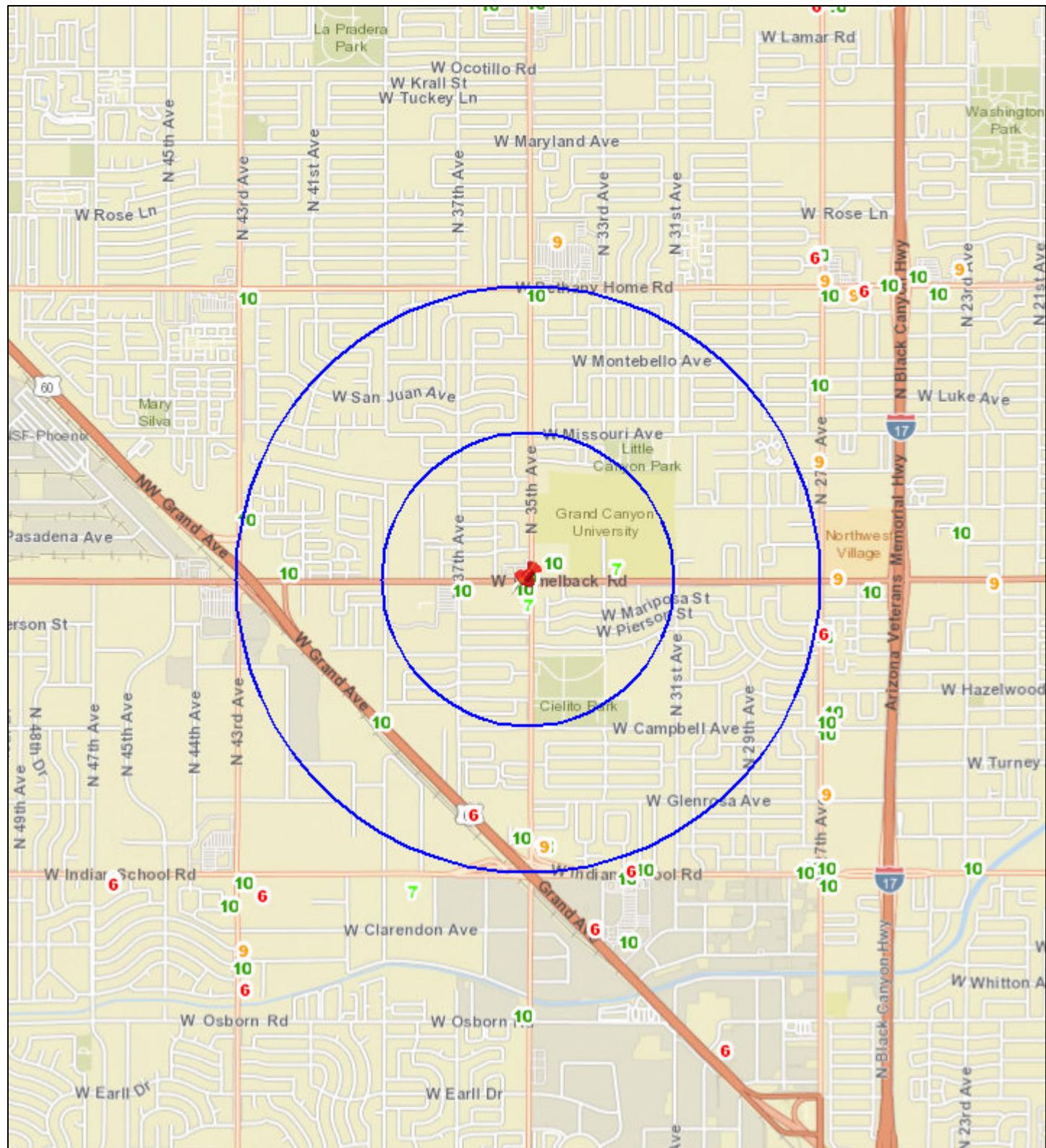
Description	Average	1/2 Mile Average
Parcels w/Violations	61	189
Total Violations	104	302

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1071012	2416	62 %	10 %	43 %
1071021	1531	50 %	17 %	42 %
1071022	2275	45 %	20 %	45 %
1071023	2082	32 %	14 %	38 %
1072011	2335	21 %	25 %	49 %
1072021	3137	64 %	9 %	29 %
1091011	1722	69 %	0 %	34 %
1092001	1455	52 %	10 %	45 %
1092002	1665	36 %	30 %	46 %
1092003	1593	11 %	26 %	32 %
Average		61 %	13 %	19 %

Liquor License Map: CVS/PHARMACY #11478

3502 W CAMELBACK RD



Date: 10/2/2020

0 0.2 0.4 0.8 1.2 1.6
mi

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 9

Liquor License - Quick Snack and Gas

Request for a liquor license. Arizona State License Application 120787.

Summary

Applicant

Vaneet Sapra, Agent

License Type

Series 10 - Beer and Wine Store

Location

3455 W. Glendale Ave.

Zoning Classification: C-2

Council District: 5

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 Nov. 24, 2020.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I currently have 11 location with similar license."

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

"We will do best to clean up the location with best customer service and bring back what neighborhood needs."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Quick Snack and Gas

Liquor License Map - Quick Snack and Gas

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: QUICK SNACK AND GAS

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	38.38	122.10	132.05
Violent Crimes	6.79	17.94	24.94

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

Property Violation Data

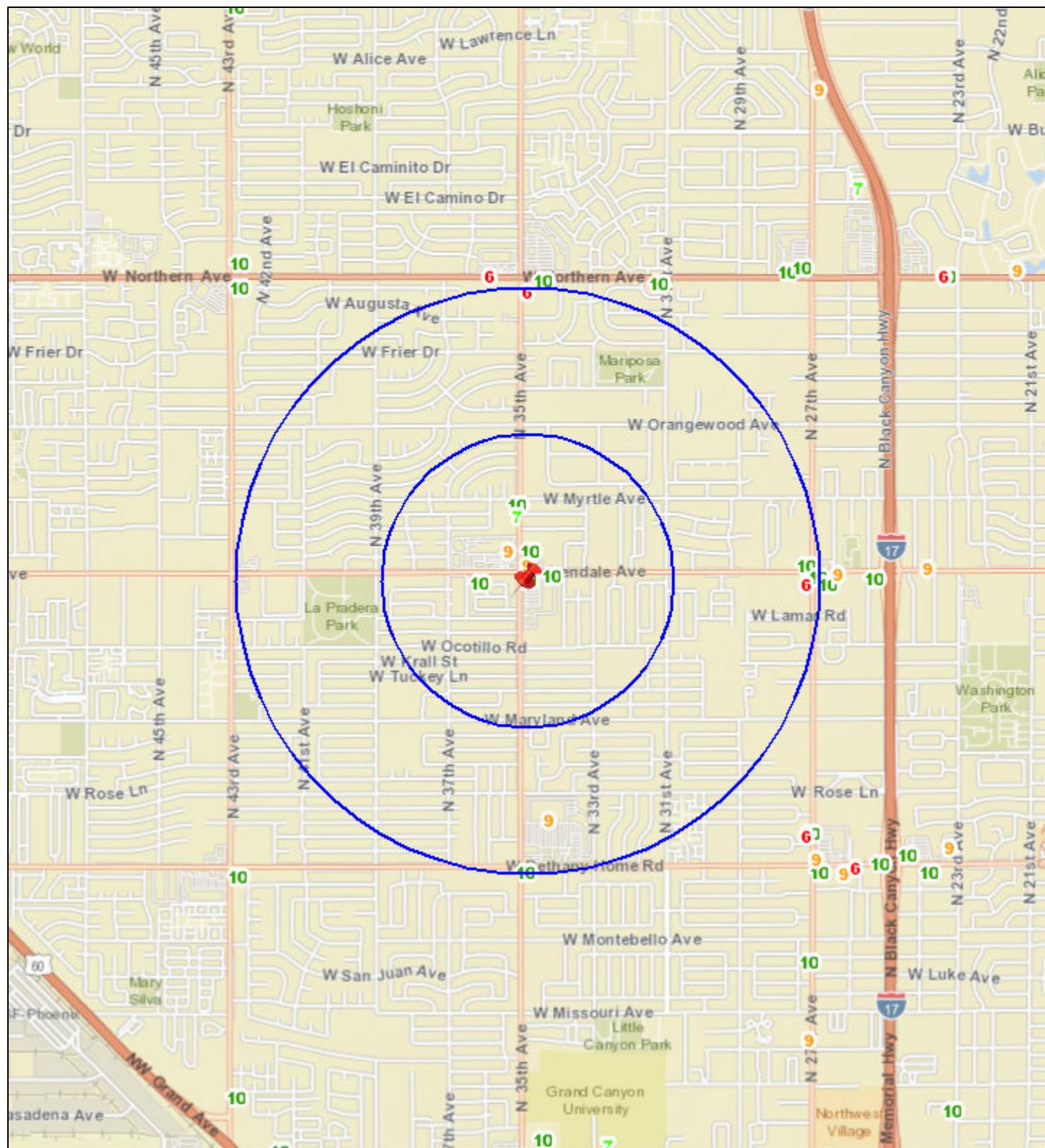
Description	Average	1/2 Mile Average
Parcels w/Violations	61	242
Total Violations	104	456

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1058002	1458	81 %	9 %	36 %
1059002	2227	70 %	11 %	22 %
1059003	1609	59 %	5 %	25 %
1069001	1043	81 %	11 %	4 %
1069003	1767	77 %	0 %	14 %
1069004	2444	60 %	3 %	27 %
1070001	1623	80 %	6 %	32 %
1070002	1741	70 %	23 %	18 %
Average		61 %	13 %	19 %

Liquor License Map: QUICK SNACK AND GAS

3455 W GLENDALE AVE



Date: 9/28/2020

0 0.2 0.4 0.8 1.2 1.6 mi

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 10

Liquor License - Beaut Burger

Request for a liquor license. Arizona State License Application 120334.

Summary

Applicant

Thomas Aguilera, Agent

License Type

Series 12 - Restaurant

Location

3301 E. Indian School Road, Ste. 100

Zoning Classification: C-1

Council District: 6

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow the sale of alcoholic beverages and to allow outdoor alcohol consumption. This business is currently under construction with plans to open in January 2021.

The 60-day limit for processing this application is Nov. 22, 2020.

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.

MSA Annex/Westbound/Beaut Burger (Series 6)

267 S. Avenida Del Convento, Tucson

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

Liquor license violations: None

Falora (Series 12)

3000 E. Broadway Blvd., Tucson

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

Liquor license violations: None

Sidecar (Series 6)

139 S. Eastbourne Ave., 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 serve as Agent on numerous liquor licenses in Arizona. I have been fingerprinted and background checked. I have Title IV liquor training and have practiced as a Liquor Law attorney for over 20 years. I have completed all paperwork and have submitted same to the Arizona Department of Liquor Licenses and Control."

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

"Clean vegetarian fare in a family friendly environment. This concept(our location in Tucson) has proven itself to meet a vital market segment...one where the guest's healthy, locally sourced food options are maximized while placing convenience at the

forefront. The public is demanding more healthy fast casual vegetarian options and Beaut Burger is there to meet that growing interest.”

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 - Beaut Burger

Liquor License Map - Beaut Burger

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: BEAUT BURGER

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	6	4
Beer and Wine Bar	7	3	0
Liquor Store	9	4	0
Beer and Wine Store	10	9	3
Restaurant	12	32	14

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	40.27	84.66	80.25
Violent Crimes	7.26	13	9.12

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

Property Violation Data

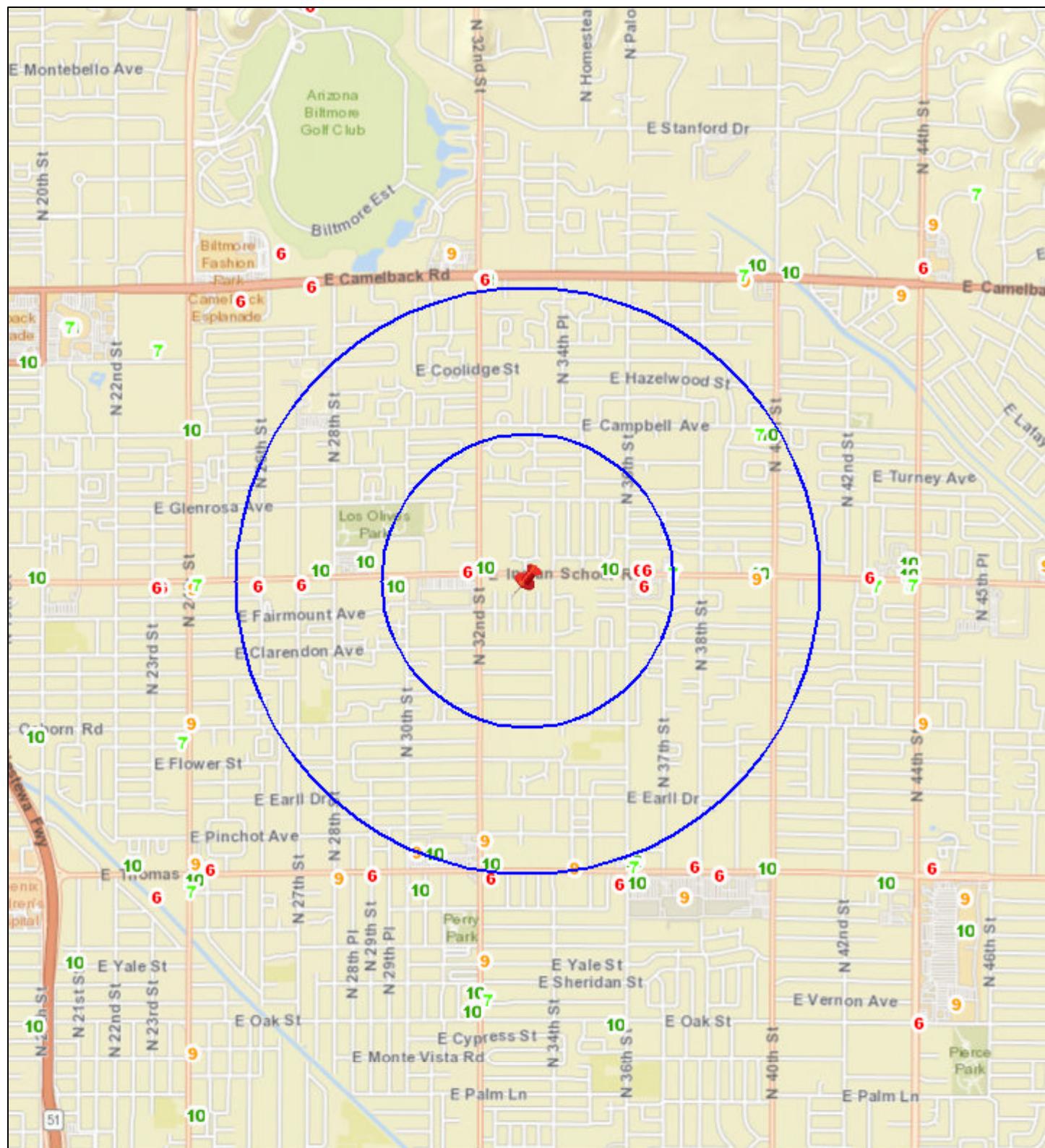
Description	Average	1/2 Mile Average
Parcels w/Violations	61	64
Total Violations	104	123

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1083021	1229	70 %	16 %	3 %
1083022	1824	50 %	13 %	4 %
1084001	718	2 %	38 %	46 %
1084002	673	72 %	16 %	3 %
1108012	1115	19 %	30 %	33 %
1108013	1077	47 %	26 %	14 %
1109011	665	96 %	10 %	13 %
1109012	2669	23 %	19 %	27 %
1109021	2609	33 %	21 %	40 %
1109022	2224	39 %	7 %	18 %
Average		61 %	13 %	19 %

Liquor License Map: BEAUT BURGER

3301 E INDIAN SCHOOL RD



Date: 9/25/2020

0 0.2 0.4 0.8 1.2 1.6 mi

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 11

Liquor License - Carniceria Los Vaqueros

Request for a liquor license. Arizona State License Application 120956.

Summary

Applicant

Jamal Jabbar, Agent

License Type

Series 10 - Beer and Wine Store

Location

6440 W. Van Buren St.

Zoning Classification: C-2 SP

Council District: 7

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

The 60-day limit for processing this application is Nov. 27, 2020.

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.

La Mexicana Super Carniceria (Series 10)
5045 W. Thomas Road, Ste. 103-105
Calls for police service: 14
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 worked in convenience store as a owner/manager more than 10 years. This experience gave me the opportunity of learning the importance and significance of obtaining a liquor license. I am assured to uphold the laws and regulations about liquor license. I have never been involved in any criminal activity, no record of getting in trouble with law and authorities."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "This store will provide a safe and secure place for the neighborhood to buy alcohol. The location will be convenient for the people in neighborhood who may not have access to transportation. Adding the long time experience of the working in convenience store while upholding all the laws and regulations, the store will be a safe, secure and convenience place for the customers to purchase quality liquor."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Carniceria Los Vaqueros
Liquor License Map - Carniceria Los Vaqueros

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: CARNICERIA LOS VAQUEROS

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	2	0
Liquor Store	9	1	0
Beer and Wine Store	10	8	3

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	38.38	40.52	59.23
Violent Crimes	6.79	7.66	10.72

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

Property Violation Data

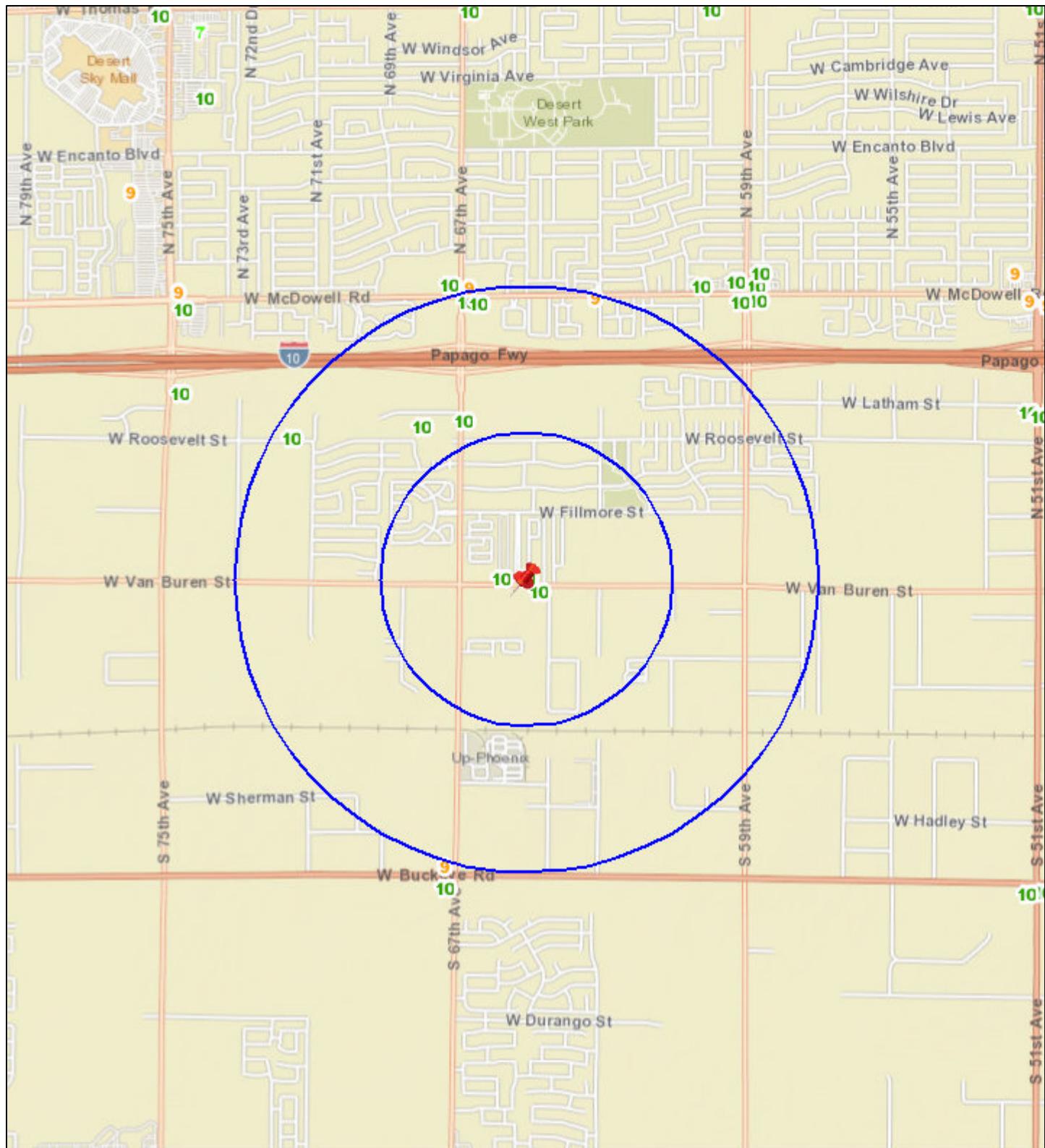
Description	Average	1/2 Mile Average
Parcels w/Violations	60	43
Total Violations	103	61

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1125052	946	55 %	7 %	27 %
1125053	822	91 %	6 %	6 %
1125054	2317	41 %	22 %	37 %
1125081	2267	87 %	9 %	19 %
1125102	931	93 %	10 %	39 %
1125121	1518	14 %	36 %	22 %
Average		61 %	13 %	19 %

Liquor License Map: CARNICERIA LOS VAQUEROS

6440 W VAN BUREN ST



Date: 10/1/2020

0 0.2 0.4 0.8 1.2 1.6 mi



City Council Formal Meeting

Report

Agenda Date: 11/18/2020, Item No. 12

Liquor License - Pemberton

Request for a liquor license. Arizona State License Application 120762.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

1121 N. 2nd St.

Zoning Classification: DTC-West Evans Churchill HP

Council District: 7

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

The 60-day limit for processing this application is Nov. 23, 2020.

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.

Tuck Shop (Series 12)
2245 N. 12th St., Phoenix
Calls for police service: 1
Liquor license violations: None

Josephine / Coup De Grace (Series 12)
218 E. Portland St., Phoenix
Calls for police service: 7
Liquor license violations: None

Dressing Room (Series 12)
214 E. Roosevelt St., Phoenix
Calls for police service: 9
Liquor license violations: None

Cambria Hotel Downtown Phoenix Convention Center (Series 11)
222 E. Portland St., Phoenix
Calls for police service: 20
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 will make sure all of my employees attend the Title 4 liquor law training. We will abide by liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like to offer our patrons a place to sit down relax and enjoy some amazing food."

Staff Recommendation

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

Attachments

Liquor License Data - Pemberton
Liquor License Map - Pemberton

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: PEMBERTON

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	1
Government	5	8	3
Bar	6	32	11
Beer and Wine Bar	7	15	8
Liquor Store	9	4	2
Beer and Wine Store	10	9	4
Hotel	11	5	2
Restaurant	12	83	31
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	38.38	124.04	193.84
Violent Crimes	6.79	26.24	35.45

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

Property Violation Data

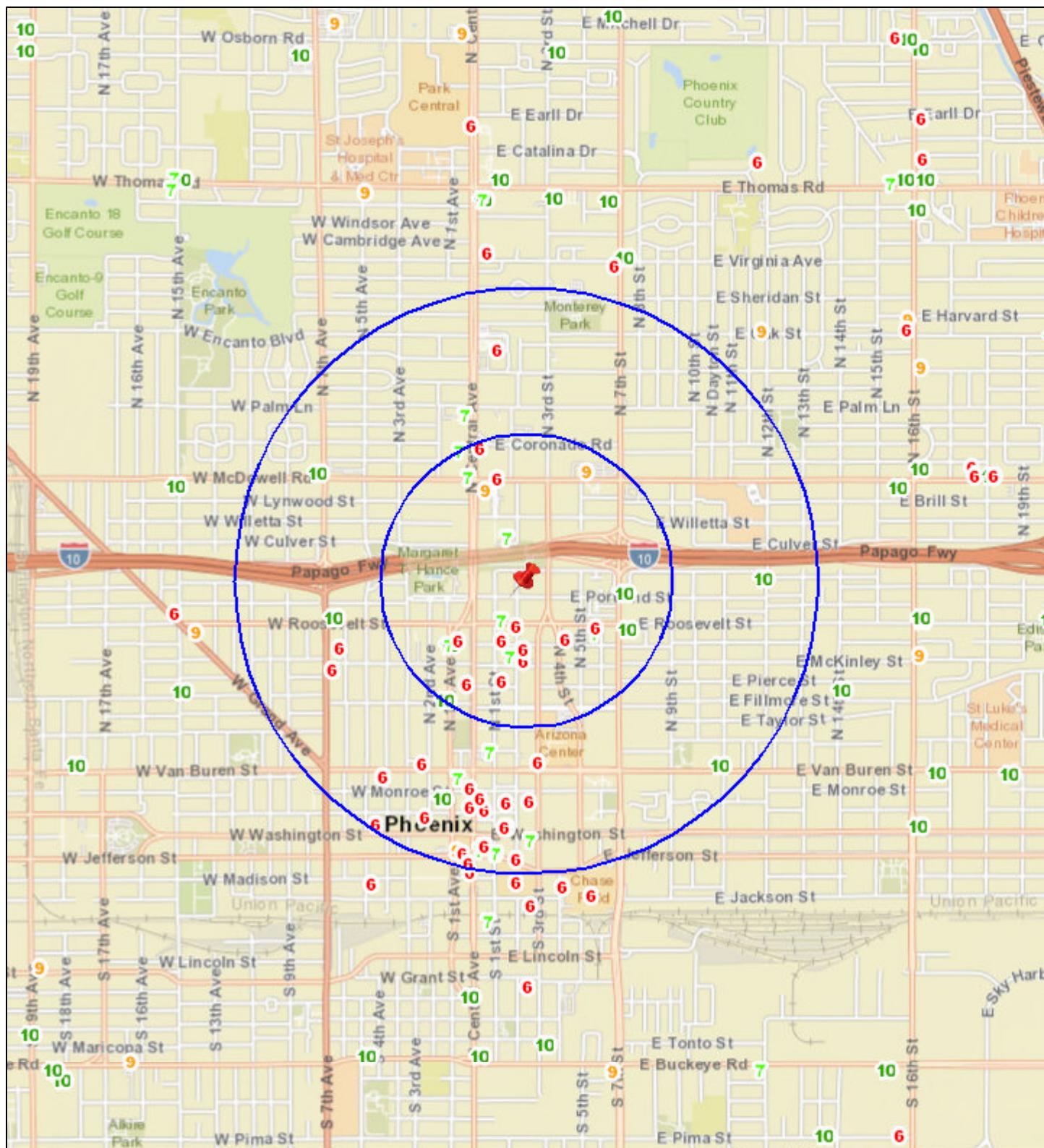
Description	Average	1/2 Mile Average
Parcels w/Violations	61	100
Total Violations	106	158

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1117003	1057	64 %	2 %	10 %
1118002	1030	67 %	9 %	17 %
1118004	671	62 %	6 %	6 %
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1132032	638	28 %	7 %	70 %
Average		61 %	13 %	19 %

Liquor License Map: PEMBERTON

1121 N 2ND ST



Date: 9/25/2020

0 0.2 0.4 0.8 1.2 1.6 mi

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 13

Liquor License - The Rough Rider

Request for a liquor license. Arizona State License Application 120319.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

1001 N. Central Ave. #001+101

Zoning Classification: DTC-Downtown Gateway

Council District: 7

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

The 60-day limit for processing this application is Nov. 27, 2020.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is 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 services."

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

"The Rough Rider/The Park will feature a prohibition-themed restaurant in the basement, first floor, and new patio on the north side of the building now known as Ten -O-One on the northeast corner of Roosevelt and North Central Avenue. The restaurant will offer a wide-range of freshly-made dishes, including soups, salads, and appetizers, a seafood bar, and specialty entrees featuring gourmet burgers, pasta, chicken, duck, fish, and steak. Applicant would like to offer alcoholic beverage to guests 21 and over as an incident to the meals."

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 Rough Rider

Liquor License Map - The Rough Rider

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: THE ROUGH RIDER

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	1
Government	5	8	4
Bar	6	39	11
Beer and Wine Bar	7	15	8
Liquor Store	9	5	1
Beer and Wine Store	10	9	3
Hotel	11	6	3
Restaurant	12	82	36
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	40.27	130.46	155.41
Violent Crimes	7.26	27.76	32.16

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

Property Violation Data

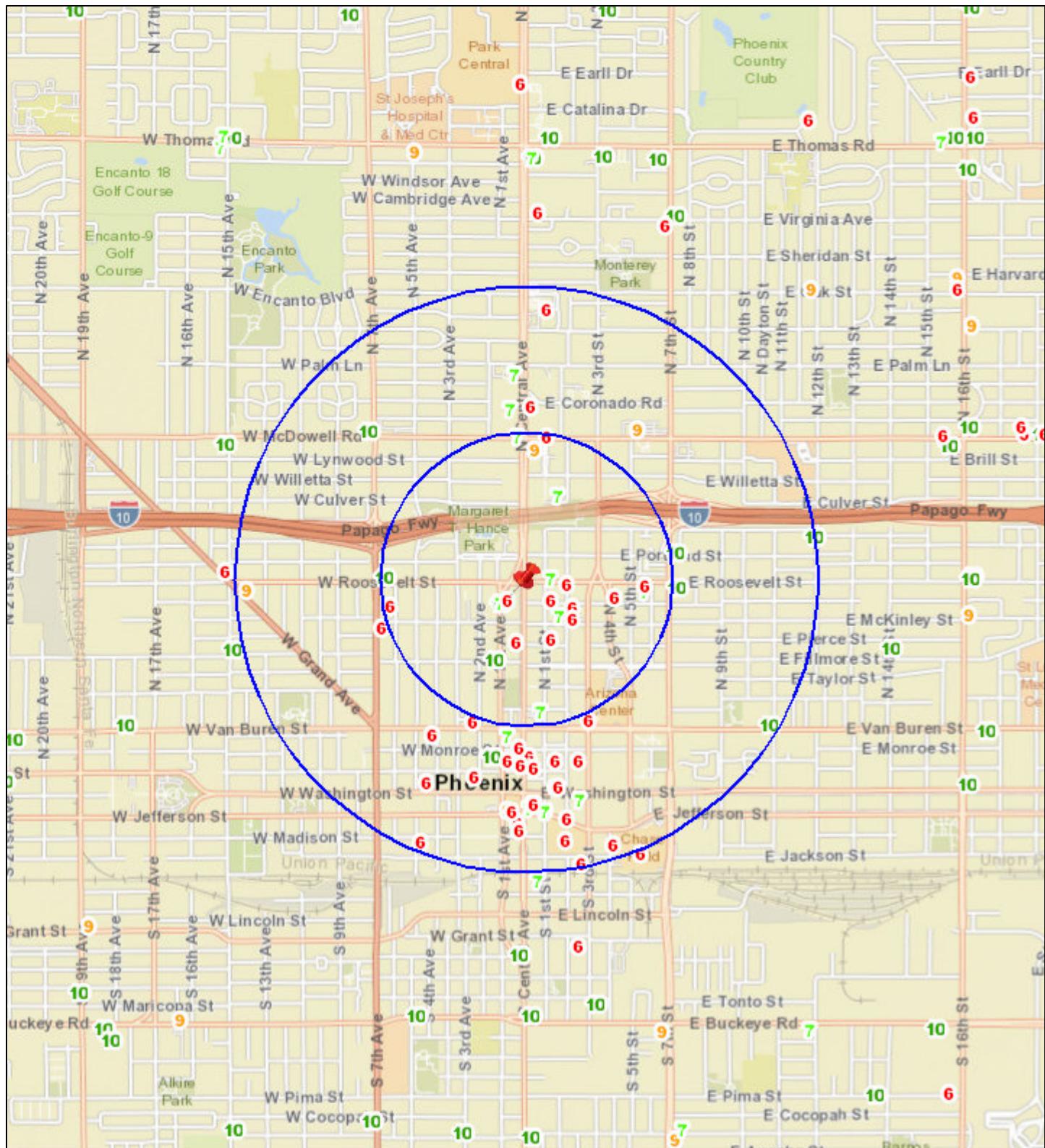
Description	Average	1/2 Mile Average
Parcels w/Violations	61	90
Total Violations	104	133

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1118002	1030	67 %	9 %	17 %
1118004	671	62 %	6 %	6 %
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132031	1473	30 %	20 %	57 %
Average		61 %	13 %	19 %

Liquor License Map: THE ROUGH RIDER

1001 N CENTRAL AVE



Date: 10/1/2020

0 0.2 0.4 0.8 1.2 1.6 mi

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 14

Liquor License - PIP Coffee and Clay

Request for a liquor license. Arizona State License Application 121191.

Summary

Applicant

Kenneth Bonnem, Agent

License Type

Series 12 - Restaurant

Location

2617 N. 24th St.

Zoning Classification: C-2

Council District: 8

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

The 60-day limit for processing this application is Nov. 28, 2020.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have completed both On-Premise Basic Certificate and the On-Off Premise Management Certificate. I have also been running my own business successfully for more than 20 years."

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

"This area is changing and becoming a neighborhood where residents frequent local businesses, but there are very few places right now where people can gather and enjoy a drink with food. With a liquor license, we will be able to provide that place in a comfortable, appealing environment. We'll also be serving natural wine which is almost entirely missing from the Phoenix marketplace. We are hoping that all of our beer brands will be from local microbreweries in order to support the local community of manufacturers."

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 - PIP Coffee and Clay

Liquor License Map - PIP Coffee and Clay

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Liquor License Data: PIP COFFEE AND CLAY

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Wholesaler	4	1	0
Bar	6	3	2
Beer and Wine Bar	7	3	1
Liquor Store	9	8	2
Beer and Wine Store	10	11	3
Restaurant	12	12	2
Craft Distiller	18	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	38.38	87.89	91.08
Violent Crimes	6.79	16.82	17.19

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

Property Violation Data

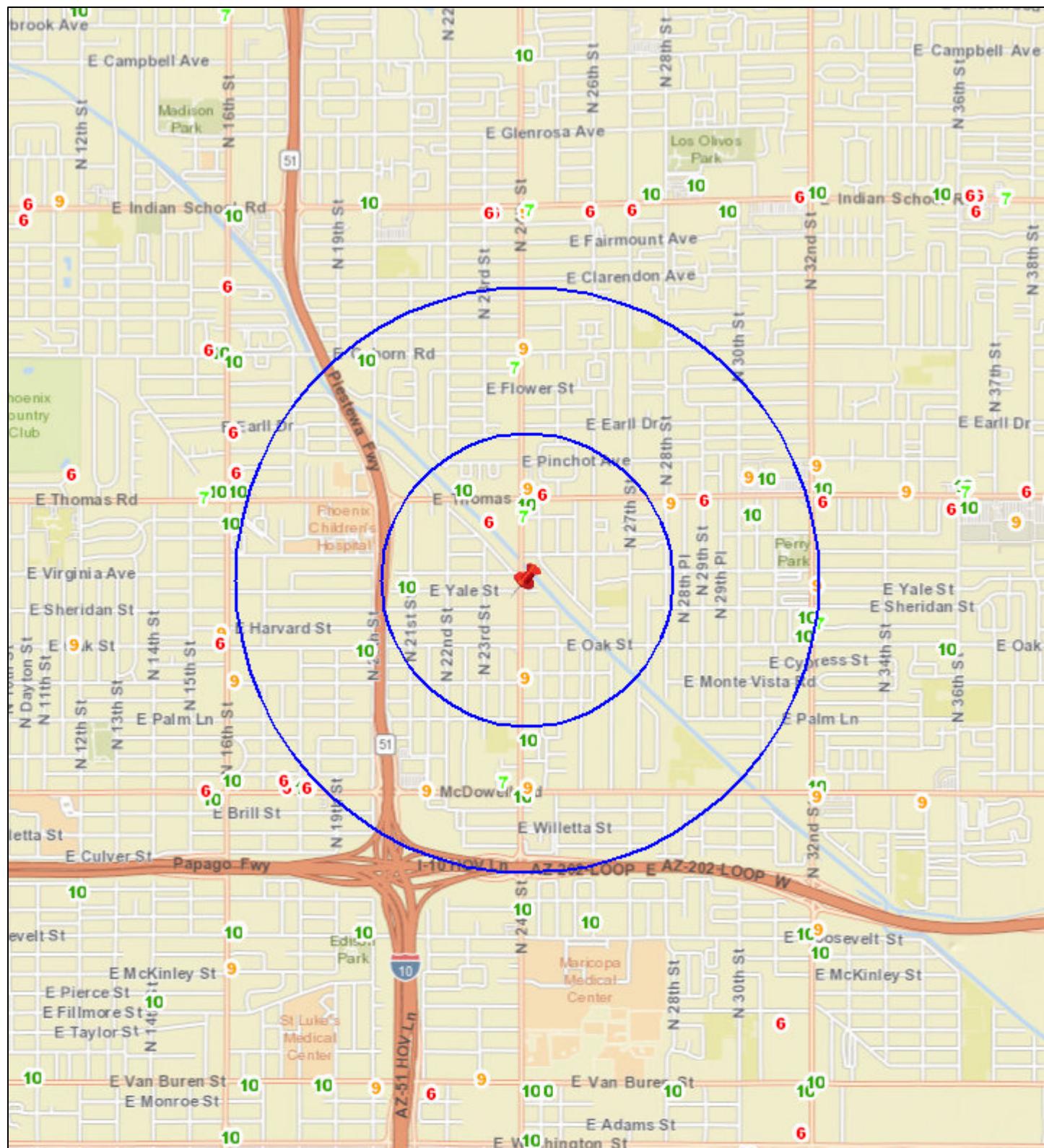
Description	Average	1/2 Mile Average
Parcels w/Violations	61	131
Total Violations	106	223

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1107022	2172	32 %	20 %	32 %
1108022	1168	33 %	16 %	7 %
1115011	2020	44 %	16 %	43 %
1115021	1414	46 %	21 %	34 %
1115022	2109	42 %	7 %	17 %
1115024	1708	40 %	25 %	53 %
1116011	1492	55 %	13 %	39 %
1116012	1200	65 %	11 %	40 %
Average		61 %	13 %	19 %

Liquor License Map: PIP COFFEE AND CLAY

2617 N 24TH ST



Date: 10/1/2020

0 0.2 0.4 0.8 1.2 1.6 mi

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 15

Off-Track Pari-Mutuel Wagering Permit - Dubliner Irish Pub & Restaurant

Request for an Off-track Pari-mutuel Wagering Permit for a business that has a Series 6 liquor license.

Summary

State law requires City Council approval before a State Off-track Pari-mutuel Wagering Permit can be issued.

Applicant

David Auther, Agent for Arizona Downs

Location

3841 E. Thunderbird Road, Ste. 111-113

Zoning Classification: C-2

Council District: 3

Public Opinion

Public notice was posted at the proposed location and special notice letters were mailed to residents within a 1/8 mile radius of the proposed location. The comment period expired Oct. 20, 2020. One letter protesting the issuance of this license has been received and is on file in the Office of the City Clerk. The letter is from a local resident who expressed concern about the potential increase in traffic at the location and the type of races that are wagered against.

Staff Recommendation

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

Attachments

Off-track Pari-mutuel Wagering Permit Data - Dubliner Irish Pub & Restaurant

Off-track Pari-mutuel Wagering Permit Map - Dubliner Irish Pub & Restaurant

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

OFF-TRACK PARI-MUTUEL WAGERING PERMIT :
DUBLINER IRISH PUB & RESTAURANT

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	38.38	33.89	35.03
Violent Crimes	6.79	4.51	4.35

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

Property Violation Data

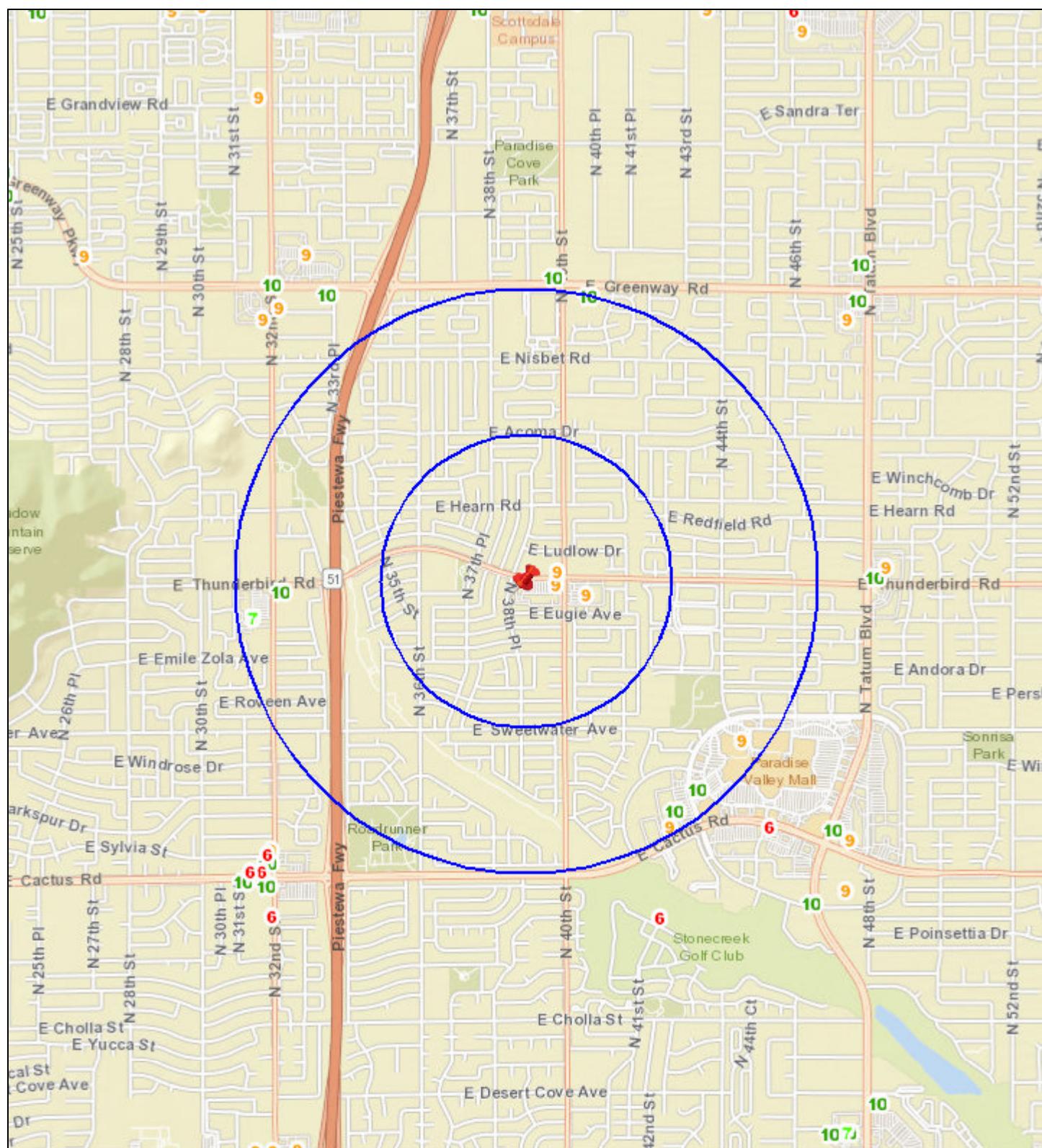
Description	Average	1/2 Mile Average
Parcels w/Violations	60	217
Total Violations	103	390

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032103	1152	3 %	18 %	14 %
1032104	1257	90 %	0 %	29 %
1032105	468	0 %	19 %	22 %
1032113	1385	90 %	3 %	6 %
1033022	2862	83 %	0 %	4 %
1033023	1946	82 %	2 %	19 %
1034002	1569	76 %	4 %	8 %
1034003	1844	75 %	9 %	11 %
Average		61 %	13 %	19 %

OFF-TRACK PARI-MUTUEL WAGERING PERMIT: DUBLINER IRISH PUB & RESTAURANT

3841 E THUNDERBIRD RD



Date: 10/26/2020

0 0.2 0.4 0.8 1.2 1.6 mi



Agenda Date: 11/18/2020; Item Nos. 16-21

PAYMENT ORDINANCE (Ordinance S-47067) (Items 16-21)

Ordinance S-47067 is a request to authorize the City Controller to disburse funds, up to amounts indicated below, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requests continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

16 Firefighters Bookstore Inc.

For \$20,000.00 in payment authority for a new contract, entered on or about Dec. 5, 2020 for a term of five years for Firefighter training textbooks for the Fire Department. The textbooks will assist the Fire Department in effectively communicating training requirements and curricula to firefighter recruits. Furthermore, utilizing the electronic textbooks will help current firefighters stay up to date on training requirements and to further their education. The contract contains both hard copy and electronic licenses.

17 Arizona Forward Membership Renewal

For \$25,000.00 in payment authority for the City's membership renewal and continued participation as a Visionary member of Arizona Forward for Fiscal Year 2020-21 for the City Manager's Office. Arizona Forward's 200 members include businesses, governmental agencies, nonprofit organizations and 17 municipalities including the City of Phoenix, which has been a member of Arizona Forward since 1990 and a Visionary member since 2007.

18 North American Region of the Airports Council International doing business as Airports Council International - North America

For \$149,629.60 in payment authority for 2021 Airports Council International - North America (ACI-NA) membership dues for the Aviation Department. ACI-NA is an organization that represents state, local, and regional governing bodies that own and operate commercial airports in North America and the world, with a focus on industry issues such as finance, safety, operations, business, and regulatory issues, as well as the Federal Aviation Administration, Department of Homeland Security and Customs and Border Protection. The item was approved by the Transportation, Infrastructure and Innovation Subcommittee on Nov. 4, 2020.

19 Settlement of Claims(s) Cordova v. City of Phoenix

To make payment of up to \$61,000.00 in settlement of claim(s) in *Cordova v. City of Phoenix*, 19-1174-001 PD GL, for the Finance Department pursuant to Phoenix City Code chapter 42.

20 Settlement of Claim(s) Kiesner v. City of Phoenix

To make payment of up to \$55,000.00 in settlement of claim(s) in *Kiesner v. City of Phoenix*, 19-1244-001 AU GL, for the Finance Department pursuant to Phoenix City Code chapter 42.

21 Articulate Global, Inc.

For \$49,600.00 in payment authority to purchase 40 Articulate 360 Teams licenses from Articulate Global, Inc. for the Human Resources Department. The purchase is needed to develop custom, interactive courses to be uploaded into the learning management solution which can be used citywide or for department specific use. The licenses include the ability to create fully responsive and interactive courses which can be used on every type of device; a content library of more than six million images and customizable slide templates; a project review app; and, live and on-demand online training.



Agenda Date: 11/18/2020, Item No. 22

Enter into Development Agreement with Taiwan Semiconductor Manufacturing Company (Ordinance S-47129)

Request to authorize the City Manager, or his designee, to enter into a Development Agreement (DA), and to execute any other instruments or documents as necessary with Taiwan Semiconductor Manufacturing Company (TSMC), a U.S.-based subsidiary, for development of a semi-conductor manufacturing campus in Phoenix. Further request to authorize for the City Controller to disburse all funds related to public infrastructure in an amount not to exceed \$205 million with this action.

Summary

In May 2020, after a national search involving multiple states and regions, TSMC announced its intention to build and operate an advanced semiconductor fabrication facility in Phoenix. TSMC, headquartered in Hsinchu, Taiwan and established in 1987, has been the world's largest dedicated semiconductor foundry. In 2019, TSMC deployed 272 distinct process technologies and manufactured 10,761 products for 499 customers. TSMC is the first manufacturer to provide 5-nanometer production capabilities in the U.S., the most advanced semiconductor process technology available in the world.

TSMC plans to make a \$12 billion investment into the new U.S. Phoenix manufacturing campus (Project). The TSMC Phoenix operation will result in approximately 1,900 new full-time jobs to be phased in over a five-year period with production starting in 2024. The project is still contingent upon several items including TSMC Board approval.

The City recognizes the resulting substantial economic impacts to the City and region from TSMC's expansion into Phoenix. Our estimates indicate that over a 20-year period this company will directly create an estimated \$38.2 billion in economic output and \$314 million in annual personal income. This innovative growing company will bring one of the largest single foreign investments in Arizona history and provide thousands of quality jobs, and will facilitate thousands of additional jobs to support its ecosystem and operation. This could greatly benefit those that have been impacted by layoffs and furloughs due to the COVID-19 pandemic. To support TSMC's new Phoenix operations and expand the package that has been provided at the State and Federal level, City staff recommends the following business terms:

- TSMC agrees to expand into Phoenix with an approximately \$12 billion advanced semiconductor fabrication campus.
- TSMC intends to create approximately 1,900 total new jobs within five years of entering into the DA. The City realizes 1,900 jobs is a program model estimate and the DA is not contingent upon the exact total job creation nor is contingent upon the jobs created by the company.
- Within five years from execution of the DA, TSMC shall complete construction of the Project.
- TSMC shall dedicate any properties and easements needed for installation of the public improvements as described below.
- The City shall construct and install certain regional public improvements to meet TSMC's construction timeline, as described below:

Streets: The City agrees to construct approximately three miles of full arterial streets including streets, curb, gutter, sidewalk, streetlights and landscaping that will serve the project and surrounding region totaling an estimated \$61 million. The City plans to utilize a state infrastructure program known as Title 42-5032.02 for a portion of the construction costs for the streets component of the Project. The City has met with the Arizona Commerce Authority and will initiate its application in the near future. Further, the City anticipates recapturing infrastructure costs from adjacent future developers other than TSMC. The City also agrees to design and install one traffic signal at a cost of approximately \$500,000 and potentially one additional traffic signal at a cost of approximately \$500,000 depending on a future traffic study. Storm drainage infrastructure coordination will take place with the City focused on the improvements relating to the Public Infrastructure Improvements.

Water: The City agrees to construct new regional public water infrastructure improvements totaling an estimated \$37 million to service the project and surrounding area. Infrastructure may include a pressure reducing station, 16-inch to 54-inch diameter water transmission mains, and possible booster pump station upgrades. The City agrees to provide adequate water to meet the demands of the Project at the standard City water rates.

Sewer: The City agrees to construct new public wastewater infrastructure improvements totaling an estimated \$107 million to service the project and surrounding area. Infrastructure may include 15-inch to 60-inch diameter gravity sewer mains and necessary lift station(s) and associated force mains. The City agrees to convey and treat wastewater generated by the Project at the standard wastewater rates.

The City shall provide a professional team on-site or proximate to the site, dedicated to the Project to ensure responsiveness with construction plan review and inspections.

The DA may contain other terms and conditions deemed necessary by City staff.

Contract Term

The DA will be for a term of five years.

Financial Impact

The financial impact of the public infrastructure is expected to not exceed \$205 million. The Street Transportation Department's portion is anticipated to not exceed \$61 million and will be funded through a combination of funding sources to be determined, which may include debt financing. The financial impact to the Water Services Department is anticipated to not exceed \$144 million, using Water and Wastewater operating and/or capital funds. Funding will be included in current and future Capital Improvement Program budgets.

Location

TSMC is conducting due diligence on several locations in the city of Phoenix and a final site will be selected prior to entering into a DA.

Responsible Department

This item is submitted by Deputy City Managers Jeff Barton, Karen Peters and Mario Paniagua and the Community and Economic Development, Planning and Development, Water Services, and Street Transportation departments.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. *23

*****REQUEST TO CONTINUE (SEE ATTACHED MEMO)*** Canvass of Vote - November 2020 Mayor and Council Election**

Canvass of the vote for the Tuesday, Nov. 3, 2020 Mayor and Council Election for the City Council to canvass the votes and announce and declare the results of the election.

Summary

On Tuesday, Nov. 3, 2020, the City of Phoenix held a Mayor and Council Election for registered voters in Phoenix to elect a mayor for a full four-year term and to decide on the approval or rejection of one ballot proposition. Also, registered voters in Council Districts 1, 3, 5 and 7 voted to elect council members to full four-year terms. There was no election for council members in Districts 2, 4, 6 and 8 because the terms of the city council members are staggered. This Mayor and Council Election was conducted by Maricopa County as part of the 2020 State General Election.

Citizen Notification

Voters on the Permanent Early Voting List (PEVL) received notification of the election from Maricopa County in early May 2020, and early ballots were mailed approximately 27 days before the election. The City mailed a Publicity Pamphlet in late September, before early ballots were mailed, to each household with an eligible registered voter. The Pamphlet contained general information about the election, including the deadline to return early ballots by mail, in-person voting options, and voter identification requirements. The Pamphlet also contained a list of names of the qualified candidates for Mayor and Council, the full text of the ballot proposition, a summary of the proposition and any arguments filed supporting or opposing the proposition. Election information was available at phoenix.gov/elections and maricopa.vote. Additionally, information was provided through multiple publications, news releases, and the official Phoenix election Twitter account, @PHXClerk. All election information was available at phoenix.gov/elections and provided in English and Spanish.

Concurrence

Maricopa County was responsible for the tabulation of ballots and provided election results for the Mayor and Council races and the City ballot proposition.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.



City of Phoenix
CITY CLERK DEPARTMENT

To: Toni Maccarone
Deputy City Manager

Date: Nov. 17, 2020

From: Denise Archibald 
City Clerk

Subject: CONTINUANCE REQUEST – ITEM 23 – CANVASS OF VOTE – NOVEMBER 2020 MAYOR AND COUNCIL ELECTION

This memo requests continuance of Item 23 – Canvass of Vote – November 2020 Mayor and Council Election on the Nov. 18, 2020 Formal Agenda.

Staff is requesting continuance to the Dec. 2, 2020 Formal Agenda to allow time for the Maricopa County Elections Department to provide the City Clerk with the November 3, 2020 Election final unofficial results and for the City Council to review them.

Approved: 
Toni Maccarone, Deputy City Manager

11-17-20

Date

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 24

Proposed 77th Avenue and Glass Lane Annexation - Public Hearing

A public hearing, as required by Arizona Revised Statutes section 9-471, on the proposed 77th Avenue and Glass Lane Annexation. This public hearing allows the City Council to gather community input regarding this annexation proposal. The City Council will not act on the proposed annexation at this public hearing. Formal adoption of this proposed annexation will be considered at a later date.

Summary

This annexation was requested by John Fox, with William Seymour Co., Inc., for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. Additionally, the annexation is recommended for adoption per the attached Task Force Analysis Report (**Attachment A**).

Public Outreach

Notification of the public hearing was published in the Arizona Business Gazette newspaper, and was posted in at least three conspicuous places in the area proposed to be annexed. Also, notice via first-class mail was sent to each property owner within the proposed annexation area.

Location

The proposed annexation area includes parcel 104-84-008G located at 6620 S. 77th Avenue (**Attachment B**). The annexation area is approximately 9.09 acres (0.0141 square miles) and the population estimate is zero.

Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Attachment A

CITY COUNCIL REPORT

TO: Mario Paniagua
Deputy City Manager

FROM: Alan Stephenson
Planning and Development Director

SUBJECT: Request for Task Force Analysis: 77th Avenue and Glass Lane Annexation

This report recommends the **approval** of the proposed annexation of **9.09** acres located at **6620 S 77th Avenue, APN # 104-84-008G**, Council District 7.

THE REQUEST:

The applicant is requesting annexation to access City of Phoenix utilities and services, and to develop a single-family residential subdivision under the city's R1-8 PRD, at with a density of 4-5 dwelling units per acre with approximately 45-50 units.

OTHER INFORMATION:

Planning Village: Laveen

General Plan Designation:	Traditional Lot, 3.5 to 5 dwelling units per acre
Current County Zoning District:	RU-43
Equivalent Zoning District:	S-1
Proposed Zoning District:	Multi-family, R1-8 PRD

Current Land Use Conditions

On Site:	Single family ranch and horse property, RU-43, one dwelling unit per acre
To the North:	Single family ranch and horse property, RU-43, one dwelling unit per acre
To the South:	Single-family subdivision, R1-8, City of Phoenix jurisdiction
To the West:	Single family ranch and horse property, RU-43, one dwelling unit per acre
To the East:	Single-family subdivision, R1-8, City of Phoenix jurisdiction

Maricopa County History of Non-Conformities Present? None

Maricopa County Zoning Case History: None

ALTERNATIVES:

- Option A - Annex the land as requested:

The City of Phoenix will control rezoning requests in this area to ensure conformance with the General Plan Land Use Map. The city of Phoenix will capture property tax, utility tax, state shared revenue, and impact fees when applicable.

- Option B - Deny the request for annexation:

If annexed later, this site would have been developed under County zoning and development standards that may not be consistent with the General Plan, Land Use Map, zoning, and development standards.

RECOMMENDATION:

Located adjacent to City of Phoenix lands, this annexation is supported by the 2015 General Plan, particularly the Land Use goal for land uses and development standards for unincorporated land, under Policies 1 and 2. This annexation is recommended for approval.

Approval of annexation does not constitute recommendation for future rezoning actions.

SUPPORTING INFORMATION:

I. Water and Sewer Service

Upon development, significant water and sewer infrastructure improvements may be required in order to serve this parcel. Design and construction of any infrastructure will be the responsibility of the developer.

II. Fire Protection

Servicing Station: Phoenix Fire Station 95, 1111 S. 65th Avenue

Station Capacity Level, Current: Unknown

Station Capacity Level, After Annexation: Unknown

Current Response Time: 8 Min. 35 Sec.

City Average Response Time: 4 Min. 39 Sec.

Difference from Typical Response Time: **3 Min. 56 Sec.**

Number of Service Calls Expected: 6

Average Cost per Service Call: **\$466**

Estimated Total Annual Fire Service Costs: **\$2,962**

III. Police Protection

Servicing Station: Maryvale Estrella Precinct, 2111 S 99th Ave, Tolleson, AZ 85353

Number of New Officers Required: 0.07

Number of New Patrol Cars Required: 0.03

Estimated Total Annual Police Service Costs: **\$8,670**

IV. Refuse Collection

Number of New Containers Required: 45

Cost for Refuse Containers, Each: \$48.45

Cost for Recycling Containers, Each: \$48.45

Total Start-Up Costs for Refuse Collection: **\$4,361**

V. Street Maintenance

Average Cost per Acre For Street Maintenance: **\$85**

Estimated Total Annual Street Maintenance Costs: **\$770**

VI. Public Transit

Servicing Routes: None

VII. Parks and Recreation

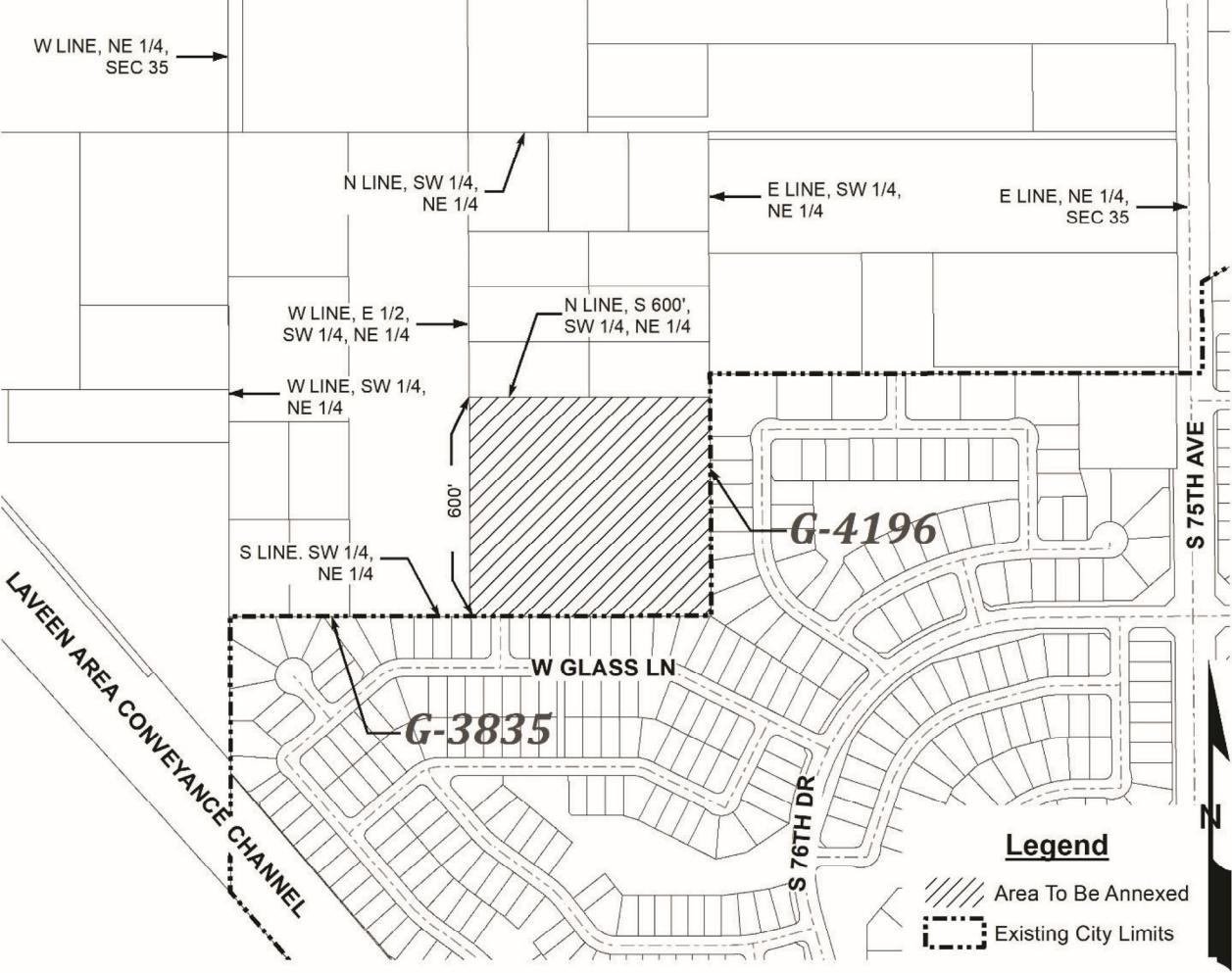
Neighborhood Park Demand in Acres: 0.25

Community Park Demand in Acres: 0.13

	District Park Demand in Acres: 0.13	
	Total Park Demand in Acres: 0.51	
	Cost Per Acre, Annual Maintenance:	<u>\$11,000</u>
	Total Annual Parks and Recreation Costs:	\$5,627
VIII.	Schools	
	Elementary School District: Laveen	
	High School District: Phoenix Union	
	Total Expected Elementary School Students: 32	
	Total Expected High School Students: 18	
	Total Expected New Students: 50	
IX.	Revenues	
	Expected Total Impact Fees at Buildout:	\$659,759
	Beginning Next Fiscal Year	
	Property Tax Income*: \$847	
	Utility Fee Income: \$5,625	
	State Shared Revenue: \$35,923	
	Solid Waste: \$18,252	
	Sales Tax Generated: \$0	
	Total Tax Related Income, Annually**: \$60,647	
	Beginning 2021-2022 Fiscal Year	
	Property Tax Income*: \$847	
	Utility Fee Income: \$5,625	
	State Shared Revenue: \$35,923	
	Solid Waste: \$18,252	
	Sales Tax Generated: \$0	
	Total Tax Related Income, Annually**: \$60,647	
X.	Total Costs	
	Revenue, First Year Only: \$720,406	
	Revenue, 2022 and Beyond: \$60,647	
	Expenses, First Year Only: \$22,388	
	Expenses, Year Two and Beyond: \$18,028	
	Total Annual Revenue, First Year**: \$698,018	
	Total Annual Revenue, 2022 and Beyond**: \$42,619	

*The above referenced Property Tax Income numbers are based on vacant parcels only, not on future development which will vary depending on number of lots and square footage.

**Total Tax Related Income and Total Annual Revenues will vary depending on project scope and size, the timing of permit issuance and build-out.

<p style="text-align: center;"><u>ANNEXATION MAP</u> 77TH AVE AND GLASS LN</p>		 <p>City of Phoenix</p>
<p><u>LEGAL DESCRIPTION</u> SECTION 35 T. 1 N., R. 1 E., G. & S. R. B. & M.</p>		<p style="text-align: center;"><u>VICINITY MAP</u></p> 
<p>ANNEXATION NUMBER: XXX</p>		<p>AREA IN SQUARE MILES 0.0141</p>
 <p>Legend</p> <ul style="list-style-type: none"> Area To Be Annexed Existing City Limits 		

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 25

Proposed Central Avenue and Jomax Road Annexation - Authorization to File

Request to authorize the City Manager, or his designee, to file with the Maricopa County Recorder's Office a blank petition for a proposed annexation. This annexation was requested by Jeremy Macliver, for the purpose of joining to a property already in Phoenix and receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation.

Summary

Signatures on the proposed annexation petition shall not be obtained for a waiting period of 30 days after filing the blank petition with the Maricopa County Recorder. Additionally, a Public Hearing will be scheduled within a 30-day waiting period, permitting the City Council to gather community input regarding the annexation proposal. Formal adoption of this proposed annexation will be considered at a later date.

Location

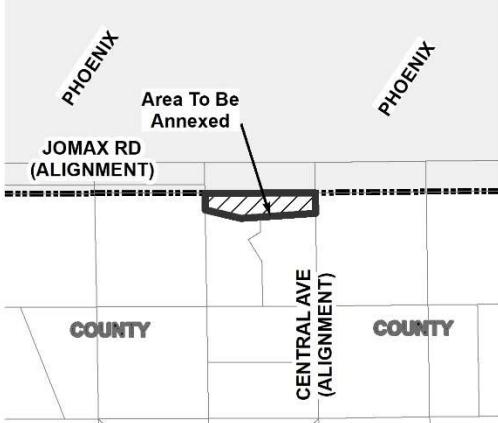
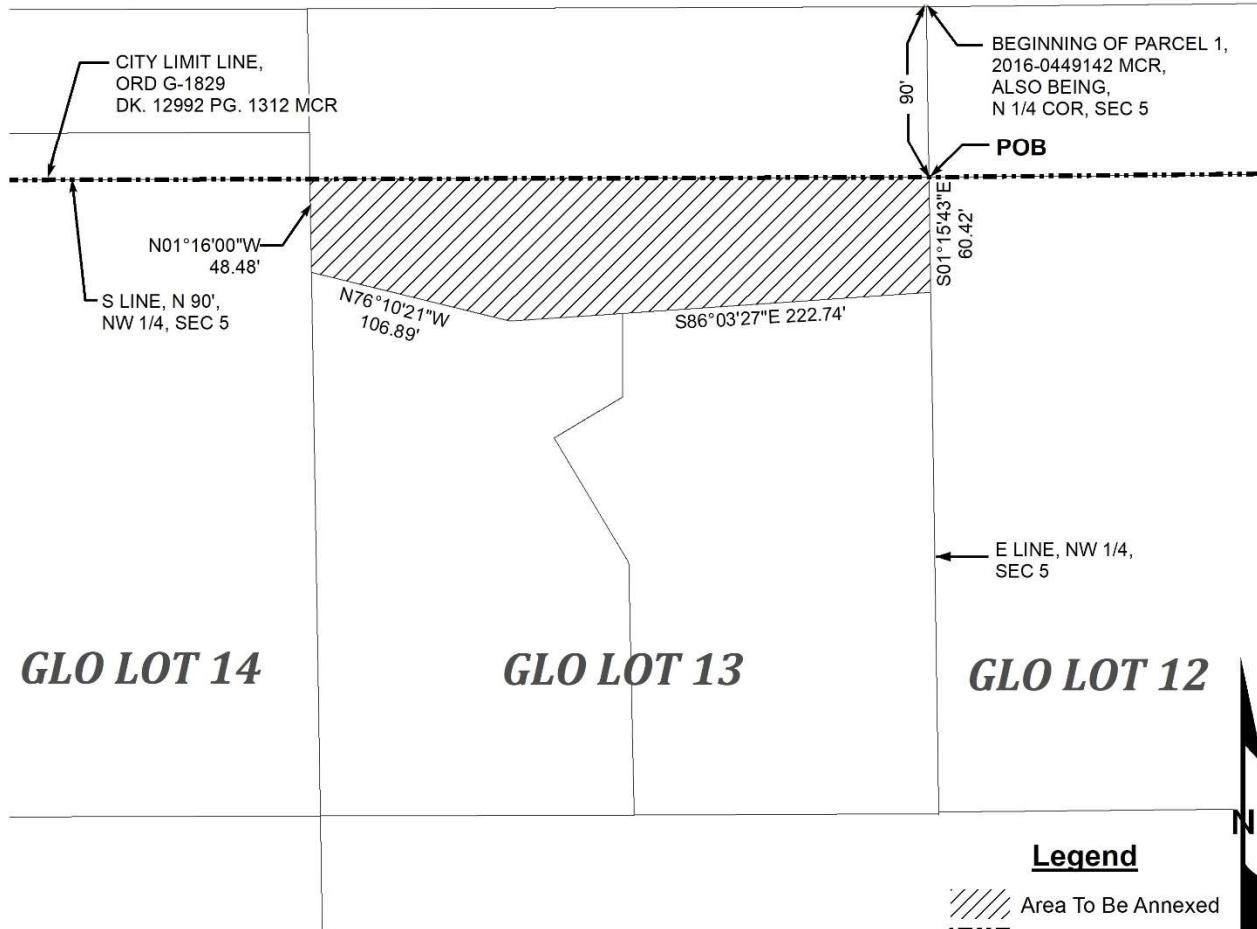
The proposed annexation area includes parcel 210-13-001G located at 26238 N. Central Ave. (**Attachment A**). The Annexation area is approximately 0.49 acres (0.0008 sq. mi.) and the population estimate is 0.

Council District: 2

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Attachment A

<p style="text-align: center;"><u>ANNEXATION MAP</u> CENTRAL AVE AND JOMAX RD</p>		 <p>City of Phoenix</p>
<p><u>LEGAL DESCRIPTION</u> SECTION 5 T. 4 N., R. 3 E., G. & S. R. B. & M.</p>		<p><u>VICINITY MAP</u></p> 
<p>ANNEXATION NUMBER: XXX</p>		<p>AREA IN SQUARE MILES 0.00077</p>
 <p>GLO LOT 14 GLO LOT 13 GLO LOT 12</p> <p>Legend</p> <p>/\ Area To Be Annexed</p> <p>— Existing City Limits</p>		

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 26

Proposed 11th Avenue and Jomax Road Annexation - Authorization to File

Request to authorize the City Manager, or his designee, to file with the Maricopa County Recorder's Office a blank petition for a proposed annexation. This annexation was request by James Colceri and Elizabeth Allard, for the purpose of joining to a property already in Phoenix and receiving city services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation.

Summary

Signatures on the proposed annexation petition shall not be obtained for a waiting period of 30 days after filing the blank petition with the Maricopa County Recorder. Additionally, a Public Hearing will be scheduled within this 30-day waiting period, permitting the City Council to gather community input regarding the annexation proposal. Formal adoption of this proposed annexation will be considered at a later date.

Location

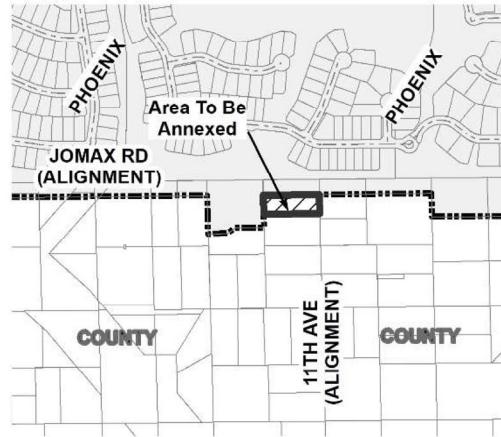
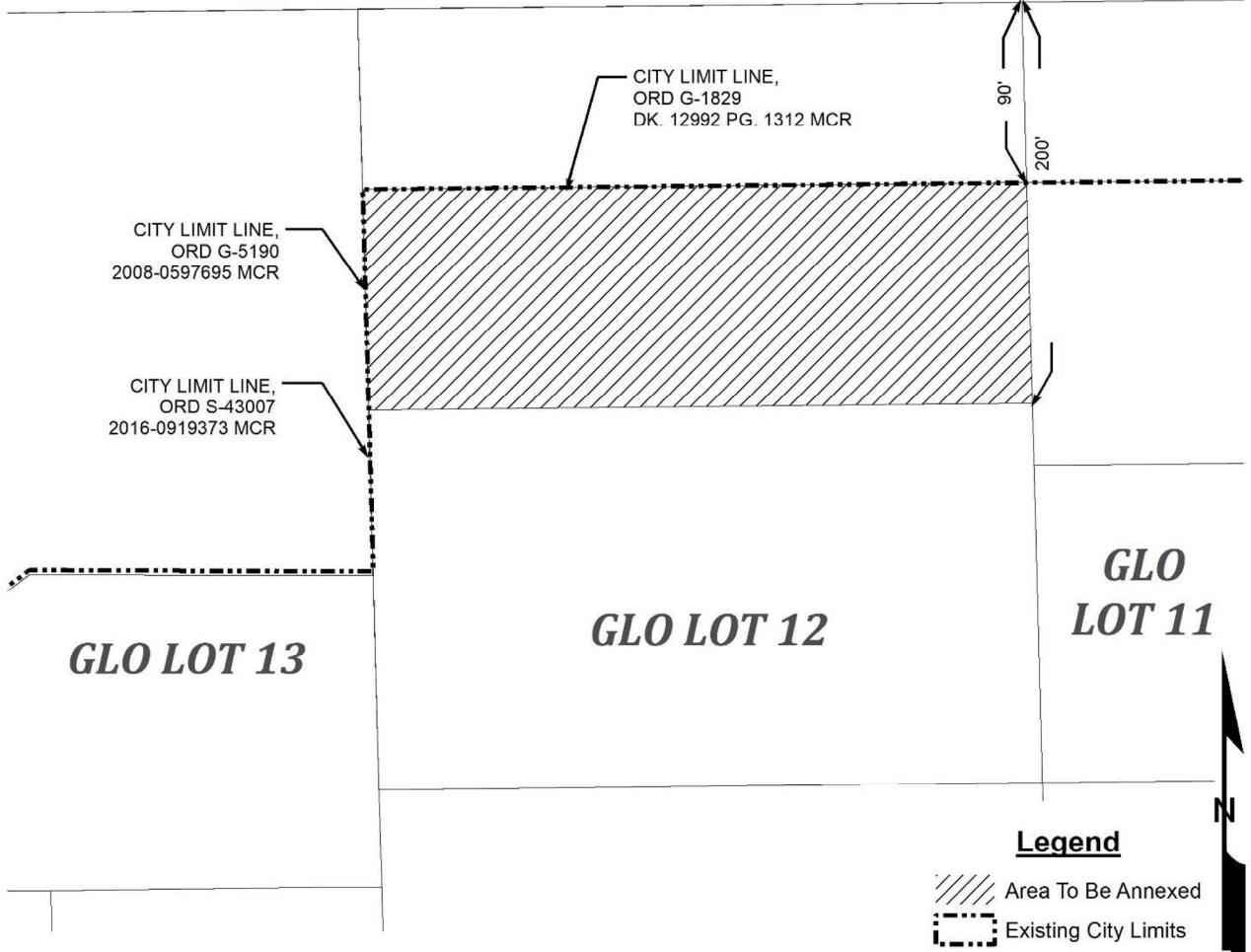
The proposed annexation area includes parcel 210-12-019R located at 26506 N. 11th Avenue (**Attachment A**). The annexation area is approximately 0.84 acres (0.0013 square miles) and the population estimate is 0.

Council District: 2

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

Attachment A

<p>ANNEXATION MAP 11TH AVE AND JOMAX RD</p>		 <p>City of Phoenix</p>
<p>LEGAL DESCRIPTION SECTION 6 T. 4 N., R. 3 E., G. & S. R. B. & M.</p>		<p>VICINITY MAP</p> 
<p>ANNEXATION NUMBER: <u>XXX</u></p>	<p>AREA IN SQUARE MILES 0.00131</p>	
 <p>GLO LOT 13</p> <p>GLO LOT 12</p> <p>GLO LOT 11</p> <p>Legend</p> <p>/\ Area To Be Annexed</p> <p>— Existing City Limits</p>		

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 27

Adoption of an Ordinance Adding a New Chapter 20 to the Phoenix City Code Establishing the Office of Accountability and Transparency (Ordinance G-6770)

Request approval of the Ordinance adding Chapter 20 to the Phoenix City Code creating the Office of Accountability and Transparency, as set forth in **Attachment A**.

Summary

Adoption of this Ordinance will establish the Office of Accountability and Transparency (OAT) in the City Manager's Office. The OAT will monitor or participate in investigations that are brought forth against members of the Phoenix Police Department. It also will provide recommendations for training, policy, hiring practices, disciplinary actions and other oversight of the Police Department on behalf of the community. This item was discussed at a City Council Work Study Session on Sept. 8, 2020, and City Council Policy Session on Oct. 13, 2020. Draft Ordinances were presented which define the role of the Director and outline the scope of the Director and OAT duties.

Concurrence/Previous Council Action

City Council approved an item for creation of the OAT on Feb. 25, 2020 by a vote of 5-4. Further Council action has been taken authorizing the first year's budget allocation and creating the staff positions for the OAT.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr., the City Manager's Office and the Law Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-_____

**AN ORDINANCE ESTABLISHING THE GOVERNING
LANGUAGE FOR OFFICE OF ACCOUNTABILITY AND
TRANSPARENCY BY CREATING A NEW CHAPTER 20
OF THE PHOENIX CITY CODE; AND ESTABLISHING AN
EFFECTIVE DATE.**

WHEREAS, the mission of the Office of Accountability and Transparency (the “OAT”) is to provide for independent review of the Phoenix Police Department; and,

WHEREAS, the OAT is hereby created as a new City administrative office under the City Manager; and,

WHEREAS, the City is responsive to community requests for independent commendations or registration of a complaint against a sworn member of the Department; and,

WHEREAS, the OAT will ensure that a complaint is fairly and objectively resolved either through mutually acceptable mediation or as a result of a thorough and fair investigation. The OAT shall meet these objectives by monitoring or participating in the investigation of use of force, in custody deaths, and other matters of public interest, and by making suggestions regarding discipline; and,

WHEREAS, the OAT shall research, analyze, and share information with the Police Chief, City Manager, and community designed to improve the policies, practices, procedures, training, and community engagement activities of the Phoenix Police Department; and,

WHEREAS, the OAT shall prepare and provide transparent reports to the public to help educate and inform the community; and,

WHEREAS, the OAT will create a team of competent, dedicated, and independent staff to function as a conduit that in the long run shall encourage an environment where the broader community can have greater trust of its police department through increased accountability and transparency.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX AS
FOLLOWS:**

**SECTION 1. CHAPTER 20, OFFICE OF ACCOUNTABILITY AND
TRANSPARENCY, IS ADDED AS FOLLOWS:**

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Chapter 20. OFFICE OF ACCOUNTABILITY AND TRANSPARENCY

Article I. Creation of Civilian Review

Sec. 20-1. Office of Accountability and Transparency Created.

- A. The Office of Accountability and Transparency (the "OAT" or "Director" - see definitions) for the City of Phoenix shall consist of a full-time Director with appropriate professional and support staff.
- B. The Director shall have such staff and budget as the city council may prescribe. The Director shall appoint all other staff of the OAT. The appropriations to pay for the expenses of the OAT during each fiscal year shall be determined by the City Council as part of the annual City budget process.
- C. The OAT shall take community complaints or commendations, establish procedures for receiving anonymous complaints, conduct outreach with the community, support services to impacted community members, monitor or participate in some investigations of the Department; make recommendations to the Police Chief regarding administrative action, including possible discipline for the Department; make recommendations regarding policy issues; assist with mediation to resolve disputes; administer a youth outreach program; and address other issues of concern to the community. The scope of all OAT actions must relate to the Department, as outlined in this Chapter.
- D. The OAT shall establish standards of professional conduct and a comprehensive training program for its staff to monitor or participate in investigations of allegations or inquiries received against the Department.

Sec. 20-2. Reserved.

Sec. 20-3. Reserved.

Article II. Office of Accountability and Transparency

Sec. 20-4. Appointment, Qualification, and Removal of Director.

- A. The City Manager shall direct the recruitment for the Director with the assistance of Human Resources or other entity designated by the City Manager.
- B. The Director shall serve at the pleasure of the City Manager. Prior to removal of the Director, the City Manager shall consult with the Civilian Review Board ("Board") in Executive session regarding the intention to remove the Director. However, the City Manager may take any personnel action, including administrative leave or termination, if determined in the best interests of the City, in the City Manager's sole discretion.

Sec. 20-5. OAT Staff

- A. The Director and all staff shall be committed to implementing the provisions of this chapter in an honest, independent and impartial fashion and to upholding public confidence in the integrity of the OAT. OAT staff must strive to avoid all potential conflicts and the appearance of impropriety. Therefore, the City will take into consideration evidence of bias for or against the Department and other experience in the hiring process.
- B. The Director shall hire OAT staff who shall work under the Director's supervision.
- C. OAT staff are employees of the City of Phoenix and must follow the City personnel rules.
- D. Neither the Director nor any employees in the OAT's office, nor their immediate family members, shall have formerly been employees of any law enforcement agency.
- E. The Director will hire one or more attorneys as staff to advise and represent the OAT with respect to its work, provided:
 - 1. any such attorney is admitted to the bar of the State of Arizona; and
 - 2. any such attorney must not provide legal advice or representation to any department or function of the City of Phoenix other than the OAT; and
 - 3. All financial, personnel and administrative functions of any such attorney shall be under the jurisdiction of the City Manager or Director and shall not be under the jurisdiction of the City Attorney; and
 - 4. Any such attorney cannot have personally participated in a lawsuit against the City of Phoenix or Department within the past ten years.
- F. To retain outside legal counsel to advise and represent the OAT with respect to its work, provided:
 - 1. Counsel is retained pursuant to the standard terms of engagement then used by the City Attorney, including any limitations on fees or costs; and
 - 2. the costs of such representation are paid from the budget of the OAT and not from the budget of the City Attorney; and
 - 3. the Director provides the City Attorney with notice of the engagement, including the firm selected and a copy of the engagement agreement; and
 - 4. in no situation may the OAT use staff counsel or outside counsel in litigation by the Director or OAT against the City.
- G. Nothing in the preceding provisions shall be construed to alter the authority of the City Council or the City Attorney with regard to the defense of claims against the City or individual City defendants, the settlement of monetary or other claims against the City or individual City defendants, or any other powers or duties of the City Attorney.

Sec. 20-6. Mandatory Oversight by the OAT

- A. The OAT shall monitor or participate in any administrative investigation of the incidents set forth below when the investigation is conducted by the Department. The OAT will not participate in criminal investigations.

B. If the Department investigates any incidents set forth below, the OAT shall monitor or participate in the investigation:

1. Any shooting involving uniformed personnel, whether duty related or not;
2. Any in-custody death;
3. Any duty-related incident during which, or as a result of which, anyone dies or suffers serious bodily injury as that term is defined in A.R.S. § 13-105(39), as it may be amended from time to time; and
4. The OAT shall also monitor or participate in the below investigations. However, if no criminal charges are filed subsequent to an investigation, or such criminal charges are dismissed, the OAT shall have the discretion to monitor or participate in any internal investigation arising from the subject incidents:
 - a. Any incident, whether or not duty-related, in which police department uniformed personnel is under investigation for, or charged with, any crime set forth in A.R.S. tit. 13, Chapters 11, 12, 13 and 14 (offenses against the person, which includes homicide, assault, kidnapping, and unlawful sexual behavior) as they may be amended from time to time; or
 - b. Any incident, whether or not duty-related, in which police department uniformed personnel is under investigation for, or charged by, any jurisdiction with a misdemeanor or local law violation in which a use of force (defined as assaulting, beating, striking, fighting, or inflicting violence on a person) or threatened use of force is an element of the offense.

C. In addition, the OAT shall monitor or participate in any other internal investigation of possible misconduct by uniformed personnel when requested to do so by the City Manager. The Board or City Manager shall advise the OAT of the reasons why the Board or the City Manager believes the OAT should monitor or participate in the investigation.

D. The OAT may also make any recommendations to the City Manager or Police Chief regarding the sufficiency of the investigation, determinations as to whether department rules or policies have been violated, and the appropriateness of disciplinary sanctions, if any.

E. The Department shall as soon as practicable, notify the OAT upon becoming aware of:

1. An incident described in subsection B, or
2. An incident, whether or not duty-related, in which a police department uniformed personnel is under investigation for, or charged by, a jurisdiction with a misdemeanor or felony.

Sec. 20-7. Discretionary Oversight by the OAT

- A. The OAT shall have the discretion to monitor or participate in any internal Police Department investigation of any civilian or employee complaint
- B. The OAT shall also have the discretion to monitor or participate in any internal investigation by the Department which the OAT, the City Manager or the Board recommends as in the City's best interest for the OAT to be involved.
- C. Upon exercising discretion to monitor or participate in an investigation identified in subsection A or B, the OAT shall immediately notify the following parties of the investigation:
 - 1. The Board,
 - 2. the Police Chief, and
 - 3. the City Manager.

Sec. 20-8. Public Reporting by the OAT

- A. No later than March 15 of each year, the OAT shall submit an annual public report to the City Manager and the Board:
 - 1. setting forth the work of the OAT during the prior calendar year;
 - 2. identifying trends regarding complaints, investigations, and discipline of police including, but without identifying specific persons:
 - a. information regarding uniformed personnel who were the subject of multiple complaints,
 - b. complainants who filed multiple complaints, and
 - c. issues that were raised by multiple complaints; and
 - 3. making recommendations regarding the sufficiency of investigations and the appropriateness of disciplinary actions, if any
 - 4. recommendations for changes to policies, rules, and training, and
 - 5. policy rules or training revisions implemented by the Department.
- B. The report shall present information in statistical and summary form, without identifying specific persons, except to the extent that incidents involving specific persons have otherwise been made public by the City of Phoenix.
- C. In addition to the annual report, the OAT shall publish a quarterly status report, which shall be available to the public and which shall include, among other things, patterns relating to complaints and recommendations regarding the sufficiency of investigations and determinations as to whether department rules and policies have been violated.
- D. Based upon an analysis of reports and other information available to the OAT, the OAT shall make timely recommendations to the Police Chief and the City Manager.

- E. The OAT has the discretion to publish additional public reports throughout the year about matters within the duties of the OAT.

Sec.20-9. Confidentiality

- A. The OAT, its staff, the Board, and all consultants and experts hired by the OAT shall treat all documents and information regarding specific investigations or officers as confidential except to the extent needed to carry out their duties.
- B. The Director shall not discuss with any person or group, including the members of the Board, the status of any criminal investigation, other than the fact that a criminal investigation has not been completed and any anticipated date by which a criminal investigation may be completed.
- C. The Director, the Board, and all persons who participate in the Police's investigative and disciplinary processes are part of the City's deliberative process regarding investigative and disciplinary procedures for personnel. Furthermore, all deliberations and recommendations learned by any of those persons or groups during the exercise of their duties shall be protected from disclosure to the extent allowable by law.

Sec. 20-10. Internal Investigations

- A. The Department shall cooperate with the OAT in monitoring or participating in internal investigations, including being present to monitor or participate in interviews of witnesses and persons under internal investigation. The Department shall establish departmental policies regarding that cooperation. The policies shall ensure that the Department provides the OAT with reasonable notice of and opportunity to attend interviews, the opportunity to make recommendations regarding investigations, and reasonable timeframes to complete the steps in the internal investigatory process.
- B. For any investigation that it monitors or participates, the OAT shall review the investigation to ensure that it is thorough and complete.
- C. If the OAT cannot certify that the investigation is thorough and complete, the OAT may recommend that the Department conduct additional investigation. The OAT must be specific in outlining issues it has with the investigation.
- D. If the Department does not complete the additional investigation to the satisfaction of the OAT, the OAT may write a separate recommendation to the Police Chief and City Manager, which is only advisory.

Sec. 20-11. Role of the OAT in the Disciplinary Process.

- A. The Department shall cooperate with the OAT in monitoring the disciplinary process. The Department shall establish departmental policies regarding that

cooperation. The policies shall ensure that the Department provide the OAT with reasonable notice and opportunity to:

1. Receive notice and opportunity to comment prior to entering agreements, whether written or oral, resulting in the closure of internal investigations or the disciplinary process;
2. Make recommendations regarding determinations as to whether department rules or policies have been violated;
3. Make recommendations regarding the appropriateness of disciplinary sanctions, if any;
4. Furthermore, the policies shall provide for reasonable time frames to complete the steps in the disciplinary process consistent with Arizona law.

Sec. 20-12. OAT Access to Records and Other Items

- A. The Department and all City employees shall fully cooperate with the OAT by providing the OAT, within a reasonable amount of time, complete access to records, information, documents, files, reports, evidence, databases, and all other items, whether in paper, electronic, or other form, that the OAT requests in order to perform its duties set forth in the provisions of this Chapter, but not including documents protected by the attorney-client privilege or the attorney work product privilege or any document that must not be disclosed to the OAT pursuant to federal, state, or local law or federal or state regulation.
- B. If, in response to a request from the OAT, records, and information cannot be produced at all or produced within a reasonable amount of time, a written explanation, sufficiently detailed for an understanding of why the records or documents cannot be produced, shall be promptly provided. The OAT shall not be required to pay for copies of the materials set forth in this section, including copies of documents previously supplied by the departments, provided that the OAT may not use those departments as a printing service to make multiple copies of individual documents.
- C. The Department shall provide the OAT with an opportunity to participate in any committee or working groups involving external stakeholders convened to draft or revise policies or practices concerning matters within the OAT's authority.
- D. The Department shall provide the OAT with reasonable notice and an opportunity to make recommendations before implementing an existing or adopting a new substantive policy or practice concerning matters within the OAT's authority. When a policy or practice necessitates an immediate revision or implementation due to a change in the law, the OAT will be notified as soon as practicable about the change.
- E. If the OAT receives or is in possession of evidence or vital information pertaining to a case under investigation, it must give or communicate that evidence or

information to the Department promptly. Evidence must be in the exact same condition that it was received.

Sec. 20-13. Response to OAT Recommendations.

- A. The OAT shall make recommendations to the Department about matters within the OAT's authority. If requested by the OAT in writing, the Department shall respond in writing within thirty days and shall specify:
 - 1. Either agreement with recommendations or specific reasons for disagreement with recommendations;
 - 2. Plans for implementing solutions to issues identified; and
 - 3. A timetable to complete such activities.
- B. Recommendations made by the OAT and any responses shall be open to inspection except as otherwise not subject to disclosure under state, federal, or local law or regulation.
- C. The City Manager may act as an arbiter between the OAT and Department.

Article III. RESERVED

Sec. 20-14 to Sec. 20-24 – RESERVED.

Article IV. Miscellaneous

Sec. 20-25. Definitions.

- A. *City Manager* means the City of Phoenix City Manager or designee.
- B. *Director* means the head of the Office of Accountability and Transparency, or designee.
- C. *OAT* means the Office of Accountability and Transparency and its staff.
- D. *Police Chief* means the Chief of the City of Phoenix Police Department, or designee
- E. *Department* means the City of Phoenix Police Department and any police department uniformed personnel.

Sec. 20-26. Retaliation prohibited

- A. No person shall retaliate against, punish, intimidate, discourage, threaten or penalize any other person for reporting misconduct, making a misconduct complaint, conducting an investigation, complaining to officials, providing

information, testimony or documents in an investigation or cooperating with or assisting the OAT in the performance of its powers and duties as set forth in this chapter.

- B. Any employee who violates this provision shall be subject to appropriate disciplinary action, up to and including termination from employment.
- C. The remedies specified herein are cumulative and the City Manager, or the City Attorney, may proceed under these or any other remedies authorized by law. In addition to any other authorized remedies, a person who violates any provision of this section shall be guilty of a misdemeanor. Each day of violation may be a separate offense.
- D. The OAT shall develop specialized processes to intake and investigate complaints made by officers within the Department that prefer to remain anonymous. The OAT shall recommend to the City Manager processes to protect potential whistleblowers or informers.

SECTION 2. The provisions of this Ordinance shall be effective thirty days from approval by the City Council.

PASSED by the City Council of the City of Phoenix this ____ day of
____ 2020.

M A Y O R

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:

Cris Meyer, City Attorney

REVIEWED BY:

Ed Zuercher, City Manager

JMK: (revised version: 2187702)



Agenda Date: 11/18/2020, Item No. *28

*****ITEM REVISED (SEE ATTACHED MEMO)*** SAP Programming Support Services (Ordinance S-47123)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Envision, LLC to provide SAP programming and technical support services. The aggregate value of this agreement will not exceed \$2,704,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The primary function of this contract is to provide technical support services for business functions of the SAP system. The City utilizes the SAP system for critical financial accounting and reporting, procurement, accounts payables and receivables, business warehouse reporting, work order management, inventory management and plant maintenance. Due to the required highly specialized programming skills, contract services are necessary to support the SAP system, which includes more than 3,000 users and interfaces with various City systems. This expenditure is necessary to provide staff augmentation for the programming of work processes and reporting applications within SAP, which will also provide expertise in advancing the role of data analytics to further enhance and optimize financial transparency for the City.

Procurement Information

A procurement process was conducted in accordance with Administrative Regulation 3.10 utilizing the existing IT Professional Services Qualified Vendor List established by the Information Technology Services Department. Seven vendors responded; 10 potential candidates were selected as the most qualified and interviewed. Two candidates from Envision, LLC were selected by the panel as the most qualified to provide the necessary services.

Contract Term

The contract term is five years, beginning on or about Nov. 1, 2020, with no options to extend.

Financial Impact

The aggregate value of this contract will not exceed \$2,704,000, with estimated annual expenditures of \$540,800. Funds are available in the Finance Department's operating budget related to SAP system support.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Finance Department.



City of Phoenix

To: Ed Zuercher
City Manager

From: *Denise Olson*
Denise Olson
Chief Financial Officer

Subject: CORRECTION MEMO – ITEM 28 ON 11-18-20 CITY COUNCIL FORMAL
AGENDA – SAP PROGRAMMING SUPPORT SERVICES (ORDINANCE
S-47123)

Date: November 13, 2020

The purpose of this memo is to request the correction of the effective date under the contract term from "beginning on or about Nov. 1, 2020" to "beginning on or about Dec. 1, 2020." The updated contract term will state "the contract term is five years, beginning on or about Dec. 1, 2020, with no options to extend.

APPROVED:

Ed Zuercher
City Manager

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 29

Acquisition of Real Property for Installation of Fire Hydrants from Roma Avenue to Indian School Road, Between 24th to 27th Streets (Ordinance S-47071)

Request to authorize the City Manager, or his designee, to acquire real property and related property interests by donation, purchase within the City's appraised value, or by the power of eminent domain, for installation of fire hydrants from Roma Avenue to Indian School Road, between 24th to 27th streets. Further request to authorize dedication of land and/or easements with roadway and/or public improvements to public use via separate recording instrument. Also request to authorize the City Controller to disburse all funds related to this item.

Summary

The installation of 12 fire hydrants is being performed as part of a water main replacement project to bring the area into compliance with current spacing design standards. The existing fire hydrant locations were installed prior to the adoption of the current design standards and do not meet the fire hydrant maximum spacing requirements in the Design Standards Manual for Water and Wastewater Systems. Acquisition is necessary because the existing right of way is not wide enough to accommodate the fire hydrants.

The properties impacted by this project and included in this request are identified in **Attachment A**.

Financial Impact

Funding for acquisition is available in the Water Services Department's Capital Improvement Program budget.

Location

Roma Avenue to Indian School Road, Between 24th and 27th streets.
Council District: 6

Responsible Department

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

Attachment A
Property Identification

City of Phoenix Water Improvement Project: Acquisition of Real Property for Installation of Fire Hydrants From Roma Avenue to Indian School Road, Between 24th and 27th Streets.

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

APN	Address / Location
119-03-212	2625 E. Indian School Road
119-04-139B	2435 E. Indian School Road
163-05-005K	2700 E. Indian School Road
163-06-023	2523 E. Heatherbrae Drive
163-06-032	2524 E. Devonshire Ave.
163-06-059	2523 E. Monterosa Ave.
163-06-065	2540 E. Indian School Road
163-06-100	4111 N. 24th St.
163-07-022	2519 E. Roma Ave.
163-07-033	2522 E. Turney Ave.
163-07-049	2528 E. Montecito Ave.
163-07-067	2530 E. Glenrosa Ave.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 30

Grant of Public Utility Easements on City-Owned Property for Sewer Lift Station 41 (Ordinance S-47073)

Request to authorize the City Manager, or his designee, to grant public utility easements, for the consideration of \$1 and/or valuable consideration, for electrical facilities and installation of pad-mounted transformers on City-owned property in the Salt River Project (SRP) service area, and further ordering the ordinance recorded. The public utility easements, located within Pecos Park, are required for upgraded electrical facilities to Sewer Lift Station 41.

Summary

The public utility easements, more fully described in the legal descriptions within Exhibit "A" ("Easement Premises"), will be granted to all public service corporations, agricultural improvement districts, and telecommunication corporations providing utility service (collectively "Grantee") to the property located near Pecos Road and 48th Street, in perpetuity so long as Grantee uses the Easement Premises for the purposes herein specified, for an indefinite period, subject to the following terms and conditions:

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

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

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

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

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

Location

Near Pecos Road and 48th Street

Council District: 6

Responsible Department

This item is submitted by Deputy City Managers Karen Peters and Inger Erickson and the Water Services, Parks and Recreation and Finance departments.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 31

Grant of Public Utility Easement on City-owned Property for 39th Avenue Interceptor Odor Control Station (Ordinance S-47077)

Request to authorize the City Manager, or his designee, to grant a public utility easement, for consideration of \$1.00 and/or other valuable consideration, for electrical facilities and installation of a pad-mounted transformer on City-owned property in the Arizona Public Service (APS) service area, and further ordering the Ordinance recorded. The public utility easement is required for construction of improvements to the 39th Avenue Interceptor Odor Control Station.

Summary

This public utility easement is for the area more fully described in the legal description within Exhibit "A" ("Easement Premises") and will be granted to all public service corporations, agricultural improvement districts, and telecommunication corporations providing utility service (collectively "Grantee") to 39th Avenue Odor Control Station in perpetuity so long as Grantee uses the Easement Premises for the purposes herein specified for an indefinite period, subject to the following terms and conditions:

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

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

- C. Grantee shall not have the right to use the Easement Premises to store gasoline or petroleum products, hazardous or toxic substances, or flammable materials; provided however, that this prohibition shall not apply to any material, equipment or substance contained in, or a part of, the Grantee Facilities, provided that Grantee must comply with all applicable federal, state and local laws and regulations in connection therewith. Additionally, the Easement Premises may not be used for the storage of construction-related materials or to park or store construction-related vehicles or equipment except on a temporary basis to construct, reconstruct, replace, repair, operate, or maintain the Grantee Facilities.
- D. Grantor shall maintain an appropriate three-foot clear area around all edges of all equipment pads for Grantee Facilities in addition to a clear operational area that extends 10 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstruction, trees, shrubs, fixtures, or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs, or other obstruction within said areas.
- E. Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work or use by Grantee within the Easement Premises, the affected area, including without limitation, all pavement, landscaping, concrete and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.
- F. Grantor reserves the right to require the relocation of Grantee Facilities to a new location within Grantor's property; provided however, that: (1) Grantor pays the entire cost of redesigning and relocating existing Grantee Facilities to the new location; and (2) Grantor provides Grantee with a new and substantially similar public utility easement at no cost to Grantee. After relocation of Grantee Facilities to the new easement area, Grantee shall abandon its rights to use the Easement Premises granted in this easement without cost or consequence to Grantor.
- G. Each public service corporation and telecommunication services corporation as a Grantee shall coordinate and work with other Grantees in the use of the Easement Premises. In the event that a third party or other Grantee requests the relocation of existing Grantee Facilities to a new location (whether or not) within the Easement Premises, the requesting party shall pay the entire cost of redesigning and relocating the existing Grantee Facilities.
- H. Grantee shall not have the right to transfer, convey or assign its interests in this easement to any individual, corporation, or other entity without the prior written

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

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

Location

Near 39th and Peoria Avenues

Council District: 1

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 32

Cutter Aviation Equipment, Supplies and Maintenance - Requirement's Contract - EXC 20-076 (Ordinance S-47081)

Request to authorize the City Manager, or his designee, to enter into a contract with Cutter Aviation Phoenix, Inc. to purchase aircraft parts, equipment, supplies and maintenance for the Police Department, Air Support Unit. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$880,000.

Summary

The contract will supply the Phoenix Police Department Air Support Unit with F.A.A. approved parts, avionics, repairs, and instrument certifications and Cutter Aviation Phoenix, Inc. is the only Pilatus Service Center in Arizona. The parts and services provided are essential in order for the department to remain compliant with F.A.A. mandated regulations regarding aircraft airworthiness. Aircraft which are not airworthy are restricted from flight (grounded), potentially jeopardizing the safety of patrol officers and citizens if patrol and other critical public safety operations cease to be conducted.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved determination memo citing the unique ability of Cutter Aviation Phoenix, Inc. to supply the variety of parts and services needed by the Air Support Unit, within an acceptable time frame, in order to ensure proper operation of all aircraft and to prevent groundings for an extended period of time. The Deputy Finance Director recommends that the contract with Cutter Aviation Phoenix, Inc. be accepted.

Contract Term

The five-year contract term will begin on or about Dec. 1, 2020.

Financial Impact

The expenditures against this contract shall not exceed the aggregate amount of \$880,000. Funds are available in the Police Department's budget.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 33

Acceptance and Dedication of a Deed and Easements for Public Utility, Sidewalk, and Roadway Purposes (Ordinance S-47084)

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

Summary

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

Easement (a)

Applicant: Marie S. Allen, its successor and assigns

Purpose: Public Utility

Location: 537 and 645 W. Vermont Ave.

File: FN 200584

Council District: 4

Easement (b)

Applicant: Carlos Frederico Rodriguez 2013 Irrevocable Trust, dated May 13, 2013, its successor and assigns

Purpose: Public Utility

Location: 8145 and 8149 N. 10th Place

File: FN 200583

Council District: 6

Deed (c)

Applicant: QuikTrip Corporation, its successor and assigns

Purpose: Roadway

Location: 4015 E. Cottonwood Lane

File: FN 200585

Council District: 6

Easement (d)

Applicant: Marketing Solutions Group, Inc., its successor and assigns

Purpose: Public Utility

Location: 4340 E. Cheery Lynn Road

File: FN 200593

Council District: 6

Easement (e)

Applicant: Amerco Real Estate Company, its successor and assigns

Purpose: Sidewalk

Location: 2225 W. McDowell Road

File: FN 200587

Council District: 7

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 34

Life Technologies Contract for DNA Analysis - Requirements Contract - RFA 16-017 (Ordinance S-47089)

Request to authorize the City Manager, or his designee, to allow additional expenditures and to extend Contract 141791 with Life Technologies Corporation for no more than one year. Further request authorization for the City Controller to disburse all funds related to this item, in an amount not to exceed \$615,000.

Summary

The Police Department, Laboratory Services Bureau, Forensic DNA (FDNA) Section utilizes a variety of equipment, reagents, consumables and supplies, that have been extensively validated, and are only available through Life Technologies Corporation for the analysis of DNA, collected as evidence from crime scenes. Extending this contract with Life Technologies Corporation will ensure continuity of the current DNA validated methods, which are critical to the operation of the FDNA section to provide information to law enforcement, courts, and the justice system.

Contract Term

Upon approval, the revised contract term will be extended through Nov. 30, 2021.

Financial Impact

With the approval of the additional expenditures of \$615,000, the revised aggregate value will not exceed \$3,690,000. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

This contract was originally approved by Formal Council Action on Nov. 18, 2015.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 35

Ballot Sorting System Lease, Including Training, Maintenance, and Repair - Requirements Contract - RFP 21-001 (Ordinance S-47104)

Request to authorize the City Manager, or his designee, to enter into an agreement with Runbeck Election Services, Inc., to lease a ballot sorting system, including training, maintenance, and repair, in an amount not to exceed \$363,000. Further request authorization for the City Controller to disburse funds related to this item.

Summary

The City of Phoenix, City Clerk Department conducts Municipal Elections for the City. Most voters in City of Phoenix elections vote using a ballot they received in the mail. The City of Phoenix's March 2021 projected registered voter count is over 860,000, with almost 670,000 of these voters on the Permanent Early Voting List (PEVL). Voters on the PEVL are automatically sent an early ballot by mail for each election in which they are eligible to vote, unless the voter requests the ballot not be mailed. Currently, mail in ballots are sorted manually by City staff. Utilizing a Ballot Sorting System to process early ballots and other election materials would provide a more efficient, accurate and timely manner to process ballot materials than a manual process.

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

Procurement Information

Request for Proposal (RFP) 21-001 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Finance Department's Procurement Division on Aug. 28, 2020. The proposals were scored by a three-member evaluation panel based on the following evaluation criteria: Approach to Scope of Work (400 Points); Offeror Firm's Experience and Personnel Qualifications (300 Points); Project & Testing Schedule, Training, Technical Support & Maintenance (100 Points); References (100 Points); and Cost (100 Points), for a total of 1,000 Points. The offeror scores are as follows:

1. Runbeck Election Services, Inc.: 840 Points
2. Fluence Automation: 763 Points
3. BlueCrest Inc: 719 Points

The Deputy Finance Director recommends that the offer from Runbeck Election Services, Inc. be accepted as the highest-scored, responsive, and responsible offer that is most advantageous to the City.

Contract Term

The five-year contract term shall begin on our about Dec. 1, 2020.

Financial Impact

The aggregate value of the contract will not exceed \$363,000, with an estimated annual expenditure of \$72,600. Funds are available in the City Clerk Department's budget.

Location

City Clerk Department, 200 W. Washington St., 15th Floor, Phoenix, AZ 85003

Council District(s): Citywide

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.



City Council Formal Meeting

Report

Agenda Date: 11/18/2020, Item No. 36

Landscape, Sprinkler and Irrigation Supplies (Ordinance S-47109)

Request to authorize the City Manager, or his designee, to allow additional expenditures and to extend contract 144233 with Ewing Irrigation Products, Inc. for no more than six months. Further request authorization for the City Controller to disburse all funds related to this item, in an amount not to exceed \$210,000.

Summary

This contract provides an array of sprinkler and irrigation supplies used to repair and maintain various types of irrigation systems, located in landscape areas, owned or maintained by the City. The contract is primarily utilized by the Parks and Recreation Department but is available for citywide use. The contract extension will ensure that services are not interrupted while a new procurement process is completed.

Contract Term

The contract extension will begin Dec. 1, 2020 and end May 31, 2021.

Financial Impact

Upon approval of \$210,000 in additional funds, the revised aggregate value of the contract will not exceed \$1,737,195. Funds are available in various department's budgets.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Nov. 30, 2016; and on Nov. 20, 2019 for additional funding.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Finance Department.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 37

Authorization to Execute All Real Property Agreements and Grant Easements for State Route 85 Landfill Gas-to-Energy Production Facility (Ordinance S-47117)

Request to authorize the City Manager, or his designee, to execute all real property agreements and grant easements in support of the State Route 85 (SR 85) Landfill Gas-to-Energy Production Facility.

Summary

Ordinance S-43776 authorized a landfill gas-to-energy production facility agreement and land lease with Ameresco, Inc. As part of the land lease, Ameresco will require easements and real property agreements for access, underground distribution lines and other services necessary for operation of the facility. The real property needs will be designed to avoid conflicts with landfill operations and current uses. The term of the agreements and easements will run concurrently with the agreement and land lease.

Contract Term

The term of the lease, easements and related contracts will be 20 years, with five, two-year options to extend.

Concurrence/Previous Council Action

- The Transportation and Infrastructure Subcommittee recommended City Council approval of the contract with Ameresco on June 13, 2017, by a vote of 4-0.
- The City Council authorized a contract and land lease (Ordinance S-43776) on July 6, 2017.

Location

The SR 85 Landfill is located at 28361 W. Patterson Road, Buckeye, Ariz.

Council District: Outside of City

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 38

Authorization to Accept and Dedicate Land for Roadway Purposes Pursuant to City Contract 143841 (Ordinance S-47122)

Request to authorize the City Manager, or his designee, to accept and dedicate land to public use for roadway purposes pursuant to City Contract 143841.

Summary

The Pointe South Mountain Business Park Association (Association) owns and operates 48th Street as a private street between the Pointe Parkway West traffic circle and Baseline Road. The City entered into a development agreement, City Contract 143841, for the construction of public improvements including the build out of 48th Street as a public roadway. The Association agreed to work with the City to secure dedications for this portion of 48th Street from the existing owners and members of the Association.

The land to be accepted and dedicated is a portion of the impacted parcels listed in **Attachment A**.

Concurrence/Previous Council Action

The City Council approved Agreement 143841 (Ordinance S-42441) on Jan. 6, 2016.

Location

48th Street between the Pointe Parkway West traffic circle and Baseline Road.
Council District: 6

Responsible Department

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

Attachment A
Property Identification

City of Phoenix Street Improvement Project: 48th Street between the Pointe Parkway West traffic circle and Baseline Road

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

APN	Address / Location
301-11-955	8000 S. Arizona Grand Parkway
301-14-002	4926 E. Beverly Road
301-14-019B	4725 E. Baseline Road
301-14-019C	
301-14-020E	2785 E. Baseline Road
301-14-020G	
301-14-035	7822 S. 48th St.
301-14-040B	8222 S. 48th St.
301-14-043	8201 S. 48th St.
301-14-044	8181 S. 48th St.
301-14-047	8040 S. 48th St.
301-14-049	8211 S. 48th St.
301-14-930	7815 S. 48th St.
301-14-937A	7816 S. 48th St.
301-15-004G	4750 E. Francisco Drive
301-15-139	2625 W. Baseline Road
301-15-142A	4707 E. Baseline Road
301-15-145	4715 E. Baseline Road

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 39

Acceptance of an Easement for Vehicular Non-Access Purposes (Ordinance S-47088)

Request for the City Council to accept an easement for vehicular non-access 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: Marketing Solutions Group, Inc., its successor and assigns

Purpose: Vehicular Non-Access

Location: 4340 E. Cheery Lynn Road

File: FN 200593

Council District: 6

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 40

Hitachi Maintenance and Support (Ordinance S-47113)

Request to authorize the City Manager, or his designee, to authorize additional expenditures for nine months of annual maintenance and support for two of the City's Hitachi storage arrays with Relus Technologies, LLC (Relus), in an amount not to exceed \$28,356 for the Information Technology Services Department. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Relus provides the Information Technology Services Department with annual maintenance and support for two storage arrays that are no longer supported by Hitachi. The maintenance and support costs will provide support 24 hours a day, 7 days a week. Coverage also includes parts replacements, phone support, and on-site support. Maintenance and support are critical, as approximately 40 percent of all city data is stored in this environment. Service interruptions could cause system failures and significant loss of data.

Financial Impact

Additional funds in the amount of \$28,356 are needed for continuous coverage. With the \$28,356 in additional funds, aggregate costs will not exceed \$129,256.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the Information Technology Services Department.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 41

Master Telecom Infrastructure Agreement (Ordinance S-47074)

Request to authorize the City Manager, or his designee, to amend the term of Agreement 117110 and to authorize additional expenditures for annual continuation of license and maintenance for use of leased fiber with Salt River Project Agricultural Improvement and Power District (SRP) in an amount not to exceed \$1,633,720 for the Water Services Department. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 for public entities to authorize inclusion of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

SRP has an extensive, secure, and well-maintained network of dark fiber that is used by the Information Technology Services Department to provide telecommunications and data network connectivity between certain City facilities. Information Technology Services, in conjunction with the Water Services Department, oversee a Wide Area Network (WAN) that connects various Water Services facilities. The continued use of this contract allows the City to maintain the WAN in support of data services and critical City infrastructure.

Contract Term

The contract term will be extended through Nov. 17, 2028, with two ten-year renewal options.

Financial Impact

Additional spending authority in the amount of \$1,633,720 is needed to continue to utilize the Master Telecom Infrastructure Agreement. With the \$1,633,720 in additional spending authority, the contract's revised aggregate value is approximately \$6,000,000. Funds are available in the Water Services Department's budget.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the Information Technology Services Department.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 42

Authorization to Apply for Grant Funding for Network Storage and Payment Portal Project Costs (Ordinance S-47116)

Request authorization for the Phoenix Municipal Court to apply for grant funding in an amount not-to-exceed \$140,000 from the Arizona Supreme Court-administered Judicial Collection Enhancement Fund (JCEF) to purchase network storage and for payment of costs associated with transitioning to an in-house customer payment portal for the Phoenix Municipal Court. Further request to authorize the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Phoenix Municipal Court is seeking grant funding to cover vendor processing fees associated with migrating our customer online payments to an in-house solution and to purchase additional network storage. The Court's pandemic response necessitated the rapid deployment of new services and changes to court operations; increased network storage capacity is necessary to ensure the continued operations of critical business systems.

Financial Impact

Funds will be made available in the Phoenix Municipal Court local JCEF account, as follows: \$80,000 to be used for the purchase of network storage; and \$60,000 to be used to cover vendor processing fees accrued during the transition to an in-house customer online payment portal, for a total amount not-to-exceed \$140,000. The Phoenix Municipal Court must submit a funding plan and application to the Arizona Supreme Court Administrative Office of the Courts to secure approval for use of JCEF funds pursuant to Arizona Revised Statutes section 12-113. No General Fund dollars will be used.

Responsible Department

This item is submitted by Chief Presiding Judge B. Don Taylor and Deputy City Manager Karen Peters.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 43

Amendment to Intergovernmental Agreement with Arizona Department of Health Services for Immunization Services Provided by Fire Department (Ordinance S-47075)

Request authorization for the City Manager, or his designee, to enter into an amendment to Intergovernmental Agreement (IGA) 147956 with the Arizona Department of Health Services to accept funds to immunize children and adults residing in the City of Phoenix. Authorization also is requested for the City Treasurer to accept, and for the City Controller to disburse, all related funds.

Summary

The Arizona Department of Health Services (AZDHS) Arizona Immunization Program Office strives to meet national immunization goals outlined by the Centers for Disease Control and Prevention. AZDHS has revised the IGA to increase the following on an as-needed basis through June 30, 2021: capacity for data entry, reminder recall activities, and vaccine cold storage capacity at an allocation not to exceed \$10,000.00 and supplemental adult flu vaccination activities at an allocation not to exceed \$10,000.00.

Efforts to increase flu vaccinations within the county, especially for high-risk adults, are intended to lessen flu hospitalization rates during the COVID-19 pandemic.

Contract Term

The four years and six months contract term will end on June 30, 2022.

Concurrence/Previous Council Action

This contract was originally approved by City Council on June 6, 2018.

Financial Impact

The Fire Department will be reimbursed at various rates by AZDHS. The aggregate reimbursement over the life of the contract will depend on the number of immunization clinics hosted.

Responsible Department

This item is submitted by Deputy City Manager Jeff Barton and the Fire Department.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 44

Authorization to Amend Contract with Central Arizona Shelter Services for COVID-19 Emergency Shelter and Rapid Re-housing Services (Ordinance S-47118)

Request authorization for the City Manager, or his designee, to amend Contract 152439 with Central Arizona Shelter Services, Inc. (CASS) to add \$1,115,678. This additional funding will expand CASS's current operations under this contract by 25 additional beds for emergency shelter services, permanent supportive housing and rapid re-housing services. The contract aggregate amount will not exceed \$4,604,605 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item. Funding is one-time Emergency Solutions Grant (ESG) monies from the U.S. Department of Housing and Urban Development (HUD). There is no impact to the General Fund.

Summary

As a result of the COVID-19 pandemic, the Human Services Department contracted with CASS to provide emergency shelter, permanent supportive housing and rapid re-housing services for vulnerable/at-risk seniors served by CASS at an alternate shelter location. Shelter services include, but are not limited to, the provision of security, meals and case management. CASS will expand their current operations under this contract at Best Western by 25 additional beds for emergency shelter services, permanent supportive housing and rapid re-housing services.

As part of the services provided, CASS entered into a Facilities Use Agreement (FUA) to house vulnerable seniors at the Best Western InnSuites Hotel located at 1615 E. Northern Ave., Phoenix, AZ 85020. City Council authorized a payment guaranty for the FUA on June 17, 2020.

Procurement Information

The City of Phoenix has obtained, and/or will obtain, any and all necessary federal waivers to alleviate the need to comply with federal procurement guidelines.

Contract Term

The term of this contract began on or about May 6, 2020 and extends through June 30, 2021. This contract may be extended based on continuous need and available funding in the City Manager or designee.

Financial Impact

The aggregate value of this contract shall not exceed \$4,604,605. Funding is one-time ESG monies through HUD. There is no impact to the General Fund.

Concurrence/Previous Council Action

On May 6, 2020, City Council authorized staff to enter into a contract with CASS to provide emergency shelter, permanent housing and rapid re-housing services and authorized the City Controller to disburse funds with Ordinance S-46598.

On June 17, 2020, City Council approved the payment guaranty of the FUA with Ordinance S-46598.

On Sept. 2, 2020, City Council approved additional funding in the amount of \$12,927 for hotel lease payments.

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 45

Adoption of a New Street Name to Replace Robert E. Lee Street (Ordinance S-47115)

Request to formally adopt a new name for Robert E. Lee Street in accordance with the City Council's approval at the Sept. 16, 2020 Formal Council Meeting to rename the street. Recommend the adopted name be effective March 1, 2021.

Summary

At the Sept. 16, 2020 Formal Council Meeting, the City Council approved the renaming of Robert E. Lee Street (**Attachment A**), as well as a policy to reimburse residents for any costs associated with updating their addresses, and a process to allow property owners to take an advisory vote on their preferred new names from those suggested during the public input process. This report outlines the results of the advisory vote on alternate street names.

Resident Alternate Name Preference Process

During the public input process, residents of the street and the community at large suggested alternate names for the street. Of the names suggested during the public input process, 44 met the requirements of the Maricopa Association of Governments Address and Street Assignment Policy Manual. These 44 names were included in a preference voting sheet (**Attachment B**) sent by certified mail to all 122 property owners on the street. That mailing included a postage paid, pre-addressed return envelope for those wanting to complete the paper survey and a letter with instructions for property owners that wanted to complete the survey online. Controls were put in place to ensure each property was allowed only one response. A reminder mailing was sent via first-class mail ten days later to any property owner that had yet to respond. In total, 60 property owners completed the survey, resulting in a response rate of 49 percent.

Property owners were allowed to rank their preferences for up to five names. Respondents were required to rank their chosen names in their order of preference; a single choice was automatically scored as a top choice. Each choice was assigned a numerical score based on how highly it was ranked; the top choice was assigned a value of five. Subsequent choices rated correspondingly lower values down to a value of one for a property owner's fifth choice. City staff totaled each name's numerical

ranking values to provide a clear way to identify the property owners' top preferences.

Listed below are the top name preferences in order based on numerical ranking totals:

Desert Cactus Street: 225 (Of the 52 owners who ranked this name, 34 had it as their first choice.)

North Hills Street: 125 (Of the 34 owners who ranked this name, seven had it as their first choice.)

Edge Hill Street: 75 (Of the 28 owners who ranked this name, zero had it as their first choice.)

Black Mesa: 72 (Of the 25 owners who ranked this name, two had it as their first choice.)

Six names received numerical ranking totals between 50 and 21:

Neutral Way: 49 (Of the 17 owners who ranked this name, one had it as their first choice.)

Harriet Street: 34 (Of the 11 owners who ranked this name, two had it as their first choice.)

Buffalo Soldier Way: 28 (Of the eight owners who ranked this name, four had it as their first choice.)

Revolutionary: 27 (Of the eight owners who ranked this name, one had it as their first choice.)

John McCain: 25 (Of the ten owners who ranked this name, two had it as their first choice.)

Southwest Sun: 22 (Of the eight owners who ranked this name, two had it as their first choice.)

The remaining names all received cumulative ranking scores of 20 or below and were chosen by nine or fewer property owners. Of these, two names received between five and nine total votes: James T Kirk and Rose Mofford. Eleven names received between two and five votes: Annie Dodge Wauneka, Calle de la Paz, Obama Drive, Surrender, Candelabra, John Lewis Way, Pico del Valle, Carpetbagger, Lincoln Ragsdale, Varlet, Vista al Valle. Nine names received a single vote: Aves de Arizona, Bell's Vireo, Bonita Calypto, Calle de Esperanza, Calle de la Fortuna, Calle de Muchos, Casas Pacificas, Jordin Sparks Ave., Schadenfreude. The remaining names received no votes: Blatteroon, Calle de Belleza, Camino de Montana, Casas de Bien, Casas de Bienestar, Charles Keating IV, Fatuous, Kaitlyn Dever Boulevard, Laurens Road, Pertinacious, Quisquous, and Schuyler Street.

Previous Public Input

Two community meetings were held to gather public input on the proposed renaming

of Robert E. Lee Street. As part of the July 1, 2020 Council action to initiate the renaming process, the Council authorized a temporary revision to allow community meetings to be conducted virtually due to the COVID-19 pandemic. In the virtual forums, residents were able to participate online or use their phones, including traditional landline telephones, which is similar to public participation at Council meetings during the pandemic. Residents and property owners of Robert E. Lee Street were notified of the opportunity to participate in the meetings through certified mailings and signs placed at two locations along the street. The live community web forums were held on July 28 and Aug. 3, 2020. The community was also notified of the opportunity to provide input including telephone, Webpage comment form, and postal mail.

In all, 121 people participated in the community forums. Others submitted comments via e-mail, web form or other means (**Attachment C**).

City Staff Updating Responsibilities and Resident Reimbursement

As was outlined in the City Council Report for the Sept. 16, 2020 Formal Council Meeting, City staff will take several steps to notify government and other agencies of the official name change. Staff also has prepared extensive background material for residents to assist them updating personal and government accounts, and Phoenix Public Library staff will continue to be available to directly assist impacted residents. Staff also will send to all property owners and residents via certified mail a third set of documents that includes a formal letter of approval, a copy of the recorded ordinance, and a completed address change notification. Residents can keep these documents in their records should they need to document or show proof of the street name change for any reason in the future.

Staff is implementing the cost reimbursement policy approved by the Council on Sept. 16, 2020. Residents, property and business owners will be able to request reimbursement by mail or online using scanned documentation. The reimbursement form will be included in the final mailing sent after adoption of a new name.

Timing of Change

If the City Council approves a new name at the Nov. 18, 2020 Formal Council Meeting, staff recommends that the effective date of a new street name be no earlier than March 1, 2021. This will ensure any change is after the holiday season and will allow sufficient time for residents to process changes.

Concurrence/Previous Council Action

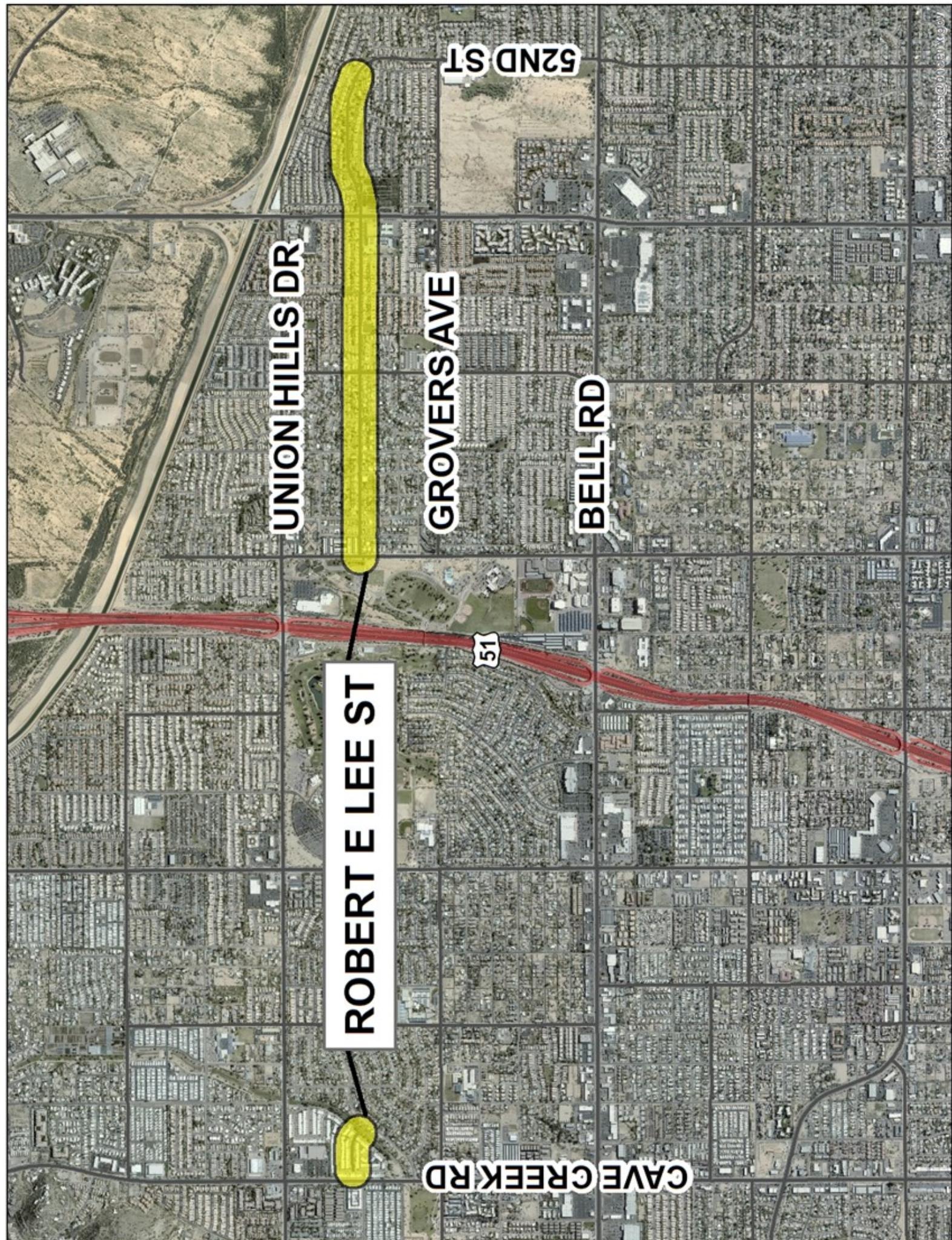
The City Council approved the renaming of Robert E. Lee Street (Ordinance S-46949) on Sept. 16, 2020.

Location

Robert E. Lee Street
Council District: 2

Responsible Departments

This item is submitted by Deputy City Managers Mario Paniagua and Jeff Barton, the Planning and Development, Street Transportation, Finance, Budget and Research and Library departments.





City of Phoenix Robert E. Lee St. Alternate Name Preference Survey

Please rank up to five name choices in order of preference from the list of names below. All rankings submitted by Robert E. Lee property owners will be combined to provide the total score to the City Council for their consideration of a new street name. The name and address information requested at the bottom of the page must be completed for verification purposes.

PLEASE WRITE LEGIBLY BELOW:

Top Choice: _____ (5 points)

2nd Choice: _____ (4 points)

3rd Choice: _____ (3 points)

4th Choice: _____ (2 points)

Last Choice: _____ (1 point)

ELIGIBLE NAMES SUBMITTED BY RESIDENTS OF ROBERT E. LEE ST.

Black Mesa St.	Edge Hill St.	North Hills St.
Desert Cactus St.	Neutral Way	

ELIGIBLE NAMES SUBMITTED BY COMMUNITY

Annie Dodge Wauneka St.	Calle de Muchos	James T Kirk Blvd.	Quisquous St.
Aves de Arizona St.	Camino de Montaña	John Lewis Way	Revolutionary St.
Bell's Vireo St.	Candelabra St.	John McCain St.	Rose Mofford St.
Blatteroon St.	Carpetbagger St.	Jordin Sparks Ave.	Schadenfreude St.
Bonita Calypte St.	Casas de Bien St.	Kaitlyn Dever Blvd.	Schuylar St.
Buffalo Soldier Way	Casas de Bienestar St.	Laurens Road St.	Southwest Sun Ave.
Calle de Belleza	Casas Pacificas St.	Lincoln Ragsdale St.	Surrender St.
Calle de Esperanza	Charles Keating IV St.	Obama Dr.	Varlet St.
Calle de la Fortuna	Fatuous St.	Pertinacious St.	Vista Al Valle St.
Calle de la Paz	Harriet St.	Pico del Valle St.	

The below information must be completed for verification purposes:

Full name: _____ Signature: _____

Property Address: _____

Phone #: _____

Mailing Address (If you own the Robert E. Lee Street property, but do not live there.)

Street Address: _____

City, State, Zip Code: _____

Attachment C

Robert E. Lee Street Submitted Comments - E-mail, Phone, Written, Web Comment Form

(Comments from residents of street or adjacent streets shaded in yellow at top and shaded in yellow)

Request for meeting registration details. No comments given
Does not like Freedom or Justice Street, which she thinks are more appropriate for mid-Atlantic or Northeast. Prefers a desert-themed name such as Desert Vista, Desert Cactus. Resident joined July 28 community web forum to reiterate request for desert-themed name.
This commenter repeated these suggestions in the July 28 community web forum: Since I do not like the names suggested, I figured I should try to think of something else. Here is what I've thought of so far, having no idea if they are usable. I did search the Maricopa County Assessor website to see if they were already used (I searched without the East figuring it would give me wider results).
Request for meeting registration details. Resident joined July 28 community web forum to oppose renaming because he feared the cost of updating his address would be too high.
Spoke at the July 28 community web forum to express concern about covering the up-front costs of updating address.
Called to request hard copies of all documents be mailed to his home. Also requested the history of Phoenix City Code Section 18-1 on which this section of the renaming policy is based. Explained that he's a 40-year resident of the street. He objects to the current policy as it takes away residents right to name their own street. He supports leaving the name as is as it honors a man that fought to secure the country's independence. He also said a process should begin to rename Washington and Jefferson streets and asked how he could begin that process. Staff explained they would send a copy of the renaming policy that lists all of the ways the renaming process can begin for a street.
Asked for web meeting registration details. Also asked that any effective date of a new name be AFTER the November elections to to avoid any issues with voter registration. Does not oppose renaming but does not like currents suggestions.
Request for meeting registration details. No comments given
Spoke at July 28 community web forum. Said renaming the street was a waste of tax dollars.
Whether you like who Robert E. Lee is or was or find his name offensive or not, he is a part of our nation's history. Revising history or choosing to ignore it or changing the name of our street will not change previous wrongs but ignoring it or trying to erase it will only ensure that we do not learn from it and surely badness will follow(Just watch the nightly news.) Just ask anyone who survived a tyrant who did it: Hitler, Stalin, etc. Those who ignore history are condemned to repeat it. Not a good idea.
I am concerned that having to do all the address changes while also dealing with the pandemic is troublesome to me and no doubt many others. The city is also creating an added expense of time and dollars related to contacting dozens of businesses (such as social security and banks to name only a few key ones) as well as friends and family. (In a follow-up phone call, she explained that she was concerned about the efforts required to update her address. She doesn't understand why it has to occur now. She also questioned if Washington, Jefferson and Adams streets would be changed and if not, why. Reiterated her opposition to renaming in spoken comments at July 28 community web forum.
E-mailed the following statement: My suggestion is John Lewis Way. You are going to get a lot of racists fighting any change. They bought their house on this street and wasn't phased by it. Good luck.
As a resident on Robert E Lee I am disappointed that a city would cater to the whims of a small majority of political groups. As a senior citizen, in all the year's I've lived on Robert E Lee, a good 60% of people in the 20-35 age group never even heard of him. How much is this change going to cost the taxpayers of Phoenix? How many hundreds of cross streets will have to have the signage changed. How many miles is Robert E Lee across the Valley? Not to mention maps, mortgage deeds, and again as a senior all the paperwork I will have to change; drivers license, passports, medical information, insurance policies, etc., etc.
I DO NOT WANT MY STREET NAME CHANGED TO " FREEDOM" OR " JUSTICE". THAT'S A POLITICAL/MOVEMENT STATEMENT. TO ME IT'S OFFENSIVE AND DEROGATORY.
WE LIVE IN THE DESERT. Come up with a name that has no political connotation and no reference to a movement. Possibly, Foxtail, Desert Sage, Aloe Lane, Adobe Lane/Avenue, Azalea, Black Mesa, Broken Arrow . . . For goodness sake, get creative and stay away from political interest groups.
Thank you, Melissa Wilson
We would like to recommend names for consideration of our residential address for almost thirty (30) years. Our feeling is that the renaming should not be a direct result of political pandering. The new street name should hold content of an appropriate southwestern reflective of our deep heritage not in response to politically charged issues at the moment.
Requested web meeting registration links. Also expressed concern that her elderly mother would have difficulty participating in the process. Left voicemail asking for meeting registration info. for her mother. Did respond back by phone that her mother supports changing the name of the street.

Robert E. Lee Street Submitted Comments - E-mail, Phone, Written, Web Comment Form

(Comments from residents of street or adjacent streets shaded in yellow at top and shaded in yellow)

I support the renaming, however, the proposed names, freedom or justice st, are uninspired.

Can we investigate alternatives?

Desert themed? Plants/wildlife

Native people themed?

Wild West themed

Even naming it after John Lewis would be better (however it feels like a knee jerk reaction during a moment in time)

Thank you

Hello all.

As a family, we are requesting to re-name Robert E Lee Street to "Buffalo Soldier Way".

The Buffalo Soldiers were a collection of African American US Army Cavalry Regiments formed in 1866 after the Civil War and based in Southern Arizona out of Ft Huachuca. The Buffalo Soldier name then carried on until the Korean War when the Army was fully integrated.

Why are we suggesting this name?

1.) Family tie-in: My Wife's grandfather was a Buffalo Soldier during the two World Wars.

2.) Military tie-in: Along with many Phoenix families, we have both active duty and veterans in the family. This includes a recent Arizona National Guard veteran that is a Buffalo Soldier descendant.

3.) Arizona tie-in: The Civil War barely touched the Arizona territory whereas the Buffalo Soldiers, as mentioned, operated here.

4.) Horse tie-in: The entrance to my neighborhood (Triple Crown) has a statue of three horses. This is a reference to the three horse races that make up the Triple Crown Championship. Since the Buffalo Soldiers of the Civil War era were horse mounted cavalry, it provides something of a connection to a horse marquee theme.

We wish this to be a positive, forward looking, non-judgmental, uplifting process supported by the neighbors along the street and residents of Phoenix. We appreciate the burden this change places on those directly impacted (We live next to but not on the actual street), but ask they consider the long-term goodwill that can come from this change.

This re-naming makes no change to, nor does it erase the history of the Civil War. It is simply a street name and what we choose to commemorate with that name. In 1960 the choice was made to commemorate the Commanding General of the Southern Confederate Army. In 2020, my family and I ask that we choose to commemorate The United States Army Buffalo Soldiers, a celebrated group of Arizona Veterans.

Thank You for your consideration of this proposal.

Hello, I live in the Triple Crown subdivision. This is at the intersection of Tatum & East Robert E Lee Street. I absolutely feel the street should be renamed.

I am sure you are aware that Robert E Lee was a general in the Confederate Army, which fought to keep Black Americans suppressed through segregation and racial injustice.

The name of this street is a vestige of America's racist past. We cannot allow honors given to war criminals to remain when the people who bestowed those honors don't represent our values today. It is the acceptance of all races & ethnicities that truly make not only Phoenix great but the entire USA.

I ask that you please consider my proposal to rename East Robert E Lee Street.

Requested meeting registration details. Clarified that he actually lives in Phoenix adjacent to RE Lee but has a Scottsdale postal address; parcel backyard faces RE Lee Street. Spoke at July 28 community web forum. Advocated for changing the name of the street to Buffalo Soldiers Way.

I am writing to you about the proposed renaming of Robert E Lee. I am a resident in the area and am concerned about the initial proposed names by the City Council. The proposed street names (Justice or Freedom) don't reflect the other names in the area. While I am not opposed to renaming the street I don't feel that these street names fit (arguably the Robert E Lee name didn't fit either so again I think it makes sense for many reasons to rename). While I don't have any suggestions for your reference some of the other names are Villa Maria, Michigan, Annette, Villa Theresa, Villa Rita, Michelle, Charleston. I urge you to consider alternatives that are more fitting to the neighborhood.

Request for community forum registration information. Resident lives two streets away but drives on R.E. Lee daily.

As a member of the League of United Latin American Citizens (LULAC) District 1 (Maricopa County, Arizona), I strongly recommend that the Robert E. Lee Street be renamed to:

FREEDOM STREET - Maria Alvarado

Robert E. Lee Street Submitted Comments - E-mail, Phone, Written, Web Comment Form
(Comments from residents of street or adjacent streets shaded in yellow at top and shaded in yellow)

Request for meeting registration details. Staff e-mailed registration links on July 23

I agree with changing the street name Robert E Lee to a more appropriate name. I think museum's and libraries are appropriate place's to highlight these people from our history. I don't think we should idolize them in our everyday lives.

Thank you

E-mailed the following statement: I live off Robert E Lee street and would like to see the street name changed. We should not be honoring a traitor who fought against our union to uphold slavery. I think John Lewis or any other civil rights activist would be more appropriate to name a street after.

Requested changing it to Liberty Street

E-mailed the following statement: I am happy the city is taking action to initiate this process; it is a small but very visible step in the task of recognizing our country's history and pattern of deeply rooted systemic racism. Please feel free to use these written comments at the community meeting.

Seriously, I cannot believe you are doing this or even considering it. Leave it alone and put the resources for this toward something better like getting the homeless out of my neighborhood.

Request for meeting registration information

E-mailed the following statement: Your knee-jerk reaction to this "Cause Of The Moment" to erase our American history is all but an insult to most of us, most of us that remain silent due to the backlash from hate groups that cannot accept a difference in opinion to theirs. I have lived in Phoenix in excess of 20 years now. Leaving the mid-Atlantic region I had called home most of my life I had the privilege of exploring the battlefields of Gettysburg, Antietam and Manassas and visiting the Washington DC monuments and museums countless times as a child on school trips or family visits to these sites to enjoy our history, never once being offended or damaged by our history.

On July 9th a letter posted by Alan Stephenson and Kini Knudson with the statement "street names deemed derogatory or offensive" in this letter was used in describing Robert E. Lee next to our home. Additionally Mayor Kate Gallego and Councilwoman Thelda Williams compiled their wherewithal to satisfy the group(s), either external or internal to our citylimits, need for destruction of our history. Though this is street name is small in appearance the Political Correctness must be shoved into our face not caring who it insults or offends, your goal is just to get by this "Cause Of The Moment" and get reelected sometime later after this blows over. I want a moratorium on all street and highway renaming's in our state but I understand you are not my resource for this request.

Ever since our past governor, Janet Napolitano, rushed to rename a small mountain in north central Phoenix, have I been so disgusted with our elected officials. Leave street renaming to local residents, not politicians. You are just reacting to a fabricated cause that will fold away before years end.

Supports renaming the street to honor our veterans - Maria Lopez (LULAC)

E-mailed the following statement: The impact of changing the street name does not outweigh the cost, time and effort being spent on this issue. Robert E. Lee - he's part of history. We can't change history. I doubt that few people know the character of the man or the history or would think about the history when they pass by or drive down that street. If the street name changes, where does it end? What next?

Efforts should be focused on what can be done to build or enhance relationships, public outreach/education and communication to change the heart and minds around this issue. There are more important issues that we are facing today - pandemic, unemployment, economy, education, etc. The sooner we look forward, the better.

We oppose changing the street name of Robert E. Lee. And we oppose and are offended that a few want to suppress American history.

I am in agreement with changing the name of Robert E Lee Street. If a street name is a reminder to Black Americans of revisionist history and a century and a half of systemic racism and oppression, changing the street name is a small step towards recognizing the struggles of Black Americans and understanding their perspective.

I have heard the logical fallacy that this will lead to "erasing history and burning all the history books." Removing a street name, or even a statue, does not erase history. Street names and statues are simply selective reminders of history; as a country struggling to move towards a post-racist society, it is important that we be reminded of that which is unifying rather than that which is divisive.

Thank you for taking my comments-

: I asked to speak several times at the Robert E Lee renaming meeting this evening and signed up to speak in the chat box, yet was never asked to. I'm extremely disappointed. I FAVOR the name change and would have appreciated my voice be heard. I'm not sure why they didn't continue the conversation, but I am frustrated that I wasn't given the opportunity to express my opinion. CHANGE THE NAME! Due justice to our Country and ALL citizens. It's time to change NOW.

Robert E. Lee Street Submitted Comments - E-mail, Phone, Written, Web Comment Form

(Comments from residents of street or adjacent streets shaded in yellow at top and shaded in yellow)

Where will this statue smashing and street renaming era end? The loud voices of a tiny subculture of victimized groups blames their current plight on the past. To quote Victor Davis Hanson, a Senior Fellow at the Hoover Institute: "The pretense is that the Civil War can only be regarded as tragic in terms of the present oppression of the descendants of Southern slaves — 154 years after the extinction of the Confederate states." Is this a broadbased cultural shift, or a simple blip in time due to a small group of frenzied activists who have received an unfortunate education that America is bad and needs to be taught a lesson. America is not perfect, but it is good. That's the point. People don't flee America because of oppression and hunger ! People flee their countries to come here. They don't care about the civil war. They care about their FREEDOM. Is the fact that a Northern General named Robert E Lee moving to the confederacy the worst of the worst? It is well known that as a Northern General he could not seek to plunder his home state of Virginia which was part of the South. Where does this stop? Jackson Street in South Phx named after President Jackson honors a man who signed the INDIAN REMOVAL ACT, dispossessing Indians who then incurred disease and death. He also opposed the abolitionist movement. Broadway road, now ceremonially named MLK Blvd honors a man that assaulted women and also let that happen in his presence, was a philanderer and plagiarized his PhD thesis. Getting back to being perfect to be good. None of the above were perfect, but their life stood for many good things. WHERE DOES THIS STOP?? The good and the bad are part of the American Story. Government leaders such as yourself should be driven by the long game, ie what will this mean for decades to come. This effort at statue removal and monument or street renaming is playing the short game. Why not vote on it????

Confederate monuments and symbols emerged in an effort to intimidate black Americans and uphold a revisionist — and racist — version of history. It is time for this to change. A quote from Annette Gordon Reed, a history scholar at Harvard states it best: "The United States was far from perfect, but the values of the Confederacy, open and unrepentant white supremacy and total disregard for the humanity of black people, to the extent they still exist, have produced tragedy and discord. There is no path to a peaceful and prosperous country without challenging and rejecting that as a basis for our society."

My family live on Michelle Drive, just south of Robert E Lee. I would like to submit the suggestion of ROBERTA as a replacement name. Most of the names in the neighborhood are female names (Angela, Libby, Muriel, Rita, Maria) so it would fit in. It would also be an easy mark of a pen to make the change from Robert E Lee for residents, softening the blow of such a change, totally apolitical, which is a good idea. It is benign enough not to cause upset.

The street was renamed to Robert E Lee in 1961 as part of the racist backlash against the Civil Rights Movement. Its embarrassing that the name is still here and it must be renamed. Buffalo Soldier is a good name. I'm offended by the street names. I vote YES on renaming the street. Do we commemorate traitors and racists, or do we commemorate Buffalo Soldiers?

E-mail suggesting Charles Keating IV as alternate name

One can be named after the Peak. The other, how about Lincoln Ragsdale - after my old neighbor who was a Tuskegee Airman!

Thank you for the opportunity to speak in favor of the proposed name change for Robert E. Lee Street. The proposal to change the street name is not about hiding, revising or "canceling" history. It is about truth and accurately portraying history. I am sure you are familiar with the saying "history is written by the winners." Well, in the case of the American Civil War, it appears that the narrative regarding the South in the Civil War was written by the losers. The narrative talks about the romantic notion of fighting for a lost cause; of preserving states' rights and freedom from the tyranny of the federal government. All led by a group of brave and brilliant generals. Let's be clear. The Civil War was about rebellion, treason and preserving the moral outrage of slavery. And Americans are still paying the price for that legacy. Naming streets after leaders of rebellions is not appropriate. If it is, how about renaming the street Benedict Arnold Street? After all, he was the "hero of Saratoga"? There are more appropriate ways to remember this history than through monuments and street namings. Let us not forget that until the recent Supreme Court decision gutting the Voting Rights Act of 1965, Arizona was subject to pre-clearing of its elections procedure, because of a history of discrimination against black people.

Quote from March 24, 2019 National Review Article titled WAGING WAR AGAINST THE DEAD - Victor Davis Hansen

"The 21st century is in danger of becoming an era of statue smashing and historical erasure. Not since the iconoclasts of the Byzantine Empire or the epidemic of statue destruction during the French Revolution has the world seen anything like the current war on the past. In 2001, the primeval Taliban blew up two ancient Buddha statues in Afghanistan on grounds that their very existence was sacrilegious to Islam. In 2015, ISIS militants entered a museum in Mosul, Iraq, and destroyed ancient, preislamic statues and idols. Their mute crime? These artifacts predated the prophet Mohammed. The west prides itself on the idea that liberal societies would never descend into such nihilism. Think again. In the last two years there has been a rash of statue toppling throughout the American South, aimed at wiping out memorialization of Confederate heroes. The pretense is that the Civil War can only be regarded as tragic in terms of the present oppression of the descendants of Southern Slaves-154 years after the extinction of the Confederate States. The subtext of most current name changing and icon toppling is that particular victimized groups blame their current plight on the past. They assume that by destroying long-dead supposed enemies, they will be liberated-or at least feel better in the present."

Maybe the issue with this obscure street renaming should be the inflection point at which you don't just bow to a few loud voices who are offended by many things, maybe anything. As the saying goes, those who don't learn from the past are bound to repeat it. Our history teaches lessons about good and bad. The fact that history is taught only along lines that are "feel good" raises a generation of lopsided citizenry who are not equipped to go through life circumspectly. I am sure that the City of Phoenix has better things to do with our tax money than entertain the whims of the offended in a sliver of time where our society is going through a short term social spasm rather than a prolific and long term social change.

Robert E. Lee Street Submitted Comments - E-mail, Phone, Written, Web Comment Form
(Comments from residents of street or adjacent streets shaded in yellow at top and shaded in yellow)

I oppose the renaming and the current process of the renaming of the street, it is unconstitutional process at this time with covid19 happening. Open forum should be allowed so everyone can Express their concerns in person.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 46

Adoption of a New Street Name to Replace S** Peak Drive (Ordinance S-47125)**

Request to formally adopt a new name for S**** Peak Drive in accordance with the City Council's approval at the Sept. 16, 2020 Formal Council Meeting to rename the street. Recommend the adopted name be effective March 1, 2021.

Summary

At the Sept. 16, 2020 Formal Council Meeting, the City Council approved the renaming of S**** Peak Drive (**Attachment A**), as well as a policy to reimburse residents for any costs associated with updating their addresses, and a process to allow property owners to take an advisory vote on their preferred new names from those suggested during the public input process. This report outlines the results of the advisory vote on alternate street names.

Resident Alternate Name Preference Process

During the public input process, residents of the street and the community at large suggested alternate names for the street. Of the names suggested during the public input process, seven met the requirements of the Maricopa Association of Governments Address and Street Assignment Policy Manual. These seven proposed names were included in a preference voting sheet (**Attachment B**) sent by certified mail to all 20 property owners on the street. That mailing included a postage paid, pre-addressed return envelope for those wanting to complete the paper survey and a letter with instructions for property owners that wanted to complete the survey online. Controls were put in place to ensure each property was allowed only one response. A reminder mailing was sent via first-class mail ten days later to any property owner that had yet to respond. In total, 13 property owners completed the survey, a response rate of 65 percent.

Property owners were allowed to rank their preferences for up to five names. Respondents were required to rank their chosen names in their order of preference; a single choice was automatically scored as a top choice. Each choice was assigned a numerical score based on how highly it was ranked; the top choice was assigned a value of five. Subsequent choices rated correspondingly lower values down to a value of one for a property owner's fifth choice. City staff totaled each name's numerical ranking values to provide a clear way to identify the property owners' top preferences.

Listed below are the top five name preferences in order based on numerical ranking totals:

Mountain Trail Drive: 45 (Of the 11 owners who ranked this name, six had it as their first choice)

Coyote Crossing: 38 (Of the 10 owners who ranked this name, two had it as their first choice)

Desert Sunset: 33 (Of the eight owners who ranked this name, two had it as their first choice)

Piestewa Peak Drive: 25 (Of the seven owners who ranked this name, three had it as their first choice)

Humble Way: 14 (Of the six owners who ranked this name, zero had it as their first choice)

One name, Charles Keating IV received one vote. The seventh name, Michael Williams, received no votes.

Previous Public Input

Three community meetings were held to gather public input on the proposed renaming of S**** Peak Drive. As part of the July 1, 2020 Council action to initiate the renaming process, the Council authorized a temporary revision to allow community meetings to be conducted virtually due to the COVID-19 pandemic. In the virtual forums, residents were able to participate online or use their phones, including traditional landline telephones, which is similar to public participation at Council meetings during the pandemic. Residents and property owners of S**** Peak Drive were notified of the opportunity to participate in the meetings through certified mailings and signs placed at two locations along the street. A third community web forum was scheduled to provide members of the Native American community and the public an opportunity to comment on the renaming proposal. The live community web forums were held on July 30, Aug. 5 and Aug. 11, 2020. The community was also notified of the opportunity to provide input including telephone, Webpage comment form, and postal mail.

In all, 117 people participated in the community forums. Others submitted comments via e-mail, letter or other means (**Attachment C**).

City Staff Updating Responsibilities and Resident Reimbursement

As was outlined in the City Council Report for the Sept. 16, 2020 Formal Council Meeting, City staff will take several steps to notify government and other agencies of the official name change. Staff also has prepared extensive background material for residents to assist them updating personal and government accounts, and Phoenix

Public Library staff will continue to be available to directly assist impacted residents. Staff also will send to all property owners and residents via certified mail a third set of documents that includes a formal letter of approval, a copy of the recorded ordinance, and a completed address change notification. Residents can keep these documents in their records should they need to document or show proof of the street name change for any reason in the future.

Staff is implementing the cost reimbursement policy approved by the Council on Sept. 16, 2020. Residents, property and business owners will be able to request reimbursement by mail or online using scanned documentation. The reimbursement form will be included in the final mailing sent after adoption of a new name.

Timing of Change

If the City Council approves a new name at the Nov. 18, 2020 Formal Council Meeting, staff recommends that the effective date of a new street name be no earlier than March 1, 2021. This will ensure any change is after the holiday season and will allow sufficient time for residents to process changes.

Concurrence/Previous Council Action

The City Council approved the renaming of S**** Peak Drive (Ordinance S-46950) on Sept. 16, 2020.

Location

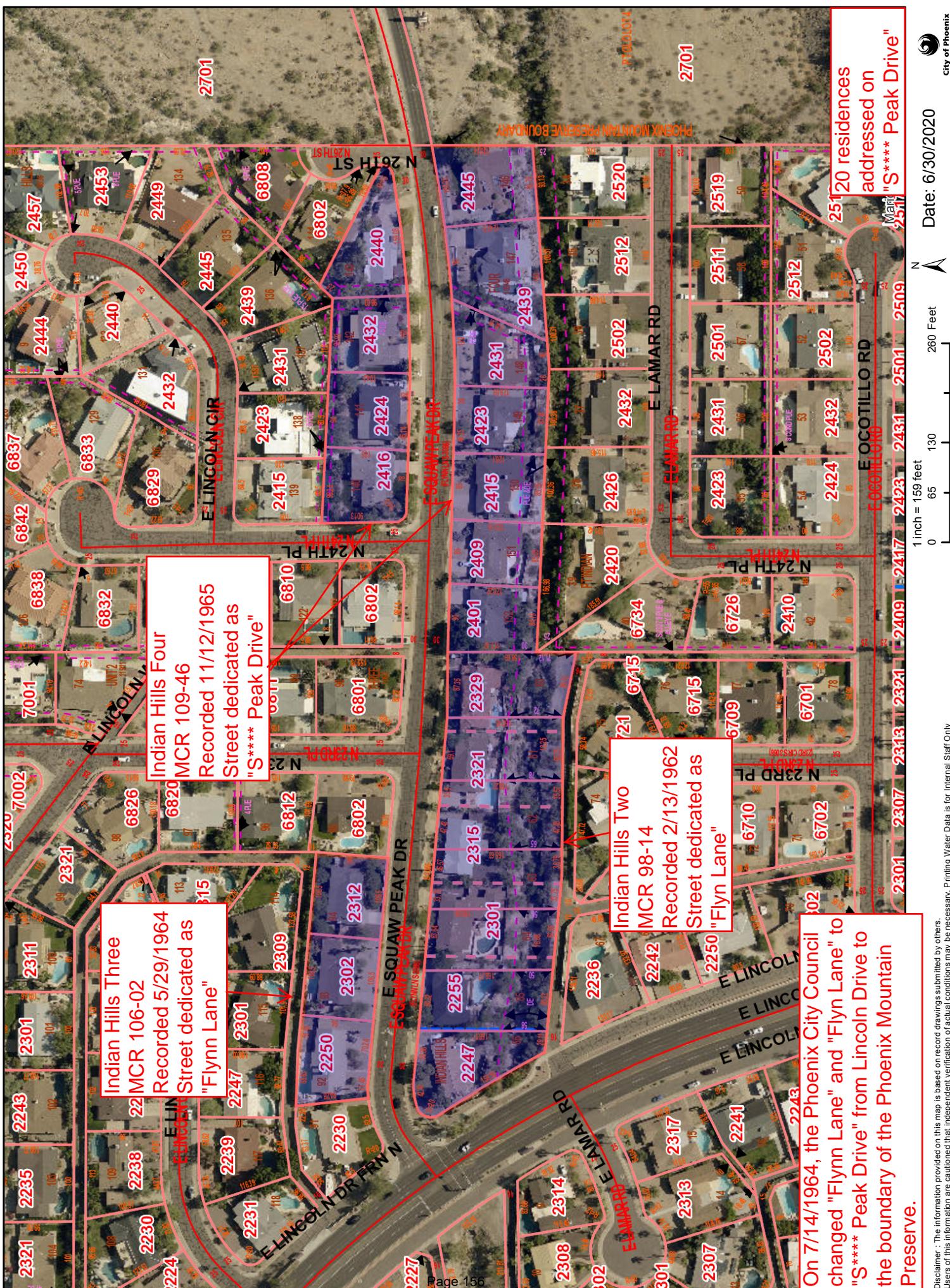
S**** Peak Drive

Council District: 6

Responsible Departments

This item is submitted by Deputy City Managers Mario Paniagua and Jeff Barton, the Planning and Development, Street Transportation, Finance, Budget and Research, and Library departments.

Attachment A Planning and Development



Disclaimer : The information provided on this map is based on record drawings submitted by others. Users of this information are cautioned that independent verification of actual conditions may be necessary. Printing Water Data is for Internal Staff Only



City of Phoenix S**** Peak Drive Alternate Name Preference Survey

Please rank up to five name choices in order of preference from the list of names below. All rankings submitted by S**** Peak Drive property owners will be combined to provide the total score to the City Council for their consideration of a new street name. The name and address information requested at the bottom of the page must be completed for verification purposes.

Top Choice: _____ (5 points)

2nd Choice: _____ (4 points)

3rd Choice: _____ (3 points)

4th Choice: _____ (2 points)

Last Choice: _____ (1 point)

ELIGIBLE NAMES SUBMITTED BY RESIDENTS OF S**** PEAK DRIVE

Desert Sunset

ELIGIBLE NAMES SUBMITTED BY COMMUNITY

Charles Keating IV	Michael Williams
Coyote Crossing	Mountain Trail Drive
Humble Way	Piestewa Peak Drive

The below information must be completed for verification purposes:

Full name: _____ Signature: _____

Property Address: _____

Phone #: _____

Mailing Address (If you own the S**** Peak Drive Street property, but do not live there.)

Street Address: _____

City, State, Zip Code: _____

Attachment C

***** Peak Drive Submitted Comments - E-mail, Phone, Written, Web Comment Form

(Comments from residents of street or adjacent streets shaded in yellow at top and shaded in yellow)

Supports Peak Drive as new name. Expressed concern over updating addresses and potential cost
I am not in favor of renaming Squaw Peak Drive. Though I respect the Native American community, even the Native American community is not in agreement regarding whether or not "squaw" is a derogatory term (see 3/23/2017 article
Called to request web meeting registration details. Staff sent those on July 23
Greetings, I would like to share two points regarding the proposed renaming of streets: 1.) Based on discussion with City Council representatives, I have confirmed this is a response to racial justice demonstrations in Phoenix. Changing a street name does nothing to address this problem. I urge you to not confuse doing something for doing the right thing. As leaders of the community it is incumbent upon you to identify causes of racism and address them. This isn't easy an easy problem to solve so don't be enticed to take easy actions. 2.) The process for renaming is unfair to the residents. The vote taken at the July 1 City Council meeting was done without reaching out to us residents. The scheduled meetings for public comment are open to all which can drown out the residents' opinions. Yet, you have called a special meeting giving the supposed offended group a special opportunity to be heard.
I live on Squaw Peak Dr. 2 items: 1. I am NOT in support of changing the name. We have asked the City Council directly for their plan to improve racial inequality in our city, and the response was we are renaming a street. They admitted this is not part of any comprehensive solution. Their time, effort and resources should be spent on solving the real issue. This is a symbolic gesture that solves nothing. I want the City Council to know The City of Phoenix deserves better, and I am holding them accountable for real solutions. 2. Should the renaming move forward, Given these tense times, A generic name that is NOT linked to any ethnicity, Or particular Tribe, would be the prudent choice. Peak Drive, Sunset Drive or Iron Mountain Drive would All preserve at least a shred of our valuable history. Under NO circumstances am I in favor of anything with the name Piestewa in it.
Thank you for your consideration.
If the mayor and city council vote to force the renaming of Squaw Peak Drive, I would propose the following names for the reasons noted below (in addition to the fact they do not appear on the list of current PHOENIX street names found online and are easy to pronounce, write, and spell): Questioned whether the word actually is offensive. She requested a desert-themed name if the name is to be changed.
Request for links to web resources and meeting details
Supports renaming Squaw Peak Drive
Request for meeting registration details. No comments given
Where is the proof that the word "Squaw" was ever a derogatory term until a particular newspaper publisher decided to gain attention/sales and then started a campaign which led to all other team mascots being "derogatory!" I will not buy into erasing my Native American heritage! Before you know it, "Native American, American Indian," Aqua Caliente, Tucson, Santa Fe," etc. will be deemed derogatory!!!
As for Robert E. Lee's name, I refuse to be a part of erasing our history. I refuse the kool-aid!!!
I don't live on either street names, just a City resident for 48 years. Is this really the best use for City taxes? City budgets are severely strained now, especially with Covid-19. I am sensitive to the names but should this be phased in over time after the virus is controlled? Don't need a return response just you consideration for the City budget.

***** Peak Drive Submitted Comments - E-mail, Phone, Written, Web Comment Form

(Comments from residents of street or adjacent streets shaded in yellow at top and shaded in yellow)

As a homeowner near the base of Piestewa Peak for 30 years, a frequent hiker of the mountain, and Coordinator of the annual March 23 Piestewa Fallen Heroes Sunrise Service in the park, I urge City Council to change the name of "Squaw Peak Drive" to "Piestewa Peak Drive."

The name "Piestewa Peak Drive" would give the street a very meaningful name which would honor Lori Piestewa, the first Native American woman to die for our Country in overseas combat. It would also honor all our military heroes and recognize that this Country and the freedoms we enjoy today are made possible only through their courageous sacrifices. This is the focus of our annual sunrise service at Piestewa Peak. A very important part of Lori's dedication sign at the summit trailhead states that "By recognizing one hero, we honor all military heroes and raise public awareness that regardless of race, religion, or ethnic background, we all come together to defend our homeland."

This public street has always been named after the mountain as it is the only road that leads directly to Piestewa Peak. It has been directly tied in to the prominence of the mountain and has served as a landmark that helps show visitors where to turn and how to get to Piestewa Peak. Renaming the street "Piestewa Peak Drive" would be the proper thing to do.

The name of the road was not changed when the mountain's name was changed because there was a different process for renaming streets. As a result, Squaw Peak Drive has continued to carry a name deemed derogatory and offensive towards Native Americans. It is a glaring inconsistency with the city's proud Point of Pride designation of Piestewa Peak in the Phoenix Mountain Preserve and with the city's position as a great all-inclusive city.

As a member of the League of United Latin American Citizens (LULAC) District 1 (Maricopa County, Arizona) I strongly support renaming the Squaw Peak Drive to LORI PIESTEWA DRIVE. AS A SOLDIER AND FIRST NATIVE AMERICAN to die in combat, it is appropriate to name the Drive in her name.

So again rename the drive to LORI PIESTEWA DRIVE.

My family has resided in Phoenix for more than 50 years, the past 20 years in a home near the base of Piestewa Peak Mountain. As one of the original members of the Arizona Piestewa Committee, I herewith join the many others who recommend changing the name of "Squaw Peak Drive" to "PIESTEWA PEAK DRIVE", as reflected in the three main reasons documented and submitted to the Phoenix City Council by the "Arizona For Piestewa Committee".

To be clear, it was not just co- incidental that "INDIAN SCHOOL ROAD" was given its name because it was the only road leading directly to the historic Indian School campus.

Likewise, it was not co- incidental that phoenix's "CENTRAL AVENUE" was given its name because it was the only central street which divides the east side of Phoenix from the west side of Phoenix.

Hence, the public street leading to the Piestewa Peak Mountain should be named after the mountain, as it is the only road/street that leads directly to Piestewa Peak Mountain.

It's always good to give name to a street that has meaning. So many have died for the freedom we have today.

Respectfully submitted,

Jesse J. Ary; Realtor, HOMESMART, INC.

Former Member; Phoenix Community Development Block Grant Commission

Former Member; Arizona State Board of Education

Former Member; Governor's African American Advisory Council

Former Member; Phoenix Human Relations Commission

Former Executive Director; Phoenix Downtown Y.M.C.A.

Former Arizona Department of Education Liaison; to the Arizona State Senate

2020 City of Phoenix, Arizona Dr. Martin Luther King, Jr./Honorable Calvin C. Goode, Sr. Lifetime Achievement Awardee

Please consider renaming Squaw Peak Drive to PIESTEWA PEAK DRIVE.

***** Peak Drive Submitted Comments - E-mail, Phone, Written, Web Comment Form

(Comments from residents of street or adjacent streets shaded in yellow at top and shaded in yellow)

Proposes Iron Mountain, traditional name for the peak from the O'odham people and use the O'odham name "Vainom Do'ag." Martin Harvier, President, Salt River Pima Maricopa Community

Overdue action to remove hurtful, racist name. Gov. Stephen Roe Lewis, Governor, Gila River Indian Community

As "Old Country Doctor Grandpa" my commendation response to your proposed derogatory Street Name Change near "Piestewa Peak" is as follows:

As you plan for the new name for the road leading to the already re-named Piestewa Peak Tourist attraction, replacing the derogatory "Squaw Peak" name, Commendations go to the Piestewa Family, the continuing Piestewa Memorial Committee, the past Legislative action of the Arizona Legislature and the very supportive Governor Janet Napolitano. All are to be highly commended for their past name change role achievements.

You, of the Phoenix City Council are also to be highly commended for your current follow-up Leadership, which will hopefully lead to the logically proposed nearby street name revision to become: "Piestewa Peak Drive." This proposed new name makes a very helpful non-derogatory guidance connection linkage name from the Street leading to the Peak for those seeking to reach their Piestewa Peak visitation destination.

Why do I feel so strongly as "Old Country Doctor Grandpa" on this name change issue? In all my long Family Physician action life of 62 years working with many Native American Tribal Nations, since 1958, it is very impressive that: I have Never heard a Native American personally refer to another Native American Woman as a "SQUAW." !!!

The most appropriate and logical name for the street is Piestewa Peak Drive.

This is the only road leading to Piestewa Peak, and serves as a landmark to show visitors where to turn.

Squaw Peak Drive is derogatory and offensive to Native Americans. Please consider the name change.

I've lived in Phoenix since 1974. I've hiked Piestewa Peak for years until it got so crowded. The street leading to Peak has reflected the name of the peak. Yet Squaw is not a friendly name to our Native American Indians. I grew up in Oklahoma with 51 American Tribes. We were taught the culture history of the Native American Indians. I feel that when Squaw was changed to honor Lori Piestwesa in 2003/4 the street leading to the peak ought have been changed as well. So for years it's been a conflict. It's time to respect our Native American Indian culture and match the street name with the peak name Piestwesa Peak Dr Piestwesa Dr. And while on the subject Robert E Lee was president of the confederacy and since we are a unified nation. This name needs to change also. Unity Street Unified Street. My Dads family came to US in 1652 in Maryland most fought Missouri both sides I'm sure. The Upchurch came in 1635 to Jamestown then North Carolina I'm sure confederate side but once the Civil war came to an end. Both families have served in military over the years. So what do you name a street with such history of a man. Patriot Street, Drive Lane Place think of the Revolutionary time in our country. Yes many of our leaders had slaves. It's our history neither right wrong just a strong believe Federal was not good g to rule the states. Decisions kind like today. How about naming the street after Michael Williams killed March 23 2003 Same day as Lori Piestwesa. Or another hero police officer fireman Good Luck it's time to look at what we name sites streets to reflect respect for all cultures and races.

Squaw Peak Drive is very derogatory to American Indians. Does no one remember how Squaw Peak Mountain and Squaw Peak freeway had to be renamed because the word Squaw is offensive????

I think renaming Squaw Peak Rd to Piestewa Peak is in the best interest of our city. It is also a safe and easy way to find Piestewa Peak.

I Am proud of our city for recognizing appropriate times to make important changes.

E-mail to indicate in favor of renaming

I ask that you to strongly consider changing the street name Squaw Peak Drive to Piestewa. I think it would be the right thing to do, and a great show of respect for our Native American and military families.

Left a voicemail requesting the name of the street be changed to Piestewa Drive.

Resident left a voicemail with e-mail address requesting meeting registration information. Staff e-mail meeting registration links on July 27.

Comment added to record e-mail in favor or renaming

Piestewa Peak Drive has my vote.

***** Peak Drive Submitted Comments - E-mail, Phone, Written, Web Comment Form

(Comments from residents of street or adjacent streets shaded in yellow at top and shaded in yellow)

Supports renaming the street to honor our veterans.

Supports renaming the street to Piestewa Peak Drive.

In 2017 when the Mayor and City Council brought up the issue of changing the name of Squaw Peak Dr, the process was that if the majority of the residents opposed the name change it would not be done. Well, to the dismay of the Mayor and City Council that happened. So the process was intentionally changed by the Mayor and city council to side-step the residents and cut them out of the process. I was under the impression, and it seems mistakenly, that government officials serve the people not dictate.

Recently a sign facing the Lincoln Dr traffic was placed close to the intersection of Lincoln Dr and Squaw Peak Dr with info about the name change and dates for this hearing. This was not done in 2017.

It seems the Mayor and City Council is doing it's best to rub the name change process in the faces of the residents in trying to drum up support for their cause.

I have lived on Squaw Peak Dr for 10 years and in that 10 years I have never had anyone complain to me about the name of our street. In instances where I have needed to give my address to someone, why is it that they almost always asked me to spell it? Maybe it's because it has no significant meaning to them and or they have never even heard the name before. As home owners and tax payers it is quite upsetting that those who have no financial investment in a home or pay taxes to live on our street have more say than this street's residents do.

Instead of doing something really meaningful that could possibly be life changing and have a permanent impact on a specific community as in this case the Native Americans, what do you do? You changed a street name! Wow! That's one for the history books! This action really helped a lot of people in need right????

I am sorry but it feels more like pandering to me. Throw them a bone and hope they go away until it's election time again.

I strongly disapprove of the derogatory name of "squaw". I strongly agree that Phoenix rename the Drive to Piestewa Drive.

I am happy to hear that Phoenix is seriously considering changing the name of this street to match the official name of Piestewa Peak. I am very aware of the controversy involved. I taught at Tuba City high school for over two decades, and am good friends with the Piestewa family; in fact, even had Lori in a class briefly. I was at her memorial service in Tuba City and talked directly with Lori's oldest brother Wayland about the meeting they earlier had that day with the Governor when she announced the planned name change. Of course, it's the Hopi way to be courteous and deferential to any guest (esp. the Az. governor)..Wayland had told me they appreciated the honor to his sister but had also commented that they desired the honor to be for ALL veterans..... Later, he told me that they were upset because so many had politicized the name change, and they just wanted unity. ... This is also the idea behind the yearly honoring they have around March 22 at Piestewa Peak; while it revolves around Lori, they also honor many other veterans at the ceremony. The Piestewa name is much more honorable and deserves to preserve the contributions of Arizona veterans for years to come (Lori was half Hopi and half Mexican). The squaw peak name will always be controversial. Native Americans you constl will be almost as split on this as "redskins".....but from the white perspective, the word "squaw" itself implies "possession" of a woman. And in at least one of the Iroquois languages it refers to a "vagina." Given today's climate, it makes a great deal of sense to be objective and rename the street Piestewa Peak drive and not dwell on decades old stereotypical slang that disrespects Arizona's indigenous people. I hike Piestewa Peak and area daily--it's not far away and gives me a chance to honor the Piestewa family I would welcome the opportunity to travel up the street with that most honorable name.

Please practice respect for the American (Native) people. Thank you.

I think SRP-MIC & GRIC NEED to be at the center of this renaming of a mountain in THEIR homeland.

***** Peak Drive Submitted Comments - E-mail, Phone, Written, Web Comment Form

(Comments from residents of street or adjacent streets shaded in yellow at top and shaded in yellow)

The last time the Mayor and the City Council tried changing the name of Squaw Peak Drive, a local news anchor, John Hook from Channel 10, solicited comments from the public on his Facebook page. He got over 200 responses, and an OVERWHELMING NUMBER DID NOT SUPPORT CHANGING THE NAME OF SQUAW PEAK DRIVE. Only 2 out of more than 200 responses agreed with the name being changed. The general public does not agree with bothering with this name change and thinks the Council's time and energy should be better spent on more important issues.

I am deeply disappointed that we have come to this point in our lives where we must accommodate the few, the loud and the rude because they are offended by a commonly used named throughout history. It wasn't without controversy that Squaw Peak was renamed to Piestewa Peak in 2003. Fast forward to 2020 and here we are "sanitizing our history to make a group of people feel better". So, let's make this change to Squaw Peak Drive a powerful one that honors the life of a native son. Charles H. Keating, IV, the first Navy SEAL from Phoenix and the state, to be killed. Charlie, as he is often referred to, was killed in Iraq on May 3, 2016 serving during Operation Inherent Resolve, at the age of 31. As part of a quick-response force mission to aid American troops under attack, he became the third American service member to die fighting the Islamic State group. Charlie was born and raised in Phoenix, graduated from Arcadia High School and could frequently be found hiking or running the trails of Piestewa Peak. There is so much more to tell, and for that reason, there are several of us that would be happy to make a presentation to the City Council regarding this amazing young man and why it is the right thing to do in naming Squaw Peak Drive in honor of him.

For additional information, please see the following: <https://c4foundation.org/>; <https://www.navytimes.com/news/your-navy/2016/05/03/navy-seal-killed-by-isis-fire-in-iraq-identified/>;
<https://www.bing.com/videos/search?q=Charles+Keating+IV+Death+Video&ru=%2fvideos%2fsearch%3fq%3dCharles%2bKeating%2bIV%2bDeath%2bVideo%26FORM%3dVDMHRS&view=detail&mid=6BC44B8106EFCCABEED06BC44B8106EFCABEED0&rvid=66B7D176420D2DFA2B7F66B7D176420D2DFA2B7F&FORM=VDQVAP>

You should also rename Indian School Road. The "Indian schools" primary purpose was to assimilate native Americans children into white culture, erasing their identities.

I am for renaming the Squaw Peak Dr.

So, just to clarify...We are expected to change the name of Squaw Peak Drive while the Native Americans still perform the SQUAW DANCE (their name, not ours) as part of their religious ceremonies and they still make SQUAW BREAD?! What's wrong with this picture? The Mayor, City Council, and Squaw Peak Drive residents are being held hostage by a small, but vocal group who don't necessarily speak for the entire First Nation. If the tribes really felt it was so demeaning of their women, they would not continue to use the name in their own ceremonies and other aspects of their culture, especially since many of the tribes in Arizona are matriarchal/matrilineal societies; e.g., Navajo, Hopi, or matrilineal; e.g., Pima.

If this issue had any real merit, the Native Americans should first deal with it in their own ceremonies and culture before expecting others to do the same.

One can be named after the Peak. The other, how about Lincoln Ragsdale - after my old neighbor who was a Tuskegee Airman!

To Whom it May Concern:

I am not for renaming the streets, parks, or anything else in Phoenix. My belief is that there are more important things to be worried about other than worrying about names of the things in Phoenix. I do not believe that it is offensive and I feel it was offensive to rename Squaw Peak...and to this day we that are natives will always call it Squaw Peak.

Here is a link that I found that explains how things got their name and what it means.

<https://press.uchicago.edu/Misc/Chicago/534650.html>

The world has become offended by almost everything, so why not take time and sit back and let things take it's course. Everyone that I talk to is not offended and think that there's more important issues at hand than renaming things so as not offend.

***** Peak Drive Submitted Comments - E-mail, Phone, Written, Web Comment Form

(Comments from residents of street or adjacent streets shaded in yellow at top and shaded in yellow)

To: Mayor Gallego, Councilman Sal DiCiccio, Mario Paniagua

Last night in the August 5th Squaw Peak Drive street renaming meeting, Mario Paniagua responded in reference to a question as to why Squawbush Place was not also targeted for a name change since it has the supposed derogatory name "squaw" in it. We were told that because the name comes from the Squawbush, a shrub plant, the word "squaw" is not considered derogatory. But the word "squaw" in Squaw Peak Dr. is derogatory? How interesting! So, the word "bush" nullifies the derogatory meaning of "squaw" but the word "peak" does not. Do you know how stupid and lame that sounds?? Especially since the Collins Dictionary online indicates that the word's origin is so called from its use of the plant by Native Americans. If the Native Americans are not interested in the renaming of Squawbush Place also, how is there any validity in their claim in wanting to change the name of Squaw Peak Dr.? Let's explore the meaning of what a double standard is: Definition - A double standard is the application of different sets of principles for situations that are, in principle, the same. It is often used to describe treatment whereby one group is given more latitude than another. We were fed a proverbial line of BULL! One name is derogatory but the other is not?? You can't have it both ways. It's either both names are derogatory or both names are not. So honestly, it's all about getting Piestewa's name on the street. From what I have heard in these meetings the consensus is in, and the residents will have no real say in the name. The Native Americans want Piestewa Peak Dr and that's what you have intended to give them all along. You are even giving them their own separate meeting on August 11th, although the City's street renaming policy only mentions the need for two meetings for residents. Why the special treatment? Do German Americans get a separate meeting? Do Italian Americans get a separate meeting? Do geologists who are concerned that it is called a "peak" and not a "mountain" get a separate meeting? The Mayor and Council's intent is pretty clear. The meetings are just smoke and mirrors. You all are just running cover. It's pretty clear that the decision is a done deal. You say the decision won't be until September. But all the explanations on how you will assist residents is a dead giveaway as to how this all will go. One Native American man last night thought that the word "squaw" had been taken out of most of the tribal ceremonies. etc. Tribal leaders better start checking their web sites and other written articles online. Because Squaw Dance, Squaw Bread and Squaw Dance music can easily be found on Native American run sites. There are explanations of the ceremonies, articles and Squaw Dance music that can be ordered. One lady read a definition of "squaw" that said it was a derogatory word towards Native American women. I found the Webster Dictionary's definition to say American Indian woman or wife. So yes, you can find varying opinions and definitions. As one article said, the jury is still out on this issue. What is totally frustrating is the fact that residents have paid a premium for their property to live in the area adjacent to the preserve. And pay taxes to that affect. And put up with the huge volume of traffic on our street, most of which is speeding to and from the park. And we are told that outsiders that do not live or have a financial investment on this street and neighborhood can come in and dictate their wishes on us and we have no say. [Well, you pretend to give us a say, but it appears it will be for nothing.] Honestly, would they like an outsider coming in and doing the same to them on their street and neighborhood? I think not! Is our little street expected to pay the "price" for the early settlers encroaching on Native American's land? It appears that is the case.

I would like to know why Phoenix Department of Planning & Development has jumped on the stupid train, there is nothing wrong with the name Squaw Peak Drive, it is not derogatory in any way shape or form. Squaw is the name of a female Indian woman by many tribes, my daughter in-law is 100% Native American and grew up on the Yakima Reservation and is very proud of her heritage and is one of the very few who still speak the native language. People have got to stop being such big babies, and saying everything is offensive to them, learn diversity and stop conforming to others beliefs. It's okay to be different and think different, that's how it's supposed to be. And we are supposed to learn from each other and love each other. It makes no sense to change a street name that is called Squaw Peak Drive because some "one" person might be offended, yet we keep all the rap music on the radio that totally blasts every kind of person out there and has the F word every other word- and that's okay to keep on the radio? Do you see the idiocy in this? And you are playing right into it.

To: Mayor Gallego and City Council Members

DON'T CONFUSE THE NATIVE AMERICAN COMMUNITY'S CONCERN ABOUT GETTING RID OF THE "DEROGATORY" STREET NAME SQUAW PEAK DRIVE WITH THEIR FERVENT DESIRE AND PUSH TO GOAD YOU INTO GETTING THE STREET RENAMED PIESTEWA PEAK DRIVE. It's very apparent that is their underlying goal. If the street must be renamed, that is one thing, but it doesn't need to be Piestewa Peak Drive to solve the problem! A mountain, freeway, and park already have Piestewa's name. She has been very well honored. Enough is enough!!!

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PLEASE CONSIDER THE FOLLOWING NAMES IF SQUAW PEAK DRIVE MUST BE RENAMED:

MOUNTAIN PASS

SUNSET PLACE

DESERT SUNSET DR.

DESERT SAGE DR.

I have lived here all my life a Native Arizona I DO NOT WANT AND I REPEAT I do not want the name to change from Squaw Peak Drive. This is the most stupid thing you all have done in years. Why oh Why can't you just leave history along. I RTEPEAT DO NOT CHANGE THE NAME.

I am a member of the Navajo Tribe that has lived in the Valley for over 20 years. I'm very in favor of renaming the street. I really think that the "s" word needs to be changed for the sake of our children and generations coming up. This derogatory term is from long ago. For the sake of our Native women, this is a disrespectful name. Let's change this to honor a fallen American Hero.

I have lived in Arizona all my life. I love Arizona. I have a great respect for our Native Americans. The word Squaw is a slur, as I'm sure you know. With the renaming of the Peak, we have an opportunity to honor our Native heritage, as well as the first Native American female to fall in service to our country. As I said, I love our state. We can make it even better with changing the street name to fit the mountain name. As Terry Piestewa (Lori's father said, "This is our (community) mountain." Renaming the street would complete a great honor to our Native Americans, our military service and Arizona's heritage. The good far outweighs the bad. Thank you for your consideration--Ray Powell

Good afternoon,

My name is , President of Lulac Council 1191. I am also Latina and my ancestors are from the Tarahumara Tribe in Chihuahua, Mexico. I am also a Native to Arizona and have lived here all of my life.

I am certain that many of you in this council are aware of the historical facts and the dynamics of this state in regards to communities of color and our Indigenous communities. We also know that our veterans sometimes do not have the appropriate resources and the health care they deserve. We can never compensate our veterans enough for being in the front lines so that all of us who are not are peacefully at home.

Naming the street "Piestewa Peak Drive" would honor, Lori Piestewa and also all of our veteran and military heroes. This would be an act from The City of Phoenix to express appreciation towards courageous men and women who represent us not only as a state but also as a diverse nation.

I have to also say that I find the S name of this street demeaning and offensive to Native American women. I am uncertain as to why there is even a debate happening regarding this word when most of you on this panel are aware of the atrocities committed against our Indigenous brothers and sisters. The name change is important as to also raise awareness that using terms that are offensive to Phoenix residents does not represent the City of Phoenix. On a positive note the name change will help visitors to know where to turn and how to get to Piestewa Peak . With this I thank you in advance for your time and have a wonderful day.

I'm writing in strong support for renaming both Squaw Peak Drive and Robert E. Lee Street. Native friends have told me for years that the word squaw (it bothers me to even type it), is considered offensive. I was thrilled when Piestewa Peak itself was renamed! I was so proud that our Arizona and Phoenix were acting in good faith for ALL their residents. The access drive to the peak parking lot now needs to be renamed, too. I favor Piestewa Peak (Rd, St, Dr, whatever) for consistency. I was flabbergasted to learn that there's a street in Phoenix named after the top general of the confederacy! Why here? Why would we honor a symbol of white supremacy? It's shameful, and that street should be renamed as well. Thank you for this opportunity to provide input on these issues.

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I am a senior citizen and grew up in Phoenix. I have lived in the Phoenix valley area since October 1957. I find it very difficult to start changing the names of so many things. I was born in Columbus, Ohio...some people want to rename my birthplace. However, since I do live here in the Phoenix area I want to comment on renaming Squaw Peck Drive. I do come to this section of town often. I wish you would just leave the name alone. However, since Phoenix has decided to change the name, please name it something I can pronounce and spell.

Peak Drive, Mountain Peak Drive, Desert Peak Drive are my suggestions.

Thank you...if you have read my comment

First, I will not be able to join the online meeting but, I feel my comment is important and does support the name change of S**** Peak to Piestewa Peak Drive in honor of a fallen female Warrior. In the Navajo culture and tradition babies are given spiritual names in addition to their American name. The traditional name given to the female is "Bah" which is given in great regard that women are Life Givers and protectors of life which is observed with integrity and great respect. She is the female Warrior, the foundation of her clan. With this teaching in mind I submit that this peak is renamed and honored with Piestewa Peak Drive.

If you still plan to force changing the name of Squaw Peak Drive, please choose from one of these names:

MOUNTAIN PASS; DESERT SUNSET DR.; DESERT SAGE DR.; SUNSET PLACE;

I'm a long-time resident of Phoenix and do not want anything else named Piestewa!

The current name for the street S**** Peak Drive is VERY offensive to Native Americans and would like to see it changed to Piestewa Peak Dr. The street leads to the mountain and so it only makes sense to change it to Piestewa Peak Dr. Please consider and thank you!

The current name for the street S**** Peak Drive is very belittling to the Native American women and the Mountain has already been changed to Piestewa Peak therefore the street should be change in honor of the mountain and the hero that it is named after who gave her ALL for our freedom.

Thank you for considering this.

I am Dine, an indigenous woman of the Navajo. I fully support the name change of this street. In my family and community the S-word is one of the worst words one can use. It is regarded as worse than four letter words because it is was a term used historically to justify the rape, kidnap, and traumatization of indigenous women and children. It is a dehumanizing term. It is toxic and has no place being used to usher people into a community, especially one that stands adjacent to a landmark named in honor of an indigenous woman warrior. Anytime this term is used it perpetuates terrible acts used against indigenous women and children today – the same indigenous community members who are going missing and found murdered in the thousands every year. Reading this term on a street sign is not passive – it incites recent memories of pain, trauma, and the core of genocide. It glorifies horrendous acts and is not a word I want to see on any sign signifying a community in this valley. This community needs signage that reflects a community of integrity, one that honors the land it stands on – that which was built on the original territory of indigenous tribes, and that tells the world it is taking a stance against usage of terms that harm others. I urge the council to change the name of the street to Piestewa Peak Drive and am relieved to know that the council will take on costs of this renaming process.

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TO THE NATIVE AMERICANS:

If your goal was to change the street name to remove a name you believe is offensive, you have likely achieved that goal since the mayor and city council have started the renaming process. Once this is done, for most of you and others who OCCASIONALLY drive down this street on the way to the Park, the name issue will be forgotten in a heartbeat, but for residents of this tiny street, we must deal with the name ON A DAILY BASIS FROM NOW ON. ---

So now let the residents, who will be dealing with the name every time they must give out their address to someone when placing a mail order, or arranging for in-home service, or paying bills, and a myriad of other things, let them choose a street name that they are comfortable with. ---

You've made it clear that you want the name to be Piestewa Peak Drive (which may have been your real intention to start with). But Lori has already been honored in at least 3 ways here in Phoenix, once on the Hopi Reservation, and in many other places around the United States. Tagging yet another item with the Piestewa name is not necessary to see that she has been honored and it will only cause confusion, not only because of the Piestewa Freeway that is just blocks away, but also because it is hard to spell and hard to pronounce. Of course, it also DOES NOT MEET THE REQUIREMENTS listed in the City's Street Renaming Policy. ---

I realize many of you on this call probably live in the metro-Phoenix area, but I'm sure still have ties to your reservation. We don't tell you what to name your streets or roads on your reservation, so just as we have compassion for your past history (yes, we really do), have a little compassion for us and let us choose any new name. ---

TO THE MAYOR AND CITY COUNCIL MEMBERS:

We, the residents, DID NOT name this street. Though there is still reason to question whether the name needs to be changed, please don't use our little street as the token to pay the "price" for the early settlers encroaching on Native American's land, or because Native Americans think we were inappropriately defining the word "squaw" to mean something other than what dictionaries ORIGINALLY said was the stated definition of the word, which was not derogatory. LET US CHOOSE THE NEW NAME FOR THE STREET, WHICH NEEDS TO BE SOMETHING OTHER THAN PIESTEWA.

LORI PIESTEWA HAS BEEN HONORED IN MANY WAYS THROUGHOUT ARIZONA AND THE U.S. WE DO NOT NEED TO NAME A STREET AFTER HER...THE CITY OF PHOENIX HAS ALREADY SHOWN RESPECT AND APPRECIATION IN NUMEROUS WAYS FOR HER SACRIFICE. SHE HAS ALREADY BEEN HONORED AS FOLLOWS:

XXXX [1] Arizona's state government renamed Squaw Peak in the Phoenix Mountains near Phoenix as Piestewa Peak and this was codified by the U.S. Board on Geographic Names on April 10, 2008;XXXX [2] The freeway that passes near this mountain was also renamed in her honor. XXXX In addition, Senator Tom Daschle honored her, as did Indian Nations across the United States. XXXX Since her death, the Grand Canyon State Games organizers have held an annual Lori Piestewa National Native American Games, which brings participants from across the country. XXXX A plaque bearing her name is also located at White Sands Missile Range in New Mexico and Fort Bliss, Texas. XXXX She has also been memorialized with a plaque and ceremony at Mount Soledad Veterans Memorial in La Jolla, California. XXXX On November 10, 2011, American Legion Post No. 80 on the Hopi Reservation was renamed the Lori Piestewa Post # 80. XXXX On November 30, 2011, the Directorate of Training Sustainment headquarters at Fort Benning, Georgia was named Piestewa Hall in her honor.

XXXX Her death led to a rare joint prayer gathering between members of the Hopi and Navajo tribes, which have had a centuries-old rivalry. XXXX

In May 2005, Piestewa's parents and children had a brand-new home built by Ty Pennington and his crew on ABC's Extreme Makeover: Home Edition accompanied by Jessica Lynch. They also built a new veterans' center on the Navajo reservation.

XXXX In 2018, Piestewa became one of the inductees in the first induction ceremony held by the National Native American Hall of Fame.

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If your decision is to change the name of Squaw Peak Drive, please consider the following for the name of our street.

They do not appear to exist in Phoenix:

FOOTHILLS WAY or FOOTHILLS ST. (VERY fitting for the area at the base of the mountains);

GATEWAY PASS (the street serves as a gateway to the park and preserve);

IRONWOOD PLACE (fits in nicely with the desert area and the nearby Ocotillo Rd.);

MOUNTAIN TRAIL or MOUNTAIN TRAIL DR. (descriptive of the short route up to the hiking trails);

HILL STREET (we're at the base of the peak);

AMERICAN WAY (needs no explanation);

COYOTE CROSSING (we do see them crossing this area).

To Mayor and City Council: If you force the name change for Squaw Peak Drive, please choose from one of these names:

IRONWOOD PLACE;

FOOTHILLS WAY or FOOTHILLS ST.;

HILL STREET;

GATEWAY PASS;

MOUNTAIN TRAIL or MOUNTAIN TRAIL DR.;

AMERICAN WAY;

COYOTE CROSSING.

These meetings over the past few weeks are nothing more than optics. THE DECISION HAS ALREADY BEEN MADE BY THE MAYOR AND COUNCIL! The statement being said that IF they decide to do the name change it will be made in September is false. There is no IF, they WILL do it. What better optics for an election year. This will be decided before the election. Regardless of your view on whether the name should be changed or not, we have been used as political pawns. Politically it will look great in the news. VOTES! Appear the Native American community so they will vote for you. Too few residents of the street to be concerned about their votes.

There are two other streets in the metro area that also have the word "squaw" in them, but are being ignored. One is supposedly a private street in the Biltmore area named Squaw Peak Circle and the other not a private street, Squawbush Dr in the metro area. Mario in last week's meeting said that the city supposedly has no jurisdiction over the private street to change its name even though the development is within the city and likely receives city services. If you look at the City's Naming Process document for streets, it states that the City's Planning and Development Department staff "works with developer to revise names when necessary". So it appears the city DOES have jurisdiction (and responsibility) to change the name of Squaw Peak Circle if Squaw is derogatory. He also said that because Squawbush Dr was named after a bush it did not fall into the category of being derogatory. Excuse me! Double standard!!! The squaw bush or squaw berry bush. The Native Americans used the squaw berry primarily as a medicine. This is from an article in the American Indian health and diet project. It got its name back in the early 1800s because it was used by Native Americans. I'm not attacking Mario, I am just stating what my understanding is of what he referenced as the city's excuse for why these streets are not also targeted.

In all three city meetings on this issue there were roughly 37 call ins total between all three meetings. I am sure there have been some write in comments also. But in a city with a population of roughly 1.7 million people, that's a meager consensus of Phoenixians' opinions on this issue. But then again it was not widely published, probably because of the fire storm that then Governor Janet Napolitano started when she decided she had the power to go against policy and change the name of the peak when she knew she was over stepping her authority

So other streets with the name "squaw" in it get a pass but our street does not because of the peak. I assume the other streets are not "high profile" enough. No optics! We are being muscled out of the process a second time. What this is all about is making sure the street name is Piestewa.

YOU EITHER CHANGE ALL THREE STREET NAMES OR NONE!

This is a beautiful area to live in. The residents paid a premium for their property to live in this area and pay taxes to that effect. We also put up with the high volume of cars RACING up the street to get to and from the park and at times the overflow of cars parking on the street from the park with driveways being obstructed and making exiting driveways difficult and hazardous. Some weeks we have multiple days with emergency vehicles (average of 7 Fire Department trucks for each emergency) running up to the park sometimes multiple times a day. So, I feel since it seems this name change will happen, the street's residents who must deal with the name from now on should have the say as to what the name should be and NOT outsiders who PERIODICALLY visit the park.

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I live on Squaw Peak Dr and my husband and I attended all 3 public meetings. After the 3rd meeting It struck me that there is a planned narrative from all of those that support the name change. Over the 3 meetings all but 3 speakers immediately followed their comment, that they found Squaw offensive, with "and I want the street name Piestewa Drive". This is NOT an issue of Squaw being offensive, but rather an initiate to get the street name changed to Piestewa (the poor attendance At the 3rd meeting for just the Indian community And the 1,147 business in Arizona with the word Squaw in their name, supports this theory)

I BEG you do not give in to a small minority and change my street name. And I expect you to give deference to those that actually LIVE on the street. Keeping our history intact is important to me.

But if you do, please, PLEASE do not change it to include Piestewa. It's too long, no one knows how to spell it, And I find it offensive in that it only recognizes one faction of our diverse society. Lori Piestewa has a mountain, a park and a freeway named after her. Let that be enough.

My vote If you do not have enough integrity to keep the name the same - Peak Drive Thank you for your consideration.

The original renaming of Squaw Peak was done illegally [ignored federal regulations] by former mayor Janet Napolitano. In 2017, Phoenix City Council went against the area's residents who followed city policy and obtained more than a 75% majority of homeowners who wished to keep the current street name, so the council changed the policy, eliminating further the rights of the citizens. If street name is to be changed now, area residents should have the right to propose names and select the name to be used for renaming. Choice of names should not be at the whim of the Council.

"Piestewa Peak Drive" does not meet the city's own criteria in their revised street naming policy which states "names should be short, easy to pronounce, easy to spell" and "be sufficiently distinct from existing street names". This would put Piestewa Peak Drive just blocks away from the existing Piestewa Freeway. Choose a different name to avoid confusion. Lori Piestewa has already been appropriately honored with the renaming of the mountain, park, and freeway.

I QUESTION THE NEED TO CHANGE THE NAME OF SQUAW PEAK DRIVE SINCE:

There is NO CONSENSUS among the Native American community regarding whether or not "squaw" is offensive. For example:

- Read the March 2017 article in Indian Country Today titled "Squaw" Offensive or Not – The Jury Is Still Out.
- The Dine' (Navajo) still perform the Squaw Dance as part of their religious ceremonies
- My hairdresser is a Pima Indian – she hikes the Peak – and says use of "squaw" is not a big deal and thinks all of this is a big waste of time, energy and money.

The proposed name of "Piestewa Peak Drive" does not meet street renaming criteria which requires:

- "the name cannot be used anywhere else in the Phoenix metropolitan area" and that

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• "names should be short, easy to pronounce, easy to spell" and

• "be sufficiently distinct from existing street names"

o Piestewa Peak Drive is not a short name, is confusing for many to pronounce and is definitely not easy to spell

o It is also not sufficiently distinct from the existing Piestewa Freeway that is only blocks away from the street to be renamed.

o Given these facts, it should be removed from the choice of names to be considered.

o This should not be harmful since Lori Piestewa has been greatly honored by the renaming of the mountain that now has her name, the park that has her name, and the freeway that is also named in her honor.

IF name change is forced on residents,

• Residents should have right to establish choices for street name

• Residents should decide final name that they must live with

• Some suggested names include:

o Sunset Place

o Mountain Pass

o Desert Sage Drive

o Desert Sunset Drive.

Do outside influences have more rights than the affected residents? It appears so.

If city council members are concerned about residents impacted, why did NONE, not even our District 6 councilman Sal DiCiccio participate in the meetings with the residents?

How many residents are still unaware of the planned renaming since the post office mail carrier did not make any attempt to actually deliver the certified letters to residents? Even though residents were at home, the mail carrier stuck a post-it note in with the mail in the mailbox saying we need to go to post office to pick up certified letter.

I urge the council to re-think this plan.

Also, If the word "squaw" is so offensive, are the Native American community representatives that are pressing this issue for our street name...are they also working to remove all of the other uses of the word "squaw" from the Arizona map...places like:

In Arizona:

Squaw Canyon (Near Tortilla Flat);

Squaw Butte (Near Camp Verde and near the Reservation);

Squaw Creek Tank (near Squaw Butte);

Squaw Mountain (Near Black Canyon City);

Squaw Mountain (Northwest of Flagstaff).

I understand why the City of Phoenix wants to rename the street named Squaw Peak Dr. This street was named many years ago before any of the residents owned their property. What I would like the City Council to do is let the property owners, on this short street, have a say in the new name THAT THEY HAVE TO LIVE WITH! I have lived in the Phoenix area for more than 60 years. I attended a Phoenix elementary school, Phoenix high school and Phoenix colleges. I am a Phoenix property owner. I have friends that live on Squaw Peak Drive. It would be such a wonderful gesture to allow the owners on Squaw Peak Drive to rename their street. Have the property owners submit a few names for the city to approve, then have the property owners, that are affected, vote on the final selection.

I personally would just drop the word "Squaw" and rename the street "Peak Drive". Make it simple!

S** Peak Drive Submitted Comments - E-mail, Phone, Written, Web Comment Form**

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Please help restore the dignity and pride of the Native-American culture by taking away this despicable title for a holy, sacred site. In times of the Hohokam when 10 villages and hundreds of miles of canals watered this peaceful Eden this mountain was the Sacred Woman's Mountain, a place to climb and give thanks and blessings for our children, daughters, wives, grandmothers. It remains holy today still a place to free your mind of daily emotional tolls we all deal with, a place to contemplate Mother Nature and all her beauty. Take away this racist, disgraceful slur and restore the respect our city deserves, respect for all and dignity for the oldest culture of our beloved nation.

Honoring Confederate Generals demeans the lives lost to preserve our nation, the rebels desperately sought to destroy the government of the people by the people to keep their wealth which relied on the slavery and inhumanity of our fellow human beings trapped and lost in this cruel practice. We should honor those who gave their lives to preserve this nation though imperfect and still evolving to a more just society for all. America still represents freedom and justice, our public statues should present and proudly honor these values so dearly paid for by true patriots.

MOUNTAIN PASS or MOUNTAIN PASS PL.;

GATEWAY PASS;

MOUNTAIN TRAIL or MOUNTAIN TRAIL DR.;

FOOTHILLS WAY or FOOTHILLS ST.;

SUNSET PLACE;

Please choose from one of these street names if the council is dead-set on changing the name of Squaw Peak Drive:

DESERT SUNSET DR. or DESERT SUNSET PL.;

IRONWOOD PLACE;

DESERT SAGE DR. or DESERT SAGE PL.;

HILL STREET;

AMERICAN WAY;

COYOTE CROSSING.

In today's climate, everyone is encouraged to speak out and voice their convictions regarding numerous issues.

Considering these actions, it is time to stop disrespecting the indigenous people, particularly those in our native state of Arizona. As an original member of the Piestewa Committee, now known as Piestewa Fallen Heroes Memorial Committee, I stand behind the Native American people and all of those in support of the name change from S**** Peak to Piestewa Peak Drive. As a community, we strive to teach our children to respect and honor each other –let us reflect on this and do the right thing, putting any political issues aside. Together, let us honor the ultimate sacrifice made by Lori Piestewa for this great nation.

I am very happy to hear that these streets will be renamed. Squaw Peak was renamed Piestewa Peak nearly 20 years ago, the street rename is long overdue. We should never have had a street named Robert E Lee and renaming that street is even longer overdue. I am grateful to live in a city that is willing to work for a better future for everyone.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 47

Enter into Contracts with Buyer's Choice Home Inspections LLC dba Blackstone Property Inspections, First Step Home Inspectors, LLC and Independent Inspector Network LLC for Home Inspection Services for Single-Family Homes (Ordinance S-47082)

Request to authorize the City Manager, or his designee, to enter into contracts with Buyer's Choice Home Inspections LLC dba Blackstone Property Inspections, First Step Home Inspectors, LLC and Independent Inspector Network LLC to provide single-family home inspections for the Housing Department's scattered site properties. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$75,000. There is no impact to the General Fund.

Summary

The Housing Department owns single-family homes designated as Public Housing. The U.S. Department of Housing and Urban Development (HUD) has approved the City's Section 18 and 32 plans, which provide, in part, that the City may dispose of these single-family homes pursuant to certain guidelines. For a flat, per-home fee, inspections will be performed in accordance with the Standards of Professional Practice for Arizona Home Inspectors established by the Arizona Board of Technical Registration.

Procurement Information

Invitation to Bid FY21-086-02 was conducted in accordance with Administrative Regulations 3.10. Five offers were received by Housing's Management Services Division on Sept. 15, 2020. The following five offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsiveness to services:

- First Step Home Inspectors, LLC: \$220.00 per inspection
- Buyer's Choice Home Inspections LLC dba Blackstone Property Inspections: \$249.00 per inspection

- Independent Inspector Network LLC: \$250.00 per inspection
- Copley Residential and Commercial, LLC dba CRAC Inspect: \$280.00 per inspection
- B-Sure Home Inspection, LLC: \$295.00 per inspection

The Housing Department Director recommends that the offers from Buyer's Choice Home Inspections LLC dba Blackstone Property Inspections, First Step Home Inspectors, LLC and Independent Inspector Network LLC be accepted as the lowest-priced, responsive and responsible offers.

Contract Term

The initial contract term will begin on or about Jan. 1, 2021 and end on Dec. 31, 2022. The contracts include an option to extend the term of the contracts up to three additional years which may be exercised in the discretion of the City Manager or his designee.

Financial Impact

The aggregate contract values including all option years will not exceed \$75,000 (including applicable taxes). These contracts are funded with HUD funds. There is no impact to the General Fund.

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 48

Voluntary Acquisition of Real Property for Affordable and/or Mixed Income Housing Located North of Northwest Corner of Van Buren Street and 5th Avenue (Ordinance S-47121)

Request to authorize the City Manager, or his designee, to use federal Community Development Block Grant funding to acquire all real property and related property interests by voluntary acquisition within the City's appraised value, plus any usual and customary closing costs. Further request authorization to provide relocation assistance and benefits as federally mandated, and to execute agreements to minimize relocation costs and allow occupants time to relocate, as may be necessary to and in furtherance of this acquisition. Further request authorization for the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

The Housing Department in partnership with the Neighborhood Services Department (NSD) is seeking authority to voluntarily acquire two parcels (314 and 318 N. 5th Avenues) located north of the northwest corner of Van Buren Street and 5th Avenue through NSD's Strategic Acquisitions Program using Community Development Block Grant (CDBG) funds. This subject site would be acquired for the future development of affordable or mixed income housing within downtown Phoenix.

On June 16, 2020, Council approved the Housing Phoenix Plan which has a goal of creating or preserving 50,000 homes by 2030. The proposed acquisition aligns with the City Council approved Housing Phoenix Plan. This activity would be in alignment with the seventh policy initiative to expand affordable housing through preservation efforts. One such effort includes land banking as an option to procure land for the development of affordable housing or mixed income housing. The proposed acquisition is an innovative employment of the Land Banking policy initiative listed in the Housing Phoenix Plan. The Housing Department will return to City Council at a later date to receive input prior to proceeding with the redevelopment process for the subject site.

Financial Impact

There is no impact to the General Fund; funding is available in the federal Community Development Block Grant program.

Concurrence/Previous Council Action

The Housing Phoenix Plan was unanimously approved by City Council at the June 16, 2020 Policy meeting.

Location

North of the northwest corner of Van Buren Street and 5th Avenue.

Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Housing and Neighborhood Services departments.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 49

Authorization to Amend Contract with Area Agency on Aging, Region One, Inc. for Home Delivered Meals (Ordinance S-47112)

Request authorization for the City Manager, or his designee, to amend Contract 152984 with Area Agency on Aging, Region One, Inc. (AAA) to accept additional home delivered meal funding in the amount of \$2,843,045 for a new contract total of \$4,925,370. The term of this contract is from July 1, 2020 through June 30, 2021. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to these items. There is no impact to the General Fund.

Summary

Funds provided to the City of Phoenix through AAA are used to fund the City's Home Delivered Meal (HDM) program. The HDM program assists in increasing the nutrient intake of older adults at nutrition risk and allows them to remain independent in their homes.

Due to the COVID-19 pandemic, service needs have increased as more seniors have become homebound. In addition with Senior Centers being closed, there is an increased cost due to delivery of previous congregate meals to senior center members who are now at home. Seniors are at higher risk for severe illness from COVID-19. With the additional funding, the Human Services Department is projected to prepare and deliver approximately 243,580 additional nutritionally balanced meals to homebound and senior center members, bringing the overall projected number of meals served during the term of the contract to 533,580 meals.

Contract Term

This term of the contract is for one-year from July 1, 2020 through June 30, 2021, with three remaining one-year options to extend. Any extension option may be exercised in the discretion of the City Manager or his designee.

Financial Impact

The aggregate value of this contract shall not exceed \$4,925,370. There is no match requirement for the additional funding. There is no impact to the General Fund.

Concurrence/Previous Council Action

On May 16, 2018, City Council authorized staff to contract with Selrico Services, Inc. for food management of the Senior Congregate and HDM programs with Ordinance S-44610. Selrico Services produces and delivers meals according to the specified AAA standards for the HDM program. The contract term for Selrico is July 1, 2018 through June 30, 2023.

On April 3, 2019, City Council authorized staff to enter into contract with AAA, the City Treasurer to accept and City Controller to disburse funds with Ordinance S-45521.

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 50

2021-22 Housing and Urban Development Consolidated Plan Annual Action Plan Process

This report requests City Council approval of the 2021-22 Consolidated Plan Annual Action Plan process.

Summary

The 2021-22 Annual Action Plan examines housing and community development conditions and needs in the City of Phoenix, and defines strategies for addressing those needs throughout the year. The Annual Action Plan contains the planning and application requirements of four major U.S. Department of Housing and Urban Development (HUD) programs that provide critical funds to entitlement cities like Phoenix every year. The four fund sources are: the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). Through adoption of the 2020-24 Consolidated Plan in May 2020, City Council approved the general strategies and priorities for these programs. Each year the Annual Action Plan details how funds will be spent in the coming year.

The Annual Action Plan process will begin in November 2020 with a HUD-required public, virtual hearing to assess community needs throughout Phoenix. Residents and neighborhood leaders will be invited to provide testimony regarding housing, homelessness, social services and community development issues and concerns. Residents who are unable to attend the public, virtual hearing will have the opportunity to submit their comments via e-mail or voicemail. This information, along with a needs assessment, will form the foundation of the draft 2021-22 Annual Action Plan. This plan will be available for an advertised 5-day public comment period in April 2021 before it will be reviewed and approved by City Council. The goal of the Annual Action Plan process, per HUD requirements, is to ensure comprehensive community planning and coordinated service delivery are utilized to meet critical housing and community development needs.

City Council will be asked to review and approve the draft 2021-22 Annual Action Plan in spring of 2021; the 2021-22 Annual Action Plan is due to HUD by May 15, 2021.

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 51

2020 Community Development Block Grant Reprogramming Request (Ordinance S-47076)

Request to authorize the City Manager, or his designee, to reprogram \$300,000 of available Community Development Block Grant (CDBG) program income to continue to fund additional targeted code enforcement. Further request to authorize the City Controller to disburse the funds for the purpose of this ordinance.

Summary

Each fiscal year, the Neighborhood Services Department (NSD) requests that program income from projects funded by CDBG allocation are reprogrammed to provide an additional year of continued funding for two Neighborhood Preservation Inspector I positions originally eliminated as part of the Feb. 3, 2009 General Fund budget reduction. Staff will continue to provide enforcement of the Neighborhood Preservation Ordinance in eligible, targeted low- and moderate-income census tracts, specifically in the City's targeted Neighborhood Initiative and Redevelopment areas, including the West Phoenix Revitalization Area through June 30, 2021.

Location

Targeted Neighborhood Initiative and Redevelopment areas citywide, including the West Phoenix Revitalization Area.

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 52

Electrical Services Citywide - Ordinance S-45778 Amendment (Ordinance S-47087)

Request to authorize the City Manager, or his designee, to amend Ordinance S-45778 to increase the aggregate contract value to \$3,120,000 and add the Neighborhood Services Department (NSD) as an authorized user of the Public Works Department's Commercial Comm and Electric Inc. and Hawkeye Electric, Inc. contracts, as needed, for residential electrical work throughout the city of Phoenix. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

NSD manages Housing Rehabilitation Programs which improve Phoenix's housing stock and enhance the quality of life for low- and moderate-income property owners and tenants. The Housing Rehabilitation Programs offer no- or low-cost housing repair services that address health and safety hazards in the home, and promote conservation, sustainability, and energy efficiency to support and revitalize neighborhoods.

As a result of the COVID-19 public health crisis, the Housing Rehabilitation Programs' capabilities to respond to residential housing repair service demands have been severely reduced. The ability to use Public Works' contracts with Commercial Comm and Electric Inc. (Contract 150240) and Hawkeye Electric (Contract 150241) will increase the number of contractors available to perform electrical services through Neighborhood Services' Housing Rehabilitation Program; NSD does not seek to utilize Public Works' contract with Rus Kurz dba Performance Electric (Contract 150242) to complete these projects. The Neighborhood Services Department will add an additional \$15,000 each to the Commercial Comm and Hawkeye Electric contracts annually (for a combined total of \$120,000) over the life of the contract. NSD's additional funding will increase the aggregate contract value to \$3,120,000.

Contract Term

The five-year contract term, in one-year renewals, commenced on or about July 1, 2019 to June 30, 2024.

Financial Impact

The aggregate value of Ordinance S-45778 over the five-year term, including this amendment, will not exceed \$3,120,000. The \$120,000 added to the Commercial Comm and Electric Inc. and Hawkeye Electric contracts through this amendment is funded through federal and state grants, and will have no impact on the General Fund.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Finance, Public Works, and Neighborhood Services departments.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 53

Artist Design Contract for Cortez Park Well Site and Arizona Canal Public Art Project (Ordinance S-47110)

Request to authorize the City Manager, or his designee, to enter into a contract with artist John Randall Nelson to work with the City project team to enhance the design of walls, fences and landscaping for the Cortez Park ASR Well 317, at 35th Avenue and the Arizona Canal. Further request to authorize the City Controller to disburse all funds related to this item. This agreement will not exceed \$50,000.

Summary

The Cortez Park Well Site and Arizona Canal is one of 33 projects in the Fiscal Year 2020-25 Public Art Project Plan that City Council approved on Sept. 16, 2020. The Art Plan includes \$158,950 for this project, to commission an artist to design site enhancements to improve the security and appearance of Cortez Park ASR Well site and its surroundings. The artist would work with the community, the Water Services and other City departments to develop the design.

On Jan. 13, 2020, a five-person artist selection panel recommended John Randall Nelson (AZ) and four other finalists after reviewing a pool of 78 artists who had responded to a City-issued Request for Qualifications. In addition to Mr. Nelson, the finalists included: Steven Siegel (NY), Debbie Dickinson (WA), George Bates (NY), and Pete Goldlust (OR). On Feb. 14, 2020, the panel reviewed proposals from and interviewed the five finalists before recommending that Mr. Nelson be contracted for this project. The panel based its decision on Mr. Nelson's concept for incorporating the history of the site (formerly the location of a Zanjero house) in his design, and his ability to work well with the community in carrying out the work.

The selection panel included: Jennifer Gill, Public Art Project Manager, Scottsdale Arts; Rachel Zebro, Assistant Curator of Phoenix Art Museum; Lennee Eller, Public Art Program Director, City of Sacramento; Aaron LaRoque, Phoenix Water Services Department; and Jeff Spellman and Cindy Jones, community representatives. Cynthia Brown (Parks and Recreation Department) and Fernando Felix (Neighborhood Services Department) served as panel advisers.

Financial Impact

The proposed \$50,000 design contract will cover all costs related to the artist's working with City staff and project consultants to develop the design concept and construction documents for this project. The remaining project funds will be used for project construction and administration. Additional funds are expected to be requested for project construction once the design is complete. The percent-for-art funds for this project come from the Water Services Department Capital Improvement Program and are budgeted in the Public Art Plan Capital Improvement Program.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended this item at its March 10, 2020 meeting.

Location

Near 35th Avenue and Dunlap Avenue

Council District: 1

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Office of Arts and Culture.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 54

Artist Fabrication and Construction Oversight Contract for Community Well Site 156 Art Project (Ordinance S-47111)

Request to authorize the City Manager, or his designee, to enter into a contract with artist Jeff Zischke (AZ) to fabricate and install four sculptures and work with a Water Services Department design team to oversee construction and installation of safety and aesthetic enhancements for Community Well Site 156, at 6237 W. Osborn Road. Further request to authorize the City Controller to disburse all funds related to this item. This agreement will not to exceed \$170,000.

Summary

Community Well Site 156 is one of 33 projects in the Fiscal Year 2020-25 Public Art Project Plan that City Council approved on Sept. 16, 2020. The Art Plan includes \$797,174 for this project, to contract artist Jeff Zischke to work with a design team to create and install artworks and enhancements for Community Well Site 156.

On Dec. 12, 2018, City Council approved a \$35,000 design contract (#149259-0) for Mr. Zischke to work with a Water Services Department team to redesign the site. The work included a community workshop in April 2019 attended by 14 residents who live near the inactive well site -- currently a vacant lot surrounded by a low chain link fence. They recommended that the empty lot be improved with additions of sculptures, plantings, walkways and shade trees. The community subsequently reviewed and recommended moving ahead with the design that the artist and team developed. In addition to the above enhancements, the improvements would include safety lighting.

Under this contract, the artist would fabricate and install four unique sculptures related to the themes of family, community, gardens and monsoons. Ranging in height from six to twelve feet, the sculptures would be made of durable, low-maintenance Corten steel and be mounted on secure concrete foundations inside raised planters, to discourage climbing. The artist would oversee the installation of the sculpture's foundations and other site improvements being carried out by a general contractor hired by the Water Services Department. He also would install the sculptures.

Financial Impact

The proposed \$170,000 fabrication and construction oversight contract will cover all

costs related to the artist's working with City staff and the Water Services Department design team to fabricate and install the sculptures and oversee construction and installation of the site's other enhancements. The remaining project funds will be used to construct and administer the site's overall landscape and safety improvements. The percent-for-art funds for this project come from the Water Services Department Capital Improvement Program and are budgeted in the Public Art Plan Capital Improvement Program.

Concurrence

The Phoenix Arts and Culture Commission reviewed and recommended approval of this item at its Oct. 13, 2020 meeting.

Location

6237 W. Osborn Road

Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Office of Arts and Culture.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 55

Phoenix Convention Center Department COVID-19 Response

This report provides information to the City Council on the business and operational impacts of the Coronavirus pandemic on the Phoenix Convention Center (PCC) and requests City Council approval to implement necessary and appropriate program budget reductions in response to event cancellations and projected revenue shortfalls.

Summary

In early 2020, the global spread of COVID-19 began to directly impact the convention and meetings industry. Meeting planners and national associations began cancelling conventions and trade shows out of an abundance of caution. In early March, the World Health Organization declared the Coronavirus outbreak a global health pandemic. This was followed by similar declarations from federal, state, and local government agencies as well as public health agencies including the Centers for Disease Control, the Arizona Department of Health Services. Additionally, the Governor's office has issued COVID-19 Executive Orders establishing guidance and criteria for hosting events. The declarations and guidance referenced above have resulted in cancellations and postponements of all large gatherings including conventions, meetings, and public events.

At the time of the outbreak the PCC was on pace to host a record number of citywide convention groups in 2020. Since that time, a total of 186 events at the PCC have cancelled or postponed including 52 contracted conventions. The convention cancellations equate to a loss of more than 160,000 delegates, 224,000 hotel room nights and \$235 million in direct visitor spending. As we approach the end of the calendar year, additional group business cancellations into the first half of 2021 are anticipated.

As a non-general fund enterprise department, the PCC relies on user generated fees and dedicated excise taxes to support operations and debt service. Direct operating revenues include facility rentals, commissions from services such as catering, audio visual, IT, and parking. Excise tax revenues are derived from hotel/motel, restaurant and bar, and construction activity. As a result of the pandemic, staff projects a decrease in direct operating revenues of \$18.5 million on a budget of \$60.8 million and a decrease in combined excise taxes of \$20.7 million in FY 2020-21.

Accordingly, staff has developed an 18- to 24-month business recovery plan that ensures long-term financial stability and aligns operating expenses and staffing with business and operational needs. Concurrently, the department will continue to remain positioned to hold limited capacity meetings and events under strict COVID-19 protocols and ultimately a return to normal business operations.

As part of the business recovery plan, the PCC will require expense reductions to the department's operating budget. The proposed reductions include capital expenses, operating expenses, and personnel expenses. Personnel expense reductions include suspension of funding for: 22 vacant full-time positions, 21 vacant part-time positions, 25 filled full-time positions and reduction in funding for 47 filled part-time positions. A detailed summary of the proposed reductions is included in **Attachment A**. Staff is currently working closely with the Human Resources Department to develop a plan to transition affected full-time staff into other positions within the City organization. Pending Council approval, the transition of staff is expected to be completed by Feb. 1, 2021. Our commitment is to identify an appropriate City job opportunity for all full-time staff.

The Coronavirus pandemic has impacted the entire visitor industry which includes convention centers, hotels, performing arts venues, stadiums and arenas. A recent industry survey conducted by the International Association of Venue Management reported that through Sept. 30, 2020; 49 percent of venues have furloughed or laid off full-time staff and 42 percent of venues have reduced their operating budgets. A summary of recent staffing reductions taken by comparable convention centers is included in **Attachment B**.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Phoenix Convention Center Department. This item is also recommended by the Budget and Research Department.

ATTACHMENT A**2020-21 and 2021-22****PROPOSED REDUCTIONS**

Department	2020-21 (partial year)	2021-22 (full year)
<u>Phoenix Convention Center</u>		
<i>Program: Convention Center, Orpheum Theater, and Symphony Hall.</i>		
1. Suspend funding of three filled Secretary III positions providing administrative support for the Business Services, Sales and Marketing and Venue Management Divisions.	\$(121,794)	\$(296,076)
2. Suspend funding of a filled Supplies Clerk I *U2 supporting warehouse operations.	\$(28,269)	\$(67,933)
3. Suspend funding of a filled Accountant II responsible for event accounting functions including post event invoicing, ticket reconciliation, event auditing/reconciliation and settlement.	\$(58,873)	\$(141,850)
4. Suspend funding of a filled Public Information Officer supporting the department with media requests and coordination of public records requests.	\$(57,791)	\$(140,697)
5. Suspend funding of a filled Info Tech Analyst/Programmer III supporting Sharepoint and the internal Event Management System.	\$(70,607)	\$(169,731)
6. Suspend funding of two filled User Technology Specialist*U2 supporting building automation.	\$(98,761)	\$(241,836)
7. Suspend funding of a filled Planning Graphic Designer supporting events with the creation of floor plans.	\$(45,525)	\$(112,012)
8. Suspend funding of a filled Production Assistant supporting theaters with the production of events.	\$(39,706)	\$(95,654)

Department	2020-21 (partial year)	2021-22 (full year)
9. Suspend funding of a filled Production Coordinator supporting theater events with coordination and production held at the Orpheum and Symphony Hall theaters.	\$(40,178)	\$(100,041)
10. Suspend funding of a filled Asst Production Service Manager providing managerial support to the theater production staff.	\$(46,598)	\$(116,646)
11. Suspend funding of a filled Assistant Ticket Service Supervisor providing supervisory support to the ticket sellers for the Convention Center, Orpheum Theatre and Symphony Hall.	\$(32,340)	\$(80,385)
12. Suspend funding of three filled Events Coordinator supporting convention and non-convention events held at the Convention Center, Orpheum Theatre and Symphony Hall.	\$(120,423)	\$(301,248)
13. Suspend funding of a filled Volunteer Coordinator supporting volunteer usher program activity related to events held at the Orpheum Theatre and Symphony Hall.	\$(57,272)	\$(139,026)
14. Suspend funding for two filled Support Services Aides providing administrative support for the Facilities and Sales and Marketing divisions.	\$(57,592)	\$(142,724)
15. Suspend funding of a filled Sign Specialist II*U2 providing support to events through the creation of custom event signage.	\$(34,389)	\$(83,124)
16. Suspend funding of a filled Assistant Security Systems Supervisor providing security coordination and support to events.	\$(55,933)	\$(134,846)
17. Suspend funding of a filled Building Equipment Supervisor providing supervisory support to facilities staff.	\$(56,333)	\$(136,527)
18. Suspend funding of a filled Building Maintenance Foreman providing supervisory support to facilities staff.	\$(52,260)	\$(125,942)

Department	2020-21 (partial year)	2021-22 (full year)
19. Suspend funding of a filled Locksmith supporting events.	\$(36,568)	\$(90,954)
20. Suspend funding of 22 FT vacant positions.	\$(1,299,896)	\$(1,634,765)
21. Suspend funding of a 21 PT vacant positions and reduce funding to remaining PT positions.	\$(519,375)	\$(449,587)
22. Reduce funding for Contractual Services providing Engineering, Banking, Parking Management, Event support, Custodial, Elevator Maintenance, Security, Auditing, Consulting, Environmental Waste Removal, Training, Pest Control, Window Washing, Plumbing, Electrical, Painting, Landscaping, Equipment Repair, Computer Maintenance Services and other general contractual services to the department.	\$(1,997,836)	\$(1,386,334)
23. Reduce funding for utilities due to the reduction of events and the reduced need for said utilities for the department	\$(840,959)	\$(50,000)
24. Reduce funding for Commodities such as Janitorial, Plumbing, Electrical, AC/Heating, Security, Environmental, Communication, Small Tool, and other miscellaneous supplies.	\$(475,345)	\$(180,715)
25. Eliminate funding for a buyer in the finance department. This position will be funded by the General Fund.	\$(72,134)	\$(72,134)
26. Suspend funding of a Fire Marshall. This position will be funded by the General Fund.	\$(84,808)	\$(84,808)
27. Reduce funding for equipment replacement.	\$(1,000,000)	\$(500,000)
Total Phoenix Convention Center	\$(7,401,565)	\$(7,075,595)

ATTACHMENT B

Comparable Convention Centers

Venue	Staffing Adjustments
Orange County Convention Center Orlando, FL	Reassigned 50% of staff to other vacant county functions to avoid furloughs
Anaheim Convention Center Anaheim, CA	Suspended scheduling for full-time and part-time hourly employees
Henry B. Gonzales Convention Center San Antonio, TX	250 Convention Center and Alamodome employees furloughed for 4 months and reassigned to other City departments
Washington State Convention Center Seattle, WA	148 Convention Center employees temporarily laid off
San Diego Convention Center San Diego, CA	160 employees laid off plus hours reduced for 140 on-call staff

According to a survey from the International Association of Venue Managers, on average, venues have had to lay off/furlough 49% of their full-time staff. Venues have seen attendance decrease 95.3% from the previous March 13th to September 30th. They have experienced a 77.9% drop in revenue from the previous March 13th to September 30th. Finally, they have had to decrease their operating budget by 42.4% from the previous March 13th to September 30th.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 56

Public Hearing and Resolution to Approve the 2021 Downtown Enhanced Municipal Services District Assessments (Resolution 21880)

Request to hold a public hearing for the approval of the 2021 Downtown Enhanced Municipal Services District (Downtown EMSD) assessments and adopt a resolution approving such assessments for the 2021 calendar year. The General Fund estimated annual expenditure for this program is \$339,491.

Summary

Pursuant to State law, a public hearing must be held prior to the annual adoption of the assessments for the Downtown EMSD. The City Council authorized the formation of the Downtown EMSD in 1990 to provide enhanced public services, above and beyond the level of services provided in the remainder of the City. The costs for the Downtown EMSD's services are paid through assessments on property owners within the Downtown EMSD boundaries, which are generally bounded by Fillmore Street on the north, 7th Street on the east, 3rd Avenue on the west, and on the south by the railroad tracks south of Jackson Street. The City contracts directly with Downtown Phoenix, Inc. (DPI) to implement the work program, as described in **Attachment A**. The work plan and budget for calendar year 2021 provides a variety of enhanced services in the downtown core, including the Ambassadors program, streetscape improvements and maintenance, the Clean Team program, marketing, event promotion, business assistance and transportation services.

The annual assessments for the Downtown EMSD will be levied for the 2021 calendar year after the required legal process for the Downtown EMSD has been completed. Assessments are determined in proportion to the benefits received by each parcel. There are approximately 785 parcels in the Downtown EMSD that the budget will be assessed on. This is based on the approved Downtown EMSD assessment diagram that indicates the properties to be assessed for enhanced municipal services. This diagram is on file in the office of the Director of the City of Phoenix Street Transportation Department, and was posted online at the City's Community and Economic Development Department website.

The figures below represent the assessments for private and public property owners based on the approved 2021 Downtown EMSD budget of \$3,622,705. This includes

\$140,684 for streetscape maintenance expenses, which are paid only by property owners and tenants adjacent to the Streetscape Improvement District, as shown below.

Downtown EMSD Calendar Year 2021 Assessments

Private Property Owners Assessments: \$1,675,941

Public Property Assessments: \$1,986,764

Total Assessments: \$3,662,705

Streetscape Maintenance Expenses (expenses included in the figures above)

Private Property Owners Assessments: \$81,795

Public Property Assessments: \$58,889

Total Streetscape Expenses: \$140,684

Financial Impact

The City's total estimated annual expenditure for this program is \$1,197,007, which includes:

- \$339,491 from the General Fund (which represents an approximately \$37,679 decrease from 2020);
- \$503,959 from the Phoenix Convention Center;
- \$120,379 from the Sports Facilities Fund;
- \$8,409 from the Genomics Facilities Operations and Maintenance Fund; and
- \$224,771 from collections from tenants on City-owned properties.

Concurrence/Previous Council Action

The Workforce and Economic Development Subcommittee recommended for approval:

- The Work Plan and Budget on Sept. 23, 2020, by a vote of 3-1.

The City Council approved:

- The 2021 Downtown EMSD Estimate of Expenses, Assessment of Expense and set the Public Hearing Date of Nov. 18, 2020 for the hearing on the estimated assessments (Resolution 21871) on Oct. 21, 2020; and
- The 2021 Downtown EMSD Assessment Diagram (Resolution 21872) on Oct. 21, 2020.

Public Outreach

On Oct. 21, 2020, the City Council set the date of Nov. 18, 2020 as the date for the public hearing on the Downtown EMSD assessments. On Oct. 22, 2020, a total of 27 days prior to the hearing, which is greater than the legally required 20 days, all

property owners were notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development departments. In addition to the budget and work plan recommended by the Workforce and Economic Development Subcommittee on Sept. 23, 2020, DPI has sent letters to all property owners, and the Downtown EMSD Board approved the 2021 budget at its June 2020 board meeting. To answer any questions that property owners in the Downtown EMSD might have, Community and Economic Development Department staff made themselves available virtually for an hour prior to the Nov. 18, 2020 public hearing. Notice of the public hearing was also published in the Record Reporter as specified below. No further notification is required after the public hearing.

Revised published dates: The Record Reporter

- Oct. 28, 2020
- Oct. 30, 2020

Location

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

Council Districts: 7 and 8

Responsible Department

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

Attachment A

Downtown Phoenix Partnership 2021 Proposed Work Program

Key Areas of Focus

- Continue to deliver a safe, welcoming, clean, disinfected and walkable Downtown through the services of the Ambassadors and Clean & Green Team
- Continue to establish connectivity and strengthen relationships with stakeholders in the EMSD to ensure residents, employees, students and visitors are represented in our community building efforts and the development of our vibrant urban center
- Maintain frequent and consistent stakeholder communications to share critical project updates and impact information related to Downtown development projects and light rail expansion construction
- Maintain business support and recovery efforts related to COVID-19 in order to help preserve the Downtown amenity package of restaurants, bars and entertainment that drives the quality of urban living in DTPHX and supports the hospitality industry when it begins to recover
- As multiple development projects will deliver more employees, residents and students in 2021, working with the City's Street Transportation department to identify multi-modal solutions and implement micro mobility and enhanced sidewalk infrastructure will continue to be a priority
- In partnership with affiliate Phoenix Community Alliance, the city, county, human service providers and neighborhood and community groups, continue to identify solutions and programs for challenges and impacts related to homelessness in the Downtown area

2021 Work Program

Administration, Finance, and Information Technology

- Maintain reporting system for streetscape improvements and Ambassador assists to track accurately work performed in the field
- Manage internal controls and oversight of budget and annual audit to ensure good governance and accurate financial reporting
- Develop additional revenue streams via SELLA (Special Event Liquor License Areas) applications and street pole banner program
- Support community outreach efforts by Downtown Phoenix Partnership and affiliates

Marketing & Events

- Through our sustaining partnership with Artlink Phoenix, expand our outdoor placemaking efforts in the EMSD and match make artists with private developers and businesses to further Phoenix as a creative city
- Continue to diversify DTPHX's event portfolio by incubating family-friendly, educational and cultural events

- Reimagine events to achieve social distancing requirements for as long as needed and increase production of outdoor events/activations in an effort to bring more pedestrians to our sidewalks and businesses

Business Development

- Maintain business support related to COVID-19 impacts to provide information about grant/funding opportunities and other recovery resources and programs to businesses in the EMSD
- Focus business attraction efforts on bringing new restaurants and retail to recently vacated store fronts and core sites near the Convention Center, hotels, Van Buren and Monroe Streets
- Continue outreach to brokers of buildings within EMSD to keep them up to date on the rapidly changing Downtown
- Support co-working and entrepreneurial growth while promoting Downtown as a home to creative and technology companies as well as a leader in higher education and biomedical partnerships

Operations

- Continue to improve the walkability of Downtown through tree planting and shade structures, and enhance its neighborhood feel through placemaking efforts
- Impact the public realm by increasing public amenities such as interactive kiosks, pop-up play areas and support of outdoor performance stages
- Continue to support stakeholders during light rail and other construction impacts
- Grow communications within our safety network and participate in public safety coordination efforts
- Delayed due to COVID-19, launch, in partnership with RED Development and Valley Metro, the bike commuter space at Cityscape to support and grow bike commuting in Downtown



City Council Formal Meeting

Report

Agenda Date: 11/18/2020, Item No. 57

Authorization to Pay Invoices for 2021 Downtown Enhanced Municipal Services District (Ordinance S-47103)

Request to authorize the City Manager, or his designee, to pay all invoices received from Downtown Phoenix, Inc. (DPI) through the Phoenix Downtown Enhanced Municipal Services District (EMSD) Agreement, in an amount not to exceed \$3,662,705 for work related to the calendar year 2021 Downtown EMSD budget and work plan through Dec. 31, 2021. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The City Council authorized formation of the Downtown EMSD in 1990 to provide enhanced public services, above and beyond the level of services provided in the remainder of the City. The City contracts directly with DPI to implement the work program of the Downtown EMSD, including the Ambassadors program, streetscape improvements and maintenance, the Clean Team program, marketing, event promotion, business assistance and transportation services. Pursuant to State law, each year a budget must be approved for the Downtown EMSD. This action is the final step in the annual budget process to authorize the Community and Economic Development Department to pay DPI for services rendered in calendar year 2021 under the Downtown EMSD contract.

Financial Impact

The City's total estimated annual expenditure for this program is \$1,197,007, which includes:

- \$339,491 from the General Fund (which represents an approximately \$37,679 decrease from 2020);
- \$503,959 from the Phoenix Convention Center;
- \$120,379 from the Sports Facilities Fund;
- \$8,409 from the Genomics Facilities Operations and Maintenance Fund; and
- \$224,771 from collections from tenants on City-owned properties.

An additional \$789,756 is collected from other government-owned properties including Maricopa County, Maricopa County Stadium District and the State of Arizona. The remaining \$1,675,941 of funds are collected from private property owners through an

assessment on their property tax bill. The total amount for the 2021 calendar year budget is \$3,662,705.

Concurrence/Previous Council Action

The Workforce and Economic Development Subcommittee recommended for approval:

- The Work Plan and Budget on Sept. 23, 2020, by a vote of 3-1.

The City Council approved:

- The 2021 Downtown EMSD Estimate of Expenses, Assessment of Expense and set the Public Hearing Date of Nov. 18, 2020 for the hearing on the estimated assessments (Resolution 21871) on Oct. 21, 2020; and
- The 2021 Downtown EMSD Assessment Diagram (Resolution 21872) on Oct. 21, 2020.

Public Outreach

On Oct. 21, 2020, the City Council set the date of Nov. 18, 2020 as the date for the public hearing on the Downtown EMSD assessments. On Oct. 22, 2020, a total of 27 days prior to the hearing, which is greater than the legally required 20 days, all property owners were notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development departments. In addition to the budget and work plan being recommended by the Workforce and Economic Development Subcommittee on Sept. 23, 2020, DPI has sent letters to all property owners, and the Downtown EMSD Board approved the 2021 budget at its June 2020 board meeting. To answer any questions that property owners in the Downtown EMSD might have, Community and Economic Development Department staff made themselves available virtually for an hour prior to the Nov. 18, 2020 public hearing. Notice of the public hearing was also published in the Record Reporter as specified below. No further notification is required after the public hearing.

Revised published dates: The Record Reporter

- Oct. 28, 2020
- Oct. 30, 2020

Location

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

Council Districts: 7 and 8

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 58

Authorization to Enter into Agreement for FY 2020-21 Tourism and Hospitality Advisory Board Funds (Ordinance S-47083)

Request to authorize the City Manager, or his designee, to enter into a contract with Greater Phoenix Convention and Visitors Bureau (GPCVB) for FY 2020-21 Tourism and Hospitality Advisory Board (THAB) funds. The five-year aggregate value of the contract will not exceed \$500,000. Further request authorization to the City Controller to disburse all funds related to this item.

Summary

The Tourism and Hospitality Advisory Board (THAB) is the City of Phoenix Board that, annually, reviews and recommends projects and/or programs that enhance the City's tourism and hospitality industry. The Board is comprised of eight hoteliers (one from each City Council district), three at-large members from hospitality related industries, and one non-voting member from the GPCVB. For FY 2020-21, \$500,000 is appropriated for tourism and hospitality initiatives.

Procurement Information

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

On Sept. 17, 2020 at the THAB meeting, the GPCVB presented the proposed FY 2020-21 funding request and scope of work for consideration. In partnership with GPCVB, the current funding proposal will help aid in stimulating the local tourism and hospitality industry and assist in increasing activity to hotels and businesses in the local area; many impacted by the current pandemic. Under the proposal, the GPCVB will utilize THAB funding in the following areas to support the City's tourism and hospitality industry now and over the next several years:

Convention client hosting obligations (\$150,000) - represents seven meetings and conventions taking place at the Phoenix Convention Center between January 2021 and July 2023. It is anticipated that these seven groups will generate approximately 45,000 event attendees and delegates, more than 46,000 hotel room nights and more than \$450 in direct spending for every dollar invested.

Phoenix Convention Center Promotional support (\$25,000) - funds will be used to support new convention business contracted during FY 2020-21 or later. The funds will assist newly contracted groups with support in areas of convention center rental abatements, IT costs, AV costs, registration, or transportation assistance. The destination will need a strong and robust base of group events to assist in the recovery from the current COVID Pandemic and these funds will be used to support those groups as opportunities arise.

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

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

Contract Term

The Contract term is for five years with no extension options.

Financial Impact

The budget will not exceed \$500,000 over the life of the contact. THAB is funded through the Sports Facilities Fund, which is the hospitality industry's share of special excise taxes on hotel/motel lodging and rental cars.

Concurrence/Previous Council Action

The Workforce and Economic Development Subcommittee recommended approval of this item by a 4-0 vote at its Oct. 28, 2020 meeting. This item also was approved by the Tourism and Hospitality Advisory Board at its Sept. 17, 2020 meeting.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Phoenix Convention Center Department. This item is also recommended by the Tourism and Hospitality Advisory Board.



City Council Formal Meeting

Report

Agenda Date: 11/18/2020, Item No. 59

Authorization to Enter into a Requirements Contract for Payroll and Stagehand Services (Ordinance S-47101)

Request to authorize City Manager, or his designee, to enter into a contract with UTP Productions, Inc. to provide payroll and stagehand services, utilizing skilled labor from the International Alliance of Theatrical and Stage Employees Union Local 336 (IATSE Local 336) for the Phoenix Convention Center Department (PCCD). It is anticipated that this contract will result in expenditures of up to \$850,000 over the five-year term of the contract.

Summary

The contractor will provide payroll services along with trained, experienced and qualified stagehand labor from IATSE Local 336 to support live events presented at the Orpheum Theatre and Symphony Hall. These services include riggers, stage fly-men, stage electricians, stage carpenters, audio technicians, supervisors and other skilled labor required to support live theatrical performances.

In addition, contractor will also provide payroll services and qualified stagehand labor to perform scheduled maintenance and repairs on theatrical equipment and systems for the Phoenix Convention Center, Symphony Hall, Orpheum Theatre and Herberger Theatre. Systems to be maintained include manual rigging systems, audio visual equipment and various lighting equipment and controls.

Procurement Information

RFP 20-001 was conducted in accordance with Administrative Regulation 3.10. There were two proposals received by the PCCD Financial and Procurement Services Section on Sept. 1, 2020. The proposals were evaluated on price, responsiveness to specifications, and responsibility to provide the required services. The price was determined to be fair and reasonable. The solicitation notification was publicly posted and available for download from City's website.

The proposals were scored as follows:

- UTP Productions, Inc. 800
- Creative Backstage Group, LLC. 496

Contract Term

The five-year contract term will begin on or about Feb. 21, 2021.

Financial Impact

It is anticipated that this contract will result in up to \$850,000.00 in expenditures over the five-year term of the contract. PCCD clients will pay UTP Productions, Inc. directly for stagehand services used in support of live events. Funds are available in the Phoenix Convention Center Department's budget.

Locations

Symphony Hall, 75 N. Second St.
Orpheum Theatre, 203 W. Adams St.
Herberger Theater, 222 E. Monroe St.
Council District: 7

Phoenix Convention Center, 100 N. Third St.

Council District: 8

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Phoenix Convention Center Department.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 60

Authorization to Enter into Intergovernmental Agreement with Arizona Health Care Cost Containment System in Support of Arizona State Opioid Response II Grant (Ordinance S-47120)

Request authorization for the City Manager, or his designee, to allow the Police Department to enter into an Intergovernmental Agreement with the Arizona Health Care Cost Containment System (AHCCCS) to sustain and enhance naloxone distribution, increase localized community prevention efforts, expand navigation and access to medication-assisted treatment programs and expand access to recovery support services. The amount of funding available under this agreement is \$161,046. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

AHCCCS received a \$31.6 million grant from the Substance Abuse and Mental Health Services Administration to address the Opioid epidemic in the State of Arizona. The objective of the grant is to develop and support state, regional and local level collaboration and service enhancements to develop and implement best practices to comprehensively address the full continuum of care related to Opioid misuse, abuse and dependency.

Funding provided under this grant will be utilized to support the purchase and distribution of naloxone to support Arizona's goal of having 85 percent of the state covered by naloxone and reduce the number of Opioid overdose deaths in Arizona by 25 percent. These supplies will support the continuation of the Police Department's Narcan program and will provide necessary supplies to both utilized and expired doses for the 1,800 sworn officers in patrol.

Contract Term

Sept. 30, 2020 through Sept. 29, 2022.

Financial Impact

AHCCCS provides up to a maximum of \$161,046 in funding under this agreement.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 61

Authorization to Enter into Agreement with Arizona Secretary of State to Receive Reimbursement for Police Services (Ordinance S-47124)

Request retroactive authorization for the City Manager, or his designee, to allow the Police Department to enter into an agreement with the Arizona Secretary of State's Office to accept funds for overtime and associated fringe benefits for threat liaison officers (TLOs) providing services during the 2020 General Election process. Further request authorization for the City Treasurer to accept funds related to this item.

Summary

The Arizona Secretary of State's Office received federal funding for services provided during the 2020 General Election. These funds provide reimbursements to law enforcement agencies for the overtime and associated fringe benefits associated with providing TLO's services during the election.

The Police Department provided TLO's for a three-day period before, on and after election day. Responsibilities of the TLO's included responding to threats made at polling places and to any threats made to the election process.

Contract Term

There is no term associated with this agreement.

Financial Impact

There is no cost to the City.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Police Department.



Agenda Date: 11/18/2020, Item No. 62

Distributed Antenna System Solicitation Request

This report requests the City Manager, or his designee, to authorize the Aviation Department to issue a Revenue Contract Solicitation (RCS) for design, implementation, and ongoing operation and maintenance of an airport Distributed Antenna System (DAS) to improve cellular service at Phoenix Sky Harbor International Airport (PHX).

Summary

The cellular service at PHX is limited and inconsistent because of physical structures in and around the airport campus. Terminal buildings, parking garages, and other structures make it difficult to receive an optimal cellular service inside the terminals and concourse facilities.

On average, approximately 123,000 passengers pass through Sky Harbor facilities on a daily basis (pre-COVID-19). Robust and reliable cellular service is essential to provide passengers a world-class experience that enables them to stay connected while traveling. Passengers need robust cellular service for mobile check-in, in-app upgrades, and timely flight notifications from airlines. Furthermore, COVID-19 has increased the need to carry out traditional transactions in a "touchless" manner, which also requires ubiquitous and strong cellular service for all passengers. Improvement in these services cannot be made by relying on legacy outdoor towers. With the advent of 5G technology, passengers are looking for next-generation wireless experience in our facilities. Because of the Federal Communications Commission's designated 5G frequency spectrum, it is extremely difficult to provide 5G service inside airport terminals and other facilities from outdoor sites.

A DAS will provide the necessary infrastructure to deliver world-class 4G and 5G cellular service to passengers at PHX. It will ensure adequate coverage and capacity that is needed to support a wireless experience (such as streaming media, video, and online gaming) that is ubiquitous in today's world and one that passengers expect while at the airport. The DAS will cover all public access areas of the airport in Terminals 3 and 4, parking garages, Rental Car Center and select non-public access areas.

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

Procurement Information

Aviation Department will issue an RCS to select a service provider to design, build, operate and maintain the DAS system. Aviation intends to issue the solicitation in mid-December 2020. It is estimated that the contract will be awarded in May/June 2021.

Evaluation criteria for responsive and responsible respondents include:

- Method of Approach.
- Qualifications and Experience.
- Revenue to the Airport.
- Business Plan and Wireless Service Provider on-boarding.

Contract Term

The term of the contract will be 10 years, with two, one-year options to extend that may be exercised at the sole discretion of the Aviation Director.

Financial Impact

Revenue will be set at a later date based on market data.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Innovation Subcommittee recommended approval of this item on Nov. 4, 2020, by a vote of 4-0.

Location

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

Council District: 8

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 63

Amend City Ordinance S-45743 for Sale of City Property (Ordinance S-47102)

Request to authorize the City Manager, or his designee, to amend City Ordinance S-45743 for the sale of City property at 4405 E. Winslow Ave. to update the sales price to reflect the current Fair Market Value (FMV).

Summary

On June 5, 2019 the Phoenix City Council approved City Ordinance S-45743 which authorized the sale of four parcels located at 4405 E. Winslow Ave. at FMV to two owners of adjacent parcels so they can expand their properties. The parcels were appraised at the FMV of \$58,000 for the two western parcels, and \$28,000 for the two eastern parcels. The sale of the properties was delayed by the Federal Aviation Administration (FAA), which is required to review all sales transactions conducted at the Airport. The FAA ultimately concluded that the sales could proceed. During the FAA review process, the original appraisals exceeded their useful life, which caused the need for new appraisals. The new appraisals concluded the current FMV for the parcels has increased to \$90,000 for the western parcels, and \$46,000 for the two eastern parcels.

Financial Impact

Sale of the properties will result in payment to the City of \$136,000.

Concurrence/Previous Council Action

- The Aviation and Transportation Subcommittee recommended for approval the Sale of Four Parcels at 4405 E. Winslow Ave. on May 28, 2019, by a vote of 3-0.
- The City Council approved the Sale of Four Parcels at 4405 E. Winslow Ave. (Ordinance S-45743) on June 5, 2019.

Location

4405 East Winslow Ave.

Council District: 8

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 64

AerSale, Inc. Amendment to Add 12 Acres at Phoenix Goodyear Airport (Ordinance S-47105)

Request to authorize the City Manager, or his designee, to amend AerSale, Inc. (AerSale) Hangar Lease 75812 to add an additional 12 acres of land at Phoenix Goodyear Airport (GYR).

Summary

AerSale currently leases Hangar 52, and approximately 44 acres of land under Hangar Lease 75812 where they conduct maintenance, repair, and overhaul (MRO) operations on commercial aircraft stored at GYR. AerSale has requested to increase their exclusive aircraft storage area with the addition of 12 acres of land to accommodate additional aircraft.

Contract Term

The term of the current Hangar Lease expires on June 27, 2026, and will not be extended by this amendment.

Financial Impact

AerSale pays \$193.69-per-month for each airplane stored at GYR. Depending on the size of airplanes stored, the additional 12 acres has the capacity to store up to 12 commercial aircraft, which would generate approximately \$27,891 per year in revenue to GYR if the area is fully utilized.

Concurrence/Previous Council Action

This item was recommended for approval by the Phoenix Aviation Advisory Board on Oct. 15, 2020, by a vote of 6-0 and the Transportation, Infrastructure and Innovation Subcommittee on Nov. 4, 2020, by a vote of 4-0.

Location

Phoenix Goodyear Airport - 1658 S. Litchfield Road, Goodyear, Ariz.
Council District: Out of City

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 65

Worldwide Flight Services, Inc. Ground Lease at Phoenix Sky Harbor International Airport (Ordinance S-47106)

Request to authorize the City Manager, or his designee, to enter into a ground lease with Worldwide Flight Services, Inc. (WFS) at Phoenix Sky Harbor International Airport (PHX) for one year with two, one-year renewal options.

Summary

WFS currently leases cargo bays at the West Air Cargo complex at PHX where they process cargo for Amazon, Inc. WFS has requested to lease approximately one acre in the East Tonto Lot to park trailers used to transport cargo to Amazon's distribution warehouses in Phoenix and surrounding communities.

Contract Term

The term will be one year with two, one-year renewal options to be exercised at the sole discretion of the Aviation Director.

Financial Impact

Rent for the first year of the lease will be approximately \$45,738-per-year (\$1.05-per-square-foot) plus applicable taxes. Rent will be adjusted annually thereafter by the Phoenix-Mesa-Scottsdale Consumer Price Index. Total anticipated revenue over the term of the lease will be approximately \$137,214.

Cocurrence/Previous Council Action

This item was recommended for approval by the Phoenix Aviation Advisory Board on Oct. 15, 2020, by a vote of 6-0 and the Transportation, Infrastructure and Innovation Subcommittee on Nov. 4, 2020, by a vote of 4-0.

Location

Phoenix Sky Harbor International Airport, East Tonto Lot - 610 S. 24th St.
Council District: 8

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 66

Luke Air Force Base 56th Fighter Wing Intergovernmental Agreement (Ordinance S-47107)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with Luke Air Force Base 56th Fighter Wing (Luke) for a term of nine years.

Summary

Luke, located in Glendale, Ariz., conducts flight training throughout the Southwest and is located at 14185 W. Falcon St. In 2010, the City and Luke entered into IGA 129687 in which the City agreed to authorize aircraft diverted from Luke to land at Phoenix Sky Harbor International Airport (PHX), Phoenix Deer Valley Airport (DVT) and Phoenix Goodyear Airport (GYR). The current IGA is set to expire and included one, five-year extension option. Luke has declined entering into the five-year extension option because they will need a longer overall term. In lieu of entering into the existing option, they have requested to enter into a new IGA that will provide Luke a longer term. The new agreement will continue to authorize diverted Luke aircraft to land at City-owned airports, ensure safety and efficiency through the establishment of procedures for Luke aircraft to operate at a City airport, and establish procedures for Luke to recover its aircraft.

Contract Term

The term will be nine years with no option to renew.

Financial Impact

This is a non-revenue generating IGA. Luke will be responsible for reimbursement of any damage or removal of debris caused by diverted aircraft.

Concurrence/Previous Council Action

This item was recommended for approval by the Phoenix Aviation Advisory Board on Oct. 15, 2020, by a vote of 6-0 and the Transportation, Infrastructure and Innovation Subcommittee on Nov. 4, 2020, by a vote of 4-0.

Location

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

Phoenix Deer Valley Airport - 702 W. Deer Valley Road
Phoenix Goodyear Airport - 1658 S. Litchfield Road, Goodyear, Ariz.
Council Districts: 1, 8 and Out of City

Responsible Department

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



Agenda Date: 11/18/2020, Item No. 67

Public Transportation Agency Safety Plan - Request for Approval

This report requests City Council approval of the City's Public Transportation Agency Safety Plan (PTASP), a new requirement of the Federal Transit Administration (FTA).

Summary

On July 19, 2019, the FTA published the PTASP Final Rule, requiring public transportation systems that receive federal grant funds to develop safety plans that include Safety Management Systems (SMS) and to set safety performance measure targets by Dec. 31, 2020.

The purpose of the Final Rule is to ensure safety within public transit systems nationwide. SMS elements include:

- *Safety Management Policy* - A commitment to safety, defining the system's objectives and employees' responsibilities to safety;
- *Safety Risk Management* - A process for identifying, analyzing, documenting, and mitigating safety risks and hazards;
- *Safety Promotion* - A procedure for safety training and communication; and
- *Safety Assurance* - A responsibility for safety performance monitoring and measurement, management of change, and continuous improvement.

Safety Performance Measures outlined by the National PTASP, including specific definitions for "reportable events" occurring within the transit environment (or otherwise related to transit service, vehicles, or facilities), are as follows:

- *Fatalities* - Total number of reportable fatalities; rate per total vehicle revenue miles by mode;
- *Injuries* - Total number of reportable injuries; rate per total vehicle revenue miles by mode;
- *Safety Events* - Total number of reportable events; rate per total vehicle revenue miles by mode; and
- *System Reliability* - Mean distance between major mechanical failures by mode.

Additional Information

The City's draft PTASP (**Attachment A**) was developed through a collaborative process between staff from the Public Transit Department (PTD) and T2050 Project Management Consultant (PMC) Team. This Plan follows federally mandated processes and procedures, including SMS principles and methods.

In addition, the City coordinated its PTASP with the three service providers it contracts with to operate and maintain the City's bus and paratransit services. As a result, each contractor has developed its own respective safety plan unique to that contractor's operations, facilities, and workforces. Under the new FTA Final Rule, PTD is responsible for administering the safety of the City's transit system, including oversight of the City's bus and paratransit service providers.

The Maricopa Association of Governments (MAG) coordinates and provides guidance to the regional transit agencies while the Arizona Department of Transportation (ADOT) provides assistance to transit agencies across the State. The City's regional partners, consisting of the Regional Public Transportation Authority (RPTA), Valley Metro Rail (VMR), Scottsdale, Glendale, and Peoria, also fall under the new FTA Final Rule and have created PTASPs specific to their transit operations.

Under federal requirements, the City's PTASP must be approved by the City Council. Once implemented, this Plan will be reviewed annually. The FTA then requires each transit system to annually self-certify that it has a PTASP that meets the requirements of the Final Rule. The FTA also intends to use its triennial oversight review program to assess compliance with the Final Rule.

Concurrence/Previous Council Action

This item was approved by the Citizens Transportation Commission on Oct. 22, 2020, by a vote of 10-0.

This item was approved by the Transportation, Infrastructure and Innovation Subcommittee on Nov. 4, 2020, by a vote of 4-0.

Responsible Department

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



PUBLIC TRANSPORTATION AGENCY SAFETY PLAN

City of Phoenix Public Transit Department

December 2020





City of Phoenix

Public Transportation Agency Safety Plan

Executive Summary

The City of Phoenix Public Transit Department (PTD) has prepared the Public Transportation Agency Safety Plan (PTASP, or Plan) to comply with the Federal Transportation Administration's (FTA) PTASP final rule 49 Code of Federal Regulations (CFR) Part 673, published on July 19, 2018. The rule requires public transportation system operators receiving federal Section 5307 funds to develop safety plans with processes and procedures that implement safety management systems (SMS) principles and methods. The SMS includes the PTASP's Safety Management Policy Statement, Safety Risk Management, Safety Assurance and Safety Promotion policies and procedures that encompass a top-down and data-driven approach to safety risk management and ensuring the effectiveness of safety risk mitigation.

Phoenix Transit Operations

PTD operates fixed local bus service, neighborhood bus circulators, commuter bus service, and paratransit services in an area of approximately 518 square miles, with a population of nearly 1.8 million. Transit services are operated in partnership with three contractors (Contractors): First Transit Inc., Transdev Services Inc., and MV Transportation Inc. Day-to-day bus operations and maintenance originate with each contractor, and PTD works with each contractor individually to ensure an effective safety program for the entire Phoenix-operated transit system.



Developed a system-specific safety plan for *motor bus system*.



Developed a system-specific safety plan for *motor bus system*.



Developed a system-specific safety plan for *demand response system*.

Safety Plan Regulatory Background

On July 19, 2019, the FTA PTASP Final Rule (49 CFR Part 673.11(a)(3)) became effective. FTA established the PTASP compliance date to be July 20, 2020 and extended it to December 31, 2020.

PTASP Elements



Safety Management Policy

A documented commitment to safety that defines safety objectives, as well as the accountabilities and responsibilities of employees in regard to safety.



Safety Risk Management

An established and documented process for identifying, analyzing, assessing, and mitigating safety risks and hazards.



Safety Assurance

A federally mandated process for safety performance monitoring and measurement. As a large transit provider, it is required to develop processes that address management of change and promote continuous improvement.



Safety Promotion

A process for safety training and communication.



Key Performance Indicators

Established safety performance targets, including the process and timeline for conducting an annual review and update.

Regional Relationships

PTD is responsible for overseeing the city's transit program and, at the same time, serves as the designated recipient for federal funding under FTA's Section 5307, 5309, 5310, 5316, 5317, 5337 and 5339 programs in the Phoenix-Mesa Urbanized Area. This includes the cities of Phoenix, Tempe, Mesa, Scottsdale, Glendale, Avondale, Fountain Hills, Peoria, Paradise Valley, Goodyear, Litchfield Park, Surprise, Tolleson, Youngtown and areas of Maricopa County.

In addition to managing FTA grant subrecipients, PTD is responsible for ensuring compliance with federal rules and guidelines for itself and the region's subrecipients. Each subrecipient enters into a Grant Pass-Through Agreement with PTD for the receipt of FTA funds.

PTD provides FTA funding for two transit agencies as subrecipients: the Regional Public Transportation Authority (RPTA) and Valley Metro Rail, Inc. (VMR). RPTA is a public agency, duly organized under the laws of the State of Arizona to operate regional bus service and is overseen by a board of its members' elected officials. Membership is open to all municipalities in Maricopa County and to the county government. VMR is a non-profit, public corporation that is responsible for the design, construction and operation of the 26-mile light rail system and future extensions. In addition, Scottsdale, Peoria, and Glendale provide local transit service within their jurisdictions, all as small transit agencies as defined in the PTASP final rule.

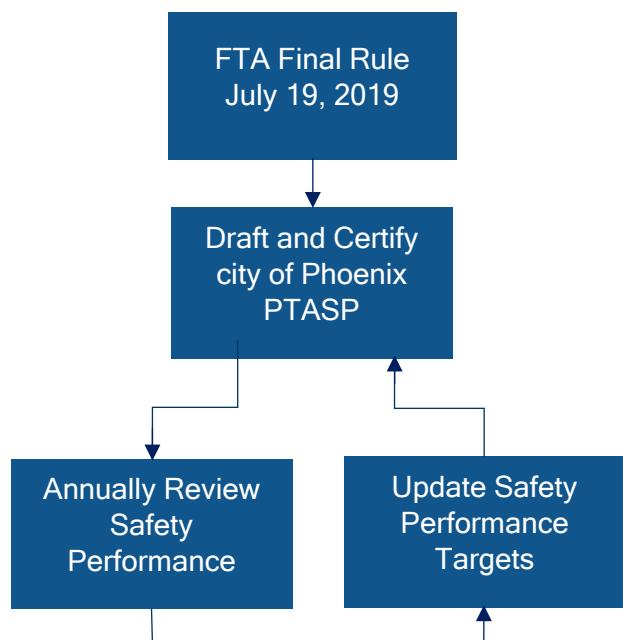
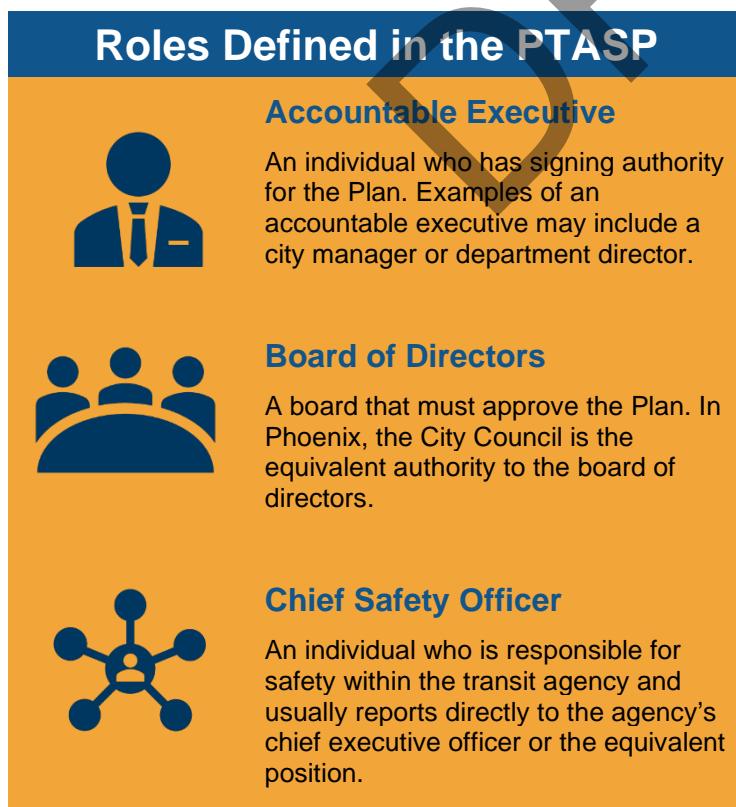
The Arizona Department of Transportation (ADOT) serves as the State Safety Oversight Agency for PTD and the Maricopa Association of Governments (MAG) serves the metropolitan Phoenix area as the regional Metropolitan Planning Organization for the agencies within Maricopa County.

Plan Development

PTD requires transit system Contractors to develop and implement safety plans unique to each contractor's system and scope of operation. In addition, PTD coordinated with MAG to develop regional transit system performance targets in the PTASP.

Certification and Implementation

The Phoenix City Council adopted and certified the PTASP. The PTASP was shared with ADOT and MAG and implemented by PTD and Contractors.



This is the PTASP life cycle from the inception of FTA's mandate to the Plan's annual maintenance and certification.

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Glossary of Terms

49 CFR Part 673: The final rule for the Public Transportation Agency Safety Plan as authorized by the Moving Ahead for Progress in the 21st Century Act (MAP-21). This final rule requires states and certain operators of public transportation systems that receive federal financial assistance under 49 U.S.C. Chapter 53 to develop Public Transportation Agency Safety Plans.

Accident: An event that involves a loss of life, a serious injury to a person, a collision of transit vehicles, an evacuation for life safety reasons or any derailment of a transit vehicle, at any location, at any time, whatever the cause.

Accountable Executive: Typically, the highest executive in the agency. A single, identifiable person who has ultimate responsibility for carrying out the safety management system of a public transportation agency, and control or direction over the human and capital resources needed to develop and maintain the agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the agency's Transit Asset Management Plan in accordance with 49 U.S.C. 5326.

Chief Safety Officer: An adequately trained individual who has responsibility for safety and reports directly to a transit department's chief executive officer, general manager, president, or equivalent officer. A Chief Safety Officer may not serve in other operational or maintenance capacity, unless employed by a department that is either a small public transportation provider, or a public transportation provider that does not operate a rail fixed guideway public transportation system.

Critical Incident: An occurrence, natural or human-caused, that requires a response to protect life or property. Incidents can, for example, include major disasters, emergencies, terrorist attacks, terrorist threats, civil unrest, wildland and urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, hurricanes, tornadoes, tropical storms, tsunamis, war-related disasters, public health and medical emergencies, and other occurrences requiring an emergency response.

Departmental Leadership and Executive Management: Members of an agency who have authorities or responsibilities for day-to-day implementation and operation of an agency's safety management system.

Designated Recipient: An entity that has been designated by the state governor or his/her designee to receive and/or sub-allocate FTA funding.

Equivalent Authority: An entity that carries out duties similar to that of a Board of Directors, for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, with sufficient authority to review and approve a recipient or subrecipient's Public Transportation Agency Safety Plan.

Event: An accident, incident, or occurrence.

Grant Pass-Through Agreement: A non-federal entity that provides a subaward to a subrecipient to carry out part of a federal program.

Hazard: Any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock or infrastructure of a public transportation system; or harm to the environment.

Incident: An event that involves personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock or infrastructure that disrupts the operations of a transit agency.

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Investigation: Process of determining the causal and contributing factors of an accident, incident or hazard for the purpose of preventing recurrence and mitigating risk.

Key Staff: A group of staff and their direct reporting personnel that support the Accountable Executive, Chief Safety Officer or Safety Management System Executive in developing, implementing, and operating the department's safety management system.

Major Mechanical Failure: Failure caused by vehicle malfunction or subpar vehicle condition that requires that the vehicle be pulled out of service.

National Public Transportation Safety Plan: A plan to improve the safety of all public transportation systems that receive federal financial assistance under 49 U.S.C. Chapter 53.

Occurrence: An event without any personal injury in which damage to facilities, equipment, rolling stock or infrastructure does not disrupt the operations of a transit agency/department.

Operator: Provider of public transportation as defined under 49 U.S.C. 5302(14).

Passenger: A person, other than an operator, who is boarding onto, riding on, or alighting from a vehicle on a public transportation system for the purpose of travel.

Performance Measure: An expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.

Performance Target: A quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by FTA.

Potential Hazard: Any possible future condition that may cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock or infrastructure of a public transportation system; or harm to the environment.

Preventive Maintenance: Regular, scheduled and/or recurring maintenance of assets (equipment and facilities) as required by the manufacturer's or vendor's requirements, typically for the purpose of maintaining assets in satisfactory operating condition. Preventive maintenance is conducted by providing systematic inspection, detection, and correction of anticipated failures either before they occur or before they develop into major defects. Preventive maintenance is maintenance, including tests, measurements, adjustments, and parts replacement, performed specifically to prevent faults from occurring. The primary goal of preventive maintenance is to avoid or mitigate the consequences of equipment failure.

Public Transportation Agency Safety Plan: The documented comprehensive agency safety plan for a transit agency that is required by 49 U.S.C. 5329.

Rail Fixed Guideway Public Transportation System: Any fixed guideway system that uses rail, operates for public transportation, and serves within the jurisdiction of a state (and is not subject to the jurisdiction of the Federal Railroad Administration), or any such system undergoing engineering or construction. Rail fixed guideway public transportation systems include rapid rail; heavy rail; light rail; monorail; trolley; and inclined plane, funicular, and automated guideway.

Reportable Event: A safety or security event occurring on transit right-of-way or infrastructure, at a transit revenue facility, at a maintenance facility or rail yard, during a transit related maintenance activity or involving a transit revenue vehicle. The following types of events are excluded from reporting requirements: events that occur off transit property where affected persons, vehicles, or objects come to

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rest on transit property after the event; OSHA events in administrative buildings; deaths that are a result of illness or other natural causes; other events occurring at bus stops or shelters that are not on transit-controlled property; collisions that occur while travelling to or from a transit-related maintenance activity; and collisions involving a supervisor car or other transit service vehicle operating on public roads.

Risk: The composite of predicted severity and likelihood of the potential consequences of hazards.

Risk Mitigation: A method or methods to eliminate or reduce the effects of hazards.

Root Cause Analysis: A systematic process for identifying root causes of safety events and an approach for responding to them.

Safety Assurance: The process within a transit agency's Safety Management System that functions to ensure the implementation and effectiveness of safety risk mitigation and the satisfaction of safety objectives through the collection, analysis, and assessment of information.

Safety Management Policy: A transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the transit agency employees' accountabilities and responsibilities in regard to safety.

Safety Management System: The formal, top-down, data-driven, organization-wide approach to managing safety risk and ensuring the effectiveness of a transit agency's safety risk mitigation. Safety management system includes systematic procedures, practices, and policies for managing risks and hazards.

Safety Objective: A general goal or desired outcome related to safety.

Safety Performance: An organization's safety effectiveness and efficiency, as defined by safety performance indicators and targets, measured against the organization's safety objectives.

Safety Performance Indicator: A data-driven, quantifiable parameter used for monitoring and assessing safety performance.

Safety Performance Measure: An expression based on a quantifiable indicator or condition of performance that is used to establish targets and to assess progress toward meeting the established targets.

Safety Performance Monitoring: Activities aimed at the quantification of an organization's safety effectiveness and efficiency during service delivery operations, through a combination of safety performance indicators and safety performance targets.

Safety Performance Target: A quantifiable level or condition of performance, expressed as a value for a given performance measure, achieved over a specified timeframe related to safety management activities.

Safety Promotion: A combination of training and communication of safety information to support safety management system as applied to the transit agency's public transportation system.

Safety Risk: Assessed probability and severity of the potential consequence(s) of a hazard, using as reference the worst foreseeable, but credible, outcome.

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Safety Risk Assessment: Formal activity whereby a transit agency determines safety risk management priorities by establishing the significance or value of the safety risks.

Safety Risk Management: A process within a transit agency's safety plan for identifying hazards, assessing the hazards, and mitigating safety risk.

Safety Risk Mitigation: Activities whereby a public transportation agency controls the probability or severity of the potential consequences of hazards.

Safety Hazard Risk Probability: Likelihood that a consequence might occur, taking as reference the worst foreseeable, but credible, condition.

Safety Hazard Risk Severity: Anticipated effects of a consequence, should hazards materialize, taking as reference the worst foreseeable, but credible, condition.

Serious Injury: Any injury that:

- Requires hospitalization for more than 48 hours, commencing within 7 days from the date the injury was received
- Results in a fracture of any bone (except simple fractures of fingers, toes or nose)
- Causes severe hemorrhages, or nerve, muscle, or tendon damage
- Involves any internal organ
- Involves second- or third-degree burns, or any burns affecting more than 5% of the body surface

State: A state of the United States, the District of Columbia or the Territories of Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

State of Good Repair: Condition in which a capital asset can operate at a full level of performance.

State Safety Oversight Agency: An agency established by a state that meets the requirements and performs the functions specified by 49 U.S.C. 5329(e) and the regulations set forth in 49 CFR Part 674.

Transit Agency: An operator of a public transportation system.

Transit Asset Management Plan: Strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating and replacing transit capital assets to manage their performance, risks and costs over their life cycles for the purpose of providing safe, cost-effective and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR 625.

Vehicle Revenue Mile: The miles that vehicles are scheduled to or travel while in revenue service. Vehicle revenue miles include layover/recovery time and exclude deadhead, operator training, vehicle maintenance testing and school bus and charter services.

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Acronyms

ADOT Arizona Department of Transportation

CFR Code of Federal Regulations

CSO Chief Safety Officer

CTC Citizens Transportation Commission

DASH Downtown Area Shuttle

FTA Federal Transit Administration

MAG Maricopa Association of Governments

NSP National Safety Plan

NTD National Transit Database

PTASP Public Transportation Agency Safety Plan

PTD Public Transit Department

RPTA Regional Public Transportation Authority

SMS Safety Management Systems

TI&I Transportation, Infrastructure and Innovation Subcommittee

U.S.C. United States Code

VMR Valley Metro Rail

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1. Plan Adoption and Certification

1.1 Plan Adoption

This Public Transportation Agency Safety Plan (PTASP) is approved by the Phoenix City Council and is hereby adopted, certified as compliant and signed by the Accountable Executive and the Chief Safety Officer:

Jesus Sapien
Accountable Executive

Date

Lars Jacoby
Chief Safety Officer

Date

1.1 Certification of Compliance

The city of Phoenix certified on **TBD, 2020**, that this PTASP is in full compliance with 49 Code of Federal Regulations (CFR) Part 673, as required by 49 U.S.C. 5329, and is adopted and implemented by the city of Phoenix as evidenced by the Plan adoption signature and necessary Phoenix City Council approvals in **Appendix A** of this Plan.

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2. Introduction

This PTASP represents PTD's relationship with its bus transit service contractors and includes safety management as it also relates to PTD employees, particularly those employees in safety-sensitive positions. As such, the preponderance of PTD transit budget is contracted service (89% of PTD's budget is contracted services). No city employees are bus operators; the city does not provide maintenance, fueling or direct management of the contracted bus service. Where applicable, each section of this Plan includes the safety management processes and procedures of PTD and/or the safety management processes and procedures of the contractors. Contractors' abbreviated safety plans are included in Appendices B through D. Their full safety plans are referenced in each abbreviated plan and are available upon request.

The City of Phoenix Public Transit Department (PTD) has prepared the Public Transportation Agency Safety Plan (PTASP) to comply with the Federal Transportation Administration's (FTA) PTASP final rule 49 CFR Part 673. The rule requires public transportation system operators receiving federal Section 5307 funds to develop safety plans with processes and procedures that implement safety management system (SMS) principles and methods. The SMS includes the PTASP's Safety Management Policy Statement, Safety Risk Management, Safety Assurance and Safety Promotion policies and procedures that encompass a top-down and data-driven approach to safety risk management and ensuring the effectiveness of safety risk mitigation.

PTD operates fixed local bus service, neighborhood bus circulators, commuter bus service, and paratransit services in partnership with three Contractors: First Transit, Transdev and MV Transportation, which are all responsible for the day-to-day operations and maintenance, although PTD works individually with each contractor to ensure an effective safety program for the city's transit system.

PTD is also part of an overall regional transit system in partnership with the Regional Public Transportation Authority (RPTA) and Valley Metro Rail (VMR). The City of Phoenix is the designated recipient of FTA funding for the Phoenix-Mesa Urbanized Area, and distributes funds to subrecipients including RPTA, VMR, Tempe, Mesa, Scottsdale, Glendale, Avondale, Fountain Hills, Peoria, Paradise Valley, Goodyear, Litchfield Park, Surprise, Tolleson, Youngtown, and unincorporated areas of Maricopa County. In addition, Glendale, Peoria, and Scottsdale operate bus transit service in their jurisdictions, and PTASP regulations also apply to those transit agencies. This complex regional relationship is illustrated on **Figure 1**.

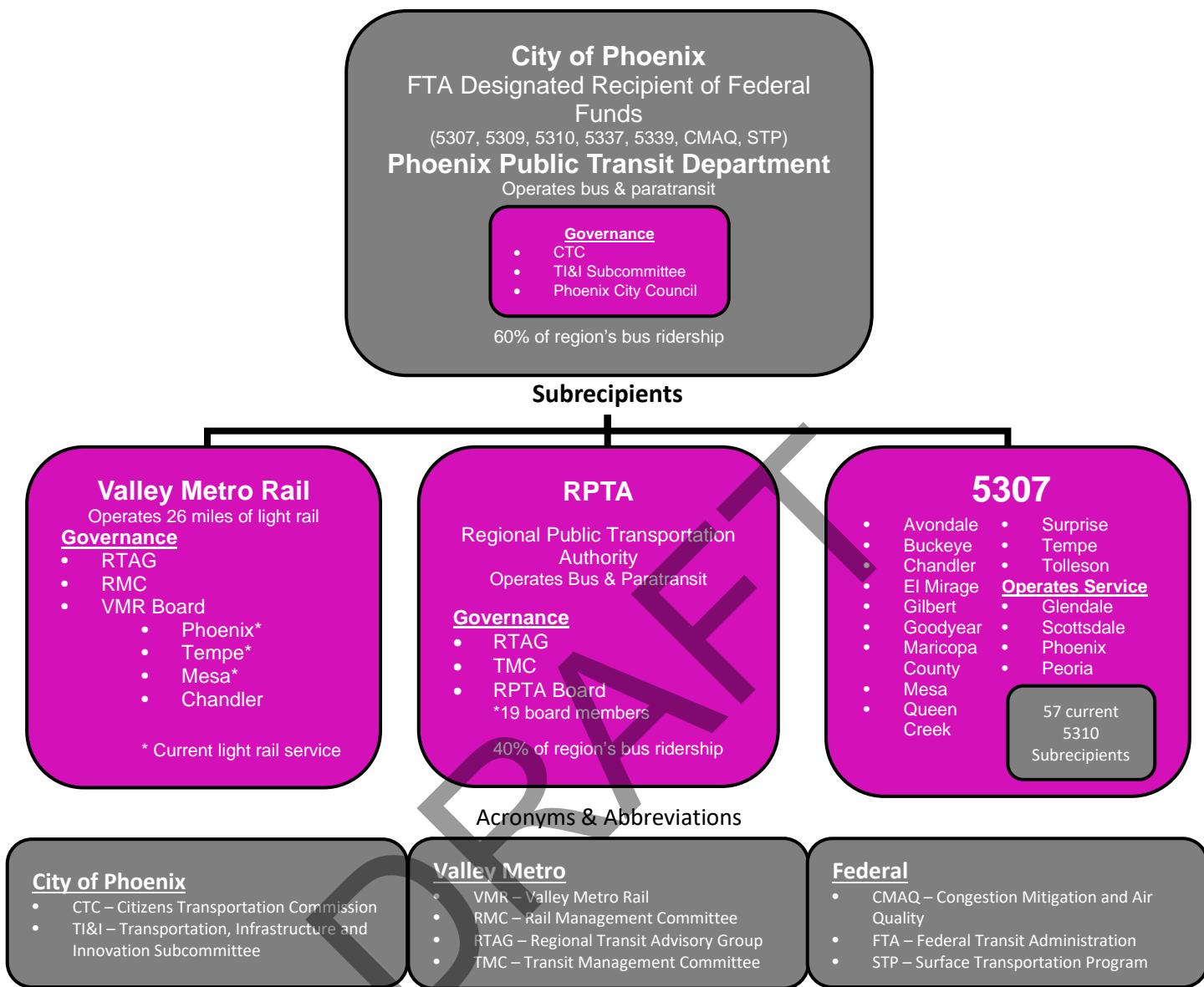


Figure 1. Public Transit Department Regional Chart

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3. Safety Plan Regulatory Background

The FTA PTASP Final Rule (49 CFR Part 673.11(a)(3)) became effective July 19, 2019. The rule requires public transportation system operators receiving federal Section 5307 funds to develop safety plans with processes and procedures for implementing the SMS. The PTASP contains the following four SMS elements:

- **Safety Management Policy:** A documented commitment to safety that defines PTD's objectives, as well as the accountabilities and responsibilities of its employees in regard to safety.
- **Safety Risk Management:** An established and documented process for identifying, analyzing, assessing, and mitigating safety risks and hazards.
- **Safety Assurance:** A federally mandated process for safety performance monitoring and measurement. PTD is a large transit provider and therefore required to develop management of change and continuous improvement processes.
- **Safety Promotion:** A process for safety training and communication.

The PTASP also contains established safety performance targets for contracted service operators, including the process and timeline for conducting an annual PTASP review and update.

3.1 Plan Development

PTD requires Contractors to develop and implement safety plans unique to each Contractor's system and scope of operation. The PTASP rule is also applicable to the PTD Contractors.

PTD coordinated with the Maricopa Association of Governments (MAG) to collaborate on regional transit system performance targets in the PTASP.

3.2 Certification and Implementation

The Phoenix City Council adopted and certified the PTASP, which was then shared with the Arizona Department of Transportation (ADOT) and implemented by PTD staff and Contractors.

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4. Transit Agency Information

4.1 General Information

General Agency Information

City of Phoenix
Public Transit Department
302 North 1st Avenue, Suite 900
Phoenix, Arizona 85003
Number of Employees: 115

Contractor Information (as of this writing)

Transdev

Number of Employees: 952
Buses (40 and 60 foot): 330
Circulator Cutaways: 10
PTD Fiscal Year Revenue Miles:
2018 - 14,924,290
2019 - 15,191,569
2020 - 13,878,353

First Transit

Number of Employees: 510
Buses (40 and 60 feet): 159
Circulator Cutaways: 6
PTD Fiscal Year Revenue Miles:
2018 - 6,453,377
2019 - 6,274,901
2020 - 6,810,813

MV Transportation

Number of Employees: 249
Dial-A-Ride Cutaways: 123
PTD Fiscal Year Revenue Miles:
2018 - 322,914
2019 - 331,731
2020 - 288,763

Note: PTD's fiscal year is July 1 through June 30, each year.

Accountable Executive

Jesús Sapien
Public Transit Director

Chief Safety Officer

Lars Jacoby
Management Assistant II, Director's Office

Mode Applicability

Operated: Bus and Paratransit
Plan Applicability: Bus and Paratransit

Types of Funding

Section 5307

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4.2 Agency Description

The city of Phoenix purchased the Phoenix Transit System from a private company in 1971, and since then is responsible for overseeing the city's transit programs and serves as the designated recipient for federal funding under FTA's Section 5307, 5309, 5310, 5316, 5317, 5337 and 5339 programs in the Phoenix-Mesa Urbanized Area. PTD's service area is 518 square miles, consisting of a population of approximately 1.7 million people.

In addition to managing FTA grants subrecipients, PTD is responsible for ensuring compliance with federal rules and guidelines for itself and the region's subrecipients. Each subrecipient signs a Grant Pass Through Agreement with PTD for the receipt of FTA funds.

PTD contracts the operation of the city's transit network of 38 local fixed routes, four circulator routes and six RAPID (commuter bus) routes, as well as Phoenix Dial-A-Ride, the city's paratransit service.

CITY OF PHOENIX CONTRACTORS

First Transit operates 11 local and one circulator routes from the city's West Transit Facility. For additional information, see the First Transit Abbreviated Safety Plan (**Appendix B**).

Transdev operates 27 local, six RAPID, and three circulator routes. Transdev operates from the city's North and South Transit Facilities. For additional information on Transdev, see the Transdev Abbreviated Safety Plan (**Appendix C**).

MV Transportation operates the Phoenix Dial-A-Ride paratransit service for persons with disabilities certified under the Americans with Disabilities Act of 1990 guidelines. The company operates from an operator-leased facility.

To supplement Dial-A-Ride, PTD's Alternative Transportation Programs are also provided by MV Transportation for transportation assistance via taxi vouchers and to operate a shuttle service for seniors and persons with disabilities or are receiving dialysis treatment. For additional information on MV Transportation, see the MV Transportation Abbreviated Safety Plan (**Appendix D**).

OTHER AGENCIES

PTD provides FTA funding for two transit agencies and three small transit agencies as subrecipients: RPTA, VMR, city of Scottsdale, city of Glendale, and city of Peoria respectively (see **Figure 1**). Each small transit agency maintains a standalone PTASP for their respective programs.

RPTA is overseen by a board of elected officials from member agencies, including Avondale, Buckeye, Chandler, El Mirage, Gilbert, Glendale, Goodyear, Maricopa County, Mesa, Peoria, Phoenix, Scottsdale, Surprise, Tempe, Tolleson and Wickenburg. RPTA is responsible for transit marketing and financial management of the transit component of the Maricopa County regional transportation program. RPTA also contracts for the operation of the local and commuter bus and paratransit services it operates outside of Phoenix.

VMR is a non-profit, public corporation that is responsible for the design, construction and operation of the 26-mile light rail system and future extensions. The board includes representatives from the member cities of Chandler, Mesa, Phoenix and Tempe. The light rail system currently serves Phoenix, Tempe and Mesa.

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ADOT is the state's transportation agency responsible for planning, building and operating the highway system, as well as building and maintaining bridges and the operation of the Grand Canyon Airport. ADOT serves as the State Safety Oversight Agency for PTD.

MAG serves the metropolitan Phoenix area as the regional Metropolitan Planning Organization for Maricopa County and its 27 member cities and agencies.

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5. Safety Plan Development and Maintenance

5.1 PTASP Development

The PTASP was written and reviewed by PTD subject matter experts and a third-party consultant to ensure it meets current (2020) safety industry standards and follows 49 CFR Part 673.

Through its written agreements with multiple service providers, PTD requires Contractors to develop and implement safety plans unique to their respective scope of operations, while providing oversight and input to ensure compliance. Throughout each process, each Contractor develops and implements safety plans that address safety needs.

As shown in **Figure 1**, the PTASP went through a three-step formal approval process:

1. Phoenix Citizens Transportation Commission (CTC) – a 15-member committee appointed by the Phoenix Mayor and City Council to provide oversight of the Phoenix Transportation plan (T2050).
2. Transportation, Infrastructure and Innovation (TI&I) Subcommittee – a four-member subcommittee of the Phoenix City Council that provides policy guidance on a range of issues, including transit.
3. Phoenix City Council – Comprised of nine members (the Mayor and eight Council members), who provide approval and direction on policies and initiatives citywide.

The Phoenix City Council adopted the PTASP on **XXX., XX, 2020**.

5.2 Annual Internal Review and Update Process

5.2.1 PTD

PTD management and staff will review the PTASP on an annual basis prior to December 31st of each year beginning in 2021 and make updates to the plan as necessary. Review of the PTASP along with any subsequent updates, addendums, adoption, and distribution activities will be documented in the PTASP Activity Log (**Appendix E**) and tracked through the date and version provided in the header on the individual pages. Approval of each updated Plan will be completed by the Accountable Executive, the Chief Safety Officer (CSO) and the Phoenix City Council; and self-certification will be completed annually by the Accountable Executive and CSO in compliance with 49 CFR Part 673.13.

5.2.2 Contractors

At a minimum, Contractors are required to update their plans annually. Each Contractor has developed their own review process and will submit updates to PTD.

For more details on each contractor's *safety plan review and update process*, see:

- **First Transit – Appendix B.2** (Plan Development, Approvals, and Updates)
- **Transdev – Appendix C.5.1.3** (Agency Safety Plan Review Process)
- **MV Transportation – Appendix D.2** (Plan Development, Approvals, and Updates)

5.3 PTASP Audit Process

Following PTD's annual review and update process, PTD will consult with third-party subject matter experts for independent auditing of the PTD PTASP. Reviews of its three service contractors will occur on

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a biennial basis. The auditor will ensure the plan's compliance with 49 CFR Part 673 and any accompanying mandates.

In addition, the VMR and RPTA PTASPs will be independently audited annually, while the Glendale, Scottsdale, and Peoria PTASPs will be audited triennially.

5.4 PTASP Documentation and Recordkeeping

5.4.1 PTD

PTD will maintain the documents set forth in the PTASP, including those documents related to implementation of the SMS (in tandem with operations contractors) and results from SMS processes and activities.

PTD will also maintain documents that are included in whole, or by reference, that describe the programs, policies, and procedures that PTD uses to carry out the PTASP and all iterations of those documents. These documents will be made available upon request to FTA or other federal entity, or ADOT. PTD will, at a minimum, retain these documents as outlined in the federal and local records retention policies and schedules or for three years.

5.4.2 Contractors

Each Contractor maintains individual policies on safety-related documentation and recordkeeping for no less than three years. All Contractors are committed to maintaining documents and records related to their plans, including the safety plan itself and other associated safety records and documentation. For more information about each Contractor's *policy on documentation and recordkeeping*, see:

- **First Transit – Appendix B.4** (Annual Review and Update of the Public Transportation Safety Plan)
- **Transdev – Appendix C.0 - Transdev** (Safety Plan Documentation and Recordkeeping)
- **MV Transportation – Appendix D.4** (Annual Review and Update of the Public Transportation Safety Plan)

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6. Safety Performance Targets

The PTASP Final Rule requires public transportation providers to develop a PTASP that includes safety performance targets based on the seven safety performance measures established under the FTA's National Public Transportation Safety Plan (NSP). The safety performance measures outlined in the NSP, which are based on data currently being submitted to the National Transit Database (NTD), are developed to ensure applicability to all modes of public transportation and are based on data submitted using the NTD and are each listed as categories in **Table 1** and **Table 2**. The NTD is maintained by FTA and serves as a reporting system for public transit information tracking, such as agency funding sources, inventories of assets, safety reports and measures of transit service. The safety performance measures included in the NSP are fatalities, injuries, safety events and system reliability.

Given that PTD does not directly operate the Phoenix transit system or other operations in the region, the safety performance baselines and targets presented in the PTASP are established and directly monitored by Contractors across the region.

Each Contractor baseline was established as the actual safety performance value recorded at the end of the federal fiscal year 2019, except for 'System 'Reliability, which is a contractual performance target. All safety performance metrics use the federal fiscal calendar, which begins October 1 and ends on September 30.

In future versions of the PTASP, a record of prior safety performance baselines and targets will be found in the PTASP Performance Target Log (**Appendix F**).

Table 1 and **Table 2** present the safety performance baselines and targets for bus service and paratransit service, respectively.

Table 1. Bus Service Safety Performance Baseline and Targets

Category	First Transit	Transdev
Fatalities: total number of reportable fatalities	Baseline: 0 Target: 0	Baseline: 0 Target: 0
Fatalities: reportable rate per total vehicle revenue miles by mode	Baseline: 0/100,000 Target: 0/100,000	Baseline: 0/100,000 Target: 0/100,000
Injuries: total number of reportable injuries	Baseline: 31 Target: 28	Baseline: 7 Target: 5
Injuries: reportable rate per total vehicle revenue miles by mode	Baseline: 0.44/100,000 Target: 0.39/100,000	Baseline: 0.05/100,000 Target: 0.03/100,000
Safety Events: total number of reportable events (reportable events are defined in the NTD)	Baseline: 55 Target: 42	Baseline: 39 Target: 34

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Category	First Transit	Transdev
Safety Events: reportable rate per total vehicle revenue miles by mode	Baseline: 0.66/100,000 Target: 0.49/100,000	Baseline: 0.26/100,000 Target: 0.22/100,000
System Reliability: mean distance between major mechanical failures by mode	Baseline: 11,000 miles Target: 12,000 miles	Baseline: 11,000 miles Target: 17,000 miles

Table 2. Paratransit Service Safety Performance Baseline and Targets

Category	MV Transportation (Operates Paratransit Service)
Fatalities: total number of reportable fatalities	Baseline: 0 Target: 0
Fatalities: reportable rate per total vehicle revenue miles by mode	Baseline: 0 Target: 0/100,000
Injuries: total number of reportable injuries)	Baseline: 36 Target: 0
Injuries: reportable rate per total vehicle revenue miles by mode	Baseline: 0.87/100,000 Target: 0/100,000
Safety Events: total number of reportable events	Baseline: 176 Target: 140
Safety Events: reportable rate per total vehicle revenue miles by mode	Baseline: 4.26/100,000 Target: 3.28/100,000
System Reliability: mean distance between major mechanical failures by mode	Baseline: 11,000 miles Target: 30,000 miles

Table 1 and Table 2 definitions:

- **Fatality:** A death or suicide confirmed within 30 days of a reported event. Does not include deaths in or on transit property that are a result of illness or other natural causes.
- **Injury:** Any damage or harm to persons as a result of an event that requires immediate medical attention away from the scene.
- **Safety Event:** A collision, derailment, fire, hazardous material spill, act of nature (Act of God), evacuation or OSONOC (other safety occurrence not otherwise classified) occurring on transit right-of-way, in a transit revenue facility, in a transit maintenance facility, or involving a transit revenue vehicle that meets the established NTD reportable thresholds.
- **System Reliability:** The rate of vehicle failures in service, defined as mean distance between major mechanical failures.

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7. Safety Management Systems

7.1 Safety Management Policy

7.1.1 PTD

The city of Phoenix is committed to safety management as a systematic, comprehensive, and ongoing approach to identifying hazards and risks associated with transit system operations, facilities and related preventive maintenance activities.

PTD adopted an SMS framework as an element of its responsibility by establishing:

- A safety policy
- Identifying hazards and controlling risks
- Goal setting, planning, and measuring performance.

PTD follows safety management policies as directed in the city of Phoenix's safety program outlined in Administrative Regulation 2.31 (AR 2.31).

See the City of Phoenix Administrative Regulations ([Appendix G.4](#)).

Contractors

Each Contractor has adopted their own safety management policies that are compliant with 49 CFR Part 673 and are complementary to PTD's policy.

For specific details regarding each contractor's *safety management policy*, see:

- **First Transit – Appendix B.4** (Safety Management Policy)
- **Transdev – Appendix C.1** (Safety Policy Statement)
- **MV Transportation – Appendix D.4** (Safety Management Policy)

7.2 State and Metropolitan Planning Organization Coordination

The city of Phoenix will provide annual PTASP updates to ADOT and MAG, as well as provide ongoing updates to key safety performance targets.

7.3 Safety Goals

To address the ongoing oversight and review required to ensure the proper implementation of this plan, the following safety goals are set:

- Establish a safety and training committee with key representatives from PTD to review policies and procedures related to the PTASP.
- Encourage and improve safety communication strategies and awareness with both internal and external stakeholders.
- Identify roles and responsibilities for the transit system's safety program and develop a training curriculum.

7.4 Safety Management Policy Communication

7.4.1 PTD

Methods used to communicate the safety management policy include the following:

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- Safety presentations at quarterly PTD staff meetings.
- Annual safety training with key PTD staff.
- PTASP and safety training information uploaded to PTD's employee-accessible SharePoint site.

7.4.2 Contractors

PTD Contractors have included a Safety Management Policy Communication section in their safety plans regarding their communications to their staff. The Contractors plan to communicate safety information to their employees by creating accessible safety reports, implementing training programs, posting information on general bulletin boards, and sending safety emails.

For more information on each Contractor's individual *policies related to safety communication*, see:

- **First Transit – Appendix B.4** (Safety Management Policy Communication)
- **Transdev – Appendix C.1.1.2** (Communication)
- **MV Transportation – Appendix D.4** (Safety Management Policy Communication)

7.5 Authorities, Roles and Responsibilities

7.5.1 PTD

The key to a successful safety plan is fostering a culture focused on safety. With this philosophy in mind, all PTD employees are responsible for implementing the safety practices and being safe every day.

Figure 2 illustrates the organizational structure for PTD's SMS. **Table 3** defines the specific responsibilities and accountabilities each role has in achieving safety targets, program oversight and implementation.

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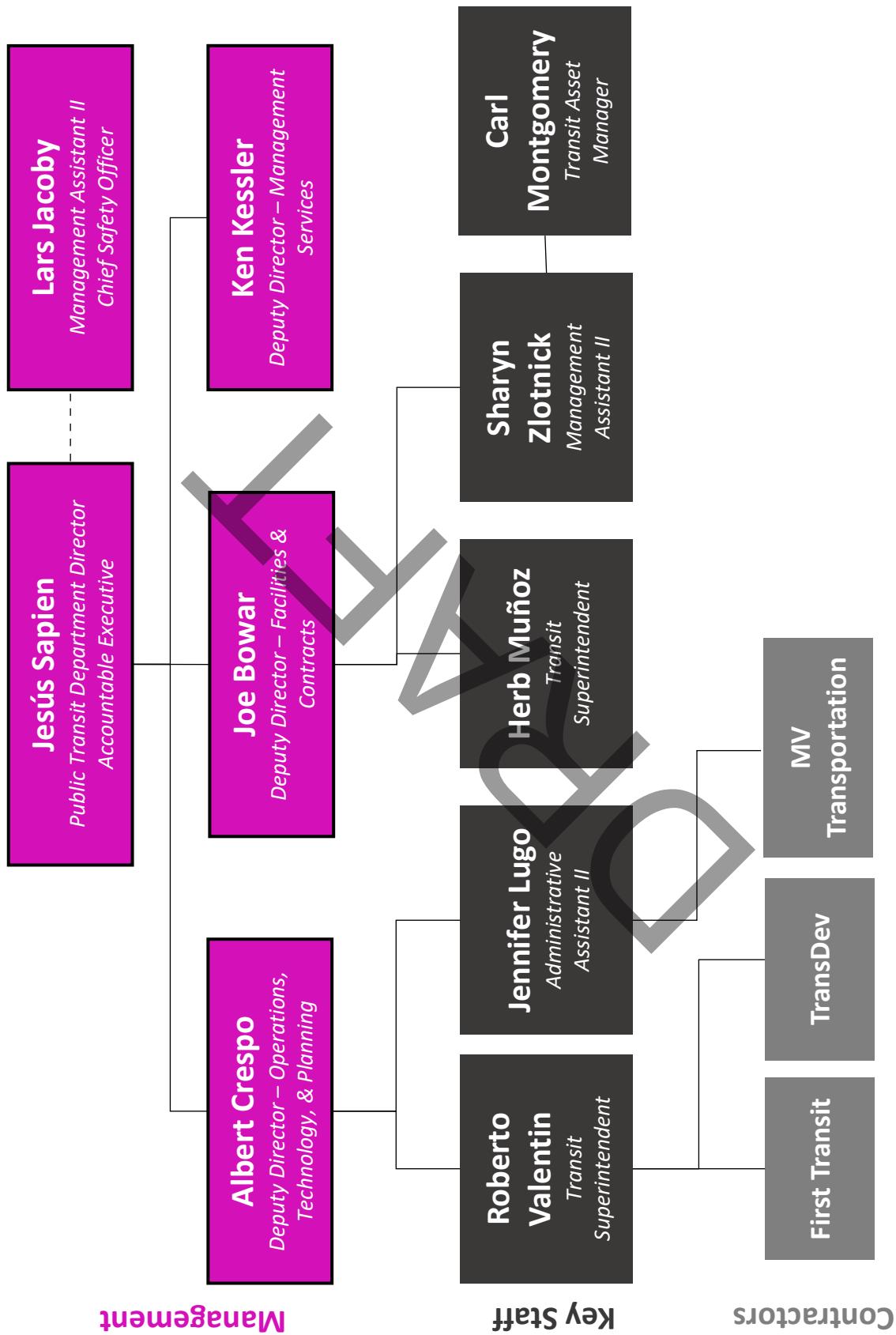


Figure 2. City of Phoenix Public Transit Department Safety Organizational Chart

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Table 3. Safety Roles and Responsibilities

Role	Name of Staff Member	Safety Responsibilities
Public Transit Department Director Accountable Executive Management	Jesús Sapien	<ul style="list-style-type: none"> • Ensure compliance with FTA's safety policies. • Oversee the Plan for PTD. • Control and direct staff and capital resources needed to create and maintain the PTASP. • Create a safety-oriented culture across the department. • Work with the CSO to monitor safety performance. • Ensure that PTD's Contractors are working toward achieving the safety performance targets. • Periodically review customer comments related to safety concerns.
Management Assistant II - Director's Office Chief Safety Officer	Lars Jacoby	<p><i>Chief Safety Officer</i></p> <ul style="list-style-type: none"> • Promote safety awareness throughout the organization. • Ensure that safety documentation and training are current. • Communicate changes in safety processes to all applicable personnel. • Monitor the effectiveness of corrective actions. • Provide periodic reports on safety performance. • Render independent advice to managers and other personnel on safety-related matters as needed. • Ensure that safety is a high priority throughout the organization. • Review customer comments related to safety concerns. • Work with other divisions within PTD to implement safety practices. • Promote a safety culture across the department and to contractors. • Provide oversight of contractor safety plans through periodic reviews and audits. • Provide oversight of RPTA, VMR, Scottsdale, Glendale and Peoria safety plans through periodic reviews and formal audits.

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Role	Name of Staff Member	Safety Responsibilities
Deputy Director - Facilities & Contracts	Joe Bowar	<i>Deputy Director – Facilities</i> <ul style="list-style-type: none"> • Ensure transit facilities are well-maintained and meet state of good repair requirements. • Implement hazard mitigation strategies related to transit infrastructure. • Collaborate with other divisions to address safety concerns related to facilities and operations. • Review customer comments related to safety concerns. • Communicate safety practices and policies to staff in the Division.
Deputy Director - Operations, Technology & Planning	Albert Crespo	<ul style="list-style-type: none"> • Communicate safety practices and policies to staff within the Division. • Ensure Contractor compliance with their safety plan, policies, and training requirements. • Collaborate with other divisions to address safety concerns related to operations and facilities. • Review customer comments related to safety concerns.
Deputy Director - Management Services	Ken Kessler	<ul style="list-style-type: none"> • Communicate safety practices and policies to staff within the Division.
Transit Superintendent (Operations, Technology & Planning)	Roberto Valentin	<ul style="list-style-type: none"> • Supervise the contract monitoring for bus service Contractors (First Transit and Transdev). • Respond to and communicate safety concerns with bus service Contractors. • Ensure bus service Contractors implement their safety plan and related policies and training. • Track safety performance for bus Contractors. • Monitor the quality of maintenance and repairs performed by Contractors on vehicles owned by PTD. • Oversee the inspection of all transit vehicles for safety and direct corrective action. • Review all customer comments related to safety concerns.

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Role	Name of Staff Member	Safety Responsibilities
Administrative Assistant II (Operations, Technology & Planning) Key Staff	Jennifer Lugo	<ul style="list-style-type: none"> • Serve as the contract monitor for the paratransit service Contractor (MV Transportation). • Respond to and communicate safety concerns with paratransit service Contractor. • Ensure paratransit service Contractor implements their safety plan and related policies and training. • Track safety performance of the paratransit service Contractor. • Review all customer comments related to safety concerns.
Transit Superintendent (Facilities & Contracts) Key Staff	Herb Muñoz	<ul style="list-style-type: none"> • Oversee maintenance at all transit facilities. • Inspect transit facilities for safety issues and recommend corrective action. • Incorporate safety requirements for contractors in on-site contracted maintenance and repairs. • Review customer comments related to safety concerns at facilities.
Transit Asset Manager (Facilities & Contracts) Key Staff	Carl Montgomery	<ul style="list-style-type: none"> • Manage PTD's Transit Asset Management Plan. • Provide oversight and technical assistance to regional partners with their own Transit Asset Management Plans. • Oversee the State of Good Repair program.
Management Assistant II (Facilities & Contracts) Key Staff	Sharyn Zlotnick	<ul style="list-style-type: none"> • Support CSO in the review of regional safety plans. • Periodically review bus service Contractor safety plans to ensure they follow FTA's regulations and meet the requirements contained in their respective safety plan. • Provide written feedback on such review to the CSO and respective contract monitor. • Support the CSO in the annual PTASP update.

Role	Name of Staff Member	Safety Responsibilities
Contractors	First Transit <ul style="list-style-type: none"> Paul Meredith, Senior Director of Safety Adrian Green, Safety Manager MV Transportation <ul style="list-style-type: none"> Jon Huynh, General Manager Victoria Hensley, Safety Manager Transdev <ul style="list-style-type: none"> Dave Todd, General Manager Kathleen Webb, Director of Safety and Training 	<ul style="list-style-type: none"> Update safety plans for compliance with federal regulations. Update safety plans as necessary in response to safety issues and provide training to facilitate those changes to the safety plan. Perform regular safety checks. Implement safety policies applicable to operating and maintaining transit vehicles and maintaining a safe work environment. Report and investigate safety hazards and safety events. Implement and track regular safety training for employees. Receive employee and customer comments related to safety concerns. <p>See Appendices B through D for specific safety practices of each Contractor.</p>

7.5.2 Contractors

Each of the Contractors have identified authorities, roles and responsibilities related to safety within their individual organizations. As part of their safety plans, Contractors identified a Chief Safety Officer, an Accountable Executive, as well as supporting staff. For each role, the Contractors specify the responsibilities that each person has related to safety.

For specific details on each Contractor's *authorities, roles, and responsibilities*, see:

- **First Transit – Appendix B.4** (Authorities, Accountabilities, and Responsibilities)
- **Transdev – Appendix C.2** (Safety Accountability and Responsibility)
- **MV Transportation – Appendix D.4** (Authorities, Accountabilities, and Responsibilities)

7.6 Employee Safety Reporting Program

7.6.1 PTD

Reporting safety observations and safety events is an important part of every employee's role in creating a safe environment. PTD encourages all employees to report potential hazards and any safety events that occur through the safety reporting program. The safety reporting program includes anonymous contact methods such as the city of Phoenix employee-wide integrity hotline (602-262-7555, or email hrc@phoenix.gov), in addition to the PTD employee exclusive work order hotline (602-495-7011) that provides contact information for safety observations and safety events to be communicated to appropriate PTD staff. PTD management also maintains an open-door policy allowing for prompt communication of safety concerns.

PTD utilizes the MPulse work order system to aid in communicating potential safety issues in the transit system. The MPulse program is a computerized work order maintenance management system that centralizes data, organizes maintenance data and facilitates the processes of maintenance operations. Safety issues can be entered into MPulse for mitigation and resolution. Identified PTD staff and

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contractors are notified by either email, the Work Order line or in person. The issue(s) are then entered into MPulse as a request for service and tracked through closure.

MPulse tracks the operation and inventory of assets such as equipment, vehicles, machinery, and facility infrastructure. Asset data that are collected via the MPulse program are utilized to determine the transit system's state of good repair condition and potential future asset replacement needs.

For more information on the PTD safety reporting program, see Administrative Regulation 1.2 (Fraud Prevention and Reporting Policy [Integrity Line]) (**Appendix G.4**).

7.6.2 Contractors

Each Contractor has developed and documented an Employee Safety and Reporting Program as a part of their individual safety plan and maintain an open door policy for safety concerns. Contractors additionally utilize their own systems for reporting safety concerns.

For specific information on each Contractor's *employee safety reporting program*, see:

- **First Transit – Appendix B.4** (Employee Safety Reporting Program)
- **Transdev – Appendix C.5.1.8** (Employee Safety Reporting)
- **MV Transportation – Appendix D.4** (Employee Safety Reporting Program)

7.7 Administrative Regulation Reporting Policy

7.7.1 PTD

PTD is committed to providing a safe transit operating environment. To achieve this, PTD maintains unrestricted and confidential reporting of all incidents and occurrences that may compromise the safe conduct of operations. Every employee is responsible for the communication of any information that may affect the integrity of transit safety to management as outlined in AR 2.31 (**Appendix G.4**).

The department's management hold the primary responsibility for providing and maintaining a safe workplace. Any safety problems that are beyond the supervisor's control shall be reported to management immediately upon detection as outlined in AR 2.31 (**Appendix G.4**).

PTD will not retaliate or take punitive actions in any way against an employee, applicant, or former employee who, in good faith, makes a complaint, safety report or report of discrimination/harassment or participates in the investigation of such complaint or report. This policy shall not apply to information that involves an illegal act, or a deliberate or willful disregard of promulgated regulations or procedures.

The PTD method of collecting, recording, and disseminating information obtained from transit safety reports is intended to protect, to the extent permissible by law, the identity of any employee who provides transit safety information and wishes to remain anonymous.

For further information on PTD's reporting policies, refer to the City of Phoenix Administrative Regulations (**Appendix G.4**).

7.7.2 Contractors

Each Contractor has their own administrative regulation reporting policy. All Contractors strive to deliver safe transit service and to accomplish this each Contractor has developed its own system to encourage employees to report safety incidents and observations and determine the necessary actions that need to be taken following an incident.

For more details on each Contractor's *Administrative Regulation Reporting Policy*, see:

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- **First Transit – Appendix B.4** (Employee Safety Reporting Program)
- **Transdev – Appendix C.5.1.8** (Employee Safety Reporting)
- **MV Transportation – Appendix D.4** (Employee Safety Reporting Program)

7.8 Safety Risk Management

The safety risk management process is an eight-step process that aims to provide a standard method for identifying, assessing, and mitigating safety hazards in the bus transit system as defined in the NSP (Figure 3). Descriptions of each step are detailed in the following sections. The risk management process allows for careful examination of hazards, assessment of existing mitigation sufficiency, and the determination of additional mitigation measures.

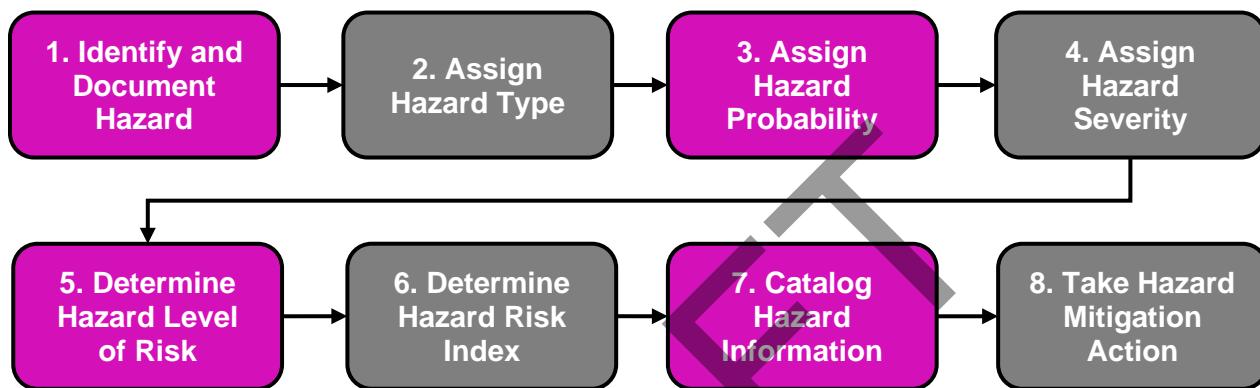


Figure 3. Safety Risk Management Eight Step Process

7.8.1 Safety Hazard Identification

7.8.1.1 PTD

An effective hazard identification program is fundamental to safety management.

PTD's safety risk management process starts with an effort to proactively identify safety hazards that could result in negative safety outcomes.

The first step of the safety risk management process is visualized in the hazard identification and documentation flow chart (Figure 4).

First, upon receiving communication from the on-site staff of a potential hazard, the supervisor communicates the hazard to the division safety representative or the CSO for review and formal documentation.



Figure 4. Hazard Identification and Documentation (Step 1)

Hazard identification focuses on conditions that need special attention or immediate action, including new procedures or training to resolve the condition. PTD uses a variety of mechanisms for identifying and documenting hazards, namely:

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- Through training and reporting procedures, PTD ensures employees can identify hazards and that each employee understands the responsibility to report any safety hazards to the employee's supervisor or the safety representative. Continued refresher training helps employees improve skills to identify hazards as outlined in AR 2.31 (**Appendix G.4**).

This regulation outlines the responsibility of supervisors to keep informed on safety subjects through training courses, and employees to attend all job required safety training and refresher courses as needed. The regulation also sets operational procedures to ensure employees receive and document the appropriate safety and health training.

- In an effort to identify potential hazard recurrence, PTD uses incident reports and records to determine specific areas of training, whether individually or for a group or common classification, that need to be covered with employees.
- Incident reports are analyzed by safety staff to identify recurring patterns, as well as known patterns or themes that would help identify underlying hazards and root causes of the event to mitigate or prevent recurrence.
- To increase safety knowledge, staff is encouraged to participate in professional development activities, including peer-to-peer exchanges, which are a source to share information on lessons learned and best practices.

Other sources for hazard identification include:

- Employee safety reporting program
- State of Good Repair reports
- Inspections of personnel job performance, vehicles, facilities and other data
- Investigations of safety events
- Lessons learned from root cause analysis after safety incidents
- Safety trend analysis on data currently collected
- Training and evaluation records
- Internal safety audits

External sources of hazard information could include:

- FTA and other federal, state, county, or city authorities, including peer transit agencies
- Reports from the public
- Safety bulletins from manufacturers or industry associations

Following the identification of the safety hazard, the second step of the risk management process determines the hazard by type – organizational, technical or environmental – to assist in identifying the expertise needed to assess the hazard.

Hazard types are also categorized by subcategory as shown in the Safety Hazard Type Identification chart in **Table 4**. For example, organizational hazards can be further detailed in a subcategory as either a resource, procedural, training, or supervisory hazard. Each subcategory helps later define the different types of mitigation strategies and potential effects of the safety hazard in the following steps.

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Table 4. Safety Hazard Type Identification (Step 2)

Organizational	Technical	Environmental
Resourcing	Operational	Weather
Procedural	Maintenance	Natural
Training	Design	
Supervisory	Equipment	

Hazard types may be defined using the following descriptions:

- Organizational
 - Resourcing – A hazard that is related to the supply of resources.
 - Procedural – A hazard that is linked to established procedures.
 - Training – A hazard that is related to inadequate or incomplete training.
 - Supervisory – A hazard that is related to ineffective supervision.
- Technical
 - Operational – A hazard that relates to standard operations.
 - Maintenance – A hazard that is linked to asset maintenance.
 - Design – A hazard that is related to inadequate design.
 - Equipment – A hazard that is linked to inappropriate, incorrect, or faulty equipment.
- Environmental
 - Weather – A hazard that is linked to unfavorable weather conditions.
 - Natural – A hazard that is related to unfavorable natural environmental conditions.

In the third step of the safety risk management process, the hazard's probability is then identified by matching the hazard to each probability description shown in the Safety Hazard Risk Probability chart in **Table 5**.

Table 5. Safety Hazard Risk Probability (Step 3)

Probability	Criteria
Not Likely	A hazard that is unlikely to occur but is still possible.
Likely	A hazard that is possible to occur several times.
Imminent	A hazard that is continuously expected to occur.

In the fourth step of the safety risk management process, the hazard's severity can then be categorized with the use of the Safety Hazard Risk Severity Categories chart in **Table 6** by comparing the hazard to the listed severity criteria.

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Table 6. Safety Hazard Risk Severity Categories (Step 4)

Severity	Criteria
Not Severe	A hazard that may result in a minor injury, non-life-threatening illness, or system damage.
Severe	A hazard that may cause severe injury, severe illness, equipment failure, or major system damage
Critical	A hazard that may cause death or major system damage.

7.8.1.2 Contractors

To identify safety hazards, Contractors hold monthly safety meetings and facility inspections to identify safety risks and determine if prior issues and risks had been addressed. In addition to these practices, Contractors encourage employees to report safety observations to management so they can be assessed and mitigated before an incident occurs.

For more detail about each Contractor's *individual policies and procedures for safety hazard identification*, see

- **First Transit – Appendix B.5** (Safety Risk Management)
- **Transdev – Appendix C.4.1** (Safety Hazard Identification)
- **MV Transportation – Appendix D.4** (Safety Risk Management)

7.8.2 Safety Risk Assessment

7.8.2.1 PTD

Identified hazards are assessed to determine the potential consequences of each hazard. Factors that are used in assessing safety hazards are:

- probability of occurrence
- severity of the consequences should there be an occurrence
- level of exposure to the hazard

In the fifth step of the safety risk management process, the Risk Assessment Matrix (**Table 7**) takes identified hazards and assesses the level of risk based on the hazard's probability and severity of the hazard's consequences. The results of the risk assessment matrix process aids in determining whether the risk should be managed, controlled, or eliminated in the following safety risk management steps.

Table 7. Safety Hazard Risk Assessment Matrix (Step 5)

Probability	Severity		
	Not Severe	Severe	Critical
Not Likely	Low	Medium	High
Likely	Low	Medium	High
Imminent	Medium	High	High

The sixth step of the safety risk management process is completed by inputting the Risk Assessment Matrix results into the Safety Hazard Risk Index Matrix (**Table 8**). This allows staff to determine the safety hazard's risk index for each hazard that was identified.

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If the risk index is acceptable, the hazard must be monitored. If the risk index is undesirable, the hazard requires careful monitoring and may also require steps taken to lower the risks at the discretion of Executive Management. If the risk index is unacceptable, steps are taken by PTD to lower the risk to an acceptable or tolerable level, or to remove or avoid the hazard.

Table 8. Safety Hazard Risk Index Matrix (Step 6)

Risk Level	Risk Index
High	<u>Unacceptable</u> Risk must be removed or mitigated.
Medium	<u>Undesirable</u> Management is to determine whether additional risk mitigation is required or whether the risk is acceptable with monitoring.
Low	<u>Acceptable</u> Risk is acceptable.

7.8.2.2 Contractors

Each Contractor has developed a procedure to assess safety hazards that includes the use of a Safety Hazard Risk Matrix that determines the severity and probability of the hazard. Based on the matrix, each Contractor has a process to determine the level of risk a safety hazard poses to the organization.

For more information on the procedures each Contractor has on assessing safety risks, see:

- **First Transit – Appendix B.4** (Safety Risk Management)
- **Transdev – Appendix C.4.2** (Safety Hazard Assessment)
- **MV Transportation – Appendix D.4** (Safety Risk Management)

A third party may conduct a Contractor's risk assessment review.

7.8.3 Safety Risk Mitigation

7.8.3.1 PTD

The risk assessment process may indicate that certain hazards are low risk, while others require mitigation to achieve an acceptable level. In the seventh step of the safety risk management process, staff catalogue hazard information as illustrated in the Hazard Identification and Risk Assessment Log (**Table 9**). After the completion of the exercises **previously detailed**, the hazard description, type, probability, severity, and risk index information can be populated in the log.

The previous steps of the risk management process are summarized in **Table 9**.

Table 9. Hazard Identification and Risk Assessment Log (Step 7)

Description	Type	Probability	Severity	Risk Index
Step 1	Step 2	Step 3	Step 4	Step 6

The intention of the **Table 9** Hazard Identification and Risk Assessment Log is to ensure that all available safety hazard information is considered when determining the appropriate hazard mitigation measures.

In the eight and final step of the safety risk management process, PTD may determine and implement safety mitigation actions to reduce or eliminate all identified safety hazards. Mitigation actions that may be taken can be categorized into three broad mitigation action categories as illustrated in **Table 10**.

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Table 10. Hazard Mitigation Actions (Step 8)

Category	Mitigation Action
Physical Barriers	Includes objects and technologies that are engineered to discourage, warn against, or prevent inappropriate action or mitigate the consequences of events (e.g., traffic control devices, fences, safety restraining systems, transit controls/signals, transit monitoring systems).
Administrative Actions	Includes procedures and practices that mitigate the probability of accident/incident (e.g., safety regulations, standard operating procedures, personnel proficiency, supervision inspection, training).
Behavior Modification	Includes behavioral interventions through education and public awareness campaigns aimed at reducing risky and reckless behavior of motorists, passengers, and pedestrians; includes factors outside the control of PTD and the Contractors.

Once a mitigation action has been identified, staff will assess all changes that result from the mitigating actions and their impacts to the transit safety performance targets. If existing mitigation measures are sufficient, then no further mitigation actions are necessary. If a change is determined to impact a safety performance target, then the change is evaluated through the safety risk management process.

For clarity, a scenario that properly utilizes the safety risk management process is detailed in **Figure 5**.

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Safety Hazard Scenario

Staff discovered that the wheel balancer has not been calibrated since 2017. Although a specialist is brought in to calibrate the machine, a transit safety specialist decides to complete the safety risk management process to determine whether further mitigation is needed on the vehicles the machine directly serves.

Step 1: The hazard is identified by staff to be “an out of calibration wheel balancer” and is communicated to a safety representative, as depicted on **Figure 4**.

Step 2: Using **Table 4**, the hazard is determined to be of a “Technical Equipment” type, as the hazard most closely resembles that description.

Step 3: Using **Table 5**, the probability is determined to be in the “Not Likely” category based on available historical information that most closely resembles that probability criteria.

Step 4: Using **Table 6**, the severity is determined to be in the “Critical” category, as the worst credible outcome to maintaining the hazard closely matches that criteria.

Step 5: Using **Table 7**, the risk assessment matrix results in a “High” level of risk after considering the information from **Table 5** and **Table 6**.

Step 6: Using **Table 8**, the risk index determines the level of risk to be “unacceptable” based on the level of risk determined by **Table 7**.

Step 7: Using **Table 9**, the relevant information for the determination of the necessary risk mitigation actions, if any, is noted to be the following:

- A wheel balancer is out of calibration.
- There is a technical equipment hazard.
- The hazard is not likely to occur.
- The hazard’s consequences are critical to the transit system’s operation.
- The risk to the transit system posed by the hazard is determined to be unacceptable.

Step 8: Staff determined, in part with the use of **Table 10**, that an “Administrative Action” will reduce the level of risk posed by the hazard to an acceptable level. The administrative actions may include the introduction of wheel balancer calibration training and the establishment of routine calibration maintenance procedures, for example.

Figure 5. Safety Risk Management Scenario

7.8.3.2 Contractors

Contractors undergo independent safety risk mitigation of all identified hazards. Contractors utilize, at a minimum, the same hazard information that is illustrated in **Table 7** and **Table 9** to help prioritize all hazards and all safety risks are documented and prioritized according to the level of risks.

Each Contractor outlines their *Safety Risk Management Scenarios* in each of their own safety plans:

- **First Transit – Appendix B.5 (Safety Risk Mitigation)**

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- **Transdev – Appendix C.4.3** (Safety/Risk Hazard Mitigation)
- **MV Transportation – Appendix D.5** (Hazard Resolution)

7.9 Safety Assurance

Safety assurance is a process that functions to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that PTD meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

7.9.1 Safety Performance Monitoring and Measurement

Contractors collect and monitor data on safety performance indicators through a variety of mechanisms, including collecting data on key metrics on a regular basis and preparing regular reports on safety performance. Contractors then use that data to measure effectiveness of current mitigation strategies, to identify safety problems and track the organization's overall progress towards meeting their performance targets.

For specific details about each Contractor's Safety Performance Monitoring and Measurement methods, see:

- **First Transit – Appendix B.6** (Safety Performance Monitoring and Measurement)
- **Transdev – Appendix C.5.1** (Performance Monitoring and Measurement)
- **MV Transportation – Appendix D.6** (Safety Performance Monitoring and Measurement)

7.9.1.1 Monitoring Compliance and Sufficiency of Procedures

PTD Employee and Contractor Safety Monitoring

PTD employee compliance with standard safety operating procedures is monitored by department staff through observation and review of information submitted from both employees and customers.

Contractor compliance is monitored by PTD staff through the routine and frequent monitoring activities at transit facilities and in the field. Staff complete inspection reports that include safety reporting (**Appendix G.5**). PTD staff also submits monthly compliance reports to their respective supervisors. This reporting system addresses non-compliance with standard procedures for operations and preventive maintenance activities through a variety of actions, including revising training materials, and when necessary, providing systemwide employee and supervisor training.

When non-compliance is situational, mitigation activities can include individualized training, coaching and heightened management oversight. When non-compliance is determined to be a result of inadequate operations or preventive maintenance procedures, the identified deficient procedures are submitted to the risk management process. At the conclusion of the risk management process, the deficiencies are addressed to resolve the non-compliant issue.

PTD assigns specific staff to the role of a contract monitor. Each contract monitor oversees the Contractors for compliance with PTD contracts, safety performance targets, compliance with NTD safety reporting standards, information accuracy and adherence to operations and safety procedures. In addition, each month, or as needed, Contractors share their safety performance data, incident and safety reports, and safety observations with PTD and hold an Operations meeting as illustrated on **Figure 6**. The performance data is communicated to FTA's NTD monthly using the Uniform System of Accounts document as circumstances dictate. Samples of these reports are provided in the appendix under NTD Monthly Reports (**Appendix G.1**).

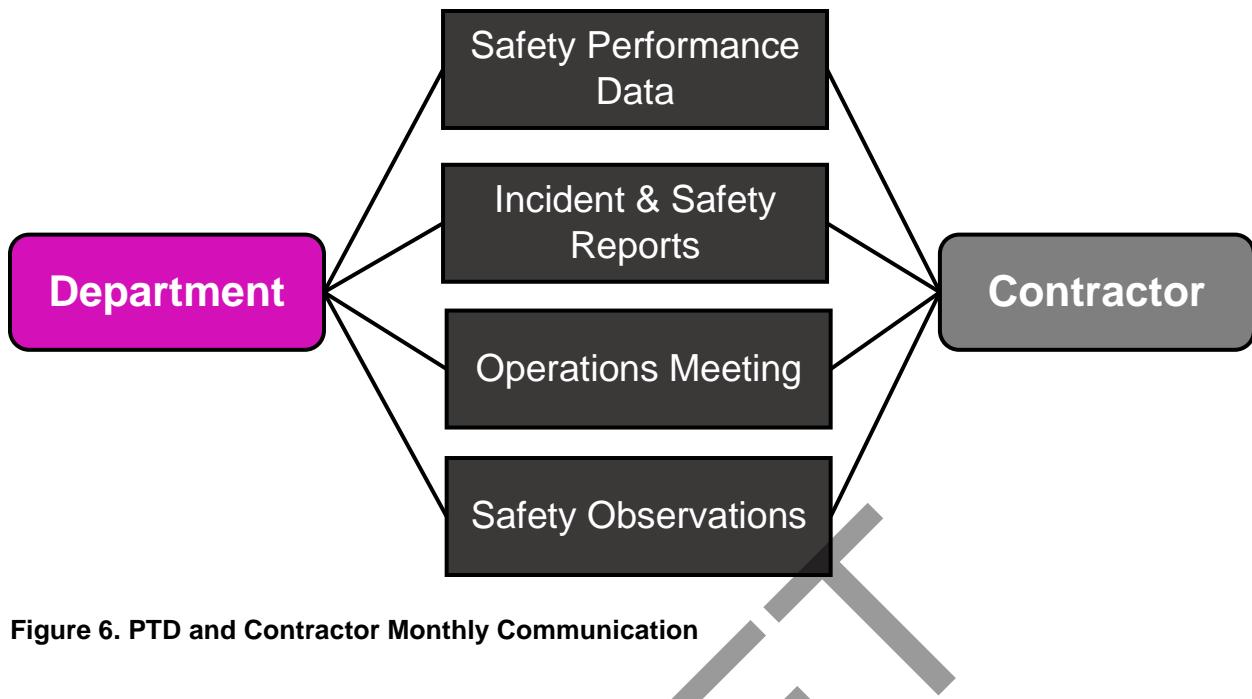


Figure 6. PTD and Contractor Monthly Communication

Contractors

On a monthly basis, Contractors document safety performance data, incident and safety reports, recap reports, and safety observations, and present this information to PTD during the Operations meeting. Contractors also monitor bus and paratransit systems for compliance with PTD and FTA operations and maintenance procedures and communicate findings to PTD monthly. In addition, Contractors are responsible for independently monitoring their employee's compliance with the company's standard operating procedures as outlined in their individual safety plans, found in:

- **First Transit – Appendix B.6 (Safety Performance Monitoring and Measurement)**
- **Transdev – Appendix C.5.1 (Performance Monitoring and Measurement)**
- **MV Transportation – Appendix D.6 (Safety Performance Monitoring and Measurement)**

7.9.1.2 Monitoring Safety Events

PTD

All investigation reports of safety events and risk management resolution reports are monitored by assigned staff and reported to the CSO and the accountable executive. These reports are provided by the Contractor upon the conclusion of a safety event investigation conducted by the Contractor. Additionally, Contractors provide PTD with monthly NTD safety reports that staff use to identify safety risk mitigation measures that may be ineffective, inappropriate or not implemented as intended.

If the safety risk mitigation measure does not bring the risk to an acceptable level or otherwise fails to meet safety objectives, then staff resubmit the safety risk/hazard to the risk management process. The CSO then works with staff, the Contractor, and subject matter experts, to identify and implement additional mitigation measures.

Contractors

Each Contractor develops their own individual procedures for monitoring the effectiveness of safety hazard mitigation measures. The Contractors closely manage their safety performance data and conduct audits to ensure they are effectively addressing safety risks within their organization.

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For specific *safety monitoring procedures*, see:

- **First Transit – Appendix B.6** (Safety Performance Monitoring and Measurement)
- **Transdev – Appendix C.5.1** (Performance Monitoring and Measurement)
- **MV Transportation – Appendix D.6** (Safety Performance Monitoring and Measurement)

7.9.1.3 Safety Event Investigation

PTD

PTD employees follow the department's operational safety procedures as outlined in AR 2.31 (**Appendix G.4**). These operational procedures help identify initial information that may be utilized in an internal safety event investigation and include the following:

- Establish and maintain a system for reporting accidents.
- Analyze accidents to learn cause and prevention.
- Solicit suggestions from employees and promptly adopt good ideas that will promote better safety.
- Solicit the advice of the safety committees where applicable.

For example, at the scene of a collision, PTD employees follow the *Action at Scene of Collision* steps that are outlined in AR 2.31 (**Appendix G.4**). Steps to be taken are categorized by severity and include drivable vehicles, non-drivable vehicles, injury accidents, non-injury accidents and general, and vary in their prescribed actions.

If incident is determined to be critical, employees would then take steps to first contact the appropriate emergency services and then their supervisor.

Note: A critical incident as defined in the FTA Critical Management Guidelines is an occurrence that requires a response to protect life or property.

Contractors

Contractors conduct their own investigations of safety events and notify PTD staff. The PTD CSO may assign staff to the event investigation and request a debrief of the safety event investigation, as well as review all related investigation documentation. The objective of the review of the Contractor safety event investigation is to determine whether the event is considered preventable and if there were any policy violations. Additionally, assigned CSO representatives may develop strategies that the Contractor and staff can employ to address the identifiable root cause of any organizational, technical, or environmental hazards.

Each Contractor has created their own procedures and subject matter experts for investigating safety events, and their company practice include using data and statements from the involved parties to determine the cause of the incident, and mitigation measures that need to be taken to ensure the safety event does not reoccur.

For specific details about the Contractors' *safety event investigation procedures*, see:

- **First Transit – Appendix B.6** (Safety Performance Monitoring and Measurement)
- **Transdev – Appendix C.5.1** (Performance Monitoring and Measurement)
- **MV Transportation – Appendix D.6** (Safety Performance Monitoring and Measurement)

7.9.1.4 Monitoring Internal Safety Reporting Programs

PTD

PTD employees are encouraged to report any safety-related issues and incidents to their supervisor or using the department's escalation ladder. However, when an employee wishes to remain anonymous, the

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city of Phoenix's City Auditor operates the "Integrity Line," as outlined in Administrative Regulation 1.2 (Fraud Prevention and Reporting Policy [Integrity Line]) (**Appendix G.4**).

Safety reports that are directly communicated to a supervisor for evaluation, and management is informed as prescribed, or when the issue is out of the supervisor's control. When a report is submitted to the city's Integrity Line, it is initially reviewed by the Integrity Line Committee, which is comprised of representatives from offices of the City Auditor, the City Attorney, and the City Manager. The committee then refers the issue(s) to PTD's Director and CSO for review and possible investigation.

Contractors

Through their respective agreements with the city, each Contractor is tasked to identify safety hazards and monitor performance metrics and prepare investigation reports on safety incidents for the city's review. All the Contractors use the data to identify trends of reoccurring safety events that need to be mitigated.

For the specific procedures for *monitoring internal safety reporting programs* for each individual Contractor, see:

- **First Transit – Appendix B.6** (Safety Performance Monitoring and Measurement)
- **Transdev – Appendix C.5.1** (Performance Monitoring and Measurement)
- **MV Transportation – Appendix D.6** (Safety Performance Monitoring and Measurement)

7.9.2 Management of Change

7.9.2.1 PTD

Proposed or future changes in the public transit system may introduce new hazards and safety risk into transit operations. Therefore, staff are charged with identifying system changes and determining when a change must be evaluated through the safety risk management process.

To accomplish this, staff proactively monitor planned changes and utilize PTD and Contractor field monitoring personnel to identify any changes in the transit system. Following the identification of a change, the change is submitted to the risk management process to assess the change and determine whether mitigation measures for newly identified hazards, if any, are appropriate.

7.9.2.2 Contractors

Each Contractor has developed procedures to assess how changes may create new hazards and impact safety performance. The Contractors all have a process to review the proposed change and assess how the change could impact safety. Depending on the level of impact the proposed change is anticipated to have on safety, the Contractors takes actions to minimize and/or eliminate the safety risk associated with the proposed change.

For specific details about each Contractor's *process for reviewing proposed changes*, see:

- **First Transit – Appendix B.6** (Management of Change)
- **Transdev – Appendix C.5.2** (Management of Change)
- **MV Transportation – Appendix D.6** (Management of Change)

7.9.3 Continuous Improvement

7.9.3.1 PTD

Evaluation of the SMS is necessary to ensure that allows PTD to meet safety objectives and performance targets. As a result, PTD reviews the system safety plan during annual self-certification.

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PTD also uses this data to assess identified deficiencies in SMS organizational structures, processes and resources. If deficiencies are found as part of the safety performance assessment, staff then develops and implements a plan to address any identified deficiencies.

7.9.3.2 Contractors

Each Contractor has their own procedures to ensure their organizations are constantly striving to improve safety. The Contractors have committed to regularly reviewing and updating their safety policies and procedures, both through the annual review process and other review processes and audits that are specific to each company.

For more detailed information on each Contractor's *process for continuous improvement*, see:

- **First Transit – Appendix B.6** (Continuous Improvement)
- **Transdev – Appendix C.5.3** (Continuous Improvement)
- **MV Transportation – Appendix D.6** (Continuous Improvement)

7.10 Safety Promotion

Management support is essential for developing and implementing SMS. Safety promotion includes all aspects of "who, what, when, where, why and how" PTD and its Contractors communicate safety related topics.

7.10.1 Safety Communication

7.10.1.1 PTD

PTD regularly communicates safety information regarding hazards and safety risks relevant to employee roles and responsibilities and informs employees of safety actions taken in response to all reports submitted. Methods of communication include:

- The Employee Critical & Emergency Incident Communication Map (**Appendix G.2**)
- Safety updates incorporated in quarterly PTD meetings
- Safety information uploaded to PTD's employee accessible SharePoint site
- On-site management and inspections

PTD collects, catalogs and, where appropriate, analyzes and reports safety and performance information to all staff. Staff answer the following questions to help facilitate accurate safety reporting:

- What information does this individual need to do their job?
- How can we ensure the individual understands what is communicated?
- How can we ensure the individual understands what action must be taken because of the information?
- How can we ensure the information is accurate and kept up to date?
- Are there any privacy or security concerns to consider when sharing information? If so, what should we do to address these concerns?

In addition, staff routinely reviews existing communication strategies to determine if additional measures are needed to effectively reach staff and Contractors. As part of this effort, PTD uses a "safety culture survey" to understand how safety is perceived in the workplace and what areas should be addressed to fully implement a culture of safety. The CSO and relevant PTD staff are responsible for preparing and distributing all related safety materials and communications.

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7.10.1.2 Contractors

Each Contractor has adopted a comprehensive safety communication program to communicate safety information to their employees. This includes monthly safety meetings to brief staff in safety sensitive positions about safety trends and other safety related topics. The Contractors also have programs where they use various means to promote safety within the company, including having a safety bulletin board and sending out emails about safety.

For specific details about how each Contractor disseminates safety information to its employees, see:

- **First Transit – Appendix B.7 (Safety Communication)**
- **Transdev – Appendix C.6.2 (Safety Communication)**
- **MV Transportation – Appendix D.7 (Safety Communication)**

7.10.2 Safety Training

7.10.2.1 PTD

PTD has a safety training program aimed at informing employees who are directly responsible for safety of potential hazards and understand safety policies. The city's Human Resources Department is responsible for assigning the appropriate training to PTD staff as outlined in the city of Phoenix Administrative Regulation 2.31 (Safety Program) (**Appendix G.4**).

PTD provides safety training for all staff who are directly responsible for safety and/or have safety risks associated with their responsibilities. To develop a safety training program compliant with FTA requirements, PTD:

- Reviewed general staff categories (e.g., administrative, driving position, supervisor, maintenance) and respective safety related responsibilities.
- Assessed the training requirements of 49 CFR 672 and the courses required for different positions.
- Assessed the training material available on the FTA PTASP Technical Assistance Center website.
- Reviewed other training material available from industry sources such as the Community Transportation Association of America and the American Public Transportation Association websites.
- Developed a set of competencies and trainings required to meet the safety related activities for each general staff category.
- Developed expectations for ongoing safety training and safety meeting attendance.
- Adjusted job notices associated with general staff categories to ensure that new personnel understand the safety related competencies and training needs, and the safety related responsibilities of the job.

The following training programs are implemented by PTD:

- Annual training to include new hazards and refresher courses
- Safety meetings
- New hire and orientation safety training

7.10.2.2 Contractors

PTD contract monitors actively monitor each Contractor, which in turn provide their staff with appropriate safety training. Contractors are required to administer the appropriate safety training to their employees, including transit system administrative, operators, mechanics, fuelers, cleaners and other staff responsible for safety within their organization. Each Contractor has developed comprehensive training programs for these employees that include new hire training, as well as ongoing training for their employees.

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For details about each Contractor's *training programs*, see:

- **First Transit – Appendix B.7** (Competencies and Training)
- **Transdev – Appendix C.6.1** (Competency & Training Program)
- **MV Transportation – Appendix D.7** (Competencies and Training)

DRAFT

Appendix A.

City Council Minutes or Resolution

DRAFT

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To be added

DRAFT

Appendix B.

First Transit Abbreviated Safety Plan

DRAFT

Appendix C.

Transdev Abbreviated Safety Plan

DRAFT

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Appendix D.

MV Transportation Abbreviated Safety Plan

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Appendix E.

PTASP Activity Log

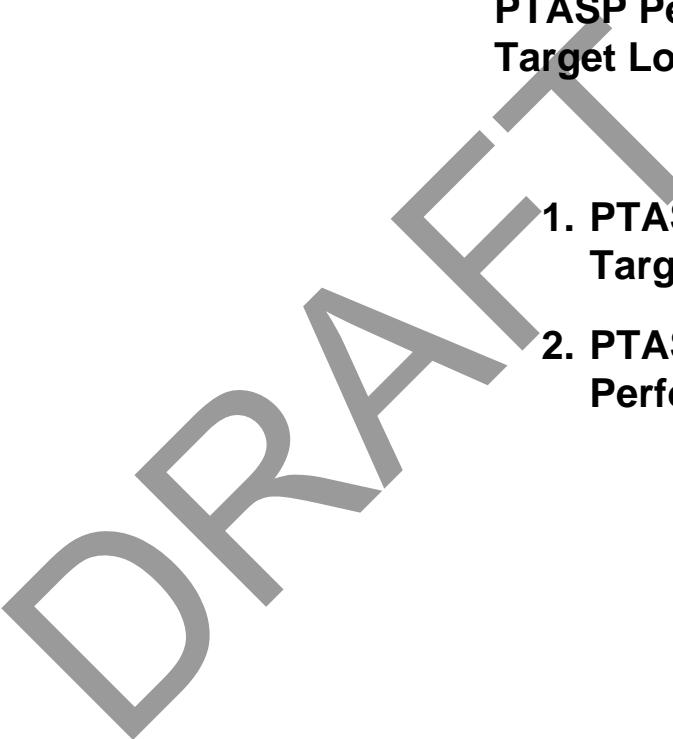
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PTASP Activity Log

Appendix F.

PTASP Performance Target Log



1. PTASP Performance
Target Log
2. PTASP Baseline
Performance Log

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1. PTASP Performance Target Log

2. PTASP Baseline Performance Log

Appendix G.

PTASP Supporting Documents

- 1. NTD Monthly Reports**
- 2. PTD's Critical & Emergency Incident Communication Map**
- 3. Employee Critical Incident Training**
- 4. City of Phoenix Administrative Regulations**
- 5. Public Transit Department Facility Inspection Report**

1. NTD Monthly Reports

2/4/2020

SS 20

Safety and Security CEO Certification Form (S&S-20)

90032 - City of Phoenix Public Transit Department, Safety CV 2019

Certification Summary

NTD Report Year 2019

CEO Name Jesus Sasiens

CEO Title Public Transit Director

Event Summary

S&S-40 Data (Major)

Please confirm the sum total of each corresponding row. If you disagree with any of the counts displayed below, please contact your analyst.

Reportable Event Data

DR/PT

MB/PT

CONFIRM

Safety Configuration (S&S-30) - MB PT

90032 - City of Phoenix Public Transit Department dba Valley Metro - Safety CY 2020

Personnel Totals

Number of Primary Security Personnel	<u>59</u>
Total Number of Security Personnel	<u>159</u>

Primary and Secondary Security Configuration

	Primary (Check one)	Secondary (Check all that apply)
Dedicated transit police force	<input checked="" type="checkbox"/> XX	
Dedicated (TRANSIT) unit of local police		
Contracted local law enforcement		
Transit agency security force		XX
Contracted security force		XX
Off duty police officers		
Use of local police (non-contracted)		XX

City of Phoenix Deputy Public Transit Director authorization for staff to submit Safety Configuration (S&S-30) in TrAMS:

226

Ken Kessler - Deputy Public Transit Director

2/6/20

Date

City of Phoenix Public Transit Director authorization for staff to submit Safety Configuration (S&S-30) in TrAMS:

JS

Jesus Sapien - Public Transit Director

2/6/20

Date

Submitted SIGNED 2/11/2020

S&S-50 (Minor Incidents)

[Clear Data](#)

Month:

Please see the Thresholds tab for more information on reportable minor incidents.

Please note that if the incident involved more than \$25,000 in damage, a fatality, an evacuation, or a mainline derailment, it is to be reported as a major incident on the S&S-40. Also, if a fire net any of these thresholds or caused an injury, it should be reported on the S&S-40.

One or more persons were transported from scene for medical treatment due to a Safety Occurrence	Total Occurrences	Transported Customers	Transported Workers	Transported Others
In Transit Vehicles	0	0	0	0
while Boarding/Alighting: Stairs	0	0	0	0
while Boarding/Alighting: Lift or Ramp	0	0	0	0
while Boarding/Alighting: Other	0	0	0	0
Other in Vehicle: Securement Issue	0	0	0	0
Other in Vehicle: Non-Securement Issue	0	0	0	0

In Revenue Facilities	Ramps	Stairs	Escalators	Elevators	Other
while Boarding/Alighting: Stairs	0	0	0	0	0
while Boarding/Alighting: Lift or Ramp	0	0	0	0	0
while Boarding/Alighting: Other	0	0	0	0	0
Other in Vehicle: Securement Issue	0	0	0	0	0
Other in Vehicle: Non-Securement Issue	0	0	0	0	0

In Non-Revenue Facilities	Other
while Boarding/Alighting: Stairs	0

Number of Occurrences of Fire	In Transit Vehicles	In Revenue Facilities	In Non-Revenue Facilities	On Right-of-Way
In Transit Vehicles	0	0	0	0
In Revenue Facilities	0	0	0	0
In Non-Revenue Facilities	0	0	0	0
On Right-of-Way	0	0	0	0

The completed form can be copied and pasted into an email to the reporting agency, or saved and sent as an attachment.

[Copy Summary](#)[Click here to copy:](#)

Safety and Security Monthly Summary Report (Non-Major Incidents)

Please select the Mode/ Type of Service reported: DR – Demand Response

Reporting Period (Month): April

No Data to Report (for current reporting period)

MV Transportation

Number of Occurrences of Robbery (confrontational theft)

	Occurrences	Customers	Workers	Others
In transit vehicles				
In transit stations				
In non-revenue facilities				
On roadway/ right-of-way/ parking facility				

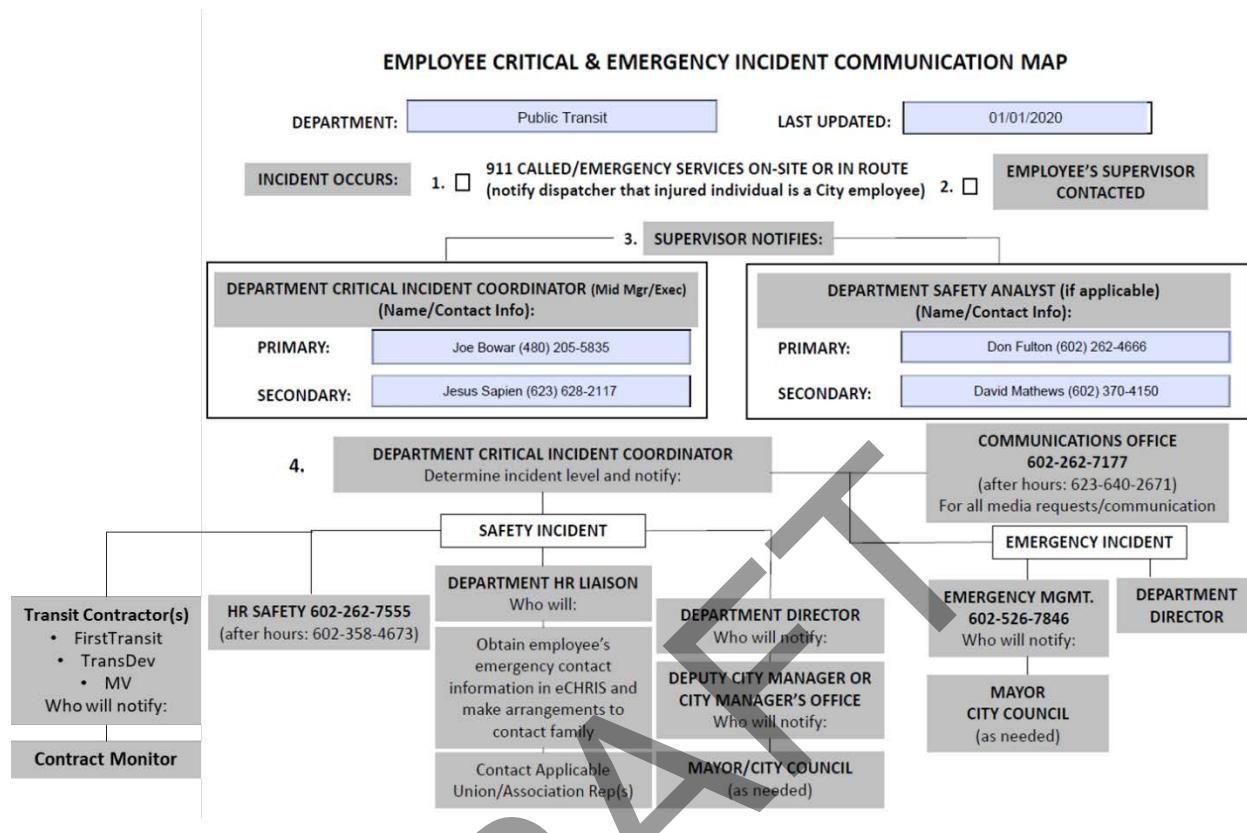
10041-02

Number of Occurrences of Larceny (non-confrontational theft)

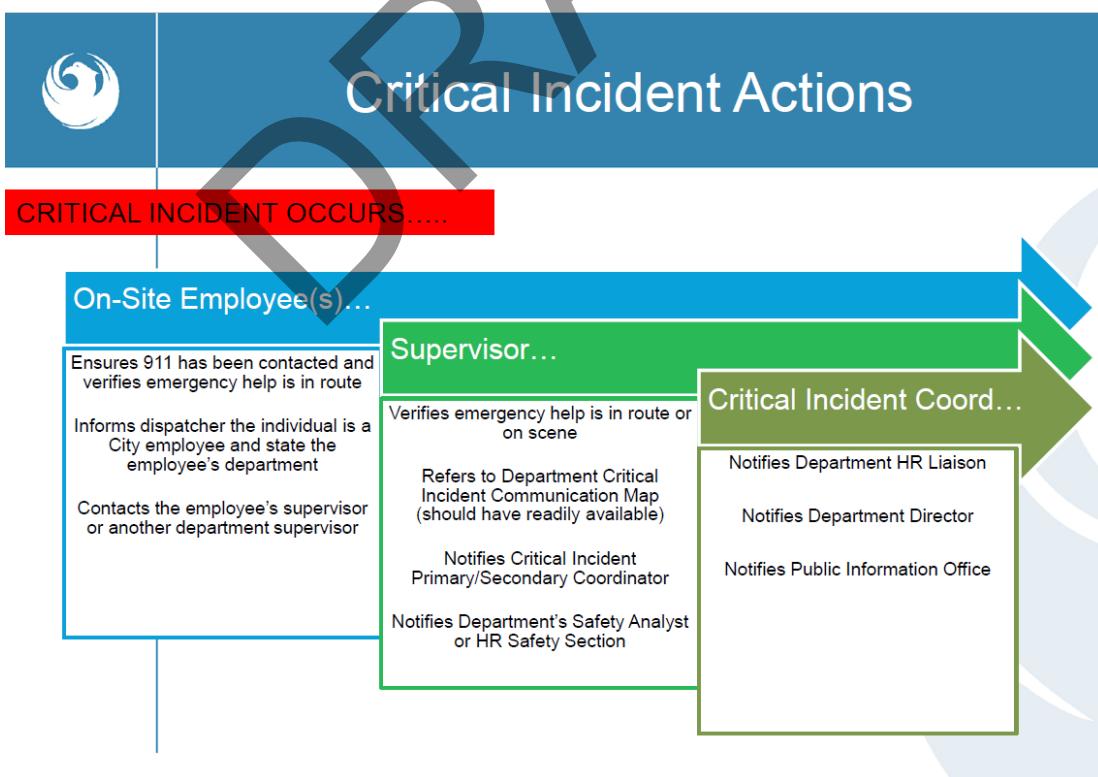
	Occurrences	Customers	Workers	Others
In transit vehicles				
In transit stations				
In non-revenue facilities				
On roadway/ right-of-way/ parking facility				

10041-02

2. PTD's Critical & Emergency Incident Communication Map



3. Employee Critical Incident Training



4. City of Phoenix Administrative Regulations



ADMINISTRATIVE REGULATION		A.R. NUMBER 1.2 Revised
SUBJECT	FRAUD PREVENTION AND REPORTING POLICY (INTEGRITY LINE)	FUNCTION General Page 1 of 6
		EFFECTIVE DATE February 9, 2017
I. PURPOSE		
<p>This A.R. is updated and codifies the existence of the Integrity Line Program (Integrity Line) and the City's policy on preventing and reporting fraud or unethical activity. Integrity, honesty and professionalism in service to the community are important values of employees at the City of Phoenix. Part of maintaining our high ethical standards includes a way for employees or residents to report wrongdoing or bad behavior. Supervisors, managers and department directors are the first lines of reporting, and the Integrity Line provides a valuable secondary resource in the event that reporting to supervisors, managers or department directors is not possible or desired.</p> <p>This fraud prevention policy exists because:</p> <ul style="list-style-type: none"> • The public entrusts us with resources to be used appropriately. • We work to serve the public good, not for personal gain. • Best business practices include a documented fraud prevention policy and an "integrity line" for anonymous reporting. <p>Though individuals are encouraged to make reports to supervisors, managers or department directors, or to the Police Department about illegal activity, the Integrity Line provides a valuable outlet for an individual to make a complaint, anonymous or otherwise.</p> <p>The purpose of this policy is to establish guidelines and assign responsibility for the development of controls and conducting of investigations to aid in the prevention and detection of fraud against the City of Phoenix (City).</p>		
II. SCOPE OF POLICY		
<p>This policy applies to any irregularity, or suspected irregularity, involving City employees (employees) as well as consultants, vendors, contractors, outside agencies doing business with the City, and/or any other parties with a business relationship with the City. Any investigative activity required will be conducted without regard to the suspected perpetrator's length of service, position/title, or relationship to the City.</p>		

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General
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III. OVERVIEW

Fraud is an ever-present threat, has many forms, and is always damaging. It takes away valuable resources entrusted to the City. Fraud is not only illegal but it also creates a very real threat to the resources available to the City and its residents.

The City requires all employees to act honestly and with integrity, and to safeguard the resources for which they are responsible. Employees at all levels are encouraged to actively participate in protecting public money and property. All employees are responsible for the detection and prevention of fraud, misappropriations, and other irregularities.

By identifying areas where the risk of fraud exists, detecting fraud which has already occurred, taking firm action against the perpetrators and designing systems to prevent the occurrence of fraud, this Anti-Fraud Policy aims to develop a culture within the City which raises the awareness of the risks and consequences of fraud. It provides a framework for promoting the City's policies and measures to prevent and detect fraud and it is an important component to the City's system of internal controls.

IV. ACTIONS CONSTITUTING FRAUD

All employees should be familiar with the types of fraud that might occur within their area of responsibility and be alert for any indication of fraud. For the purposes of this statement, *fraud* is defined as the intentional, false representation or concealment of a material fact for the purpose of gaining an advantage, avoiding an obligation, or causing loss to another party. Fraud may include deception, bribery, forgery, extortion, corruption, theft, conspiracy, embezzlement, misappropriation, false representation, concealment of material facts, and collusion. More specifically, acts of fraud may include, but are not limited to:

- Removal, loss, unauthorized destruction, inappropriate use or waste of funds, supplies, records, furniture, fixtures, equipment, or other City assets
- Impropriety in the handling or reporting of money or financial transactions
- Misuse or misreporting of paid work time or paid time off
- Accepting or seeking anything of value from contractors, vendors, or persons providing services/materials to the City (including vendor kickbacks)
- Use or willful unauthorized disclosure of personal identifying and restricted information for a purpose unrelated to City business
- Violations of laws or regulations
- Contract fraud
- Falsified documents
- Specific danger to public health or safety
- Any similar or related irregularity

V. POLICY

Fraud that is detected or suspected should be immediately reported to appropriate supervisors or managers or through the City's Integrity Line, where investigations are coordinated by the Integrity Committee. The Integrity Committee is comprised of the City Auditor, the City Attorney, and the City Manager or designee. The City recognizes a zero tolerance policy regarding fraud and will investigate any fraud or suspected fraud.

V (1) Responsibilities

a. All Employees

All employees individually have the primary responsibility for the prevention of fraud. Any employee who suspects or detects fraudulent activity must immediately report it to their supervisor, managers, department director, or City Auditor. If reporting to a supervisor, manager, department director or City Auditor is not possible or desired, the employee should report the suspected activity directly to the Integrity Line (see Section V(2)). Employees must not attempt to personally conduct investigations or interviews / interrogations or discuss any details of the suspected fraudulent act with unauthorized personnel. The appropriate law enforcement agency will be involved if illegal activity is being investigated.

Employees will provide unrestricted access to all City records, and property, and provide the necessary assistance, cooperation and support to enable the Integrity Committee and its delegates to properly investigate suspected fraudulent acts. Refusal to cooperate in an investigation may result in disciplinary action, up to and including termination.

b. Management

In addition, Management is also responsible for:

- i. Assessing the types of risk involved in the operations for which they are responsible.
- ii. Developing systems of internal control to minimize the risk of fraud and ensuring that controls are being consistently applied.
- iii. Satisfying themselves that their internal control systems continue to operate effectively.
- iv. Raising fraud awareness amongst staff including knowledge of the City's anti-fraud policy.
- v. Reporting fraudulent or suspected fraudulent activity directly to the City Auditor who will include the report in the Integrity Line process.
- vi. Implementing new internal controls to reduce the risk of similar fraud occurring where frauds have taken place.
- vii. Responding comprehensively in writing to all inquiries made during the course of an investigation, or to recommended corrective actions in connection with the investigation.

c. Integrity Committee

The Integrity Committee is authorized to coordinate the investigation of suspected fraudulent acts as defined in this policy. If the investigation substantiates that fraudulent activities have occurred, the Integrity Committee will notify appropriate designated personnel and, if appropriate, will notify the City Manager, Audit Committee, Mayor, and City Council.

As warranted, the Integrity Committee will coordinate with criminal and regulatory law enforcement agencies in order to facilitate appropriate criminal investigation and prosecution. The law enforcement and/or regulatory agency will make the final decision to investigate a fraudulent act.

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General
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V (2) Reporting Fraud to the Integrity Line / Integrity Committee

The City has established the following methods that allow employees to make confidential anonymous reports of fraud, suspicions of fraud, or any other inappropriate action.

- **Telephone:** 602-261-8999 or 7-1-1 Relay. The telephone will be answered by the Secretary to the City Manager whenever possible during normal business hours. A recorded message may be left if no one is available.
- **E-mail:** aud.integrity.line@phoenix.gov
- **Online Fraud Reporting Form:** You may access the Fraud Reporting Form by visiting the PHX AT YOUR SERVICE tool (www.phoenix.gov/atyourservice) and selecting the **FRAUD REPORTING** button under the Additional Services subsection.

Employees should provide as much of the following information as possible when making a report:

- Circumstances of the incident and details of how the fraud/ inappropriate action took place
- Names of all persons involved, including division and department
- Date(s), time(s) and location(s) of the event(s) that took place
- If missing funds, identify source of funds and how much
- Identify any evidence or documentation that is available
- Names of witnesses
- A telephone number where the employee can be reached. In order to assist in the investigation, those reporting potential violations are encouraged to identify themselves. Every reasonable effort will be made to keep the identity of an individual reporting potential fraudulent activity confidential. However, anonymous complaints are accepted.
- Any other information that may be helpful in an investigation.

VI. RETALIATION

Retaliation against a person who initiates a complaint or inquiry or participates in fact-finding is prohibited. Persons found to have engaged in retaliation are subject to the full range of disciplinary actions, up to and including termination.

VII. CORRECTIVE ACTION

The City will take the necessary steps, including legal action, to recover any losses arising from fraud or attempted fraud. This may include action against third parties involved in the fraud whose negligence contributed to the fraud. Employees found to be associated with fraudulent activity will be subject to disciplinary action, up to and including termination and legal prosecution, in accordance with City policies and procedures and applicable laws and regulations.

Revised A.R. 1.2
General
Page 5 of 6

If an investigation results in a recommendation to terminate an individual, the recommendation will be reviewed for approval by designated representatives from the City Human Resources and Law Departments before any such action is taken. The decision to terminate an employee is made by the employee's management and is subject to the regular appeals process.

VIII. CONFIDENTIALITY

The Integrity Committee and its delegates will maintain strict standards of confidentiality, and will not voluntarily release information about an investigation or inquiry except where examination results are referred to law enforcement and/or regulatory agencies for independent investigation or where required by law. After investigations are complete, it is likely that documentation related to the complaint would become a public record and would require disclosure if requested. Complete anonymity cannot be guaranteed due to public records laws.

IX. OTHER IRREGULARITIES

In cases related to employment, harassment and discrimination please refer to the chart below. While the Integrity Line will accept reports of these cases, the Integrity Committee will refer them as noted below.

Issue	Refer issue to
Hiring process, recruitments, employee qualifications, performance evaluations	Department Human Resources Liaison or Human Resources Department at 602-262-6609
Sexual Harassment (A.R. 2.35A) or Protected Category Harassment (A.R. 2.35B)	Department Human Resources Liaison or Equal Opportunity Department's Compliance and Enforcement Division at 602-262-7486
Discrimination / denial of equal employment opportunities (A.R. 2.35)	Equal Opportunity Department's Compliance and Enforcement Division at 602-262-7486

X. RELATED POLICIES

This policy is designed to augment other City policies and external regulatory requirements, and not to replace or preclude them. Other policies and requirements containing related information include, but are not limited to, the following:

- Ethics Handbook
- Employee Manual
- AR 1.90, *Information Privacy and Protection*
- AR 2.61, *Grievance Procedure*
- AR 2.91, *Conflicts in Employment, Supervisory and Contractual Relationships*
- AR 2.93, *City Employee Gift Policy*
- Fraud Reporting Webpage
- City Charter (various)
- Arizona Revised Statutes (various)



City of Phoenix

ADMINISTRATIVE REGULATION		A.R. NUMBER
SUBJECT		2.31 Revised
SAFETY PROGRAM		FUNCTION
		Human Resources and Payroll
		Page 1 of 3
		EFFECTIVE DATE
		September 10, 2012
		REVIEW DATE

INTRODUCTION

Transmittal Message

This AR has been revised to reflect changes resulting from updating terminology and functionality within the Human Resources Department, Safety Section. Questions regarding this AR should be directed to the Human Resources Department, Safety Section at (602) 262-7555.

Summary of Changes

This regulation, last modified in 2008, has been revised to reflect the name change from the Personnel Department to the Human Resources Department; and to add the requirement of providing Personal Protective Equipment where necessary.

Purpose of Safety Policy

The safety and health of each employee is extremely important to both the welfare and happiness of the individual employee and to the efficiency of services provided by City employees to the community. It is the policy of the City to exert every effort to eliminate or reduce the possibility of accidents to people and losses of property. In order to achieve the highest degree of safety, the responsibility, organization, and operational procedures for a safety program must be defined and put into effect.

The statement of this policy is issued to clarify the responsibility for the safety program, establish procedures for implementing and enforcing safety policies, require appropriate corrective measures, and to ensure the development and maintenance of a safe working environment for all employees.

Responsibility for Safety

Department directors and managers, along with all supervisory personnel, have the responsibility of communicating to their employees the safety policy of the City as provided in this regulation.

- A. **Department Management.** The primary responsibility for providing an accident-free workplace shall rest with department directors. Each department and large division must have a definite plan whereby the City's safety program will reach every employee in every job. It is the responsibility of department management to enforce the maintenance of safe work conditions; to encourage development and observance of safety habits; and to expedite removal and correction of safety hazards.

B. Supervisors. It shall be the responsibility of each supervisor to:

1. Detect and correct unsafe working conditions and practices. Safety problems beyond the supervisor's control shall be reported to management immediately.
2. Train employees in the correct work procedures and City safety policies.
3. Ensure each employee knows and follows the safety rules pertaining to their work.
4. Provide employees all necessary Personal Protective Equipment (PPE) for hazards that cannot be engineered out.
5. Encourage safety suggestions and discussions; make sure good safety suggestions are used and that all safety questions receive answers; and encourage employees to submit any safety suggestions through the Employee Suggestion Program.
6. Ensure all accidents are promptly and thoroughly investigated and properly reported.
7. Keep informed on safety subjects through reading, training courses, and discussions with other supervisors and safety professionals.

C. Employees. Ultimately, every employee is responsible for his own safety. As a condition of employment, employees are required to observe all safety regulations and requirements given verbally or in writing by the properly constituted authorities. Employees shall attend all job required safety training and refresher courses as needed. In addition to guarding their own safety and the City's property, employees shall do everything possible to safeguard their fellow workers and other people affected by their work. Employees shall report immediately to their supervisor any accident occurring to themselves and shall, if observed, report accidents happening to others. Employees shall also report any unsafe conditions to their supervisor immediately.

D. Human Resources Department. The Human Resources Director shall be responsible for the coordination of safety activities and safety programs throughout the City of Phoenix.

Organization to Implement and Administer Safety Program

The Human Resources Director shall be responsible for coordinating the development, establishment, improvement, and administration of the City Safety Program. Department directors and their management and supervisory staff, working in conjunction with their department Safety Analysts, are responsible for development, implementation, and operation of the safety programs within their respective departments.

Departmental safety committees may be established within each department and/or large division. Selection of these committees shall be made by the department director. Safety committees may be established in small organizational units at the discretion of department management. Safety committees shall be advisory only.

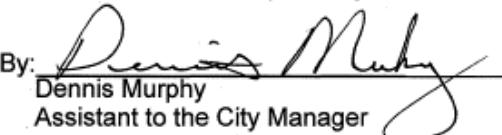
Operational Procedures

The provisions of the above sections clarify the authority, responsibility, and organization of the City's Safety Program.

As the representative of management, the Human Resources Director, in cooperation with the department directors and their staff, shall devise, implement, and through periodic revisions, maintain a comprehensive safety program. The minimum objectives of this program shall be to:

- A. Maintain a safe and healthful work environment
- B. Ensure compliance with occupational safety and health standards, regulations, and policies.
- C. Train supervisors to focus attention on preventing accidents and promoting safety.
- D. Formalize in each City activity a set of safety standards for employees to follow in performing their duties.
- E. Educate and motivate employees through their supervisors to work safely.
- F. Establish for each City activity a complete safety inspection program to remove work hazards and correct unsafe conditions, practices, and habits.
- G. Establish and maintain a system for reporting accidents. Analyze accidents to learn cause and prevention.
- H. Solicit suggestions from employees and promptly adopt good ideas which will promote better safety.
- I. Solicit the advice of the safety committees where applicable.
- J. Assist all administrative and supervisory personnel in developing and maintaining an effective safety program.
- K. Administer corrective action, up to and including disciplinary action for non-compliance with established safety standards, regulations and policies.
- L. Collect and distribute safety training material, safety educational aids, safety posters, and safety literature to supervisors.
- M. Ensure employees receive the appropriate safety and health training necessary for their job and that all safety and health training is properly documented.

DAVID CAVAZOS, City Manager

By: 
Dennis Murphy
Assistant to the City Manager



City of Phoenix

ADMINISTRATIVE REGULATION		A.R. NUMBER
SUBJECT		2.311Revised
VEHICLE ACCIDENT REPORTING PROCEDURES AND ACTION AT SCENE OF COLLISION		FUNCTION Personnel and Payroll Page 1 of 4
		EFFECTIVE DATE January 14, 2003

INTRODUCTION

Transmittal Message

This Administrative Regulation (AR) has been revised to streamline the vehicle accident reporting process. Questions regarding this AR should be directed to the Finance Department – Risk Management Division at (602) 262-5054.

Summary of Changes

This AR was last revised in 1988. The revised AR eliminates references to report forms and employee titles that no longer exist. Additionally, it refers employees to the City's Intranet for completion and submittal of required forms.

The revisions instruct employees involved in an accident to notify the Police Department who will assess the situation and evaluate the scene for a wrecker, paramedics or ambulance. It also eliminates reference to the potentially hazardous practice of using a police car to push a damaged vehicle to the side of the road.

Finally, the revision eliminates confusion between reporting an accident and submitting a claim.

Purpose

This regulation establishes uniform procedures for reporting all accidents involving City-owned or privately-owned motor vehicles used on City business. This regulation further establishes procedures for moving drivable vehicles out of the traveled way following a collision, for calling wreckers to move non-drivable vehicles away from the scene of collision as rapidly as possible, and for moving the vehicle to the Equipment Management Yard for damage inspection.

1. Regulations

A. Reporting Requirements

- i. All motor vehicle accidents involving City-owned or privately-owned motor vehicles while being used on City business occurring on public streets or on private property, inside the City limits, shall be reported immediately to the Police Department and the employee's supervisor. Serious, life threatening accidents should be reported to Police using 911. For minor accidents that are non-life threatening, contact the Police Department at (602) 262-6151.

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Personnel and Payroll
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Advise the Police Department that the accident involves a Phoenix-owned vehicle or vehicle used on City business and relay as clearly as possible the severity of the accident and whether fire or medical services are needed.

The Police Department will respond to the scene and determine whether or not they will make a report. When the Police do not take a report, obtain the following information before leaving the accident scene.

- a. Names, addresses, drivers license numbers and phone numbers of all parties
- b. Make, model, year and license plate number of all vehicles
- c. Damage to all vehicles
- d. Injuries to any parties and where treated if applicable
- e. Insurance company and policy numbers of all parties involved
- f. Names, addresses and phone numbers of witnesses, if available

If outside the City limits, the employee shall report the accident immediately to the local jurisdiction and their supervisor. All other procedures contained in this Administrative Regulation still apply.

- ii. Accidents involving City-owned motor vehicles shall also be reported to Risk Management and Equipment Management within two workdays of their occurrence by use of the Equipment Management Vehicle Damage Report, Form 125-40D (also known as the "Incident Report"). This form is used to report both property damage and bodily injury resulting from a collision. This four-part form must be completed by the employee/driver or supervisor immediately after the accident. At least one copy shall be kept by the employee's/driver's department, and that department is responsible for sending one copy to Risk Management, one copy to Equipment Management and one copy to the Personnel Department, Safety Section.

The Equipment Management Vehicle Damage Report Form may also be submitted electronically via the City's Intranet, e-mail, or hard copy sent through interoffice mail. A copy should be retained for departmental records.

It is important that the report form provide clear and concise information of the facts of the incident, as well as complete and accurate information concerning the person(s) and property involved.

- iii. A supervisor, with the support of the Department Head, should respond to the scene of an accident involving their department personnel to assist the Police in any way possible.
- iv. All accident reports will be reviewed and chargeability determined the Personnel Department, Safety Section, Fleet Safety Specialist. The Police Department shall prepare four (4) copies of the Arizona Traffic Accident Report on all motor vehicle accidents.

The Arizona Traffic Accident Reports will be distributed as follows:

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All City Vehicles and All Vehicles Used On City Business:

- a. One copy to Equipment Management (if a City-owned vehicle is involved)
- b. One copy to Personnel Department, Safety Section
- c. One copy to Finance Department, Risk Management Division
- d. One copy (or more copies as desired) to the department involved in the accident

v. Do not make statements to anyone except your supervisors and the investigating Police Officers. The determination of the cause will be done as part of the investigation process.

vi. Any person who wishes to make a claim against the City must follow the procedures set forth in A.R.S. 12-821.01. Persons who state that they want to make a claim for injuries or property damage should be given a "Referral Card," Form 45-11D, which provides the Risk Management Division's phone number to call for a claim form. The employee's name and work phone number should be written in the space provided on the Referral Card.

All field supervisors should maintain a supply of Referral Cards.

B. Additional Information

On occasion, additional information may be needed on a particular accident other than what would be needed for normal processing of accident claims. When the need arises, the Safety Section and/or Risk Management Division will request this information from the Department involved.

Department Heads may require their supervisors and/or operators to submit a separate report on accidents involving their personnel for the Department's internal use.

A packet containing the "Equipment Management Vehicle Damage Report" Forms and Referral Cards will be placed in each vehicle by Equipment Management.

C. Fatal Accidents Involving City Vehicles or Equipment

When a City vehicle or private vehicle being used on City business is involved in an accident resulting in a fatality, the Police Department will immediately notify the Personnel Department, Safety Section. If the accident occurs outside of normal duty hours, the notification will be made to the City switchboard operator. The City switchboard operator will maintain a current list of names and telephone numbers of people to contact within the Safety Section. The Police Department will notify the Risk Management Division the next business day.

D. Legal Information

The Law Department shall have access to all accident reports filed with the Safety Section and/or Risk Management Division whenever necessary.

The employee is forbidden to act as an agent of the City under any circumstances. Before an employee releases an insurance company for injuries sustained while in a City vehicle,

System: Revision #	City of Phoenix Public Transit Department Initial - DRAFT	Document No: Issue Date:	PTASP 09/18/2020
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Personnel and Payroll
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the employee must confer with the Law Department to make certain that the release form does not purport to reduce the City's rights to recover damages.

2. Action at Scene of Collision

A. Objective

To minimize traffic congestion or the possibility of contributing to further accidents at the scene, the following procedure is to be followed:

- i. Driveable Vehicles Driveable vehicles should be moved to the side of the road out of the way of traffic, prior to arrival of police.
- ii. Non-Driveable Vehicles In the event one or more vehicles are non-driveable, the Police Officer(s) responding to the scene will call for a wrecker.
- iii. Injury Accidents In a collision in which a person complains of an injury or in which a serious injury exists, the vehicle containing the injured persons should not be moved. When reporting the accident to "911," notify them that an ambulance is needed and how serious the injuries seem to appear.
- iv. Non Injury Accidents All non-injured drivers and passengers should move to the sidewalk or other safe location out of the roadway as soon as possible. Employees should not return to the vehicle to retrieve items until clear to do so.
- v. General
 - a. Attempt to secure witnesses' names, addresses and phone numbers.
 - b. Do not make statements to anyone except your supervisors and the investigating Police Officers. Avoid getting into arguments with others at the scene.
 - c. Answer the Police Officer's questions honestly and directly. Do not admit any responsibility or guilt for the accident at the scene. Responsibility for the accident will be determined at a later time and place.
 - d. Make arrangements with the Equipment Management Body Shop to have the City vehicle taken to the Equipment Management Yard. The vehicle should be moved to the Equipment Management Yard within two workdays after the accident occurs.

FRANK FAIRBANKS, City Manager

By 

Lisa Takata
Assistant to the City Manager



City of Phoenix

ADMINISTRATIVE REGULATION		A.R. NUMBER 3.51
SUBJECT	FUNCTION Financial and Purchasing Page 1 of 3	
RISK MANAGEMENT		EFFECTIVE DATE November 20, 2001
INTRODUCTION		
Transmittal Message Questions regarding this AR should be directed to the Finance Department – Risk Management Division at (602) 262-5054.		
Summary of Changes This AR was last revised in 1988. The revisions note a new direct reporting relationship between Risk Management Administrator and the Finance Director. It also clarifies and updates the responsibilities of the Risk Management Administrator.		
Purpose This Risk Management policy has been established to achieve an optimum balance among the various elements of the City's Risk Management Program, such as: self-insured losses, loss control and loss prevention costs, claims control costs, insurance premiums and the cost of administration.		
Responsibility The following people are responsible for the Risk Management Program:		
<p>A. The <u>Finance Director</u> provides overall direction.</p> <p>B. The <u>Risk Management Administrator</u> is responsible for general administration such as coordinating, directing and implementing risk management activities, including:</p> <ol style="list-style-type: none">1. Risk identification, analysis and measurement.2. Risk financing, including the purchase of commercial insurance for all City-related exposures, except group medical, life, disability and Worker's Compensation insurance for City employees.3. Consulting for risk financing including assisting the Personnel Department in the purchase of insurance for the City's employee, dependent and retiree benefits.4. Management of 3rd party liability claims and tort litigation in cooperation with the City Attorney's Office.5. Coordinate and assist in resolution of insurance claims made against property and liability insurance policies purchased by the Risk Management Division.		

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Financial and Purchasing
Page 2 of 3

6. Processing City claims against others and/or their insurance carriers for damage to City property when requested by the department sustaining the damage.
7. Manage the Self-Insured Retention Funds to assure that adequate funding levels are maintained and insurance and self-insurance costs are allocated to the City departments.
8. Investigation and settlement of third-party liability claims (except charges filed with the Equal Employment Opportunity Commission) filed against the City and selection and management of a third party claims administrator for the handling of other liability claims.
9. Liaison for establishing City property conservation standards with City property insurance carriers and departments.
10. Provide loss control data and loss control consultations to all City departments.
11. Coordinate and participate on the City's Self-Insurance Retention Claims Committee.

C. Department Heads are responsible for insuring that risk management related activities are coordinated with the Risk Management Administrator.

Cooperation is needed at all levels to identify risks of loss and reduce or eliminate those risks.

Operational Policy

A. Purchasing Insurance or Other Risk Financing Alternatives

Whenever risks of loss are identified, they shall be reduced or eliminated wherever practical. For risks of a catastrophic nature, insurance or other risk financing alternatives shall be purchased or implemented at the lowest reasonable cost.

B. Risk Retention

In recognition of its financial resources, the spread of its physical assets and prudent municipal practices, the City shall accept self retention of loss up to the limits established by the Finance Director and Risk Management Administrator, based on risk retention analysis. The self-insured retention levels and commercial insurance policy limits shall be established based on prudent judgment and appropriate economic considerations.

In addition, in selecting the actual self-insured retention limit for a specific risk consideration shall be given to the extent such insurance is available at reasonable cost, frequency and severity of loss experience, and the extent and nature that such services as claims handling, legal services, and other specialized services are required and available either in-house or through outside agencies.

C. Claims Management

1. Claims for damages arising out of injuries to the public, including personal injury, or damage to private property are administered by the Risk Management Division. The City Attorney's Office and Risk Management Division coordinate the management of cases in litigation. The objective is to minimize the financial loss to the City, recognizing both the well-being of the public and the need for financial stability of the City. The Risk Management Administrator shall coordinate claims management with the City Self-Insurance Retention Claims Committee in accordance with Chapter 42 of the City Code.

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Financial and Purchasing
Page 3 of 3

- A. All City employees are responsible for reporting incidents promptly in accordance with Administrative Regulation 2.311 and 2.317 and assisting the Risk Management Division in investigation.
- B. Legitimate liability claims are to be settled equitably and promptly. Claims believed to be without merit will be vigorously defended.
- 2. Employee Worker's Compensation insurance claims are administered by the Safety Administrator in the Personnel Department.

D. Loss Control

It is the policy of the City of Phoenix to preserve City-owned property through the implementation of sound property loss prevention practices and to control, reduce and eliminate exposure to loss from liability risks to the extent possible. The Risk Management Administrator is responsible for:

- 1. Coordination of the City's efforts toward the prevention of property loss, and control and reduction of liability risks.
- 2. Coordination of the efforts of City property and liability insurance carriers with City departments in performing insurance loss control surveys and implementing insurance carrier recommendations.
- 3. Coordination and implementation of local, state and federal regulations related to property loss prevention and control and reduction of liability risks.

FRANK FAIRBANKS, CITY MANAGER

BY 
Lisa Takata
Assistant to the City Manager

5. Public Transit Department Facility Inspection Report



Public Transit Department Facility Inspection Report				
Date:	Facility			
Inspector –				
COMMENTS (general cleaning/safety attire/spills/restrooms)				
FACILITY EXTERIOR	MET	NOT MET	N/A	
Employee/Support Vehicle Parking Lots				
Fare Collection Building				
Landscaping				
Security Kiosk				
Bus Wash Area				
Fuel Island/Building				
Dispensing Equipment Condition				
Bus Parking Lot				
Maintenance Area/Building				
Warehouse				
Loft				
HR Area/Building				
Revenue/Video Surveillance				
(water fountains/storage areas)				
FACILITY INTERIOR				
Visitor Reception Area				
Conference Room				
Printer Room				
Individual Offices/Cubicles				
Restrooms				
Driver's Lounge				
Locker Area				
Dispatch Area				

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 68

Light Rail Small Business Financial Assistance Program Pilot (Ordinance S-47126)

Request to authorize the City Manager, or his designee, to implement a proposed Light Rail Small Business Financial Assistance Program (SBFAP) Pilot working with Valley Metro and to enter into a grant, and other agreements as necessary, for the Phoenix Community Development and Investment Corp (PCDIC) to supplement the SBFAP Pilot with \$500,000 in grant funding. Further request to authorize the City Treasurer to receive, and the City Controller to disburse, all funds related to this item.

Summary

The South Central Extension/Downtown Hub (SCE/DH) and Northwest Extension Phase II (NWEII) projects are both currently under construction, which combined will expand the light rail system in the City by nearly eight miles.

Early-action business assistance within the SCE/DH corridor began in May 2018 through a Federal Transit Administration (FTA) Transit Oriented Development (TOD) Grant. Using funding from the SCE/DH TOD Grant, the City and Valley Metro worked with a consulting team to complete an inventory of more than 472 businesses along the SCE/DH corridor (from Van Buren Street to South Mountain Avenue, between 3rd Street and 3rd Avenue).

Currently, the City works with Valley Metro to provide a comprehensive business assistance program, utilizing individual business assessments, best practices, and work plans that address the unique needs of the affected businesses. The current business assistance program provides technical assistance to provide guidance and support in areas such as marketing and advertising programs and strategies, financial accounting and bookkeeping, website and e-commerce development and deployment, human resources, diversification of revenue streams, and other assistance that could improve business efficiencies.

The SBFAP Pilot would add a new element to light rail business assistance by providing financial assistance to help offset economic impacts to locally-owned small and micro businesses determined to have been directly impacted by construction along the SCE/DH and NWEII light rail extension corridors. This Pilot is proposed as a

one-year program, but if successful and sustainable, could be extended for the duration of construction of both projects. This Pilot is intended only to apply to light rail projects with construction of three years or more with impacts to businesses located directly along, or accessed directly from, the alignment. The Pilot's aim is to help mitigate financial impacts and support the business retention of directly affected small and micro businesses. The Pilot would have a two-tiered approach, as outlined further in this report.

Several factors went into the creation of the proposed SBFAP Pilot, including but not limited to:

- Feedback and input received from impacted local business owners;
- Feedback from Phoenix business owners impacted by previous light rail projects;
- The unique nature and duration of construction for light rail projects and their impact on businesses directly located along the affected corridor;
- Research of business assistance programs for similar transportation projects in other cities;
- Recommendations from the TOD Business Assistance Grant Consultants;
- Staffing levels;
- Legal requirements/considerations; and
- Availability of funds.

This Pilot will be assessed to evaluate participation levels, funding availability, effectiveness, and other considerations.

Funding

Tier I

The first tier of financial assistance would offer \$1,000 in financial assistance to offset operational costs for small and micro businesses that meet the eligibility criteria, as outlined further in this report. If the SBFAP Pilot is approved to continue after the first year, the amount would be available annually for the duration of construction impacts to the businesses. Tier I does not require businesses to be able to provide detailed financial records demonstrating lost business revenue due to construction impacts.

Due to the lower amount of less-restrictive funding currently available, Tier I provides a lower level of financial assistance. However, if additional funding resources, such as grants or donations, become available to help fund this program, those funding resources would increase the amount available to businesses and potentially raise the level of Tier I financial assistance.

Tier II

The second tier of financial assistance would offer up to \$5,000 in financial assistance to offset operational costs for small and micro businesses that meet the eligibility criteria, as outlined further in this report. If the SBFAP Pilot is approved to continue after the first year, the amount would be available annually for the duration of construction impacts to the businesses. The amount awarded under Tier II will be based on the business' revenue reduction up to the maximum. Tier II funding includes the use of T2050 funds currently allocated for light rail business assistance. Although a higher assistance amount is available through Tier II, these funds have more stringent legal requirements, which is why a review of financial records is necessary for businesses to access these funds.

Eligible business expenses for the SBFAP Pilot funds under both Tiers I and II will be specifically for the business' operational costs, including: (1) utilities; (2) rent or mortgage payments; (3) insurance; and (4) other types of documented business-related operational expenses, which may be requested and considered. Local, state, and federal taxes are not eligible operating expenses for purposes of the Pilot's assistance.

In addition to the financial assistance provided by the SBFAP Pilot, businesses will continue to be eligible to receive technical assistance for guidance and support in areas such as financial accounting/bookkeeping, marketing and advertising programs and strategies, website and e-commerce development and deployment, human resources, diversification of revenue stream, and other assistance that could improve business efficiencies.

Eligibility

Businesses seeking financial assistance grants will be required to apply to the SBFAP. To receive a financial assistance grant, a business must meet the following eligibility criteria.

Tier I

- Affected business location must be physically located on, or directly accessed from: (1) Central Avenue, between Jefferson Street and Baseline Road (for SCE/DH); (2) Dunlap Avenue, between 19th and 25th Avenues (for NWEII); (3) 25th Avenue, between Dunlap Avenue and Mountain View Road (for NWEII); (4) Mountain View Road, from 25th Avenue to the former Metrocenter Mall property (for NWEII); or (5) the Metrocenter Mall property, as eligible businesses in the former Metrocenter Mall property are also within the program boundaries (for NWEII);

- Be a locally-owned business with 15 or fewer employees and \$500,000 or less in annual revenue for the overall business;
- Be currently open and operational on the affected light rail construction alignment with posted hours of operation, as well as open and operational for at least 24 months prior to: (1) June 19, 2020 (for SCE/DH); and July 28, 2020 (for NWEII);
- Conduct business directly with consumers where transactions primarily take place at the location on the affected construction alignment;
- Be able to provide all necessary documents to verify program eligibility;
- Be in good standing with all local, state, and federal taxing and licensing authorities; and
- Sign a waiver releasing the City, Valley Metro, and any contractors selected to run the SBFAP Pilot from any claims related to revenue impacts arising out of light rail planning, design, and construction activities in order to receive this Pilot's funding support.

Tier II

- Meet all the requirements of Tier I; and
- Demonstrate, via financial business records, a loss in revenue after the commencement of construction and related activities in comparison with the same period in the year prior to the start of construction.

Staff estimates there are approximately 145 businesses in the SCE/DH corridor and about 60 businesses in the NWEII corridors that may be eligible under this program.

Ineligible Businesses

Businesses that would not be eligible include: residential property(ies); places of worship; schools; banks; hotels; government agencies; utility companies; businesses generating over 60 percent of revenues from the sale of alcoholic beverages; businesses generating revenues from the sale of marijuana; sexually oriented businesses or topless bars (as defined in the Phoenix City Code); and unoccupied buildings.

Program Administration

Valley Metro will implement program operation in conjunction with a Program Administrator. The Program Administrator will be responsible for reviewing applications, determining and monitoring eligibility, processing payments, providing overall customer service to businesses interested in the SBFAP, as well as thorough program documentation and regular financial and programmatic reporting. The City will ensure that regular audits of the SBFAP are conducted by the City Auditor and/or Valley Metro Auditor.

Financial Impact

The Phoenix Community Development and Investment Corporation (PCDIC) recently awarded a \$500,000 grant to assist with funding the SBFAP Pilot. Combined with \$1.86 million of T2050 funds currently allocated and available for light rail business assistance, the total budget currently available for distribution to businesses, including program administration, is approximately \$2.36 million. Efforts are also underway to seek additional financial support from various community, private, and philanthropic organizations. Funding is available in the Public Transit Capital Improvement Program.

Concurrence/Previous Council Action

The Citizens Transportation Commission approved this item on Oct. 22, 2020, by a vote of 11-0.

The Transportation, Infrastructure and Innovation Subcommittee recommended this item for approval on Nov. 4, 2020, by a vote of 4-0.

Location

The Northwest Extension Phase II will run along Dunlap Avenue to 25th Avenue, then north to Mountain View Road, and then west across Interstate 17, via an elevated structure over the freeway, to its terminus adjacent to Metrocenter Mall.

Council Districts: 1, 3 and 5

The South Central Extension Downtown Hub will run along Central Avenue, from Jefferson Street to Baseline Road.

Council Districts: 7 and 8

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 69

Water Wagon Rental (Ordinance S-47080)

Request to authorize the City Manager, or his designee, to enter into an agreement with Empire Southwest, LLC to provide a water wagon rental for the Arizona State Route 85 (SR85) Landfill. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate amount for this agreement will not exceed \$32,311.

Summary

The Public Works Department is seeking an 8,000-gallon water wagon rental to allow operations to continue at the SR85 Landfill in accordance with the Environmental Protection Agency (EPA) regulations and Maricopa County guidelines for dust control. This wagon will be used in place of a City unit that is being taken out of service for a rebuild of system components. The rebuild is estimated to take six weeks.

Procurement Information

Request for Quote (RFQ) 21-FSD-017 was conducted in accordance with Administrative Regulation 3.10. One successful bid was received that met the equipment requirements found in the solicitation, with Empire Southwest, LLC having the only available rental in Maricopa County. The bid was evaluated based on a four-week rental cost below:

Empire Southwest, LLC: \$17,700.40

Contract Term

This contract will begin on or about Council approval on Nov. 18, 2020 and will be a one-time rental for the department.

Financial Impact

This item will have an aggregate amount of \$32,311. Funds are available in the Public Works Department's budget.

Location

28361 W. Patterson Road, Buckeye, Ariz.
Council District: Out of City

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 70

Trommel Machine - Purchase and Maintenance of Equipment - Agreement Recommendation (Ordinance S-47085)

Request to authorize the City Manager, or his designee, to enter into an agreement with Machinex Technologies, Inc. to provide a specialized trommel and maintenance service for equipment to be used at the 27th Avenue Transfer Station. Further request to authorize the City Controller to disburse all funds related to this item. This agreement will have an aggregate amount of \$1,280,000.

Summary

This agreement will provide design, installation and maintenance support of a specialized piece of equipment at the 27th Avenue Transfer Station. This equipment, a multi-stage trommel, will be used to process and sort Municipal Solid Waste (MSW) and contaminated recyclables from the residential stream. Machinex Technologies, Inc. will provide the technical expertise to ensure this equipment will be operated and maintained appropriately. They will also provide operational training for staff and perform periodic maintenance and service monitoring.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo, citing sole source. Machinex Technologies, Inc. is the sole manufacturer of equipment and service provider for this specialized sorting machine.

Contract Term

This agreement will begin on or about Jan. 1, 2021, with four contract option years to be extended in increments of up to one year, with a total contract term of five years.

Financial Impact

The total aggregate amount is not to exceed \$1,280,000 over the life of the agreement. Funds are available in the Public Works Department's budget.

Location

27th Avenue Transfer Station - 3060 S. 27th Ave.
Council District: 7

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 71

Keep Kids Alive Drive 25 Campaign

Request to authorize the City Manager, or his designee, to provide in-kind services in the form of City staff hours to collaborate with the Keep Kids Alive Drive 25 Campaign.

Summary

Keep Kids Alive Drive 25 (KKAD25) is a non-profit traffic safety organization based in Omaha, Neb., that was formed in 1998 to "educate motorists, pedestrians, and cyclists to practice behaviors that keep us all safe on and along roadways." KKAD25 campaigns work at the neighborhood level, involving residents in the creation of neighborhood-based plans for traffic safety. These plans may involve private property yard signs, creation of social media campaigns, or messaging actions that promote traffic safety without interfering with a city's established traffic guidelines. KKAD25 has worked with a variety of cities nationwide developing and engaging traffic safety campaigns to promote safe behaviors, including St. Louis, Mo., and Detroit, Mich.

KKAD25 recently received a \$3,000 grant from the General Motors Company (GM) to fund a new project in Phoenix to develop grassroots campaigns for neighborhood traffic safety regarding issues like speeding, distracted driving, seatbelt use, and observing traffic signage and signals. KKAD25 contacted the Street Transportation Department to request guidance in approaching appropriate Phoenix neighborhoods interested in developing traffic safety plans. KKAD25 would like to work with under-served neighborhoods where residents do not have the financial resources to create their own neighborhood-based traffic safety campaigns.

KKAD25 is not requesting any financial assistance from the City but is requesting staff support and involvement to guide the actions of their campaigns in Phoenix, so they can be successful. The Street Transportation Department is requesting approval to provide in-kind services in the form of City staff hours to collaborate with the KKAD25 campaign's goal of creating neighborhood traffic safety plans in select under-served neighborhoods in Phoenix.

Financial Impact

There is no direct financial impact to the City other than City staff hours to assist with the coordination of the KKAD25 campaign.

Concurrence/Previous Council Action

This item was approved by the Transportation, Infrastructure and Innovation Subcommittee on Nov. 4, 2020, by a 4-0 vote.

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 72

91st Avenue Wastewater Treatment Plant, Plant 2B Rehabilitation - Engineering Services - WS90100112 (Ordinance S-47068)

Request to authorize the City Manager, or his designee, to enter into an agreement with Hazen and Sawyer, P.C., to provide Engineering Services that include: assessment, programming, design and possible construction administration and inspection services for the 91st Avenue Wastewater Treatment Plant (WWTP) Plant 2B Rehabilitation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$4 million.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project and to include disbursement of funds. Utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Summary

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

Hazen and Sawyer, P.C.'s services include, but are not limited to: preparation of complete sets of construction documents and any necessary special documents for the construction of the project; gather data and conduct evaluations; perform analyses to rehabilitate and make improvements to Plant 2B treatment systems including primary sedimentation, aeration, secondary sedimentation, reuse water system, disinfection, and ancillary equipment and systems; process air supply and distribution systems; and design of new odor control facility for the facility's common headworks.

The 91st Avenue WWTP is owned by the Sub-Regional Operating Group (SROG), consisting of the cities of Phoenix, Mesa, Tempe, Scottsdale, and Glendale, and operated by the City of Phoenix.

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

Procurement Information

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

Selected Firm

Rank 1: Hazen and Sawyer, P.C.

Additional Proposers

Rank 2: Water Works Engineers, LLC
Rank 3: Carollo Engineers, Inc.
Rank 4: Black and Veatch Corporation
Rank 5: Greeley and Hansen, LLC
Rank 6: GHD, Inc.
Rank 7: Wilson Engineers, LLC
Rank 8: HDR Engineering, Inc.

Contract Term

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

Financial Impact

The agreement value for Hazen and Sawyer, P.C. will not exceed \$4 million, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action

- The SROG Advisors authorized the project on Sept. 9, 2020.

The City Council approved:

- CMAR Preconstruction Services Agreement 152905 (Ordinance S-46930) on Sept. 16, 2020.

Location

91st Avenue WWTP

Council District: 7

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 73

Northwest Water and Wastewater Master Plan - Engineering Services - WS85500455 and WS90500307 (Ordinance S-47069)

Request to authorize the City Manager, or his designee, to enter into separate agreements with two consultants listed below, to provide Engineering Services that include study, design, and construction administration and inspection services for the Northwest Water and Wastewater Master Plan project. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed \$17 million.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project and to include disbursement of funds. Utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to study the project area to determine the water and wastewater infrastructure needed to plan for potential growth. Consultants will work with the City to evaluate and plan the long-term location and size of the infrastructure.

The Engineering consultants' services include, but are not limited to: design services for regional water infrastructure including a 52-Million Gallon per Day (MGD) pressure reducing valve station; 16- to 54-inch water transmission mains and 15 MGD booster pump station upgrades; design services for regional wastewater infrastructure including 5- to 12-MGD lift stations, 12- to 24-inch force mains and 15- to 60-inch gravity sewer mains; survey; acquiring easements, and assisting with the project bid process. Construction administration and inspection services include, but are not limited to: coordination with the contractor on site during construction; administration of the construction schedule, shop drawings and submittal review process, as well as payment applications; inspection of all construction activities; review and approval of

change orders; and warranty inspection approximately 11 months after project completion.

These agreements are essential to the health, safety, and welfare of the public and critical operations for the City.

Procurement Information

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

Selected Firm (WS85500455 Water Master Plan)

Rank 1: Carollo Engineers, Inc.

Additional Proposers

Rank 2: Garver, LLC

Rank 3: Water Works Engineers, LLC

Rank 4: Kimley-Horn & Associates, Inc.

Selected Firm (WS90500307 Wastewater Master Plan)

Rank 1: Wilson Engineers, LLC

Additional Proposers

Rank 2: Carollo Engineers, Inc.

Rank 3: Garver, LLC

Rank 4: Water Works Engineers, LLC

Rank 5: Kimley-Horn & Associates, Inc.

Contract Term

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

Financial Impact

The total agreement value for Carollo Engineers, Inc. will not exceed \$7 million and the total agreement value for Wilson Engineers, LLC will not exceed \$10 million. The total fee will not exceed \$17 million, including all subconsultant and reimbursable costs.

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

Location

North of the Central Arizona Project, south of Carefree Highway, west of I-17, and east of the City's west limits.

Council District: 1

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 74

Instrumentation and Control Systems Inspection and Testing Services for Water Remote Facilities - Engineering Services - WS85400011 (Ordinance S-47070)

Request to authorize the City Manager, or his designee, to enter into an agreement with Stephen C Clements dba Clements Inspection Services (CIS), to provide Engineering Services that include design and construction administration and inspection for the Instrumentation and Control Systems Inspection and Testing Services for Water Remote Facilities project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$900,000.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project and to include disbursement of funds. Utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to improve the functionality, efficiency, and maintenance of the instrumentation and controls systems. The City has incorporated Instrumentation & Controls Systems Inspection and Testing Services to assist the engineer and contractor during upgrades or expansions of the water distribution systems.

CIS's services include, but are not limited to: provide design support services consisting of presenting advice and technical consultations relative to installation techniques and procedures; attend design meetings and project engineer demonstrations; conduct 30, 60, 90 and 100 percent reviews of the project plans and specifications; support the engineering consultant with research of existing conditions and understanding of the Water Services Department's standards for instrumentation and control systems and update as necessary; construction support services to include equipment submittal and installation review, providing field observations reports,

participating in factory testing, reviewing the completeness of required equipment testing documentation, and witnessing the instrumentation calibrations and loop checks; commissioning support services assistance on computer control strategy checkout, tuning of control loops, and performing loop tests, troubleshooting for the computer control system programmers, maintain designated instruments through final acceptance, educate the plant staff on the systems, support the maintenance staff on developing procedures for designated equipment; reviewing the accuracy of the as-built documentation for electrical drawings instrumentation diagrams; and coordination with the firm selected for Electrical and Arc Flash support services.

Procurement Information

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

Selected Firm

Rank 1: Stephen C Clements dba Clements Inspection Services

Additional Proposer

Rank 2: DARCOR & Associates, Inc.

Contract Term

The term of the agreement is for two years with an option to extend for one additional year 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 Stephen C Clements dba Clements Inspection Services will not exceed \$900,000, including all subconsultant and reimbursable costs.

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

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 75

Arc Flash Analysis, Electrical Design and Inspection Services for Water Remote Facilities - Engineering Services - WS85400011 (Ordinance S-47072)

Request to authorize the City Manager, or his designee, to enter into an agreement with Jacobs Engineering Group, Inc., to provide Engineering Services that include design review and construction administration and inspection for the Arc Flash Analysis, Electrical Design & Inspection Services for Water Remote Facilities project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$1.73 million.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project and to include disbursement of funds. Utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to comply with National Fire Protection Association (NFPA) 70E requirements. The City currently owns and operates water remote facilities such as booster pump stations, steel tanks, ground water wells, and several other ancillary facilities which require electrical components to operate the facilities. The NFPA-70E established the requirements for safe work practices to protect personnel by reducing exposure to major electrical hazards. The Water Services Department is required to conduct Arc Flash Hazardous Analysis on all new motor control centers, switchgears, and power panels. Each site is required to have a five-year review and any changes are documented and re-analyzed.

Jacobs Engineering Group Inc.'s services include, but are not limited to: electrical design reviews; site inspections; arc flash hazardous testing to include as-built existing single-line diagrams; conducting load calculations for motor control centers, switchgears and power panels; and conducting a power system study and ground system testing.

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

Procurement Information

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

Contract Term

The term of the agreement is for two years with the option to extend for one additional year 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 Jacobs Engineering Group Inc. will not exceed \$1.73 million, including all subconsultant and reimbursable costs.

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

Responsible Department

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

ATTACHMENT A

Selected Firm

Rank 1: Jacobs Engineering Group, Inc.

Additional Proposers

Rank 2: Arcadis U.S., Inc.

Rank 3: Black & Veatch Corporation

Rank 4: DARCOR & Associates, Inc.

Rank 5: Kimley-Horn and Associates, Inc.

Rank 6: Canfield Engineering & Integration, LLC

Rank 7: Affiliated Engineers, Inc.

Rank 8: Electric Power Systems International, Inc.

Rank 9: P2S Inc.

Rank 10: RMH Group, Inc.

Rank 11: Sazan Group, Inc.

Rank 12: IMEG Corp.

Rank 13: Schweitzer Engineering Laboratories, Inc.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 76

Materials Testing and Construction Administration and Inspection On-Call Services for Light Rail Extensions - Amendment 1 (Ordinance S-47078)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 150948 with Structural Grace, LLC, to approve a name change to CONSOR Engineers, LLC. There is no additional time or funding associated with this amendment.

Summary

The purpose of this project is for the consultant to provide construction administration and inspection services on an as-needed basis for the following light rail extensions: Light Rail South Central Extension/Downtown Hub (SCE); Light Rail Northwest Extension Phase II (NW2); and Light Rail Capitol/I-10 West Extension (Cap/I-10W). On Dec. 31, 2019, Structural Grace, LLC formally merged into and changed its name to CONSOR Engineers, LLC.

This amendment is necessary because on Dec. 31, 2019, Structural Grace, LLC notified the City of its name change, resulting from a merger, from Structural Grace, LLC to CONSOR Engineers, LLC.

Previous Council Action

The City Council approved:

- Light Rail Extension Construction Administration and Inspection On-Call Consulting Services Agreement 150948 (Ordinance S-46008) on Sept. 18, 2019.

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 77

Salt River Project Land Use License at 7th Street and the Arizona Canal - WS90501002 Lift Station 53 (Ordinance S-47090)

Request to authorize the City Manager, or his designee, to enter into a land use license with Salt River Project (SRP) at 7th Street and the Arizona Canal, south of Las Palmaritas Drive, for City of Phoenix project WS90501002 Lift Station 53. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. There is no financial impact to the City of Phoenix.

Summary

The land use license is necessary for the City's installation of a new force main pipe from existing Lift Station 53 north of the Arizona Canal Diversion Channel, crossing under the Arizona Canal and connecting to the gravity sewer pipe located within 7th Street, south of the Arizona Canal. The license will allow construction, access and maintenance of the new force main and will be consistent with, and shall not interfere with, U.S. Bureau of Reclamation fee property.

Contract Term

The term of the license shall be for 25 years beginning Dec. 1, 2020 and ending Nov. 30, 2045. The license may be renewed upon written agreement by the parties.

Financial Impact

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

Location

7th Street and the Arizona Canal, south of Las Palmaritas Drive
Council District: 6

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 78

Central Arizona Water Conservation District Land Use Licenses for City of Phoenix Fiber Optic Facilities (Ordinance S-47091)

Request to authorize the City Manager, or his designee, to enter into two land use licenses with Central Arizona Water Conservation District (CAWCD) for City of Phoenix facilities installed in CAWCD-controlled land at three locations: 22nd Street and Deer Valley Drive, Cave Creek Road and Deer Valley Drive, and 7th Street and Happy Valley Road. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. There is no financial impact to the City of Phoenix.

Summary

In 2015, CAWCD granted permission to the City of Phoenix to install fiber optic facilities within CAWCD-controlled land prior to the execution of necessary land use licenses. The fiber optic installation was for the sole purpose of controlling City-owned traffic signals located within City rights-of-way, and the fiber optic installation was completed August 2015. CAWCD recently noted that the land use licenses were never executed and is requesting the City execute them retroactively to the original date of installation. The land use licenses are necessary for the City of Phoenix to continue to operate and maintain its fiber optic facilities that encroach upon CAWCD-controlled land.

Contract Term

The term of the licenses shall be for 25 years beginning retroactively from date of installation of City facilities on Aug. 24, 2015 and ending Aug. 23, 2040. The licenses may be renewed upon written agreement by the parties.

Financial Impact

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

Location

7th Street and Happy Valley Road
Council District: 1

22nd Street and Deer Valley Drive
Council District: 2

Cave Creek Road and Deer Valley Drive
Council District: 2

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 79

Salt River Project Construction License for City Subsurface Utility Excavation Purposes for City Project WS85500436 (Ordinance S-47092)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for Subsurface Utility Excavation (SUE) purposes. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. There is no financial impact to the City of Phoenix.

Summary

The purpose of this license is to allow the City's on-call contractor to perform SUE to determine the depth of SRP irrigation facilities. It is expected that these facilities are within the scope of the City's design for project WS85500436 - 35th Avenue 16-inch Water Main; Carver to Dobbins Roads. Depth verification allows the City to design accordingly to avoid underground utility conflicts.

Contract Term

The term of the Construction License is one year, beginning when the Notice to Proceed date is issued to our on-call SUE contractor, on or about Nov. 18, 2020.

Financial Impact

There is no financial impact to the City of Phoenix.

Location

35th Avenue, Carver to Dobbins roads.

Council District: 8

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 80

Salt River Project Construction License for City Subsurface Utility Excavation Purposes for City Project WS85500428-1 (Ordinance S-47093)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for Subsurface Utility Excavation (SUE) purposes. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. There is no financial impact to the City of Phoenix.

Summary

The purpose of this license is to allow the City's on-call contractor to perform SUE to determine the depth of SRP irrigation facilities. It is expected that these facilities are within the scope of the City's design for project WS85500428-1 - Dobbins Road 16-inch Water Main; 43rd to 35th avenues. Depth verification allows the City to design accordingly to avoid underground utility conflicts.

Contract Term

The term of the Construction License is one year, beginning when the Notice to Proceed date is issued to our on-call SUE contractor, on or about Nov. 18, 2020.

Financial Impact

There is no financial impact to the City of Phoenix.

Location

Dobbins Road, 43rd to 35th avenues

Council Districts: 7 and 8

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 81

Salt River Project Construction License for City Subsurface Utility Excavation Purposes for City Project WS85500429-2 (Ordinance S-47094)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for Subsurface Utility Excavation (SUE) purposes. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. There is no financial impact to the City of Phoenix.

Summary

The purpose of this license is to allow the City's on-call contractor to perform SUE to determine the depth of SRP irrigation facilities. It is expected that these facilities are within the scope of the City's design for project WS85500429-2 - Dobbins Road 24-inch Water Main; 35th to 27th avenues. Depth verification allows the City to design accordingly to avoid underground utility conflicts.

Contract Term

The term of the Construction License is one year, beginning when the Notice to Proceed date is issued to our on-call SUE contractor, on or about Nov. 18, 2020.

Financial Impact

There is no financial impact to the City of Phoenix.

Location

Dobbins Road, west of 32nd and east of 31st avenues
35th Avenue, south of Dobbins Road
Council District: 8

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 82

Salt River Project Construction License for City Subsurface Utility Excavation Purposes for City Project WS85509047 (Ordinance S-47095)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for Subsurface Utility Excavation (SUE) purposes. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. There is no financial impact to the City of Phoenix.

Summary

The purpose of this license is to allow the City's on-call contractor to perform SUE to determine the depth of SRP irrigation facilities. It is expected that these facilities are within the scope of the City's design for project WS85509047 - Water Main Replacement Area Bounded by Roeser to Broadway roads and 24th to 28th streets. Depth verification allows the City to design accordingly to avoid underground utility conflicts.

Contract Term

The term of the Construction License is one year, beginning when the Notice to Proceed date is issued to our on-call SUE contractor, on or about Nov. 18, 2020.

Financial Impact

There is no financial impact to the City of Phoenix.

Location

Roeser Road and 28th Street

Council District: 8

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 83

Salt River Project Construction License for City Subsurface Utility Excavation Purposes for City Project WS85509026-1 (Ordinance S-47096)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for Subsurface Utility Excavation (SUE) purposes. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. There is no financial impact to the City of Phoenix.

Summary

The purpose of this license is to allow the City's on-call contractor to perform SUE to determine the depth of SRP irrigation facilities. It is expected that these facilities are within the scope of the City's design for project WS85509026-1 - Water Main Replacement Area Bounded by Van Buren to Washington streets and 21st Place to 36th Street. Depth verification allows the City to design accordingly to avoid underground utility conflicts.

Contract Term

The term of the Construction License is one year, beginning when the Notice to Proceed date is issued to our on-call SUE contractor, on or about Nov. 18, 2020.

Financial Impact

There is no financial impact to the City of Phoenix.

Location

32nd and Van Buren streets and 32nd Street, north of Washington Street
Council District: 8

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 84

Salt River Project Construction License for Traffic Signal Installation for City Project ST89340592 (Ordinance S-47097)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project (SRP) for traffic signal installation work at 16th Street and Bethany Home Road. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. There is no financial impact to the City of Phoenix.

Summary

The purpose of this license is to allow the City to cross under as well as run parallel with SRP irrigation facilities to install a traffic signal pole, pull boxes and conduit at 16th Street and Bethany Home Road. This work is in conjunction with City project ST89340592 - 16th Street and Bethany Home Road Rebuild.

Contract Term

The term of the Construction License is one year, effective when the City begins construction, on or about Nov. 18, 2020.

Financial Impact

There is no financial impact to the City of Phoenix.

Location

16th Street and Bethany Home Road
Council District: 6

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 85

Salt River Project Land Use License with City of Phoenix for Private Commercial Development Project Laveen Gateway Plaza and Commons (Ordinance S-47098)

Request to authorize the City Manager, or his designee, to enter into a land use license with Salt River Project (SRP) for a private commercial development project, Laveen Gateway Plaza and Commons, located on the northwest corner of 51st and Southern Avenues. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. There is no financial impact to the City of Phoenix.

Summary

The land use license is necessary to facilitate the development of the property located on the northwest corner of 51st Avenue and Southern Avenue. The license will allow for the construction of right-of-way improvements, including sidewalk, curb, gutter, pavement and landscaping along Southern Avenue and will be consistent with and shall not interfere with U.S. Bureau of Reclamation fee property.

Contract Term

The term of the license shall be for 25 years beginning Dec. 1, 2020 and ending Nov. 30, 2045. The license may be renewed upon written agreement by the parties.

Financial Impact

There is no financial impact to the City of Phoenix.

Location

West side of 51st Avenue, north side of Southern Avenue

Council District: 7

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 86

Salt River Project Distribution Design and Construction Contract for South Mountain Ranger Station (Ordinance S-47099)

Request to authorize the City Manager, or his designee, to enter into a Distribution Design and Construction Contract with Salt River Project (SRP) for installation of an electrical transformer and service to a new ranger station, located at 10405 S. Central Ave. for City of Phoenix project PA77150023-1, South Mountain Ranger Station. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. Further request authorization for the City Controller to disburse all funds related to this item in an amount not to exceed \$14,915.

Summary

The City is constructing a new ranger station at South Mountain Park that will require new electrical service for operational purposes. This Distribution Design and Construction Contract represents the cost for SRP's electrical design, as well as installation of necessary facilities to provide power for the City's requested needs.

Contract Term

The term of the contract will begin on or about Nov. 19, 2020 and will expire when the project is completed and accepted.

Financial Impact

Funding in the amount of \$14,915 is available in the Parks and Recreation Department's Capital Improvement Program budget through the Phoenix Parks and Preserve Initiative fund.

Location

10405 S. Central Ave.

Council Districts: 6 and 8

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Inger Erickson, and the Street Transportation and Parks and Recreation departments.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 87

Salt River Project Construction Services Agreement for Eototo Mini Park (Ordinance S-47100)

Request to authorize the City Manager, or his designee, to enter into a construction services agreement with Salt River Project (SRP) to install a new electrical service for Eototo Mini Park, located at 2223 E. Pueblo Ave. for City of Phoenix project PA75200617-1. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. Further request to authorize the City Controller to disburse all funds related to this item, in an amount not to exceed \$4,353.

Summary

The City is renovating an existing park that will require a new electrical service for landscape and irrigation purposes. This Distribution Design and Construction Contract represents the cost for SRP's electrical design, as well as installation of necessary facilities to provide power for the City's requested needs.

Contract Term

The term of the contract will begin on or about Nov. 19, 2020 and will expire when the project is completed and accepted.

Financial Impact

Funding in the amount of \$4,353 is available in the Parks and Recreation Department's Capital Improvement Program budget through the Phoenix Parks and Preserve Initiative fund.

Location

2223 E. Pueblo Ave.
Council District: 8

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Inger Erickson, and the Street Transportation and Parks and Recreation departments.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 88

Request Retroactive Authorization to Apply for and Accept Funding from Flood Control District of Maricopa County for Fiscal Year 2021-22 Small Project Assistance Program (Ordinance S-47108)

Request to retroactively authorize the City Manager, or his designee, to apply for and accept funding from the Flood Control District of Maricopa County (FCDMC) for the Fiscal Year 2021-22 (FY 2022) Small Project Assistance Program (SPAP). The amount of financial assistance from the FCDMC is limited to 75 percent of project construction or up to \$500,000 per project. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to the grant.

Summary

The FCDMC SPAP provides an opportunity for cities to cost-share flood hazard mitigation projects through local drainage solutions, with emphasis on projects that mitigate historical flooding issues. The application submittal period for FY 2022 SPAP funding opened on June 9, 2020. Project submittals are due by Oct. 16, 2022. The FY 2022 FCDMC SPAP program provides cost-share opportunities for project-related project development costs.

In coordination with multiple community members and drainage evaluations, Floodplain Management staff prepared a list of two local drainage projects that were submitted prior to Oct. 16, 2021. The two projects are: (1) Shaw Butte Mountain Access Tower Road Drainage Improvements; and (2) Arroyo Springs Drainage Improvement Project.

Financial Impact

The amount of financial assistance from the FCDMC is limited to 75 percent of the project construction costs or up to \$500,000 per project. Submitting municipalities are solely responsible for rights-of-way acquisition, utility relocation, construction management, and operations and maintenance, and are responsible for construction costs in excess of the FCDMA's contribution limit. For any projects accepted by the FCDMC for SPAP FY 2022 funding, the City will be entering into separate agreements with Arizona Public Service on the Shaw Butte Mountain Access Tower Road Drainage Improvements and the Arroyo Springs Homeowners Association on the Arroyo Springs Drainage Improvement Project for funding participation. The City's cost share will be

funded from the Local Drainage Solutions Program from the Street Transportation Department's Capital Improvement Program.

Concurrence/Previous Council Action

The Transportation, Infrastructure, and Innovation Subcommittee recommended City Council approval for submission of the Maricopa County FY 2021-22 Small Project Assistance Program, by a vote of 4-0 on Oct. 7, 2020.

Location

Arroyo Springs Drainage Improvement Project is located just southeast of Blackhawk Drive and 39th Drive.

Shaw Butte Mountain Access Tower Road Drainage Improvements are located just west of Central Avenue and Wood Drive.

Council Districts: 1 and 3

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 89

Water Services Department 23rd Avenue Wastewater Treatment Plant Microgrid - Amendment - Ordinance S-45905 (Ordinance S-47119)

Request to authorize the City Manager, or his designee, to execute an amendment to Ordinance S-45905 to modify the agreement with Arizona Public Service (APS) to a 30-year term, to enter into a 30-year lease agreement, and to execute all related agreements and easements necessary in support of the Microgrid agreement. Further request to authorize the City Treasurer to accept all funds related to the agreements.

Summary

Ordinance S-45905 approved a 20-year agreement for APS to provide standby power to the 23rd Avenue Wastewater Treatment Plant through a 6.25-megawatt microgrid. This amendment will allow for a 30-year agreement instead of 20 years and will provide for a coterminous lease and related real property rights for the microgrid site on City-owned property. The leased site is approximately 5,400 square feet and will not interfere with the City's current use or improvements. All other conditions and stipulations previously stated in the above referenced ordinance will remain the same.

Financial Impact

The anticipated expenses for the City remain unchanged at \$3.4 million in capital costs, which began in Fiscal Year 2019-20, and it is anticipated there will be an additional \$1.1 million in fuel costs to the City over the life of the contract. The aggregate value of the contract will not exceed \$4.5 million; however, if the agreement is terminated early due to an uncured breach by the City, the City is obligated to compensate APS for its expenses and unrealized benefits of the full term of the agreement.

This amendment will authorize a ground lease rental rate to be paid by APS to the City of \$2,572.94 per year, plus applicable taxes, and will increase 3 percent-per-year. APS will prepay the entirety of the rent at the beginning of the lease term.

Concurrence/Previous Council Action

- The Water, Wastewater, Infrastructure and Sustainability Subcommittee heard this item for information only at its June 5, 2019 meeting.

- The City Council approved Microgrid Agreement (Ordinance S-45905) on July 3, 2019.

Location

23rd Avenue Wastewater Treatment Plant

Council District: 7

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 90

Water Facility Drawing Management System with eQuorum - Amendment (Ordinance S-47079)

Request to authorize the City Manager, or his designee, to add additional funding to Contract 144877 with eQuorum Corporation for the Water Facility Drawing Management System for the Water Services Department (WSD). Further request to authorize the City Controller to disburse all funds related to this item. The additional fee for services included in this agreement will not exceed \$21,000.

Summary

This contract provides WSD with software licenses, support, and maintenance for the Image-Site facility drawing management system. This software is used primarily by internal and external engineers as well as treatment facility operators as the record-keeping system for facility asset and construction documents. These documents include all as-built record drawings for horizontal infrastructure such as pipes, valves, manholes, and fire hydrants; and construction drawings for vertical infrastructure such as treatment plants. The software is considered mission critical, and required to maintain operational efficiency and regulatory compliance as part of the WSD business plan.

This amendment is necessary because funding was exhausted sooner than anticipated due to a higher use of storage for as-builts, resulting from accelerated construction timelines throughout the City during the first three years of the agreement. The additional funding will be necessary to continue services through the end of the contract term.

Financial Impact

The initial agreement for the Water Facility Drawing Management System was approved for a fee not-to-exceed \$100,000. This amendment will increase the agreement value by \$21,000, for a new total not-to-exceed agreement value of \$121,000. Funding is available in the Water Services Department's Operating budget.

Concurrence/Previous Council Action

The City Council approved Water Facility Drawing Management System Agreement 144877 (Ordinance S-43453) on April 19, 2017.

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 91

Intergovernmental Agreement with Arizona Department of Environmental Quality for Operator Certification Test Administration Services - Amendment (Ordinance S-47086)

Request to authorize the City Manager, or his designee, to execute an amendment to Intergovernmental Agreement (IGA) 153119 with the Arizona Department of Environmental Quality (ADEQ) and its included License and Testing Service Agreement with the Association of Boards Certification (ABC) to extend the term of the agreement.

Summary

The purpose of this IGA and its included License and Testing Service Agreement is to allow the City of Phoenix to facilitate and administer ADEQ's Operator Certification Examinations, which are required by Arizona Administrative Code section R18-5-106. Operators are required to obtain and maintain these certifications, in order to maintain compliance with federal and state regulations that ensure the system's integrity and public health of water and wastewater facilities for the state of Arizona. Currently, as a result of COVID-19 restrictions, the City has facilitated and administered the Operator Certification Examinations because the only administrator in Maricopa County prior to the pandemic was unable to provide the required tests necessary for operators to be able to obtain their required certifications.

The agreement will expire on Dec. 31, 2020; however, the City and ADEQ have determined that due to continuing COVID-19 restrictions, the City should continue to administer the examinations. This amendment is adding only time and there are no additional financial impacts related to the item.

Contract Term

This amendment will extend the term by six months through June 30, 2021, with an option to extend the term an additional six months through Dec. 31, 2021.

Concurrence/Previous Council Action

The City Council approved Operator Certification Test Administration Services IGA 153119 (Ordinance S-46593) on May 6, 2020.

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 92

Hauling Water Sludge, Otto Trucking, Inc. - Amendment (Ordinance S-47114)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 144498 with Otto Trucking, Inc to provide additional funding to the contract. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$900,000.

Summary

Request additional payment authority of \$900,000 for Agreement 144498, for hauling water sludge for the Water Services Department. Sludge is produced at the Water Production Plants and Otto Trucking is responsible for sludge and bar screen conveyor screenings removal and disposal services.

This amendment is necessary because weather and water quality have created a high volume of sludge removal which has resulted in spending approximately 50 percent more than the annual estimate.

Financial Impact

- The initial agreement for Hauling Water Sludge services was authorized for a fee not-to-exceed \$3,055,825.
- This amendment will increase the agreement by an additional \$900,000, for a new total not-to-exceed agreement value of \$3,955,825, including all subcontractor and reimbursable costs.

Funding for this amendment is available in the Water Services Department's Operating budget.

Concurrence/Previous Council Action

The City Council approved Hauling Water Sludge Agreement 144498 (Ordinance S-43120) on Dec. 14, 2016.

Responsible Department

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



City Council Formal Meeting

Report

Agenda Date: 11/18/2020, Item No. 93

Resolution Adoption to Issue Bonds for Unpaid Assessments - Gold Key Racquet Club Repaving Improvement District - ST87200002 (ID 1308) (Resolution 21879)

Request City Council adoption of a resolution granting approval to issue bonds for unpaid assessments for the Gold Key Racquet Club Repaving Improvement District project ST87200002 (ID 1308). The total estimated bond amount is \$25,200.

Summary

On April 1, 2020, City Council approved the final assessments for the Gold Key Racquet Club Repaving Improvement District project ST87200002 (ID 1308). The project provided improvements in the area generally bounded by 2nd Street to the south, 1st Street and Dahlia Drive to the north, Central Avenue to the west, and 3rd Street to the east. The improvements consisted of the installation of pavement overlay, Americans with Disabilities Act (ADA) ramps, street signs, and related work.

Construction has been completed, final Improvement District assessments have been calculated, and all affected property owners have been notified as required under Arizona Revised Statutes sections 48-571 to 48-621.

Financial Impact

The total proposed improvement cost to the property owners was estimated at \$201,600. There were a total of 46 parcels assessed: 45 assessed \$4,200 each, and one assessed \$12,600, where the Gold Key Racquet Club Clubhouse resides, because the parcel was three times the size of a typical lot. To date, the City has collected 40 of the 46 assessments, totaling \$176,400. There are six property owners left to pay their assessments totaling \$25,200. This remaining amount will be bonded, which was a requirement of administering this improvement district for unpaid bonds.

Concurrence/Previous Council Action

The City Council approved:

- The intention to form the Gold Key Racquet Club Repaving Improvement District (Ordinance S-44862) on June 27, 2018;
- The ordering of a notice and call for bids for repaving and related improvements on

this project (Resolution 21675) on Sept. 19, 2018;

- The authorization of a contract award to Sunland Asphalt & Construction, Inc. to provide design-bid-build services for this project (Ordinance S-45179) on Dec. 5, 2018;
- On Dec. 18, 2019 a public hearing was set for Feb. 19, 2020, but postponed and on March 4, 2020 the hearing was reset and occurred on April 1, 2020; and
- The final assessments (Resolution 21814) were approved on April 1, 2020.

Public Outreach

In March 2017, the affected property owners were polled by mail to determine the level of support for the proposed improvements. Poll results show 87 percent of the property owners supported the project.

Previous City Council actions were published with the Arizona Business Gazette on the following dates:

- July 5, 2018
- July 12, 2018
- Sept. 20, 2018
- Sept. 27, 2018
- Dec. 20, 2018
- March 19, 2020
- March 26, 2020
- April 23, 2020

Ordinance S-44862 was posted every 300 feet within the proposed improvement area on July 11, 2018. The legal protest period for Ordinance S-44862 expired on July 27, 2018, with no protests filed.

On March 6, 2020, all property owners within the project district were sent a "Notice of Assessment" and a "Notice of Hearings on Assessment" by certified mail. Additionally, a notice of hearing was published in the Arizona Business Gazette on March 19, 2020, and March 26, 2020.

Location

The repaving improvement district includes single-family residences and one commercial business located within an area generally bounded by 2nd Street to the south, 1st Street and Dahlia Drive to the north, Central Avenue to the west, and 3rd Street to the east.

Council District: 3

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 94

Final Plat - SWC 32nd Street & Bell Road - PLAT 200520 - Southwest Corner of 32nd Street and Bell Road

Plat: 200520

Project: 19-1498

Name of Plat: SWC 32nd Street & Bell Road

Owner(s): KFH Bell & 32nd, LLC

Engineer(s): AW Land Surveying, Inc.

Request: A 1 Lot Commercial Plat

Reviewed by Staff: Oct. 5, 2020

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 32nd Street and Bell Road.

Council District: 2

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 95

Final Plat - Haverly Amended - PLAT 200593 - Southeast Corner of Central Avenue and Thomas Road

Plat: 200593

Project: 17-702

Name of Plat: Haverly Amended

Owner(s): Haverly Midtown, LLC

Engineer(s): AW Land Surveying, LLC

Request: A 1 Lot Commercial Subdivision Plat

Reviewed by Staff: Oct. 28, 2020

Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southeast corner of Central Avenue and Thomas Road.

Council District: 4

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 96

Final Plat - Seasons at Dobbins - PLAT 200511 - 9510 S. 7th Street

Plat: 200511

Project: 19-1670

Name of Plat: Seasons at Dobbins

Owner(s): SMT Investors Limited Partnerships

Engineer(s): Sunrise Engineering

Request: A 61 Lot Residential Plat

Reviewed by Staff: Oct. 20, 2020

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 be recorded at same time as Abandonment ABND 200512.

Location

Generally located at 9510 S. 7th Street

Council District: 8

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 97

Final Plat - Estrella Estates - PLAT 200567 - North of Apollo Road and West of 8th Place

Plat: 200567

Project: 17-3972

Name of Plat: Estrella Estates

Owner(s): Estrella Plans, LLC

Engineer(s): Evans Professional Land Surveys

Request: A 65 Lot Residential Subdivision Plat

Reviewed by Staff: Oct. 16, 2020

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 Apollo Road and west of 88th Place.

Council District: 8

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 98

Abandonment of Easement - ABND 200512 - Northwest Corner of Thunderbird Trail and 7th Street (Resolution 21881)

Abandonment: 200512

Project: 19-1670

Applicant: Sunrise Engineering; Chris Moore

Request: To abandon the 8' public utility easements adjacent to APN's 300-64-008, 300-64-009, 300-64-010, 300-64-011, 300-64-012, 300-64-013, 300-64-014, 300-64-015, 300-64-016, 300-64-017, 300-64-018, 300-64-019 and 300-64-020; per subdivision final Plat, "Thunderbird Country Club Estates Unit Three", Book 71, Page 21.

Date of Hearing: June 8, 2020

Summary

The resolution of the abandonment and the subdivision plat Final Plat for "Seasons at Dobbins", Plat 200511 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location

NWC of Thunderbird Trail and 7th Street.

Council District: 8

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 99

Modification of Stipulation Request for Ratification of Oct. 21, 2020 Planning Hearing Officer Action - PHO-4-20_Z-125-01-2 - Approximately 2,146 Feet West of the Southwest Corner of Black Mountain Parkway (48th Street Alignment) and Carefree Highway

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Oct. 21, 2020. This ratification requires formal action only.

Summary

Application: PHO-4-20--Z-125-01-2

Existing Zoning: C-2

Acreage: 4.50

Applicant: James Bulsiewicz, Hines

Owner: AABS Properties, LLC

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

Proposal:

1. Review and approval of site plan for the future phase portion by the Desert View Village Planning Committee and Planning Hearing Officer per Stipulation 13 (west).
2. Technical corrections to Stipulations 12 (east) and 11 (west).

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Desert View Village Planning Committee heard this case on Oct. 6, 2020 and recommended approval, by a 10-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Oct. 21, 2020, and recommended approval with a modification and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Approximately 2,146 feet west of the southwest corner of Black Mountain Parkway

(48th Street Alignment) and Carefree Highway

Council District: 2

Parcel Address: N/A

Responsible Department

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

Attachment A- Stipulations- PHO-4-20_Z-125-01-2

Location: Approximately 2,146 feet west of the southwest corner of Black Mountain Parkway (48th Street Alignment) and Carefree Highway

Stipulations:

Stipulations for the Eastern Portion of the Site	
1.	That THE Development shall be in general conformance to the site plan dated May 5, 2004 as approved by the Planning and Development Department.
2.	That THE Development shall be in general conformance to the elevations dated May 5, 2004 or as approved or modified by the Planning and Development Department. That The level of architectural detail shall be provided on all sides of structures, including the same colors and materials. That The same architectural theme shall be consistent throughout the site.
3.	That aA comprehensive sign package shall be developed for the site, as approved by the Planning and Development Department.
4.	That aAll building elevations visible from the public right-of-way or adjacent residential property SHALL include variations in colors, textures, and/or materials to break up the massing of long walls, and provide a sense of human scale and visual interest.
5.	That aA full archaeological testing and data recovery report be submitted.
6.	That The development of the project SHALL be limited to three Phases. Phase I the Pharmacy, Phase II retail surrounding pharmacy, and Phase III remaining retail/office at west end of property.
7.	That the dDriveways SHALL be limited to five on Carefree Highway and three on Black Mountain Parkway.
8.	That rRight-of-way shall be dedicated and a bus bay constructed (P1256) with a transit pad (P1261) for southbound on Black Mountain Parkway south of Carefree Highway at a location approved by the Phoenix Public Transit Department.
9.	That The landscape setback along Carefree Highway shall be dedicated as a landscape easement and the scenic corridor shall include only natural materials and native vegetation as approved by the Planning and Development Department.
10.	That The wash along the southern border SHALL be treated as a natural amenity per plans approved by the Planning and Development Department and that no construction, filling or grading SHALL occur within the 100 year floodplain.

11.	That s Shaded pedestrian paths shall be provided within the proposed parking areas to connect customers of retail establishments with the sidewalks along Black Mountain Parkway. Landscaping of these shaded walkways shall reflect a common landscaping theme and include a minimum of 2-inch caliper shade trees placed 20 feet on center.
12.	That a A 10-foot sidewalk SHALL be constructed along Carefree Highway and a 5-foot sidewalk SHALL be provided along Black Mountain Parkway. Trail needs to be within a 25-foot landscape setback as approved by THE Parks AND , Recreation, and Library Department.
13.	That t Lighting shall be shielded with cut-off fixtures and deflectors to direct light downward and limit on-site lighting levels to a maximum of one foot candle at the property line. That a All lighting shall be shielded to prevent direct visibility of the light source from adjacent properties. That t Lighting shall be limited to 15 feet in height. Site lighting shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval.
Stipulations for the Western Portion of the Site	
1.	That d THE Development shall be in general conformance to the site plan date stamped March 30, 2017, with regards to setbacks, circulation and the scenic corridor, as modified by the following stipulations and Planning and Development Department review.
2.	That d THE Development shall be in general conformance to the elevations date stamped March 30, 2017 with regards to architectural theme. The building elevation theme should assure the building/canopy colors, elevations, exterior materials, landscaping, lighting and signage convey a sense of continuity throughout the development, as approved by the Planning and Development Department.
3.	THE WESTERNMOST PORTION OF THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED SEPTEMBER 22, 2020 AND ELEVATIONS DATE STAMPED SEPTEMBER 4, 2020, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4.	That a A comprehensive sign package shall be developed for the site, as approved by the Planning and Development Department.
5.	That a All building elevations visible from the public right-of-way or adjacent residential property SHALL include variations in colors, textures, and/or materials to break up the massing of long walls, and provide a sense of human scale and visual interest.
6.	That a A full archaeological testing and data recovery report SHALL be submitted.

7.	That the development of the project SHALL be limited to three Phases, Phase I the Assisted Living/Independent Living Building, Phase II the Memory Care Building, and Phase III future.	
8.	That the driveways SHALL be limited to five on Carefree Highway.	
7.		
9.		
8.	That the parking provided along the north end of the property SHALL not follow a hard edge along the Carefree Scenic Corridor. The parking shall consist of a delineated pattern using landscape features to create a softer edge.	
Landscape/Screening		
10.		
9.	That the fifty foot landscape setback from the seventy foot right of way (one hundred twenty feet from center line of Carefree Highway) shall be landscaped with plants from Lists A, B and/or C from the "Area C & D Zoning Guidelines Manual Draft" dated September 1995 and shall be designated as a scenic landscape easement. Accent walls and only low scale directional signage may be allowed within the setback if determined appropriate by the Planning and Development Department site plan and sign review staff.	
11.		
10.	Areas within the 100 year floodplain will not impede the 100 year storm water flow.	
12.		
11.	That a 6-foot sidewalk SHALL be constructed along Carefree Highway connecting to the existing development to the east, with the western extent terminating at the new proposed entrance to site. Trail needs to be within a 25-foot landscape setback as approved by THE Parks, AND Recreation and Library Department.	
13.		
12.	The applicant shall hold a neighborhood meeting to work with adjacent property owners on the proposed lighting, landscaping, and fencing prior to preliminary site plan approval.	
13.	The future phase portion of the site shall return to the Desert View Village Planning Committee and Planning Hearing Officer for review and approval.	
14.	A minimum 20-foot landscape setback shall be required on all property lines that are adjacent to single family residential zoning districts.	
ARCHAEOLOGY		
15.	IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND SUBMIT AN ARCHAEOLOGICAL SURVEY REPORT OF THE DEVELOPMENT AREA FOR REVIEW AND APPROVAL BY	

	THE CITY ARCHAEOLOGIST PRIOR TO CLEARING AND GRUBBING, LANDSCAPE SALVAGE, AND/OR GRADING APPROVAL.
16.	IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND SUBMIT AN ARCHAEOLOGICAL SURVEY REPORT OF THE DEVELOPMENT AREA FOR REVIEW AND APPROVAL BY THE CITY ARCHAEOLOGIST PRIOR TO CLEARING AND GRUBBING, LANDSCAPE SALVAGE, AND/OR GRADING APPROVAL.
17.	IN THE EVENT ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, THE DEVELOPER SHALL IMMEDIATELY CEASE ALL GROUND DISTURBING ACTIVITIES WITHIN A 33- FOOT RADIUS OF THE DISCOVERY, NOTIFY THE CITY ARCHAEOLOGIST, AND ALLOW TIME FOR THE ARCHAEOLOGY OFFICE TO PROPERLY ASSESS THE MATERIALS.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 100

Modification of Stipulation Request for Ratification of Oct. 21, 2020 Planning Hearing Officer Action PHO-3-20_Z-122-03-7 - Approximately 430 Feet West of the Northwest Corner of 51st Avenue and Southern Avenue

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Oct. 21, 2020. This ratification requires formal action only.

Summary

Application: PHO-3-20--Z-122-03-7

Existing Zoning: S-1 (Approved C-2)

Acreage: 8.95

Applicant: Israel J. Lozoya

Owner: Robert Ballard

Representative: Mike March

Proposal:

1. Modification of Stipulation 1 regarding general conformance with the site plan dated March 10, 2006.
2. Deletion of Stipulation 6 regarding landscaped fingers.
3. Deletion of Stipulation 10 regarding equestrian amenities.
4. Modification to Stipulation 13 regarding general conformance to the elevations dated March 10, 2006 and specific design requirements.
5. Modification of Stipulation 20 regarding presentation of final landscape plan to Laveen Village for review.
6. Modification of Stipulation 23 regarding general conformance to sign designs dated April 28, 2004.
7. Technical corrections to Stipulations 3, 4, 5, 11, 12 and 16.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Aug. 10, 2020 and recommended denial as filed and approval with modifications and additional stipulations, by an 8-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Oct. 21, 2020, and recommended approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Approximately 430 feet west of the northwest corner of 51st Avenue and Southern Avenue

Council District: 7

Parcel Address: N/A

Responsible Department

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

Attachment A- Stipulations- PHO-3-20_Z-122-03-7

Location: Approximately 430 feet west of the northwest corner of 51st Avenue and Southern Avenue

Stipulations:

1.	<p> SITE PLAN 1. That the development shall be in general conformance with the site plan DATE STAMPED SEPTEMBER 15, 2020 dated March 10, 2006, as approved or modified by the FOLLOWING STIPULATIONS, WITH SPECIFIC REGARD TO THE FOLLOWING, AND AS APPROVED OR MODIFIED BY THE PLANNING AND Development Services Department, with specific regard to TH size, location and number of pad buildings.</p>
A.	MAXIMUM OF 80 UNITS
B.	MINIMUM OF 14 PERCENT OF THE GROSS PROJECT SHALL BE RETAINED AS OPEN SPACE
C.	INDIVIDUAL UNIT DRIVEWAY LENGTHS SHALL BE AN AVERAGE OF 22 FEET WITH A MINIMUM LENGTH OF 20 FEET
D.	THE DEVELOPER SHALL PROVIDE A PEDESTRIAN PATHWAY AND ACCESS-CONTROLLED GATE AT THE NORTHEAST CORNER OF THE SITE PROVIDING CONNECTIVITY TO THE ADJACENT COMMERCIAL PROPERTY TO THE EAST.
2.	<p> That all accessory equipment, such as air, water, vacuums, and venting pipes shall be located no closer than fifty (50) feet to public street frontages and residential neighborhoods to minimize potential impacts.</p>
3.	<p> That the developer shall screen any drive-through queuing lanes from view of 51st and Southern Avenues and/or residential uses through the incorporation of a landscaped berm, screen wall, or combination of a berm and wall at least four (4) feet in height, as approved or modified by the PLANNING AND Development Services Department.</p>
4.	<p> That the developer shall provide a landscape feature incorporating turf and monumentation on the immediate northwest corner of the intersection of 51st AVENUE and Southern Avenues as approved or modified by the PLANNING AND Development Services Department.</p>
5.	<p> That the developer shall provide primary pedestrian walkways from Southern Avenue and the multi-use trail along 51st Avenue to the commercial buildings as approved or modified by the PLANNING AND Development Services Department.</p>
6.	<p> That the developer shall provide a total of four (4) landscaped fingers; one on each side of the two (2) driveway entrances from the shopping center to the Pad1/Pad 2 gasoline canopy area, that are seven (7) feet</p>

	wide, as approved by the PLANNING AND Development Services Department. Each of these landscape areas shall contain one (1) tree in addition to other landscape materials.
6.	That the developer shall treat all primary pedestrian crossings of vehicular circulation drives with a change of pavement materials (color and texture) to demarcate the pedestrian circulation plan.
7.	That the developer shall provide a multi-use trail along the west side of 51st Avenue in a manner that complements that multi-use trail north of the subject property and in accordance with adopted City of Phoenix trail standards, as approved by the Parks and Recreation Department.
8.	That all items for sale, excluding fuel dispensing machines and automatic teller machines, shall be located within buildings or screened from view of public streets.
9.	That the developer shall provide the following equestrian amenities on site, as approved by the Development Services Department: two (2) hitching rails, and two (2) horse troughs.
10.	That the landscaped setbacks adjacent to residential development shall include staggered trees planted twenty (20) feet on center with fifty percent (50%) of such trees being a minimum four (4) inch caliper, as approved or modified by the PLANNING AND Development Services Department.
11.	That approved plants for the site shall emphasize the agricultural heritage and culture of Laveen and shall include the following, as approved or modified by the PLANNING AND Development Services Department: Trees: pecan, Arizona ash, evergreen elm, heritage live oak, sycamore, willow acacia or similar trees. Shrubs: myrtle (true, dwarf or twisted), pomegranate, or similar shrubs. Accents: deer grass, wild sunflowers, or similar accents. Vines: white Lady Banks rose, or similar vines.
BUILDING DESIGN	
12.	Building Design 13. That the major buildings on site shall be in general conformance to the conceptual elevations (Exhibits 4-6) dated March 10, 2006, including the following elements, all as approved or modified by the Development Services Department: Four-sided architecture, per the conceptual elevations. A variety of building materials, including a minimum of two (2) of the following materials: native stone, burnt adobe, textured brick, site made textured concrete, split face block, wood (when shaded), slump block, simulated wood siding, exposed aggregate, corrugated metal or rusted metal roofing. Natural and subdued color tones;

	<ul style="list-style-type: none"> • Exposed scuppers; • Pitched roof elements. <p>A minimum ten foot covered walkway, which can create a staggered front facade. Patios, trellises, and recesses may also be used to provide shading and break up building mass.</p> <p>RESIDENTIAL BUILDINGS AND PERIMETER FENCES ALONG SOUTHERN AVENUE SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED OCTOBER 21, 2020, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.</p>
12.	That The developer shall paint all transformer and service entry equipment boxes to match buildings or shall screen the boxes, subject to utility company approval.
14.	That The gasoline station canopy shall incorporate materials and colors that complement the buildings on the site and the developer is strongly encouraged to use a pitched roof with a gable or hipped end on the canopy.
Street Improvements	
14.	That The developer shall construct all half-streets adjacent to the site with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals per plans approved by the PLANNING AND Development Services Department. All improvements shall comply with all ADA accessibility standards.
16.	That The developer shall provide right-of-way for, and shall construct, a transit pad (P-1262) and a bus shelter (P-1261) along Southern Avenue west of 51st Avenue.
16.	That The developer shall apply for the abandonment of Huntington Drive on the west side of the site.
17.	That The developer shall complete and submit the Developer Project Information Form for the Maricopa Association of Governments Transportation Improvement Program to the Street Transportation Department. The U.S. Environmental Protection Agency requires this form to meet clean air quality requirements.
ARCHAEOLOGY	
18.	IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND SUBMIT AN ARCHAEOLOGICAL SURVEY REPORT OF THE DEVELOPMENT AREA FOR REVIEW AND APPROVAL BY THE CITY ARCHAEOLOGIST PRIOR TO CLEARING AND GRUBBING, LANDSCAPE SALVAGE, AND/OR GRADING APPROVAL.

19.	IF PHASE I DATA TESTING IS REQUIRED, AND IF, UPON REVIEW OF THE RESULTS FROM THE PHASE I DATA TESTING, THE CITY ARCHAEOLOGIST, IN CONSULTATION WITH A QUALIFIED ARCHAEOLOGIST, DETERMINES SUCH DATA RECOVERY EXCAVATIONS ARE NECESSARY, THE APPLICANT SHALL CONDUCT PHASE II ARCHAEOLOGICAL DATA RECOVERY EXCAVATIONS.
20.	IN THE EVENT ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, THE DEVELOPER SHALL IMMEDIATELY CEASE ALL GROUND-DISTURBING ACTIVITIES WITHIN A 33- FOOT RADIUS OF THE DISCOVERY, NOTIFY THE CITY ARCHAEOLOGIST, AND ALLOW TIME FOR THE ARCHAEOLOGY OFFICE TO PROPERLY ASSESS THE MATERIALS.
	General
21.	That the developer present a final landscape plan to the Laveen Village for review.
20.	THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE LANDSCAPE PLAN DATE STAMPED OCTOBER 21, 2020 AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
22.	That Light poles shall not exceed eighteen (18) feet in height.
21.	
23.	That Light from gasoline station canopies shall not exceed thirty (30) foot candles measured at the ground plane.
22.	
24.	That signage on the property shall be in general conformance to the conceptual designs (three sheets) dated April 28, 2004, including the following elements, as approved or modified by the PLANNING AND Development Services Department:
23.	Ground/monument signs shall COMPLEMENT incorporate the materials and colors used for the major buildings on site, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	Size and height of ground/monument signs shall not exceed those indicated in the above referenced conceptual designs.
	In conformance to the Phoenix Sign Code, one additional ground sign is allowed on each street frontage to identify the user(s) of the pad building at the immediate corner of the intersection of 51st and Southern Avenues.
	Wall signs shall use individual, halo-illuminated letters and numbers.

25.	<p>That The developer shall notify prospective owners/occupants that the subject development is in proximity to Phoenix Sky Harbor International Airport. The developer shall disclose the following:</p>
	A. The Airport is considered a busy hub airport.
	B. Forecasts predict that Airport operations will increase.
	C. Extended flight tracks and traffic patterns may extend several miles beyond the Airport boundary.
	The notice shall be reviewed and approved by the City Attorney.
26.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 101

Modification of Stipulation Request for Ratification of Oct. 21, 2020 Planning Hearing Officer Action PHO-3-20_Z-121-03-7(8) - Approximately 660 Feet East of the Northeast Corner of 23rd and South Mountain Avenues

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Oct. 21, 2020. This ratification requires formal action only.

Summary

Application: PHO-3-20--Z-121-03-7(8)

Existing Zoning: S-1 (Approved R1-10)

Acreage: 10.0

Applicant: Casey Wollschlager, Summergate Companies

Owner: The Cheryl B. Larkey Trust

Representative: Adam Baugh, Withey Morris, PLC

Proposal:

1. Modification of Stipulation 1 regarding general conformance with the site plan date stamped Jan. 7, 2004.
2. Deletion of Stipulation 1.A regarding parking between Pad B, Baseline Road, and 27th Avenue.
3. Deletion of Stipulation 1.B regarding general conformance with open space as shown on the site plan dated Jan. 7, 2004.
4. Modification of Stipulation 3 limiting the development to a maximum of 562 dwelling units.
5. Modification of Stipulation 3.E limiting Parcel 8 to 21 dwelling units.
6. Technical corrections to Stipulations 2, 2.A, 2.B, 4, 5, 6, 7, 9, 10, 17, 18, 19, 20, 22, 23 and 28.

Concurrence/Previous Council Action

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

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this

case on Oct. 21, 2020, and recommended approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Approximately 660 feet east of the northeast corner of 23rd and South Mountain Avenues

Council District: 8

Parcel Address: N/A

Responsible Department

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

Attachment A- Stipulations- PHO-3-20_Z-121-03-7(8)

Location: Approximately 660 feet east of the northeast corner of 23rd Avenue and South Mountain Avenue

Stipulations:

Site Plan		
1.		<p>That THE Development shall be in general conformance with the site plan date stamped SEPTEMBER 2, 2020, January 7, 2004; as approved or modified by the following stipulations and/or APPROVED BY the PLANNING AND Development Services Department.</p>
	A.	<p>That only one row of parking shall be allowed between Pad B, Baseline Road and 27th Avenue.</p>
	B.	<p>That residential subdivision open space shall be in general conformance with the site plan dated January 7, 2004.</p>
2.		<p>That THE development shall be in general conformance with the elevations date stamped October 17, 2003, as modified by the following stipulations and/or the PLANNING AND Development Services Department.</p>
	A.	<p>The commercial elevations shall be reviewed and approved through the Planning Hearing Officer process, prior to preliminary site plan approval with the PLANNING AND Development Services Department.</p>
	B.	<p>That the commercial parcel elevations shall incorporate a comprehensive design theme prior to preliminary site plan approval of the first building utilizing unifying material finishes and color schemes for elements such as signage, street lighting, fencing, site furniture, entry statements and paving treatments. Four sided architecture and roofline treatments shall be architecturally finished to minimize visual impact to adjacent residential districts, as approved or modified by the PLANNING AND Development Services Department.</p>
3.		<p>That THE development shall be limited to a maximum of 562 586 dwelling units; allocated in the following manner:</p>
	A.	<p>Parcel 2 shall be limited to 127 dwelling units.</p>
	B.	<p>Parcel 3 shall be limited to 152 dwelling units.</p>
	C.	<p>Parcel 4 shall be limited to 68 dwelling units.</p>
	D.	<p>Parcel 7 shall be limited to 97 dwelling units.</p>
	E.	<p>Parcel 8 shall be limited to 24 33 dwelling units.</p>

	F.	Parcel 9 shall be limited to 55 67 dwelling units.
	G.	Parcel 10 shall be limited to 42 dwelling units.
4.		That aA 50-foot scenic corridor setback shall be provided along Baseline Road and developed in accord with the Baseline Scenic Drive Section. 651.E.1.a of the Zoning Ordinance as approved or modified by the PLANNING AND Development Services Department.
5.		That a Landscaped entry areas on Baseline Road, 27th Avenue and 19th Avenue shall contain a minimum of 250 square feet of landscaping and shall be maintained with a variety of at least four plant materials, one of which shall be Penstemon as approved by the PLANNING AND Development Services Department. The landscaped area may be split into two areas per entry, if two entry signs are provided.
6.		That a All landscaped entries shall contain a mix of plant materials, including minimum 1.5-inch caliper trees(s) and Penstemon as approved by the PLANNING AND Development Services Department.
7.		That a There shall be detached sidewalks with five-foot wide landscaped strips located between the sidewalk and back of curb from the entrances of the subdivision and adjoining major arterial/arterial streets for a distance of 120-feet within the residential development. The landscaped area shall be planted with minimum 1.5-inch caliper trees spaced 20-feet on center or in equivalent groupings with ground cover as approved by the PLANNING AND Development Services Department.
8.		That a Any landscaped medians, traffic mitigation islands, or open space/retention areas shall use Penstemon (if permitted in the right-of-way) as one of the plant materials.
9.		That a The applicant shall develop an architectural theme for the residential development that shall apply to all four sides of the homes. The theme shall assure that exterior accent materials (e.g., brick, stone), exterior detailing (stucco recesses, pop outs), and a street appurtenance package (such as, but not limited to, benches, ramadas and signage) convey a sense of continuity throughout the area north of South Mountain Avenue. The theme shall be approved by the PLANNING AND Development Services Department prior to or concurrent with preliminary site plan approval for the first parcel.
10.		That a A minimum of two elevations for each floor plan shall have a covered front porch measuring at least 60 square feet in area with a depth of at least six feet as approved or modified by the Single Family Design Advisor in the PLANNING AND Development Services Department.
11.		That a All residential lots within 100 feet of Baseline Road shall be restricted to single-story (20 feet) homes. That a All residential lots along the northern property line of Parcel 7 shall be restricted to single-story (20 feet) homes. That 50% of the residential lots within 60 feet of 27th Avenue, South

	Mountain Avenue, 23rd Avenue and 19th Avenue shall be restricted to single-story (15 feet) homes.
Parks and Recreation	
12.	That a A 7.5-acre neighborhood park site shall be reserved, as shown on the site plan, as approved by the Parks and Recreation Department.
13.	That a A 10-foot public multi-use trail shall be constructed in accordance with City of Phoenix standard trail detail along Baseline Road and 27th Avenue as approved by the Parks and Recreation Department.
14.	That a An 8-foot public multi-use trail shall be constructed in accordance with City of Phoenix standard trail detail along the north side of South Mountain Avenue and the east side of 23rd Avenue as approved by the Parks and Recreation Department.
ARCHAEOLOGY	
15.	IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND SUBMIT AN ARCHAEOLOGICAL SURVEY REPORT OF THE DEVELOPMENT AREA FOR REVIEW AND APPROVAL BY THE CITY ARCHAEOLOGIST PRIOR TO CLEARING AND GRUBBING, LANDSCAPE SALVAGE, AND/OR GRADING APPROVAL.
16.	IF PHASE I DATA TESTING IS REQUIRED, AND IF, UPON REVIEW OF THE RESULTS FROM THE PHASE I DATA TESTING, THE CITY ARCHAEOLOGIST, IN CONSULTATION WITH A QUALIFIED ARCHAEOLOGIST, DETERMINES SUCH DATA RECOVERY EXCAVATIONS ARE NECESSARY, THE APPLICANT SHALL CONDUCT PHASE II ARCHAEOLOGICAL DATA RECOVERY EXCAVATIONS.
17.	IN THE EVENT ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, THE DEVELOPER SHALL IMMEDIATELY CEASE ALL GROUND DISTURBING ACTIVITIES WITHIN A 33- FOOT RADIUS OF THE DISCOVERY, NOTIFY THE CITY ARCHAEOLOGIST, AND ALLOW TIME FOR THE ARCHAEOLOGY OFFICE TO PROPERLY ASSESS THE MATERIALS.
Other	
18.	That p Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the existence and potential nuisances of the horse and farming operations in close proximity to the site. The form and content of such documents shall be reviewed and approved by the City Attorney.
15.	
19.	That a A minimum 7.5-acre elementary school site shall be reserved at the location shown on the site plan per the Roosevelt Elementary School
16.	

	District, unless otherwise waived. This site shall be reserved for one year from final approval for the adjacent phase two subdivision.
Streets and Transit	
20.	That rRight-of-way totaling 60 feet and a 10-foot sidewalk easement shall be dedicated for the south half of Baseline Road, or as modified by the PLANNING AND Development Services Department.
17.	
21.	That rRight-of-way totaling 50 feet shall be dedicated for the east half of 27th Avenue, or as modified by the PLANNING AND Development Services Department.
18.	
22.	That rRight-of-way totaling 50 feet shall be dedicated for the west half of 19th Avenue, or as modified by the PLANNING AND Development Services Department.
19.	
23.	That rRight-of-way totaling 30 feet shall be dedicated for the east and west halves of 23rd Avenue, or as modified by the PLANNING AND Development Services Department.
20.	
24.	That aA 21-foot by 21-foot right-of-way triangle, shall be dedicated at all comers of arterial/arterial and arterial/collector street intersections.
21.	
25.	That aAdditional right-of-way shall be required for flares at intersections and traffic calming devices as approved or modified by the PLANNING AND Development Services Department.
22.	
26.	That tThe developer shall construct all streets within and adjacent to the development with paving, curb, gutter; sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the PLANNING AND Development Services-Department. All improvements shall comply with all ADA accessibility standards.
23.	
27.	That tThe applicant shall complete and submit the Developer Project Information for the MAG Transportation Improvement Program to the Street Transportation Department (602) 262-6193. This form is a requirement of the EPA to meet clean air requirements.
24.	
28.	That rRight-of-way shall be dedicated along with a bus bay (P-1262) and transit pad (P-1261) constructed along Baseline Road east of 27th Avenue as approved by the Public Transit Department.
25.	
29.	That rRight-of-way shall be dedicated and transit pad (P-1262) shall be constructed at the following locations as approved by the Public Transit Department.
26.	
A.	Eastbound Baseline Road, east of 25th Avenue.
B.	Southbound 19th Avenue, south of South Mountain Avenue.

	C. Northbound 27th Avenue, north of Olympic Drive.
30. 27.	That aApproval shall be conditioned upon development within 18 months of final City Council approval of this request.
31. 28.	That aAll lots backing up to open space within the community shall utilize view fencing (maximum 3-foot decorative block), except adjacent to the property at 2050 West South Mountain Avenue, which shall be composed of a solid wall, as approved by the PLANNING AND Development Services Department.
32. 29.	That vVesting shall not occur until a traffic study is submitted by the applicant and approved by the Street Transportation Department.
33. 30.	That lLots in Parcels 2, 3 and 4 shall be a minimum of 55 feet in width.
34. 31.	That tThe applicant shall provide traffic signal lights at the intersection of 27th Avenue and Baseline Road at the time traffic signal warrants are met, as approved by the Street Transportation Department, with consideration of design and/or development constraints.
35. 32.	That pProperties south of South Mountain Avenue shall not prohibit an equestrian lifestyle (horses on 10,000 square foot lots).
36.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 102

Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-20_Z-70-18-4- Approximately 170 Feet South of the Southwest Corner of 17th Street and Glenrosa Avenue (Ordinance G-6766)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Oct. 21, 2020.

Summary

Application: PHO-1-20_Z-70-18-4

Existing Zoning: R-4

Acreage: 0.95

Applicant: Ascend Properties, LLC

Owner: Ascend Properties, LLC

Representative: Ashley Marsh, Tiffany & Bosco, PA

Proposal:

1. Modification of Stipulation 4 regarding detached sidewalks and landscaping standards along 17th Street.
2. Deletion of Stipulation 5 regarding 3-inch caliper trees along side yards adjacent to residential zoning.

Concurrence

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

PHO Action: The Planning Hearing Officer heard this case on Oct. 21, 2020 and recommended approval with a modification. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

Approximately 170 feet south of the southwest corner of 17th Street and Glenrosa Avenue

Council District: 4

Parcel Address: N/A

Responsible Department

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

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-70-18-4 PREVIOUSLY APPROVED BY
ORDINANCE G-6565.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as

follows:

SECTION 1. The zoning stipulations applicable located approximately 170 feet south of the southwest corner of 17th Street and Glenrosa Avenue in a portion of Section 22, Township 2 North, Range 3 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. The architecture, design, color, and building materials shall be compatible for all of the buildings within the development, as approved by the Planning and Development Department.
2. Each new unit shall provide a covered entryway, as approved by the Planning and Development Department.
3. Pedestrian connections shall be provided to the street and from the existing building to the new buildings. All pedestrian walkways shall consist of a contrasting material such as decorative pavers, stamped or colored concrete, or another contrasting material, other than those used to pave the parking surfaces and drive aisles, as approved by the Planning and Development Department.
4. There shall be a minimum 5-foot-wide detached sidewalk along 17th Street with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb PLANTED WITH GROUNDCOVER OR SHRUBS AT A

~~MINIMUM and shall include a minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved OR MODIFIED by the Planning and Development Department.~~

5. ~~Minimum 3-inch caliper trees, planted 20 feet on center, or in equivalent groupings, shall be planted along the side yards adjacent to residential zoning to provide screening for adjacent residences, as approved by the Planning and Development Department.~~
5. The developer shall install secured bicycle parking at 0.25 spaces for each residential unit and a minimum of four inverted U-bicycle racks for guests located near entrances to the building, installed per the requirements of Section 1307.H. of the Zoning Ordinance, as approved by the Planning and Development Department.
6. The surface parking lot area shall be landscaped with a minimum 2-inch caliper shade trees. Landscaping must be dispersed throughout the parking area, as approved by Planning and Development Department.
7. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
8. The property owner shall record documents that disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided.
9. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
10. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
11. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
12. The development shall be limited to two stories and 30 feet.
- 13.

13. Prior to preliminary site plan approval, the landowner shall execute a
14. Proposition 207 Waiver of Claims form. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6565, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6565 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 18th day of November, 2020.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

_____ City Manager

Exhibits:

- A - Legal Description (1 Page)
- B - Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-20-- Z-70-18-4

THAT PART OF THE A PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST QUARTER CORNER OF SAID SECTION 22; THENCE NORTH 89 DEGREES 35 MINUTES 31 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SECTION 22, A DISTANCE OF 659.80 FEET AND THE MONUMENT LINE OF INDIAN SCHOOL ROAD;

THENCE LEAVING SAID MONUMENT LINE NORTH 00 DEGREES 15 MINUTES 34 SECONDS EAST A DISTANCE OF 1148.30 FEET ALONG THE MONUMENT OF 17TH STREET;

THENCE LEAVING SAID MONUMENT SOUTH 89 DEGREES 29 MINUTES 47 SECOND WEST A DISTANCE OF 25.00 FEET TO A POINT ON THE WEST RIGHT OF WAY OF SAID 17TH STREET SAID POINT ALSO BEING THE TRUE OF BEGINNING;

THENCE SOUTH 00 DEGREES 15 MINUTES 34 SECONDS WEST A DISTANCE OF 85.79 FEET;

THENCE SOUTH 89 DEGREES 29 MINUTES 56 SECONDS WEST A DISTANCE OF 298.10 FEET;

THENCE NORTH 00 DEGREES 16 MINUTES 32 SECONDS EAST A DISTANCE OF 163.78 FEET;

THENCE SOUTH 89 DEGREES 29 MINUTES 47 SECONDS EAST A DISTANCE OF 168.00 FEET;

THENCE SOUTH 00 DEGREES 16 MINUTES 32 SECONDS WEST A DISTANCE OF 78.00 FEET;

THENCE NORTH 89 DEGREES 29 MINUTES 47 SECONDS EAST A DISTANCE OF 130.08 FEET TO A POINT ON THE WEST RIGHT OF WAY OF 17TH STREET SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING.

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -

Zoning Case Number: PHO-1-20-Z-70-18-4
Zoning Overlay: N/A
Planning Village: Camelback East



0 55 110 220 Feet

NOT TO SCALE



Drawn Date: 10/22/2020

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 103

Amend City Code - Ordinance Adoption - Rezoning Application PHO-6-20_Z-50-08-5 - Approximately 780 Feet East of 23rd Avenue and Butler Drive (Ordinance G-6767)

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Oct. 21, 2020.

Summary

Application: PHO-6-20_Z-50-08-5

Existing Zoning: R-3A

Acreage: 8.55

Applicant: Trillium Residential SFR

Representative: Trillium Residential SFR

Owner: West Royal Development III, LLC

Proposal:

1. Modification of Stipulation 1 regarding Planning Hearing Officer review of residential elevations.
2. Modification of Stipulation 1.a regarding orientation of building entries.
3. Modification of Stipulation 2 regarding general conformance to the site plan date stamped Aug. 29, 2008.
4. Modification of Stipulation 2.b regarding residential building design and a Tree Preservation Plan.
5. Modification of Stipulation 2.c regarding a maximum of 11.12 dwellings per acre
4. Technical corrections to Stipulations 3, 5, 6, 7 and 8.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The North Mountain Village Planning Committee heard this case on Sept. 16, 2020 and recommended approval by a 14-0 vote.

PHO Action: The Planning Hearing Officer heard this case on Oct. 21, 2020 and recommended approval with modifications and an additional stipulation. See

Attachment A for the full list of Planning Hearing Officer recommended stipulations.

Location

Approximately 780 feet east of 23rd Avenue and Butler Drive

Council District: 5

Parcel Address: N/A

Responsible Department

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

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO REZONING APPLICATION Z-50-08-5 PREVIOUSLY APPROVED BY ORDINANCE G-5292.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning stipulations applicable located approximately 780 feet east of 23rd Avenue and Butler Drive in a portion of Section 36, Township 3 North, Range 2 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. ~~That the elevations for the residential portions of the site shall be approved by the Planning Hearing Officer through the public hearing process prior to Development Services Department preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Development Services Department.~~

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED AUGUST 24, 2020, WITH SPECIFIC REGARD TO THE FOLLOWING AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT:

- a. ~~Building entries shall be oriented towards common areas/pathways.~~

- A. Where possible, garage servicing driveways shall be configured in an east/west grid to minimize east/west surface exposure, unless tree preservation requires an alternative.
- 2. That the residential portion of the site shall develop in general conformance to the site plan date stamped AUGUST 24, 2020 29, 2008, WITH SPECIFIC REGARD TO THE FOLLOWING AND as approved by the PLANNING AND Development Services Department, with specific regard to:
 - A. BUILDING ENTRIES SHALL BE ORIENTED TOWARDS COMMON AREAS, PATHWAYS, OR SIDEWALKS THAT PROVIDE ACCESS TO COMMON OR ACTIVE OPEN SPACE AREAS.
 - B. Provision of a major shaded pedestrian route (8'-10' wide) that conveniently and directly connects open space areas to Butler Drive, 23rd Avenue and the southeast portion of the site, as shown on Exhibit A, Conceptual Pedestrian Connection Plan. The pedestrian plan shall adhere to the identified cross sections A-A, B-B and C-C.
 - C. The ~~residential buildings~~ SITE PLAN shall be designed so that the mature trees identified on ~~Exhibit B~~, THE Tree Preservation Plan DATED AUGUST 29, 2008 will remain in place as an integral part of the site design, AS MODIFIED BY THE PROPOSED TREE RELOCATIONS DEPICTED ON THE TREE PRESERVATION EXHIBIT DATE STAMPED AUGUST 25, 2020, AND AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. ALL TREE RELOCATIONS AND REPLACEMENTS SHALL PROVIDE AT A MINIMUM A TREE OR TREES OF AN EQUAL CALIPER SIZE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
 - D. The ~~number of units shall be a maximum~~ DENSITY FOR THE PROJECT SHALL NOT EXCEED ~~of 11.12~~ 11.55 dwellings UNITS per acre.
 - E. That the developer shall provide a par exercise course as an amenity within the designated major pedestrian route.
- 3. That the commercial portion of the site shall develop in general conformance to the elevations date stamped August 1, 2008 and site plan date stamped August 29, 2008 as may be approved by the PLANNING AND Development Services Department, with specific regard to the following for the portion of the site east of 21st Avenue (Definitions in the following stipulations are as noted in Section 662 of the Phoenix Zoning Ordinance.):
 - a. Placement of buildings close to Northern Avenue, providing parking on the interior and between buildings.

- b. ~~That buildings along Northern Avenue shall be no greater than 180 feet of frontage without provision of a walkway/passageway to the interior of the commercial site.~~
- c. Provision of walkways/passageways between buildings from Northern Avenue to the interior of the commercial site.
- d. A minimum of 50% of the lot frontage on Northern Avenue shall contain building frontage.
- e. All structures except where residential uses are on the ground floor, shall utilize clear windows. A clear window is a window that will allow a minimum of 75% of the visible light (as specified by the manufacturer) to be visible on either side of the window. Clear windows shall encompass, at a minimum, 60% of the building facade length fronting onto a street within the area from 3 feet to 6 feet-8 inches above adjacent interior finished floor and adjacent sidewalk grade. Blank walls without doors and windows shall not occupy over 30% of the principal frontage for non-residential buildings and 50% for residential buildings, and a section of blank wall shall not exceed 20 linear feet without being interrupted by a window or entry.
- f. The frontage shall include shading along its entire right-of-way frontage, excluding driveways, loading and service berths.
- g. The frontage shall include a minimum of one (1) or a combination of the following shading methods. A minimum of 75% of the sidewalk or pedestrian way shall be shaded.
 - (1) Arcades, awnings, trellises or covered walkways attached to the primary building shall be a minimum of 12 feet in depth, measured from any point of ground floor facade to the exterior column or vertical plane of the overhang. The maximum head clearance shall not exceed 20 feet, measured from finish grade. Landscaping shall include a row of trees (a minimum of 50% 2-inch caliper and 50% 3-inch caliper) placed 20 feet on center and run parallel with the arcade or awning.
 - (2) Detached shade structures shall be a minimum of 12 feet in depth and 15 feet in height and should incorporate architectural elements and design of the primary structure. Landscaping shall include a row of trees (a minimum of 50% 2-inch caliper and 50% 3- inch caliper) located or spaced 20 feet on center and run parallel with the arcade or awning.

- (3) A double row of trees a minimum of 50% 2-inch caliper and 50% 3-inch caliper spaced 20 feet on center shall be provided. The rows shall be placed parallel on either side of the sidewalk as required in section 662.i.1 of the zoning ordinance. The rows shall be staggered to provide maximum shading.
 - h. Open space shall be a minimum of five percent (5%) of the gross commercial site area. A combination of types of areas is allowed. Areas may include the following:
 - (1) Courtyards (limited access/semi-private and common).
 - (2) Outdoor seating areas (plazas, ramadas, landscaped areas with turf, etc.).
 - i. Bicycle parking shall be provided at 1 space per 2,000 square feet of tenant leasable floor area, with a maximum of 50 spaces.
- 4. ~~That~~ The mature trees identified on Exhibit B, Tree Preservation Plan, shall be continuously maintained (e.g. watering, trimming) by the owner prior to development of the property and ~~that~~ maintenance shall be a requirement of the future residential development.
- 5. ~~That~~ A 10 foot sidewalk easement shall be dedicated along the north side of Northern Avenue, as approved by the PLANNING AND Development Services Department.
- 6. ~~That~~ The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the PLANNING AND Development Services Department. All improvements shall comply with all ADA accessibility standards.
- 7. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of site plans shall be granted until the study is reviewed and approved by the City. Contact Ms. Sara Elco, (602) 495-0575, to set up a meeting to discuss the requirements of the study. The applicant shall be responsible for any dedications and required improvements as recommended by the approved traffic study, as approved by THE PLANNING AND Development Services Department and the Street Transportation DepartmentS.
- 8. ~~That~~ The applicant shall construct a view fence along the shared eastern border of the Greens Apartment complex no closer than 15 feet to the Greens Apartment complex buildings as approved by the PLANNING AND Development Services Department.
- 9. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER

SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5292, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5292 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 18th day of November, 2020.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

_____ City Manager

Exhibits:

- A - Legal Description (2 Pages)
- B - Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-6-20-- Z-50-08-5

That portion of Lot 8 of the final plat of La Mancha as recorded in Book 193, Page 19, of official records, Maricopa County, Arizona being located in a portion of the South half of Section 36, Township 3 North, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING the Center of said Section 36 from which the East quarter corner of said Section 36 bears, North 89 degrees 51 minutes 17 seconds East, a distance of 2628.93 feet; Thence North 89 degrees 51 minutes 17 seconds East, along the North line of the Southeast quarter of said Section 36, a distance of 774.55 feet to the **POINT OF BEGINNING**; Thence continuing North 89 Degrees 51 Minutes 17 Seconds East along said North line a distance of 342.80 feet; Thence South 00 Degrees 06 Minutes 26 Seconds East a distance of 30.00 feet; Thence South 09 Degrees 59 Minutes 51 Seconds East a distance of 19.54 feet; Thence South 08 Degrees 29 Minutes 56 Seconds West a distance of 65.50 feet; Thence along an arc 124.90 feet to the left, having a radius of 200.00 feet, the chord of which is South 09 Degrees 23 Minutes 28 Seconds East for a distance of 122.88 feet; Thence South 27 Degrees 22 Minutes 18 Seconds East a distance of 86.72 feet; Thence along an arc 95.96 feet to the right, having a radius of 200.00 feet, the chord of which is South 13 Degrees 48 Minutes 24 Seconds East for a distance of 95.04 feet; Thence South 01 Degrees 37 Minutes 14 Seconds West a distance of 10.65 feet; Thence along an arc 98.72 feet to the left, having a radius of 200.00 feet, the chord of which is South 13 Degrees 58 Minutes 36 Seconds East for a distance of 97.72 feet Thence South 28 Degrees 11 Minutes 18 Seconds East a distance of 86.11 feet; Thence along an arc 116.24 feet to the left, having a radius of 75.00 feet, the chord of which is South 72 Degrees 34 Minutes 23 Seconds East for a distance of 104.95 feet; Thence North 63 Degrees 00 Minutes 17 Seconds East a distance of 145.95 feet thence along an arc 48.80 feet to the right, having a radius of 50.00 feet, the chord of which is South 88 Degrees 54 Minutes 08 Seconds East for a distance of 46.89 feet; Thence South 60 Degrees 56 Minutes 16 Seconds East a distance of 42.23 feet; Thence along an arc 25.58 feet to the left, having a radius of 50.00 feet, the chord of which is South 75 Degrees 36 Minutes 24 Seconds East for a distance of 25.30 feet; Thence North 89 Degrees 51 Minutes 56 Seconds East a distance of 111.63 feet; Thence along an arc 31.50 feet to the right, having a radius of 20.00 feet, the chord of which is South 45 Degrees 01 Minutes 18 Seconds East for a distance of 28.34 feet; Thence South 00 Degrees 05 Minutes 35 Seconds West a distance of 184.84 feet; Thence South 00 Degrees 20 Minutes 00 Seconds East a distance of 44.26 feet; Thence South 27 Degrees 33 Minutes 14 Seconds West a distance of 42.06 feet; Thence South 88 Degrees 39 Minutes 15 Seconds West a distance of 371.10 feet; Thence South 61 Degrees 42 Minutes 19 Seconds West a distance of 248.53 feet; Thence North 58 Degrees 28 Minutes 05 Seconds West a distance of 35.41 feet; Thence along an arc 85.43 feet to the right, having a radius of 100.00 feet, the chord of which is North 34 Degrees 05 Minutes 00 Seconds West for a distance of 82.85 feet; Thence North 09 Degrees 35 Minutes 28 Seconds West a distance of 254.42 feet; Thence North 04 Degrees 31 Minutes 46 Seconds West a distance of 403.70 feet; Thence along an arc 69.83 feet to the left, having a radius of 50.00 feet, the chord of which is North 44 Degrees 30 Minutes 25

Seconds West for a distance of 64.29 feet; Thence North 84 Degrees 22 Minutes 39
Seconds West a distance of 148.42 feet; Thence North 00 Degrees 05 Minutes 39
Seconds West a distance of 189.79 feet to the **POINT OF BEGINNING**.

The above described parcel contains 8.320 acres (362420 sq. ft.)

DRAFT

ORDINANCE LOCATION MAP

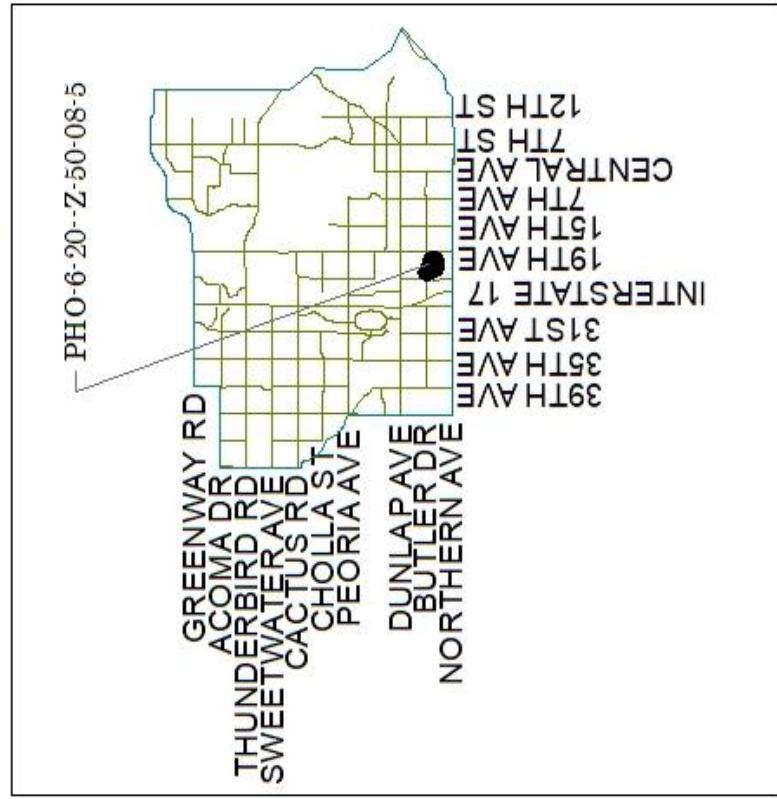
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -

Zoning Case Number: PHO-6-20-Z-50-08-5
Zoning Overlay: N/A
Planning Village: North Mountain



PHO-6-20-Z-50-08-5



NOT TO SCALE

Drawn Date: 10/22/2020

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 104

Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-20_Z-19-19-6 - Northeast Corner of 51st and Taylor Streets (Ordinance G-6769)

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Oct. 21, 2020.

Summary

Application: PHO-1-20_Z-19-19-6

Existing Zoning: A-1

Acreage: 1.17

Applicant: Ben Meyer, Mendil + Meyer Design Studio

Representative: Ben Meyer, Mendil + Meyer Design Studio

Owner: Blue Box Holdings, LLC

Proposal:

1. Modification of Stipulation 1 regarding general conformation to elevations date stamped April 10, 2019.

Concurrence/Previous Council Action

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

PHO Action: The Planning Hearing Officer heard this case on Oct. 21, 2020 and recommended approval with a modification. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

Northeast corner of 51st and Taylor Streets

Council District: 6

Parcel Address: N/A

Responsible Department

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

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-19-19-6 PREVIOUSLY APPROVED BY
ORDINANCE G-6623.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as
follows:

SECTION 1. The zoning stipulations applicable located at the northeast corner of 51st Street and Taylor Street in a portion of Section 5, Township 1 North, Range 4 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. The development shall be in general conformance with the elevations date stamped ~~AUGUST 12, 2020~~ ~~April 10, 2019~~, as modified by the following stipulations and approved by the Planning and Development Department.
 - A. ALL ELEVATIONS OF THE BUILDING SHALL CONTAIN ARCHITECTURAL EMBELLISHMENTS AND DETAILING SUCH AS TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, VARIATION IN WINDOW SIZE AND LOCATION, OVERHANG CANOPIES, OR SIMILAR FEATURES.
2. All parking shall be located behind the building, as approved by the Planning and Development Department.
3. Any outdoor storage shall be located behind the building and be screened by a minimum 8-foot high decorative masonry wall, as approved by the Planning and Development Department.

4. One framing inspection for the primary building must be approved prior to the issuance of a permit for any off-premise signage.
5. The development shall utilize the C-2 streetscape landscape standards for planting type, size and quantity along the 51st Street and Taylor Street frontages, as approved by the Planning and Development Department.
6. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
7. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
8. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
9. Recycling services shall be provided on site.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6623, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6623 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 18th day of November,
2020.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

- A - Legal Description (2 Pages)
- B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-20-- Z-19-19-6

That portion of the Southwest Quarter of Section 5, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being a portion of:

Lot 1 through 5, Tract B and those Portions of Lot 6 and Lots 11 through 15, Tracts A-1, C and E, of MIA CASA UNIT I, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded Book 184 of Maps, Page 31 more particularly described as follows:

Beginning at the Southeast corner of said Tract B;

Thence North 89 degrees 37 minutes 51 seconds West, 99.08 feet along the South line of said Tract B;

Thence along a curve to the right having a radius of 12.00 feet, a distance of 18.80 feet to the West line of said Tract B;

Thence North 00 degrees 06 minutes 54 seconds East, 160.64 feet along said West line of Tract B and the West line of said Lots 1 through 5, Tract C and Lot 6;

Thence departing said West line of Lot 6, South 89 degrees 53 minutes 06 seconds East, 79.00 feet;

Thence South 49 degrees 33 minutes 12 seconds East, 208.03 feet;

Thence south 00 degrees 22 minutes 09 seconds West, 39.00 feet to the South line of said Tract E;

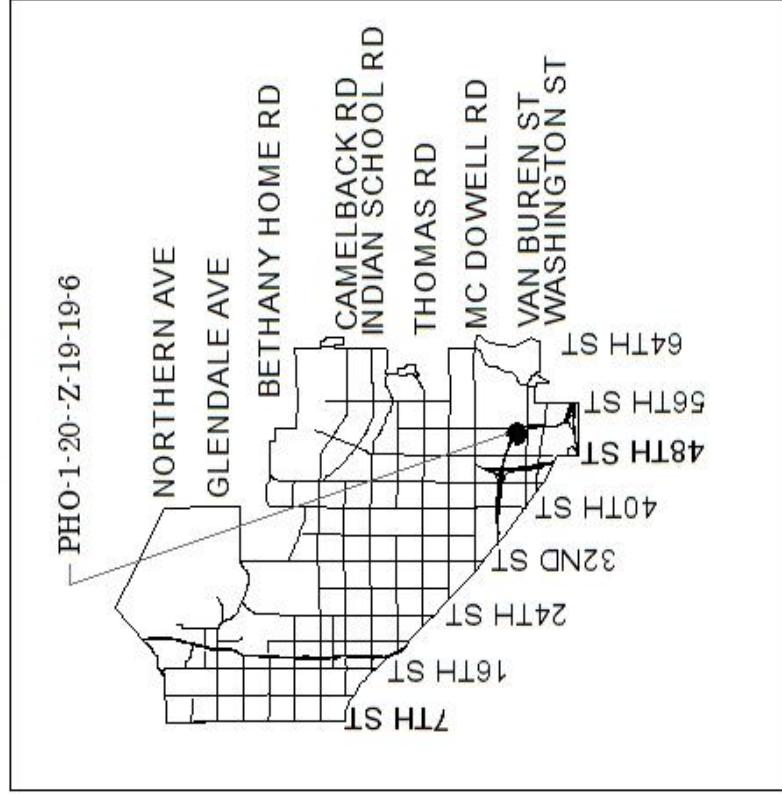
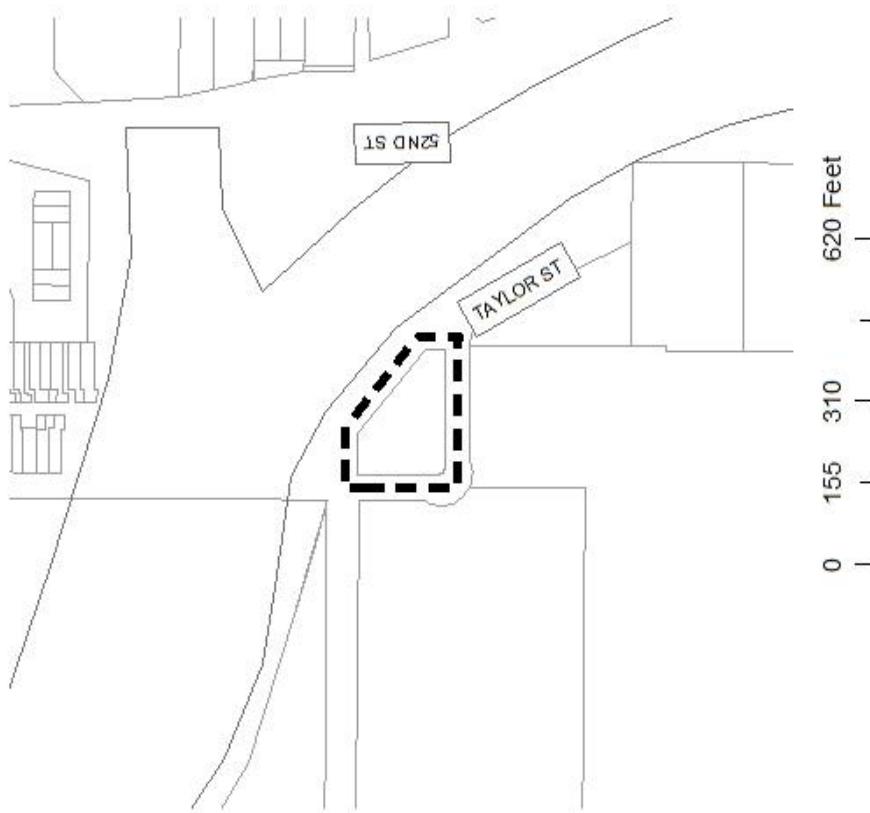
Thence North 89 degrees 37 minutes 51 seconds West, 126.39 feet along said south line of Tract E and the South line of said Tract A-1 to the Point of Beginning.

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: PHO-1-20-Z-19-19-6
Zoning Overlay: N/A
Planning Village: Camelback East



NOT TO SCALE

Drawn Date: 10/22/2020

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 105

Amend City Code - Ordinance Adoption - Rezoning Application PHO-7-20_Z-50-08-5 - Approximately 1,100 Feet North and 790 Feet West of the Northwest Corner of 19th and Northern Avenues (Ordinance G-6768)

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Oct. 21, 2020.

Summary

Application: PHO-7-20_Z-50-08-5

Existing Zoning: R-3A

Acreage: 10.69

Applicant: Trillium Residential SFR

Representative: Trillium Residential SFR

Owner: West Royal Development III, LLC

Proposal:

1. Modification of Stipulation 1 regarding Planning Hearing Officer review of residential elevations.
2. Modification of Stipulation 1.a regarding orientation of building entries.
3. Modification of Stipulation 2 regarding conformance to site plans date stamped Aug. 29, 2008, Jan. 31, 2013, and Jan. 20, 2016.
4. Modification of Stipulation 2.b regarding residential building design and a Tree Preservation Plan.
5. Modification of Stipulation 2.c regarding a maximum of 11.12 dwelling units per acre.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The North Mountain Village Planning Committee heard this case on Sept. 16, 2020 and recommended approval, by a 14-0 vote.

PHO Action: The Planning Hearing Officer heard this case on Oct. 21, 2020 and recommended approval with modifications and an additional stipulation. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

Approximately 1,100 feet north and 790 feet west of the northwest corner of 19th and Northern Avenues

Council District: 5

Parcel Address: N/A

Responsible Department

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

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO REZONING APPLICATION Z-50-08-5 PREVIOUSLY APPROVED BY ORDINANCE G-6132.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as

follows:

SECTION 1. The zoning stipulations applicable located approximately 1,100 feet north and 790 feet west of the northwest corner of 19th Avenue and Northern Avenue in a portion of Section 36, Township 3 North, Range 2 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. ~~That the elevation for the residential portions of the site shall be approved by the Planning Hearing Officer through the public hearing process prior to Planning and Development Department preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.~~

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED AUGUST 24, 2020, WITH SPECIFIC REGARD TO THE FOLLOWING AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT:

- a. ~~Building entries shall be oriented towards common areas/~~

~~Pathways, except for any single family residences which shall provide for the orientation of such structures being toward the road or vehicular accessway.~~

- A. Where possible, garage servicing driveways shall be configured in an east/west grid to minimize east/west surface exposure, unless tree preservation requires an alternative.
- 2. ~~That the residential portion of the site shall develop in general conformance to the site plan date stamped AUGUST 24, 2020 29, 2008, and for the 5.0 acre site which is a portion of Parcel 158-06-021C to be in general conformance with the site plan date stamped January 31, 2013 and for the 9.547-acre site which is a portion of Parcel 158-05-021e to be in substantial conformance with the site plan date stamped January 20, 2016, WITH SPECIFIC REGARD TO THE FOLLOWING AND as approved by the Planning and Development Department, with specific regard to:~~
 - A. BUILDING ENTRIES SHALL BE ORIENTED TOWARDS COMMON AREAS, PATHWAYS, OR SIDEWALKS THAT PROVIDE ACCESS TO COMMON OR ACTIVE OPEN SPACE AREAS.
 - B. Provision of a major shaded pedestrian route (8'-10' wide) that conveniently and directly connects open space areas to Butler Drive, 23rd Avenue and the southeast portion of the site, as shown on Exhibit A, Conceptual Pedestrian Connection Plan. The pedestrian plan shall adhere to the identified cross sections A-A, B-8 and C-C.
 - C. ~~That residential building THE SITE PLAN shall be designed so that the mature trees identified in Exhibit B, ON THE Tree Preservation Plan DATED AUGUST 29, 2008 will remain in place as an integral part of the site design, AS MODIFIED BY THE PROPOSED TREE RELOCATIONS DEPICTED ON THE TREE PRESERVATION EXHIBIT DATE STAMPED AUGUST 25, 2020, AND AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. ALL TREE RELOCATIONS AND REPLACEMENTS SHALL PROVIDE AT A MINIMUM A TREE OR TREES OF AN EQUAL CALIPER SIZE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.~~
 - D. ~~The number of units shall be a maximum DENSITY FOR THE PROJECT SHALL NOT EXCEED of 11.12 16.84 dwelling units per acre except for that portion of Parcel Number 158-06-021C being developed under the site plan date stamped January 31, 2013, which shall provide for a residential density of 19 dwelling units per acre.~~
 - E. ~~That the developer shall provide a par exercise course as an amenity within the designated major pedestrian route.~~

3. ~~That~~ The commercial portion of the site shall be developed in general conformance to the site plan date stamped July 24, 2009, as may be approved by the Planning and Development Department:
 - a. ~~That~~ A minimum of 25-foot landscape setback shall be provided along Northern Avenue, as approved by the Planning and Development Department.
 - b. ~~That~~ A master architectural theme which unifies the landscaping and building materials for the commercial portion be approved concurrent with the approval of the preliminary site plan for the first phase of the development, as approved by the Planning and Development Department.
 - c. Provisions of walkways/passageways between buildings from Northern Avenue to the interior of the commercial site.
 - d. All structures, except where residential uses are on the ground floor, shall utilize clear windows. A clear window is a window that will allow a minimum of 75 percent (75%) of the visible light (as specified by the manufacturer) to be visible on either side of the window.
 - e. The frontage shall include shading along its entire right-of-way frontage, excluding driveways, loading and service berths.
 - f. Landscaping along Northern Avenue shall include a row of trees placed 20-foot on center, with a minimum of 50 percent (50%) of the trees being 3-inch caliper trees and 50 percent (50%) of the trees being 2-inch caliper. Such trees shall be placed in close proximity to the sidewalk to provide a shaded walking path for pedestrians
 - g. Each parcel within the commercial portion of the property located east of 21st Avenue shall include not less than 5 percent (5%) of the gross parcel area as open space. Open space may be provided through a combination of amenities, including but not limited to, landscaping, turf areas, common pedestrian areas (shall not include sidewalks) or other amenities as approved by the Planning and Development Department.
 - h. Bicycle parking shall be provided at 1 space per 2,000 square feet of tenant leasable floor area, with a maximum of 50 spaces.
 - i. ~~That~~ All trees along identified pedestrian routes through the parking areas shall be a minimum of 3-inch caliper.
4. ~~That~~ The mature trees identified on Exhibit B, Tree Preservation Plan, shall be continuously maintained (e.g. water, trimming) by the owner prior to development of the property and that maintenance shall be a requirement of

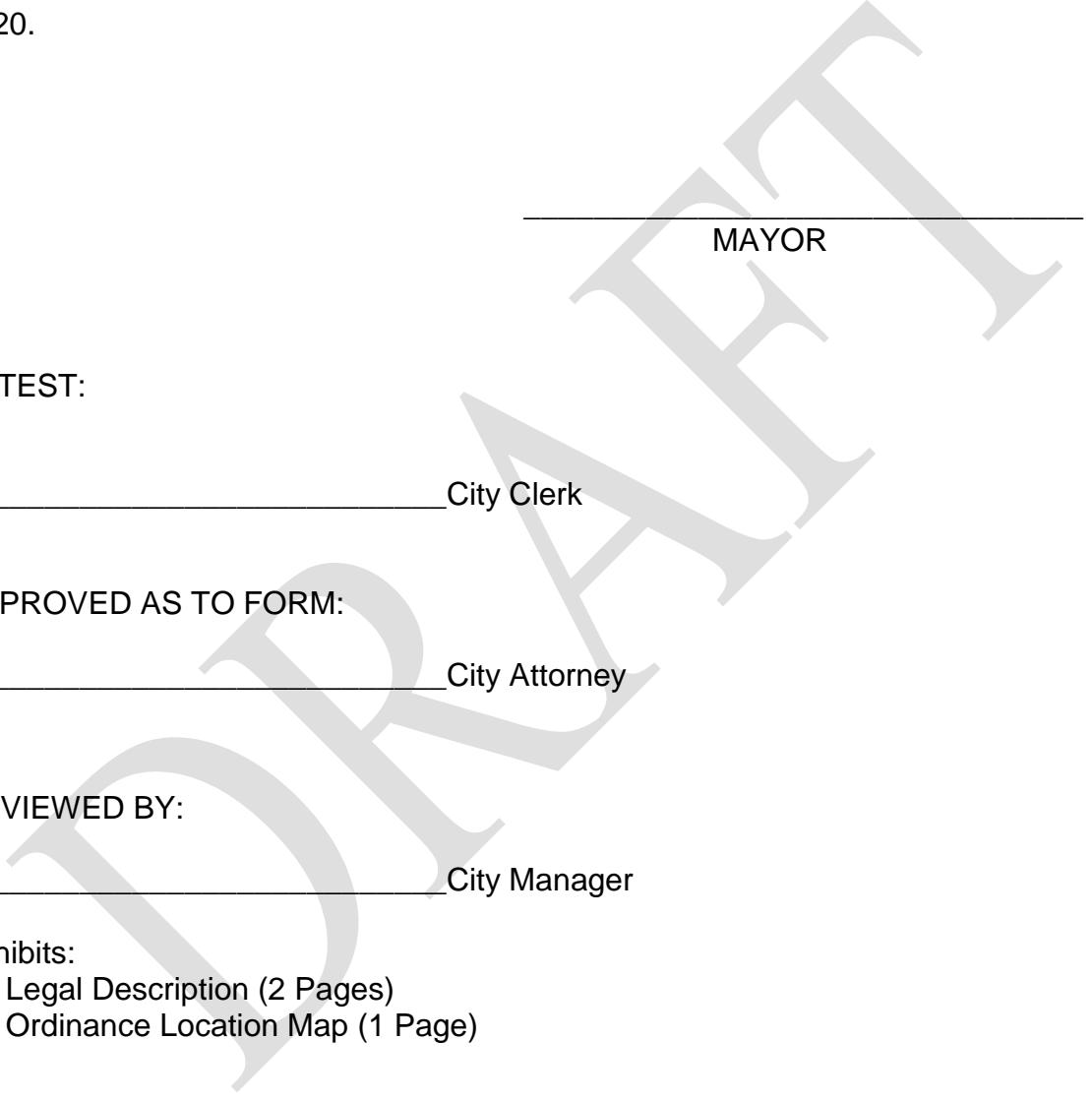
the future residential development.

5. ~~That~~A 10-foot sidewalk easement shall be dedicated along the north side of Northern Avenue, as approved by the Planning and Development Department.
6. ~~That~~The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
7. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of site plans shall be granted until the study is reviewed and approved by the City. Contact Ms. Sara Elco, (602) 495-0575, to set up a meeting to discuss the requirements of the study. The applicant shall be responsible for any dedications and required improvements as recommended by the approved traffic study, as approved by the Planning and Development and Street Transportation Departments.
8. ~~That~~The applicant shall construct a view fence along the shared eastern border of the Greens Apartment complex no closer than 15 feet to the Greens Apartment complex buildings, as approved by the Planning and Development Department.
9. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

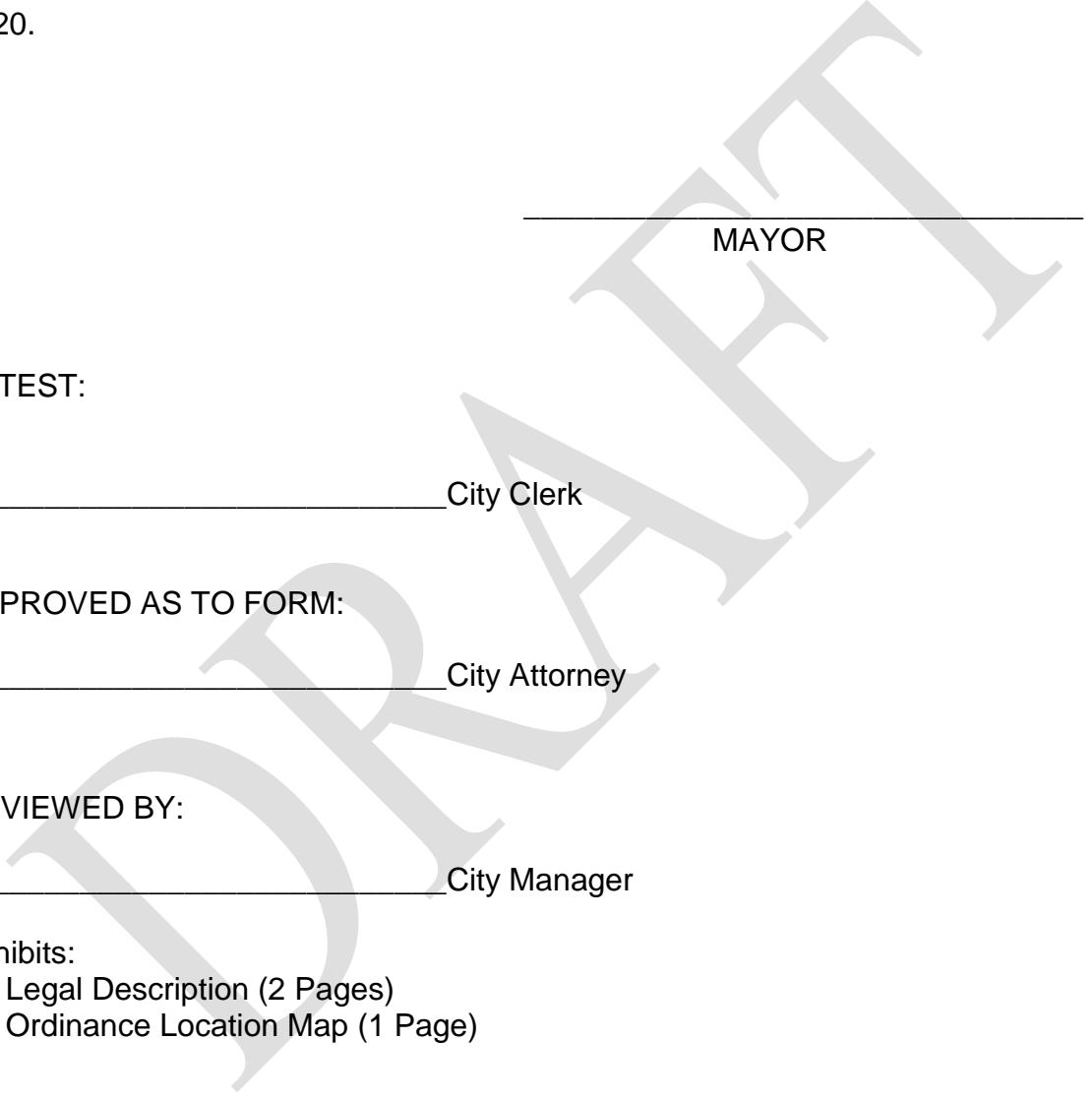
SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6132, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6132 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

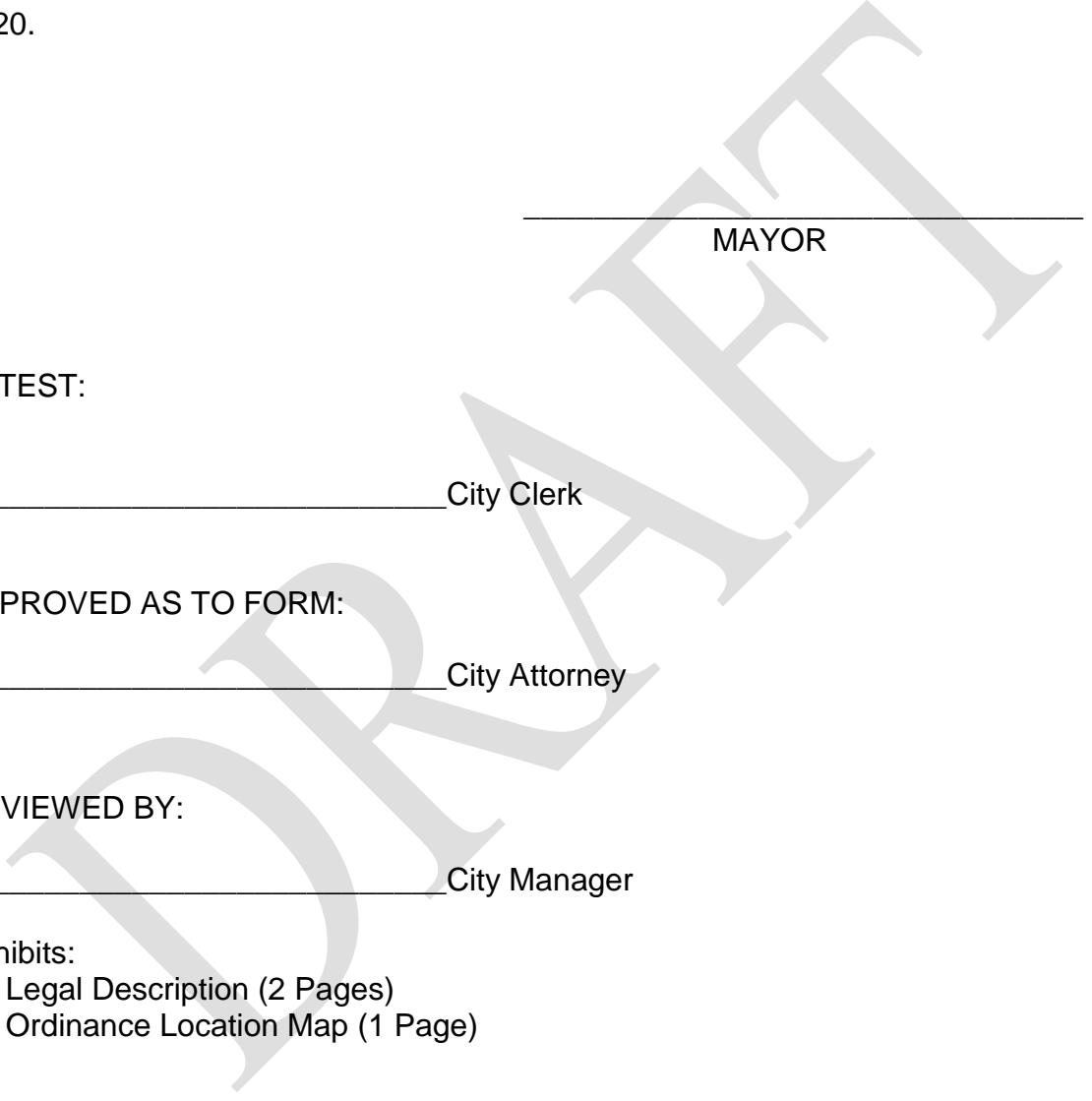
PASSED by the Council of the City of Phoenix this 18th day of November, 2020.

MAYOR

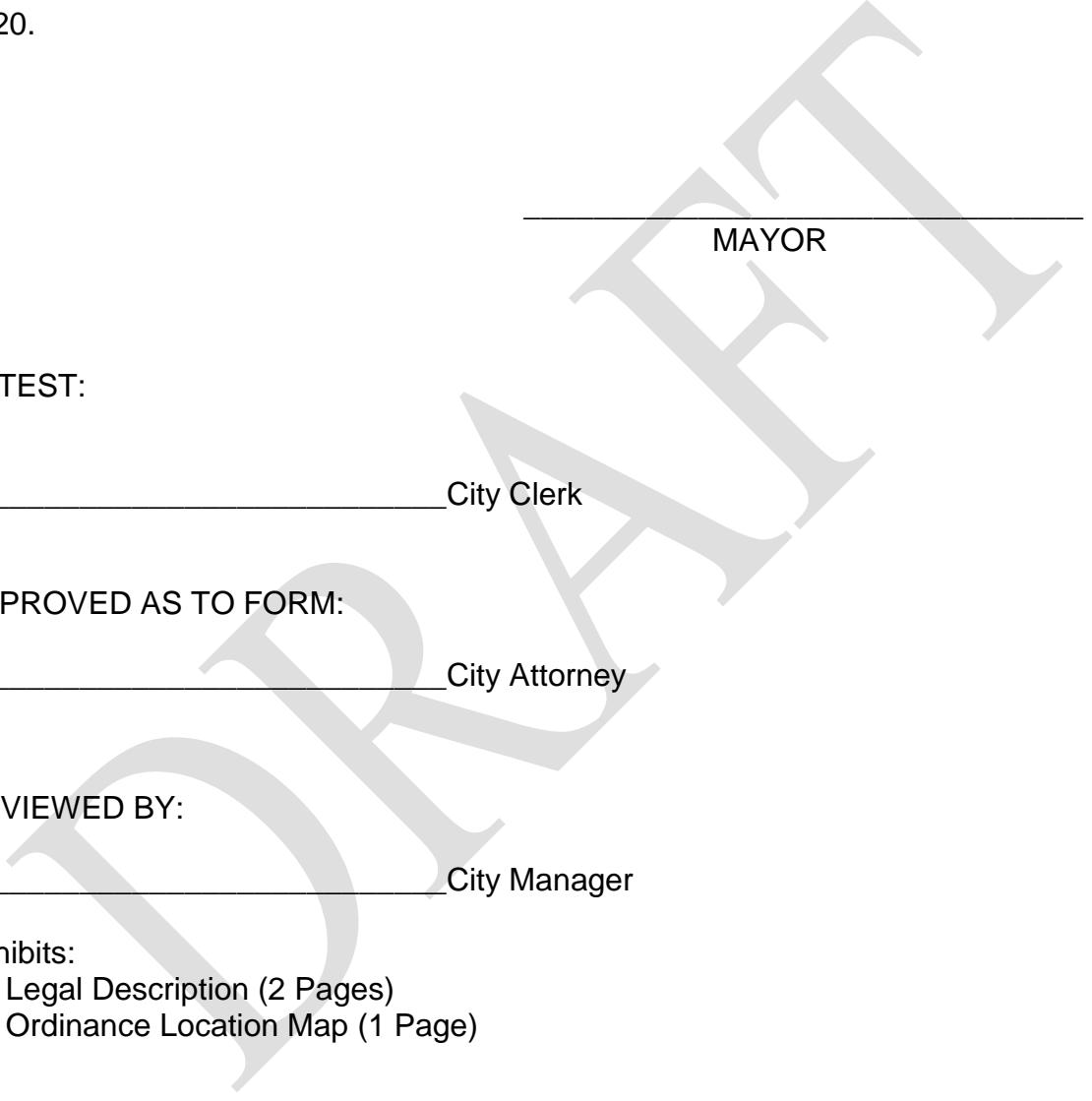
ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

- A - Legal Description (2 Pages)
- B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-7-20-- Z-50-08-5

That portion of Lot 8 of the final plat of La Mancha as recorded in Book 193, Page 19, of official records, Maricopa County, Arizona being located in a portion of the South half of Section 36, Township 3 North, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

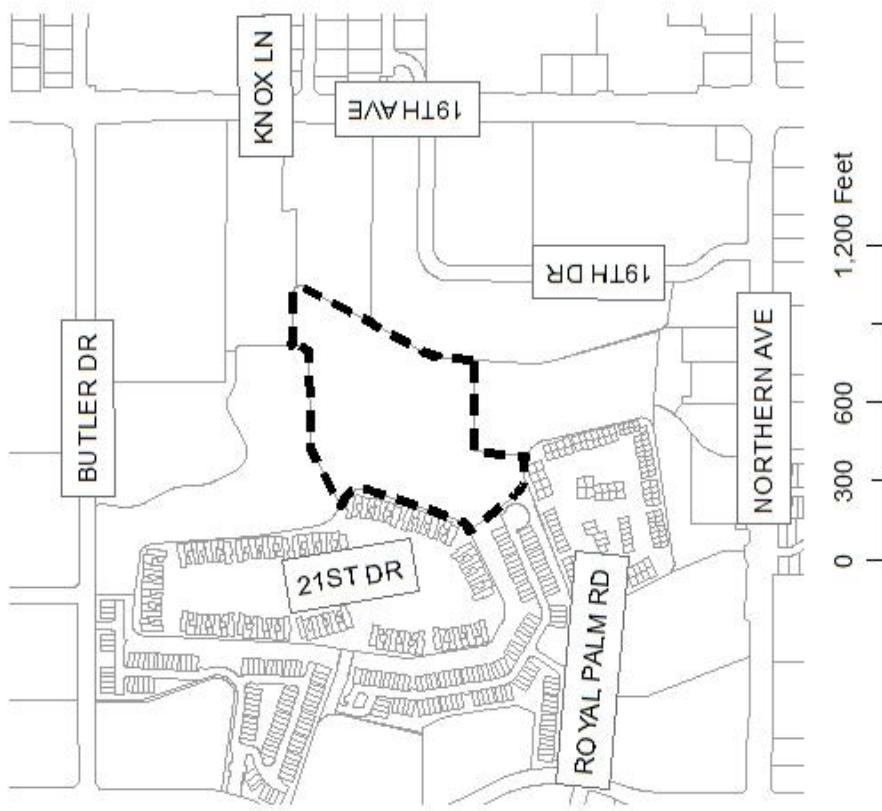
BEGINNING at the Northeast corner of Lot 1 of the final plat for El Caro Senior Residences, as recorded in Book 1344 of maps, Page 21, of official records, records of said county; Thence South 89 Degrees 31 Minutes 21 Seconds West a distance of 349.54 feet; Thence South 06 Degrees 32 Minutes 13 Seconds West a distance of 200.05 feet; Thence along an arc 97.61 feet to the left, having a radius of 120.00 feet, the chord of which is North 89 Degrees 58 Minutes 19 Seconds West for a distance of 94.94 feet; Thence along an arc 97.38 feet to the right, having a radius of 198.50 feet, the chord of which is North 50 Degrees 36 Minutes 25 Seconds West for a distance of 96.40 feet; Thence North 36 Degrees 33 Minutes 13 Seconds West a distance of 191.70 feet; Thence North 63 Degrees 33 Minutes 19 Seconds East a distance of 3.17 feet; Thence along an arc 59.52 feet to the left, having a radius of 74.87 feet, the chord of which is North 41 Degrees 06 Minutes 30 Seconds East for a distance of 57.96 feet; Thence North 18 Degrees 17 Minutes 49 Seconds East a distance of 368.64 feet; Thence along an arc 109.73 feet to the left, having a radius of 81.88 feet, the chord of which is North 20 Degrees 03 Minutes 03 Seconds West for a distance of 101.70 feet; Thence North 58 Degrees 28 Minutes 05 Seconds West a distance of 27.71 feet; Thence North 61 Degrees 42 Minutes 19 Seconds East a distance of 248.53 feet; Thence North 88 Degrees 39 Minutes 15 Seconds East a distance of 371.10 feet; Thence North 27 Degrees 33 Minutes 14 Seconds East a distance of 42.06 feet; Thence North 00 Degrees 20 Minutes 00 Seconds West a distance of 44.26 feet; Thence along an arc 31.35 feet to the left, having a radius of 20.00 feet, the chord of which is South 45 Degrees 06 Minutes 07 Seconds East for a distance of 28.23 feet; Thence North 89 Degrees 55 Minutes 23 Seconds East a distance of 178.06 feet; Thence along an arc 61.46 feet to the right, having a radius of 30.00 feet, the chord of which is South 31 Degrees 19 Minutes 28 Seconds East for a distance of 51.26 feet; Thence South 27 Degrees 42 Minutes 51 Seconds West a distance of 531.82 feet; Thence along an arc 85.77 feet to the left, having a radius of 200.00 feet, the chord of which is South 15 Degrees 23 Minutes 35 Seconds West for a distance of 85.11 feet; Thence South 03 Degrees 10 Minutes 01 Seconds West a distance of 110.56 feet to the **POINT OF BEGINNING**.

The above described parcel contains 10.713 acres (466676 sq. ft.)

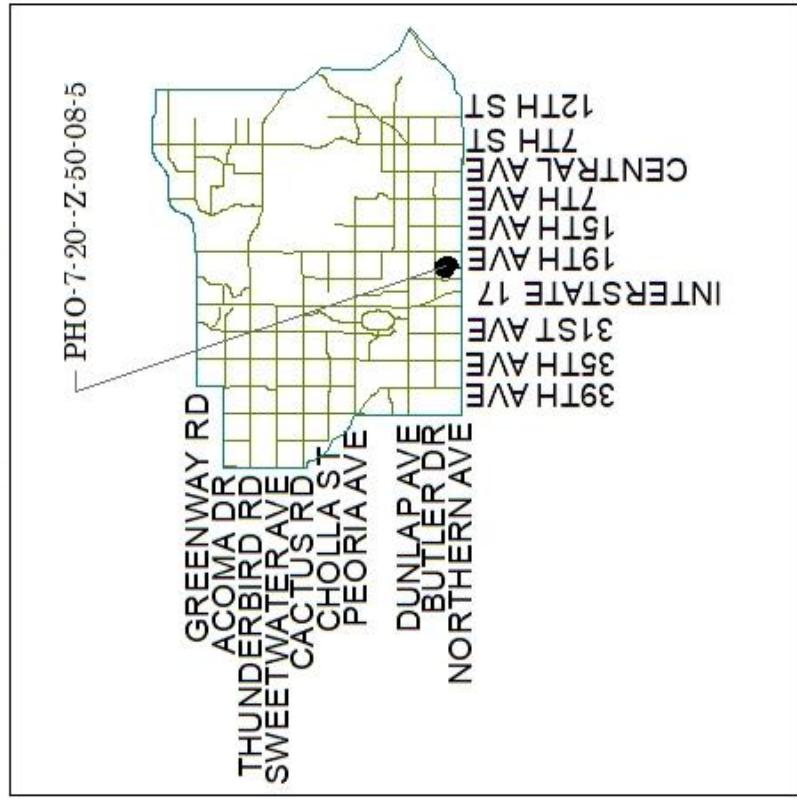
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - -



Zoning Case Number: PHO-7-20-Z-50-08-5
Zoning Overlay: N/A
Planning Village: North Mountain



NOT TO SCALE



Drawn Date: 10/22/2020

\OnePDD\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps\OrdMaps2020\Ord11-18-20\PHO-7-20-Z-50-08-5.mxd

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 11/18/2020, Item No. 106

Amend City Code - Ordinance Adoption - Rezoning Application Z-36-A-19-6 - Northwest Corner of 44th Street and Camelback Road (Ordinance G-6765)

Request to authorize the City Manager, or his designee, to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-36-A-19-6 for a Major Amendment to the Planned Unit Development (PUD) previously approved by Ordinance G-6642 (Case Z-36-19-6).

Summary

Current Zoning: PUD

Proposed Zoning: PUD

Acreage: 17.72 acres

Proposal: PUD Major Amendment to allow multifamily residential in LUA E and updates to associated development standards, and add a supplement to the design guidelines for LUA H.

Owner: Camel Square, LLC and Sun Legacy Properties, LLC

Applicant: Ed Bull, Burch & Cracchiolo, P.A.

Representative: Ed Bull, Burch & Cracchiolo, P.A.

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this case on Oct. 6, 2020, and recommended approval, per the staff recommendation by an 18-0 vote.

PC Action: The Planning Commission heard this case on Nov. 5, 2020, and recommended approval, per the Camelback East Village Planning Committee recommendation by a 9-0 vote.

Location

Northwest corner of 44th Street and Camelback Road

Parcel Addresses: 5002, 5050, and 5110 N. 44th St.; 4222, 4250, and 4350 E. Camelback Road; and 4210 E. Medlock Dr.

Council District: 6

Responsible Department

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

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF PHOENIX, CHANGING THE PUD (PLANNED UNIT DEVELOPMENT) ZONING CLASSIFICATION PREVIOUSLY APPROVED BY ORDINANCE G-6642 FOR THE PARCEL DESCRIBED HEREIN (CASE Z-36-A-19-6) TO PUD (PLANNED UNIT DEVELOPMENT) WITH AN UPDATED DEVELOPMENT NARRATIVE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 17.72-acre site located at the northwest corner of 44th Street and Camelback Road in a portion of Section 18, Township 2 North, Range 4 East, as described more specifically in Exhibit "A", is hereby amended with an updated development narrative.

SECTION 2. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the 44 Camelback PUD reflecting the changes approved through this request shall be submitted to the Planning and

Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped September 25, 2019, as modified by the following stipulations:

- a. Front cover: Revise the submittal date information on the bottom to add the following: Major Amendment City Council Adopted: November 18, 2020.
 - b. Page 21, Footnote No. 12: Add language that explains that the City cannot enforce the prohibition of vacation rentals in multifamily residential development.
2. There shall be no access to 42nd Place and 43rd Place and the developer shall record a 1-foot non-vehicular access easement along all parcel lines adjacent to single-family zoning district or local street, except for an approximately 30-foot wide gated vehicular access and an approximately 6-foot wide gated pedestrian access located approximately 40 feet north of Camelback Road that shall be allowed between the subject property and the Medlock Drive alignment within Arcadia Villa 2, as approved by the Planning and Development Department.
3. Development shall be responsible for the improvements and maintenance of the median islands on Camelback Road between 42nd Street and 44th Street.
4. A sidewalk easement shall be dedicated including the full width of all sidewalks along Camelback Road and 44th Street, as approved by the Planning and Development Department.
5. Right-of-way totaling 55 feet shall be dedicated for the north half of Camelback Road, as approved by the Planning and Development Department.
6. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
7. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
8. The developer shall dedicate right-of-way and construct a bus bay and bus stop pad along westbound Camelback Road west of 44th Street. The bus bay shall be constructed according to City of Phoenix Standard Detail P1256 and the bus stop pad shall be constructed according to City of Phoenix Standard Detail P1261 with a minimum depth of 10 feet. The bus bay and pad shall be spaced

from the intersection of 44th Street and Camelback Road according to City of Phoenix Standard Detail P1258, as modified and approved by the Public Transit, Street Transportation and Planning and Development departments.

9. Prior to preliminary site plan approval, the developer shall submit a signal warrant analysis to the City of Phoenix Street Transportation Department for a location on 44th Street approximately 600 feet north of Camelback Road, as part of the Traffic Impact Study. As determined by the Street Transportation Department, if the proposed traffic signal is permitted, all associated costs for design and construction will be the responsibility of the developer.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 18th day of November, 2020.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-36-A-19-6

Lot 1, Final Plat for Camel Square Amended, according to Book 959 of Maps, Page 8, Records of Maricopa County, Arizona, and situated in the southeast quarter of the southwest quarter of Section 18, Township 2 North, Range 4 East of the Gila and Salt River Base & Meridian, Maricopa County, Arizona.

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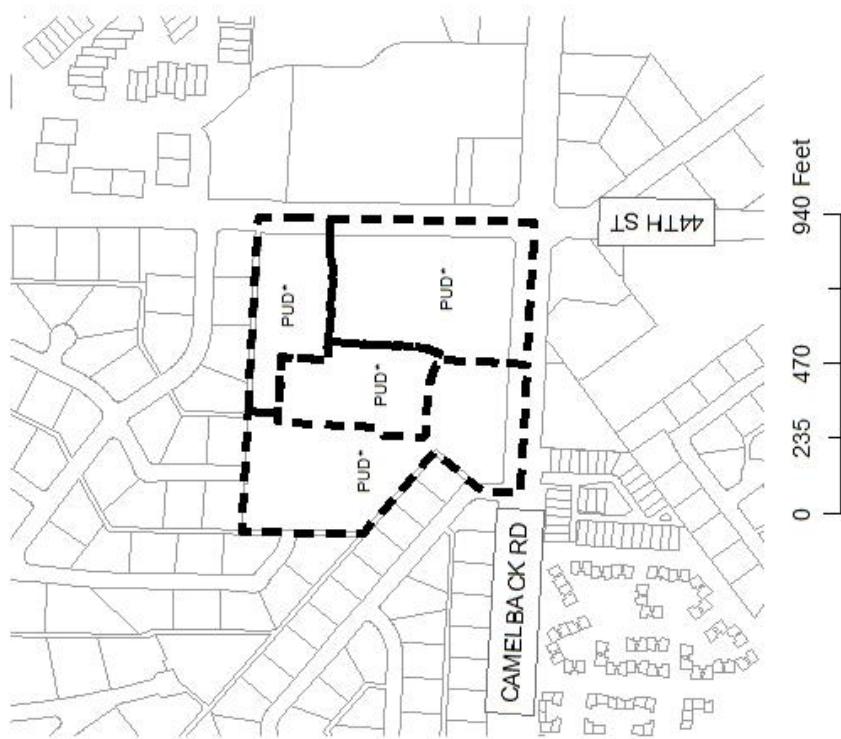
ORDINANCE LOCATION MAP

EXHIBIT B

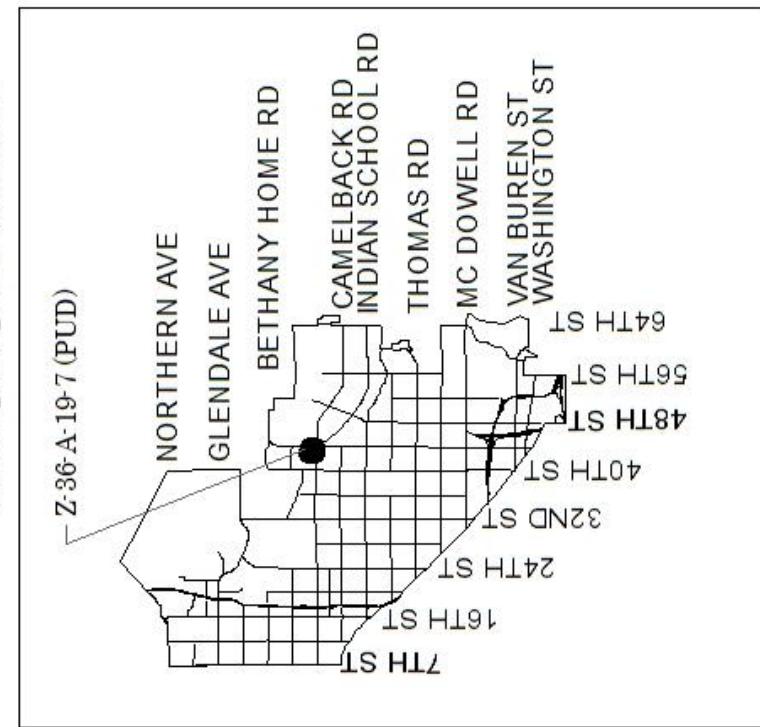
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - -

Zoning Case Number: Z-36-A-19-7 (PUD)
Zoning Overlay: NVA
Planning Village: Camelback East



Z-36-A-19-7 (PUD)



NOT TO SCALE



Drawn Date: 10/22/2020

\V:\OneDrive\Shared\Department Share\Information Systems\PL_GIS\IS_Team\Core_Functions\Zoning\Supply\Zoning_SupplyMaps_OrdMaps2020_Ord111-18-20Z-36-A-19-7 (PUD).mdx