

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

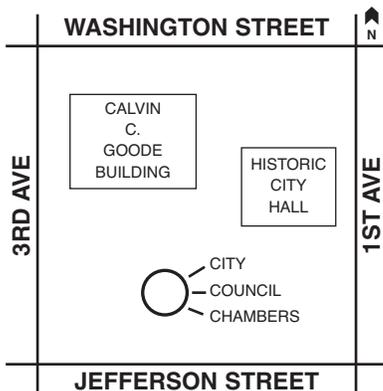
District 6
Sal DiCiccio

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



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



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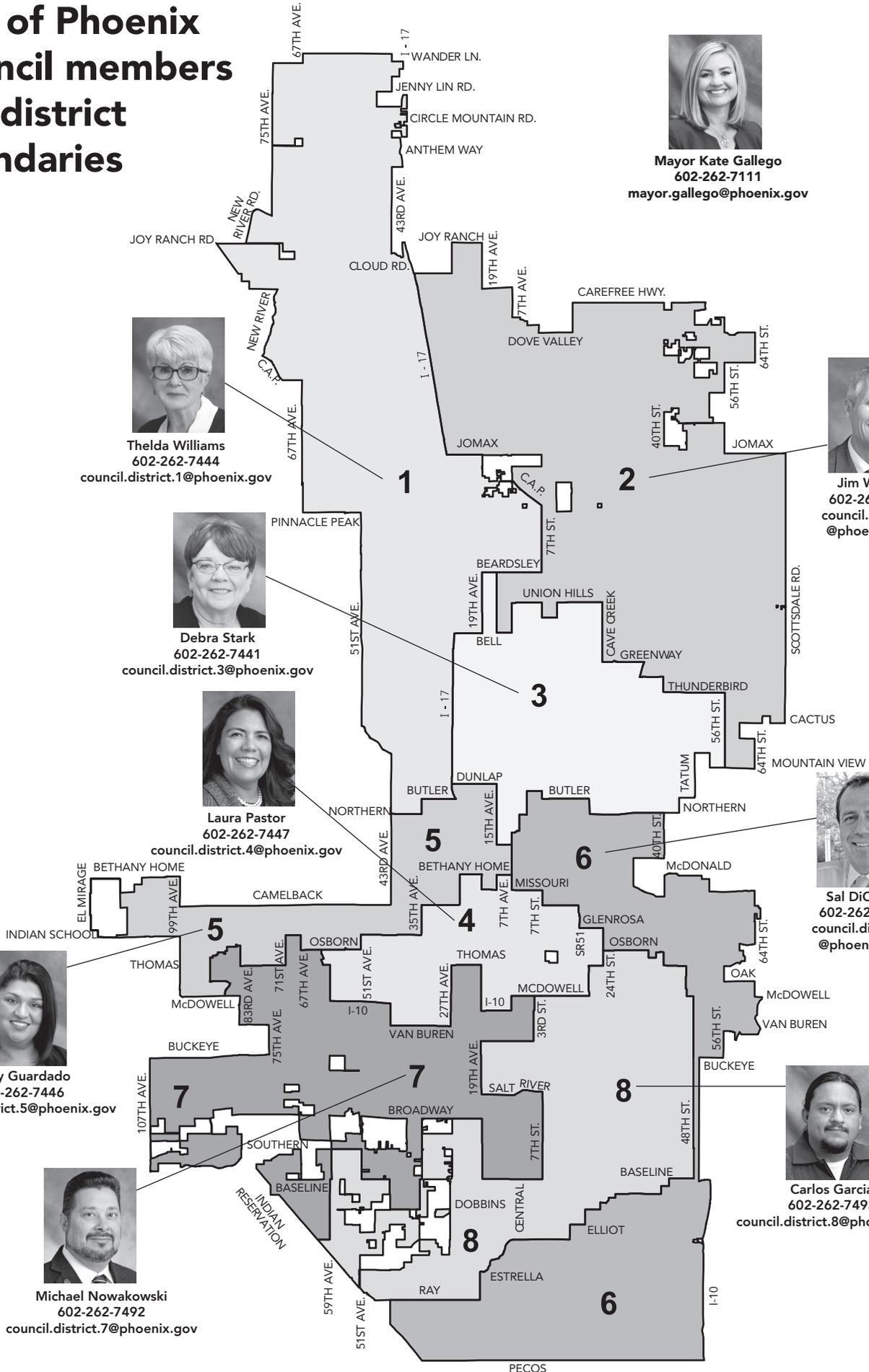
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Agenda

City Council Formal Meeting

Wednesday, December 16, 2020

2:30 PM

phoenix.gov

*****REVISED Dec. 15, 2020*****

Items Revised: 37, 38; Item Added: 92

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 126 886 6497# (for English) or 126 857 3661# (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=e3cc26bc404fb7542df6fcc738b2bdb23>

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

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ADD-ON ITEMS

- *92 *****REQUEST TO ADD-ON*** Authorization to Amend Contract to Extend and Accept Additional Emergency Assistance CARES Act Funding from Arizona Community Action Association dba Wildfire (Ordinance S-47206)**

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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 12/16/2020, **Item No.** 1

For Approval or Correction, the Minutes of the Formal Meeting on Nov. 20, 2019

Summary

This item transmits the minutes of the Formal Meeting of Nov. 20, 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: 12/16/2020, **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
From: Mayor Kate Gallego

Date: December 16, 2020

Subject: BOARDS AND COMMISSIONS – APPOINTEES

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

Central City Village Planning Committee

Councilmember Carlos Garcia recommends the following individual for appointment:

Ryan Boyd

Mr. Boyd is a Legislative Liaison at the Arizona Association of Counties and a resident of District 7. He fills a vacancy for a term to expire November 19, 2021.

Civil Service Board

I and Councilwoman Laura Pastor recommend the following individual for appointment:

Elisa de la Vara

Ms. de la Vara is the Chief Community Officer at the Arizona Community Foundation and a resident of District 4. She will replace Robert Lord for a term to expire December 16, 2023.

Development Advisory Board

I recommend the following individual for appointment:

Tim Keil

Mr. Keil is a Principal at Studio Ma and a resident of District 6. He replaces Peter Rasmussen and will represent the Design Professionals category for a term to expire July 1, 2023.

Paradise Valley Village Planning Committee

Councilwoman Debra Stark recommends the following individual for appointment:

Jennifer Maggiore

Ms. Maggiore is the founder of Catalyst Branding and Business Consulting and a resident of District 3. She replaces Allison Barnett for a term to expire November 19, 2022.

Phoenix Business and Workforce Development Board

I recommend the following individual for appointment:

Meghan McGilvra

Ms. McGilvra is the Director of Enrollment and Community Partnerships at Year Up. She will serve in the Community Based Organizations category for a term to expire June 30, 2023.

Phoenix Employment Relations Board

I recommend the following individual for reappointment:

Phillip Hanley

Mr. Hanley is a Human Resources Officer at the Arizona Supreme Court, a resident of District 3, and is representing the Arizona Employers Council for his seventh term to expire December 15, 2023.

Phoenix Sister Cities Commission

I recommend the following individual for appointment:

Dr. Quinn Snyder

Dr. Snyder is a physician with American Physician Partners and a resident of District 6. He replaces Janielle Penner for a term to expire December 1, 2023.



Liquor License - ARCO AM/PM

Request for a liquor license. Arizona State License Application 10075602.

Summary

Applicant

Sandra Aguilar, Agent

License Type

Series 10 - Beer and Wine Store

Location

3501 W. Peoria Ave.

Zoning Classification: C-2

Council District: 1

This request is for an acquisition of control of an existing liquor license for a convenience store that sells gas. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is Jan. 2, 2021.

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

Other Active Liquor License Interest in Arizona

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 currently hold a bachelor's degree in legal studies since 2016 and know the importance of being a law abiding citizen. I have completed the basic training and manager training and feel fully competent to become the agent and owner of a liquor license in the operation of my gas station and convenience store. I look forward to serving our community with excellent customer service and convenience in their purchases of their desired beverages. In obtaining this liquor license I am accepting the full responsibility in properly training all my employees to also comply with all laws in the sales of alcohol."

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - 76 Station

Request for a liquor license. Arizona State License Application 124426.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 10 - Beer and Wine Store

Location

4102 N. 27th Ave.

Zoning Classification: C-2

Council District: 4

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

The 60-day limit for processing this application is Jan. 3, 2021.

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

Other Active Liquor License Interest in Arizona

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

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

That One Mini Mart (Series 10)
2720 W. Indian School Road, Phoenix
Calls for police service: 16
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The gas station/market at 76 Station (fka: 27 Shell) has offered fuel, grocery, household and convenience items, including beer and wine for many years. Applicant would like to offer beer and wine to its customers 21 and over."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - 76 Station
Liquor License Map - 76 Station

Responsible Department

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

Liquor License Data: 76 STATION

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	1
Bar	6	4	0
Liquor Store	9	5	1
Beer and Wine Store	10	16	7
Restaurant	12	4	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	40.27	134.07	149.04
Violent Crimes	7.26	47.31	64.43

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

Property Violation Data

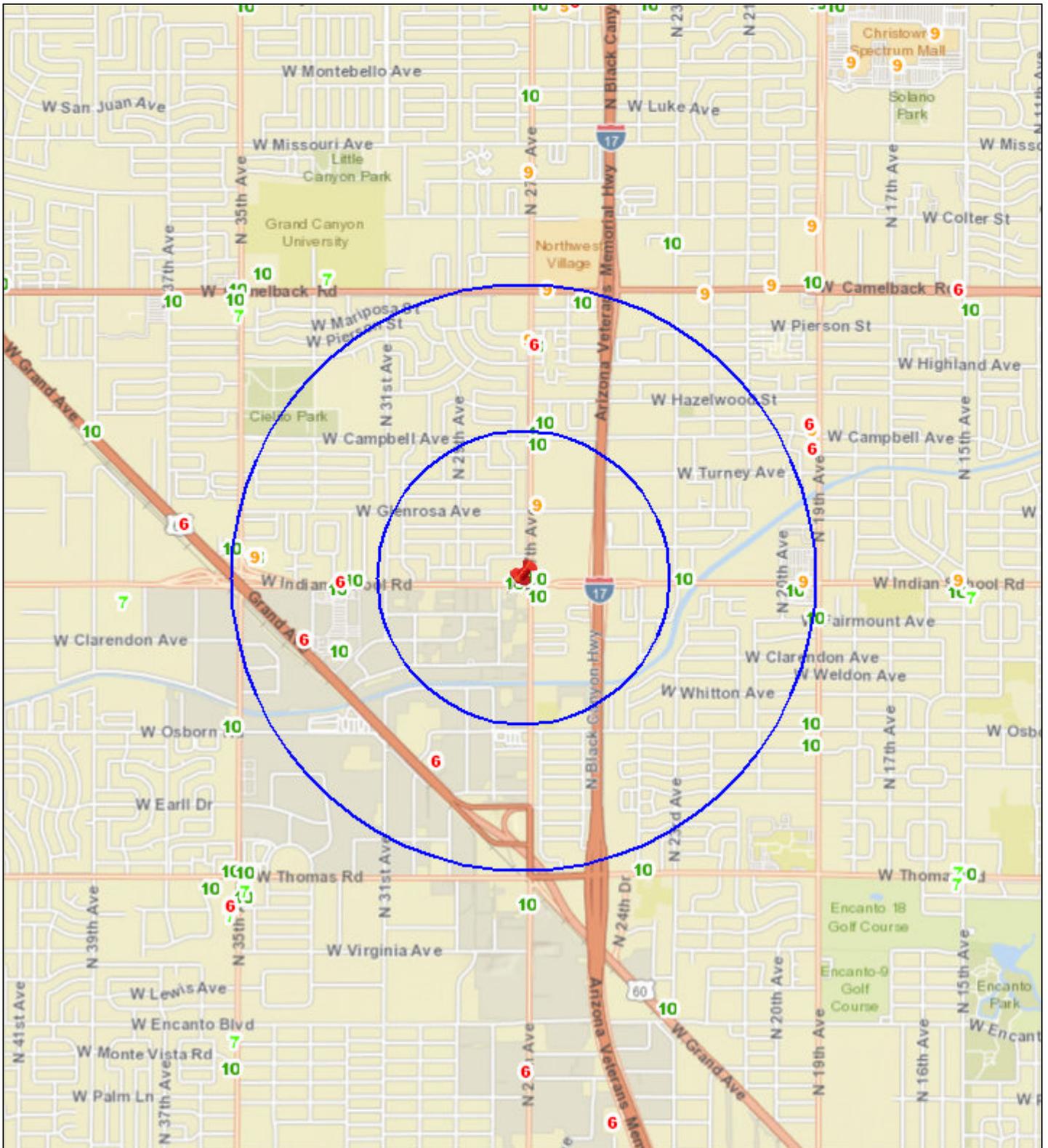
Description	Average	1/2 Mile Average
Parcels w/Violations	60	134
Total Violations	102	192

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1090011	1552	19 %	22 %	42 %
1090012	3369	0 %	11 %	59 %
1090033	1600	22 %	13 %	68 %
1090034	583	5 %	26 %	49 %
1091012	2067	85 %	10 %	30 %
1091022	2966	78 %	14 %	50 %
1091023	1085	28 %	19 %	21 %
1169001	2535	66 %	12 %	50 %
1170002	1845	32 %	9 %	34 %
Average		61 %	13 %	19 %

Liquor License Map: 76 STATION

4102 N 27TH AVE



Date: 11/9/2020





Liquor License - Maskadores Taco Shop

Request for a liquor license. Arizona State License Application 123414.

Summary

Applicant

Theresa Morse, Agent

License Type

Series 12 - Restaurant

Location

53 W. Thomas Road, Ste. B

Zoning Classification: C-2, P-1 TOD-1 WNSPD

Council District: 4

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 Dec. 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

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The restaurant owner is also a surgical technician. He works both jobs and he and his employees will attend Arizona Liquor Law increasing their knowledge and understanding as what identification is valid and checking all young looking customers who request to purchase alcohol. No alcohol will be sold to intoxicated customers and training will be provided to assist in identifying these individuals . The owner is capable, qualified and reliable to operate a business with a liquor license and that it is a privilege to have a license."

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

"Many people who work at local businesses in the area have expressed that they are happy to have a Mexican Food restaurant in the area. The alcoholic beverages is simply to complement the service of food. Due to the comments from within the community, the issuance of the liquor license will be an asset and in the best interest of the community."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Maskadores Taco Shop

Liquor License Map - Maskadores Taco Shop

Responsible Department

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

Liquor License Data: MASKADORES TACO SHOP

Liquor License

Description	Series	1 Mile	1/2 Mile
Government	5	1	0
Bar	6	7	2
Beer and Wine Bar	7	6	1
Liquor Store	9	3	1
Beer and Wine Store	10	9	3
Hotel	11	2	1
Restaurant	12	33	10
Club	14	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	38.38	88.19	82.37
Violent Crimes	6.79	13.40	15.39

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

Property Violation Data

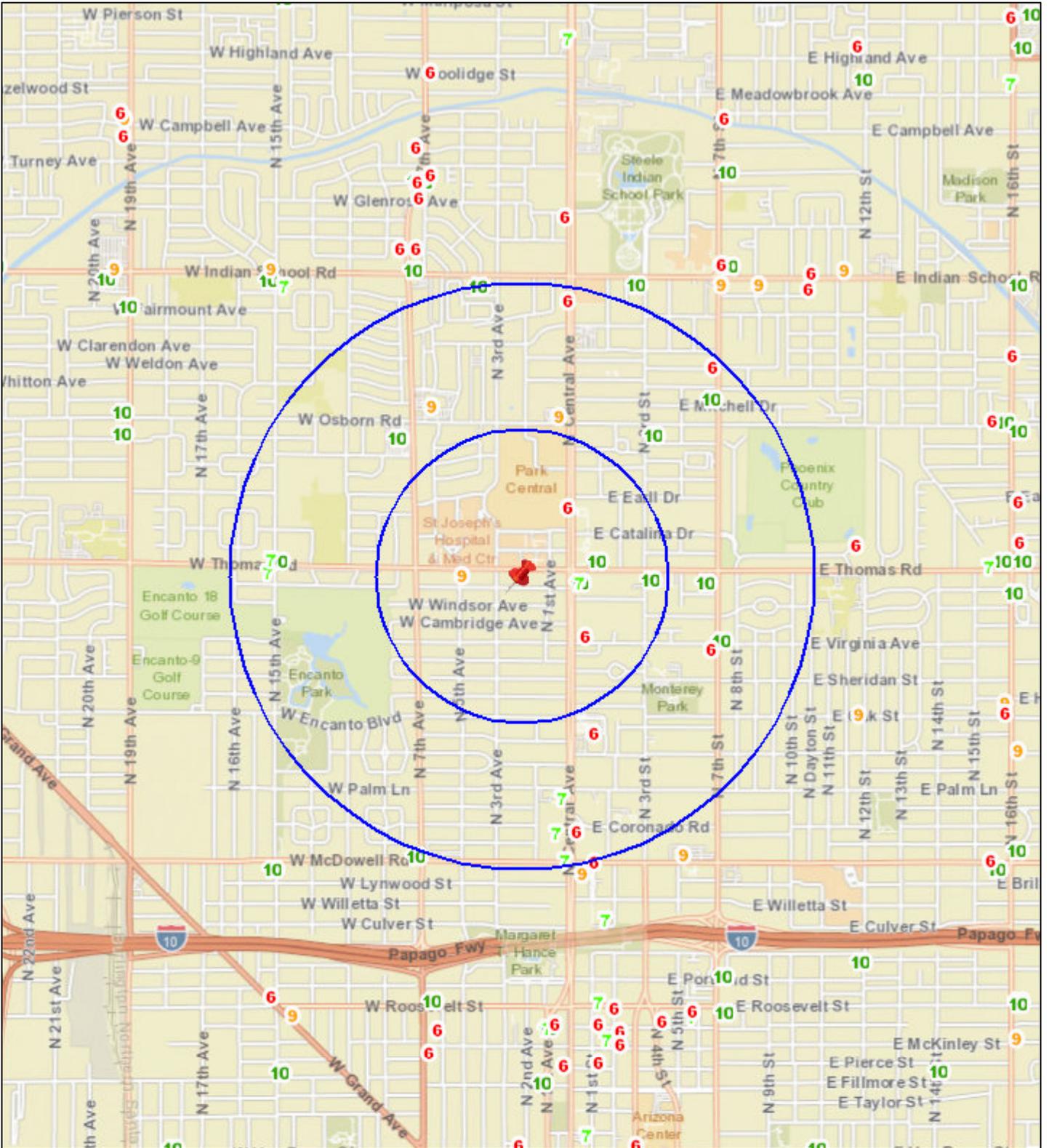
Description	Average	1/2 Mile Average
Parcels w/Violations	61	44
Total Violations	104	55

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1104002	778	35 %	16 %	12 %
1105013	824	16 %	17 %	40 %
1105022	1216	28 %	19 %	23 %
1118001	742	44 %	28 %	5 %
1118002	1030	67 %	9 %	17 %
1118003	996	65 %	15 %	4 %
1118004	671	62 %	6 %	6 %
1119001	678	96 %	8 %	4 %
Average		61 %	13 %	19 %

Liquor License Map: MASKADORES TACO SHOP

53 W THOMAS RD



Date: 10/29/2020



City Clerk Department



Liquor License - Nomada Provisions

Request for a liquor license. Arizona State License Application 123871.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 10 - Beer and Wine Store

Location

3410 N. 24th St.

Zoning Classification: C-2

Council District: 4

This request is for a new liquor license for a beer and wine store. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow package liquor sales.

The 60-day limit for processing this application is Jan. 9, 2021.

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

Other Active Liquor License Interest in Arizona

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

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

Nonna Urban Eatery (Series 12)
7240 E. Main St., Ste. C-100
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Featuring creations by world-renowned chef Gian Brugaletta, Nomada Provisions will offer carefully curated and sourced food and pantry items, cheese, charcuterie, hand-crafted dishes for at-home dining, baking products, teas, coffee, and other specialty beverages and food items geared to the gourmet connoisseur. Applicant would like to offer beer and wine for off-premises consumption to complement the market's unique variety of epicurean delicacies. ."

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 - Nomada Provisions
Liquor License Map - Nomada Provisions

Responsible Department

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

Liquor License Data: NOMADA PROVISIONS

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	40.27	95.16	64.43
Violent Crimes	7.26	15.18	9.44

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

Property Violation Data

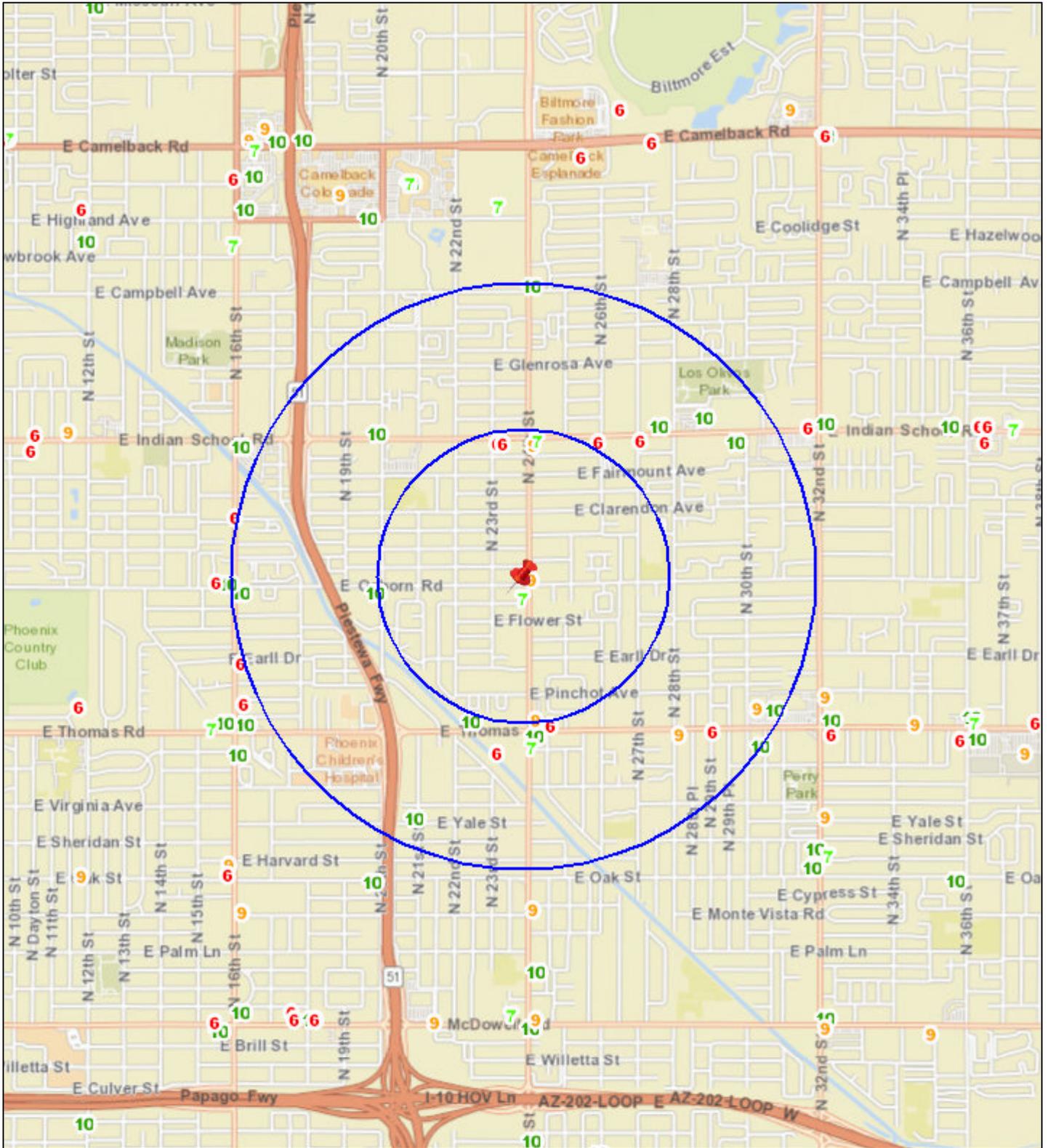
Description	Average	1/2 Mile Average
Parcels w/Violations	61	91
Total Violations	103	135

Census 2010 Data 1/2 Mile Radius

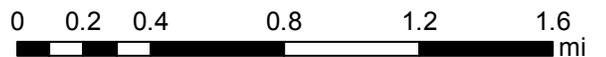
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1084003	1071	34 %	8 %	40 %
1085021	743	50 %	29 %	20 %
1107012	1519	40 %	19 %	29 %
1107021	1972	58 %	0 %	30 %
1107022	2172	32 %	20 %	32 %
1108011	1736	56 %	27 %	40 %
1108022	1168	33 %	16 %	7 %
Average		61 %	13 %	19 %

Liquor License Map: NOMADA PROVISIONS

3410 N 24TH ST



Date: 11/13/2020





Liquor License - Maskadores Taco Shop

Request for a liquor license. Arizona State License Application 124312.

Summary

Applicant

Theresa Morse, Agent

License Type

Series 12 - Restaurant

Location

6135 N. 35th Ave., Ste. 133

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 Jan. 2, 2021.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "The owner has a long history working in the food industry. He also has relatives who have restaurants with liquor license and is familiar with the laws. He will be attending liquor law training to ensure he and his employees comply with all State, City and County laws. He has no criminal history and has worked continually to have an opportunity to own a restaurant in the City of Phoenix. He is capable, reliable and qualified to hold a liquor license."

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

"This establishment is unique in the shopping plaza. The owner is supportive of the community and offers discounts on food to Grand Canyon University College students. The business is an authentic Mexican food restaurant with the primary purpose to sell food. The alcohol is merely to complement the food. The restricted hours of business are not likely to interfere with any residential property in the surrounding area. The issuance of this liquor license is in the best interest of the community."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Maskadores Taco Shop

Liquor License Map - Maskadores Taco Shop

Responsible Department

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

Liquor License Data: MASKADORES TACO SHOP

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	40.27	140.04	233.12
Violent Crimes	7.26	23.96	26.96

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

Property Violation Data

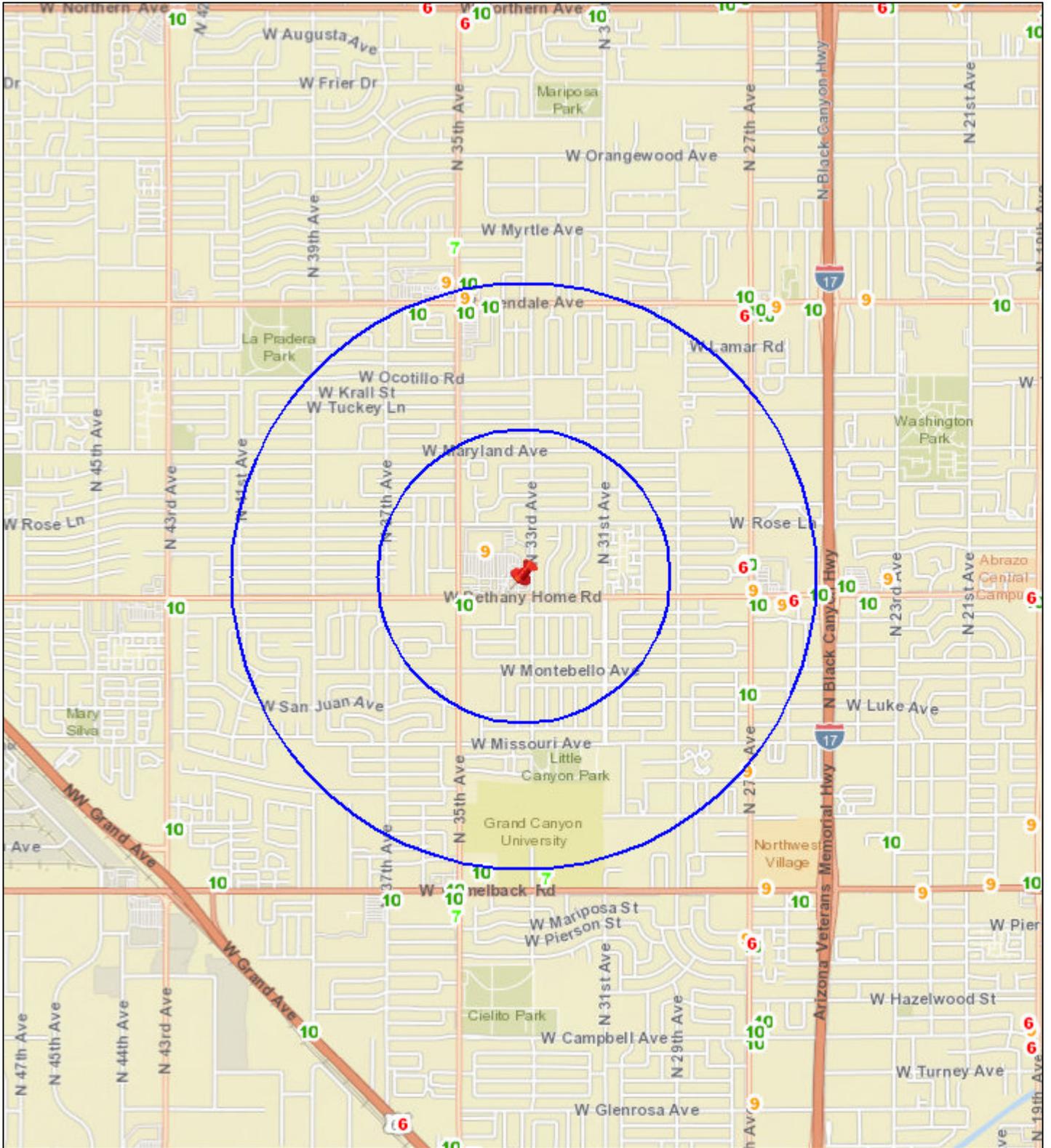
Description	Average	1/2 Mile Average
Parcels w/Violations	61	240
Total Violations	104	433

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1069002	2629	71 %	5 %	22 %
1069003	1767	77 %	0 %	14 %
1069004	2444	60 %	3 %	27 %
1070001	1623	80 %	6 %	32 %
1070002	1741	70 %	23 %	18 %
1071012	2416	62 %	10 %	43 %
1072021	3137	64 %	9 %	29 %
1072022	2085	62 %	5 %	22 %
Average		61 %	13 %	19 %

Liquor License Map: MASKADORES TACO SHOP

6135 N 35TH AVE



Date: 11/5/2020





Liquor License - Pizza Hut #26986

Request for a liquor license. Arizona State License Application 123495.

Summary

Applicant

Theresa Morse, Agent

License Type

Series 10 - Beer and Wine Store

Location

3602 W. Camelback Road

Zoning Classification: C-2

Council District: 5

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

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

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:
"The owners have extensive experience owning and managing liquor licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor law classes. The owners primary purpose is to provide food and beer & wine as an accessory to take-out pizza /wings & deliver the same. The area coaches provide oversight to all employees and establishments. Furthermore, the owners are diligent to ensure all ID is checked and alcohol is not sold to intoxicated customers ."

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

"The owners have selected this existing store to allow customers to purchase beer or wine with their food to go only. The license permits delivery of beer/wine as well as food. The owners are mindful of the community including GCU and they support their cause to abide by all laws and participate in community action. The issuance of this license is in the best interest of the community."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Pizza Hut #26986

Liquor License Map - Pizza Hut #26986

Responsible Department

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

Liquor License Data: PIZZA HUT #26986

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	38.38	101.75	107.64
Violent Crimes	6.79	26.38	30.67

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

Property Violation Data

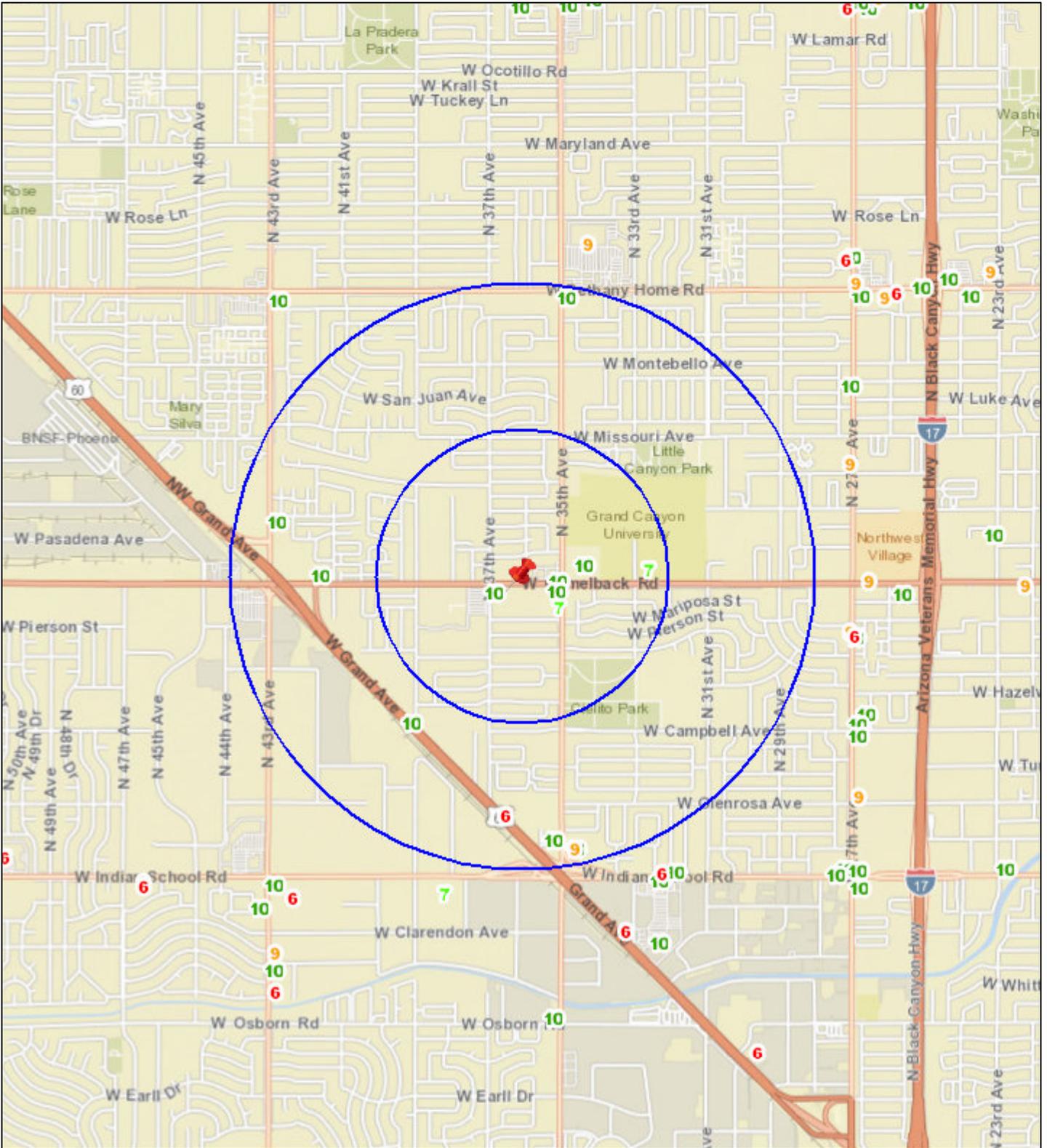
Description	Average	1/2 Mile Average
Parcels w/Violations	61	220
Total Violations	104	357

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: PIZZA HUT #26986

3602 W CAMELBACK RD



Date: 10/29/2020





Liquor License - Artichoke Basille's Pizza

Request for a liquor license. Arizona State License Application 125207.

Summary

Applicant

Amy Nations, Agent

License Type

Series 12 - Restaurant

Location

6031 N. 16th St., Ste. 1

Zoning Classification: C-2

Council District: 6

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in January 2021.

The 60-day limit for processing this application is Jan. 5, 2021.

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

Other Active Liquor License Interest in Arizona

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

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

Artichoke Basille's Pizza (Series 12)
1120 E. Baseline Road, Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Artichoke Basille's Pizza owners have opened and operated 8 successful restaurants operators and bars in California. They are experienced in the restaurant operators and will require employees to go through liquor law training to ensure compliance."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Artichoke Basille's Pizza is a New York restaurant and has a large following. The business will be the first to their kind in the area. They are thrilled to add another community to the Artichoke family and the community will be thrilled to have them."

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 - Artichoke Basille's Pizza
Liquor License Map - Artichoke Basille's Pizza

Responsible Department

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

Liquor License Data: ARTICHOKE BASILLE'S PIZZA

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	2	1
Beer and Wine Bar	7	3	3
Liquor Store	9	1	0
Beer and Wine Store	10	7	2
Restaurant	12	21	12

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	40.27	50.18	57.43
Violent Crimes	7.26	5.70	7.32

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

Property Violation Data

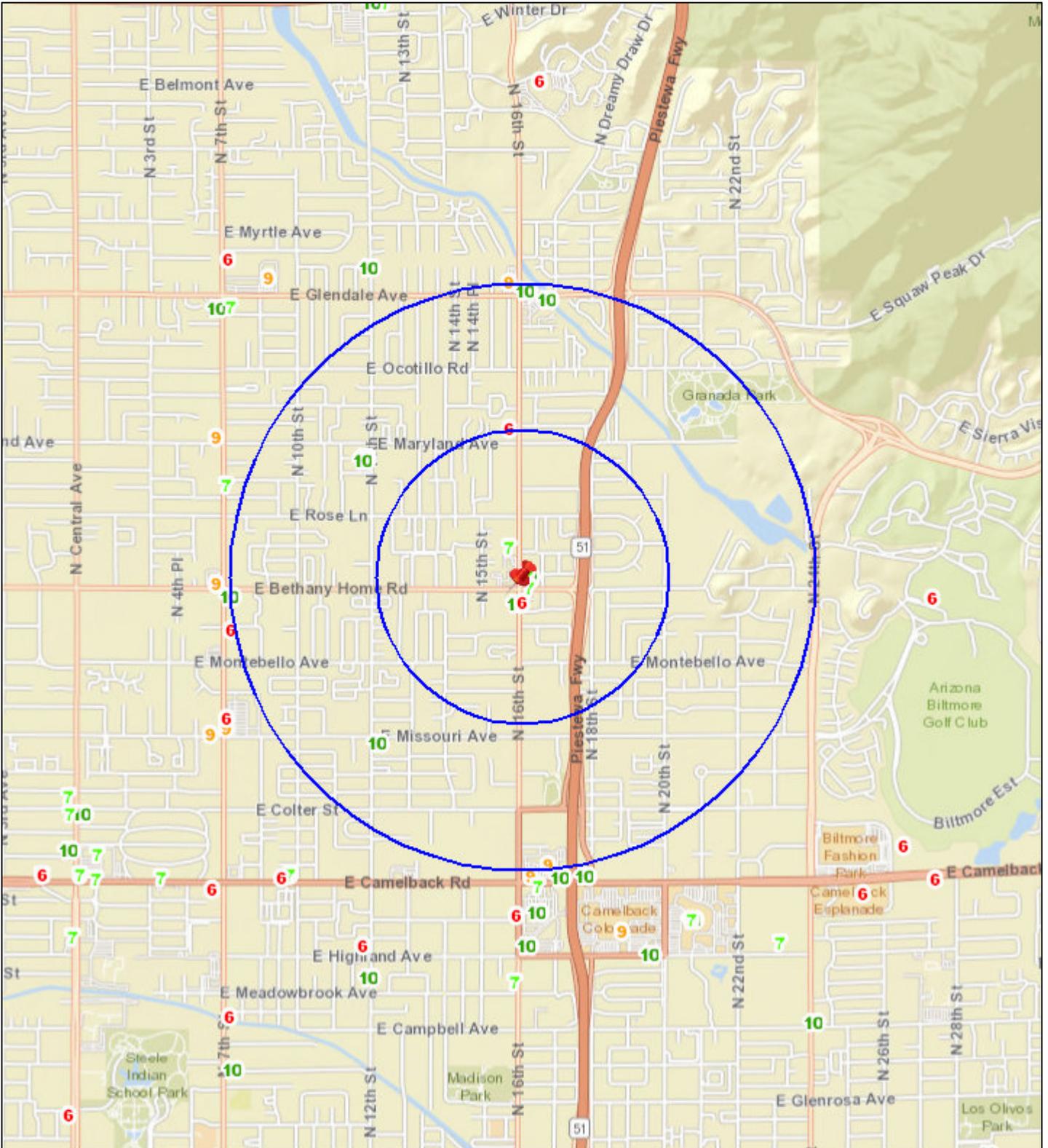
Description	Average	1/2 Mile Average
Parcels w/Violations	60	35
Total Violations	103	67

Census 2010 Data 1/2 Mile Radius

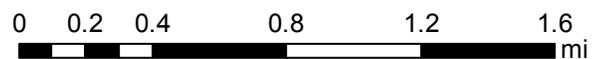
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1064001	715	84 %	23 %	9 %
1064002	2049	31 %	16 %	9 %
1065021	1383	30 %	18 %	43 %
1065022	1027	85 %	14 %	4 %
1065023	919	56 %	15 %	10 %
1076021	1311	82 %	0 %	6 %
1077001	1222	100 %	2 %	3 %
1077004	526	77 %	27 %	21 %
Average		61 %	13 %	19 %

Liquor License Map: ARTICHOKE BASILLE'S PIZZA

6031 N 16TH ST



Date: 11/12/2020



City Clerk Department



Liquor License - Kahvi Coffee + Cafe

Request for a liquor license. Arizona State License Application 124535.

Summary

Applicant

Julian Wright, Agent

License Type

Series 12 - Restaurant

Location

214 E. Roosevelt St., Ste. 2

Zoning Classification: DTC - West Evans Churchill

Council District: 7

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 Jan. 4, 2021.

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

Other Active Liquor License Interest in Arizona

This 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 have held many in the past including in the City of Phoenix. I'm 51 and a 20 year veteran of the restaurant and bar industry. I fully understand the responsibility of serving alcohol."

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

"We are creating a community amenity that brings people together in a fun and safe environment."

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 - Kahvi Coffee + Cafe

Liquor License Map - Kahvi Coffee + Cafe

Responsible Department

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

Liquor License Data: KAHVI COFFEE + CAFE

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	1
Government	5	8	4
Bar	6	39	11
Beer and Wine Bar	7	15	7
Liquor Store	9	4	1
Beer and Wine Store	10	9	4
Hotel	11	6	3
Restaurant	12	83	33
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	40.27	135.11	197.77
Violent Crimes	7.26	29.59	35.56

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

Property Violation Data

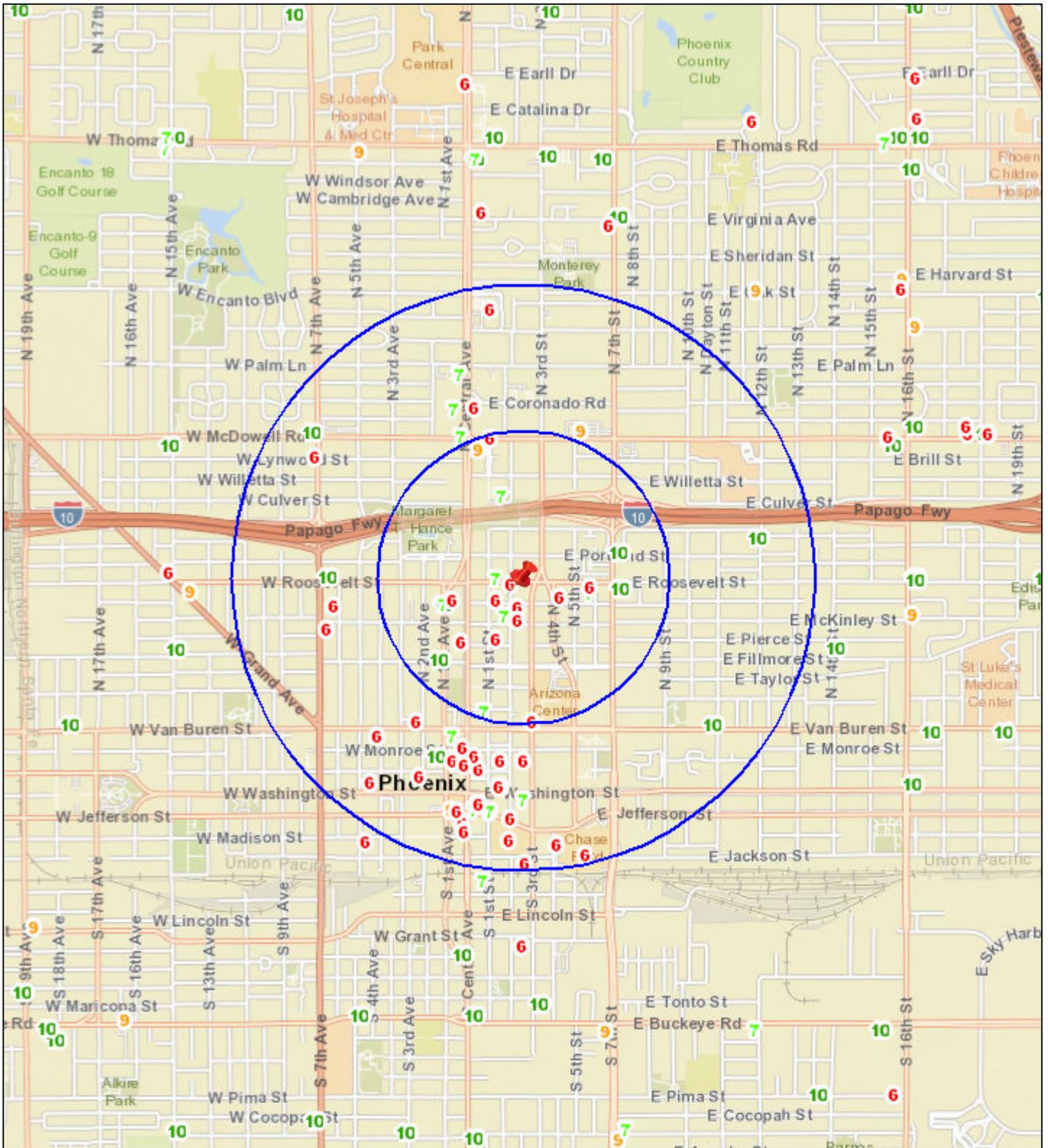
Description	Average	1/2 Mile Average
Parcels w/Violations	60	98
Total Violations	102	144

Census 2010 Data 1/2 Mile Radius

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

Liquor License Map: KAHVI COFFEE + CAFE

214 E ROOSEVELT ST



Date: 11/9/2020





Liquor License - Pedal Haus Brewery

Request for a liquor license. Arizona State License Application 124654.

Summary

Applicant

Julian Wright, Agent

License Type

Series 12 - Restaurant

Location

214 E. Roosevelt St., Ste. 4

Zoning Classification: DTC - West Evans Churchill

Council District: 7

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business has plans to open in March 2021.

The 60-day limit for processing this application is Jan. 8, 2021.

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

Other Active Liquor License Interest in Arizona

This 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 have held many in the past including in the City of Phoenix. I'm 51 and a 20 year veteran of the restaurant and bar industry. I fully understand the responsibility of serving alcohol."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "We are creating a community amenity that brings people together in a fun and safe environment."

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 - Pedal Haus Brewery
Liquor License Map - Pedal Haus Brewery

Responsible Department

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

Liquor License Data: PEDAL HAUS BREWERY

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	1
Government	5	8	4
Bar	6	40	11
Beer and Wine Bar	7	16	7
Liquor Store	9	4	1
Beer and Wine Store	10	9	4
Hotel	11	6	3
Restaurant	12	85	34
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	40.27	135.11	197.77
Violent Crimes	7.26	29.59	35.56

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

Property Violation Data

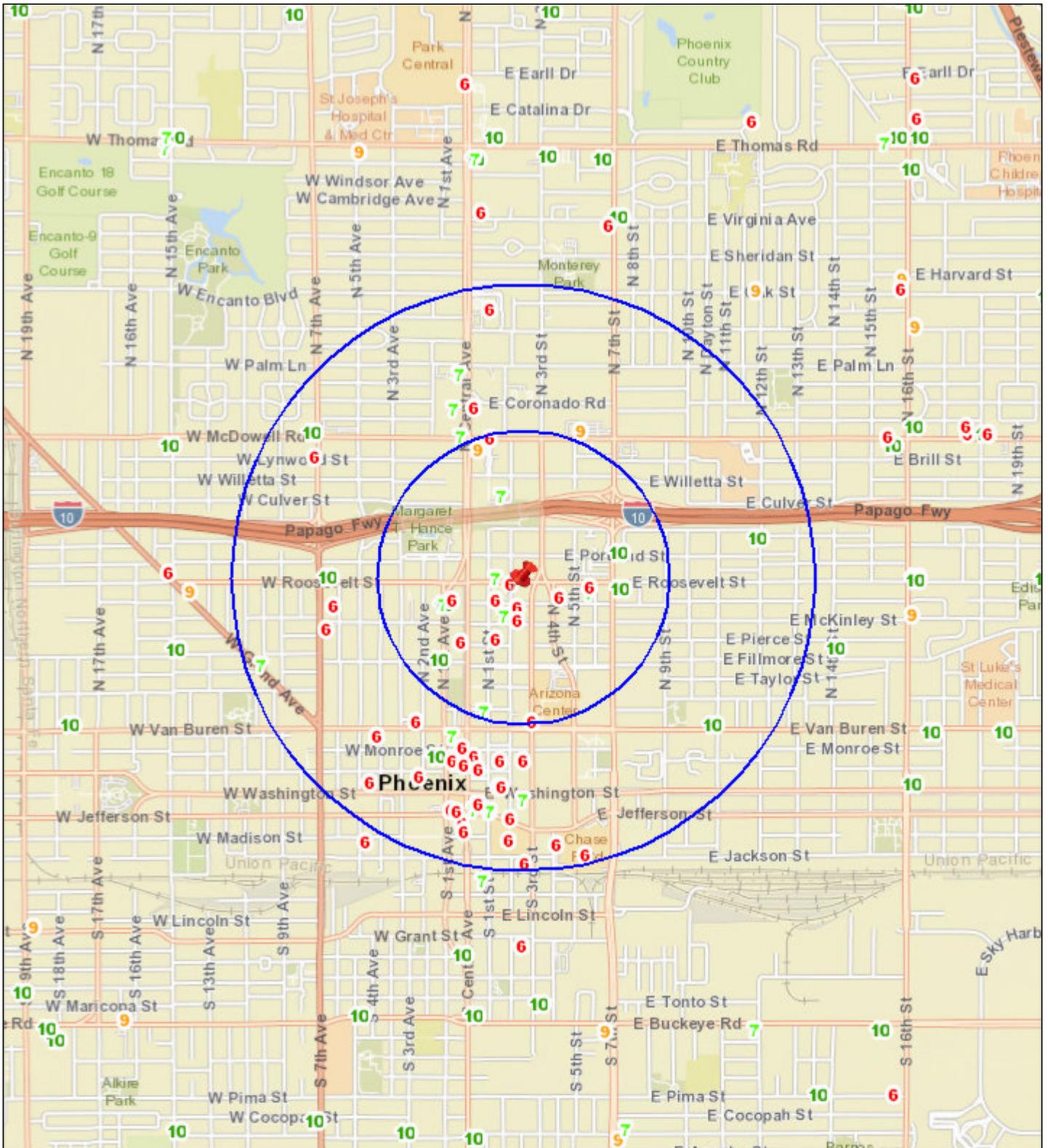
Description	Average	1/2 Mile Average
Parcels w/Violations	61	99
Total Violations	103	149

Census 2010 Data 1/2 Mile Radius

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

Liquor License Map: PEDAL HAUS BREWERY

214 E ROOSEVELT ST



Date: 11/13/2020



City Clerk Department



Liquor License - Pizza Hut #35859

Request for a liquor license. Arizona State License Application 123415.

Summary

Applicant

Theresa Morse, Agent

License Type

Series 10 - Beer and Wine Store

Location

5233 S. Central Ave., Ste. 9

Zoning Classification: C-2 SPVTABDO

Council District: 7

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

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

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: "The owners have extensive experience owning & managing liquor licensed establishments in AZ and other states. All employees and owners are familiar with current liquor laws and are required to take liquor law classes regularly. The owners primary purpose is to provide food for take-out and delivery. The liquor license also allows customers to purchase beer & wine to go or have it delivered. The area coaches provide additional oversight to the establishment. The owners and employees will comply with city, county and state laws."

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

"The owners have selected their existing restaurant to allow customers to purchase beer or wine with their pizza to go. This store has been in existence in the community for many years. Employees will be diligent to check ID and refuse sales of alcohol to intoxicated customers. The issuance of this license is in the best interest of the community."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Pizza Hut #35859

Liquor License Map - Pizza Hut #35859

Responsible Department

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

Liquor License Data: PIZZA HUT #35859

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	1
Beer and Wine Bar	7	2	1
Liquor Store	9	8	2
Beer and Wine Store	10	13	6
Restaurant	12	3	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	38.38	107.77	192.67
Violent Crimes	6.79	22.74	38

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

Property Violation Data

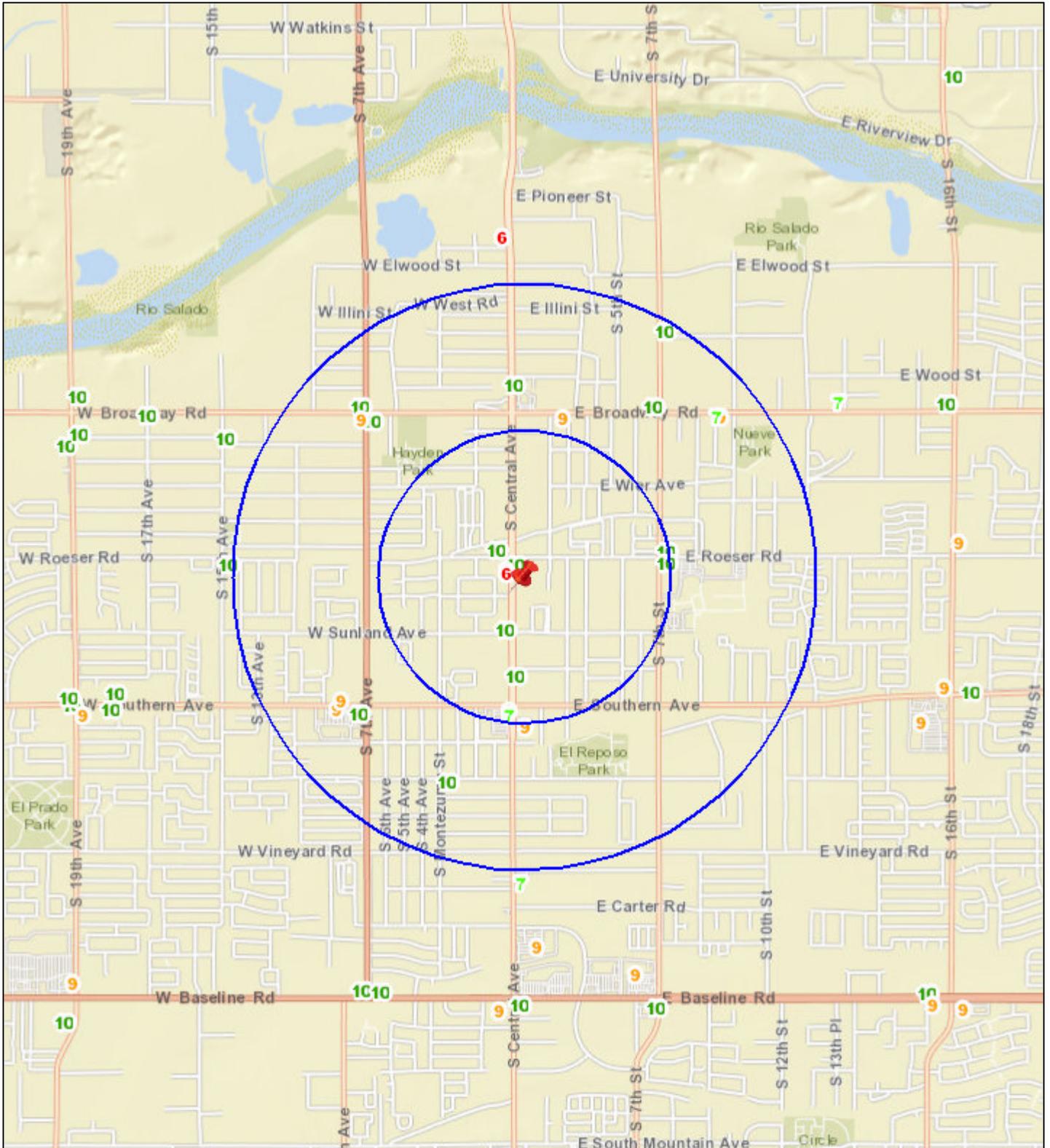
Description	Average	1/2 Mile Average
Parcels w/Violations	61	211
Total Violations	104	405

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1158011	2230	38 %	18 %	36 %
1158012	1837	18 %	26 %	65 %
1158021	1871	53 %	7 %	47 %
1158022	1536	47 %	17 %	24 %
1159001	1461	63 %	20 %	45 %
1159002	2720	55 %	22 %	30 %
1165001	1778	66 %	2 %	27 %
1165003	1504	65 %	6 %	15 %
Average		61 %	13 %	19 %

Liquor License Map: PIZZA HUT #35859

5233 S CENTRAL AVE



Date: 10/29/2020





Liquor License - Sake Haus

Request for a liquor license. Arizona State License Application 124552.

Summary

Applicant

Julian Wright, Agent

License Type

Series 12 - Restaurant

Location

214 E. Roosevelt St., Ste. 3

Zoning Classification: DTC - West Evans Churchill

Council District: 7

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit. This business is currently being remodeled with plans to open in February 2021.

The 60-day limit for processing this application is Jan. 4, 2021.

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

Other Active Liquor License Interest in Arizona

This 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 have held many in the past including in the City of Phoenix. I'm 51 and a 20 year veteran of the restaurant and bar industry. I fully understand the responsibility of serving alcohol."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "We are creating a community amenity that brings people together in a fun and safe environment."

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 - Sake Haus
Liquor License Map - Sake Haus

Responsible Department

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

Liquor License Data: SAKE HAUS

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	1
Government	5	8	4
Bar	6	39	11
Beer and Wine Bar	7	16	7
Liquor Store	9	4	1
Beer and Wine Store	10	9	4
Hotel	11	6	3
Restaurant	12	85	34
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	40.27	135.11	197.77
Violent Crimes	7.26	29.59	35.56

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

Property Violation Data

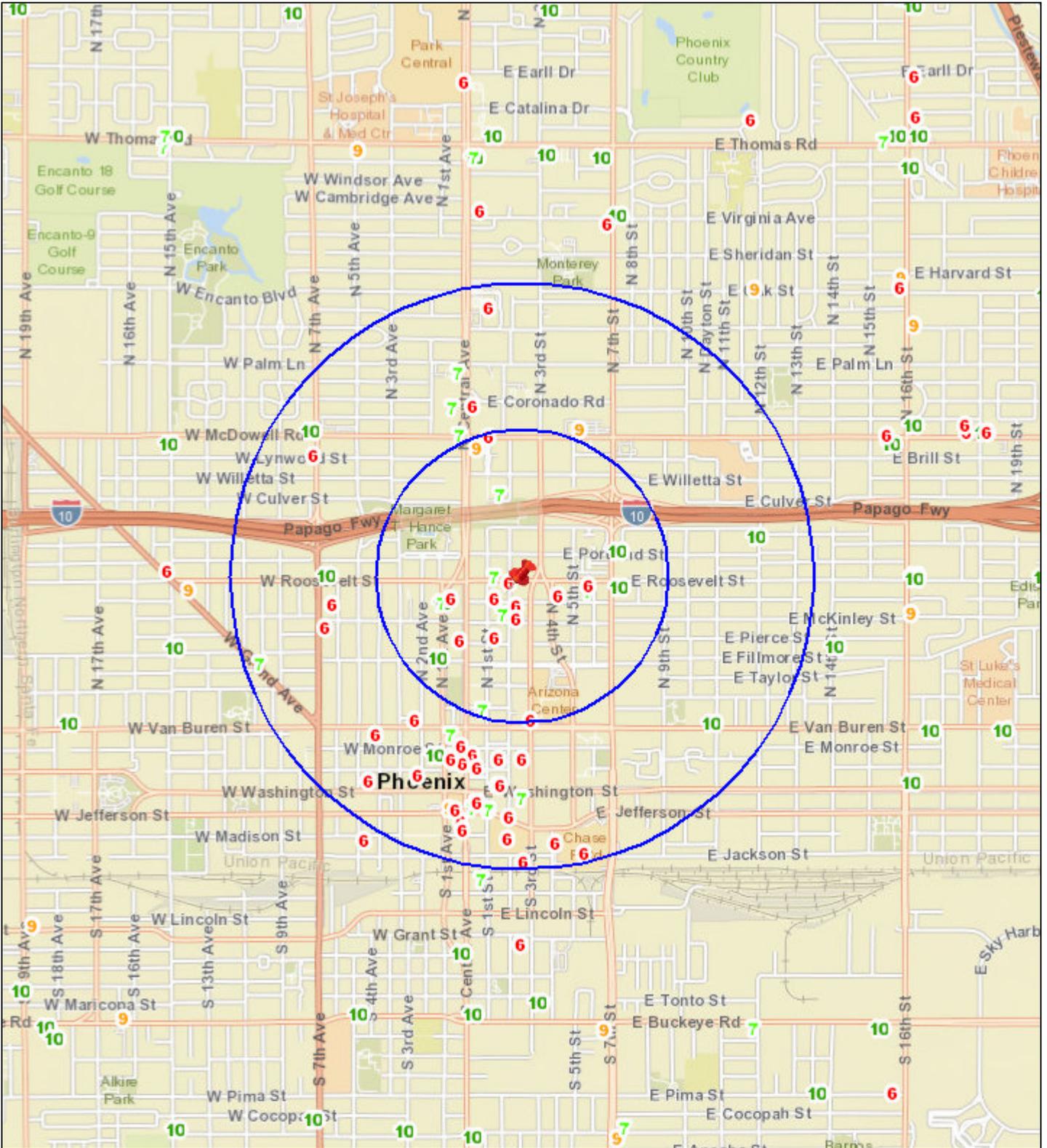
Description	Average	1/2 Mile Average
Parcels w/Violations	60	99
Total Violations	103	147

Census 2010 Data 1/2 Mile Radius

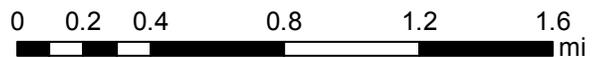
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1118004	671	62 %	6 %	6 %
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1132032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

Liquor License Map: SAKE HAUS

214 E ROOSEVELT ST



Date: 11/12/2020





Liquor License - Golden Imperial Products LLC

Request for a liquor license. Arizona State License Application 122516.

Summary

Applicant

Brandon Jurkovich, Agent

License Type

Series 4 - Wholesaler

Location

3021 S. 35th St., Ste. B4
Zoning Classification: A-2
Council District: 8

This request is for a new liquor license for a wholesaler. 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 Dec. 22, 2020.

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

Other Active Liquor License Interest in Arizona

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

Public Opinion

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

Applicant's Statement

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

applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“We have adequate warehouse space to store and distribute alcohol from our office/whse location on 35th St. I have 2 years experience selling liquor, and over 20 years of business experience.”

Staff Recommendation

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

Responsible Department

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



Liquor License - AC Hotel Phoenix Downtown

Request for a liquor license. Arizona State License Application 118894.

Summary

Applicant

Brian Robinson, Agent

License Type

Series 11 - Hotel/Motel

Location

414 N. 5th St.

Zoning Classification: DTC-Business Core

Council District: 8

This request is for a new liquor license for a hotel. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in January 2021.

The 60-day limit for processing this application is Dec. 25, 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:
“Our Hotels, LLC is a well established Hotel Management company with many years of operating hotels and resorts located across the United States. We have extensive experience providing alcoholic beverage service to our guests and will operate the business in a safe and professional manner.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Today's business and leisure travellers expect a high level of service, convenience, and amenities when choosing a destination and hotel. There is continued expected demand for hotel occupancy in the Phoenix area. The hotel will support area businesses and residences by offering full service accommodations combined with food and beverage service and other amenities.”

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 - AC Hotel Phoenix Downtown
Liquor License Map - AC Hotel Phoenix Downtown

Responsible Department

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

Liquor License Data: AC HOTEL PHOENIX DOWNTOWN

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	1
Wholesaler	4	1	0
Government	5	8	5
Bar	6	38	20
Beer and Wine Bar	7	14	9
Liquor Store	9	4	1
Beer and Wine Store	10	10	3
Hotel	11	6	3
Restaurant	12	75	49
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	38.38	122.23	173.24
Violent Crimes	6.79	25.29	32.59

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

Property Violation Data

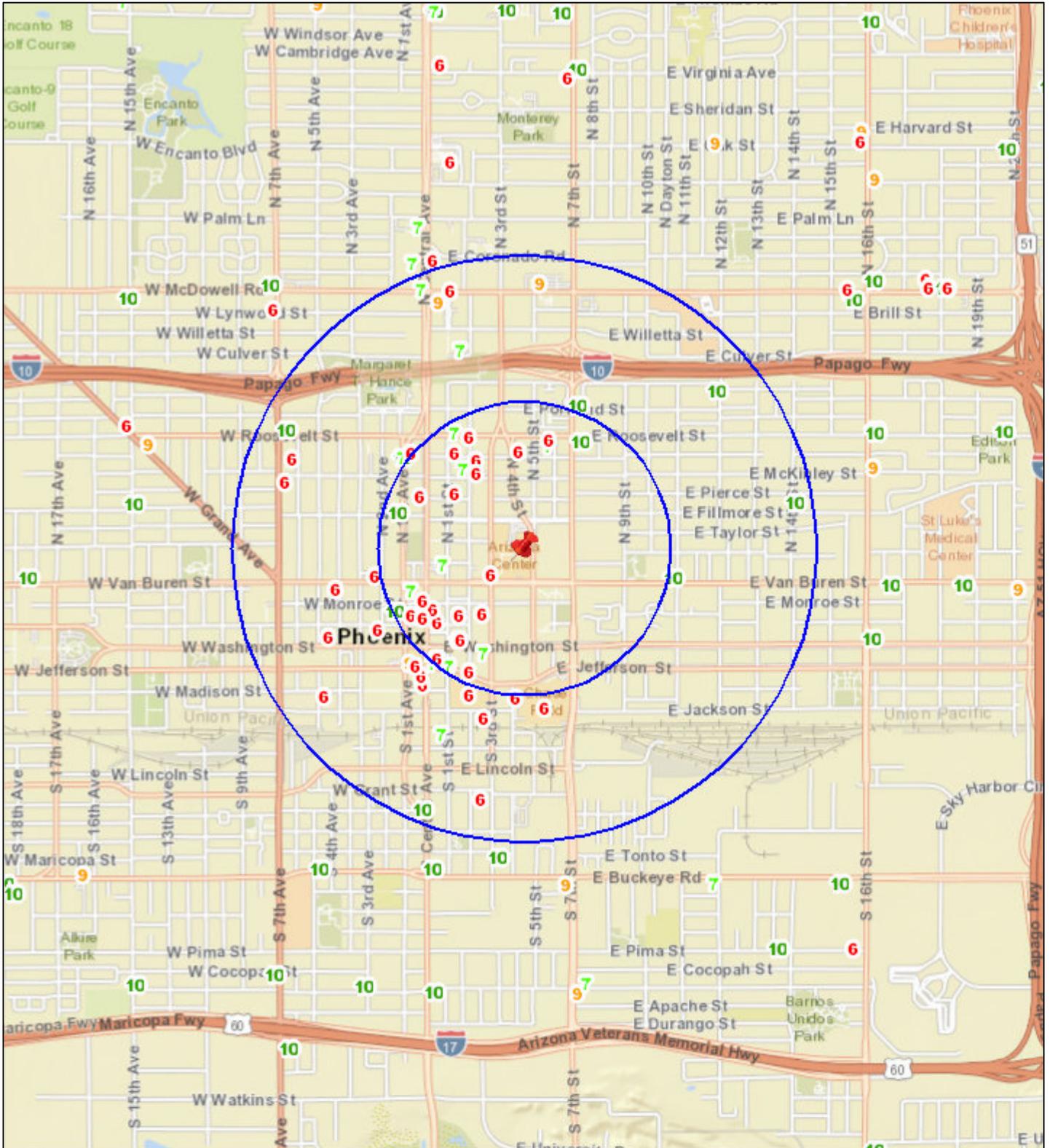
Description	Average	1/2 Mile Average
Parcels w/Violations	60	92
Total Violations	103	152

Census 2010 Data 1/2 Mile Radius

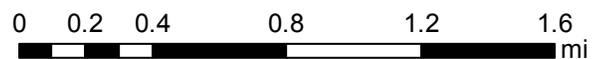
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1130002	873	29 %	21 %	38 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1140001	1831	25 %	20 %	47 %
1141001	2299	16 %	37 %	44 %
Average		61 %	13 %	19 %

Liquor License Map: AC HOTEL PHOENIX DOWNTOWN

414 N 5TH ST



Date: 11/2/2020





Liquor License - Maskadores Taco Shop

Request for a liquor license. Arizona State License Application 124005.

Summary

Applicant

Theresa Morse, Agent

License Type

Series 12 - Restaurant

Location

4539 E. Thomas Road #B105

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The owner has relatives who own and operate restaurants with liquor licenses and he became familiar with food and sales of alcohol. Even so, the owner will be attending a certified Basic and Management class on 11/16/2020. His employees will also be trained to identify underage and intoxicated customers along with procedures to refuse these sales. The owner has not been involved in any criminal activity and has had a stable work history. He is capable, reliable and qualified to hold a liquor license."

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

"The previous owners of this business operated a taco shop however their business model was not successful. This is a franchise business and since it has opened many residents and business owners frequent the establishment. The quality of food is very good and the liquor license will only be to complement the service of food. There have been customers from the community who have inquired about service of alcohol with their meal. The issuance of a liquor license at this location will be in the best interest of the community."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Maskadores Taco Shop

Liquor License Map - Maskadores Taco Shop

Responsible Department

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

Liquor License Data: MASKADORES TACO SHOP

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	4	1
Liquor Store	9	5	2
Beer and Wine Store	10	8	3
Restaurant	12	11	4
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	40.27	93.60	160.82
Violent Crimes	7.26	13.16	17.51

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

Property Violation Data

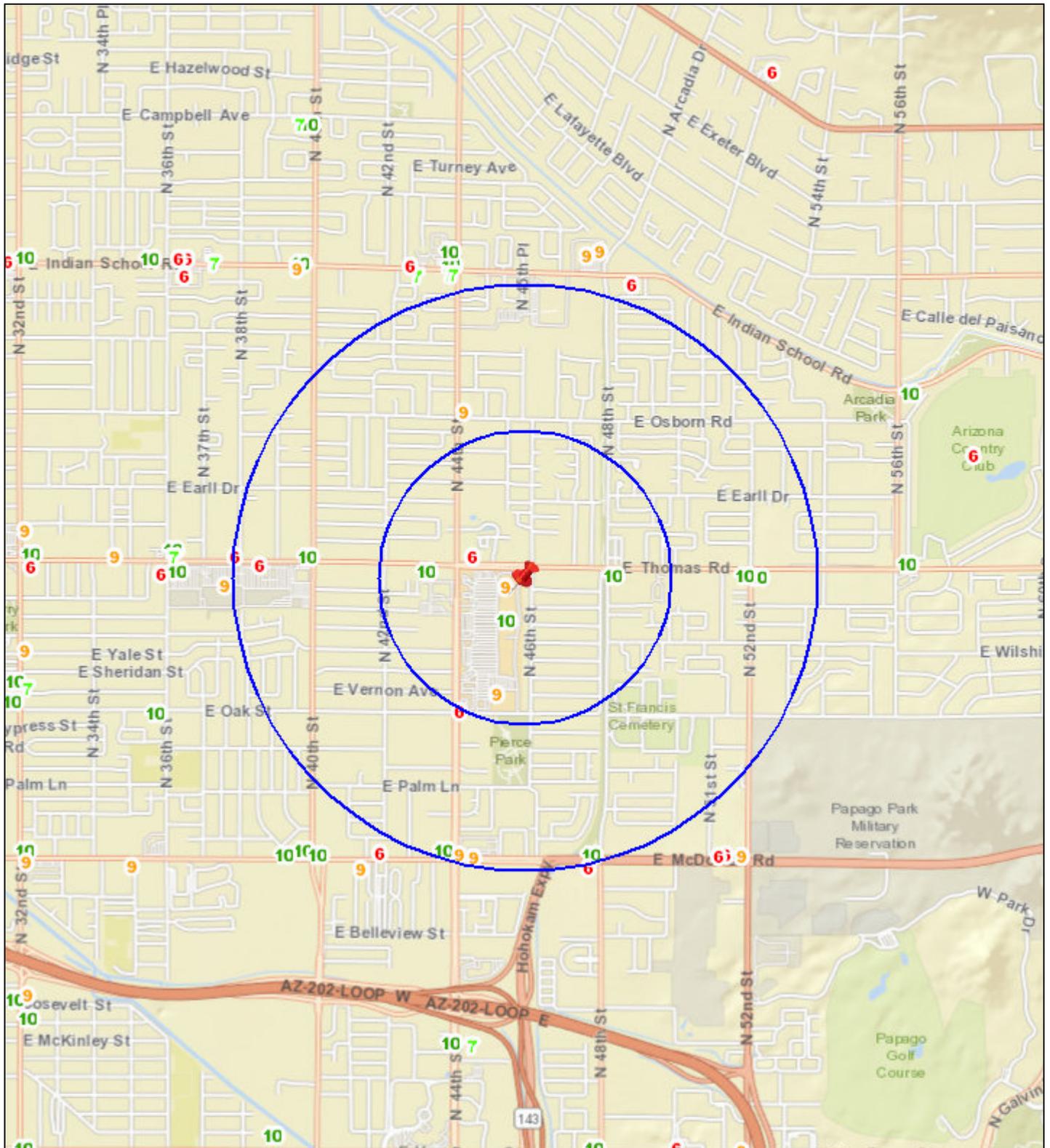
Description	Average	1/2 Mile Average
Parcels w/Violations	61	48
Total Violations	103	90

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1110003	1587	64 %	17 %	24 %
1110004	707	59 %	25 %	0 %
1110005	698	88 %	19 %	5 %
1111002	1188	43 %	27 %	26 %
1111003	2317	84 %	11 %	8 %
1112012	1138	48 %	13 %	4 %
1113001	960	42 %	9 %	7 %
1113002	930	52 %	7 %	20 %
1113004	703	87 %	31 %	15 %
Average		61 %	13 %	19 %

Liquor License Map: MASKADORES TACO SHOP

4539 E THOMAS RD



Date: 11/6/2020





PAYMENT ORDINANCE (Ordinance S-47159) (Items 17-24)

Ordinance S-47159 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.

17 AZ Wastewater Industries, Inc.

For \$9,500.00 in additional payment authority to add the Aviation Department to Contract 150202 for the Water Services Department. The additional funds will provide Good for Gas (GfG) multi-gas monitors, parts, accessories and services. The GfG multi-gas monitors are necessary to detect hazardous gases when working in confined spaces. The need to utilize the contract will also allow the Aviation Department to obtain monitors, parts, accessories and required repair services on an as needed basis.

18 Cummins-Allison Corp.

For \$15,000.00 in payment authority to purchase two Cummins Allison money count machines for vault currency and coins for the Phoenix Police Department. The coin and currency counter are an integral part of property management operations to accurately count large amounts of impounded currency and coins. The current currency machine has been in use for approximately 7 years and the coin machine has been in use for approximately 15 years. Neither machine have the required capabilities to detect the most up to date counterfeit trends.

19 Healthy Outcomes, Inc. doing business as Engaged Public

For \$13,500.00 in payment authority for a new contract, entered on or about Dec. 16, 2020 for a term of three years for Balancing Act Software Tool for the Budget and Research Department. The software is an online budget balancing tool branded for the City of Phoenix as "FundPHX" which is designed to educate and engage the public in the City's annual budget development process. Comments on the budget received from the community via the tool are reported regularly to the City Council so it can be used to guide development of the annual General Fund operating budget.

20 **FARO Technologies Inc.**

For \$25,000.00 in payment authority to purchase a Freestyle 2 Core Kit for the Police Department. The Freestyle 2 Core Kit includes a mobile computer and accessories, rugged transport case, one-year subscription to Scene software, and one-year manufacturer's warranty. The Laboratory Services Bureau Crime Scene Unit, in conjunction with the Violent Crimes Bureau Homicide Unit, will begin using 3-D laser scan documentation for officer-involved shootings and homicide scenes. The kit will ensure the highest level of detailed documentation and transparency for officer-involved shootings and homicide investigations. Funds for the purchase are available from the Department of Justice Grant through the Paul Coverdell Forensic Science Improvement Grants Program.

21 **National Association of Housing and Redevelopment Officials**

For \$17,000.00 in payment authority for National Association of Housing and Redevelopment Officials (NAHRO) annual membership for the Housing Department. NAHRO provides important support through training, advocacy, networking, and best practices. The Housing Director serves on NAHRO's Committee helping to determine policy direction both locally and nationally. Phoenix is currently scheduled to be the host city for NAHRO's October 2021 National Conference and Exhibition. Membership ensures the City is informed about proposed regulatory changes that may impact the financial and operational sustainability of the City's Housing Department, as well as legislative updates to keep staff informed in advance of action being taken. The membership will be paid by federal funds with no impact to the General Fund.

22 Global Music Rights, LLC

For \$10,000.00 in payment authority to purchase annual music licenses for the Parks and Recreation Department. The license allows copyrighted music to be performed publicly at various City parks and events in compliance with the non-dramatic public performances of copyrighted works. The license is for the 2021 calendar year.

23 Maricopa County Rio Salado Community College

For \$10,000.00 in payment authority for the use of the Maricopa County Rio Salado Community College Police Academy testing services for the Police Department. The funds will ensure that recruits are awarded college credit for their classroom training, testing, and grading through the Rio Salado Community College. Once the recruits become Police Officers, they will be awarded college credits. The Phoenix Regional Police Academy provides training to recruits for the Phoenix Police Department, Arizona Department of Public Safety, and other various Police agencies in Arizona. The academy holds up to 12 classes per year, with an average of 30 recruits in each class.

24 Arizona Public Service Company doing business as APS

For \$11,700.00 in payment authority for the Street Transportation Department. The funds are needed to reimburse Arizona Public Service Company for third quarter trip charges (July 2020 to September 2020) to disconnect or reconnect service to streetlights for maintenance and non-maintenance purposes. Payment authority is critical because the work is required for City capital improvement projects to continue. Funding for these projects is budgeted in the fiscal year the work is completed. The work was budgeted for Fiscal Year 2020-21.



**Form of the Ballot for March 9, 2021 Runoff Election for Districts 3 and 7 -
Emergency Clause (Ordinance S-47192)**

An ordinance establishing the form of the ballot for the City of Phoenix Runoff Election in City Council District 3 and District 7 to be held on Tuesday, March 9, 2021 and declaring an emergency. This election is necessary as no candidate received a majority of the votes cast for these offices in the November 2020 Mayor and Council Election.

Emergency Clause

The emergency clause is necessary to meet legal requirements for the start of early voting.

Responsible Department

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



Designation of Voting Centers for the March 2021 Runoff Election (Ordinance S-47184)

Request for the City Council to designate voting centers for the City of Phoenix Runoff Election for Council Districts 3 and 7 to be held on March 9, 2021 and establish the days and hours for voting.

Summary

There are 12 voting center locations being proposed for the March 9, 2021 Runoff Election. For the proposed voting centers, all 12 sites are commonly used locations in City-conducted elections. Registered voters in the City of Phoenix Council Districts 3 and 7 can go to any of the voting center locations to cast a ballot.

The voting centers will be open on the following dates and times:

- Saturday, March 6, 2021 from 10 a.m. to 4 p.m.
- Monday, March 8, 2021 from 9 a.m. to 6 p.m.
- Tuesday, March 9, 2021 (Election Day) from 6 a.m. to 7 p.m.

Public Outreach

Households with one or more registered voters will receive a Sample Ballot Pamphlet (SBP) in early February 2021. The SBP will contain information about the election, a list and map showing the voting center locations, and the days and hours the voting centers will be open. Information also will be available online at phoenix.gov/elections. All election information will be provided in English and Spanish.

An interactive voting center locator will be available online at phoenix.gov/elections. The locator will allow a voter to enter an address or use their current location on a mobile device to identify the nearest voting centers and see the level of voting activity at each location.

Location

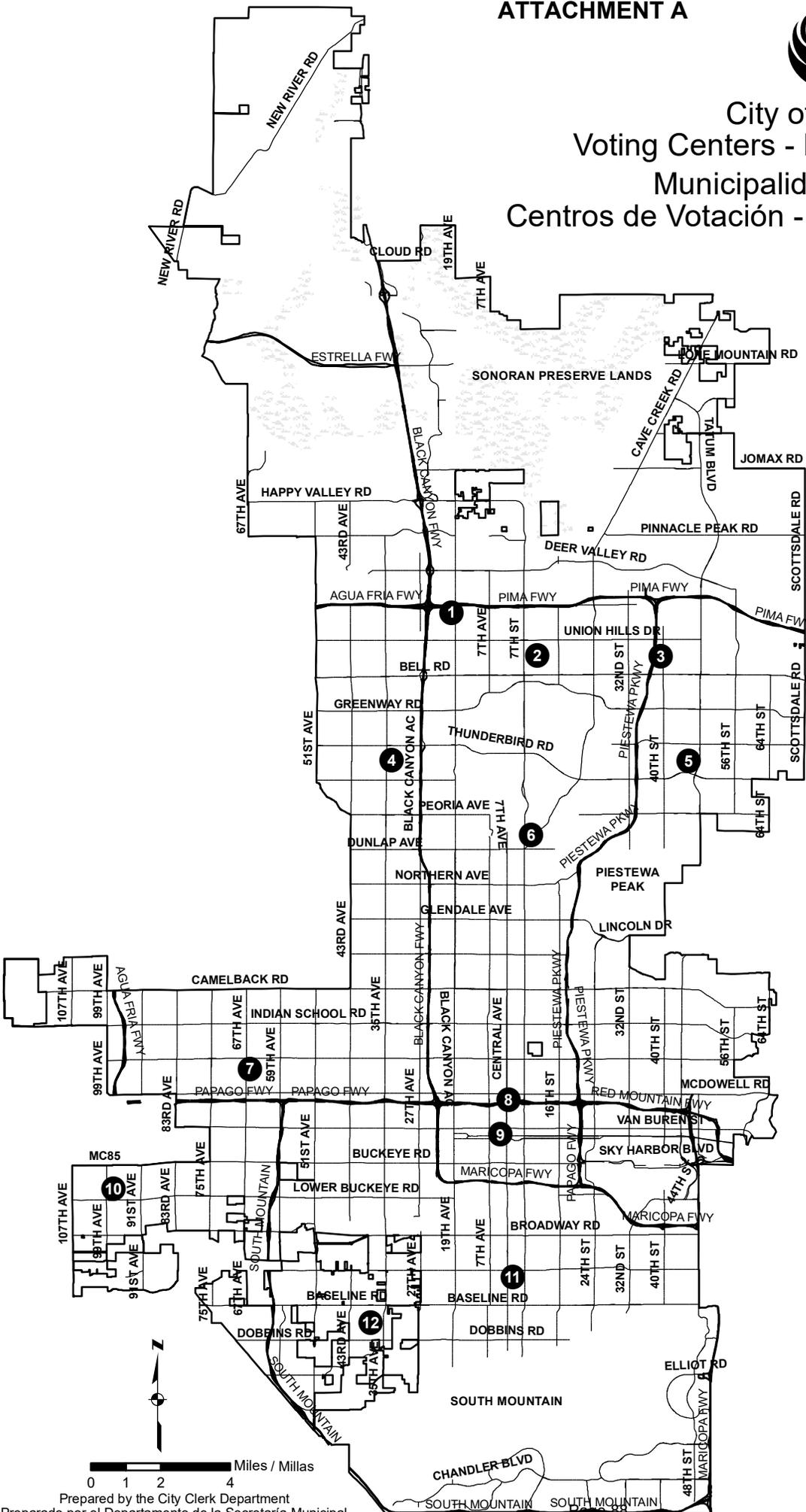
A map of the proposed voting center locations is attached (**Attachment A**).

Responsible Department

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



City of Phoenix
 Voting Centers - March 2021 Election
 Municipalidad de Phoenix
 Centros de Votación - Elección de marzo, 2021



VOTING CENTER LOCATION LIST	
LISTA DE UBICACIONES DE LOS CENTROS DE VOTACIÓN	
1	Deer Valley Community Center 2001 W. Wahalla Ln.
2	Mountain View Community Center 1104 E. Grovers Ave.
3	Paradise Valley Community Center 17402 N. 40th St.
4	Northminster Presbyterian Church 13001 N. 35th Ave.
5	Mesquite Branch Library 4525 E. Paradise Village Pkwy. North
6	Sunnyslope Community Center 802 E. Vogel Ave.
7	Desert West Community Center 6501 W. Virginia Ave.
8	Burton Barr Central Library 1221 N. Central Ave.
9	Phoenix City Hall 200 W. Washington St.
10	Estrella Mountain Police Precinct 2111 S. 99th Ave.
11	South Mountain Community Center 212 E. Alta Vista Rd.
12	Cesar Chavez Branch Library 3635 W. Baseline Rd.

0 1 2 4 Miles / Millas



Proposed Central Avenue and Jomax Road Annexation - Public Hearing

A public hearing as required by Arizona Revised Statutes section 9-471, on the proposed Central Avenue and Jomax Road 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 his public hearing. Formal adoption of this proposed annexation will be considered at a later date.

Summary

This annexation was requested by Jeremy Macliver 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 210-13-001G located at 26238 N. Central Ave. (**Attachment B**). The annexation area is approximately 0.49 acres (0.0008 sq. mi.) and the population estimate is three.
Council District: 2

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: Central Avenue and Jomax Road Annexation

This report recommends the **approval** of the proposed annexation of **0.4907** acres located at **26238 N Central Avenue, APN # 210-13-001G**

THE REQUEST:

The applicant is requesting the annexation to join this parcel, which contains his primary residence to the parcel to its north (210-12-019T) which is already annexed to the City of Phoenix, for the purpose of remodeling.

OTHER INFORMATION:

Planning Village: Deer Valley
General Plan Designation: Parks/Open Space, future 1 dwelling unit per acre
Current County Zoning District: RU-43
Equivalent Zoning District: S-1
Proposed Zoning District: S-1

Current Land Use Conditions

On Site: Single-family dwelling, zoned RU-43, Maricopa County jurisdiction
To the North: Vacant, associated garden area for existing single-family (the request for annexation), zoned S-1, City of Phoenix Jurisdiction
To the South: Single-family dwelling, zoned RU-43, Maricopa County jurisdiction
To the West: Single-family dwelling, zoned RU-43, Maricopa County jurisdiction
To the East: Single-family dwelling, zoned RU-43, Maricopa County 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

WSD does not have any concerns with the annexation request. At this time WSD cannot provide water and/or sewer to the proposed site. There is no water/sewer infrastructure in the immediate area of the stated parcel. The closest COP infrastructure is internal to a subdivision approximately 6000-feet to the northwest, near Copperhead Trail and 14th Lane, Pressure Zone 6B. According to the documentation provided, it appears the primary reason for this annexation request is to combine the south lot to the north lot (210-13-001F already annexed) for an existing home remodel. Therefore the homeowner is already aware there is no COP water/sewer infrastructure currently available to the site.

II. Fire Protection

Servicing Station: Phoenix Fire Station 55, 26700 N 27th Avenue

Station Capacity Level, Current: Not available

Station Capacity Level, After Annexation: Not available

Current Response Time:	6 Min. 0 Sec.
City Average Response Time:	4 Min. 39 Sec.
Difference from Typical Response Time:	1Min. 21 Sec.
Number of Service Calls Expected:	0.264
Average Cost per Service Call:	<u>\$466</u>
Estimated Total Annual Fire Service Costs:	\$123

III. Police Protection

Servicing Station: Black Mountain Precinct, 33355 N Cave Creek Rd

Number Of New Officers Required:	0.00
Number Of New Patrol Cars Required:	<u>0.00</u>
Estimated Total Annual Police Service Costs:	\$361

IV. Refuse Collection

Number of New Containers Required:	1
Cost for Refuse Containers, Each:	\$48.45
Cost for Recycling Containers, Each:	<u>\$48.45</u>
Total Start-Up Costs for Refuse Collection:	\$97

V. Street Maintenance

Average Cost per Acre For Street Maintenance:	<u>\$85</u>
Estimated Total Annual Street Maintenance Costs:	\$42

VI. Public Transit: There are no service routes in the area.

VII. Parks and Recreation

Neighborhood Park Demand in Acres:	0.01
Community Park Demand in Acres:	0.01
District Park Demand in Acres:	0.01
Total Park Demand in Acres:	0.02
Cost Per Acre, Annual Maintenance:	<u>\$11,000</u>
Total Annual Parks and Recreation Costs:	\$234

VIII. Schools

Elementary School District: Deer Valley Unified
High School District: Deer Valley Unified
Total Expected Elementary School Students: 1
Total Expected High School Students: 0
Total Expected New Students: 1

IX. Revenues

Expected Total Impact Fees at Buildout:	\$0 (<i>Single family dwelling already built</i>)
Beginning Next Fiscal Year	
Property Tax Income*:	\$310
Utility Fee Income:	\$125
State Shared Revenue:	\$869
Solid Waste:	\$406
Sales Tax Generated:	<u>\$0</u>
Total Tax Related Income, Annually**:	\$1,710
Beginning 2022-2023 Fiscal Year	
Property Tax Income*:	\$310
Utility Fee Income:	\$125
State Shared Revenue:	\$869
Solid Waste:	\$406
Sales Tax Generated:	<u>\$0</u>

Total Tax Related Income, Annually**: **\$1,710**

X. Total Costs

Revenue, First Year Only: \$1,710

Revenue, Year Two: \$1,710

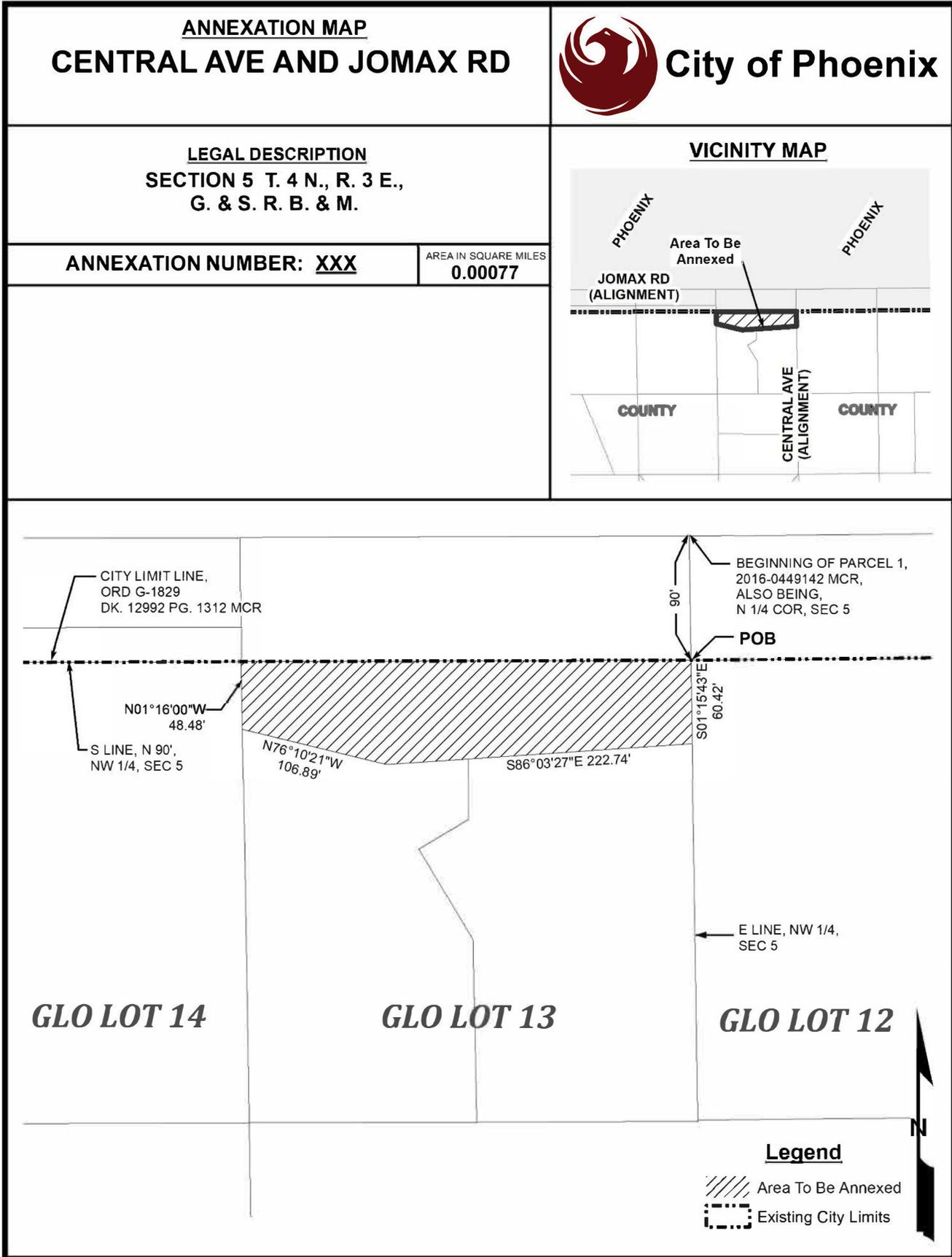
Revenue, 2020 and Beyond: \$1,710

Expenses, First Year Only: \$858

Expenses, Year Two and Beyond: \$761

Total Annual Revenue, First Year:** \$852

Attachment B





Proposed 11th Avenue and Jomax Road Annexation - Public Hearing

A public hearing, as required by Arizona Revised Statutes section 9-471, on the proposed 11th Avenue and Jomax Road 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 James Colceri and Elizabeth Allard 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. 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 210-12-019R located at 26506 N. 11th Ave. (**Attachment B**). The annexation area is approximately 0.90 acres (0.0013 sq. mi.) and the population estimate is three.

Council District: 2

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: 11th Avenue and Jomax Road Annexation

This report recommends the **approval** of the proposed annexation of **0.9083** acres located at **26506 N 11th Avenue, Parcel: APN # 210-12-019R**

THE REQUEST:

The applicant is requesting the annexation to join this parcel, which contains his primary residence to the parcel to its north (210-12-0197), which is already annexed to the city, and to build a 24 x 30 feet workshop.

OTHER INFORMATION:

Planning Village:	Deer Valley
General Plan Designation:	Large Lot, 0-2 dwelling units per acre
Current County Zoning District:	RU-43
Equivalent Zoning District:	S-1
Proposed Zoning District:	S-1

Current Land Use Conditions

On Site:	Single-family dwelling, zoned RU-43, Maricopa County jurisdiction
To the North:	Vacant, associated parcel, zoned S-1 and RE-43, City of Phoenix Jurisdiction
To the South:	Single-family dwelling, zoned RU-43, Maricopa County jurisdiction
To the West:	Single-family dwelling, zoned S-1, City of Phoenix Jurisdiction
To the East:	Single-family dwelling, zoned RU-43, Maricopa County jurisdiction

Maricopa County History of Non-Conformities Present? None
Maricopa County Zoning 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

There is existing City of Phoenix water and sewer in the area to the north of Jomax Road that falls within Pressure Zone 5ED. Proposed parcel falls within Pressure Zone E.

There would be significant water and sewer infrastructure improvements that would be at the responsibility of the developer, if desired. City of Phoenix capacity, review and approval, will be done at the time of preliminary site plan approval after annexation is granted.

II. Fire Protection

Servicing Station: Phoenix Fire Station 55, 26700 N 27th Avenue

Station Capacity Level, Current: Not available

Station Capacity Level, After Annexation: Not available

Current Response Time: 8 Min. 0 Sec.

City Average Response Time: 4 Min. 39 Sec.

Difference from Typical Response Time: 3 Min. 21 Sec.

Number of Service Calls Expected: 0

Average Cost per Service Call: \$466

Estimated Total Annual Fire Service Costs: **\$123**

III. Police Protection

Servicing Station: Black Mountain Precinct, 33355 N Cave Creek Rd

Number Of New Officers Required: 0.00

Number Of New Patrol Cars Required: 0.00

Estimated Total Annual Police Service Costs: **\$361**

IV. Refuse Collection

Number of New Containers Required: 1

Cost for Refuse Containers, Each: \$48.45

Cost for Recycling Containers, Each: \$48.45

Total Start-Up Costs for Refuse Collection: **\$97**

V. Street Maintenance

Average Cost per Acre For Street Maintenance: \$85

Estimated Total Annual Street Maintenance Costs: **\$77**

VI. Public Transit

Servicing Routes: None

VII. Parks and Recreation

Neighborhood Park Demand in Acres: 0.01

Community Park Demand in Acres: 0.01

District Park Demand in Acres: 0.01

Total Park Demand in Acres: 0.02

Cost Per Acre, Annual Maintenance: \$11,000

Total Annual Parks and Recreation Costs: **\$234**

VIII. Schools

Elementary School District: Deer Valley Unified
High School District: Deer Valley Unified
Total Expected Elementary School Students: 1
Total Expected High School Students: 0
Total Expected New Students: 1

IX. Revenues

Expected Total Impact Fees at Buildout: \$0 *(Property built-out in 2000 as a single-family dwelling)*

Beginning Next Fiscal Year

Property Tax Income*:	\$256
Utility Fee Income:	\$125
State Shared Revenue:	\$869
Solid Waste:	\$406
Sales Tax Generated:	<u>\$0</u>
Total Tax Related Income, Annually**:	\$1,656

Beginning 2022-2023 Fiscal Year

Property Tax Income*:	\$256
Utility Fee Income:	\$125
State Shared Revenue:	\$869
Solid Waste: \$406	
Sales Tax Generated:	<u>\$0</u>
Total Tax Related Income, Annually**:	\$1,656

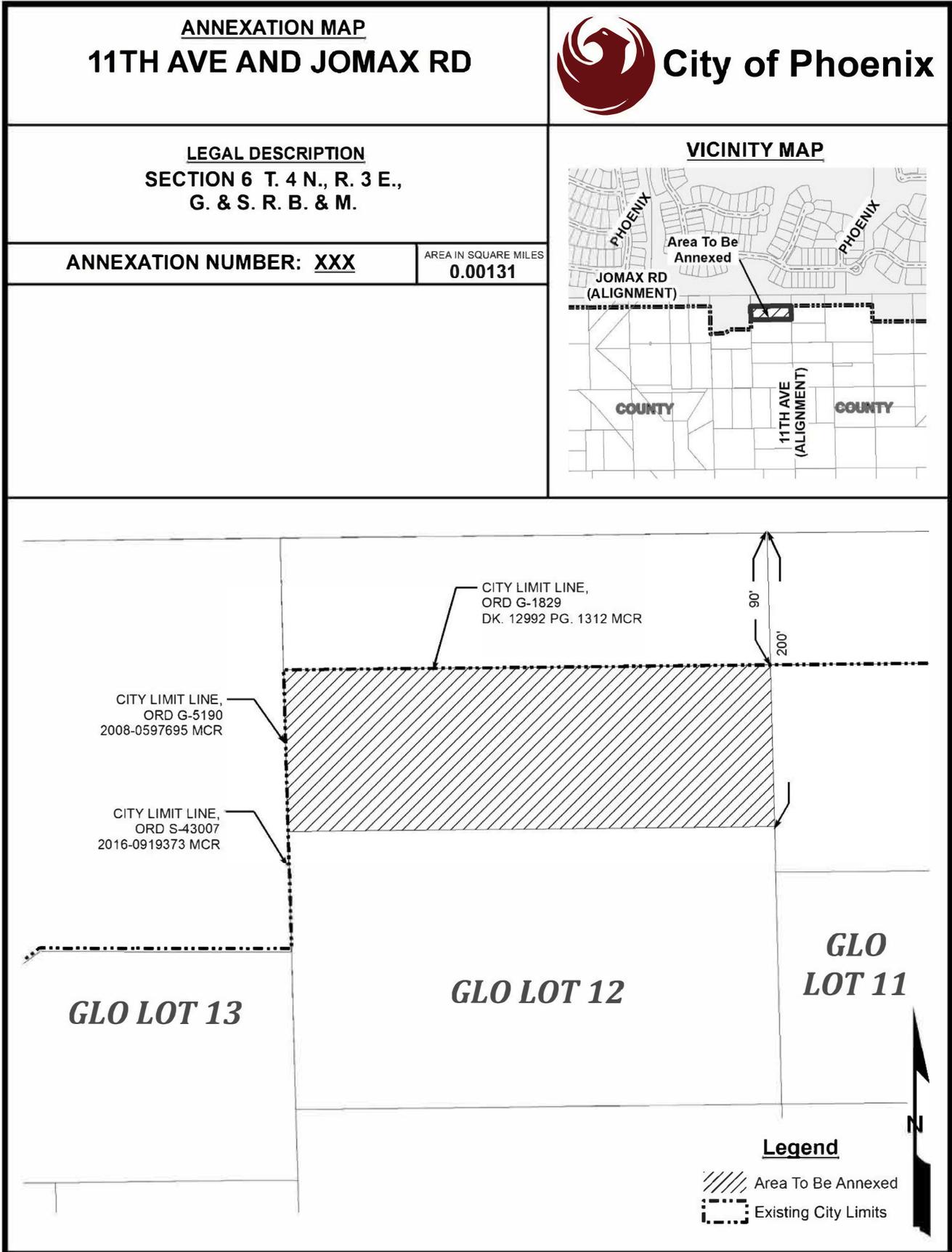
X. Total Costs

Revenue, First Year Only:	\$1,656
Revenue, Year Two:	\$1,656
Revenue, 2020 and Beyond:	\$1,656

Expenses, First Year Only:	\$893
Expenses, Year Two and Beyond:	\$796

Total Annual Revenue, First Year**:	\$763
Total Annual Revenue, 2022 and Beyond**:	\$860

Attachment B



City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 12/16/2020, **Item No.** 29

Request for City Council to Meet in Executive Session on Dec. 18, 2020 at 9 a.m.

Request for the City Council to call to meet in Executive Session pursuant to Arizona Revised Statutes, Section 38-431.03.A, on Friday, Dec. 18, 2020 at 9 a.m. at Phoenix City Hall, 200 W. Washington St., Phoenix, Arizona, in an online meeting.

Public Outreach

The Notice and Agenda for the Executive Session will be posted no later than 9 a.m. on Thursday, Dec. 17, 2020.

Responsible Department

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



SAP Infrastructure and Database Upgrade

This report requests City Council approval to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for an Infrastructure as a Service contractor to provide a comprehensive service package for SAP. This service package will include licensing, cloud hosting and database upgrade implementation of SAP for the Finance Department. This enhancement alleviates the need for a full system replacement and would not require staff to purchase, maintain and support new hardware and other infrastructure. The aggregate five-year contract value is estimated to not exceed \$21.5 million, which is an incremental increase of \$1.5 million per year for five years over currently budgeted costs.

Summary

The City currently utilizes the SAP system for critical financial accounting and reporting processes, procurement, accounts payable and receivables, grant management, asset management, work order management, inventory management, plant maintenance, and overall financial reporting and analytics. SAP has more than 3,000 users across all City departments and interfaces with numerous other citywide systems and applications.

The SAP software system is over 20 years old and requires significant upgrades necessary to support evolving work processes, advanced analytics and to interface with citywide functions. Additionally, the hardware for the system was installed in November 2013 and is currently at the end of life with extended support expiring in 2021.

Recently, through a partnership between the Finance, Information Technology Services and Human Resources departments, an Enterprise Resource Planning roadmap study was conducted by Gartner, Inc. This study recommended moving the SAP environment to the cloud using a service provider along with migration to the new SAP HANA database cloud environment. The migration to a cloud-based system mitigates the risk of aging hardware while providing an ongoing secure and stable SAP environment. Upgrading the software for a new database environment will also allow modernization to SAP in the areas of system speed, user experience and data analytics.

The proposal will include the following:

- Continued licensing for the current SAP modules and database upgrade,
- Migration to the cloud,
- Cloud hosting and cloud hosting support,
- Implementation of the new database environment; and
- Full disaster recovery and business continuity support for the entire SAP environment.

Maintenance and hardware on the existing system over a five-year period would amount to an estimated \$14.0 million. Alternatively, the proposed upgrade including the cloud solution over a five-year period is estimated to be \$21.5 million. The incremental amount of \$7.5 million, or \$1.5 million annually over a five-year period, would allow staff to extend and enhance the life of the City's existing city-wide financial and procurement system. This enhancement alleviates the need for a full system replacement and would not require staff to purchase, maintain and support new hardware and other infrastructure.

Procurement Information

If approved, staff will conduct a procurement process consisting of a Request for Proposals (RFP) as set forth in Phoenix City Code, chapter 43. As part of the procurement process, staff requests an exception from Phoenix City Code section 42-19 to the extent necessary to indemnify the contractor. Responsive proposals will be evaluated according to the following evaluation criteria (1,000 possible points):

1. Consultant's Qualifications and Experience (0-300 points)
2. References (0-150 points)
3. Approach to Scope of Work (0-250 points)
4. Consultant's Price (0-300 points)

Staff anticipates the RFP will be issued in January 2021, with staff seeking City Council approval for the contract award in the spring of 2021.

Financial Impact

The aggregate budget shall not exceed \$21.5 million. Funds are available from existing excise tax bond proceeds and from the Finance Department's operating budget.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Finance and Information Technology Services departments.



Amend Ordinance for Acquisition of Real Property and Related Easements and Licenses for South Central Extension/Downtown Hub and Northwest Extension Phase II Light Rail Projects (Ordinance S-47163)

Request the City Council amend Ordinance S-46087 for authorization to acquire additional real property needed for the South Central Extension/Downtown Hub (SCE/DH) extension. Further request to authorize the City Manager, or his designee, to purchase property at a settlement amount arrived at through a mediation process and determined to be reasonable under the circumstances.

Further request the City Council to limit the exception pursuant to City Code 42-20 to authorize inclusion of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18 within the documents for only those transactions between the City and other government agencies.

Summary

Ordinance S-46087 authorized the acquisition of real property for the SCE/DH and Northwest Extension Phase II (NWEII) Light Rail projects. During late project design for SCE/DH, an additional parcel was identified as impacted by the project. The additional parcel affected by the SCE/DH project and included in this request is identified by project parcel number SCE-6129 and Maricopa County Assessor's parcel number 114-16-002G, located at the northeast corner of South Central Avenue and East Jesse Owens Parkway.

The original ordinance authorized acquisition through donation, purchase within the City's appraised value, or by the power of eminent domain, but omitted authorization to purchase at a settlement amount arrived at through mediation. Mediation may be conducted pursuant to Resolution 19813 or through the City's Law Department as mandated by the courts.

The original ordinance authorized inclusion of indemnification and assumption of liability provisions but omitted limiting the exception only to those transactions between the City and other government agencies.

All other conditions and stipulations previously stated in the above referenced ordinance will remain the same.

Financial Impact

The projects are funded with Federal, Regional and T2050 funding. Funds are available in the Public Transit Capital Improvement Program budget.

Location

SCE/DH is located on Central and First avenues, Washington and Jefferson streets, and First Avenue and McKinley Street in the downtown area, then extends from downtown, south along Central Avenue to Baseline Road.

Council Districts: 7 and 8

NWEII is located along Dunlap Avenue at 19th Avenue then extends west along 25th Avenue to Mountain View Road, over Interstate-17 to Metrocenter.

Council Districts: 1, 3 and 5

Concurrence/Previous Council Action

The City Council approved:

- Mediation Program as an Option for Real Property Acquisition (Resolution 19813) on June 5, 2002; and
- Acquisition of Real Property and Related Easements and Licenses for South Central Extension/Downtown Hub (SCE/DH) and Northwest Extension Phase II (NWEII) Light Rail Projects (Ordinance S-46087) on Oct. 16, 2019.

Responsible Department

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



Acquisition of Real Property for Roadway Improvements Along Jomax Road at the 67th Avenue and Pyramid Peak Parkway Intersection (Ordinance S-47194)

Request to authorize the City Manager, or his designee, to acquire real property and all related property interests by donation, purchase within the City's appraised value, or by the power of eminent domain for roadway improvements along Jomax Road at the 67th Avenue and Pyramid Peak Parkway intersection. Further request authorization to dedicate land with public improvements to public use via separate recording instrument. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Acquisition of real property is required for roadway and intersection improvements to accommodate increased vehicular traffic as a result of the Aloravita development. Pulte Homes has agreed to reimburse the City for all costs related to the acquisition of real property. The land acquired will be dedicated for public use for roadway purposes.

The parcel affected by the acquisition and included in this request is identified by Maricopa County Assessor's parcel number 201-07-129 located at 26615 N. 67th Ave.

Financial Impact

Funding is available in the Street Transportation Department's Capital Improvement Program budget using Arizona Highway User Revenue Funds (HURF).

Location

West Jomax Road at North 67th Avenue and North Pyramid Peak Parkway.
Council District: 1

Responsible Department

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



3M Bibliotheca Equipment Maintenance and Support - Maricopa County Contract Serial 16015 - Requirements Contract (Ordinance S-47172)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 147966 with Bibliotheca LLC for the purchase of 3M equipment, maintenance, and repair services for the Library Department. The additional amount of \$807,000 is needed for operating system upgrades, repairs, replacement, and to purchase additional equipment due to protocols implemented by the Library Department due to the pandemic. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$807,000.

Summary

This contract currently provides the library branches with equipment, maintenance, and support for the Library's existing 3M, which is used for self-check kiosks, radio-frequency identification (RFID) tags and pads, and building occupancy management. Additional maintenance and support funding is necessary due to unanticipated upgrades to operating systems and security replacements. Due to the Library Department's pandemic response measures, additional equipment and services are needed to continue operating self-check kiosks, building occupancy management software, accommodate the increased demand for RFID tags and pads, and replace inoperable RFID gates. Building occupancy management software, cameras, and sensors are crucial in maintaining social distancing measures as the software and equipment will continually monitor customer counts in a given area of a library branch.

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

Contract Term

The contract term is May 25, 2016 through Sept. 30, 2021.

Financial Impact

Upon approval of \$807,000 in additional funds, the revised aggregate value of the contract will not exceed \$2,607,000. Funds are available in the Library Department's budget.

Concurrence/Previous Council Action

The contract was originally approved by City Council on March 23, 2016.

Responsible Department

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



Marketing Services - State of Arizona Cooperative Contract - ADSP016-145339 (Ordinance S-47183)

Request to authorize the City Manager, or his designee, to extend and allow additional expenditures under Contract 149535 with RIESTER Sonoran LLC for the purchase of interactive marketing services for website design for the Community and Economic Development (CED) Department and to provide a regional and local 2020 Census Marketing Campaign for the Office of Government Relations. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract provides interactive marketing services including website design, advertising and public relations services for the City. Additional funds are needed to add CED as an authorized user. Funds are also needed as this agreement was originally only used by the Office of Government Relations for Census marketing efforts and the additional funds will support the needs of CED. In addition, additional funds are needed to pay final invoices for the 2020 Census Marketing Campaign for the Office of Government Relations. The campaign was directly impacted by the COVID-19 pandemic which required additional time and increased awareness and outreach.

With this contract extension, CED will design a new website, phoenix.gov/econdev. This effort has two purposes: to improve the way users interact and use the website and to change the appearance of the website to focus on showcasing and “selling” Phoenix to CED customers with a business attraction focus. Technology has greatly changed the way the public utilizes websites since the City created the current template for department usage and CED would like to continue to have a .gov site but create a unique site experience. This contract will allow CED to create a new website design that meets CED's business and customer needs as well as a new template or framework to provide to the City's Information Technology Services team to install into CED's .gov system. This redesign will include: mobile-friendly and interactive websites that provide the most pertinent information seamlessly on the go, increased customer service by providing an improved platform for customers to find a variety of information, and new ways to promote services and projects.

Contract Term

Upon the approval, the revised contract term will be extended through March 20, 2024.

Financial Impact

Upon approval of \$80,000 in additional funds, the revised aggregate value of the contract will not exceed \$3,330,000. Funds are available in CED and the Office of Government Relations budgets.

Concurrence/Previous Council Action

This contract was originally approved by City Council on March 20, 2019.

Responsible Department

This item is submitted by Assistant City Manager Milton Dohoney, Jr., Deputy City Manager Jeff Barton, the Community and Economic Development Department, and the Office of Government Relations.



Ordinance Authorizing Amendment of Prior Water System Bond Ordinances to Allow for Issuance of Taxable Obligations (Ordinance S-47195)

An ordinance authorizing the City Manager, or his designee, to amend ordinance S-33635 adopted Jan. 10, 2007, ordinance S-34858 adopted March 19, 2008, ordinance S-42635 adopted June 15, 2016 and ordinance S-45429 adopted March 6, 2019 relating to the issuance, sale and refunding of water system revenue obligations to allow the issuance of taxable obligations.

Summary

Generally, the City issues tax-exempt bonds which is permitted by federal law. This means that interest earnings on municipal bonds are exempted from federal taxes making them appealing to bond holders. The tax-exemption coupled with the City's high credit rating allows the City to issue tax-exempt municipal bonds for low interest rates.

However, there are instances when issuing taxable bonds is beneficial to the City. In December 2017, the federal government passed the "Tax Cuts and Jobs Act." This action eliminated the City's ability to advance refund tax-exempt bond issuances on a tax-exempt basis. Further, tax-exempt bond issuances have regulations which limit the use of the bond proceeds. Current market conditions for taxable bonds make them appealing with interest rates continuing to fall over the last few years. Current taxable interest rates are now lower than historical tax-exempt interest rates, providing potential savings opportunities to refund previously issued tax-exempt bonds with taxable bonds. The current economic conditions and this significant decrease in interest rates has also caused the cost difference between tax-exempt interest rates and taxable interest rates to decrease, making new issuances of taxable bonds a viable alternative. This authorization will allow the City to take advantage of the current market conditions for taxable bonds and to refund previously issued bonds at a lower cost. The Finance Department is targeting a taxable advance refunding opportunity for the Water System assuming current market conditions continue through Spring 2021.

Financial Impact

The existing bond authorization amounts are sufficient for the Water System. If current market conditions continue, the refunding opportunity could result in savings of \$30

million over the life of the bonds.

Concurrence/Previous Council Action

This ordinance would amend authorizations adopted Jan. 10, 2007 (S-33635), March 19, 2008 (S-34858), June 15, 2016 (S-42635) and March 6, 2019 (S-45429).

Responsible Department

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



Public Comment on Proposed Changes to Memoranda of Understanding Submitted by Authorized Employee Organizations

This item is to provide public comment on proposals submitted by employee organizations.

Summary

Under the terms of the Meet and Confer Ordinance, employee organizations are offered the opportunity to make a presentation to the City Council regarding proposed changes to the existing Memoranda of Understanding (MOUs), which occurred this year on Dec. 8, 2020.

The Meet and Confer Ordinance provides that at the next City Council meeting following presentations by employee organizations, the public shall be afforded an opportunity to comment on the proposals. This item on the agenda provides that opportunity.

Responsible Department

This item is submitted by Deputy City Manager Toni MacCarone and the Human Resources Department.



*****ITEM REVISED (SEE ATTACHED MEMO)*** Amendments to Pay Ordinance S-45840 in Accordance with Human Resources Committee 607 Recommendations (Ordinance S-47180)**

As part of a study requested by AFSCME Local 2384, the following amendments to the Pay Ordinance [S-45840] are recommended in accordance with Human Resources Committee 607, effective Dec. 28, 2020. The amendments also require the City's Classification Ordinance (S-5815) to be updated. Those will be processed under a separate ordinance.

Modify the EEO-4 Category/Group of Electrician Apprentice (NC), Job Code 74100, Salary Plan 004, Grade 214 (\$16.68 - \$21.58), Benefit Category 002, Labor Unit Code 002, from Skilled Craft to Service Maintenance.

Modify the Salary Plan of Electrician Helper, Job Code 74090, Benefit Category 002, Labor Unit Code 002, from Salary Plan 005 to 004, and modify the Grade from 215 (\$18.43 - \$22.51) to 215 (\$17.28 - \$22.51).

Modify the Salary Plan of Electrician, Job Code 74120, Benefit Category 002, Labor Unit Code 002, from Salary Plan 005 to 004, and modify the Grade from 222 (\$24.50 - \$29.89) to 225 (\$25.52 - \$34.18).

Modify the Salary Plan of Electrician*Lead, Job Code 74121, Benefit Category 002, Labor Unit Code 002, from Salary Plan 005 to 004, and modify the Grade from 223 (\$25.52 - \$31.10) to 226 (\$26.64 - \$35.93).

Abolish the Electrician*Safety classification, Job Code 74122, Salary Plan 005, Grade 223 (\$25.52 - \$31.10), Benefit Category 002, Labor Unit Code 002.

Modify the Class Title of Electrical Maintenance Foreman, Job Code 74140, Benefit Category 007, Labor Unit Code 007, to Electrical Maintenance Crew Chief and modify the Grade from 032 (\$23.11 - \$35.26) to 035 (\$26.89 - \$40.95).

Modify the Grade of Electrical Facilities Supervisor, Job Code 74160, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, from Grade 034 (\$25.61 - \$38.97) to 037 (\$29.74 - \$45.29).

Modify the Grade of Traffic Signal Supervisor, Job Code 74070, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, from Grade 034 (\$25.61 - \$38.97) to 036 (\$28.32 - \$43.05).

Summary

Pursuant to Section 1-6(E) of AFSCME Local 2384's (Unit 2's) current Memorandum of Understanding, the Human Resources Department conducted a study on the Electrician job classification, subsequent classifications in the job series, as well as other classifications where the supervisory reporting relationship were impacted.

There are 97 Electrician positions citywide. All departments indicated they had difficulty with both recruiting and retention. Specifically, departments had issues with the quality of candidates, candidates turning down job offers due to pay concerns and employee turnover. Staff used data from eCHRIS and conducted research using a combination of public sector and private sector resources such as Payfactors, Economic Research Institute, Salary.com, and Bureau of Labor Statistics. Additionally, staff conducted a local salary survey of public sector employers in the Valley.

The job duties and level of complexity for the Electrician classification were found to be most comparable to our local market. Data indicates that the City is approximately 16 percent below the current market, and according to the U.S. Bureau of Labor Statistics, by industry, government, or utilities, the average turnover is less than 5 percent. The Electricians' citywide turnover, however, is substantially higher, and Departments continue to experience high vacancy rates.

Changing the pay grade of the Electrician, and subsequent classifications in the job series reflects proper placement in the market for this job family and would mitigate pay compression issues. Additionally, changing pay plans from Salary Plan 005 to Salary Plan 004 would change the range from 6 to 8 steps giving Departments more flexibility when hiring staff. Finally, changing the pay grades for the supervisory positions from 034 to pay grades 036 and 037 will help mitigate any pay disparity and maintain grade progression within the series.

Financial Impact

The estimated costs of these actions for a full fiscal year, including benefits, is approximately \$181,689.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 607 on Oct. 27, 2020.

Responsible Department

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



City of Phoenix

To: Toni Maccarone
Deputy City Manager

Date: December 14, 2020

From: Lori Bays 
Chief Human Resources Officer

Subject: CORRECTION TO ITEM #37 AND ITEM #38 ON DECEMBER 16, 2020
COUNCIL FORMAL MEETING AGENDA

The purpose of this memo is to advise of a correction to the information in Item #37 and Item #38 on the December 16, 2020 Council Formal Meeting Agenda, Amendments to Pay Ordinance S-45840 in Accordance with Human Resources Committee 607 Recommendations (Ordinance S-47180) and Amendments to Classification Ordinance S-5815 in Accordance with Human Resources Committee 607 Recommendations (Ordinance S-47181). The job code for the Electrician*Lead in both items should be 74121, not 74120.



*****ITEM REVISED (SEE ATTACHED MEMO)*** Amendments to Classification Ordinance S-5815 in Accordance with Human Resources Committee 607 Recommendations (Ordinance S-47181)**

As part of a study requested by AFSCME Local 2384, the following amendments to the Classification Ordinance [S-5815] are recommended in accordance with the recommendation of Human Resources Committee 607, effective Dec. 28, 2020. The amendments also require the City's Pay Ordinance (S-45840) to be updated. Those will be processed under a separate ordinance.

Modify the EEO-4 Category/Group of Electrician Apprentice (NC), Job Code 74100, Salary Plan 004, Grade 214 (\$16.68 - \$21.58), Benefit Category 002, Labor Unit Code 002, from Skilled Craft to Service Maintenance.

Modify the Salary Plan of Electrician Helper, Job Code 74090, Benefit Category 002, Labor Unit Code 002, from Salary Plan 005 to 004, and modify the Grade from 215 (\$18.43 - \$22.51) to 215 (\$17.28 - \$22.51).

Modify the Salary Plan of Electrician, Job Code 74120, Benefit Category 002, Labor Unit Code 002, from Salary Plan 005 to 004, and modify the Grade from 222 (\$24.50 - \$29.89) to 225 (\$25.52 - \$34.18).

Modify the Salary Plan of Electrician*Lead, Job Code 74121, Benefit Category 002, Labor Unit Code 002, from Salary Plan 005 to 004, and modify the Grade from 223 (\$25.52 - \$31.10) to 226 (\$26.64 - \$35.93).

Abolish the Electrician*Safety classification, Job Code 74122, Salary Plan 005, Grade 223 (\$25.52 - \$31.10), Benefit Category 002, Labor Unit Code 002.

Modify the Class Title of Electrical Maintenance Foreman, Job Code 74140, Benefit Category 007, Labor Unit Code 007, to Electrical Maintenance Crew Chief and modify the Grade from 032 (\$23.11 - \$35.26) to 035 (\$26.89 - \$40.95).

Modify the Grade of Electrical Facilities Supervisor, Job Code 74160, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, from Grade 034 (\$25.61 - \$38.97) to 037 (\$29.74 - \$45.29).

Modify the Grade of Traffic Signal Supervisor, Job Code 74070, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, from Grade 034 (\$25.61 - \$38.97) to 036 (\$28.32 - \$43.05).

Summary

Pursuant to Section 1-6(E) of AFSCME Local 2384's (Unit 2's) current Memorandum of Understanding, the Human Resources Department conducted a study on the Electrician job classification, subsequent classifications in the job series, as well as other classifications where the supervisory reporting relationship were impacted.

There are 97 Electrician positions citywide. All departments indicated they had difficulty with both recruiting and retention. Specifically, departments had issues with the quality of candidates, candidates turning down job offers due to pay concerns and employee turnover. Staff used data from eCHRIS and conducted research using a combination of public sector and private sector resources such as Payfactors, Economic Research Institute, Salary.com, and Bureau of Labor Statistics. Additionally, staff conducted a local salary survey of public sector employers in the Valley.

The job duties and level of complexity for the Electrician classification were found to be most comparable to our local market. Data indicates that the City is approximately 16 percent below the current market, and according to the U.S. Bureau of Labor Statistics, by industry, government, or utilities, the average turnover is less than 5 percent. The Electricians' citywide turnover, however, is substantially higher, and Departments continue to experience high vacancy rates.

Changing the pay grade of the Electrician, and subsequent classifications in the job series reflects proper placement in the market for this job family and would mitigate pay compression issues. Additionally, changing pay plans from Salary Plan 005 to Salary Plan 004 would change the range from 6 to 8 steps giving departments more flexibility when hiring staff. Finally, changing the pay grades for the supervisory positions from 034 to pay grades 036 and 037 will help mitigate any pay disparity and maintain grade progression within the series.

Financial Impact

The estimated costs of these actions for a full fiscal year, including benefits, is approximately \$181,689.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 607 on Oct. 27, 2020.

Responsible Department

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



City of Phoenix

To: Toni Maccarone
Deputy City Manager

Date: December 14, 2020

From: Lori Bays 
Chief Human Resources Officer

Subject: CORRECTION TO ITEM #37 AND ITEM #38 ON DECEMBER 16, 2020
COUNCIL FORMAL MEETING AGENDA

The purpose of this memo is to advise of a correction to the information in Item #37 and Item #38 on the December 16, 2020 Council Formal Meeting Agenda, Amendments to Pay Ordinance S-45840 in Accordance with Human Resources Committee 607 Recommendations (Ordinance S-47180) and Amendments to Classification Ordinance S-5815 in Accordance with Human Resources Committee 607 Recommendations (Ordinance S-47181). The job code for the Electrician*Lead in both items should be 74121, not 74120.



Benefits Consultant and Actuarial Services (Ordinance S-47185)

Request to authorize the City Manager, or his designee, to enter into a contract with Foster & Foster Consulting Actuaries, Inc. to provide benefits consulting and actuarial services in an amount not to exceed \$3,000,000 for a five-year period. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The benefits consulting and actuarial services agreement is needed to provide expert guidance to the Health Care Benefits Trust Board, Task Force and Human Resources management on the City's employee and retiree medical and dental plans. Deliverables include but are not limited to developing comprehensive benefits strategies to attract and retain employees while utilizing cost containment strategies without significantly impacting the integrity of the plans; claims analysis; website development and maintenance; calculating annual premiums; evaluating Trust Fund solvency and project plan costs; informing of pending legal requirements; ensuring program compliance with legal requirements; and creating open enrollment materials and other communications.

Procurement Information

RFP HR 20-117 was conducted in accordance with Administrative Regulation 3.10. The solicitation included both benefits consulting and actuarial services. Offerors could submit for one or both services. The Human Resources Department received seven proposals all of which offered to provide both benefits consulting and actuarial services. Two Offerors were deemed nonresponsive for not meeting the requirements of the solicitation, and one Offeror was deemed nonresponsive for not meeting the requirements of the Best and Final Offer (BAFO).

The Notice of Solicitation was emailed to 404 vendors registered in ProcurePHX.

The offers were scored on the following criteria: Qualifications and Experience (300 points), Method of Approach (500 points) and Price (200 points). Evaluation occurred by a six-person panel. The evaluation committee determined that three proposals were within the competitive range, and those proposers were invited to participate in presentations. At the completion of the presentations, all proposals within the

competitive range moved forward to the BAFO process. After reviewing the BAFO responses, one Offeror was deemed nonresponsive and it was the consensus of the evaluation committee to recommend awarding the contract to Foster & Foster Consulting Actuaries, Inc.

The following are the scores of the finalists:

Foster & Foster Consulting Actuaries, Inc.	851.04
The Segal Company	733.39

The Human Resources Director recommends the offer from Foster & Foster Consulting Actuaries, Inc. be accepted as the highest scored, responsive, and responsible offeror.

Contract Term

The five-year contract shall begin on or about Jan. 5, 2021.

Financial Impact

The aggregate five-year contract value for these services shall not exceed \$3,000,000. Funds are available in the Health Care Benefits Trust Fund.

Responsible Department

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



Affordable Care Act Reporting Services (Ordinance S-47199)

Request to authorize the City Manager, or his designee, to enter into a contract with UnifyHR, LLC to manage and monitor Affordable Care Act (ACA) compliance for the Human Resources Department. The aggregate value of the contract shall not exceed \$270,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract is needed to manage and monitor ACA compliance for the City and comply with ACA reporting requirements. The ACA mandates employers with more than 50 full-time employees to track medical plan coverage for employees meeting the 30-hour-per-week test, report of plan affordability based on employee rate-of-pay, and prepare and issue the "medical W-2" (Form 1095c) to all employees annually. Penalties assessed by the IRS for non-compliance are \$2,320 per year per eligible employee or more than \$20 million per year for the City. This company has previously provided these services to the City and selecting another company will require months of technical reprogramming and transition. The Human Resources Department will conduct a competitive procurement process in 2021 for these services.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing the time restriction and critical need to comply with ACA requirements.

Contract Term

The initial two-year contract term shall begin on or about Dec. 16, 2020 and end on Dec. 15, 2022. Provisions of the contract include an option to extend the term of the contract for an additional one year which may be exercised by the Human Resources Director or designee.

Financial Impact

The aggregate contract value will not exceed \$270,000. Funds are available in the Health Care Benefits Trust Fund.

Responsible Department

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



Ratification of Four-Year Update of Fast-Track Cities Ad Hoc Committee Recommendations

This item seeks City Council ratification of the recommendations discussed in the four-year update of the Fast-Track Cities Ad Hoc Committee presentation at the City Council Policy Session on Dec. 8, 2020. This item also responds to Councilmember questions at the Dec. 8, 2020 Policy Session regarding coverage for City employees in the City's health care plans.

Summary

On Oct. 25, 2016, the Mayor and City Council authorized the City of Phoenix to join the Fast-Track Cities Initiative (FTCI) to establish the City of Phoenix as a model in addressing and ending HIV/AIDS in Phoenix. FTCI is a global partnership between the City of Paris, Joint United Nations Program on HIV/AIDS (UNAIDS), United Nations Human Settlement Program (UN-Habitat), and the International Association of Providers of AIDS Care (IAPAC), in collaboration with the local, national, regional and international partners and stakeholders. There are currently 27 Fast-Track Cities (FTC) in North America, 25 of which are in the United States. Fast-Track Cities work towards ending AIDS as a public health threat by 2030 building upon, strengthening and leveraging HIV-related programs and resources. Fast-Track Cities agree to achieve the following 90-90-90-0 targets by 2020:

- 90 percent of people living with HIV (PLHIV) knowing their HIV status
- 90 percent of PLHIV who know their HIV-positive status on antiretroviral therapy (ART)
- 90 percent of PLHIV on ART achieving viral suppression
- Zero discrimination and stigma against people living with HIV

In January 2017, a 23-member Ad Hoc Committee was created representing people living with HIV, medical providers, community-based organizations, local HIV advocacy groups, and government departments in the HIV field. Councilwoman Laura Pastor and Councilwoman Debra Stark currently serve as Co-Chairs.

FTCI is framed around a five-element implementation plan, supported by IAPAC which addresses key aspects necessary for a robust citywide AIDS response that promotes

continuum of care from HIV diagnosis to viral suppression:

1. Process and Oversight
2. Monitoring and Evaluation
3. Program and Interventions
4. Communications
5. Resource Mobilization

Three subcommittees were created to reach these goals: 1) On HIV Medication and Virally Suppressed, 2) Knowing HIV Status, and 3) Zero Stigma. Below are highlights from the previous four years in each of the subcommittees:

On HIV Medication and Virally Suppressed Subcommittee

- Developed the City of Phoenix Rapid Start Protocol in partnership with the Arizona Department of Health Services (ADHS) and local stakeholders. The created name of this process is "State of Arizona Rapid Treatment" (START) which is to have newly diagnosed HIV patients start on Antiretroviral Therapy (ART) within 0-5 days after diagnosis or after reengaging in care. This goal is being successfully met.
- Created and distributed brochures on "Let's End HIV", "Medical Care" and "START" to the community.
- In June 2019, FTC Ad Hoc Committee Member Dr. Thanos Vanig presented at the 14th International Conference on HIV Treatment and Prevention Adherence in Miami. The presentation was on "Implementation Strategies for Citywide Rapid Start Program: Collaboration Among Stakeholders Organized by the City of Phoenix Fast-Track Cities Initiative".
- In September 2019, FTC Ad Hoc Committee Member Dr. Thanos Vanig presented at the Global Fast-Track Cities Conference in London on the implementation and results of the START program.

Knowing HIV Status Subcommittee

- Partnered with the ADHS HIV Prevention, Care and Surveillance program to implement a prevention and care needs assessment which included the ADHS Hispanic assessment completed in April 2018 and the ADHS African American assessment completed in September 2018.
- In September 2018, the ADHS HIV Prevention, Care and Surveillance program released an interactive map which allows individuals to locate HIV incidence information from 1983 to present by zip code, customized using any combination of data including age, gender, ethnicity, risk factor, viral suppression rate, number of new and/or repeat HIV testing, location of HIV-specific providers and community-based services, hospitals and federally-qualified health centers and HIV

pharmacies. Additionally, the ADHS HIV Prevention, Care and Surveillance program has developed specific HIV continuums of care for each target population quarterly with updated data.

- In March 2019, FTC Ad Hoc Committee Members Kenja Hassan and Debbie Rubenstrunk coordinated a panel presentation on "HIV and the Faith Based Community" at the ADHS Fifth Annual HIV Integrated Symposium. A panel of local pastors/clergy discussed how faith leaders are working with the HIV community.
- In June 2019, based upon a call to action by the FTC Ad Hoc Committee, the Arizona Christian Communities of Faith participated in the National HIV testing day with the theme "Oh Test and Know". The purpose was to show support for those living with the HIV/AIDS virus, to raise awareness of the current epidemic in local communities, to reduce the numbers of the untested, and inspire the community to "know your status". An HIV/AIDS Resource Toolkit for Religious Leaders was created by the International Alliance for the Prevention of AIDS (IAPA) and Arizona State University. The toolkit contains links and resources to enable religious organizations to incorporate the topic of HIV/AIDS into messaging and outreach. Also highlighted in the toolkit are examples of how some churches are currently supporting their congregations in this effort.
- As part of the HIV Training/Education goal, a 35-minute online course developed by IAPA, providing fact-based information on HIV/AIDS while addressing myths about the disease is offered to City of Phoenix employees. Since January 2019, 50 employees have taken this course.
- In October 2019, the FTCl Dashboard was officially launched by the IAPAC, which is the global organization overseeing the Fast-Track Cities. This dashboard tracks the 90-90-90-0 data for the City of Phoenix.

Zero Stigma Subcommittee

- Implemented Project HHHOME (Housing, HIV, Health Outcomes and EmployMENT/Education), a program designed to improve housing, employment, education and health outcomes for people living with HIV. Administered through the Housing Department, this is a partnership with Ryan White HIV/AIDS Program, Maricopa Integrated Health System, Southwest Behavioral and Health Services, Area Agency on Aging and the City of Phoenix Housing, Human Services and Library departments.
- During Spring 2018, Ad Hoc members from Arizona State University and Vital Insight Public Relations developed the "Undetectable = Untransmittable" or "U=U" campaign. Promoted locally and nationally using print, television and social media tools, this campaign was designed to reach those living with HIV, partners and friends, and health care professionals. U=U indicates that if a person with HIV is on HIV meds or (ART) with a consistently undetectable HIV viral load, the virus cannot

be transmitted.

- In early 2019, Arizona State University conducted a People Living with HIV (PLWHIV/AIDS) survey to identify issues relating to HIV stigma among individuals who reside in Maricopa County. The results of the survey are being used at conferences addressing the stigma of HIV/AIDS in the community. The report is available on the Fast-Track Cities website at Phoenix.gov/HIVPHX.

The Fast-Track Cities Ad Hoc Committee will continue to reach out to the private sector and the community in order to: (1) demonstrate the City's commitment to this issue, (2) garner media attention, (3) form collaborations to streamline and improve services for people diagnosed with HIV, and (4) enlist the community in ending stigma and changing attitudes toward HIV. It is this strategic combination of reforms and community action that will continue to make Phoenix a national leader in addressing this important issue.

The FTC Ad Hoc Committee requests the City Council adopt a declaration (**Attachment A**) called "Ending the Epidemic," which calls upon medical systems and providers throughout the city and health insurance providers to implement policies that will better enable the City of Phoenix to achieve the 90-90-90-0 goals.

In response to Councilmember questions at the Dec. 8, 2020 City Council Policy Session, staff researched City employee health care plan coverage related to HIV screening. Staff confirmed that City employee health care plans include policies that will better enable the City to achieve the 90-90-90-0 goals. Under the City's current health care plans, HIV screening is covered as part of routine screening and all of the FDA approved therapies are included in the pharmacy plan approved formulary or medical plans, including the single-tablet HIV regimens. As new medications are developed and approved for treatment by the FDA, they will be added to the plans formulary. In addition to verifying coverage for these items, staff has worked with Banner Employer solutions to ensure that starting January 2021 HIV screening will be offered at all annual physical appointments conducted at the downtown employee health clinic.

Concurrence/Previous Council Action

The City Council heard the Four-Year Update of the Fast-Track Cities Ad Hoc Committee at the City Council Policy Session on Dec. 8, 2020 and in support of the declaration requested additional information related to health care plans available to City employees.

Responsible Department

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



Ending the Epidemic and Fast Track Cities Initiatives

National and local policy leaders have taken bold steps to end the HIV epidemic by 2030. With your participation this goal can become a reality. The federal government is now implementing the Ending the Epidemic plan, which will send resources to targeted regions in the United States with the highest incidence of HIV infection; Maricopa County is among them. The City of Phoenix has joined a global initiative established by The Joint United Nations Programme on HIV/AIDS (UNAIDS) by becoming a Fast Track City in 2017. The City of Phoenix Fast Track Cities Initiative has been making steady progress toward three benchmark prevention and treatment goals referred to as 90-90-90.

The City of Phoenix Fast Track Cities Initiative is committed to ending HIV and playing their role in the Ending the Epidemic Initiative. The undersigned members call upon medical providers, emergency departments, medical systems, and private and government insurance programs to play their role in helping to establish the following three policies to join in our effort to end HIV!

Ninety Percent of All Persons Living with HIV Tested and Identified

It is estimated that 15% of all persons living with HIV in Arizona are undiagnosed. [It has also been shown that these undiagnosed persons account for 38% of all new transmissions in the United States.](#)

The Phoenix Fast Track Cities Initiative Ad Hoc Committee calls upon primary care physicians and emergency departments to implement opt-out HIV testing, where all adult patients are routinely screened for HIV unless they specifically opt-out of screening, in order to better identify HIV-positive individuals and link them to appropriate medical care.

Ninety Percent of All Persons Identified as HIV Positive in Medical Care and On Treatment

About 40% of all persons identified as living with HIV are not retained in consistent medical care. [These individuals account for 43% of new HIV infections.](#) Social determinants of health most commonly prevent consistent medical care, but HIV stigma plays a part as well. Phoenix-based HIV service organizations have robust programs to link patients to medical care and have implemented a rapid start protocol to connect patients to medical care within five days of diagnosis. This rapid start protocol has been shown to help patients become virally undetectable as quickly as possible, which in turn prevents them from transmitting HIV to others.

The Phoenix Fast Track Cities Initiative Ad Hoc Committee calls upon medical providers and systems (integrated delivery networks) to better educate its medical teams about Ryan White programs and implement Phoenix's rapid start protocol as part of their patient care systems. Ryan White programs ensure that any person who is living with HIV has access to medical, pharmaceutical, and support services. Phoenix's rapid start protocol calls for the implementation of immediate treatment for newly diagnosed patients, in accordance with [U.S. Department of Health and Human Services Guidelines](#). In addition, better education about HIV in medical settings can help to eliminate provider stigma about HIV risk, transmission, and treatment.

Ninety Percent of All Persons on Treatment With an Undetectable Viral Load

HIV treatment today is powerful, and treatment is prevention. The [CDC has acknowledged](#) that HIV-positive patients on treatment, and with an undetectable viral load, cannot transmit HIV to others. This medical science that is referred to as undetectable = untransmittable, or U=U, heralds a new day in HIV treatment and prevention, as it pertains to HIV and sexual transmission. If we can get every HIV-positive individual on treatment and virally undetectable, then we can stop new transmissions.

Single-tablet regimens are the most powerful tool available to achieve viral suppression in patients. [Research has proven](#) that patient adherence and time to viral suppression on a single-tablet regimen is significantly better with the use of single-tablet therapies. [U.S. Department of Health and Human Services guidelines](#) for treatment-naïve patients call for immediate prescription of a limited number of regimens, and medical providers need all available medications at their disposal to treat HIV. HIV is a unique condition where the virus often mutates and develops resistance to medications. In addition, many patients have co-morbidities that require specific treatment therapies. One size does not fit all with HIV treatment. All Federal Drug Administration (FDA)-approved therapies are included on the Medicare Part D formulary, and Ryan White programs similarly include all therapies on its formulary. It is critically important that private insurers and Arizona's Medicaid Program, AHCCCS, follow suit and include all HIV therapies on their formularies.

In addition to the current HIV therapies that need formulary approval, it is equally critical that private insurance and AHCCCS quickly approve new therapies on their formularies. Soon there will be a monthly injection that is FDA approved for treatment, and for many populations this will be a potent and effective treatment to help them achieve an undetectable viral load.

The Phoenix Fast Track Cities Initiative Ad Hoc Committee calls upon Private Insurers and Arizona's Medicaid Program, AHCCCS, to establish policies of open access to HIV therapies to give medical providers every tool at their disposal to treat HIV.

The City of Phoenix Fast Track Cities Initiative is committed to ending HIV and playing their role in the Ending the Epidemic Initiative. The undersigned members call upon medical providers, emergency departments, medical systems, and private and government insurance programs to play their role in helping to establish the above three policies to join in our effort to end HIV!

SIGNATORIES





Disaster Recovery Services (Ordinance S-47193)

Request to authorize the City Manager, or his designee, to amend the term of Agreement 131627 and to authorize additional expenditures for disaster recovery services with SunGard Availability Services, LP (SunGard) in an amount not to exceed \$186,000 for the Information Technology Services and Municipal Court departments. Further request authorization for the City Controller to disburse all funds related to this item. Further request exemption from the indemnification and liability provisions of section 42-18 of the City Code.

Summary

SunGard is the City's current provider of disaster recovery services. Continuation of these services will ensure that information technology systems supporting critical City processes and services can be recovered within a short period of time if a disaster makes City-owned technology infrastructure inoperable. Current services include alternate locations, reserved computer systems, planning, and communication tools in North America from which to recover critical City business systems. Examples of critical business systems include the City's financial and payroll system, human resource system, customer care and billing system, and the court management system.

ITS has been working to understand the current DR market offering, obtaining a comprehensive and relevant application criticality list, and further developing the requirements for a new solicitation. As a result of the COVID-19 pandemic, efforts to finalize our research on current disaster recovery technologies and issuance of a new competitive solicitation were impacted. The City will utilize the amended term and funding to finalize, release, and award a new competitive solicitation to a responsive and responsible vendor.

Mitigating the risks to the City in the event of a disaster is critical. Failure to maintain these services would create a loss of productivity, liability to the City, and impact delivery of services to residents.

Contract Term

This contract term will be extended through June 31, 2021, with two, three-month renewal options.

Financial Impact

With the \$186,000 in additional spending authority, the contract's revised aggregate value is approximately \$2,289,382. Funds are available in the Information Technology Services' and Municipal Court's budgets.

Responsible Department

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



Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47174)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Gheorghita Viorel in the amount of \$23,861.90 to the Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

Summary

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

Viorel, Gheorghita: \$23,861.90

Concurrence/Previous Council Action

This item will be approved by the COPERS Board at its Dec. 3, 2020 meeting.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the Retirement Office.



Authorization to Enter into Intergovernmental Agreement with Opportunities for Youth/Arizona State University (Ordinance S-47200)

Request authorization for the City Manager, or his designee, to execute an Intergovernmental Agreement (IGA) with the Opportunities for Youth/Arizona State University Center for Human Capital and Youth Development to provide services to reengage disconnected youth with basic needs such as food, housing, and medical/behavioral health services for successful transition to educational and employment opportunities in an amount of up to \$100,000 per year for a contract total not to exceed \$300,000 over the life of the IGA. The IGA term will be for one year with two additional one-year options to extend that may be exercised in the discretion of the City Manager or designee. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Youth and Education Office has partnered with Opportunities for Youth since 2015 in response to the high rate of disconnected youth between the ages of 16-24 who are not in school and not working. The overall goal of the initiative is to lower the number of opportunity youth in Phoenix by using evidence-based strategies and solutions to connect youth to resources and career/educational pathway programs.

Due to the Pandemic, the number of opportunity youth in the Greater Phoenix Metro Area has spiked dramatically over the past six months. In 2019, the rate of youth disconnection in the Greater Phoenix Metro Area was 12.3 percent (or 70,300 youth ages 16-24). This rate today is estimated to be 27 percent or nearly 1 in 3 youth ages 16-24 who is not working or in school. This translates to over 140,000 youth in the Greater Phoenix Metro Area who are disconnected from work and school.

Opportunities for Youth will also support and align with the My Brother's Keeper Initiative to leverage existing programs and activities for greater awareness and engagement to implement a coherent cradle-to-college-and-career strategy for improving outcomes of all young people of color.

Contract Term

The term of this IGA will be one year with two additional one-year options to extend

that may be exercised in the discretion of the City Manager or designee.

Financial Impact

The total IGA value will not exceed \$100,000 per year or \$300,000 over the life of the agreement. Funding is available in the Youth and Education Program budget and will be made available upon the annual budget approval process. The Budget and Research Department will review and approve funding availability prior to execution of the contract.

Responsible Department

This item is submitted by Deputy City Manager Jeff Barton and the Youth and Education Office.



Phoenix Sky Harbor International Airport Concessionaire Financial Relief (Ordinance S-47197)

Request to authorize the City Manager, or his designee, to amend multiple Phoenix Sky Harbor International Airport (PHX) concessions leases to continue to provide temporary financial relief to concessionaires through continued charge of percent rent in lieu of Minimum Annual Guarantees (MAG) from Jan. 1, 2021 through Dec. 31, 2021. In addition to continuing the requirements in the current rent relief amendment, the amendment will include the following additional stipulations:

- Stipulation 1: When passenger enplanements at PHX reach 70 percent of the 2019 levels for a period of two continuous months, concessionaires will pay an additional 2 percent of rent;
- Stipulation 2: When passenger enplanements at PHX reach 80 percent of the 2019 levels, concessionaires will pay MAG or percent rent, whichever is greater; and
- Stipulation 3: If the airport receives funds from the federal government to provide rent relief for the concessions program, the airport shall apply those funds consistent with the guidance provided by the Federal Aviation Administration (FAA). Concessionaires will be required to comply with all applicable provisions established by the FAA.

Additionally, when recalling staff, Concessionaires will consider the specific challenges facing furloughed or laid off employees as a result of the pandemic. This includes the difficulty responding to a recall offer due to health or childcare challenges and understanding employees desire for medical insurance immediately upon returning to work. Concessionaires must also understand that the City desires all airport employees be treated equitably.

Staff will return for an airport concession update in six months.

Summary

The COVID-19 global pandemic created a downturn in airline passenger travel by over 93 percent at PHX. In direct correlation to the reduced passenger activity, concession sales plummeted for PHX's concessionaires. As a result, established rents were unsustainable for the concessionaires in the Terminals. On April 4, 2020, the Federal Aviation Administration (FAA) provided guidance to airport sponsors encouraging them

to consider the business circumstances created by the public health emergency and assist tenants in staying solvent so they can resume normal operations when the emergency ends. The Aviation Department requested approval to provide financial relief for concessionaires which included prime operators and Airport Concession Disadvantaged Business Enterprise (ACDBE) business partners (Concessionaires) to mitigate the effects of the decrease in passenger activity related to COVID-19.

On June 3, 2020, Council approved relief from paying MAG for concessionaires at PHX and percent rent only effective April 1, 2020 through June 30, 2020. On July 1, 2020, Council approved an extension of the percent rent only through Dec. 31, 2020. All concessionaires that received relief were required to adhere to the following requirements:

- Pass financial relief on to all joint venture partners and sub-concessionaires;
- Recall and reemploy furloughed or laid off employees;
- Provide two months medical benefits for furloughed or laid off employees (applicable only April 1-June 30, 2020);
- Work with Community and Economic Development on other relief and employment opportunities;
- Submit weekly sales reports; and
- Provide notice of any Coronavirus Aid Relief and Economic Security Act relief received.

As a result of the pandemic:

- Travelex closed all operations in North America;
- Approximately 50 terminal advertising contracts were cancelled;
- Host International, Inc. furloughed 756 associates and has recalled 347 employees based on seniority, 253 of which have accepted;
- SSP America, Inc. furloughed 550 associates and has recalled 131 employees based on seniority; and
- Stellar furloughed 72 associates and has recalled 25.

As passenger loads have gradually increased, the Concessionaires have started re-opening closed units, extending hours of operation, and recalling furloughed personnel. Of the 136 total concessions operating out of PHX, 53 (39 percent) are currently open for business. This is up from 31 percent in May of 2020. While passenger traffic is picking up, it is not tracking at the same rate it was prior to COVID-19. As a result, Food & Beverage and Retail gross sales remain down by approximately 50 percent compared to 2019, and Terminal advertising gross revenue is down by approximately 25 percent.

The concessions leases that will be amended to allow for extended temporary financial relief are lease numbers 116300, 116653, 123391, 127576, 131410, 132907, 133475, 135006, 143718, 143719, 143866, 143867, 143910, 144047, 144322, 144323, 144324, 145872, 145873, 145977, 146077, 146163, 146458, 146459, 146614, 146676, 147232, 147258, 147279, 147350, 147461, 147735, 150683, and 152010.

Financial Impact

If approved by Council, the Minimum Annual Guarantee (MAG) will be temporarily waived and tenants will pay percent rent based on their lease agreement and terms outlined in this report.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Innovation Subcommittee recommended this item, as amended and reflected in this report, for approval on Dec. 2, 2020, by a vote of 3-1.

Location

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.



LISC Phoenix and Local First Arizona Foundation Agreements for COVID-19 Emergency Food Assistance - Amendment 2 (Ordinance S-47202)

Request to authorize the City Manager, or his designee, for second amendment to contracts with LISC Phoenix (LISC) and Local First Arizona Foundation (LFAF) to provide additional funding of \$350,000 to LFAF and \$150,000 to LISC for continued emergency food assistance to vulnerable populations impacted by COVID-19 and to extend contract period through May 31, 2021. Further request to authorize the City Controller to disburse all funds related to this item. One-time funding is provided through the Coronavirus Aid, Relief and Economic Security (CARES) Act. There is no impact to the General Fund.

Summary

In response to the COVID-19 pandemic, the Office of Environmental Programs teamed with the Human Services Department to develop a food assistance plan to address the food needs of vulnerable populations and communities impacted by COVID-19. The plan addresses: (a) access to healthy foods for impacted populations; (b) infrastructure assistance regarding transportation, delivery with a focus on home delivery and storage of food; and (c) support for food banks and community agencies with increased operational costs. This plan is aligned with the City Manager’s guiding principles and strategic plan to deploy CARES Act funding.

The funding that has been provided to LISC and LFAF is funding access to healthy foods for impacted populations, equitably supporting existing organizations serving residents, recognizing the work already being done in diverse communities by the community, encouraging partnerships, supporting local business, and promoting innovation.

Entities receiving the funding include public school districts, nonprofits, community and grassroots organizations, farmers, community-supported agriculture (CSA), food hubs, mobile markets, restaurants and catering (including event venues). Funds were awarded through an open grant application process and awarded based on criteria established for organizational capacity, demonstrated need, and eligible costs (must be focused on activities related to the preparation and delivery of food boxes, produce, and take out/prepared meals) with outcomes for number of meals delivered and

number of COVID-19-impacted individuals/families served. Work was initiated by LFAF grantees in August 2020 and LISC grantees in September 2020.

LFAF and LISC have been providing services to administer and manage the grant process, disbursing funds, and collecting compliance reporting data.

LFAF Accomplishments to Date:

46,678 meals and 2,696 CSA (local produce) boxes delivered from Aug. 3, 2020 through Dec. 5, 2020.

- 48 restaurants and caterers, 8 local farmers, 7 CSAs, and 1 food hub have received funding to purchase local produce, prepare and deliver meals, and for Personal Protective Equipment (PPE).
- 25 social service organizations have received meals for clients living in zip codes most impacted by COVID-19.
- Approximately 5,000 Thanksgiving meals were provided to eight social service organizations.

LISC Accomplishments to Date:

226,389 meals were prepared by school districts and nonprofit/grassroots organizations through Oct. 30, 2020.

- 4 school districts and 10 nonprofit/grassroots organizations are preparing and delivering meals and food boxes for residents living in zip codes most impacted by COVID-19.

The additional \$500,000 will be distributed as follows:

LFAF will receive a total of \$350,000 with \$300,000 disbursed directly to grantees, local farmers, community-supported agriculture (CSAs), food hubs, mobile markets, restaurants and catering (including event venues) and \$50,000 to LFAF for its administrative fee. The additional funding will result in an increase of approximately 28,000 meals, including Christmas meals. Additionally, local farmers, restaurants, caterers, and CSAs benefit with continued income for their businesses and jobs. Local farmers are harvesting produce and this additional funding will provide a market for their products.

LISC will receive a total of \$150,000, with \$140,000 disbursed equally to the Alhambra, Balsz, Cartwright, and Roosevelt School Districts and \$10,000 to LISC for its administrative fee. A total of approximately 126,000 meals will be provided for pick-up or delivery to families in COVID-19 impacted zip codes by these school districts.

The additional funds will be expended by May 30, 2021, as stipulated by this amendment.

Procurement Information

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

Contract Term

The term of the contracts is extended from Dec. 31, 2020 to May 31, 2021. Contracts may be extended based on continuous need and available funding, which may be exercised by the City Manager or designee.

Financial Impact

- The original agreement for LISC was authorized for \$1.1 million and the first amendment increased the authorization by an additional \$93,000, for a total authorization of \$1,193,000. This amendment will increase the authorization by an additional \$150,000, for a new total authorization of \$1,343,000.
- The original agreement for LFAF was authorized for \$600,000 and the first amendment increased authorization by an additional \$351,000, for a total authorization of \$951,000. This amendment will increase the authorization by an additional \$350,000, for a new total authorization of \$1,301,000.

Concurrence/Previous Council Action

The City Council approved:

- Agreements for COVID-19 Emergency Food Assistance with LISC and LFAF (Ordinance S-46712) on June 3, 2020; and
- Agreements for COVID-19 Emergency Food Assistance with LISC and LFAF Amendment (Ordinance S-47066) on Nov. 4, 2020.

The City Council also allocated \$500,000 in additional funds for food assistance at the City Council Policy Session on Dec. 8, 2020.

Responsible Department

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



Increase Funding for Small Business Grants Program (Ordinance S-47203)

Request to authorize the City Manager, or his designee, to add \$1,087,000 to the Small Business grants program to fund additional Phoenix businesses impacted by the COVID-19 pandemic, and to subsequently amend the agreement with the Arizona Community Foundation (ACF) to reflect the additional funding. Depending on when applications are approved, funds are available in either Coronavirus Relief Fund (CRF) or the General Fund. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

In April 2020, the City, in partnership with the Phoenix IDA and ACF, opened the first round of the Small Business Relief Grant program with \$2 million. Nearly 200 Phoenix small businesses were awarded grants up to \$10,000. The Phoenix Community Development Investment Corporation also offered \$2 million in low-interest loans to some Phoenix small businesses not awarded grants in this initial offering.

In May 2020, the City, in partnership with the Phoenix IDA and ACF, opened the second round of the Small Business Relief Grant as well as two new grant programs: the Microbusiness Resiliency Grant and the Restaurant Restart Resiliency Grant.

On Aug. 26, 2020, City Council amended the Small Business Relief Grant's and the Microbusiness Resiliency Grant's eligibility criterion that required an applicant business to have been operating in Phoenix since Jan. 1, 2019 to requiring an applicant business to have been operating in Phoenix for at least a year prior to submitting a grant application.

On Oct. 21, 2020, City Council further amended the Small Business Relief Grant's eligibility criteria to remove the requirement for a business to be located in, or adjacent to, a low income census tract and established Oct. 30, 2020 as the application deadline for the Small Business Relief Grant and the Microbusiness Resiliency Grant.

To date, the grant awards are as follows.

- Small Business Relief Grant (\$5 million): This grant, closed Oct. 30, 2020, funded

685 businesses for a total of \$5 million. Applicants for this grant had fewer than 25 employees and less than \$3 million in annual gross sales. Small Business Relief Grant recipients have included: restaurants, manufacturers, auto repair shops, retail stores, fitness studios, and others.

- Microbusiness Resiliency Grant (\$6 million): This grant, closed Oct. 30, 2020, funded 1,506 microbusinesses, solo practitioners, and entrepreneurs for a total of \$6 million. Applicants for this grant must have had five or fewer employees, and less than \$1 million in annual gross sales. Microbusiness Resiliency Grant recipients have included: travel agents, hair stylists and barbers, transportation providers, photographers, dry cleaners, nail technicians, accountants, musicians, and others.
- Restaurant Restart Resiliency Grant (\$1 million): This grant, closed on June 26, 2020, helped 103 business owners with grants up to \$10,000 for expenses related to restarting their businesses, including: buying food, rehiring staff, implementing safety protocols for employees and customers, and resetting floor plans to accommodate social distancing.

If approved, this additional funding will allow approximately 200-250 unfunded applications to now be awarded. ACF's fee for administering these grant awards remains at 1.9 percent. Upon City Council approval, funds will be sent directly to ACF so grant monies can be awarded expeditiously.

Contract Term

The City's existing grant funding agreement with the ACF will be amended to extend the contract term from Dec. 31, 2020 to Feb. 28, 2021.

Financial Impact

By adding this additional \$1,087,000 to the Microbusiness Resiliency and Small Business Relief grants, the total funding for the small business grants program will not exceed \$13,087,000. Funding is available in CRF through Dec. 30, after this date funds are available in the General Fund as a result of applying CRF to offset public safety salaries.

Concurrence/Previous Council Action

City Council approved funding for the Small Business Relief Grant at its April 30, 2020 Policy meeting. At the May 5, 2020 Policy meeting, City Council approved additional funding to implement grant programs to assist Phoenix's small businesses, microbusinesses and restaurants. On May 20, 2020, City Council authorized contracts related to these grants with the Phoenix IDA and ACF. On Aug. 26, 2020, City Council

authorized grant eligibility expansion. On Oct. 21, 2020, City Council authorized additional grant eligibility expansion, and at the Dec. 8, 2020 City Council Policy meeting, City Council approved additional funding for the small business grant program.

Responsible Department

This item is submitted by Deputy City Manager Jeff Barton and the Community and Economic Development Department.



Intergovernmental Agreement with Phoenix Union High School District and its Feeder Elementary Schools, Maricopa County Community Colleges District, and State of Arizona Relating to Digital Divide Solutions for Under-Served Areas (Ordinance S-47201)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with Phoenix Union High School District (PUHSD), its 13 public elementary feeder schools, Maricopa County Community Colleges District and the State of Arizona to provide for technology services related to the Digital Divide. Further request authorization for the City Controller to disburse up to \$2 million related to this item.

Summary

On May 14, 2020, City Council approved the allocation of \$2 million from the Coronavirus Relief Fund (CRF) to broaden Citywide wi-fi. Shortly thereafter, a core public and private group came together to discuss long-term solutions for the Digital Divide in Phoenix. The Digital Divide is defined as the economic, education, and social inequalities between those who have computers and online access, and those who do not. The working group outlined that even when there is internet availability, economic barriers prevent many residents from accessing the internet. During the COVID-19 pandemic, students have struggled with their education, and it has been particularly challenging for students in under-served areas with limited or no access to connectivity.

At the Oct. 27, 2020 City Council Policy meeting, City staff and representatives from PUHSD, the Greater Phoenix Economic Council, Arizona Commerce Authority and Phoenix College provided an update on the advances that this public-private partnership had been working on over the summer related to providing long-term solutions for the Digital Divide.

Over the past few months, this core group of public and private members came together to research hardware and software concepts that could provide connectivity to our students for educational purposes only. A Request for Proposals has been issued and is moving forward under PUHSD to select a company to validate the technology and install both a Micro Proof of Concept and, after successful testing, a

Proof of Concept on a larger test area, prior to full installation in the area served by PUHSD.

To accommodate this joint effort, it will be necessary to execute an IGA between all governmental parties. This IGA may be expanded in the future to include other governmental agencies and school districts in the City of Phoenix.

On Dec. 8, 2020, City Council authorized staff to use approximately \$40.1 million in Coronavirus Relief Funds to offset General Fund public safety salaries. This action freed up resources in the General Fund to continue previously approved CRF projects that would not be completed by the deadline of Dec. 30, 2020. This Digital Divide project will be funded from a portion of those freed up resources in the General Fund.

Contract Term

If approved, the term of this IGA would be for a period of five years.

Financial Impact

Total funding for the IGA would be up to \$2 million. Funding is available in the Bridging the Digital Divide project budget.

Concurrence/Previous Council Action

On May 14, 2020, City Council initially appropriated \$2 million in federal CRF in the Distance Learning and Wi-Fi Access set-aside to broaden Citywide wi-fi to bridge the Digital Divide. On Dec. 8, 2020, City Council authorized staff to continue critical projects related to the City's response to the COVID-19 pandemic utilizing General Funds.

Location

Council Districts: 4, 5, 7, and 8

Responsible Department

This item is submitted by Deputy City Managers Jeff Barton and Toni Maccarone and the Community and Economic Development and Information Technology Services departments.



Authorization to Amend Contract with Arizona Community Action Association, dba Wildfire, for COVID-19 Emergency Utility, Rent and Mortgage Assistance Services (Ordinance S-47204)

Request to authorize the City Manager, or his designee, to amend contract 152383 with the Arizona Community Action Association, dba Wildfire (Wildfire), to increase emergency utility and rent/mortgage assistance Coronavirus Aid, Relief and Economic Security (CARES) Act funding in the amount of \$3,300,000 for a total contract amount of \$29,000,000 and extend the contract term from Dec. 30, 2020 through the current and any future federal CARES Act expenditure timeline guidance. Additional authorization is requested for the City Manager, or his designee, to amend the total amount of this contract and the contract term should additional Coronavirus Relief Funds (CRF) be made available and/or the federal government extends the expenditure deadline for CRF. Further request authorization for the City Controller to disburse all funds related to this item. Funding is available from the City of Phoenix's CRF. There is no impact to the General Fund.

Summary

As part of the strategic plan for the City of Phoenix's \$293 million CRF, on May 5, 2020, City Council authorized a \$25.7 million award to Wildfire for the implementation of an emergency utility, and rent/mortgage assistance program for residents impacted by the COVID-19 national pandemic. The intent of the residential utility and rent/mortgage assistance program is to reduce the economic burden on residents due to the COVID-19 downturn.

On Dec. 8, 2020, the City Council provided further input and direction on the strategic plan, and proposed an additional \$3,300,000 in CRF for contract 152383 with Wildfire, for an aggregate total of \$29,000,000 in an effort to provide additional resources and services to Phoenix residents in alignment with the City Manager's guiding principles and strategic plan to deploy CRF. Funds from this additional allocation will be used to administer the program and provide emergency utility and rent/mortgage assistance to residents impact by the COVID-19 pandemic.

Under the terms of this contract amendment Wildfire will receive an advance payment of \$3,300,000 to fund applications accepted through Dec. 30, 2020. Additionally,

Wildfire and its network of participating agencies will have a set term as defined by federal guidelines to process all payments related to those applications. Any remaining funds in this contract will be returned to the City of Phoenix for return to the federal government if not awarded and expended within the current and any future federal CARES Act expenditure timeline guidance.

Contract Term

The term of this contact will be extended to align with current and any future federal CARES Act expenditure timeline guidance. This contract may be extended based on continuous need and available funding, in alignment with federal guidance, which may be exercised by the City Manager or designee.

Financial Impact

The total value of this contact is \$29,000,000. This contract value may be increased based on continuous need and available funding, which may be exercised by the City Manager or designee. There is no impact to the General Fund. Funding will be provided from the City of Phoenix's Coronavirus Relief Fund.

Concurrence/Previous Council Action

May 5, 2020 the City Council authorized staff to enter into contract with ACAA, dba Wildfire with Ordinance S-46644.

On Dec. 8, 2020 the City Council provided policy direction to add \$3,300,000 in Coronavirus Relief Funds for contract 152383 with Wildfire in an effort to provide additional resources and services to Phoenix residents impacted by the COVID-19 national pandemic in alignment with the City Manager's guiding principles and strategic plan to deploy the City of Phoenix's \$293 million Coronavirus Relief Fund.

Responsible Department

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



Request Retroactive Authorization to Apply for and Accept FTA COVID-19 Research-Demonstration Program Grant Funds and Enter into Grant Agreement (Ordinance S-47176)

Request retroactive authorization for the City Manager, or his designee, to allow the Public Transit Department to apply for a Federal Transit Administration (FTA) grant to purchase and install bus operator safety shields, as well as enter into an agreement with the FTA to accept the grant. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The grant is anticipated for an amount not to exceed \$2,043,242.

Summary

In response to the potential long-term effects of the COVID-19 pandemic, earlier this year the Public Transit Department requested, and received, approval to move forward with a Request for Proposals for the manufacture and installation of bus operator safety shields on the City's fleet of 483 heavy-duty transit buses at the April 23, 2020 Policy Session. On Aug. 26, 2020 the City Council approved a contract with Complete Coach Works (CCW). Bus operator safety shields will provide a physical barrier between the bus operator and passengers, providing a barrier against physical harm and protection from viruses potentially transmitted via water droplets associated with passengers coughing or sneezing.

With the FTA announcement of the Public Transportation COVID-19 Research Demonstration Grant Program in October 2020, the Public Transit Department seeks aid in funding of the CCW contract. The request for retroactive authorization to apply for the grant is due to the short application timeline. The COVID-19 Research-Demonstration Grant application deadline was Nov. 2, 2020.

Financial Impact

The grant application requests a federal amount of \$2,043,242, with the Phoenix match portion to be \$510,811. The local match is encouraged by the FTA to make the application more competitive in the grant evaluation and award process. If awarded, the federal grant will offset federal CARES funding currently allocated for this project.

Concurrence/Previous Council Action

- The City Council approved Bus Operator Protective Barriers Agreement 152951 (Ordinance S-46879) on Aug. 26, 2020.
- The Citizens Transportation Commission recommended this item for approval on Nov. 19, 2020, by a vote of 10-0.
- The Transportation, Infrastructure and Innovation Subcommittee recommended this item for approval on Dec. 2, 2020, by a vote of 4-0.

Responsible Department

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



Coronavirus Relief Fund Update and Closeout Process Related to the Project Assist Program (Ordinance S-47205)

This report provides the City Council with additional information related to the City's Project Assist Program as a follow-up to the Coronavirus Relief Fund Update and Closeout item from the Dec. 8, 2020 City Council Policy Session. This report also requests authorization for the City Controller to disburse, and the City Treasurer to accept, all funds necessary related to the City's Coronavirus relief allocation to the Project Assist program.

Summary

On Dec. 8, 2020 at the City Council Policy Session, City Council authorized staff to use approximately \$40.1 million in Coronavirus Relief Funds (CRF) to offset General Fund public safety salaries. This action freed up resources in the General Fund to continue previously-approved CRF projects that would not be completed by the deadline of Dec. 30, 2020. The Project Assist program will receive additional funding of \$2 million from a portion of those freed up resources in the General Fund.

Project Assist is a City program administered by the Human Services Department that provides financial assistance to low-income households experiencing crisis in order to resolve their past due City services bills.

Currently, the City advertises Project Assist by distributing flyers and information to community partners and advertising through the Human Services Department website. In addition, residents are directed to Project Assist through self-referral, community partners and the Water Services Department. To obtain assistance, a resident typically calls a central intake phone number to schedule an appointment, at which Human Services staff assesses eligibility.

The current Project Assist program criteria includes:

- 150 percent of Federal Poverty Level (can be waived by supervisor for extreme circumstances);
- One-time assistance in a 12-month period;
- Maximum payment of \$400 (with exceptions as approved by a supervisor); and

- All services and fees on City Services bill are covered.

During the COVID-19 pandemic, the City is experiencing an increase in delinquency for customer accounts, resulting in a total of approximately \$4 million as of Dec. 10, 2020.

In order to expedite relief during the current crisis, staff proposes to significantly streamline the process for residents to access the new funds allocated by Council to Project Assist.

Delinquent residential customers will be identified from reporting that is obtained through the billing system for the City Services accounts. Customer accounts will be prioritized based upon objective criteria indicating that the account holder is experiencing financial distress. Examples of these criteria include: residential accounts that have missed multiple monthly payments within the last 18 months; or accounts that have made multiple monthly partial payments to a single account throughout the past 18 months. These criteria aim to identify those households most in need.

The suggested Water Services Project Assist program criteria for the additional funding includes:

- One-time assistance;
- No maximum payment of \$400;
- All services and fees on City Services bill covered; and
- Accounts with any documented tampering or theft of services are ineligible.

Staff in the City's Utility Billing Center will immediately begin additional outreach efforts to delinquent residential customers. The City will contact customers telephonically and request the customer's authorization to apply funds to their account. Fund distribution will be closely monitored and reported regularly.

Responsible Department

This item is submitted by Deputy City Managers Inger Erickson, Jeff Barton and Karen Peters and the Budget and Research, Finance, Human Services and Water Services departments.



Voluntary Acquisition and Sale or Lease of Real Property Located at 12027 N. 28th Drive for U.S. Vets (Ordinance S-47175)

Request to authorize the City Manager, or his designee, to acquire real property located at 12027 N. 28th Drive by voluntary purchase using General Funds within the City of Phoenix's appraised value plus usual and customary closing costs, in a total amount not to exceed \$10.5 million. Further request authorization to enter into a lease for use of the property as a transitional and permanent supportive housing facility for homeless and at-risk veterans for a term of up to 10 years, with an option to purchase the property including a sale/carryback purchase option, and including such other terms as may be appropriate in the discretion of the City Manager or his designee. Such terms may include rent concessions for improvements, maintenance and other associated costs for any repairs during the lease term. Authorization also is requested to enter into an agreement with U.S. Vets for the operation of the property as a transitional and permanent supportive housing facility for homeless and at-risk veterans in an amount not to exceed \$500,000 in Emergency Solutions Grant (ESG-CV) funds and to execute all necessary agreements, leases and documents necessary for the use, operation and disposition of the property. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The aggregate value of the agreements will not exceed \$11 million for the combined agreements.

Summary

The property is being acquired to provide housing and services specifically for homeless and at-risk veterans and their families. The City of Phoenix obtained an appraisal, a Phase I Environmental Assessment, and a comprehensive building inspection. The property included in this request is identified by Maricopa County Assessor's parcels numbers 149-17-139C, 149-17-140B, and 149-17-141C located at 12027 N. 28th Drive.

U.S. Vets provides services to homeless veterans, including housing and supportive services, in 13 cities across five states. The property will be used to provide transitional and permanent housing to homeless veterans as well as supportive services such as case management, job skills development and other services.

Contract Term

The contract term for operations will begin on or about March 1, 2021 and will end on Sept. 30, 2022. The contract term for lease of the property will start on or before March 1, 2021 through Feb. 28, 2031.

Financial Impact

The aggregate value will not exceed \$11 million for the acquisition of the property and operation of the facility. For acquisition of the property, \$10.5 million is available in the General Fund. For operation of the facility, \$500,000 will be provided from U.S. Department of Housing and Urban Development Cares Act ESG-CV funds.

Concurrence/Previous Council Action

City Council approved \$10.5 million of the City's Coronavirus Relief Fund to support U.S. Vets at its Oct. 13, 2020 Policy meeting.

Location

12027 N. 28th Drive
Council District: 1

Responsible Department

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



Renewable Energy Purchase (Ordinance S-47178)

Request to authorize the City Manager, or his designee, to enter into a Solar Services Agreement (SSA) with Ameresco Inc. (Ameresco) to purchase renewable energy at a fixed price for 25 years in exchange for granting Ameresco site access to build, own, operate and maintain a 500 kilowatt solar photovoltaic generation facility (solar carport) at an employee parking lot at a Public Works Department facility.

Summary

On Feb. 7, 2018, City Council authorized establishment of a Qualified Vendor List (QVL) to develop solar projects at various City sites. Four vendors, including Ameresco, were selected by Council to be on the QVL.

In 2019, the City issued a request for quotation to construct a solar canopy array over the employee parking lot at the 22nd Avenue Public Works facility based on a predefined list of assumptions. Vendors from the QVL were informed that the City would only accept bids that had a positive Net Present Value (NPV) and could provide a positive cash flow in all years of the agreement.

Ameresco provided the lowest bid, and earned the right to prepare a detailed bid based on actual conditions found at the site including soil testing results, utility rates, and 15-minute interval energy use data. Although the vendor encountered several challenges in preparing the final agreement, such as multiple parcels, multiple meters and rates, sizing limitations by the utility, and special permissions required by the Roosevelt Irrigation District (that has a right-of-way in the project area), Ameresco was still able to meet the project limitations of a positive NPV and positive annual cash flow. The resulting SSA includes the following components:

- A fixed price of 8.88 cents (\$0.0888) per kilowatt hour for all energy produced by the solar array;
- A guarantee that the array will produce the Guaranteed Annual Electric Output (adjusted annually for degradation); and
- A license agreement to allow Ameresco to enter the Property to design, build, own, operate and maintain the facility for the life of the 25-year agreement, and remove the facility upon termination of the agreement.

The SSA structure was authorized by the Arizona Corporation Commission in Decision #71795 on July 12, 2010. The City used a third-party owner representative, Celtic Energy, to review the overall project proposal, and McKinstry Inc, to review the utility cost assumptions to ensure that the cost of energy in the agreement was below the current average cost the City pays the utility during the times of solar production.

By entering the SSA, the City is agreeing to pay Ameresco 8.88 cents (\$0.0888) for every kilowatt hour of renewable energy produced by the solar photovoltaic generation facility over the life of the agreement. This project will lower the carbon footprint of the associated buildings by approximately 500 metric tons of CO2 per year and become the 49th solar project constructed on City property.

Financial Impact

The price of energy to be purchased from the solar array is marginally below the current utility cost of energy and will result in nominal cost savings in the first year, however, it is anticipated that utility rates will rise over the 25-year agreement and likely result in significant cost savings in the latter years.

Concurrence/Previous Council Action

The City Council approved Solar Energy Projects QVL on Feb. 7, 2018.

Location

2631 S. 22nd Ave.
Council District: 7

Responsible Department

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



Additional Expenditures for Japanese Friendship Garden Pump and Ozone Repair and Maintenance - Requirements Contract - RFA 18-078A (Ordinance S-47179)

Request authorization for the City Manager, or his designee, to allow additional expenditures under Contract 146383 with GMI Pump Systems for maintenance and operation of the pump and ozone systems at the Japanese Friendship Garden for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Japanese Friendship Garden has a one-acre Koi pond that is a replica of the Japanese Friendship Garden in Himeji, Japan, Phoenix's sister city. This contract provides maintenance and operation of the pump and ozone system at the Japanese Friendship Garden. The Parks and Recreation Department also uses this contract for repairs on the pond pumps and the ozone system that keep the water aerated and clear, to provide a healthy environment for the 1,200 Koi that live in the pond. Funds are needed due to a large number of unforeseen repairs.

Contract Term

The contract term is Sept. 20, 2019 through Sept. 19, 2022.

Financial Impact

Upon approval of \$180,000 in additional funds, the revised aggregate value of the contract will not exceed \$412,000. Funds are available in the Parks and Recreation Department's budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Sept. 20, 2017.

Responsible Department

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



Three-Year Membership with Canada Arizona Business Council (Ordinance S-47191)

Request to authorize the City Manager, or his designee, to pay membership dues to the Canada Arizona Business Council (CABC) for December 2020 through December 2023 in the amount of \$25,000 annually, for a total amount not to exceed \$75,000. Further request authorization for the City Controller to disburse funds related to this item. Funding is available in the Community and Economic Development Department's budget.

Summary

The City entered into its first one-year membership with the CABC in 2014. A three-year CABC membership, at \$25,000 annually, was approved by the City Council in January 2018. With 175+ members, representing the private sector; economic development organizations; municipalities and trade organizations from Arizona and Canada, the CABC focuses on attracting Canadian foreign direct investment to Phoenix's residential and commercial real estate market. In addition, the CABC provides support to any Canadian mergers and acquisitions business, and continued expansion of existing Canadian businesses in the local Phoenix economy.

The work of the CABC has proven to be vital to the economic relationship between Arizona and Canada and has been instrumental in fostering Canadian investment in the Phoenix market. An example of their impactful work includes CABC's facilitation of the adoption by both the Province of Alberta and State of Arizona of a reciprocal judgments agreement, removing impediments to financing for Canadian businesses in Arizona. The CABC is currently assisting in the negotiation of a similar agreement between Ontario and Arizona. In addition, the CABC facilitated introduction of Canadian capital markets interested in investing in Phoenix companies through the Toronto Stock Exchange (TSE), which deals heavily in mining and energy. Total market capitalization of companies listed on TSE exceeds \$3 trillion (Canadian).

Canadian visitors account for approximately \$2.4 billion in the local economy. The CABC has worked with the airline industry to increase flight service between Canada and Phoenix, and as a result of their efforts, 209 direct flights per week between Canada and Phoenix were available prior to the COVID-19 pandemic. The CABC is

currently working to assure the return of these flights to Phoenix as airlines resume service.

Renewal of the CABC membership will continue to provide the City access to critical Canadian foreign direct investment intelligence, data, trends and opportunities to strengthen economic development relationships with potential Canadian investors and businesses. This will further enhance Phoenix's competitive position within the Canadian market.

If approved, the City's three-year membership will be valid through the following years:

- December 2020-2021
- December 2021-2022
- December 2022-2023

Financial Impact

Membership dues are \$25,000 annually, not to exceed a total of \$75,000 over the course of three years. Funds are available in the Community and Economic Development Department's budget.

Concurrence/Previous Council Action

The previous three-year CABC membership was approved by the City Council on Jan. 24, 2018, through ordinance S-44209.

Responsible Department

This item is submitted by Deputy City Manager Jeff Barton and the Community and Economic Development Department.



Foreign-Trade Zone Application for Taiwan Semiconductor Manufacturing Company (Resolution 21886)

Request a Resolution to authorize the City Manager, or his designee, to submit an application to the Foreign-Trade Zones Board of the U.S. Department of Commerce for Taiwan Semiconductor Manufacturing Company (TSMC), a U.S.-based subsidiary, its subsidiaries, affiliates or related entities, and to support property tax reclassification for activated Foreign-Trade Zones from property tax class 2 (or other classification) with a tax assessment ratio of 15 percent, to property tax class 6 with a tax assessment ratio of 5 percent pursuant to Arizona law (A.R.S. 42-12006). Also, request authorization to enter into a Foreign-Trade Zone (FTZ) Operations Agreement (Agreement) and any other necessary documentation with TSMC, or City-approved nominee. Further request authorization for the City Treasurer to accept funds related to this item.

Summary

The City of Phoenix, as Grantee of FTZ No. 75, has the right and authority to apply for FTZ site designations. TSMC manufactures 5-nanometer technology for semiconductor wafer fabrication. TSMC has requested an FTZ Subzone designation for property it is seeking to acquire through an Arizona State Land Department auction located at the northwest corner of Loop 303 and 43rd Avenue alignment. TSMC plans to conduct semiconductor fabrication at the campus to include administrative and other supporting facilities. The proposed FTZ site consists of approximately 1,128 acres. Buildings expected to be constructed in phase I will total approximately 3.8 million square feet.

Property tax support letters have been provided to the City from the following applicable tax jurisdictions: Central AZ Water Conservation District, Deer Valley Unified School District, Valleywise Health, and Western Maricopa Education Center. Support letters are pending from the following applicable tax jurisdictions: Maricopa County and Maricopa Community Colleges.

City staff will prepare an Operations Agreement with TSMC requiring the company to:

- Comply with U.S. Department of Commerce Foreign-Trade Zones Board standards
- Maintain record keeping satisfactory to the U.S. Customs and Border Protection
- Obtain business bonding and insurance satisfactory to the City and the U.S.

Customs and Border Protection

- Indemnify the City against claims arising from their FTZ operations
- Pay to the City all fees pursuant to the current zone fee schedule

The Agreement will contain other terms and conditions deemed necessary or appropriate.

Contract Term

The term of the Agreement, if approved, will be for 20 years unless the FTZ designation terminates sooner. Provisions of the contract may include an option to extend for as long as the FTZ designation exists which may be exercised by the City Manager or his designee.

Financial Impact

The City will incur no costs associated with TSMC's application; however, the property may be reclassified to a lower tax rate once TSMC successfully activates the FTZ.

Location

Northwest corner of Loop 303 and 43rd Avenue alignment
Council District: 1

Responsible Department

This item is submitted by Deputy City Manager Jeff Barton and the Community and Economic Development Department.



Add Positions and Apparatus to Support Fire Department Operations (Ordinance S-47198)

Request to authorize the City Manager, or his designee, to add 27 new sworn positions and add Fire Apparatus to support Fire Department operations. Funds are available in the General Fund and 2019 SAFER grant to support this request. Further request authorization for the City Controller to disburse funds required for this item.

Summary

To efficiently deliver fire services, 27 additional sworn positions are necessary to staff 1 new Rescue Company and 2 new Medical Response Units (MRU). The 27 new positions will be funded through the 2019 SAFER grant and include 17 Firefighters, 5 Fire Engineers, and 5 Fire Captains. The one-time purchase of the additional Rescue and two new MRU's will be funded through available General Funds as follows:

\$230,000 - Medical Response Unit (includes 4 Self-Contained Breathing Apparatuses (SCBA's) and 1 cardiac monitor)

\$230,000 - Medical Response Unit (includes 4 SCBA's and 1 cardiac monitor)

\$355,000 - Rescue (ambulance) Unit (includes 2 SCBA's, 1 cardiac monitor and 1 power gurney)

\$815,000 - Total (one-time) cost

Financial Impact

Funds are available in the Fire Department General Fund for the one-time purchases of equipment and vehicles in an amount not to exceed \$815,000. Additionally, 2019 SAFER grant funds are available to support the 27 new sworn positions in an amount not to exceed \$8,581,815.

Concurrence/Previous Council Action

The request to apply for the SAFER grant was approved by the City Council on June 23, 2020, through ordinance S-46701.

Responsible Department

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



Intergovernmental Agreement with Arizona State University for Services Associated with Police-Related Projects (Ordinance S-47177)

Request to authorize the City Manager, or his designee, to enter into a Master Intergovernmental Agreement (IGA) with the Arizona Board of Regents, Arizona State University (ASU), for services associated with police-related projects in an amount not to exceed \$16,500. Further request authorization to enter into project agreements as necessary within the Council-approved expenditure authority, and for the City Controller to disburse all funds related to this item.

Summary

The Phoenix Police Department would like to partner with ASU on various police-related projects involving the review and assessment of various police practices and operational procedures. ASU would make its qualified personnel and students available to the City on an as-needed basis to address the City's needs by conducting research and developing recommendations and protocols as necessary on specific projects. City funding would cover costs to pay students for their time on these projects. ASU's research and related recommendations and protocols can offer to improve police practices and procedures; enhance data collection and reporting; and ensure the law enforcement procedures assessed are aligned with best practices.

Contract Term

Upon Council approval, the term of the IGA will be for one year. Provisions of this agreement include an option to renew the IGA for an additional one-year period, which may be exercised by the City Manager or his designee.

Financial Impact

The cost to fund this agreement is \$16,500. Funding is available in the Police Department's budget.

Concurrence/Previous Council Action

This item was unanimously approved at the Public Safety and Justice Subcommittee meeting on Nov. 17, 2020.

Responsible Department

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



Police Records Management System Enhancements - National Incident-Based Reporting System (NIBRS) (Ordinance S-47196)

Request to authorize the City Manager, or his designee, to extend Contract 146585 through May 31, 2021 with Intergraph Corporation, DBA Hexagon Safety & Infrastructure for the Police Department.

Summary

The Police Department is continuing the transition from the Uniform Crime Reporting (UCR) Summary reporting to UCR NIBRS by implementing enhancements to the Police Records Management System. The Federal Bureau of Investigations (FBI) requires all public safety agencies to transition to UCR NIBRS reporting. Additional time is required to complete the NIBRS enhancements and meet the deadline required by the FBI.

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

Contract Term

The contract shall be extended through May 31, 2021.

Financial Impact

No additional funds are required.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Nov. 29, 2017 and extended on Jan. 23, 2020.

Responsible Department

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



Substitute Ground Lease with American Greyhound Racing (Ordinance S-47187)

Request to authorize the City Manager, or his designee, to enter into a substitute ground lease with American Greyhound Racing, Inc. (Greyhound) at Phoenix Sky Harbor International Airport.

Summary

Greyhound leases the greyhound race track located at 3801 E. Washington St. Greyhound currently uses the location for a community swap meet market. Greyhound has requested a five-year lease extension for their current lease. The current lease has undergone numerous amendments resulting in changes to the boundaries of the original leased premises. This substitute lease will replace the current lease and clarify the description of the lease premises.

Contract Term

The term of the lease will be five years and will contain one option to extend the term on a month-to-month basis for up to two years. The option may be exercised at the sole discretion of the Aviation Director.

Financial Impact

Rent for the first year of the lease will be approximately \$954,240 (\$0.78 per square foot), plus applicable taxes. Rent will be adjusted annually thereafter according to the Phoenix-Mesa-Scottsdale Consumer Price Index. Total anticipated revenue over the five-year term will be approximately \$4,771,200.

Concurrence/Previous Council Action

- The Phoenix Aviation Advisory Board recommended this item for approval on Nov. 19, 2020, by a vote of 9-0.
- The Transportation, Infrastructure and Innovation Subcommittee recommended this item for approval on Dec. 2, 2020, by a vote of 4-0.

Location

3801 E. Washington St.
Council District: 8

Responsible Department

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



Through the Fence Agreement with Dillon Aero, Inc. at Phoenix Deer Valley Airport (Ordinance S-47189)

Request to authorize the City Manager, or his designee, to enter a Through the Fence (TTF) agreement with Dillon Aero, Inc. (Dillon) to provide access from Dillon's hangar facility to Phoenix Deer Valley Airport (DVT).

Summary

On or about Sept. 11, 2020, Dillon purchased a hangar facility from Honeywell Inc. The hangar facility is located off DVT property at 1510 W. Deer Valley Road. The hangar facility is connected to DVT via an existing taxi lane. The TTF agreement will provide access for Dillon-owned and leased aircraft to DVT for aircraft operations.

Contract Term

The term of the TTF agreement will be for 30 years. The agreement is non-transferable and will terminate if Dillon sells the hangar facility.

Financial Impact

Revenue from the TTF agreement is \$27.53 per month for each of Dillon's aircraft stationed at the hangar facility. The rate is based on the rate for uncovered tie-down aircraft storage at DVT and will be adjusted annually according to the Consumer Price Index. Dillon will also pay the current fuel flowage rate of \$0.11 per gallon.

Concurrence/Previous Council Action

This item was recommended for approval by the Phoenix Aviation Advisory Board on Nov. 19, 2020 and the Transportation, Infrastructure and Innovation Subcommittee on Dec. 2, 2020.

Location

Adjacent to Phoenix Deer Valley Airport located at 702 W. Deer Valley Road
Council District: 1

Responsible Department

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



Salt River Project Agricultural Improvement and Power District Executive Hangar Lease at Phoenix Sky Harbor International Airport (Ordinance S-47190)

Request to authorize the City Manager, or his designee, to enter into an executive hangar lease with Salt River Project Agricultural Improvement and Power District (SRP) at Phoenix Sky Harbor International Airport (PHX).

Summary

SRP currently leases three hangars at PHX where they store and maintain aircraft of various types. SRP has requested to lease Executive Hangar E12. The new lease will replace an existing lease for Executive Hangar E13, which is scheduled to expire April 30, 2021.

Contract Term

The term of the lease will be for two years. The lease also contains two one-year options to extend the term, which may be exercised by the City Manager or his designee.

Financial Impact

Rent for the first year of the lease will be approximately \$29,670 (\$7.04 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 four-year term of the lease, if both options to extend the term are exercised, will be approximately \$118,673.

Concurrence/Previous Council Action

- The Phoenix Aviation Advisory Board recommended this item for approval on Nov. 19, 2020, by a vote of 8-0.
- The Transportation, Infrastructure and Innovation Subcommittee recommended this item for approval on Dec. 2, 2020, by a vote of 4-0.

Location

2541 E. Air Lane
Council District: 8

Responsible Department

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



Home Pick-Up Household Hazardous Waste Collection Service - Pilot Program, Requirements Contract (Ordinance S-47167)

Request to authorize the City Manager, or his designee, to enter into an agreement with Kary Environmental Services, Inc. (KES) to provide home pick-up Household Hazardous Waste (HHW) collection service to residents for a term of six months, in support of a pilot program. Further request to authorize the City Controller to disburse all funds related to this item. This agreement will have an aggregate amount of \$350,000.

Summary

The City offers a program for recycling and proper disposal of HHW, which has historically been an event style collection. In March 2020, due to the COVID-19 health pandemic and related safety concerns, HHW collection events were postponed indefinitely. Alternatively, residents have been provided an option allowing them to deliver HHW items directly to the City's HHW vendor sites. This method has led to lower participation rates and inconvenient drop-off locations.

This agreement will allow KES to perform at-home collection of HHW material for residents. Through extensive research it was determined that KES is the only known vendor providing at-home pick-up services for HHW in Arizona. KES currently provides home pick-up services in Scottsdale, Peoria, and Prescott. Maintaining an HHW program is vital to the City to protect human health and the environment; to prevent operational hazards to equipment and staff; and to increase diversion of hazardous materials from the City's landfill. During this pilot program, the current drop-off service option will remain in place, but no in-person events will be hosted.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo, citing special circumstance, without competition. KES is the only known vendor providing this type of collection in surrounding cities.

Contract Term

This agreement will be for a six-month term to begin on or about Jan. 1, 2021 through June 30, 2021.

Financial Impact

This project will have a total aggregate amount not to exceed \$350,000 over the six-month pilot term. Funds are available in the Public Works Department's budget.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Innovation Subcommittee recommended City Council approval of the contract with KES on Dec. 2, 2020, by a vote of 4-0.

Responsible Department

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



Contract Recommendation for Asphalt and Striping Services (Ordinance S-47171)

Request to authorize the City Manager, or his designee, to enter into separate contracts with Cactus Transport, Inc.; Sunland Asphalt & Construction, Inc.; and Viasun Corporation for asphalt and striping services to be used on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item. The total aggregate amount is \$6,650,000 over the life of the contracts.

Summary

The Public Works Department is responsible for asphalt and striping maintenance and repairs at various City locations. These asphalt services include maintenance and repair to foundations, driveways, and walkways. Striping services include disability signage and striping in parking lots and loading areas. The Aviation Department is responsible for asphalt and striping projects and maintenance at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport. These airport services include asphalt paving, crack fill, sealing, safety bollards, disability signage, and striping.

Procurement Information

Invitation for Bid 21-FMD-018 was conducted in accordance with Administrative Regulation 3.10. Six offers were received by the Public Works Department Procurement Services on Sept. 30, 2020. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offers submitted by Cactus Asphalt, A Division of Cactus Transport, Inc.; Sunland Asphalt & Construction, Inc.; and Viasun Corporation were deemed fair and reasonable.

Total for requested services at all City-owned, non-Aviation Department properties for asphalt services:

Group A

- Sunland Asphalt & Construction, Inc.: \$1,368.73 bid total.

Group B

- Cactus Asphalt, A Division of Cactus Transport, Inc.: \$1,420.73 bid total; and

- Viasun Corporation: \$1,437.02 bid total.

Total for requested services at all Aviation Department properties for asphalt services:

Group C

- Sunland Asphalt & Construction, Inc.: \$3,545.23 bid total.

Group D

- Viasun Corporation: \$1,454.13 bid total.

Contract Term

The one-year term of the contracts will begin on or about Jan. 1, 2021. The contracts will contain four one-year options to extend the term, for a total contract term of up to five years if all options are exercised.

Financial Impact

The aggregate value of the contracts, including all option years, is \$6,650,000, including all applicable taxes, with an estimated annual expenditure of \$1,330,000. Funds are available in the Public Works and Aviation departments' budgets.

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Karen Peters and the Aviation and Public Works departments.



Additional Expenditures for Facility Site Assessments (Ordinance S-47182)

Request to authorize the City Manager, or his designee, to add additional expenditures to contracts with Abacus Project Management, Inc. (Contract 148930); AECOM Technical Services, Inc. (Contract 148934); Ameresco, Inc. (Contract 148933); APMI, Inc. (Contract 148925); Arrington Watkins Architects, LLC (Contract 148932); C&S Engineers, Inc. (Contract 148926); Cannon/Parkin, Inc. (Contract 148935); Bureau Veritas Technical Assessments, LLC (Contract 148928); Faithful & Gould, Inc. (Contract 148929); and Wood Environment and Infrastructure Solutions, Inc. (Contract 148931) in an amount up to \$3,000,000, to provide condition assessments on City buildings. Further request authorization for the City Controller to disburse all funds related to this item. The revised aggregate value of the contracts will not exceed \$9,100,000.

Summary

These contracts are used to complete condition evaluations of all City properties. These evaluations provide information for capital planning, identification of areas with immediate needs, improved maintenance, and verification of functional and environmental obsolescence. Site assessments are needed to maintain the condition and safety of more than 1,300 City facilities. The information gathered from the assessments makes it possible to plan and budget for necessary maintenance and repairs of these buildings, which is necessary for the safety of City employees and the public.

Contract Term

The initial one-year term of the contracts began on Dec. 1, 2018, with four one-year options to extend, for a total contract term of up to five years.

Financial Impact

Upon approval of \$3,000,000 in additional funds for the Public Works Department, the revised aggregate value of the contracts will not exceed \$9,100,000. Funds are available in the Public Works Department's budget.

Concurrence/Previous Council Action

The contracts are the result of solicitation RFQu 19-FMD-020 awarded by Formal

Council action on Nov. 14, 2018, with an estimated aggregate amount of \$6,100,000. The action approved a Qualified Vendor List (QVL) to be established for an initial one-year term, with four one-year options to extend, and pay authority for the first two years of the QVL.

Responsible Department

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



**Food Waste Diversion Services - Requirements Contract - RFQ 21-SW-015
(Ordinance S-47186)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Recycled City, LLC to provide food waste diversion services for Phoenix City Hall and Calvin C. Goode building. Further request to authorize the City Controller to disburse all funds related to this item. This agreement will have an aggregate amount not to exceed \$90,000.

Summary

This agreement will provide continuation of food scrap pick-up services at the identified City facilities for composting at Recycled City's farm. This service will help with the City's diversion initiative goal of Zero Waste by 2050. Since 2016, this service has diverted 37 tons of food waste otherwise going in the City's landfill. The agreement also will provide bi-weekly bin pick-up service at Phoenix City Hall and Calvin C. Goode building. This contract allows for other City of Phoenix facilities to be serviced in the future, if necessary.

Procurement Information

Request for Quote, RFQ 21-SW-015, was conducted in accordance with City of Phoenix Administrative Regulation 3.10. The Public Works Department received one offer on Aug. 19, 2020. This offer was determined to be responsive and responsible to the solicitation requirements.

The Procurement Officer evaluated the quote based on price, responsiveness to all specifications, terms and conditions. Recycled City, LLC met all solicitation criteria and is recommended for contract award.

Contract Term

The initial contract term is for one year beginning upon Council approval. Provisions of the contract include an option to extend the term up to four years to be taken in one-year increments, which may be exercised by the City Manager or designee.

Financial Impact

This agreement will have an aggregate amount not to exceed \$90,000 over the life of

the agreement including option years, with an estimated annual amount of \$18,000. Funds are available in the Public Works Department's budget.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Innovation Subcommittee recommended for approval an agreement with Recycled City, LLC on Dec. 2, 2020 meeting, by a vote of 4-0.

Location

Phoenix City Hall - 200 W. Washington St.

Calvin C. Goode Municipal Building - 251 W. Washington St.

Council District: 7

Responsible Department

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



Amend Phoenix Municipal Code Section 31-200 Authority and Administration; Adoption of the Traffic Barricade Manual; Definitions (Ordinance G-6779)

Request City Council approval and adoption of the Revised 9th Edition of the Traffic Barricade Manual. Additionally, request adoption of an ordinance to amend Phoenix Municipal Code Section 31-200. There is no financial impact associated with this request.

Summary

Traffic Barricade Manuals (TBM) have been used by the City of Phoenix since 1961. The TBM ensures the safety of the thousands of people who must work in Phoenix's public right-of-way while managing traffic effectively when temporary barricades and signage are in place. The TBM provides specific information on how to set up barricades and signs, how to become certified to provide barricades in the right-of-way, and what is required to work safely in the roadway and to protect the traveling public. The TBM also describes the City's ordinances and permitting processes necessary for those wanting to work in the right-of-way so that construction work and events can be managed effectively and within a safe environment. Typical users of the TBM include City crews, utility and barricade companies, landscapers, construction companies, and event coordinators.

The City's TBM was last updated in 2017 (9th edition) and had substantial changes from the previous edition updated in 2008. The main resources that the Street Transportation Department has used for updating the City's TBM are the Federal Highway Administration's 2009 Manual on Uniform Traffic Control Devices (MUTCD) and the Arizona MUTCD Supplement. The federal and state MUTCD manuals provide primary guidance regarding temporary traffic control devices, and the City's existing TBM has tailored these standards to urban city streets and intersections with limited rights-of-way and heavy traffic conditions.

To bring the City's policies and procedures for temporary traffic control devices in line with current standards and practices, the Street Transportation Department is proposing an update to the TBM that includes four minor revisions. The new proposed Traffic Barricade Manual (Revised 9th Edition) provides modified guidance relating to:

- Allowing the use of automated flagging assistance devices (AFAD). AFAD systems are modern technologies that reduce the likelihood of human error in controlling traffic flow in restricted lane situations. These systems allow a certified flagger to control the flow of traffic through temporary traffic control zones when a single lane of travel is shared alternately by vehicles traveling in opposite directions;
- Updating signing and striping requirements to remove the use of raised pavement markers for temporary lane markings on streets that have been recently paved, micro-sealed, or slurry sealed;
- Expanding the number of police agencies whose officers can direct traffic at construction sites within City limits from three agencies (City of Phoenix, Maricopa County, and Arizona Department of Safety) to include all Arizona Peace Officer Standards and Training (POST) certified officers; and
- Removing subsurface obstructions in the right-of-way, including the removal of foundations for construction tower cranes and other similar foundations.

Financial Impact

There is no financial impact to the City or outside stakeholders resulting from the adoption of the Traffic Barricade Manual (Revised 9th Edition).

Concurrence/Previous Council Action

- The City Council approved the City of Phoenix Traffic Barricade Manual (9th Edition) (Ordinance G-6322) on May 31, 2017.
- The Transportation, Infrastructure and Innovation Subcommittee recommended City Council approval of the City of Phoenix Traffic Barricade Manual (Revised 9th Edition) on Oct. 7, 2020, by a vote of 3-0.

Public Outreach

Staff has coordinated the proposed update to the Traffic Barricade Manual (Revised 9th Edition) with affected stakeholders as part of the preliminary draft review process. These stakeholder groups include the American Traffic Safety Services Association - Arizona Chapter, Arizona Chapter of the Associated General Contractors, Arizona Utility Contractors Associations, Arizona Department of Transportation, Development Advisory Board, City departments, and utility and barricade companies.

Responsible Department

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



Street Transportation Department Right-of-Way General Construction - Job Order Contracting Services - 4108JOC195 (Ordinance S-47160)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with four contractors, to provide Right-of-Way General Construction Job Order Contracting (JOC) services for the Street Transportation Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed \$160 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 relating 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, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property. Further request the City Council, where such agreements, licenses, and permits involve the Salt River Project, to grant an exception to Salt River Project pursuant to Phoenix City Code section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18.

Summary

The JOC contractor's services will be used on an as-needed basis to provide Right-of-Way General Construction to include asphalt paving and concrete work, waterlines, storm drains, retention basins, streetlights, utility work, and traffic control in the right-of-way. All work will be performed as required in accordance with City of Phoenix standard details, utility company specifications, Maricopa Association of Governments specifications, plans provided by the City of Phoenix, and/or as directed by the City Engineer. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

This Agreement is 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. Seventeen firms submitted proposals and are listed in **Attachment A**.

Contract Term

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

Financial Impact

The master agreement values for each of the JOC contractors will not exceed \$40 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed \$160 million. The value for each job order agreement performed under this master agreement will be up to \$4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

Public Outreach

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

Responsible Department

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

ATTACHMENT A

Selected Firms

Rank 1: Talis Construction Corporation

Rank 2: Hunter Contracting Co.

Rank 3: Achen-Gardner Construction, LLC

Rank 4: ViaSun Corporation

Additional Proposers

Rank 5: Sunland Asphalt & Construction, Inc.

Rank 6: Nesbitt Contracting Co., Inc.

Rank 7: Rummel Construction, Inc.

Rank 8: DBA Construction, Inc.

Rank 9: Blucor Contracting, Inc.

Rank 10: S & S Paving and Construction, Inc.

Rank 11: J. Banicki Construction, Inc.

Rank 12: DCS Contracting, Inc.

Rank 13: M.D. Merrett Incorporated

Rank 14: Utility Construction, Inc.

Rank 15: Lincoln Constructors, Inc.

Rank 16: Shada Inc dba Benchmark Construction

Rank 17: H.W. Johnson Concrete Construction, LLC



99th Avenue Interceptor Condition Assessment - Engineering Services - WS90160105 (Ordinance S-47161)

Request to authorize the City Manager, or his designee, to enter into an agreement with Project Engineering Consultants, LTD. (PEC), to provide engineering services that include assessment/study services for the 99th Avenue Interceptor Condition Assessment 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 \$750,000.

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 conduct a condition assessment of the 99th Avenue Interceptor, a multi-owned interceptor governed by an Intergovernmental Agreement between the cities of Glendale, Peoria, Tolleson, and Phoenix.

PEC's services include, but are not limited to:

- review of past assessments, as-builts, completed rehabilitation and other improvements, and pertinent documents and records;
- inspect (using remote video inspection equipment) interceptor interior and assess all manholes and structures on the interceptor (using remote and manned entry);
- prepare detailed report of observations including recommendations for cost-effective resolution of discovered defects;
- develop budgetary costs for addressing higher priority defects found in the interceptor and manholes and structures;
- hold progress meetings and workshops as needed to complete the work; prepare a draft report for review;

- present the recommendations made in the draft report; and prepare a final report.

The 99th Avenue Interceptor is owned by the cities of Glendale, Peoria, Phoenix and Tolleson and is operated and maintained by the City of Phoenix.

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

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (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. Three firms submitted proposals and are listed below.

Selected Firm

Rank 1: Project Engineering Consultants, LTD.

Additional Proposers

Rank 2: Brown and Caldwell, Inc.

Rank 3: Garver LLC

Contract Term

The term of the agreement is 550 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for PEC will not exceed \$750,000, 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.

Location

99th Avenue to 87th Avenue and Broadway Road to Olive Avenue

Council Districts: 5 and 7

Responsible Department

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



Agreement between Valley Metro Rail, Inc. and City of Phoenix for Bridge Inspection Services (Ordinance S-47162)

Request to authorize the City Manager, or his designee, to enter into an agreement with Valley Metro Rail, Inc. (VMR) and for the City Treasurer to accept funds for bridge inspection services for VMR bridges. This agreement will allow Phoenix staff and consultants to inspect the bridges owned and operated by VMR. Further request exemption from the indemnification and liability provisions of section 42-18 of the City Code to allow for mutual indemnification. The agreement value will not exceed \$500,000.

Summary

Under this agreement, the City of Phoenix shall inspect nine VMR bridge locations in accordance with National Bridge Inspection Standards. VMR shall pay the City of Phoenix for all costs related to inspection of each bridge, including staff services, consultant fees and equipment used. In addition, VMR shall bear all liability and shall be solely responsible for the condition of any structure and maintenance work to VMR structures, or lack thereof, for any structures inspected pursuant to this Agreement.

Contract Term

The term of this agreement will begin on Jan. 1, 2021 and will expire on Dec. 31, 2024.

Financial Impact

The City of Phoenix will be reimbursed up to \$500,000 by VMR for Bridge Inspection Services performed by City staff and contractors for the inspection of VMR infrastructure.

Location

Council Districts: 1, 3, 4, 5, 7, 8 and Out of City.

Responsible Department

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



7A-ES1 New Reservoir and 7A New Water Main - Construction Manager at Risk Preconstruction Services - WS85050053, WS85500457, WS85050019 and WS85500446 (Ordinance S-47165)

Request to authorize the City Manager, or his designee, to enter into an agreement with McCarthy Building Companies, Inc. (McCarthy) to provide Construction Manager at Risk (CMAR) Preconstruction Services for the 7A-ES1 New Reservoir and 7A New Water Main 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 \$380,000.

Summary

The purpose of this project is to provide additional water storage capacity on Zone 7A, currently estimated at up to five million gallons. The City is planning to locate the new reservoir at the undeveloped site located on Cave Creek Road. In addition, a new water main will be required to extend the existing 7A water main in Cave Creek Road north to the new reservoir site.

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

McCarthy's services include, but are not limited to: providing detailed cost estimation and knowledge of marketplace conditions, providing project planning and scheduling, providing alternate systems evaluation and constructability studies, and advising the City on ways to gain efficiencies in project delivery. A Small Business Enterprise goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

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

Procurement Information

The selection was made using a qualifications-based selection process set forth in

section 34-603 of the Arizona Revised Statutes (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. Seven firms submitted proposals and are listed below.

Selected Firm

Rank 1: McCarthy Building Companies, Inc.

Additional Proposers

Rank 2: MGC Contractors, Inc.

Rank 3: PCL Construction, Inc.

Rank 4: Haydon Building Corp.

Rank 5: Achen-Gardner Construction, L.L.C.

Rank 6: Blucor Contracting, Inc.

Rank 7: KWR Construction, Inc.

Contract Term

The term of the agreement is two 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 McCarthy will not exceed \$380,000, including all subcontractor and reimbursable costs.

Funding is available in the Water Service 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

Desert Broom Park to North Cave Creek Road
Council District: 2

Responsible Department

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



7A-ES1 New Reservoir and 7A New Water Main - Engineering Services - WS85050053, WS85500457, WS85050019 and WS85500446 (Ordinance S-47166)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineering, Inc. (Wilson), to provide Engineering Services that include design and possible construction administration and inspection (CA&I) services for the 7A-ES1 New Reservoir and 7A New Water Main 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 \$3,250,000.

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 provide additional water storage capacity on Zone 7A, currently estimated at up to five million gallons. The City is planning to locate the new reservoir at the undeveloped site located on Cave Creek Road. In addition, a new water main will be required to extend the existing 7A water main in Cave Creek Road north to the new reservoir site.

Wilson's design services include, but are not limited to: basic hydraulic analysis of the service area/zones served by the new reservoir with evaluations and recommendations for water quality provisions and requirements; basis of design reports; preparation of construction documents; data collection and field survey, including geotechnical evaluation for construction requirements, public outreach coordination, and cost estimates for the milestone deliverables.

Construction administration and inspection services include, but are not limited to: general construction administration and oversight; construction inspection and

materials testing; startup and commissioning services, as well as agency coordination and permitting.

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

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (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. Six firms submitted proposals and are listed below.

Selected Firm

Rank 1: Wilson Engineering, Inc.

Additional Proposers

Rank 2: Dibble & Associates Consulting Engineers, Inc.

Rank 3: Entellus, Inc.

Rank 4: Carollo Engineers, Inc.

Rank 5: HDR Engineering, Inc.

Rank 6: Sunrise Engineering, Inc.

Contract Term

The term of the agreement is two years from the 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 Wilson will not exceed \$3,250,000, 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.

Location

Desert Broom Park to North Cave Creek Road

Council District: 2

Responsible Department

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



Relief Sewer Project: Van Buren and 52nd Street - Engineering Services - WS90500295 (Ordinance S-47169)

Request to authorize the City Manager, or his designee, to enter into an agreement with Project Engineering Consultants, LTD. (PEC), to provide Engineering Services that include construction administration and inspection (CA&I) services for the Relief Sewer Project: Van Buren and 52nd Street. 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 \$540,000.

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 provide CA&I services to oversee installation of approximately 5,500 linear feet of 12-inch diameter sanitary sewer line to increase the capacity of the existing 8-inch sanitary sewer line. The new sewer will mitigate surcharging flows experienced within the existing gravity sewer pipeline from the Phoenix Zoo service connection to Van Buren and 52nd Street.

PEC's services include, but are not limited to: providing oversight of project construction activities, inspecting the site through various stages of construction, reviewing contractor work submittals, and performing field inspections where required for completed repairs.

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

Procurement Information

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

Contract Term

The term of the agreement is 425 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for PEC will not exceed \$540,000, including all sub-consultant and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved Engineering Services contract 145110 (Ordinance S-43608) at the June 7, 2017 Formal Council meeting.

Location

Van Buren Street and 52nd Street
Council District: 6

Responsible Department

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



Salt River Project Construction License for Traffic Signal Installation - 14th Street and Buckeye Road (Ordinance S-47188)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project (SRP) for installation of a traffic signal at 14th Street and Buckeye Road. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise 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 run parallel and cross under existing SRP irrigation facilities to install traffic signal poles, pull boxes and conduit at 14th Street and Buckeye Road.

Contract Term

The term of the Construction License is one year, effective at the start of construction, which is expected by January 2021.

Financial Impact

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

Location

14th Street and Buckeye Road
Council District: 8

Responsible Department

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



Central Arizona Water Clearinghouse - Requirements Contract (Ordinance S-47164)

Request to authorize the City Manager, or his designee, to enter into contracts with Culp and Kelly, LLP, Martin & McCoy, LLC, and Mammoth Water, LLC, to provide professional services for development of the Central Arizona Water Clearinghouse (Clearinghouse) platform prototype pursuant to a grant agreement with the U.S. Bureau of Reclamation (BOR). The City was awarded a \$200,000 matching WaterSmart grant from the BOR for development of the Clearinghouse. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of the contracts including the grant funds shall not exceed \$368,080, including applicable taxes.

Summary

These contracts will provide professional services, including but not limited to: quantitative analysis, project management and technology professional services required to develop the Clearinghouse platform prototype. The Clearinghouse is a collaborative project developed by the City of Phoenix and an external team of water professionals, academics, and non-profit organizations. The purpose of the Clearinghouse is to create water management tools to facilitate market-based transactions that will advance water resources sustainability of the City and other water users in Central Arizona. Once complete, the Clearinghouse will house, maintain and make available thorough, credible, and up-to-date data about Arizona's water supplies. It will also provide templates and supporting information to model a range of transaction types, and offer credible evaluation of, and guidance about, potential transactions.

The Water Services Department requests a waiver from Phoenix City Code section 42-18(B) for the contract with Mammoth Water. Mammoth Water seeks a limitation of liability and if approved, it would preclude their liability for any consequential, indirect, or incidental damages arising out of the agreement.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing the unique nature of the skills and

knowledge required in the development of water marketing strategies.

Contract Term

The initial three-year contract term shall begin on or about Dec. 16, 2020 and end on Dec. 31, 2023. Provisions of the contracts include an option to extend the term of the contracts for an additional three years which may be exercised by the Water Services Director or designee.

Financial Impact

The aggregate contract value for the initial three-year term will not exceed \$368,080, including applicable taxes. Funding is available in the Water Services Department's budget. In the event Water Services Department exercises the additional contract option, it will seek additional spending authority at that time.

Concurrence/Previous Council Action

The City Council approved acceptance and disbursement of U.S. Bureau of Reclamation Water SMART Water Marketing Strategy grant (Ordinance S-45870) on June 26, 2019.

Responsible Department

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



Petroleum Products - Amendment (Ordinance S-47168)

Request to authorize the City Manager, or his designee, to add additional funds to contracts with: Western State Petroleum, Inc (Contract 151980), Synergy Petroleum (Contract 151982), and Van De Pol Enterprises, Inc (Contract 151984) to purchase petroleum products for the Water Services Department (WSD). Further request to authorize the City Controller to disburse all funds related to this item. The additional purchases of petroleum products included in these agreements will not exceed \$80,000.

Summary

These contracts are used to provide petroleum products, including but not limited to: fully synthetic engine motor oil, hydraulic fluid, lubricant, and diesel exhaust fluid, on an as-needed basis for operation and maintenance of department vehicles and equipment within the Public Works and Aviation departments.

This amendment is necessary to add additional funds allowing the WSD to use the contracts to purchase petroleum products for preventative maintenance of blowers, pumps, gearboxes and other equipment within WSD plants and facilities.

Financial Impact

- The initial agreement for Petroleum Products Services was executed for a fee not-to-exceed \$2,445,000, including all subconsultant and reimbursable costs.
- This amendment will increase the agreement by an additional \$80,000, for a new total not-to-exceed \$2,525,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved the Petroleum Products agreements (Ordinance S-46473) on April 1, 2020.

Responsible Department

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



Authorization to Terminate Easement for Water Line Purposes Near 45th Avenue and Alameda Road (Ordinance S-47170)

Request to authorize the City Manager, or his designee, to terminate an easement for water line purposes near 45th Avenue and Alameda Road.

Summary

A private easement for a water line was granted to Westward Hills Investment Company on Aug. 12, 1975, which was assumed by the City of Phoenix on March 20, 1981. The water line will be relocated, and a new easement will be dedicated in the Final Plat for Northpoint 200571. The termination of the easement will be recorded upon confirmation from Water Services Department staff that the new main is accepted and reconnected, and the existing water line is abandoned. As consideration for termination of the easement the developer will construct the new water main.

Location

Northeast corner 45th Avenue and Alameda Road
Council District: 1

Responsible Department

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



Rotork Actuators for Process Valves and Gates - Request for Agreement (Ordinance S-47173)

Request to authorize the City Manager, or his designee, to enter into a contract with T.W. Associates dba MISCOWater, to purchase Rotork actuators and related parts for the Water Services Department (WSD). Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract amount will not exceed \$260,000.

Summary

The Water and Wastewater Treatment Plants are in the process of replacing EIM actuators that have failed due to control board and circuitry issues. These actuators open and close process valves and gates within the water and wastewater treatment process. The availability of EIM actuators and components is decreasing as they are no longer supported by the manufacturer and becoming obsolete. The Water and Wastewater Treatment Plants are converting two Rotork actuators which are supported by the manufacturer and are more cost efficient. The actuators will be installed by the WSD staff.

Procurement Information

The selection was made using a direct selection process set forth in City of Phoenix Administrative Regulation 3.10. The competitive process was waived because T.W. Associates dba MISCOWater is the only authorized distributor for Rotork actuators.

Contract Term

The term of the contract is five years and will begin on Jan. 1, 2021.

Financial Impact

The contract value for T.W. Associates dba MISCOWater, will not exceed a total value of \$260,000 over the life of the contract. Funding is available in the Water Services Department Operating and Capital Improvement Program budgets.

Responsible Department

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



Final Plat - Northpoint - PLAT 200571 - 45th Avenue and Alameda Road

Plat: 200571
Project: 19-2047
Name of Plat: Northpoint
Owner(s): US Relp Norterra East I, LLC
Engineer(s): Clouse Engineering, Inc.
Request: A 35 Lot Residential Plat
Reviewed by Staff: Nov. 17, 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 45th Avenue and Alameda Road.
Council District: 1

Responsible Department

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



Final Plat - Tatum Acres III - PLAT 200533 - North of Gold Dust Avenue and West of Tatum Boulevard

Plat: 200533

Project: 01-20432

Name of Plat: Tatum Acres III

Owner(s): Tatum Acres HOA, Inc.

Engineer(s): Miller & Sons Surveying

Request: A 9 Lot Detached Single Family Planned Area Residential Subdivision Plat

Reviewed by Staff: Nov. 4, 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 Gold Dust Avenue and West of Tatum Boulevard

Council District: 3

Responsible Department

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



**Final Plat - McClellan Ranch - Parcels 1, 2a, 3a & 6a - PLAT 200525 -
Approximately 3,400 Feet West of South Mountain Freeway (Loop 202) and North
of Dobbins Road**

Plat: 200525

Project: 17-1627

Name of Plat: McClellan Ranch - Parcels 1, 2a, 3a & 6a

Owner(s): Pulte Home Company, LLC and Meritage Homes of Arizona, Inc.

Engineer(s): Hilgart Wilson, LLC

Request: A 260 Lot Residential Plat

Reviewed by Staff: Nov. 4, 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 approximately 3,400 feet west of South Mountain Freeway (Loop 202) and north of Dobbins Road.

Council District: 7

Responsible Department

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



Final Plat - Broadstone on Portland - PLAT 190093 - 320 E. Portland St.

Plat: 190093
Project: 16-2938
Name of Plat: Broadstone on Portland
Owner(s): Broadstone Portland, LLC
Engineer(s): Kland Civil Engineers
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Nov. 18, 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 320 E. Portland St.
Council District: 8

Responsible Department

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



Final Plat - Skyway 202 - PLAT 190115 - South of 202 Freeway and West of 40th Street

Plat: 190115
Project: 18-320
Name of Plat: Skyway 202
Owner(s): Sunbelt Land Holdings, LP
Engineer(s): Hunter Engineering
Request: A 2 Lot Commercial Plat
Reviewed by Staff: Nov. 9, 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 south of the 202 Freeway and west of 40th Street.
Council District: 8

Responsible Department

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



Final Plat - Estrella Crossing - Phases 1 & 2 - PLAT 200510 - Southwest Corner of 55th and Olney Avenues

Plat: 200510

Project: 19-722

Name of Plat: Estrella Crossing - Phases 1 & 2

Owner(s): Brookfield Holdings (Estrella Crossing), LLC

Engineer(s): EPS Group, Inc.

Request: A 433 Lot Residential Plat

Reviewed by Staff: Nov. 18, 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 55th and Olney Avenues.

Council District: 8

Responsible Department

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



Abandonment of Easement - ABND 200511 - Northeast Corner of Happy Valley Road and Norterra Parkway (Resolution 21885)

Abandonment: ABND 200511

Project: 15-3108

Applicant: AWH Construction, Inc.

Request: To abandon a portion of drainage easement located on parcel APN 210-04-488 and 210-04-489; recorded on Book 1499, Page 30.

Date of Decision: June 23, 2020

Location

Northeast corner of Happy Valley Road and Norterra Parkway

Council District: 1

Financial Impact

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

Responsible Department

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



Abandonment of Easement - ABND 200537 - 3515 S. 28th St. (Resolution 21887)

Abandonment: 200537

Project: 19-371

Applicant: Hecktech, Inc.

Request: To abandon a portion of drainage easement, recorded on Docket 15807, Page 689; located on parcel identified as APN 122-24-003T.

Date of Decision: Sept. 14, 2020

Location

3515 S. 28th St.

Council District: 8

Financial Impact

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

Responsible Department

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



Modification of Stipulation Request for Ratification of Nov. 18, 2020 Planning Hearing Officer Action - PHO-1-20_Z-63-86-7 - Approximately 325 Feet North of the Northwest Corner of 27th Avenue and Buckeye Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Nov. 18, 2020. This ratification requires formal action only.

Summary

Application: PHO-1-20--Z-63-86-7

Existing Zoning: A-1

Acreage: 1.83

Applicant: Andrew & Barbara Kelegian

Owner: Andrew & Barbara Kelegian

Representative: Jeff Muckerman

Proposal:

1. Deletion of Stipulation 2 regarding conditional approval.
2. Modification of Stipulation 3 regarding outside storage and open structures.
3. Deletion of Stipulation 4 regarding screening of outdoor storage and fences along 27th Avenue.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this request on Nov. 17, 2020 and recommended approval, by a 7-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Nov. 18, 2020, and recommended denial as filed and 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 325 feet north of the northwest corner of 27th Avenue and Buckeye Road

Council District: 7

Parcel Address: 1002 and 1018 S. 27th Ave.

Responsible Department

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

Attachment A- Stipulations- PHO-1-20_Z-63-86-7

Location: Approximately 325 feet north of the northwest corner of 27th Avenue and Buckeye Road

Stipulations:

1.	That A minimum 25-foot landscaped setback SHALL be provided along 27th Avenue to include a minimum 24-inch box size shade trees spaced a maximum 20 feet on center or placed in equivalent grouping together with minimum 5 gallon shrubs and an appropriate watering system to be installed within 90 days of final City Council action.
2.	That approval of this rezoning be conditioned upon development of a sandblasting and equipment painting operation in accordance with Section 108-M of the Zoning Ordinance. Any change of use shall require a public hearing before the Planning Hearing Officer.
3.	That any outside storage be contained within the rear half of the site and that no open structures be located within 75 feet of 27th Avenue.
4.	That all areas used for outdoor storage be surrounded by a 6-foot solid fence or wall within 18 months of City Council action, and that a 6-foot high decorative, offset masonry wall be provided at the 25-foot setback along 27th Avenue within 12 months of City Council action.
2.	THE DEVELOPMENT SHALL COMPLY WITH THE ESTRELLA VILLAGE ARTERIAL STREET LANDSCAPING PROGRAM, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3.	THE DEVELOPER SHALL DEDICATE A 10-FOOT SIDEWALK EASEMENT FOR THE WEST HALF OF 27TH AVENUE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4.	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.



Amend City Code - Ordinance Adoption - Rezoning Application PHO-2-20_Z-110-08-7(5) - Approximately 300 Feet North of the Northeast Corner of 99th Avenue and McDowell Road (Ordinance G-6780)

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 Nov. 18, 2020.

Summary

Application: PHO-2-20_Z-110-08-7(5)

Existing Zoning: C-2

Acreage: 1.39

Applicant: Arvin Saloum, Ninety-Nine Holdings, LLC

Owner: Reza Amirrezvani, SSCW 99th Avenue Retail, LLC

Representative: Larry Lazarus, Lazarus & Silvyn, P.C.

Proposal:

1. Modification of Stipulation 1 regarding general conformance to the site plan date stamped March 11, 2016.
2. Modification of Stipulation 2 regarding general conformance to elevations date stamped March 2, 2016.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Maryvale Village Planning Committee opted not to hear this request.

PHO Action: The Planning Hearing Officer heard this case on Nov. 18, 2020 and recommended approval. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

Approximately 300 feet north of the northeast corner of 99th Avenue and McDowell Road

Council District: 5

Parcel Address: 1701 N. 99th Ave.

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-110-08-7(5) PREVIOUSLY APPROVED BY
ORDINANCE G-6166.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as
follows:

SECTION 1. The zoning stipulations applicable located
approximately 300 feet north of the northeast corner of 99th Avenue and McDowell
Road in a portion of Section 33, Township 2 North, Range 1 East, as described
more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. ~~That~~THE development shall be in general conformance ~~to~~ WITH the site plan date stamped SEPTEMBER 11, 2020 ~~March 11, 2016~~, as approved or modified by the Planning and Development Department.
2. ~~That~~ THE development shall be in general conformance ~~to~~ WITH the elevations date stamped SEPTEMBER 11, 2020 ~~March 2, 2016~~, ~~with the addition of architectural embellishments and detailing on all sides of the buildings to include textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies~~, as approved OR MODIFIED by the Planning and Development Department.
3. ~~That~~ in the event the applicant obtains a landscape easement agreement from Roosevelt Irrigation District, view fencing shall be provided along the east property line along the Roosevelt Irrigation District Canal, as approved by the Planning and Development Department.

4. ~~That if~~ In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of that discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
5. ~~That a~~ Right-of-way totaling 75 feet shall be dedicated for the east half of 99th Avenue, as approved by the Planning and Development Department.
6. ~~That t~~ The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping, and other incidentals, as approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
7. ~~That t~~ The applicant shall complete and submit the Developer Project Information Form 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 quality requirements.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6166, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6166 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 16th day of
December, 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-2-20-- Z-110-08-7(5)

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 1 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 208.72 FEET OF THE NORTH 417.44 FEET OF THE SOUTH 717.44 FEET OF THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 1 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THE WEST 65 FEET THEREOF.

SAID PARCEL CONTAIN 60008 SQUARE FEET MORE OR LESS.

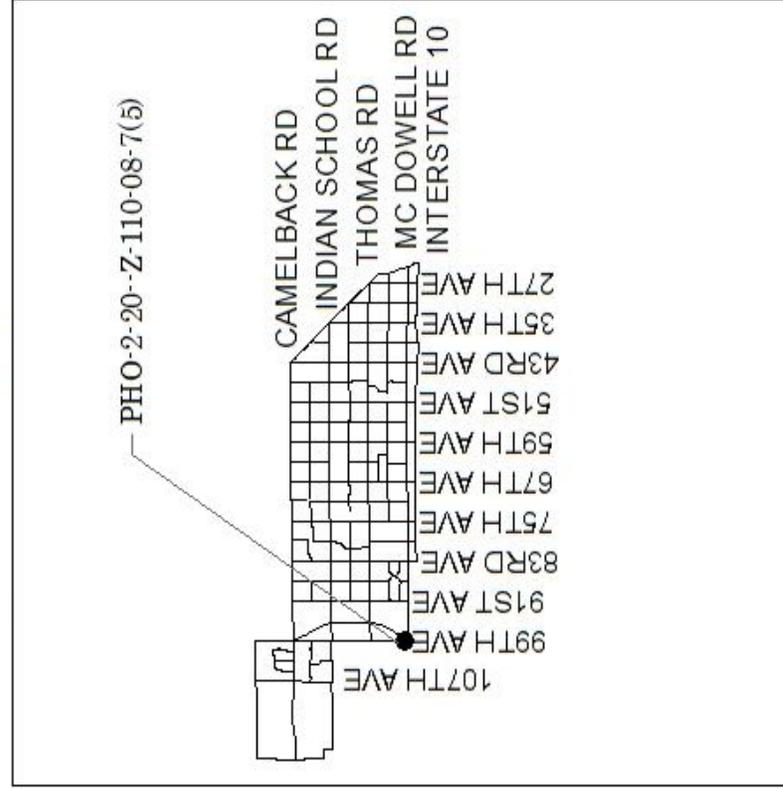
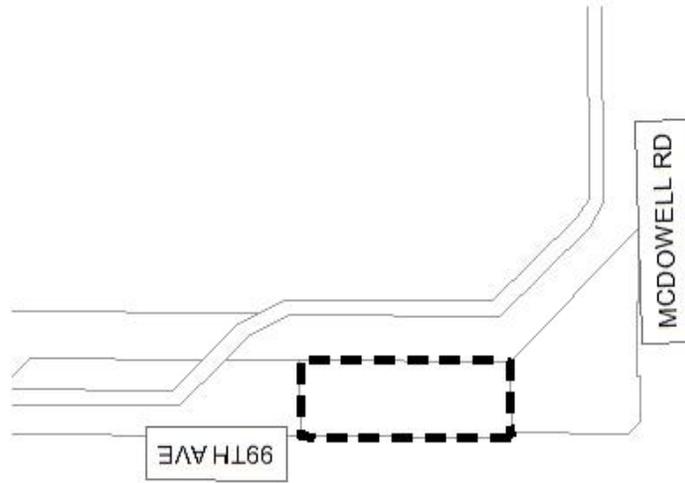
DRAFT

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: PHO-2-20-Z-110-08-7(5)
Zoning Overlay: N/A
Planning Village: Maryvale

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■■



NOT TO SCALE



Drawn Date: 11/20/2020



Amend City Code - Ordinance Adoption - Rezoning Application Z-16-20-6 (Alta Bluewater PUD) - Approximately 440 Feet West of the Northwest Corner of 18th Street and Camelback Road (Ordinance G-6778)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-16-20-6 and rezone the site from C-2 CEPCSP (Intermediate Commercial District, Camelback East Primary Core Specific Plan) and P-1 CEPCSP (Passenger Automobile Parking District, Camelback East Primary Core Specific Plan) to PUD CEPCSP (Planned Unit Development, Camelback East Primary Core Specific Plan) to allow multifamily residential and commercial uses.

Summary

Current Zoning: C-2 CEPCSP (1.80 acres) and P-1 CEPCSP (1.56 acres)

Proposed Zoning: PUD CEPCSP

Acreage: 3.36 acres

Proposed Use: Multifamily and commercial uses

Owner: Margaret T. Morris Trust

Applicant: Wood Partners

Representative: Nick Wood, Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this case on Nov. 10, 2020, and recommended approval, per the staff recommendation with a modification by a 16-1 vote.

PC Action: The Planning Commission heard this case on Dec. 3, 2020, and recommended approval, per the Camelback East Village Planning Committee recommendation with an additional stipulation, by a 9-0 vote.

Location

Approximately 440 feet west of the northwest corner of 18th Street and Camelback Road

Parcel Address: 1608 and 1720 E. Camelback Road; 1701 E. Colter St.; and 1706

E. Pasadena Ave.
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 ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-16-20-6) FROM C-2 CEPCSP (INTERMEDIATE COMMERCIAL DISTRICT, CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN) AND P-1 CEPCSP (PASSENGER AUTOMOBILE PARKING DISTRICT, CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN) TO PUD CEPCSP (PLANNED UNIT DEVELOPMENT, CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 3.36-acre site located approximately 440 feet west of the northwest corner of 18th Street and Camelback Road in a portion of Section 15, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from 1.80 acres of "C-2 CEPCSP" (Intermediate Commercial District, Camelback East Primary Core Specific Plan) and 1.56 acres of "P-1 CEPCSP" (Passenger Automobile Parking District, Camelback East Primary Core Specific Plan) to 3.36 acres of "PUD CEPCSP" (Planned Unit Development, Camelback East Primary Core Specific Plan).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B".

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Alta Bluewater 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 October 14, 2020, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing Draft: October 14, 2020; City Council adopted: [Add adoption date].
2. The developer shall dedicate a 10-foot sidewalk easement along Camelback Road.
3. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact Mr. Matthew Wilson, Traffic Engineer III, (602) 262-7580, to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Design Section.
4. 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.

5. The developer shall provide \$37,500 in escrow to fund a future traffic control device along Camelback Road, between State Route 51 and 16th Street, prior to issuance of building permits, as approved by the Street Transportation Department. These escrowed funds shall be utilized within five years of the issuance of a final certificate of occupancy for the project. If escrowed funds are not utilized within this five year period, said funds may be refunded upon request of the then owner of the property.
6. 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.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 16th day of December, 2020.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A – Legal Description (6 Pages)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-16-20-6

DESCRIPTION (NCS-995489-ATL)

The Land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

THAT PORTION OF THE "BILTMORE SQUARE CONDOMINIUMS, A CONDOMINIUM," LYING SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 2 OF MAPS, PAGE 1, AND, BEING A PORTION OF LOT 14 "ADAMS & GRAHAM SUBDIVISION," OF THE SOUTH HALF OF SECTION 15, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF SAID COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 2 OF MAPS, PAGE 1;

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 14, BEING THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER OF SECTION 15;

THENCE NORTH 89 DEGREES 41 MINUTES 44 SECONDS EAST (BASIS OF BEARINGS), ALONG THE NORTH LINE THEREOF, SAID NORTH LINE ALSO BEING THE SOUTH LINE OF SAID "BILTMORE SQUARE CONDOMINIUMS, A CONDOMINIUM," A DISTANCE OF 206.38 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH LINE, NORTH 89 DEGREES 41 MINUTES 44 SECONDS EAST, A DISTANCE OF 19.32 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE ROUTE 51;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE OF STATE ROUTE 51, SOUTH 00 DEGREES 27 MINUTES 13 SECONDS WEST, A DISTANCE OF 248.71 FEET;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE OF STATE ROUTE 51, SOUTH 89 DEGREES 17 MINUTES 13 SECONDS EAST, A DISTANCE OF 2.51 FEET;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE OF STATE ROUTE 51, SOUTH 00 DEGREES 26 MINUTES 38 SECONDS WEST, A DISTANCE OF 13.77 FEET TO A POINT ON THE SOUTH LINE OF "HUNTCROFT UNIT TWO," ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF SAID COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 63 OF MAPS, PAGE 50;

THENCE ALONG SAID SOUTH LINE, SOUTH 89 DEGREES 41 MINUTES 44 SECONDS WEST, A DISTANCE OF 39.73 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 14 SECONDS EAST, A DISTANCE OF 131.25 FEET;

THENCE NORTH 89 DEGREES 41 MINUTES 44 SECONDS EAST, A DISTANCE OF 19.96 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 14 SECONDS EAST, A DISTANCE OF 131.25 FEET TO THE TRUE POINT OF BEGINNING.

DESCRIPTION (NCS-990413-PHX1)

The Land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

PARCEL NO. 1:

LOTS 111, 112, 113, 114 AND 115, HUNTCROFT UNIT TWO, ACCORDING TO BOOK 63 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA; EXCEPT THAT PORTION OF LOT 115 LYING EAST OF THE FOLLOWING DESCRIBED LINE DESIGNATED HEREIN AS LINE A;

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 115;

THENCE SOUTH 89 DEGREES 41 MINUTES 20 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 115, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 00 MINUTES 10 SECONDS WEST, A DISTANCE OF 97.93 FEET TO A POINT ON THE SOUTHERLY LINE OF PASADENA AVENUE AND THE POINT OF TERMINATION.

PARCEL NO. 2:

THAT PORTION OF THE ABANDONED ALLEYS THAT IS CONVEYED BY OPERATION OF LAW AS SET FORTH IN RESOLUTION NO. 17663 OF THE CITY OF PHOENIX, RECORDED APRIL 13, 1990 IN RECORDING NO. 90-164706, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 111 IN SAID HUNTCROFT UNIT TWO;

THENCE WEST ALONG THE NORTH LINE OF SAID LOT 111 AND ALONG THE NORTH LINE OF LOT 112 IN SAID HUNTCROFT UNIT TWO TO THE MOST NORTHERLY NORTHWEST CORNER OF SAID LOT 112;

THENCE SOUTHWESTERLY ALONG THE LOT LINE OF SAID LOT 112 TO THE MOST WESTERLY NORTHWEST CORNER THEREOF;

THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 112, AND THE WEST LINE OF LOT 113 AND THE WEST LINE OF LOT 114 IN SAID HUNTCROFT UNIT TWO TO THE MOST WESTERLY SOUTHWEST CORNER OF SAID LOT 114;

THENCE SOUTHEASTERLY ALONG THE LOT LINE OF SAID LOT 114 TO THE MOST SOUTHERLY SOUTHWEST CORNER THEREOF;

THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 114 AND ALONG THE SOUTH LINE OF LOT 115 IN SAID HUNTCROFT UNIT TWO TO THE SOUTHEAST CORNER OF SAID LOT 115;

THENCE SOUTHERLY ALONG THE SOUTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 115 TO THE SOUTH LINE OF THE NORTH 12.00 FEET OF THAT PART OF THE WEST HALF OF LOT 14 IN SAID ADAMS AND GRAHAM SUBDIVISION OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 NORTH, RANGE 3 EAST, LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF SAID HUNTCROFT UNIT TWO;

THENCE WEST ALONG LAST SAID SOUTH LINE AND ALONG ITS WESTERLY PROLONGATION TO THE WEST LINE OF THE EAST 8.00 FEET OF LOT 13 IN SAID ADAMS AND GRAHAM SUBDIVISION;

THENCE NORTH ALONG LAST SAID WEST LINE AND ALONG ITS NORTHERLY PROLONGATION TO THE SOUTH LINE OF LOT 90 IN HUNTCROFT, ACCORDING TO BOOK 59 OF MAPS, PAGE 16;

THENCE EAST ALONG THE SOUTH LINES OF LOTS 90, 89, 88 AND 87 ALL IN SAID HUNTCROFT TO THE NORTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 111 OF HUNTCROFT UNIT TWO;

THENCE SOUTHERLY ALONG LAST SAID PROLONGATION TO THE POINT OF BEGINNING.

EXCEPT ANY PORTION THEREOF LYING WITHIN BILTMORE SQUARE CONDOMINIUMS AS RECORDED IN BOOK 753 OF MAPS, PAGE 28, RECORDS OF MARICOPA COUNTY, ARIZONA; AND ALSO EXCEPT ANY PORTION THEREOF LYING WITHIN LOT 13 OF ADAMS AND GRAHAM SUBDIVISION AS RECORDED IN BOOK 2 OF MAPS, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA; AND ALSO EXCEPT ANY PORTION THEREOF LYING BELOW THE SOUTH LINE OF THE NORTH 284.50 FEET OF THE WEST HALF OF LOT 14, OF SAID ADAMS AND GRAHAM SUBDIVISION.

PARCEL NO. 3:

THAT PORTION OF THE ABANDONED ROADWAY AS SET FORTH IN RESOLUTION NO. 17663 OF THE CITY OF PHOENIX, RECORDED APRIL 13, 1990 IN RECORDING NO. 90-164706, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

THAT PART OF PASADENA AVENUE WITHIN HUNTCROFT UNIT TWO, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 63 OF MAPS, PAGE 50 THAT LINES WEST OF THE SOUTHERLY PROLONGATION OF THE EAST LINE OF LOT 111 IN SAID HUNTCROFT UNIT TWO;

EXCEPT THAT PORTION OF LOT 115 LYING EAST OF THE FOLLOWING DESCRIBED LINE DESIGNATED HEREIN AS LINE A;

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 115;

THENCE SOUTH 89 DEGREES 41 MINUTES 20 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 115, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 00 MINUTES 10 SECONDS WEST, A DISTANCE OF 97.93 FEET TO A POINT ON THE SOUTHERLY LINE OF PASADENA AVENUE AND THE POINT OF TERMINATION.

EXCEPT ANY PORTION THEREOF LYING WITHIN BILTMORE SQUARE CONDOMINIUMS AS RECORDED IN BOOK 753 OF MAPS, PAGE 28, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 4:

THE EAST 8 FEET OF THE NORTH 274.5 FEET OF LOT 13, ADAMS AND GRAHAM SUBDIVISION, RECORDED IN BOOK 2 OF MAPS, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 5:

EASEMENT RIGHTS AND OTHER INTERESTS IN REAL PROPERTY AS SET FORTH IN THAT CERTAIN DOCUMENT ENTITLED SIGN AND ACCESS EASEMENT AGREEMENT RECORDED SEPTEMBER 5, 2003 IN RECORDING NO. 20031249826, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 6:

EASEMENT RIGHTS AND OTHER INTERESTS IN REAL PROPERTY AS SET FORTH IN THAT CERTAIN DOCUMENT ENTITLED AMENDED AND RESTATED

CROSS-ACCESS EASEMENT AGREEMENT AND TEMPORARY CONSTRUCTION EASEMENT RECORDED SEPTEMBER 8, 2003 IN RECORDING NO. 20031256094, RECORDS OF MARICOPA COUNTY, ARIZONA.

DESCRIPTION (NCS-991613-PHX1)

The Land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

TRACT 1 FEE:

THE WEST HALF OF LOT FOURTEEN (14), IN THE SOUTHWEST QUARTER OF SECTION FIFTEEN (15), ADAMS & GRAHAM SUBDIVISION, OF THE SOUTH HALF OF SECTION FIFTEEN (15), TOWNSHIP TWO (2) NORTH, RANGE THREE (3) EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 2 OF MAPS, PAGE 1;

EXCEPT THE EAST 93.82 FEET; AND

EXCEPT THE WEST 150 FEET OF THE SOUTH 125 FEET THEREOF, AND

EXCEPT THE NORTH 262.5 FEET THEREOF, AND

EXCEPT THE NORTH 7 FEET OF THE SOUTH 40 FEET OF THAT PART OF THE SOUTHWEST QUARTER SECTION 15, TOWNSHIP 2 NORTH, RANGE 3 EAST, LYING WITHIN THE EAST HALF OF THE WEST HALF OF SAID LOT 14, AND

EXCEPT THE NORTH 12 FEET OF THAT PART OF THE WEST HALF OF LOT 14, LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF HUNTCROFT UNIT TWO, A SUBDIVISION RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE IN BOOK 63 OF MAPS, PAGE 50, AS QUIT-CLAIMED TO THE CITY OF PHOENIX, BY QUIT CLAIM DEED RECORDED FEBRUARY 1, 1961 IN DOCKET 3573, PAGE 593, AND

EXCEPT THAT PROPERTY AS SET FORTH IN FINAL ORDER OF CONDEMNATION RECORDED NOVEMBER 14, 1988 AS 88- 556740 OF OFFICIAL RECORDS.

TRACT 2 EASEMENT:

Easement rights and other interests in real property contained in that Cross-Access Easement Agreement and Temporary Construction Easement recorded September 8, 2003 in Recording No. 20031256094, Records of Maricopa County, Arizona.

TRACT 3 EASEMENT:

Easement rights and other interests in real property contained in that Sign and Access Easement Agreement recorded September 05, 2003 as 2003-1249826 of Official Records.

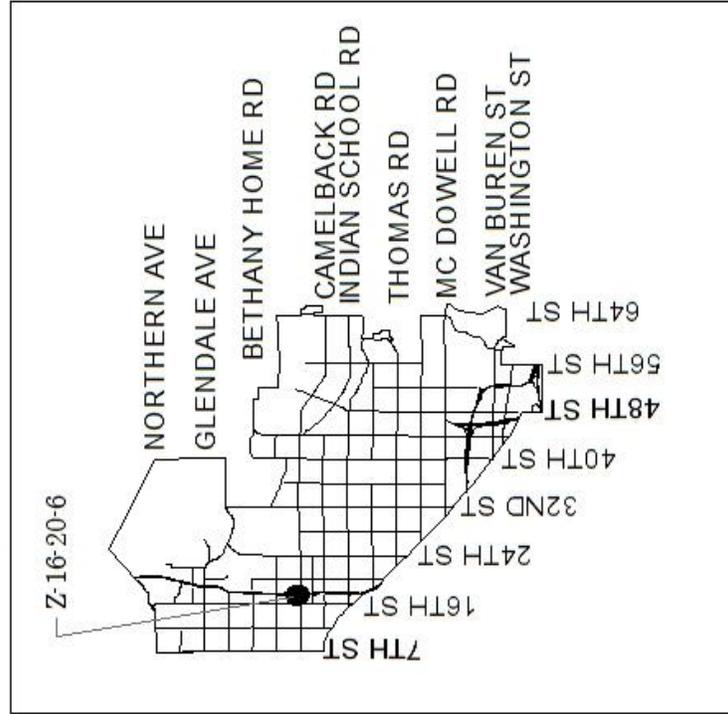
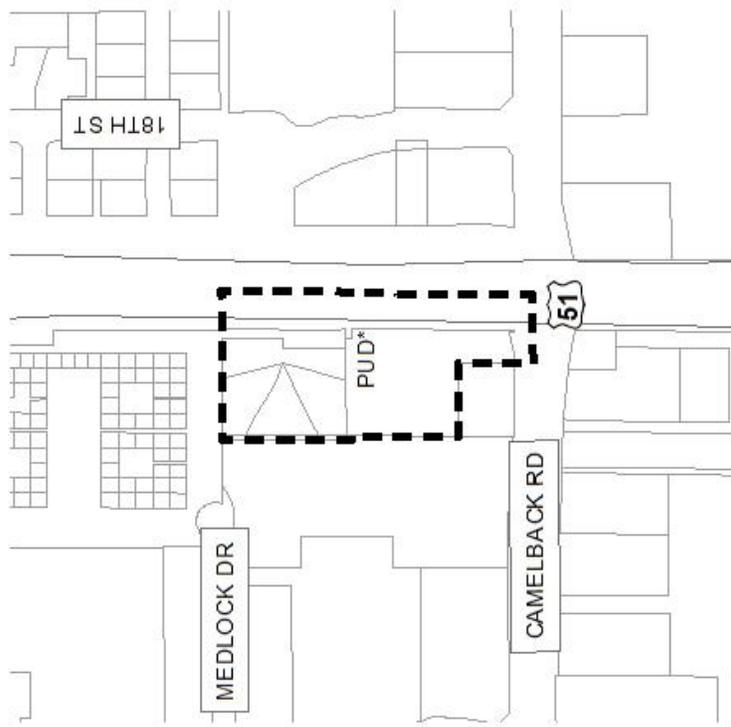
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EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-16-20-6
Zoning Overlay: Camelback East Primary Core Specific Plan
Planning Village: Camelback East

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 11/5/2020

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Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-20_Z-14-09-7 - Northeast Corner of 99th and Southern Avenues (Ordinance G-6781)

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 Nov. 18, 2020.

Summary

Application: PHO-1-20_Z-14-09-7
Existing Zoning: R1-10
Acreage: 38.11

Applicant: Alex Fish, ABLA
Owner: Keith Hughes, Prestige Developments Inc.
Representative: Alex Fish, ABLA

Proposal:

- 1) Modification to Stipulation 1 regarding general conformance to site plan date stamped March 24, 2009.
- 2) Deletion of Stipulation 1.a regarding perimeter landscape tracts.
- 3) Deletion of Stipulation 1.b regarding interior landscape tracts.
- 4) Deletion of Stipulation 1.c regarding covered playground equipment.
- 5) Deletion of Stipulation 1.d regarding covered ramadas.
- 6) Deletion of Stipulation 1.e regarding open grass areas.
- 7) Modification to Stipulation 4 regarding view fencing on interior walls.
- 8) Modification to Stipulation 5 limiting the maximum number of residential units to 126.
- 9) Deletion of Stipulation 7 regarding dedication of 55-foot right-of-way for the north half of Southern Avenue.
- 10) Planning Hearing Officer review and approval of elevations per Stipulation 12.
- 11) Technical corrections to Stipulations 2, 3, 8, 9, and 10.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this request on Oct. 20, 2020 and recommended approval, by a 4-2-1 vote.

PHO Action: The Planning Hearing Officer heard this case on Nov. 18, 2020 and recommended denial as filed and approval with modifications and additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

Northeast corner of 99th and Southern Avenues

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

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-14-09-7 PREVIOUSLY APPROVED BY
ORDINANCE G-5403.

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 99th Avenue and Southern Avenue in a portion of Section 28,
Township 1 North, Range 1 East, as described more specifically in Attachment "A",
are hereby modified to read as set forth below.

STIPULATIONS:

1. That The development shall be in general conformance with the site plan
date stamped SEPTEMBER 28, 2020 ~~March 24, 2009~~, with specific
~~regard to the following~~, as MODIFIED BY THE FOLLOWING
STIPULATIONS AND approved by the PLANNING AND Development
Services Department:
 - a. ~~perimeter landscape tracts~~
 - b. ~~interior landscape tracts~~
 - c. ~~covered playground equipment in landscape tract 6~~
 - d. ~~covered ramadas in landscape tract 6~~
 - e. ~~open grass areas in landscape tracts 1, 6, and 7~~

2. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED SEPTEMBER 28, 2020, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. ~~That~~The development shall include detached sidewalks with a minimum five-foot wide landscaped area situated between the sidewalk and back of curb. The landscape area shall include a minimum of two-inch caliper shade trees placed 20 feet on center exclusive of driveway/roadway crossings, as approved by THE PLANNING AND Development Services Department.
4. ~~That~~A total of six (6) benches a minimum four-foot in length shall be located in the common open space areas, as approved by the PLANNING AND Development Services Department.
5. ~~That~~ The interior REAR walls OF INTERIOR LOTS directly abutting OPEN SPACES ~~landscape tract six~~ shall consist of a four-foot block wall with two-foot view fencing, as approved by the PLANNING AND Development Services Department.
5. ~~That the maximum number of residential units shall not exceed 126.~~
6. ~~That~~In the event archaeological material is 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.
7. ~~That right-of-way totaling 55 feet shall be dedicated for the north half of Southern Avenue. Roadway geometry shall be reviewed and approved by the Street Transportation Department. Additional or less right-of-way may be required upon final design, as approved by the Development Services Department.~~
7. ~~That~~Right-of-way totaling 55 feet shall be dedicated for the east half of 99th Avenue, as approved the PLANNING AND Development Services Department.
8. ~~That~~ A 25-foot by 25-foot right-of-way triangle shall be dedicated at the northeast corner of 99th Avenue and Southern Avenue, as approved by the PLANNING AND Development Services Department.
9. ~~That~~The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the PLANNING AND Development Services Department. All improvements shall comply with the ADA accessibility standards.

10. ~~That~~ The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
11. ~~That the conceptual elevations shall be approved by the Planning Hearing Officer through the public hearing process prior to Development Services Department final site plan approval. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Development Services Department.~~
12. 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-5403, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5403 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 16th day of December, 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-14-09-7

The southwest quarter of the southwest quarter of Section 28, Township 1 North, Range 1 East of the Gila and Salt River base and meridian, Maricopa County, Arizona;

Except the west 33 feet thereof.

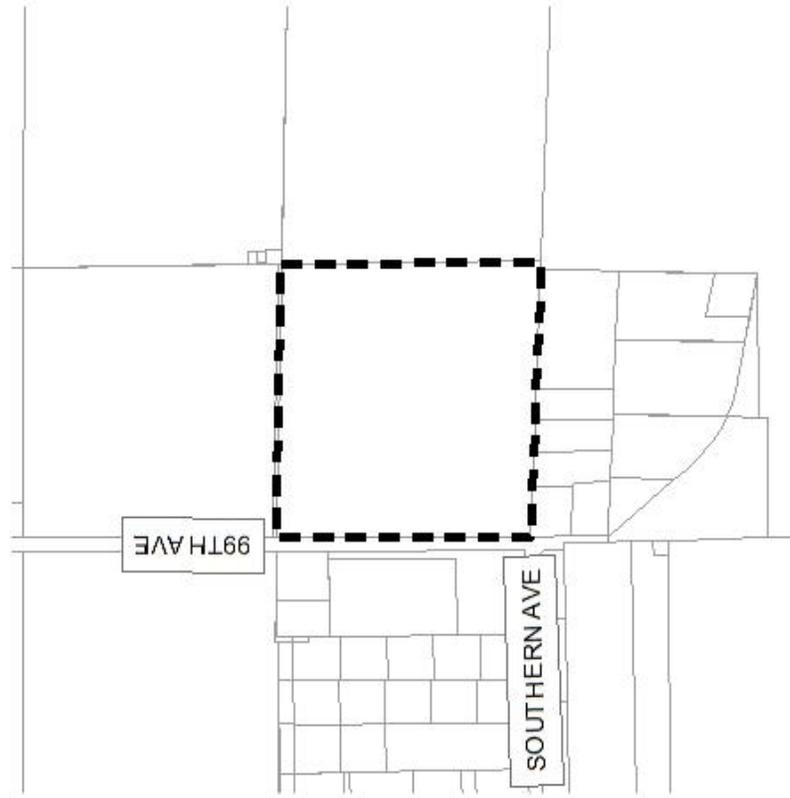
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EXHIBIT B

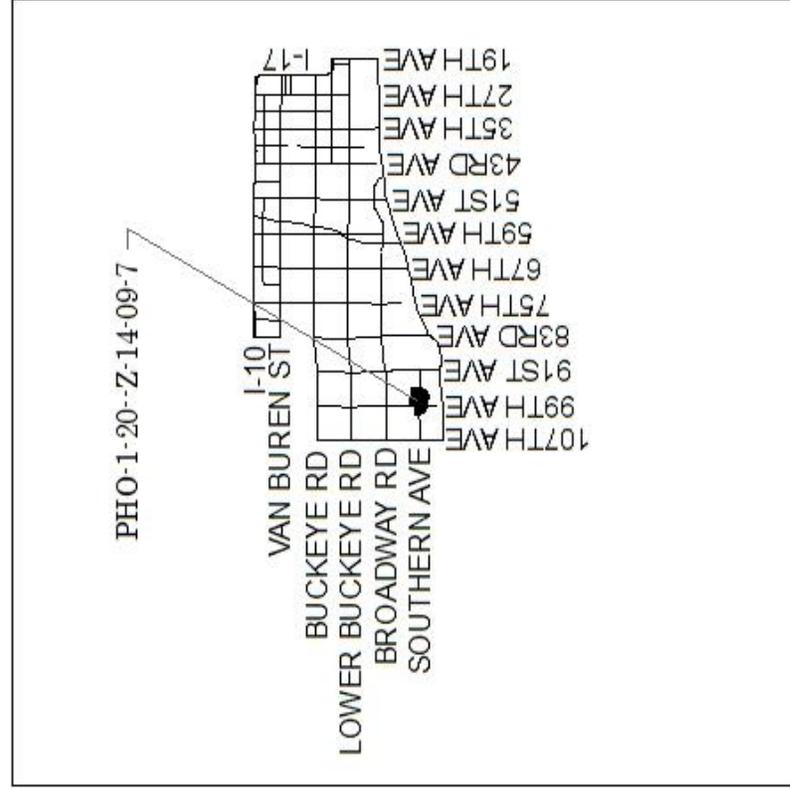
ORDINANCE LOCATION MAP

Zoning Case Number: PHO-1-20-Z-14-09-7
Zoning Overlay: N/A
Planning Village: Estrella

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 11/20/2020



Public Hearing - Appeal of Hearing Officer Decision - Abandonment of Right-of-Way - ABND 200534 - Various Segments generally located south of Jefferson Street and north of Harrison Street (railroad tracks) between 7th and 13th Avenues

Request to hold a public hearing on the request to abandon various right-of-way segments (ABND 200534) located south of Jefferson Street between 7th and 13th Avenues, due to an appeal dated Dec. 3, 2020. The request was to abandon several right-of-way (ROW) and sidewalk easements, varying from 5- to 30-feet adjacent to parcels. The purpose of the request as stated by the Applicants is: to reduce/eliminate a massive flux of violence, crime, and unsanitary conditions, accompanied with an influx of urban campers. The Abandonment Hearing Officer denied the request, generally finding that the ROW and easements requested for abandonment were still necessary for use as public roadways.

Summary

Project: 00-2009

Abandonment Applicant: Madison Pioneers Coalition Neighborhood Association

Date of Abandonment Hearing Officer's Decision: Oct. 6, 2020

Appellant: Madison Pioneers Coalition Neighborhood Association / JEGreenman Consulting LLC

Date of Appeal: Dec. 3, 2020

Location

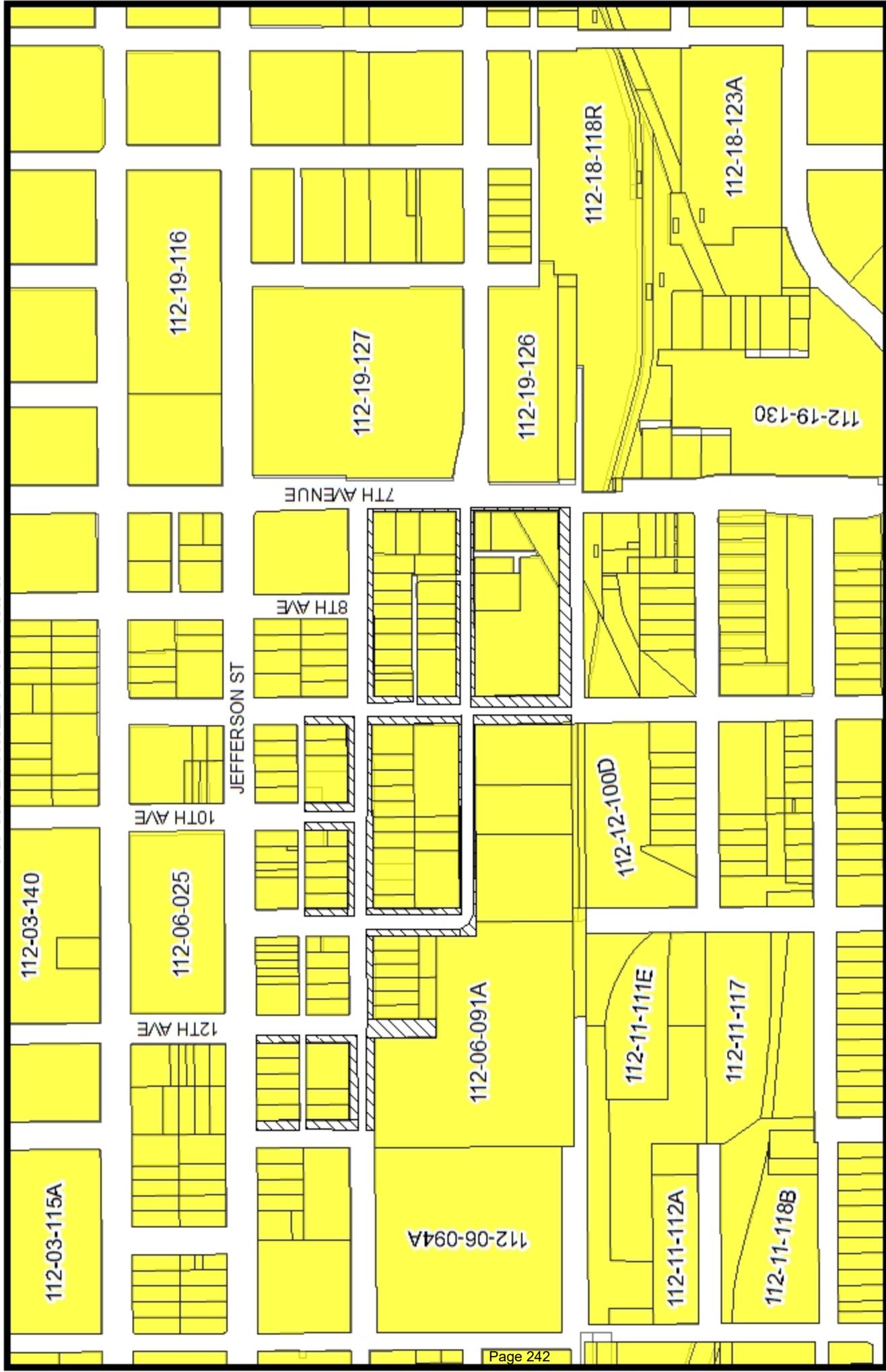
South of Jefferson Street and north of Harrison Street (railroad tracks) between 7th and 13th Avenues

Council District: 7

Responsible Department

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

ATTACHMENT A - MAP



APPLICANT: Madison Pioneers Coalition Neighborhood Association
 QUARTER SECTION: 10-26
 DATE: 07/14/2020
 ABANDONMENT AREA:  BOOK and PAGE: 446 & 45
 APPLICATION NO: ABND 200534



ATTACHMENT B



City of Phoenix

Planning and Development Department

December 8, 2020
City Council Abandonment Staff Report: **ABND 200534**
Project# **00-2009**
Quarter Section: **10-26**

Location: South of Jefferson Street and East of 13th Avenue

Applicant: Madison Pioneers Coalition Neighborhood Association

Request to abandon: To abandon several right-of-way and sidewalk easements, varying from 5-feet up to 30-feet adjacent to parcels identified on the map below.

Purpose of request: Applicant states to reduce/eliminate a massive flux of violence, crime and unsanitary conditions accompanied with an influx of urban campers.

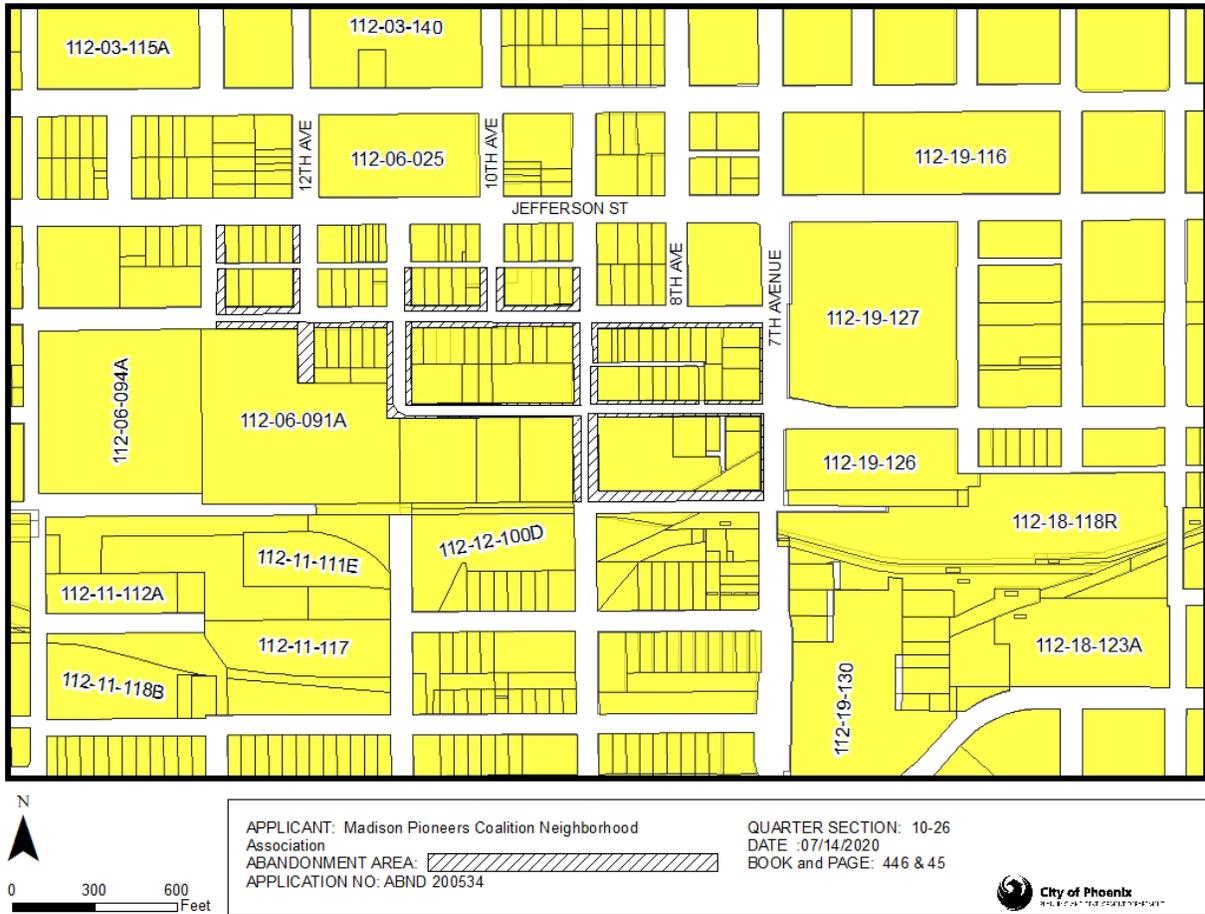
Hearing date: **September 10, 2020**
TAKEN OUT FROM UNDER ADVISEMENT ON OCTOBER 6, 2020

Hearing Officer decision: **DENIAL**

Appeal hearing date: **December 16, 2020**
City Council Formal Meeting

Appellant: Madison Pioneers Coalition Neighborhood Association

ATTACHMENT A - MAP



City Staff Research:

Staff research shows that the right-of-way was dedicated under Neahr's Addition, Book 002, Page 61 of the Maricopa County Recorder in 1897; Neahr's Addition Subdivision of Lots 1-8, Book 002, Page 28 of the Maricopa County Recorder in 1893; Evan's Subdivision of Block 29 Neahr's Addition, Book 002, Page 77 of the Maricopa County Recorder in 1900; Marshall's Subdivision of Lots 1-8 in Block 31 of Neahr's Addition, Book 003, Page 73 of the Maricopa County Recorder in 1909; Andre House of Arizona, Book 446, Page 45 of the Maricopa County Recorder in 1997; Jackson West, Book 810, Page 49 of the Maricopa County Recorder in 2006; Human Services Campus, Book 742, Page 25 of the Maricopa County Recorder in 2004. If abandoned, the right-of-way will be returned to the adjacent properties.

City Staff Comments

This request was routed to various City departments for their recommendations. Listed below are the responses from each department.

Street Transportation Department –Alan Hilty

"Recommend denial. The Street Transportation Department seeks resolution and clarity of the following items prior to consideration of the abandonment. The applicant is to coordinate and provide the following:

1. Applicant is to secure and provide to the City, approval from the Governmental Mall Authority and all stipulations resulting from their review for the abandoned area.
2. Applicant to identify and secure appropriate public and private easements for the continued use of existing public improvement. (i.e.) sidewalks, pedestrian ramps, streetlighting, etc., as well as private utilities that may be affected by such abandonment.
3. Applicant shall finalize an understanding with the City of Phoenix, regarding compensation for the abandonment area. Additionally, Applicant agrees to maintain a clean and sanitary public access easement, free from personal/human waste, drug paraphernalia, etc. at applicant's sole expense. Applicant acknowledges that the current weekly clean-ups performed by the City for the subject area would cease.
4. Applicant shall provide justification that their proposed reason for abandonment are legal, and if so, how the abandonment benefits the City.
5. Applicant is to coordinate with the City, on appropriate property restrictions to be applied to ensure no future modification, encroachment and or building occur in the subject abandonment areas.
6. Applicant to provide owner approval and identify appropriate public access easements to service APN 112-06-009A."

Street Transportation Utility Coordination Department- Rozanna Brown

No comments received.

PDD Traffic Department – Derek Fancon

"Recommend denial per Street Transportation's comments."

PDD Planning Department – Wendy Turner

"The proposed request will directly affect the zoning development standards for the affected properties. If abandoned, the right-of-way will be returned to the adjacent properties which will change how setbacks are applied to the parcels, allowing buildings to be located closer to the street. The Planning and Development Department is concerned about the unknown implications of how this abandonment can affect future development as well as if the additional entitlements will be amenable to the adjacent property owners outside of this request."

Street Lights – Jason Fernandez

"Recommend approval with the following stipulations or improvements that must be satisfied to complete this application for abandonment: All city owned streetlights within the proposed abandonment are to contain one of the following:

1. Contain a streetlight easement for both lights and power feed.
2. Transfer of ownership from a public roadway to privately owned including

maintenance responsibility."

Solid Waste - Robert Lopez

"Recommend approval with the following stipulations or improvements that must be satisfied to complete this application for abandonment: Abandonment must allow access for solid waste curbside service at: 724 West Jackson Street, 1010 West Madison Street, 1014 West Madison Street."

Floodplain Management Public Works – Tina Jensen

No comments received.

Water Services – Don Reynolds

"Not enough information showing which area is 5-feet or 30-feet for each property. Because there will be so many conflicts with water services, meters and water/sewer mains, WSD suggests that all requested abandonment areas to be changed to water and sewer easements which does not allow any structures within its boundaries."

PDD Village Planner – Samantha Keating

No comments received.

PDD Civil Department – Jason Ramirez

"Storm water retention of each lot must be retained on each lot in accordance with the City of Phoenix Storm Water Policies and Standards. If storm water is being designed to cross property lines a cross-drainage agreement will be required."

Neighborhood Services – Lynda Lee

No comments received.

Public Transit Department – Kathryn Boris

"The community's requested reduction or elimination of right-of-way (ROW) as indicated in case ABND 200534 may negatively impact pedestrian accessibility, and potentially the availability of ROW that may be needed for the future placement of transit amenities. The Public Transit Department is aware of a sizable Title VI-protected community in the affected areas. Such communities are transit-dependent and require the use of sidewalks to access nearby bus stops. It is for this reason that sidewalks within rights-of-way must be maintained to ensure adequate connectivity to nearby bus stops along Jefferson Street, Washington Street, 7th Avenue, and adjacent streets. Without sidewalks transit riders will be forced to walk in the street to access these stops, creating safety and traffic flow issues. The Public Transit Department submits this consideration as a General Comment for application ABND 200534.

Historic Preservation – Kevin Weight

"While Historic Preservation staff is neither recommending approval or denial of this case at the moment, our general comment is that there are several historic properties adjacent to the proposed abandonment that may be affected. We are still hoping to gain a clearer understanding of how these properties will be impacted by the proposal."

Utility Comments

The request was also routed to outside utility companies for their input. Listed below are the responses from each utility.

Cox – Kenny Hensman

“Recommend approval with the following stipulations or improvements that must be satisfied to complete this application for abandonment: Please forward to the requestor the below information.

Conflict Review:

Email to: natlconsttraffcmgmtteam@cox.com

1. A Cover Letter for the Conflict Review.
2. A set of the Project’s Site Plans, for the Construction Planner to Review to determine the possible work involved and possible costs for the COX Plant Relocation within the Site of the Project.
3. Include Zip Code for the Site Area for proper Construction Planner Assignment.

This area has an active plant that serves the AZ State Government Offices and would require a substantial amount of work to relocate those facilities that could run very high. A suggestion of replacing the right-of-way and sidewalk easements with a public utility easement to allow those Cox facilities to remain in place would be acceptable to Cox."

Southwest Gas – Nancy Almanzan

“Southwest Gas Corporation (“SWG”) has reviewed the City of Phoenix request from Robert Martinez on behalf of Madison Pioneers Coalition Neighborhood Association to abandon the several referenced above locations.

After review, SWG has determined that there are existing or proposed facilities in all or a portion of the area proposed to be vacated and has no objection to the request for abandonment as presented; however, in order to protect these facilities, SWG requests a perpetual easement be saved and reserved to SWG as a condition of the Order of Abandonment.

Please reserve and except the following: An easement to Southwest Gas Corporation on, over, in, under, across, above and through “the area described” in ABND 200534.

Nothing in this vacation or response is intended or shall be construed to affect, reduce, or diminish any other existing property rights or easement SWG may have at this site or within the area affected. SWG retains the right to use any other reservations, easements, licenses or other property rights in which it may have an interest or that otherwise may be located within the area being vacated.”

Arizona Public Service – James Generoso

"APS has existing overhead and underground electric infrastructure throughout the areas proposed for abandonment in ABND 200534. APS would be opposed to the application unless public utility easements are retained by the City to provide continued rights for the existing electric infrastructure"

CenturyLink – Mary Hutton

“Recommend approval with the following stipulations or improvements that must be satisfied to complete this application for abandonment: CenturyLink has active facilities within the project

limits, aerial cable, ducts, manholes, and cabinets within the Right-of-Ways. If owners would dedicate public utility easements or prescriptive rights easements over CenturyLink facilities, then the right-of-way abandonment would be considered. In the event CenturyLink facilities need to be removed, all associated costs will be at the expense of the sponsoring agency/owner.”

Salt River Project – Sherry Wagner

"Salt River Project has no objection to the abandonments of the right of ways and easements as shown in your application ABND 200534 west of 7th Avenue south of Jefferson. This is in the Arizona Public Service serving area."

Abandonment Hearing Summary, September 10, 2020

Ms. Wendy Turner, the Abandonment Coordinator read the abandonment request, purpose and staff research into the record.

Mr. Christopher DePerro, the Abandonment Hearing Officer, then opened the discussion by asking the applicant if he would like to expand or present on the abandonment request.

Mr. Jordan Greenman responded by introducing himself and stating he was present representing his clients, the Madison Pioneers Coalition Neighborhood Association. Mr. Greenman opened with a presentation on the abandonment request and purpose, which is to privatize several rights of way, including sidewalks, in order to prevent urban camping, vandalism, and allow police enforcement and removal for trespassing on private property. Mr. Greenman presented evidence regarding how the urban campers have taken over the area, causing unsanitary conditions, crime, and violence. Mr. Greenman also stated how this abandonment request is a last resort and asked City of Phoenix for protection for the property owners and people in this area.

Mr. DePerro opened the hearing to those who requested to speak.

Ms. Angela Ojile, the chair for the Madison Pioneers Coalition Neighborhood Association, introduced herself and stated she been in the area about eight years. Ms. Ojile wanted to clarify that they are not anti-homeless, but the way things have been being handled in the area with the easements is no way to house homeless people. Ms. Ojile also stated there is so much illegal activity and nothing is being enforced and they do not have protection. Ms. Ojile stated basically this neighborhood is in a fight for its life and is trying to survive.

Bill Morlan, owner of Electric Supply Incorporated located at 10th Avenue and Madison, stated he has been in the neighborhood since 1985. Mr. Morlan went on to state the reason the neighbors have banded together is because it has never been as bad as it is now--they have, as a company, peacefully coexisted with the population down in this area for decades. The shelter has been down there, food services has been down there, for as long as he has been in the neighborhood. But the newer problems they have now are because the City has allowed tents to go up along the streets. Mr. Morlan also stated that these have become permanent camps, they have become living rooms, bathrooms, trash cans, bedrooms, and they are becoming little cities that encourage more people to come down there.

Mr. John Westerdale, property owner on Jackson Street and the Capital District, thanked Mr. DePerro, Ms. Turner, Mr. Alan Hilty of Street Transportation Department, along with the Planning and Development Department for hosting this hearing. Mr. Westerdale also stated he would like

to thank Mayor Gallegos Office for initially suggesting this abandonment as a solution. Mr. Westerdale then went on to reference the photos of the filth in the requested abandonment area that Mr. Greenman had shown during his presentation, stating how there is human excrement, drug paraphernalia, piles of garbage, and that it just keeps accumulating. He stated that there are people selling drugs and open prostitution, and open fires have been lit which could burn a building down. Mr. Westerdale then stated he had witnessed a violent fight recently in the intersection of 9th Avenue and Jackson. Mr. Westerdale also addressed how the property owners and neighbors have organized to clean up the area, but that it continues to become a unsafe, unsanitary place with crime and violence.

Ian Francis, business owner at 9th Avenue and Madison since 2012, stated the area is absolutely dangerous. Their lives, health and safety are at risk. Mr. Francis also stated how the property owners and neighbors are willing to make the investment in this area to make it better.

Mr. DePerro brought the hearing back to discussion with the applicant.

The Hearing Officer discussed the comments from various City departments with Mr. Greenman. Mr. Greenman stated that the applicants are willing to dedicate any easements required and work with departments and utility companies to make sure access is available.

Mr. Greenman then opened a short discussion regarding *Martin v. City of Boise*, a 9th Circuit case. The question posed in *Martin* was whether the 8th Amendment, which prohibits cruel and unusual punishment, barred a city from prosecuting people criminally for sleeping outside on public property when nearby shelters are full—and the 9th Circuit decided that, in the absence of other alternatives, that prosecution for being homeless was not allowed. Mr. Greenman then expressed his opinion that *Martin* would not apply to this abandonment request, since *Martin* applied to public property, not private property, which would be the result if this request were approved.

The Hearing Officer took the case under advisement.

The Hearing Officer took the case out from under advisement on October 6, 2020.

Hearing Officer Decision and Findings

The applicants have presented compelling evidence that urban camping, littering, vandalism, and loitering in the ROW have had negative effects on their neighborhood. These negative effects clearly motivated the filing of this abandonment request. The question this Hearing Officer must answer is whether abandonment of the ROW is the correct remedy for these issues. The City Code indicates that a decision to abandon public ROW is to be based on the requirements of Chapter 31, Article V: if the right-of-way is no longer necessary for public use as roadways. **I have concluded that the ROW requested for abandonment is still necessary for public use of the ROW as roadways, and therefore have DENIED this request.** Additional detail is provided below.

1. Requirements for Disposition of Public Rights-of-Way (ROW). In considering this request, this Hearing Officer has had to examine whether the ROW requested for abandonment is, in fact, no longer necessary for public use as roadways. The following two definitions in Section 31-63 of the City Code are important to this analysis:

- **Abandon, abandoning, and abandonment:** Any one of the methods set forth in Section 31-64 whereby the City Council may dispose of roadways or portions of roadways ***no longer necessary for public use as roadways***.
- **Roadway:** All or ***part*** of any platted or designated public street, highway, alley, lane, parkway, avenue, road, ***sidewalk, public utility easement, or other public way***, whether or not it has been used as such. (italics added for emphasis)

This request includes the public sidewalks and access between the back of curb and building entries, which is part of a “roadway” as defined. If this request were to be approved, many technical issues would need to be solved through the application of detailed stipulations. It is apparent from the review comments received from utilities and other City departments that virtually all of these technical stipulations would be for retention of access of some type (utility lines, sidewalk/pedestrian rights, trash collection, traffic signs and signals, streetlights, drainage, etc.). Since this access is currently provided as a function of being dedicated ROW, I have concluded that the ROW requested for abandonment is still necessary for public use as roadways.

And while it is true that the property would become private if it were abandoned, I do not believe that the necessary stipulations for access/easements would allow the objective clearly stated by the applicants during the hearing: prosecution of trespassers. In my professional experience, a public sidewalk easement or a public ingress/egress easement (which would be required if this abandonment request were approved) would specifically permit public use of the abandoned area, and that casts doubt on the assumption that trespassing charges could be levied.

2. Applicability of *Martin v. City of Boise*, 9th Circuit, April 2019. This case, although narrow in its scope, determined that homeless persons cannot be punished for sleeping outside on public property in the absence of adequate alternatives. The applicant has argued that prosecution of trespassers would not be prohibited by *Martin* if this abandonment request were approved, because approval would result in public property turning into private property, which was not the subject of the *Martin* case. While I appreciate the analysis provided by the applicant, I do not consider it relevant to this case at this time, since the request does not meet the base criteria stated in the City Code for abandonment of ROW.
3. Limited Jurisdiction. This Hearing Officer acknowledges the compelling evidence presented regarding urban camping, littering, vandalism, and loitering within the ROW in this neighborhood. Those issues, however, are not the result of surplus ROW. Based upon testimony provided in the hearing, it is my opinion that the primary motive for this application is to render the activities in the ROW criminal. That is not a stated reason in the City Code to permit abandonment of ROW.

In case of approval by the City Council, the following stipulations are recommended

The Abandonment Hearing Officer recommends **DENIAL**. However, if the City Council approves all or a portion of the abandonment request, then the following stipulations should be required to address utility and connectivity requirements in the area:

1. For the entirety of the area to be abandoned, the following public easements shall be retained:
 - a. A drainage easement.
 - b. A public utility easement.
 - c. A sidewalk easement.
 - d. A traffic control easement.
 - e. A streetlight easement.
 - f. A refuse collection easement.
2. No right-of-way shall be abandoned in the areas located between the back of curbs on both sides of all streets.
3. No right-of-way shall be abandoned between the back of curb and the existing ROW line where such areas will connect a street ROW to an existing dedicated alley.
4. Written approval from the Arizona Department of Administration stating that it approves the abandonment and all related stipulations, in accordance A.R.S. §41-1362, Legislative Governmental Mall, shall be provided prior to completion of the abandonment.
5. Consideration which provides a public benefit to the City is required in accordance with City Code Art. 5, Sec. 31-64 and Ordinance G-5332. Cost for abandoned Right-of-Way adjacent to property not zoned single family residential will be \$500 OR Fair Market Value whichever is greater. Cost for property zoned single family residential is \$1.00 a square foot for the first 500 square feet, \$0.10 a square foot thereafter; OR Fair Market Value at the option of the Planning and Development Director or designee. The applicant shall submit calculation and fee to Planning and Development Department. The applicant shall request a selection of approved appraisers from the current list maintained by the Real Estate division of the Finance Department.
6. All stipulations must be completed within **two years** from the Abandonment Hearing Officer's decision.

Abandonment Hearing Officer Signature: _____



Date: 12.8.2020

cc: Applicant/Representative, Madison Pioneers Coalition Neighborhood Association
Alan Stephenson, Planning and Development Department Director



*****REQUEST TO ADD-ON (SEE ATTACHED MEMO)*** Authorization to Amend Contract to Extend and Accept Additional Emergency Assistance CARES Act Funding from Arizona Community Action Association dba Wildfire (Ordinance S-47206)**

Request authorization for the City Manager, or his designee, to amend Contract 152678 with the Arizona Community Action Association dba Wildfire (Wildfire) to extend the term of the contract through April 30, 2021 and accept additional emergency utility, rent and mortgage assistance Coronavirus Aid, Relief and Economic Security (CARES) Act funding in the amount of \$406,207.75, for a new contract total of \$3,156,207.75. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. There is no impact to the General Fund.

Summary

Funds provided to the City of Phoenix Human Services Department (HSD) through Wildfire are used to assist individuals and families who have been impacted directly by the COVID-19 pandemic with emergency rent, mortgage and utility assistance. Households eligible to receive assistance must be able to document that their current financial hardship is due to COVID-19. The flexibility of the CARES Act funding will allow the City of Phoenix to reach a broader spectrum of Phoenix residents and reduce the impact of COVID-19. The additional funding will allow HSD staff to further support those individuals who have been negatively impacted by the COVID-19 pandemic.

Procurement Information

The City of Phoenix has obtained all necessary federal waivers to alleviate the need to comply with federal procurement guidelines.

Contract Term

The new term of the contract is from June 1, 2020 through April 30, 2021 and may be extended based on continuous need and available funding. Any extension term may be exercised by the City Manager or his designee.

Financial Impact

The aggregate value of this contract shall not exceed \$3,156,207.75. Funding is

provided from the Coronavirus Aid, Relief and Economic Security (CARES) Act. There is no impact to General Funds.

Concurrence/Previous Council Action

On June 24, 2020, City Council authorized staff to enter into contract with Wildfire, the City Treasurer to accept, and the City Controller to disburse CARES Act funds with Ordinance S-46799.

On Oct. 21, 2020, City Council authorized acceptance of additional emergency assistance CARES Act funding from Wildfire with Ordinance S-47021.

Responsible Department

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



City of Phoenix

To: Inger Erickson
Deputy City Manager

Date: December 14, 2020

From: Marchelle Franklin
Human Services Director

Subject: ADD-ON ITEM FOR THE DECEMBER 16, 2020 FORMAL AGENDA -
AUTHORIZATION TO AMEND CONTRACT 152678 TO EXTEND AND ACCEPT
ADDITIONAL EMERGENCY ASSISTANCE CARES ACT FUNDING FROM THE
ARIZONA COMMUNITY ACTION ASSOCIATION, DBA WILDFIRE

The purpose of this memo is to request approval of an add-on item for the December 16, 2020 Formal Agenda to accept and disburse additional funding in the amount of \$406,207.75 for emergency utility and rental/mortgage assistance from the Arizona Community Action Association, dba Wildfire and extend the contract term to April 30, 2021. There is no impact to the General Fund.

Approved:

A handwritten signature in black ink, appearing to read 'Inger Erickson', written over a horizontal line.

Inger Erickson
Deputy City Manager

12-14-2020

Date