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Thursday, February 2, 2023

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**For Transmittal, Minutes of the Policy Session on Jan. 10, 2023**

**Summary**

This item transmits the Minutes of the Policy Session on Jan. 10, 2023.

The Minutes are attached for review as **Attachment A**.

**Responsible Department**

This item is submitted by the City Manager's Office.



ATTACHMENT A  
City of Phoenix

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

Minutes

City Council Policy Session

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Tuesday, January 10, 2023

2:30 PM

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**CALL to ORDER**

The Phoenix City Council convened in Policy Session on Tuesday, Jan. 10, 2023, at 2:37 p.m. in the Council Chambers.

**Present:** 8 - Councilmember Carlos Garcia, Councilwoman Betty Guardado, Councilwoman Ann O'Brien, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilman Jim Waring, Vice Mayor Yassamin Ansari, and Mayor Kate Gallego

**Absent:** 1 - Councilman Sal DiCiccio

**COUNCIL INFORMATION AND FOLLOW-UP REQUESTS**

This item is scheduled to give City Council members an opportunity to publicly request information or follow up on issues of interest to the community. If the information is available, staff will immediately provide it to the City Council member. No decisions will be made or action taken.

Councilwoman O'Brien wished everyone a happy New Year. Councilwoman O'Brien provided an update on her participation in the Jan. 9 National Law Enforcement Appreciation Day. Councilwoman O'Brien donated funding from Council District 1 appropriation to the Black Mountain Police Precinct to purchase new bicycles and safety equipment. Councilwoman O'Brien reported having discussions with constituents and police officers regarding illegal activities occurring in City parks and the challenges officers experienced in patrolling those parks without having the proper equipment. Councilwoman O'Brien noted a recent video she participated in with colleagues to express gratitude for the City's law enforcement officers. Councilwoman O'Brien stated she will host a community breakfast at the Metrocenter Double Tree Hotel on Jan. 27.

Vice Mayor Ansari provided an update on homelessness. Vice Mayor Ansari noted a recent report which indicated a 22 percent increase in unsheltered individuals in Maricopa County. Vice Mayor Ansari announced Council District 7 is launching a social media campaign

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to overcome homelessness and will highlight City-wide approaches to address the issue, including a new plan to build a 280-bed emergency shelter. Vice Mayor Ansari commented on collaboration efforts with City staff to engage unsheltered individuals and help clean “The Zone,” a homeless encampment near downtown. Vice Mayor Ansari discussed increased engagement and outreach with unsheltered persons in Laveen. Vice Mayor Ansari informed constituents of a recent shooting incident that left Police Sergeant Scott Galbraith of neighboring Scottsdale, Arizona injured while serving a search warrant. Vice Mayor Ansari stated she will host a community safety meeting on Jan. 21.

Councilwoman Pastor provided an update on small business initiatives, adding that Council District 4 staff will be at the HIVE on 16th, located at 2222 N. 16th St., on Jan. 11 to engage constituents and celebrate small businesses. Councilwoman Pastor announced she will be at the Tru Burger restaurant located at 2535 N. Central Ave. to hold discussions with residents. Councilwoman Pastor informed constituents of an upcoming annual cancer screening event with police and firefighters. Councilwoman Pastor also noted the passing of Mel Hannah, a local Black and Brown Coalition leader and civil rights advocate who served in various civic leadership roles throughout the state.

Councilmember Garcia echoed Councilwoman Pastor’s sentiments regarding the passing of Mel Hannah. Councilmember Garcia provided an update on various community events in Council District 8, including a Dec. 17 event at Nevitt Park and a movie experience night at Lindo Park. Councilmember Garcia said he will participate in the following community events: South Mountain Cleanup on Jan. 21, Unity in the Community at Esteban Park on Jan. 29, and Francisco Highland Festival on Feb. 25 at Francisco Highland Park.

Councilwoman Guardado provided an update on upcoming community events in Council District 5, including a community cleanup on Jan. 14, a community safety and crime prevention plan meeting, and a ribbon-cutting ceremony at West Plaza Park on Jan. 19 at 11:00 a.m.

Councilwoman Stark commented on a recent major water leak in Council District 3 and thanked City staff for the prompt response. Councilwoman Stark praised the owners of 3A Automotive Diesel Repair for donating a car to Nathan Catlin, a special education teacher assistant at Mountain View Elementary School in north Phoenix.

Mayor Gallego joined colleagues in recognizing the passing of Mel Hannah, noting his service to the City, including serving as an Outreach Director for Mayor Greg Stanton.

### **CONSENT ACTION**

This item is scheduled to allow the City Council to act on the Mayor's recommendations on the Consent Agenda. There is no Consent Agenda for this meeting.

### **CALL FOR AN EXECUTIVE SESSION**

A vote may be held to call an Executive Session for a future date.

### **REPORTS AND BUDGET UPDATES BY THE CITY MANAGER**

This item is scheduled to allow the City Manager to provide brief informational reports on topics of interest to the City Council. The City Council may discuss these reports but no action will be taken.

### **DISCUSSION AND POSSIBLE ACTION (ITEM 1)**

#### **1 General Plan 2025 Update Public Participation Plan (PlanPHX)**

##### **Discussion**

Mayor Gallego invited Councilwoman Stark to introduce the General Plan 2025 Update Public Participation Plan (PlanPHX) item.

Councilwoman Stark stated State Statute requires the City to review its General Plan every 10-years and the updated plan must be adopted by residents. Councilwoman Stark noted it has been about a decade since the last update in 2015. Councilwoman Stark stated she is looking forward to active public participation in the 2025 General Plan.

Mayor Gallego welcomed Deputy City Manager Alan Stephenson.

Mr. Stephenson highlighted the objectives of the PlanPHX, noting its overall outreach plan and broad-based community approach.

Mr. Stephenson introduced Acting Assistant Planning and Development

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Director Joshua Bednarek, Acting Deputy Planning and Development Director Tricia Gomes, and Acting Special Projects Administrator Joel Carrasco.

Ms. Gomes presented the 2025 PlanPHX framework, including maximizing transportation resources, providing affordable housing, implanting transit-oriented development, and educating residents on all things planning and development.

Mr. Carrasco discussed how the 2025 PlanPHX aligns with the City's vision, mission, and strategies in creating an inclusive framework for the next 10 years.

Councilwoman Pastor asked if 19th Avenue south of Camelback Road would be included in the areas being prioritized.

Mr. Bednarek replied it could be, depending on Council direction and community feedback.

Mayor Gallego recognized and thanked Mr. Mo Stein and Mr. Phil Pangrazio for helping the City with General Plans. Mayor Gallego commented on the effort it took to implement the 2015 PlanPHX vision to becoming the most sustainable desert city, which is part of Phoenix's values now. Mayor Gallego noted the various development and planning opportunities in the 2025 PlanPHX, including efforts to link water planning, long-term supplies, and land use planning.

Councilmember Garcia asked about the City's community outreach plan with Spanish speakers and how the 2025 PlanPHX will gage or measure up compared with previous development plans.

Mr. Bednarek responded staff plans to re-identify the City's core values and vision for the future as the 2025 PlanPHX takes shape. Mr. Bednarek added the City intends to lean on its multilingual workforce for Spanish interpretation and will look for councilmembers for direction on where and how to prioritize community engagement.

Councilwoman Guardado expressed support for the 2025 PlanPHX. Councilwoman Guardado invited staff to the Council District 5 February community leaders meeting to engage with constituents and learn about their specific needs.

Councilwoman Stark asked if staff plans to include the Citizen Transportation, City Council, and boards and commissions as part of the 2025 PlanPHX participation plan committees.

Mr. Carrasco responded yes.

Councilwoman Stark stated it is important to make the 2025 PlanPHX an all-inclusive process that reflects the priorities of various boards, commissions, and industry experts as part of the participation plan committees. Councilwoman Stark invited staff to attend Council District 3 events, including the Annual Slope Fest in the Sunnyslope neighborhood.

Vice Mayor Ansari inquired if the 2025 PlanPHX would provide an opportunity to amend village layouts or core designations, namely Estrella Village.

Mr. Bednarek replied the 2025 PlanPHX would lay the foundation for potential modifications to core designations and use that as a policy basis to amend village layouts and core corridors.

Vice Mayor Ansari asked if staff would conduct an outreach to targeted residents that use the transit system to get around, bike to work, or are disabled.

Mr. Bednarek answered the City has a diverse PlanPHX Leadership Committee with many contacts and would engage with other groups as recommended by councilmembers.

Vice Mayor Ansari questioned if there were opportunities to add new goals and commitments other than those already stated in the 2025 PlanPHX.

Mr. Bednarek replied yes.



Councilwoman Pastor stated the importance of facilitating inclusive community outreach and engagement with working families, recent immigrants, and refugees. Councilwoman Pastor asked whether the City has adequate staffing to engage with these groups.

Mr. Bednarek replied staff plans to bring in additional planners to help with the 2025 PlanPHX implementation and maximize current staff resources.

Councilwoman Pastor questioned the possibility of asking retired City planners to return as volunteers and assist with the 2025 PlanPHX implementation and community outreach.

Mr. Bednarek answered staff would consider all suggestions, including recruiting volunteers and students to help facilitate community outreach.

Councilwoman O'Brien asked if staff could consider working with school districts to help with the 2025 PlanPHX implementation and community outreach. Councilwoman O'Brien also inquired whether the director of the State Land Trust in Council Districts 1 and 2 could be involved in this effort.

Mr. Bednarek responded yes.

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

**Yes:** 8 - Councilmember Carlos Garcia, Councilwoman Betty Guardado, Councilwoman Ann O'Brien, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilman Jim Waring, Vice Mayor Yassamin Ansari, and Mayor Kate Gallego

**No:** 0

**Absent:** 1 - Councilman DiCiccio

**INFORMATION AND DISCUSSION (ITEM 2)**

**2** American Rescue Plan Act Affordable Housing and Community Land Trust Programs

**Discussion**

Mayor Gallego welcomed Deputy City Manager Gina Montes.

Ms. Montes introduced Housing Director Titus Mathew and Deputy Housing Director Samantha Keating to provide an overview of the affordable housing programs currently allocated in the American Rescue Plan Act (ARPA strategic plan).

Mr. Mathew discussed the expansion of Housing investments, strategic plan, timeline, and plan for procurement solicitations.

Ms. Keating discussed the \$16 million Affordable Housing Program and the \$5 million Community Land Trust Housing (CLT) Plan. Ms. Keating noted the Affordable Housing Program increased by \$4 million due to the reallocation of funding approved by Council in December 2022.

Councilmember Garcia asked Ms. Keating to explain how the CLT program subsidies works.

Ms. Keating replied the \$200,000 subsidy could be used to reduce the overall home price or help with the down payment. Ms. Keating provided an example, stating if a property sells for \$400,000 in the current housing market, the CLT program could give a \$200,000 subsidy, and the home buyer would pay the remaining \$200,000, making the home affordable.

Councilmember Garcia remarked CLT is an effective way to maintain home affordability. Councilmember Garcia asked Ms. Keating to discuss how CLT helps support home affordability and keeps units within a certain price.

Ms. Keating answered the program provides a subsidy to CLT administrators to sell homes to CLT participating home buyers at a price they can afford.

Councilmember Garcia noted other jurisdictions using CLT programs and asked if the City is consulting with them or learning from their experiences.

Ms. Keating replied yes.

Councilwoman Guardado asked why CLT-supported homes remained in a trust after being sold to an income-eligible buyer.

Ms. Keating replied that when a CLT purchases homes and resells them to income-eligible buyers, only the houses are mortgaged, not the land the property is being occupied. Ms. Keating added that the CLT remains the landowner, and income-eligible buyers acquire long-term leases.

Councilwoman Guardado inquired what happens if an income-eligible buyer never sells the house.

Mr. Mathew answered an income-eligible buyer could live in a CLT home indefinitely or pass it on to their family. Mr. Mathew added CLT homes would only change status if the buyer decided to sell.

Vice Mayor Ansari asked if the City would compensate CLT buyers who choose to stay in their homes, pass away while residing there, or when family members who inherit the house do not qualify for affordable housing.

Mr. Mathews answered yes, and added that no CLT buyers would lose money.

Vice Mayor Ansari asked if the City could use the CLT program to purchase open land and build dense multiple-family housing projects.

Mr. Mathew replied the current CLT model supports only single-family and townhomes, but the City would be happy to expand the program with City Council direction.

Vice Mayor Ansari inquired if CLT homes could be used as live-work spaces for buyers who want to run businesses out of their homes.

Mr. Mathew responded staff would do some more research, as he is not aware of any CLT-related restrictions that would prevent buyers from doing that.

Councilwoman O'Brien asked how CLT homeownership equity is determined.

Mr. Mathew explained the general practice is that the buyer keeps between 25 to 30 percent of the profit when a home is sold. CLT keeps the remaining balance to continue the model of keeping homes affordable and accessible for people under 80 percent area medium income.

Councilwoman O'Brien asked if the terms of the agreement dictate the equity percentage.

Mr. Mathew responded yes.

Councilwoman O'Brien asked if the homeowner would lose money if the mortgage defaults.

Mr. Mathew replied that CLT income-eligible home buyers are buying at a discount, so if they have a mortgage, the home's value is far higher than the mortgage they own. Mr. Mathew added that if the homeowner walks away from the property, they still keep their equity and percentage of any potential profits.

Councilwoman Pastor asked for clarification regarding the total cost of the programs discussed.

City Manager Jeff Barton replied that the ARPA Affordable Housing program totaled \$16 million, \$10 million for the Moreland project and \$6 million for gap financing. Mr. Barton explained this included the additional \$4 million Council recently approved in reallocated ARPA funds that occurred in December. Mr. Barton added the Housing Department also had \$5 million for the Community Land Trust Program.

## **ADJOURN**

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 3:57 p.m.

Respectfully submitted,

Yusuf Dirow, Management Fellow



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## **Fiscal Transparency and Zero-Based Inventory of Programs Budget Document**

This report transmits this year's Zero-Based Inventory of Programs budget document to the City Council and community.

### **Summary**

The Zero-Based Inventory of Programs budget document was created in response to the City Council's request for a more transparent, relevant, and detailed presentation of the City's budget. The document provides a comprehensive review of more than 360 City programs, and includes costs, revenue, staffing levels, funding source, performance measures, and other key budget details.

The Inventory of Programs provides a unique and important view into the City's budget. The budget is presented by program, the key component of a zero-based budget approach. This approach achieves several goals, including:

- Providing a detailed and relevant presentation of the City's budget, allowing the City Council and community to review the budget of every program using a zero-based budgeting approach.
- Providing the City Council with cost estimates at an earlier stage in the annual budget development process.
- Improving the overall accessibility and understandability of the budget by using a format that is more accessible and useful to Phoenix residents.

### **Budget Development Process**

The City is committed to helping residents comprehend how their tax dollars are used and to making our processes transparent, accessible, and easily understood. In service of the expectations and desires of residents, the City has one of the most open and accessible budget processes in the country. Phoenix has received a Distinguished Budget Presentation Award from the Government Finance Officers Association for 37 consecutive years.

Additionally, the City continues to use the innovative FundPHX tool designed to educate and engage the public in the annual budget process. The tool is available in both English and Spanish, and provides residents an opportunity to try their hand at

balancing the City's General Fund operating budget, provide feedback on current funding levels, and share community priorities with staff. FundPHX is also linked to the Inventory of Programs, allowing residents to dive deeper into each department's programs for closer examination of how the budget is allocated.

The Inventory of Programs document is provided in advance of the City Manager's Trial Budget and subsequent Community Budget Hearings scheduled to take place in April 2023. The Inventory of Programs document is provided on the Budget and Research website at [www.phoenix.gov/budget](http://www.phoenix.gov/budget) and is designed to be easily reviewed electronically with a table of contents, navigation links throughout the document, and full word search capability. By detailing more than 360 City programs and services, and providing a complete view of the City's current year budget and preliminary look at next year's estimates, the City Council, and residents can begin reviewing this important information early in the budget development process.

In combination with the [preliminary 2023-24 General Fund Budget Status](#) and the [Five-Year General Fund Forecast](#), scheduled to be presented to Council on Feb. 21, these documents present a strategic and long-term view of the City budget, providing necessary context and considerations for well-informed budget discussions and decisions.

On March 21, the [City Manager's Trial Budget](#) will be presented and will include greater detail on the proposed 2023-24 budget. The City Manager's Trial Budget is followed by [Community Budget Hearings](#) during the month of April. Budget hearings will be available both in-person and virtually, providing additional flexibility for residents to participate. Additionally, English and Spanish interpretation services will be available at all budget hearings. Residents can also provide input via the FundPHX tool, online forms, email, and telephone. All community feedback is shared with the City Council routinely so it may be considered ahead of final budget decision making. Residents can visit [www.phoenix.gov/budget](http://www.phoenix.gov/budget) for information on how to participate in the 2023-24 budget process.

Community feedback plays a vital role in the [City Manager's Proposed Budget](#), a revised version of the Trial Budget that incorporates input from residents. The Proposed Budget is scheduled for two meetings in the month of May, the second of which is intended for City Council action. The two Council meetings in May ensure the Mayor and Council have sufficient opportunity to fully evaluate, question, and discuss the budget prior to taking action. In June and July, [tentative and final budget information](#) is published in official newspapers, additional hearings are posted and conducted, and final legally required actions are taken.

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## Resources Available

Currently, the phoenix.gov webpage provides access to a wealth of information on the City's budget and finances. Listed below are additional resources on the Budget and Research ([www.phoenix.gov/budget](http://www.phoenix.gov/budget)) and Finance ([www.phoenix.gov/finance](http://www.phoenix.gov/finance)) departments' web pages:

- FundPHX Online Budgeting Tool
- Inventory of Programs - Zero Based Budget Document
- Summary Budget
- Detail Budget
- Five-year Capital Improvement Program
- Budget-related documents and reports to City Council
- Contact Information for Budget and Research and Finance Departments
- Annual Comprehensive Financial Report
- Monthly Financial Report
- Popular Annual Financial Report
- Online Checkbook
- Investor Information
- Annual Single Audit detailing grant program expenditures

Also on the [www.phoenix.gov](http://www.phoenix.gov) home page is a link to "Find Public Records" which provides public access to all types of City documents, including City Council meeting minutes, requests for City Council action, ordinances, resolutions, contracts, and reports.

## Inventory of Programs Information

The Zero-Based Inventory of Programs budget document contains a significant amount of information identified below.

Citywide and General Fund Information - A breakdown of citywide operating expenditures by specific expenditure category and fund sources; operating fund revenue by source; and the number of volunteer hours for each department. The specific expenditure categories include:

- Personal services (total compensation costs, including all wages and benefits);
- Contractual services (payments made to outside vendors and contractors, including all outsourced services);
- Supplies, equipment and minor improvements;
- Interdepartmental charges (work order charges from one department to another based on internal services provided, where appropriate);

- Necessary transfers between funds.

Actuals Comparison - Annual actual expenditures for recent years in all the budget categories described above are provided.

Staff Costs Overview - This section provides detail on what comprises staffing costs (also referred to as “personal services”) for all funds and for the General Fund. It describes the major components of staff costs (salaries and wages, benefits, payroll taxes and other legally required costs) and what each of those components entails.

Citywide Department Information - The citywide Inventory of Programs provides department level information, including:

- Department status overview of enhancements, priorities, and challenges.
- Department-specific revenue and budget summary.
- The primary strategic plan area supported by the program.
- For departments receiving volunteer assistance, description of volunteer services in applicable programs and the number of volunteer hours provided.
- The total cost for each program (net and gross), including the administrative cost; rather than presenting the budget by department, a zero-based budget approach prescribes the use of “budget decision packages” which are based on the costs of individual programs or services.
- Staffing, or total full-time equivalent (FTE), for each program, including full-time, temporary, and part-time staff.
- Program fund source, which may be a single fund, such as the General Fund, or a combination of funds, such as grants, special revenue funds, and General Fund.
- For applicable programs, service level trends illustrating budgeted performance measures.
- Information on whether the program provides matching funds for a grant funded program.

The Inventory of Programs is based on the Council-adopted 2022-23 budget and the preliminary 2023-24 budget estimate. Estimates by program for the preliminary 2023-24 budget will likely change prior to the Trial Budget for certain items, including updated revenue estimates, equipment replacement estimates, ongoing identification of savings, or other cost changes influenced by factors outside the City’s control. Costs and staffing levels for each program include a portion of department administrative costs, which are appropriately allocated across programs.

## **Zero-Based Estimates and Detailed Technical Expenditure Reviews**

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Each Fall, a thorough technical analysis, or detailed line-item review, is performed for the current year's budget. Every department works with the Budget and Research Department in reviewing all budget line-items and making adjustments to reflect identified cost savings.

At the same time, the City develops estimates for every budget line-item for the next fiscal year's budget. It is important to note that every line-item of the budget starts at zero dollars. This is an important cost-control element of the budget process, as it is designed to ensure new cost estimates are prepared every year, preventing the automatic extension or increase of costs programmed in the current year. The final amounts in each line-item are new estimates necessary to continue existing City Council-adopted service levels for each program. In projecting annual personal services costs (total employee compensation), estimates are based on the number of positions authorized by the City Council and on the specific compensation configuration for each individual position.

**Responsible Department**

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



## **Emergency Rental Assistance Program Weekly Update**

This report provides information on the current status of the Emergency Rental Assistance Program.

### **Summary**

The attached memo (**Attachment A**) provides current updates of the Emergency Rental Assistance Program.

### **Responsible Department**

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

ATTACHMENT A



**City of Phoenix**

**To:** Jeff Barton  
City Manager

**Date:** February 2, 2023

**Through:** Gina Montes  
Deputy City Manager

**From:** Marchelle F. Franklin  
Human Services Director

**Subject: WEEKLY EMERGENCY RENTAL ASSISTANCE PROGRAM REPORT**

This memo outlines current updates of the Emergency Rental Assistance (ERA) Program. The chart below reflects allocated amounts and expenditures for all ERA fund sources. Cumulative expenditures include \$46,040,352 in ERA 1.0 funds, \$32,941,747 in ERA 1.0 Reallocated funds, and \$45,174,349 in ERA 2.0 funds.

<b>ERA Fund Source</b>	<b>Total Allocation</b>	<b>Admin Costs Expended (or Allowable<sup>1</sup>)</b>	<b>Direct Services Expended</b>	<b>Available Direct Services</b>
<b>ERA 1.0</b>	\$51,145,125	\$5,104,773	\$46,040,352	\$0
<b>ERA 1.0 Reallocated</b>	\$35,000,000	\$2,058,253	\$32,941,747	\$0
<b>ERA 2.0</b>	\$55,349,895	\$8,302,484 <sup>1</sup>	\$45,174,349	\$1,873,062
<b>ERA 2.0 Reallocated</b>	\$7,000,000 <sup>2</sup>	\$1,050,000 <sup>1</sup>	\$0	\$5,950,000
<b>Total</b>	<b>\$148,495,020</b>	<b>\$16,515,510</b>	<b>\$124,156,448</b>	<b>\$7,823,062</b>

ERA 1.0 reallocated funding closeout functions continue to be worked out and may result in some adjustments to final expenditure balances.

The expenditures below represent ERA 2.0 funds disbursed to eligible households. The Human Services Department expended \$603,835.34 over the previous week to 96 households.

On Jan. 20, 2023, an additional \$7,000,000 of ERA 2.0 reallocated funds from the Arizona Department of Economic Security was transmitted to the City by the U.S. Department of Treasury.<sup>2</sup>

## ERA Program Data

The table below demonstrates program and expenditure data for ERA 2.0 funding:

<b>Time Period</b>	<b>Households Served</b>	<b>Residents Served</b>	<b>Ineligible Applications</b>	<b>Total Expenditures</b>
<i>Jan. 2 – Jan. 7</i>	58	163	0	\$431,162.14
Jan. 9 – Jan. 14	110	298	0	\$815,567.96
Jan. 16 – Jan. 21	74	199	0	\$536,548.38
Jan. 23 – Jan. 28	96	256	0	\$603,835.34
<b>Total</b>	<b>338</b>	<b>916</b>	<b>0</b>	<b>\$2,387,113.82</b>



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## Weekly Community Spread Benchmark Report

This report provides City Council with an update regarding the status of the current community spread benchmark indicators tracked by the City of Phoenix related to COVID-19 as requested at the Dec. 2, 2020 Formal Meeting. This information represents the latest data released by the Centers for Disease Control and Prevention (CDC) on Jan. 26, 2023.

### Summary

The Maricopa County Department of Public Health has transitioned from Community Transmission Risk indicators to the new CDC Community Level reporting, which reports at the County level and are rated as Low, Medium or High. The weekly report now follows the CDC Community Level reporting.

The CDC Community Level is determined by the higher of the inpatient beds and new admissions indicators, based on the current level of new cases per 100,000 in the past seven days. Please note that, in the event New Cases per 100,000 exceeds 200, the community level can be no lower than Medium, regardless of the inpatient bed use or hospital admissions per 100,000.

The attached memo (**Attachment A**) provides an indicator dashboard of the CDC Community Level for Maricopa County. The current CDC Community Level for Maricopa County is **Low**.

### Responsible Department

This item is submitted by Assistant City Manager Lori Bays.



**City of Phoenix**

**To:** Jeffrey Barton  
City Manager

Date: February 2, 2023

**From:** Lori Bays  
Assistant City Manager

**Subject: WEEKLY COMMUNITY SPREAD BENCHMARK REPORT**

This memo communicates the community spread benchmarks within the City of Phoenix.

The Maricopa County Department of Public Health has transitioned from Community Transmission Risk indicators to the new CDC Community Level reporting, which reports at the County level.

The CDC Community Level is determined by the higher of the inpatient beds and new admissions indicators, based on the current level of new cases per 100,000 in the past 7 days. Please note that, in the event New Cases per 100,000 exceeds 200, the community level can be no lower than Medium, regardless of the inpatient bed use or hospital admissions per 100,000. For more information about the COVID-19 Community Levels go to the [CDC COVID-19 Community Levels](#) site.

**Current CDC COVID-19 Community Level:  
Maricopa County**

**Low**

Reporting Week		Percentage of In-Patient Bed Usage	New Hospital Admissions per 100,000	New COVID Cases per 100,000
Most Current Week Reporting	Jan. 26, 2023	2.9%	6	44.43
Previous Week Reporting	Jan. 19, 2023	3.2%	7.2	32.26

COVID-19 Community Levels – Use the Highest Level that Applies to Your Community				
New COVID-19 Cases Per 100,000 people in the past 7 days	Indicators	Low	Medium	High
Fewer than 200	New COVID-19 admissions per 100,000 population (7-day total)	<10.0	10.0-19.9	≥20.0
	Percent of staffed inpatient beds occupied by COVID-19 patients (7-day average)	<10.0%	10.0-14.9%	≥15.0%
200 or more	New COVID-19 admissions per 100,000 population (7-day total)	NA	<10.0	≥10.0
	Percent of staffed inpatient beds occupied by COVID-19 patients (7-day average)	NA	<10.0%	≥10.0%



## 2023 State Legislative Report

This report provides information regarding the status of current state legislative issues.

### Summary

Feb. 3, 2023 is the 26th day of the Second Regular Session of the 56th Legislature. **Attachment A** provides current status of the Legislation as of Feb. 2, 2023. To date, 1,310 bills have been introduced and staff continues to review these measures to identify potential impacts.

### Responsible Department

This item is submitted by City Manager Jeffrey Barton and the Office of Government Relations.



**ATTACHMENT A**  
**City Council Information**  
**February 3, 2023**



The Office of Government Relations is guided by the principles endorsed by the Mayor and Council. Our highest priorities are maintaining and preserving **shared revenues**, opposing **unfunded mandates**, protecting **local authority**, and involvement in **water resource** matters.

This Legislative Report provides information about bills that could impact the City. February 3, 2023 is the 26th day of the Second Regular Session of the 56th Legislature. The information provided in this report regarding status of legislation is current as of February 2, 2023. To date, 1,310 bills have been introduced and staff continues to review these measures to identify potential impacts.

**Bills that staff has identified as negatively impacting the City**

**HB2003 - Corporate income tax; rates**

**Sponsor**

Rep. David Livingston (R)

**Summary**

Decreases the corporate income tax rate to 4.0 percent of net income in tax year 2023, 3.5 percent of net income in tax year 2024, 3.0 percent of net income in tax year 2025, and 2.5 percent of net income in tax years beginning with 2026, from 4.9 percent of net income.

**Last Action**

2023-01-20 H - Hearing Scheduled 01/23/2023 - House RULES, HHR 4

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**HB2019 - Licensing; permitting; criteria; clarity**

**Sponsor**

Rep. Travis Grantham (R)

**Summary**

If a county or municipality requires a license or permit for any constitutionally protected activity or any activity that changes the use, appearance, or density of a structure or

land, the county or municipality is required to state in clear and unambiguous language the criteria for granting the license or permit. Counties and municipalities are required to grant or deny an application for such a license or permit within 30 days. Some exceptions.

**Last Action**

2023-01-31 H - DP - House Commerce

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**HB2059 - Riot; unlawful assembly; classification; liability**

**Sponsor**

Rep. Lupe Diaz (R)

**Summary**

Establishes the crime of aggravated riot, a class 3 (upper mid-level) felony, if a person, in the course of committing a riot, participates with 25 or more other persons, causes serious physical injury to another person who is not participating in the riot, causes property damage in excess of \$5,000, displays, uses, threatens to use, or attempts to use a deadly weapon, or, by force or by the threat of force, endangers the safe movement of a motor vehicle traveling on a public street. Establishes the crime of mob intimidation, a class 1 (highest) misdemeanor, if a person, assembled with two or more other persons and acting with common intent, uses force or threatens to use imminent force to compel or attempt to compel another person to do or refrain from doing any act or to assume, abandon or maintain a particular viewpoint against the person's will. The list of circumstances under which assault is classified as aggravated assault, a class 6 (lowest) felony, is expanded to include if the person commits the assault on a peace officer in the furtherance of a riot or unlawful assembly. A person convicted of aggravated assault on a peace officer in these circumstances must be sentenced to serve no less than the minimum sentence and is not eligible for probation or suspension of execution of sentence until the entire sentence is served. Burglary committed during a riot where the perpetration of the burglary is facilitated by "conditions arising from the riot" (defined) is classified as burglary in the first degree. The criminal classification of abuse of venerated objects by desecrating any public monument, memorial, or property of a public park is increased to a class 6 (lowest) felony, from a class 2 (mid-level) misdemeanor. A person who is convicted of any offense that is committed in furtherance of a riot or an unlawful assembly must be sentenced to the next higher class of offense than that for which the person is convicted. A municipality has a duty to allow a municipality law enforcement agency to respond appropriately to protect persons and property during a riot or unlawful assembly based on the availability of adequate equipment to its city and town law enforcement officers and relevant state and federal laws. If a municipal governing body or a person who is authorized by the municipal governing body breaches that duty, the municipality is liable in a civil action for any damages, including damages arising from personal injury, wrongful death or property damages proximately caused by the breach of duty.

**Last Action**

2023-01-18 H - Hearing Scheduled 01/18/2023 - Second Reading, Floor

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**HB2061 - Food; municipal tax; exemption.**

**Sponsor**

Rep. Leo Biasiucci (R)

**Summary**

Municipalities and other taxing jurisdictions are prohibited from levying a transaction privilege, sales, or use tax or fee on the sale of food items intended for human

consumption or home consumption (as defined elsewhere in statute and by rule). Applies to tax periods on or after the first day of the month following the general effective date.

**Last Action**

2023-01-20 H - Hearing Scheduled 01/23/2023 - House RULES, HHR 4

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**HB2067 - Residential leases; municipal tax exemption**

**Sponsor**

Rep. Neal Carter (R)

**Summary**

Beginning January 1, 2024, municipalities and other taxing jurisdictions are prohibited from levying a transaction privilege, sales, use or other similar tax or fee on the business of renting or leasing real property for residential purposes. Does not apply to health care facilities, long-term care facilities, hotels, motels, or other transient lodging businesses. By January 1, 2024, the owner of real property that is rented or leased for residential purposes and that is located in a municipality or other taxing jurisdiction that levies such a tax is required to reduce the amount of rent due by an amount equal to the difference caused by the elimination of the tax as provided in this legislation. Contains a legislative intent section. Applies to tax periods beginning January 1, 2024.

**Last Action**

2023-02-01 H - DP - House Ways & Means

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**HB2144 - Open meetings; capacity; posting; violation**

**Sponsor**

Rep. Timothy M. Dunn (R)

**Summary**

All public bodies are required to provide for an amount of seating sufficient to accommodate the reasonably anticipated attendance of all persons desiring to attend the deliberations and proceedings, when feasible. The agenda for a public meeting is required to include notice of the time that the public will have physical access to the meeting place. A head of a public body that violates this requirement is liable for a civil penalty as provided in statute for open meeting law violations.

**Last Action**

2023-01-25 H - DPA - House Government

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**HB2195 - Criminal justice data collection; system**

**Sponsor**

Rep. Quang H. Nguyen (R)

**Summary**

The Arizona Criminal Justice Commission is required to implement the state, county and municipal open data system. The Commission is required to publish the data system Commission's website in an electronic format that is accessible to the public. Beginning on January 1, 2024, and unless prohibited by any other law, criminal justice agencies in Arizona are required to submit specified data into the system. The Commission is required to establish policies to protect confidential information. Appropriates \$4.7 million in FY2023-24, \$4.8 million in FY2024-25, and \$4.8 million in FY2025-26 from the general fund to the Commission to implement the data system.

**Last Action**

2023-01-19 H - Hearing Scheduled 01/25/2023 9:00 AM - House JUD, HHR 4

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**HB2213 - TPT; exemption; utilities; residential customers****Sponsor**

Rep. Gail Griffin (R)

**Summary**

The list of deductions from the tax base for the utilities classification of transaction privilege taxes is expanded to include gross proceeds of sales or gross income derived from sales to residential natural or artificial gas and electricity retail customers. Applies to tax periods beginning on or after the first day of the month following the general effective date.

**Last Action**

2023-01-19 H - Hearing Scheduled 01/19/2023 - Second Reading, Floor

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**HB2215 - Hazardous waste manifest resubmittals; fees****Sponsor**

Rep. Gail Griffin (R)

**Summary**

Repeals statute allowing the Arizona Department of Environmental Quality to return an improperly completed manifest for a shipment of hazardous waste to the person who prepared the manifest and require the person to complete and resubmit the manifest, and eliminates the fee of \$20 for resubmittal of the manifest.

**Last Action**

2023-01-24 H - HELD - House Natural Resources, Energy & Water

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**HB2284 - Homelessness; housing; facilities****Sponsor**

Rep. David Livingston (R)

**Summary**

The Arizona Department of Housing (ADOH) is required to accept and allocate monies appropriated by the Legislature for services for individuals experiencing homelessness. Monies must be used for parking areas that have access to potable water, electric outlets, and bathrooms; camping facilities and individual shelters that meet specified requirements; and shelters that house at least four individuals and that provide programs to improve the employment and income of individuals leaving the shelter. ADOH is required to prioritize spending for all of these purposes before spending monies on permanent housing for individuals experiencing homelessness. ADOH is authorized to use monies appropriated to assist individuals experiencing homelessness with substance abuse treatment, mental health treatment, and other services. A person is prohibited from using state or local government owned lands for unauthorized sleeping, camping, or long-term shelter, and from allowing such land to be used for these purposes. Political subdivisions are prohibited from adopting or enforcing policies that discourage or prohibit the enforcement of any order or ordinance that prohibits public camping or sleeping or obstructing a public right-of-way. The Attorney General is authorized to bring a civil action against a political subdivision in violation. Severability clause. Effective January 1, 2024.

**Last Action**

2023-02-06 H - Hearing Scheduled 02/06/2023 2:00 PM - House HHS, HHR 4

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**HB2418 - Law enforcement; response times; requirements****Sponsor**

Rep. Matt Gress (R)

**Summary**

Municipalities are required to provide for enough law enforcement patrol officers to achieve a response time to each law enforcement emergency call of five minutes or less. The Arizona Criminal Justice Commission is required to establish policies and procedures that define law enforcement emergency response time. The Auditor General is required to annually perform an audit of the processes and data used in compiling and determining municipal law enforcement emergency response times.

**Last Action**

2023-02-06 H - Hearing Scheduled 02/06/2023 2:00 PM - House MAPS, HHR 1

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**SB1058 - Law enforcement; polygraph examinations; prohibition**

**Sponsor**

Sen. John Kavanagh (R)

**Summary**

Employers are prohibited from administering a polygraph examination to an applicant for the position of law enforcement officer or to a law enforcement agency volunteer. The requirement for data and reports from a polygraph examination of a law enforcement officer to be destroyed three years after the date of appointment or employment is moved to session law and self-repeals January 1, 2027.

**Last Action**

2023-01-25 S - DP - Senate Military Affairs, Public Safety and Border Security

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**SB1098 - Truck routes; signage**

**Sponsor**

Sen. Frank Carroll (R)

**Summary**

If the Arizona Department of Transportation (ADOT) or a local authority prohibits the operation of trucks or other commercial vehicles or imposes limitations as to the weight of vehicles on designated highways, the signs that ADOT or the local authority is required to place on the highway must be placed at least every 1/4 mile, must inform the public of the restrictions, and must direct the public to the fastest route to leave a restricted route. Any restrictions, including those imposed before the effective date of this legislation, are unenforceable if ADOT or the local authority fails to erect or maintain the signs according to these requirements.

**Last Action**

2023-01-30 S - DP - Senate Transportation and Technology

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**SB1108 - Income tax; credit; labor costs**

**Sponsor**

Sen. Wendy Rogers (R)

**Summary**

For tax years beginning with 2024, establishes an individual and corporate income tax credit for a portion of a taxpayer's increased hourly labor costs that results from paying a local minimum wage that is more than the state minimum wage. The amount of the credit is ten percent of the difference between the amount of hourly labor costs the employer actually paid to employees and the amount of hourly labor costs that the employer would have paid to employees if the local minimum wage was the same as the state minimum wage. Requirements to qualify for the credit are specified. If the allowable credit exceeds taxes due, the unused amount may be carried forward for up

to five consecutive tax years. Each month the State Treasurer is required to withhold from a municipality an amount equal to 1/12 of the total amount of credits claimed for the prior taxable year by taxpayer's located in that municipality from the municipality's distribution of state shared revenues. Some exceptions.

**Last Action**

2023-01-30 S - DP - Senate Finance

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**SB1122 - Transportation tax; election; Maricopa county**

**Sponsor**

Sen. David C. Farnsworth (R)

**Summary**

If approved by the voters at a countywide election, a county with a population of 3 million or more persons (Maricopa) is required to levy a tax of up to ten percent of the transaction privilege tax rate as of January 1, 1990. The tax levied will be in effect for 15 years. Specifies the distribution of net revenues from the tax levy, with 80 percent of revenues distributed to the Regional Area Road Fund for freeways and other routes in the state highway system, and 20 percent of revenues distributed to the Regional Area Road Fund for major arterial streets. Beginning January 1, 2026, a regional public transportation authority is established in a county with a population of 3 million or more persons that approves a county transportation excise tax.

**Last Action**

2023-02-06 H - Hearing Scheduled 02/06/2023 2:00 PM - Senate TAT, SHR 2

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**SB1162 - Home-based businesses; restrictions; prohibition**

**Sponsor**

Sen. Steve Kaiser (R)

**Summary**

A home-based business must be allowed as a use by right if the home-based business does not supersede any deed restriction, covenant or agreement restricting the use of land, a master deed or any other document applicable to a common interest ownership community. Counties and municipalities cannot prohibit a "no-impact home-based business" (defined) or require a person to apply for, register, or obtain a permit, license, variance or other type of prior municipal approval to operate a no-impact home-based business. Counties and municipalities are authorized to establish reasonable regulations on a home-based business if the regulations are narrowly tailored for specified purposes, including protecting public health and safety and ensuring that the business activity is compatible with residential use of the property.

**Last Action**

2023-01-26 H - Hearing Scheduled 01/26/2023 - Second Reading, Floor

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**SB1184 - Municipal tax exemption; residential leases**

**Sponsor**

Sen. Steve Kaiser (R)

**Summary**

Beginning October 1, 2024, municipalities and other taxing jurisdictions are prohibited from levying a transaction privilege, use, or other similar tax or fee on the business of renting or leasing residential property for residential dwellings of up to four units. Some exceptions. Beginning January 1, 2028, municipalities and other taxing jurisdictions are prohibited from levying a transaction privilege, use, or other similar tax or fee on the business of renting or leasing residential property for residential dwellings of more than

four units. Some exceptions. The owner of real property that is rented or leased for residential purposes and that is located in a municipality or other taxing jurisdiction that levies a transaction privilege tax on the business of renting or leasing real property for residential purposes is required to reduce the amount of rent due by an amount equal to the difference caused by the elimination of the transaction privilege tax on the business of renting or leasing real property for residential purposes on the effective date of the tax elimination for that property. The Arizona Department of Revenue is required to electronically notify each residential rental transaction privilege tax licensee of these provisions. Also, municipalities are required to use monies paid from revenues collected from a remote seller in the retail transaction privilege tax classification and paid to the municipality as state shared revenue for public safety before any other municipal purpose.

**Last Action**

2023-02-01 S - DP - Senate Commerce

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**SCR1011 - Homelessness; facilities; housing**

**Sponsor**

Sen. Steve Kaiser (R)

**Summary**

The 2024 general election ballot is to carry the question of whether to amend state statute to allow monies in the Housing Trust Fund to be used for services for individuals experiencing homelessness. The Arizona Department of Housing (ADOH) is required to accept and allocate monies appropriated by the Legislature for services for individuals experiencing homelessness. Monies must be used for parking areas that have access to potable water, electric outlets, and bathrooms; camping facilities and individual shelters that meet specified requirements; and shelters that house at least four individuals and that provide programs to improve the employment and income of individuals leaving the shelter. ADOH is required to prioritize spending for all of these purposes before spending monies on permanent housing for individuals experiencing homelessness. ADOH is authorized to use monies appropriated to assist individuals experiencing homelessness with substance abuse treatment, mental health treatment, and other services. A person is prohibited from using state or local government owned lands for unauthorized sleeping, camping, or long-term shelter, and from allowing such land to be used for these purposes. Political subdivisions are prohibited from adopting or enforcing policies that discourage or prohibit the enforcement of any order or ordinance that prohibits public camping or sleeping or obstructing a public right-of-way. The Attorney General is authorized to bring a civil action against a political subdivision in violation. Severability clause.

**Last Action**

2023-02-01 H - Hearing Scheduled 02/01/2023 - Second Reading, Floor

## **Bills that staff has identified as beneficial to the City**

### **HB2047 - Vacation rentals; short-term rentals; restrictions**

#### **Sponsor**

Rep. Selina Bliss (R)

#### **Summary**

A municipality with a population of less than 17,000 persons is allowed to limit the number of vacation rentals and short-term rentals based on a percentage of total residentially zoned buildings or structures in that municipality, and is allowed to regulate vacation rentals or short-term rentals in the same manner as transient lodging activities.

#### **Last Action**

2023-01-11 H - Introduced

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### **HB2191 - State law; local violation; repeal.**

#### **Sponsor**

Rep. Jennifer L. Longdon (D)

#### **Summary**

Repeals statute requiring the Attorney General to investigate any official action taken by the governing body of a county or municipality that a member of the Legislature alleges violates state law or the state Constitution, and withholding state shared monies from the county or municipality if the Attorney General concludes that there is a violation and if the county or municipality fails to resolve the violation within 30 days.

#### **Last Action**

2023-01-18 H - Hearing Scheduled 01/18/2023 - Second Reading, Floor

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### **HB2373 - Permits; automated permitting platform**

#### **Sponsor**

Rep. Leo Biasiucci (R)

#### **Summary**

Counties and municipalities are authorized to use a "qualified online automated permitting platform" to verify code compliance for the purpose of issuing permits for the use of certain solar energy devices.

#### **Last Action**

2023-01-26 H - Hearing Scheduled 02/01/2023 2:00 PM - House RA, HHR 5

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### **HB2569 - Appropriation; Happy Valley Road**

#### **Sponsor**

Rep. David Livingston (R)

#### **Last Action**

2023-01-31 H - Introduced

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### **SB1006 - Municipal notices and ordinances; posting**

#### **Sponsor**

Sen. John Kavanagh (R)

#### **Summary**

Notices of election, invitations for bids, notices of letting contracts, laws and ordinances, and other public notice issued by a municipal governing body are allowed to be posted on the municipality's website in lieu of being published in a newspaper. A municipality that posts notices on the website is required to provide a link to a listing of all current notices and ordinances on the website's home page.



**Last Action**

2023-01-20 H - Hearing Scheduled 01/23/2023 - Senate RULES, Caucus Room 1

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**SB1079 - Water infrastructure finance authority; cities****Sponsor**

Sen. Thomas "T.J." Shope (R)

**Summary**

Municipalities are no longer required to obtain voter approval to enter into a financial assistance loan repayment agreement with the Water Infrastructure Finance Authority to finance wastewater treatment and drinking water treatment facilities.

**Last Action**

2023-01-23 H - Hearing Scheduled 01/23/2023 - Second Reading, Floor

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**SB1148 - Law enforcement; video recordings; fee****Sponsor**

Sen. John Kavanagh (R)

**Summary**

Municipalities are authorized to establish a fee that is charged to a person who submits a public records request to a local law enforcement agency for a copy of a video recording.

**Last Action**

2023-02-01 H - Hearing Scheduled 02/01/2023 - Second Reading, Floor

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**SB1193 - Online home sharing; repeal****Sponsor**

Sen. Christine Marsh (D)

**Summary**

Repeals statutes prohibiting municipalities and counties from prohibiting vacation rentals or short-term rentals and limiting the restrictions that municipalities and counties may place on those rentals to a list of specified purposes. Repeals the online lodging marketplace transaction privilege tax classification, and the requirement for online lodging marketplaces to register with the Department of Revenue for payment of transaction privilege taxes on online lodging transactions. Repeals the requirement for online lodging operators to have a current transaction privilege tax license and related civil penalties for noncompliance. Repeals the Joint Legislative Study Committee on Transient Lodging.

**Last Action**

2023-01-31 H - Hearing Scheduled 01/31/2023 - Second Reading, Floor

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**SB1499 - Appropriation; Happy Valley Road.****Sponsor**

Sen. Frank Carroll (R)

**Summary**

Appropriates \$12.5 million from the general fund in FY2023-24 to the Arizona Department of Transportation (ADOT) to distribute to the City of Phoenix for improvements on Happy Valley Road between 35th Avenue and 67th Avenue. The Legislature intends that ADOT use any federal monies available for the project and that the City of Phoenix contribute \$14.8 million to the project.

**Last Action**

2023-01-30 S - Introduced

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**SCR1006 - Death benefit; assault; first responders.****Sponsor**

Sen. David Gowan (R)

**Summary**

The 2024 general election ballot is to carry the question of whether to amend state statute to levy a surcharge of two percent on every fine, penalty and forfeiture imposed and collected by the courts for criminal offenses and on traffic-related civil penalties through December 31, 2032, and to deposit the monies from the surcharge in the newly established State Supplemental Benefit Fund. Beginning January 1, 2024, the state is required to pay \$250,000 to the surviving spouse of a "first responder" (defined) who is "killed in the line of duty" (defined), using monies from the Fund. Contains legislative findings. Severability clause.

**Last Action**

2023-01-25 S - DPA - Senate Military Affairs, Public Safety and Border Security

## **Bills staff is monitoring**

### **HB2015 - Retirement plans; plan election; rehire**

#### **Sponsor**

Rep. David Livingston (R)

#### **Summary**

For the Public Safety Personnel Retirement System and Corrections Officer Retirement Plan, if an eligible employee who was already a member of the plan is subsequently rehired or hired by a new employer, the employee is allowed to make a new election to participate in either the regular plan or the defined contribution plan before the 90th day after the date of hire. If the employee does not make a new election in that time, the employee's previous election continues. Previously, once an employee made an election, that election was irrevocable for the remainder of the employee's employment with any employer under the system, regardless of whether the employment was continuous.

#### **Last Action**

2023-01-25 H - DP - House Ways & Means

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### **HB2028 - PSPRS; contribution rates**

#### **Sponsor**

Rep. David Livingston (R)

#### **Summary**

Beginning with FY2023-24, the contribution rate for members of the Public Safety Personnel Retirement System is reduced to 7.65 percent of the member's compensation, from 11.654 percent. Beginning July 1, 2023, the amount of the member's contribution that exceeds 7.65 percent and that was accumulated between July 1, 2011 through June 30, 2023 may be used in calculating the employers contributions. Retroactive to July 1, 2023.

#### **Last Action**

2023-01-30 H - Hearing Scheduled 01/30/2023 - Second Reading, Floor

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### **HB2056 - Dry washes; permit program exemption**

#### **Sponsor**

Rep. Lupe Diaz (R)

#### **Summary**

Declares that a dry wash, arroyo or other similar physical feature on private property that does not contain water is not a "water of Arizona," is exempt from the Dredge and Fill Permit Program, and is not a "water of the United States" under the federal Clean Water Act.

#### **Last Action**

2023-01-24 H - DP - House Natural Resources, Energy & Water

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### **HB2210 - Library trustees; annual report**

#### **Sponsor**

Rep. Justin Wilmeth (R)

#### **Summary**

The deadline for the trustees of a public library to make an annual report to the appropriate municipal governing body is moved to the second Monday of July each year, from the first Monday of July.

#### **Last Action**

**HB2223 - Liquor; licensing; processes; procedures**

**Sponsor**

Rep. Matt Gress (R)

**Summary**

Various changes to statutes relating to liquor licenses. The Department of Liquor Licenses and Control (DLLC) is authorized to issue on a temporary basis a microbrewery festival liquor license that authorizes the sampling of the microbrewery products on the festival premises and the sale of products for consumption on the festival premises. A microbrewery festival location must be approved by the county board of supervisors or municipal governing body, as applicable. Increases the maximum value of promotional items furnished by a liquor wholesaler to a retailer in a calendar year to \$700, from \$500. Beginning with tax periods that begin January 1, 2024 and after, allows specified liquor licensees to pay luxury privilege taxes on an annual basis instead of a monthly basis.

**Last Action**

2023-01-23 H - Hearing Scheduled 01/23/2023 - Second Reading, Floor

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**HB2288 - Roundabouts; right-of-way; large vehicles**

**Sponsor**

Rep. David L. Cook (R)

**Summary**

The operator of a vehicle or combination of vehicles with a total length of a least 40 feet or a total width of at least 10 feet has the right-of-way in a roundabout, and may deviate from the lane in which the operator is driving to the extent necessary to drive through the roundabout. The Department of Transportation or local jurisdiction is required to post a minimum of one yield sign before a roundabout entrance that states "trucks have right-of-way in roundabout."

**Last Action**

2023-01-26 H - Hearing Scheduled 02/01/2023 2:00 PM - House TI, HHR 3

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**HB2309 - Sovereign authority; law enforcement**

**Sponsor**

Rep. Rachel Jones (R)

**Summary**

This state and all political subdivisions are prohibited from using any personnel or financial resources to enforce, administer or cooperate with any act, law, treaty, order, rule or regulation of the U.S. government that is inconsistent with any law of Arizona regarding the authority of state and local law enforcement agencies.

**Last Action**

2023-01-30 H - HELD - House Military Affairs & Public Safety

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**HB2379 - Hotel; motel; vouchers; homeless; prohibition**

**Sponsor**

Rep. Matt Gress (R)

**Summary**

Counties and municipalities are prohibited from requiring a hotel or motel to participate in any program that houses homeless individuals or families in an unoccupied hotel or motel guest room through the use of a housing voucher.

**Last Action**

2023-02-01 H - DP - House Government

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**HB2411 - Water supply; elimination; reduction; damages****Sponsor**

Rep. David L. Cook (R)

**Summary**

If a city provides water to customers outside of the city's service area before January 1, 2023 and reduces or terminates that service on or after January 1, 2023, the city is required to make the same reduction in or termination of the water supply to the Mayor and members of the City Council. If a city terminates water service in these circumstances, the city is liable, with respect to the persons whose water was terminated, for fire damage to personal property, health problems incurred by children as the result of the termination, and attorney fees.

**Last Action**

2023-01-26 H - Hearing Scheduled 02/01/2023 2:00 PM - House TI, HHR 3

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**HB2430 - EORP; appropriations; repayment****Sponsor**

Rep. David Livingston (R)

**Summary**

Beginning July 1, 2023 through June 30, 2033, a specified list of counties and municipalities are required to annually repay the state specified amounts for the amounts paid in FY2022-23 on the local governments' behalf to the Elected Officials' Retirement Plan (EORP) for unfunded accrued liability. Counties and municipalities may pay the annual repayment amount from any source of revenue. Makes a supplemental appropriation of \$609 million from the general fund in FY2022-23 to EORP to pay the unfunded accrued liability for EORP. Numerous appropriations made from the general fund in FY2023-24 for required employer contributions to EORP are reduced.

Emergency clause.

**Last Action**

2023-01-26 H - Hearing Scheduled 02/01/2023 1:30 PM - House APPROP, HHR 1

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**HB2447 - TPT; exemption; motor vehicle manufacturers****Sponsor**

Rep. Teresa Martinez (R)

**Summary**

A vehicle manufacturer or new vehicle dealer that is owned, operated or controlled by the manufacturer or one of its affiliates or subsidiaries is authorized to issue a special ten day nonresident registration permit in order to deliver a vehicle to a nonresident purchaser. The maximum number of these permits that a manufacturer or new dealer may issue in FY2023-24 is 500, and the maximum number will increase by 10 percent each fiscal year after. The list of exemptions from transaction privilege taxes is modified to include sales of motor vehicles to nonresidents if the motor vehicle is sold to a nonresident purchaser who has obtained a special ten day nonresident registration permit. Applies to taxable periods beginning on or after the first day of the month following the effective date of this legislation.

**Last Action**

2023-01-23 H - Hearing Scheduled 01/23/2023 - Second Reading, Floor

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**HB2483 - Backyard fowl; regulation; prohibition****Sponsor**

Rep. Kevin Payne (R)

**Summary**

Counties and municipalities are prohibited from adopting a zoning ordinance that prohibits a resident of a single-family detached residence that is one-half acre or less in size from keeping "fowl" (defined as a cock or hen of the domestic chicken) in the backyard of the property. Counties and municipalities are allowed to establish specified regulations on fowl, including restricting the number of fowl and prohibiting a resident from keeping male fowl, including roosters.

**Last Action**

2023-01-23 H - Hearing Scheduled 01/23/2023 - Second Reading, Floor

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**SB1003 - Traffic violations; identification****Sponsor**

Sen. John Kavanagh (R)

**Summary**

A person other than the driver of a motor vehicle is required to provide their full name, date of birth, and residence address to a peace officer on request, if the officer has reasonable cause to believe the person has committed a traffic violation. Previously, a person other than the driver was required to provide "evidence of the person's identity" to a peace officer on request.

**Last Action**

2023-02-01 H - Hearing Scheduled 02/01/2023 - Second Reading, Floor

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**SB1004 - Court security officers; duties; jurisdiction****Sponsor**

Sen. John Kavanagh (R)

**Summary**

Court security officers are authorized to respond to threats to and emergencies involving a court participant, including a juror, witness, or victim.

**Last Action**

2023-01-11 S - Hearing Scheduled 01/11/2023 - Second Reading, Floor

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**SB1008 - Court fees; costs; deferral; waiver****Sponsor**

Sen. John Kavanagh (R)

**Summary**

The court is required to grant an application for deferral of court fees and costs if an applicant establishes that the applicant has a gross monthly income that is 225 percent or less of the current federal poverty level, increased from 150 percent or less, or if an applicant establishes that the applicant is receiving benefits from the Arizona Health Care Cost Containment System (in addition to other programs previously listed). The court is authorized to waive court fees and costs entirely or in part.

**Last Action**

2023-01-18 H - Hearing Scheduled 01/18/2023 - Second Reading, Floor

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**SB1011 - Municipalities; partisan elections****Sponsor**

Sen. John Kavanagh (R)

**Summary**

Municipal elections may be held with the candidate's political party registration indicated on the ballot. Applies to municipal elections held on or after January 1, 2024.

**Last Action**

2023-01-20 H - Hearing Scheduled 01/23/2023 - Senate RULES, Caucus Room 1

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**SB1012 - Inspections; sober living homes****Sponsor**

Sen. John Kavanagh (R)

**Summary**

Counties and municipalities are authorized to conduct inspections at sober living homes to ensure compliance with county or municipal fire codes and zoning ordinances.

**Last Action**

2023-01-25 S - DP - Senate Commerce

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**SB1022 - Pedestrians; selling goods; begging; medians****Sponsor**

Sen. John Kavanagh (R)

**Summary**

Pedestrians are prohibited from selling goods, soliciting donations, or begging on a painted or raised traffic island or median. The penalty for a first violation is a warning, the second violation is a civil traffic violation, and the third or subsequent violation is a class 1 (highest) misdemeanor.

**Last Action**

2023-01-18 S - DISC/HELD - Senate Military Affairs, Public Safety and Border Security

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**SB1023 - Residential picketing; offense****Sponsor**

Sen. John Kavanagh (R)

**Summary**

A person commits residential picketing, a class 3 (lowest) misdemeanor, if the person intentionally engages in picketing or otherwise demonstrates near the residence of an individual if the actions are such that a reasonable person would find the acts harassing, annoying, or alarming, or if the person intends the picketing or demonstrating to harass, annoy, or alarm another person.

**Last Action**

2023-01-20 H - Hearing Scheduled 01/23/2023 - Senate RULES, Caucus Room 1

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**SB1024 - Public rights-of-way; unlawful acts****Sponsor**

Sen. John Kavanagh (R)

**Summary**

It is a class 1 (highest) misdemeanor to use a public street, highway, alley, sidewalk, or other right-of-way for lying, sleeping, or otherwise remaining in a sitting position unless the person is experiencing a physical emergency, the violation occurs in the course of administering medical assistance, or the right-of-way is subject to a permit to conduct a festival, fair, parade, concert, fireworks display, or other similar event.

**Last Action**

2023-01-18 S - DISC/HELD - Senate Military Affairs, Public Safety and Border Security

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**SB1025 - Political signs; tourism zones****Sponsor**

Sen. John Kavanagh (R)

**Summary**

The area of each commercial tourism political sign free zone designated by a municipality is limited to 10 percent of the total area of the municipality, and each zone is required to have a "reock score" (calculation specified) of 0.20 or more. Municipalities are allowed to establish one or more areas within its zones in which political signs are allowed but are required to include those areas in calculating the area of the zone to determine compliance with these requirements.

**Last Action**

2023-01-23 S - DP - Senate Elections

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**SB1031 - Public employees; employment; termination****Sponsor**

Sen. Anthony Kern (R)

**Summary**

State agencies and political subdivisions are prohibited from terminating an employee based on the employee's vaccination status or political affiliation. A violation is subject to a civil penalty of 10 percent of the state agency's or political subdivision's budget from the prior fiscal year.

**Last Action**

2023-01-11 S - Hearing Scheduled 01/11/2023 - Second Reading, Floor

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**SB1033 - TPT; diapers; feminine hygiene; exemption.****Sponsor**

Sen. Thomas "T.J." Shope (R)

**Summary**

The list of exemptions from the retail classification of transaction privilege and use taxes is expanded to include disposable diapers, other similar disposable items commonly used for incontinence, and a list of feminine hygiene products. Applies to tax periods beginning on or after the first day of the month following the general effective date.

**Last Action**

2023-01-09 S - Introduced

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**SB1055 - Full-service crime labs; funding****Sponsor**

Sen. David Gowan (R)

**Summary**

The Department of Public Safety (DPS) is required to allocate and distribute the monies in the DPS Forensics Fund to each "full-service crime laboratory," defined as a crime lab operated by a criminal justice agency of the state or a political subdivision that is accredited, that provides at least six forensic disciplines, and that meets other specified requirements, based on the percentage of the state population served by each full-service crime laboratory. Previously, DPS was authorized to use 55 percent of the monies in the Fund and was required to distribute the remainder to specified municipal police departments.

**Last Action**

2023-01-23 H - Hearing Scheduled 01/23/2023 - Second Reading, Floor

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### **SB1063 - Food; municipal tax; exemption...**

#### **Sponsor**

Sen. Sonny Borrelli (R)

#### **Summary**

Municipalities and other taxing jurisdictions are prohibited from levying a transaction privilege, sales, or use tax or fee on the sale of food items intended for human consumption or home consumption (as defined elsewhere in statute and by rule). Applies to tax periods on or after the first day of the month following the general effective date.

#### **Last Action**

2023-01-26 H - Hearing Scheduled 02/01/2023 8:00 AM - Senate COM, SHR 1

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### **SB1064 - Sentencing enhancements; drug-free zones**

#### **Sponsor**

Sen. John Kavanagh (R)

#### **Summary**

It is unlawful for a person to knowingly be present in a "drug-free neighborhood zone" (defined) to sell or transfer marijuana, peyote, prescription-only drugs, dangerous drugs or narcotic drugs. A person in violation is guilty of the same class of felony that the person would otherwise be guilty of had the violation not occurred within a drug-free neighborhood zone, except that the presumptive, minimum and maximum sentence must be increased by one year, and the court is required to order the person to pay a fine of at least \$2,000 or three times the value of the drugs involved, whichever is greater.

#### **Last Action**

2023-01-27 H - Hearing Scheduled 02/02/2023 9:00 AM - Senate JUD, SHR 1

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### **SB1096 - Firearms; contracts; prohibited practices**

#### **Sponsor**

Sen. Frank Carroll (R)

#### **Summary**

A "public entity" (defined) is prohibited from entering into a contract with a value of \$100,000 or more with a company to acquire or dispose of services, supplies, information technology, or construction unless the contract includes a written certification that the company does not currently, and agrees for the duration of the contract that it will not, discriminate against a "firearm entity" or "firearm trade association" (both defined).

#### **Last Action**

2023-01-26 H - Hearing Scheduled 02/01/2023 8:00 AM - Senate COM, SHR 1

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### **SB1097 - Truck routes; designation**

#### **Sponsor**

Sen. Frank Carroll (R)

#### **Summary**

The Arizona Department of Transportation (ADOT) or a local authority may only restrict or prohibit a "vehicle of legal size" (defined) from operating on a highway that is a "major arterial street" (defined) and that connects two or more local jurisdictions if ADOT or the local authority conducts a test drive or applies a vehicle template on the highway that shows that a vehicle of a legal size may not safely operate on the highway. A local authority that passed an ordinance before the effective date of this legislation that is

inconsistent with these provisions is required to repeal or amend the ordinance to comply with this act within 90 days after the effective date or the ordinance is invalid.

**Last Action**

2023-01-24 H - Hearing Scheduled 01/30/2023 2:00 PM - Senate TAT, SHR 2

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**SB1116 - Political signs; public roadways; prohibition**

**Sponsor**

Sen. Steve Kaiser (R)

**Summary**

A person is prohibited from placing a political sign in or on the right-of-way of a public road.

**Last Action**

2023-02-01 H - Hearing Scheduled 02/01/2023 - Second Reading, Floor

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**SB1166 - Public employers; postsecondary degree requirements**

**Sponsor**

Sen. Steve Kaiser (R)

**Summary**

Public employers are prohibited from rejecting an applicant solely for not having a postsecondary degree. Public employers are allowed to include a postsecondary degree as a baseline requirement only as an alternative to a particular number of years of direct experience. Some exceptions. Contains legislative findings. Effective January 1, 2024.

**Last Action**

2023-01-26 H - Hearing Scheduled 02/01/2023 8:00 AM - Senate COM, SHR 1

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**SCR1002 - Constitutional amendments; sixty percent approval**

**Sponsor**

Sen. Anthony Kern (R)

**Summary**

The 2024 general election ballot is to carry the question of whether to amend the state Constitution to require approval by 60 percent of the votes cast on the measure for an initiative or referendum measure that amends the state Constitution to become law, instead of a majority of the votes cast.

**Last Action**

2023-01-23 S - DP - Senate Elections