CALL TO ORDER

CALL TO THE PUBLIC

MINUTES OF MEETINGS

1. For Approval or Correction, the Minutes of the Land Use and Livability Subcommittee Meeting on December 17, 2019

   Responsible Department
   This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Manager's Office.

CONSENT ACTION (ITEMS 2-6)

2. Early Head Start Child Care Partnerships Slot Distribution

   This report requests the Land Use and Livability Subcommittee, which serves as the City of Phoenix Head Start Governing Board, approve the Child Care Partnerships slot distribution to vendors on the Early Head Start Child Care Partnerships Qualified Vendor List (QVL).

   THIS ITEM IS FOR CONSENT ACTION.

   Responsible Department
   This item is submitted by Assistant City Manager Deanna Jonovich and the Human Services Department.
3  Head Start Educational Service Providers Slot Distribution

This report requests the Land Use and Livability Subcommittee, which serves as the City of Phoenix Head Start Governing Board, approve the Educational Service Providers slot distribution to vendors on the Head Start Birth to Five Program Educational Service Providers Qualified Vendors List (QVL).

THIS ITEM IS FOR CONSENT ACTION.

Responsible Department
This item is submitted by Assistant City Manager Deanna Jonovich and the Human Services Department.

4  Library Services and Technology Act Grant Application

This report requests the Land Use and Livability Subcommittee recommend Phoenix City Council authorize the City Manager, or his designee, to apply for, accept and for the City Controller to expend 2020 Library Services and Technology Act (LSTA) money up to $60,000. The funds will be used to procure equipment in order to digitize historical documents that are currently part of the Arizona Room at Burton Barr Central Library.

THIS ITEM IS FOR CONSENT ACTION.

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

5  Warehouse/Threatened Buildings Grant for the Arizona Sash, Door & Glass Company Warehouse at 850 W. Lincoln St.

This report requests the Land Use and Livability Subcommittee recommend City Council approval of a Warehouse/Threatened Building grant of up to $300,000 for the Arizona Sash, Door & Glass Company Warehouse, located at 850 W. Lincoln St.
THIS ITEM IS FOR CONSENT ACTION.

Responsible Department
This item is submitted by Assistant City Manager Deanna Jonovich, Deputy City Manager Mario Paniagua, and the Planning and Development and Community and Economic Development departments.

6  Demonstration Project Grant for 302 W. Monroe St.  Page 27

This report requests the Land Use and Livability Subcommittee recommend City Council approval of the Demonstration Project grant of up to $200,000 for the property located at 302 W. Monroe St.

THIS ITEM IS FOR CONSENT ACTION.

Responsible Department
This item is submitted by Assistant City Manager Deanna Jonovich, Deputy City Manager Mario Paniagua, and the Planning and Development and Community and Economic Development departments.

INFORMATION ONLY (ITEMS 7-8)


This report provides the Land Use and Livability Subcommittee, which serves as the City of Phoenix Head Start Birth to Five Governing Board, an updated summary of the financial and programmatic status of the Head Start Birth to Five program.

THIS ITEM IS FOR INFORMATION ONLY.

Responsible Department
This item is submitted by Assistant City Manager Deanna Jonovich and the Human Services Department.

This report provides the Land Use and Livability Subcommittee, which serves as the City of Phoenix Head Start Birth to Five Governing Board, an update on the results of School Readiness Outcomes and the federal Program Information Report for the 2018-2019 school year.

THIS ITEM IS FOR INFORMATION ONLY.

Responsible Department
This item is submitted by the Assistant City Manager Deanna Jonovich and the Human Services Department.

DISCUSSION AND POSSIBLE ACTION (ITEM 9)

9 Gated Alley Pilot Program Update - Expansion Research

This report provides an update and additional information to the Land Use and Livability Subcommittee regarding the Gated Alley Pilot Program and staff recommendations on next steps with the program.

THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.

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

CITIZEN PETITIONS (ITEMS 10-15)

10 Consideration of Citizen Petition Related to Urban Camping

This report provides the Land Use and Livability Subcommittee with information in response to a citizen petition submitted by Elizabeth Venable at the Dec. 18, 2019 Formal City Council meeting regarding
urban camping (Attachment A).

THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.

**Responsible Department**
This item is submitted by Assistant City Manager Milton Dohoney, Jr. and Assistant City Manager Deanna Jonovich and the Police, Law and Human Services departments.

11 **Consideration of Citizen Petition Related to Phoenix City Council Meetings**
This report provides the Land Use and Livability Subcommittee with information in response to a citizen petition submitted by Christina S. Eichelkraut at the Dec. 18, 2019 Formal City Council meeting regarding increasing public access to Phoenix City Council meetings (Attachment A).

THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.

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

12 **Consideration of Citizen Petition Related to the Phoenix Water Drought Pipeline Project - Mr. McMullen**
This report provides the Land Use and Livability Subcommittee with information in response to a citizen petition submitted by Patrick McMullen at the Dec. 4, 2019 Formal City Council meeting regarding the Phoenix Water Drought Pipeline Project.

THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.

**Responsible Department**
This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.
13 Consideration of Citizen Petition Related to the Phoenix Water Drought Pipeline Project - Ms. Roxlo and Ms. McKenna

This report provides the Land Use and Livability Subcommittee with information in response to a citizen petition submitted by Katherine Roxlo and Sharon McKenna at the Dec. 18, 2019 Formal City Council meeting regarding the Phoenix Water Drought Pipeline Project.

**THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.**

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

14 Consideration of Citizen Petition Related to the Phoenix Water Drought Pipeline Project - Ms. Roxlo and Ms. Swindle

This report provides the Land Use and Livability Subcommittee with information in response to a citizen petition submitted by Katherine Roxlo and Jeannie Swindle at the Dec. 18, 2019 Formal City Council meeting regarding the Phoenix Water Drought Pipeline Project.

**THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.**

**Responsible Department**
This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.
Consideration of Citizen Petition Related to the Phoenix Water Drought Pipeline Project - Ms. Kane

This report provides the Land Use and Livability Subcommittee with information in response to a citizen petition submitted by Sandra Kane at the Dec. 18, 2019 Formal City Council meeting regarding the Phoenix Water Drought Pipeline Project.

THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.

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

CALL TO THE PUBLIC

FUTURE AGENDA ITEMS

ADJOURN

For further information or reasonable accommodations, please call Cynthia Segovia, Management Assistant II, City Manager’s Office at 602-534-3916. 7-1-1 Friendly.

Persons 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 register annually to continue lobbying. If you have any questions about registration or whether or not you must register, please contact the City Clerk’s Office at 602-534-0490.

Members:
Councilwoman Debra Stark, Chair
Councilmember Carlos Garcia
Vice Mayor Betty Guardado
Councilwoman Thelda Williams
For Approval or Correction, the Minutes of the Land Use and Livability Subcommittee Meeting on December 17, 2019

Summary
This item transmits the minutes of the Land Use and Livability Subcommittee Meeting on December 17, 2019 for review, correction or approval by the Land Use and Livability Subcommittee.

The minutes are attached. (Attachment A)

Responsible Department
This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Manager's Office.
Call to Order
Chairwoman Stark called the Land Use and Livability Subcommittee meeting to order at 2:02 p.m. with Councilwoman Williams and Vice Mayor Guardado present.

Call to the Public
Ms. Ash Uss requested the ability to present research on homelessness and expressed interest in participating in future City of Phoenix sponsored cleanup events.

1. For Approval or Correction, the Minutes of the Land Use and Livability Subcommittee Meeting on September 24, 2019
Councilwoman Williams made a motion to approve the minutes of the Nov. 20, 2019 Land Use and Livability Subcommittee. Vice Mayor Guardado seconded the motion which passed unanimously, 3-0.

2. CDBG Housing Rehab ADA Modifications Program RFP
Councilwoman Williams made a motion to approve consent item 2. Vice Mayor Guardado seconded the motion which passed unanimously, 3-0.

Information only. No councilmember requested additional information

Councilmember Garcia joined the meeting at 2:05 p.m.

4. Short-term Rental Registration and Loud Party Ordinance
Planning and Development Director Alan Stephenson introduced fellow presenters Assistant Police Chief Sean Connolly and Management Assistant II Odette Baker. Mr. Stephenson provided background on short-term rental regulations and an overview of the two city code amendments to address loud parties and short-term rentals. He stated in 2017 Arizona state law eliminated local control on short-term rentals in residential
zoning districts and established that building codes and permits for short-term rentals will be regulated in the same manner as traditional residential use.

Mr. Stephenson stated the loud party ordinance pertains to situations of Phoenix Police responding to a party, gathering or large event and applies to any service call by the Police. He then stated the ordinance also defines the responsible party as the property owner. Mr. Stephenson explained the ordinance includes an escalating incident fee assessment to address the service liability of sending police to a property multiple times. He clarified the fees are determined by the hearing officer under the maximum parameters included in the ordinance.

Assistant Chief Connolly expressed the ordinance is a positive step to addressing loud parties that require multiple calls for service by the Police. He stated the average fee previously assessed has been based on cost recovery for an average $192 per incident. Assistant Chief Connolly shared the response process includes an officer going to the scene to request a change in behavior then leaving the property. He then stated if the problem continues then the incident would be filed through the code enforcement unit to be evaluated for a fee assessment.

Mr. Stephenson shared information on the proposed short-term rental ordinance which adds city code definitions pertaining to short-term rentals and requires vacation rental properties be registered with the City. He stated the registration includes the property owner names, address and contact information and requires property owners to display the proof of registration within 10-feet of the primary entrance. Mr. Stephenson provided an overview of the prohibited uses for short-term rentals and stated property owners must be available to be on the vacation rental premise within 30 minutes if needed.

Chairwoman Stark asked for further information on the 30-minute parameter. Mr. Stephenson stated the 30-minute parameter is intended to ensure a responsible party is nearby and able to respond to an incident in a responsible time frame.

Mr. Stephenson then outlined the impacts of violating the short-term rental ordinance which includes elevating fees after the first offense. He stated the City also may pursue other legal enforcement methods as well and the fines apply to the rental owner, agent, renter of the unit or online marketplace.

Mr. Stephenson concluded the presentation by requesting Subcommittee recommend approval to the City Council of the proposed loud party ordinance and the vacation rental registration ordinance.

Larisa Balderrama of Take Action Phoenix expressed support for the loud party ordinance and the vacation rental registration ordinance.

Chairwoman Stark asked if these ordinances were the furthest the City can enact under current state statute. Mr. Stephenson confirmed this is correct.
Councilwoman Williams asked about a wedding reception being hosted at a vacation rental. Mr. Stephenson stated that an event, such as a wedding reception, would need to occur in a C-2 zoning district and would not be permitted to be held at a rented residential property.

Councilwoman Williams asked if a residential property owner can host a party, such as a wedding, at their property. Mr. Stephenson stated property owners can do this but not if the home is being advertised as a venue for large events.

Councilmember Garcia asked for further information about how the fee is assessed and asked if staff considered lower increments for repeat offenders. Assistant Chief Connolly stated the fee calculation is based on cost recovery.

Councilmember Garcia requested staff include language to clarify that repeat offenders do not have a minimum fee assessed. He also asked about sending a notice to neighbors instead of publicly posting the property is on the rental registry and why there is not a cost assigned to register short-term rentals. Mr. Stephenson stated staff would consider mailings instead of a public posting for the final recommendation to City Council and shared that current state statute preempts the City’s ability to assess a fee for registry.

Councilmember Garcia asked who the responsible party would be for registering the property. Mr. Stephenson stated the home owner is the party that is primarily responsible to register.

Vice Mayor Guardado expressed support for the new ordinances.

Councilwoman Williams motioned to recommend approval with further evaluation on the vacation rental registration ordinance. Vice Mayor Guardado seconded the motion which passed unanimously, 4-0.

5. Community Residence/Group Home/Structure Sober Living Home Regulations – One-year Review
Planning and Development Director Alan Stephenson introduced fellow presenters City Clerk Denise Archibald and Neighborhood Services Director Spencer Self. Mr. Stephenson shared information on the various registration types for community residences. He stated state license facilities include community resident homes for six to ten residents and community resident centers for 11 or more residents.

Mr. Stephenson then provided information on total group home registration in the City of Phoenix from 1992 to 2019. He stated the City has verified 620 registrations and added 102 new registrations for a total of 722 group home registrations in Phoenix.

Mr. Stephenson provided further detail pertaining to reasonable accommodations at community residences as well with 277 total applications received since May 2018. He stated the reasonable accommodation process allows applicants to reduce square foot
requirements if there is not an issue to the greater public. Mr. Stephenson then shared the City Council created ZDAC to evaluate reasonable accommodation applications for reduction of square foot requirements within a quarter mile of the residents. He stated ZDAC has approved 28 applications and denied five since May 2018.

Ms. Archibald provided an overview of the structure of the sober living home licensing program. She stated the licensing process was effective July 2018 with 18 managers and eight homes licensed. She then stated the program was preempted by state law with the Arizona Department of Human Services assuming the responsibility and authority for licensing of sober living homes since September 2019.

Councilwoman Williams asked if staff has compiled a list of every group home in the City of Phoenix. Ms. Archibald stated that staff has coordinated with the State of Arizona in compiling a list of group homes licensed in the City of Phoenix.

Mr. Self provided an overview of the Neighborhood Services code compliance as it pertains to community residences. He stated the 267 licensing complaints have been received with 3 requiring registration and licensing, 85 requiring registration and 179 properties with no violations.

Mr. Self shared additional details about the ongoing process of verifying the homes that are registered. He stated this process includes City staff to verify homes through an annual registration verification process, publish an annual report, continue to receive registration complaints and work with Arizona Department of Human Services to share and reconcile licensing and registration information.

Chairwoman Stark expressed support for staff’s efforts to address issues with community residences, group homes and structure sober living.

Larisa Balderrama of Take Action Phoenix shared support for addressing challenges associated with community residences, group homes and structured sober living and requested the ability to incorporate public input to the locations of the homes.

Vice Mayor Guardado expressed support for these efforts.

6. Affordable Housing Initiative
Housing Director Cindy Stotler introduced fellow presenter Affordable Housing Program Manager Sheree Bouchee. Ms. Stotler provided background on the issue of affordable housing across the United States and in the City of Phoenix.

Ms. Bouchee stated the affordable housing initiative includes five primary goals which include assessing housing need, identifying existing housing stock, documenting current efforts, identifying future development sites and providing policy recommendations.
Ms. Bouchee shared the affordable housing initiative is in its first phase focusing on community outreach. She then provided a timeline for the process of the initiative culminating with policy recommendations being made in May 2020.

Ms. Bouchee concluded the presentation by outlining the next steps of the affordable housing initiative. She stated the next steps include finalizing the housing needs assessment, conducting policy research, presenting policy suggestions to key stakeholders for feedback then finalizing the policy recommendations for implementation.

Councilmember Garcia highlighted the importance of engaging with non-profit organizations working in affordable housing and requested establishing a more formalized process to review Phoenix’s affordable housing challenge.

Vice Mayor Guardado requested integrating affordable childcare into the affordable housing challenges.

Chairwoman Stark requested staff evaluate the impact of short-term rents on housing affordability.

Councilmember Garcia requested Council participation in the affordable housing initiative moving forward.

Call to the Public
None.

Future Agenda Items
Councilmember Garcia requested an update on PHX C.A.R.E.S. and on the Human Services Campus.

Adjournment
Chairwoman Stark adjourned the meeting at 3:03 p.m.

Respectfully submitted,
Zack Wallace
Management Intern
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PHOENIX CITY COUNCIL  
Land Use & Livability Subcommittee  
Tuesday, December 17, 2019  
Assembly Rooms A, B, C  
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Early Head Start Child Care Partnerships Slot Distribution

This report requests the Land Use and Livability Subcommittee, which serves as the City of Phoenix Head Start Governing Board, approve the Child Care Partnerships slot distribution to vendors on the Early Head Start Child Care Partnerships Qualified Vendor List (QVL).

THIS ITEM IS FOR CONSENT ACTION.

Summary
Head Start programs prepare America’s most vulnerable young children to succeed in school and life beyond school. To achieve this, Head Start delivers services to children and families in core areas of early learning, health, and family well-being while engaging parents as partners. The City of Phoenix (City) Head Start Birth to Five program provides comprehensive early learning experiences in multiple service options. The overall goal is to increase the social competence and school readiness of young children living in poverty and facing other risk factors. The City program utilizes a two-generational approach, providing early educational experiences for children and tiered casework supports to stabilize families.

Early Head Start-Child Care Partnerships (EHS-CCP) will increase access to high-quality, comprehensive early learning experiences for income-eligible infants and toddlers and their families through full-day, full-year child care. EHS-CCP brings together the best of Early Head Start and child care through the layering of funds. Children from at-risk backgrounds have access to child care settings that meet their needs. Parents of income-eligible families, who are working, or in training receive child care at no cost. Child Care Partners receive support to improve the quality of care. Funding is currently available to serve a maximum of 188 infants and toddlers in multiple locations.

Procurement Information
A Request for Qualifications, RFQu-19-EDU-29, was conducted in accordance with City of Phoenix Administrative Regulation 3.10 to establish a QVL. In accordance to the Evaluation Committee, the following offerors were recommended to be added to the QVL:
- Fusion Minds dba Immanuel Care for Children
- Kidz Kampus
- Kindertots
- Out of This World Christian Child Care
- Twinkling Stars dba Cactus Kids Preschool

City Council approved these vendors to the QVL on June 26, 2019 with Ordinance S-45878.

**Slot Distribution**
There is a total of 188 slots to distribute. The slot distribution is as follows:
- Fusion Minds dba Immanuel Care for Children: 32 slots
- Kidz Kampus: 80 slots
- Out of This World Christian Child Care: 32 slots
- Twinkling Stars dba Cactus Kids Preschool: 44 slots

Slot distribution is based on the Community Needs Assessment and available classroom space.

**Contract Term**
The term of the QVL will be July 1, 2020 through June 30, 2024. During the term of the QVL, contracts, including any extensions, will be executed on an as-needed basis at the discretion of the City Manager or his designee.

**Financial Impact**
The aggregate amount of all contracts resulting from the QVL will not exceed $9,146,540 over the life of the QVL. Funding is available from the U.S. Department of Health and Human Services, Administration of Children, Youth and Families. No additional General Funds are required.

**Concurrence/Previous Council Action**
The Head Start Birth to Five Parent Policy Council approved the request to release the Child Care Partnerships RFP on February 12, 2018.

The Parks, Arts, Education and Equality Subcommittee, as the Head Start Governing body, approved the request to release the Child Care Partnerships RFP on March 14, 2018.

The Head Start Birth to Five Parent Policy Council approved the award recommendation of the QVL on May 13, 2019.
City Council approved the QVL on June 26, 2019 with Ordinance S-45878.

**Responsible Department**
This item is submitted by Assistant City Manager Deanna Jonovich and the Human Services Department.
Head Start Educational Service Providers Slot Distribution

This report requests the Land Use and Livability Subcommittee, which serves as the City of Phoenix Head Start Governing Board, approve the Educational Service Providers slot distribution to vendors on the Head Start Birth to Five Program Educational Service Providers Qualified Vendors List (QVL).

**THIS ITEM IS FOR CONSENT ACTION.**

**Summary**

Head Start programs prepare America’s most vulnerable young children to succeed in and beyond school. To achieve this, Head Start delivers services to children and families in core areas of early learning, health, and family well-being while engaging parents as partners. The City of Phoenix (City) Head Start Birth to Five program provides comprehensive early learning experiences in multiple service options. The overall goal is to increase the social competence and school readiness of young children living in poverty and facing other risk factors. The City program utilizes a two-generational approach, providing early educational experiences for children and tiered casework supports to stabilize families.

Head Start Birth to Five Program Educational Service Providers (ESP) will increase access to high-quality, comprehensive early learning services for income-eligible preschool children and their families in a center-based model. Funding is currently available to serve 2,963 children in multiple locations.

**Procurement Information**

A Request for Qualifications, RFQu-19-EDU-26, was conducted in accordance with City of Phoenix Administrative Regulation 3.10 to establish a QVL. In accordance to the Evaluation Committee, the following offerors were recommended to be added to the QVL:

- Alhambra Elementary School District #68
- Booker T. Washington Child Development Center, Inc.
- Deer Valley Unified School District #97
- Fowler Elementary School District #45
Greater Phoenix Urban League, Inc.
Roosevelt Elementary School District #66
Washington Elementary School District #6
Wilson Elementary School District #7

City Council approved these vendors to the QVL on Jun. 26, 2019 with Ordinance S-45881.

**Slot Distribution**
There are a total of 2,963 slots to distribute. The slot distribution is as follows:

- Alhambra Elementary School District: 354
- Booker T. Washington Child Development Center, Inc.: 220
- Deer Valley Unified School District: 100
- Fowler Elementary School District: 130
- Greater Phoenix Urban League, Inc.: 1166
- Washington Elementary School District: 580

Slot distribution is based on the Community Needs Assessment and available classroom space. Negotiations continue for an additional 413 slots slated for the Roosevelt School District. Staff will bring that recommendation back to the Subcommittee at a future meeting.

**Contract Term**
The term of the QVL will be Jul. 1, 2020 through Jun. 30, 2024. During the term of the QVL, contracts, including any extensions, will be executed on an as-needed basis at the discretion of the City Manager, or his designee.

**Financial Impact**
The aggregate amount of all contracts resulting from this QVL will not exceed $79,148,870 over the life of the QVL. Funding is available from the U.S. Department of Health and Human Services, Administration of Children, Youth and Families and restricted funding from the Suns organization. No additional general funds are required.

**Concurrence/Previous Council Action**
The Head Start Birth to Five Policy Council approved the request to release the Educational Service Providers RFP on Feb. 12, 2018.

Parks, Arts, Education and Equality Subcommittee, as the Head Start Governing Body, approved the request to release the Educational Service Providers RFP on Mar. 14,
The Head Start Birth to Five Policy Council approved the award recommendation of the QVL on Jun. 13, 2019.

The Head Start Birth to Five Policy Council will review the request on Jan. 13, 2020.

**Responsible Department**

This item is submitted by Assistant City Manager Deanna Jonovich and the Human Services Department.
Library Services and Technology Act Grant Application

Request the Land Use and Livability Sub-committee recommend Phoenix City Council authorize the City Manager, or his designee, to apply for, accept and for the City Controller to expend 2020 Library Services and Technology Act (LSTA) money up to $60,000. The funds will be used to procure equipment in order to digitize historical documents that are currently part of the Arizona Room at Burton Barr Central Library.

THIS ITEM IS FOR CONSENT ACTION.

Summary
The purpose of the grant will be to procure professional scanning equipment in order to digitize key Arizona Room collections which will make them available to more customers through Phoenix Public Library website. The Arizona Room showcases the history and culture of greater Phoenix, Arizona, and the Southwest. Many elements of the Arizona Room's collections are invaluable for researchers, historians, architects, preservationists, the general public. This project would commence in June 2020 and conclude in August 2021.

The LSTA is the only federal program exclusively for libraries. It is administered by the Institute of Museum and Library Services. State libraries use the funds to support statewide initiatives and also distribute the funds through sub-grants or cooperative agreements to public, school, academic, research, and special libraries. Every fiscal year, Congress provides funding for LSTA in the Labor, Health and Human Services, Education, and Related Agencies Appropriations bill. Federal resources help target library services to people of diverse geographic, cultural, and socioeconomic backgrounds, to individuals with disabilities, and to people with limited literacy skills.

Financial Impact
The amount of the grant (up to $60,000) will be expended in FY2020-2021 and no matching funds are required.
Burton Barr Central Library, 1221 N. Central Ave.

Council District: 7

**Responsible Department**

This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Library Department.
Warehouse/Threatened Buildings Grant for the Arizona Sash, Door & Glass Company Warehouse at 850 W. Lincoln St.

This report requests the Land Use and Livability Subcommittee recommend City Council approval of a Warehouse/Threatened Building grant of up to $300,000 for the Arizona Sash, Door & Glass Company Warehouse, located at 850 W. Lincoln St.

THIS ITEM IS FOR CONSENT ACTION.

Summary
The building at 850 W. Lincoln St. was constructed in 1927 for the Arizona Sash, Door & Glass Company, which moved at that time from its previous location at 411 S. 1st St. The new building measured approximately 80’ x 250’ and occupied the first five lots at the northeast corner of 9th Avenue and Lincoln Street (Lots 16, 18, 20, 22 and 24). The architect was Fitzhugh & Byron and the builder was G.F. Williams. Notable features of the building include brick construction, a gabled roof supported by wood trusses, a stepped parapet, a combination of steel and wood windows, and several large wood and metal doors on rollers.

A permit was issued to construct an addition to the 1927 building on Oct. 11, 1943. The addition measured approximately 80’ x 125’ and was located immediately east of the original building (on Lots 12 and 14 and a portion of Lot 10). The architect was Lester Byron and the builder was C.F. Crittenden. Like the original building, the addition was constructed of brick, but because it was built during World War II there is no steel present; all the windows and doors are made of wood. The addition also features segmental arched door and window openings with brick lintels instead of steel.

At the east end of the site (on Lots 2, 4, 6, 8 and part of 10) is a gable-roofed, wood-frame structure with clapboard siding that was constructed prior to 1949. According to the Sanborn fire insurance map, it was occupied by Consolidated Roofing & Supply Company, which was a subsidiary unit of the Arizona Sash, Door & Glass Company. Sometime between 1964 and 1971, the wood frame structure was encapsulated by a larger flat-roofed metal addition. However, the wood frame structure is still intact inside the metal addition and the gable roof is still visible above the flat roof.
The Arizona Sash, Door & Glass Company continued to own the property until 1998, when it was sold to Granite Properties, Inc. The property then changed hands a few more times before it was acquired by Earl Knudsen in October 2009. In December 2018, Mr. Knudsen’s company, 850 West Lincoln, LLC, sold the property to Hello Lincoln, LLC.

Interior renovations completed by Hello Lincoln, LLC, include structural truss repair and beam replacement; stabilization of existing mezzanine; removal of drop ceiling offices, complete with asbestos abatement to expose original concrete floors and expose ceilings; additional restrooms; new/upgraded electrical throughout; LED lighting; new HVAC; fire sprinkler maintenance and replacement; security system and general cleanup. The building is occupied by Hello Merch, which began business in 2008 as an online store and touring merchandise operation, primarily for musicians; it has since branched out to form its own apparel lines and provide e-commerce, order fulfillment and screen printing for tech and retail establishments worldwide.

In September 2019, Sam Means, manager of Hello Lincoln, LLC, contacted Historic Preservation (HP) and Community and Economic Development Department staff to inquire about city historic designation and financial assistance to rehabilitate the exterior of the property. Later that month, staff from both departments met with Mr. Means at the site and encouraged him to move forward with the process. At Mr. Means’ request, the HP Commission voted to initiate HP zoning for the subject property on Oct. 21, 2019.

**Financial Impact**
The amount requested for the Warehouse and Threatened Building grant is $300,000. In exchange for the grant funds, the City will receive a 30-year conservation easement on the property. The easement will require that the property be preserved, insured and maintained in good repair.

**Concurrence/Previous Council Action**
The Historic Preservation Commission recommended approval of this item on Dec.16, 2019, by a vote of 7-0.

**Location**
850 W. Lincoln St.
Council District: 8

**Responsible Department**
This item is submitted by Assistant City Manager Deanna Jonovich, Deputy City Manager Mario Paniagua, and the Planning and Development and Community and
Economic Development departments.
Demonstration Project Grant for 302 W. Monroe St.

This report requests the Land Use and Livability Subcommittee recommend City Council approval of the Demonstration Project grant of up to $200,000 for the property located at 302 W. Monroe St.

THIS ITEM IS FOR CONSENT ACTION.

Summary

Constructed in 1929, First Baptist Church was listed on the National Register of Historic Places in 1982 and Phoenix Historic Property Register in 1995. The building is significant for its architectural style—Italian Gothic with Modern influences—and for its progressive design, with an auditorium for religious events instead of a sanctuary, a stage with a proscenium arch and curtains replacing the altar, and individual seats rather than pews. The brick building with stucco consists of two parts: the main four-story 1929 building and a two-story 1949 addition to the west. The most notable features of the building are a 105-foot-tall corner bell tower and a large cast stone pointed arch and rose window centered on the south facade.

Although the building was originally of substantial construction with high quality materials, finishes, and detailing, it suffered serious damage in 1984. A fire destroyed a number of significant interior features and quickly moved to the attic, resulting in the building’s Spanish tile roof collapsing into the auditorium. The roof structure over the west wing remained intact, while the bell tower's hipped roof was damaged such that it was eventually determined hazardous and its tiles had to be removed. Over the past three decades, exposure to the elements has caused further deterioration. To address the safety issues resulting from a damaged and compromised structural support system, several sets of bracing have been installed to support the exterior walls. In 1999, an Arizona Heritage Fund grant provided monies to partially rehabilitate the exterior of the building.

In 2015, the City provided a Demonstration Project grant in the amount of $82,156 to repair the portions of the roof that remain on the building and to reimburse for structural engineering expenses. In exchange for the grant funds, the City received a 25-year conservation easement on the exterior of the building, which remains in effect.
through Jan. 15, 2041. The conservation easement requires that the historic character of the property be preserved, and that the property be insured and maintained in good condition.

The property owner, Abbey Historic Restoration LP, is now requesting additional funding to continue rehabilitation of the historic building. The proposed work, which includes repair of the historic stucco and plaster and reconstruction of the historic doors and windows, will be the culmination of the initial phase of the rehabilitation. The work will be guided by a comprehensive study provided by Evergreen Architectural Arts. The larger rehabilitation project is being undertaken as a federal Historic Preservation Tax Credit project, so all work will conform to the Secretary of the Interior's Standards for Rehabilitation, as well as the City of Phoenix General Design Guidelines for Historic Properties.

**Financial Impact**

The amount requested for the Demonstration Project grant is $200,000. The cost of the proposed work is estimated to be $657,861. Funding for the grant is available through the Community and Economic Development Department. In exchange for the grant funds, the City will add 30 years to the term of the existing conservation easement, providing protection for the building through Jan. 15, 2071. The other terms of the easement will remain the same.

**Concurrence/Previous Council Action**

The Historic Preservation Commission recommended approval of this item on Dec. 16, 2019, by a vote of 7-0.

**Location**

302 W. Monroe St.
Council District: 7

**Responsible Department**

This item is submitted by Assistant City Manager Deanna Jonovich, Deputy City Manager Mario Paniagua, and the Planning and Development and Community and Economic Development departments.
Head Start Birth to Five Monthly Report - November 2019

This report provides the Land Use and Livability Subcommittee, which serves as the City of Phoenix Head Start Birth to Five Governing Board, an updated summary of the financial and programmatic status of the Head Start Birth to Five program.

THIS ITEM IS FOR INFORMATION ONLY.

Summary
The Improving Head Start for School Readiness Act of 2007 requires each Head Start Grantee to share information with the Governing Board and Policy Council on the status of the program planning, policies and operations on a monthly basis. To comply with the Act, the Head Start program provides a monthly report on the following areas:

- Fiscal Expenditures
- Enrollment Reports
- School Attendance
- Medical/Dental Exams
- Monitoring
- Program Information Summaries

Fiscal Expenditures
Attachment A shows year-to-date expenditures for Fiscal Year 2019-2020. The report includes a break down for each delegate agency, the Policy Council, and administrative support. Current year expenditures are in-line with the approved budget.

Enrollment Reports
The Office of Head Start requires programs to submit the total number of children enrolled on the last day of each month. At the end of November, enrollment was 3,436 out of 3,451 available slots. The 15 vacancies are from the Alhambra School District and Booker T. Washington Child Development Center. As of December 12, two of the 15 vacancies have been filled. Grantee and delegate agency staff are working collaboratively to fill the rest of the slots. Recruitment has been expanded, and outreach continues through community events.
School Attendance
The annual target for attendance set by the Office of Head Start is 85 percent. Attachment B indicates year-to-date attendance through the month of November. The preschool attendance was 87 percent, and the child care component was 83 percent. Family vacations and illnesses impacted the percentage for the child care component. Head Start Birth to Five staff continues to educate families on the importance of attendance.

Medical/Dental Exams
Head Start regulations require all children to have medical and dental exams each year. Through the end of November, a total of 3,072 medical and 2,994 dental exams were completed for a total of 6,066 exams, as illustrated in Attachment C.

Monitoring
In November, the Quality Assurance Team conducted and completed 116 classroom visits for active supervision monitoring. Classroom visits were determined based on new teachers, and current and/or previous concerns. The monitoring tool included observation based on the following six strategies: 1) set up of the environment, 2) positioning of staff, 3) scanning and counting, 4) listening, 5) anticipating behaviors, and 6) engage and redirect.

Program Information Summaries
Please see Attachment D.

Responsible Department
This item is submitted by Assistant City Manager Deanna Jonovich and the Human Services Department.
<table>
<thead>
<tr>
<th>Fund Center</th>
<th>Program</th>
<th>FTE</th>
<th>Revised Budget 2020</th>
<th>FY20 YEAR-TO-DATE Expenditures</th>
<th>FY20 Remaining Balance</th>
<th>FY20 % Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>8940050001</td>
<td>HS Administration</td>
<td>9</td>
<td>3,235,445</td>
<td>915,163</td>
<td>2,320,282</td>
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<tr>
<td>8940050004</td>
<td>HS T&amp;TA</td>
<td>-</td>
<td>325,611</td>
<td>129,970</td>
<td>195,641</td>
<td>40%</td>
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<tr>
<td>8940050012</td>
<td>HS Policy Council</td>
<td>-</td>
<td>25,255</td>
<td>19,495</td>
<td>5,760</td>
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<tr>
<td>8940050015</td>
<td>HS Mental Health</td>
<td>5</td>
<td>355,783</td>
<td>141,764</td>
<td>214,019</td>
<td>40%</td>
</tr>
<tr>
<td>8940050016</td>
<td>HS Casework Support</td>
<td>65</td>
<td>5,293,158</td>
<td>2,291,939</td>
<td>3,001,219</td>
<td>43%</td>
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<tr>
<td>8940050017</td>
<td>HS Classroom Support</td>
<td>14</td>
<td>1,427,294</td>
<td>572,341</td>
<td>854,953</td>
<td>40%</td>
</tr>
<tr>
<td></td>
<td><strong>Total City of Phoenix</strong></td>
<td>93</td>
<td>10,662,546</td>
<td>4,070,673</td>
<td>6,591,873</td>
<td>38%</td>
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<table>
<thead>
<tr>
<th>Fund Center</th>
<th>Program</th>
<th>FTE</th>
<th>Revised Budget 2020</th>
<th>FY20 YEAR-TO-DATE Expenditures</th>
<th>FY20 Remaining Balance</th>
<th>FY20 % Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>8940051001</td>
<td>Alhambra</td>
<td>-</td>
<td>3,153,049</td>
<td>830,230</td>
<td>2,322,819</td>
<td>26%</td>
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<tr>
<td>8940051003</td>
<td>Booker T Washington</td>
<td>-</td>
<td>1,495,927</td>
<td>691,178</td>
<td>804,749</td>
<td>46%</td>
</tr>
<tr>
<td>8940051005</td>
<td>Washington</td>
<td>-</td>
<td>4,065,036</td>
<td>926,294</td>
<td>3,138,742</td>
<td>23%</td>
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<tr>
<td>8940051006</td>
<td>Deer Valley</td>
<td>-</td>
<td>890,285</td>
<td>108,759</td>
<td>781,526</td>
<td>12%</td>
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<tr>
<td>8940051008</td>
<td>Murphy</td>
<td>-</td>
<td>973,329</td>
<td>232,924</td>
<td>740,405</td>
<td>24%</td>
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<tr>
<td>8940051010</td>
<td>Greater Phoenix Urban League</td>
<td>-</td>
<td>5,336,395</td>
<td>2,057,628</td>
<td>3,278,767</td>
<td>39%</td>
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<tr>
<td>8940051011</td>
<td>Roosevelt</td>
<td>-</td>
<td>2,998,401</td>
<td>530,636</td>
<td>2,467,765</td>
<td>18%</td>
</tr>
<tr>
<td>8940051013</td>
<td>Wilson</td>
<td>-</td>
<td>424,634</td>
<td>66,351</td>
<td>358,283</td>
<td>16%</td>
</tr>
<tr>
<td>8940051116</td>
<td>Fowler</td>
<td>-</td>
<td>1,478,424</td>
<td>229,729</td>
<td>1,248,695</td>
<td>16%</td>
</tr>
<tr>
<td></td>
<td><strong>Total Delegates</strong></td>
<td>-</td>
<td>20,815,480</td>
<td>5,673,730</td>
<td>15,141,750</td>
<td>27%</td>
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</table>

<table>
<thead>
<tr>
<th>Fund Center</th>
<th>Program</th>
<th>FTE</th>
<th>Revised Budget 2020</th>
<th>FY20 YEAR-TO-DATE Expenditures</th>
<th>FY20 Remaining Balance</th>
<th>FY20 % Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>8940505021</td>
<td>Early Head Start Operations Sup</td>
<td>44</td>
<td>3,521,198</td>
<td>1,639,173</td>
<td>1,882,025</td>
<td>47%</td>
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<tr>
<td>8940505024</td>
<td>Early Head Start T&amp;TA</td>
<td>-</td>
<td>80,944</td>
<td>21,228</td>
<td>59,716</td>
<td>26%</td>
</tr>
<tr>
<td></td>
<td><strong>Total Early Head Start</strong></td>
<td>44</td>
<td>3,602,142</td>
<td>1,660,401</td>
<td>1,941,741</td>
<td>46%</td>
</tr>
<tr>
<td></td>
<td><strong>Subtotal</strong></td>
<td></td>
<td>35,080,168</td>
<td>11,404,804</td>
<td>23,675,364</td>
<td>33%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fund Center</th>
<th>Program</th>
<th>FTE</th>
<th>Revised Budget 2020</th>
<th>FY20 YEAR-TO-DATE Expenditures</th>
<th>FY20 Remaining Balance</th>
<th>FY20 % Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>8940606021</td>
<td>EHS Child Care Operations</td>
<td>12</td>
<td>3,474,739</td>
<td>2,532,847</td>
<td>941,892</td>
<td>73%</td>
</tr>
<tr>
<td>8940606024</td>
<td>EHS Child Care T&amp;TA</td>
<td>-</td>
<td>80,914</td>
<td>69,259</td>
<td>11,655</td>
<td>86%</td>
</tr>
<tr>
<td></td>
<td><strong>Total EHS Child Care</strong></td>
<td>12</td>
<td>3,555,653</td>
<td>2,602,106</td>
<td>953,547</td>
<td>73%</td>
</tr>
</tbody>
</table>

|                  | **Grand Total**                         | 149 | 38,635,821          | 14,006,910                     | 24,628,911             | 36%          |
Attachment B

Percentage of Preschool Attendance

| Target: 85% | YTD Percent: 87% |

Goal:
Increase attendance of Head Start Birth to Five children.

Target:
85% of children will attend each day.

Significance:
Attendance is a key factor in being able to get children ready to attend kindergarten.

Preschool Attendance

Child Care Partnership Attendance

Target: 85%  YTD Percent: 83%
Attachment C

**Head Start Birth to Five Medical Exams Completed**

<table>
<thead>
<tr>
<th>Target: 3,451 exams</th>
<th>FY 19-20 Exams: 3,072</th>
</tr>
</thead>
</table>

**Goal:**
Ensure Head Start Birth to Five children receive necessary medical and dental exams.

**Target:**
3,451 Medical Exams and 3,451 Dental Exams

**Significance:**
Head Start Birth to Five children are required to have medical and dental exams as part of the Head Start regulations.

---

**Head Start Birth to Five Dental Exams Completed**

<table>
<thead>
<tr>
<th>Target: 3,451 exams</th>
<th>FY 19-20 Exams: 2,994</th>
</tr>
</thead>
</table>

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33 of 101
Attachment D

Program Information Summaries

Kindergarten Boot Camp
On November 5, the Phoenix Public Library conducted the first School Readiness session in a series of seven for Head Start families at John F. Kennedy Elementary in Roosevelt School District. A total of 17 parents attended. Each parent and their child will be exploring and learning social, academic and classroom skills needed for school success.

Head Start Birth to Five collaboration with the City of Phoenix Police
On November 6, Head Start Birth to Five program staff met with Assistant Police Chief Sean Connolly to discuss a partnership between the Police Department and Head Start Birth to Five Program. The goal of the partnership is to enhance relationships between the two groups by police officers attending and participating in Head Start parent events and making visits to classrooms and socialization events. To prepare themselves, Phoenix police officers are receiving first aid mental health and trauma-informed care training, which will assist in understanding and interacting with Head Start families.

Head Start Birth to Five M.A.N.C.A.V.E. Event
During November, the Head Start Birth to Five program hosted three M.A.N.C.A.V.E. events. The events were held for Head Start families attending Greater Phoenix Urban League, Roosevelt School District, and Washington Elementary School District. A total of 238 families attended all three events. The topic of the meetings this month was literacy. During the presentations, participants learned ways to engage their children in reading activities and songs to help nurture their literacy growth and development.

Sex Trafficking Forum
On November 20, 17 Head Start Birth to Five staff attended the Sex Trafficking Forum hosted by the Arizona Head Start Association. The City of Phoenix Compass Plan and Arizona State University presented information and statistics about sex trafficking. During the full-day educational forum, attendees were given information to use in their daily work with families regarding what constitutes human trafficking, types of traffickers, and resources to share with families.

This report provides the Land Use and Livability Subcommittee, which serves as the City of Phoenix Head Start Birth to Five Governing Board, an update on the results of School Readiness Outcomes and the federal Program Information Report for the 2018-2019 school year.

**THIS ITEM IS FOR INFORMATION ONLY.**

**Summary**

**School Readiness Outcomes**

Head Start Program Performance Standards require all grantees share child and family outcomes annually with their governing boards, which includes data on health, programmatic operations, family engagement, family services, and children's educational outcomes. The following are specific data elements that illustrate these outcomes for the 2018-2019 school year.

**Child Outcomes**

School Readiness data is collected through an ongoing assessment tool called Teaching Strategies Gold, the Arizona Department of Education approved statewide tool. Instructional staff record children's skill levels in all developmental areas and rate their abilities in age ranges. The data is analyzed three times per year: at the end of the first six weeks (Time 1), the middle of the year (Time 2), and the end of the year (Time 3). **Attachment A** outlines the growth between Times 1 and 3 for infants and toddlers enrolled in the Child Care Partnership program. It is important to note that when children turn three years of age they are no longer eligible for Early Head Start services and transition to Head Start or other programs. These slots are then filled with children who may not have had the opportunity to participate in an educational environment. Due to this type of ongoing transition, data from Time 1 and Time 3 may not show progress. **Attachment B** illustrates the growth for the same periods for infants and toddlers in the Home-Based program, and **Attachment C** outlines the growth for the same periods for preschool children. The data is used by instructional staff to create lesson plans and share with families. Grantee staff uses the data to determine the professional development needs of instructional staff. This data is
reported to the Arizona Department of Education who aggregates the data identifying statewide child outcomes.

**Family Outcomes**
Pivotal to advancing School Readiness for children is the strength and stability of the family. Data related to family outcomes is based on the family's vulnerable area(s) of need, which is identified upon enrollment in the program through the use of the Family Outcomes Profile. Casework staff works with families to develop Family Partnership Agreements that contain goals related to improving their vulnerable areas. **Attachment D** illustrates the progress preschool families made during the school year.

**Program Information Report**
The Office of Head Start requires a Program Information Report to be submitted annually from all grantees. This comprehensive report is made up of many indicators about families, such as how many children were enrolled during the year, the makeup of family's living situations, family employment, children's health examinations, and services provided to families. **Attachment E** identifies the data for the City of Phoenix Head Start Birth to Five Program, the state of Arizona, and the nation.

All data is stored in ChildPlus, which is a software application specifically designed for Head Start grantees. The data collected is used to make informed programmatic decisions, identify children’s school readiness progress, and measure family outcomes.

**Responsible Department**
This item is submitted by the Assistant City Manager Deanna Jonovich and the Human Services Department.
Child Care Partners Infant/Toddler Outcomes
2018 - 2019 School Year

Time 1 - Baseline assessment data within the first six weeks of enrollment.

Time 3 – Refers to the end of the program year data.
Time 1 - Baseline assessment data within first six weeks of enrollment.

Time 3 – Refers to the end of the program year data.
Time 1 – Baseline assessment data within first six weeks of enrollment.

Time 3 – Refers to the end of the program year data.
0 – 2 = Family in crisis
3 - 4 = Family is vulnerable
5 – 6 = Family is safe
7 – 8 = Family is stable/building capacity
9 – 10 = Family is empowered/thriving
### Enrollment

<table>
<thead>
<tr>
<th>Enrollments</th>
<th>Grantee</th>
<th>AZ</th>
<th>National</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funded Enrollment</td>
<td>3,451</td>
<td>17,742</td>
<td>893,931</td>
</tr>
<tr>
<td>Total Enrollment (including children who withdrew)</td>
<td>4,289</td>
<td>21,517</td>
<td>1,031,176</td>
</tr>
<tr>
<td>• Home Based/ Child Care Partners</td>
<td>765</td>
<td>4,714</td>
<td>230,067</td>
</tr>
<tr>
<td>• Preschool</td>
<td>3,524</td>
<td>15,866</td>
<td>775,329</td>
</tr>
<tr>
<td>Children enrolled less than 45 days</td>
<td>238</td>
<td>1,134</td>
<td>43,375</td>
</tr>
<tr>
<td>Dropped out and did not return</td>
<td>913</td>
<td>3,940</td>
<td>189,237</td>
</tr>
<tr>
<td>Children experiencing homelessness</td>
<td>58</td>
<td>965</td>
<td>58,747</td>
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<tr>
<td>Children in foster care</td>
<td>87</td>
<td>781</td>
<td>35,771</td>
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<tr>
<td>Children who turned three years old and aged out of the program</td>
<td>158</td>
<td>632</td>
<td>31,252</td>
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<tr>
<td><strong>Of the children who turned three years old:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• enrolled in Head Start</td>
<td>61</td>
<td>337</td>
<td>19,927</td>
</tr>
<tr>
<td>• enrolled in another early childhood program</td>
<td>57</td>
<td>140</td>
<td>6,748</td>
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<tr>
<td>• did not enroll in another early childhood program</td>
<td>40</td>
<td>155</td>
<td>4,497</td>
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### Medical

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<tr>
<th>Medical</th>
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<tbody>
<tr>
<td>Children with health insurance at year end</td>
<td>4,110</td>
<td>20,469</td>
<td>996,920</td>
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<tr>
<td>Children with continuous accessible health care at year end</td>
<td>4,105</td>
<td>20,479</td>
<td>996,296</td>
</tr>
<tr>
<td>Children who are up-to-date on well child exams</td>
<td>3,488</td>
<td>16,730</td>
<td>837,854</td>
</tr>
<tr>
<td>Children with up-to-date immunizations</td>
<td>4177</td>
<td>20,372</td>
<td>973,003</td>
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<tr>
<td>Children needing medical treatment</td>
<td>67</td>
<td>1,545</td>
<td>77,292</td>
</tr>
<tr>
<td>Children receiving medical treatment</td>
<td>65</td>
<td>1,434</td>
<td>71,339</td>
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<tr>
<td>Children with a BMI over 85% (overweight/obese)</td>
<td>1,257</td>
<td>5,279</td>
<td>236,330</td>
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</table>

### Dental

<table>
<thead>
<tr>
<th>Dental</th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Children with continuous accessible dental care at year end</td>
<td>3,587</td>
<td>19,740</td>
<td>925,696</td>
</tr>
<tr>
<td>Children who received preventive dental care</td>
<td>3,203</td>
<td>15,172</td>
<td>761,235</td>
</tr>
<tr>
<td>Children who completed a professional dental exam</td>
<td>3,115</td>
<td>13,143</td>
<td>628,790</td>
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<tr>
<td>Children who need dental treatment</td>
<td>642</td>
<td>2,856</td>
<td>101,228</td>
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<tr>
<td>Children who received dental treatment</td>
<td>489</td>
<td>2,328</td>
<td>71,791</td>
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### Mental Health

<table>
<thead>
<tr>
<th>Mental Health</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mental health consultations with</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• educational staff – one time</td>
<td>522</td>
<td>1,543</td>
<td>111,214</td>
</tr>
<tr>
<td>• educational staff – more than one time</td>
<td>61</td>
<td>381</td>
<td>46,045</td>
</tr>
<tr>
<td>• parents/guardians – one time</td>
<td>106</td>
<td>696</td>
<td>57,717</td>
</tr>
<tr>
<td>• parents/guardians – provided three or more</td>
<td>25</td>
<td>254</td>
<td>22,636</td>
</tr>
<tr>
<td>Children who received a mental health assessment</td>
<td>142</td>
<td>952</td>
<td>52,997</td>
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<tr>
<td>Children referred for mental health services</td>
<td>156</td>
<td>411</td>
<td>30,118</td>
</tr>
<tr>
<td>Description</td>
<td>Grantee</td>
<td>AZ</td>
<td>National</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>---------</td>
<td>------</td>
<td>----------</td>
</tr>
<tr>
<td>Children referred out of Head Start for mental health services</td>
<td>26</td>
<td>472</td>
<td>23,116</td>
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<tr>
<td><strong>Disabilities</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Children with an identified disability</td>
<td>487</td>
<td>2,303</td>
<td>136,498</td>
</tr>
<tr>
<td>Children enrolled with an Individual Family Service Plan/Individualized Education Plan in place</td>
<td>288</td>
<td>1,473</td>
<td>81,353</td>
</tr>
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<td>Children who qualified for an Individual Family Service Plan/Individualized Education Plan during the school year</td>
<td>199</td>
<td>827</td>
<td>55,009</td>
</tr>
<tr>
<td>Preschool children with eligibility of Speech/Language Impairment</td>
<td>242</td>
<td>1,045</td>
<td>58,068</td>
</tr>
<tr>
<td>Preschool children with eligibility of Developmental Delay</td>
<td>162</td>
<td>724</td>
<td>34,886</td>
</tr>
<tr>
<td>Children who did not receive services during the year</td>
<td>13</td>
<td>17</td>
<td>178</td>
</tr>
<tr>
<td><strong>Families</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total number of families</td>
<td>4,058</td>
<td>19,922</td>
<td>946,945</td>
</tr>
<tr>
<td>Two parent families</td>
<td>2,173</td>
<td>10,719</td>
<td>379,673</td>
</tr>
<tr>
<td>One parent families</td>
<td>1,885</td>
<td>9,203</td>
<td>567,272</td>
</tr>
<tr>
<td>Children being raised by grandparents/relatives</td>
<td>82</td>
<td>675</td>
<td>25,967</td>
</tr>
<tr>
<td><strong>Family Employment</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Families with both parents employed</td>
<td>175</td>
<td>1,838</td>
<td>98,132</td>
</tr>
<tr>
<td>Two parent families with one parent employed</td>
<td>1,800</td>
<td>7,402</td>
<td>230,251</td>
</tr>
<tr>
<td>Employed single parents</td>
<td>986</td>
<td>5,128</td>
<td>332,144</td>
</tr>
<tr>
<td>Families with one parent in the military</td>
<td>44</td>
<td>135</td>
<td>6,128</td>
</tr>
<tr>
<td><strong>Families Receiving Federal or Other Assistance</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Temporary Assistance for Needy Families (TANF)</td>
<td>75</td>
<td>644</td>
<td>74,475</td>
</tr>
<tr>
<td>Supplemental Security Income (SSI)</td>
<td>180</td>
<td>782</td>
<td>63,686</td>
</tr>
<tr>
<td>Nutrition Program for Women, Infants, and Children (WIC)</td>
<td>2,363</td>
<td>9,990</td>
<td>462,691</td>
</tr>
<tr>
<td>Supplemental Nutrition Assistance Program (SNAP)</td>
<td>2,106</td>
<td>8,122</td>
<td>431,816</td>
</tr>
<tr>
<td><strong>Family Education</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Both parents in job training</td>
<td>16</td>
<td>217</td>
<td>13,268</td>
</tr>
<tr>
<td>One parent in job training</td>
<td>293</td>
<td>2,082</td>
<td>139,308</td>
</tr>
<tr>
<td>Parents with a high school diploma/GED</td>
<td>1,414</td>
<td>7,807</td>
<td>435,367</td>
</tr>
<tr>
<td>Parents with some post-secondary education</td>
<td>1,324</td>
<td>6,825</td>
<td>280,489</td>
</tr>
<tr>
<td><strong>Family Services</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Families receiving at least one service</td>
<td>2,352</td>
<td>12,873</td>
<td>628,689</td>
</tr>
<tr>
<td>Top three services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Parenting Education</td>
<td>1,792</td>
<td>7,336</td>
<td>449,741</td>
</tr>
<tr>
<td>• Health Education</td>
<td>1,122</td>
<td>8,199</td>
<td>375,471</td>
</tr>
<tr>
<td>• Emergency/crisis intervention (e.g. food, clothing or shelter)</td>
<td>1,068</td>
<td>3,464</td>
<td>172,876</td>
</tr>
<tr>
<td><strong>Father Engagement</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Involved in child development experiences (e.g. home visits, parent/teacher conferences, etc.)</td>
<td>539</td>
<td>7,185</td>
<td>192,420</td>
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<tr>
<td>Program governance</td>
<td>21</td>
<td>900</td>
<td>185,695</td>
</tr>
<tr>
<td>Parenting education workshops</td>
<td>326</td>
<td>2,892</td>
<td>265,658</td>
</tr>
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</table>
Gated Alley Pilot Program Update - Expansion Research

This report provides an update and additional information to the Land Use and Livability Subcommittee regarding the Gated Alley Pilot Program and staff recommendations on next steps with the program.

THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.

Summary
At the Land Use and Livability Subcommittee meeting on Oct. 16, 2019, staff were directed to explore expanding the Gated Alley Pilot Program to include alley segments in each Council District and to research process improvements to make it easier for neighborhoods negatively impacted by alley issues to construct gates to address those negative issues. Staff has developed proposals to assist with process fees, gate construction expenses, and explore abandonment of alleys as a mechanism to address negative issues such as increased crime and illegal dumping happening in some alley segments.

Staff collected additional data regarding the status of Phoenix alleys. The total number of alley segments in Phoenix is 5,011 and consists of 876 miles. Alleys currently receiving solid waste trash collection account for 77 percent of the total, or 671 miles of alleys. There is a wide range of alley segments in each council district. Council District 2 has the lowest number of alley segments with 53 and Council District 4 has the highest number of alley segments with 1,325 as reflected in Attachment A.

The Gated Alley Pilot Program (GAPP) has gated nine alley segments in the Royal Palm area, within District 5. The Sunnyslope pilot area within District 3 has 10 eligible alley segments and although two alley segments have completed an application and petition, at this point no alleys in Sunnyslope have been gated. During the pilot program, a list was maintained by City staff to track interest by citizens to gate alleys in their neighborhood and statistics for each council district are reflected in Attachment B. The GAPP team collected data in the following three areas:
1. Recorded neighborhood interest received from residents (Planning and Development maintains an interest list).
2. Confirmed neighborhood interest is registered (Neighborhood Services Department...
maintains the listing).

3. Confirmed calls for service in alley areas (Public Works tracks calls for services to clean city alleys).

**Streamline Approach**

The GAPP team, consisting of staff from the Public Works, Street Transportation, Neighborhood Services, Fire, Police and Planning and Development departments, recommend the following approach to streamline the process and create efficiencies within the Gated Alley Pilot Program. These recommendations consist of the following elements:

1. Address expenses and timing delays regarding required bond funds by either removing the requirement or allow one bond to cover multiple proposed alley segments in a Council District, provided the alley segments are within the same square block.

2. Address Revocable Permit expense and timing delays by applying one revocable permits to each pilot area (not per alley segment). This action would require the neighborhood leader to assume the responsibility of securing the revocable permit for the entire area early in the process or identifying a City department as the responsible party.

3. Create a standard gate detail(s) with chain link and wrought iron with a variety of widths (16-18 feet) to address real world situations such as conflicts with utility poles.

4. Streamline the construction process by selecting licensed contractors available to construct the gates. Staff proposes to select the contractors via a Qualified Vendors List (QVL), which should allow for some installation and construction cost efficiencies to gate more alley segments with limited funding throughout the City. This approach will maintain consistent design, reliable quality and a competitive and fair price. This approach will also allow the City inspectors to inspect the newly installed gates in batches and potentially reduce construction inspection costs.

5. Reduce the locking system to a single lock or double lock (one Fire Knox Box lock and one lock for all city departments and applicable utilities).

**Funding Options**

City staff investigated potential funding sources, as this was identified as a barrier for many neighborhoods. A viable option appears to be the Block Watch Grant funds, since gating alleys have a correlation with reducing crime and organizing neighborhood communities and is an eligible use of the funding source. Organized neighborhood groups can apply for Block Watch Grant funds of up to $10,000, therefore, the funding amount is in line with the costs of installing several gates and program funding is currently available. The challenge is that the funding cycle is only
open one time a year. The Phoenix Police Department, Neighborhood Block Watch Program (NBWGP), provides training on how to submit a 2020 Neighborhood Block Watch grant application, entering requested budget items, uploading documents, printing reports, and submitting the application. Three training workshops are typically provided annually and held in the month of November. Grant applications are due in December and the maximum amount is $10,000. The Block Watch Grant Oversight Committee reviews applications and makes funding recommendations for the upcoming calendar year. The Block Watch Grant Oversight Committee makes recommendations to the Public Safety and Justice Subcommittee, followed by Formal City Council approval. Therefore, the GAPP team recommends a stand alone, separate funding and review process be considered to focus solely on the needs of neighborhoods interested in gating their alleys to reduce crime, illegal dumping, and graffiti, as well as calls for service to the Police, Public Works and Neighborhood Services departments. Staff proposes that a sliding scale be developed to ensure that funds are available to address needs in low-income areas, high crime areas, or areas receiving more illegal dumping activity. Staff will bring a more detailed Block Watch funding approach for a future consideration to the Public Safety and Justice Subcommittee.

Alley Abandonment Process
The abandonment option was explored and it was determined the abandonment process would be more costly to residents, and due to utility locations the abandoned area would need to be accessible by utility providers at all times and could not function like a normal backyard. The abandonment application fee for a residential application is $1,075 and the Planning and Development Department is mandated to be cost recovery so the fee cannot be waived. The Gated Alley Pilot Program has no application fee. The abandonment process is more time intensive, as it requires each alley to be researched, an application and petition signed by 50 percent or more of all residents that own property along the alley segment, posting of notification signage, notices to property owners within 150 feet and associations within 600 feet, and a public hearing process which includes holding a neighborhood meeting and explaining abandonment intentions. Once an alley segment obtains City Council approval for abandonment, neighbors would need to pay a consideration fee to purchase the half of the alley segment next to their property for a consideration fee of $1.00 per square foot for the first 500 square foot and 10 cents per square foot thereafter.

Since the majority of all Phoenix alleys have existing utilities, either overhead or underground, the abandonment process would require the utilities to be relocated which is very costly or a public utility easement must be provided with 24-hour access for maintenance and repairs. Property owners will need to pay to move their back fence and incorporate the new land into their property. The cost of purchasing two
gates, at the end of each alley segment is a fraction of the cost for all homes along an alley to complete the abandonment process and install fencing/gates at their property line with public utility easement. This is necessary because the utilities must have access to drive maintenance vehicles down the utility easement area, so any gate movement to incorporate the land into an individual owner's yard requires a gate on each side of the yard.

**Gate Locks**

Staff researched alternate locking mechanisms, including Blue Tooth Smart Electronic Locks, Create Combination Push Locks, and Master Four Key Combination Locks. The Electronic Lock systems range between $90-$200 per lock and provide locking devices which operates by means of electric current and remotely with a cell phone. The advantage is a keyless, convenient, speedy, ease of use and greater control with ability to share padlock access. The disadvantage is that not all residents may have the technology to utilize this approach, in addition, the technology is reliant on adequate cell phone service/signal, therefore the lock may not be reliable or operate in the event of a signal or power failure.

The Push Lock system ranges between $50-$140 per lock and does not require a key. A four-digit character code can be set and accessible to all property owners who are provided the key code and the four-digit code can be changed for each alley, while the same four digit code is utilized for all City Departments and Utility companies. The advantage is not having to carry a key, the reduction in costs associated with making and distributing individual keys and the ability to create different codes for each alley segment. In addition, residents can provide the proper code to a service worker who may need access to the alley remotely. The disadvantage of the Push Lock system is that residents can forget the passcode to access the keyless entry system and be locked out, requiring communication with a neighbor or city staff to confirm the code.

The Master Four Key Combination Lock system ranges from $25-$100 per lock and does not require a key. The advantages include not having to carry a key, reduced costs associated with making and distributing individual keys and the ability to create different codes for each alley segment. The disadvantage is that residents can forget the passcode to access the keyless entry system and be locked out and each lock only has the capacity to be set at one code of four numbers per alley segment. The current locking mechanism is the least expensive, ranging from $15-$20 for one lock and the estimated 15 keys (per alley) required for distribution. The advantage is the reduced cost and the disadvantage is potential for residents to lose the key and the logistics of providing new property owners and city staff with replacement keys.

Staff recommends City Council Subcommittee authorization to implement the outlined
process improvements, continue to work toward finalizing a Block Watch Grant funding process, develop a qualified vendor list and prepare an outreach process to work with the City Council offices to promote the expanded pilot program. Overall, these upfront improvements will lead to a more efficient process that residents will find easier to implement the gated alley pilot program.

**Responsible Department**
This item is submitted by Deputy City Manager Paniagua and the Planning and Development Department.
<table>
<thead>
<tr>
<th>Council District</th>
<th>Total Alley Segments</th>
<th>Miles of Alley</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>310</td>
<td>77</td>
</tr>
<tr>
<td>2</td>
<td>64</td>
<td>14</td>
</tr>
<tr>
<td>3</td>
<td>501</td>
<td>93</td>
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<td>4</td>
<td>1,325</td>
<td>204</td>
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<td>5</td>
<td>658</td>
<td>142</td>
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<td>6</td>
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<td>7</td>
<td>437</td>
<td>66</td>
</tr>
<tr>
<td>8</td>
<td>894</td>
<td>137</td>
</tr>
<tr>
<td>Citywide</td>
<td>4,846</td>
<td>876</td>
</tr>
</tbody>
</table>
Consideration of Citizen Petition Related to Urban Camping

This report provides the Land Use and Livability Subcommittee with information in response to a citizen petition submitted by Elizabeth Venable at the Dec. 18, 2019 Formal City Council meeting regarding urban camping (Attachment A).

THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.

Summary
The petitioner requests the City Council to "stop criminalizing sleeping and camping" and consider the recent Supreme Court ruling allowing the 9th U.S. Circuit Court of Appeals ruling in Martin v. Boise to stand. The Law Department will be providing the City Council information about this ruling at the Jan. 14, 2020 Executive Session.

Responsible Department
This item is submitted by Assistant City Manager Milton Dohoney, Jr. and Assistant City Manager Deanna Jonovich and the Police, Law and Human Services departments.
Citizen Petition
Elizabeth Venable MA, MPA
1950 E Cortez St.
Phoenix, AZ 85020
12/18/19

Since the 9th Circuit Court of Appeals ruled in September 2018 on the case Martin v. Boise, the leaders of the City of Phoenix have been intractable in their support for the criminalization of camping and sleeping in public areas. You have given no explanation as to your behavior. I think you were waiting on the Supreme Court to strike down Martin v. Boise, so that you can continue arresting people for being poor.

However, the Supreme Court did not rule in your favor. The Supreme Court has now said that the 9th Circuit ruling stands. Phoenix has no more excuses. You must stop criminalizing sleeping and camping.

The paucity of resources devoted to the homeless in this State and City is disturbing. More disturbing is the idea that in the absence of meaningful programs which humanely house the homeless, you feel entitled to make it a crime to live.

The City of Phoenix must choose to follow the Supreme Court. I expect no less, and we will hold you accountable.

What is your choice?

I respectfully anticipate the answer that has been reviewed by your council and, if it is insufficient, we will take further action.

Sincerely,

Elizabeth Venable MA, MPA
Consideration of Citizen Petition Related to Phoenix City Council Meetings

This report provides the Land Use and Livability Subcommittee with information in response to a citizen petition submitted by Christina S. Eichelkraut at the Dec. 18, 2019 Formal City Council meeting regarding increasing public access to Phoenix City Council meetings (Attachment A).

THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.

Summary
The petitioner proposes the City Council increase public access to Phoenix City Council meetings by changing the meeting times and splitting council meetings into "administrative" and "constituent-focused" sessions. "Administrative" meetings would address consent and "routine" items, including uncontested zoning hearings, and would continue to occur in the afternoon. "Constituent-focused" meetings would be reserved for contested zoning matters and other items such as utility rates, park improvements, budget items, major infrastructure projects, police and fire department administration and public transit, and would occur in the evening.

The Rules of Council Proceedings are established in Phoenix City Code section 2-60 and provide direction as to the time, content and conduct of City Council meetings. Over the years, the Council has made adjustments to the rules to enhance public access and opportunities for the public to participate in the meetings, including eliminating separate zoning meetings and consolidating all items on the Formal agenda, televising all of the City Council meetings, and making Council Meeting videos accessible online. In response to stakeholder input, the scheduled time of Formal Council meetings was moved from 3 p.m. to 5 p.m in 2012, moved back to 3 p.m. in 2013, and later moved to 2:30 p.m. in 2015 to make the start time consistent for both Policy and Formal meetings.

The City of Phoenix strives to make information about City Council deliberations widely available and accessible by publishing Policy, Formal and Subcommittee meetings online the week prior to the meetings, well in advance of the 24-hour deadline required by State law. Many residents also choose to appear in person, and their presence and comments at the City Council meetings have helped to inform the Council's
understanding of a variety of issues. However, appearing in person is not the only means to convey their feedback. Residents are encouraged to contact City staff and elected officials directly, and they are able to provide information prior to any meeting via telephone, letter, email, and social media.

Members of the public should be assured that their input is welcome and encouraged on all subjects and should be able to count on those items being heard at a specific date and time. A scheduled calendar with meetings occurring at a consistent time allows stakeholders to plan in advance and removes uncertainty about if/when an item will be heard.

Staff appreciates Ms. Eichelkraut’s thoughtful ideas on her citizen petition, however staff does not recommend splitting council meeting dates and times based on estimations about what topics members of the public may or may not contest or want to comment on. Staff does respectfully request that the Subcommittee direct staff to research the methods other cities and the State of Arizona are using to increase transparency and the ability of residents to provide input during City Council meetings. Staff would return to the March 18, 2020 Land Use and Livibility Subcommittee meeting to present the results of this research and recommendations for options moving forward.

**Responsible Department**
This item is submitted by Acting Deputy City Manager Toni Maccarone and the City Clerk Department.
December 4, 2019

Petition to Phoenix City Council

Petitioner Information:

Christina S. Eichelkraut
2606 N. 44th St.
Apt. 103
Phoenix, AZ 85008

(602) 321-1243
Christina@scriptoergosum.com

Increase Public Access to Phoenix City Council Meetings

The impact and importance of civic participation on a local level cannot be understated, particularly in these politically turbulent and fraught times. A person’s greatest sphere of influence is their local government, yet many Phoenicians are realistically unable to take an active role in their city government due to meeting times that are incompatible with the majority of working persons’ lives. As a result, Phoenix City Council meetings are for all practical purposes completely inaccessible to a large swath of residents.

Although the City of Phoenix is in technical compliance of open meeting law, the current meeting times of both the policy sessions and formal meetings have a chilling effect on public participation.

True, meeting agendas are posted online within the required times and meetings are streamed online and available shortly afterward. Accommodations are available for those with disabilities. A great many staff members work diligently every week to compile an immense amount of technical information and ensure it is accessible in both digital and physical formats.

However, compliance with the letter of the law does not equate compliance with the spirit of the law.

Ultimately the end result of mid-week, 2:30 p.m. meeting is a diminished ability for Phoenicians to take an active role in their municipal government in a timely manner. Watching a meeting online two days after it occurred simply does not equate the ability to see one’s government in action in real-time, particularly since watching a recording of the meeting robs a person of the opportunity to submit a public comment card and directly address their elected officials in real time.

For this reason, I and the undersigned residents of the city request that Phoenix City Council change the meeting time of both the policy session and formal meetings. We ask that Phoenix City Council policy sessions be split into multiple meetings in a way that
maximizes the potential for residents to actively participate in ongoing meetings.

Specifically, we suggest the following changes to the current Phoenix City Council meeting schedule:

- Split city council meetings into administrative and constituent-focused meetings.
  
  o **Administrative meetings** would include consent agenda items, standard/routine contracts, and routine municipal business. **Uncontested** zoning hearings could be held during this meeting. These meetings would become what is currently the formal city council meeting and would remain scheduled for the afternoon.

  o **Constituent-focused meetings** to be held at least twice monthly and scheduled in the evening, with the earliest start time being 6 p.m.
    
    • One constituent-based meeting would be reserved specifically and only for contested zoning hearings.
    
    • The other meeting(s) would have municipal business and administration items as agendized items (not as consent agenda items). These would include:
      
      • Utility rates
      • Park improvements
      • Budget items
      • Major infrastructure projects
      • Police and Fire Departments administration
      • Public transit

- Some constituent-based meeting items would be automatically subject to an evening meeting, specifically public transit, police and fire administration, and budget.

  • Other items, such as park improvements or more minor infrastructure improvements, could be included based on a threshold of the number of residents and/or geographic area impacted. When that threshold is reached, the item is automatically placed on an evening agenda.

At the very least myself and everyone who has signed this petition believe it is a fair starting point for serious discussion and respectfully request the city council to consider our request.

Christina S. Eichelkraut
Consideration of Citizen Petitions Related to the Phoenix Water Drought Pipeline Project

This report provides the Land Use and Livability Subcommittee with information in response to four citizen petitions submitted by: Patrick McMullen (Attachment A) at the Dec. 4, 2019 Formal City Council meeting; and Katherine Roxlo and Sharon McKenna (Attachment B); Katherine Roxlo and Jeannie Swindle (Attachment C); and Sandra Kane (Attachment D) all at the Dec. 18, 2019 Formal City Council meeting regarding the Phoenix Water Drought Pipeline Project.

THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.

Summary
Several individuals presented petitions to the City Council at the Dec. 4 and Dec. 18 Formal City Council Meetings regarding the construction of pipelines in the vicinity of 22nd Street and Glendale Avenue.

Petition 1
General Background
Mr. McMullen presented a petition regarding the proposed construction of a 66-inch water pipeline from the 24th Street Water Treatment Plant to 32nd Street and Bell Road.

Request:
Mr. McMullen requests the City Council to: hold an oversight hearing to review the actions of the Phoenix Water Services department; conduct a full evaluation of all project alignment alternatives; halt further development of the project; and comply with the requirements of Chapter XXVI of the Phoenix City Charter.

Petition 2
General Background
Ms. Roxlo and Ms. McKenna presented a petition regarding the proposed construction of the 66-inch water pipeline as well as a 48-inch pipeline in the vicinity of 22nd Street.

Request:
Ms. Roxlo and Ms. McKenna request the City Council to direct the Water Services Department to: halt work on the pipelines; engage in a public study of the water needs of the north Phoenix area during drought; further develop water conservation within the City, evaluate all reasonable options for the safest, most cost-effective method that meets City engineering standards to deliver water to North Phoenix, and engage in a thorough study of alternative alignments.

Petition 3

*General Background*

Ms. Roxlo and Ms. Swindle presented a petition regarding the proposed construction of the 66-inch water pipeline as well as a 48-inch pipeline in the vicinity of 22nd Street.

*Request:*

Ms. Roxlo and Ms. Swindle request the City Council to halt all activities related to the development and construction of the pipelines until a new alignment study is completed, allow for meaningful citizen input into the design of the pipeline, meet with land owners and organizations that control Right-of-Way (ROW) easements that could be used for the pipeline routes, conduct a new alignment study, and place the pipeline alignments on the City Council agenda so that all Councilmembers vote on the alignment before the project moves forward.

Petition 4

*General Background*

Ms. Kane presented a petition regarding the proposed construction of the 66-inch water pipeline as well as a 48-inch pipeline in the vicinity of 22nd Street.

*Request:*

Ms. Kane requests the City Council to halt the imminent construction to allow community input, consider feasible alternatives, and achieve the best outcome for Phoenix.

Staff Response

There are two independent, but related, pipeline projects in the neighborhood near 22nd Street and Lincoln Drive and the Phoenix Mountain Preserve (Preserve).

The first is the rehabilitation, replacement, and relocation of an existing 48-inch Prestressed Concrete Cylinder Pipeline that is showing evidence of radial instability and near/imminent failure. On May 16, 2018 the City Council authorized staff to enter into contracts for evaluation, design services, construction administration and inspection services, as well as construction manager at risk design phase services for relocation
and rehabilitation of the 48-inch Pre-stressed Concrete Cylinder Pipeline that runs through the neighborhood and Preserve. This pipeline is in danger of failure; it is imperative that it be replaced and relocated as soon as possible. Construction for this pipeline was approved by City Council on Sept. 18, 2019 and we anticipate moving forward with this project in the first quarter of the new year, possibly in March. This project impacts those in the neighborhood up to Orangewood Avenue on the north. A map is attached as (Attachment E). It should also be noted that the existing 48-inch pipeline runs through the Preserve near the old Dreamy Draw road alignment; as it is rehabilitated there will be impacts to the Preserve.

The second is the new, 66-inch pipeline that is necessary to mitigate future drought conditions by providing Salt River, Verde River, and groundwater supplies to areas of north Phoenix that are currently entirely dependent on Colorado River supplies. The need for the pipeline and associated infrastructure was discussed extensively with the City Council during the process held to recommend water rate increases in 2018, including at the Water, Wastewater and Infrastructure Subcommittee on Sept. 9, 2018, the City Council Policy meeting on Oct. 9, 2018, and the Formal City Council meeting on Dec. 12, 2018. In addition, the need for the pipeline was discussed at more than 50 community meetings held during that time to gather public input on the proposed water rate increases.

To recap, the 66-inch pipeline is necessary because the Colorado River is over-allocated by approximately 1.2 million acre-feet per year, which is equal to four times the amount of water produced by Phoenix Water Services each year. This is a large over-allocation, normally referred to as the “structural deficit,” and this deficit, combined with twenty years of drought conditions, has driven Colorado River storage in Lakes Powell and Mead to record lows. Under the newly-adopted Drought Contingency Plan guidelines, Arizona’s Colorado River allocation is cut by 192,000 acre-feet at Lake Mead elevation 1,090 and by 720,000 acre-feet at Lake Mead elevation 1,025, with varying levels of cutbacks between these elevations. Bureau of Reclamation models show that with continued poor hydrologic conditions, Lake Mead water elevations could fall below elevation 1,025 by 2024 (Attachment F). Below Lake Mead elevation 1,025 there is no agreement regarding cuts to Arizona’s allocation and the amount of Colorado River water to which Phoenix would have access, if any, is completely uncertain. There is also no agreement regarding cuts to Arizona’s allocation beyond 2026 when the existing guidelines for operations of Lakes Powell and Mead expire. This is problematic because most of North Phoenix is entirely dependent on Colorado River supplies. Poor hydrologic conditions may not occur—it may snow in the Rocky Mountains instead. However, hoping for snow is not a valid water management strategy and the risk of relying on such a strategy is unacceptable in a desert city and particularly for the approximately 400,000 people in North Phoenix.
who are currently entirely dependent on the over-allocated Colorado River.

Millions of acre-feet of Colorado River water have been stored in Central Arizona over the last thirty years through the Arizona Water Banking Authority for the purpose of mitigating a portion of cuts to Colorado River allocations for Municipal & Industrial and Indian priority contract holders in Central Arizona. However, there is currently no physical, legal, or financial mechanism to recover this water.

Phoenix Water Services has focused on mitigating the uncertainty regarding access to Colorado River water in various ways. Phoenix entered into an exchange agreement with the City of Tucson through which Phoenix can store currently-unused Colorado River water in Tucson’s aquifers in exchange for future deliveries of Tucson’s Colorado River water at Phoenix’s surface water treatment plants. While this exchange helps mitigate the impact of small or moderate shortages, the exchange does not work during extreme shortages because just as for Phoenix, the amount of Colorado River water to which Tucson would be entitled below Lake Mead elevation 1,025 is completely uncertain. Phoenix Water Services has also been drilling additional wells in North Phoenix to mitigate against Colorado River shortages. However, hydraulic models indicate that Phoenix cannot entirely replace Colorado River supplies with groundwater in North Phoenix.

Phoenix has long practiced integrated supply and demand management planning; conservation is the bedrock of our water resource planning. However, ensuring reliable water deliveries under extreme Colorado River shortages will require both conservation and infrastructure. This is because even if customers use less water in other portions of our service territory, we cannot physically pump the conserved water to these vulnerable areas. This is a problem with the hydraulics of our distribution system that can only be resolved with new pump stations, transmission mains, and pressure-reducing valves. Nor can we move water appurtenant to lands within the Salt River Valley Water Users’ Association (SRP) to lands outside of the district. This is a matter of state and federal law.

More recently, Phoenix entered into an agreement with SRP that provides Phoenix physical access to banked water even during extreme shortage conditions. Phoenix purchased a right-of-first-refusal to SRP’s well pumping capacity. Phoenix can direct SRP to pump up to 20,000 acre-feet per year of banked water on Phoenix’s behalf. That banked water gets pumped out of SRP wells and into the SRP canal system, where it can then be delivered to the 24th Street and Deer Valley Water Treatment Plants. From there, the water needs to be pumped to the portions of the Phoenix Water distribution system normally served from the Union Hills Water Treatment Plant with Colorado River water. To do so, we need to build additional transmission mains,
pump stations, and pressure-reducing valves, including the 66-inch pipeline from 24th Street Water Treatment Plant to 32nd Street and Bell Road. The 66-inch pipeline will allow us to move water recovered through SRP’s wells and will also allow us to move New Conservation Space water, a legal form of Salt River water that can be used outside the boundaries of SRP, from Roosevelt Dam up into North Phoenix.

Once relocated, a portion of the alignment for the 48-inch pipeline will be used for the new 66-inch pipeline that is necessary for water supply resiliency. In the fall of 2018 the City Council authorized staff to enter into various contracts for program management, construction manager at risk, design, and construction administration and inspection services for the 66-inch pipeline project. We do not anticipate moving forward with construction of this pipeline until the late summer or fall of 2020.

The need to develop the new 66-inch pipeline in the Phoenix Mountain Preserves was presented to the Parks and Recreation Board Phoenix Sonoran Preserves and Mountain Parks/Preserve Committee on Nov. 20, 2017. The new 66-inch pipeline, along with the need to rehabilitate the 48-inch pipeline was presented to the Parks and Recreation Board Phoenix Sonoran Preserves and Mountain Parks/Preserve Committee on Sept. 16, 2019. The pipeline alignments were discussed at the City of Phoenix Transportation, Infrastructure, and Innovation Subcommittee on Oct. 2, 2019, at the Phoenix Mountains Preservation Council on Oct. 7, 2019, at a public meeting at Madison Elementary School on Oct. 24, 2019, and at the City of Phoenix Parks and Recreation Board on Oct. 24, 2019. Outreach has been extensive; a full list of outreach efforts is included as (Attachment G).

The Water Services Department has undertaken this major infrastructure project as it does in the ordinary course of business - hiring consultants, working with other City departments and officials, and generally settling on the best location and route for the infrastructure. As is typical, design and construction contracts were submitted to the City Council for approval. On May 16, 2018 the City Council authorized staff to enter into contracts for evaluation, design services, construction administration and inspection services, as well as construction manager at risk design phase services for relocation and rehabilitation of the 48-inch pre-stressed concrete cylinder pipeline that runs through the neighborhood and Preserve. On Oct. 3, 2018 the City Council authorized staff to enter into a contract for program management and possible construction administration and inspection services for the 66-inch pipeline project. On Dec. 5, 2018 the City Council authorized staff to enter into six contracts related to the 66-inch pipeline project for construction manager at risk preconstruction services as well as design and construction administration and inspection services. On Sept. 18, 2019 the City Council authorized staff to enter into a contract for construction manager at risk construction services for the relocation and rehabilitation of the existing 48-inch pipeline.
pipeline. The Water Services Department and its Director have acted in the normal course of business for projects of this nature and have not exceeded their authority.

As is typical with such major projects, the City contracted with a consultant, in this case Project Engineers Consultants (PEC), to study potential alignments of the pipeline. The project’s potential adverse impacts on the Preserve and nearby residents were included in the alignment study. The alignment study included socioeconomic, ROW, and environmental impacts. The study concluded that the route through the Preserve provided significantly more advantages and less disadvantages than other routes. Among the differences between the routes are the following:

- **Water quality**: The shorter route of the pipeline through the Preserve will improve the quality of the water, which degrades the longer it travels through a pipe.
- **Optimal Flow and Pressure**: The selected route provides better water flow and pressure through the pipeline than do other routes.
- **Cost**: The study estimated that the selected route would cost less than other routes. It should be noted that the Water Services Department is funded entirely by its water and wastewater customers, who will thus bear the full cost of this Project. This is not an insignificant factor, given that water bills impact everyone in the community, including those who are most disadvantaged.
- **Disruptions**: The selected route provides significantly fewer disruptions to families and businesses fronting streets which would otherwise have to be disturbed. It also provides lesser requirements for traffic disruptions in the impacted neighborhoods throughout the project.
- **Property Condemnation**: The study determined that a number of parcels of private real property must be purchased or condemned by the City in order to make certain other routes feasible. No private property will be condemned using the selected route.

These factors and others referenced in the report led PEC and Water Services Department staff to conclude that the route through the Preserve for this vital infrastructure was optimal. The Water Services Department then conducted public outreach regarding the alignment, to inform affected stakeholders and to solicit comments. 923 public meeting invitations were mailed to residents and businesses, and 923 doorhangers were hung to ensure full awareness. Personal visits to the Holy Trinity Greek Orthodox Cathedral, the Holy Trinity Academy, Lincoln Heights Christian Church, Chabad-Lubavich of Arizona, and Soka Gakkai International were conducted the week of Oct. 14, 2019. Six meetings with Madison School District, Paradise Valley Unified School District, and Mercury Mine Elementary School were held. Personal visits to five local businesses were conducted the week of Oct. 24, 2019. Water Services Department staff attended three local community events with flyers and fact

With regard to the selected alignment of the 66-inch pipeline, many residents expressed a preference that the alignment follow the ROW of the State Route 51. Use of the State Route 51 alignment requires permission from the Arizona Department of Transportation (ADOT). In addition, unless ADOT allows the sale of its ROW to the City, or grants the City an irrevocable permit for use of its ROW, the City’s infrastructure would be subject to removal on request from ADOT and at the City’s cost at any future point in time. This would entail the additional expenditure of tens of millions of dollars; it would be questionable to spend so much water rate-payer money to construct this complicated and expensive infrastructure not knowing whether the City would be asked to move it at water rate-payers’ cost, in a few short years. The Water Services Department is working with ADOT on the possibility of a sale of its ROW. Should a sale be granted, it will be possible to move the alignment slightly so that it runs alongside the State Route 51 from Myrtle Avenue northward, avoiding the 22nd Street alignment north of Myrtle, and avoiding the Preserve north of 22nd Street. However, such an alignment, while significantly diminishing neighborhood impacts along 22nd Street, would still entail neighborhood disruptions and would still entail development of the pipeline in the Preserve, although at different points for a short run near the State Route 51. A map is attached as Attachment H. Currently, the Water Services Department is in the process of gathering all relevant alignment information and updating analyses before getting back to the community with conclusions.

The Water Services Department is intent on minimizing impacts to the Preserve. The 66-inch pipeline project will impact approximately 20 of the 7,563.7 total acres in the Phoenix Mountains Preserve. The portion of the Preserve through which the pipeline will be constructed includes areas that have already been disturbed, many of which are historic roads and include pavement for recreation. Of the approximately 20 acres that may be impacted, around 7 of them were previously disturbed for the park entrance and bike paths. The Water Services Department will coordinate the final alignment of the pipeline with City Parks staff and will select a final alignment that avoids sensitive habitats and minimizes the area disturbed where reasonably possible. The department is also committed to rehabilitating the area of the Preserve disrupted by the project and is already in contact with experts from the Desert Botanical Garden and University of Arizona on the best practices to do so. Last, the rehabilitation will be coordinated with proposed improvements identified in the Phoenix Mountain Parks and Preserve Access and Adaptive Management Plan for Dreamy Draw Park. Thus, the pipeline project presents an opportunity for Water Services and Parks and Recreation to collaborate on the planned improvements to the Dreamy Draw entrance in a manner that can enhance the park experience for many users.
This massive undertaking could not be done without careful planning. The Water Services Department has worked for years in close consultation with the City Attorney and the City’s Law Department on various aspects of the pipeline project, including the applicable provisions of the City’s Charter.

Specifically, in Section 3 of Chapter XXVI, “Use of Mountain Preserve Property,” the Charter states that the Council “shall at all times have the power and authority within and in conjunction with any City Mountain Preserve to take appropriate action to … develop to the extent necessary City-owned flood control and water treatment facilities.” This specific language retains for the City Council the ordinary authority and power over Preserve property for those limited purposes. No special hearings, findings, or other requirements are imposed by the Charter for the Council to take these specified actions.

In light of the express provisions of Section 3 of Chapter XXVI contemplating use of Preserve property for water treatment facilities without a public vote or any other special procedure, it is clear that a public vote is not required. In contrast, Section 5 of the Charter clearly requires a public vote in those instances where Preserve property will be “sold, traded, alienated, re-designated, leased, or otherwise deleted or removed” from the Preserve. In fact, the Preserve Property on which the pipeline project installed will remain in the Preserve, be used for one of the purposes specifically authorized in Section 3 and will be rehabilitated following installation.

The proposed alignment of the pipelines meets the design standards noted in City of Phoenix “Design Standards Manual for Water and Wastewater systems 2017.” Section III.B. Location, Alignment, and Easement Requirements for Water and Sewer Mains states “A route study or alignment report shall be completed to assure a functional hydraulic gradient/grade as well as continuity of an accessible ROW and/or easement corridor.” In this case, Phoenix Water Services conducted an alignment study in compliance with this requirement through PEC. Section III.B.1 Public Water and Sewer in the Public ROW states that “The location and alignment of all water and sewer mains in the right of way shall be per the latest edition of Standard Utility Locations Manual for the City of Phoenix. Design engineers can obtain a copy through the Street Transportation Department. The standard utility locations are presented with the realization that every case will not be covered and there may be instances where the standards cannot be applied.” The minimum easement width of eighty feet noted by the citizen petitioners for a pipeline of this size does not apply, as the pipelines are being constructed within the public ROW, not an easement.

The City greatly values its Mountain Preserves. The natural Sonoran Desert environment is treasured by our community, provides recreational and educational
opportunities to our residents and visitors, and helps make Phoenix the unique and
great city that it is. Nonetheless, residents and businesses depend on the City to
provide clean water every time they turn on a tap. It is essential for public health,
welfare and safety, and our City Charter recognizes that fact when it authorizes use of
Preserve lands for these purposes.

Staff Recommendation
In review, the Water Services Department has not usurped Council authority and has
acted within its authority in the normal course of business; no oversight hearing to
review the actions of the Phoenix Water Services Department is necessary. The Mayor
and City Council have conducted a full evaluation of project alignment alternatives
through staff through the normal course of business for such projects; the 66-inch
pipeline is necessary for water supply redundancy and a halt to the project puts the
reliability of water supplies in North Phoenix at unnecessary risk; the City has complied
with the requirements of Chapter XXVI of the Phoenix City Charter.

Staff respectfully requests the Land Use and Livability Subcommittee deny these
Citizen Petitions related to the Phoenix Water Drought Pipeline Project and
recommend the Water Services Department continue community engagement and
outreach throughout the project.

Location
Council Districts: 2, 3 and 6

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

PETITION
TO THE MAYOR AND CITY COUNCIL
OF THE CITY OF PHOENIX, ARIZONA

Submitted December 4, 2019
Pursuant to Chapter 4, Section 22 of the Phoenix City Charter

This Petition is submitted by Patrick McMullen, PhD, in his individual capacity as a citizen of Phoenix, and as Acting President of the Phoenix Mountain Preservation Council, Inc. (PMPC), regarding the Phoenix Water Services Department’s proposed construction of a 66-inch water pipeline from the 24th Street Water Treatment Plant to 32nd Street and Bell Road, as part of its project to supplement the city water supply system (“the project”). While I appreciate the importance of investing in a reliable future water supply, I am concerned that the Water Services Department has exceeded their decision-making authority and are consequently denying the public and the Phoenix City Council their legal rights under the Phoenix City Charter to determine the fate of our Phoenix Mountains Preserves. This is outlined further in PMPC’s letter to the Mayor and City Council dated November 19, 2019 attached here as Exhibit A.

Without providing specific details or properly considering a range of alternative alignments with the full involvement of the public, the Phoenix Water Services Department has independently selected a pipeline alignment for the project that will cut through the Phoenix Mountain Preserve near the Dreamy Draw Recreation Area. The Water Services Department is without legal authority to take this action.

The Water Department’s selected alignment will, among other things, irreparably damage at least 13 acres of undisturbed Preserve lands; require the development of an approximate 1,000-foot tunnel to be bored through the mountain within the Preserve in order to accommodate a 66-inch water pipeline; cut through numerous washes and drainages within the Preserve; and harm recreational opportunities for the many Phoenix residents who use the Preserve. It will also substantially disrupt the neighborhood just north of Lincoln Drive for an extensive period of time, adversely affect local residents’ quality of life, harm property, and threaten the safety of residents.

Voter Approval Is Required

Section 5 of Chapter XXVI of the Phoenix City Charter (Phoenix Mountain Preserves) states that no land within any Preserve shall be “sold, traded, alienated, redesignated, leased, or otherwise deleted or removed from the Mountain Preserve” without voter approval.

5. An initiative measure to prevent sale, trade, alienation, redesignation, lease or other deletion or removal of any City Mountain Preserve land without approval of a majority of electors voting thereon.

Notwithstanding any other provision of the Charter of the City of Phoenix, no land within any City Mountain Preserve, as that term is defined in Chapter XXVI of the Charter of the City of Phoenix, shall be sold, traded, alienated, redesignated, leased, or otherwise deleted or removed from the Mountain Preserve except by approval of a majority of electors voting thereon.

(Election of 12-9-1986)

The Water Services Department is obligated to secure public approval of their selected alignment alternative pursuant to Chapter XXVI of the Phoenix City Charter. They have failed to do this.
Submitted December 4, 2019

Pursuant to Chapter 4, Section 22 of the Phoenix City Charter

In the event it is determined under the Charter that voter approval for this alignment is not required, at the very minimum, it is the City Council, not employees in the Phoenix Water Services Department, that must make the determination that an alignment that violates the Preserve is both "appropriate" and "necessary" pursuant to Section 3(c)(4) and Section 3(b) of the Charter, respectively. This must be done through a public and transparent vote by the City Council. Merely receiving approval for the project as general matter or for various budget aspects of the project, is insufficient to satisfy this requirement under the Charter. Thus, the Water Services Department has failed to obtain legal authority for their selected alignment.

This failure demonstrates disregard for the Charter, as approved by Phoenix voters, and deprives the public and the City Council of their right to be involved in certain decisions impacting the Phoenix Mountain Preserve. The future of the Phoenix Mountains Preserve, a valuable public resource, is a matter of concern for all Phoenicians.

Allowing a pipeline to be built within the Preserve without voter approval, or alternatively, without a Council vote under Section 3(b) and 3(c)(4), sets a dangerous precedent. If allowed to occur here, future developments, resignations, or other harmful activities within the Phoenix Mountain Preserve system may also be allowed to move forward without proper approval and the involvement of the public. This is contrary to the purpose of creating and protecting the Preserve system as acknowledged in the Charter.

Accordingly, this Petition is submitted to respectfully request the following:

1. **Oversight Hearing.** I respectfully request that the Mayor and Phoenix City Council hold an open and transparent oversight hearing to review the actions of the Phoenix Water Services Department regarding (a) their selection of the current alignment for the project; (b) their lack of communication with the public at large about the various alignment options; (c) the project's adverse impacts on the Preserve and nearby residents; and (d) their disregard for the requirements of the Phoenix City Charter generally, and their usurpation of authorities more appropriately vested in the voters or, alternatively, the City Council, under Chapter 26 of the Charter.

2. **Full Evaluation of All Alternatives.** I respectfully request that the Mayor and Phoenix City Council conduct a full evaluation of all project alignment alternatives. This analysis should be conducted in a transparent manner, with full input from the public.

3. **Halt Project Development Until Resolution.** I respectfully request that further development of the project and investment of taxpayer dollars be halted immediately until all alignments are fully evaluated and the requests set forth in this petition have been met.
PETITION
TO THE MAYOR AND CITY COUNCIL
OF THE CITY OF PHOENIX, ARIZONA

Submitted December 4, 2019
Pursuant to Chapter 4, Section 22 of the Phoenix City Charter

4. Comply with the Requirements of Chapter XXVI of the Phoenix City Charter. In the event an alignment is selected pursuant to the process described above that results in the redesignation and use of lands within the Preserve, then the alignment must be approved by a majority of the voters, or if such a vote is not required by law (a question that should be submitted to the City Attorney), then by a full vote of the City Council, considering all appropriate alternatives, reasonable mitigation actions for the Preserve, and all necessary steps to protect the health and safety and property of affected residents of the area.

I look forward to the Phoenix City Council taking action on this petition within fifteen (15) days, in accordance with Chapter 4, Section 22 of the Phoenix City Charter.

Submitted December 4, 2019

Patrick McMullen, PhD
Resident
City of Phoenix

Acting President,
Phoenix Mountains
Preservation Council, Inc. (PMPC)
EXHIBIT A
Via Certified U.S. Mail, Return Receipt Requested

The Honorable Kate Gallego, Mayor
City Council
CITY OF PHOENIX
City of Phoenix, Mayor’s Office
200 W. Washington St., 11th Floor
Phoenix AZ 85003

Re: Oversight Hearing Requested for City of Phoenix Water Services Department Project No. WS85100047-2, Drought Pipeline Project

Dear Honorable Mayor Gallego and City Councilmembers:

On behalf of the Phoenix Mountain Preservation Council, Inc. (PMPC) I write to express PMPC’s objection to construction of a 66” water pipeline alignment by Phoenix Water Service’s Department through the Phoenix Mountain Preserve near the Dreamy Draw Recreation Area, Project No. WS85100047-2.

While PMPC appreciates the importance of investing in a reliable future water supply, we have become increasingly concerned that the Water Services Department and its Director, Kathryn Sorensen, have exceeded their decision-making authority and are consequently denying the public and the City Council their legal rights under the Phoenix City Charter to determine the fate of our Phoenix Mountains Preserves. As discussed below, because the pipeline alignment violates the Preserve, the Water Services Department cannot begin construction of the project without the approval of the voters under Chapter XXVI, Sections 3 and 5, or alternatively, upon a demonstration and the approval of the City Council that this alignment (as opposed to other alignments that do not violate the Preserve) is both appropriate and necessary as expressly required by Chapter XXVI, Section 3(b) and Section 3(c)(4).

Due to these concerns, PMPC respectfully requests that you (1) hold an open and transparent oversight hearing to review the actions of the Phoenix Water Services Department regarding the potential usurpation of authority pursuant to the Phoenix City
Charter, and (2) conduct a full evaluation of all project alignment alternatives to be made available to the public.

PMPC further requests that you halt further development of this alignment and investment of taxpayer dollars until this matter is resolved.

BACKGROUND

For almost 50 years, PMPC members have worked tirelessly to preserve and protect our precious Mountain Preserve system and to monitor and address the rapid population that surrounds these important public resources, through advocacy, education, political action and collaboration with citizens, the City of Phoenix and other like-minded organizations and agencies.

As you may be aware, as part of the City of Phoenix’s project to supplement its water supply system through the installation of a 60 MGD booster pump station, the Water Services Department has independently selected an alignment for the proposed pipeline that will connect the 24th Street Water Treatment Plant with a delivery point at 32nd Street and Bell Road. The selected alignment will damage 13 acres of previously undisturbed areas of the Preserve, require an almost 1,000-foot tunnel for its 66-inch pipeline through the mountain, and cut through numerous washes and other areas within the Preserve. It will also disrupt the neighborhood just north of Lincoln Drive for an extensive period of time, affecting the quality of life, and potential safety of residents due to limitations associated with access and the types of heavy equipment required for the project.

PMPC has voiced our concerns for the Preserve directly to the Water Services Department and the City of Phoenix, both in writing and in the handful of public meetings that have only recently been held to discuss the Water Services Department’s selection of the current alignment. Nevertheless, the Water Services Department has decided to ignore concerns raised by PMPC, and indeed the many hundreds of neighborhood residents in the area of the alignment, concluding on its own that the Charter allows for them to construct the 66” pipeline. This is inconsistent with the Charter and ignores the value of the Preserve to Phoenix residents who are entitled to have a say in the pipeline’s alignment where it goes through the Preserve, either through a public vote or, if appropriate, through the vote of their elected Council members.

PMPC is disturbed by the inadequate level of detail that has been made available by the Water Services Department regarding how and why it selected this particular alignment. In fact, important details about other alternative alignments considered by the Water Services Department were not shared with the public until our attorneys requested a copy of an Alignment Study prepared by Department consultants, under Arizona’s public records law. While the Study we received was heavily redacted, what we could read did not provide a complete description of the reasoning behind selection of the current pipeline alignment over other available options that do not violate the Preserve. The Water Services Department’s claim in a recent letter to PMPC that the project has been explained to the public at “more than 50 community meetings” is incorrect and
misleading. From what we have seen, none of these meetings actually discussed the specific project alignment alternatives in any detail, including the current alternative through the Preserve. Rather, these meetings addressed budgets, design contract approvals, and the general need for water reliability for Phoenix. Where there was discussion about impacts on the Preserve, these were limited, with few details, and public handouts were not provided.

For these reasons, PMPC is concerned by the lack of transparency around the alignment selection. The Water Services Department is obligated to secure public approval of their selected alignment alternative pursuant to Chapter XXVI of the Phoenix City Charter. They have failed to do this. This failure demonstrates disregard for the Charter and deprives the public and the City Council of their right to be involved in certain decisions impacting the Phoenix Mountain Preserve. The future of the Phoenix Mountains Preserve, a valuable public resource, is a matter of concern for all Phoenicians, who are legally entitled to a vote.

1. **The Water Services Department overstepped its authority by approving a pipeline alignment alternative that should have been decided by the voters or by the Phoenix City Council, as our duly elected representatives.**

   Chapter XXVI of the Phoenix City Charter requires a public vote or in certain limited instances, authorization by the City Council to make certain alterations to the Phoenix Mountain Preserve; neither of these actions have yet taken place for the pipeline alignment.

   Thus, PMPC urges you to immediately hold an oversight hearing to review the actions of the Phoenix Water Services Department and to clarify decision-making authority under the Charter.

   Recognizing the importance of Phoenix Mountains Preserves to the public, the Charter makes clear that the City Council (and not Water Services Department staff) is responsible for making a determination that the selected alignment is both "appropriate" and "necessary" under the circumstances. See Charter, Chapter XXVI, Section 3(c)(4) (City Council shall have the authority to "[d]evelop to the extent necessary City-owned... water treatment facilities located with a City Mountain Preserve area."); **See also Section 3(b) ([t]he Mountain Preserves shall not be used except for a permitted use established by the City Council pursuant to this Section.")**

   Allowing a pipeline to be built within the Preserve sets a dangerous precedent that future development for utility placement or other unauthorized use may proceed without a vote of the City Council or the voters.

   Accordingly, unless the City Council determines in an open and transparent way and through a public vote of the Council that the 66" pipeline is both appropriate and necessary under the Charter, (a point PMPC currently has insufficient evidence to
support), it is PMPC’s position that the current alignment through the Preserve must be put to public vote. Furthermore, any vote of the Council should include an analysis of what actions and funding may be necessary to mitigate to the fullest extent possible those short and long terms impacts on the habitat, resources, and recreational uses of the Preserve resulting from the construction of the alignment within the Preserve.

PMPC further requests that you halt further development of this alignment and investment of taxpayer dollars until this matter is resolved.

2. The Water Services Department should provide a complete and transparent analysis of all pipeline alignment alternatives to the public.

As previously discussed, the Water Services Department has failed to provide any detailed rationalization for why it selected this particular alignment through the Preserve over other alignments, and PMPC has been unable to locate any documentation showing that the public was provided with a full and detailed description of each alternative, including their advantages and disadvantages. Rather, in correspondence to PMPC dated October 21, 2019, the Water Services Department asserted that its staff and consultants have “conclude[d] that the route through the Preserve...was optimal.” This is not a conclusion that the Water Services Department is entitled to make on its own. Furthermore, the critical decision to violate the Preserve requires full analysis of each alignment alternative – analysis that must be provided to the public, and the final selection must be made by the voters, or if appropriate, the City Council – not Department staff.

Further, part of the Preserve’s value, and the purpose in setting it aside for preservation in the first place, was to maintain a piece of untouched and undeveloped Sonoran Desert within Phoenix for our residents today, and in the future. Disturbing previously undisturbed lands and tunneling through a mountain to build infrastructure are entirely contrary to this purpose. While drought concerns are serious and require innovative problem-solving, these concerns do not justify this particular alignment over other alignments or options. The Water Services Department’s rejection of a routing closer to an existing 40-inch water pipeline on Dreamy Draw land managed by the Flood Control District of Maricopa County and Army Corps of Engineers was, according to them, to avoid a lengthy permitting process, not because it was not feasible. Electing to simply avoid necessary permitting has nothing to do with drought preparedness or necessity. Their rejection of other more viable options is similarly unjustified and yet unexplained.

Thus, the Phoenix Water Services Department must consider each alternative, including routing outside the preserve or closer to Route 51, in detail and its analysis must be made available to the public prior to a final decision by the voters or Council, if appropriate.

CONCLUSION

PMPC urges you to (1) hold an open and transparent oversight hearing to review the actions of the Phoenix Water Services Department regarding the potential usurpation
of authority pursuant to the Phoenix City Charter, and (2) conduct full evaluations of all alignment alternatives.

The City is required to comply with the requirements under Chapter XXVI of the City Charter. Nothing less will preserve the integrity of the Phoenix Mountain Preserve and by correlation, our community’s own values that have long recognized and appreciated our natural landscapes, historic sites, parks, and recreational facilities.

Your immediate response is respectfully requested.

Yours Truly,

Robin Salthouse, President
Phoenix Mountain Preservation Council, Inc.

CC: Executive Board, Phoenix Mountain Preservation Council, Inc.
Susan B. Montgomery, Esq.
December 18, 2019

Mayor Kate Gallego;
Vice Mayor Betty Guardado;
Council Member Thelda Williams;
Council Member Jim Waring;
Council Member Debra Stark;
Council Member Laura Pastor;
Council Member Sal DiCiccio;
Council Member Michael Nowakowski;
Council Member Carlos Garcia;

mayor.gallego@phoenix.gov
council.district.5@phoenix.gov
council.district.1@phoenix.gov
council.district.2@phoenix.gov
council.district.3@phoenix.gov
council.district.4@phoenix.gov
council.district.6@phoenix.gov
council.district.7@phoenix.gov
council.district.8@phoenix.gov

Subject: Petition to the Mayor and City Council of the City of Phoenix
for Comprehensive Water Supply Evaluation Prior to Proceeding with
City of Phoenix (COP) Drought Pipeline Project

Honorable Mayor Gallego and City Council Members:

Pursuant to Chapter 4, Section 22 of the Phoenix City Charter, this petition is submitted by the
undersigned, in our individual capacities as citizens of Phoenix. We also submit this petition on
behalf of residents and homeowners in the Biltmore Highlands, Madison Heights, and Granada
Park Neighborhoods, regarding the COP plan to install a 66-inch transmission main and a 48-
inch transmission main through the Phoenix Mountain Preserve and nearby neighborhoods,
starting at the 24th Street Water Treatment Plant (WTP) and continuing to 32nd Street and Bell
Road. This plan has also, at times, been referred to as the “Drought Pipeline Project.”

The COP Water Services Department (WSD) Drought Pipeline Project will cause major traffic
disruptions and health and safety risks to neighborhoods and schools, potentially damage home
structures, reduce home values, and forever scar the Phoenix Mountain Preserve, all at an
enormous and possibly unnecessary expense to City taxpayers.

In order to gain council support for the project, the WSD has marketed the pipeline as an
emergency, necessary to address near-term drought impacts to Phoenix water supplies,
particularly in the north Phoenix area. However, as discussed below in more detail, the City is
well-positioned to withstand reductions in its water supply resulting from drought. The pipeline
is unnecessary to address near-term potential drought impacts to the north Phoenix area and is
certainly not an emergency. It is a costly project, rushed to eliminate community input and an
evaluation of risks to community health and safety, and is likely underestimated at a cost of $300
million to the public.

Our Petition. We respectfully request that the City Council fulfill its duty to protect the voters,
taxpayers, and residents of this City from unnecessary costs, from the rushed and possibly ill-
planned and unnecessary “Drought Pipeline Project.” We request that the City Council:
1. Direct the WSD to halt work on the planning, design, and construction of the 66-inch and 48-inch diameter pipelines. Require the WSD to engage in a public study of the water needs of the north Phoenix area during drought.

2. Require the WSD to further develop water conservation within the City and estimate the amount of water use that can be reduced via existing and/or additional water conservation programs.

3. Direct the WSD to evaluate all reasonable options for the safest, most cost-effective method, that meets city engineering standards, to deliver water to North Phoenix if additional water is needed there. Some of the options that should be evaluated are:
   - drilling of water production wells within or closer to North Phoenix;
   - construction of a water treatment plant in North Phoenix or expansion of the Union Hills or Deer Valley water treatment plants (WTPs);
   - water exchanges with other cities; and
   - construction of a water transmission line from the 24th Street WTP, Union Hills WTP, and/or Deer Valley WTP.

4. If water supply needs justify a transmission pipeline project, we request the City Council direct the WSD to engage in a thorough study of alternative alignments that are consistent with engineering design standards for water supply systems (COP, 2017).
   - Alignment alternatives for a pipeline project of this size should necessarily be evaluated for criteria such as: worker and community health and safety; structural impacts to nearby buildings and infrastructure; realistic excavation costs including excavation of bedrock; historical, cultural, architectural, and archeological impacts; and environmental protection.
   - Alignment alternatives should utilize major collector streets or arterial streets with a minimum easement width of 80 feet (and not local or minor residential collector streets with widths less than 80 feet) as outlined in the City Design Standards for Water and Wastewater Systems. (COP, 2017)

**Construction of the Water Pipeline Is Not an Emergency or Necessary to Address Near-term Drought Conditions or Central Arizona Project (CAP) Water Restrictions**

The WSD has marketed the proposed pipeline project as being an emergency and necessary to address drought and potential water restrictions. This is not true. With the exception of a need to construct additional wells in the north Phoenix area to facilitate recovery of stored CAP water, the COP is well-positioned to address any shortages to City water supplies that might result from future drought and reduced water supplies on the Colorado River or the Salt River system.

Currently, the primary water supply for the north Phoenix area is CAP water delivered from water treatment facilities in that region of the City. As a renewable water supply delivered from the Colorado River, CAP water supplies are subject to potential reductions if shortages are declared on the Colorado River. Fortunately, by virtue of the high priority of its CAP water, the availability of water from the Arizona Water Banking Authority during drought, and proactive...
drought planning already put in place by the City to bolster CAP, the north Phoenix area is unlikely to be significantly impacted by drought.

First, the City’s CAP water supplies are unlikely to experience significant reductions except in the case of severe water shortages on the Colorado River. Priority to water within the CAP system is based on the purpose of use. CAP allocations for “Municipal” purposes, such as the City’s allocation, share the highest priority to water in the system with “Indian” priority CAP water. In the event of shortages in CAP water supplies, water supplies for lower priority CAP allocations for “Excess CAP Water” and “Non-Indian Agricultural” priority CAP water will be reduced before Municipal and Indian priority CAP allocations. As a result, the City’s CAP water supplies are some of the last to be reduced in times of shortage (AWBA, 2019a).

Second, in the event that the City’s CAP water supplies are reduced, the City is entitled to have those water supplies replaced with CAP water previously stored underground by the Arizona Water Banking Authority (AWBA). This replacement of water supplies during a shortage is called “firming.” While the mechanics of the recovery and delivery of those firmed water supplies must still be worked out among the AWBA, the CAP and the COP, the AWBA water supplies will help to fill any gap in CAP water supplies resulting from Colorado River shortages (AWBA, 2019b).

Third, the City has successfully planned for drought through the storage of available CAP water not needed for delivery to customers and through innovative agreements with other water interests. For example, the City has entered into an agreement with the City of Tucson to store the City’s CAP water supplies. In times of shortage, the City’s agreement allows it to request Tucson to recover the stored water in exchange for the City taking delivery of Tucson’s CAP water. Furthermore, the City has stored over 290,000 acre-feet of its CAP water underground in the Phoenix area and an additional 43,000 acre-feet stored in the Tucson area. If the City installed adequate well infrastructure in the north Phoenix area and/or it partnered with other entities to accept stored water credits in exchange for “wet” CAP water (similar to the Tucson deal), it could utilize those stored water supplies to provide water to the north Phoenix area without the expense and destruction of the proposed pipeline project. Moreover, if the City were to construct storage and recovery injection wells in the north Phoenix area, it could minimize potential impacts from stored water recovery in that region (LBDPC, 2019).

Fourth, the City is not yet fully utilizing its CAP water supplies. In 2018, the City stored “about 58,000 acre-feet, or just under one-third of its annual CAP allocation, underground.” This water banking is “done by actively injecting water through wells and into aquifers underground. Phoenix owns several such wells in the northern part of the city.” (Whitman, 2018) Although the City’s storage activities are important for future planning, these 58,000 acre-feet represent reductions in City water supplies (by approximately 33%) that could occur without any impact to City water customers or imposition of water use restrictions.

Lastly, the WSD has failed to study what water savings and drought protection could be provided through imposition of stronger water conservation and water use restrictions in times of shortage. It is shameful that the City Council would impose a $300 million infrastructure project on City
taxpayers and allow destruction of the Phoenix Mountain Preserve before requiring the WSD to study what water savings could be gained through water conservation efforts.

In summary, there are clearly alternatives to the proposed pipeline available to address water supply and drought concerns in the north Phoenix area. Before allowing further taxpayer dollars to be wasted on the proposed pipeline project, the City Council should require the WSD to prepare a study explaining why the above measures would be inadequate to address drought impacts. Without that study and explanation, the City Council cannot justify the proposed pipeline projected as being a necessary and appropriate expense to taxpayers or to negatively impacting existing neighborhoods and the Phoenix Mountain Preserve.

Sincerely,

Katherine Roxlo
7506 N. 22nd Place
Phoenix, AZ 85020

Sharon McKenna
2225 East Lawrence Rd.
Phoenix, AZ 85016

cc: Arizona Republic
Goldwater Institute
Representative Aaron Lieberman
Kathryn Sorensen, Director of Phoenix Water Services Department;
kathryn.sorensen@phoenix.gov

References


Arizona Water Banking Authority (AWBA), 2019b, CAP M&I Firming.
https://waterbank.az.gov/objectives/cap-mi-firming


Attachment C

Petition to Mayor and Phoenix City Council
For Five Actions, December 18, 2019

Mayor Kate Gallego;
Vice Mayor Betty Guardado;
Council Member Thelda Williams;
Council Member Jim Waring;
Council Member Debra Stark;
Council Member Laura Pastor;
Council Member Sal DiCiccio;
Council Member Michael Nowakowski;
Council Member Carlos Garcia;

mayor.gallego@phoenix.gov
council.district.1@phoenix.gov

Subject: Petition to the Mayor and City Council of the City of Phoenix (COP)
For Five Actions Regarding the COP Drought Pipeline Project

Honorable Mayor Gallego and City Council Members:

Pursuant to Chapter 4, Section 22 of the Phoenix City Charter, this petition is submitted by the undersigned, in their individual capacities as citizens of Phoenix. They also submit this petition on behalf of residents and homeowners in and around the Biltmore Highlands, Madison Heights Elementary School, and Granada Park, regarding the COP plan to install a 66-inch water transmission main and a 48-inch water transmission main through the Phoenix Mountain Preserve and nearby neighborhoods, starting at the 24th Street Water Treatment Plant (WTP) and continuing to 32nd Street and Bell Road. This plan is also, at times, referred to as the “Drought Pipeline Project.”

The COP Water Services Department (WSD) Drought Pipeline Project will cause major traffic disruptions, create health and safety risks to neighborhoods and schools, potentially damage home structures, reduce home values, and forever scar the Phoenix Mountain Preserve, all at a high and possibly unnecessary expense to City taxpayers.

In order to justify construction of this pipeline in residential neighborhoods and the Phoenix Mountain Preserve, the WSD relied on an inadequate alignment study that did not include or adequately evaluate criteria such as community input, community health and safety, structural damage to nearby buildings and infrastructure, costs to excavate bed rock, and environmental impacts. Furthermore, the alignment study did not follow the City design codes for water and wastewater transmission main lines (COP, 2017). Additionally, the project design is likely underestimated at a cost of $300 million to the public.

Our Petition. We respectfully request that the City Council fulfill its duty to protect the voters, taxpayers and residents of this City from unacceptable costs and health and safety risks associated with the so-called “Drought Pipeline Project.” To that end, we specifically request that the City Council:

1. Halt all activities related to the development and construction of the currently planned 48-inch and 66-inch water transmission pipelines until a new, adequate alignment study is conducted.

2. Allow for meaningful citizen input into the design of the pipeline as outlined in CGP WSD values to its citizens (COP, 2019)
3. Meet with land owners and organizations that control right-of-way (ROW) easements (e.g., SRP, ADOT, BLM, APS) that could be used for the pipelines routes that meet the city engineering code.

4. Conduct a new, adequate alignment study. As part of the alignment study, the WSD should develop a decision matrix that fairly analyzes 3 or more alignments that meet City engineering standards, and health, safety, and engineering concerns that are typically included in an alignment study for a project of this size.

5. Place the future 48-inch and 66-inch water transmission main pipelines alignments on the general city council agenda so that all council members vote on the alignment before the project moves forward.

**Construction of the Water Pipeline Is Not an Emergency, Nor Is It Necessary to Address Drought Conditions or Central Arizona Project (CAP) Water Restrictions**

In order to forego typical City project review and approval processes, the City Council and WSD have deemed the proposed pipeline project an emergency and necessary to address imminent drought and potential water restrictions. This is not true. With the exception of a need to construct additional wells in the north Phoenix area to facilitate recovery of stored CAP water, the COP is well-positioned to address any shortages to City water supplies that might result from future drought and reduced water supplies on the Colorado River or the Salt River system. Because of proactive drought planning already put in place by the City, the north Phoenix area is unlikely to be significantly impacted by drought. Furthermore, CAP allocations for municipal purposes (e.g., COP) share the highest priority for water along with Indian water rights. As a result, the COP CAP water supplies will be some of the last to be reduced in times of shortage (AWBA, 2019a).

Additionally, if CAP water supplies are reduced, COP has water supplies previously stored underground that it can use to replace CAP water (AWBA, 2019a and b). It has been estimated that the city has stored over 290,000 acre-feet of its CAP water underground in the Phoenix area (ADWR, 2019) and an additional 43,000 acre-feet stored in the Tucson area (UA, 2015). If the City installed adequate well infrastructure in the north Phoenix area, it could utilize stored water supplies to provide water to the north Phoenix area without the expense and destruction of the proposed pipeline project. Furthermore, the COP is not yet fully utilizing its CAP water. In 2018, the COP stored “about 58,000 acre-feet, or just under one-third of its annual CAP allocation, underground (Whitman, 2018).” These 58,000 acre-feet represent a CAP water reduction that COP could receive without any impact to City water customers or imposition of water use restrictions. While it is admirable for the COP to continue its forward thinking and planning for water supply and flexibility in delivery, it is inappropriate for the City Council to impose a $300 million infrastructure project on City taxpayers and allow destruction of the Phoenix Mountain Preserve before requiring the WSD to adequately study the need for, and the best alignment to meet engineering standards for, a “Drought Pipeline Project” based on the assertion of an “emergency.”

**The Current Pipeline Alignment Study Is Flawed**

The pipeline alignment study prepared for COP by Project Engineering Consultants, Ltd. (May 2018) appears generic and materially deficient in several regards. In particular, the study veers away from city values and smart engineering practices toward the lowest (perhaps mis-calculated) direct cost.
1. The standard of the industry for a project of this size is to analyze three feasible alignments with significantly different variations. This study only evaluated two alternatives (PEC, 2018).

2. The COP design manual (2017) states that “The City has made a commitment to early citizen notification and involvement. The goal of identifying neighborhood concerns has a high priority to include community input.” Residents who live in and around Granada Park, Madison Heights Elementary School, and Biltmore Highlands neighborhood were only informed of the subject project in a notification meeting October 24, 2019. No formal method of community input has been allowed. Community input should be allowed and incorporated into an alignment study.

3. There are significant differences in the two alignments studied that are not incorporated into the decision matrix. Specifically, Alternative 1 (not selected) would utilize 4-lane main city streets with through traffic. Alternative 2 (selected) would utilize 2-lane residential streets, our protected mountain preserve, and construction of a tunnel.
   a. The decision matrix is excessively weighted on cost. Factors related to community safety, elementary schools, environmental sustainability, or community input were not included.
   b. The awarding of points in the matrix seems arbitrary and biased. For example, Alignment 2 is 16% shorter but assigned 10 times as many points for this. Similarly, Alignment 2 costs are 12% less but was assigned 2 times as many points for this. Adjustment of these two items alone to reflect the proportionate differences would result in a reversal of the preferred alignment.
   c. Unlike Alignment 1 streets, the streets in and around Granada Park, Madison Heights Elementary School, and Biltmore Highlands neighborhood have limited ingress and egress via 20th Street and 22nd Street. Hundreds of properties will be negatively impacted by the choking of roads from construction, not just those immediately adjacent to the construction. The study only considered homes adjacent to the pathway.
   d. Tunnel construction logistics, duration, and public safety are insufficiently factored into the analysis. Construction along main roads as envisioned in Alternative 1, only detrimentally impact businesses and homes when the construction is immediately adjacent to their property; construction equipment will move on down the road. However, tunnel construction will result in heavy equipment and dump trucks continually flowing in and out of impacted neighborhoods for months or years as the tunnel is being constructed.

4. The standard of the industry for a project of this size is to evaluate any potential impacts to, and to protect, the environment and cultural, archaeological, and historical property. It is unclear if the current alignment study for this project adequately did so. (PEC, 2018; COP, 2017)

5. Additionally, alignment alternatives for a water transmission main pipeline project of this size should necessarily be evaluated for criteria such as worker and community safety, and structural impacts to nearby structures and infrastructure. The risks to community safety
should include dust, noise, shaking, and emergency vehicle response times. Silica dust is a common hazard on construction sites; it can be released from drilling, blasting, tunneling, hauling, and earth moving, and can cause serious and irreversible lung disease and cancer (Work Safe BC, 2019)

6. A detailed geotechnical report was not prepared for the pipeline alignment study. Additional alignment costs are given for Alternative 2 bedrock excavation at an estimate of $100 per foot (PEC, 2018). This seems unreasonably low and higher excavation costs need to be included for excavation of bedrock. The study states “cemented alluvial material, bedrock and cobbles/boulders and other dense underlaying material will necessitate more aggressive excavation techniques up to and possibly including blasting.” It appears blasting may be needed for Alternative 2 and that those costs and risks are insufficiently considered in the analysis.

The Costs and Impacts of the Pipeline Project Have Not Been Adequately Studied

We believe that the proposed pipeline project will be one of the most expensive infrastructure projects in the City’s history. Yet, the WSD has engaged in little more than a desktop study of the costs and potential impacts of the project. At an estimated cost of approximately $300 million, the City Council owes it to the taxpayers of this City to require an in-depth study of the costs and impacts of the project, including a meaningful study of potential alternative alignments and mitigation measures that minimize impacts to neighborhoods and the Phoenix Mountain Preserve.

The study (PEC, 2018) failed to analyze obvious potential impacts from the project important to the City Council’s informed consideration. For example, the study expressly admits that the City’s contractors did not study potential traffic impacts to local neighborhoods affected by the proposed alignment, notwithstanding the fact that the proposed alignment abuts an elementary school with busy morning and afternoon traffic and would severely restrict the only access point to 335 homes north of Glendale Avenue (Sickafoose, 2019).

The study further failed to consider health and safety impacts to Phoenix neighborhoods, including potential delayed response time for emergency vehicles (police and fire) and their access for impacted neighborhoods, and potential health impacts from the project (e.g., dust and noise pollution; mercury in dust (ADMMR, 2003). In addition, the study lacks any analysis of the structural risks to buildings and infrastructure in the area due to the geology of the neighborhoods. Many houses, swimming pools, and utilities lie only a few feet above bedrock, and the City should anticipate accompanying litigation and compensation costs that will be incurred for damage to homes adjacent to construction areas, particularly if blasting is required.

Additionally, the COP design manual (2017) states that the “WSD requires safe and quick access to all City water and sewer mains at all times in order to repair main breaks, install taps, and perform preventive maintenance.” The current design in narrow residential streets and the Phoenix Mountain Preserve will not allow for easy access without creating an additional disturbance to the preserve and/or limiting access to residences that have only one access road. The current alignment study did not take these factors into consideration.
All of these issues need to be more adequately analyzed before the City Council authorizes the WSD to proceed with this alignment. If these impacts are properly taken into consideration, the true costs of the project will likely exceed the $300 million estimate provided by the WSD’s contractors.

**The Currently Proposed Alignment does not meet COP Engineering Standards for a Water Main Transmission Pipeline**

City water transmission main pipelines that are 48 inches and 66 inches in diameter should utilize collector streets or arterial streets with a minimum easement width of 80 feet and not local or minor residential collector streets with widths less than 80 feet. Minimum easement widths for water mains greater than 30 inches are specified as 80 feet in the City Design Manual (COP, 2017). Construction of a 66-inch and a 48-inch water main pipeline is not appropriate in residential collector streets like those proposed for this project. Most streets in the proposed pipeline path have a width of 38 feet with easements of 6 feet either side (Smith, 2019). A street of this size (38 feet wide), according to the City design manual is suitable only for a 12-inch diameter water main pipeline (COP, 2017).

The WSD Design manual states that “City Code chapters 28 and 37 (for water and sewer) cannot be waived and only the WSD’s Representative has the authority to interpret the Code (COP, 2017).” Use of this waiver clause for this project because of “emergency” or “cost savings” reasons seems inappropriate, unethical, and perhaps negligent.

**Why do we oppose the current alignment?** The risks to a residential area are profound compared to the risks to a major street as is typically used for a main water transmission pipeline of any size. We, the undersigned, and our neighbors do not want you to simply divert this pipeline to another residential area. We ask that you reconsider your selection criteria and modify the pathway to a safe and secure location with minimal risk to the health and safety of residents and the environment.

**How can we design it better?** Three rights-of-way (ROWs) are located within 600 feet of the entire pipeline path. These ROWs were dismissed because they would require complex discussions with SRP, BLM, and/or ADOT. APS also has utility areas near the proposed pipeline path. We know it is possible to obtain non-revocable permits from these entities if properly pursued, possibly for the entire pipeline pathway. The pipelines need not go in any street. If the pipeline must go in a street, the City should evaluate the 16th Street or other collector, arterial, or freeways in the area.

There are other costs to a community besides the dollar cost of a water bill. There are costs associated with human health and safety, risks to health from dust, noise, heavy traffic, and vibration stress on old homes from heavy equipment. These risks to health and safety and homes are not as profound on a major street as they are on a residential road. (An example is that Lincoln Road has been under construction for a year. It slows the traffic but it never stops and people can take alternate routes. A small neighborhood has no alternative route.)

The number of people impacted directly by Alternative 2 may be less but the impacts on them are more profound. And people whose only egress and ingress to their home is 22nd Street (people who live in the approximately 335 residences) have not been counted.
There are clearly alternatives to the proposed pipeline available to address water supply and drought concerns in the north Phoenix area. Before allowing further taxpayer dollars to be mis-spent on the proposed pipeline project, the City Council should take action as requested in this petition.

Sincerely,

Katherine Roxlo
7506 N 22nd Place
Phoenix, AZ 85020

cc: Arizona Republic
Goldwater Institute
Representative Aaron Lieberman
Kathryn Sorensen, Director, Phoenix Water Services Department;
kathryn.sorensen@phoenix.gov

References


Project Engineering Consultants, Ltd. (PEC), 2018, Pipeline Alignment Study, 24th Street WTP to 32nd Street and Bell Road, City of Phoenix Water Services Department, Project No WS85100047-2.

Sickafoose, John, 2019, email to COP Mayor and City Council. Dec 5.

Smith, Robert, 2019, Personal communication between Katherine Roxlo and Robert Smith concerning typical easements of 6 feet either side of streets in the Biltmore Highlands area based on his experience. December 17.


From: sandrakane08@gmail.com
Sent: Tuesday, December 3, 2019 4:08 PM
To: CITY CLERK DEPT.
Subject: Water Services Pipeline Project Alignment thru Madison Heights Neighborhood and Phoenix Mountain Preserve

Dear Mayor Gallego and City Council Members,

My name is Sandra Kane and I have lived in the Madison Heights neighborhood north of Lincoln Dr. since 1984. Our neighborhood of approximately 500 homes is land-locked because we are surrounded by State Route 51 on the west, the Phoenix Mountain Preserve on the north and east, and Lincoln Dr. on the south. The only way for me and many of my neighbors to enter or leave the neighborhood by car is to take N. 22nd Street, a two-lane street which runs in front of Madison Heights Elementary School, crosses two mountain washes, and has a major incline from E. Orangewood Ave. up to the Phoenix Mountain Preserve.

In mid-October, I learned for the first time that the City Water Services Dept. plans to construct a 66” water pipeline north of Lincoln Dr. along N. 22nd Street and across 14 acres of the Phoenix Mountain Preserve. I also learned that a new 48” water pipe will be installed along N. 20th Street. Our home is between 20th Street and 22nd Street so we will be affected on both sides. The neighborhood has very hard, rocky soil with large boulders. I am aware that because of the rocky soil, blasting needed to be used to dig swimming pools during the development of the neighborhood. It will be difficult and time-consuming to drill through the rocky soil to install a 66” pipeline.

Along with approximately 300 neighbors, my husband and I attended a meeting with the Water Services Dept. at Madison Heights Elementary School on October 24. We learned that the first phase of construction would start in January 2020 and no change in alignment would be entertained. In fact, the Water Dept. speakers refused to allow neighborhood attendees to ask questions during the main presentation, requiring them to break up into small groups at the back of the room afterwards for questions. At that time, no one from the Water Dept. seemed to care about neighborhood concerns or to consider changing the project alignment to minimize the impact on our neighborhood or the Preserve. They acted like the project was a “done deal.”

While the need to bring surface water to North Phoenix is understandable, the impact on our neighborhood and the Phoenix Mountain Preserve is huge. 22nd Street is heavily used -- children walk to and from school along 22nd Street; parents drop off and pick up their children from school; people walk to and from bus stops on Lincoln and 22nd Street; people drive cars to get to and from work, shopping, doctor appointments, etc.; people back out of and enter into their driveways on homes along 22nd St.; people walk, bike, and run on 22nd Street; children use 22nd St. to get to the schoolyard to play; and emergency, construction, repair, and delivery vehicles use 22nd Street to access homes in the area. Not only is 22nd Street very busy, it is not wide enough to permit cars to travel in both directions with a large hole being dug down the middle. When the City or utility companies work on 22nd Street, the need to direct traffic, and cars must wait for traffic from the opposite direction to clear before they can proceed. That will surely be the case with this project. Large construction vehicles working along 22nd Street will present further obstacles; and a large hole will present safety issues especially for neighborhood children. The noise, dust and vibration from the drilling will impact everyone, including children trying to learn in classes and playing in the schoolyard, and residents trying to enjoy their homes. The neighborhood has already experienced several water line breaks from old pipes.

The vibration from intensive drilling will undoubtedly affect aging pipes, homes, and infrastructure which will be costly to remedy.
I am also deeply concerned about the impact on use, enjoyment and biodiversity of the Preserve. The Preserve is a special place enjoyed by city residents and visitors and an animal habitat and ecosystem. People moved into and invested in the neighborhood surrounding the Preserve with the understanding that the Preserve had special legal protection from development. If this project is allowed to proceed without express authorization by the City Council after a determination of necessity based on careful consideration of all alternatives, as required by the Charter, then nothing in the Preserve will be safe from development and an important piece of Arizona’s heritage will be lost.

With all the expertise at the City and the involvement of the community, surely an easier, less intrusive way to install the pipeline can be found, without an adverse effect on our neighborhood or the Preserve. There are areas alongside the 51 that can be considered. Please put this matter on the agenda and halt the imminent construction to allow community input, consider feasible alternatives, and achieve the best outcome for Phoenix.

Respectfully,
Sandra Kane

Submitted by Sandra Kane in her individual capacity as a citizen of Phoenix this 18th day of December 2019.

By Sandra Kane
2023 E Bardevia Ave
Phoenix, AZ 85020
Attachment F - Lake Mead End-of-December Projected Elevations from August 2019 CRSS (Updated December 2019*) Using the Stress Test Hydrology and Plausible Future Elevation with 2000-2006 Hydrology**

*The December 2019 update includes corrections made to the original August 2019 results.

**Stress Test Hydrology uses 30 hydrologic inflow sequences based on resampling of the observed natural flow record form 1988-2017.
## Attachment G

### Public Outreach Summary

<table>
<thead>
<tr>
<th>Project/Topic:</th>
<th>Drought Pipeline Project</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Presentations/Council Action:</strong></td>
<td></td>
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<tr>
<td>November 2017: Phoenix Sonoran Parks/Preserve and Mountain Parks/Preserve Committee</td>
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<tr>
<td>October 3, 2018: Program Manager contract presented and adopted by the City Council</td>
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<tr>
<td>December 5, 2018: Individual design and construction contracts presented and adopted by the City Council</td>
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<tr>
<td>September 16, 2019: Phoenix Sonoran Parks/Preserve and Mountain Parks/Preserve Committee</td>
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<tr>
<td>October 2, 2019: City of Phoenix Transportation, Infrastructure &amp; Innovation Subcommittee</td>
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<td>October 7, 2019: Phoenix Mountains Preservation Council</td>
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<tr>
<td>October 24, 2019: Public Meeting at Madison Elementary School <strong>Approximately 350 people in attendance</strong></td>
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<td>October 24, 2019: City of Phoenix Parks &amp; Recreation Board</td>
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<td>October 25, 2019: District 1 Breakfast Meeting/Presentation</td>
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<tr>
<td>January 28, 2020: North Phoenix Chamber of Commerce Presentation</td>
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<tr>
<td>February 4, 2020: Open House Holy Trinity Greek Orthodox Cathedral</td>
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### 1) Community Notifications

#### A. Public Meeting Invitations Mailed
- 923 meeting invitations
  
  *Mailed to residents and businesses in the area of south of the preserve on October 3rd and hit mailboxes the week of October 7th.*

#### B. Door hangers
- 923 doors – *Door hangers are being hung 10/18/19*

#### C. Signage
- Granada Parks – *Week of 10/14/19*
- Preserve Major Access Points

#### D. Flyer distribution
- Public Meeting Invitation Flyers and Facts Sheets to District 1, 2, 3, 6
- 10/4/19 - Public Meeting Invitations and Project Fact Sheets were hand-delivered to affected District offices.
E. Faith-based institutions
- Week of 10/14/19 - Personal visits to churches to provide invitation to community meeting 10/24/19 and followed up with an email reminder and attached the meeting notice.
  - Holy Trinity Greek Orthodox Cathedral – Diana Camacho
  - Holy Trinity Academy (located at Holy Trinity Greek Orthodox Cathedral)
  - Lincoln Heights Christian Church
  - Chabad-Lubavich of Arizona – Rabi Levatoth
  - Soka Gakkai International – Itsuimi Nkamura

F. Schools
- Madison School District
  - 5/23/19 – Meeting with Director for Maintenance & Transportation
  - 7/25/19 – Meeting with Principal & Director for Maintenance & Transportation
  - 10/15/19 – Meeting with Principal
  - 12/10/19 – Meeting with Madison Transportation Staff Re: Traffic Control
- Paradise Valley Unified School District
  - 7/9/19 – Meeting with Director of Facilities and Construction, Supervisor of Construction & Supervisor of Facilities for Paradise Valley Unified School District
- Mercury Mine Elementary School
  - 9/24/19 – Meeting with Principal & Transportation Coordinator
  - 12/05/19 - Mercury Mine Elementary School
- Little Big Minds Preschool (located at Holy Trinity Greek Orthodox Cathedral)

G. Businesses (Personal visits to businesses South of Preserve to provide invitation to community meeting 10/24/19).
- National Bank of Arizona
  - Daphne Wims - Corporate Properties
- National Bank of Arizona
  - Michael Arsola - Personal Banker
- Charles Schwab
  - Bryan W. Momsen - VP Financial Consultant
- DLR Group
  - Christian Holguin, Administrative Assistant
- McCarthy
  - Sheree Scoppa, Executive Assistant
- William Mestaz, Commercial Trial Boutique
  - Daryl M. Williams

H. Community Events – Partner with City Council, City Departments, Community Groups
- 10/5/19 - G.A.I.N. Kick-off Public Meeting Invitation Flyers and Facts Sheets
  - NSD table
- Madison Heights Fall Festival – October 25, 2019
  - WSD had a booth with Project Information & Water Education Information
- G.A.I.N. November 2, 2019 – Mercury Mine Park
  - WSD had a table with Project Information & Water Education Information
  - 11/4/19: We had 25-30 people ask questions, 98% of the questions were about the bike path closure and trail access; 2% was about 32nd Street & Shea traffic, future community meetings, community input.
I. Social Media
- Water Department Website
  - Meeting Notice & Fact Sheet Posted 8/14/19, Updated Fact Sheet 10/18/19
  - PHX City Calendar 8/15/19
  - City of Phoenix Press Release TBD
  - Instagram TBD
  - Twitter TBD
  - Next Door 10/18/19
  - City of Phoenix Capital Improvement Website 12/10/2019
  - Unveiling New [www.phoenix.gov/droughtpipe](http://www.phoenix.gov/droughtpipe) website TBD

J. City of Phoenix Departments
- City Council District 1, 2, 3, 6
  City Council Formal Meeting Oct. 3, 2018 – Program Manager contract presented and adopted by the City Council
  City Council Formal Meeting December 5, 2018 – Adopted Improvement Program for Preconstruction Services: Remote Facilities Booster Pump Stations, Water Treatment Plant Booster Pump Stations, Water Transmission Main Construction.

  September 2019 – District 1 WSD Update Sheet
  October 2019 – District 1 WSD Update Sheet
  October 2019 – District 2 WSD Update Sheet
  September 2019 – District 3 WSD Update Sheet
  October 2019 – District 3 WSD Update Sheet
  September 2019 – District 6 WSD Update Sheet
  October 2019 – District 6 WSD Update Sheet

  October 4 & 11, 18 - 2019 – Councilwoman Thelda Williams E-Newsletter

  10/4/19 - Hand-Delivered Public Meeting Invitations and Project Fact Sheets to District 1,2,3,6.
  10/4/19 - Emailed Public Meeting Invitations and Project Fact Sheets to District 1,2,3,6.
  10/18/19 – Hand-Delivered Updated Drought Pipeline Fact Sheets for G.A.I.N. Events District 1,2,3,6.

- Neighborhood Services Department
  10/4/19 - Public Meeting Invitations and Project Fact Sheets were sent via email to NSD Director, Neighborhood Specialists & Economic Development Manager.

- Parks & Recreation Department
  - 9/4/19 – Meeting with Parks Director, North Division Deputy & Natural Resources Division Deputy
  - 10/4/19 – Parks & Recreation printed poster size and them at major access points in the Preserve

- Water Services Department
  - Customer Service Center – BRAINS Message

- Phoenix Fire Department
  Coordinating Traffic for emergency vehicles

- Phoenix Police Department
  Coordinating Traffic for emergency vehicles

K. In-Person Residents Meetings
- 10/15/2019 – Met with Mr. Ed Blunden, walked the neighborhood. Mr. Blunden suggested possible routes.
- 10/15/2019 – Met with Mrs. Jeannie Swindle at Mountain Preserve to discuss project and answer questions.
- 10/15/2019 – Met with Mr. Geoff Reed at Mountain Preserve to discuss project and answer questions.
- 10/15/2019 – Met with Ms. Linda Sheppard at Mountain Preserve to answer questions and explain the importance of the project.
11/06/2019 – Meeting with Councilman DiCiccio and a group of residents regarding their concerns and impact to their community and homes during construction of the project.

12/27/2019 – Walked Proposed Pipeline with Councilwoman Debra Stark, Deputy City Manager Karen Peters, Water Services Drought Pipeline Project Manager Clayton Freed, and a group of residents to listen to their concerns, suggestions and answer questions regarding the project.

L. Central Creative – Outside Consultant
- Drought Pipeline Project Weekly Meetings
  - Review & Revise Mailers, Door Hangers
  - Creating Canvassing Protocol
  - Open House