NOTICE OF PUBLIC MEETING
PHOENIX CITY COUNCIL
NEIGHBORHOODS, HOUSING AND DEVELOPMENT SUBCOMMITTEE

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of the **PHOENIX CITY COUNCIL NEIGHBORHOODS, HOUSING AND DEVELOPMENT SUBCOMMITTEE** and to the general public, that the **PHOENIX CITY COUNCIL NEIGHBORHOODS, HOUSING AND DEVELOPMENT SUBCOMMITTEE** will hold a meeting open to the public on **Tuesday, January 20, 2015 at 10:00 a.m. located at Phoenix City Hall, 1st Floor Atrium, Assembly Rooms A, B, & C, 200 West Washington Street, Phoenix, Arizona.**

One or more Subcommittee members may participate via teleconference.

The agenda for the meeting is as follows (items may be discussed in a different sequence than posted):

1.	**Call to Order**	Kate Gallego, Chair
2.	**Review and Approval of the December 16, 2014 Neighborhoods, Housing and Development Subcommittee Meeting Minutes**	Page 3
Item 3 is for Consent Action. No presentation is planned; however staff will be available to answer questions.		
3.	**Fair Housing Education and Outreach Services – Professional Services Contract (RFP EOD 15-002** This report requests the Neighborhoods, Housing and Development Subcommittee recommend City Council approval of the results of a Request for Proposals for a service provider to implement the Fair Housing Education and Outreach Services grant the City of Phoenix received from the U.S. Department of Housing and Urban Development in October 2013. **This item is for consent.**	Alisa Blanford, Equal Opportunity Page 11
Items 4 and 5 are for information, discussion and possible action.		
4.	**Blight Lien Ad Hoc Committee Recommendations and Foreclosure Pilot Program** This report requests the Neighborhoods, Housing and Development Subcommittee recommend City Council approval of the Blight Lien Ad Hoc Committee recommendations including the creation of a pilot program to foreclose vacant properties with unpaid abatement liens. **This item is for information, discussion and possible action.**	Chris Hallett, Neighborhood Services Page 13

5.	**Neighborhood Preservation Ordinance Amendments** This report requests the Neighborhoods, Housing and Development Subcommittee recommend City Council approval of Neighborhood Preservation Ordinance amendments. **This item is for information, discussion and possible action.**	Chris Hallett, Neighborhood Services Page 17
Item 6 is for information and discussion.		
6.	**Neighborhood College Update** This report provides an update to the Neighborhoods, Housing and Development Subcommittee regarding Neighborhood College. **This item is for information and discussion.**	Chris Hallett, Neighborhood Services Page 23
7.	**Future Agenda Items:** This item is scheduled to give Subcommittee members an opportunity to mention possible topics for future Subcommittee agendas or to request City staff to follow-up on Subcommittee issues.	Kate Gallego, Chair
8.	**Call to the Public:** Consideration, discussion and comments from the public; those wishing to address the Subcommittee need not request permission in advance. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.	Kate Gallego, Chair
9.	**Adjournment**	Kate Gallego, Chair

For further information, please call Rita Marko, Management Assistant, City Manager's Office, at 602-262-7684 or Gabriel Morales at 602-534-9222.

Persons paid to lobby on behalf of persons or organizations other than themselves shall 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 602-262-6811.

For reasonable accommodations, call Rita Marko at Voice/602-262-7684 or TTY/602-534-5500, or Gabriel Morales at 602-534-9222 as early as possible to coordinate needed arrangements.

Subcommittee Members

Councilman Sal DiCiccio
Councilman Daniel Valenzuela
Councilwoman Laura Pastor
Councilwoman Kate Gallego, Chair

January 15, 2015

Phoenix City Council
Neighborhoods, Housing and Development Subcommittee
Summary Minutes
Tuesday, December 16, 2014

1st Floor Atrium
Assembly Rooms A, B, and C
200 West Washington Street
Phoenix, Arizona

Subcommittee Members Present
Councilwoman Kate Gallego, Chair
Councilwoman Laura Pastor
Councilman Daniel Valenzuela

Subcommittee Members Absent
Councilman Sal DiCiccio

Staff Present	Staff Present	Public Present	Public Present
Will Emerson	Christy Blake	Paul Jordan	Dave Hepburn
Cindy Stotler	Rachel Milre	Jake Hymn	Craig Tribken
Chris Hallett	Erynn Crowley	Mary Kurth	
Kweilin Waller	Jesse Garcia	Marc Sher	
Karl Matzinger	Penny Parella	Bill Scheel	
Erika Finbraaten	Deanna Jonovich	Sheila Harris	
Riann Balch	Rita Marko	Daniel Gotry	
Libby Bissa	Michelle Dodds	Wayne Tormala	
Elizabeth Morales	Gabriel Morales	Brad Bridwell	
Nicole Ayoola	Alan Stephenson	Brock Danielson	
Stephanie Komer	Titus Matthew	Nedra Halley	
	Tim Boling	Kewith Andziewkz	

1. **Call to Order**
   Chairwoman Gallego called the meeting to order at 9:10 a.m. with Councilwoman Pastor and Councilman Valenzuela present.

2. **Review and Approval of the October 21, 2014 Neighborhoods, Housing and Development Subcommittee Meeting Minutes**
   Councilman Valenzuela motioned to approve the minutes from the October 21, 2014 Neighborhood, Housing and Development Subcommittee meeting. Councilwoman Pastor seconded the motion, which passed 3-0.

3. **Homeless Initiatives Update June Through September 2014**

4. **Arizona NAHRO Awards**
   Items 3 and 4 were for information only.

5. **Retroactive Approval to Apply for and Accept a Cities of Service City Hall AmeriCorps VISTA Grant**

6. **Authorization to Issue Request for Proposals for Case Management Services at Watkins Emergency Shelter**

7. **Predevelopment Assistance/Design-Phase Assistance for Reinvent PHX Grant**

8. **Zoning Ordinance Text Amendment Z-TA-5-14 Regarding Lot Coverage**

9. **Foothills Village Management Strategy**

10. **30 West Corona Avenue Request for Proposals**

Councilman Valenzuela motioned to approve consent items 5 through 10. Councilwoman Pastor seconded the motion, which passed 3-0.

11. **Smoking in Phoenix Public Housing**

Housing Department Director Karl Matzinger introduced Housing Department Deputy Director William Emerson.

Mr. Matzinger stated that the Housing Department manages more than 1,600 public residences in Phoenix. He added that with the exception of the Hope VI projects, smoking is prohibited in the common areas but is allowed in residential units.

Mr. Matzinger stated that the Housing Department would like to implement a policy to prevent smoking within residences. He added that there are benefits to having a smoke-free residence, such as improved tenant health, reduced financial cost for maintenance, and the U.S. Department Housing and Urban Development (HUD) is encouraging public housing authorities to move to non-smoking residences.

Mr. Matzinger added that more than 5,000 housing authorities have moved to non-smoking policies.

Mr. Emerson stated that smoking is the leading cause of fires in City public housing, and it costs an average of 2.5 times more to prepare a house once it has been occupied by a smoker.

Mr. Emerson emphasized that he does not want smokers to feel that they are being discriminated against, because that is not the intent of the policy. He noted that a non-smoking policy is not a no-smoker policy. He stated that if City Council were to adopt the policy, all housing properties will be smoke free by June 2016.

Mr. Emerson added that the Housing Department will continue to assist with smoking education efforts. He added that the Housing Department will continue to work with smoker assistance organizations, such as the Arizona Chapter of the American Lung Association, Arizona Department of Health Service, Ashline and Smoke-free Arizona Living.

Mary Alba Kurth spoke on behalf of the American Lung Association and the Arizona Smoke-Free Living Coalition. Ms. Kurth commended the Housing Department and the Subcommittee for considering the transition to non-smoking public housing.

She stated that she would like to offer support and added that the Arizona Smoke-Free living coalition provides free services to communities as they adopt smoke-free rules. She added that the American Lung Association can help with educational talks with residents.

Wayne Tormala, the Chief of the Arizona Department of Health Services, is in favor of non-smoking public housing.

Councilwoman Pastor asked how the non-smoking policy will be enforced, and is there a penalty fee for not complying. Mr. Emerson stated that these policies tend to be self-enforcing. He added that when residents see people smoking, they will report it to the property managers. He noted that after three offenses, the resident will be issued a 30-day eviction notice. He added that the eviction notice can be appealed.

Councilwoman Pastor asked if any smoker cessation programs are offered. Mr. Emerson stated that staff is working with partner organizations to offer smoking cessation education.

Councilman Valenzuela stated that he is concerned with seniors who have mobility limitations and are accustomed to smoking in their residence. Mr. Emerson stated that these concerns were considered during the planning process for the policy. He added that the recommendation is not for a completely smoke-free campus. He noted that seniors will have the option to smoke on their balconies, as long as the door is closed, and staff's recommendation is to have designated smoking areas 25-feet from public entrances. Mr. Emerson added that cessation programs will be offered to seniors as well.

Councilman Valenzuela motioned to approve staff's recommendation. Councilwoman Pastor seconded the motion, which passed 3-0.

12. <u>Housing Choice Vouchers</u>

Housing Department Director Karl Matzinger introduced Housing Manager Elizabeth Morales.

Mr. Matzinger stated that the City's goal is to end chronic homelessness throughout the region by December 2016. He noted that the City of Phoenix was one of the first cities to end chronic homelessness for veterans. He added that the City is working to place women and children from the Watkins shelter in stabilized housing.

Mr. Matzinger noted that only 15 percent of the people on the street are considered chronically homeless. He added that this group uses 50 percent of homeless resources.

Mr. Matzinger stated that through the Veteran's Affairs Supportive Housing (VASH) voucher program, staff has learned that a "housing first" approach needs to be coupled with supportive service to maintain occupancy. Mr. Matzinger noted that with the VASH program, more than 92 percent placed in permanent housing were able to sustain housing one year after entering the program. He also noted that the FUSE Project took 13 homeless individuals who were the most frequent visitors to

St. Joseph's Hospital's medical facilities and provided them with assistive housing, resulting in a 73 percent reduction in hospital visits and costs.

Mr. Matzinger emphasized that this program is a collaborative effort between federal and local agencies. Mr. Matzinger added that in 2010, the United States Interagency Council on Homelessness coordinated 19 different federal agencies to help address chronic homelessness. He also added that HUD, the administrator of Section 8, has established guidelines and the administrative process to allow housing authorities to support this program.

Mr. Matzinger noted that this program does not include new resources; rather it involves a reallocation of resources. Mr. Matzinger noted that 275 Section 8 vouchers will be dedicated to the chronically homeless.

Mr. Matzinger added that the City of Phoenix has been chosen to lead the region's effort to end chronic homelessness.

Mr. Matzinger stated, from a local perspective, the goal is to identify resources for 55 new families every month for the next 24 months. He added that a coordinated process is in place to assess a person's needs, their issues, and the appropriate intervention. He also added that assessment hubs, facilitated by Methodist Outreach Ministry, have been established to provide assistance for families and individuals

Ms. Morales stated that with HUD's guidance, the Housing Department modified its administrative plan to create a preference that allows the department to prioritize Section 8 assistance for the chronically homeless. Ms. Morales added that housing assistance requires a permanent supportive model to be successful. She noted that to implement this model, a request for proposals (RFP) will be initiated to select an organization to assist individuals with navigating support services.

Former Councilman Craig Tribken asked if the City has a Housing Commission, as he believes the City's code requires a Housing and Neighborhoods Commission. Mr. Matzinger stated that with HUD's guidance, the City has instituted a Housing Governing Board, which serves as a housing council to assist with the development of public policy.

Councilwoman Pastor stated that she would like additional information regarding the Housing Commission before proceeding with any decisions. Ms. Morales stated that HUD recognizes the City Council as the board. She added that other cities throughout the country have a similar structure.

Chairwoman Gallego stated that constituents would like the support services to include programs that educate those going into the Section 8 program to be good neighbors. Mr. Matzinger stated that residents in the Section 8 program are required to attend tenant orientation and tenant rights education

Chairwoman Gallego asked if homeless residents entering the Section 8 program will be educated on the rules associated with homeowners associations (HOAs). Mr.

Matzinger stated that all Section 8 voucher recipients will be educated on the rules and regulations associated with HOAs.

Councilwoman Pastor emphasized that she would like the RFP process to include the selection of multiple vendors that can provide a wide variety of support services. Councilwoman Pastor also noted that she would like staff to be cognizant of clustering when placing voucher recipients. Mr. Matzinger stated that the RFP process will focus on finding an organization that can help voucher recipients navigate services. Ms. Morales added that placement of individuals is dependent on their needs, and navigators will place these individuals with landlords that understand the population with which they are dealing.

Councilwoman Pastor reiterated that she would like several vendors that can coordinate services for this program. Ms. Morales stated that the services provided for chronically homeless are based on regional best practices. She added that there are several organizations that have been trained to coordinate these services.

Brad Bridwell stated that the chronically homeless need multiple navigators to assist with finding services that they require. Mr. Bidwell noted that when service providers make contact with individuals who are chronically homeless, 20 percent are diagnosed with a serious mental illness. He added with the Housing First model and the services provided, the diagnosis of serious mental illness increases to 60 percent. Mr. Bridwell encouraged the adoption of this program, and supported the competitive bid process to find a well-qualified organization to assist with navigating services.

Councilwoman Pastor stated that she wants to ensure that adequate choices are available to assist individuals with service needs. Mr. Bidwell stated that navigators are responsible for identifying the services that are needed or desired. He provided statistics to highlight the success of the Housing First model and the navigator process.

Councilwoman Pastor thanked Mr. Bridwell for the information.

Councilman Valenzuela thanked Mr. Bridwell for highlighting the successes of the VASH program and Housing First model. He noted that Matthew Doherty, Director of National Initiatives, stated that Phoenix is becoming the model for these types of programs and that their success can be attributed to the participation of stakeholders and agencies.

Councilman Valenzuela recognized Mayor Stanton for the effort he has put forth to address the issue of homelessness, especially among veterans.

City Attorney Dan Brown stated the structure of the Housing Commission is delineated in in Section 2-201 of the City Code. Mr. Brown added that if the Subcommittee gives direction, staff can work with the City Council to appoint members to the commission.

Councilwoman Pastor asked if the Housing Commission is required. Mr. Brown stated that the commission is not required.

Chairwoman Gallego stated that Councilwoman Pastor can work with Mr. Brown to provide recommendations for the Housing Commission.

Councilman Valenzuela motioned to approve staff's recommendation, including an amendment to emphasize that education for good neighbor programs is part of the support services provided to housing voucher recipients. Councilwoman Pastor seconded the motion, which passed 3-0.

Chairwoman Gallego requested the Subcommittee's permission to take Item 15 out of order to accommodate members of the public in attendance for the item.

15. Blight Lien Ad Hoc Committee Update

Neighborhood Services Director Chris Hallett thanked Chairwoman Gallego and Mark Minoil for co-chairing the ad hoc committee. He also thanked members of the ad hoc committee for their efforts.

Mr. Hallett introduced Neighborhood Services Deputy Director Tim Boling.

Mr. Boling stated that the ad hoc committee was charged with making recommendations for standards applicable to abatement of blighted properties; providing appropriate outreach and communication regarding abatement activities and examining and making recommendation for fund usage.

Mr. Boling stated the ad hoc committee's first recommendation was to modify the Neighborhood Preservation Ordinance board -up standards. Mr. Boling noted that temporary plywood boards used on the windows of blighted properties will be replaced after 90 days with a polycarbonate material.

Mr. Boling stated that the second recommendation is to post notification on the property being abated. He added that the notification will be posted during the abatement process.

Mr. Boling stated that the third recommendation was to develop a pilot program to address unpaid blight liens.

Chairwoman Gallego thanked the members of the committee for the efforts. .

Mr. Hallett stated staff will provide additional details regarding the pilot program in January 2015.

Chairwoman Gallego noted that the committee asked the Neighborhood Services Department to improve communication with the Fire Department when there is a fire on a suspected vacant property. Mr. Boling added that staff communicates with the Fire Department on a regular basis, and the Neighborhoods Services Department receives notification when a fire occurs on residential property.

13. Historic Preservation Plan (PreserveHistoricPHX)

Planning and Development Services Director Alan Stephenson introduced Michelle Dodds and Erika Finbraaten from the Historic Preservation office

Ms. Dodds stated that the Historic Preservation plan utilizes the same core values and tools as Plan Phoenix. Ms. Dodds stated that the plan received a lot of community input. She added that the plan sets priorities and provides a significant amount of community awareness regarding preservation. She also stated that the plan provides guidance for decisions in the future.

Ms. Dodds stated that the plan includes the benefits of historic preservation, the legal basis of preservation, the history of Phoenix, the history of preservation in Phoenix and an overview of the preservation program.

Ms. Dodds noted that the five goals of the plan are to protect archaeological resources, protect historic resources, explore preservation incentives, develop community awareness and promote partnerships.

Mr. Stephenson added that the plan was approved by eight of the village planning committees and the Historic Preservation Commission.

Bill Scheel, Historic Preservation Commission Vice Chair, stated that the nine members of the commission support the plan. He stated that the plan had significant public input. He added that the commission's goal is to continue to expand the designated historic neighborhoods to West Phoenix.

Councilwoman Pastor stated that she would like to amend Goal 3 of the plan to include language to explore zoning ordinance changes that encourage preservation of historic structures in lieu of demolition. She would also like to include an incentive to maintain historic structures.

Councilman Valenzuela thanked staff for their efforts. He also thanked Bill Scheel and Thomas Jones for their contribution to the plan. He added that he was pleased the Historic Preservation Commission was looking at neighborhoods in West Phoenix.

Councilwoman Gallego stated that she hopes the plan's goal of protecting archeological resources does not conflict with community safety, especially in light of recent flooding and the potential need to make some changes to the historic canal system. Ms. Dodds stated that the plan does not contain any components that would conflict with protecting the community.

Councilwoman Pastor asked for the inclusion of the following language in the plan under Goal 5: to further develop communication methods to ensure that projects outside of the City's jurisdiction are shared with all preservation stakeholders in a timely manner on projects with possible impacts to the city historic resources or areas.

Councilman Valenzuela motioned to approve staff's recommendation with amendments for Goal 3 and Goal 5. Councilwoman Pastor seconded the motion, which passed 3-0.

14. Neigborhod Preservation Ordinance Amendments
Continued

16. Future Agenda Items
No future agenda items were provided.

17. Call to the Public
Sheila Harris, former chair of the City of Phoenix Housing Commission, stated that she would like to encourage the Subcommittee to revitalize the Housing Commission.

18. Adjournment
Chairwoman Gallego adjourned the meeting at 10:27 a.m.

Respectfully submitted,

Gabriel Morales
Management Intern

CITY COUNCIL REPORT

TO: Deanna Jonovich
Deputy City Manager

FROM: Alisa Blandford
Acting Equal Opportunity Director

SUBJECT: FAIR HOUSING EDUCATION AND OUTREACH SERVICES – PROFESSIONAL SERVICES CONTRACT (RFP EOD 15-002)

This report requests the Neighborhoods, Housing and Development Subcommittee (NHD) recommend City Council approval of the results of a Request for Proposals (RFP) for a service provider to implement the Fair Housing Education and Outreach Services grant the City of Phoenix received from the U.S. Department of Housing and Urban Development (HUD) in October 2013.

THE ISSUE

The Equal Opportunity Department (EOD) is responsible for the administration of a $185,000 HUD grant to provide Fair Housing outreach and education services to the Limited English Proficiency (LEP), Lesbian, Gay, Bisexual, Transgender & Questioning (LGBTQ), and refugee communities.

EOD issued an RFP on August 25, 2014 for a grassroots agency to provide fair housing education and outreach services to the targeted communities identified by HUD. A total of six proposals were received. A five-member evaluation panel scored the proposals based on the following criteria: professional experience providing the required services, methodology for developing an outreach and education plan, and pricing of the services. The panel recommended $120,000 be awarded to Living United for Change in Arizona (LUCHA).

OTHER INFORMATION

The City is committed to bringing high-level outreach efforts to the residents of the nation's sixth largest city. As a Fair Housing Assistance Program (FHAP) agency with partnership funding from HUD, EOD can substantially increase its efforts and expand resources to target traditionally underserved segments of the population, namely LEP speakers, refugees, and LGBTQ populations in Phoenix.

Through this grant, EOD will be able to better inform the communities of their rights under the federal Fair Housing Act, which will increase awareness and reporting of illegal housing practices in Phoenix.

Grant objectives include:

1. Creating a network within the targeted communities by using a qualified contractor consisting of people with preexisting buy-in among populations traditionally apprehensive about reporting housing discrimination to the government.

2. Creating outreach materials and implementing a fair housing outreach campaign targeting the populations referenced in the grant.

RECOMMENDATION

Staff requests the NHD Subcommittee recommend City Council approval of the results of a RFP for a service provider to implement the Fair Housing Education and Outreach Services grant the City of Phoenix received from HUD.

CITY COUNCIL REPORT

TO: Deanna Jonovich
Deputy City Manager

FROM: Chris Hallett
Neighborhood Services Director

SUBJECT: BLIGHT LIEN AD HOC COMMITTEE RECOMMENDATIONS AND FORECLOSURE PILOT PROGRAM

This report requests the Neighborhoods, Housing and Development (NHD) Subcommittee recommend City Council approval of the Blight Lien Ad Hoc Committee recommendations including the creation of a pilot program to foreclose vacant properties with unpaid abatement liens. Staff also requests authorization to establish a revolving fund to support the recovery of legal fees and other costs associated with the pilot program.

THE ISSUE

The Blight Ad Hoc Committee began meeting in October of 2014 to recommend strategies to improve the City of Phoenix's procedure for collecting abatement liens. The committee, chaired by Councilwoman Kate Gallego and co-chaired by Mark Manoil, unanimously voted to recommend the following:

- Modify the Neighborhood Preservation Ordinance board up standards to reduce the temporary board up time frame from 180 to 90 days, require polycarbonate material after 90 days, and require the use of polycarbonate on all openings visible from the street.
- Post abatement notification on properties before and during abatement, and remove notifications after abatement.

The Committee also recommends the Neighborhood Services Department (NSD) create a pilot program to foreclose properties with unpaid abatement liens. Under Arizona Revised Statute §9-499, the City has the right to foreclose on properties with unpaid abatement liens to recover the cost of City abatement.

In response to the Committee's recommendations, staff proposes the creation of a Blight Lien Foreclosure Pilot Program to assess the efficacy of recovering delinquent/unpaid abatement liens and create conditions for owner occupancy as a solution to blighting conditions. Through the program, the City will foreclose on approximately 15 properties with City abatement liens with the highest values and/or at greatest risk of loss to tax foreclosure.

In addition, staff proposes the following criteria for selection of properties for the pilot program:

- Multiple delinquent abatement liens;

- Vacant or unoccupied property;
- No pending bankruptcy proceedings;
- High tax foreclosure risk;
- Ownership unresponsive to City notices; and,
- A ratio of estimated property value to outstanding liens in excess of 10:1.

NSD will review and evaluate active cases meeting these criteria and prioritize them based on lien amount, the probability of cost recovery, and the impact to the neighborhood.

Between $2,000 and $5,000 will be needed for each case to cover legal costs for the foreclosure process. These fees and the City's lien amount will be recovered through the sale of the foreclosed property. Staff recommends all recovered funds and proceeds from the foreclosure sale be retained by the department to support the program and reimburse NSD's incurred legal and other pilot expenses. A total of approximately $75,000 will be needed to foreclose on the 15 properties in the pilot program.

All proceeds from the foreclosure sale of these properties will support any continuation of the program. Staff estimates executing 10 to 15 foreclosures and recovering approximately $150,000 during the 18-month pilot program. NSD anticipates current staffing and funding levels could sustain the pilot program without negatively impacting services. However, any desire to continue the program would require additional staffing and funding.

OTHER INFORMATION

NSD opened 67,949 blight cases in fiscal year 2013-2014. Of these cases, 1,958 or 2.9 percent involved abating violations at vacant properties by the owner or by the City. Only 976, or 1.4 percent, were abated by a City contractor where a lien was placed on the property.

The City uses Community Development Block Grant (CDBG) and General Funds (GF) to abate properties. In order to recover expenses for removing blight and securing a property, the City generates an assessment invoice and places a recorded lien on the property. Liens stay with the property until paid in full or they become invalid due to a tax foreclosure. Typically, liens are exposed during a title transaction, which must be paid to clear the title. After the assessment is due, interest accrues at a rate of 10 percent per year. Once the lien is paid, NSD receives a copy of the lien release. When a property is foreclosed through a tax lien, the City's lien is released without payment.

As of October 31, 2014, the total unpaid balance of abatement liens was $7,664,939, of which $4,196,792 accrues to CDBG. Below is a breakdown of the $3,468,147 of unpaid GF abatement liens:

- 2,850 delinquent accounts
- 2,631 – or 92 percent of delinquent accounts – had a value of $2,500 or less
- 219 (8 percent) had a value of more than $2,500 totaling $1,152,324

Recovered costs are returned to CDBG and GF accounts based on the fund originally used to abate the property.

RECOMMENDATION

Staff requests the NHD Subcommittee recommend City Council approval of the Blight Lien Ad Hoc Committee recommendations including the creation of a pilot program to foreclose vacant properties with unpaid abatement liens. Staff also requests authorization to establish a revolving fund to support the recovery of legal fees and other costs associated with the pilot program.

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CITY COUNCIL REPORT

TO: Deanna Jonovich
Deputy City Manager

FROM: Chris Hallett
Neighborhood Services Director

SUBJECT: NEIGHBORHOOD PRESERVATION ORDINANCE AMENDMENTS

This report requests the Neighborhoods, Housing and Development (NHD) Subcommittee recommend City Council approval of Neighborhood Preservation Ordinance (NPO) amendments in Attachment A.

THE ISSUE

The purpose of the NPO is to promote the health, safety, and welfare of Phoenix residents, and to protect neighborhoods against hazardous, blighting, and deteriorating influences or conditions that contribute to the downgrade of neighborhood property values. The ordinance establishes minimum standards for the condition of the interior of residential buildings, requirements for maintenance of all residential and nonresidential buildings, structures of all kinds, as well as vacant and improved land.

The City Council last revised the NPO on January 20, 2007. The Neighborhood Services Department (NSD) recommends amendments to Chapter 39 of the Phoenix City Code that clarify time limits, refine terminology, and modify standards to continue to preserve and protect neighborhoods from blight and deterioration and enhance livability in Phoenix.

OTHER INFORMATION

NSD staff completed five citywide community input sessions including a Spanish-language session attended by 44 residents. At the session, residents learned about the city's NPO, other ordinances enforced by NSD, standard code enforcement process, and the top eight most common blight violations.

In addition, NSD provided residents with examples of current code language and proposed code changes along with the opportunity to provide feedback for possible NPO enhancements. Some examples of public input received included the modification of board up standards, adding definition for inoperable vehicles, and requests for an enhanced property search with additional detailed information on the Code Compliance Case Status Report located on the phoenix.gov.

Based on recommendations from staff and public input, the following amendments are proposed to Phoenix City Code Chapter 39:

- The language for the maintenance of swimming and architectural pools and ponds was refined to accurately defend civil court cases.
- The delivery of the Notice of Ordinance Violation language was refined to hand-delivered, mailed certified and/or mailed regular.
- The inoperable vehicle definition included tires that are flat, rotted, deteriorated or unable to hold air.
- Easements were included in right-of-way maintenance.
- Board up standards were modified to reduce temporary board up timeframe from 180 to 90 days, require polycarbonate material after 90 days, and require the use of polycarbonate on all openings visible from the street.
- Address numbers shall be plainly visible and legible from the street or road fronting the property.
- A definition for curb line was added.
- Added structures are declared to be an imminent hazard by the Director or designee.
- For excavations on exterior premises and vacant land, the term “temporary basis” was limited to no longer than one year.
- The Rehabilitation Appeals Board appeal application period is dependent on the receipt of notice and the “actual knowledge” was changed to “constructive knowledge” of the assessment.

RECOMMENDATION

This report requests the NHD Subcommittee recommend City Council approval of the NPO amendments in Attachment A.

ATTACHMENT A Neighborhood Preservation Ordinance Amendments
PCC 39-7 Exterior premises and vacant land C. *Maintenance of swimming and architectural pools.* All swimming and architectural pools and spas shall be properly maintained so as not to create a safety hazard or harbor insect infestation, or create a visible deteriorated or blighted appearance. Water shall not be allowed to stagnate, or to become stale or foul through lack of circulation. The bottom and sides of the pool or spa shall be maintained reasonably free of sediment, dirt, slime and algae. The water shall be sufficiently clear so that the main drain outlet is clearly visible to an adult standing on the pool deck, or sufficiently clear so that a 200 mm in diameter secchi disk placed at the bottom of the deepest point of the pool is clearly visible to an adult standing on the pool deck. Fencing or other barriers required for swimming pool and spa enclosures shall be maintained as outlined in the Phoenix Construction Code. The premises shall be free from hazards, including but not limited to, lack of security, water stagnation, or abandoned pools, regardless of whether or not there is water in the pools. All pools will also be free from visible deterioration or blighted appearance. Ponds shall be maintained and not allowed to stagnate, to become foul, or harbor the breeding of insects.
PCC 39-13.1 Notice of Violation B. Any notice given for any purpose under this ordinance shall be deemed effective on the date when written notice is ~~hand-delivered or mailed certified mail return receipt requested~~ hand-delivered, mailed certified and/or mailed regular, addressed to the property owner, owner's agent, or responsible party. If personal service or mailed service is not practicable, service of notice shall also be deemed effective upon notification through one-time public notice published in a newspaper of general circulation and by posting the property for a period of thirty days. Nothing herein shall preclude the City from giving additional verbal or written notice at its discretion. If the City does elect to give any additional notice in any instance, it shall not thereby become obligated to give such additional notice thereafter in the same or other situations.
PCC 39-3 Definitions. Inoperable vehicle: A vehicle physically incapable of operation or a vehicle which exhibits one or more of the following conditions: wrecked, partially or fully dismantled, abandoned, stripped, substantially damaged, inoperative, scrapped, having the status of a hulk or shell, discarded, tires that cause the rim of the wheel to rest on the tire tread or the ground, rotted, deteriorated or unable to hold air, or unable to be safely operated.
PCC 39-7-B Exterior premises and vacant land. B. Streets, alleys, easements, and sidewalks abutting land. The owner and any responsible party in control of any land abutting a sidewalk, alley, easements or street shall maintain the sidewalk, alley, easements or street in the same manner as provided in Subsections A and D of this section. The areas required to be maintained pursuant to this subsection are as follows:

PCC 39-6 Building and structure exteriors.
A. *Exterior surfaces.* All exposed exterior surfaces, windows and doors shall be maintained to be free of deterioration that is a threat to health and safety, impervious to moisture and weather elements, or shall not otherwise present a deteriorated or blighted appearance. Windows, doors, locks on doors, and hinges must be present and installed properly. These items must be free from deterioration or blighting conditions. Any temporary ~~boarding~~ securement of vacant structures must be done in accordance with City specifications.
7. ~~Boarded~~ Secured window or door openings on an unoccupied structure for more than ~~one hundred eighty~~ ninety days ~~in any two-year period~~, requires Polycarbonate material securement specifications on all openings visible from the street.

CITY OF PHOENIX POLYCARBONATE MATERIAL
~~BOARD UP~~ SECUREMENT SPECIFICATIONS

Carriage Bolt Method:

- **General Application** All Polycarbonate material shall be a minimum thickness of .220. Openings that require more than a 4' X 8' sheet shall be secured with two sheets spliced together as shown in Diagram B. Polycarbonate should be cut to the outer edge of the window frame. Self-tapping screws with security heads may be required if bowing occurs. If the window is inset, the Polycarbonate should be inset as well to the outer edge of the window frame. Secure with 3/8 carriage bolts with washers and double nuts and washers on the interior. (Purpose of the double nut is to secure against one another). Install carriage bolts as close to the corners as possible.
- **Casement Style windows** (windows that swing out from the side of the frames) must have the entire opening covered. Covering individual panes will not be accepted. If only one pane is broken, the SECURE WITH SCREWS method can be used to cover the entire opening. Material will need to be notched at the corners to accommodate the hinges.
- **Sliding windows** should be opened as far as possible to permit the carriage bolts to pass through the window opening. The sliding sash may often be lifted out of the track and stored inside the building.
- **Fixed glass windows** require reverting to the Securing with Screws method below.
- **Glass Patio Doors:** If the doors are functional and can be locked, that is sufficient however if the door is missing glass or the glass is broken then the Carriage Bolt Method General Application applies.

Secure with Screws:

- Insert minimum .220 thickness Polycarbonate into the exterior of the window opening for a close fit and secure with a minimum 1 ½" drywall, deck or sheet metal screws secure top.
- Cut the Polycarbonate to completely insert into the window opening to the outer edge of the window frame (including any radius arch at the top of the window opening) and set the screws every 8" to 10".
- Screws are to be set into the wood window frame or wood lintel only, **not** into brick masonry, concrete, or adobe. Screwing into mortar joints will be acceptable if there is no wood material available or if authorized by the City of Phoenix under unique

circumstances.

- If covers cannot be inserted into the window openings because of security bars, carefully remove the bars and secure the openings as indicated above. Security bars should be placed inside the building.

DIAGRAM "A" POLYCARBONATE

Interior view of opening

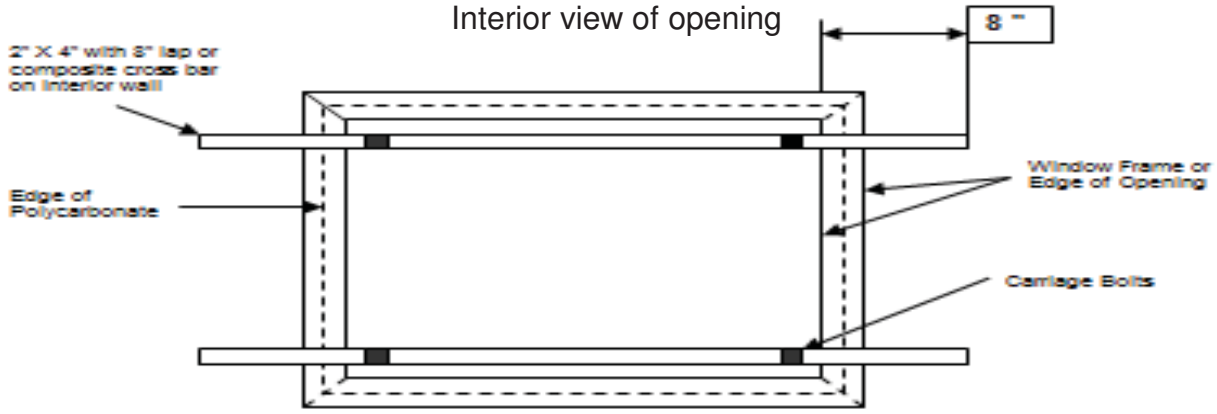
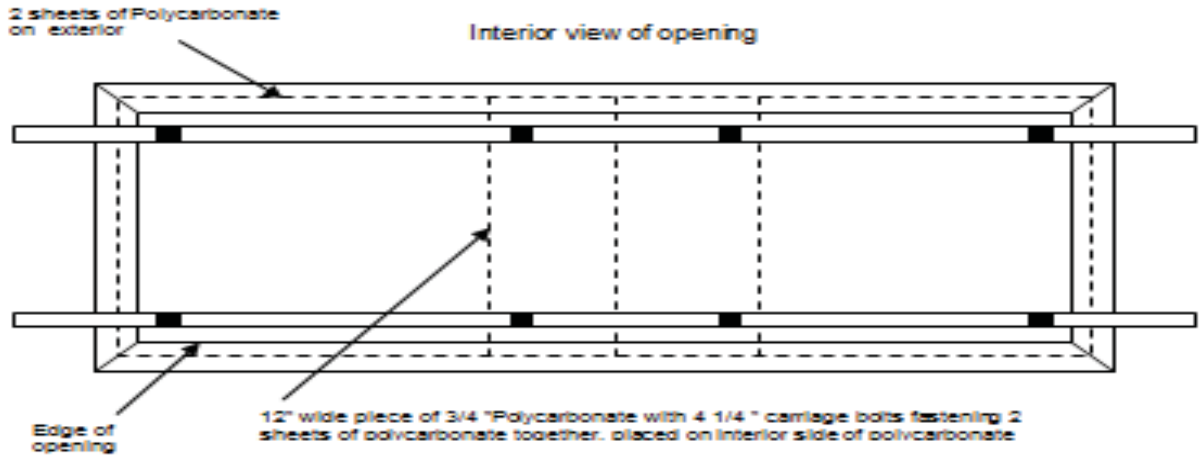


DIAGRAM "B" POLYCARBONATE

Interior view of opening



PCC 39-6-G

G. Approved address numbers shall be provided for all new and existing buildings in such a manner as to be plainly visible and legible from the street or road fronting the property.

PCC 39-3 Definitions.

Curb line: The edge of a roadway whether marked by a curb or not.

PCC 39-30 Structures posted as hazardous.

A. Any structure which has been declared to be an imminent hazard by the Director or designee shall immediately be vacated and shall not be reoccupied until the Director or designee has issued a certificate of compliance which indicates that imminent hazards do not exist and that incipient hazards and health hazards are acknowledged and minimized by the person(s) responsible for the property.

PCC 39-7 Exterior premises and vacant land F. Excavations. Excavations and other like or similar conditions must be filled with clean fill. On a temporary basis and no longer than one year, excavations shall be maintained in a secure manner to prevent a hazard. An excavation is considered secure when: 1. The excavation is protected by a permanent and complete five-foot minimum height enclosure that surrounds the excavation or property. 2. The excavation is completely and permanently covered, fenced securely, or protected in an equivalent manner.
PCC 39-37 Appeals to the Rehabilitation Appeals Board. F. The application for appeal of a notice of violation must be filed with the Director or designee within the same time period set for compliance in the notice of violation. The application for appeal of an assessment amount must be filed with the Director within thirty days of receipt of notice or of ~~actual~~ constructive knowledge of the assessment amount.

CITY COUNCIL REPORT

TO: Deanna Jonovich
Deputy City Manager

FROM: Chris Hallett
Neighborhood Services Director

SUBJECT: NEIGHBORHOOD COLLEGE

This report provides an update to the Neighborhoods, Housing and Development Subcommittee regarding Neighborhood College.

THE ISSUE

Begun in 2013, Neighborhood College is a collection of participatory workshops designed to increase residents' knowledge of their city, teach them how to access City resources and prepare them to become the next generation of neighborhood leaders. The primary goal of Neighborhood College is to build neighborhood capacity through education and a variety of opportunities for engagement and interaction with other neighborhoods and City departments.

Neighborhood College is split into two different tracks. The first track, "Neighborhoodology," is for active neighborhood organizations listed with the City that want to enhance capacity through a more interactive, hands-on experience designed to increase their knowledge of civic engagement and community building. This track is specifically designed to offer neighborhood organizations a greater level of detail and information to assist them in working in their communities and with the City. The program consists of approximately ten hours of core classroom instruction, hands-on activities and required electives that must be completed over a nine-month period culminating in a capstone community project.

The "Neighborhoodology" track began as a pilot program in the spring of 2013 with four established neighborhood organizations. Since then, eight additional neighborhood organizations have participated in the program, with a fourth cohort scheduled to begin in October 2015. Participating groups are being tracked to monitor their progress through the program, and several groups have completed all their electives, and written action plans. At the conclusion of the program, groups are eligible to receive up to a $2,500 grant to fund a community project developed by the group. Approximately 50 residents have participated in the Neighborhoodology track.

The second track, "Navigate PHX," offers workshops for any resident, block watch or neighborhood group to gain a new perspective on the City, the communities they live in, and access to City services. Interested residents can register online through the NSD Neighborhood College website, or simply call the Neighborhood Services Department.

To date, more than 900 residents have taken one of the Neighborhood College workshops, with several workshops requiring residents to be placed on a waiting list due to limited seating.

OTHER INFORMATION

Staff works continuously to update and improve workshops through registrant feedback. Neighborhood College is a one-of-a-kind program that brings residents and City government together as partners to make Phoenix a great place to live.

RECOMMENDATION

This report is for information only.