City of Phoenix

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

City of Phoenix

Agenda

Wednesday, November 4, 2026

2:30 PM

phoenix.gov

City Council Formal Meeting

*****REVISED November 3, 2026*****
Item with Additional Information: 57
Item Added: 84

If viewing this packet electronically in PDF, open and use bookmarks to navigate easily from one item to another.

OPTIONS TO ACCESS THIS MEETING

Virtual Request to speak at a meeting:

- Register online by visiting the City Council Meetings page on phoenix.gov at least 2 hours prior to the start of this meeting. Then, click on this link at the time of the meeting and join the Webex to speak: https://phoenixcitycouncil.webex.com/phoenixcitycouncil/j.php?MTID=mf417d7e7562505d437f30e608ebe0700

- Register via telephone at 602-262-6001 at least 2 hours prior to the start of this meeting, noting the item number. Then, use the Call-in phone number and Meeting ID listed below at the time of the meeting to call-in and speak.

In-Person Requests to speak at a meeting:

- Register in person at a kiosk located at the City Council Chambers, 200 W. Jefferson St., Phoenix, Arizona, 85003. Arrive 1 hour prior to the start of this meeting. Depending on seating availability, residents will attend and speak from the Upper Chambers, Lower Chambers or City Hall location.

- Individuals should arrive early, 1 hour prior to the start of the meeting to submit an in-person request to speak before the item is called. After the item is called, requests to speak for that item will not be accepted.

At the time of the meeting:

- Watch the meeting live streamed on phoenix.gov or Phoenix Channel 11 on Cox Cable, or using the Webex link provided above.

- Call-in to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 2556 742 3478# (for English) or 2552 341 6867# (for Spanish). Press # again when prompted for attendee ID.

- Watch the meeting in-person from the Upper Chambers, Lower Chambers or City Hall depending on seating availability.

- Members of the public may attend this meeting in person. Physical access to the meeting location will be available starting 1 hour prior to the meeting.

Para nuestros residentes de habla hispana:

- Para registrarse para hablar en español, llame al 602-262-6001 al menos 2 horas antes del inicio de esta reunión e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 2552 341 6867#. El intérprete le indicará cuando sea su turno de hablar.

- Para solamente escuchar la reunión en español, llame a este mismo número el día de la reunión (602-666-0783; ingrese el número de identificación de la reunión 2552 341 6867#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

- Para asistir a la reunión en persona, vaya a las Cámaras del Concejo Municipal de Phoenix ubicadas en 200 W. Jefferson Street, Phoenix, AZ 85003. Llegue 1 hora antes del comienzo de la reunión. Si desea hablar, regístrese electrónicamente en uno de los quioscos, antes de que comience el tema. Una vez que se comience a discutir el tema, no se aceptarán nuevas solicitudes para hablar. Dependiendo de cuantos asientos haya disponibles, usted podría ser sentado en la parte superior de las cámaras, en el piso de abajo de las cámaras, o en el edificio municipal.

- Miembros del público pueden asistir a esta reunión en persona. El acceso físico al lugar de la reunión estará disponible comenzando una hora antes de la reunión.

CALL TO ORDER AND ROLL CALL

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Attachments

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79 **(CONTINUED FROM AUGUST 26 AND OCTOBER 21, 2026) - Amend City Code - Official Supplementary Zoning Map 1309 (Ordinance G-7533) - District 5** Page 267

Attachments

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81 **Amend City Code - Ordinance Adoption - Rezoning Application Z-180-25-6 (Rio Rancho PUD) - Southeast Corner of 26th Street and Indian School Road (Ordinance G-7557) - District 6** Page 287

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Petition 6 - Continuous Telecast of Formal City Council Meetings.pdf
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Ordinance Amendment to Include Updated Specific Agreement Terms for the Resource Innovation Campus Development (Ordinance S-53313) - District 7

Attachments
Add on Memo for 11-4-2026 Formal.pdf

000 CITIZEN COMMENTS

ADJOURN

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 1

For Approval or Correction, the Minutes of the Formal Meeting on January 21, 2026

Summary

This item transmits the minutes of the Formal Meeting of January 21, 2026, for review, correction and/or approval by the City Council.

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

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 2

Mayor and Council Appointments to Boards and Commissions

Summary

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

Responsible Department

This item is submitted by the Mayor's Office.

City of Phoenix

To: City Council **Date:** November 4, 2026

From: Mayor Kate Gallego

Subject: BOARDS AND COMMISSIONS – APPOINTEES

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

Development Advisory Board

I recommend the following for appointment:

Scott Miller
Mr. Miller is the Vice President and Operations Manager at Sundt Construction, Inc. and a resident of District 6. He fills a vacancy as a Contractor representative for a term to expire November 4, 2029.

Fast-Track Cities Ad Hoc Committee

I recommend the following for appointment:

Heather Smith
Ms. Smith is the Executive Community Liaison at Gilead Sciences, Inc.

Phoenix Business and Workforce Development Board

I recommend the following for appointment:

Tamala McBath
Ms. McBath is the CEO of Dress for Success Phoenix and a resident of District 7. She replaces Sam Wolo as a Business representative for a partial term to expire June 30, 2027.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 3

Liquor License - Special Event - Arizona Wine Foundation Inc. - District 2

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Michael Pigford

Location
15215 N. Kierland Boulevard
Council District: 2

Function
Festival

Date(s) - Time(s) / Expected Attendance
February 6, 2027 - 11 a.m to 5:30 p.m. / 2,500 attendees
February 7, 2027 - 11 a.m to 5:30 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Alan Stevenson and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 4

Liquor License - Globe in the Dark - District 2

Request for a liquor license. Arizona State License Application 409615.

Summary

Applicant
Keith Turner, Agent

License Type
Series 12 - Restaurant

Location
21001 N. Tatum Boulevard, Ste. 34-1150
Zoning Classification: C-2 SP DRSP
Council District: 2

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

The 60-day limit for processing this application is November 7, 2026.

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

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We have previous experiance in operating restaurants and have hired a retired detective from the Arizona department of liquor, Keith Turner, to be our liquor agent to assist in continued Title 4 liquor training and assistance with general operations of the liquor business."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location is location in an area with several other liquor license businesses which support the ever growing population in the area our location provides a different type of quisine and will assist in the diverse culture of the area."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment A - Globe in the Dark - Data
Attachment B - Globe in the Dark - Map

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

Liquor License Data: GLOBE IN THE DARK

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	10	4
Beer and Wine Bar	7	2	1
Liquor Store	9	3	3
Beer and Wine Store	10	6	3
Hotel	11	1	1
Restaurant	12	21	17

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	78.61	69.74	193.73
Violent Crimes	16.37	4.19	10.08

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

Property Violation Data

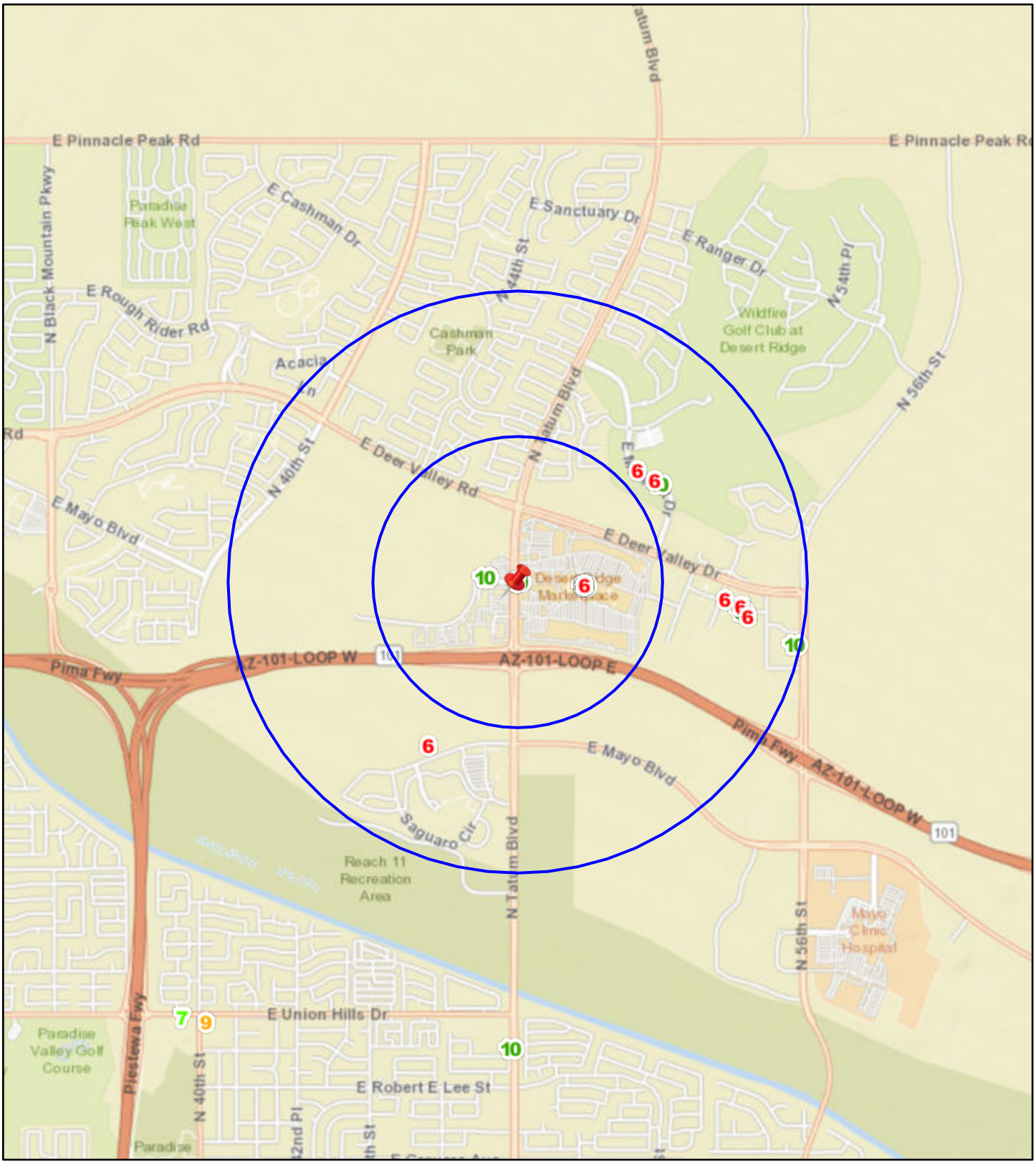
Description	Average	1/2 Mile Average
Parcels w/Violations	41	2
Total Violations	74	2

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6150021	488	100	5	14
6150023	1947	397	143	101
6151001	1413	407	25	11
6152012	6102	515	722	1020
6152022	84	50	30	0
6152023	3418	1016	778	112
Average	1601	393	60	177

Liquor License Map: GLOBE IN THE DARK

21001 N TATUM BLVD



Date: 9/9/2026

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 5

Liquor License - Special Event - Our Sister Our Brother - District 3

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Matthew Stewart

Location
1915 W. Thunderbird Road
Council District: 3

Function
Gala

Date(s) - Time(s) / Expected Attendance
November 21, 2026 - 8 p.m. to 1 a.m. / 225 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 6

Liquor License - Mezcal - District 3

Request for a liquor license. Arizona State License Application 412527.

Summary

Applicant
Jesus Altamirano, Agent

License Type
Series 12 - Restaurant

Location
13216 N. 7th Street, Ste. 4
Zoning Classification: PSC
Council District: 3

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

The 60-day limit for processing this application is November 9, 2026.

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

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I follow state regulations, properly. I have had my staff train. Operating my business with professionalism and accountability is my number one priority."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Our business meets community demands, operates responsibly and contributes to local economic growth. We will maintain full compliance with state regulations and provide a safe, well managed environment for all customers."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment A - Mezcal - Data
Attachment B - Mezcal - Map

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

Liquor License Data: MEZCAL

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	79.33	30.33	74.84
Violent Crimes	16.51	3.07	8.17

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

Property Violation Data

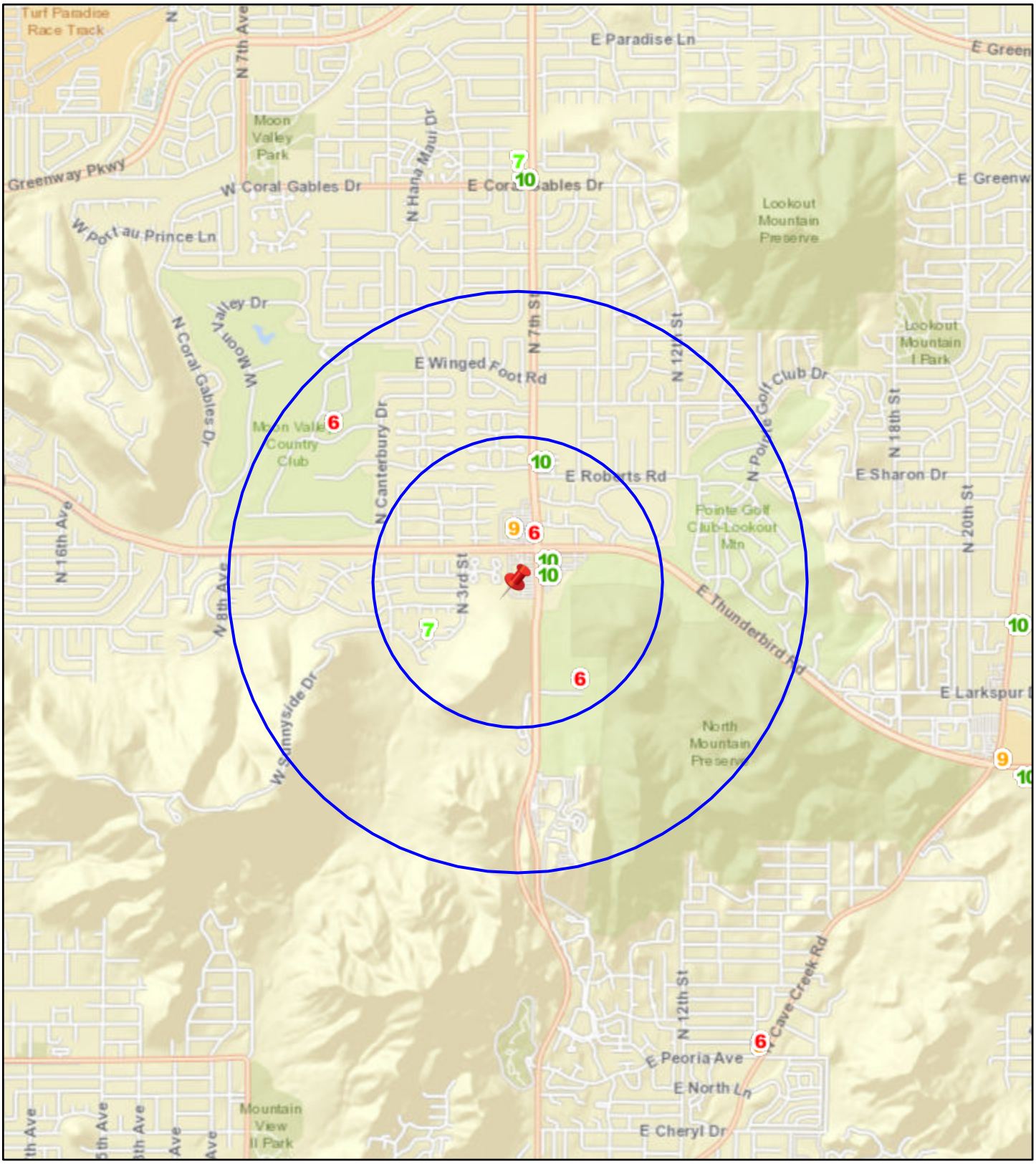
Description	Average	1/2 Mile Average
Parcels w/Violations	39	17
Total Violations	70	29

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036052	1810	748	27	71
1036053	1043	458	15	11
1036113	2548	917	41	0
1036142	1057	405	17	44
1036151	1090	289	32	199
1037012	2137	631	104	200
1037023	1541	224	69	93
Average	1601	393	60	177

Liquor License Map: MEZCAL

13216 N 7TH ST



Date: 10/14/2026

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 7

Liquor License - Sushi Bros - District 3

Request for a liquor license. Arizona State License Application 408402.

Summary

Applicant
Cyrus Lwin, Agent

License Type
Series 12 - Restaurant

Location
8841 N. 19th Avenue, Ste. 4
Zoning Classification: PSC
Council District: 3

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

The 60-day limit for processing this application is November 16, 2026.

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

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I meet requirements and regulations not only Arizona state but also phoenix city. I do not have any felony conviction in the past."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I am responsible for public safety and environmental suitability. Furthermore, I have financial stability and reliability to run a this operation without local enforcement burden."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment A - Sushi Bros - Data
Attachment B - Sushi Bros - Map

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

Liquor License Data: SUSHI BROS

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	79.33	281.74	414.11
Violent Crimes	16.51	70.03	111.14

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

Property Violation Data

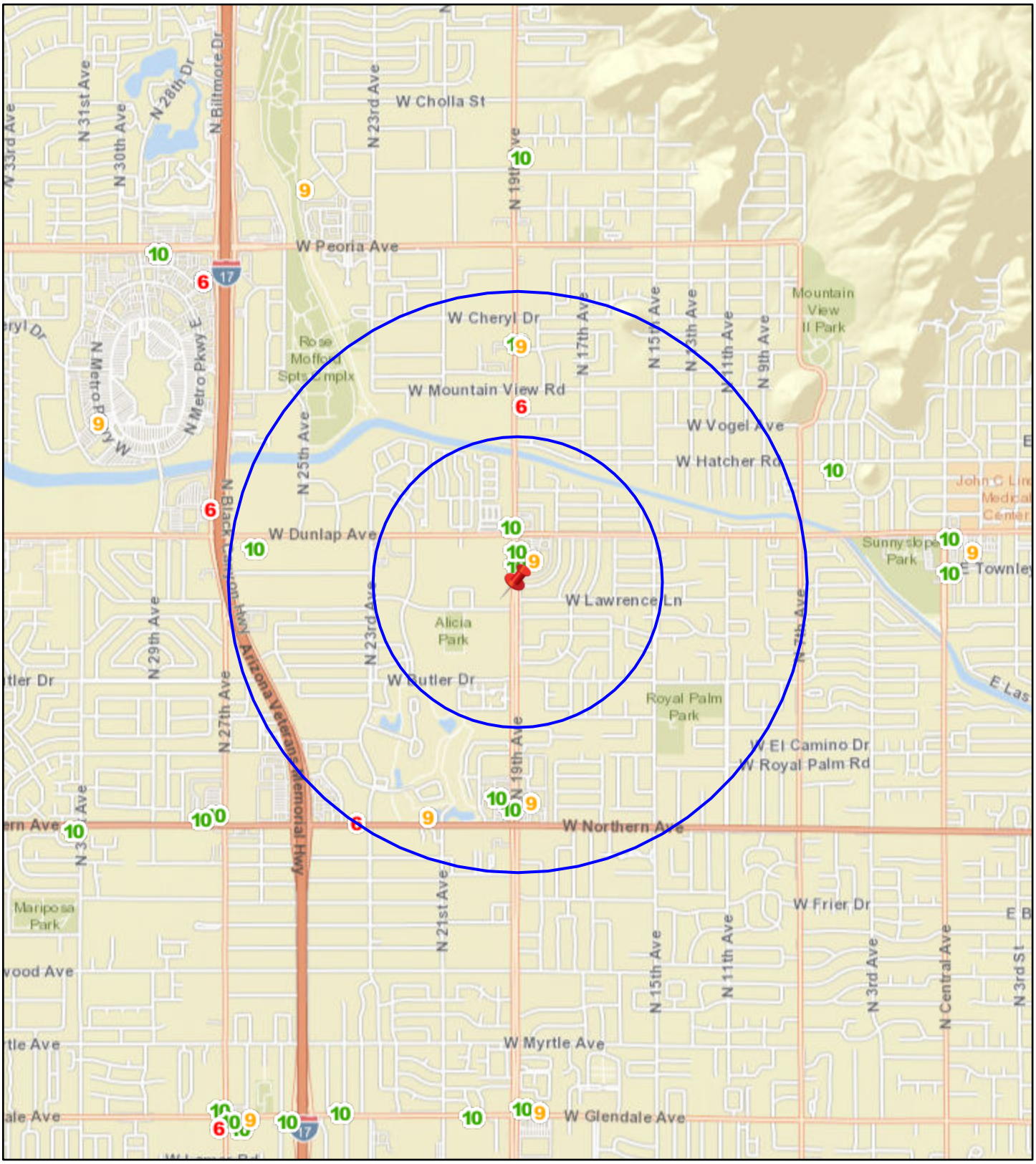
Description	Average	1/2 Mile Average
Parcels w/Violations	39	34
Total Violations	70	78

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1044021	459	279	61	55
1044022	1976	11	68	250
1045011	999	207	37	120
1045012	1480	48	92	336
1054001	1246	488	20	0
1054002	1261	465	33	28
1054003	1227	324	26	16
1055021	817	6	37	208
1055022	1050	25	37	242
1055031	515	0	19	63
1055032	3678	260	205	969
Average	1601	393	60	177

Liquor License Map: SUSHI BROS

8841 N 19TH AVE



Date: 10/14/2026

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 8

Liquor License - Too Sweet Cakes - District 3

Request for a liquor license. Arizona State License Application 406427.

Summary

Applicant
Shelbi Geyer, Agent

License Type
Series 12 - Restaurant

Location
4598 E. Cactus Road, Ste. 104C
Zoning Classification: RSC PCD
Council District: 3

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in December 2026.

The 60-day limit for processing this application is November 14, 2026.

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

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of

Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have the capability, reliability and qualifications to hold a liquor license because i have successfully owned and operated Too Sweet Cakes LLC for nearly ten years, running licensed retail and wholesale food operations in Arizona and Oregon. I have built strong compliance systems, a trained management team with clear accountability, and a reputation for responsible guest-focused hospitality, which I will apply to serving alcohol safely and lawfully."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because it will let us offer guests a complete, elevated experience, such as wine or champagne complete with desserts and celebration cakes, which is not currently availble at a local friendly bakery in the phoenix area. As a locally owned business approaching ten years in Arizona and Oregon, we create jobs, support the neighborhood economy and are committed to serving alcohol responsibly in a sa."

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

Attachments
Attachment A - Too Sweet Cakes - Data
Attachment B - Too Sweet Cakes - Map

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

Liquor License Data: TOO SWEET CAKES

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	2
Beer and Wine Bar	7	4	4
Liquor Store	9	5	4
Beer and Wine Store	10	8	6
Hotel	11	1	1
Restaurant	12	23	22

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	79.33	119.21	311.67
Violent Crimes	16.51	10.03	20.7

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

Property Violation Data

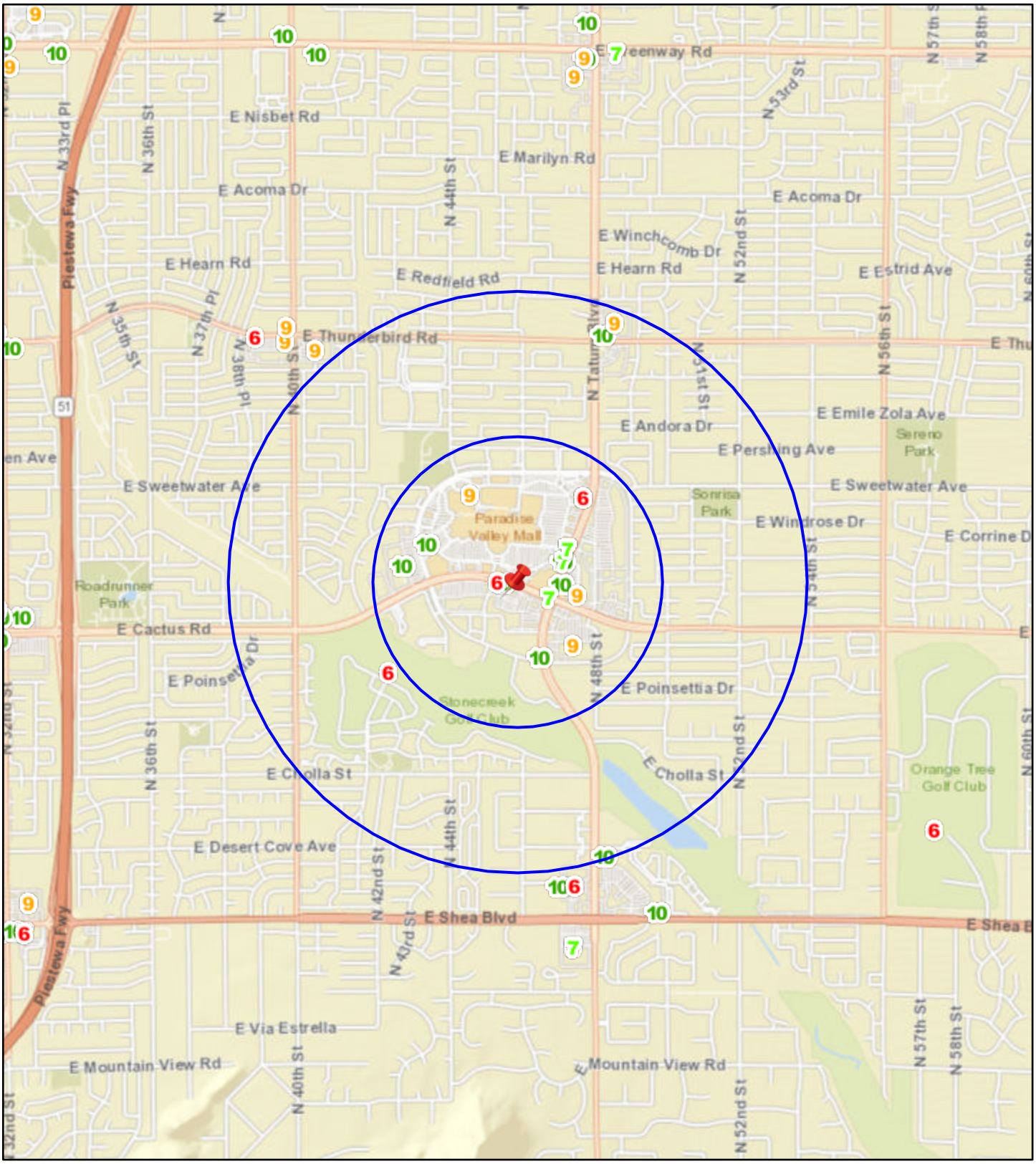
Description	Average	1/2 Mile Average
Parcels w/Violations	39	18
Total Violations	70	39

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032052	1366	422	27	80
1032082	1476	446	407	164
1032083	910	500	68	27
1032091	1078	337	13	65
1032101	1356	384	113	128
1032102	2162	377	102	139
1032104	969	134	63	49
1032105	2200	17	84	175
Average	1601	393	60	177

Liquor License Map: TOO SWEET CAKES

4598 E CACTUS RD



Date: 10/15/2026

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 9

Liquor License - Yasha from Russia - District 3

Request for a liquor license. Arizona State License Application 409779.

Summary

Applicant
Nerik Gadaev, Agent

License Type
Series 7 - Beer and Wine Bar

Location
10240 N. 32nd Street
Zoning Classification: C-1
Council District: 3

This request is for a new liquor license for a beer and wine bar. This location is currently licensed for liquor sales with a Series 10 - Beer and Wine Store, liquor license and does not have an interim permit. A beer and wine bar is not an allowed use at this location.

The 60-day limit for processing this application is November 9, 2026.

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

Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Yasha From Russia (Series 10)
10240 N. 32nd Street, Phoenix
Calls for police service: 4
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We have had a liquor license on the property since 2003 and we have the experience to run and operate. We are adding an additional license to expand operations."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"It will bring revenue to the neighborhood."

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

Attachments
Attachment A - Yasha from Russia - Data
Attachment B - Yasha from Russia - Map

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

Liquor License Data: YASHA FROM RUSSIA

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	78.61	36.51	69.85
Violent Crimes	16.37	3.79	7.85

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

Property Violation Data

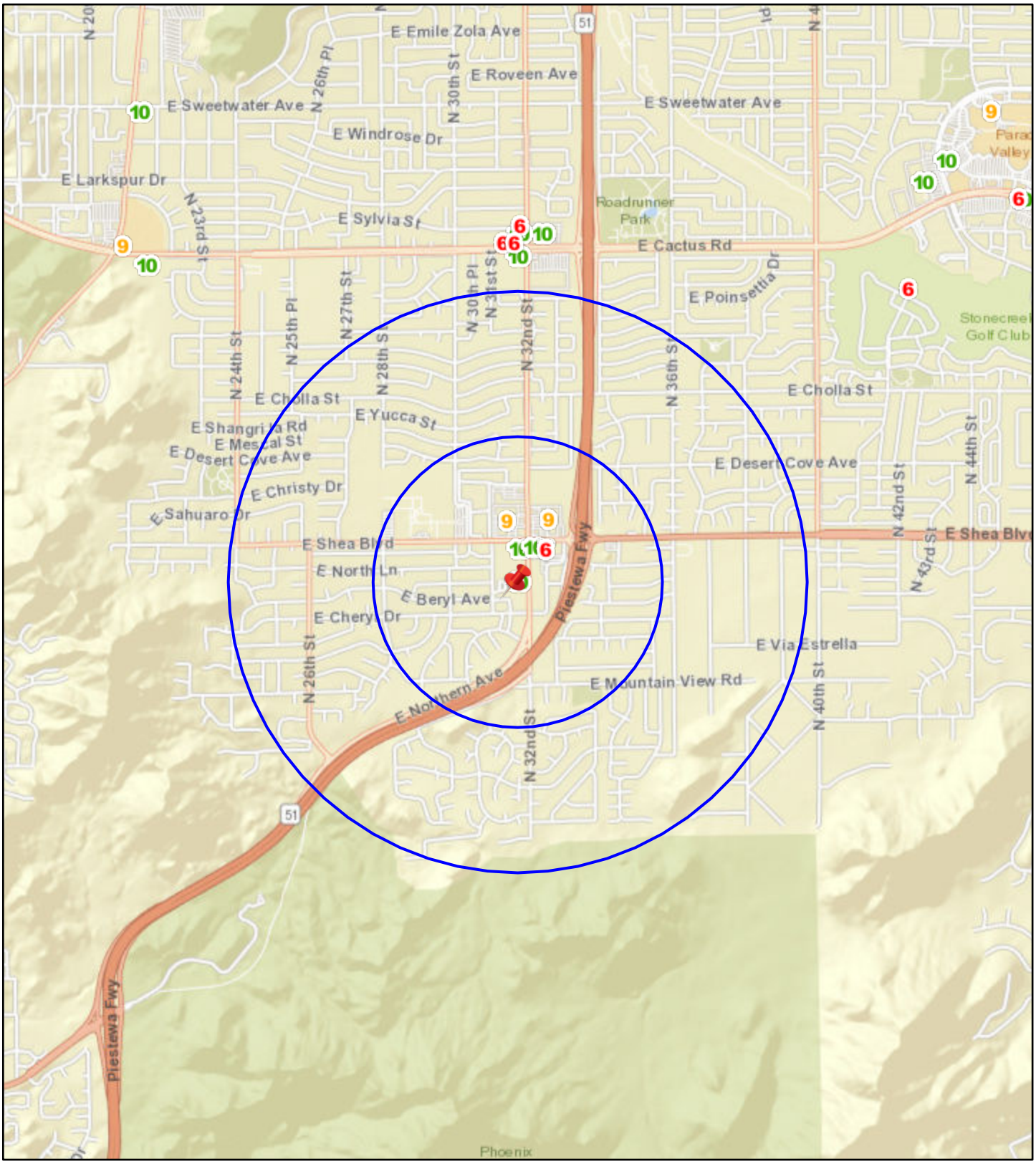
Description	Average	1/2 Mile Average
Parcels w/Violations	41	24
Total Violations	73	35

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1048011	2374	833	36	79
1048021	1512	482	37	156
1048023	1441	638	39	71
1048025	546	20	23	32
1049003	666	268	21	61
1049004	1403	396	14	34
1051011	944	349	12	15
1051013	1374	542	30	38
Average	1601	393	60	177

Liquor License Map: YASHA FROM RUSSIA

10240 N 32ND ST



Date: 9/14/2026

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 10

Liquor License - DiMaggio's Uptown - District 4

Request for a liquor license. Arizona State License Application 414115.

Summary

Applicant
Michael Kaffer, Jr., Agent

License Type
Series 12 - Restaurant

Location
100 E. Camelback Road, Ste. 152
Zoning Classification: C-2 TOD-1 WSNSPD
Council District: 4

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

The 60-day limit for processing this application is November 16, 2026.

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

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes: information about any

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

DiMaggio's Italian Restaurant (Series 12)
7300 N. Via Paseo Del Sur, Ste. B104, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have worked for Arizona Alcohol Traffic & Firearms for 4 years helping people acquire liquor licenses and become Title 4 certified to insure compliance with state and local governmental laws & regulations regarding alcohol."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Tourism plays an important role in our local economy and liquor licensed establishments (the sale of alcohol) is very important aspect of tourism. Therefore, if the City of Phoenix continues to lead the State of Arizona by approving quality and diverse businesses (restaurants, bars, microbreweries, distilleries, hotels, resorts, gold course, special events, convenience/ liquor/ grocery stores & gas stations) similar to this proposed liquor licensed business, all businesses will prosper."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment A - Dimaggio's Uptown - Data
Attachment B - Dimaggio's Uptown - Map

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

Liquor License Data: DIMAGGIO'S UPTOWN

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	12	2
Beer and Wine Bar	7	14	12
Liquor Store	9	5	3
Beer and Wine Store	10	5	1
Restaurant	12	45	22

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	78.61	215.15	291.61
Violent Crimes	16.37	40.07	52.76

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

Property Violation Data

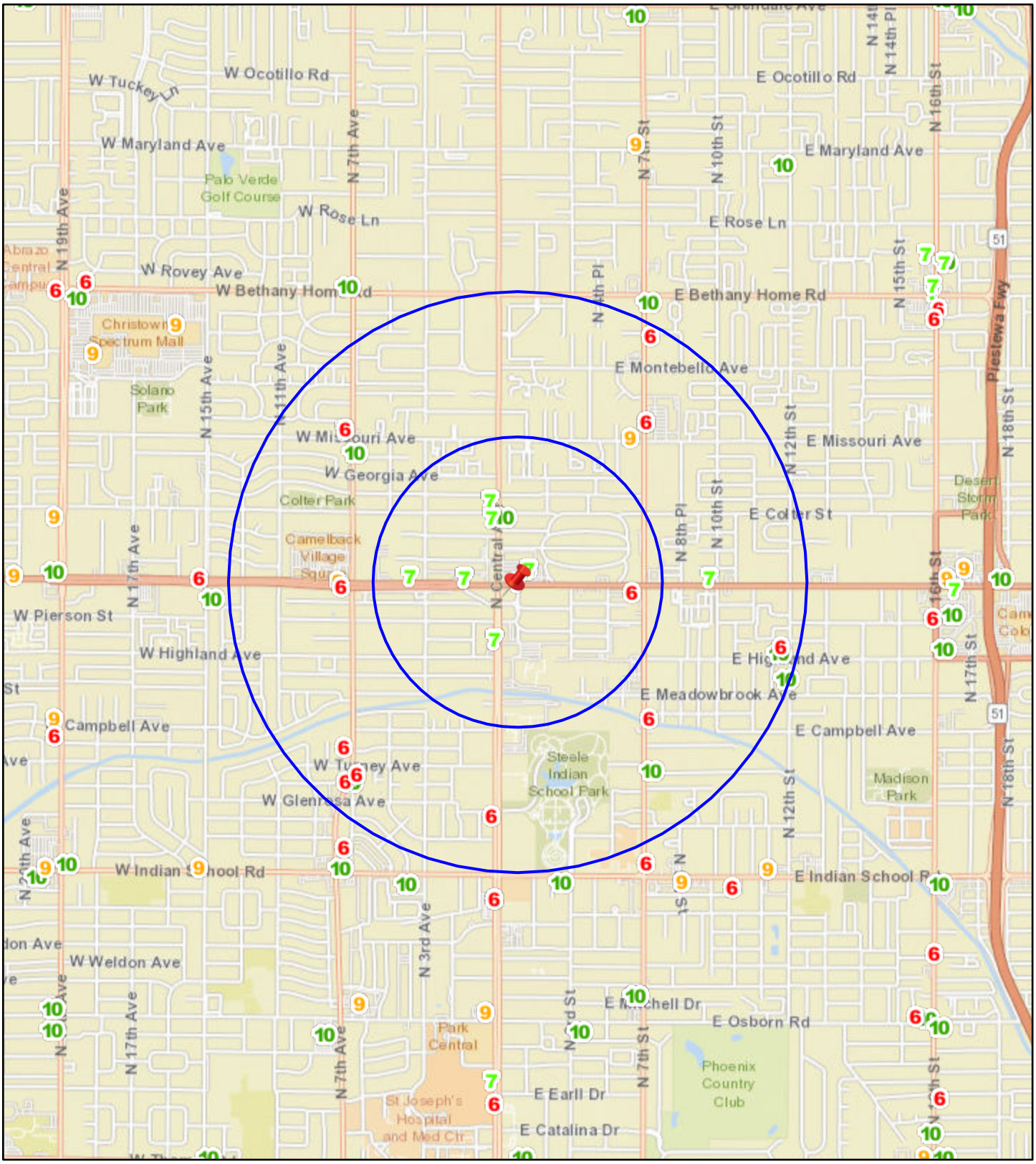
Description	Average	1/2 Mile Average
Parcels w/Violations	41	75
Total Violations	73	145

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1074012	695	104	48	42
1075001	942	355	22	43
1075002	1050	361	52	21
1075003	1528	403	81	98
1088021	949	208	91	139
1088022	361	81	17	7
1088023	893	68	77	10
1089023	1182	103	32	311
1089024	621	197	42	0
1171001	1768	158	74	235
1171002	1261	250	104	101
Average	1601	393	60	177

Liquor License Map: DIMAGGIO'S UPTOWN

100 E CAMELBACK RD



Date: 10/27/2026

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 11

Liquor License - Doubletree Phoenix Midtown - District 4

Request for a liquor license. Arizona State License Application 413767.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
4000 N. Central Avenue, Ste. 120
Zoning Classification: C-1 SP, C-1, C-3 TOD-1
Council District: 4

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

The 60-day limit for processing this application is November 14, 2026.

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

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of

Arizona.

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Doubletree Phx Midtown has been a popular business + personal travel destination for many years. Applicant would like to continue to offer alcoholic beverages to guests 21 and over."

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

Attachments
Attachment A - Doubletree Phoenix Midtown - Data
Attachment B - Doubletree Phoenix Midtown - Map

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

Liquor License Data: DOUBLETREE PHOENIX MIDTOWN

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	13	2
Beer and Wine Bar	7	3	0
Liquor Store	9	4	1
Beer and Wine Store	10	10	2
Hotel	11	2	1
Restaurant	12	31	5

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	78.61	275.45	368.89
Violent Crimes	16.37	54.48	71.01

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

Property Violation Data

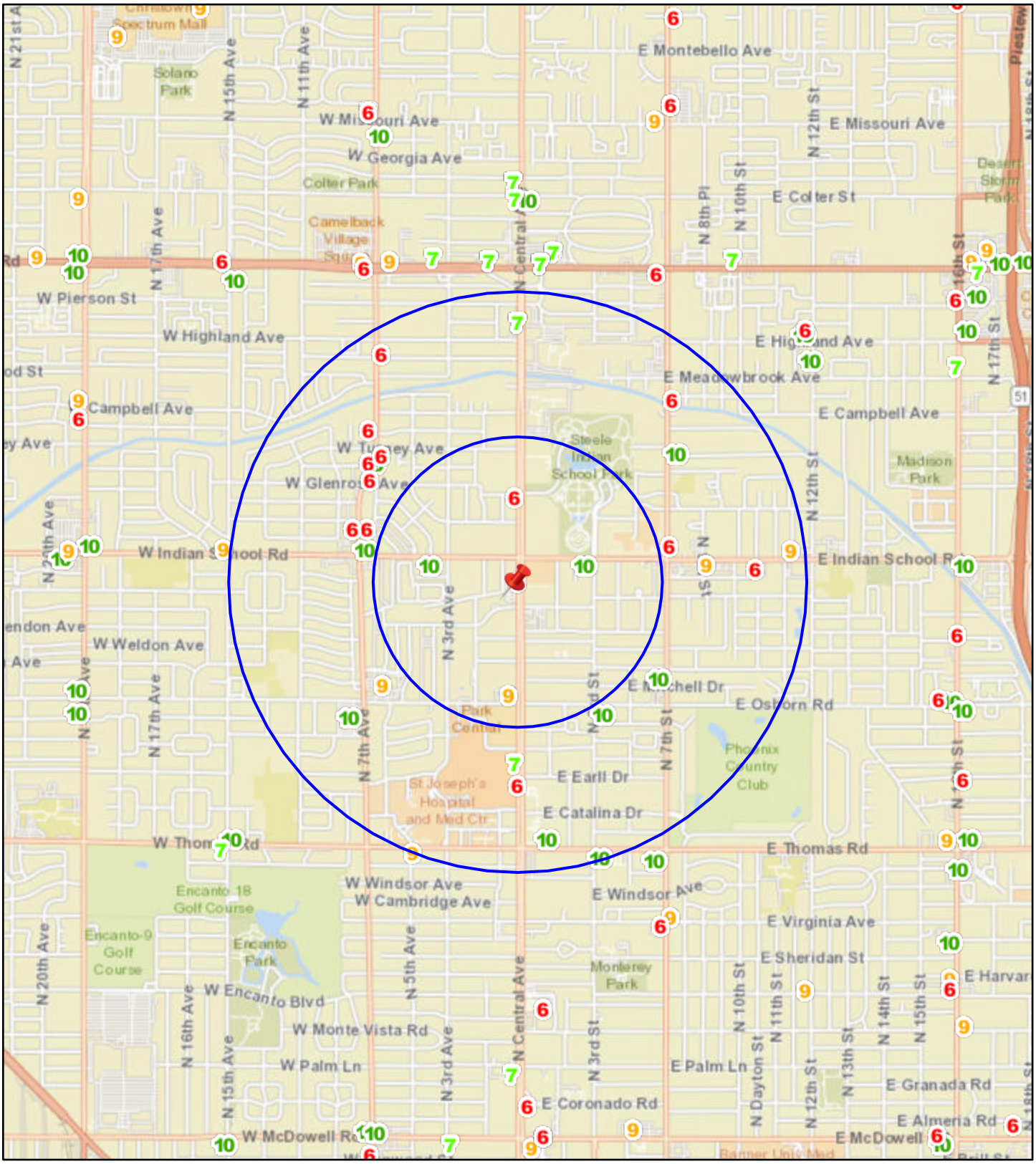
Description	Average	1/2 Mile Average
Parcels w/Violations	41	80
Total Violations	73	133

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1105011	1135	187	125	191
1105012	2159	81	138	448
1105013	486	47	63	125
1105021	1745	119	126	482
1105022	2166	436	185	339
1171001	1768	158	74	235
1171002	1261	250	104	101
Average	1601	393	60	177

Liquor License Map: DOUBLETREE PHOENIX MIDTOWN

4000 N CENTRAL AVE



Date: 9/18/2026

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 12

Liquor License - Sauce Pizza & Wine #5107 - District 4

Request for a liquor license. Arizona State License Application 411455.

Summary

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
25 E. Camelback Road
Zoning Classification: C-2 TOD-1
Council District: 4

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

The 60-day limit for processing this application is November 13, 2026.

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

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"New owners possess the necessary business experience, financial responsibility, and commitment to comply with all applicable liquor laws and regulations. They understand the duties and obligations of a license holder and will operate the business responsibly and in the public interest."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The establishment will provide a responsible, well-regulated venue for community gatherings support local employment, generate tax revenue, and offer services that are within the immediate area."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment A - Sauce Pizza & Wine #5107 - Data
Attachment B - Sauce Pizza & Wine #5107 - Map

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

Liquor License Data: SAUCE PIZZA & WINE #5107

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	11	1
Beer and Wine Bar	7	12	10
Liquor Store	9	4	1
Beer and Wine Store	10	6	1
Restaurant	12	47	26

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	79.33	206.79	217.4
Violent Crimes	16.51	37.15	31.84

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

Property Violation Data

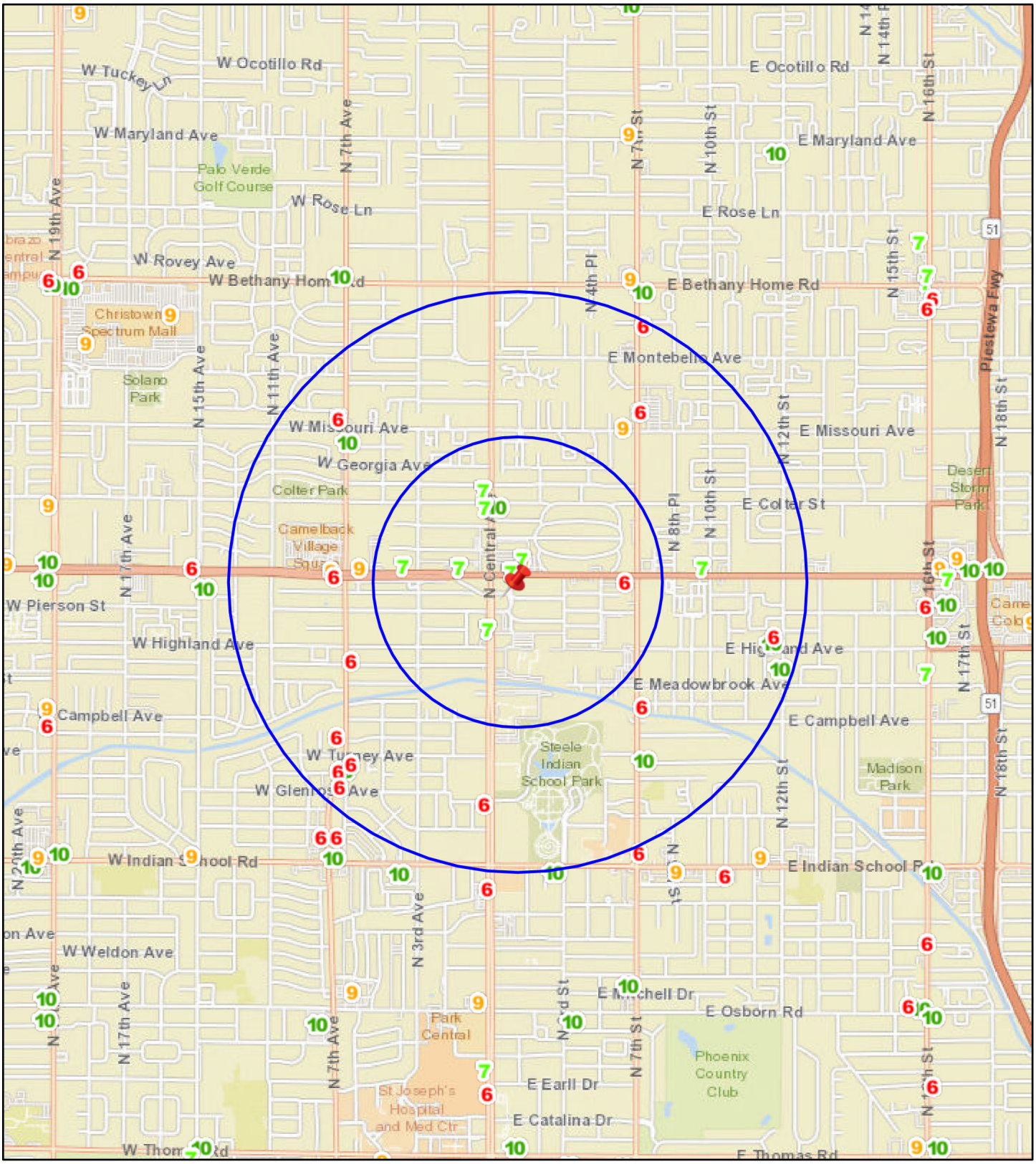
Description	Average	1/2 Mile Average
Parcels w/Violations	38	52
Total Violations	68	101

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1075001	942	355	22	43
1075003	1528	403	81	98
1076013	997	362	76	88
1086023	1442	92	113	335
1088021	949	208	91	139
1088022	361	81	17	7
1088023	893	68	77	10
1171001	1768	158	74	235
Average	1601	393	60	177

Liquor License Map: SAUCE PIZZA & WINE #5107

25 E CAMELBACK RD



Date: 9/18/2026

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 13

Liquor License - Yoshi's - District 4

Request for a liquor license. Arizona State License Application 411104.

Summary

Applicant
Harun Ozcan, Agent

License Type
Series 12 - Restaurant

Location
4102 N. 24th Street, Ste. 4
Zoning Classification: C-2, P-1
Council District: 4

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

The 60-day limit for processing this application is November 16, 2026.

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

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am responsible, financially stable, and committed to complying with all state and local laws governing the sale and service of alcohol. I understand the importance of operating a business in a lawful and professional manner, maintaining accurate records, and ensuring a safe environment for customers and the community. I am prepared to meet all licensing requirements and uphold the standards expected of a alcohol license holder."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This restaurant will provide a safe and secure place for the neighborhood to drink alcohol. The location will be convenient for the people in neighborhood who may not have access to transportation. The restaurant will be a safe, secure and convenience place for the consumer to purchase quality alcohol."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment A - Yoshi's - Data
Attachment B - Yoshi's - Map

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

Liquor License Data: YOSHI'S

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	5	4
Beer and Wine Bar	7	6	1
Liquor Store	9	3	1
Beer and Wine Store	10	13	3
Hotel	11	2	0
Restaurant	12	25	7

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	78.61	167.09	159.87
Violent Crimes	16.37	27.12	22.18

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

Property Violation Data

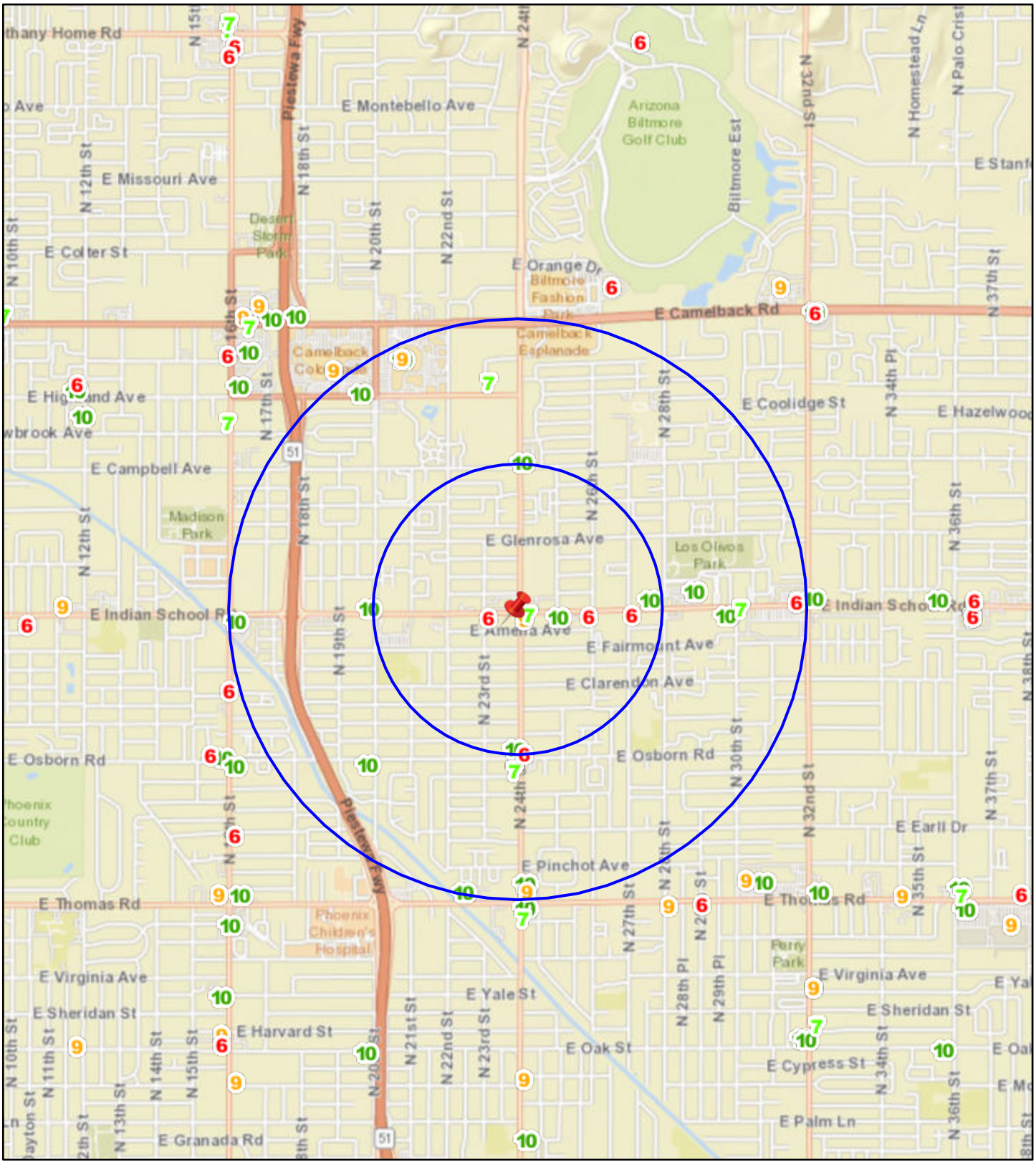
Description	Average	1/2 Mile Average
Parcels w/Violations	41	245
Total Violations	73	355

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1084003	1530	487	73	382
1084004	1540	380	246	135
1084005	989	109	57	230
1085012	1440	287	29	94
1085021	578	138	7	37
1085022	1156	234	419	0
1085023	1015	433	88	109
1107022	1817	465	28	324
1108011	1965	414	124	372
Average	1601	393	60	177

Liquor License Map: YOSHI'S

4102 N 24TH ST



Date: 9/18/2026

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 14

Liquor License - B&R Fish Shop - District 6

Request for a liquor license. Arizona State License Application 404550.

Summary

Applicant
Adam Strecker, Agent

License Type
Series 10 - Beer and Wine Store

Location
4343 E. Camelback Road, Ste. 150
Zoning Classification: C-2
Council District: 6

This request is for a new liquor license for a specialty market. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow packaged liquor sales.

The 60-day limit for processing this application is November 8, 2026.

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

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the

applicant in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"B&R Fish Shop will be under the Hi Noon Hospitality Umbrella, we brought the concepts such as Ingo's Tasty Food, Buck & Rider, and Pinyon. These restaurants are staples in the Phoenix community are we are excited to bring a new concept to the public that serves the community in a new way."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"B&R Fish Shop is a retail shop that provides fresh seafood to the Phoenix community, obtaining a liquor license will better serve the community as a neighborhood one stop shop to pick up items to host a meal for a family or for a social gathering. We also are turning a space used for storage into a business that will create jobs and generate revenue for the community."

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

Attachments
Attachment A - B&R Fish Shop - Data
Attachment B - B&R Fish Shop - Map

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

Liquor License Data: B&R FISH SHOP

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	2	0
Bar	6	3	2
Beer and Wine Bar	7	5	1
Liquor Store	9	4	2
Beer and Wine Store	10	4	0
Restaurant	12	24	10

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	78.61	71.49	94.37
Violent Crimes	16.37	6.5	6.58

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

Property Violation Data

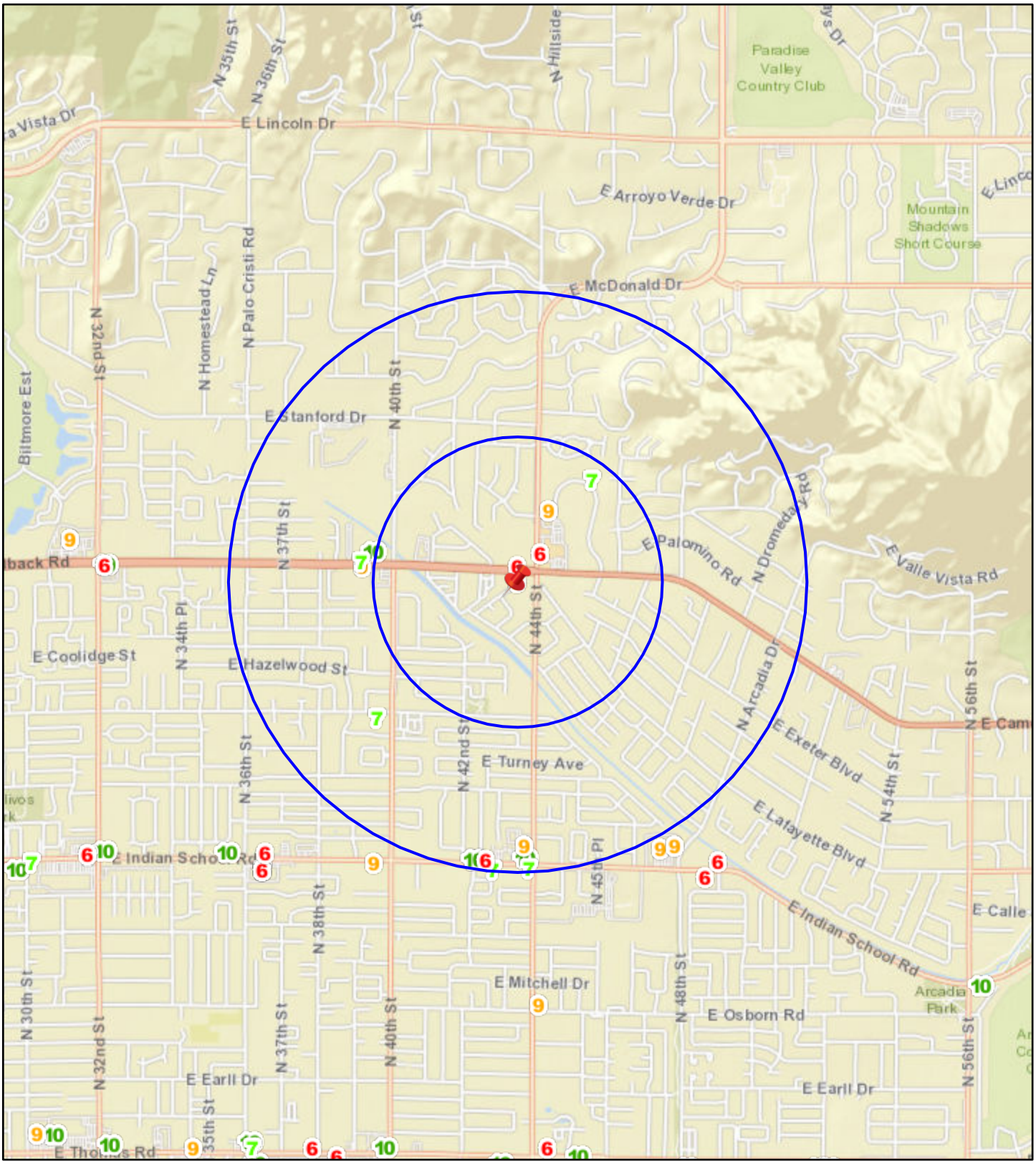
Description	Average	1/2 Mile Average
Parcels w/Violations	41	14
Total Violations	73	26

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1079002	1935	618	83	416
1079003	984	146	151	113
1081001	2154	620	106	51
1082001	1074	308	30	111
1082002	1052	330	52	241
1082003	1237	375	35	61
1083011	884	307	31	42
1083013	1416	316	40	58
Average	1601	393	60	177

Liquor License Map: B&R FISH SHOP

4343 E CAMELBACK RD



Date: 9/16/2026

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 15

Liquor License - Mendocino Farms - District 6

Request for a liquor license. Arizona State License Application 410126.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
4325 E. Indian School Road, Ste. 150
Zoning Classification: C-2 HGT/WVR DNS/WVR SP
Council District: 6

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor alcohol consumption.

The 60-day limit for processing this application is November 16, 2026.

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

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of

Arizona.

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Mendocino Farms features fresh, creative salads, sandwiches and more in a casual family-friendly environment. Applicant would like to offer guests 21 and over the opportunity to order alcoholic beverages beverages as an incident to the meals they enjoy."

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

Attachments
Attachment A - Mendocino Farms - Data
Attachment B - Mendocino Farms - Map

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

Liquor License Data: MENDOCINO FARMS

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Wholesaler	4	2	2
Bar	6	7	1
Beer and Wine Bar	7	4	2
Liquor Store	9	6	3
Beer and Wine Store	10	6	3
Restaurant	12	27	15

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	78.61	152.46	134.39
Violent Crimes	16.37	13.9	14.86

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

Property Violation Data

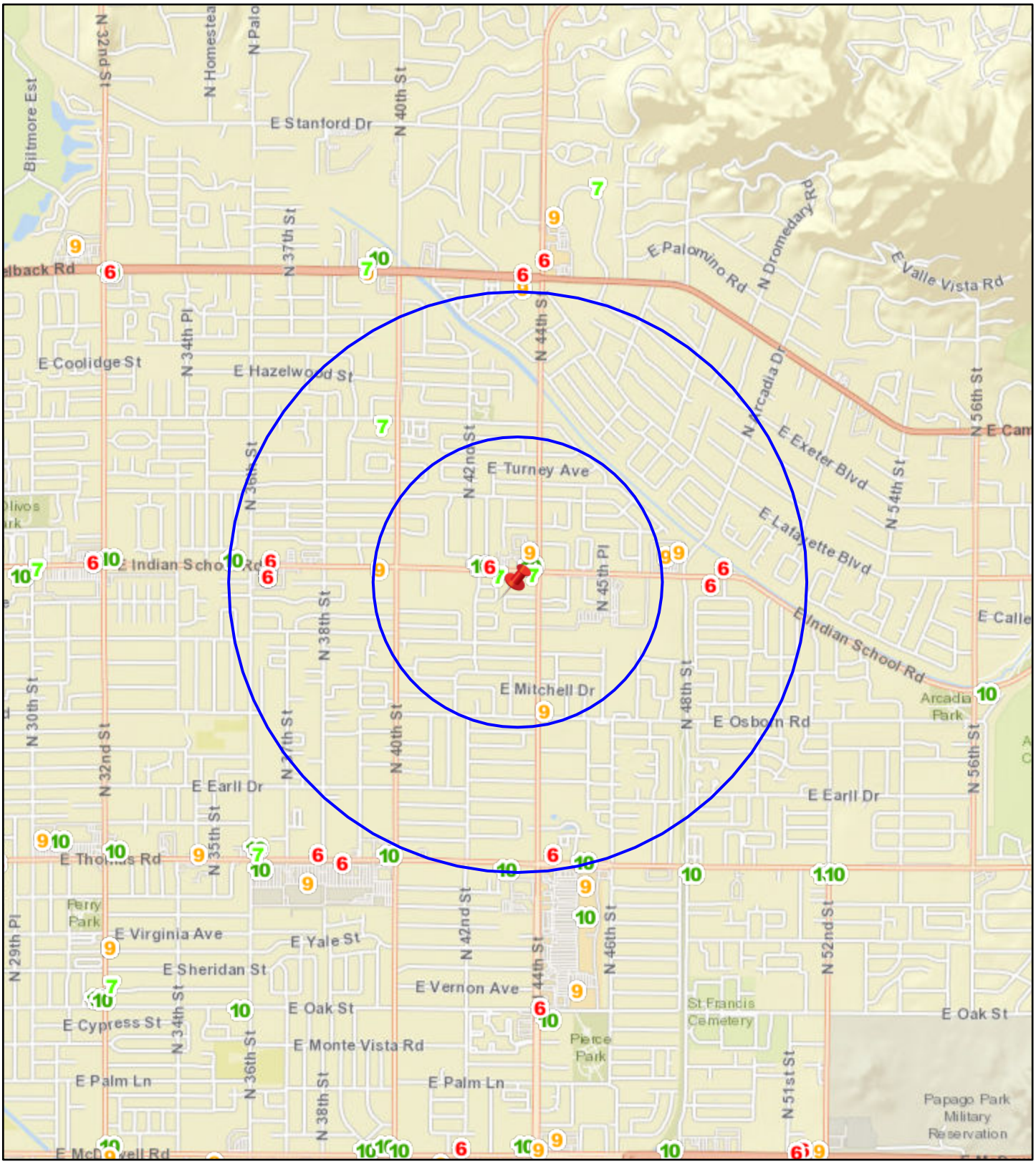
Description	Average	1/2 Mile Average
Parcels w/Violations	41	63
Total Violations	73	100

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1082002	1052	330	52	241
1082003	1237	375	35	61
1083022	1419	351	90	116
1109022	2584	472	149	528
1110001	1097	117	20	93
1110002	891	325	25	43
1110003	1062	353	53	0
1110004	975	299	41	0
1110005	568	200	20	0
Average	1601	393	60	177

Liquor License Map: MENDOCINO FARMS

4325 E INDIAN SCHOOL RD



Date: 9/17/2026

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 16

Liquor License - Sauce Pizza & Wine #5102 - District 6

Request for a liquor license. Arizona State License Application 411280.

Summary

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
742 E. Glendale Avenue, Ste. 126
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is November 13, 2026.

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

Other Active Liquor License Interest in Arizona
The applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"New owners possess the necessary business experience, financial responsibility, and commitment to comply with all applicable liquor laws and regulations. They understand the duties and obligations of a license holder and will operate the business responsibly and in public interest."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The establishment will provide a responsible, well-regulated venue for community gatherings support local employment, generate tax revenue, and offer services that are within the immediate area."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment A - Sauce Pizza & Wine #5102 - Data
Attachment B - Sauce Pizza & Wine #5102 - Map

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

Liquor License Data: SAUCE PIZZA & WINE #5102

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	1
Liquor Store	9	3	1
Beer and Wine Store	10	4	2
Restaurant	12	13	4
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	78.61	93.39	97.66
Violent Crimes	16.37	12.02	8.7

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

Property Violation Data

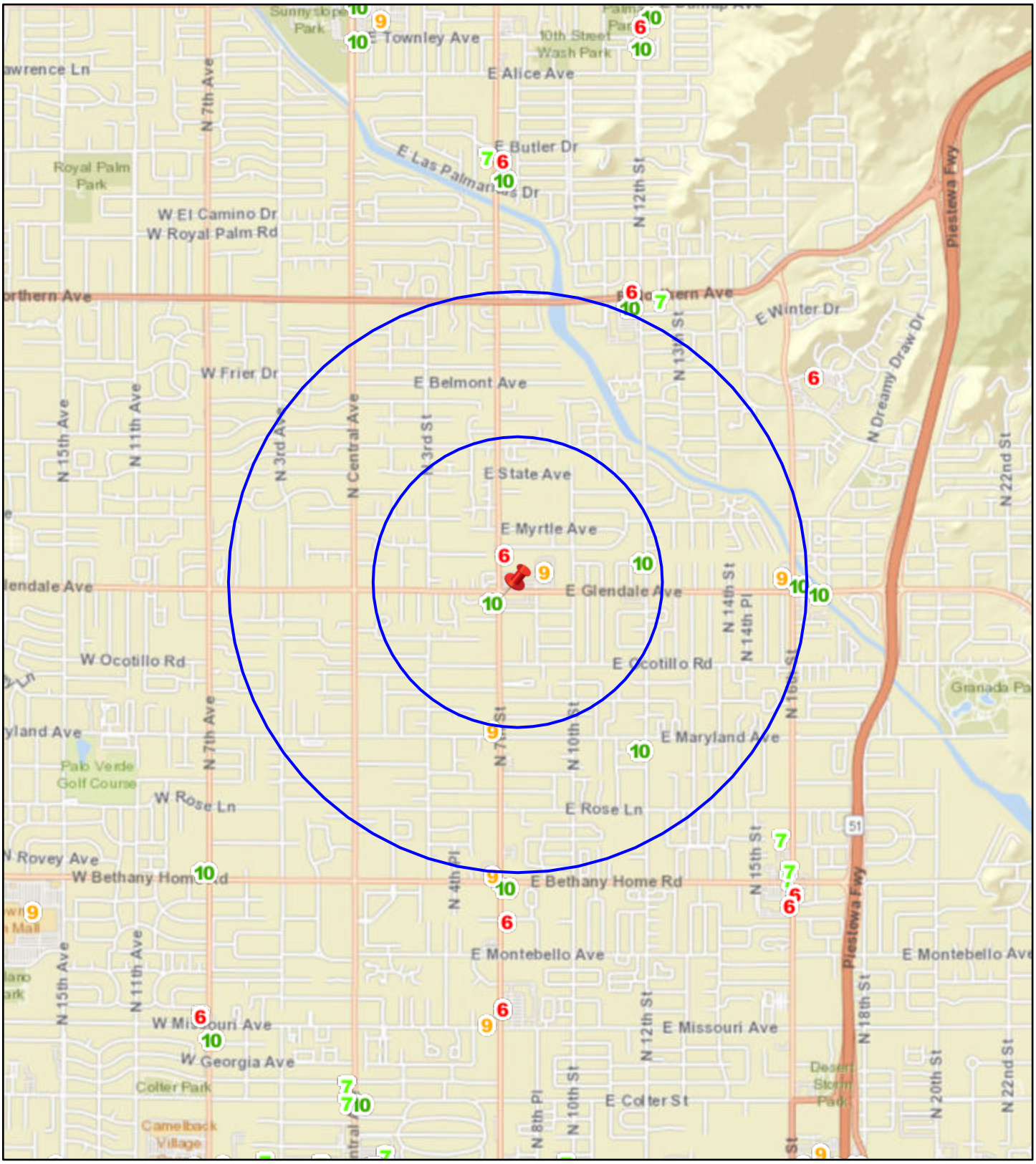
Description	Average	1/2 Mile Average
Parcels w/Violations	41	64
Total Violations	73	114

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1062002	1631	566	37	84
1063002	1402	408	51	22
1063003	714	213	54	61
1063004	1504	401	39	97
1065011	1847	368	45	162
1065022	1566	480	69	41
1066002	1827	640	71	48
Average	1601	393	60	177

Liquor License Map: SAUCE PIZZA & WINE #5102

742 E GLENDALE AVE



Date: 9/17/2026

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 17

Liquor License - Special Event - The Alliance Francaise of Greater Phoenix - District 7

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Jeannine Bobin

Location
429 W. Jackson Street
Council District: 7

Function
Art Show

Date(s) - Time(s) / Expected Attendance
November 22, 2026 - 5 p.m. to 8 p.m. / 100 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 18

Liquor License - Bistro Brunch Cocina Mexicana - District 7

Request for a liquor license. Arizona State License Application 409837.

Summary

Applicant
Ixsael Ugarte, Agent

License Type
Series 12 - Restaurant

Location
5950 W. McDowell Road, Ste. 101
Zoning Classification: C-2
Council District: 7

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

The 60-day limit for processing this application is November 9, 2026.

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

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I will be able to provide more employment in my business. I will also be paying more in taxes due to increase in sales to the City of Phoenix. I have zero criminal records and I am a law abiding citizen."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Bistro Brunch is a locally owned Restaurant committed to providing a safe, welcoming, and family friendly dining experience. The liquor license allows us to enhance our existing food and beverage offerings by providing customers with the convenience of enjoying alcoholic beverages such as mimosas and cocktails, Resposibly with their meals."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment A - Bistro Brunch Cocina Mexicana - Data
Attachment B - Bistro Brunch Cocina Mexicana - Map

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

Liquor License Data: BISTRO BRUNCH COCINA MEXICANA

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	5	0
Government	5	1	0
Liquor Store	9	2	1
Beer and Wine Store	10	9	5

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	78.61	178.52	243.94
Violent Crimes	16.37	47.69	60.29

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

Property Violation Data

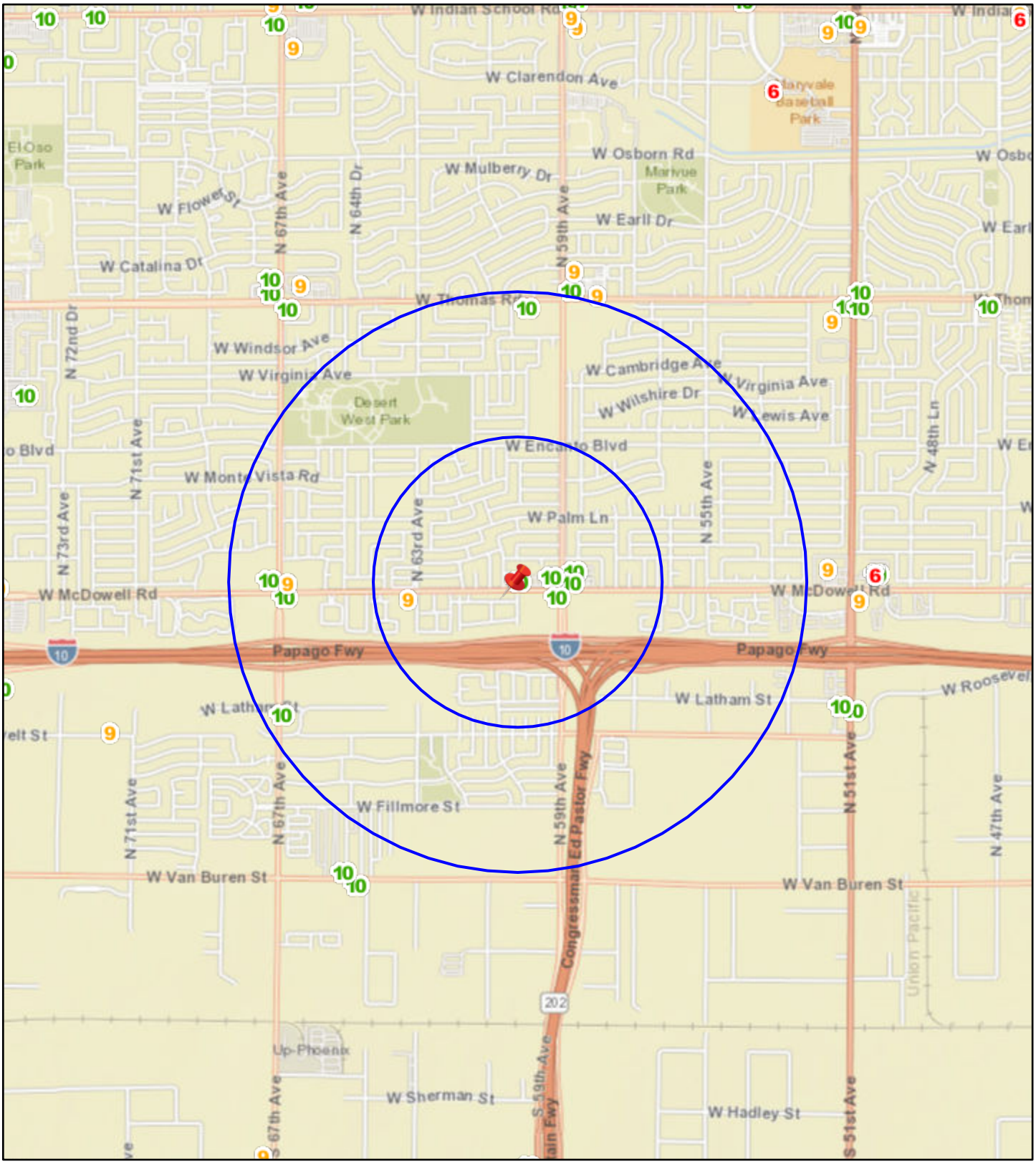
Description	Average	1/2 Mile Average
Parcels w/Violations	41	91
Total Violations	73	189

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1124012	2473	407	16	352
1124021	2810	555	14	1178
1125021	3155	406	19	297
1125022	1213	281	5	364
1125023	1131	281	4	119
1125041	2005	367	19	284
1125072	1429	0	55	491
1125122	310	0	333	236
1125211	2161	0	57	199
1125212	1092	0	74	213
1125221	3399	358	7	243
Average	1601	393	60	177

Liquor License Map: BISTRO BRUNCH COCINA MEXICANA

5950 W MCDOWELL RD



Date: 9/14/2026

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 19

Liquor License - Federico's Mexican Food - District 7

Request for a liquor license. Arizona State License Application 410721.

Summary

Applicant
Jesus Altamirano, Agent

License Type
Series 12 - Restaurant

Location
2640 S. 99th Avenue, Ste. A
Zoning Classification: C-P PCD
Council District: 7

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

The 60-day limit for processing this application is November 7, 2026.

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

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations

on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Federico's Mexican Food (Series 12)
16995 W. Greenway Road, Ste. 100, Surprise
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have many years of experience owning and managing establishments in the state of AZ. I have maintained a clean compliance record with no liquor violations. I have made sure my manager to be fully certified in the Title 4 liquor law training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"It will provide local residents and visitors with a conventient and high quality of food that will fulfill a clear public demand while operating under strict safety and compliance standards to support the neighborhood's economic growth."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment A - Federico's Mexican Food - Data
Attachment B - Federico's Mexican Food - Map

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

Liquor License Data: FEDERICO'S MEXICAN FOOD

Liquor License

Description	Series	1 Mile	1/2 Mile
Beer and Wine Store	10	2	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	78.61	53.15	123.14
Violent Crimes	16.37	8.35	14.01

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

Property Violation Data

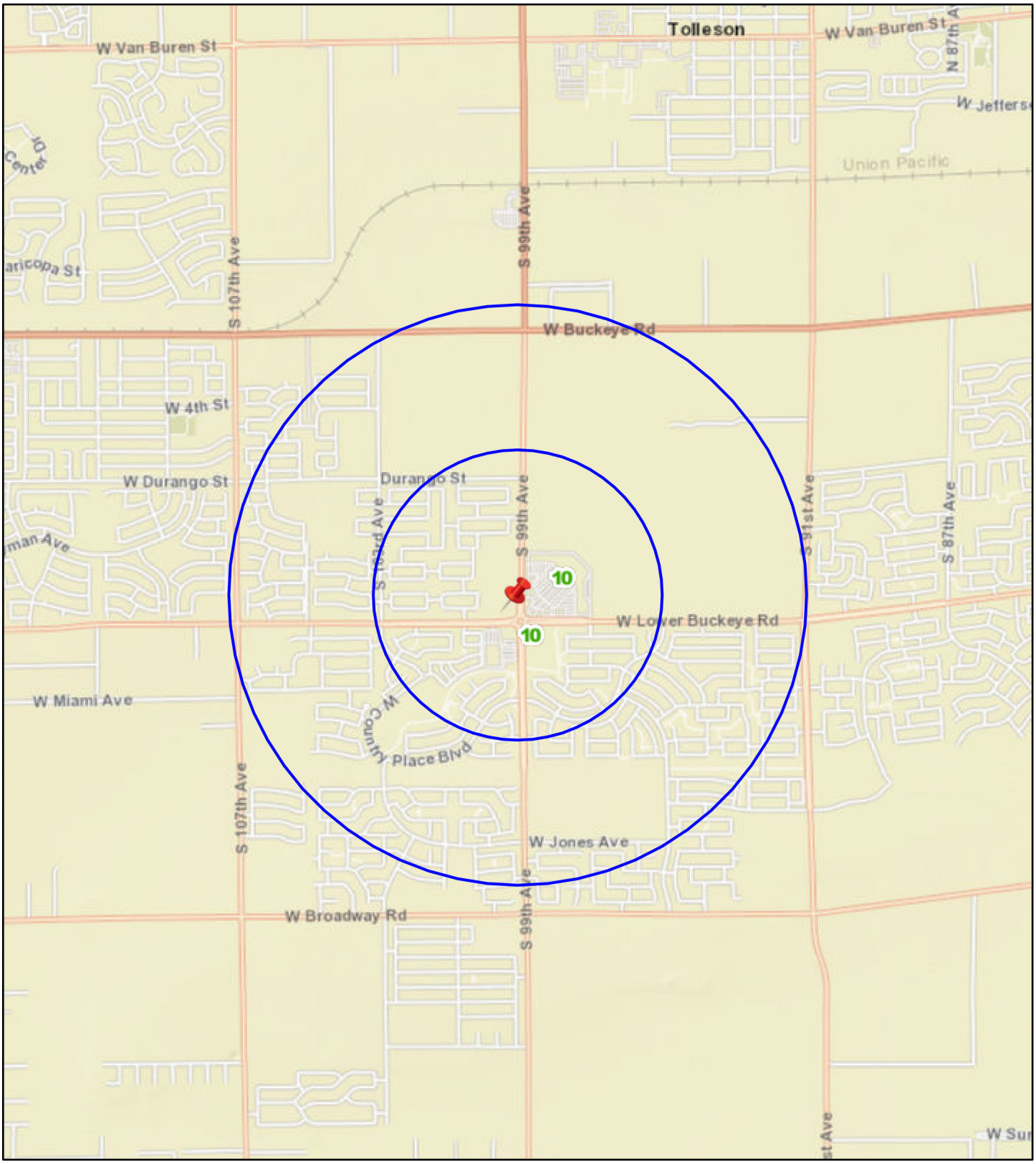
Description	Average	1/2 Mile Average
Parcels w/Violations	41	10
Total Violations	73	10

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
0822041	4129	587	27	251
0822043	1777	335	21	249
0822121	2196	433	100	189
0822122	4628	632	13	316
0822132	3215	702	22	319
0822133	1937	491	4	0
Average	1601	393	60	177

Liquor License Map: FEDERICO'S MEXICAN FOOD

2640 S 99TH AVE



Date: 9/23/2026

N

0 0.170.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 20

Liquor License - Special Event - Children's Museum of Phoenix - District 8

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Kelley Fitzsimmons

Location
215 N. 7th Street
Council District: 8

Function
Gala

Date(s) - Time(s) / Expected Attendance
November 18, 2026 - 7 p.m. to 10 p.m. / 999 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 21

Liquor License - Hampton Inn Phoenix-Airport - District 8

Request for a liquor license. Arizona State License Application 413770.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 10 - Beer and Wine Store

Location
601 N. 44th Street
Zoning Classification: C-2 M-R
Council District: 8

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

The 60-day limit for processing this application is November 16, 2026.

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

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Hampton Inn Phoenix-Airport has been popular business + personal travel destination for many years. Applicant would like to offer guests 21 and over the opportunity to purchase beer and wine for consumption off premises."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment A - Hampton Inn Phoenix-Airport - Data
Attachment B - Hampton Inn Phoenix-Airport - Map

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

Liquor License Data: HAMPTON INN PHOENIX-AIRPORT

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	78.61	179.43	255.83
Violent Crimes	16.37	47.34	47.87

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

Property Violation Data

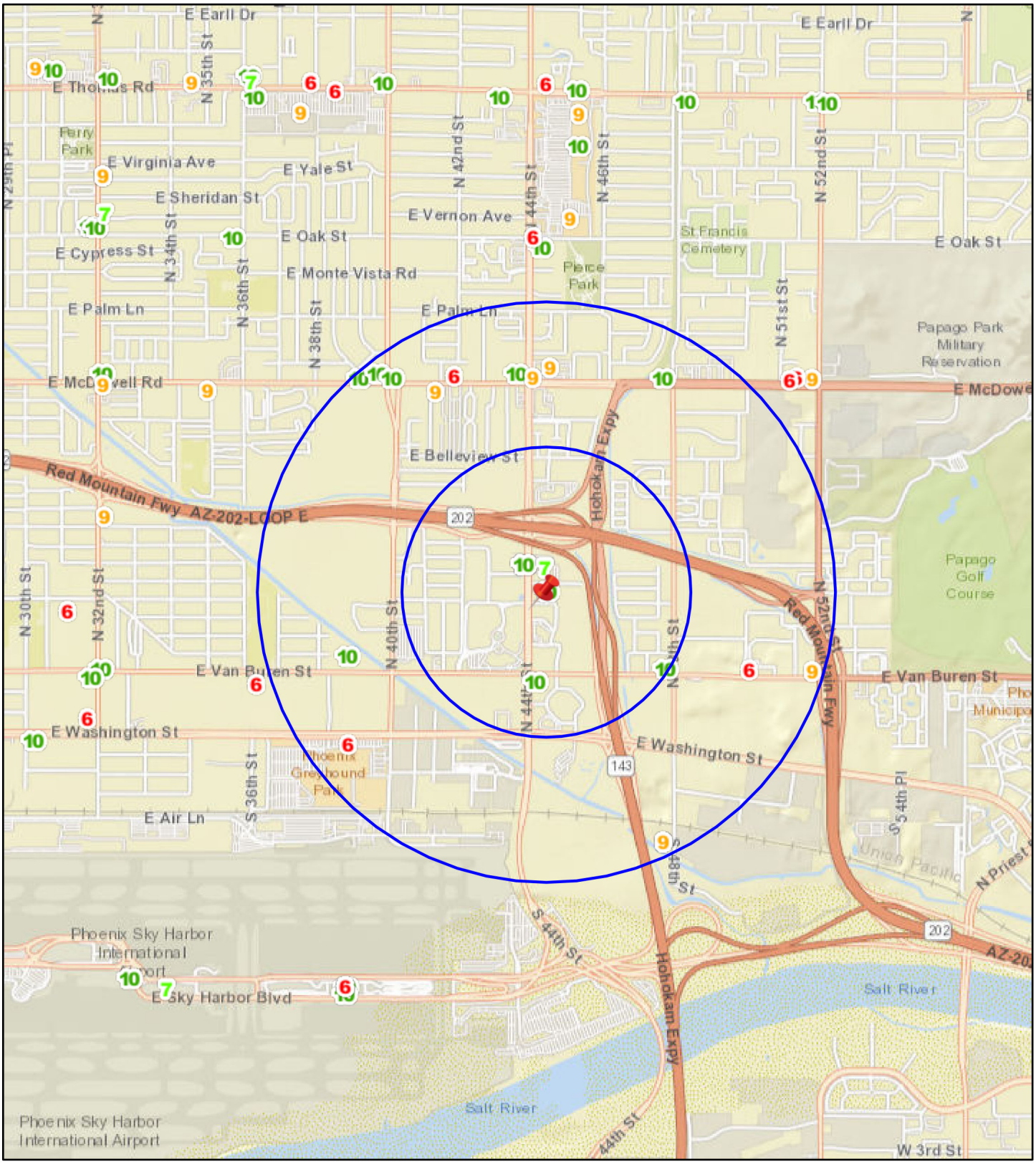
Description	Average	1/2 Mile Average
Parcels w/Violations	41	38
Total Violations	73	69

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1112021	1782	39	65	327
1112031	2180	4	39	272
1137011	712	0	35	0
1137012	757	163	41	150
1137013	2876	176	74	1405
1137014	1791	191	101	767
1137021	678	150	13	206
1137022	1711	178	13	580
1138003	247	0	131	89
1138004	423	0	13	74
Average	1601	393	60	177

Liquor License Map: HAMPTON INN PHOENIX-AIRPORT

601 N 44TH ST



Date: 9/18/2026

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 22

Liquor License - Ingo's - District 8

Request for a liquor license. Arizona State License Application 410691.

Summary

Applicant
Aaron Esenberg, Agent

License Type
Series 12 - Restaurant

Location
3800 E. Sky Harbor Boulevard, T4 N2 F36
Zoning Classification: A-1
Council District: 8

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in December 2026.

The 60-day limit for processing this application is November 17, 2026.

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

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the

applicant in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been in the food and concession industry with SSP America since 2022. During that time, I have been the agent and manager for all SSP America units a Phoenix Sky Harbor International Airport Terminals 3 and 4 and have acted responsibly in those roles to ensure compliance with applicable liquor regulations and policies."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Ingo's will be able to provide the general public demand for a variety of adult beverages to pair with their ordered meals. This is will be a convenience service to visitors, airport employees, and passengers at Phoenix Sky Harbor International Airport - similar to other major airports in the United States."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment A - Ingo's - Data
Attachment B - Ingo's - Map

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the City Clerk Department.

Liquor License Data: INGO'S

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	2
Beer and Wine Bar	7	1	0
Conveyance	8	12	2
Beer and Wine Store	10	5	2
Restaurant	12	23	13
Club	14	5	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	78.61	87.5	133.65
Violent Crimes	16.37	3.71	4.77

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

Property Violation Data

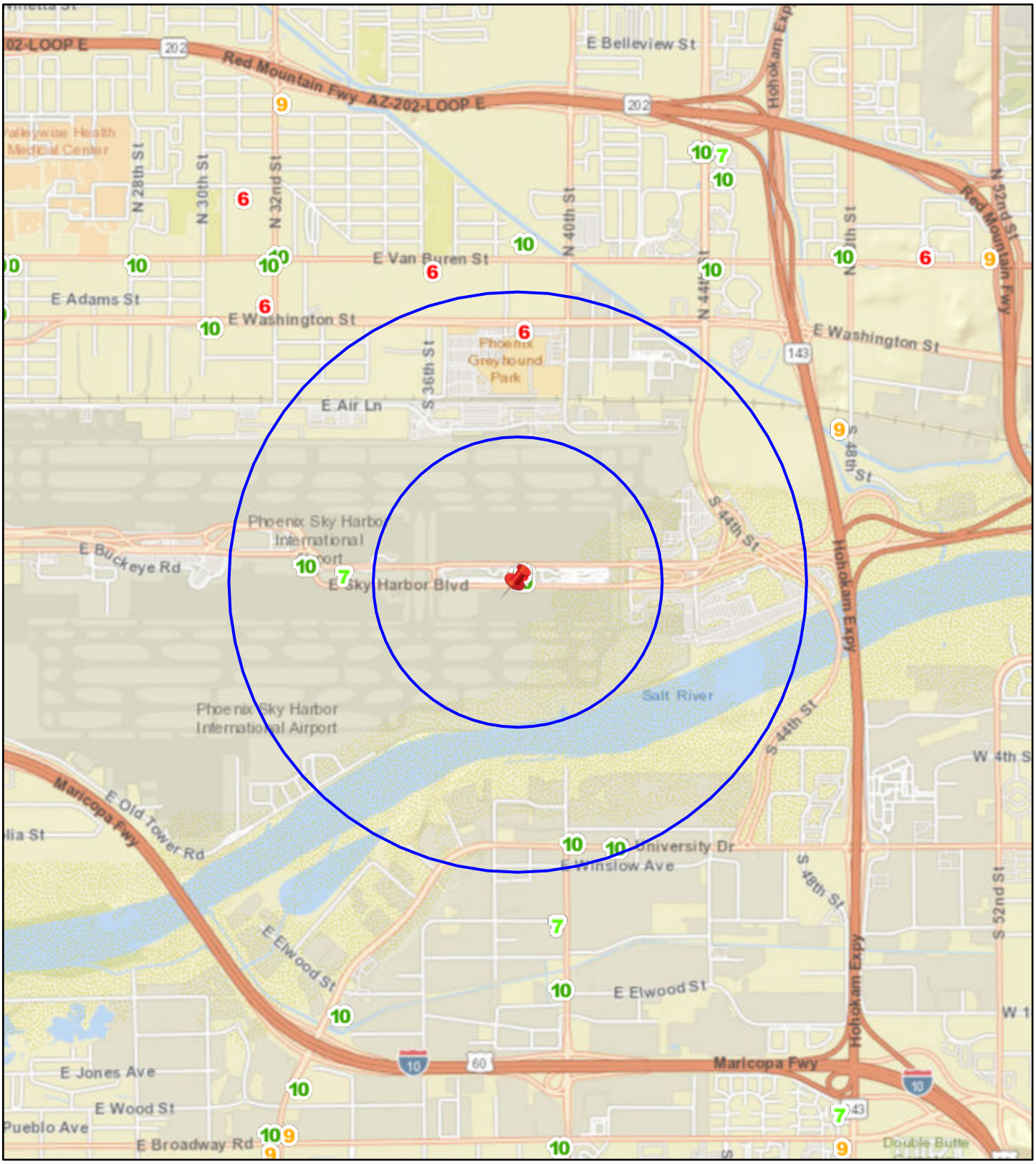
Description	Average	1/2 Mile Average
Parcels w/Violations	41	0
Total Violations	73	0

Census 2020 Data 1/2 Mile Radius

BlockGroup	2020 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1138006	0	0	1	0
Average	1601	393	60	177

Liquor License Map: INGO'S

3800 E SKY HARBOR BLVD



Date: 9/21/2026

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 23

Salt River Project

For $170,840 in payment authority for a one-time payment to cover distribution design and construction costs associated with the City's Project PT22137001 (T3542674) - EV Bus Transit Phase 1, for the Public Transit Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 24

Acceptance and Dedication of an Easement for Public Utility Purposes (Ordinance S-53303) - District 3

Request for the City Council to accept and dedicate an easement for public utility purposes; further ordering the ordinance recorded. Legal descriptions are recorded via separate recording instrument.

Summary

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

Easement
Maricopa County Recording: 20260557690
Date: September 23, 2026
Applicant and Grantor: Jeffrey D. Gray and Adriane Gray, husband and wife; its successor and assigns
Purpose: Public Utility
Location: 11424 N. 28th Street
APN: 166-39-004D
File: FN 2600091
Council District: 3

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Planning and Development and Finance departments.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 25

Grant of a Public Utility Easement for a City Project Located at 8130 N. Black Canyon Highway (Ordinance S-53301) - District 5

Request the City Council to grant a public utility easement, for the consideration of one dollar, for the installation of a new service to a City facility on City property in the Salt River Project (SRP) service area, and further ordering the Ordinance to be recorded.

Summary

The easement is needed for the redevelopment and conversion of the former Super 8 Motel to 126 new units of affordable housing. The electric easement is needed to bring outdated services up to modern standards. The services were installed over 30 years ago and renovation requires new electric lines to bring into compliance with current construction requirements.

This public utility easement is more fully described in the legal description ("Easement Premises") recorded with the ordinance and will be granted to all public service corporations, agricultural improvement districts, and telecommunication corporations providing utility service to the property located at 8130 N. Black Canyon Highway (collectively "Grantee") for an indefinite period, subject to the following terms and conditions:

A. Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate and maintain utility facilities together with appurtenant fixtures for use in connection therewith for the transmission and distribution of utility and communication facilities (collectively "Grantee Facilities") to, through, across and beyond Grantor's property within the Easement Premises. Subject to the notice requirements provided in paragraph "I," Grantee shall at all times have the right of full and free ingress and egress to and along the Easement Premises for the purposes herein specified. Grantee acknowledges and accepts that Grantee shall use such Easement Premises with other Grantees and shall use such Easement Premises with other Grantees in accordance with and consistent with industry standards and customs for such shared use. Grantor agrees to coordinate the location of Grantee's Facilities within the Easement Premises and to pay costs for relocation of Grantee's Facilities as provided in paragraph "F."

B. Grantor shall not locate, erect or construct, or permit to be located or erected or constructed, any building or other structure (or drill any well) within the limits of the Easement Premises. However, Grantor reserves all other rights, interests, and uses of the Easement Premises that are not inconsistent with Grantee's easement rights herein conveyed and which do not interfere with or endanger any of the Grantee Facilities. Notwithstanding the foregoing, Grantor shall not have the right to lower by more than one foot or raise by more than two feet the surface grade of Easement Premises without the prior written consent by the Grantee whose facilities will be affected by the change of elevation.

C. Grantee shall not have the right to use the Easement Premises to store gasoline or petroleum products, hazardous or toxic substances, or flammable materials; provided however, that this prohibition shall not apply to any material, equipment or substance contained in, or a part of, the Grantee Facilities, provided that Grantee must comply with all applicable federal, state and local laws and regulations in connection therewith. Additionally, the Easement Premises may not be used for the storage of construction-related materials or to park or store construction-related vehicles or equipment except on a temporary basis to construct, reconstruct, replace, repair, operate, or maintain the Grantee Facilities.

D. Grantor shall maintain an appropriate three-foot clear area around all edges of all equipment pads for Grantee Facilities in addition to a clear operational area that extends 10 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstruction, trees, shrubs, fixtures, or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs, or other obstruction within said areas.

E. Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work or use by Grantee within the Easement Premises, the affected area, including without limitation, all pavement, landscaping, concrete and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.

F. Grantor reserves the right to require the relocation of Grantee Facilities to a new location within Grantor's property; provided however, that: (1) Grantor pays the entire cost of redesigning and relocating existing Grantee Facilities to the new location; and (2) Grantor provides Grantee with a new and substantially similar public utility easement at no cost to Grantee. After relocation of Grantee Facilities to the new easement area, Grantee shall abandon its rights to use the Easement Premises

granted in this easement without cost or consequence to Grantor.

G. Each public service corporation and telecommunication services corporation as a Grantee shall coordinate and work with other Grantees in the use of the Easement Premises. In the event that a third party or other Grantee requests the relocation of existing Grantee Facilities to a new location (whether or not) within the Easement Premises, the requesting party shall pay the entire cost of redesigning and relocating the existing Grantee Facilities.

H. Grantee shall not have the right to transfer, convey or assign its interests in this easement to any individual, corporation, or other entity without the prior written consent of Grantor, which consent shall not be unreasonably withheld. Grantee shall notify Grantor of any proposed transfer, conveyance or assignment of any rights granted herein.

I. Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where the Easement Premises are located: (1) on a site that includes Aviation Department facilities; (2) water and wastewater treatment facilities; (3) Police Department headquarters located at 100 W. Washington Street; (4) Fire Department headquarters located at 150 S. 12th Street; (5) City Hall located at 200 W. Washington Street; (6) City Court Building located at 300 W. Washington Street; (7) Calvin C. Goode Building located at 251 W. Washington Street; (8) Public Transit Department headquarters located at 302 N. 1st Avenue; (9) West Transit Facility located at 405 N. 79th Avenue; or (10) in a secured or fenced area.

Location
Address: 8130 N. Black Canyon Highway
Maricopa County Assessor's Parcel Number:158-04-004H
Council District: 5

Responsible Department
This item is submitted by Deputy City Manager Gina Montes, the Office of Homeless Solutions and Finance Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 26

Translation Devices Contract - RFA 27-0437 - Request for Award (Ordinance S-53290) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Translatelive LLC to provide translation devices and services for Citywide use. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $124,220.

Summary

This contract will provide Instant Language Assistant (ILA) devices and translation services to City departments and offices that regularly engage with residents and stakeholders from diverse linguistic backgrounds. These devices will help strengthen communication, improve accessibility and enhance the overall quality of service for City residents.

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

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition. The ILA is a device that provides secure, on-demand, two-way or multi-party translated communication with human interpretation services, supporting text, speech, ASL, and Braille in more than 200 languages. Procuring these devices will ensure clear, accurate and inclusive communication for all residents, and provide secure, consistent accessibility for our diverse community.

Contract Term

The contract will begin on or about November 4, 2026, for a five-year term with no options to extend.

Financial Impact

The total value of the contract will not exceed $124,220 for the five-year aggregate term.

Funding is available in various departments' operating budgets.

Responsible Department
This item is submitted by City Manager Ed Zuercher, Assistant City Manager Ginger Spencer, the Office of Innovation and the Finance Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 27

Integrated Pest Control, Wildlife Relocation and Bird/Bat Management - IFB 24-0017 - Amendment (Ordinance S-53290) - Citywide

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 159439 with City Wide Pest Control to modify the contract terms to remove and add service locations and to add a liability waiver. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code Section 42-18. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed; request to continue using ordinance S-50288.

Summary
This contract provides various pest control treatments to prevent, destroy, repel or mitigate pests and to relocate wildlife and birds. The services are requested throughout the City in various locations. City departments utilize a combination of methods to keep pests at an acceptable level for the health of staff and citizens. The requested services are critical to citywide facility operations.

Contract Term
The contract term remains unchanged, ending on October 31, 2028.

Financial Impact
The aggregate value of the contract will not exceed $1,605,746, and no additional funds are needed.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
- Integrated Pest Control, Wildlife Relocation, and Bird/Bat Management Contract 159439 (Ordinance S-50288) on November 1, 2023.

Responsible Department
This item is submitted by Assistant City Manager Ginger Spencer and the Finance Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 28

Restoration Services Contract - RFP GGS-26-0202 - Request for Award (Ordinance S-53290) - Citywide

Request to authorize the City Manager, or his designee, to enter into contracts with ATI Restoration, LLC, a disregarded entity of ATI HoldCo, LLC; Belfor USA Group, Inc., dba Belfor Property Restoration; East Valley Disaster Services, Inc.; Edge Restoration LLC; EHS Restoration LLC; Kowalski Construction, Inc.; RestorationHQ LLC; Sagebrush Restoration, LLC; JDW Management, L.L.C. dba Servpro Phoenix; and Summit Restoration and Construction LLC; to provide restoration and mitigation services for the Finance Department's Risk Management Division. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $6,000,000.

Summary

These contracts will provide restoration and mitigation services for the Risk Management Division, including, but not limited to, carpentry, masonry, plumbing, electrical repair, roofing, flooring, emergency clean-up, flood and water intrusion response, water damage repair, and smoke and fire restoration, for residential and commercial properties on an as-needed basis.

Procurement Information

A Request for Proposal procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Thirteen vendors submitted proposals deemed responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1,000:

- Method of Approach (0-400 points)
- Capacity (0-250 points)
- Qualification and Experience (0-150 points)
- Pricing (200 points)

After reaching consensus, the evaluation committee recommends award to the following vendors:

- ATI Restoration, LLC, a disregarded entity of ATI HoldCo, LLC - 800.58 points
- Belfor USA Group, Inc., dba Belfor Property Restoration - 754.42 points
- East Valley Disaster Services, Inc. - 744.87 points
- Edge Restoration LLC - 772.5 points
- EHS Restoration LLC - 811.96 points
- Kowalski Construction, Inc. - 751.62 points
- RestorationHQ LLC - 744.62 points
- Sagebrush Restoration, LLC - 728.59 points
- JDW Management, L.L.C. dba Servpro Phoenix - 698.96 points
- Summit Restoration and Construction LLC - 693.02 points

Contract Term
The contracts will begin on or about December 1, 2026, for a five-year term with no options to extend.

Financial Impact
The aggregate contract value will not exceed $6,000,000.

Funding is available in the Self-Insurance Risk Trust Fund.

Responsible Department
This item is submitted by Assistant City Manager Ginger Spencer and the Finance Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 29

SAP Programming and Technical Support Services - Amendment (Ordinance S-53290) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to execute amendment to Contract 147248 with SynterTec Consulting, Inc., to extend the contract term and allow additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $1,108,640.

Summary

This contract will provide technical support services for business functions of the SAP system. The City utilizes the SAP system for critical financial accounting and reporting, procurement, accounts payable and receivables, reporting, work order management, inventory management, and plant maintenance. Due to the highly specialized programming skills, the contract services are necessary to support the SAP system, which includes more than 3,000 users and interfaces with various City systems. The extension is necessary to provide staff augmentation for the continued programming of work processes and interfaces with SAP and will also be utilized for continued modernization system upgrades.

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

Contract Term

Upon approval, the contract will be extended through March 26, 2030.

Financial Impact

Upon approval of $1,108,640 in additional funds, the revised aggregate value of the contract will not exceed $7,058,640. Funds are available in the Finance Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- SAP programming support services (Ordinance S-44378) on March 21, 2018.
- SAP programming support services (Ordinance S-49522) on March 22, 2023.

Responsible Department

This item is submitted by Assistant City Manager Ginger Spencer and the Finance Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 30

Tree Pruning, Tree Removal and Other Services - COOP 24-0382 - Amendment (Ordinance S-53290) - Citywide

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 162214 with West Coast Arborists, Inc., for Tree Pruning, Tree Removal and Other Services for Citywide use. Further request to authorize the City Controller to disburse all funds related to this item. The additional funds will not exceed $698,000.

Summary

The City is extending the use of this agreement to all City departments to continue providing use of the tree inventory system, tree pruning, tree removal, tree planting and other related services throughout the City on an as-needed basis.

The Contractor’s broad range of services includes creating an inventory and assessment of the City's trees. This assessment includes location, species, health and size of trees maintained by the City and covers areas such as rights-of-way, street medians and all City-maintained parks and facilities. The tree inventory system provides a comprehensive view of the health of the urban forest on City properties, which enables accurate monitoring and management of tree conditions and supports proactive maintenance efforts.

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

Contract Term

The contract term remains unchanged, ending on January 31, 2028.

Financial Impact

Upon approval of $698,000 in additional funds, the revised aggregate value of the contract will not exceed $1,298,000. Funds are available in the various departments' budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Tree Inventory System, Tree Pruning, Tree Removal and Related Services Contract COOP 24-0382 (Ordinance S-51461) on December 4, 2024.

Responsible Department

This item is submitted by Assistant City Manager Ginger Spencer and the Finance Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 31

Employee Loans - COOP-23-038 - Amendment (Ordinance S-53308) - Citywide

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 158533 with Sunrise Banks N.A., to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using ordinance S-49704.

Summary

This contract provides a short-term loan program to support employees with personal financial needs. Eligible employees may apply for a loan of up to $5,000 or 8% of their gross income, whichever is less. Repayments are made through payroll deductions, and the program operates at no cost to the City.

The cooperative agreement between Sourcewell, a service cooperative, and Sunrise Banks is set to expire on June 30, 2028. The City plans to enter into a new linking agreement through Sourcewell once the services are re-solicited. In the interim, Sunrise Banks has agreed to a one-year extension, ensuring continuity of services while the next Sourcewell agreement is finalized.

Contract Term

Upon approval the contract will be extended through June 30, 2029.

Financial Impact

This program is provided at no cost or liability to the City of Phoenix, and there is no impact to the General Fund. The costs for these services are paid by monthly payroll deductions from participants in the loan program.

Concurrence/Previous Council Action

The City Council Previously reviewed this request:

- Employee Loans COOP-23-038 - Contract 158533 (Ordinance S-49704) on May 31, 2023.

Responsible Department

This item is submitted by Deputy City Manager David Mathews and the Human Resources Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 32

Arizona 811 Associate Membership for Right-of-Way Excavation Notification Services - Amendment (Ordinance S-53290) - Citywide

Request to authorize the City Manager, or his designee, to allow additional expenditures and extend the term under Contract 144146 with Arizona Blue Stake, Inc dba Arizona 811 for excavation notification services. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $260,000.

Summary

Arizona 811 provides its members with access to a state-of-the-art computer system used to receive notifications of excavation activity within the geographic areas where they own and operate underground facilities. Participation in this program is legally required of all underground facility owners or operators with the right to bury underground facilities in the right-of-way pursuant to Arizona Revised Statute 40-360.21-32. Not receiving these excavation notices will result in damage and service outages to the City's internal and external customers who currently use underground communications cable for voice, data and video service.

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

Contract Term

Upon approval, the contract will be extended through November 30, 2032.

Financial Impact

Upon approval of $260,000 in additional funds, the revised aggregate value of the contract will not exceed $418,300. Funds are available in the Information Technology Services Department’s budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Arizona 811 Associate Membership for Right-of-Way Excavation Notification Services Contract 144146 (Ordinance S-42827) on August 31, 2016
- Arizona 811 Associate Membership for Right-of-Way Excavation Notification

Services Contract 144146 (Ordinance S-47207-0017) on January 6, 2021.
- Arizona 811 Associate Membership for Right-of-Way Excavation Notification Services Contract 144146 (Ordinance S-48449-0020) on April 6, 2022.
- Arizona 811 Associate Membership for Right-of-Way Excavation Notification Services Contract 144146 (Ordinance S-50662-0029) on March 20, 2024.

Responsible Department
This item is submitted by Deputy City Manager David Mathews and the Information Technology Services Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 33

Shoplifting/Theft Diversion Program Contract - RFP PS-26-0265 (Ordinance S-53304) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with SAGE Counseling, Inc. (SAGE) to operate and administer the City's Shoplifting/Theft Diversion Program (SDP). The Program is funded entirely through fees paid by program participants.

Summary

This contract will provide a one-day educational program (or individual counseling, as needed) for individuals charge with shoplifting or theft-related misdemeanor offenses in the City of Phoenix and who meet the Prosecutor's Office criteria for participation. Criteria include, but are not limited to, participants are usually first-time offenders; no previous theft-related felony history; no history of violation in fiduciary positions, and/or the incident was non-violent.

Procurement Information

A Request for Proposal procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Three vendors submitted proposals deemed responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1,000:

Method of Approach (600 points)
Qualifications and Experience (200 points)
Program Evaluation and Measures (75 points)
Pricing Proposal (125 points)

After reaching consensus, the evaluation committee recommends award to the following vendor(s):

SAGE Counseling, Inc. (986.3)

Contract Term

The contract term will begin on or about October 1, 2026, through June 30, 2029 with two, one-year renewal options, which may be exercised by the City Manager or designee.

Financial Impact

No annual expenditure, the program is funded by the participants.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 34

Investigative Services Contract - RFQu 26-0293 - Request for Award (Ordinance S-53290) - Citywide

Request to authorize the City Manager, through the City Attorney, to enter into contracts with various investigative services providers for investigative services for the Law Department on an as-needed basis, as determined by the City Attorney. Further request to authorize the City Controller to disburse all funds related to this item. The total combined value of the contracts will not exceed $320,000. Request to apportion the total combined value among the contract awardees, based on the City's needs and resources, at the City Attorney's discretion.

Summary

This contract will provide investigative services to the City. The City Code authorizes the City Attorney to enter into agreements to provide investigative and other legal services for the City. Upon City Council approval of this request, the City Attorney will enter into agreements with eight firms. As needed, the City Attorney may also contract for other services consistent with the authority granted in the Phoenix City Code. Should the City Attorney contract with additional investigative firms over the five-year aggregate period, funds will be disbursed under the authority of this ordinance, and such additional contracts are authorized by this approval.

Procurement Information

The existing list of qualified investigative services providers that currently provide services to the City on an as-needed basis is set to expire on December 31, 2026. The Finance Department, Central Procurement Division, on behalf of the Law Department, issued a Request for Qualifications (RFQu) for investigative services firms to submit qualifications for inclusion on a Qualified Vendor List (QVL) to provide services for the City over the next five years. The Central Procurement Division received nine offer submittals to the RFQu and determined, with the Law Department, that the following eight offerors met the requirements and have been approved to be placed on the list to provide services to the City on a case-by-case basis:

Contego Investigations, LLC
Sharnai Monike Fisher dba Fisheye Investigation Group

Frasco, Inc.
GNW Security Consultants, Inc. dba Contel Investigations
Goar Investigations, LLC
Investigative Research, Inc.
Palicon Group, Inc.
PRIVIN Network, LLC

Contract Term
The contracts will begin on or about January 1, 2027, for a five-year term with no options to extend.

Financial Impact
The aggregate value of the contracts will not exceed $320,000.

The individual agreements set forth specific rates and fees for services in accordance with proposals submitted during the RFQu or otherwise agreed to between the City Attorney and applicable firms.

Funding is available in various departments' operating budgets, including the Law Department and Self-Insured Retention Fund. Payments will be made from affected funding sources, primarily from the Self-Insured Retention Fund or the General Fund on an individual or case assignment basis.

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

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 35

Request for City Council to Call to Meet in Executive Session for an Additional Date in 2026 and for Dates January through December 2027 - Citywide

Request for the City Council to call meetings for the purpose of holding an Executive Session pursuant to Arizona Revised Statute Section 38-431.03.A, on the following dates:

- December 18, 2026
- January 12, 2027
- January 26, 2027
- February 9, 2027
- February 23, 2027
- March 23, 2027
- April 6, 2027
- May 4, 2027
- May 18, 2027
- June 8, 2027
- June 29, 2027
- September 14, 2027
- September 28, 2027
- October 5, 2027
- October 19, 2027
- November 2, 2027
- November 16, 2027
- December 7, 2027
- December 14, 2027

Public Outreach
The time and location of each meeting will be posted in the official notice and agenda no later than 24 hours prior to each scheduled meeting.

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

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 36

Retroactive Authorization to Apply for, Accept and Enter Into an Agreement with The Arizona Community Action Association dba Wildfire (Ordinance S-53307) - Citywide

Request retroactive authorization for the City Manager, or his designee, to apply for, accept funds and enter into an agreement with the Arizona Community Action Association, Inc. dba Wildfire for the City of Phoenix to become a Supplemental Nutrition Assistance Program (SNAP) Outreach Partner and accept an amount not to exceed $206,294 for the period October 1, 2026, through September 30, 2027. Further request to authorize the City Treasurer to accept and the City Controller to disburse all funds related to this item.

Summary
This agreement will support low-income residents by providing assistance with SNAP benefit applications for City of Phoenix residents. The City will help connect eligible individuals and families to food assistance by offering education about the SNAP program and conducting eligibility pre-screenings based on household income and expenses. In addition, the City will provide one-on-one application support, assist clients in navigating online benefits portals and offer advocacy services to help resolve any delays, questions or issues that may arise with local service agencies.

Contract Term
The agreement will begin on or about October 1, 2026, through September 30, 2027, with no option to extend.

Financial Impact
The total amount of the contract will not exceed $206,294. There is no impact to the General Fund.

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

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 37

2027-28 Housing and Urban Development Consolidated Annual Action Plan Process - Citywide

This report requests City Council approval of the 2027-28 Consolidated Annual Action Plan process. This is a U.S. Department of Housing and Urban Development requirement of receiving federal program funds.

Summary

The 2027-28 Annual Action Plan examines housing and community development needs in the City of Phoenix and defines strategies for addressing those needs throughout the year. The Annual Action Plan contains the planning and application requirements for four major United States Department of Housing and Urban Development (HUD) programs that provide critical funds to entitlement cities like Phoenix every year. The four fund sources are: Community Development Block Grant, HOME Investment Partnership, Emergency Solutions Grants and Housing Opportunities for Persons with AIDS. Through adoption of the 2025-29 Consolidated Plan in May 2025, City Council approved the general priorities and plans for these programs. Each year the Annual Action Plan details how federal funds will be spent during the coming year.

The Annual Action Plan process will begin in November 2026. The initial public communication and participation process will include the distribution of a community survey, social media posts plus outreach and a HUD-required public in-person hearing, all to assess community needs throughout Phoenix. Residents and neighborhood leaders will be invited to provide testimony regarding housing, homelessness, social services and community development issues and concerns. Residents who are unable to attend the public hearing will have the opportunity to submit their comments via e-mail or voicemail. This information, along with a needs assessment, will form the foundation of the draft 2027-28 Annual Action Plan. The draft plan will be available for an advertised 30-day public comment period in both winter 2027 and again in spring 2027. The goal of the Annual Action Plan process, per HUD requirements, is to ensure comprehensive community planning and coordinated service delivery are utilized to meet critical housing and community development needs. City Council will be asked to review and approve the draft 2027-28 Annual Action Plan in early May 2027 prior to a HUD submittal.

Concurrent/Previous Council Action
The Community Services and Education Subcommittee recommended approval of this item on Oct. 28, 2026, by a 4-0 vote.

Public Outreach
The City of Phoenix's Annual Action Plan process will include holding two HUD required public hearings in-person, with a virtual option, with the notice of public hearings posted two weeks in advance.

Responsible Department
This item is submitted by Deputy City Managers Cynthia Aguilar and Gina Montes, and the Neighborhood Services, Human Services, and Housing departments and the Office of Homeless Solutions.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 38

Acceptance of Real Property (Ordinance S-53293) - District 3 and Citywide

Request to authorize the City Manager, or his designee, to accept all real property and related property interests of parcels resulting from Abatement Lien Program actions and disburse funds for any necessary fees or costs related to the transactions, such as unpaid property taxes, up to $150,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Neighborhood Services Department (NSD) completed abatements resulting in total costs to the City of approximately $98,000 for the following two privately owned wash parcels that are a part of a larger wash system primarily owned by the City:

- APN 208-02-310, bounded as follows: north by W. Union Hills Drive, east by N. 3rd Avenue, south by W. Bluefield Avenue., and west by N. 5th Avenue.
- APN 208-02-312, bounded as follows: north by W. Bluefield Avenue, east by N. 3rd Avenue, south by W. Grovers Avenue, and west by N. 5th Avenue.

Due to delinquent abatement liens and ongoing violations, NSD initiated foreclosures on both parcels, in accordance with Abatement Lien Program standards. APN 208-02-310 received no bids at auction. The owner of APN 208-02-312 entered into a settlement agreement to convey the property to the City in lieu of foreclosure and further enforcement actions.

Item approval authorizes the acceptance of real property and disbursement of funds for any necessary fees or costs related to these and other properties resulting from Abatement Lien Program actions through June 2027.

Financial Impact

Costs will not exceed $150,000 through June 2027. Funding is available in the Neighborhood Services Department's operating budget.

Location

West Union Hills Drive, east by N. 3rd Avenue, south by W. Bluefield Avenue, and

west by N. 5th Avenue.
West Bluefield Avenue, east by N. 3rd Avenue, south by W. Grovers Avenue, and west by N. 5th Avenue.
Council District: 3 and Citywide

Responsible Department

This item is submitted by Deputy City Manager Cynthia Aguilar and the Neighborhood Services Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 39

Esteban Park Partial Improvements - Construction Administration and Inspection Services - PA75200701 (Ordinance S-53306) - District 8

Request to authorize the City Manager, or the City Manager's designee, to enter into an agreement with Coe and Van Loo L.L.C. to provide Engineering Services that include construction administration and inspection services for the Esteban Park Partial Improvements Project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $500,000.

Additionally, request to authorize the City Manager, or the City Manager's designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, and railroads and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this agreement is to provide construction administration and inspection services for Esteban Park Partial Improvements Project. Coe and Van Loo L.L.C. has extensive knowledge of the specific project location, as it was the firm originally contracted to develop the building plans, scope, and specifications. Construction of the park improvements will occur concurrently with the Esteban Recreation Center General Obligation Bond Project. That recreation center project is located within the park improvement project area, creating significant coordination between the two projects. Utilizing Coe and Van Loo L.L.C. for construction administration and inspection services will provide continuity from design through construction and allow the consultant to effectively coordinate overlapping construction activities, identify and resolve potential conflicts, and minimize the risk of rework or impacts to supporting utilities.

Procurement Information
Coe and Van Loo L.L.C. was chosen for this project using a Direct Select process set forth in Section 34-103 of the Arizona Revised Statutes (A.R.S.). The Direct Select process will reduce the time to procure Engineering Services as opposed to an advertised selection process, meeting the project deadline and ensuring continuity and the most efficient use of staff and funding resources.

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

Financial Impact
The agreement value for Coe and Van Loo L.L.C. will not exceed $500,000, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved the Engineering On-Call Services Agreement 157203 for Calendar Years 2023-2024 (Ordinance S-49068) on October 12, 2022.

Location
3345 E. Roeser Road
Council District: 8

Responsible Department
This item is submitted by Deputy City Managers David Mathews and Frank McCune, the Parks and Recreation Department and the City Engineer.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 40

Miscellaneous Building Repair - PKS-RFQu-24-0080 - Amendment (Ordinance S-53310) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to add additional funding to contracts with Andrus Properties, Inc. dba API General Contractors (Contract 159779); CHASSE Building Team, Inc. (Contract 159778); DMS Companies, Inc. dba Hernandez (Contract 159777); GCON, Inc. (Contract 159776); Haydon Companies, LLC (Contract 159775); Sagebrush Restoration, LLC (Contract 159774); Skyline Builders & Restoration, Inc. (Contract 159773); Tusk Developers LLC (Contract 159772); and Welch Companies, Inc. (Contract 159771) for the Parks and Recreation Department. Further request the City Controller to disburse all funds related to this item. The additional funding will not exceed $10 million.

Summary

The Miscellaneous Building Repairs contracts provide commercial maintenance, incidental building repairs, and tenant improvements repairs. These services are used on an as-needed basis to provide urgent and planned project support for the department's facilities that require one-time, ongoing building repairs or improvements or on-call emergency services. The Parks and Recreation Department’s inventory consists of 189 parks and over 495 buildings, which include community centers, historic houses, restrooms, and maintenance buildings.

The contracts will be amended to include electrical services, irrigation services, and the renovation, repair, replacement, and retrofit of aquatic facilities and equipment. These contracts allow the department flexibility and a quicker project completion time for projects that require coordination with multiple trades while maintaining safe and accessible Park facilities. The additional funding is needed to retrofit eight existing splash pads. The retrofit of these splash pads was an unanticipated project when additional funds were previously requested in January 2026. The retrofit project will convert the splash pads to recirculating, saving the City approximately 40 million gallons of water annually. These water savings are critical as the City works to reduce water consumption as identified in its Drought Management Plan and Water Use Reduction Guidelines.

Contract Term
The term of the contracts remains unchanged, with a duration of five years starting on December 1, 2023, with one two-year option to extend.

Financial Impact
The aggregate value for all contracts will not exceed $120 million. Funding is available in the Parks and Recreation Department's Operating and Capital Improvement Program budgets.

Concurrence/Previous Council Action
The City Council approved:

- Miscellaneous Building Repairs Contract - PKS RFQu-24-0080 - Request for Award (Ordinance S-50427) on December 13, 2023.
- Authorize Additional Funding to the Miscellaneous Building Repairs Contracts (Ordinance S-51311) on October 2, 2024.
- Αυτηοριζε Αδδιτιοναλ Φυνδινγ το τηε Μισχελλανεουσ Building Repairs Contract (Ordinance S-52520) on January 7, 2026.

Responsible Department
This item is submitted by Deputy City Manager David Mathews and the Parks and Recreation Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 41

Approval of Proceedings Regarding Issuance of Multifamily Housing Revenue Bonds (West Eleventh Project) by the Industrial Development Authority of the City of Phoenix (Resolution 22409) - District 3

Requests City Council approval of proceedings regarding the issuance of Multifamily Housing Revenue Bonds (West Eleventh Project) by the Industrial Development Authority of the City of Phoenix, to be issued in one or more tax-exempt and/or taxable series, in an aggregate principal amount not to exceed $10,000,000.

Summary

Request City Council adoption of a resolution granting approval of:

1. The proceedings under which The Industrial Development Authority of the City of Phoenix, Arizona (the “Phoenix IDA”) has previously resolved to issue up to $10,000,000 of Multifamily Housing Revenue Bonds (the “Bonds”) for use by West Eleventh, LLC, a Wisconsin limited liability company (the “Borrower”), to finance and/or refinance, as applicable, all or a portion of the cost of:

a. The acquisition, rehabilitation, construction, development, improvement, equipping, and/or operation of a multifamily residential rental housing community to be known as “West Eleventh” (including improvements and facilities functionally related and subordinate thereto) expected to be comprised of approximately 54 units of housing (all or a portion of which will be set aside for occupancy by low- to moderate-income tenants); and
b. Funding any required reserve funds, paying capitalized interest on the Bonds, if any, and paying costs and expenses incurred in connection with the issuance of such Bonds (collectively, the “Project”), all in accordance with the Act.

2. The issuance of the Bonds and plan of financing for the Project, for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended.

Concurrence/Previous Council Action

The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on October 15, 2026.

Location
The Project is located at or near 1025 W. Cochise Drive in Phoenix, AZ.
Council District: 3

With the exception of certain housing bonds, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

Responsible Department
This item is submitted by Assistant City Manager Ginger Spencer and the City Manager's Office.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 42

Approval of Proceedings Regarding Issuance of Multifamily Housing Revenue Bonds (The Cypress at South Mountain Project), Series 2026 by the Industrial Development Authority of the City of Phoenix (Resolution 22408) - District 8

Requests City Council approval of proceedings regarding the issuance of Multifamily Housing Revenue Bonds (The Cypress at South Mountain Project) Series 2026 by the Industrial Development Authority of the City of Phoenix, to be issued in one or more tax-exempt and/or taxable series, in an aggregate principal amount not to exceed $30,000,000.

Summary

Request City Council adoption of a resolution granting approval of:

1. The proceedings under which The Industrial Development Authority of the City of Phoenix, Arizona (the “Phoenix IDA”) has previously resolved to issue up to $30,000,000 of its Multifamily Housing Revenue Bonds (The Cypress at South Mountain Project) Series 2026, in one or more tax-exempt and/or taxable series (the “Bonds”) for use by Roeser Owner LLC, an Arizona limited liability company (together with its successors, assignees and designees, the “Borrower”), to finance, and/or refinance, as applicable, all or a portion of the costs of:

a. The acquisition, construction, development, improvement, equipping and/or operating of a qualified residential rental facility (including improvements and facilities functionally related and subordinate thereto), expected to be comprised of approximately 112 units of housing (all or a portion of which will be set aside for individuals with an average of 60% of the area median income) to be situated on approximately 7.75 acres of land; and
b. Funding any required reserve funds, paying capitalized interest on the Bonds, if any, and paying fees, expenses and costs incurred in connection with the authorization, issuance, and sale of the Bonds (collectively, the “Project”), all in accordance with the Act.

2. The issuance of the Bonds and plan of financing for the Project, for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended.

Concurrence/Previous Council Action
The Phoenix IDA Board has previously resolved to issue the Bonds at its meeting held on October 15, 2026.

Location
The Project is generally located at or near 1230 and 1246 E. Roeser Road, in Phoenix, AZ.
Council District: 8

With the exception of certain housing bonds, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

Responsible Department
This item is submitted by Assistant City Manager Ginger Spencer and the City Manager's Office.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 43

Approval of Proceedings Regarding Issuance of Multifamily Housing Revenue Bonds (Girasol Three Project) by the Industrial Development Authority of the City of Phoenix (Resolution 22411) - District 8

Requests City Council approval of proceedings regarding the issuance of Multifamily Housing Revenue Bonds (Girasol Three Project) to be issued by the Industrial Development Authority of the City of Phoenix, in one or more tax-exempt and/or taxable series, in an aggregate principal amount not to exceed $25,000,000.

Summary

Request City Council adoption of a resolution granting approval of:

1. The proceedings under which The Industrial Development Authority of the City of Phoenix, Arizona (the “Phoenix IDA”) has previously resolved to issue up to $25,000,000 of Multifamily Housing Revenue Bonds (Girasol Three Project), in one or more tax-exempt and/or taxable series (the “Bonds”) for use by Sidney P Osborn Three, LLC, an Arizona limited liability company (the “Borrower”), to finance, and/or refinance, as applicable, all or a portion of the costs of:

a. The acquisition, construction, development, improvement, equipping, and/or operation of a qualified residential rental facility (including improvements and facilities functionally related and subordinate thereto) expected to be comprised of approximately 140 units of housing (all or a portion of which will be set aside for occupancy by low- to moderate-income tenants) and other improvements to be situated on approximately 4.272 acres of land to be leased to the Borrower by the City located in Phoenix, Arizona (collectively, the “Facility”), and
b. Funding any required reserve funds, paying capitalized interest on the Bonds, if any, and paying certain costs and expenses incurred in connection with the issuance of such Bonds (collectively, the “Project”), and

2. The issuance of the Bonds and the plan of financing for the Project, for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended.

Concurrence/Previous Council Action

The Phoenix IDA Board has previously resolved to issue the Bonds at its meeting held

on October 15, 2026.

Location
The Facility is located at or near 111 N. 17th Street, Phoenix, AZ (formerly known as 1721 E. Adams Street in Phoenix, AZ).
Council District: 8

With the exception of certain housing bonds, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

Responsible Department
This item is submitted by Assistant City Manager Ginger Spencer and the City Manager's Office.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 44

Approval of Proceedings Regarding Issuance of Community Development Revenue Refunding Bonds (CPLC PM Redevelopment Project), Series 2026 by the Industrial Development Authority of the City of Phoenix (Resolution 22410) - District 8

Requests City Council approval of proceedings regarding the issuance of Community Development Revenue Refunding Bonds (CPLC PM Redevelopment Project), Series 2026, by the Industrial Development Authority of the City of Phoenix, to be issued in one or more tax-exempt and/or taxable series, in an aggregate principal amount not to exceed $42,000,000.

Summary

Request City Council adoption of a resolution granting approval of:

1. the proceedings under which The Industrial Development Authority of the City of Phoenix, Arizona (the “Phoenix IDA”) has previously resolved to issue up to $42,000,000 of its Community Development Revenue Refunding Bonds (CPLC PM Redevelopment Project) Series 2026, (the “Bonds”) for use by CPLC PM Redevelopment, LLC, an Arizona limited liability company (the “Borrower”), whose sole member is Chicanos Por La Causa, Inc., an Arizona nonprofit corporation, to refund the Authority’s outstanding Community Development Revenue Bonds (CPLC PM Redevelopment Project), Series 2021, the proceeds of which, together with other available moneys, were used to:

a. finance, refinance or reimburse the cost of acquiring, renovating, improving, and equipping certain real property, the surrounding parking and additional lots, including, but not limited to, the building, structures, fixtures, and other improvements located on said real property (collectively, the “Property”); and
b. fund required reserve funds, pay certain issuance expenses related to the Bonds (collectively, the “Project”), all in accordance with the Act.

2. the issuance of the Bonds and the plan of financing for the Project, for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended.

Concurrence/Previous Council Action

The Phoenix IDA Board has previously resolved to issue the Bonds at its meeting held on October 15, 2026.

Location
The Project is generally located at or near 1201 and 1301 S. 7th Avenue and 515 W. Buckeye Road, in Phoenix, AZ.
Council District: 8

With the exception of certain housing bonds, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

Responsible Department
This item is submitted by Assistant City Manager Ginger Spencer and the City Manager's Office.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 45

Authorization to Amend License Agreement 161527 with Downtown Phoenix, Inc., Located at 1 E. Washington Street, Suite 130 (Ordinance S-53298) - District 7

Request to authorize the City Manager, or the City Manager's designee, to amend License Agreement 161527 with Downtown Phoenix, Inc. (DPI), located at 1 E. Washington Street, Suite 130. Further request authorization for the City Controller to disburse all necessary funds related to this item.

Summary

In September 2024, the City of Phoenix entered into a no-cost license agreement with a two-year term, to continue on a month-to-month basis thereafter, with DPI, located at 1 E. Washington Street, Suite 130, commonly known as Cityscape. The Fire Department utilizes approximately 3,252 square feet of office space to support a satellite location of the Community Assistance Program in partnership with Valley Metro, Community Bridges and Downtown Phoenix Ambassadors.

The license will be amended, beginning on the effective date, to include a monthly license fee of $305.23 to cover Common Area Maintenance (CAM) for shared utilities and maintenance costs and will continue on a month-to-month basis thereafter with a provision to terminate upon 30-day written notification.

All other terms and conditions will remain the same.

Contract Term

The term of the license agreement will continue to be on a month-to-month basis.

Financial Impact

Annual rent, encompassing the monthly license fees, will be $3,662.76, plus applicable taxes.

Concurrence/Previous Council Action

License Agreement 161527, Ordinance S-50191, adopted September 20, 2023.

Location

1 E. Washington Street, Suite 130
Council District: 7

Responsible Department
This item is submitted by Assistant City Manager Lori Bays and the Fire and Finance departments.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 46

Amend Ordinance S-51198 for the NICS Act Record Improvement Program (Ordinance S-53294) - Citywide

Request City Council amend Ordinance S-51198 to extend the grant agreement to September 30, 2028. Additionally, request City Council grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary

On August 26, 2024, the Phoenix City Council approved Ordinance S-51198 to apply for, and if awarded, accept grant funds from the Arizona Criminal Justice Commission to enhance the completeness, automation, and transmittal of records to state and federal systems used by the National Instant Criminal Background Check System (NICS). Researching and completing final disposition information is essential to maintaining criminal history records that are accurate, fair, complete, and legally comprehensive. Complete records support fair background checks, and help prevent errors in sentencing, licensing, and investigative decisions. It protects an individual's rights, supports legal integrity, and promotes public trust. This work is also required under both federal and state law. Funding provided under this grant pays for salaries and training of temporary personnel hired to reduce the backlog of unreported final dispositions. An extension is needed to complete program objectives and expend all awarded grant funds. Due to significant hiring delays and the length of the required training program for new personnel, project progress has been slower than anticipated.

Contract Term

This amendment will extend the contract period end date to September 30, 2028.

Financial Impact

No matching funds required.

Concurrence/Previous Council Action

- Ordinance S-51198 was previously approved at the August 26, 2024, City Council Meeting.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Police Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 47

Amend Ordinance S-50512 for the Fiscal Year 2023 Community Policing Development Microgrant (Ordinance S-53295) - Citywide

Request City Council amend Ordinance S-50512 to extend the grant agreement to September 30, 2028. Additionally, request City Council grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix Code 42-18.

Summary

The Community Policing Development (CPD) Microgrant award provides funding to examine the underlying factors contributing to the high volume of mental-health related calls for service, including repeated contacts involving the same individuals. Although the Phoenix Police Department and Maricopa County employ best practices, many community members continue to experience challenges accessing appropriate and supportive mental health services.

This grant enables the Police Department to:

- Collaborate with community stakeholders to identify gaps within the existing mental health system that limit its ability to meet the needs of certain individuals.
- Partner with researchers at Arizona State University (ASU) to gather and analyze community feedback and develop evidence-based recommendations for system improvements.
- Coordinate with key stakeholders to pursue larger grants to pilot recommended system enhancements.

An extension of the grant period is requested due to significant delays associated with finalizing a Memorandum of Understanding between the Phoenix Police Department and Arizona State University, which temporarily halted project activities. The extension will allow ASU researchers to complete the labor-intensive ethnographic research and perform the necessary analysis. It also provides additional time to share findings with the community and develop policy recommendations for City leadership.

Contract Term

This amendment will extend the contract period end date to September 30, 2028.

Financial Impact
No matching funds are required.

Concurrence/Previous Council Action
- Ordinance S-50512 was previously approved at the January 24, 2024, City Council Meeting.

Responsible Department
This item is submitted by Assistant City Manager Lori Bays and the Police Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 48

Amend Ordinance S-51192 for the FY18 Arizona Criminal Justice Commission Crime Reduction Pilot Project Grant (Ordinance S-53296) - Citywide

Request City Council amend Ordinance S-51192 to extend the grant agreement to June 30, 2027. Additionally, request City Council grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary

On August 26, 2024, the Phoenix City Council approved Ordinance S-51192 to enter into agreement with the Arizona Criminal Justice Commission (ACJC) for the Crime Reduction Pilot Program Grant. The objective of this grant is to identify high crime areas and related properties attracting high calls for service to work with the property owners to combat property damage and crime. The Police Department seeks this amendment as a result of ACJC awarding additional funding under this grant.

Contract Term

The amendment will extend the contract period end date to June 30, 2027.

Financial Impact

No matching funds are required.

Concurrence/Previous Council Action

- City Council approved authorization to apply, accept and enter into the agreement (Ordinance S-47579) on May 19, 2021.
- City Council approved to extend the agreement (Ordinance S-49143) on November 2, 2022.
- City Council approved to extend and increase funds (Ordinance S-49381) on January 25, 2023.
- City Council approved to extend the agreement (Ordinance S-51192) On August 26, 2024.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Police Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 49

Amend Ordinance S-52210 for the Arizona Department of Public Safety Fentanyl Prosecution, Diversion and Testing Grant (Ordinance S-53297) - Citywide

Request City Council amend Ordinance S-52210 to add additional funding and extend the grant agreement to June 30, 2027. Additionally, request City Council grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary

On August 27, 2025, the Phoenix City Council approved Ordinance S-52210 to apply for, and if awarded, accept grant funds from the Department of Public Safety to enhance law enforcement services concerning criminal activities associated with the investigation, testing, and prosecution or diversion of crimes involving Arizona Revised Statutes 13-3408. The funds are used to purchase supplies that enhance efficiencies in analyzing evidence in seized drug and toxicology cases. This extension is necessary due to internal procurement timelines associated with purchasing supplies approved under this grant. Additional time will support in achieving the grant objective of purchasing contractual services for the Controlled Substances and Toxicology sections of the Laboratory Services Bureau. This extension will enable the Police Department to further it's goal of aiding in the identification, investigation, and successful prosecution of fentanyl-related crimes in the Greater Phoenix Metropolitan Area.

Contract Term

The amendment will extend the contract period end date to June 30, 2027.

Financial Impact

Authorization of this amendment will increase the maximum funding amount from $146,497.42 to $163,997.42.

Concurrence/Previous Council Action

- City Council previously approved this item at the August 27, 2025, Formal meeting.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Police Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 50

Request Authorization for Sale of Canine Moxie (Ordinance S-53311) - Citywide

Request to authorize the City Manager, or his designee, to approve the sale of canine Moxie to Detective Elizabeth Poole for $1. Detective Poole and canine Moxie are assigned to the Drug Enforcement Bureau in the Commercial Narcotic Interdiction Unit. Detective Poole is retiring and has requested to purchase and retire her assigned canine Moxie in accordance with Administration Regulation 4.21.

Summary

Canine Moxie is six years old and has served the Commercial Narcotic Interdiction Unit detecting narcotics and human remains for five years. Canine Moxie has met the Bureau's standard of service and, due to her age and bond with her handler, it is requested that she be allowed to retire.

This request is for the authorization of the sale of Police service canine Moxie for $1. The purchase of canine Moxie is being made by Detective Elizabeth Poole, who agrees to accept full responsibility and liability for canine Moxie and to care for her for the remainder of her life.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Police Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 51

FARO Scanner Hardware and Software Maintenance Contract - RFA-24-0002 - Amendment (Ordinance S-53292) - Citywide

Request to authorize the City Manager, or his designee, to execute an amendment to contract 159761 with Faro Technologies, Inc.. This amendment will modify the scope to add the purchase of laser scanner hardware in addition to the maintenance of existing equipment and will also increase the spending authority in the contract. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code Section 42-18. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $515,286.

Summary

This contract provides essential maintenance services, technical support and software updates for the FARO 3D laser scanners currently used by the Police Department's Vehicular Crime Unit and the Laboratory Services Bureau. These services ensure that the scanners remain fully operational, accurate and compliant with current software standards. Without continuous maintenance and updates, the department would face reduced reliability, slower processing time and potential gaps in evidentiary accuracy. 3D laser scanners play a critical role in accident diagramming, collision reconstruction and detailed crime scene documentation. They allow investigators to capture precise measurements, preserve complex evidence layouts and produce high-quality digital reconstructions used for investigative analysis and courtroom presentations. The technology is particularly important in cases involving violent crimes where detailed evidence capture is necessary to support successful prosecution.

The requested contract amendment is needed to purchase additional equipment which expands the scope of work to maintenance of existing equipment and the purchase of new equipment. The purchase of additional or replacement 3D laser scanners, accessories, and compatible software will enhance investigative activities in the Vehicular Crime Unit and Laboratory Services Bureau to ensure the most accurate crime scene documentation is captured and reproducible. Incorporating new purchases under the existing contract ensures advanced technology is always available to deliver essential accident and crime scene documentation.

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

Department.

Contract Term
The contract's authorized term remains unchanged, with its initial three-year term ending on January 4, 2027, plus two one-year options remaining to further extend the term through January 4, 2029.

Financial Impact
Upon approval of $515,286 in additional funds, the revised aggregate value of the contract will not exceed $863,286. Funds are available in the Police Department’s allocated budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• FARO Scanner Hardware and Software Maintenance Contract 159761 (Ordinance S-50487) on January 3, 2024.

Responsible Department
This item is submitted by Assistant City Manager Lori Bays and the Police Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 52

General Police Towing Services - Contract - RFP GGS 25-0705 - Request for Award (Ordinance S-53290) - Citywide

Request to authorize the City Manager, or the City Manager's designee, to enter into contracts with ACT Towing, Inc. dba All City Towing and First Class Automotive Transport, LLC dba First Class to provide General Police Towing Services for the Phoenix Police Department (PPD). Further request to authorize the City Controller to disburse all funds related to this item. The total combined value of the contracts will not exceed $1,035,752. Request to apportion the total combined value among the contract awardees based on the City's needs and resources at the City Manager's, or his designee's, discretion.

Summary

This contract will provide General Police Towing Services dispatched via requests made by the PPD to assist citizens involved in accidents; tow abandoned vehicles, vehicles left in roadways and illegally parked vehicles; and conduct other law enforcement impounds as needed. Towing services are required within 30 minutes from the time PPD calls the provider. PPD also requires auctioning services when vehicles have been lawfully impounded and determined to be abandoned by the Arizona Department of Transportation Motor Vehicle Division.

PPD requires towing services 24 hours per day, seven days per week, throughout all seven police precincts. For the purposes of towing services, the precincts are divided into four zones. There are four contracts, one for each Zone as follows: Zone A (Black Mountain and Cactus Park precincts), Zone B (Desert Horizon and Mountain View precincts), Zone C (Maryvale-Estrella precinct) and Zone D (South Mountain and Central City precincts).

Procurement Information

A Request for Proposal procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10. Three vendors submitted proposals deemed responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1,000:

Qualifications and Experience (400 points)

Method of Approach (350 points)
Pricing (250 points)

After reaching consensus, the evaluation committee recommends award to the following vendors by Zone:

ZONE A: ACT Towing, Inc. dba All City Towing: 897.69 points
ZONE B: ACT Towing, Inc. dba All City Towing: 903.69 points
ZONE C: First Class Automotive Transport, LLC dba First Class: 648.18 points
ZONE D: ACT Towing, Inc. dba All City Towing: 890.19 points

Contract Term
The contracts will begin on or about January 1, 2027, for a five-year term with five one-year options to extend.

Financial Impact
The aggregate contracts value will not exceed $1,035,752. Funding is available in the Police Department's operating budget.

Responsible Department
This item is submitted by Assistant City Manager Lori Bays and the Police Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 53

Authorize Recommended Changes to the 2027 Neighborhood Block Watch Program Application Guide and Process (Ordinance S-53312) - Citywide

Request to authorize the City Manager, or his designee, to approve changes to the 2027 Neighborhood Block Watch Grant Program (NBWGP) application guide and program process, as recommended by the Neighborhood Block Watch Oversight Committee.

Summary

The NBWGP Oversight Committee was established to solicit, evaluate, and recommend to the Mayor and City Council appropriate proposals to expend funds for the expansion of the Block Watch programs within the limits of the Neighborhood Protection Ordinance. This ordinance, known as Proposition 301, was adopted at a special election on October 5, 1993. The City Council adopted the format and guidelines for this process on April 26, 1994.

The Neighborhood Block Watch (NBW) Oversight Committee reviewed and approved requests to change the NBWGP grant application and program process during their meeting on August 6, 2026. The NBW Oversight Committee is recommending the following changes become effective for the 2027 grant application process, which opens on November 5, 2026.

The following is a list of the significant NBWGP Oversight Committee recommended changes to the 2027 NBWGP Application Guide (**Attachment A**):

1. On page 6, under the REQUIRED DOCUMENTS section, increase short-form maximum award from $3,000 to $5,000.

2. On page 6, under the REQUIRED DOCUMENTS section, add bullet points under both versions of application to read, "Documentation must come from meetings held within the 12 months prior to the application submission deadline."

3. On page 6, under the REQUIRED DOCUMENTS section, increase long-form maximum award from $15,000 to $20,000.

4. On page 7, under the GRANT DOLLAR LIMITATIONS section, increase the maximum grant amount that can be requested from $15,000 to $20,000.

5. On page 7, under the COMMUNITY UTILITIES INFORMATION section, increase the maximum amount that can be allocated towards electric bills for lighting from $3,000 to $5,000.

6. On page 7, under the COMMUNITY UTILITIES INFORMATION section, add the following as a bullet point: "The number of light poles to be funded must be included."

7. On page 8, under the OVERSIGHT COMMITTEE SCORING CRITERIA INFORMATION section, revise "Budget Evaluation" scoring criterion to "Budget/Budget Narrative Evaluation."

8. On page 13, under the GRANT CO-APPLICANT GROUPS section, remove the following bullet point: "Members of the NBWGP Oversight Committee cannot be signers on NBWGP applications."

9. On page 19, under the RESTRICTED ITEMS section, increase Mileage Reimbursement cap maximum from $1,500 to $2,000.

10. On page 19, under the RESTRICTED/CAPPED ITEMS CHART section, increase Website Hosting/Maintenance/Domain Name/Email Server (a combined total of all items) cap maximum from $750 to $1,000.

11. On page 19, under the RESTRICTED ITEMS section, add "NBWGP funds cannot be used to pay phone charges for international or special fee (900 numbers) phone calls.

12. On page 19, under the RESTRICTED/CAPPED ITEMS CHART section, increase Adult Clothing (t-shirts, jackets, hats, sweatshirts, etc.), with exception of City of Phoenix Police Department Phoenix Neighborhood Patrol Program cap maximum from $500 to $1,500.

13.On page 19, under the RESTRICTED/CAPPED ITEMS CHART section, increase Laptops, computers, tablets, or notebooks cap maximums from $1,500/$750 to $2,000/$1,000 per grant year.

14. On page 19, under the RESTRICTED/CAPPED ITEMS CHART section, increase Lighting electricity bill cap maximum from $3,000 to $5,000.

15. On page 19, under the RESTRICTED/CAPPED ITEMS CHART section, increase Insurance cap maximum from $2,000 to $3,000.

16. On page 20, under the RESTRICTED/CAPPED ITEMS CHART section, revise "Entertainer/Entertainment group to include Face Painter(s), Disc Jockey(s) or Balloon Artist(s) (each artist/group, per event)" to "Entertainer/Entertainment to include Face Painter(s), Disc Jockey(s), Balloon Artist(s), or Musician(s) (each artist, per event)."

17.On page 20, under the RESTRICTED/CAPPED ITEMS CHART section, increase Regular Copy Printers, including maintenance cap maximum from $500 to $1,000.

18. On page 20, under the RESTRICTED/CAPPED ITEMS CHART section, increase Youth Clothing/Uniforms cap maximum from $1,000 to $1,500.

19. On page 20, under the RESTRICTED/CAPPED ITEMS CHART section, increase Food or beverages of any kind; must be for the use of crime prevention, safety, quality of life, or Wake-Up! Clubs cap maximum from $500 to $1,500.

20. On page 20, under the RESTRICTED/CAPPED ITEMS CHART section, increase Generators cap maximum from $750 to $1,000.

21. On page 20, under the RESTRICTED/CAPPED ITEMS CHART section, increase Murals cap from $1,000 to $3,000.

22. On page 20, under the RESTRICTED/CAPPED ITEMS CHART section, increase Promotional Items/Marketing Tools (*should include a printed crime prevention message) cap maximum from $3,000 to $4,000.

23. On page 20, under the RESTRICTED/CAPPED ITEMS CHART section, increase Crime Prevention Tools/Items cap maximum from $4,000 to $5,000.

24. On page 20, under the RESTRICTED/CAPPED ITEMS CHART section, increase Fuel/Mileage Reimbursement for Phoenix Neighborhood Patrol (PNP) Activity/Graffiti Abatement cap maximum from $1,500 per grant year to $2,000 per grant year.

25. On page 21, under the RESTRICTED/CAPPED ITEMS CHART section, increase Clothing/Uniforms cap maximum from $1,000 to $1,500.

26. On page 21, under the RESTRICTED/CAPPED ITEMS CHART section, increase the Mileage Reimbursement for Graffiti Abatement activities cap maximum from $1,500 to $2,000.

27. On page 21, under the RESTRICTED/CAPPED ITEMS CHART section, increase the Laptops, computers, or notebooks cap maximum per application from $1,500/$750 to $2,000/$1,000 per grant year.

28. On page 24, under the CONCLUSION/TERMINATION OF PROJECT section, increase tangible property retention requirement amount from $100 to $250.

Contract Term
The funding period for the 2027 NBWGP grants is July 1, 2027 through June 30, 2028.

Financial Impact
Funding for the NBWGP program comes from the Neighborhood Protection Ordinance, known as Proposition 301.

There is no immediate impact to the General Fund Budget, however, if a similar number of applicants are awarded under the proposed guidelines as have been historically, a grant funded budget increase of roughly $700,000 annually would be required to fund them. This would require analysis of the NBWGP fund in future budget years to ensure that the grant funds are appropriately balanced with other approved uses, such as expenditures related to gated alleys.

Concurrence/Previous Council Action
This item was recommended for approval by the Public Safety and Justice Subcommittee on October 7, 2026.

Responsible Department
This item is submitted by Assistant City Manager Lori Bays and the Police Department.

2027 Neighborhood Block Watch Grant Program Application Guide

All grant applications are due no later than

Thursday, December 10, 2026

By 4:00 p.m., Arizona time

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NEIGHBORHOOD BLOCK WATCH GRANT PROGRAM
FY2027 COMPETITIVE GRANT ANNOUNCEMENT

Applications Due:
Thursday, December 10, 2026
By 4:00 p.m., Arizona Time

Welcome to the 2027 Neighborhood Block Watch Grant Program (NBWGP) application process!

The City of Phoenix, Phoenix Police Department, Fiscal Management Bureau, Neighborhood Block Watch Unit is accepting applications for the 2027 Neighborhood Block Watch Grant Program process. This program provides an opportunity to enhance the safety and quality of life in the City of Phoenix through empowerment of community groups. NBWGP funds offer neighborhood groups the resources to create new and innovative programs and activities designed to prevent and reduce crime in their community.

GRANT APPLICATION

APPLICATION PERIOD

The NBWGP application process opens, **Thursday, November 5, 2026** and closes on **Thursday, December 10, 2026, at 4:00 p.m., Arizona time.** The application will be available through the NBWGP Grants Management System (GMS) website:

Neighborhood Block Watch Grant Program

Late submissions **will not be accepted**. NBWGP staff advises that you do not wait until the last minute to submit your application. Upon submission, you will receive an email stating that your application has been received and has been assigned a grant number.

Incomplete grant applications **WILL BE DISQUALIFIED**. Organizations failing to register with the City of Phoenix Neighborhood Services Department ***The Neighborhood Link*** Program by the grant application submission deadline, **WILL BE DISQUALIFIED**.

THE NEIGHBORHOOD LINK

For information regarding Neighborhood Link registration process, visit their website at:

The Neighborhood Link

ELIGIBILITY

Eligible applicants: Block Watch groups, Neighborhood Associations, Business Alliances, and Phoenix Neighborhood Patrol (PNP) groups that are registered, active, and listed with the City of Phoenix Neighborhood Services Department ***The Neighborhood Link*** are eligible to apply as a Primary Applicant Group.

Homeowner Associations are not eligible to apply as a Primary Applicant Group; however, Homeowner Associations, educational or faith-based organizations, non-profit agencies within a specific geographic area, and City of Phoenix departments (such as the Neighborhood Services Department, Police Department, and Parks and Recreation Department) may apply as a Co-Applicant Group.

City of Phoenix employees cannot be signers on grant applications in their capacity as a City employee.

The Neighborhood Link Listing Application

Once listed, your organization will receive information about issues that affect your neighborhood.

COMPLETING THE GRANT APPLICATION

Preparation of Application

All grant applications must be submitted online via the Grant Management System (GMS) by the due date. Hard copy or faxed applications **will not** be accepted. If you experience any difficulties with the online application process, please contact NBWGP staff at nbwgrants.ppd@phoenix.gov for assistance. **Please do not wait until the application due date to seek assistance.**

Applicants are encouraged to review the online workshop presentation and/or attend one of the NBWGP training sessions for assistance in completing the application.

All required fields within the application must be completed. Each narrative question explains what information should be provided. Failure to answer all questions and/or provide all required information may result in the application receiving a lower score or being disqualified. Pay special attention to the restricted and prohibited items. If you have questions, contact NBWGP Staff for assistance. Please ensure you include a narrative for each requested budget item.

Review the Neighborhood Block Watch Grant Program Process Workshop guide for step-by-step directions (Step 33, Slide 45) on printing your application prior to submission.

ONLINE GRANT APPLICATION PROCESS GUIDE

The following link will take you step-by-step through the Neighborhood Block Watch Grant Program registration and provides step-by-step instructions to complete the online application.

Neighborhood Block Watch Grant Program Process Workshop Guide

APPLICATION REQUIREMENTS AND RESTRICTIONS

Homeowners' Associations (HOAs) are not eligible to apply as a Primary Applicant Group. Registered block watch groups and/or neighborhood organizations that exist within HOAs boundaries are eligible. HOAs, educational or faith-based organizations, non-profit agencies within a specific geographic area, and City of Phoenix departments (such as the Neighborhood Services Department, Police Department and Parks and Recreation Department) may apply as a Co-Applicant Group.

It is a mandatory requirement that the Primary Applicant Group be listed with the City of Phoenix Neighborhood Services Department ***The Neighborhood Link*** Program:

- If your organization is not registered, please visit ***The Neighborhood Link*** website:

  The Neighborhood Link

- In addition, the name of the Primary Applicant Group organization on the grant application(s) must match exactly with the name listed ***The Neighborhood Link*** website.

Multiple Applications

Primary Applicant Groups may submit two (2) applications in the following ways:

- As the Primary Applicant Group for its own neighborhood program
  - ONLY one application per Primary Applicant Group when Co-Applicant Group not included
- As the Primary Applicant Group partnered with a Co-Applicant Group, as defined above.
- In the case where more than two applications are submitted under the same NSD listing number, the application(s) with the primary applicant recognized as primary contact by the Neighborhood Services Department will take precedence.

Required Documents

Primary Applicant Groups requesting between $1 and $5,000 (**NEW for 2027**):

- Must be registered with City of Phoenix Neighborhood Services Department *The Neighborhood Link* Program by the grant application submission deadline.
- Must submit copies of at least **two** (2) Primary Applicant Group neighborhood meeting agendas / minutes / event flyers / meeting flyers.
  - Documentation must come from meetings held in separate months.
  - Documentation must come from meetings held within the 12 months prior to the application submission deadline. (**NEW for 2027**)
  - Documentation must list crime prevention topic(s) discussed.
  - Documentation must include the number of individuals in attendance.

Primary Applicant Groups requesting between $5,001 and $20,000 (**NEW for 2027**):

- Organization must have been in existence and registered with City of Phoenix Neighborhood Services Department *The Neighborhood Link* Program at least six (6) months prior to grant application submission deadline.
- Must submit copies of at least **four** (4) Primary Applicant Group neighborhood meetings agendas / minutes / event flyers / meeting flyers.
  - Documentation must come from meetings held in separate months.
  - Documentation must come from meetings held within the 12 months prior to the application submission deadline. (**NEW for 2027**)
  - Documentation must list crime prevention topic(s) discussed.
  - Documentation must include the number of individuals in attendance.

HOA / INCORPORATED NEIGHBORHOOD / 501(c)(3) REQUIREMENTS

HOAs (as a Co-Applicant Group only), incorporated neighborhoods (as Primary Applicant Group or Co-Applicant Group), and neighborhoods with 501(c)(3) status (as Primary Applicant Group or Co-Applicant Group**) are required to complete the steps listed in the *Homeowners' Associations (HOA's) / 501(c)(3) Organizations Checklist*.**

HOA / 501(c)(3) Checklist Information

If your organization (Block Watch / Neighborhood Association) resides within the existing boundaries of a formal HOA, your group must list the HOA as the Co-Applicant Group if your project requests any item(s) that:

- The Homeowners Association would normally be responsible for; or
- Could be perceived as an improvement to Homeowners Association property (e.g., dusk-to-dawn lighting, additional light poles, fencing, gates, etc.)

Applicants requesting items strictly for Block Watch or Phoenix Neighborhood Patrol activities (e.g., newsletters, mileage reimbursement, etc.) are not required to list the HOA as the Co-Applicant Group.

Please check with your HOA for specific community by-laws prior to submitting an application.

GEOGRAPHIC BOUNDARIES

The geographic area and/or population to be served must be identified in the grant application as listed with the City of Phoenix's Neighborhood Link Program. The service area shall be within the corporate limits of the City of Phoenix, and the impacted population must be Phoenix residents. Applicants must provide the number of households served within the Block Watch / neighborhood organization's area.

Applicants are limited to two grant application submissions within identical geographic boundaries: one for the individual Primary Applicant Group; and one with a Co-Applicant Group. Primary Applicant Group / Co-Applicant Group guidelines do apply.

GRANT DOLLAR LIMITATIONS

Grant amounts may vary, but the maximum grant amount that can be requested is **$20,000** (**NEW for 2027**). Budget estimates should match your proposal and NOT be inflated to reach the maximum figure. **Round estimates to the nearest whole dollar amount and remember to account for sales tax, set up fees, shipping / freight, and/or permit fees** (do not include as a separate line-item).

Please remember to address each item in the budget narrative.

COMMUNITY UTILITIES INFORMATION

The NBWGP Oversight Committee strongly suggests that all grant applicants look into cost effective, energy efficient lighting options for neighborhoods. Energy efficient lighting includes solar lighting and LED lighting options.

Using grant funds to pay electric bills for lighting is restricted in the following manner:

- A maximum of $5,000 (**NEW for 2027**) can be allocated towards electric bills for lighting.
- The number of light poles to be funded **must** be included. (**NEW for 2027**)
- Lighting is encouraged to be directed and shielded so as to deter glare which can be a safety hazard to vehicles and pedestrians.
- Lighting color temperature should be consistent with the lighting color temperature approved and used by City of Phoenix (2700 Kelvin).

No new contracts for lighting will be allowed unless lighting systems are energy efficient.

Requests for funding of new lighting fixtures must be energy efficient and include a map or detailed description on the location of the installation.

Using grant funds to pay for water bills is restricted in the following manner:

- Can be used for Community Garden Projects **ONLY**.
- A maximum of $3,000 can be allocated towards water bills.

GRANT EVALUATION

EVALUATION OF APPLICATION

Each grant application is evaluated by the NBWGP Oversight Committee on how well it fulfills the purpose of the NBWGP. Applications evaluated and scored by NBWGP Oversight Committee members must have an overall score of 5.25 or higher to receive grant funding. Grant applications scoring below the City Council approved minimum score of 5.25 points will be disqualified and will not receive funding**.**

NOTE: The purpose of a grant is to enhance crime prevention, safety, and quality of life issues in the City of Phoenix. Line-Item Vetoes can be applied when at least 2/3 votes of committee members present agree that the item does not meet these criteria.

APPEAL PROCESS

The Neighborhood Block Watch Grant Program (NBWGP) Oversight Committee has an appeal process in place for groups that were not awarded either the entire grant amount requested or portions of the grant amount requested. Appeals will be heard at the NBWGP Oversight Committee's regular monthly meeting stated on your funding recommendation letter.

OVERSIGHT COMMITTEE SCORING CRITERIA INFORMATION

All meetings of the NBWGP Oversight Committee are open to the public. NBWGP applications are scored based on the following weighted criteria:

Crime Prevention / Safety / Quality of Life Factors	50%
Budget / Budget Narrative Evaluation (**NEW for 2027**)	20%
Community Involvement	20%
Project Viability / Feasibility / Ability to Complete the Project	10%

Best scores will be achieved by expressing descriptions clearly, using as few words as possible. BE SUCCINCT!

CRIME PREVENTION / SAFETY / QUALITY OF LIFE FACTORS (50%)

RATING/ SCORE	DESCRIPTION
8-10 points	• Clearly stated problems/factors to be addressed. • Plans are well-defined and describe very strong crime prevention, safety, and quality of life objectives. • Plans provide for expectation of likely successful achievement.
5-7 points	• Understandable description of problems/factors to be addressed. • Plans adequately describe crime prevention, safety, and quality of life objectives. • Plans indicate reasonable expectation that goals are achievable.
2-4 points	• Poor description of problems/factors to be addressed. • Inadequate description as to how project will reduce crime and/or improve quality of life.
1 point	• No description of problems/factors to be addressed. • Unclear plans to provide improvement of crime prevention, safety, and/or quality of life issues.

BUDGET / BUDGET NARRATIVE EVALUATION (20%)

RATING/ SCORE	DESCRIPTION
8-10 points	• Very clearly defined budget (items and costs). • Justification of budget items is explicit. • Reasonable request for funding align with project goals while in compliance with grant guidelines. • Ample funding sources and/or contributions, including volunteers, will enable achievement of goals.
5-7 points	• Adequate definition of budget items and costs. • Justification budget items is reasonably clear. • Rational expectation that goals are achievable. • Adequate funding sources and/or contributions, including volunteers, will enable achievement of goals it.
2-4 points	• Understandable definition of budget items and costs. • Justification of budget items is somewhat clear. • Fair expectation that goals are achievable. • Acceptable funding sources and/or contributions, including volunteers, will enable achievement of goals.
1 point	• Budget items and costs are inadequately provided. • Justification of budget items is unclear. • Poor expectation that goals are achievable. • Inadequate funding sources and/or contributions, including volunteers, may not enable achievement of goals.

COMMUNITY INVOLVEMENT (20%)

RATING/ SCORE	DESCRIPTION
8-10 points	• Volunteer activities are thoroughly described clearly and briefly. • Project clearly shows a **high level** of ongoing participation and involvement of community.
5-7 points	• Volunteer activities are moderately described. • Project clearly shows a **moderate level** of ongoing participation and involvement of community.
2-4 points	• Volunteer activities are mentioned. • Project clearly shows **limited involvement** by community members, to successfully complete the crime prevention and/or improving quality of life project(s).
1 point	• No volunteer activities are mentioned. • Project clearly shows **little or no involvement** by community members, to successfully complete the crime prevention and/or improving quality of life project(s).

PROJECT VIABILITY/FEASIBILITY/ABILITY TO COMPLETE THE PROJECT (10%)

RATING/ SCORE	DESCRIPTION
8-10 points	• Thorough description of plans for implementation of project. • Plans are defined so that the organization can measure its progress toward completion. • High level of neighborhood involvement. • Brief description of past successful projects.
5-7 points	• Moderately detailed description of plans for implementation of project. • Plans are moderately defined so the organization can measure its progress toward completion. • Moderate level of neighborhood involvement. • Limited description of past successful projects.
2-4 points	• Poorly described plans for implementation of project. • Plans show crude plans toward monitoring progress toward successful completion of projects. • Modest level of neighborhood involvement. • Minimal description of past successful projects.
1 point	• No description is provided as to plans for implementation of project. • No plans are provided, nor is any other method of monitoring progress expressed. • No level of neighborhood involvement is described. • No description of past successful projects.

RESPONSIBLE PARTIES INFORMATION

RESPONSIBLE PARTY CONTACT INFORMATION / CONTRACT SIGNERS

The grant contract signers are the responsible parties and will be held accountable for fulfilling all grant requirements, including quarterly financial activity, and program reports, for the term of the grant contract. There may be up to three (3) signers for each grant with a minimum requirement of two (2) signers.

The name, address (home for individuals or business for companies), email address, and mobile and/or alternate phone numbers (home or work) of two signers must be provided and must be accurately recorded on the grant application.

The Grant Management System (GMS) will automatically email the listed signers informing them that they have been listed on an NBWGP application. The signers are required to proceed to the GMS website to complete their online registration process.

All detailed information regarding the NBWGP GMS will be presented at the application workshops, and is also linked on the main NBWGP website:

Neighborhood Block Watch Grant Program Website

If the submitted application is a collaborative / joint application with a Primary Applicant Group and a Co-Applicant Group listed, a representative from each organization must be listed in the grant application and must sign the grant contract, with the exception of City of Phoenix departments and their employees. These representatives will be responsible for fulfilling all grant requirements.

GRANT CO-APPLICANT GROUPS

A grant **Co-Applicant Group** can be an educational or faith-based organization, a non-profit agency within a specific geographic area, a Homeowners' Association (HOA), or a City of Phoenix department. A Co-Applicant Group is limited to one grant application per grant year, with the exception of a City of Phoenix department.

Additional Grant-Signer Specifications (Rules):

- Individuals who reside or work at the same physical address or who are related (including by marriage) cannot sign the same NBWGP application.
- City of Phoenix employees cannot be grant signers in their capacity as a City employee.
- A Co-Applicant Group is limited to one (1) grant application per grant year, unless it is a City of Phoenix Department.

NOTE: INDIVIDUALS MAY NOT BE LISTED AS SIGNERS ON MORE THAN TWO APPLICATIONS.

PROJECTED VOLUNTEER CONTRIBUTION

Volunteer hour contributions – must be provided by the Primary Applicant Group and, if applicable, Co-Applicant Group, and cannot be paid with grant funds. Paid personnel **are not** considered volunteers and any grant funded / paid hours **cannot** be included in volunteer hours on the grant application. These hours should be directly related to grant projects, to include, but not limited to: PNP; Alley Cleanups; GAIN; Newsletters.

- The general labor rate for calculating volunteer hours is $36.14 per hour.

- Primary Applicant Group - Describe volunteer contributions to include hours, supplies or funds to be provided by members of your organization to complete the grant projects.

- Co-Applicant Group - Describe volunteer contributions to include hours, supplies or funds to be provided by members of your Co-Applicant organization to complete the grant projects. This refers to the secondary group on your grant, if applicable (not a co-signer).

BUDGET

PREPARATION OF BUDGET SECTION

There are four budget categories: Consumables, Equipment/Supplies, Operational Expenses, and Personnel.

Please refer to the restricted and/or prohibited list of items **before** finalizing your budget. Items listed with an **asterisk*** below fall on the restricted and prohibited list. Requests for prohibited items **will not** be funded.

Requests for restricted items that exceed NBWGP guidelines may be funded only up to the guide limits.

See the complete list of restricted and prohibited items by following this link:

Restricted and/or Prohibited Item List

BUDGET CATEGORIES AND DESCRIPTION

Each budget category requires a corresponding budget narrative that justifies why each item is needed and how it will be used. If a narrative is not included in a budget category, the line-item may be vetoed or the application may be scored lower or disqualified.

Consumables – These are items that will likely be consumed or distributed during the one-year grant period.

Examples of consumables items include:

- Audio / video / computer supplies (toner, ink cartridges, discs, tapes, CDs, videos)
- Clean-up supplies (garbage bags, gloves, cleaners, paper towels)
- Hardware supplies (paint, light bulbs, batteries)
- Office supplies (postage, paper, envelopes, labels, pens, toner, ink cartridges)
- *Clothing / uniforms
- *GAIN / Safety Event Promotional / Marketing Tools/Items (pens/pencils, letter openers, mugs, Frisbees, auto-window shades, wrist bands, mouse pads, key chains, kitchen products, microfiber cloths, bags, calendars, lanyards, note pads, etc.)
- *GAIN / Safety Event Crime Prevention Tools/Items (locks: window, door, steering wheel, and padlocks; timers; lighting: motion sensors, dusk-to-dawn, indoor/outdoor emergency lighting; alarms: small/individual door, pool, carbon monoxide detectors, smoke detectors, window, or personal; document shredders; individual RFID sleeves, etc.)
- Other - Please provide detailed description on budget narrative

Equipment / Supplies – These are items with a useful life that extend beyond the grant period of one year. Each equipment item must be listed separately. Explain in the narrative, in detail, what types of equipment will be purchased and their intended use.

Examples of equipment / supplies items include:

- *Communications equipment (*two-way radios / walkie-talkies)
- *GAIN or crime prevention / safety event (equipment / supplies)
- *Musical instruments / *games / *sporting goods / *bicycles / hobby / crafts and gardening supplies
- *Phoenix Neighborhood Patrol equipment / supplies
- Audio / video equipment
- *Computer equipment / software / accessories
- Educational materials / books
- Fencing and gates – including installation of fences and gates
- Supplies necessary to maintain gates for the Gated Alley Program.
- Furniture (tables, chairs, computer desks)
- Hardware items (locks, small tools, *flashlights, rakes, paint sprayers)
- *Lighting
- Office equipment (*copiers / printers / scanners, staplers, scissors, file cabinets, etc.)
- Signage (*Block Watch / Phoenix Neighborhood Patrol signs, bulletin boards, banners, posters)
- Fingerprint ID kits
- Graffiti cameras (must include the City of Phoenix Neighborhood Services Department as a Co-Applicant Group to be considered)
- Cellular Phone Hardware

Operational Expenses - If requesting grant funds for a newsletter, a sample of the newsletter must be uploaded with the grant application or a link to the newsletter must be included in the budget narrative. If requesting grant funds for website, a link to the website must be provided in the budget narrative. If the newsletter or website are new, you must make that clear in the budget narrative.

- Soliciting and/or accepting funds to post advertisements in a neighborhood newsletter that is funded with Neighborhood Block Watch grant funds is **not permitted.**

- **Events funded by grant funds cannot solicit and/or accept funds such as admission fees or booth fees for that event**.

Examples of operational expenses include:

- *Phoenix Neighborhood Patrol / Graffiti fuel / mileage reimbursement
- Dedicated communications services
  - Telephone Service
  - *Cellular Phone Service
  - *Internet Service
  - *Website Services
  - Fax Services
- *Insurance costs
- Maintenance / repair services
- Printing / copying / mailing permits / delivery / faxing services
- Program related transportation costs (buses / vans / rentals and public transportation)
- *Rental of equipment / supplies (including helium and port-a-johns)
- Rental space or facility use fees
- *Utilities (electricity, water)
- Other – provide details on budget narrative

Personnel

Examples of personnel expenses that include crime prevention and safety:

- Contractors / labor for installation costs
- Hourly pay for individuals and overtime
- *Seminars / workshops / training classes, includes speakers, presenters, and trainers

NOTE: Administration of the grant itself, including payment to an accountant or individual to complete quarterly reports or to pay Block Watch members for any services, is strictly prohibited.

TRAFFIC CALMING DEVICES

If requesting traffic calming devices, e.g. speed humps or speed cushions, you must complete the Budget Supplement – Traffic Calming Devices (included in the application). If the budget supplement section is not completed, and the initial Streets Department documentation is not submitted, the application may be scored lower or disqualified.

For information regarding the application process for speed humps/cushions, please visit the Street Transportation Department's website and follow the instructions:

Traffic Calming Options

PROHIBITED AND RESTRICTED / CAPPED USE OF FUNDS

Grant funds shall be used to fund new or existing programs and activities with an identifiable anti-crime component or safety element. Eligible uses include, but are not limited to, crime prevention programs, neighborhood crime-fighting workshops, and crime-fighting / prevention educational programs. Proposals to expand a current program or activity into a new geographic area where no similar programs or activities exist will be considered. Any service / equipment / product / resource already available through a City department / agency will be reviewed on a case-by-case basis.

Once City Council finalizes funding recommendations, grant funds may only be used for those items listed in the approved grant budget without written authorization from City Council or the Oversight Committee.

Additionally, grantees should be aware that the City of Phoenix political activity policy governs what type of political activities can be undertaken with NBWGP funds. Grantees are **prohibited** from using grant funds in the following manner:

- To influence, interfere with, or affect the results of an election.
- To participate in the management or affairs of any candidates' campaign for office including, but not limited to, soliciting, or making financial contributions to candidates.
- To purchase and/or display bumper stickers, posters, literature, buttons, or other campaign materials.
- For political advertisements, endorsements, or speeches.
- For any statement or action that endorses or opposes any political party, candidate, or ballot measure.

Grant funds ***can*** be used to promote basic election information such as: links to the city, county, or state voter registration/information sites, election dates, and neighborhood polling places. Additionally, grantees ***are*** allowed to privately express political opinions. Examples of what the policy allows include: posting private opinions on non-grant funded social media accounts, displaying yard signs, signing nominating petitions, or communicating with another person or group of people regarding elections when the grantee does, not do so in a grantee award related capacity.

ALL EXPENDITURES FROM PROVIDED GRANT FUNDS SHALL BE MADE ONLY IN ACCORDANCE WITH GRANTEE'S BUDGET AS SET FORTH IN THE APPROVED GRANT APPLICATION AND PROPOSAL, OR AS MODIFIED BY AGREEMENT IN WRITING SIGNED BY CITY AND GRANTEE. It is understood and agreed that GRANTEE, its officers, agents, and employees accept total responsibility and accountability for any misuse of funds, and any funds, including interest earned, not used in accordance with this contract shall be reimbursed to CITY by GRANTEE.

PROHIBITED ITEMS LIST: *Requests for prohibited items will be denied.*

Grant funds **cannot** be used to buy or pay for:

- Administration of the grant itself, including payment to an accountant or individual to complete quarterly reports or to pay Block Watch members for any services;
- Alcoholic beverages, including wine and beer;
- Awards and raffle prizes, where a price is paid for a ticket/entry to win an item;
- Bulletproof vests;
- Entertainment, parties, and recognition dinners, unless they include a crime prevention, safety, and/or quality of life improvement component, such as a GAIN event;
- Entrance or admission fees for any in-state or out of state non-educational field trips, including water and amusement parks;
- Motor vehicles of any kind, including electric vehicles;
- Batteries and/or power sources used for mobility purposes;
- Out-of-state field trips or travel (educational or non-education);
- Surveillance equipment and drones; including night vision, listening devices, and doorbell/monitoring cameras (does not include graffiti cameras if partnering with the Neighborhood Services Department);
- Vehicle overhead emergency light bars;
- Weapons of any type, including firearms, pepper spray, mace, knives, stun guns, kubotan, etc.;
- Weed killers and lawn chemicals labeled as hazardous material; it is recommended to use organically labeled products;
- Home alarm systems and/or vehicle alarm systems;
- Police Scanners;
- Overdose reversal medication (e.g., Naloxone, Narcan, etc.)

RESTRICTED ITEMS

Costs for the items listed below have been restricted by the NBWGP Oversight Committee.

Cellular phones purchased with NBWGP funds for the purpose of neighborhood patrols and Block Watch activities can be funded up to a maximum limit of $500 per phone for the grant year. Additionally, up to a maximum of $600 can be spent on phone service for the grant year. A maximum of one (1) phone can be purchased per grant year. NBWGP funds cannot be used to pay phone charges for international (**NEW for 2027**) or special fee (900 numbers) phone calls.

Mileage Reimbursement is restricted to Phoenix Neighborhood Patrol or graffiti abatement activities. Grant funds can only be used to reimburse for mileage when Phoenix Neighborhood Patrol members are patrolling or doing graffiti abatement; this does not include attending training, meetings, or running errands. Mileage Reimbursement is limited to a combined maximum of $2,000 per grant year (**NEW for 2027**) for Phoenix Neighborhood Patrol/graffiti abatement activities.

Crime Prevention Tools/Items will be restricted to a total of $5,000 for the grant year (**NEW for 2027**). Additionally, Promotional/Marketing Tools/Items should have a crime prevention message printed on them.

RESTRICTED / CAPPED ITEMS CHART

Capped Items – total requested budgeted items cannot exceed specific capped item amount.	**Capped Item Amount**
Website Hosting / Maintenance / Domain Name / Email Server (a combined total of all items)	$1,000 (**NEW for 2027**)
Adult clothing (t-shirts, jackets, hats, sweatshirts, etc.), with exception of City of Phoenix Police Department Phoenix Neighborhood Patrol Program	$1,500 (**NEW for 2027**)
Cellular Phone (maximum of one per grant year)	$500
Cellular Phone Service	$600
Digital cameras (per item; maximum of one per grant year)	$300
Flashlights (per item)	$40
Laptops, computers, tablets, or notebooks ($2,000 per grant year / $1,000 per item; no more than two items per grant year; limited to a purchase of two items total every three grant years)	$2,000 / $1,000 (**NEW for 2027**)
Paint sprayers (per item)	$700
Two-way Radios, including accessories (per radio)	$500
Radar Gun (per item)	$150
Lighting electricity bill	$5,000 (**NEW for 2027**)
Water utility bill	$3,000
Guest Speaker (per presentation)	$300
Insurance	$3,000 (**NEW for 2027**)

Entertainer/Entertainment to include Face Painter(s), Disc Jockey(s), Balloon Artist(s), or Musician(s) (each artist, per event) (**NEW for 2027**)	$300
Regular Copy Printers, including maintenance	$1,000 (**NEW for 2027**)
Room / Facility Rental Fees per year	$1,000
Youth Clothing / Uniforms	$1,500 (**NEW for 2027**)
Food or beverages of any kind; must be for the use of crime prevention, safety, quality of life, or Wake-Up! Clubs	$1,500 (**NEW for 2027**)
Generators	$1,000 (**NEW for 2027**)
Murals	$3,000 (**NEW for 2027**)
Bicycles ($500 per item; no more than two items per grant year; electric / motorized bicycles prohibited)	$500 / $1,000
Promotional Items / Marketing Tools (***should include a printed crime prevention message**)	$4,000 (**NEW for 2027**)
Crime Prevention Tools/Items	$5,000 (**NEW for 2027**)

Restricted Budget Categories for Block Watch / Phoenix Neighborhood Patrol (PNP) Programs
The following items are restricted and may ONLY be purchased for the use of the Block Watch or Phoenix Neighborhood Patrol (PNP) programs:
*Block Watch and/or Phoenix Neighborhood Patrol clothing
*Cell Phones / Service - Limit $500 per phone; maximum of one (1) phone per grant year / maximum of $600 for phone service per grant year
*Equipment (Two-way Radios / Walkie-Talkies / Binoculars / Bicycles)
*Fuel / mileage Reimbursement for Phoenix Neighborhood Patrol (PNP) Activity / Graffiti Abatement has a maximum limit of $2,000 per grant year (**NEW for 2027**)
*GAIN / Safety Event Crime Prevention Tools/Items (locks: window, door, steering wheel, and padlocks; timers; lighting: motion sensors, dusk-to-dawn, indoor/outdoor emergency lighting; alarms: small/individual door, pool, carbon monoxide detectors, smoke detectors, window, or personal; document shredders; individual RFID sleeves, etc.)
*GAIN / Safety Event Promotional Items / Marketing Tools (pens/pencils, letter openers, mugs, Frisbees, auto-window shades, wrist bands, mouse pads, key chains, kitchen products, microfiber cloths, bags, calendars, lanyards, note pads, etc.)
*Phoenix Neighborhood Patrol (PNP) Authorized Signs
*Rentals
*Supplies

Restricted Budget Categories for Youth-Related Programs
The following items are restricted and may ONLY be purchased in conjunction with Youth-Related Programs:
Camp Fees (In-state Only)
Clothing / Uniforms (Restricted to $1,500 total per application) (**NEW for 2027**)
Games (Board / Video Game Systems and Accessories / Video and Computer Games / Cards / Pool, Ping Pong, and Foosball Tables / Music or Video CDs)
Sports Equipment and Supplies
Tournament Entry Fees (In-state ONLY)
Science, technology, engineering, and math (STEM) programs

Other Restricted Items
Mileage Reimbursement for Graffiti Abatement activities has a maximum limit of $2,000 per grant year (this includes any Phoenix Neighborhood Patrol reimbursements). (**NEW for 2027**)
Internet Services are restricted to a maximum limit of $750 per year for service provided to community organizations / centers and a maximum of $500 per year for service provided to an individual's residence.
Traffic Calming Devices, including speed humps/cushions, cannot be funded unless they can be directly tied to crime prevention.
Laptops, computers, tablets, or notebooks are restricted to a maximum of $2,000 per application; (in addition to $1,000 per item restriction); no more than two items per grant year; limited to a purchase of two items total every three grant years. (**NEW for 2027**)

INSURANCE REQUIREMENT

Grant applicants are responsible for reviewing, their activities, determining whether insurance is needed, and purchasing insurance, as they deem appropriate.

Grant applicants should be aware that THEY are NOT COVERED by the City of Phoenix for ANY TYPE OF INSURANCE OR LIABILITY ISSUE ASSOCIATED WITH any of THEIR program, event, and/or activities.

NBWGP Staff encourages applicants to contact a licensed insurance agent to ensure they have appropriate coverage for programs, events, and activities, INCLUDING AUTO LIABILITY, GENERAL LIABILITY, WORKERS COMPENSATION, DIRECTORS AND OFFICERS INSURANCE (for Primary Applicant Group ONLY), AND/OR PROPERTY INSURANCE for example.

Prior to submission, review your budget for errors and transpositions. Make sure your quantities and dollar amounts are correct. Additional budget / financial pages may be submitted in the document attachment section of the application.

ATTACHMENTS

All required documents / forms not submitted with the original application must be submitted prior to applicant receiving any grant funds awarded. Applicants may include additional supportive documents / photos with the application (**five voluntary attachments maximum**). Instructions for uploading attachments are located in the Grant Management System User Manual.

- Grant applications become public records; required attachments (meeting agendas / minutes) **MUST NOT include personal information** (i.e., phone number, name, mailing address, email address, etc.) of people attending meetings. Only provide the total number of members attending meetings and the crime prevention topic discussed on the attached agendas.
- 5 MB is the **maximum** file size for each uploaded document
  - **REMINDER**: Color documents tend to be much larger in file size than black and white or gray scale
- Fewer attachments are preferred (i.e., combine multiple pages of like information into a single file; such as all meeting agendas, all newsletters, all traffic mitigation documents into a single PDF)
- **In addition to required attachments, a maximum of five (5) voluntary attachments are allowed**.
- **Do not use truncated characters in the file name or upload 'Description' field**
  - Ex: ! @ # $ % ^ & * _()
- PDF format is preferred

Attachments uploaded in error, and/or originals that have been revised, can be removed by contacting NBWGP Staff.

AWARDED FUNDING

Applications recommended by the NBWGP Oversight Committee for funding will be forwarded to the Public Safety and Justice Subcommittee for its review and acceptance and then, to the Phoenix City Council for final approval and grant awards. The Phoenix City Council makes the final determination in the acceptance, denial, or alteration of the funding level of each application.

NBWGP staff will notify applicants of funding results. Grant awards will be announced in June 2027; they cannot be funded prior to July 1, 2027.

NO EXPENDITURES OR ENCUMBRANCES OF GRANT FUNDS MAY BE MADE BY GRANTEE PRIOR TO ISSUANCE OF GRANT FUNDS AND NOTICE TO PROCEED BY CITY.

POST-AWARD RESPONSIBILITY

POST AWARD PROCEDURES

Contract

All approved grant recipients are **required** to execute a contract with the City of Phoenix regarding the use of grant funds in accordance with NBWGP rules and regulations.

Banking Requirements

All recipients' grant funds will be awarded via Chase Bank Declining Balance Card in the name of the primary applicant group. The Declining Balance Card will work like a traditional credit card. Commingling of grant funds with any outside/personal funds is prohibited.

Chase Bank will not charge NBWGP grantees any service charges or fees for the 2026 grant year.

Reporting

Quarterly reports are used to evaluate grant project performance, compliance, and progress. Reports **MUST** be submitted by grant recipients within required timelines set by the City. Quarterly Report due dates are listed on the NBWGP Grant Management System (GMS) website and reminder emails are sent to grantees on a quarterly basis.

All records and documents related to project activities, expenses, bank statements, receipts, equipment, or other personal or tangible property purchased with grant funds **MUST** be maintained by the grantee for a period of at least two (2) years from the date of expiration of the grant contract.

Applicants that do not submit quarterly and final reports in a timely manner, that submit fraudulent applications or reports, and/or do not return all unused grant monies, WILL NOT be eligible for future funding and may face legal prosecution.

As a Co-Applicant Group (Neighborhood Association, Homeowners Association, Block Watch, etc.), organizations are jointly responsible for tracking and reporting of expenditures when partnering with an organization.

Any items purchased with NBWGP funds must be labeled "Funded with Phoenix NBWGP funds" when reasonable and prudent.

Conclusion / Termination of Project

At the conclusion or termination of a project, grant recipients that purchased equipment and/or other tangible property of $250 or more per item (**NEW for 2027**) with NBWGP funds will have two options:

1. Return equipment to the City of Phoenix; or
2. Retain equipment by submitting a contract extension form (Exhibit D)

Should the grant recipient decide to retain any equipment beyond the completion or termination of the project, they must submit a Retained Equipment contract extension form (Exhibit D) with the final grant report. Each item the grant recipient would like to retain must be listed on the form and must be made available for two (2) years in case of an audit.

During the two-year (2 year) extended term of the contract, there will be no reporting requirements. The grant recipient will continue to use the equipment in connection with the programs and activities identified in the grant application and will maintain the equipment during its useful life. The City will retain the title to the equipment during the extended term and may request to see / audit the equipment at any time during the two-year (2 year) contract extension.

At the end of the contract extension period, the equipment becomes property of the Primary Applicant Group listed on the application.

A few examples of retained equipment / tangible property includes computers / laptops, printers, tables, chairs, shade canopies, and cameras.

ALL UNUSED GRANT MONIES MUST BE RETURNED TO THE CITY OF PHOENIX.

Auditing

Grant recipients **MUST** agree to allow the City Auditor and/or the NBWGP staff complete access to all records, equipment, and/or tangible property related to the project for auditing purposes. City representatives **MUST** be allowed access to all locations grant activities are being conducted for evaluating the effectiveness of the grant project. Grant recipients **MUST** adhere to any other requirements deemed necessary by the City for the proper operation of projects.

SUPPLEMENTAL INFORMATION

Scoring Criteria

Scoring Criteria

Definition of Common Grant Terms

Common Grant Terms

Grant Application Checklist

Application Checklist

Frequently Asked Questions (FAQ)

Frequently Asked Questions

CONTACT INFORMATION

If you have any questions, please call the **NBWGP staff at 602-262-1821** assistance. Information provided by other sources may not be accurate.

REVIEW OF CHANGES FOR 2027 NBWGP APPLICATION YEAR:

1. On page 6, under the **Required Documents** section, increase short-form maximum award from $3,000 to $5,000.

2. On page 6, under the **Required Documents** section, add bullet point under both versions of application to read “Documentation must come from meetings held within the 12 months prior to the application submission deadline.”

3. On page 6, under the **Required Documents** section, increase long-form maximum award from $15,000 to $20,000.

4. On page 7, under the **GRANT DOLLAR LIMITATIONS** section, increase the maximum grant amount that can be requested from $15,000 to $20,000.

5. On page 7, under the **COMMUNITY UTILITIES INFORMATION** section, increase the maximum amount that can be allocated towards electric bills for lighting from $3,000 to $5,000.

6. On page 7, under the **COMMUNITY UTILITIES INFORMATION** section, add the following as a bullet point: “The number of light poles to be funded **must** be included.”

7. On page 8, under the **OVERSIGHT COMMITTEE SCORING CRITERIA INFORMATION** section, revise “Budget Evaluation” scoring criterion to “Budget / Budget Narrative Evaluation”.

8. On page 13, under the **GRANT CO-APPLICANT GROUPS** section, remove the following bullet point: “Members of the NBWGP Oversight Committee cannot be signers on NBWGP applications.”

9. On page 19, under the **RESTRICTED ITEMS** section, increase Mileage Reimbursement cap maximum from $1,500 to $2,000.

10. On page 19, under the **RESTRICTED/CAPPED ITEMS CHART** section, increase Website Hosting / Maintenance / Domain Name / Email Server (a combined total of all items) cap maximum from $750 to $1,000.

11. On page 19, under the **RESTRICTED/CAPPED ITEMS CHART** section, increase Adult clothing (t-shirts, jackets, hats, sweatshirts, etc.), with exception of City of Phoenix Police Department Phoenix Neighborhood Patrol Program cap maximum from $500 to $1,500.

12. On page 19, under the **RESTRICTED/CAPPED ITEMS CHART** section, increase Laptops, computers, tablets, or notebooks cap maximums from $1,500 / $750 to $2,000 / $1,000 per grant year.

13. On page 19, under the **RESTRICTED/CAPPED ITEMS CHART** section, increase Lighting electricity bill cap maximum from $3,000 to $5,000.

14. On page 19, under the **RESTRICTED/CAPPED ITEMS CHART** section, increase Insurance cap maximum from $2,000 to $3,000.

15. On page 19, under the **RESTRICTED/CAPPED ITEMS CHART** section, revise "Entertainer/Entertainment group to include Face Painter(s), Disc Jockey(s) or Balloon Artist(s) (each artist / group, per event)" to "Entertainer/Entertainment to include Face Painter(s), Disc Jockey(s), Balloon Artist(s), or Musician(s) (each artist, per event)".

16. On page 20, under the **RESTRICTED/CAPPED ITEMS CHART** section, increase Regular Copy Printers, including maintenance cap maximum from $500 to $1,000.

17. On page 20, under the **RESTRICTED/CAPPED ITEMS CHART** section, increase Youth Clothing / Uniforms cap maximum from $1,000 to $1,500.

18. On page 20, under the **RESTRICTED/CAPPED ITEMS CHART** section, increase Food or beverages of any kind; must be for the use of crime prevention, safety, quality of life, or Wake-Up! Clubs cap maximum from $500 to $1,500.

19. On page 20, under the **RESTRICTED/CAPPED ITEMS CHART** section, increase Generators cap maximum from $750 to $1,000.

20. On page 20, under the **RESTRICTED/CAPPED ITEMS CHART** section, increase Murals cap maximum from $1,000 to $3,000.

21. On page 20, under the **RESTRICTED/CAPPED ITEMS CHART** section, increase Promotional Items / Marketing Tools (*should include a printed crime prevention message) cap maximum from $3,000 to $4,000.

22. On page 20, under the **RESTRICTED/CAPPED ITEMS CHART** section, increase Crime Prevention Tools/Items cap maximum from $4,000 to $5,000.

23. On page 20, under the **RESTRICTED/CAPPED ITEMS CHART** section, increase Fuel / mileage Reimbursement for Phoenix Neighborhood Patrol (PNP) Activity / Graffiti Abatement cap maximum from $1,500 per grant year to $2,000 per grant year.

24. On page 21, under the **RESTRICTED/CAPPED ITEMS CHART** section, increase Clothing / Uniforms cap maximum from $1,000 to $1,500.

25. On page 21, under the **RESTRICTED/CAPPED ITEMS CHART** section chart, increase the Mileage Reimbursement for Graffiti Abatement activities cap maximum from $1,500 to $2,000.

26. On page 21, under the **RESTRICTED/CAPPED ITEMS CHART** section, increase the Laptops, computers, tablets, or notebooks cap maximum per application from $1,500 / $750 to $2,000 / $1,000 per grant year.

27. On page 24, under the **Conclusion / Termination of Project** section, increase tangible property retention requirement amount from $100 to $250.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 54

Taxicab Services at Phoenix Sky Harbor International Airport - RCS 26-0200 - Request for Award (Ordinance S-53291) - District 8

Request to authorize the City Manager, or his designee, to execute a contract with VIP Taxi Airport LLC to provide taxicab services at Phoenix Sky Harbor International Airport (PHX). Further request to authorize the City Treasurer to accept all payments and revenues for purposes of this item. The City Controller is authorized to disburse all funds related to this item. The taxi program is anticipated to generate $715,000 per year over the six-year aggregate term, which will result in approximately $5 million in revenue to the City.

Summary

The Aviation Department issued Revenue Contract Solicitation (RCS) 25-0612 for Taxicab Services at PHX in June 2025 with the intent to award four contracts. Only two contracts were awarded, which did not provide the desired number of vehicles to meet customer demand. The Aviation Department then issued RCS 26-0200 for additional taxicab services at PHX; one responsive proposal was received that offered an additional 35-vehicle fleet. The goal of the contract is to maintain a high level of reliable, on-demand taxicab availability at PHX terminals to meet passenger demands.

Procurement Information

A Revenue Contract Solicitation (RCS) procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10. Five proposers submitted responses and the following proposal was evaluated after being deemed to be responsive and responsible:

- VIP Taxi Airport LLC

The evaluation panel recommendation was reached by consensus in consideration of published selection criteria with a maximum total points of 1,000:

- Business and Operations Plan (0-300 points)
- Qualifications and Experience of the Respondent (0-200 points)
- Qualifications and Experience of the General Manager (0-200 points)
- Customer Service Plan (0-150 points)

- Driver/Operator Plan (0-150 points)

The following proposer was selected for award:

- VIP Taxi Airport LLC

Public Outreach
This RCS opportunity was advertised in five regional and national publications, including the Airport Council International North America, the American Association of Airport Executives, and the FAA DBE Connect.

Contract Term
The contract will begin on or about January 1, 2027, for an initial four-year term, with one two-year option to extend the term at the sole discretion of the Aviation Director for an aggregate six-year contract term.

Financial Impact
The contractor will pay trip fees per the contract over the aggregate six-year term, which will result in approximately $5 million in revenue to the City for the entire program.

Concurrence/Previous Council Action
The Phoenix Aviation Advisory Board Business and Development Subcommittee:
• Recommended approval of this item on October 1, 2026, by a vote of 3-0

The Phoenix Aviation Advisory Board:
• Recommended approval of this item on October 15, 2026, by a vote of 6-0.

The Transportation and Infrastructure Subcommittee:
• Recommended approval of this item on October 21, 2026, by a vote of 4-0.

Location
Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road, Phoenix, Arizona.
Council District: 8

Responsible Department
This item is submitted by Deputy City Manager Frank McCune and the Aviation Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 55

Phoenix Sky Harbor International Airport Rental Car Center Vertical Transportation Modernization - Construction Manager at Risk Services - AV15000080 (Ordinance S-53300) - District 8

Request to authorize the City Manager, or his designee, to enter into an agreement with Hunt Construction Group, Inc. to provide Construction Manager at Risk Preconstruction and Construction Services for the Phoenix Sky Harbor International Airport Rental Car Center Vertical Transportation Modernization project. Further request to authorize the City Manager, or his designee, to execute amendments to the agreement as necessary within the City Council-approved expenditure authority provided below, and to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $31,213,000.

Summary

The purpose of this project is the modernization and replacement of critical horizontal and vertical transportation systems, including 12 elevators and 12 escalators at the Rental Car Center as part of on-going airport efforts to replace aging infrastructure, improve airport operations, enhance the passenger experience, and improve energy efficiency.

Hunt Construction Group, Inc. will begin in an agency support role for Construction Manager at Risk Preconstruction Services. Hunt Construction Group, Inc. will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

Hunt Construction Group, Inc.’s preconstruction services include attending and participating in project meetings; providing detailed cost estimating at each milestone of design and have knowledge of marketplace conditions; providing project planning and scheduling; providing construction strategies, phasing and scheduling that will minimize interruption to City operations and minimize impacts to the public; providing alternate systems evaluation and constructability studies; advising the City on ways to gain efficiencies in project delivery; preparing trade contractor selection plan and recommend early selection of major trade contractors as required; providing long-lead procurement studies and initiating procurement of long-lead items; assisting in the permitting process; protecting the City's sensitivity to quality, safety, and environmental factors; advising the City on choosing green building materials; and participating with

the City in a process to establish a Small Business Enterprise (SBE) goal for the project.

Hunt Construction Group, Inc.'s initial construction services will include preparation of a Guaranteed Maximum Price proposal provided under the agreement. Hunt Construction Group, Inc. will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. Hunt Construction Group, Inc. will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. Hunt Construction Group, Inc. may also compete to self-perform limited amounts of work.

Hunt Construction Group, Inc.'s additional construction services may include constructing, modernizing, and replacing critical horizontal and vertical transportation systems; delivering construction of the project on time, within budget, and according to the plans, specifications, and owner's requirements; selecting subcontractors and suppliers for this project; coordinating with various City departments, other agencies, utility companies, etc.; arranging for the procurement of materials and equipment; scheduling and managing site operations; bid, award, and manage all construction related contracts while meeting City bid requirements, including the local and SBE participation goal; providing quality controls; bonding and insuring the construction; addressing all federal, state, and local permitting requirements; chairing pre-construction conferences, weekly Owner-Architect-Contractor meetings, and distributing meeting minutes; maintaining a safe work site for all project participants; providing monthly schedule updates and construction progress reports; providing resources and coordination to achieve acceptance for testing and commissioning by all parties; and providing project close-out service.

Procurement Information
The selection was made using a qualifications-based selection process set forth in Section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. Section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Nine firms submitted proposals and are listed below.

Selected Firm
Rank 1: Hunt Construction Group, Inc.

Additional Proposers
Rank 2: CHASSE Building Team, Inc.
Rank 3: PCL Buildings, Inc.
Rank 4: M.A. Mortenson Company

Rank 5: W.E. O'Neil Construction Co. of Arizona
Rank 6: The Weitz Company, LLC
Rank 7: GCON, LLC
Rank 8: Sun Eagle Corporation
Rank 9: Eastern Contractors Corporation

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

Financial Impact
The agreement value for Hunt Construction Group, Inc. will not exceed $31,213,000, including all subcontractor and reimbursable costs.

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

Location
Phoenix Airport Rental Car Center, 1805 E. Sky Harbor Circle South
Council District: 8

Responsible Department
This item is submitted by Deputy City Manager Frank McCune, the Aviation Department and the City Engineer.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 56

Maintenance and Repair of Vehicle Barriers, Security Gates, and Cable Barriers - Requirements Contract - IFB 23-004(AT) - Additional Expenditures (Ordinance S-53290) - Districts 1, 8, and Out of City

Request to authorize the City Manager, or his designee, to make additional expenditures under Contract 157474-0 with Phoenix Fence Company to support continued maintenance, corrective repair, and replacement of physical security infrastructure at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport (Airports). Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $300,000.

Summary
The Contract provides for inspection, maintenance, and repair and replacement services for vehicle barriers, turnstiles, security gates, gate operating systems, control bollards, cable barriers, and their supporting infrastructure at the Airports.

Contract Term
The term of the Contract remains unchanged and will end on December 31, 2027.

Financial Impact
Upon approval of $300,000 in additional funds, the revised aggregate value of the Contract will not exceed $1,150,000. Funds are available in the Aviation Department’s budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Maintenance and Repair of Vehicle Barriers, Security Gates, and Cable Barriers, Contract 157474-0 (Ordinance S-49148) on November 16, 2022.

Location
Phoenix Sky Harbor International Airport: 2485 E. Buckeye Road
Deer Valley Airport: 702 W. Deer Valley Road
Goodyear Airport: 1658 S. Litchfield Road, Goodyear, Arizona.
Council Districts: 1, 8, and Out of City

Responsible Department

This item is submitted by Deputy City Manager Frank McCune and the Aviation Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 57

ADDITIONAL INFORMATION (SEE ATTACHMENT) Request to Issue a Solicitation for Final Design and a Solicitation for Construction of the 35th Avenue and Van Buren Street Bus Rapid Transit Corridor - Citywide

Request to authorize the City Manager, or his designee, to issue a solicitation for final design and a solicitation for construction of the 35th Avenue and Van Buren Street Bus Rapid Transit (BRT) Corridor. Services under the resulting two contracts will provide final design, preconstruction tasks, and construction of the 35th Avenue and Van Buren Street BRT Corridor.

Summary

In 2015, Phoenix voters approved Proposition 104, creating the 35-year street and transit plan now known as Transportation 2050 (T2050). The plan identified BRT as a key component to continue expanding the City's high-capacity transit network. BRT is a high-capacity bus service that focuses on improved speed, reliability, convenience, and the overall transit experience. There are common recurring elements found in successful BRT systems, such as advanced fare collection, enhanced stations, options for dedicated lanes, custom buses, transit spot improvements to improve traffic flow, and unique branding.

Based on robust technical analysis and community education and engagement efforts, the initial BRT corridor of 35th Avenue and Van Buren Street was approved by the Phoenix City Council in October 2021. In Summer 2025, center-running BRT with dedicated lanes was identified as the preferred lane option for the 35th Avenue portion of the corridor as a result of the Phase III Community Outreach. In Spring 2026, center -running BRT with dedicated lanes was identified as the preferred lane option for the Van Buren Street portion of the corridor as a result of the Phase IV Community Outreach. In August 2026, the 15 percent design plans for the corridor were completed, satisfying the requirements of a current contract the City has in place for initial design.

Procurement Information

Upcoming and future phases will include final design, preconstruction, and construction of the 35th Avenue and Van Buren Street corridor. There will be two solicitations - one for final design and the other for construction. The project delivery

method will be Construction Manager At Risk (CMAR), with the two contracts running concurrently. The final design will take approximately two years to complete, followed by approximately two years of construction. Having the construction contractor onboard in conjunction with the design firm will allow them to advise on constructability, engage in value engineering efforts, and offer solutions to mitigate construction impacts and manage costs. The anticipated revenue service date for the entire corridor is 2031.

At key milestones throughout the life of the final design and construction processes, staff will coordinate with City Council for awareness and approval on fundamental direction and decisions to advance the project. The designer and contractor will work closely with various City departments to ensure compliance and transparency throughout the life of the project. A business assistance program, via a separate contract, is also envisioned for the project in order to support local and small businesses to mitigate impacts throughout construction.

Anticipated milestones, which will be the same for both solicitations, include:

- Winter 2026
  - Release Requests for Qualifications
  - Proposals Due

- Spring 2027
  - Evaluations by Qualified Staff
  - Award Recommendation

- Summer 2027
  - Contract Commencement

Contract Term
The resulting two contracts are expected to commence in Summer 2027 and will each have a five-year term with one two-year option to extend if necessary.

Financial Impact
The current estimate for design and construction of the entire 13.6-mile corridor is $916 million. This is consistent with other dedicated lane BRT systems on a cost per mile basis. Funding is available in the Public Transit Department's budget using various funding sources including T2050 and regional funds.

Concurrence/Previous Council Action

- Approved by the Citizens Transportation Commission on August 27, 2026, by a vote of 7-0.
- Approved by the Transportation, Infrastructure and Planning Subcommittee on October 21, 2026, by a vote of 4-0.

Responsible Department

This item is submitted by Deputy City Manager Cynthia Aguilar and the Public Transit Department.

City of Phoenix

To: Cynthia Aguilar
Deputy City Manager

Date: November 3, 2026

From: Jesús Sapien
Public Transit Director

Subject: REQUEST TO ADD ADDITIONAL INFORMATION TO ITEM 57 ON THE NOVEMBER 4, 2026, FORMAL AGENDA – REQUEST TO ISSUE A SOLICITATION FOR FINAL DESIGN AND A SOLICITATION FOR CONTRUCTION OF THE 35TH AVENUE AND VAN BUREN STREET BUS RAPID TRANSIT CORRIDOR

This memo requests additional information be added to Item 57, Request to Issue a Solicitation for Final Design and a Solicitation for Construction of the 35th Avenue and Van Buren Street Bus Rapid Transit Corrido, on the November 4, 2026, Formal Agenda. The Public Transit Department will work closely with Phoenix Light Rail staff to ensure best practices are incorporated into the solicitations for Final Design and Construction of the 35th Avenue and Van Buren Street Bus Rapid Transit (BRT) Corridor. Examples include requiring the establishment of a local Community Advisory Board and placing an emphasis on firms utilizing local workforces.

Approved by:

Cynthia Aguilar
Deputy City Manager

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 58

Bus Stop and Transit Center Cleaning Services - RFP PTD26-006 - Request for Award (Ordinance S-53290) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Graffiti Protective Coatings, Inc., to provide bus stop and transit facility cleaning services. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $28,650,000.

Summary

The Public Transit Department is responsible for the cleaning and maintenance of approximately 4,100 bus stop locations throughout the City, each outfitted with different amenities such as chairs, trash receptacles, and shade structures. This contract will provide regular cleaning services, such as pressure washing, trash removal, and maintenance repairs at these stops, as well as at 17 transit facilities, including park-and-rides and transit centers across the city. These stops and facilities serve as key hubs to promote transit utilization, enhance regional operational efficiency, and provide important amenities to Phoenix and surrounding communities. Ensuring the cleanliness of these stops and facilities is paramount to achieving these objectives. The value of this contract takes into account that in recent years, the City has experienced a substantial increase in refuse and personal belongings left at bus stops and transit facilities. As a result, the contract incorporates an increased frequency of cleaning services, including more frequent litter removal and increased sanitation efforts at high-impact stops.

Procurement Information

A Request for Proposal was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Eleven vendors submitted proposals deemed responsive and responsible. An evaluation committee of qualified City staff evaluated those offers based on the following criteria, with a maximum possible point total of 1000:

Method of Approach: 350
Experience: 250
Organizational Structure and Capacity: 200

Total Price: 200

After reaching consensus, the evaluation committee recommends award to the following vendor:

Graffiti Protective Coatings, Inc.: 760.5 points

Contract Term
The contract will begin on or about January 1, 2027, for a period of five years.

Financial Impact
The total value of the contract will not exceed $28,650,000.

Funding is available in the Public Transit Department's operating budget.

Concurrence/Previous Council Action
On August 27, 2026, the Citizens Transportation Committee recommended approval of this item with a vote of 7-0.

Responsible Department
This item is submitted by Deputy City Manager Cynthia Aguilar and the Public Transit Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 59

Amend City Code - Section 36-158, Schedule I, Local Speed Limits at 10 Locations (Ordinance G-7554) - Districts 2, 3, 4, 5, 6, 7 and 8

Request to amend Phoenix City Code, Section 36-158, Schedule I, Local Speed Limits due to local speed limit changes at 10 locations.

Summary

Speed limits are established under Arizona Revised Statutes, Section 28-703, which requires an engineering study and traffic investigation. The Phoenix City Code and Charter require that all changes to local speed limits on City streets be approved by City Council in the form of an amendment to Phoenix City Code, as shown in **Attachment A**.

The Street Transportation Department conducted a comprehensive review of the speed limit ordinance and is recommending local speed limit changes at 10 locations related to road and traffic conditions, as summarized in **Attachment B**. As with all recommended speed limit changes, these changes are based on traffic investigations coupled with the engineering judgment of Street Transportation Department staff.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Planning Subcommittee recommended City Council adopt the recommended changes to Phoenix City Code, Section 36-158, Schedule I, Local Speed Limits on October 21, 2026, by a vote of 4-0.

Responsible Department

This item is submitted by Deputy City Manager Frank McCune and the Street Transportation Department.

ATTACHMENT A

ARTICLE XII. PENALTY AND SCHEDULES

36-158 Schedule I — Local speed limits.

It is hereby determined upon the basis of an engineering and traffic investigation that the speed limit permitted by state law on the following streets or intersections is greater or less than is reasonable under existing conditions, and it is hereby declared that the maximum speed limits shall be as hereinafter set forth on those streets, parts of streets or intersections herein designated at the times specified when signs are erected giving notice thereof.

The City Traffic Engineer may declare a maximum speed limit that is determined pursuant to this section to be effective at all times or at such times as indicated on the speed limit signs. The City Traffic Engineer may establish lower speed limits for different times of day, different types of vehicles, varying weather conditions, special events, work zones for construction, maintenance or other activity in the roadway and other factors bearing on safe speeds. The lower limits are effective when posted on appropriate fixed, variable or portable signs.

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.

Acoma Drive	51st Avenue to 43rd Avenue
Acoma Drive	Black Canyon Freeway to 23rd Avenue
Acoma Drive	36th Street to 40th Street
Acoma Drive	Tatum Boulevard to 64th Street
Arroyo Norte Drive	Northbound I-17 Frontage Road to 3900 West
Beardsley Road	32nd Street to 34th Street
Butler Drive	39th Avenue to 27th Avenue
Butler Drive	Black Canyon Freeway to 19th Avenue
Campbell Avenue	71st Avenue to 51st Avenue
Campbell Avenue	113th Avenue to 107th Avenue
Campbell Avenue	35th Avenue to 15th Avenue
Campbell Avenue	12th Street to 16th Street
Campbell Avenue	20th Street to 44th Street

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.

Canterbury Drive	Thunderbird Road to Tam-O-Shanter Drive
Cashman Drive	Pinnacle Peak Road to 44th Street
Central Avenue	Liberty Lane to Chandler Boulevard
Central Avenue	Lincoln Street to Madison Street
CENTRAL AVENUE	**HATCHER ROAD TO MOUNTAIN VIEW ROAD**
Central Avenue	Grovers Avenue to Union Hills Drive
Chauncey Lane	68th Street to Scottsdale Road
Cholla Street	24th Street to 32nd Street
Cholla Street	40th Street to Tatum Boulevard
Clarendon Avenue	55th Avenue to Maryvale Parkway
Colter Street	16th Street to SR-51
Copperhead Trail	North Valley Parkway to Gambit Trail
Copperhead Trail	West of 14th Lane Traffic Circle to Gambit Trail
Coral Gables Drive	Thunderbird Road to 7th Street
Deem Hills Parkway	51st Avenue to Stetson Valley Parkway
Deer Valley Drive	1,200 feet west of 35th Avenue to 35th Avenue
Desert Willow Parkway	East Dixileta Drive to Dynamite Boulevard
Desert Willow Parkway West	30200 North Cave Creek Road to 31000 North Cave Creek Road
Dove Valley Road	52nd Place to 56th Street
Dunlap Avenue	7th Street to 12th Street
Durango Street	67th Avenue to 63rd Avenue
Elwood Street	40th Street to 48th Street

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.

Encanto Boulevard	93rd Avenue to 91st Avenue
~~Encanto Boulevard~~	~~75th Avenue to 73rd Avenue~~
ENCANTO BOULEVARD	**83RD AVENUE TO 73RD AVENUE**
Encanto Boulevard	71st Avenue to 51st Avenue
Encanto Boulevard	49th Avenue to 31st Avenue
Encanto Boulevard	Grand Avenue to 19th Avenue
Freemont Road	Rough Rider Road to Cashman Drive
FRYE ROAD	**3RD STREET TO DESERT FOOTHILLS PARKWAY**
Galvin Parkway	100 Feet +/- North of East Papago Park to Traffic Circle at Botanical Garden Entrance
Grand Ave	7th Avenue to 15th Avenue
Grant Street	Black Canyon Freeway to Lincoln Street
Greenway Road	20th Street to Cave Creek Road
Grovers Avenue	51st Avenue to 27th Avenue
Grovers Avenue	Central Avenue to Cave Creek Road
Hatcher Road	19th Avenue to 12th Street
Highland Avenue	Campbell Avenue to 107th Avenue
Highland Avenue	16th Street to 24th Street
Hillcrest Way	I-17 Frontage Road to 39th Lane
Illini Street	30th Street to Riverpoint Parkway
Inspiration Mountain Parkway	Stetson Valley Parkway to Stetson Valley Parkway
Jefferson Street	27th Avenue to 23rd Avenue
Jefferson Street	7th Avenue to 4th Avenue

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.

Jesse Owens Parkway	Central Avenue to 7th Street
Jones Avenue	103rd Avenue to 99th Avenue
Kelton Lane	29th Avenue to 28th Avenue
Knox Road	Warpaint Drive to 36th Street
Lafayette Boulevard	44th Street to 64th Street
Lakewood Parkway West	3300 East to 3600 East to 17000 South to 15800 South
Lakewood Parkway East	3600 East to 3800 East to 17000 South to 15800 South
Liberty Lane	17th Avenue to Central Avenue
Lincoln Street	Grant Street to 7th Street
Lindner Drive (West Section)	45th Avenue to Augusta North
Lindner Drive (East Section)	45th Avenue to Grovers Avenue
Lockwood Drive	Freemont Road to Cashman Drive
Marriott Drive	Pathfinder Drive to Deer Valley Drive
~~Maryland Avenue~~	~~Central Avenue to 16th Street~~
MARYLAND AVENUE	**19TH AVENUE TO 16TH STREET**
Maryvale Parkway	51st Avenue to Indian School Road
Missouri Avenue	43rd Avenue to 27th Avenue
Missouri Avenue	Black Canyon Freeway to 19th Avenue
Mohave Street	7th Avenue to 7th Street
Morningside Drive	Black Canyon Freeway to 21st Avenue
Morten Avenue	16th Street to 1900 East
Mountain View Road	23rd Avenue to 19th Avenue

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.

MOUNTAIN VIEW ROAD	CENTRAL AVENUE TO CAVE CREEK ROAD
Mountain View Road	32nd Street to 36th Street
Northern Avenue	26th Street to 32nd Street
North Valley Parkway	Carefree Highway to 33rd Lane
Oak Street	16th Street to 44th Street
Oak Street	48th Street to 52nd Street
Oak Street (Eastbound)	56th Street to 64th Street
Olympic Drive	Central Avenue to Jesse Owens Parkway
Orangewood Avenue	43rd Avenue to 19th Avenue
Osborn Road	Black Canyon Freeway to 7th Avenue
Paradise Lane	7th Street to 16th Street
Paradise Lane	Tatum Boulevard to 56th Street
Paradise Lane	47th Avenue to 43rd Avenue
Pathfinder Drive	44th Street to Marriott Drive
Piedmont Road	48th Street to 51st Street
Pinnacle Vista Drive	Pyramid Peak Parkway to Inspiration Mountain Parkway
Pinnacle Vista Drive	52nd Street to 56th Street
Pointe Golf Club Drive	Thunderbird Road to Sharon Drive
Princess Drive	68th Street Scottsdale Road
Quail Track Drive	North Valley Parkway to Copperhead Trail
Ranger Drive	Tatum Boulevard to 55th Street
Riverpoint Parkway	Wood Street to Illini Street

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.

Roeser Road	7th Avenue to Central Avenue
Roeser Road	40th Street to 48th Street
Roosevelt Street	57th Avenue to 43rd Avenue
Roosevelt Street	39th Avenue to 35th Avenue
Roosevelt Street	33rd Avenue to 27th Avenue
Roosevelt Street	19th Avenue to 7th Avenue
Roosevelt Street	Central Avenue to 16th Street
Rose Garden Lane	29th Avenue to 19th Avenue
Rough Rider Road	Black Mountain Boulevard to 40th Street
Sky Crossing Way	Deer Valley Road to Black Mountain Boulevard
SR-51 (East Access Road)	500 Feet North of Camelback Road to Colter Street
Stetson Hills Loop	43rd Avenue to 39th Drive
Sweetwater Avenue	51st Avenue to Black Canyon Freeway
Sweetwater Avenue	Cave Creek Road to 42nd Street
Sweetwater Avenue	Paradise Valley Parkway East to Scottsdale Road
Thunderbird Road	28th Street to 32nd Street
Trailblazer Drive	44th Street to Tatum Boulevard
University Drive	24th Street to Magnolia Street (2700 East)
Utopia Road	23rd Avenue to 19th Avenue
Van Buren Street	7th Street to 16th Street
Verdin Way	17th Place to Sonoran Desert Drive
Via Del Deserto	33rd Lane to Via Puzzola

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.

Via Puzzola	Carefree Highway to Cloud Road
Via Tramonto	Carefree Highway to Via Vista
Via Vista	27th Avenue to Via Tramonto
Vineyard Road	47th Avenue to 43rd Avenue
Virginia Avenue	35th Avenue to 27th Avenue
Virginia Avenue	Central Avenue to 7th Street
Warpaint Drive	Knox Road to Coconino Street
Washington Street	7th Avenue to 4th Avenue
Wier Avenue	39th Avenue to 35th Avenue
Winchcomb Drive	26th Avenue to Acoma Drive (2300 West)
Wood Street	Riverpoint Parkway to University Drive
1st Avenue	Grant Street to Roosevelt Street
3rd Avenue	Thomas Road to Osborn Road
3RD STREET	**CHANDLER BOULEVARD TO FRYE ROAD**
3rd Street	Monroe Street to Indian School Road
4th Street	5th Street crossover to Roosevelt Street
5th Street	Van Buren Street to 5th Street Crossover
5th Street Crossover	5th Street to Fillmore Street
7th Avenue	Jackson Street to Van Buren Street
7th Avenue	Coral Gables Drive to Greenway Parkway
7th Street	Jefferson Street to Van Buren Street
11th Avenue	Greenway Parkway to Bell Road

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.

11th Street	Washington Street to Moreland Street
12th Street	Vineyard Road to Southern Avenue
~~12th Street~~	~~Moreland Street to Thomas Road~~
12th Street	Osborn Road to Mountain View Road
12th Street	Bell Road to Agua Fria Freeway
15th Avenue	0.25 miles south of Magnolia Street to Northern Avenue
15th Avenue	Hatcher Road to Shangri-La Road
15th Avenue	Bell Road to Grovers Avenue
15th Avenue	Union Hills Drive to Utopia Road
16th Street	Grovers Avenue to Beardsley Road
18th Street	Camelback Road to 500 Feet North of Camelback Road
19th Avenue	Olney Avenue to Dobbins Road
20th Street	Dobbins Road to Baseline Road
20th Street	Roeser Road to Broadway Road
20th Street	Jefferson Street to Roosevelt Street
20th Street	McDowell Road to Cambridge Avenue
20th Street	Greenfield Road to Highland Avenue
20th Street	Missouri Avenue to Bethany Home Road
21st Avenue	Bell Road to Union Hills Drive
23rd Avenue	Indian School Road to Glendale Road
23rd Avenue	Orangewood Avenue to Dunlap Avenue
23rd Avenue	Acoma Drive to Greenway Road

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.

23rd Avenue	Union Hills Drive to Utopia Road
24th Street	South Mountain Avenue to Baseline Road
26th Avenue	Thunderbird Road to Acoma Drive
27th Avenue	Rose Garden Lane to Deer Valley Drive
27th Drive	Carefree Highway to Via Vista
28th Street	Oak Street to Camelback Road
28th Avenue	29th Avenue to Kelton Lane
29th Avenue	Union Hills Drive to Kristal Way
29th Avenue	Beardsley Road to Rose Garden Lane
29th Avenue	Sonoran Desert Drive to Dove Valley Road
31st Avenue	Van Buren Street to Encanto Boulevard
31st Avenue	Thomas Road to Grand Avenue
31st Avenue	Indian School Road to Camelback Road
31st Avenue	Northern Avenue to Dunlap Avenue
31st Avenue	Cheryl Drive to Thunderbird Road
31st Avenue	Bell Road to Kristal Way
31st Avenue	Yorkshire Drive to Beardsley Road
32nd Street	750 Feet South of Beautiful Lane to Baseline Road
32nd Street	Deer Valley Road to Sky Crossing Way
32nd Street	Puget Avenue to Mountain View Road
33rd Lane	North Valley Parkway to Via Del Deserto
36th Street	Ranch Circle North to Suncrest Court

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.

36th Street	Roeser Road to Broadway Road
36th Street	McDowell Road to Camelback Road
36th Street	Mountain View Road to Shea Boulevard
36th Street	Thunderbird Road to Greenway Road
39th Avenue	Van Buren Street to Osborn Road
39th Avenue	Missouri Avenue to Camino Acequia
39th Avenue	Peoria Avenue to Cactus Road
39th Avenue	Bell Road to Yorkshire Drive
40th Street	University Drive to 0.25 Miles North of University Drive
43rd Avenue	Olney Avenue to Dobbins Road
44th Street	Frye Road to Chandler Boulevard
44th Street	Ray Road to Warner-Elliot Loop
44th Street	Paradise Village Parkway North to Bell Road
44th Street	Deer Valley Drive to Cashman Drive
45th Avenue	Bell Road to Union Hills Drive
46th Street	Paradise Village Parkway North to Thunderbird Road
47th Avenue	Baseline Road to Vineyard Road
47th Avenue	Thunderbird Road to Greenway Road
47th Avenue	Acoma Drive to Bell Road
48th Street	Pecos Park Entrance to Frye Road
48th Street	Elwood Street to University Drive
48th Street	Van Buren Street to McDowell Road

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.

48th Street	Cholla Street to Paradise Village Parkway South
50th Street	Frye Road to Chandler Boulevard
51st Street	Elliot Road to Piedmont Road
52nd Place	Rancho Paloma Drive to Dove Valley Road
52nd Street	Thomas Road to Osborn Road
52nd Street	Cholla Street to Cactus Road
52nd Street	Thunderbird Road to Bell Road
52nd Street	Jomax Road to Pinnacle Vista Drive
53rd Avenue	Maryvale Parkway to Indian School Road
55th Avenue	Elliot Road to Olney Avenue
55th Avenue	McDowell Road to Camelback Road
55th Avenue	Pinnacle Peak Road to Alameda Road
56th Street	Mountain View Road to Shea Boulevard
59th Avenue	South Mountain Avenue to Baseline Road
60th Street	Desert Cove Avenue to Cholla Street Alignment
60th Street	Cactus Road to Bell Road
63rd Avenue	Lower Buckeye Road to Pima Street
63rd Avenue	Thomas Road to Osborn Road
63rd Avenue	Indian School Road to Camelback Road
65th Avenue	2500 feet +/- south of to Dobbins Road
68th Street	Princess Drive to Mayo Boulevard
70th Street	Princess Drive to Mayo Boulevard
71st Avenue	Van Buren Street to Roosevelt Street

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.

71st Avenue	McDowell Road to Indian School Road
71st Avenue	Campbell Avenue to Camelback Road
71st Street	Kierland Boulevard to Sandra Terrace
79TH AVENUE	**MCDOWELL ROAD TO THOMAS ROAD**
93rd Avenue	Encanto Boulevard to Thomas Road
95th Avenue	McDowell Road to Encanto Boulevard
103rd Avenue	Broadway Road to Country Place Boulevard
103rd Avenue	Indian School Road to Campbell Avenue
111th Avenue	Campbell Avenue to Camelback Road

Table A1. Prima Facie Speed Limit 30 Miles Per Hour from 7:00 a.m. to 4:00 p.m. on School Days.

Cactus road	Wb 350 ft +/- east of 37th Avenue and eb 350 ft +/- west of 37th Avenue
Ray Road	400 Feet North of Thunderhill Drive to 100 Feet South of Mountain Sky Avenue
19th Avenue	450 Feet North of Orangewood Avenue to 450 Feet South of Orangewood Avenue

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

Adams Street	27th Avenue to Washington Street
Anthem Way	46th Drive to Black Canyon Freeway
Ball Park Boulevard	Camelback Road to Grand Canal
Beardsley Road	20th Street to Cave Creek Road
Bethany Home Road	16th Street to 18th Street
Black Mountain Boulevard	Rancho Paloma Drive to Carefree Highway
Buckeye Road	31st Avenue to 27th Street
Camelback Road	27th Avenue to 28th Street

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

Central Avenue	Mineral Road to Thunderbird Trail
Central Avenue (Southbound)	Thunderbird Trail to Dobbins Road
Central Avenue	Vineyard Road to Pioneer Street
Central Avenue	Watkins Street to Lincoln Street
~~Central Avenue~~	~~Roosevelt Street to Mountain View Road~~
CENTRAL AVENUE	**ROOSEVELT STREET TO HATCHER ROAD**
Central Avenue	Happy Valley Road to 2,050 Feet +/- North of Happy Valley Road
Chandler Boulevard	Shaughnessey Road To 19th Avenue
Chandler Boulevard (Westbound)	19th Avenue to 15th Avenue
Chandler Boulevard	Pecos Road to Shaughnessey Road
Cheryl Drive	35th Avenue to Metro Parkway West
Circle Mountain Road	New River Road to Barko Lane
Cotton Center Boulevard	40th Street to 48th Street
Desert Foothills Parkway	Chandler Boulevard to 5th Avenue
Desert Willow Parkway East	31000 North Cave Creek Road (East Side) to 5000 East Dixileta Drive
Dobbins Road	Central Avenue to 19th Street
Dove Valley Road	North Valley Parkway to 16th Avenue
Dunlap Avenue	7th Avenue to 7th Street
~~Encanto Boulevard~~	~~83rd Avenue to 75th Avenue~~
Estrella Drive	SR202 to 51st Avenue
~~Frye Road~~	~~3rd Street to Desert Foothills Parkway~~
Galvin Parkway	North of Traffic Circle at Botanical Garden Entry to McDowell Road
Grand Avenue	18th Avenue to 15th Avenue

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

Grant Street	16th Street to Sky Harbor Circle
Greenway Road	Cave Creek Road to Greenway Parkway
Guadalupe Road	48th Street to Interstate 10
Holmes Boulevard	Bell Road to Grovers Avenue
Indian School Road	27th Avenue to 20th Street
Indian School Road	45th Street to 48th Street
Jefferson Street	23rd Avenue to 7th Avenue
Jefferson Street	7th Street to Washington Street
Jefferson Street	7th Street to 265 Feet +/- East of 26th Street (except frontage road which is 25 mph)
Jomax Road	Cave Creek Road to Tatum Boulevard
Jomax Road	Tatum Boulevard to 52nd Street
Kierland Boulevard	Greenway Parkway to Scottsdale Road
Knox Road	36th Street to 48th Street
Liberty Lane	Desert Foothills Parkway to 13th Way
Lone Mountain Road	40th Street to Cave Creek Road
Lower Buckeye Road	300 Feet West to 300 Feet East of 99th Avenue
Lower Buckeye Road	22nd Avenue to 19th Avenue
~~Maryland Avenue~~	~~19th Avenue to Central Avenue~~
Maryvale Parkway	Indian School Road to 51st Avenue
Mayo Boulevard	Black Mountain Boulevard to 40th Street
McDowell Road	27th Avenue to 32nd Street
Metro Parkway	Entire Street Surrounding Metro Center
Missouri Avenue	19th Avenue to 24th Street

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

Mohave Street	7th Street to Sky Harbor Circle
Mohave Street	22nd Street to 24th Street
~~Mountain View Road~~	~~Central Avenue to 12th Street~~
Norterra Parkway	Happy Valley Road to Jomax Road
Oak Street	52nd Street to 56th Street
Osborn Road	7th Avenue to 36th Street
Paloma Parkway	Bronco Butte Trail to Dove Valley Road
Paradise Village Parkway	Entire Street Surrounding Paradise Village
Peoria Avenue	19th Avenue to 7th Avenue
Pinnacle Peak Road	19th Avenue to 7th Street
Pocono Way	800 feet north of Hackamore Drive to 33rd Avenue
Pyramid Peak Parkway (Northbound)	1,900 Feet +/- north of Brookhart Way to City Limits
Ranch Circle North	Ray Road (3600 East) to Ray Road (4300 East)
Ranch Circle South	Ray Road to Mountain Parkway
Rancho Paloma Drive	Black Mountain Boulevard to 56th Street
Roeser Road	Central Avenue to 40th Street
Roosevelt Street	16th Street to 32nd Street
Rose Garden Lane	19th Avenue to 7th Avenue
Shea Boulevard	24th Street to 32nd Street
Sky Harbor Circle	22nd Street to Grant Street, Mohave Street to Grant Street, and Mohave Street to 22nd Street
Southern Avenue	7th Avenue to 7th Street
Stetson Valley Parkway	Deem Hills Parkway to Straight Arrow Lane

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

Tatum Boulevard	40th Street to Cave Creek Road
Thistle Landing Drive	48th Street to 50th Street
Thomas Road	27th Avenue to 32nd Street
Thunderbird Road	32nd Street to 38th Place
Tombstone Trail	Norterra Parkway to 21st Avenue
University Drive	16th Street to 24th Street
Utopia Road	Black Canyon Freeway to 23rd Avenue
Utopia Road	Cave Creek Road to 32nd Street
Van Buren Street	35th Avenue to 7th Avenue
Van Buren Street	16th Street to 44th Street
Washington Street	Adams Street to 7th Avenue
Washington Street	7th Street to 24th Street (except frontage road which is 25 mph)
Williams Drive	Black Canyon Freeway to 19th Avenue
Yorkshire Drive	35th Avenue to Black Canyon Freeway
1st Avenue Crossover	Grant Street to Hadley Street
3rd Avenue	Osborn Road to Indian School Road
~~3rd Street~~	~~Frye Road to Chandler Boulevard~~
5th Avenue	Desert Foothills Parkway to Chandler Boulevard
5th Street Crossover	Fillmore Street to 4th Street
7th Avenue	Dobbins Road to Baseline Road
7th Avenue	Magnolia Street to Jackson Street
7th Avenue	Van Buren Street to Missouri Avenue

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

7th Avenue	Dunlap Avenue to Hatcher Road
7th Avenue	Greenway Parkway to Bell Road
7th Street	Mineral Road to Baseline Road
7th Street	Lincoln Street to Jefferson Street
7th Street	Van Buren Street to Missouri Avenue
7th Street	Butler Drive to Cinnabar Avenue
15th Avenue	Southern Avenue to Broadway Road
16th Street	Dobbins Road to Baseline Road
16th Street	Maricopa Freeway to Bethany Home Road
16th Street	Bell Road to Grovers Avenue
17th Avenue	Pecos Road to Chandler Boulevard
17th Avenue	Buckeye Road to Grant Street
19th Avenue	Buckeye Road to the Grand Canal
19th Avenue	Glendale Avenue to Northern Avenue (Except where noted in subsection A.1 of this section)
20th Street	Highland Avenue to Missouri Avenue
21st Avenue	Jomax Road to Tombstone Trail
23rd Avenue	Mountain View Road to Cactus Road
23rd Avenue	Utopia Road to Deer Valley Drive
23rd Avenue	Pinnacle Peak Road to Happy Valley Road
24th Street	Buckeye Road to Indian School Road
25th Avenue	Dunlap Avenue to Peoria Avenue
27th Avenue	South Mountain Avenue to Baseline Road

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

27th Avenue	Lower Buckeye Road to Van Buren Street
27th Avenue	Northern Avenue to Dunlap Avenue
27th Avenue	Grovers Avenue to Union Hills Drive
27th Avenue	Yorkshire Drive to Rose Garden Lane
27th Drive	North Valley Parkway to Carefree Highway
28th Drive	Peoria Avenue to Cactus Road
29th Avenue	Dunlap Avenue to Metro Parkway
29th Avenue	Greenway Road to Bell Road
32nd Street	Air Lane to Van Buren Street
32nd Street	Chandler Boulevard to Pecos Road
33rd Avenue	Pocono Way to Pinnacle Vista Drive
35th Avenue	South Mountain Avenue to Baseline Road
35th Avenue	Van Buren Street to Encanto Boulevard
35th Avenue	Happy Valley Road to 800 feet north of Hackamore Drive
36th Street	Shea Boulevard to Cactus Road
39th Drive	Pinnacle Peak Road to Happy Valley Road
40th Street	0.39 miles South of Air Lane to Washington Street
40th Street (Southbound)	Shea Boulevard to Mercer Lane
40th Street	Potter Drive to Deer Valley Drive
40th Street	Tatum Boulevard to Lone Mountain Road
43rd Avenue	Elwood Street Alignment to Lower Buckeye Road
43rd Avenue	Anthem Way to 1,930 Feet North of Anthem Way

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

44th Street	Campbell Avenue to Calle Feliz
44th Place	Cotton Center Boulevard to Broadway Road
48th Street	Frye Road to Chandler Boulevard
48th Street	Washington Street to Van Buren Street
48th Street	Piedmont Road to Guadalupe Road
50th Street	Chandler Boulevard to Ray Road
51st Street	500 Feet South of Elliot Road to Warner-Elliot Loop
52nd Street	McDowell Road to Thomas Road
52nd Street	Cactus Road to Thunderbird Road
55th Avenue	Alameda Road to Happy Valley Road
56th Street	South City Limit to Van Buren Street
56th Street	Oak Street to Camelback Road
56th Street	Bell Road to Central Arizona Project Canal
56th Street	Lone Mountain Road to Rancho Paloma Drive
59th Avenue	Thomas Road to Indian School Road
64th Street	Oak Street to McDowell Road (Southbound Only)
64th Street	255 Feet North of Hillcrest Boulevard to Chaparral Road
64th Street	Mayo Boulevard to SR101
67th Avenue	Osborn Road to Camelback Road
71st Avenue	Baseline Road to Vineyard Road
~~79th Avenue~~	~~McDowell Road to Thomas Road~~
107th Avenue	Camelback Road to Missouri Avenue

Table C. Prima Facie Speed Limit 40 Miles Per Hour at All Times.

Air Lane	24th Street to 32nd Street
Baseline Road	43rd Avenue to 35th Avenue
Baseline Road	7th Avenue to 7th Street
Beardsley Road (Eastbound Frontage)	37th Avenue to 27th Avenue
Beardsley Road	Cave Creek Road to 32nd Street
Bell Road	19th Avenue to 12th Street
Bell Road	0.25 miles West of Cave Creek Road to 1,500 Feet East of 40th Street
Bethany Home Road	43rd Avenue to 16th Street
Black Mountain Boulevard	Mayo Boulevard to Pinnacle Peak Road
Broadway Road	51st Avenue to 32nd Street
Buckeye Road	39th Avenue to 31st Avenue
Cactus Road	39th Avenue to 350 ft West of 37th Avenue
Cactus Road	350 ft East of 37th Avenue to 19th Avenue
Cactus Road	Cave Creek Road to 60th Street
Camelback Road	43rd Avenue to 27th Avenue
Camelback Road	28th Street to 64th Street
Carefree Highway	700 feet West of North Valley Parkway to Via Puzzola
Cave Creek Road	Dunlap Avenue to Peoria Avenue
Cave Creek Road	Marco Polo Road to Rose Garden Lane
Central Avenue (Northbound)	Thunderbird Trail to Dobbins Road
Central Avenue	Dobbins Road to Vineyard Road

Table C. Prima Facie Speed Limit 40 Miles Per Hour at All Times.

Central Avenue	Pioneer Street to Watkins Street
Chandler Boulevard	Marketplace Way to 34th Street
Deer Valley Drive	35th Avenue to 0.25 miles east of 19th Avenue
Desert Foothills Parkway	Pecos Road to Chandler Boulevard
Desert Peak Parkway	Lieber Place to Cave Creek Road
Dobbins Road	From West City Limit to 1,320 Feet +/- East
Dobbins Road	23rd Avenue to Central Avenue
Dove Valley Road	51st Avenue to Black Canyon Freeway
Dunlap Avenue	43rd Avenue to 7th Avenue
Durango Street	35th Avenue to Black Canyon Freeway
Elliot Road	2,085 Feet +/- West of 59th Avenue to 47th Lane
Elliot Road	46th Street to 51st Street
Elwood Street	7th Street to 16th Street
Galvin Parkway	Van Buren Street to 100 Feet +/- North of East Papago Park (Zoo Entrance)
Gavilan Peak Parkway	800 Feet +/- West of 33rd Lane to Cloud Road
Glendale Avenue	43rd Avenue 21st Street
Greenway Parkway	500 Feet West of 7th Avenue to 3rd Avenue (Except where noted in Table B2 of this section)
Greenway Parkway	Cave Creek Road to Greenway Road
Greenway Road	51st Avenue to 19th Avenue
Greenway Road	Greenway Parkway to 300 Feet East of 30th Street
Greenway Road	52nd Street to 500 Feet East of 60th Street
Indian School Road	67th Avenue to 27th Avenue

Table C. Prima Facie Speed Limit 40 Miles Per Hour at All Times.

Indian School Road	20th Street to 45th Street
Indian School Road	48th Street to 60th Street
Jomax Road	Black Canyon Freeway to Norterra Parkway
Liberty Lane	13th Way to 24th Street
Lincoln Drive	21st Street to 32nd Street
Lower Buckeye Road	107th Avenue to 300 Feet +/- West of 99th Avenue
Lower Buckeye Road	300 Feet +/- East of 99th Avenue to 95th Avenue
Lower Buckeye Road	79th Avenue to 67th Avenue
Lower Buckeye Road	27th Avenue to 22nd Avenue
Maricopa Freeway Frontage Roads	23rd Avenue to 16th Street
McDowell Road	43rd Avenue to 27th Avenue
McDowell Road	32nd Street to 52nd Street
Mountain Parkway	Chandler Boulevard to Ray Road
Norterra Parkway	Jomax Road to North Valley Parkway
Northern Avenue	43rd Avenue to SR-51
North Valley Parkway	Jomax Road to 30th Avenue
North Valley Parkway	800 Feet +/- West of 33rd Lane to 33rd Lane
Peoria Avenue	43rd Avenue to 19th Avenue
Pinnacle Peak Road	55th Avenue to 19th Avenue
Priest Drive	Salt River Drive to Van Buren Street
Pyramid Peak Parkway (Southbound)	67th Avenue to City Limits
Pyramid Peak Parkway (Northbound)	67th Avenue to 1,900 Feet +/- North of Brookhart Way

Table C. Prima Facie Speed Limit 40 Miles Per Hour at All Times.

Ray Road	Chandler Boulevard to Interstate 10 (Except where noted in Table A1 of this section)
Rose Garden Lane	Cave Creek Road to 32nd Street
Shea Boulevard	32nd Street to 450 Feet East of 40th Street
Southern Avenue	39th Avenue to 31st Avenue
Southern Avenue	19th Avenue to 7th Avenue
Southern Avenue	7th Street to 48th Street
Stetson Valley Parkway	Range Mule Drive to Deem Hills Parkway
Tatum Boulevard	Mayo Boulevard to Deer Valley Drive
Thomas Road	800 Feet West of 59th Avenue to Grand Avenue
Thomas Road	32nd Street to 56th Street
Thunderbird Road	31st Avenue to Coral Gables Drive
Thunderbird Road	38th Place to Scottsdale Road
Union Hills Drive	27th Avenue to 19th Avenue
Union Hills Drive	7th Street to 20th Street
University Drive	Wood Street to 48th Street
Van Buren Street	67th Avenue to 200 Feet West of 63rd Avenue
Van Buren Street	39th Avenue to 35th Avenue
Van Buren Street	44th Street to 500 feet +/- east of Project Drive
Warner-Elliot Loop	4600 East Elliot Road to 578 Feet East of Wakial Loop
Washington Street	24th Street to 34th Street
7th Avenue	Baseline Road to Magnolia Street
7th Avenue	Missouri Avenue to Dunlap Avenue

Table C. Prima Facie Speed Limit 40 Miles Per Hour at All Times.

7th Avenue	Bell Road to Union Hills Drive
7th Avenue	Rose Garden Lane to Deer Valley Drive
7th Street	Baseline Road to Lincoln Street
7th Street	Missouri Avenue to Butler Drive
7th Street	Cinnabar Avenue to Clinton Street
7th Street	Thunderbird Road to 600 Feet North of Bell Road
16th Street	Baseline Road to the Maricopa Freeway
16th Street	Bethany Home Road to Northern Avenue
19th Avenue	Dobbins Road to Buckeye Road
19th Avenue	Grand Canal to Glendale Avenue
19th Avenue	Northern Avenue to Evans Drive
24th Street	Pecos Road to Chandler Boulevard
24th Street	Baseline Road to Buckeye Road
24th Street	Indian School Road to Lincoln Drive
27th Avenue	Baseline Road to 500 Feet +/- North
27th Avenue	Van Buren Street to Northern Avenue
32nd Street	Baseline Road to Wood Street
32nd Street	Van Buren Street to Lincoln Drive
32nd Street	Mountain View Road to Bell Road
32nd Street	Beardsley Road to Rose Garden Lane
35th Avenue	Dobbins Road to South Mountain Avenue
35th Avenue	Baseline Road to Broadway Road

Table C. Prima Facie Speed Limit 40 Miles Per Hour at All Times.

35th Avenue	Lower Buckeye Road to Van Buren Street
35th Avenue	Encanto Boulevard to Bell Road
35th Avenue	Union Hills Drive to Beardsley Road
40th Street	Pecos Road to Chandler Boulevard
40th Street	800 Feet South of Roeser Road to University Drive
40th Street	Washington Street to McDowell Road
40th Street (Northbound)	Shea Boulevard to Mercer Lane
40th Street	Mercer Lane to Union Hills Drive
40th Street	Mayo Boulevard to Pinnacle Peak Road
43rd Avenue	Buckeye Road to Glendale Avenue
43rd Avenue	Thunderbird Road to Beardsley Road
43rd Avenue	Pinnacle Peak Road to Happy Valley Road
44th Street	Washington Street to Campbell Avenue
44th Street	Calle Feliz to McDonald Drive
48th Street	Chandler Boulevard to Piedmont Road
51st Avenue	Estrella Drive to Olney Avenue
51st Avenue	Dobbins Road to Baseline Road
51st Avenue	0.5 Miles South of Lower Buckeye Road to Lower Buckeye Road
51st Avenue	Roosevelt Street to Camelback Road
51st Avenue	250 Feet South of Cactus Road to Union Hills Drive
51st Avenue	Pinnacle Peak Road to Range Mule Drive
52nd Street	Van Buren Street to McDowell Road

Table C. Prima Facie Speed Limit 40 Miles Per Hour at All Times.

55th Avenue	Happy Valley Road to Deem Hills Parkway
56th Street	Shea Boulevard to Bell Road
56th Street	Central Arizona Project Canal to Pinnacle Peak Road
~~59th Avenue~~	~~Dobbins Road to South Mountain Avenue~~
59TH AVENUE	**ELLIOT ROAD TO SOUTH MOUNTAIN AVENUE**
59th Avenue	Roosevelt Street to Thomas Road
59th Avenue	Indian School Road to Camelback Road
64th Street	Cactus Road to Bell Road
67th Avenue	400 Feet +/- South of Elwood Street to Osborn Road
67th Avenue	Happy Valley Road to Pyramid Peak Parkway
75th Avenue	Baseline Road to Vineyard Road
75th Avenue	0.25 Miles South of Thomas Road to Devonshire Avenue
83rd Avenue	Van Buren Street to Papago Freeway
91st Avenue	McDowell Road to Indian School Road
99th Avenue	0.5 Miles South of Lower Buckeye Road to Durango Street
107th Avenue	Indian School Road to Camelback Road

Table D. Prima Facie Speed Limit 45 Miles Per Hour at All Times.

Baseline Road	55th Avenue to 43rd Avenue
Baseline Road	35th Avenue to 7th Avenue
Baseline Road	7th Street to 48th Street
Beardsley Road (Frontage Roads)	27th Avenue to 20th Street
Beardsley Road Frontage Road (Westbound)	27th Avenue to 51st Avenue
Beardsley Road Frontage Road (Eastbound)	51st Avenue to 37th Avenue
Bell Road	51st Avenue to 19th Avenue
Bell Road	12th Street to 0.25 Miles West of Cave Creek Road
Bell Road	1,500 Feet East of 40th Street to Scottsdale Road
Broadway Road	107th Avenue to 91st Avenue
Broadway Road	32nd Street to 48th Street
Buckeye Road	71st Avenue to 39th Avenue
Cactus Road	51st Avenue to 39th Avenue
Camelback Road	113th Avenue to 99th Avenue
Carefree Highway	Via Puzzola to 0.5 Miles East of Via Tramonto / Paloma Parkway
Cave Creek Road	Peoria Avenue to Marco Polo Road
Cave Creek Road	Rose Garden Lane to Pinnacle Peak Road
Cave Creek Road (Southbound)	Pinnacle Peak To 660 Feet +/- North of Quiet Hollow Lane
Cave Creek Road	Peak View Road to Westland Road
Chandler Boulevard (Eastbound)	19th Avenue to 15th Avenue
Chandler Boulevard	15th Avenue to Marketplace Way
Chandler Boulevard	34th Street to Interstate 10

Table D. Prima Facie Speed Limit 45 Miles Per Hour at All Times.

Deer Valley Drive	0.25 miles east of 19th Avenue to 56th Street
Dixileta Drive	Tatum Boulevard to 52nd Street
Dobbins Road	1,320 Feet +/- East of City Limit to 200 Feet +/- West of 56th Glen
Dobbins Road	43rd Avenue to 0.25 Miles West of 35th Avenue
Dobbins Road	650 Feet West of 35th Avenue to 33rd Avenue
Dobbins Road	30th Lane to 23rd Avenue
Dove Valley Road	16th Avenue to Sonoran Desert Drive
Dynamite Boulevard	Cave Creek Road to 40th Street
Greenway Parkway	17th Drive to 500 Feet West of 7th Avenue
Greenway Parkway	3rd Avenue to Cave Creek Road
Greenway Road	19th Avenue to 17th Drive
Greenway Road	300 Feet East of 30th Street to 52nd Street
Greenway Road	500 Feet East of 60th Street to Scottsdale Road
Happy Valley Road	67th Avenue to 29th Avenue
Happy Valley Road	800 Feet West of 23rd Avenue to 7th Street
Indian School Road	99th Avenue to 67th Avenue
Jomax Road	Norterra Parkway to 19th Avenue
Lone Mountain Road	56th Street to 63rd Street
Lower Buckeye Road	95th Avenue to 79th Avenue
Lower Buckeye Road	67th Avenue to 27th Avenue
Mayo Boulevard	Tatum Boulevard to Scottsdale Road
McDowell Road	83rd Avenue to 43rd Avenue
McDowell Road	52nd Street to 64th Street

Table D. Prima Facie Speed Limit 45 Miles Per Hour at All Times.

New River Road	1.0 Mile Southwest of Black Canyon Freeway to Black Canyon Freeway
Pinnacle Peak Road	Cave Creek Road to Scottsdale Road
Shea Boulevard	450 Feet East of 40th Street to 64th Street
Sonoran Desert Drive	Dove Valley Road to Cave Creek Road
Southern Avenue	59th Avenue to 51st Avenue
Southern Avenue	31st Avenue to 19th Avenue
Tatum Boulevard	Mockingbird Land to Deer Valley Drive
Tatum Boulevard	Deer Valley Drive to Cave Creek Road
Thomas Road	99th Avenue to 800 Feet West of 59th Avenue
Thunderbird Road	51st Avenue to 31st Avenue
Thunderbird Road	Coral Gables Drive to Cave Creek Road
Union Hills Drive	51st Avenue to 27th Avenue
Union Hills Drive	19th Avenue to 7th Street
Union Hills Drive	20th Street to Tatum Boulevard
Van Buren Street	83rd Avenue to 67th Avenue
Van Buren Street	200 Feet West of 63rd Avenue to 39th Avenue
Washington Street	34th Street to 56th Street
7th Avenue	Union Hills Drive to Rose Garden Lane
7th Street	Clinton Street to Thunderbird Road
7th Street	600 Feet North of Bell Road to Happy Valley Road
19th Avenue	Evans Drive to Jomax Road
24th Street	Baseline Road to Roeser Road
27th Avenue	Southern Avenue to Broadway Road

Table D. Prima Facie Speed Limit 45 Miles Per Hour at All Times.

29th Avenue	Pinnacle Peak Road to Happy Valley Road
32nd Street	Bell Road to Beardsley Road
35th Avenue	200 Feet South of Elliot Road to Dobbins Road
35th Avenue	Baseline Road to 500 Feet +/- North
35th Avenue	Broadway Road to Lower Buckeye Road
35th Avenue	Bell Road to Union Hills Drive
35th Avenue	Beardsley Road to Pinnacle Peak Road
40th Street	Baseline Road to 800 Feet South of Roeser Road
43rd Avenue	South Mountain Avenue to Southern Avenue
43rd Avenue	Lower Buckeye Road to Buckeye Road
43rd Avenue	Glendale Avenue to Thunderbird Road
48th Street	Baseline Road to Southern Avenue
51st Avenue	Baseline Road to Roosevelt Street
51st Avenue	Union Hills Drive to Beardsley Road
~~59th Avenue~~	~~Elliot Road to Dobbins Road~~
59th Avenue	Broadway Road to Durango Street alignment
59th Avenue	Buckeye Road to Roosevelt Street
75th Avenue	Broadway Road to 0.25 miles south of Thomas Road
75th Avenue	Devonshire Avenue to Camelback Road
83rd Avenue	Broadway Road to Buckeye Road
83rd Avenue	Papago Freeway to Camelback Road
91st Avenue	Elwood Street to Buckeye Road
91st Avenue	Indian School Road to Camelback Road

Table D. Prima Facie Speed Limit 45 Miles Per Hour at All Times.

99th Avenue	Mobile Lane to Riverside Avenue
99th Avenue	Durango Street to Buckeye Road
99th Avenue	Thomas Road to Camelback Road

Table E. Prima Facie Speed limit 50 Miles Per Hour at All Times

Buckeye Road	75th Avenue to 71st Avenue
Carefree Highway	0.5 Miles East of Via Tramonto / Paloma Parkway to 7th Avenue
Cave Creek Road (Northbound)	Pinnacle Peak Road to 660 Feet +/- North of Quiet Hollow Lane
Cave Creek Road	660 Feet +/- North of Quiet Hollow Lane to Peak View Road
El Mirage Road	0.25 Miles South of Camelback Road to 0.50 Miles North of Camelback Road
New River Road	Cloud Road to 1.0 Mile Southwest of Black Canyon Freeway
91st Avenue	1.56 Miles South of Broadway Road to 0.5 Miles South of Broadway Road

Table F. Prima Facie Speed limit 55 Miles Per Hour at All Times

Repealed by Ord. No. G-6997.

G. Parks.

1. North Mountain Park.

   a. Prima Facie Speed Limit 25 Miles Per Hour at All Times.

North Mountain Park Drive	Entire Length

2. Papago Park.

   a. Prima Facie Speed Limit 25 Miles Per Hour at All Times.
   All roadways except Galvin Parkway.

3. Pecos Park.

   a. Prima Facie Speed Limit 25 Miles Per Hour at All Times.

      All roadways within park boundary.

4. South Mountain Park.

   a. Prima Facie Speed Limit 25 Miles Per Hour at All Times. All roadways within park boundary.

5. Piestewa Peak Park.

   a. Prima Facie Speed Limit 30 Miles Per Hour at All Times.

Piestewa Peak Road	Piestewa Peak Park Boundary to End of Road Within Piestewa Peak Park

H. Sky Harbor Airport.

1. Prima Facie Speed Limit 15 Miles Per Hour at All Times.

Sky Harbor Boulevard (North and South Roadway)	Between Terminal Curb and Sky Harbor Boulevard Median on All Terminals 2 and 3 and on Level 1 of Terminal 4
Sky Harbor Boulevard (North and South Roadway)	All Ticketing/Check-in Lanes on Level 2 of Terminal 4

2. Prima Facie Speed Limit 20 Miles Per Hour at All Times.

Sky Harbor Boulevard (South Roadway)	4,400 Feet East of 24th Street to 6,300 Feet East of 24th Street

3. Prima Facie Speed Limit 25 Miles Per Hour at All Times.

Sky Harbor Boulevard (North and South Roadway)	All Ramps, Entries and Exits for All Ticketing/Check-in and Baggage Claim Lanes at Terminals 3 and 4

4. Prima Facie Speed Limit 30 Miles Per Hour at All Times.

Sky Harbor Boulevard (South Roadway)	3,000 Feet East of 24th Street to 4,400 Feet East of 24th Street

5. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

Sky Harbor Boulevard (North and South Roadway)	Between 24th Street and SR 143, Except as Provided in the Prior Subsections

ATTACHMENT B

SUMMARY OF CHANGES IN CITY OF PHOENIX SPEED LIMITS
AMENDING SECTION 36-158, SCHEDULE I - LOCAL SPEED LIMITS

Prima Facie Speed Limit **25 mph** at all times
to be removed from ordinance

Street Changed	*Segment Changed*	*Reason for Change*	*Council District*
12th Street	Moreland Street to Thomas Road	Recommend reduction from 30 mph to 25 mph by a traffic engineer based on a traffic study and amount of front facing homes.	4 and 8
Mountain View Road	Cave Creek Road to 12th Street	Recommend reduction from 35 mph to 25 mph by a traffic engineer based on a traffic study.	3

Prima Facie Speed Limit **30 mph** at all times

Street Changed	*Segment Changed*	*Reason for Change*	*Council District*
Central Avenue	Hatcher Road to Mountain View Road	Recommend reduction from 35 mph to 30 mph by a traffic engineer based on a traffic study and amount of front facing homes.	3
Encanto Boulevard	83rd Avenue to 75th Avenue	Recommend reduction from 35 mph to 30 mph by a traffic engineer.	5
Frye Road	3rd Street to Desert Foothills Parkway	Recommend reduction from 35 mph to 30 mph by a traffic engineer.	6
Maryland Avenue	19th Avenue to Central Avenue	Recommend reduction from 35 mph to 30 mph by a traffic engineer.	4 and 6
Mountain View Road	Central Avenue to Cave Creek Road	Recommend reduction from 35 mph to 30 mph by a traffic engineer.	3
3rd Street	Chandler Boulevard to Frye Road	Recommend reduction from 35 mph to 30 mph by a traffic engineer.	6
79th Avenue	McDowell Road to Thomas Road	Recommend reduction from 35 mph to 30 mph by a traffic engineer.	5

Prima Facie Speed Limit **40 mph** at all times

Street Changed	*Segment Changed*	*Reason for Change*	*Council District*
59th Avenue	Elliot Road to Dobbins Road	Recommend reduction from 45 mph to 40 mph in conjunction with roadway improvements.	7 and 8

Note: All speed limit changes were recommended based on a traffic study and approved by a traffic engineer.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 60

Holy Trinity Greek Orthodox Cathedral Ceremonial Sign Toppers - District 6

Request City Council approval to install a ceremonial sign topper honoring the Holy Trinity Greek Orthodox Cathedral. The ceremonial sign topper will be installed at the intersections of 18th Street and Maryland Avenue and 20th Street and Maryland Avenue (**Attachment A**).

Summary
On May 17, 1923, a group of Greek-American immigrants came together and signed the Articles of Incorporation, establishing what would become Holy Trinity Hellenic Orthodox Church. United by their faith, heritage, and vision for the future, these pioneering families laid the foundation for a thriving spiritual community that continues to flourish today. After years of dedicated fundraising and growth within the Greek-American community, the parish purchased property in 1930 at 333 E. Virginia Avenue, then located on the outskirts of Phoenix. The following year parishioners celebrated the first Divine Liturgy in their newly constructed church. The first documented Greek settlers arrived in Arizona in 1908, four years before Arizona achieved statehood. Ambitious and hardworking, they established homes and businesses throughout downtown Phoenix. Many became successful restaurateurs and entrepreneurs, operating notable establishments such as The Grand Café and St. Francis Café on Adams Street, the Busy Bee Café on Washington Street, and the Athens Hat Shop in the Jefferson Hotel on Central Avenue.

Founded in 1961 by the parishioners of Holy Trinity, the Phoenix Greek Festival has evolved into one of Arizona's largest and longest-running cultural celebrations. What began as a modest church bazaar featuring traditional Greek cuisine, music, and handmade costumes has grown into a premier three-day event attracting more than 20,000 attendees annually. Celebrating its 65th anniversary on October 16 through 18, 2026, the festival continues to serve as a vibrant showcase of Greek culture, heritage, and hospitality while bringing together people from diverse backgrounds across the Valley.

Through decades of continued growth, dedication, and service, the Greek Orthodox community eventually outgrew its Virginia Avenue location. In 1973, Holy Trinity purchased more than ten acres at 1973 E. Maryland Avenue, where plans were

developed for a larger church and community center. That campus remains the home of Holy Trinity today. Designed with future generations in mind, the new church reflected both the rich traditions of the Orthodox faith and the beauty of the Southwest. Its interior and exterior color palette pays tribute to the Sonoran Desert, while its stunning faceted glass windows comprise the largest installation of their kind in the western United States. Over the years, Holy Trinity has earned the affectionate nickname, “The Jewel of the Desert.”

On February 7, 1988, Holy Trinity was elevated to Cathedral status by the Archbishop of the Greek Orthodox Church of North America. Recognized as the “Mother Church” of the region, Holy Trinity Cathedral has played a vital role in the growth of Greek Orthodoxy throughout Arizona, fostering the establishment of three additional Greek Orthodox parishes in the Valley.
Over the past century, Holy Trinity Cathedral has grown from a small congregation founded by a handful of Greek-American immigrant families into a vibrant faith community of nearly 400 families. Many parishioners have become successful business owners, civic leaders, and dedicated contributors to the greater Phoenix community. While proud of its rich history and enduring legacy, the Cathedral remains focused on its mission of faith, fellowship, service, and stewardship for generations to come.

The Holy Trinity Greek Orthodox Cathedral believes strongly in philanthropy - helping those in need and giving back to our community. Philoptochos, (or, “friend of the poor”) the women’s auxiliary group raises money and works tirelessly for non-profit organizations in Phoenix that support homelessness, children with cancer and food pantries. Our FOCUS organization works to provide direct support, clothing, food and essential items to those suffering from homelessness. FOCUS is working to build a homeless shelter in the Sunnyslope neighborhood of Phoenix to provide housing, support children’s education and job training skills and placement. Holy Trinity Cathedral has also developed programs for our youth groups to go into the community to volunteer in various civic non-profit organizations such as Miracle League of Phoenix, St. Vincent de Paul, Child Crisis Arizona, St. Mary’s Food Bank and many others.

Financial Impact
The fabrication, installation, and maintenance costs of the ceremonial sign toppers will be funded by the Mayor's Office and Council District 6.

Location
18th and 20th streets and Maryland Avenue
Council District: 6

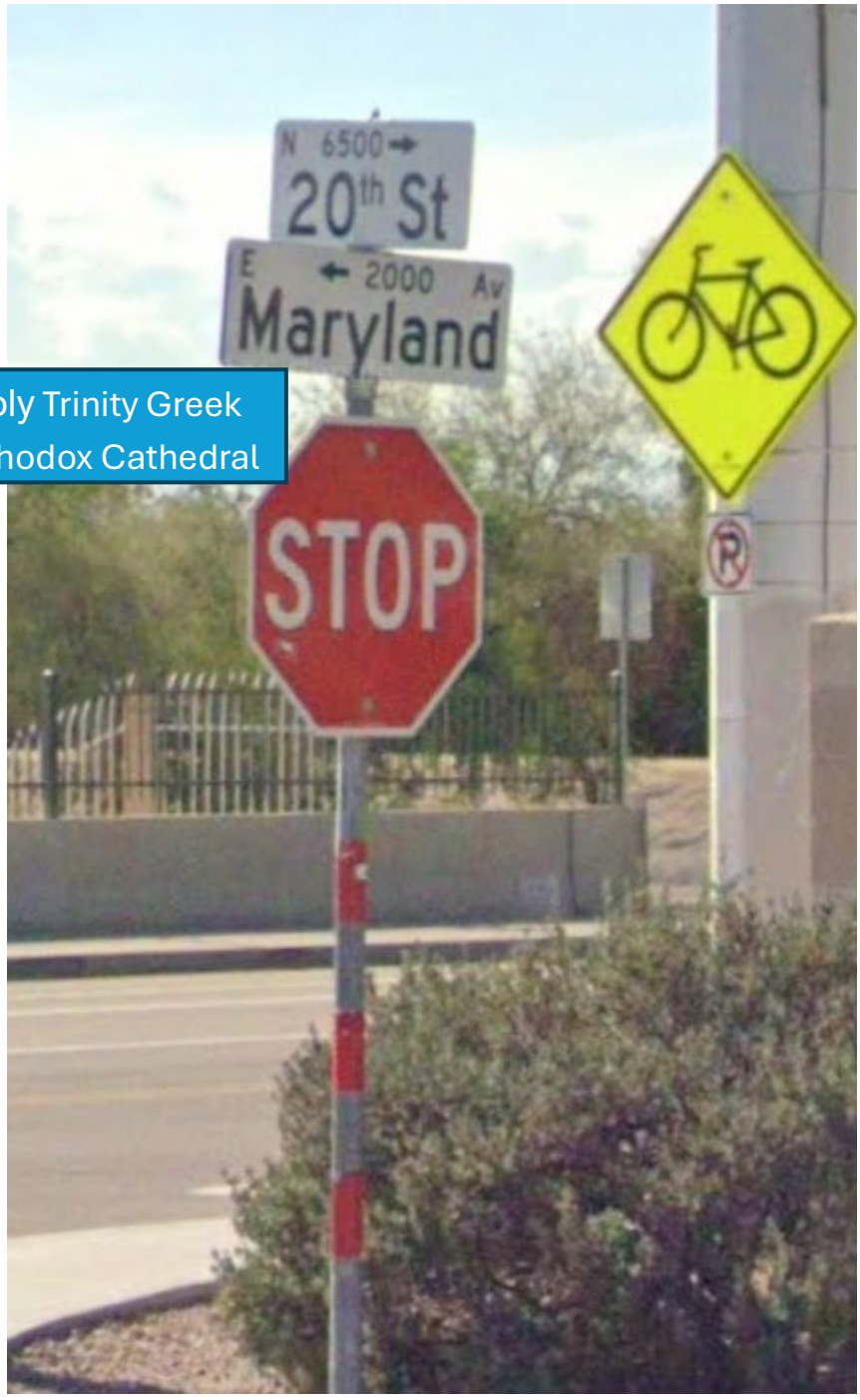
Responsible Department

This item is submitted by Deputy City Manager Frank McCune and the Street Transportation Department.

ATTACHMENT A



18th Street and Maryland Avenue



20th Street and Maryland Avenue

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 61

Phoenix High Intensity Activated CrossWalk Signals - Three Locations - Design-Bid-Build Services - ST89330321 (Ordinance S-53299) - Districts 4, 7 and 8

Request to authorize the City Manager, or his designee, to accept AJP Electric, Inc. as the lowest-priced, responsive and responsible bidder and to enter into an agreement with AJP Electric, Inc. for Design-Bid-Build Services for the Phoenix High Intensity Activated CrossWalk Signals - Three Locations project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $1,925,332.75.

Summary

The purpose of this project is to reduce pedestrian traffic-related injuries by installing High Intensity Activated CrossWalk (HAWK) Signals at high-crash and high-activity areas identified by the City of Phoenix T2050 Mobility Studies.

AJP Electric, Inc.'s services include, but are not limited to: the removal of existing sidewalks, curbs and gutters, and driveways; construction of new sidewalks, curbs and gutters, and ramps in compliance of Americans with Disabilities Act requirements; providing and installing HAWK signals (foundations, poles, mast arms, signals, electrical components and all fixtures and equipment); adjustment of existing utilities; crack seal and micro seal; and other miscellaneous work.

Procurement Information

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Two bids were received on September 9, 2026, and were reviewed by the Equal Opportunity Department to determine subcontractor eligibility and contractor responsiveness regarding the Small Business Utilization Commitment requirements.

The Opinion of Probable Cost and the two lowest responsive, responsible bidders are listed below:

Opinion of Probable Cost: $2,204,152
AJP Electric, Inc.: $1,750,302.50
Granite Construction Company: $2,358,923

The bid award amount is within the total budget for this project.

Due to volatile material costs and increased labor prices in the construction industry, a 10 percent contingency is being requested to allow for project uncertainties. The initial contract will be executed at the bid amount of $1,750,302.50. Use of the 10 percent contingency above the amount will not be allowed without prior written approval of the Street Transportation Department Director and the City Engineer.

Contract Term
The term of the agreement is 360 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for AJP Electric, Inc. will not exceed $1,750,302.50, including all subcontractor and reimbursable costs.

This project will utilize federal funds and is subject to the requirements of 49 Code of Federal Regulations Part 26 and the U.S. Department of Transportation Disadvantaged Business Enterprise program. Funding is available in the Street Transportation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location
43rd Avenue and Hubble Street, 3rd Avenue and Buckeye Road, and 7th Avenue and Western Canal.
Council Districts: 4, 7, and 8

Responsible Department
This item is submitted by Deputy City Manager Frank McCune, the Street Transportation Department and the City Engineer.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 62

Request Authorization to Accept Funding and Enter Into an Intergovernmental Agreement with the Flood Control District of Maricopa County for the Fiscal Year 2027 Capital Improvement Program - 35th Avenue and Dobbins Road Storm Drain Project (Ordinance S-53309) - District 8

Request authorization for the City Manager, or his designee, to accept funding and enter into an intergovernmental agreement with the Flood Control District of Maricopa County (FCDMC) to accept funding for the 35th Avenue and Dobbins Road Storm Drain Project ("Project"). Further request granting an exception pursuant to Phoenix City Code § 42-20 and authorizing inclusion in the transaction documents indemnification and assumption of liability provisions that would otherwise be prohibited by Phoenix City Code § 42-18. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item. The City's estimated cost share for the Project design will not exceed $325,000.

Summary

In 2015, the FCDMC and the City of Phoenix initiated a study ("the Study") to update the Laveen Area Drainage Master Plan (LADMP). The Study incorporated data from the August-September 2014 storms and evaluated existing regional drainage facilities, including detention basins, channels, storm drains, and culverts.

Completed in December 2017, the Study quantified drainage issues, sources, and hazards using updated two-foot contour mapping and two-dimensional modeling. It identified new flooding concerns not captured in the 2002 LADMP, reevaluated previous mitigation measures, compared alternatives, and recommended new drainage master plan elements for inclusion in the LADMP update. Specifically, the Study recommended extending regional drainage infrastructure further into the watershed to address neighborhood flooding revealed during the 2014 storms.

One such recommendation involves construction of a new culvert near the Aguila Golf Course (the "Project"). The golf course was constructed with 135 acre-feet of detention storage under a 1997 agreement between the City, FDMC, and the golf course developer. However, the Study's FLO 2D model shows that only 39 acre-

feet reach the course during a 100-year storm. The proposed culvert will deliver up to an additional 42 acre-feet, significantly reducing flooding at Dobbins Road and 35th Avenue and adjacent properties. It will also allow controlled inflow to the golf course, preventing erosion caused by uncontrolled overtopping of the roadways.

The Project will be incorporated into the City's broader Dobbins Road improvements. Final design may require adjustments in feature size, type, and location and will involve coordination with existing utilities-water, sewer, and SRP irrigation and power-as well as intersection modifications. The Project will also address the impacts of increased flow frequency and volume on the golf course. Once completed, the Project will provide 100-year flood protection to properties in the Project area.

In December 2024, Floodplain Management staff submitted an application for the Project to the FCDMC Capital Improvement Program (CIP). The CIP identifies potential projects for FCDMC participation and cost-share opportunities for project development and implementation, subject to budget availability and FCDMC Board approval. Projects selected by FCDMC are then implemented via intergovernmental agreements between the project partners. Council authorization under this item would allow the City to enter into an intergovernmental agreement with FCDMC to access funding for the Project, accept that funding, and then disburse that funding.

Financial Impact

The estimated Project design costs are $650,000. Under the IGA between the City and the FCDMC, the City and FCDMC will jointly cost-share project development and implementation. The cost-share distribution between the City of Phoenix and FCDMC for this project will remain 50/50, the standard allocation for FCDMC-funded projects. The City's contribution of up to $325,000 is available through the City's Street Transportation Department's Capital Improvement Program.

Location

The project is generally located at the intersection of 35th Avenue and Dobbins Road
Council District: 8

Responsible Department

This item is submitted by City Manager Ed Zuercher, Deputy City Manager Frank McCune and the City Engineer.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 63

Streetlight Maintenance Services Contract - RFP GGS-26-0220 - Request for Award (Ordinance S-53290) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Power Tech Contracting LLC to provide streetlight maintenance services for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $25,000,000.

Summary

This contract will provide streetlight maintenance services for all new and existing poles and fixtures in the Arizona Public Service and Salt River Project service areas throughout the City. The City operates an extensive network of more than 100,000 LED streetlights and 3,500 decorative and specialty fixtures. Each year, approximately 500 work orders are generated for upgrades, repairs, installations and removals due to normal wear, collisions, weather conditions and other factors that often require timely and emergency response. These maintenance services are essential to sustaining public safety, preventing outages and maintaining the overall functionality of the streetlight system while ensuring the use of International Municipal Signal Association (IMSA)-certified technicians and adherence to all applicable City, utility and industry regulations.

This contract will also provide a centralized, online data management portal, which allows City staff to monitor service scheduling, real-time work order status and completed work and maintain compliance with the City's performance standards and invoicing requirements.

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

Procurement Information

A Request for Proposal procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Three vendors submitted proposals deemed responsive and responsible. An

evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1000:

Qualifications and Experience (325 points)
Method of Approach (350 points)
Pricing Proposal (125 points)
Demonstration (200 points)

After reaching consensus, the evaluation committee recommends award to the following vendor:

Power Tech Contracting LLC, 918.8 points

Contract Term
The contract will begin on or about December 1, 2026, for a five-year term with two one-year options to extend.

Financial Impact
The aggregate contract value will not exceed $25,000,000.

Funding is available in the Street Transportation Department Operating and Capital Improvement Program budgets.

Responsible Department
This item is submitted by Deputy City Manager Frank McCune and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 64

Salt River Project Land Use License - High-Intensity Activated Crosswalk - ST89330321 (Ordinance S-53290) - District 8

Request to authorize the City Manager, or his designee, to enter into Land Use License with Salt River Project (SRP) for the use of Licensed Property for the construction and maintenance of a High-Intensity Activated Crosswalk (HAWK) pedestrian signal associated with project ST89330321. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

Summary
The City is installing a HAWK pedestrian signal at 7th Avenue and the Western Canal and construction will include installation of the beacon, sidewalks, new driveways, curb and gutters, along with other necessary work. The Land Use License will allow the City use of the SRP licensed property to construct and maintain the pedestrian signal.

Contract Term
The term of the agreement will begin on or about November 4, 2026, and will expire November 3, 2036.

Financial Impact
There is no financial impact associated with this license.

Location
7th Avenue and Western Canal
Council District: 8

Responsible Department
This item is submitted by Deputy City Manager Frank McCune and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 65

Salt River Project Land Use License - High-Intensity Activated Crosswalk - ST89330321 (Ordinance S-53290) - District 6

Request to authorize the City Manager, or his designee, to enter into Land Use License with Salt River Project (SRP) for the use of Licensed Property for the construction and maintenance of a High-Intensity Activated Crosswalk (HAWK) pedestrian signal associated with project ST89330321. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

Summary
The City is installing a HAWK pedestrian signal at Northern Avenue and the Arizona Canal and construction will include installation of the beacon, sidewalks, new driveways, curb and gutters, along with other necessary work. This Land Use License will allow the City use of the SRP licensed property to construct and maintain the pedestrian signal.

Contract Term
The term of the agreement will begin on or about November 4, 2026, and will expire November 3, 2036.

Financial Impact
There is no financial impact associated with this license.

Location
Northern Avenue and Arizona Canal
Council District: 6

Responsible Department
This item is submitted by Deputy City Manager Frank McCune and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 66

Salt River Project Land Use License - ST89340634 - 35th Avenue, Interstate 10 to Camelback Road (Ordinance S-53290) - Districts 4 and 5

Request to authorize the City Manager, or his designee, to enter into a Land Use License with Salt River Project (SRP) for the use of licensed property for improvements associated with project ST89340634 - 35th Avenue Interstate 10 to Camelback Road. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

Summary
The City is constructing vehicular and pedestrian improvements on 35th Avenue from Interstate 10 to Camelback Road that includes traffic signal and intersection modernization, raised medians, street lighting, fiber installation, replacing pavement and other necessary work. The Land Use License will allow the use of licensed property for installation of traffic signals, street lighting, sidewalks, water and sewer utilities and other roadway purposes.

Contract Term
The term of the agreement will begin on or about November 4, 2026, and will expire November 3, 2051.

Financial Impact
There is no financial impact associated with this license.

Location
35th Avenue from Interstate 10 to Camelback Road.
Council Districts: 4 and 5

Responsible Department
This item is submitted by Deputy City Manager Frank McCune and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 67

Salt River Project Distribution Design and Construction Contract - ST87600136 - 20th Street, Grand Canal to Highland Avenue (Ordinance S-53290) - Districts 4 and 6

Request to authorize the City Manager, or his designee, to enter into a Distribution Design and Construction Contract with Salt River Project for the design and construction of electrical facilities for project ST87600136 - 20th Street, Grand Canal to Highland Avenue. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. Further request authorization for the City Controller to disburse all funds related to this item in an amount not to exceed $78,064.96.

Summary
The City is installing new buffered bike lanes, improving traffic signals at four intersections, installing curb, gutter and sidewalk, as well as new streetlights on 20th Street from the Grand Canal to Highland Avenue. The distribution design and construction contract represents the cost for Salt River Project’s design and construction work for the City project.

Contract Term
The term of the agreement will begin on or about November 4, 2026, and will expire when the project is completed and accepted.

Financial Impact
The agreement will not exceed $78,064.96. Funding is available in the Street Transportation Department's Capital Improvement Program budget.

Location
20th Street: Grand Canal to Highland Avenue
Council Districts: 4 and 6

Responsible Department

This item is submitted by Deputy City Manager Frank McCune and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 68

Salt River Project Distribution Design and Construction Contract - ST85160015 - 27th Avenue, Indian School to Camelback Roads (Ordinance S-53290) - Districts 4 and 5

Request to authorize the City Manager, or his designee, to enter into a Distribution Design and Construction Contract with Salt River Project for project ST85160015. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. Further request authorization for the City Controller to disburse all funds related to this item in an amount not to exceed $70,528.01.

Summary
The City is installing new streetlights on 27th Avenue from Indian School to Camelback roads. The contract is for the design and construction of electrical facilities associated with the City project.

Contract Term
The term of the agreement will begin on or about November 4, 2026, and will expire when the project is completed and accepted.

Financial Impact
The agreement will not exceed $70,528.01. Funding is available in the Street Transportation Department's Capital Improvement Program budget.

Location
27th Avenue: Indian School to Camelback roads
Council Districts: 4 and 5

Responsible Department
This item is submitted by Deputy City Manager Frank McCune and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 69

Salt River Project Distribution Design and Construction Contract - ST85160015 - Thomas Road, 51st to 43rd Avenues (Ordinance S-53290) - District 4

Request to authorize the City Manager, or his designee, to enter into a Distribution Design and Construction Contract with Salt River Project for project ST85160015. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. Further request authorization for the City Controller to disburse all funds related to this item in an amount not to exceed $84,813.69.

Summary
The City is installing new streetlights on Thomas Road from 51st to 43rd avenues. The contract is for the design and construction of electrical associated with the City project.

Contract Term
The term of the agreement will begin on or about November 4, 2026, and will expire when the project is completed and accepted.

Financial Impact
The agreement will not exceed $84,813.69. Funding is available in the Street Transportation Department's Capital Improvement Program budget.

Location
Thomas Road; 51st to 43rd avenues.
Council District: 4

Responsible Department
This item is submitted by Deputy City Manager Frank McCune and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 70

Salt River Project Distribution Design and Construction Contract - ST85160015 - 27th Avenue, Maryland to Glendale Avenues (Ordinance S-53290) - District 5

Request to authorize the City Manager, or his designee, to enter into a Distribution Design and Construction Contract with Salt River Project for project ST85160015. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. Further request authorization for the City Controller to disburse all funds related to this item in an amount not to exceed $56,060.94.

Summary
The City is installing new streetlights on 27th Avenue from Maryland to Glendale avenues. The contract is for the design and construction of electrical facilities associated with the City project.

Contract Term
The term of the agreement will begin on or about November 4, 2026, and will expire when the project is completed and accepted.

Financial Impact
The agreement will not exceed $56,060.94. Funding is available in the Street Transportation Department's Capital Improvement Program budget.

Location
27th Avenue; Maryland to Glendale avenues.
Council District: 5

Responsible Department
This item is submitted by Deputy City Manager Frank McCune and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 71

Salt River Project Distribution Design and Construction Contract - ST85160015 - Bethany Home Road, 35th to 39th Avenues (Ordinance S-53290) - District 5

Request to authorize the City Manager, or his designee, to enter into a Distribution Design and Construction Contract with Salt River Project for project ST85160015. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. Further request authorization for the City Controller to disburse all funds related to this item in an amount not to exceed $53,579.35.

Summary
The City is installing new streetlights on Bethany Home Road from 35th to 39th avenues. The contract is for the design and construction of electrical facilities associated with the project.

Contract Term
The term of the agreement will begin on or about November 4, 2026, and will expire when the project is completed and accepted.

Financial Impact
The agreement will not exceed $53,579.35. Funding is available in the Street Transportation Department's Capital Improvement Program budget.

Location
Bethany Home Road: 35th to 39th avenues.
Council District: 5

Responsible Department
This item is submitted by Deputy City Manager Frank McCune and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 72

Salt River Project Distribution Design and Construction Contract - ST85160015 - 27th Avenue, Missouri Avenue to Bethany Home Road (Ordinance S-53290) - District 5

Request to authorize the City Manager, or his designee, to enter into a Distribution Design and Construction Contract with Salt River Project for project ST85160015. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. Further request authorization for the City Controller to disburse all funds related to this item in an amount not to exceed $55,239.62.

Summary
The City is installing new streetlights on 27th Avenue from Missouri Avenue to Bethany Home Road. The contract is for the design and construction of electrical facilities associated with the City project.

Contract Term
The term of the agreement will begin on or about November 4, 2026, and will expire when the project is completed and accepted.

Financial Impact
The agreement will not exceed $55,239.62. Funding is available in the Street Transportation Department's Capital Improvement Program budget.

Location
27th Avenue: Missouri Avenue to Bethany Home Road.
Council District: 5

Responsible Department
This item is submitted by Deputy City Manager Frank McCune and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 73

Salt River Project Distribution Design and Construction Contract - ST85160015 - 43rd Avenue, Bethany Home Road to Glendale Avenue (Ordinance S-53290) - District 5

Request to authorize the City Manager, or his designee, to enter into a Distribution Design and Construction Contract with Salt River Project for project ST85160015. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. Further request authorization for the City Controller to disburse all funds related to this item in an amount not to exceed $63,564.53.

Summary
The City is installing new streetlights on 43rd Avenue from Bethany Home Road to Glendale Avenue. The contract is for the design and construction of electrical facilities associated with the project.

Contract Term
The term of the agreement will begin on or about November 4, 2026, and will expire when the project is completed and accepted.

Financial Impact
The agreement will not exceed $63,564.53. Funding is available in the Street Transportation Department's Capital Improvement Program budget.

Location
43rd Avenue: Bethany Home Road to Glendale Avenue.
Council District: 5

Responsible Department
This item is submitted by Deputy City Manager Frank McCune and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 74

Spoils Hauling Contract - IFB-26-0434 - Request for Award (Ordinance S-53302) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Ndiaya, LLC to provide spoils hauling services for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $1,361,020.

Summary

This contract will allow the Water Services Department (WSD) to haul construction spoils that are collected when repairing and maintaining the City's water pipelines. These services support WSD's ongoing efforts to maintain clean, safe, and hazard-free work areas for both the public and WSD employees, at job sites and the departments distribution yards.

Procurement Information

An Invitation for Bid procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Three vendors submitted bids deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendors:

Selected Bidder
Ndiaya, LLC

Other Bidders
Lincoln Carriers AZ Inc
Pacific West, LLC
Silla Trucking, Inc.

Contract Term

The contract will begin on or about October 1, 2026, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value will not exceed $1,361,020.

Funding is available in the Water Services Department Operating budget.

Responsible Department

This item is submitted by Assistant City Manager Ginger Spencer and the Water Services Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 75

Emergency Plan Portfolio Support Services - RFP GGS-26-0364 - Request for Award (Ordinance S-53290) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Hagerty Consulting, Inc. to provide emergency plan portfolio support services. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $350,093.

Summary

This contract will provide the Water Services Department with professional services supporting the review, update, standardization, organization, storage strategy, testing, exercising, and ongoing maintenance of its emergency planning portfolio. The portfolio includes Continuity of Operations Plan (COOP), Emergency Response Plans (ERP), Emergency Action Plans (EAP), Business Continuity Plan (BCP), associated annexes, playbooks, quick-reference guides, and any additional Water Services emergency plans or supporting documents identified during the course of the contract. All plans must be reviewed and updated to ensure full compliance with applicable Local, State, and Federal regulations.

Procurement Information

A Request for Proposal procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10. Six vendors submitted proposals, of which five vendors were deemed responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 995:

- Method of Approach (0-450 points)
- Experience and Capability (0-345 points)
- Cost (0-200 points)

After reaching consensus, the evaluation committee recommends award to the following vendor:

- Hagerty Consulting, Inc.

Contract Term

The contract will begin on or about November 1, 2026, for a five-year term with no options to extend.

Financial Impact
The aggregate contract value will not exceed $350,093.

Funding is available in the Water Services Department Operating budget.

Responsible Department
This item is submitted by Assistant City Manager Ginger Spencer and the Water Services Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 76

Local Limits Study for 91st Avenue and 23rd Avenue Wastewater Treatment Plants - Engineering Services - WS90120037 and WS90200044 (Ordinance S-53305) - Citywide

Request to authorize the City Manager, or his designee, to enter into an agreement with Brown and Caldwell, Inc., to provide Engineering Services that include assessment, study, and project management services for the Local Limits Study for 91st Avenue and 23rd Avenue Wastewater Treatment Plants project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $1,350,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to provide a detailed evaluation to develop local controls or limits on industrial and non-domestic sources discharging to the 91st Avenue and 23rd Avenue Wastewater Treatment Plants.

Brown and Caldwell, Inc.’s services include, but are not limited to: review previous assessments, evaluations, studies, and other relevant sources; review historical upsets, interferences, or pass-through incidents at wastewater treatment plants; identify any significant changes at the wastewater treatment plants; identify pollutants of concern (POCs) that pose risks to wastewater treatment plants operations, biosolids quality for land application, the collection system, and City wastewater personnel;

develop additional local limits as necessary; verify existing Maximum Allowable Headworks Loading (MAHL) calculations; consider sampling for uncontrollable contributions to obtain updates data for headworks analysis; develop and implement a sampling plan, if existing data is insufficient; determine whether existing MAHLs should be recalculated or reallocated; identify pollutants requiring further evaluation; assess whether existing industrial user loadings cumulatively exceed the Maximum Allowable Industrial Loading; recalculate MAHLs for updates local limits and determining MAHLs for new pollutants, considering business growth, and changes in the number of dischargers and discharge volumes; develop technically valid, effective, and enforceable methods for controlling POCs; coordinate with City staff as needed; prepare and present a draft report for review; and prepare and seal the final report for submission to the EPA and to the Arizona Department of Environmental Quality.

The 91st Avenue Wastewater Treatment Plant is owned by the Sub-Regional Operating Group (SROG) and operated by the City of Phoenix.

Procurement Information
The selection was made using a qualifications-based selection process set forth in Section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. Section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Three firms submitted proposals and are listed below:

Selected Firm
Rank 1: Brown and Caldwell, Inc.

Additional Proposers
Rank 2: Hazen and Sawyer, P.C.
Rank 3: Geosyntec Consultants, Inc.

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

Financial Impact
The agreement value for Brown and Caldwell, Inc., will not exceed $1,350,000, including all subconsultant and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program

utilizing SROG funds.

Concurrence/Previous Council Action

The SROG Advisors authorized this project on September 17, 2026.

Responsible Department

This item is submitted by Assistant City Manager Ginger Spencer, Deputy City Manager Frank McCune, the Water Services Department and the City Engineer.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 77

Abandonment of Easement - ABND 250035 - Located West of 2875 S. 7th Avenue (Resolution 22407) - Districts 7 and 8

Abandonment: 250035
Project: 23-1227
Applicant: Larry Talbott
Request: To abandon a 60-foot wide drainage easement totaling approximately 104,156 square feet (2.391 acres).
Date of Decision: September 8, 2025

Location
Generally located west of 2875 S. 7th Avenue
Council Districts: 7 and 8

Financial Impact
No consideration fee was required as part of this submittal, although filing fees were paid.

Responsible Department
This item is submitted by Assistant City Manager Lori Bays and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 78

Amend City Code - Official Supplementary Zoning Map 1313 (Ordinance G-7556) - District 4

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1313. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-38-00 and the entitlements are fully vested.

Summary

To rezone a parcel on the southeast corner of 5th street and Osborn Road.
Application No.: Z-38-00
Zoning: R-O
Owner: Phoenix Rotary Club Foundation
Acreage: 0.33

Location

Southeast corner of 5th Street and Osborn Road
Address: 501 E. Osborn Road
Council District: 4

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Planning and Development Department.

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY ADOPTING OFFICIAL SUPPLEMENTARY ZONING MAP 1313.

_____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is hereby amended by adopting Official Supplementary Zoning Map 1313, which accompanies and is annexed to this ordinance and declared a part hereof.

PASSED by the Council of the City of Phoenix this 4th day of November, 2026.

_____
M A Y O R

ATTEST:

_____
Denise Archibald, City Clerk

DRAFT

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:_____

_____

REVIEWED BY:

_____
Ed Zuercher, City Manager

PL:arm:LF26-2195:11-04-2026

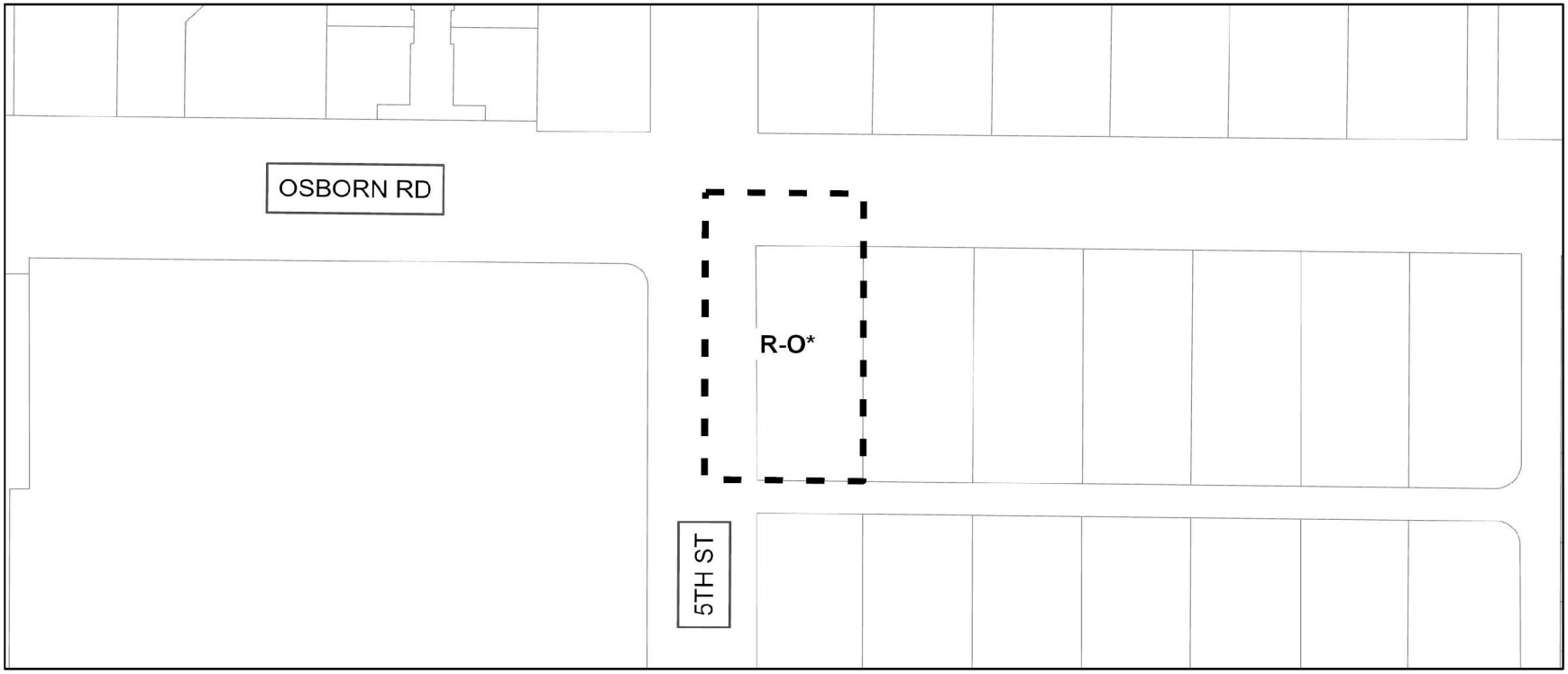
DRAFT

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1313

Sheet 1 of 1

ORDINANCE NO. _____ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 4th day of November 2026.



Z-38-00-4

N

Drawn by: AA

ZONING SUBJECT TO STIPULATIONS: *

AREA INVOLVED BOUNDED THUS: - - - -

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 79

(CONTINUED FROM AUGUST 26 AND OCTOBER 21, 2026) - Amend City Code - Official Supplementary Zoning Map 1309 (Ordinance G-7533) - District 5

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1309. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-SP-25-73 and the entitlements are fully vested.

Summary

To rezone a parcel at the rear of 4140 Grand Avenue
Application No.: Z-SP-25-73
Zoning: C-2 SP
Owner: BWC Realty Group LLC
Acreage: 3.68

Location

At the rear of 4140 Grand Avenue
Address: 4140 Grand Avenue
Council District: 5

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Planning and Development Department.

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Mayor and City Council **Date:** October 21, 2026

From: Joshua Bednarek JB
Planning and Development Director

Subject: CONTINUANCE OF ITEM 118 ON THE OCTOBER 21, 2026, AMEND CITY CODE - OFFICIAL SUPPLEMENTARY ZONING MAP 1309 (ORDINANCE G-7533)

Item 118 is a request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1309.

Staff recommends that this case be continued to the November 4, 2026, City Council Formal Meeting to clarify the supplementary zoning process to the property owner.

Approved: _____ 10/21/26
Lori Bays Date
Assistant City Manager

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY ADOPTING OFFICIAL SUPPLEMENTARY ZONING MAP 1309.

_____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is hereby amended by adopting Official Supplementary Zoning Map 1309, which accompanies and is annexed to this ordinance and declared a part hereof.

PASSED by the Council of the City of Phoenix this 26th day of August, 2026.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

DRAFT

By:_____

_____

REVIEWED BY:

_____
Ed Zuercher, City Manager

DI:arm:LF26-1475:07-01-2026

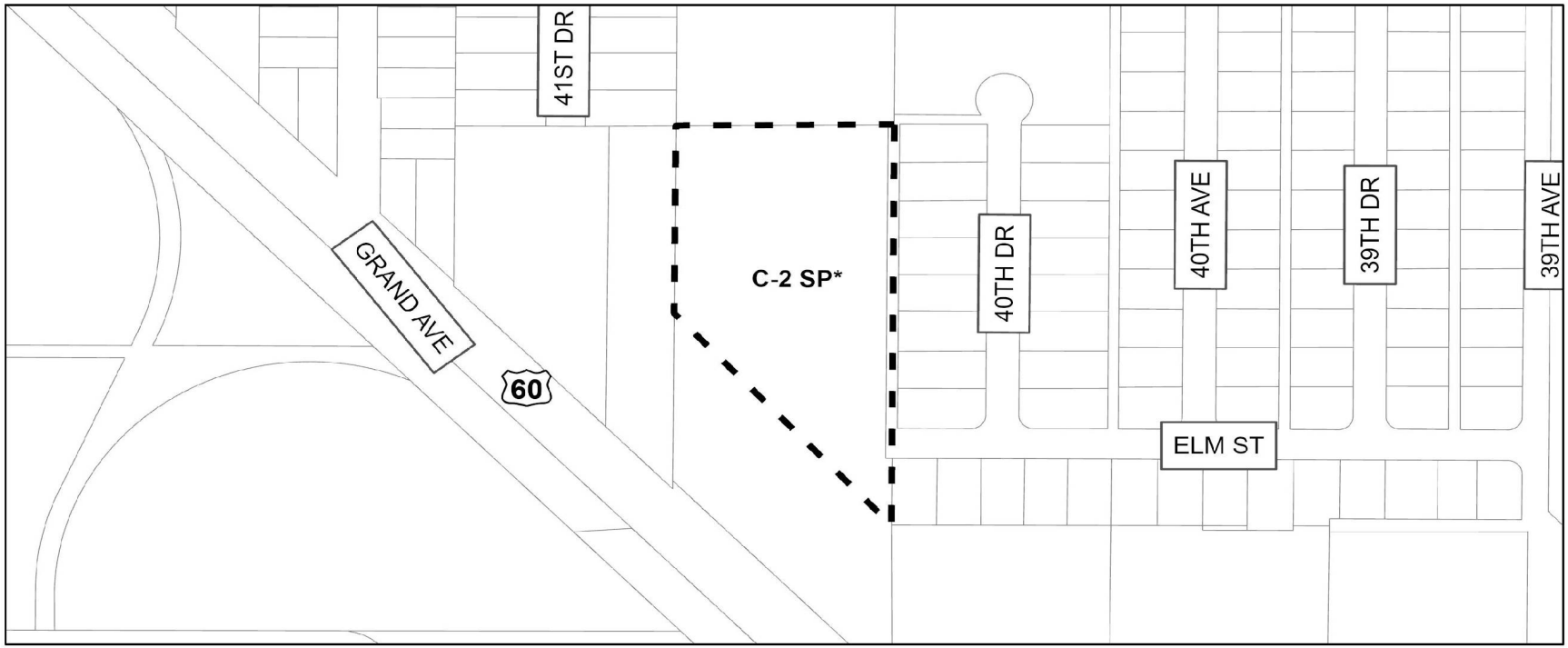
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OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1309

Sheet 1 of 1

ORDINANCE NO. _____ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 26 day of August 2026.



Z-SP-25-73

Drawn by: AA

N

ZONING SUBJECT TO STIPULATIONS: *

AREA INVOLVED BOUNDED THUS: - - - -

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Lori Bays
Assistant City Manager

Date: August 24, 2026

From: Joshua Bednarek
Planning and Development Director

Subject: CONTINUANCE OF ITEM 128 ON THE AUGUST 26, 2026, AMEND CITY CODE - OFFICIAL SUPPLEMENTARY ZONING MAP 1309 (ORDINANCE G-7533)

Item 128 is a request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1309.

Staff recommends that this case be continued to the October 21, 2026, City Council Formal Meeting to clarify the supplementary zoning process to the property owner.

Approved: _____ 8/24/26
Lori Bays
Assistant City Manager
Date

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 80

Amend City Code - Ordinance Adoption - Rezoning Application Z-92-26-6 - Southeast Corner of SR-51 and Camelback Road (Ordinance G-7555) - District 6

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-92-26-6 and rezone the site from PSC CEPCSP (Planned Shopping Center, Camelback East Primary Core Specific Plan), R-4 CEPCSP (Multi-Family Residence District, Camelback East Primary Core Specific Plan), and P-2 CEPCSP (Parking, Camelback East Primary Core Specific Plan) to C-2 M-R CEPCSP (Intermediate Commercial, Mid-Rise District, Camelback East Primary Core Specific Plan) and C-2 CEPCSP (Intermediate Commercial, Camelback East Primary Core Specific Plan) to allow mixed use - retail, restaurants, office, and multi-family.

Summary

Current Zoning: PSC CEPCSP (25.27 acres), R-4 CEPCSP (1.92 acres), and P-2 CEPCSP (1.21 acres)
Proposed Zoning: C-2 M-R CEPCSP (25.38 acres) and C-2 CEPCSP (3.02 acres)
Acreage: 28.40
Proposal: Mixed use - retail, restaurants, office, and multi-family

Owner(s): FR Camelback Colonnade, LLC c/o Patrick McMahon and City of Phoenix, Library Department
Applicant: Jeff Moloznik, RED Development, LLC
Representative: Manjula Vaz, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this item on September 1, 2026, and recommended approval, per the staff recommendation, by a vote of 16-0.
PC Action: The Planning Commission heard this item on October 1, 2026, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 8-0.

Location

Southeast corner of SR-51 and Camelback Road

Council District: 6
Parcel Address: 4724 N. 20th Street; 1743, 1747, 1775, 1801, 1831, 1885, 1919, 1925, 1935, and 1939 E. Camelback Road; 1750, 1800, 1810, 1902, and 1929 E. Highland Avenue

Responsible Department
This item is submitted by Assistant City Manager Lori Bays and the Planning and Development Department.

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-92-26-6) FROM PSC CEPCSP (PLANNED SHOPPING CENTER, CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN), R-4 CEPCSP (MULTI-FAMILY RESIDENCE DISTRICT, CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN), AND P-2 CEPCSP (PARKING, CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN) TO C-2 M-R CEPCSP (INTERMEDIATE COMMERCIAL, MID-RISE DISTRICT, CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN) AND C-2 CEPCSP (INTERMEDIATE COMMERCIAL, CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN).

_____

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 28.40-acre site located at the southeast corner of SR-51 and Camelback Road in a portion of Section 22, Township 2 North, Range 3 East, as described more specifically in Exhibit “A,” is hereby changed from 25.27 acres of “PSC CEPCSP” (Planned Shopping Center, Camelback East Primary Core Specific Plan), 1.92 acres of “R-4 CEPCSP” (Multi-Family Residence District, Camelback East Primary Core Specific Plan), and 1.21 acres of “P-2 CEPCSP” (Parking, Camelback East Primary Core Specific Plan) to 25.38 acres of “C-2 M-R

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CEPCSP" (Intermediate Commercial, Mid-Rise District, Camelback East Primary Core Specific Plan) and 3.02 acres of "C-2 CEPCSP" (Intermediate Commercial, Camelback East Primary Core Specific Plan).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The first phase of development shall be in general conformance with the conceptual building elevations date stamped June 10, 2026, as modified by the following stipulations and approved by the Planning and Development Department.

2. For the first phase of development directly adjacent to the building on the south and east, a minimum 5-foot-wide pedestrian walkway and a minimum 5-foot-wide landscape strip between the walkway and adjacent parking spaces or drive aisles shall be provided, as generally shown on the conceptual landscape plan date stamped June 10, 2026, as approved by the Planning and Development Department.

3. The first phase of development, as depicted on the site plan date stamped June 10, 2026, shall have a height limit of 84 feet. The remainder of the M-R zoned site shall have a height limit of 56 feet. A Planning Hearing Officer application may be submitted for future phases to achieve the bonus height up to 84 feet, upon demonstration of provision of amenities shown in Table F, Section 5.3.5 Development/Bonus Matrix beginning on Page 64 of the Camelback East Primary Core Specific Plan, or to achieve a bonus height up to 165 feet for an urban mall alternative, upon demonstration of compliance with conditions 1 and 2.a through 2.f listed on pages 29 and 30, Section 4.2.3 of the Camelback East Primary Core Specific Plan.

4. Except for the first phase of development as generally shown on the conceptual site plan date stamped June 10, 2026, for any development or addition greater than 5,000 square feet directly adjacent to the Pedestrian Spine, as shown on

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Map 8, Pedestrian Facilities Plan, on page 45 of the Camelback East Primary Core Specific Plan, a pedestrian pathway shall be provided, for the section of the Pedestrian Spine within or adjacent to the proposed development, consistent with the following standards, and as approved by the Planning and Development Department. For any additions to existing buildings, this requirement shall only apply to new floor area directly adjacent to the Pedestrian Spine. For any new development or redevelopment of an existing building, this requirement shall apply if the scope of the approved site plan includes or is directly adjacent to the Pedestrian Spine.

a. The pathway shall adhere to the requirements of Section 1304.H of the Phoenix Zoning Ordinance, except as modified by the stipulations of this case.

b. A pedestrian pathway easement a minimum of 20 feet wide shall be provided, of which 12 feet of the width shall always be kept completely free of any and all impediments to pedestrian travel including poles, bollards, signs benches, tables, chairs, easels, stalls, space heaters, etc., while the remaining 8 feet may be used for such pedestrian friendly uses such as restaurant seating, vendors' stalls, artists' displays, etc.

c. The pathway may be constructed at the current location of the Pedestrian Spine or relocated to an alignment within the Pedestrian Corridor as long as a continuous Pedestrian Spine is maintained at all times.

d. Where on-site vehicular drive aisles intersect the Pedestrian Spine, a raised, traffic-calming pedestrian crossing or speed table shall be constructed at the point of intersection, as approved by the Planning and Development Department.

e. The pathway shall be lined on both sides with either of the following elements, or a combination of the two:

   (1) A minimum 5-foot-wide landscape strip, except where drive aisles cross the pathway where necessary. Structural shade elements may be used, and footers may be placed within the landscape strip along the pathway.

   (2) Building frontages meeting the glazing requirements of a minimum of 75% of the ground floor frontages facing the pedestrian pathway, measured as the area between 3 and 8 feet above grade for the entire width of the facade, consisting of clear windows that will allow a minimum of 75% of the visible light (as specified by the manufacturer) to be visible on either side of the window.

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5. For any new development, a minimum 5-foot-wide pedestrian path, meeting the requirements of Section 1304.H, subparts 3 through 6, of the Zoning Ordinance, shall be provided connecting the proposed development to the Pedestrian Spine, as approved by the Planning and Development Department. The pedestrian path shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade. The first phase of development, as generally shown on the site plan date stamped June 10, 2026, shall be exempt from this requirement until redevelopment (any development or addition exceeding 10,000 square feet of building area) of the portion of the site between the first phase and the Pedestrian Spine occurs.

6. Upon the future development of a building exceeding 56 feet in height after the first phase of development generally shown on the conceptual site plan date stamped June 10, 2026, the developer shall:

    a. Conduct a feasibility and concept study to be submitted to the Street Transportation Department for review and acceptance to estimate the cost to design and construct a pedestrian bridge over the SR 51, adjacent to the Site (the “Pedestrian Bridge Cost”).

    b. Deposit the following, as applicable, into an escrow account with the Street Transportation Department prior to building permit issuance associated with reaching the respective development increment / benchmark:

        (1) Development Increment / Benchmark 1: A proportional contribution up to a maximum of 25% of the Pedestrian Bridge Cost upon the development or redevelopment of 10.05 net acres (approximately 40% of the overall rezoning area), as defined below.

        (2) Development Increment / Benchmark 2: A proportional contribution, including the proportional contribution previously deposited for Development Increment / Benchmark 1, up to a maximum of 37% of the Pedestrian Bridge Cost upon the development or redevelopment of 15.08 net acres (approximately 60% of the overall rezoning area), as defined below.

        (3) Development Increment / Benchmark 3: A proportional contribution, including the proportional contribution(s) previously deposited for Development Increment / Benchmark 1 and/or 2, up to a maximum of 50% of the Pedestrian Bridge Cost upon the development or redevelopment of 20.10 net acres (approximately 80% of the overall rezoning area), as defined below.

    The area of development or redevelopment to be applied towards each development increment / benchmark listed above shall include: 1) the entire acreage of each approved site plan, including parking, landscape, and other site

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improvements, associated with the new building; and/or 2) the expanded portion of an existing building footprint associated with a building addition exceeding 10,000 square feet of floor area. For any site plan approval associated with a new building and/or expanded building footprint associated with a building addition exceeding 10,000 square feet in floor area, the developer shall submit an updated analysis tracking the development progress toward reaching the development increments / benchmarks listed above to the Planning and Development Department.

The proportional contribution amount associated with each development increment / benchmark listed above shall be a proportion of the applicable maximum contribution of the Pedestrian Bridge Cost equal to the proportion of the total building footprint area of building(s) exceeding 56 feet in height in relation to the total building footprint area of all buildings within the applicable development or redevelopment threshold area (Example: if 50% of the total building footprint of buildings within the development or redevelopment area exceeds 56 feet in height, at the time of Benchmark 1 (10.05 acres), a proportional contribution of 12.5% of the Pedestrian Bridge Cost would be made).

7. Development shall deposit $160,000.00 in escrow for a HAWK device at the existing 20th Street pedestrian crossing, to the Street Transportation Department prior to receiving a building permit for the first site plan approval in the rezoning area. The applicant may request a refund of escrow if the HAWK has not been constructed within 5 years of receiving a certificate of occupancy.

For any new development, including the first phase as applicable and as noted, the following stipulations shall apply and shall be limited to the scope of the proposed development.

8. Bicycle parking shall be provided, consistent with the requirements of Section 1307.H of the Zoning Ordinance, except that bicycle parking for multifamily residential development may be located in a secure room anywhere in the building with resident access.

9. A minimum of 10% of the required vehicle parking spaces shall include EV Capable infrastructure, which shall be defined as the conduits necessary to distribute electrical service to locations for the future installation of charging stations.

10. All bicycle infrastructure and pedestrian pathways, including sidewalks, but excluding the pedestrian path directly adjacent to the Piestewa Freeway frontage, shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.

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11. A minimum of 10% of the required shrubs shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.

12. Natural turf shall only be utilized for required retention areas (bottom of basin, and only allowed on slopes if required for slope stabilization) and functional turf areas, as approved by the Planning and Development Department.

13. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.

14. A minimum of one green stormwater infrastructure (GSI) element for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.

15. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the City of Phoenix Business Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.

16. All mitigation improvements shall be constructed and/or funded as identified in the accepted Traffic Impact Analysis dated January 7, 2026, for the multi-family development, as depicted on the site plan date stamped June 10, 2026. All subsequent developments within the rezoning area, shall require an updated site-specific Traffic Impact Analysis to be submitted and accepted by the Street Transportation Department prior to receiving preliminary site plan approval, or as otherwise required by the Street Transportation Department.

17. Existing streetscape beginning at back of curb and median islands shall be replenished with landscaping and trees, planted to the following standards, along Camelback Road and Highland Avenue, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper, single-trunk, large canopy, shade trees planted 20 feet on center, or in equivalent groupings.

    b. Shrubs, accents and vegetative groundcovers maintained to a maximum height of three feet (excluding accents) evenly distributed throughout the landscape area to achieve a minimum of 75% live coverage.

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Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

18. Replace unused driveways with sidewalk, curb and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.

19. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

20. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

21. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 4th day of November, 2026.

_____
MAYOR

ATTEST:

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_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Ed Zuercher, City Manager

Exhibits:
A – Legal Description (3 Pages)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-92-26-6

C-2 M-R CEPCSP

LOCATED WITHIN A PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 3 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

COMMENCING AT THE SOUTHEAST CORNER OF LOT 8 AS SHOWN IN THE FINAL PLAT OF THE CAMELBACK COLONNADE RECORDED IN BOOK 385, PAGE 46, MARICOPA COUNTY RECORDER'S OFFICE; THENCE, N00°00'01"W ALONG THE EAST LINE OF SAID LOT 8 A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID EAST LINE, S89°59'15"W A DISTANCE OF 621.52 FEET TO THE EASTERLY RIGHT OF WAY LINE OF 18TH STREET;

THENCE, N00°44'20"E ALONG SAID EASTERLY LINE A DISTANCE OF 179.49 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF 18TH STREET;

THENCE DEPARTING SAID EASTERLY LINE, N90°00'00"W ALONG SAID NORTHERLY LINE A DISTANCE OF 35.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF 18TH STREET;

THENCE DEPARTING SAID NORTHERLY LINE, S00°44'20"W ALONG SAID WESTERLY A DISTANCE OF 179.45 FEET;

THENCE DEPARTING SAID WESTERLY LINE, S89°59'30"W A DISTANCE OF 206.68 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE ROUTE 51;

THENCE, N13°38'55"W ALONG SAID EASTERLY LINE A DISTANCE OF 73.98 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE RIGHT;

THENCE, NORTHERLY ALONG SAID CURVE AN ARC LENGTH OF 109.96 FEET, WITH A RADIUS OF 1837.81 FEET AND THE RADIAL BEARING OF N76°21'12"E AND A CENTRAL ANGLE OF 03°25'41" TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE RIGHT;

THENCE, NORTHERLY ALONG SAID CURVE AN ARC LENGTH OF 349.90 FEET, WITH A RADIUS OF 1832.82 FEET AND THE RADIAL BEARING OF N79°47'34"E AND A CENTRAL ANGLE OF 10°56'17";

THENCE ALONG A LINE NON-TANGENT TO SAID CURVE, N00°43'53"E, A

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DISTANCE OF 553.50 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF CAMELBACK ROAD;
THENCE, N79°06'15"E ALONG SAID SOUTHERLY LINE A DISTANCE OF 79.93 FEET;

THENCE CONTINUING ALONG SOUTHERLY LINE, N79°47'16"E A DISTANCE OF 44.53 FEET;

THENCE CONTINUING ALONG SOUTHERLY LINE, N90°00'00"E A DISTANCE OF 802.88 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE, S00°00'00"W ALONG THE EAST LINE OF LOT 1 OF SAID FINAL PLAT OF THE CAMELBACK COLONNADE, A DISTANCE OF 1103.96 FEET TO THE POINT OF BEGINNING.

C-2 CEPCSP

Portion East of 18th Street
LOCATED WITHIN A PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 3 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

BEGINNING AT THE SOUTHEAST CORNER OF LOT 8 AS SHOWN IN THE FINAL PLAT OF THE CAMELBACK COLONNADE RECORDED IN BOOK 385, PAGE 46, MARICOPA COUNTY RECORDER'S OFFICE;

THENCE, S89°59'30"W ALONG THE NORTHERLY RIGHT OF WAY LINE OF HIGHLAND AVENUE A DISTANCE OF 188.09 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY LINE, N00°00'30"W A DISTANCE OF 4.00 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY LINE, S89°59'30"W A DISTANCE OF 20.00 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY LINE, S00°00'30"E A DISTANCE OF 4.00 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY LINE, S89°59'30"W A DISTANCE OF 277.84 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY LINE, N84°31'06"W A DISTANCE OF 125.43 FEET;

THENCE, N44°38'05"W A DISTANCE OF 16.86 FEET TO THE EASTERLY RIGHT OF WAY LINE OF 18TH STREET;

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THENCE, N00°44'20"E ALONG SAID EASTERLY LINE A DISTANCE OF 85.96 FEET;

THENCE DEPARTING SAID EASTERLY LINE, N89°59'15"E A DISTANCE OF 621.52 FEET TO THE EAST LINE OF LOT 8;
THENCE, S00°00'01"E ALONG SAID EAST LINE A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING.

Portion West of 18th Street
LOCATED WITHIN A PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 3 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

COMMENCING AT THE SOUTHEAST CORNER OF LOT 8 AS SHOWN IN THE FINAL PLAT OF THE CAMELBACK COLONNADE RECORDED IN BOOK 385, PAGE 46, MARICOPA COUNTY RECORDER'S OFFICE;

THENCE, N00°00'01"W ALONG THE EAST LINE OF SAID LOT 8 A DISTANCE OF 9.90 FEET;

THENCE DEPARTING SAID EAST LINE, N90°00'00W A DISTANCE OF 669.82 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF HIGHLAND AVENUE, SAID POINT BEING THE POINT OF BEGINNING;

THENCE, S89°59'30"W ALONG SAID NORTHERLY LINE A DISTANCE OF 169.10 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE ROUTE 51 ;

THENCE, N13°38'55"W ALONG SAID EASTERLY LINE A DISTANCE OF 102.90 FEET;

THENCE DEPARTING SAID EASTERLY LINE, N89°59'30"E A DISTANCE OF 206.68 FEET TO THE WESTERLY RIGHT OF WAY LINE OF 18TH STREET;

THENCE, S00°44'19"W ALONG SAID WESTERLY LINE A DISTANCE OF 88.01 FEET;

THENCE CONTINUING ALONG SAID WESTERLY LINE, S45°22'31"W A DISTANCE OF 17.08 FEET TO THE POINT OF BEGINNING.

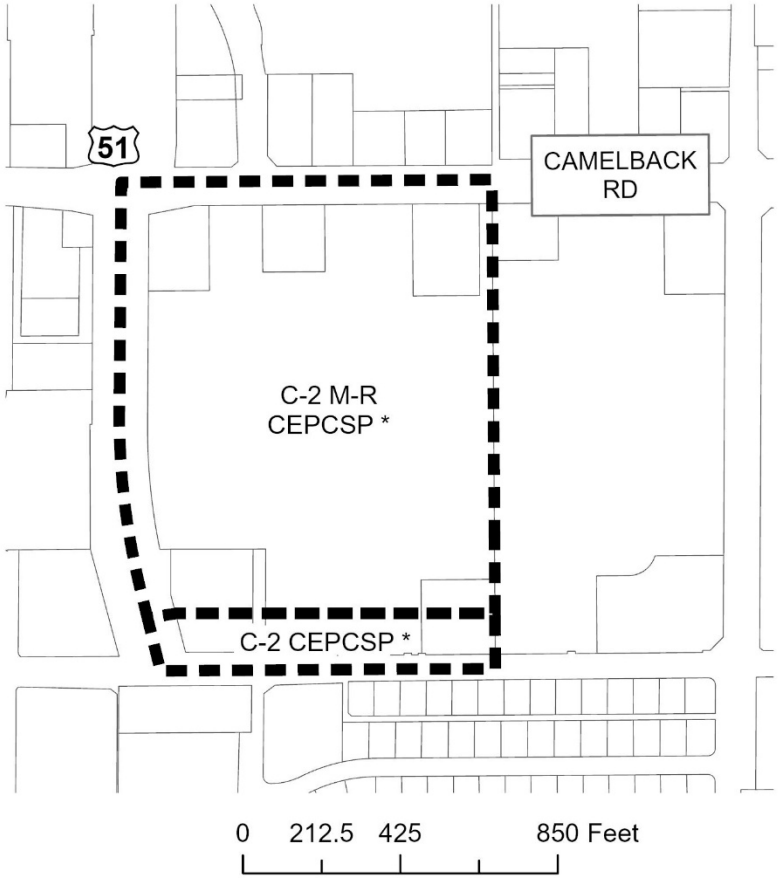
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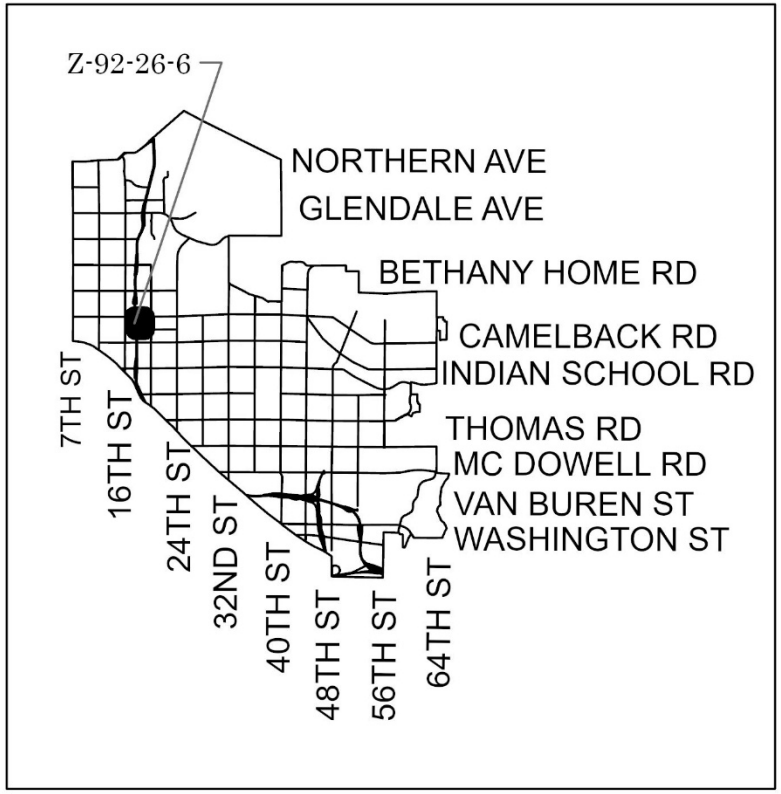
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-92-26-6
Zoning Overlay: Camelback East Primary Core Specific Plan
Planning Village: Camelback East





NOT TO SCALE

N

Drawn Date: 10/6/2026

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City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 81

Amend City Code - Ordinance Adoption - Rezoning Application Z-180-25-6 (Rio Rancho PUD) - Southeast Corner of 26th Street and Indian School Road (Ordinance G-7557) - District 6

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-180-25-6 and rezone the site from R1-6 (Single-Family Residence District), C-3 (General Commercial), and C-2 (Intermediate Commercial) to PUD (Planned Unit Development) to allow commercial uses and surface parking.

Summary

Current Zoning: R1-6 (1.51 acres), C-3 (0.80-acres), and C-2 (0.71-acres)
Proposed Zoning: PUD
Acreage: 3.02
Proposal: Commercial uses and surface parking

Owner(s): ATFC Holdings, LLC & ATFC, LLC
Applicant: Lily Drosos, Rose Law Group, PC
Representative: Tom Galvin and Samantha DeMoss, Rose Law Group, PC

Staff Recommendation: Approval, subject to stipulations.
VPC Information Only: The Camelback East Village Planning Committee heard this item on July 7, 2026, for information only.
VPC Action: The Camelback East Village Planning Committee heard this item on September 1, 2026, and recommended approval, per the staff recommendation, with direction, by a vote of 16-0.
PC Action: The Planning Commission heard this item on October 1, 2026, and recommended approval, per the Camelback East Village Planning Committee recommendation, with direction, by a vote of 6-2.

Location

Southeast corner of 26th Street and Indian School Road
Council District: 6
Parcel Address: 2601, 2611, and 2621 E. Indian School Road; and 2600 E. Fairmount Avenue

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Planning and Development Department.

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-180-25-6) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT), C-3 (GENERAL COMMERCIAL), AND C-2 (INTERMEDIATE COMMERCIAL) TO PUD (PLANNED UNIT DEVELOPMENT).

_____

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 3.02-acre site located at the southeast corner of 26th Street and Indian School Road in a portion of Section 26, Township 2 North, Range 3 East, as described more specifically in Exhibit “A,” is hereby changed from 1.51 acres of “R1-6” (Single-Family Residence District), 0.80-acres of “C-3” (General Commercial), and 0.71-acres of “C-2” (Intermediate Commercial) to “PUD” (Planned Unit Development).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

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SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Rio Rancho PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped August 14, 2026, as modified by the following stipulations:

    a. Front cover: Revise the submittal date information to add the following: City Council adopted: [Add adoption date].

    b. Page 10: List of Uses, Restaurants, Bars, Taverns, and Cocktail Lounges: Indent Items (1), (2), and (3), under Item c; adjust alignment of Item e to match Item d; and delete Items f, g, and h.

    c. Pages 11-12: Development Standards Table:
        - Parcel 1, Minimum Building Setbacks: Revise superscript in the left column to "1" and delete superscript in the right column
        - Parcel 1, Minimum Landscape Setbacks: Revise superscript to "1"
        - Parcel 2, Minimum Landscape Setbacks: Add superscript "2" to the left column
        - Revise Footnote 1 to "The existing open patio structure is permitted within the north building and landscape setback."

    d. Pages 13-14: Landscape Standards Table:
        - Remove superscript 1 from the header row
        - Eastern Boundary Landscape Standards: remove exception language
        - Shade Requirements: remove "public and" from the first sentence and add the following: "Enhanced shade, per the requirements of the Streetscape Standards Table."

2. A minimum 50 feet of right-of-way shall be dedicated for the south half of Indian School Road.

3. A minimum 25 feet of right-of-way shall be dedicated for the east half of 26th Street, per the requirements established within the Rio Rancho PUD Streetscape Standards Table.

4. A minimum 30 feet of right-of-way shall be dedicated for the north half of Fairmount Avenue.

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5. All mitigation improvements shall be constructed and/or funded as identified in the accepted Traffic Impact Analysis dated September 18, 2025.

6. Replace unused driveways with sidewalk, curb and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.

7. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

8. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

9. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

10. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

11. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 4th day of November, 2026.

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_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Ed Zuercher, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-180-25-6

Lot 1:
THE WEST 198 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN; MARICOPA COUNTY, ARIZONA.

EXCEPT THE NORTH 40 FEET THEREOF; AND EXCEPT THE WEST 20 FEET; AND EXCEPT THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 3 EAST, GILA AND SALT RIVER BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF THE NORTH 40 FEET OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER WITH THE EAST LINE OF THE WEST 20 FEET THEREOF;

THENCE SOUTHERLY ALONG SAID EAST LINE A DISTANCE OF 10 FEET;

THENCE NORTHEASTERLY TO A POINT ON SAID SOUTH LINE WHICH IS 10 FEET EASTERLY FROM THE POINT OF BEGINNING;

THENCE TO THE POINT OF BEGINNING.

Lot 2:
PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE WEST HALF OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; THENCE EAST ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 198 FEET;
THENCE SOUTH 660 FEET;

THENCE WEST 198 FEET TO THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF SAID SECTION;

THENCE NORTH 660 FEET TO THE POINT OF BEGINNING;

EXCEPT THE WEST 198 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

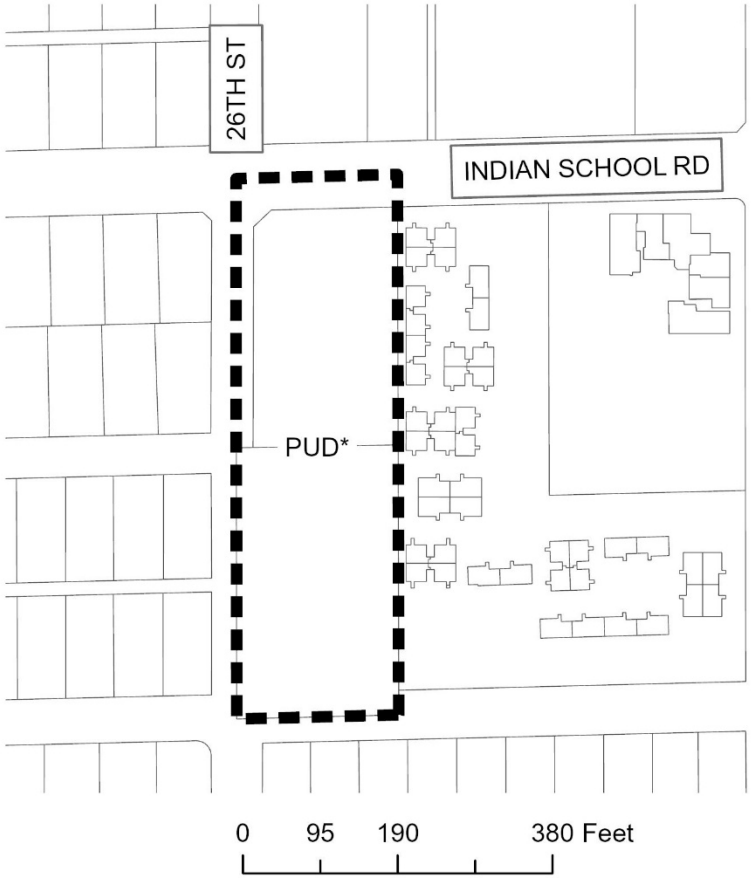
DRAFT

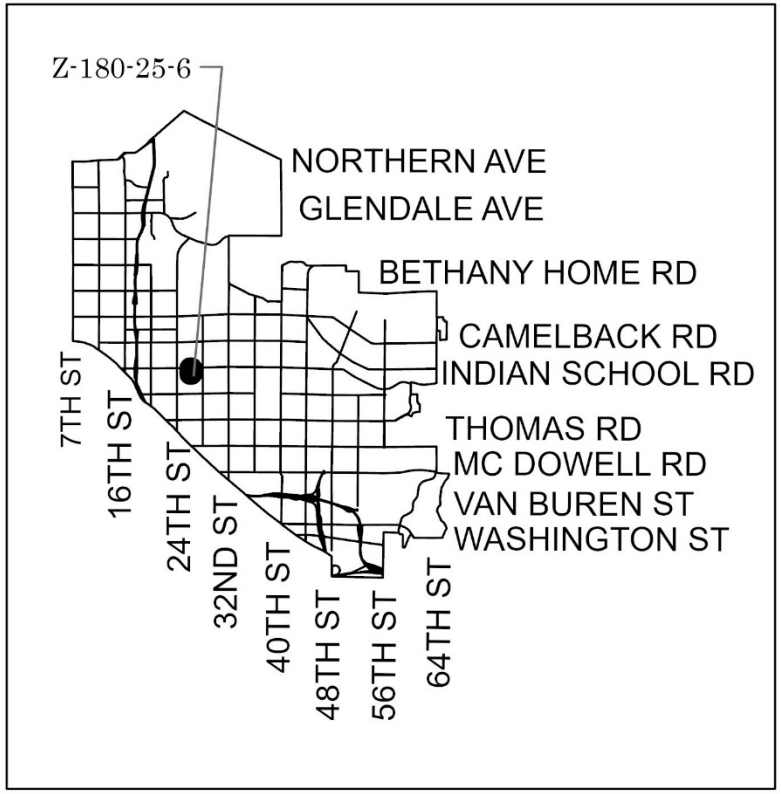
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-180-25-6
Zoning Overlay: N/A
Planning Village: Camelback East





NOT TO SCALE

N

Drawn Date: 10/6/2026

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City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 82

Amend City Code - Ordinance Adoption - Rezoning Application Z-103-26-8 - Southwest Corner of 24th Street and Portland Street (Ordinance G-7558) - District 8

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-103-26-8 and rezone the site from R-3 RI (Multi-Family Residence District, Residential Infill) and C-1 (Neighborhood Retail District) to WU Code T5:3 GW (Walkable Urban Code, Transect 5:3 District, Transit Gateway Character Area) to allow for a daycare, nursery school, or new tenant allowed per WU Code T5:3.

Summary

Current Zoning: R-3 RI (0.79-acres) and C-1 (0.70-acres)
Proposed Zoning: WU Code T5:3 GW
Acreage: 1.49
Proposal: Daycare, nursery school, or new tenant allowed per WU Code T5:3

Owner: Jack Zhang, Fen Investments, Inc.
Applicant/Representative: Stephanie Rowe, RAR Architects

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Central City Village Planning Committee heard this item on September 14, 2026, and recommended approval, per the staff recommendation, by a vote of 11-0.
PC Action: The Planning Commission heard this item on October 1, 2026, and recommended approval, per the Central City Village Planning Committee recommendation, by a vote of 8-0.

Location

Southwest corner of 24th Street and Portland Street
Council District: 8
Parcel Address: 1034 N. 24th Street

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Planning and Development Department.

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-103-26-8) FROM R-3 RI (MULTI-FAMILY RESIDENCE DISTRICT, RESIDENTIAL INFILL) AND C-1 (NEIGHBORHOOD RETAIL DISTRICT) TO WU CODE T5:3 GW (WALKABLE URBAN CODE, TRANSECT 5:3 DISTRICT, TRANSIT GATEWAY CHARACTER AREA).

_____

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 1.49 acre property located at the southwest corner of 24th Street and Portland Street in a portion of Section 3, Township 1 North, Range 3 East, as described more specifically in Exhibit “A,” is hereby changed from 0.79-acres of “R-3 RI” (Multi-Family Residence District, Residential Infill District) and 0.70-acres of “C-1” (Neighborhood Retail District) to “WU Code T5:3 GW” (Walkable Urban Code, Transect 5:3 District, Transit Gateway Character Area).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

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violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. Upon complete redevelopment or development that increases the cumulative floor area of the building by more than 20%, from that depicted on the site plan date stamped June 29, 2026, the following shall apply to any new construction, as approved by the Planning and Development Department.

    a. Where pedestrian pathways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.

    b. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.

    c. The sidewalk along 24th Street adjacent to the development, shall be a minimum of 6 feet in width and detached with a minimum 8-foot-wide landscape strip located between the sidewalk and back of curb, and planted to include drought tolerant shrubs and vegetative groundcovers, maintained to a maximum height of 36 inches (excluding accents), evenly distributed to provide a minimum of 75% live coverage, as approved by the Planning and Development Department.

    d. The sidewalks along Portland Street, adjacent to the development, shall be a minimum of 5 feet in width and detached with a minimum 5-foot-wide landscape strip located between the sidewalk and back of curb, and planted to include drought tolerant shrubs and vegetative groundcovers, maintained to a maximum height of 36 inches (excluding accents), as approved by the Planning and Development Department.

    e. A minimum of 2% of the required parking spaces shall include Electric Vehicle (EV) installed infrastructure, as approved by the Planning and Development Department.

    f. Bicycle infrastructure shall be incorporated, as described below and as approved by the Planning and Development Department.

        (1) Required multi-family residential bicycle parking shall be secured bicycle parking per Section 1307 of the Zoning Ordinance.

        (2) Multi-family residential development shall provide guest bicycle parking at a minimum rate of 0.05 spaces per dwelling unit, up to a maximum of 50 spaces required.

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(3) A minimum of 10% of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities.

(4) Bicycle infrastructure shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade.

g. A minimum of one green stormwater infrastructure (GSI) element for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.

h. Provide a landscape irrigation plan that includes zones to establish the amount of irrigation to apply based on maturity and type of the landscaping. Irrigation should be applied efficiently based on the maturity and need for the vegetation.

i. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the City of Phoenix Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.

2. A minimum of 50 feet of right-of-way shall be dedicated for the west side of 24th Street.

3. A minimum of 25 feet of right-of-way shall be dedicated for the south side of Portland Street.

4. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.

5. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

6. Natural turf shall only be utilized for required retention areas (bottom of basin, and only allowed on slopes if required for slope stabilization) and functional turf areas, as approved by the Planning and Development Department.

7. For residential development, the property owner shall record documents that disclose the existence and operational characteristics of Sky Harbor Airport to

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future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

8. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

9. If Phase I data testing is If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

10. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

11. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 4th day of November, 2026.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

DRAFT

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Ed Zuercher, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-103-26-8

THAT PORTION OF THE PARCEL DESCRIBED IN THE QUIT CLAIM DEED, RECORDED IN 2025-0390332, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, LYING WITHIN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3-INCH BRASS CAP IN HANDHOLE WITH NO IDENTIFICATION (0.50' DOWN) MARKING THE EAST QUARTER CORNER OF SAID SECTION 3, FROM WHICH A 3-INCH BRASS CAP IN HANDHOLE WITH NO IDENTIFICATION (1.0' DOWN) BEARS NORTH 89 DEGREES 28 MINUTES 36 SECONDS WEST 2675.53 FEET SAID DESCRIBED LINE BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE NORTH 00 DEGREES 12 MINUTES 13 SECONDS WEST 330.11 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 3 TO THE SOUTH LINE OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3;

THENCE NORTH 89 DEGREES 29 MINUTES 10 SECONDS WEST 50.00 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF THE EAST 50.00 FEET OF SAID NORTHEAST QUARTER AND THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 29 MINUTES 10 SECONDS WEST 344.81 FEET CONTINUING ALONG SAID SOUTH LINE TO A HALF-INCH REBAR WITH YELLOW PLASTIC CAP STAMPED "RLS 49333";

THENCE NORTH 00 DEGREES 09 MINUTES 31 SECONDS WEST 140.01 FEET TO THE SOUTH LINE OF THE NORTH 25.00 FEET OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3;

THENCE SOUTH 89 DEGREES 29 MINUTES 43 SECONDS EAST 329.70 FEET ALONG SAID SOUTH LINE;

THENCE SOUTH 44 DEGREES 50 MINUTES 59 SECONDS EAST 21.34 FEET TO THE WEST LINE OF THE EAST 50.00 FEET OF SAID NORTHEAST QUARTER;
THENCE SOUTH 00 DEGREES 12 MINUTES 13 SECONDS EAST 125.06 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

GROSS LOT AREA 65,195 SF, 1.496 ACRES
NET LOT AREA 48,162 SF, 1.106 ACRES

APN 116-04-097L

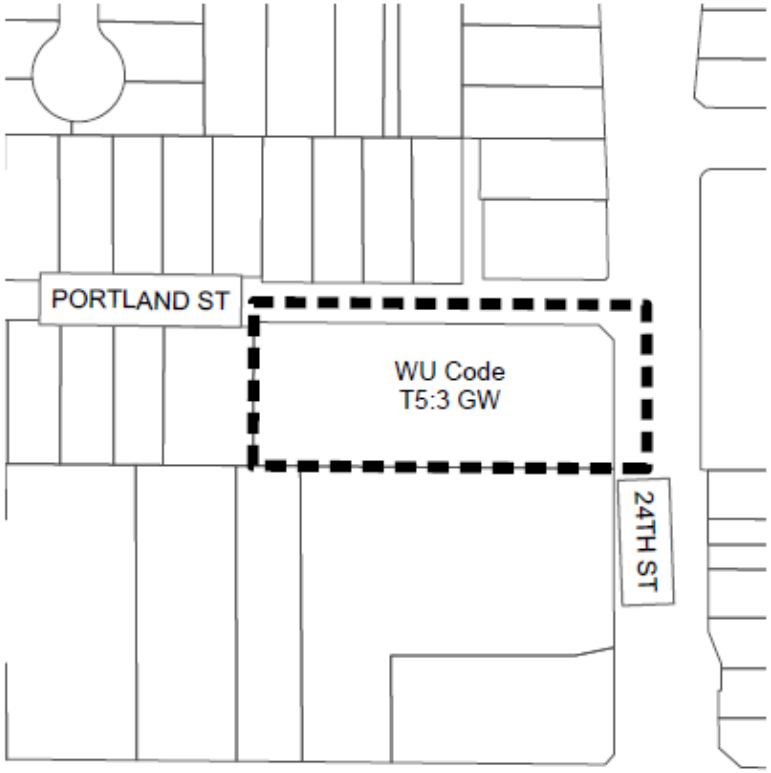
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ORDINANCE LOCATION MAP

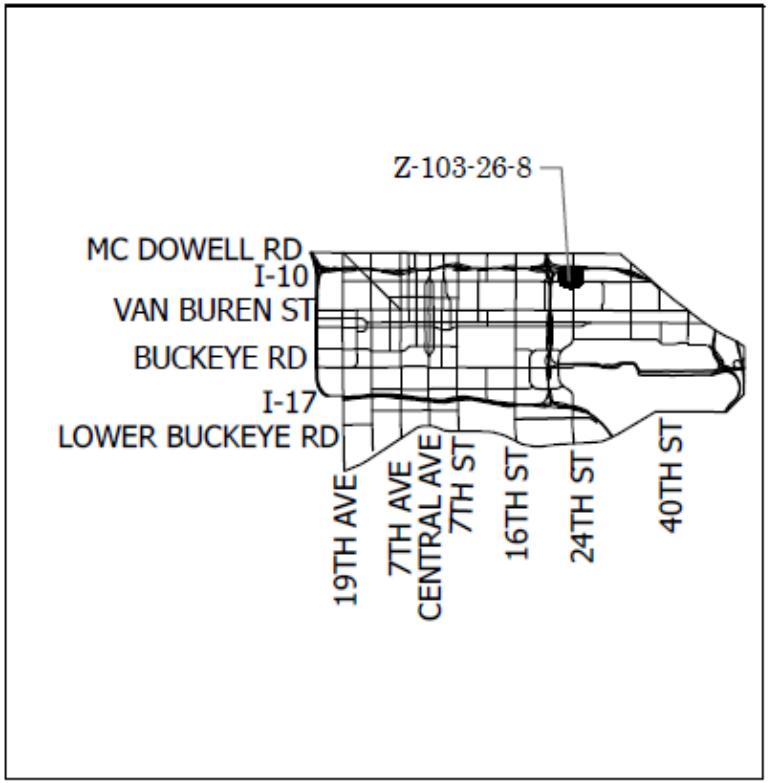
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-103-26-8
Zoning Overlay: N/A
Planning Village: Central City



0 75 150 300 Feet



NOT TO SCALE

N

Drawn Date: 10/6/2026

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City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** 83

Consideration of Citizen Petitions Submitted by Mr. Jerry Van Gasse - Citywide

This report provides the City Council with information in response to 16 citizen petitions submitted by Jerry Van Gasse at the October 21, 2026, Formal City Council meeting.

Summary

Petition 1: Executive Session Complaints and Escalation

This petition requests City Council to direct the City Manager to provide written responses to questions regarding the City's Executive Session process.

Arizona's Open Meeting Law (OML), which governs the permissible topics and procedures for Executive Sessions, was enacted by the Arizona Legislature. In addition, Arizona law requires the Attorney General to compile and publish the Arizona Agency Handbook, within which the Attorney General has set forth and explains OML. The City is committed to complying with all applicable state law requirements.

Petition 2: Public Preservation of Open Meeting Law Objections

This petition requests City Council to adopt an ordinance amending the Phoenix City Code to authorize individual Council Members to object to and report alleged violations of Arizona's OML.

Arizona's OML, which governs the permissible topics and procedures for Executive Sessions, was enacted by the Arizona Legislature. In addition, Arizona law requires the Attorney General to compile and publish the Arizona Agency Handbook, within which the Attorney General has set forth and explains OML. The City is committed to complying with all applicable state law requirements. Staff does not recommend adopting a separate local ordinance addressing Executive Session discussions.

Petition 3: Executive Session Objections

This petition requests City Council to direct the City Manager to provide written responses to questions regarding a Council Member's objections during the City's Executive Session.

Arizona's OML, which governs the permissible topics and procedures for Executive Session, was enacted by the Arizona Legislature. In addition, Arizona law requires the Attorney General to compile and publish the Arizona Agency Handbook, within which the Attorney General has set forth and explains OML. The City is committed to complying with all applicable state law requirements.

Petition 4: Executive Session Rules Before the 2027 Executive Session Vote
This petition requests City Council to direct the City Manager to complete the City's response to Public Records Request, R042125-101526.

Public records requests are processed by the City in accordance with state law and City policy. This petition imposes additional mandates and deadlines that are not required by state law. The petitioner's pending records request is being processed by City staff. Staff recommends treating this request consistently with other public records requests.

Petition 5: Executive Session Confidentiality Notices
This petition requests City Council to adopt a resolution establishing a City policy on accurate Executive Session confidentiality notices.

Arizona's OML, which governs the permissible topics and procedures for Executive Sessions, was enacted by the Arizona Legislature. In addition, Arizona law requires the Attorney General to compile and publish the Arizona Agency Handbook, within which the Attorney General has set forth and explains OML. The City is committed to complying with all applicable state law requirements. Staff will review administrative procedures to determine if the City would benefit from additional clarification to promote transparency and consistency.

Petition 6: Continuous Telecast of Formal City Council Meetings
This petition requests City Council to adopt an ordinance amending the Phoenix City Code to require audio and live camera images of every Council Member and member of the public recognized to speak for the duration of every Formal City Council meeting.

Per Charter, the Council shall establish rules for its proceedings. The current rule provides a reasonable framework for the citizen comment period of the City Council's Formal meetings. The Council may amend their own rules without adopting specific, restrictive requirements as defined by petitioner.

Petition 7: Executive Session Governance
This petition requests City Council to direct the City Manager to provide written

responses to questions regarding Executive Session governance.

Arizona's OML, which governs the permissible topics and procedures for Executive Sessions, was enacted by the Arizona Legislature. In addition, Arizona law requires the Attorney General to compile and publish the Arizona Agency Handbook, within which the Attorney General has set forth and explains OML. The City is committed to complying with all applicable state law requirements.

In Investigation No. OML 2023-0006, the Arizona Attorney General expressly found that the City's process for setting and noticing Executive Session meetings comports with OML and "balances the priority of openness in government with the administrative realities of governing a city of 1.6 million people." Similarly, in Case No. CV 2025-026278, a Maricopa County Superior Court judge found that the City's process complies with OML. That ruling is currently subject to review in the Arizona Court of Appeals.

Petition 8: Citizen Comment Broadcast Change
This petition requests City Council to direct the City Manager to provide written responses to questions regarding the February 2025 Citizen Comment broadcast change.

The current citizen comment period of the City Council's formal meeting is compliant with both the Council's rules of proceedings and Arizona's OML requirements. Records can be requested through the existing public records request process instead of through the direction of a staff project.

Petition 9: Executive Session Public Authorization
This petition requests City Council to direct the City Manager to provide written responses to questions regarding Executive Session public authorization.

Arizona's OML, which governs the permissible topics and procedures for executive sessions, was enacted by the Arizona Legislature. In addition, Arizona law requires the Attorney General to compile and publish the Arizona Agency Handbook, within which the Attorney General has set forth and explains OML. The City is committed to complying with all applicable state law requirements.

In Investigation No. OML 2023-0006, the Arizona Attorney General expressly found that the City's process for setting and noticing Executive Session meetings comports with OML and "balances the priority of openness in government with the administrative realities of governing a city of 1.6 million people." Similarly, in Case No. CV 2025-026278, a Maricopa County Superior Court judge found that the City's process

complies with OML. That ruling is currently subject to review in the Arizona Court of Appeals.

Petition 10: Executive Session Legal Advice Exemption
This petition requests the City Council to direct the City Manager to provide written responses to questions regarding the Executive Session legal advice exemption.

Arizona's OML, which governs the permissible topics and procedures for executive sessions, was enacted by the Arizona Legislature. In addition, Arizona law requires the Attorney General to compile and publish the Arizona Agency Handbook, within which the Attorney General has set forth and explains OML. The City is committed to complying with all applicable state law requirements.

Petition 11: Recording and Preservation of Executive Sessions
This petition requests City Council to adopt an ordinance amending the Phoenix City Code to require City Clerk to make an audio recording of every Executive Session.

Arizona's OML, which governs the permissible topics and procedures for Executive Sessions, was enacted by the Arizona Legislature. In addition, Arizona law requires the Attorney General to compile and publish the Arizona Agency Handbook, within which the Attorney General has set forth and explains OML. The City is committed to complying with all applicable state law requirements. Staff does not recommend adopting a separate local ordinance addressing Executive Session discussions.

Petition 12: Public Observation of Executive Session Participation and Time
This petition requests City Council to adopt an ordinance amending the Phoenix City Code to allow the public to observe who enters, joins, and leaves each Executive Session.

Arizona's OML, which governs the permissible topics and procedures for Executive Sessions, was enacted by the Arizona Legislature. In addition, Arizona law requires the Attorney General to compile and publish the Arizona Agency Handbook, within which the Attorney General has set forth and explains OML. The City is committed to complying with all applicable state law requirements. Staff does not recommend adopting a separate local ordinance addressing Executive Session discussions.

Petition 13: Executive Session Recording and Preservation
This petition requests City Council to direct the City Manager to provide written responses to questions regarding Executive Session recording and preservation.

Arizona's OML, which governs the permissible topics and procedures for executive

sessions, was enacted by the Arizona Legislature. In addition, Arizona law requires the Attorney General to compile and publish the Arizona Agency Handbook, within which the Attorney General has set forth and explains OML. The City is committed to complying with all applicable state law requirements.

Petition 14: Item by Item Public Authorization of Executive Session Matters
This petition requests City Council to adopt an ordinance amending the Phoenix City Code to require a separate City Council vote on every scheduled Executive Session.

Arizona's OML, which governs the permissible topics and procedures for executive sessions, was enacted by the Arizona Legislature. In addition, Arizona law requires theAttorney General to compile and publish the Arizona Agency Handbook, within which the Attorney General has set forth and explains OML. The City is committed to complying with all applicable state law requirements. Staff does not recommend adopting a separate local ordinance addressing Executive Sessions discussions.

Petition 15: Executive Session Attendance and Participation
This petition requests City Council to direct the City Manager to provide written responses to questions regarding Executive Session participation.

Arizona's OML, which governs the permissible topics and procedures for executive sessions, was enacted by the Arizona Legislature. In addition, Arizona law requires the Attorney General to compile and publish the Arizona Agency Handbook, within which the Attorney General has set forth and explains OML. The City is committed to complying with all applicable state law requirements.

Petition 16: Communications During Executive Sessions Convened for Legal Advice
This Petition requests City Council to adopt an ordinance amending the Phoenix City Code to restrict communications and deliberations during Executive Sessions held for legal advice.

Arizona's OML, which governs the permissible topics and procedures for Executive Sessions, was enacted by the Arizona Legislature. In addition, Arizona law requires the Attorney General to compile and publish the Arizona Agency Handbook, within which the Attorney General has set forth and explains OML. The City is committed to complying with all applicable state law requirements. Staff does not recommend adopting a separate local ordinance addressing Executive Session discussion.

Options for Council Action
A. Accept the petitions.

B. Deny the petitions.
C. Other direction to staff.

Staff recommends denying the petitions for the reasons stated above.

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

CITIZEN PETITION

pursuant to Phoenix City Charter, Chapter IV, Sec. 22, requests the City Council to:

PROVIDE ANSWERS REGARDING EXECUTIVE SESSION COMPLAINTS AND ESCALATION

Submitted by:
Jerry Van Gasse
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Jerry Van Gasse
Date: 10-21-'26

2026 OCT 21 PM 4:53
CITY CLERK DEPT.

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The petitioner's case: the problem, what the Proposed Measure does, why the Council should adopt it, and the supporting facts.

Request for Council Action 7
The legal request: a recorded vote of the City Council, within fifteen days, approving or denying the Proposed Measure exactly as written.

Proposed Measure 8–10
The exact measure the Council is asked to vote on, written in the City's own form.

SUMMARY

The Problem

Arizona's Open Meeting Law lets the Council meet in executive session, closed to the public, for limited purposes. It keeps the minutes and discussions of those sessions confidential, and in the same breath names who may still receive them, including the Attorney General or a county attorney investigating an alleged violation. It requires the Council to instruct everyone present about confidentiality, and it gives weight to an objection noted on a public record.

Those rules assume that a Councilmember, employee or other attendee who believes a session went beyond its noticed subject or its legal basis has somewhere to take that concern. No published Phoenix procedure was located that says:

- who receives such a concern and who decides whether to review it;
- what happens when the City's own attorneys advised in the session;
- what protects the person who raises it;
- what the public is told;
- which Phoenix officials may ask the Attorney General for a formal opinion.

None appears in the Council's rules of proceedings, City Code § 2-60, or on the City's Executive Session Agendas webpage.

What the City does publish points the other way. Its Executive Session Agendas webpage tells readers that all discussions in executive session, "or practice for E-session," "cannot be disclosed to anyone." It cites A.R.S. § 38-431.07 for "criminal penalties, in addition to forfeiture of office or employment." That statute contains no criminal penalty and no forfeiture of employment. A person reading that notice is not told that state law provides lawful routes for reporting a suspected violation.

What the Proposed Measure Does

Directs the City Manager to provide attributable written answers, within thirty days or before the Council votes to approve executive-session dates for 2027, whichever comes first, to six questions and to place the complete response in this petition's public legislative file. The questions ask:

- how Phoenix reviews a concern that an executive session exceeded its notice or exemption, including where City attorneys advised;

- what protects whoever raises it;
- what Phoenix reports publicly;
- who may seek an Attorney General opinion;
- what supports the City's confidentiality notice.

Why the Council Should Adopt It

- **The questions ask what exists today.**
  Each one asks the City to describe its current process, protection, reporting practice or legal position, and to say so expressly when there is none. None assumes that any session exceeded its notice, that any complaint was mishandled or that anyone was discouraged from reporting.

- **The Council's own members are the first audience.**
  State law lets the Attorney General seek civil penalties against an individual member for a knowing violation, and lets a court decline a penalty for a person whose objection was noted on a public record (Fact 4). Members need to know, in advance and in writing, where an objection goes, who reviews it and what protects the person who raises it. A public answer serves members, employees and residents alike.

- **The City Attorney's dual role demands a written answer.**
  The City's attorneys advise the Council in executive session. When a concern touches that advice, the Council and the public should know whether any screening, recusal or outside review applies. Question 2 asks for the existing answer.

- **Escalation routes must be known before they are needed.**
  State law gives the Attorney General and county attorneys an investigative and enforcement role (Facts 1, 4). Question 5 asks the City to state, position by position, who may request a formal Attorney General opinion. It allows the answer that the question is outside Phoenix's authority to determine.

- **The City's published notice should match its legal position.**
  Question 6 asks the City to explain its confidentiality notice in its own words:
  - what its undefined phrase means;
  - whether materials become confidential through use in a session;
  - where its penalty statement comes from (Facts 6–8);
  - how lawful reporting routes are explained to attendees.

  The answers will show whether the notice reflects a considered City position. Correcting the notice is the subject of a separate petition that does not depend on these answers.

The Facts

1. Executive-session minutes and discussions "shall be kept confidential" except from:
   - members of the public body;
   - officers or employees who were the subject of a personnel discussion;
   - the Auditor General in an authorized audit;
   - "[a] county attorney or the attorney general when investigating alleged violations of this article."

   Source: A.R.S. § 38-431.03(B).
2. A person who receives executive-session information under § 38-431.03 or § 38-431.06 may not disclose it "except to the attorney general or county attorney, by agreement with the public body or to a court in camera for purposes of enforcing this article."
   Source: A.R.S. § 38-431.03(F).
3. "The public body shall instruct persons who are present at the executive session regarding the confidentiality requirements of this article."
   Source: A.R.S. § 38-431.03(C).
4. Any person affected by an alleged violation, the Attorney General or the county attorney may sue to require compliance. The Attorney General may also sue an individual member of a public body for a knowing violation, and in that suit the court may impose a civil penalty. The statute provides that if a person who might otherwise be liable "objected to the action of the public body and the objection is noted on a public record, the court may choose not to impose a civil penalty on that person."
   Source: A.R.S. § 38-431.07(A).
5. In an action challenging the validity of an executive session, the court may review the minutes in camera and may disclose or admit relevant portions if justice so demands.
   Source: A.R.S. § 38-431.07(C).
6. The City Council Executive Session Agendas webpage contains three statements on confidentiality:
   - "All discussions in E-session, or practice for E-session, are confidential and cannot be disclosed to anyone."
   - "Materials, minutes, and discussions utilized during E-session are confidential and cannot be disclosed unless otherwise provided by law."
   - Individuals who violate executive-session confidentiality "can be personally liable for criminal penalties, in addition to forfeiture of office or employment, A.R.S. § 38-431.07."

   The page does not identify who wrote or approved the notice or when it was published.
   Source: City of Phoenix, City Council Executive Session Agendas webpage (phoenix.gov, Law Department, City Attorney's Office), viewed Oct. 12, 2026.
7. A.R.S. § 38-431.07 provides for:
   - civil enforcement;
   - civil penalties;
   - attorney fees;

- possible removal from office of a public officer who knowingly violates the law "with intent to deprive the public of information."

Its text contains no criminal penalty and no forfeiture of employment.
Source: A.R.S. § 38-431.07(A)

8. A public officer or employee "shall not disclose or use, without appropriate authorization, any information" acquired in official duties "that is declared confidential by law." The consequences of a violation are:
   - an intentional or knowing violation is a class 6 felony;
   - a reckless or negligent violation is a class 1 misdemeanor;
   - a person found guilty "shall forfeit his public office or employment if any."

   Source: A.R.S. §§ 38-504(B), 38-510(A)–(B).
9. "Except for the purpose of inquiry, the Council and its Members shall deal with the administrative service solely through the City Manager."
   Source: Phoenix City Charter, ch. III, § 4.

REQUEST FOR COUNCIL ACTION

Petitioner	Jerry Van Gasse
Address	4610 E Via Estrella Phoenix, AZ 85028
Phone	(602) 622-3515
Email	board@goodgoat.net
Date presented	October 21, 2026

Requested Legal Action

> For the City of Phoenix Council to vote on the Proposed Measure exactly as written.

Summary of Proposed Measure

Directs the City Manager to provide attributable written answers, within thirty days or before the Council votes to approve executive-session dates for 2027, whichever comes first, to six questions and to place the complete response in this petition's public legislative file. The questions ask:

- how Phoenix reviews a concern that an executive session exceeded its notice or exemption, including where City attorneys advised;
- what protects whoever raises it;
- what Phoenix reports publicly;
- who may seek an Attorney General opinion;
- what supports the City's confidentiality notice.

Council Action Required

Phoenix City Charter, Chapter IV, Section 22 provides that a written petition presented to the Council at a regular meeting **shall be acted upon by the Council in the regular course of business, within fifteen (15) days.** Section 8 provides that **the Council shall act only by resolution, ordinance, franchise, or formal recorded action.** The Proposed Measure is a formal recorded action.

Acting upon this petition requires that vote, as its own Formal Agenda item, with this Request and the Proposed Measure attached. Any change in the substance of the Proposed Measure, in whole or in part, makes it a different measure from the one proposed by the petitioner, and a vote on it is not action on this petition. Referral, a staff report, a General Information Packet entry, continuation, answers to some or all questions, or a consolidated vote also does not act upon this petition.

PROPOSED MEASURE

Executive-Session Complaints, Review, Protection, and Escalation (Formal Action)

SECTION 1. Council Direction and Deadline

The City Council directs the City Manager to provide the attributable written answers specified below. The complete response shall be placed in the public legislative file for Citizen Petition JV-20261021-07 no later than the earlier of (a) thirty (30) days after the Council adopts this Proposed Measure, or (b) the time the Council votes on any item approving, calling, or scheduling executive sessions for calendar year 2027.

SECTION 2. Required Written Answers

The City Manager shall assign each question to the official or employee with direct knowledge, responsibility, or subject-matter competence. The assigned person shall answer each numbered question and each labeled subpart separately and completely.

1. Describe the process that presently applies when a Councilmember alleges in good faith that an executive-session discussion exceeded the noticed subject. Identify the reviewing authority, who receives the allegation, who determines whether to investigate, what evidence may be reviewed, the standard applied, and any available review or appeal.

   1(a). Describe the process that presently applies when a Councilmember alleges in good faith that an executive-session discussion exceeded the invoked statutory exemption. Identify the reviewing authority, who receives the allegation, who determines whether to investigate, what evidence may be reviewed, the standard applied, and any available review or appeal.

2. Describe the conflict-screening or alternative-review process that applies when the conduct or advice of a Law Department attorney is within the scope of a reported executive-session concern. Address whether Phoenix makes an internal compliance determination and who makes it; any recusal, referral, or outside-review process; who invokes each process; and the authority governing it. State expressly if no such process exists.

3. Describe every current legal, ethical, employment, Council, or administrative protection or prohibition that may apply when a person acts in good faith concerning executive-session conduct. Address objections, preservation of evidence, proposed minute corrections, cooperation with an authorized investigation, and reports of suspected Open Meeting Law violations. Explain which protections or prohibitions apply to Councilmembers, employees, clerks, attorneys, contractors, and witnesses. For each identified protection or prohibition, identify the supporting authority, who receives a complaint, the available process, and the available remedy. State expressly if none has been identified.

4. Describe what information Phoenix publicly reports when it receives an executive-session Open Meeting Law concern or complaint. Address receipt, reviewing authority, procedural status, preservation measures, completion, disposition, corrective action, and referral. Describe what Phoenix withholds in each category and identify the authority supporting withholding.

5. Which Phoenix officials, if any, may request a formal Attorney General opinion under A.R.S. § 41-193(A)(7)? For each subpart, answer "authorized," "not authorized," "not determined," or "outside Phoenix's authority to determine," and identify the supporting authority.

   5(a). May the Mayor request an opinion?

5(b). May an individual Councilmember request an opinion?

5(c). May the City Council acting collectively request an opinion?

5(d). May the City Manager request an opinion?

5(e). May the City Attorney request an opinion?

5(f). May the City Clerk request an opinion?

5(g). Identify every other Phoenix officer or employee position that Phoenix considers potentially eligible. For each, provide the required answer and supporting authority.

5(h). Describe every outside authorized-requester route Phoenix recognizes. For each route, describe the City procedure for seeking the request, the factual record and approvals required, whether Phoenix has used the route, and each known instance of use.

6. Describe the executive-session confidentiality notice published on the City Council Executive Session Agendas webpage (https://www.phoenix.gov/administration/departments/law/city-attorneys-office/city-council-executive-session-agendas.html). Identify who drafted the notice and who approved its publication and each later revision, and the date each version was first published. If authorship or approval cannot be determined, state that expressly.

   6(a). State what "practice for E-session" means as used in the notice, and identify the legal authority Phoenix relies on for treating it as confidential. If the phrase has no defined meaning or no identified legal basis, state that expressly.

   6(b). State whether Phoenix's position is that written materials that would otherwise be public records become confidential because they are discussed or used in an executive session. Identify the supporting authority and any materially contrary authority considered.

   6(c). Identify the legal authority Phoenix relies on for the notice's statement that individuals who violate executive-session confidentiality "can be personally liable for criminal penalties, in addition to forfeiture of office or employment," and explain how A.R.S. § 38-431.07, the statute the notice cites, supports that statement.

   6(d). Describe how the notice and any attendee admonition, training, or instruction explain the persons to whom, and the purposes for which, executive-session information may lawfully be disclosed under A.R.S. §§ 38-431.03(B) and (F) and 38-431.07(C), including reporting a suspected Open Meeting Law violation to the Attorney General or a county attorney. If no instrument explains these routes, state that expressly.

   6(e). Identify every other City notice, admonition, form, training material, or instruction that contains the same or substantially similar confidentiality language, where each appears, and its intended audience.

The requested response to Question 6 and its subparts is a statement of the City's general legal position and practice, not personal legal advice or an adjudication of any person's liability.

SECTION 3. Written-Answer Standards

1. Reproduce each numbered question and labeled subpart unchanged immediately before its separate answer.
2. Identify the person answering, that person's title and department, and whether the answer is based on direct knowledge, identified records, identified legal authority, or another stated source.

3. When a question asks for a yes-or-no answer, begin with "yes," "no," or "the City cannot determine," before providing any explanation.
4. When a question asks for the City's position, interpretation, policy, or practice, state it expressly and identify the supporting authority, records, written policies, and materially contrary authority considered. State expressly if no City position, written policy, or uniform practice exists.
5. Distinguish an existing fact, current practice, written policy, legal position, and proposed future action. Do not present one as another.
6. If the City cannot answer a question, state that expressly, identify the information needed to answer it, identify the person or entity believed to possess that information, and describe the steps taken to obtain it.
7. If the City contends that any part of an answer cannot lawfully be disclosed, answer every reasonably separable part and identify the specific legal authority asserted for not answering the remainder without disclosing protected information.
8. A response to a rephrased or different question does not answer the submitted question.

SECTION 4. Public Response Package
The City Manager shall place the following in the public legislative file for Citizen Petition JV-20261021-07:

1. The complete written answers;
2. A response index matching every numbered question and every labeled subpart to its separate answer or expressly stated inability to answer; and
3. A specific citation to each record, legal authority, or written policy relied upon, including a direct, stable public link when one is available.

SECTION 5. Scope
This Proposed Measure directs written answers. It does not submit or incorporate a public-records request and does not require production of cited records. Any public-records request concerning the subject remains a separate request with an independent receipt date, scope, process, and legal effect.

SECTION 6. Continuing Responsibility
The City Manager remains responsible for the completeness and timely placement of the response package notwithstanding assignment of individual questions to another official, employee, department, or contractor.

CITIZEN PETITION

pursuant to Phoenix City Charter, Chapter IV, Sec. 22, requests the City Council to:

ADOPT AN ORDINANCE AMENDING THE PHOENIX CITY CODE REGARDING PUBLIC PRESERVATION OF OPEN MEETING LAW OBJECTIONS

Submitted by:
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Jerry Van Gasse
Date: 10-21-26

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CITY CLERK DEPT.

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Summary 3–5
The petitioner's case: the problem, what the Proposed Measure does, why the Council should adopt it, and the supporting facts.

Request for Council Action 6
The legal request: a recorded vote of the City Council, within fifteen days, approving or denying the Proposed Measure exactly as written.

Proposed Measure 7–8
The exact measure the Council is asked to vote on, written in the City's own form.

SUMMARY

The Problem

State law protects a Council member who objects to an Open Meeting Law violation, but only if the objection is on a public record. If the Attorney General sues a member over a knowing violation, the court may decline to impose a civil penalty on a member who "objected to the action of the public body" where "the objection is noted on a public record" (Fact 4).

Inside an executive session, there is no public record. Executive-session minutes and discussions are confidential (Fact 1). People who receive executive-session information may pass it on only through narrow routes (Fact 2). The City's own executive-session webpage tells readers that discussions "cannot be disclosed to anyone" (Fact 9).

A member who objects behind closed doors therefore has no way to put that objection where the statute says it counts. No published Phoenix procedure was located for making such an objection or for noting it publicly. The Council's rules set a procedure for announcing a conflict of interest, but contain no rule about executive sessions at all (Facts 7–8).

What the Proposed Measure Does

Adopt an ordinance adding a new section to Chapter 2 of the Phoenix City Code that lets a Council member object during an executive session that the Open Meeting Law is being or would be violated, records the objection in the confidential minutes, and requires the City Clerk to announce publicly, under the Council's agreement in each authorizing vote, only the member's name, the agenda item and the fact of the objection.

Why the Council Should Adopt It

- **It gives a state-law protection a working procedure.**
  Section 38-431.07(A) lets a court weigh whether a member's objection "is noted on a public record" (Fact 4). No member should have to choose between keeping a confidence and preserving that record. The ordinance lets the member do both. The substance stays in the confidential minutes; only the member's name, the agenda item and the fact of an objection become public.

- **It uses the disclosure route the statute already provides.**
  Section 38-431.03(F) allows executive-session information to be disclosed "by agreement with the public body" (Fact 2). The ordinance makes that agreement explicit, in public, in

the vote authorizing each session, and confines it to the narrow notice the ordinance requires. Nothing else is released.

- **It keeps a complete record where the law already looks for one.**
  State law requires executive-session minutes and allows the Council to include "other matters as may be deemed appropriate" (Fact 5). The ordinance uses that authority to record each objection and its disposition in the confidential minutes. A court may review those minutes in camera in a challenge (Fact 6).

- **It treats objections the way the Council already treats conflicts.**
  Rule 13 tells a member with a potential conflict to declare it and step aside (Fact 8). The ordinance gives a member with an Open Meeting Law concern a comparable, defined step.

- **It decides nothing about anyone's conduct.**
  The ordinance states that it determines no violation and guarantees no outcome. A public notice that an objection was made says only that a member raised a concern. That is fair to members, to the Council and to the public.

The Facts

1. Minutes of and discussions made at executive sessions "shall be kept confidential" except from:
   - members of the public body;
   - officers, appointees or employees who were the subject of a discussion under paragraph (A)(1);
   - the auditor general in connection with an authorized audit;
   - a county attorney or the Attorney General investigating alleged violations.

   Source: A.R.S. § 38-431.03(B).
2. A person receiving executive-session information under § 38-431.03 or § 38-431.06 "shall not disclose that information except to the attorney general or county attorney, by agreement with the public body or to a court in camera for purposes of enforcing this article." Such a disclosure does not waive any privilege, including the attorney-client privilege.
   Source: A.R.S. § 38-431.03(F).
3. The public body "shall instruct persons who are present at the executive session regarding the confidentiality requirements of this article."
   Source: A.R.S. § 38-431.03(C).
4. The Attorney General may sue an individual member of a public body for a knowing violation of the Open Meeting Law. The court may impose a civil penalty, which the public body may not pay on the member's behalf or reimburse. The statute adds: "If the court finds that a person who might otherwise be liable under this subsection objected to the action of the public body and the objection is noted on a public record, the court may choose not to impose a civil penalty on that person."
   Source: A.R.S. § 38-431.07(A).
5. Every public body must provide for "written minutes or a recording of all their meetings, including executive sessions." Minutes of executive sessions must include:

- the date, time and place;
- the members present or absent;
- a general description of the matters considered;
- an accurate description of instructions given under paragraphs (A)(4), (5) and (7);
- "and other matters as may be deemed appropriate by the public body."

Source: A.R.S. § 38-431.01(C), (D).

6. In an action challenging the validity of an executive session, the court may review the minutes in camera. If it determines that the minutes are relevant and that justice so demands, it may disclose them to the parties or admit them in evidence, in whole or in part.
Source: A.R.S. § 38-431.07(C).

7. No rule in the Council's rules of proceedings, City Code § 2-60, refers to executive sessions. None sets a procedure for an objection made during an executive session or for review or correction of executive-session minutes.
Source: Phoenix City Code § 2-60 (codified text viewed Oct. 12, 2026).

8. Four of the Council's rules bear on conflicts, abstentions and enforcement:
   - Rule 13: "[w]hen a member recognizes a potential conflict of interest, the member shall declare the potential conflict and refrain from voting or participating in any manner in the matter."
   - Rule 7(i): "[a] failure to vote or a voluntary abstention shall count as an 'aye' vote unless excused by an announced conflict of interest."
   - Rule 8(d): a member may interrupt a speaker only "to make a point of order or point of personal privilege."
   - Rule 10(a): the rules "shall be enforced by the presiding officer, subject to an appeal to the Council."

   Source: Phoenix City Code § 2-60, Rules 7(i), 8(d), 10(a), 13.

9. The City's City Council Executive Session Agendas webpage states: "All discussions in E-session, or practice for E-session, are confidential and cannot be disclosed to anyone." The same paragraph states: "Materials, minutes, and discussions utilized during E-session are confidential and cannot be disclosed unless otherwise provided by law."
Source: City of Phoenix, City Council Executive Session Agendas webpage, viewed Oct. 12, 2026.

10. City Code § 2-60 is established "[i]n accordance with the provisions of Chapter IV, Section 7 of the Charter," and lists sixteen amending ordinances from 1996 to 2021 in its history note. Rule 10(b) provides: "Unless otherwise provided by law, these rules may be suspended or modified at any time, by a majority vote of the Council."
Source: Phoenix City Code § 2-60, introductory clause, Rule 10(b) and history note.

REQUEST FOR COUNCIL ACTION

Petitioner	Jerry Van Gasse
Address	4610 E Vía Estrella Phoenix, AZ 85028
Phone	(602) 622-3515
Email	board@goodgoat.net
Date presented	October 21, 2026

Requested Legal Action

> For the City of Phoenix Council to vote on the Proposed Measure exactly as written.

Summary of Proposed Measure

Adopt an ordinance adding a new section to Chapter 2 of the Phoenix City Code that lets a Council member object during an executive session that the Open Meeting Law is being or would be violated, records the objection in the confidential minutes, and requires the City Clerk to announce publicly, under the Council's agreement in each authorizing vote, only the member's name, the agenda item and the fact of the objection.

Council Action Required

Phoenix City Charter, Chapter IV, Section 22 provides that a written petition presented to the Council at a regular meeting **shall be acted upon by the Council in the regular course of business, within fifteen (15) days.** Section 8 provides that **the Council shall act only by resolution, ordinance, franchise, or formal recorded action.** The Proposed Measure is an ordinance.

Acting upon this petition requires that vote, as its own Formal Agenda item, with this Request and the Proposed Measure attached. Any change in the substance of the Proposed Measure, in whole or in part, makes it a different measure from the one proposed by the petitioner, and a vote on it is not action on this petition. Referral, a staff report, a General Information Packet entry, continuation, or a consolidated vote also does not act upon this petition.

PROPOSED MEASURE

Current Code text used	Phoenix City Code as published by the City's codifier at phoenix.municipal.codes, retrieved October 13, 2026
Codifier's stated currency	Current through Ordinance G-7524, passed June 17, 2026, as stated by the codifier on October 13, 2026
Amendment marking	Additions in CAPITAL LETTERS; deletions in strikethrough.

ORDINANCE G-_____

AN ORDINANCE AMENDING CHAPTER 2, PHOENIX CITY CODE, BY ADDING SECTION 2-____, RELATING TO PUBLIC PRESERVATION OF OPEN MEETING LAW OBJECTIONS MADE DURING EXECUTIVE SESSIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That Chapter 2, Article II of the Phoenix City Code is hereby amended by adding Section 2-____ to read as follows:

2-____. PUBLIC PRESERVATION OF OPEN MEETING LAW OBJECTIONS MADE DURING EXECUTIVE SESSIONS.

A. BEFORE THE PUBLIC IS EXCLUDED, THE MOTION AUTHORIZING EACH EXECUTIVE SESSION SHALL INCLUDE THE COUNCIL'S AGREEMENT UNDER A.R.S. § 38-431.03(F) TO THE LIMITED PUBLIC DISCLOSURE REQUIRED BY SUBSECTIONS D AND E IF A COUNCIL MEMBER MAKES AN OBJECTION UNDER THIS SECTION DURING THAT EXECUTIVE SESSION. NO EXECUTIVE SESSION SHALL BEGIN UNLESS THE PUBLIC VOTE AUTHORIZING THE EXECUTIVE SESSION INCLUDES THAT AGREEMENT.

B. A COUNCIL MEMBER MAY OBJECT DURING AN EXECUTIVE SESSION THAT DISCUSSION, CONSIDERATION, CONSULTATION, INSTRUCTION, OR OTHER CONDUCT HAS VIOLATED OR WOULD VIOLATE THE ARIZONA OPEN MEETING LAW. THE MEMBER SHALL MAKE THE OBJECTION AUDIBLY DURING THE EXECUTIVE SESSION OR DELIVER IT IN WRITING TO THE CITY CLERK BEFORE THE EXECUTIVE SESSION ENDS. THE OBJECTION MAY BE MADE WITHOUT STATING CONFIDENTIAL SUBSTANCE.

C. THE CITY CLERK SHALL RECORD IN THE CONFIDENTIAL EXECUTIVE-SESSION MINUTES:

1. THE NAME OF THE OBJECTING COUNCIL MEMBER;
2. THE TIME OF THE OBJECTION;
3. THE AGENDA ITEM TO WHICH THE OBJECTION RELATES;
4. THE OBJECTION AS STATED BY THE MEMBER; AND
5. ANY RULING, RESPONSE, CORRECTIVE ACTION, OR OTHER DISPOSITION OF THE OBJECTION.

D. WHEN THE COUNCIL RETURNS TO PUBLIC SESSION, THE CITY CLERK SHALL MAKE THE FOLLOWING ANNOUNCEMENT BEFORE THE MEETING ADJOURNS:

DURING EXECUTIVE-SESSION CONSIDERATION OF AGENDA ITEM [AGENDA ITEM NUMBER], COUNCILMEMBER [NAME OF COUNCIL MEMBER] MADE AN OBJECTION

CONCERNING COMPLIANCE WITH THE ARIZONA OPEN MEETING LAW. THIS NOTICE DISCLOSES ONLY THE MEMBER'S IDENTITY AND THE FACT OF THE OBJECTION PURSUANT TO THE COUNCIL'S AGREEMENT UNDER A.R.S. § 38-431.03(F) AND DOES NOT DISCLOSE THE OBJECTION'S SUBSTANCE OR OTHER CONFIDENTIAL EXECUTIVE-SESSION INFORMATION.

IF THE COUNCIL DOES NOT RETURN TO PUBLIC SESSION BEFORE ADJOURNMENT, THE CITY CLERK SHALL POST THE SAME NOTICE IN THE PUBLIC LEGISLATIVE FILE NO LATER THAN ONE WORKING DAY AFTER THE EXECUTIVE SESSION ENDS.

E. THE PUBLIC MINUTES SHALL IDENTIFY THE OBJECTING COUNCIL MEMBER, THE AGENDA ITEM, AND THE FACT THAT THE MEMBER MADE AN OBJECTION CONCERNING COMPLIANCE WITH THE ARIZONA OPEN MEETING LAW. THE PUBLIC ANNOUNCEMENT AND MINUTES SHALL NOT STATE OR IMPLY THE SUBSTANCE OF CONFIDENTIAL DISCUSSION, LEGAL ADVICE, A COUNCIL MEMBER'S POSITION ON THE UNDERLYING MATTER, OR ANY OTHER CONFIDENTIAL EXECUTIVE-SESSION INFORMATION.

F. THE AGREEMENT REQUIRED BY SUBSECTION A AUTHORIZES ONLY THE LIMITED DISCLOSURE REQUIRED BY SUBSECTIONS D AND E FOR THE PARTICULAR EXECUTIVE SESSION AUTHORIZED BY THAT VOTE. NO OTHER EXECUTIVE-SESSION INFORMATION IS AUTHORIZED FOR DISCLOSURE BY THIS SECTION OR BY THE AGREEMENT.

G. NOTHING IN THIS SECTION DETERMINES WHETHER A VIOLATION OCCURRED, LIMITS AN OBJECTION TO CONDUCT THAT IS ULTIMATELY ADJUDICATED TO BE UNLAWFUL, OR GUARANTEES THAT AN OBJECTION WILL PREVENT LIABILITY OR A CIVIL PENALTY. THIS SECTION CREATES THE PUBLIC RECORD OF AN OBJECTION CONTEMPLATED BY A.R.S. § 38-431.07(A) WHILE PRESERVING CONFIDENTIAL EXECUTIVE-SESSION INFORMATION.

H. THIS SECTION DOES NOT LIMIT DISCLOSURE TO THE ATTORNEY GENERAL, A COUNTY ATTORNEY, A COURT CONDUCTING AN IN CAMERA REVIEW, OR ANOTHER PERSON WHEN ACCESS OR DISCLOSURE IS AUTHORIZED OR REQUIRED BY A.R.S. §§ 38-431.03(B), 38-431.03(F), 38-431.06, 38-431.07(C), OR OTHER CONTROLLING LAW.

I. THIS SECTION IS NOT SUBJECT TO SUSPENSION OR MODIFICATION UNDER RULE 10(B) OF SECTION 2-60.

SECTION 2. NO APPROPRIATION. This Ordinance appropriates no funds.

SECTION 3. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect any other provision or application that can be given effect without the invalid provision or application.

SECTION 4. This ordinance shall take effect and become operative thirty days after passage.

CITIZEN PETITION

pursuant to Phoenix City Charter, Chapter IV, Sec. 22, requests the City Council to:

PROVIDE ANSWERS REGARDING EXECUTIVE SESSION OBJECTIONS

Submitted by:
Jerry Van Gasse
4610 E Vía Estrella
Phoenix, AZ 85028
(602) 622-3515
board@goodgoat.net

Jerry Van Gasse
Date: 10-21-26

2025 OCT 21 PM 1:51
CITY CLERK DEPT.

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The legal request: a recorded vote of the City Council, within fifteen days, approving or denying the Proposed Measure exactly as written.

Proposed Measure 8–10
The exact measure the Council is asked to vote on, written in the City's own form.

SUMMARY

The Problem

State law protects a Councilmember who objects to an Open Meeting Law violation, but only if the objection is on a public record. If the Attorney General sues a member over a knowing violation, the court may decline to impose a civil penalty on a member who "objected to the action of the public body" where "the objection is noted on a public record" (Fact 4).

Inside an executive session, there is no public record. Executive-session minutes and discussions are confidential (Fact 1). People who receive executive-session information may pass it on only through narrow routes (Fact 2). The City's own executive-session webpage tells readers that discussions "cannot be disclosed to anyone" (Fact 9).

That leaves basic questions with no public answer:

- How does a member object in the room?
- How does the objection reach a public record without revealing confidential substance?
- What may the member say afterward?
- How does a member review the written minutes of the session, or a recording if one is kept, and seek a correction?

No published Phoenix procedure was located for any of these steps. The Council's rules set a procedure for announcing a conflict of interest, but contain no rule about executive sessions (Facts 7–8).

What the Proposed Measure Does

Directs the City Manager to provide attributable written answers, within thirty days or before the Council votes to approve executive-session dates for 2027, whichever comes first, to six questions, and to place the complete response in the public legislative file for this petition. The questions ask:

- how a Councilmember may object during an executive session, and how that objection can be noted on a public record without disclosing confidential substance;
- what the member may say publicly afterward;
- how a member reviews and seeks correction of executive-session minutes.

Why the Council Should Adopt It

- **State law gives an objection a public-record role, and members need to know how to use it.**
  Section 38-431.07(A) lets a court weigh whether a member's objection "is noted on a public record" (Fact 4). A protection that depends on a public record is worthless if no one can say how a confidential objection gets onto one. Question 2 asks the City to say.

- **Members should not have to guess what they may say.**
  The confidentiality statute has exceptions and a disclosure route "by agreement with the public body" (Facts 1–2). The City's webpage says, in different sentences, both that discussions "cannot be disclosed to anyone" and that materials, minutes and discussions cannot be disclosed "unless otherwise provided by law" (Fact 9). Question 4 asks the City to state, in general terms, what a member may say publicly about the fact of an objection, nonparticipation or departure, without touching confidential substance.

- **The minutes are the official record of a closed session, and their accuracy cannot rest on an unwritten process.**
  State law requires "written minutes or a recording" of every executive session, and lets the Council include in minutes "other matters as may be deemed appropriate" (Fact 5). In a challenge, a court may review those minutes (Fact 6). Question 6 asks how a member reviews them and seeks a correction.

- **The Council already has a model for conflicts.**
  Rule 13 tells a member with a potential conflict exactly what to do: declare it and refrain from participating (Fact 8). The Council's rules say nothing comparable about objections in an executive session.

- **The questions are neutral and answerable.**
  Each can be answered with the current procedure, "none" or "the City cannot determine," with an explanation. They ask about general procedure and position, not about any session, member or past event.

The Facts

1. Minutes of and discussions made at executive sessions "shall be kept confidential" except from:
   - members of the public body;
   - officers, appointees or employees who were the subject of a discussion under paragraph (A)(1);
   - the auditor general in connection with an authorized audit;
   - a county attorney or the Attorney General investigating alleged violations.

   Source: A.R.S. § 38-431.03(B).
2. A person receiving executive-session information under § 38-431.03 or § 38-431.06 "shall not disclose that information except to the attorney general or county attorney, by agreement with

the public body or to a court in camera for purposes of enforcing this article." Such a disclosure does not waive any privilege, including the attorney-client privilege.
Source: A.R.S. § 38-431.03(F).

3. The public body "shall instruct persons who are present at the executive session regarding the confidentiality requirements of this article."
Source: A.R.S. § 38-431.03(C).

4. The Attorney General may sue an individual member of a public body for a knowing violation of the Open Meeting Law. The court may impose a civil penalty, which the public body may not pay on the member's behalf or reimburse. The statute adds: "If the court finds that a person who might otherwise be liable under this subsection objected to the action of the public body and the objection is noted on a public record, the court may choose not to impose a civil penalty on that person."
Source: A.R.S. § 38-431.07(A).

5. Every public body must provide for "written minutes or a recording of all their meetings, including executive sessions." Minutes of executive sessions must include:
   - the date, time and place;
   - the members present or absent;
   - a general description of the matters considered;
   - an accurate description of instructions given under paragraphs (A)(4), (5) and (7);
   - "and other matters as may be deemed appropriate by the public body."

   Source: A.R.S. § 38-431.01(C), (D).

6. In an action challenging the validity of an executive session, the court may review the minutes in camera. If it determines that the minutes are relevant and that justice so demands, it may disclose them to the parties or admit them in evidence, in whole or in part.
Source: A.R.S. § 38-431.07(C).

7. No rule in the Council's rules of proceedings, City Code § 2-60, refers to executive sessions. None sets a procedure for an objection made during an executive session or for review or correction of executive-session minutes.
Source: Phoenix City Code § 2-60 (codified text viewed Oct. 12, 2026).

8. Four of the Council's rules bear on conflicts, abstentions and enforcement:
   - Rule 13: "[w]hen a member recognizes a potential conflict of interest, the member shall declare the potential conflict and refrain from voting or participating in any manner in the matter."
   - Rule 7(i): "[a] failure to vote or a voluntary abstention shall count as an 'aye' vote unless excused by an announced conflict of interest."
   - Rule 8(d): a member may interrupt a speaking member only "to make a point of order or point of personal privilege."
   - Rule 10(a): the rules "shall be enforced by the presiding officer, subject to an appeal to the Council."

   Source: Phoenix City Code § 2-60, Rules 7(i), 8(d), 10(a), 13.

9. The City's City Council Executive Session Agendas webpage states: "All discussions in E-session, or practice for E-session, are confidential and cannot be disclosed to anyone." The same paragraph states: "Materials, minutes, and discussions utilized during E-session are confidential and cannot be disclosed unless otherwise provided by law."
   Source: City of Phoenix, City Council Executive Session Agendas webpage, viewed Oct. 12, 2026.

REQUEST FOR COUNCIL ACTION

Petitioner	Jerry Van Gasse
Address	4610 E Vía Estrella Phoenix, AZ 85028
Phone	(602) 622-3515
Email	board@goodgoat.net
Date presented	October 21, 2026

Requested Legal Action

> For the City of Phoenix Council to vote on the Proposed Measure exactly as written.

Summary of Proposed Measure

Directs the City Manager to provide attributable written answers, within thirty days or before the Council votes to approve executive-session dates for 2027, whichever comes first, to six questions, and to place the complete response in the public legislative file for this petition. The questions ask:

- how a Councilmember may object during an executive session, and how that objection can be noted on a public record without disclosing confidential substance;
- what the member may say publicly afterward;
- how a member reviews and seeks correction of executive-session minutes.

Council Action Required

Phoenix City Charter, Chapter IV, Section 22 provides that a written petition presented to the Council at a regular meeting **shall be acted upon by the Council in the regular course of business, within fifteen (15) days.** Section 8 provides that **the Council shall act only by resolution, ordinance, franchise, or formal recorded action.** The Proposed Measure is a formal recorded action.

Acting upon this petition requires that vote, as its own Formal Agenda item, with this Request and the Proposed Measure attached. Any change in the substance of the Proposed Measure, in whole or in part, makes it a different measure from the one proposed by the petitioner, and a vote on it is not action on this petition. Referral, a staff report, a General Information Packet entry, continuation, answers to some or all questions, or a consolidated vote also does not act upon this petition.

PROPOSED MEASURE

Executive-Session Objections and Correction of the Record (Formal Action)

SECTION 1. Council Direction and Deadline
The City Council directs the City Manager to provide the attributable written answers specified below. The complete response shall be placed in the public legislative file for Citizen Petition JV-20261021-04 no later than the earlier of (a) thirty (30) days after the Council adopts this Proposed Measure, or (b) the time the Council votes on any item approving, calling, or scheduling executive sessions for calendar year 2027.

SECTION 2. Required Written Answers
The City Manager shall assign each question to the official or employee with direct knowledge, responsibility, or subject-matter competence. The assigned person shall answer each numbered question and each labeled subpart separately and completely.

1. Describe the procedure that currently permits a Councilmember to object when the member believes an executive-session discussion exceeds the noticed subject. Include to whom the objection is made, what the member may say, how the objection is acknowledged, and what record is created.

   1(a). Describe the procedure that currently permits a Councilmember to object when the member believes an executive-session discussion exceeds the invoked statutory exemption. Include to whom the objection is made, what the member may say, how the objection is acknowledged, and what record is created.

2. How may a member cause an objection arising during a confidential executive session to be "noted on a public record" for purposes of A.R.S. § 38-431.07(A)?

   2(a). How may the member do so without unlawfully disclosing confidential executive-session substance?

3. May a Councilmember presently submit a contemporaneous confidential written objection concerning an executive session?

   3(a). If so, describe the complete process, including to whom and in what form it is submitted, the governing authority, how receipt is acknowledged, where and how it is preserved, who may access it, and how it is reflected in the official record.

   3(b). If not, identify the authority Phoenix believes precludes it.

4. After the Council returns to open session, may a member state publicly, without revealing confidential substance, that the member objected to some or all of the executive-session discussion?

   4(a). May the member state publicly that the member ceased participating?

   4(b). May the member state publicly that the member left the executive session?

   4(c). Describe any limitations on those public statements, including any material wording or circumstance and what the member may and may not say.

5. Describe Phoenix's current general legal position on the conduct of a Councilmember after the member objects that an executive-session discussion exceeds the noticed subject. Address stopping

participation, requesting a ruling, abstaining, leaving, otherwise preserving the objection, continued physical presence, and how any departure should be recorded.

5(a). Describe Phoenix's current general legal position on the conduct of a Councilmember after the member objects that an executive-session discussion exceeds the invoked statutory exemption. Address stopping participation, requesting a ruling, abstaining, leaving, otherwise preserving the objection, continued physical presence, and how any departure should be recorded.

The requested response to Question 5 and its subparts is a statement of the City's general position, not personal legal advice or an adjudication of individual liability.

6. Describe the procedure that allows a participating Councilmember to review draft executive-session minutes.

   6(a). Describe the procedure that allows the member to challenge draft executive-session minutes.

   6(b). Describe the procedure that allows the member to review approved executive-session minutes.

   6(c). Describe the procedure that allows the member to challenge approved executive-session minutes.

   6(d). For each procedure, address claimed omissions or misstatements concerning a discussion, instruction, attendance fact, objection, nonparticipation, or departure. Describe how a proposed correction is preserved, who decides whether it is accepted, and the process governing that decision. State expressly if the procedures do not differ between draft and approved minutes.

SECTION 3. Written-Answer Standards

1. Reproduce each numbered question and labeled subpart unchanged immediately before its separate answer.
2. Identify the person answering, that person's title and department, and whether the answer is based on direct knowledge, identified records, identified legal authority, or another stated source.
3. When a question asks for a yes-or-no answer, begin with "yes," "no," or "the City cannot determine," before providing any explanation.
4. When a question asks for the City's position, interpretation, policy, or practice, state it expressly and identify the supporting authority, records, written policies, and materially contrary authority considered. State expressly if no City position, written policy, or uniform practice exists.
5. Distinguish an existing fact, current practice, written policy, legal position, and proposed future action. Do not present one as another.
6. If the City cannot answer a question, state that expressly, identify the information needed to answer it, identify the person or entity believed to possess that information, and describe the steps taken to obtain it.
7. If the City contends that any part of an answer cannot lawfully be disclosed, answer every reasonably separable part and identify the specific legal authority asserted for not answering the remainder without disclosing protected information.
8. A response to a rephrased or different question does not answer the submitted question.

SECTION 4. Public Response Package

The City Manager shall place the following in the public legislative file for Citizen Petition JV-20261021-04:

1. The complete written answers;
2. A response index matching every numbered question and every labeled subpart to its separate answer or expressly stated inability to answer; and
3. A specific citation to each record, legal authority, or written policy relied upon, including a direct, stable public link when one is available.

SECTION 5. Scope
This Proposed Measure directs written answers. It does not submit or incorporate a public-records request and does not require production of cited records. Any public-records request concerning the subject remains a separate request with an independent receipt date, scope, process, and legal effect.

SECTION 6. Continuing Responsibility
The City Manager remains responsible for the completeness and timely placement of the response package notwithstanding assignment of individual questions to another official, employee, department, or contractor.

CITIZEN PETITION

pursuant to Phoenix City Charter, Chapter IV, Sec. 22, requests the City Council to:

COMPLETE THE CITY'S RESPONSE TO A PUBLIC RECORDS REQUEST REGARDING EXECUTIVE SESSION RULES BEFORE THE 2027 EXECUTIVE SESSION VOTE

Submitted by:
Jerry Van Gasse
4610 E Via Estrella
Phoenix, AZ 85028
(602) 622-3515
board@goodgoat.net

Jerry Van Gasse
Date: 10-21-25

2025 OCT 21 PM 4:51
CITY CLERK DEPT.

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Request for Council Action 5
The legal request: a recorded vote of the City Council, within fifteen days, approving or denying the Proposed Measure exactly as written.

Proposed Measure 6–7
The exact measure the Council is asked to vote on, written in the City's own form.

SUMMARY

The Problem

The rules that govern executive sessions, the meetings the public cannot attend, are not published in any City rule a resident can find. On October 15, 2026, GOOD|GOAT asked the City for those rules: every City Code provision, Administrative Regulation and internal procedure governing executive sessions since January 1, 2019. State law requires the City to produce public records promptly, but "promptly" carries no fixed date. In each of the last four years, the Council approved the next year's executive-session dates in November or December. Without a deadline, the rules may arrive after the Council votes on 2027.

What the Proposed Measure Does

Directs the City Manager to complete the City's response to public records request R042125-101526 no later than fifteen days after the Council adopts this measure or before the Council votes on 2027 executive-session dates, whichever comes first, with rolling production and public status reports.

Why the Council Should Adopt It

- **The Council should see its own rules before it uses them.**
  The vote on 2027 executive-session dates is where those rules are put to work.
- **The request asks for rules, not secrets.**
  It expressly excludes the content of any executive-session discussion, minutes, recording or legal advice.
- **The records exist or they don't.**
  Code provisions, regulations and written procedures can be located, not researched. If none exist, saying so is a complete answer.
- **A deadline adds no new duty.**
  The City must already produce these records promptly. The measure gives that duty a date.

The Facts

1. Phoenix City Code § 2-60, the Rules of Council Proceedings, contains no rule that refers to executive sessions.
   Source: Phoenix City Code § 2-60 (codified text viewed Oct. 12, 2026).

2. The Council's yearly executive-session items were considered on Dec. 14, 2022, Dec. 6, 2023, Nov. 13, 2024 and Nov. 5, 2025. Each asked the Council to call meetings "for the purpose of holding an Executive Session pursuant to" A.R.S. § 38-431.03(A) on listed dates.
   Source: City Council Formal Meeting agendas, Dec. 14, 2022, Item 57; Dec. 6, 2023, Item 36; Nov. 13, 2024, Item 21; Nov. 5, 2025, Item 20.

3. GOOD|GOAT submitted public records request R042125-101526, which the City received on October 15, 2026.
   Source: City of Phoenix Public Records Center confirmation, Oct. 15, 2026 (attached).

4. Arizona law requires public records to be produced promptly.
   Source: A.R.S. §§ 39-121, 39-121.01.

REQUEST FOR COUNCIL ACTION

Petitioner	Jerry Van Gasse
Address	4610 E Vía Estrella Phoenix, AZ 85028
Phone	(602) 622-3515
Email	board@goodgoat.net
Date presented	October 21, 2026

Requested Legal Action

> For the City of Phoenix Council to vote on the Proposed Measure exactly as written.

Summary of Proposed Measure

Directs the City Manager to complete the City's response to public records request R042125-101526 no later than fifteen days after the Council adopts this measure or before the Council votes on 2027 executive-session dates, whichever comes first, with rolling production and public status reports.

Public Records Request Identified

Request status	NEW REQUEST, SUBMITTED BEFORE THIS PETITION
Original submission date	October 15, 2026
Submission method	City of Phoenix Public Records Center (online portal)
Tracking or confirmation number	R042125-101526

This petition does not replace, narrow, or restart the public-records request identified above.

Council Action Required

Phoenix City Charter, Chapter IV, Section 22 provides that a written petition presented to the Council at a regular meeting **shall be acted upon by the Council in the regular course of business, within fifteen (15) days.** Section 8 provides that **the Council shall act only by resolution, ordinance, franchise, or formal recorded action.** The Proposed Measure is a formal recorded action.

Acting upon this petition requires that vote, as its own Formal Agenda item, with this Request, the Proposed Measure and the public-records request attached. Any change in the substance of the Proposed Measure, in whole or in part, makes it a different measure from the one proposed by the petitioner, and a vote on it is not action on this petition. Referral, a staff report, a General Information Packet entry, continuation, a staff-projected date, production of some or all requested records, or a consolidated vote also does not act upon this petition.

PROPOSED MEASURE

Original submission date October 15, 2026

Tracking or confirmation number R042125-101526

Public Records Request Regarding Executive Session Rules (Formal Action)

Request to direct the City Manager, or his designee, to complete the City's response to the identified public-records request no later than the earlier of (a) fifteen (15) days after the Council adopts this Proposed Measure, or (b) the time the Council votes on any item approving, calling, or scheduling executive sessions for calendar year 2027, and to produce responsive records on a rolling basis as they become available rather than hold responsive records until every search, review, or record category is complete.

Production Status

No later than five business days after adoption of this Proposed Measure, or by the final production deadline if it occurs sooner, the City Manager shall place a production status in the public legislative file for Citizen Petition JV-20261021-14. The status shall address every numbered record category and identify:

1. Records already produced and their production date;
2. Records located but still under review;
3. Searches or reviews remaining;
4. Record categories for which no responsive record has been located;
5. Records or portions withheld or redacted and the specific legal authority asserted; and
6. The next production date for every incomplete category.

Final Response

The final response shall identify the disposition of every numbered record category as produced, no responsive record located, withheld in whole or in part, or withdrawn by the requester. A category is not complete merely because some responsive records have been produced.

Notice of Incomplete Response

If the City does not complete its response by the final production deadline, the City Manager shall place a written notice in the legislative file no later than that date identifying the incomplete categories, the reason each remains incomplete, the work remaining, and the City's next proposed completion date. That notice does not amend or extend the final production deadline.

Independent Legal Effect and Reservation of Rights

The public-records request is independently effective from its original submission and receipt. This Proposed Measure does not resubmit, replace, narrow, expand, or restart the request.

The final production deadline is a public City commitment. It does not define or extend the requirement of prompt production under A.R.S. §§ 39-121 and 39-121.01, constitute the requester's agreement that the final production deadline is prompt or reasonable, or waive any right or remedy unless the requester expressly agrees otherwise in a separate writing.

Public Legislative File

The City Manager shall place production indexes, withholding or redaction identifications, and the final response in the public legislative file for Citizen Petition JV-20261021-14. Each production index shall provide direct access to publicly available responsive records or identify the production through which they were provided.

PUBLIC RECORDS REQUEST

Records requested. For the period January 1, 2019 through the date the City receives this request, every version in effect at any time during that period of:

1. each City Code provision and Administrative Regulation governing executive sessions; and
2. all internal policies, procedures, manuals, protocols, checklists, templates, memoranda, guidance, training materials and other internal process documentation concerning how executive sessions are requested, placed on an agenda, reviewed, approved, noticed, conducted, attended, recorded, documented or preserved.

Limitation. This request does not seek the content of any executive-session discussion, minutes or recording, or any legal advice.

Production. Please produce records electronically, in native format where available, on a rolling basis as they are located.

GOOD GOAT

Jeremy Thacker <jeremy.thacker@goodgoat.net>

Public Records Request :: R042125-101526

1 message

CityOfPhoenixAZ Support <cityofphoenixaz@govqa.us>
To: "prr@goodgoat.net" <prr@goodgoat.net>

Thu, Oct 15, 2026 at 12:11 PM

City of Phoenix

Dear GOOD GOAT:

Thank you for your interest in public records of the City of Phoenix. Your request has been received and is being processed in accordance with ARS §39-121 or other applicable Arizona state or federal statutes. Your request was received on October 15, 2026 and given the reference number R042125-101526 for tracking purposes.

Records Requested: Records requested. For the period January 1, 2019 through the date the City receives this request, every version in effect at any time during that period of:

each City Code provision and Administrative Regulation governing executive sessions; and
all internal policies, procedures, manuals, protocols, checklists, templates, memoranda, guidance, training materials and other internal process documentation concerning how executive sessions are requested, placed on an agenda, reviewed, approved, noticed, conducted, attended, recorded, documented or preserved.

Limitation. This request does not seek the content of any executive-session discussion, minutes or recording, or any legal advice.

Production. Please produce records electronically, in native format where available, on a rolling basis as they are located.

Your request will be forwarded to the relevant department(s) to locate the information you seek and to determine the volume and any costs associated with satisfying your request. You will be contacted about the availability and/or provided with copies of the records in question.

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed.

City of Phoenix

To monitor the progress or update this request please log into the Public Records Center

Powered by GovQA

CITIZEN PETITION

pursuant to Phoenix City Charter, Chapter IV, Sec. 22, requests the City Council to:

ADOPT A RESOLUTION ESTABLISHING A CITY POLICY REGARDING ACCURATE EXECUTIVE SESSION CONFIDENTIALITY NOTICES

Submitted by:
Jerry Van Gasse
4610 E Via Estrella
Phoenix, AZ 85028
(602) 622-3515
board@goodgoat.net

Jerry Van Gasse
Date 10-21-26

2026 OCT 21 PM 4:54
CITY CLERK DEPT.

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The petitioner's case: the problem, what the Proposed Measure does, why the Council should adopt it, and the supporting facts.

Request for Council Action 7
The legal request: a recorded vote of the City Council, within fifteen days, approving or denying the Proposed Measure exactly as written.

Proposed Measure 8–9
The exact measure the Council is asked to vote on, written in the City's own form.

SUMMARY

The Problem

The City publishes a confidentiality notice on its City Council Executive Session Agendas webpage. It reads in full:

"All discussions in E-session, or practice for E-session, are confidential and cannot be disclosed to anyone. E-session may only include individuals whose presence is reasonably necessary for the public body to carry out its E-session responsibilities. A.R.S. § 38-431(2). Materials, minutes, and discussions utilized during E-session are confidential and cannot be disclosed unless otherwise provided by law. Individuals who violate E-session confidentiality can be personally liable for criminal penalties, in addition to forfeiture of office or employment, A.R.S. § 38-431.07."

Part of this notice is right. State law keeps executive-session minutes and discussions confidential, and it limits who may attend. The rest misstates the law in four ways:

- **Materials.** It declares "materials" used in a session confidential alongside minutes and discussions. The statute protects minutes and discussions. The Attorney General's guidance says written materials do not become confidential merely because they are discussed in executive session, and the Court of Appeals has held that § 38-431.03(B) confidentiality cannot be extended beyond its plain terms.
- **Lawful routes.** It says discussions "cannot be disclosed to anyone." State law names people who may receive that information, including the Attorney General or a county attorney investigating a suspected violation, and a court reviewing minutes privately.
- **Undefined phrase.** It claims confidentiality for "practice for E-session," a phrase the page does not define and no cited statute uses.
- **Penalties.** It cites A.R.S. § 38-431.07 for criminal penalties and forfeiture of office or employment. That statute provides civil enforcement, civil penalties and possible removal of a public officer who knowingly violates the law with intent to deprive the public of information. It contains no criminal penalty and no forfeiture of employment. Those consequences are in other statutes, with their own conditions.

What the Proposed Measure Does

Adopt a resolution establishing the City policy that every notice, admonition, acknowledgment, training material and instruction about executive-session confidentiality must state the law accurately and completely, and directing the City Manager to correct the City's notices, admonitions, training and records guidance to match within sixty days and to report on it within thirty days.

Why the Council Should Adopt It

- **People who attend executive sessions must be told the law accurately.**
  State law requires the Council to instruct everyone present about confidentiality (Fact 4). That instruction is only worth giving if it is correct. A Councilmember, employee, attorney or clerk who reads this notice is told that a civil enforcement statute carries criminal penalties. The notice does not say which statutes actually do, whom they cover or what mental state they require (Facts 6–7). Accurate guidance is how people comply.

- **The correction keeps confidentiality where the law puts it.**
  The resolution requires guidance that states what A.R.S. § 38-431.03 actually makes confidential. What changes is the suggestion that an ordinary public record becomes confidential because it was used in a session. Where a document is protected, it is protected by an identifiable authority, such as privilege, a records exemption or the security provision in § 38-431.03(A)(9) (Fact 5). It is not protected by having been in the room.

- **Lawful reporting routes must not be buried under an absolute warning.**
  The Attorney General or a county attorney may receive executive-session information when investigating a suspected violation, and a court may review minutes privately (Facts 2–3). These are narrow routes, not permission to publish. A warning that information "cannot be disclosed to anyone," backed by threatened criminal penalties, foreseeably discourages people from using them. The resolution requires the guidance to state each route, including reporting a suspected violation.

- **No confidentiality claim without a definition and a legal basis.**
  The resolution bars any notice or instruction from claiming confidentiality for a term or category it does not define and support with stated legal authority. That ends "practice for E-session" as an unexplained warning.

- **The fix is narrow and fast.**
  The resolution changes no statute, Council rule or executive-session procedure. It requires the City's own guidance to match the law the City already applies:
  - within sixty days, correct it, give the corrected versions to everyone who received the old ones and withdraw the old versions;
  - within thirty days, report publicly on progress.

The Facts

1. The City Council Executive Session Agendas webpage contains the confidentiality notice quoted in full under "The Problem." The page does not identify who wrote or approved the notice or when it was published.
   Source: City of Phoenix, City Council Executive Session Agendas webpage (phoenix.gov, Law Department, City Attorney's Office), viewed Oct. 12, 2026.
2. "Minutes of and discussions made at executive sessions shall be kept confidential except from":
   - members of the public body;
   - officers or employees who were the subject of a personnel discussion;
   - the Auditor General in an authorized audit;
   - "[a] county attorney or the attorney general when investigating alleged violations of this article."

   Source: A.R.S. § 38-431.03(B).
3. A person receiving executive-session information may not disclose it "except to the attorney general or county attorney, by agreement with the public body or to a court in camera for purposes of enforcing this article." Such disclosure does not waive any privilege.
   Source: A.R.S. § 38-431.03(F).
4. "The public body shall instruct persons who are present at the executive session regarding the confidentiality requirements of this article."
   Source: A.R.S. § 38-431.03(C).
5. Records, documentation, notes and other materials made by or provided to representatives in a security-related executive session "are confidential and exempt from public disclosure under this chapter and title 39, chapter 1."
   Source: A.R.S. § 38-431.03(A)(9).
6. A.R.S. § 38-431.07 provides for:
   - suits to require compliance;
   - civil penalties against a member who knowingly violates the law;
   - attorney fees;
   - possible removal from office of a public officer who knowingly violates the law "with intent to deprive the public of information."

   In an action challenging an executive session, the court may review minutes in camera. The statute contains no criminal penalty and no forfeiture of employment.
   Source: A.R.S. § 38-431.07(A), (C).
7. A public officer or employee "shall not disclose or use, without appropriate authorization, any information" acquired in official duties "that is declared confidential by law." The consequences of a violation are:
   - an intentional or knowing violation is a class 6 felony;
   - a reckless or negligent violation is a class 1 misdemeanor;
   - a person found guilty "shall forfeit his public office or employment if any."

Source: A.R.S. §§ 38-504(B), 38-510(A)–(B).

8. The Attorney General's Agency Handbook states: "Written materials, however, do not become confidential merely because they are discussed in executive session."
Source: Arizona Attorney General, Agency Handbook, ch. 7, § 7.9.5.2, at 7-23 (rev. 2018), azag.gov.

9. The same Handbook lists the persons to whom executive-session minutes and discussions may be disclosed. Besides the recipients named in § 38-431.03(B), the list includes:
    - staff, to the extent necessary to prepare and maintain the minutes;
    - the public body's attorney, to the extent necessary to represent it;
    - a court conducting a confidential inspection under § 38-431.07(C).

    The Handbook identifies §§ 38-504(B) and 38-510 as the source of criminal consequences for releasing confidential executive-session information.
Source: Arizona Attorney General, Agency Handbook, ch. 7, § 7.9.4, at 7-20 to 7-21 (rev. 2018), azag.gov.

10. The Arizona Court of Appeals held that confidentiality under § 38-431.03(B) "is extended only to '[m]inutes' and 'discussions,'" and that it "cannot extend the confidentiality established in § 38-431.03(B) beyond its plainly stated terms." The Arizona Supreme Court dismissed a petition for review on Aug. 21, 2026, and the mandate issued Sept. 17, 2026.
Source: Alley v. Pima County, No. 2 CA-CV 2025-0185, ¶¶ 32–35 (Ariz. App. June 16, 2026); Ariz. Sup. Ct. No. CV-26-0204-PR.

11. Only the following may attend an executive session: members, specified officers, appointees and employees, the Auditor General, and "individuals whose presence is reasonably necessary in order for the public body to carry out its executive session responsibilities."
Source: A.R.S. § 38-431(2).

12. The Phoenix City Charter provides:
    - "Except for the purpose of inquiry, the Council and its Members shall deal with the administrative service solely through the City Manager and neither the Council nor any Member thereof shall give orders to any subordinates of the City Manager, either publicly or privately."
    - "The Council shall act only by resolution, ordinance, franchise, or formal recorded action."

    Source: Phoenix City Charter, ch. III, § 4; ch. IV, § 8.

REQUEST FOR COUNCIL ACTION

Petitioner	Jerry Van Gasse
Address	4610 E Vía Estrella Phoenix, AZ 85028
Phone	(602) 622-3515
Email	board@goodgoat.net
Date presented	October 21, 2026

Requested Legal Action

> For the City of Phoenix Council to vote on the Proposed Measure exactly as written.

Summary of Proposed Measure

Adopt a resolution establishing the City policy that every notice, admonition, acknowledgment, training material and instruction about executive-session confidentiality must state the law accurately and completely, and directing the City Manager to correct the City's notices, admonitions, training and records guidance to match within sixty days and to report on it within thirty days.

Council Action Required

Phoenix City Charter, Chapter IV, Section 22 provides that a written petition presented to the Council at a regular meeting **shall be acted upon by the Council in the regular course of business, within fifteen (15) days.** Section 8 provides that **the Council shall act only by resolution, ordinance, franchise, or formal recorded action.** The Proposed Measure is a resolution.

Acting upon this petition requires that vote, as its own Formal Agenda item, with this Request and the Proposed Measure attached. Any change in the substance of the Proposed Measure, in whole or in part, makes it a different measure from the one proposed by the petitioner, and a vote on it is not action on this petition. Referral, a staff report, a General Information Packet entry, continuation, or a consolidated vote also does not act upon this petition.

PROPOSED MEASURE

RESOLUTION _____

A RESOLUTION ADOPTING A CITY POLICY ON ACCURATE EXECUTIVE-SESSION CONFIDENTIALITY NOTICES AND INSTRUCTIONS AND DIRECTING THE CITY MANAGER TO IMPLEMENT IT.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. POLICY. That it is the policy of the City of Phoenix that every notice, admonition, acknowledgment, training material, and instruction the City issues about the confidentiality of executive sessions states the law accurately and completely, including what A.R.S. § 38-431.03 makes confidential; that a record otherwise open to the public does not become confidential because it was discussed or used in an executive session; each disclosure permitted by A.R.S. §§ 38-431.03(B) and (F) and 38-431.07(C), including reporting a suspected Open Meeting Law violation to the Attorney General or a county attorney; and only the penalties that apply, with the statutes that impose them and the persons and conduct they reach. No such notice or instruction may claim confidentiality for any term or category that it does not define and support with stated legal authority.

SECTION 2. IMPLEMENTATION. That the City Manager shall implement the policy stated in Section 1 in the following City functions or programs: the City Council Executive Session Agendas webpage; executive-session attendee admonitions and confidentiality acknowledgments; executive-session training; and the guidance City staff use to decide public-records requests for materials discussed or used in an executive session. The City Manager carries out this policy in coordination with the City Attorney and the City Clerk. The City Manager shall implement the policy so as to achieve the following result no later than sixty (60) days after this Resolution takes effect: each notice, admonition, acknowledgment, training material, and instruction described above is corrected to conform to this policy; each corrected version is published or distributed to every current recipient of the version it replaces; and each superseded version is withdrawn.

SECTION 3. ADMINISTRATION. That the City Manager shall determine the assignment of City staff and the methods of implementation consistent with this Resolution.

SECTION 4. REPORT AND FUNDING OR AUTHORITY REQUESTS. That:

(a) Report. No later than thirty (30) days after this Resolution takes effect, the City Manager shall place in the public legislative file for Citizen Petition JV-20261021-13 and for this Resolution a written report that describes the actions taken to implement Sections 1 and 2, and identifies any part of Section 2 that is not complete, the reason, and the date by which the City Manager expects completion.

(b) Determination of a shortfall. If the City Manager determines, in the report under subsection (a) or in any later report placed in the same legislative file before the Section 2 deadline, that any part of Section 2 cannot be accomplished within existing appropriations or existing legal authority, the report shall state that determination, the specific cost or authority needed, and why existing appropriations or existing legal authority cannot cover it. A part covered by such a determination is not due under Section 2 from the date that report is placed in the legislative file.

(c) Authority the Council cannot provide. If any authority needed cannot be provided by the Council, the report shall say so and identify who can provide it, and no agenda item is required for that authority. That part is not required unless that authority is later provided. If no request under subsection (d) also covers

that part, it is then due no later than sixty (60) days after the authority is provided; otherwise subsection (e) governs.

(d) Agenda item. For any funds, and for any authority the Council can provide, the City Manager shall, no later than fourteen (14) days after placing the report in the legislative file, place the request for those funds or that Council authority on a Formal Council agenda as its own separately numbered item. Until the Council takes a vote, as described in subsection (e), that provides or declines the funds or authority, the City Manager shall place the request on each following regular Formal meeting agenda. A vote to continue, table, refer or withdraw the item does not end this duty. If a vote expressly continues the request for an unfunded remainder under subsection (e), this subsection continues to apply to that remainder.

(e) Completion. A part of Section 2 covered by a request under subsection (d) remains not due while the request is pending, and shall be completed no later than sixty (60) days after all funds and authority identified in the report under subsections (c) and (d) have been provided. That part ceases to be required only upon a vote declining the funds or authority as described in this subsection, or, as to an unfunded remainder, as provided in the last sentence of this subsection. Each of the following is a vote declining the funds or authority, if taken at a meeting and reflected in the minutes of that meeting, whether by roll call or by voice vote and including a unanimous vote: (1) a vote adopting a motion to deny or decline the request; or (2) a vote on which a motion to provide the funds or authority fails, including by a tie under Code § 2-60 Rule 7(k). A declining vote that is reconsidered and reversed under Code § 2-60 Rule 7(m) or (n) is not a vote declining them. A motion to provide the funds or authority that fails for lack of a second, is not called for a vote, or otherwise ends without a vote taken at a meeting and reflected in the minutes of that meeting does not end the duty, and subsection (d) continues to apply. If the Council provides only some of the funds or authority, the affected part of Section 2 shall be completed to the extent they allow, no later than sixty (60) days after they are provided, and the remainder is declined unless that vote expressly continues the request for the remainder.

SECTION 5. LIMITS. That this Resolution:

1. Does not amend or supersede the Phoenix City Code;
2. Appropriates no funds, and shall be implemented within the appropriations and legal authority available at the time of implementation, including any provided by the Council under Section 4; and
3. Does not direct or request the appointment or removal of any officer or employee, and does not give orders to any subordinate of the City Manager.

CITIZEN PETITION

pursuant to Phoenix City Charter, Chapter IV, Sec. 22, requests the City Council to:

ADOPT AN ORDINANCE AMENDING THE PHOENIX CITY CODE REGARDING THE CONTINUOUS TELECAST OF FORMAL CITY COUNCIL MEETINGS

Submitted by:
Jerry Van Gasse
4610 E Vía Estrella
Phoenix, AZ 85028
(602) 622-3515
board@goodgoat.net

Jerry Van Gasse
Date: Oct. 21, 2026

2026 OCT 21 PM 4:54
CITY CLERK DEPT.

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Proposed Measure 6–7
The exact measure the Council is asked to vote on, written in the City's own form.

SUMMARY

The Problem

Rule 11 of the Council's rules of proceedings already says that citizen comments "will be televised as part of the formal meeting." It does not say what "televised" requires.

That gap matters. A broadcast that carries a meeting's audio under a full-frame caption display is, on one reading, still "televised." On another, a viewer who cannot see the speaker, the dais, or the chamber is not watching the meeting at all. Nothing in the Rule settles which reading governs, and nothing in it prevents the visual treatment of one part of a meeting from differing from another.

A remote viewer is left unable to confirm what an attending member of the public sees directly: who is speaking, who is on the dais, and whether the Council is still there. For residents who cannot attend in person, the broadcast is the meeting.

What the Proposed Measure Does

Adopt an ordinance amending Rule 11 of the Council's own rules of proceedings to require that the entire public portion of every Formal City Council Meeting be televised live from call to order through final adjournment, with continuous audio and live camera images of every Council member and of every member of the public while recognized to speak, so that captions and other visual material may supplement the required live images but never replace them.

Why the Council Should Adopt It

- **The Rule already promises televising; this defines it.**
  Rule 11 commits the City to televising citizen comments (Fact 1). The ordinance supplies the meaning that commitment has always assumed — continuous audio and live images, from call to order through final adjournment.

- **It treats every speaker the same.**
  The ordinance forbids different visual treatment of a member of the public based on whether the person speaks to a numbered agenda item or during Citizen Comments. A resident's visibility should not depend on which part of the agenda they were assigned to.

- **Captions are preserved, not displaced.**
  Captions, translations, presentation materials, and graphics may still be shown, through overlays, split-screen, or any method that keeps the required live images in view. The ordinance adds an accessibility floor; it removes nothing.

- **The archive matches what was broadcast.**
  The archived recording must preserve the same audio, live camera images, captions, and other visual information sent to live viewers, so the public record of a meeting is the meeting the public saw.

- **It is the Council's own rule to make.**
  Section 2-60 is the Council's rules of proceedings, adopted and amended by ordinance (Fact 2). The Council sets the standard for its own broadcast, in public, by recorded vote.

The Facts

1. Phoenix City Code § 2-60, Rule 11 is captioned "Citizen comment period." It provides for a citizen comment period before a formal meeting adjourns or recesses, subject to a Council quorum being present, limits each speaker to three minutes, and provides that the comments "will be televised as part of the formal meeting." The Rule does not define "televised" and does not specify what images the transmission must carry.
   Source: Phoenix City Code § 2-60, Rule 11 (codified text viewed Oct. 21, 2026).

2. Section 2-60 is the Council's Rules of Council Proceedings, adopted and amended by ordinance. Rule 10(b) provides: "Unless otherwise provided by law, these rules may be suspended or modified at any time, by a majority vote of the Council."
   Source: Phoenix City Code § 2-60, Rule 10(b) and history note (codified text viewed Oct. 21, 2026).

3. The codified text of the Phoenix City Code used for this Proposed Measure is current through Ordinance G-7524, passed June 17, 2026, as stated by the City's codifier.
   Source: City of Phoenix codifier currency statement, phoenix.municipal.codes (viewed Oct. 21, 2026).

4. Phoenix City Charter, Chapter IV, Section 22 provides that any citizen may appear before the Council at any regular meeting and present a written petition, and that such petition "shall be acted upon by the Council in the regular course of business, within fifteen (15) days."
   Source: Phoenix City Charter, ch. IV, § 22.

5. Phoenix City Charter, Chapter IV, Section 8 provides that the Council "shall act only by resolution, ordinance, franchise, or formal recorded action," and Section 9 provides that for other than unanimous votes the ayes and nays shall be taken and entered upon the journal of the proceedings of the Council.
   Source: Phoenix City Charter, ch. IV, §§ 8, 9.

REQUEST FOR COUNCIL ACTION

Petitioner	Jerry Van Gasse
Address	4610 E Vía Estrella Phoenix, AZ 85028
Phone	(602) 622-3515
Email	board@goodgoat.net
Date presented	October 21, 2026

Requested Legal Action

> For the City of Phoenix Council to vote on the Proposed Measure exactly as written.

Summary of Proposed Measure

Adopt an ordinance amending Rule 11 of the Council's own rules of proceedings to require that the entire public portion of every Formal City Council Meeting be televised live from call to order through final adjournment, with continuous audio and live camera images of every Council member and of every member of the public while recognized to speak, so that captions and other visual material may supplement the required live images but never replace them.

Council Action Required

Phoenix City Charter, Chapter IV, Section 22 provides that a written petition presented to the Council at a regular meeting **shall be acted upon by the Council in the regular course of business, within fifteen (15) days.** Section 8 provides that **the Council shall act only by resolution, ordinance, franchise, or formal recorded action.** The Proposed Measure is an ordinance.

Acting upon this petition requires that vote, as its own Formal Agenda item, with this Request and the Proposed Measure attached. Any change in the substance of the Proposed Measure, in whole or in part, makes it a different measure from the one proposed by the petitioner, and a vote on it is not action on this petition. Referral, a staff report, a General Information Packet entry, continuation, or a consolidated vote also does not act upon this petition.

PROPOSED MEASURE

Current Code text used	Phoenix City Code as published by the City's codifier at phoenix.municipal.codes, retrieved October 21, 2026
Codifier's stated currency	Current through Ordinance G-7524, passed June 17, 2026, as stated by the codifier on October 21, 2026
Amendment marking	Additions in CAPITAL LETTERS; deletions in strikethrough.

ORDINANCE G-_____

AN ORDINANCE AMENDING CHAPTER 2, PHOENIX CITY CODE, BY AMENDING SECTION 2-60, RULE 11, RELATING TO THE CONTINUOUS TELECAST OF FORMAL CITY COUNCIL MEETINGS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That Chapter 2, Article II, Section 2-60, Rule 11 of the Phoenix City Code is hereby amended by adding the following paragraphs after the existing second paragraph:

THE ENTIRE PUBLIC PORTION OF EVERY FORMAL CITY COUNCIL MEETING SHALL BE TELEVISED LIVE FROM CALL TO ORDER THROUGH FINAL ADJOURNMENT ON THE CITY'S GOVERNMENT-ACCESS TELEVISION CHANNEL AND THROUGH A LIVE INTERNET TRANSMISSION ACCESSIBLE FROM THE CITY'S PUBLIC MEETING WEBPAGE.

FOR PURPOSES OF THIS RULE, "TELEVISED" REQUIRES A CONTINUOUS, SYNCHRONIZED TRANSMISSION OF INTELLIGIBLE AUDIO AND LIVE CAMERA IMAGES OF ALL PUBLIC PROCEEDINGS. THE TRANSMISSION SHALL ALLOW VIEWERS TO SEE EVERY COUNCIL MEMBER WHILE THAT MEMBER PARTICIPATES IN PERSON OR BY LIVE VIDEO AND EVERY MEMBER OF THE PUBLIC WHILE THAT PERSON IS RECOGNIZED TO SPEAK. IF A COUNCIL MEMBER LAWFULLY PARTICIPATES BY AUDIO ONLY, THE TRANSMISSION SHALL CONTINUOUSLY IDENTIFY THAT MEMBER BY NAME AND PARTICIPATION STATUS WHILE THE MEMBER PARTICIPATES.

DURING ALL PUBLIC-COMMENT PERIODS, INCLUDING COMMENTS ON NUMBERED AGENDA ITEMS AND CITIZEN COMMENTS, THE TRANSMISSION SHALL PROVIDE SIMULTANEOUS LIVE IMAGES OF THE RECOGNIZED SPEAKER, THE FULL COUNCIL DAIS, AND ANY COUNCIL MEMBER PARTICIPATING BY LIVE VIDEO. A COUNCIL MEMBER PARTICIPATING BY AUDIO ONLY SHALL BE IDENTIFIED AS REQUIRED BY THE PRECEDING PARAGRAPH.

CAPTIONS, TRANSLATIONS, PRESENTATION MATERIALS, DOCUMENTS, GRAPHICS, AND OTHER VISUAL INFORMATION MAY BE DISPLAYED THROUGH OVERLAYS, SPLIT-SCREEN PRESENTATION, OR ANOTHER METHOD THAT PRESERVES THE LIVE IMAGES REQUIRED BY THIS RULE. THEY SHALL NOT REPLACE EVERY REQUIRED LIVE IMAGE OR REMOVE THE RECOGNIZED SPEAKER OR COUNCIL DAIS FROM VIEW.

THE CITY SHALL NOT APPLY DIFFERENT VISUAL TREATMENT TO A MEMBER OF THE PUBLIC BASED ON WHETHER THE PERSON IS SPEAKING ABOUT A NUMBERED AGENDA ITEM OR DURING CITIZEN COMMENTS.

THE ARCHIVED RECORDING OF THE MEETING SHALL PRESERVE THE SAME AUDIO, LIVE CAMERA IMAGES, CAPTIONS, TRANSLATIONS, AND OTHER VISUAL INFORMATION TRANSMITTED TO VIEWERS DURING THE LIVE MEETING.

THESE REQUIREMENTS ARE NOT SUBJECT TO SUSPENSION OR MODIFICATION UNDER RULE 10(B).

SECTION 2. NO APPROPRIATION. This Ordinance appropriates no funds.

SECTION 3. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect any other provision or application that can be given effect without the invalid provision or application.

SECTION 4. This ordinance shall take effect and become operative thirty days after passage.

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CITY CLERK DEPT.

CITIZEN PETITION

pursuant to Phoenix City Charter, Chapter IV, Sec. 22, requests the City Council to:

PROVIDE ANSWERS REGARDING EXECUTIVE SESSION GOVERNANCE

Submitted by:
Jerry Van Gasse
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(602) 622-3515
board@goodgoat.net

Jerry Van Gasse

Date: 10-21-26

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The legal request: a recorded vote of the City Council, within fifteen days, approving or denying the Proposed Measure exactly as written.

Proposed Measure 7–8
The exact measure the Council is asked to vote on, written in the City's own form.

SUMMARY

The Problem

An executive session is the one part of a City Council meeting the public cannot attend. What the public can see is the posted notice: a date, a list of items and the paragraph of state law cited for each item. How an item gets onto that list is not described in any published City rule.

Phoenix's written Council rules, City Code § 2-60, say who may place items on a formal meeting agenda and on a policy session agenda. They say nothing about executive-session agendas.

The Council's yearly executive-session item, submitted by the City Manager and the Law Department, approves a list of dates. It cites § 38-431.03(A) generally but names no subjects and no specific paragraph. The subjects, and the paragraph cited for each, appear later, in notices prepared after the dates are set. By then no vote remains to be taken.

So neither residents nor newly seated Councilmembers can tell from the public record:

- who may ask for an executive-session item;
- who reviews it;
- who chooses the legal exemption that closes the door;
- whether any of this is written down;
- what training covers it.

What the Proposed Measure Does

Directs the City Manager to provide attributable written answers, within thirty days or before the Council votes to approve executive-session dates for 2027, whichever comes first, to six questions about how City Council executive-session items are initiated, documented, reviewed, approved and assigned a statutory exemption, what written instruments govern that process, and what training covers it, and to place the complete response in the public legislative file for this petition.

Why the Council Should Adopt It

- **The Council's own rules stop at the executive-session door.**
  Rules 2(c), 3 and 4(a) say who may place items on formal and policy agendas (Fact 2). No published rule covers executive sessions (Fact 1). Whatever the practice is, it is not written where the Council and the public can read it.

- **The real decision is made when each notice is prepared.**
  The Council's yearly vote approves dates with no subjects (Facts 3–4). What will be discussed behind closed doors, and under which exemption, is decided later, when each notice is drafted (Fact 5). The Council and residents are entitled to know who initiates, reviews and words those items, and who selects the cited exemption.

- **The process can be described without disclosing legal advice.**
  The questions ask who does what, when and under what written rule. They do not ask for the content of any legal advice.

- **The questions are neutral and answerable.**
  Each allows "none," "no documented decision" or "the City cannot determine," with an explanation. The petition assumes no wrongdoing and changes no procedure. Apart from the answers themselves, it requires no new record.

- **Training is part of governance.**
  State law requires new members to review the Attorney General's Open Meeting Law materials before taking office (Fact 8). Recent notices list an "Open Meeting Law and Council Rules of Procedures Overview" as a closed-session item (Fact 6). Question 6 asks what training exists, for whom and on which subjects.

The Facts

1. Phoenix City Code § 2-60, the Rules of Council Proceedings, contains no rule that refers to executive sessions. Rule 12 requires the Council to hold all meetings and conduct all business in accordance with the Arizona Open Meeting Law.
   Source: Phoenix City Code § 2-60, Rules 1–16 and Rule 12 (codified text viewed Oct. 12, 2026).

2. Three of the Council's rules say who may place items on formal and policy agendas:
   - Rule 2(c): the City Manager "will include an item on the formal agenda at the written request of the Mayor or at least three Council members."
   - Rule 3: the City Clerk prepares the formal agenda "with items approved by the City Manager."
   - Rule 4(a): the policy agenda "shall be set by the Mayor," and an item may be added "upon the written request of four Council members."

   Source: Phoenix City Code § 2-60, Rules 2(c), 3 and 4(a).

3. The Council's yearly executive-session items for 2023, 2024, 2025 and 2026 each state that the item is submitted by the City Manager and the Law Department.
   Source: City Council Formal Meeting agendas, Dec. 14, 2022, Item 57; Dec. 6, 2023, Item 36; Nov. 13, 2024, Item 21; Nov. 5, 2025, Item 20 (each under "Responsible Department").

4. Each of those items asks the Council to call meetings "for the purpose of holding an Executive Session pursuant to" A.R.S. § 38-431.03(A) on listed dates. None identifies a subject or a specific paragraph of § 38-431.03(A) for any date.
   Source: the same agenda items; City Council Formal Meeting agenda, Feb. 19, 2025, Add-on Item 82.

5. Executive-session notices state that the Council will meet "for the purposes of discussion or consultation regarding the items listed on the agenda, all as authorized by A.R.S. §38-431.03, A.1 through A.7," and then list each item with one or more specific paragraphs.
   Source: City of Phoenix, Notice of Meeting, Phoenix City Council Executive Session, Jan. 20, 2026 and Feb. 24, 2026.

6. The Jan. 20, 2026 notice (Item 9) and the Feb. 24, 2026 notice (Item 3) each list "Discussion and consultation re: Open Meeting Law and Council Rules of Procedures Overview, A.R.S. §38-431.03 A.3."
   Source: City of Phoenix, Notice of Meeting, Phoenix City Council Executive Session, Jan. 20, 2026, Item 9; Feb. 24, 2026, Item 3.

7. A.R.S. § 38-431.02(I) provides that notice of an executive session need include "only a general description of the matters to be considered," and that the agenda "shall provide more than just a recital of the statutory provisions authorizing the executive session."
   Source: A.R.S. § 38-431.02(I).

8. A.R.S. § 38-431.01(H) requires the city clerk to post the Attorney General's Open Meeting Law materials on the City's website. It requires a person elected or appointed to a public body to review those materials at least one day before taking office.
   Source: A.R.S. § 38-431.01(H).

REQUEST FOR COUNCIL ACTION

Petitioner	Jerry Van Gasse
Address	4610 E Vía Estrella Phoenix, AZ 85028
Phone	(602) 622-3515
Email	board@goodgoat.net
Date presented	October 21, 2026

Requested Legal Action

> For the City of Phoenix Council to vote on the Proposed Measure exactly as written.

Summary of Proposed Measure

Directs the City Manager to provide attributable written answers, within thirty days or before the Council votes to approve executive-session dates for 2027, whichever comes first, to six questions about how City Council executive-session items are initiated, documented, reviewed, approved and assigned a statutory exemption, what written instruments govern that process, and what training covers it, and to place the complete response in the public legislative file for this petition.

Council Action Required

Phoenix City Charter, Chapter IV, Section 22 provides that a written petition presented to the Council at a regular meeting **shall be acted upon by the Council in the regular course of business, within fifteen (15) days.** Section 8 provides that **the Council shall act only by resolution, ordinance, franchise, or formal recorded action.** The Proposed Measure is a formal recorded action.

Acting upon this petition requires that vote, as its own Formal Agenda item, with this Request and the Proposed Measure attached. Any change in the substance of the Proposed Measure, in whole or in part, makes it a different measure from the one proposed by the petitioner, and a vote on it is not action on this petition. Referral, a staff report, a General Information Packet entry, continuation, answers to some or all questions, or a consolidated vote also does not act upon this petition.

PROPOSED MEASURE

Executive-Session Governance and Agenda Preparation (Formal Action)

SECTION 1. Council Direction and Deadline
The City Council directs the City Manager to provide the attributable written answers specified below. The complete response shall be placed in the public legislative file for Citizen Petition JV-20261021-01 no later than the earlier of (a) thirty (30) days after the Council adopts this Proposed Measure, or (b) the time the Council votes on any item approving, calling, or scheduling executive sessions for calendar year 2027.

SECTION 2. Required Written Answers
The City Manager shall assign each question to the official or employee with direct knowledge, responsibility, or subject-matter competence. The assigned person shall answer each numbered question and each labeled subpart separately and completely.

1. Identify every current written instrument that governs Phoenix City Council executive sessions, including written rules, Administrative Regulations, Council rules, policies, procedures, manuals, protocols, checklists, memoranda, directives, legal-guidance documents, training materials, agenda templates, delegations of authority, retention schedules, and technical instructions. State expressly if Phoenix has no current instrument in a listed category.
2. Describe who is presently authorized to request or initiate placement of an item on a City Council executive-session agenda. Address City officers, City employees or employee positions, individual Councilmembers, and groups of Councilmembers. For each authorized initiator, identify the source, scope, and limits of the authority, including any required number or composition of Councilmembers.
3. Describe Phoenix's current practice for documenting requests to place items on a City Council executive-session agenda. Identify what record is created; whether it shows who made the request, when and how it was made, and the requester's official capacity; what other information it contains; who creates and maintains it; how long it is retained; and the authority governing retention. If Phoenix creates no such record, identify any documented decision establishing that practice or state expressly that none has been identified.
4. Describe the complete current review and approval chain for placing an item on a City Council executive-session agenda. Identify who performs each review or approval and when it occurs, including review of the proposed subject, factual description, legal sufficiency, statutory exemption, wording, timing, and final agenda placement.
5. Describe how Phoenix selects each paragraph of A.R.S. § 38-431.03(A) cited for a proposed executive-session item. Identify who makes the selection, the legal and factual review supporting it, whether and where the basis is documented, who creates that documentation, and the governing retention rule. If the basis is not documented, describe the legal or administrative basis and rationale for that practice and identify any documented decision establishing it. If none has been identified, state that expressly.
6. Describe the current training materials and instructions concerning Phoenix City Council executive sessions. Identify what is provided, who provides it, and which audiences receive it, including the Mayor, Councilmembers, Council staff, City Manager staff, clerks, attorneys, and other attendees.

Describe whether the materials address notice, permissible scope, confidentiality, objections, minutes, attendance, remote participation, recordings, records retention, and enforcement. State expressly if no material or instruction addresses a listed audience or subject.

SECTION 3. Written-Answer Standards

1. Reproduce each numbered question and labeled subpart unchanged immediately before its separate answer.
2. Identify the person answering, that person's title and department, and whether the answer is based on direct knowledge, identified records, identified legal authority, or another stated source.
3. When a question asks for a yes-or-no answer, begin with "yes," "no," or "the City cannot determine," before providing any explanation.
4. When a question asks for the City's position, interpretation, policy, or practice, state it expressly and identify the supporting authority, records, written policies, and materially contrary authority considered. State expressly if no City position, written policy, or uniform practice exists.
5. Distinguish an existing fact, current practice, written policy, legal position, and proposed future action. Do not present one as another.
6. If the City cannot answer a question, state that expressly, identify the information needed to answer it, identify the person or entity believed to possess that information, and describe the steps taken to obtain it.
7. If the City contends that any part of an answer cannot lawfully be disclosed, answer every reasonably separable part and identify the specific legal authority asserted for not answering the remainder without disclosing protected information.
8. A response to a rephrased or different question does not answer the submitted question.

SECTION 4. Public Response Package

The City Manager shall place the following in the public legislative file for Citizen Petition JV-20261021-01:

1. The complete written answers;
2. A response index matching every numbered question and every labeled subpart to its separate answer or expressly stated inability to answer; and
3. A specific citation to each record, legal authority, or written policy relied upon, including a direct, stable public link when one is available.

SECTION 5. Scope

This Proposed Measure directs written answers. It does not submit or incorporate a public-records request and does not require production of cited records. Any public-records request concerning the subject remains a separate request with an independent receipt date, scope, process, and legal effect.

SECTION 6. Continuing Responsibility

The City Manager remains responsible for the completeness and timely placement of the response package notwithstanding assignment of individual questions to another official, employee, department, or contractor.

CITIZEN PETITION

pursuant to Phoenix City Charter, Chapter IV, Sec. 22, requests the City Council to:

PROVIDE ANSWERS AND RECORDS REGARDING THE FEBRUARY 2025 CITIZEN COMMENT BROADCAST CHANGE

Submitted by:
Jerry Van Gasse
4610 E Via Estrella
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board@goodgoat.net

Jerry Van Gasse
Date: 10-21-26

2025 OCT 21 PM 1:53
CITY CLERK DEPT.

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The legal request: a recorded vote of the City Council, within fifteen days, approving or denying the Proposed Measure exactly as written.

Proposed Measure 7–9
The exact measure the Council is asked to vote on, written in the City's own form.

SUMMARY

The Problem

Beginning with the February 5, 2025 Formal City Council Meeting, the public broadcast of Citizen Comments changed: in place of the live camera view of the resident speaking, the Council dais, and the chamber, the outgoing broadcast carried a full-frame caption display. Public comment on numbered agenda items, in the same meetings, kept its live camera view.

No public explanation of that change has been identified. No authorizing record has been identified. No one has been identified as having decided it, and the City has not said whether anyone was assigned to explain it.

The result is that for the one part of a Formal Meeting reserved for residents to address their Council, a remote viewer cannot see the resident, cannot see the dais, and cannot tell whether the Council is still in the room. Rule 11 says citizen comments "will be televised as part of the formal meeting" (Fact 1). Whether a caption-only image satisfies that requirement is a question the City has never answered on the record.

This petition does not ask the Council to decide that question. It asks the Council to direct that the questions be answered and the existing records produced, so that the record exists.

What the Proposed Measure Does

Direct the City Manager to provide attributable written answers to thirteen questions about the February 2025 change that replaced the live camera view of the resident speaker, the Council dais, and the chamber during Citizen Comments with a full-frame caption display, to produce the existing records in twelve identified categories, and to place the complete response in the public legislative file for this petition.

Why the Council Should Adopt It

- **The Council cannot supervise what it has not been told.**
  The change altered how the public sees its own Council. If the Council did not authorize it, the Council is entitled to know who did.

- **The questions ask for facts the City already holds.**
  Who authorized the change, on what date, through what instruction, and for what purpose are matters of existing record or existing knowledge. None of this requires study or new work product.

- **The records are identified, bounded, and ordinary.**
  Twelve categories, running from January 1, 2025 through the date of the response: authorizations, communications, analyses, production scripts, configuration logs, contracts, production logs, and the written policies governing camera treatment. If a category has no responsive record, saying so is a complete answer.

- **Answers and records are not substitutes for each other.**
  The measure says so expressly. An answer does not excuse producing a record, and producing a record does not excuse answering the question.

- **This is a direction to staff, not a records request.**
  The measure states that it is a request for Council approval and direction of a staff project and is not submitted as a public-records request. It leaves every public-records right the petitioner has exactly where it was.

The Facts

1. Phoenix City Code § 2-60, Rule 11 provides for a citizen comment period at formal meetings, limits each speaker to three minutes, and provides that the comments "will be televised as part of the formal meeting." The Rule does not define "televised."
   Source: Phoenix City Code § 2-60, Rule 11 (codified text viewed Oct. 21, 2026).
2. Rule 11 conditions the citizen comment period on a quorum of the Council being present.
   Source: Phoenix City Code § 2-60, Rule 11 (codified text viewed Oct. 21, 2026).
3. Beginning with the February 5, 2025 Formal City Council Meeting, the City's outgoing broadcast of the Citizen Comments portion presented a full-frame caption display in place of the live camera image of the recognized speaker, the Council dais, and the chamber, while public comment on numbered agenda items in the same meetings retained the live camera image.
   Source: Petitioner's review of the City of Phoenix archived broadcasts of the Formal City Council Meetings of Dec. 18, 2024; Feb. 5, 2025; Feb. 19, 2025; and Mar. 5, 2025.
4. On February 19, 2025, the Mayor announced the addition of two caption screens inside the Council chambers. That announcement concerned displays within the chambers; no City statement has been identified that explains the separate change to the outgoing public broadcast.
   Source: City of Phoenix Formal City Council Meeting, Feb. 19, 2025 (archived broadcast).

5. Phoenix City Charter, Chapter IV, Section 22 provides that any citizen may appear before the Council at any regular meeting and present a written petition, and that such petition "shall be acted upon by the Council in the regular course of business, within fifteen (15) days."
   Source: Phoenix City Charter, ch. IV, § 22.

6. Phoenix City Charter, Chapter IV, Section 8 provides that the Council "shall act only by resolution, ordinance, franchise, or formal recorded action," and Section 9 provides that for other than unanimous votes the ayes and nays shall be taken and entered upon the journal of the proceedings of the Council.
   Source: Phoenix City Charter, ch. IV, §§ 8, 9.

REQUEST FOR COUNCIL ACTION

Petitioner	Jerry Van Gasse
Address	4610 E Vía Estrella Phoenix, AZ 85028
Phone	(602) 622-3515
Email	board@goodgoat.net
Date presented	October 21, 2026

Requested Legal Action

> For the City of Phoenix Council to vote on the Proposed Measure exactly as written.

Summary of Proposed Measure

Direct the City Manager to provide attributable written answers to thirteen questions about the February 2025 change that replaced the live camera view of the resident speaker, the Council dais, and the chamber during Citizen Comments with a full-frame caption display, to produce the existing records in twelve identified categories, and to place the complete response in the public legislative file for this petition.

Council Action Required

Phoenix City Charter, Chapter IV, Section 22 provides that a written petition presented to the Council at a regular meeting **shall be acted upon by the Council in the regular course of business, within fifteen (15) days.** Section 8 provides that **the Council shall act only by resolution, ordinance, franchise, or formal recorded action.** The Proposed Measure is a formal recorded action.

Acting upon this petition requires that vote, as its own Formal Agenda item, with this Request and the Proposed Measure attached. Any change in the substance of the Proposed Measure, in whole or in part, makes it a different measure from the one proposed by the petitioner, and a vote on it is not action on this petition. Referral, a staff report, a General Information Packet entry, continuation, answers to some or all questions, production of some or all requested records, or a consolidated vote also does not act upon this petition.

PROPOSED MEASURE

Answers and Records Concerning the February 2025 Citizen Comment Broadcast Change (Formal Action)

SECTION 1. Direction and Deadline
The City Council directs the City Manager to provide the attributable written answers and existing records specified below. The complete response shall be placed in the public legislative file for Citizen Petition JV-20261021-15 no later than ten business days after the Council adopts this Proposed Measure. This is a request for Council approval and direction of a staff project; it is not submitted as a public-records request.

SECTION 2. Required Written Answers
The City Manager shall assign each question to the official or employee with direct knowledge or responsibility. Each answer shall identify the person answering, that person's title and department, the records relied upon, and any material fact the City could not determine. Each numbered question shall be answered separately and completely.

1. Who authorized the change, first observed during the February 5, 2025 Formal City Council Meeting, that replaced the camera view of the resident speaker, Council dais, and chamber during Citizen Comments with a full-frame caption display?
2. On what date was the change authorized, and through what oral direction, written instruction, work order, service ticket, production decision, contract action, or other mechanism?
3. Who recommended, designed, approved, configured, tested, and implemented the change? Identify each person, office, department, contractor, and vendor and describe each one's role.
4. What purpose or purposes was the broadcast change intended to serve?
5. Why was the changed visual treatment applied to general Citizen Comments but not to public comment on numbered agenda items during the same Formal City Council Meetings?
6. Was the Mayor's February 19, 2025 announcement concerning two caption screens inside the Council chambers intended to explain the separate change to the outgoing public broadcast? If so, identify the portion of the announcement and the supporting record. If not, state whether any person or office was assigned responsibility for publicly explaining the broadcast change; if so, identify that person or office and state whether an explanation was provided.
7. Did the City or any contractor prepare or rely upon an accessibility, legal, communications, technical, operational, security, privacy, or financial analysis concerning the broadcast change? For each analysis, identify its author, date, form, principal conclusion, and current custodian. State expressly if none exists.
8. Does the City contend that a full-frame caption display carrying meeting audio, but no live image of the speaker, Council dais, or chamber, satisfies Rule 11's requirement that Citizen Comments "will be televised as part of the formal meeting"? If so, provide the City's complete basis for that position, including each authority and record relied upon.
9. Before and after the February 2025 change, were English and Spanish captions available as selectable tracks, overlays, or another feature throughout the Formal City Council Meeting? Identify the available caption functions and their effective dates.

10. Can the City's existing production system display the recognized speaker, the full Council dais, and English and Spanish captions simultaneously through split-screen presentation, caption overlays, or another method? If the answer is no, identify the specific technical limitation and the records establishing it.
11. At what point during each affected meeting does the live camera image resume after Citizen Comments? Identify any affected meeting in which the live camera image did not resume before adjournment.
12. What written policy, procedure, production specification, or instruction presently governs camera selection and visual treatment during Citizen Comments? Who presently has authority to approve or change that treatment?
13. What information in the current broadcast permits a remote viewer to determine whether the quorum required by Rule 11 remains present during Citizen Comments?

If the City cannot answer a question from existing information, it shall state that expressly, identify the information needed to answer, identify the person or entity believed to possess it, and state the steps taken to obtain it.

SECTION 3. Existing Records to Be Produced

The City Manager shall place publicly releasable copies of the following existing records in the legislative file. Unless a category states otherwise, the relevant period is January 1, 2025 through the date of the City's response.

1. Every authorization, directive, instruction, memorandum, approval, work order, service ticket, change request, production decision, or similar record concerning replacement of the live camera image during Citizen Comments with a caption display.
2. Communications concerning whether, why, when, or how the visual treatment of Citizen Comments should differ from public comment on numbered agenda items.
3. Accessibility, legal, communications, technical, operational, security, privacy, and financial analyses concerning the broadcast change or the continued use of the caption-only image during Citizen Comments.
4. Production scripts, run-of-show documents, control-room instructions, camera instructions, switching instructions, captioning instructions, technical specifications, diagrams, and operating procedures governing the live and archived visual treatment of Citizen Comments.
5. Configuration records, change logs, testing records, quality-assurance records, screenshots, incident records, and corrective-action records concerning implementation or modification of the broadcast change.
6. Contracts, amendments, task orders, statements of work, invoices, purchase orders, vendor instructions, and vendor communications concerning the in-chamber caption screens, caption software, meeting broadcast production, or the changed visual treatment of Citizen Comments.
7. Production logs, operator notes, incident reports, and preserved broadcast outputs for the Citizen Comments portions of the December 18, 2024; February 5, 2025; February 19, 2025; and March 5, 2025 Formal City Council Meetings.
8. Records identifying each City employee, office, department, contractor, and vendor responsible for authorizing, supervising, producing, monitoring, or changing the live and archived video presentation of Formal City Council Meetings.

9. Each version of the written policy, procedure, specification, or instruction governing the visual treatment of Citizen Comments that was effective at any time during the stated period.
10. Records analyzing or stating whether a caption-only image satisfies Phoenix City Code § 2-60, Rule 11.
11. Records identifying when the live camera image resumed following Citizen Comments in each affected meeting and any record documenting a decision not to resume it before adjournment.
12. Records showing the caption functions available throughout Formal City Council Meetings, including selectable English and Spanish tracks, overlays, split-screen functions, and the dates each function became available.

SECTION 4. Response Standards

1. Produce existing records in their native electronic format when reasonably available, together with a readable public copy.
2. Preserve and produce record metadata sufficient to identify the sender or author, recipients, date, time, subject or title, file type, and custodian.
3. If no responsive record exists for a numbered category, state that expressly for that category and identify the custodians, systems, locations, and search terms examined.
4. If any record or portion is withheld or redacted, identify the record by date, author, recipients, subject or description, custodian, and the specific legal authority asserted for each withholding or redaction.
5. Produce all reasonably segregable nonexempt portions of a record.
6. An answer does not substitute for producing a responsive record. Production of a record does not substitute for answering the corresponding question.

CITIZEN PETITION

pursuant to Phoenix City Charter, Chapter IV, Sec. 22, requests the City Council to:

PROVIDE ANSWERS REGARDING EXECUTIVE SESSION PUBLIC AUTHORIZATION

Submitted by:
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Jerry Van Gasse
Date: 10-25-'26

2026 OCT 27 PM 4:53
CITY CLERK DEPT.

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The petitioner's case: the problem, what the Proposed Measure does, why the Council should adopt it, and the supporting facts.

Request for Council Action 7
The legal request: a recorded vote of the City Council, within fifteen days, approving or denying the Proposed Measure exactly as written.

Proposed Measure 8–10
The exact measure the Council is asked to vote on, written in the City's own form.

SUMMARY

The Problem

State law allows a city council to meet in executive session "[o]n a public majority vote of the members constituting a quorum," and only for listed purposes.

Every year since at least December 2022, the Phoenix City Council has approved a list of executive-session dates for the coming year. Those items cite § 38-431.03(A) generally and name no subjects. The subjects, and the specific legal authority for closing each one, appear later, in notices posted at least 24 hours before each session. When the Council approved the 2026 dates, the City Attorney described the item as setting the dates "for planning and getting it on the calendar."

Some sessions follow a different, visible path. A special meeting is called, and the Council votes in public on "Item 1 Vote to call for Executive Session" immediately before the session. Other sessions are held on dates that appear on no approved list, under notices that do not say which Council action called them.

The public record does not explain, in one place:

- how Phoenix views these paths;
- how each closed matter is authorized;
- how each member's vote is recorded;
- what Phoenix believes about a member's personal exposure when acting on legal advice.

What the Proposed Measure Does

Directs the City Manager to provide attributable written answers, within thirty days or before the Council votes to approve executive-session dates for 2027, whichever comes first, to four questions and their subparts. The questions cover how each City Council executive-session matter is publicly authorized, how each member's vote on it is recorded, and what Phoenix believes legal advice does and does not protect for an individual member. The City Manager must place the complete response in the public legislative file for this petition.

Why the Council Should Adopt It

- **Phoenix uses more than one authorization path, and nothing on the record explains the difference.**
  The paths are:
  - calendar sessions rest on a yearly date list with no subjects (Facts 1–3);
  - a session may be added by a later Council item that again names no subject (Fact 4);
  - special-meeting sessions are preceded by a public vote immediately before the session, on a notice that already lists the subject and the paragraph of law relied on (Facts 5–6).

  Ordinary notices do not say which Council action called the session, and some sessions fall on dates no list approved (Fact 7). Questions 1–3 ask how each path authorizes a closed matter and when the City considers the difference material.

- **Members should know how the law reaches them.**
  In a suit brought by the Attorney General, a court may impose a civil penalty on an individual member for a knowing violation, which the City may not pay for the member. It may decline to penalize a member whose objection "is noted on a public record" (Fact 11). State law separately protects officials who act in good-faith reliance on a *written* opinion of the city attorney (Fact 10). No member can judge where he or she stands without knowing how votes on closed matters are recorded (Question 3(d)), and what the City believes oral or written advice does and does not protect (Question 4).

- **How votes are recorded matters.**
  Under Council Rule 7(i), a failure to vote or a voluntary abstention counts as an "aye" unless excused by an announced conflict, and Rule 7(l) requires individual votes in the journal for formal actions (Fact 9). The published results of the 2025 special-meeting votes record only "Approved," and one vote covered twelve matters (Fact 6). Question 3(d) asks how the City records each member's actual conduct and attributed vote on each matter.

- **The questions ask for positions, not concessions.**
  Every question allows "no," "none" or "the City cannot determine," with an explanation. The petition assumes no violation and adjudicates no one's liability.

The Facts

1. On Dec. 14, 2022 (Item 57), Dec. 6, 2023 (Item 36) and Nov. 13, 2024 (Item 21), the Council approved requests to call executive sessions on fourteen 2023 dates, seventeen 2024 dates and seventeen 2025 dates, respectively, each "pursuant to" A.R.S. § 38-431.03(A). None of the items identifies a subject or a specific paragraph of § 38-431.03(A) for any date.
   Source: City Council Formal Meeting agendas and minutes, Dec. 14, 2022, Item 57; Dec. 6, 2023, Item 36; Nov. 13, 2024, Item 21.
2. On Feb. 19, 2025 (Add-on Item 82), the Council approved a revised list of seventeen 2025 dates, described as "an amendment to the previous action taken by the City Council on November 13, 2024."

Source: City Council Formal Meeting minutes, Feb. 19, 2025, Add-on Item 82.

3. On Nov. 5, 2025 (Item 20), the Council approved, 8–1, eleven executive-session dates for 2026, "pursuant to" A.R.S. § 38-431.03(A), with no subjects listed. The minutes record the City Attorney's statements that the item "set the dates for Executive Session," that its purpose "was for planning and getting it on the calendar, similar to policy and formal meetings," and that staff posts the agenda 24 hours before the meeting.
   Source: City Council Formal Meeting agenda, Nov. 5, 2025, Item 20; minutes, Nov. 5, 2025, at 60–61.

4. On Mar. 26, 2025 (Item 34), the Council approved a request to call an executive session on Apr. 3, 2025, a date on neither 2025 list. The Apr. 3 notice lists one item, interviews of candidates for appointment to the City Ethics Commission, under A.R.S. § 38-431.03(A)(1) and (3).
   Source: City Council Formal Meeting minutes, Mar. 26, 2025, Item 34; City of Phoenix, Notice of Meeting, Phoenix City Council Executive Session, Apr. 3, 2025.

5. Notices for special meetings called at the Mayor's request under Charter Chapter IV, Section 20 list "Item 1 Vote to call for Executive Session," followed by the statement "If authorized by the majority of the members, the Executive Session will be held immediately after the vote and will not be open to the public," and then the executive-session agenda.
   Source: City of Phoenix, Notice of Meeting, Phoenix City Council Special Meeting, July 29, 2025; Sept. 17, 2025.

6. The City's published Notices of Results for the special meetings of July 29, Sept. 17 and Nov. 18, 2025 each record Item 1, the vote to call for executive session, as "Approved," and record the executive-session matters as "Discussed." They do not list individual members' votes. The Nov. 18, 2025 notice lists twelve executive-session matters under a single Item 1 vote.
   Source: City of Phoenix, Notice of Results, Phoenix City Council Special Meeting, July 29, 2025; Sept. 17, 2025; Nov. 18, 2025.

7. Ordinary executive-session notices state that the Council will meet "for the purposes of discussion or consultation regarding the items listed on the agenda, all as authorized by A.R.S. §38-431.03, A.1 through A.7." The notices for Jan. 20, Feb. 3, Feb. 24, Mar. 10 and Apr. 28, 2026 do not identify the Council action that called the session. Feb. 3, Mar. 10 and Apr. 28, 2026 are not among the dates approved on Nov. 5, 2025. No record of the Council action calling those three sessions was located.
   Source: City of Phoenix, Notice of Meeting, Phoenix City Council Executive Session, Jan. 20, Feb. 3, Feb. 24, Mar. 10 and Apr. 28, 2026; Fact 3.

8. A.R.S. § 38-431.03(A) provides that "[o]n a public majority vote of the members constituting a quorum, a public body may hold an executive session but only for the following purposes," which it lists. A.R.S. § 38-431.02(B) requires an executive-session notice to "state the provision of law authorizing the executive session."
   Source: A.R.S. §§ 38-431.03(A), 38-431.02(B).

9. Two Council rules govern how votes are counted and recorded:
   - Rule 7(i): "A failure to vote or a voluntary abstention shall count as an 'aye' vote unless excused by an announced conflict of interest."

- Rule 7(l): the journal must record individual votes on "all ordinances, resolutions, franchises, formal actions, and liquor license applications recommended for disapproval."

Source: Phoenix City Code § 2-60, Rules 7(i), 7(l).

10. A.R.S. § 38-446 provides that no public officer or employee is personally liable for acts done in an official capacity "in good faith reliance on written opinions" of, among others, "the city or town attorney of the city or town."
Source: A.R.S. § 38-446.

11. A.R.S. § 38-431.07(A) authorizes the Attorney General to sue an individual member of a public body for a knowing violation of the Open Meeting Law. It provides civil penalties, which the public body may not pay on the member's behalf. It provides that, if a person "objected to the action of the public body and the objection is noted on a public record, the court may choose not to impose a civil penalty on that person."
Source: A.R.S. § 38-431.07(A).

REQUEST FOR COUNCIL ACTION

Petitioner	Jerry Van Gasse
Address	4610 E Vía Estrella Phoenix, AZ 85028
Phone	(602) 622-3515
Email	board@goodgoat.net
Date presented	October 21, 2026

Requested Legal Action

> For the City of Phoenix Council to vote on the Proposed Measure exactly as written.

Summary of Proposed Measure

Directs the City Manager to provide attributable written answers, within thirty days or before the Council votes to approve executive-session dates for 2027, whichever comes first, to four questions and their subparts. The questions cover how each City Council executive-session matter is publicly authorized, how each member's vote on it is recorded, and what Phoenix believes legal advice does and does not protect for an individual member. The City Manager must place the complete response in the public legislative file for this petition.

Council Action Required

Phoenix City Charter, Chapter IV, Section 22 provides that a written petition presented to the Council at a regular meeting **shall be acted upon by the Council in the regular course of business, within fifteen (15) days.** Section 8 provides that **the Council shall act only by resolution, ordinance, franchise, or formal recorded action.** The Proposed Measure is a formal recorded action.

Acting upon this petition requires that vote, as its own Formal Agenda item, with this Request and the Proposed Measure attached. Any change in the substance of the Proposed Measure, in whole or in part, makes it a different measure from the one proposed by the petitioner, and a vote on it is not action on this petition. Referral, a staff report, a General Information Packet entry, continuation, answers to some or all questions, or a consolidated vote also does not act upon this petition.

PROPOSED MEASURE

Executive-Session Public Authorization and Member Responsibility (Formal Action)

SECTION 1. Council Direction and Deadline

The City Council directs the City Manager to provide the attributable written answers specified below. The complete response shall be placed in the public legislative file for Citizen Petition JV-20261021-02 no later than the earlier of (a) thirty (30) days after the Council adopts this Proposed Measure, or (b) the time the Council votes on any item approving, calling, or scheduling executive sessions for calendar year 2027.

SECTION 2. Required Written Answers

The City Manager shall assign each question to the official or employee with direct knowledge, responsibility, or subject-matter competence. The assigned person shall answer each numbered question and each labeled subpart separately and completely.

1. Does Phoenix consider a Council vote approving future executive-session dates to be the public vote required by A.R.S. § 38-431.03(A) for matters placed on those dates after the vote?

   1(a). If yes, identify the authority supporting that position.

   1(b). If yes, explain how the vote authorizes matters that had not yet been identified.

   1(c). If yes, explain how the vote authorizes statutory exemptions that had not yet been identified.

2. After a public agenda identifies an executive-session matter and the statutory authority asserted for excluding the public, does Phoenix require the Council to vote in public before excluding the public for that matter?

   2(a). Describe whether and how Phoenix's answer changes depending on how or when the executive session was scheduled. Identify any circumstances Phoenix considers material and the authority supporting each distinction. If Phoenix considers no scheduling circumstance material, state that expressly.

3. Under Phoenix's current rules and practices, how is each executive-session matter authorized?

   3(a). Identify the authorizing motion, if any. If no authorizing motion exists, state that expressly.

   3(a)(1). Identify who prepares the authorizing motion.

   3(b). Identify the authorizing vote, if any. If no authorizing vote occurs, state that expressly.

   3(b)(1). Identify when the authorizing vote occurs.

   3(c). May multiple executive-session matters be approved by a single vote?

   3(c)(1). If yes, describe the circumstances in which Phoenix permits that procedure and identify the supporting authority.

   3(d). Describe how the City records each Councilmember's conduct and legally attributed vote for each executive-session matter. Answer each of the following separately:

   3(d)(1). How does the City record the member's stated "aye" or "nay" vote?

   3(d)(2). How does the City record the member's absence?

   3(d)(3). How does the City record the member's announced conflict of interest?

   3(d)(4). How does the City record the member's voluntary abstention?

3(d)(5). How does the City record the member's failure to answer?

3(d)(6). How does the City record the member's refusal to answer?

3(e). How is the authorizing motion linked to the executive-session notice?

3(f). How is the authorizing vote linked to the executive-session notice?

3(g). How is the authorizing motion linked to the executive-session agenda item?

3(h). How is the authorizing vote linked to the executive-session agenda item?

3(i). How is the authorizing motion linked to the executive-session meeting?

3(j). How is the authorizing vote linked to the executive-session meeting?

3(k). What public record, if any, shows the authorization? If no public record exists, state that expressly.

4. Does Phoenix take the position that advice from an attorney for the public body exempts or otherwise protects an individual Councilmember from liability for conduct that violates the Arizona Open Meeting Law?

   4(a). What is Phoenix's position when the member received oral advice?

   4(b). What is Phoenix's position when the member relied in good faith on a written opinion that may fall within A.R.S. § 38-446?

   4(c). Does Phoenix's position differ between oral advice and a written opinion that may fall within A.R.S. § 38-446?

   4(d). If so, identify and explain each difference.

   4(e). Identify every condition Phoenix believes must be satisfied for oral advice to protect the member.

   4(f). Identify every condition Phoenix believes must be satisfied for a written opinion to protect the member.

   4(g). Identify and address every materially contrary authority considered by Phoenix.

   4(h). Does Phoenix's position change if the member knew that the conduct was unlawful?

   4(i). If the answer to Question 4(h) is yes, explain how Phoenix's position changes.

   4(j). Does Phoenix's position change if the member had reason to know that the conduct was unlawful?

   4(k). If the answer to Question 4(j) is yes, explain how Phoenix's position changes.

The requested response to Question 4 and its subparts is a statement of the City's general legal position, not personal legal advice or an adjudication of any person's liability.

SECTION 3. Written-Answer Standards

1. Reproduce each numbered question, labeled subpart, and nested subpart unchanged immediately before its separate answer.
2. Identify the person answering, that person's title and department, and whether the answer is based on direct knowledge, identified records, identified legal authority, or another stated source.
3. When a question asks for a yes-or-no answer, begin with "yes," "no," or "the City cannot determine," before providing any explanation.

4. When a question asks for the City's position, interpretation, policy, or practice, state it expressly and identify the supporting authority, records, written policies, and materially contrary authority considered. State expressly if no City position, written policy, or uniform practice exists.
5. Distinguish an existing fact, current practice, written policy, legal position, and proposed future action. Do not present one as another.
6. If the City cannot answer a question, state that expressly, identify the information needed to answer it, identify the person or entity believed to possess that information, and describe the steps taken to obtain it.
7. If the City contends that any part of an answer cannot lawfully be disclosed, answer every reasonably separable part and identify the specific legal authority asserted for not answering the remainder without disclosing protected information.
8. A response to a rephrased or different question does not answer the submitted question.

SECTION 4. Public Response Package
The City Manager shall place the following in the public legislative file for Citizen Petition JV-20261021-02:

1. The complete written answers;
2. A response index matching every numbered question, every labeled subpart, and every nested subpart to its separate answer or expressly stated inability to answer; and
3. A specific citation to each record, legal authority, or written policy relied upon, including a direct, stable public link when one is available.

SECTION 5. Scope
This Proposed Measure directs written answers. It does not submit or incorporate a public-records request and does not require production of cited records. Any public-records request concerning the subject remains a separate request with an independent receipt date, scope, process, and legal effect.

SECTION 6. Continuing Responsibility
The City Manager remains responsible for the completeness and timely placement of the response package notwithstanding assignment of individual questions to another official, employee, department, or contractor.

CITIZEN PETITION

pursuant to Phoenix City Charter, Chapter IV, Sec. 22, requests the City Council to:

PROVIDE ANSWERS REGARDING THE EXECUTIVE SESSION LEGAL-ADVICE EXEMPTION

Submitted by:

Jerry Van Gasse
4610 E Via Estrella
Phoenix, AZ 85028
(602) 622-3515
board@goodgoat.net

Jerry Van Gasse
Date: 10-21-16

2016 OCT 21 PM 1:53
CITY CLERK DEPT.

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The legal request: a recorded vote of the City Council, within fifteen days, approving or denying the Proposed Measure exactly as written.

Proposed Measure 7–9
The exact measure the Council is asked to vote on, written in the City's own form.

SUMMARY

The Problem

State law allows the Council to close a meeting to the public only for listed purposes.

- Paragraph (A)(3) is "discussion or consultation for legal advice" with the City's attorneys.
- A different paragraph, (A)(4), lets the Council "consider its position and instruct its attorneys," and only on contracts, litigation and settlement.
- Collective decisions must be made in public.

Phoenix cites paragraph (A)(3) alone for many executive-session items. They include items whose titles refer to ordinances, City policies and programs, such as camping enforcement, heat safety, middle housing, park rules and immigration policies (Fact 6). For those items, the only limit on what the Council does behind closed doors is the meaning of "legal advice."

No published Phoenix rule, guideline or training material was located that says where legal advice ends and discussion among Councilmembers begins. The Council's rules of proceedings, City Code § 2-60, contain no rule about executive sessions (Fact 7). Residents and newly seated Councilmembers cannot know where the City draws the line, or who is expected to act when a discussion crosses it.

What the Proposed Measure Does

Directs the City Manager to provide attributable written answers, within thirty days or before the Council votes to approve executive-session dates for 2027, whichever comes first, to five questions about what Phoenix permits Councilmembers to discuss among themselves in an executive session held for legal advice under A.R.S. § 38-431.03(A)(3) alone, and who is responsible for recognizing and responding when a discussion exceeds the noticed subject or the invoked exemption. The complete response must be placed in the public legislative file for this petition.

Why the Council Should Adopt It

- **The meaning of "legal advice" sets the limits of every (A)(3) session.** Paragraph (A)(3) is about receiving legal advice. Paragraph (A)(4), which lets the Council consider its position and instruct its attorneys, is limited to contracts, litigation and settlement (Facts 1–2). When an item is noticed under (A)(3) alone, as many Phoenix

items are (Fact 6), the room for discussion is set by what "legal advice" covers. Questions 1–4 ask the City to say, in public, how it reads that limit.

- **Individual members can be sued for knowing violations.**
  In a suit brought by the Attorney General, a court may impose a civil penalty on an individual member who knowingly violates the Open Meeting Law, and the City may not pay it for the member (Fact 9). Members, and the attorneys and clerks in the room, are entitled to a clear written statement of how the City understands the limits of an (A)(3) session.

- **The rules name an enforcer for open meetings and say nothing about closed ones.**
  The presiding officer enforces the Council's rules, and a member may interrupt to raise a point of order (Fact 8). No rule addresses executive sessions (Fact 7). Question 5 asks who, if anyone, is expected to recognize and respond when a discussion goes beyond the noticed subject or the cited exemption.

- **The questions are neutral and answerable.**
  Each can be answered "yes," "no," "the City cannot determine" or "no written policy exists," with an explanation. The questions ask about Phoenix's current rules and positions, not what was said in any session.

The Facts

1. Arizona law permits a public body to hold an executive session "only for" the purposes it lists. Paragraph (A)(3) is "Discussion or consultation for legal advice with the attorney or attorneys of the public body."
   Source: A.R.S. § 38-431.03(A)(3).

2. A separate paragraph, (A)(4), permits discussion or consultation with the body's attorneys "in order to consider its position and instruct its attorneys." It applies only to:
   - contracts that are the subject of negotiations;
   - pending or contemplated litigation;
   - settlement discussions.

   Source: A.R.S. § 38-431.03(A)(4).

3. Two limits apply in every executive session:
   - Legal action involving a final vote or decision may not be taken in an executive session, except that the body may instruct its attorneys or representatives as provided in paragraphs (A)(4), (5) and (7).
   - A public body may not discuss in executive session any matter not described in the notice of the session, except as provided in § 38-431.02(I) and (J).

   Source: A.R.S. § 38-431.03(D), (E).

4. "Legal action" means "a collective decision, commitment or promise" made by a public body, and all legal action of public bodies must occur during a public meeting.
   Source: A.R.S. §§ 38-431(3), 38-431.01(A).

5. Phoenix's executive-session notices state that the session is "authorized by A.R.S. §38-431.03, A.1 through A.7," and then cite, for each agenda item, the specific paragraph or paragraphs relied on.
   Source: City of Phoenix, Notices of Meeting, Phoenix City Council Executive Session, Mar. 3, 2025 and Feb. 24, 2026.

6. Phoenix notices cite paragraph (A)(3) alone for items whose titles refer to ordinances, City policies or programs. For example:
   - "Camping and Trespass Enforcement" (Mar. 3, 2025, Item 1);
   - "Immigration Policies" (June 10, 2025, 2:00 pm session, Item 1);
   - "Middle Housing" (Oct. 7, 2025, Item 11);
   - "Heat Safety Ordinance Amendment" (Oct. 28, 2025, Item 14, and Nov. 4, 2025, Item 2);
   - "Parks Related Ordinances and Code of Conduct" (Nov. 4, 2025, Item 4);
   - "Medical Treatment in the Park" and "Food Sharing in the Park" (Feb. 24, 2026, Items 5 and 6);
   - "Council's Community Transparency Initiative" (Mar. 10, 2026, Item 4).

   On several of the same notices, lawsuit and claim items cite (A)(3) together with (A)(4).
   Source: City of Phoenix, Notices of Meeting, Phoenix City Council Executive Session, on the dates and items listed.

7. The Council's rules of proceedings, City Code § 2-60, are established "[i]n accordance with the provisions of Chapter IV, Section 7 of the Charter." Rule 12 requires the Council to "hold all meetings and conduct all business in accordance with" the Arizona Open Meeting Law. No rule in § 2-60 refers to executive sessions.
   Source: Phoenix City Code § 2-60, introductory clause and Rule 12 (codified text viewed Oct. 12, 2026).

8. Two of the Council's rules concern enforcement and interruption:
   - Rule 10(a): the Council's rules "shall be enforced by the presiding officer, subject to an appeal to the Council."
   - Rule 8(d): while a member of the Council is speaking, no other member may interrupt "except to make a point of order or point of personal privilege."

   Source: Phoenix City Code § 2-60, Rules 8(d), 10(a).

9. The Attorney General may sue an individual member of a public body for a knowing violation of the Open Meeting Law. The court may impose a civil penalty on each person who knowingly violates the law, and the public body may not pay the penalty on the member's behalf or reimburse it.
   Source: A.R.S. § 38-431.07(A).

REQUEST FOR COUNCIL ACTION

Petitioner	Jerry Van Gasse
Address	4610 E Vía Estrella Phoenix, AZ 85028
Phone	(602) 622-3515
Email	board@goodgoat.net
Date presented	October 21, 2026

Requested Legal Action

> For the City of Phoenix Council to vote on the Proposed Measure exactly as written.

Summary of Proposed Measure

Directs the City Manager to provide attributable written answers, within thirty days or before the Council votes to approve executive-session dates for 2027, whichever comes first, to five questions about what Phoenix permits Councilmembers to discuss among themselves in an executive session held for legal advice under A.R.S. § 38-431.03(A)(3) alone, and who is responsible for recognizing and responding when a discussion exceeds the noticed subject or the invoked exemption. The complete response must be placed in the public legislative file for this petition.

Council Action Required

Phoenix City Charter, Chapter IV, Section 22 provides that a written petition presented to the Council at a regular meeting **shall be acted upon by the Council in the regular course of business, within fifteen (15) days.** Section 8 provides that **the Council shall act only by resolution, ordinance, franchise, or formal recorded action.** The Proposed Measure is a formal recorded action.

Acting upon this petition requires that vote, as its own Formal Agenda item, with this Request and the Proposed Measure attached. Any change in the substance of the Proposed Measure, in whole or in part, makes it a different measure from the one proposed by the petitioner, and a vote on it is not action on this petition. Referral, a staff report, a General Information Packet entry, continuation, answers to some or all questions, or a consolidated vote also does not act upon this petition.

PROPOSED MEASURE

Scope of the Executive-Session Legal-Advice Exemption (Formal Action)

SECTION 1. Council Direction and Deadline
The City Council directs the City Manager to provide the attributable written answers specified below. The complete response shall be placed in the public legislative file for Citizen Petition JV-20261021-03 no later than the earlier of (a) thirty (30) days after the Council adopts this Proposed Measure, or (b) the time the Council votes on any item approving, calling, or scheduling executive sessions for calendar year 2027.

SECTION 2. Required Written Answers
The City Manager shall assign each question to the official or employee with direct knowledge, responsibility, or subject-matter competence. The assigned person shall answer each numbered question and each labeled subpart separately and completely.

1. When an executive session is noticed only under A.R.S. § 38-431.03(A)(3), may Councilmembers discuss the underlying matter with one another, as distinct from providing facts to counsel and receiving or requesting legal advice?
2. When only A.R.S. § 38-431.03(A)(3) is invoked, what factual communication is reasonably necessary to provide legal advice?

   2(a). What factual communication is reasonably necessary to understand legal advice?

   2(b). When does questioning or discussion of underlying facts become member-to-member deliberation outside the legal-advice exemption?
3. When only A.R.S. § 38-431.03(A)(3) is invoked, may Councilmembers discuss among themselves the implications of the legal advice they receive? Answer each of the following separately:

   3(a). May Councilmembers discuss the practical implications?

   3(b). May Councilmembers discuss the political implications?

   3(c). May Councilmembers discuss the policy implications?

   3(d). May Councilmembers discuss the operational implications?

   3(e). May Councilmembers discuss the budgetary implications?

   3(f). May Councilmembers discuss the financial implications?
4. When only A.R.S. § 38-431.03(A)(3) is invoked, may Councilmembers discuss among themselves how the Council should respond to the legal advice? Answer each of the following separately:

   4(a). May Councilmembers discuss alternatives?

   4(b). May Councilmembers discuss preferred outcomes?

   4(c). May Councilmembers discuss individual members' positions?

   4(d). May Councilmembers seek or discuss consensus?

   4(e). May Councilmembers discuss implementation?

   4(f). May Councilmembers discuss what action the Council should take?
5. Under Phoenix's current rules and instructions, who is responsible for recognizing when an executive-session discussion exceeds the noticed subject?

5(a). Who is responsible for recognizing when an executive-session discussion exceeds the invoked exemption?

5(b). Who is responsible for responding when an executive-session discussion exceeds the noticed subject?

5(c). Who is responsible for responding when an executive-session discussion exceeds the invoked exemption?

5(d). What responsibility or duty, if any, is assigned to the chair?

5(d)(1). Answer separately for a discussion that exceeds the noticed subject.

5(d)(2). Answer separately for a discussion that exceeds the invoked exemption.

5(e). What responsibility or duty, if any, is assigned to the advising attorney?

5(e)(1). Answer separately for a discussion that exceeds the noticed subject.

5(e)(2). Answer separately for a discussion that exceeds the invoked exemption.

5(f). What responsibility or duty, if any, is assigned to the clerk?

5(f)(1). Answer separately for a discussion that exceeds the noticed subject.

5(f)(2). Answer separately for a discussion that exceeds the invoked exemption.

5(g). What responsibility or duty, if any, is assigned to each individual Councilmember?

5(g)(1). Answer separately for a discussion that exceeds the noticed subject.

5(g)(2). Answer separately for a discussion that exceeds the invoked exemption.

5(h). What do Phoenix's current rules and instructions require if the discussion continues after it exceeds the noticed subject?

5(i). What do Phoenix's current rules and instructions require if the discussion continues after it exceeds the invoked exemption?

SECTION 3. Written-Answer Standards

1. Reproduce each numbered question, labeled subpart, and nested subpart unchanged immediately before its separate answer.
2. Identify the person answering, that person's title and department, and whether the answer is based on direct knowledge, identified records, identified legal authority, or another stated source.
3. When a question asks for a yes-or-no answer, begin with "yes," "no," or "the City cannot determine," before providing any explanation.
4. When a question asks for the City's position, interpretation, policy, or practice, state it expressly and identify the supporting authority, records, written policies, and materially contrary authority considered. State expressly if no City position, written policy, or uniform practice exists.
5. Distinguish an existing fact, current practice, written policy, legal position, and proposed future action. Do not present one as another.
6. If the City cannot answer a question, state that expressly, identify the information needed to answer it, identify the person or entity believed to possess that information, and describe the steps taken to obtain it.
7. If the City contends that any part of an answer cannot lawfully be disclosed, answer every reasonably separable part and identify the specific legal authority asserted for not answering the remainder without disclosing protected information.

8. A response to a rephrased or different question does not answer the submitted question.

SECTION 4. Public Response Package
The City Manager shall place the following in the public legislative file for Citizen Petition JV-20261021-03:

1. The complete written answers;
2. A response index matching every numbered question, every labeled subpart, and every nested subpart to its separate answer or expressly stated inability to answer; and
3. A specific citation to each record, legal authority, or written policy relied upon, including a direct, stable public link when one is available.

SECTION 5. Scope
This Proposed Measure directs written answers. It does not submit or incorporate a public-records request and does not require production of cited records. Any public-records request concerning the subject remains a separate request with an independent receipt date, scope, process, and legal effect.

SECTION 6. Continuing Responsibility
The City Manager remains responsible for the completeness and timely placement of the response package notwithstanding assignment of individual questions to another official, employee, department, or contractor.

CITIZEN PETITION

pursuant to Phoenix City Charter, Chapter IV, Sec. 22, requests the City Council to:

ADOPT AN ORDINANCE AMENDING THE PHOENIX CITY CODE REGARDING CONFIDENTIAL RECORDING AND PRESERVATION OF EXECUTIVE SESSIONS

Submitted by:
Jerry Van Gasse
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Jerry Van Gasse
Date: 10-21-26

2026 OCT 21 PM 4:54
CITY CLERK DEPT.

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The legal request: a recorded vote of the City Council, within fifteen days, approving or denying the Proposed Measure exactly as written.

Proposed Measure 8–10
The exact measure the Council is asked to vote on, written in the City's own form.

SUMMARY

The Problem

Arizona law requires every public body to keep "written minutes or a recording" of its meetings, including executive sessions. For an executive session, that record is the only record. It is confidential, and it is what the Attorney General, a county attorney or a court examines when a session is questioned.

Written minutes are a summary. State law requires executive-session minutes to contain only:

- the date, time and place;
- the members present or absent;
- a general description of the matters considered;
- certain instructions to attorneys or representatives.

A summary cannot settle a later dispute about what was actually said. The Attorney General's Open Meeting Law handbook says that once a complainant alleges facts supporting a reasonable inference of a violation, the burden of proof shifts to the public body. It calls recording or transcribing executive sessions "the best practice."

No published City of Phoenix rule was located that says whether Council executive sessions are recorded, or how any record is protected, preserved and kept unaltered. The Council's rules of proceedings, City Code § 2-60, contain no rule addressed to executive sessions.

What the Proposed Measure Does

Adopt an ordinance adding a new section to Chapter 2 of the Phoenix City Code that requires the City Clerk to make a continuous, confidential audiovisual recording of every executive session, with primary and backup systems, to stop the session if recording fails, and to preserve the original recording permanently and unaltered, verified by cryptographic hash and tracked by an audit log that is public except for protected portions.

Why the Council Should Adopt It

- **State law offers a choice; Phoenix should make the complete one.**
  Section 38-431.01(C) allows minutes or a recording (Fact 1), and nothing prevents a public body from keeping both. The Attorney General's handbook calls a recording best practice (Fact 7). The ordinance makes it the Council's rule.

- **A complete record protects everyone who later relies on it.**
  The Attorney General and county attorneys may examine any "recording" in an Open Meeting Law investigation, and a court may review executive-session records in camera (Facts 4–6). A verbatim recording gives that reviewer the actual discussion, not someone's summary of it. That protects members and staff whose conduct was proper as much as it exposes conduct that was not.

- **The record is only worth having if it is known to be unaltered.**
  The ordinance:
  - keeps the original untouched;
  - verifies it with a cryptographic hash;
  - records every access in an audit log;
  - guards against media and format loss.

  The audit log is public, apart from confidential or otherwise protected portions, so the public can see that the record is being kept and who has touched it, without seeing what it contains.

- **Confidentiality is preserved.**
  The recording is a confidential executive-session record. The ordinance bars any public transmission and limits access to the routes state law already provides (Facts 3–6). It creates no new route to disclosure.

- **It fits the Council's existing rules.**
  Section 2-60 already governs the Council's proceedings, requires compliance with the Open Meeting Law and assigns tasks to the City Clerk (Fact 8). It says nothing yet about executive sessions. This ordinance does.

The Facts

1. Arizona law provides: "All public bodies shall provide for the taking of written minutes or a recording of all their meetings, including executive sessions."
   Source: A.R.S. § 38-431.01(C).
2. Executive-session minutes must include:
   - the date, time and place of the meeting;
   - the members recorded as present or absent;
   - a general description of the matters considered;
   - an accurate description of instructions given under § 38-431.03(A)(4), (5) and (7);

- "other matters as may be deemed appropriate by the public body."

Source: A.R.S. § 38-431.01(C)(1)–(3), (D).

3. Minutes of and discussions made at executive sessions must be kept confidential except from:
   - the members of the public body that met;
   - officers or employees who were the subject of a personnel discussion;
   - the Auditor General for an authorized audit;
   - a county attorney or the Attorney General investigating alleged Open Meeting Law violations.

   Source: A.R.S. § 38-431.03(B).
4. A person who receives executive-session information under § 38-431.03 or § 38-431.06 may disclose it only:
   - to the Attorney General or county attorney;
   - by agreement with the public body;
   - to a court in camera for purposes of enforcing the Open Meeting Law.

   Such disclosure does not waive any privilege.
   Source: A.R.S. § 38-431.03(F).
5. In investigating an alleged Open Meeting Law violation, the Attorney General or county attorney may "Examine by means of inspecting, studying or copying any account, book, computer, document, minutes, paper, recording or record."
   Source: A.R.S. § 38-431.06(B)(4).
6. In an action challenging the validity of an executive session, the court may review the minutes in camera and, in its discretion, disclose or admit part or all of them.
   Source: A.R.S. § 38-431.07(C).
7. The Attorney General's handbook states that once a complainant alleges facts from which a reasonable inference of an Open Meeting Law violation may be drawn, "the burden of proof immediately shifts to a public body" to prove that an exception authorized the executive session. It then states: "The best practice is for public bodies to keep an audio or video recording of the executive session or to transcribe the executive session to ensure that they are prepared to meet their burden of proof in the event a complaint is filed."
   Source: Arizona Attorney General, Agency Handbook ch. 7 (Open Meetings), § 7.8.3, at 7-18 to 7-19 (rev. 2018).
8. Phoenix City Code § 2-60, the Rules of Council Proceedings, contains no rule that refers to executive sessions. Its history note lists amending ordinances from 1996 through 2021. Among its rules:
   - Rule 3 directs the City Clerk to prepare and publish the formal agenda.
   - Rule 10(b) provides: "Unless otherwise provided by law, these rules may be suspended or modified at any time, by a majority vote of the Council."
   - Rule 11 provides that citizen comments "will be televised as part of the formal meeting."

- Rule 12 requires the Council to hold all meetings in accordance with the Arizona Open Meeting Law.

Source: Phoenix City Code § 2-60, Rules 3, 10(b), 11 and 12 and history note (codified text viewed Oct. 12, 2026).

9. The City's Executive Session Agendas webpage states that "Materials, minutes, and discussions utilized during E-session are confidential and cannot be disclosed unless otherwise provided by law." It does not address whether executive sessions are recorded. No published City rule, policy or procedure on recording executive sessions was located in City Code § 2-60 or on that webpage.
Source: City of Phoenix, City Council Executive Session Agendas webpage, viewed Oct. 12, 2026; Phoenix City Code § 2-60.

REQUEST FOR COUNCIL ACTION

Petitioner	Jerry Van Gasse
Address	4610 E Via Estrella Phoenix, AZ 85028
Phone	(602) 622-3515
Email	board@goodgoat.net
Date presented	October 21, 2026

Requested Legal Action

> For the City of Phoenix Council to vote on the Proposed Measure exactly as written.

Summary of Proposed Measure

Adopt an ordinance adding a new section to Chapter 2 of the Phoenix City Code that requires the City Clerk to make a continuous, confidential audiovisual recording of every executive session, with primary and backup systems, to stop the session if recording fails, and to preserve the original recording permanently and unaltered, verified by cryptographic hash and tracked by an audit log that is public except for protected portions.

Council Action Required

Phoenix City Charter, Chapter IV, Section 22 provides that a written petition presented to the Council at a regular meeting **shall be acted upon by the Council in the regular course of business, within fifteen (15) days.** Section 8 provides that **the Council shall act only by resolution, ordinance, franchise, or formal recorded action.** The Proposed Measure is an ordinance.

Acting upon this petition requires that vote, as its own Formal Agenda item, with this Request and the Proposed Measure attached. Any change in the substance of the Proposed Measure, in whole or in part, makes it a different measure from the one proposed by the petitioner, and a vote on it is not action on this petition. Referral, a staff report, a General Information Packet entry, continuation, or a consolidated vote also does not act upon this petition.

PROPOSED MEASURE

Current Code text used	Phoenix City Code as published by the City's codifier at phoenix.municipal.codes, retrieved October 13, 2026
Codifier's stated currency	Current through Ordinance G-7524, passed June 17, 2026, as stated by the codifier on October 13, 2026
Amendment marking	Additions in CAPITAL LETTERS; deletions in strikethrough.

ORDINANCE G-_____

AN ORDINANCE AMENDING CHAPTER 2, PHOENIX CITY CODE, BY ADDING SECTION 2-____, RELATING TO CONFIDENTIAL OFFICIAL RECORDING AND PERMANENT PRESERVATION OF EXECUTIVE SESSIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That Chapter 2, Article II of the Phoenix City Code is hereby amended by adding Section 2-____ to read as follows:

2-____. CONFIDENTIAL OFFICIAL RECORDING AND PERMANENT PRESERVATION OF EXECUTIVE SESSIONS.

A. THE OFFICIAL INTERIOR RECORDING REQUIRED BY THIS SUBSECTION IS A CONFIDENTIAL EXECUTIVE-SESSION RECORD. THE CITY CLERK SHALL MAKE A CONTINUOUS OFFICIAL AUDIOVISUAL RECORDING BEGINNING WHEN THE PUBLIC IS EXCLUDED AND CONTINUING WITHOUT INTERRUPTION UNTIL THE EXECUTIVE SESSION ENDS. THE RECORDING SHALL INCLUDE EVERY COMMUNICATION MADE WHILE THE PUBLIC IS EXCLUDED AND SHALL NOT BE PAUSED, STOPPED, EDITED, OR PLACED OFF THE RECORD. ANY RECORDING OF THE PUBLIC MEETING BEFORE OR AFTER THE EXECUTIVE SESSION SHALL BE SEPARATELY IDENTIFIED AND MAINTAINED AS A PUBLIC-MEETING RECORD.

B. NO AUDIO OR VIDEO FROM INSIDE THE EXECUTIVE-SESSION ROOM, NO REMOTE EXECUTIVE-SESSION COMMUNICATION, AND NO CONFIDENTIAL DOCUMENT, DISPLAY, SCREEN, OR COMMUNICATION SHALL BE TRANSMITTED THROUGH A PUBLIC FEED OR MADE PUBLICLY ACCESSIBLE. IF A SEPARATE PUBLIC OBSERVATION FEED OR RECORD IS INDEPENDENTLY AUTHORIZED OR REQUIRED BY LAW OR ANOTHER COUNCIL RULE, IT SHALL REMAIN SEPARATE FROM THE CONFIDENTIAL RECORDING AND SHALL NOT CAPTURE OR EXPOSE CONFIDENTIAL EXECUTIVE-SESSION CONTENT. THIS SECTION NEITHER REQUIRES NOR INDEPENDENTLY AUTHORIZES CREATION OR PUBLIC DISCLOSURE OF A PUBLIC OBSERVATION FEED OR RECORD.

C. THE CITY SHALL USE PRIMARY AND BACKUP RECORDING SYSTEMS CAPABLE OF MAKING COMPLETE, SYNCHRONIZED, AND INTELLIGIBLE AUDIO AND VIDEO RECORDS. THE RECORDING SHALL PERMIT IDENTIFICATION OF EACH SPEAKER AND SHALL CONTINUOUSLY PRESERVE THE DATE, TIME, AND PARTICIPATION OF EACH PERSON ATTENDING IN PERSON OR BY TECHNOLOGICAL MEANS. PUBLIC STREAMING OR PUBLIC DISCLOSURE FEATURES USED FOR PUBLIC COUNCIL MEETINGS SHALL BE DISABLED FOR THE CONFIDENTIAL RECORDING.

D. BEFORE SUBSTANTIVE COMMUNICATION BEGINS, THE CITY CLERK SHALL RECORD A ROLL CALL STATING THE NAME, TITLE OR ROLE, AND PARTICIPATION METHOD OF EVERY PERSON PRESENT. THE CITY CLERK SHALL RECORD EACH LATER ENTRY, JOINDER, DEPARTURE, DISCONNECTION, AND RECONNECTION WHEN IT OCCURS.

E. IF BOTH THE PRIMARY AND BACKUP RECORDING SYSTEMS FAIL OR CEASE TO PRODUCE A COMPLETE AND INTELLIGIBLE RECORDING, ALL SUBSTANTIVE COMMUNICATION SHALL STOP IMMEDIATELY AND SHALL NOT RESUME UNTIL RECORDING HAS BEEN RESTORED. THE CITY CLERK SHALL DOCUMENT THE FAILURE, ITS DURATION, AND THE CORRECTIVE ACTION TAKEN.

F. THE CITY CLERK SHALL PRESERVE PERMANENTLY:

1. THE COMPLETE ORIGINAL RECORDING AS AN IMMUTABLE BITSTREAM IN ITS NATIVE FORMAT;
2. AT LEAST ONE PRESERVATION COPY IN A DURABLE, NONPROPRIETARY FORMAT;
3. A CRYPTOGRAPHIC HASH SUFFICIENT TO VERIFY THE INTEGRITY OF THE ORIGINAL RECORDING AND EACH PRESERVATION COPY; AND
4. AN AUDIT LOG IDENTIFYING EVERY ACCESS, REPRODUCTION, TRANSFER, MIGRATION, DERIVATIVE, OR DISCLOSURE OF THE RECORDING.

G. THE ORIGINAL RECORDING SHALL NOT BE ALTERED. ANY TRANSCODING, MIGRATION, ENHANCEMENT, OR REDACTION SHALL CREATE A SEPARATELY IDENTIFIED DERIVATIVE WITHOUT REPLACING OR MODIFYING THE ORIGINAL. THE CITY CLERK SHALL PRESERVE EACH DERIVATIVE, RECORD ITS RELATIONSHIP TO THE ORIGINAL, AND GENERATE A NEW CRYPTOGRAPHIC HASH FOR THE DERIVATIVE.

H. THE CITY CLERK SHALL VERIFY THE INTEGRITY AND READABILITY OF THE ORIGINAL RECORDING AND EACH PRESERVATION COPY AT LEAST ANNUALLY AND SHALL CREATE A NEW PRESERVATION DERIVATIVE WHEN NECESSARY TO PREVENT FORMAT OR MEDIA OBSOLESCENCE. NO MIGRATION OR DERIVATIVE MAY REPLACE THE ORIGINAL RECORDING.

I. THE CONFIDENTIAL RECORDING AND EVERY COPY, DERIVATIVE, AND REPRODUCTION SHALL BE MAINTAINED SEPARATELY FROM PUBLIC MEETING RECORDS AND PROTECTED AGAINST UNAUTHORIZED ACCESS, DISCLOSURE, ALTERATION, DELETION, OR PUBLIC TRANSMISSION. ACCESS TO AND DISCLOSURE OF THOSE RECORDS SHALL COMPLY WITH A.R.S. §§ 38-431.03(B), 38-431.03(F), 38-431.06, 38-431.07(C), AND OTHER CONTROLLING LAW. NOTHING IN THIS SECTION INDEPENDENTLY AUTHORIZES PUBLIC ACCESS TO OR PUBLIC DISCLOSURE OF CONFIDENTIAL EXECUTIVE-SESSION INFORMATION.

J. THE AUDIT LOG REQUIRED BY SUBSECTION F IS A PUBLIC RECORD EXCEPT FOR A SPECIFIC PORTION WHOSE DISCLOSURE WOULD REVEAL CONFIDENTIAL EXECUTIVE-SESSION INFORMATION OR THAT THE CITY IS OTHERWISE AUTHORIZED OR REQUIRED BY LAW TO WITHHOLD. THE CITY SHALL IDENTIFY THE LEGAL AUTHORITY FOR EACH WITHHELD PORTION.

K. THIS SECTION IS NOT SUBJECT TO SUSPENSION OR MODIFICATION UNDER RULE 10(B) OF SECTION 2-60.

SECTION 2. NO APPROPRIATION. This Ordinance appropriates no funds.

SECTION 3. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect any other provision or application that can be given effect without the invalid provision or application.

SECTION 4. This ordinance shall take effect and become operative thirty days after passage.

CITIZEN PETITION

pursuant to Phoenix City Charter, Chapter IV, Sec. 22, requests the City Council to:

ADOPT AN ORDINANCE AMENDING THE PHOENIX CITY CODE REGARDING PUBLIC OBSERVATION OF EXECUTIVE SESSION PARTICIPATION AND TIME

Submitted by:

Jerry Van Gasse
4610 E Via Estrella
Phoenix, AZ 85028
(602) 622-3515
board@goodgoat.net

Jerry Van Gasse
Date: 10-21-26

2026 OCT 21 PM 4:54
CITY CLERK DEPT.

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Proposed Measure 8–9
The exact measure the Council is asked to vote on, written in the City's own form.

SUMMARY

The Problem

When the City Council meets in executive session, the public is excluded from the discussion. State law also limits who may be in the room. Besides Councilmembers and the officers and employees the statute provides for, only people "whose presence is reasonably necessary" may attend. A meeting can include participants "through technological devices," so a session may include people who are not in the room at all.

What the public can see of a Phoenix executive session is the posted notice. The notices reviewed state the date, a 12:00 pm start, a room on the 12th floor of City Hall and the list of items. They do not say:

- who will attend;
- how anyone will participate;
- when the session will end.

No published record of who attended an ordinary session, or when it began and ended, was located.

Who is present, and for how long, is not part of what was said. The Arizona Court of Appeals held in 2026, in a decision that is now final, that executive-session confidentiality covers minutes and discussions, and that "attendance is not a discussion." Yet no Phoenix rule lets the public see attendance or timing. The Council's rules of proceedings, City Code § 2-60, contain no rule addressed to executive sessions.

What the Proposed Measure Does

Adopt an ordinance adding a new section to Chapter 2 of the Phoenix City Code that lets the public observe, without hearing or seeing anything confidential, who enters, joins and leaves each executive session and when it begins and ends. The City Clerk must announce expected participants beforehand and post the participants and actual times within one working day after the session.

Why the Council Should Adopt It

- **Attendance and time are facts about a session, not its content.**
  State law makes executive-session minutes and discussions confidential (Fact 4). The Court of Appeals has held that this confidentiality does not reach attendance (Fact 6). The ordinance makes public who is present and when, and bars transmission of anything said or shown.

- **A legal limit the public cannot see gives the public no assurance.**
  Only people whose presence is reasonably necessary may attend (Facts 1, 8). The City's own webpage says so. Seeing who enters, joins and leaves lets the public watch that limit being applied, without learning anything confidential.

- **The City already publishes timing for some sessions.**
  For three 2025 special meetings called to vote on an executive session, the City's results notices record when each meeting was called to order and when it adjourned (Fact 10). The ordinance applies that practice to every session and adds who participated and how.

- **Remote participants should be as visible as those in the room.**
  A session can include participants joining by technological devices (Fact 2). The ordinance requires each remote participant's name, title or role, and current participation status to be displayed or announced when the person joins or leaves. The Attorney General's handbook recommends procedures to "clearly identify" members participating remotely in public meetings (Fact 11).

- **It protects what the law protects.**
  Where controlling law, a court order, privilege, a recognized privacy interest or security protection prevents naming a participant, the ordinance:
  - substitutes a role description;
  - records the reason in the confidential record;
  - cites the authority publicly;
  - withholds no more than the authority requires.

The Facts

1. "In addition to the members of the public body, officers, appointees and employees as provided in section 38-431.03 and the auditor general as provided in section 41-1279.04, only individuals whose presence is reasonably necessary in order for the public body to carry out its executive session responsibilities may attend the executive session."
   Source: A.R.S. § 38-431(2).

2. A "meeting" under the Open Meeting Law means "the gathering, in person or through technological devices, of a quorum of the members of a public body at which they discuss, propose or take legal action."
   Source: A.R.S. § 38-431(4)(a).

3. Executive-session minutes must include, among other things, "The members of the public body recorded as either present or absent."
Source: A.R.S. § 38-431.01(C)(2), (D).

4. Minutes of and discussions made at executive sessions must be kept confidential except from:
   - the members of the public body that met;
   - officers or employees who were the subject of a personnel discussion;
   - the Auditor General for an authorized audit;
   - a county attorney or the Attorney General investigating alleged Open Meeting Law violations.

   Source: A.R.S. § 38-431.03(B).

5. Two statutes limit what must be disclosed:
   - An executive-session notice "need not contain information that would defeat the purpose of the executive session, compromise the legitimate privacy interests of a public officer, appointee or employee or compromise the attorney-client privilege."
   - For executive sessions on security plans, procedures, assessments, measures or systems, "Records, documentation, notes or other materials made by, or provided to, the representatives pursuant to this paragraph are confidential and exempt from public disclosure under this chapter and title 39, chapter 1."

   Source: A.R.S. §§ 38-431.02(I), 38-431.03(A)(9).

6. In a published opinion, the Arizona Court of Appeals held:
   - the confidentiality established by § 38-431.03(B) "is extended only to '[m]inutes' and 'discussions'";
   - "attendance is not a discussion";
   - the court "cannot extend the confidentiality established in § 38-431.03(B) beyond its plainly stated terms."

   It held that the trial court erred in treating mere attendance as confidential. The Arizona Supreme Court dismissed a petition for review on Aug. 21, 2026, and the mandate issued Sept. 17, 2026.
   Source: *Alley v. Pima County*, No. 2 CA-CV 2025-0185, ¶¶ 32–35 (Ariz. App. June 16, 2026); Ariz. Sup. Ct. No. CV-26-0204-PR.

7. "The public body shall instruct persons who are present at the executive session regarding the confidentiality requirements of this article."
Source: A.R.S. § 38-431.03(C).

8. The City's Executive Session Agendas webpage states: "E-session may only include individuals whose presence is reasonably necessary for the public body to carry out its E-session responsibilities. A.R.S. § 38-431(2)."
Source: City of Phoenix, City Council Executive Session Agendas webpage, viewed Oct. 12, 2026.

9. The City's notices for the Council executive sessions of June 9 and Sept. 1, 2026 state the date, a 12:00 pm start time and the location (Central Conference Room, 12th Floor, Phoenix

City Hall), followed by the agenda items. They do not list attendees, state an ending time or address remote participation.

Source: City of Phoenix, Notice of Meeting, Phoenix City Council Executive Session, June 9, 2026 and Sept. 1, 2026.

10. The City's Notices of Results for the special meetings of July 29, Sept. 17 and Nov. 18, 2025, each called to vote on an executive session, record:

    - the call to order (12:04, 1:05 and 12:36 pm);
    - approval of the vote to call the executive session;
    - the executive-session item as "Discussed";
    - adjournment (2:08, 2:35 and 2:19 pm).

    They do not list who attended.

    Source: City of Phoenix, Notices of Results, Phoenix City Council Special Meetings, July 29, Sept. 17 and Nov. 18, 2025.

11. The Attorney General's handbook states that members unable to attend a public meeting in person "may participate by telephone or video or internet conference" if not prohibited by applicable statutes. Among its guidelines, it recommends that public bodies "Develop procedures to clearly identify members that are participating by telephonic, video or internet communications."

    Source: Arizona Attorney General, Agency Handbook ch. 7 (Open Meetings), § 7.10.3, at 7-26 to 7-27 (rev. 2018).

12. Phoenix City Code § 2-60, the Rules of Council Proceedings, contains no rule that refers to executive sessions and no provision on remote, telephonic or video participation. Its history note lists amending ordinances from 1996 through 2021. Among its rules:

    - Rule 3 directs the City Clerk to prepare and publish the formal agenda.
    - Rule 10(b) provides: "Unless otherwise provided by law, these rules may be suspended or modified at any time, by a majority vote of the Council."
    - Rule 12 requires the Council to hold all meetings in accordance with the Arizona Open Meeting Law.

    Source: Phoenix City Code § 2-60, Rules 3, 10(b) and 12 and history note (codified text viewed Oct. 12, 2026).

REQUEST FOR COUNCIL ACTION

Petitioner	Jerry Van Gasse
Address	4610 E Vía Estrella Phoenix, AZ 85028
Phone	(602) 622-3515
Email	board@goodgoat.net
Date presented	October 21, 2026

Requested Legal Action

> For the City of Phoenix Council to vote on the Proposed Measure exactly as written.

Summary of Proposed Measure

Adopt an ordinance adding a new section to Chapter 2 of the Phoenix City Code that lets the public observe, without hearing or seeing anything confidential, who enters, joins and leaves each executive session and when it begins and ends. The City Clerk must announce expected participants beforehand and post the participants and actual times within one working day after the session.

Council Action Required

Phoenix City Charter, Chapter IV, Section 22 provides that a written petition presented to the Council at a regular meeting **shall be acted upon by the Council in the regular course of business, within fifteen (15) days.** Section 8 provides that **the Council shall act only by resolution, ordinance, franchise, or formal recorded action.** The Proposed Measure is an ordinance.

Acting upon this petition requires that vote, as its own Formal Agenda item, with this Request and the Proposed Measure attached. Any change in the substance of the Proposed Measure, in whole or in part, makes it a different measure from the one proposed by the petitioner, and a vote on it is not action on this petition. Referral, a staff report, a General Information Packet entry, continuation, or a consolidated vote also does not act upon this petition.

PROPOSED MEASURE

Current Code text used	Phoenix City Code as published by the City's codifier at phoenix.municipal.codes, retrieved October 13, 2026
Codifier's stated currency	Current through Ordinance G-7524, passed June 17, 2026, as stated by the codifier on October 13, 2026
Amendment marking	Additions in CAPITAL LETTERS; deletions in strikethrough.

ORDINANCE G-_____

AN ORDINANCE AMENDING CHAPTER 2, PHOENIX CITY CODE, BY ADDING SECTION 2-____, RELATING TO PUBLIC OBSERVATION OF EXECUTIVE-SESSION PARTICIPATION AND TIME.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That Chapter 2, Article II of the Phoenix City Code is hereby amended by adding Section 2-____ to read as follows:

2-____. PUBLIC OBSERVATION OF EXECUTIVE-SESSION PARTICIPATION AND TIME.

A. EVERY EXECUTIVE SESSION SHALL BE CONDUCTED IN A PHYSICAL OR TECHNOLOGICAL ARRANGEMENT THAT ALLOWS THE PUBLIC TO OBSERVE, WITHOUT HEARING OR VIEWING CONFIDENTIAL COMMUNICATIONS:

1. THE IDENTITY OF EACH PERSON WHO ENTERS, JOINS, LEAVES, OR DISCONNECTS FROM THE EXECUTIVE SESSION AND THE TIME OF EACH ENTRY, JOINDER, DEPARTURE, OR DISCONNECTION; AND
2. THE TIME THE EXECUTIVE SESSION BEGINS AND THE TIME IT ENDS.

B. BEFORE EXCLUDING THE PUBLIC, THE CITY CLERK SHALL PUBLICLY ANNOUNCE THE NAME, TITLE OR ROLE, AND PARTICIPATION METHOD OF EVERY PERSON THEN EXPECTED TO ATTEND THE EXECUTIVE SESSION. IF ANOTHER PERSON LATER ENTERS OR JOINS, THE PUBLIC OBSERVATION POINT SHALL IDENTIFY THAT PERSON BY NAME, TITLE OR ROLE, AND PARTICIPATION METHOD AT THE TIME THE PERSON ENTERS OR JOINS.

C. THE CITY SHALL PROVIDE A CONTINUOUSLY AVAILABLE PUBLIC OBSERVATION POINT FOR THE DURATION OF THE EXECUTIVE SESSION. THE REQUIRED OBSERVATION MAY BE PROVIDED BY DIRECT PHYSICAL OBSERVATION, A LIVE VISUAL DISPLAY, OR A COMBINATION OF METHODS, PROVIDED THAT:

1. THE PUBLIC CAN OBSERVE THE IDENTITY AND ENTRY OR DEPARTURE OF EACH IN-PERSON PARTICIPANT;
2. THE NAME, TITLE OR ROLE, AND CURRENT PARTICIPATION STATUS OF EACH REMOTE PARTICIPANT ARE PUBLICLY DISPLAYED OR ANNOUNCED WHEN THAT PERSON JOINS OR LEAVES; AND
3. A CLOCK AND AN INDICATION WHETHER THE EXECUTIVE SESSION IS IN PROGRESS REMAIN PUBLICLY VISIBLE.

THE PUBLIC OBSERVATION POINT SHALL NOT TRANSMIT OR EXPOSE AUDIO OR VIDEO FROM INSIDE THE EXECUTIVE-SESSION ROOM, REMOTE EXECUTIVE-SESSION COMMUNICATIONS, OR ANY CONFIDENTIAL DOCUMENT, DISPLAY, SCREEN, OR COMMUNICATION.

D. NO LATER THAN ONE WORKING DAY AFTER THE EXECUTIVE SESSION ENDS, THE CITY CLERK SHALL POST IN THE PUBLIC LEGISLATIVE FILE THE NAME, TITLE OR ROLE, AND PARTICIPATION METHOD OF EVERY PARTICIPANT AND THE ACTUAL TIME THE EXECUTIVE SESSION BEGAN AND ENDED.

E. IF DISCLOSURE OF A PARTICIPANT'S NAME IS PROHIBITED BY CONTROLLING LAW OR A COURT ORDER, OR IF THE DISCLOSURE WOULD ITSELF REVEAL INFORMATION PROTECTED FROM DISCLOSURE BY LAW, COMPROMISE THE ATTORNEY-CLIENT PRIVILEGE, COMPROMISE A LEGITIMATE PRIVACY INTEREST RECOGNIZED BY A.R.S. § 38-431.02(I), OR DISCLOSE SECURITY INFORMATION PROTECTED UNDER A.R.S. § 38-431.03(A)(9), THE PUBLIC OBSERVATION POINT AND PUBLIC LEGISLATIVE FILE SHALL USE A NONIDENTIFYING DESCRIPTION OF THE PARTICIPANT'S ROLE. THE CITY CLERK SHALL CONTEMPORANEOUSLY DOCUMENT IN THE CONFIDENTIAL EXECUTIVE-SESSION RECORD THE PARTICIPANT'S IDENTITY, THE FACTUAL BASIS FOR WITHHOLDING THE NAME, AND THE SPECIFIC LEGAL AUTHORITY SUPPORTING THE WITHHOLDING. THE PUBLIC LEGISLATIVE FILE SHALL IDENTIFY THAT AUTHORITY WITHOUT REVEALING THE PROTECTED INFORMATION. NO MORE INFORMATION MAY BE WITHHELD THAN THE IDENTIFIED INTEREST AND AUTHORITY REQUIRE.

F. THE EXECUTIVE SESSION SHALL NOT BEGIN OR CONTINUE WHILE THE PUBLIC OBSERVATION POINT IS UNAVAILABLE OR WHILE INFORMATION REQUIRED BY THIS SECTION IS OMITTED. CONFIDENTIAL AUDIO, VIDEO, DOCUMENTS, DISPLAYS, SCREENS, OR COMMUNICATIONS SHALL NOT BE TRANSMITTED THROUGH THE PUBLIC OBSERVATION POINT.

G. THIS SECTION IS NOT SUBJECT TO SUSPENSION OR MODIFICATION UNDER RULE 10(B) OF SECTION 2-60.

SECTION 2. NO APPROPRIATION. This Ordinance appropriates no funds.

SECTION 3. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect any other provision or application that can be given effect without the invalid provision or application.

SECTION 4. This ordinance shall take effect and become operative thirty days after passage.

CITIZEN PETITION

pursuant to Phoenix City Charter, Chapter IV, Sec. 22, requests the City Council to:

PROVIDE ANSWERS REGARDING EXECUTIVE SESSION RECORDING AND PRESERVATION

Submitted by:
Jerry Van Gasse
4610 E Via Estrella
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board@goodgoat.net

Jerry Van Gasse
Date: 10-21-26

2025 OCT 21 PM 4:53
CITY CLERK DEPT.

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Proposed Measure 7–9
The exact measure the Council is asked to vote on, written in the City's own form.

SUMMARY

The Problem

Arizona law requires every public body to keep "written minutes or a recording" of its meetings, including executive sessions. For an executive session, that record is the only record. It is confidential, and executive-session minutes need contain only a general description of the matters considered and a few other items. When a session is challenged, a court may review that record privately.

No published City of Phoenix rule was located that says:

- whether City Council executive sessions are recorded;
- who keeps the record;
- how it is protected and retained;
- how a Councilmember who attended can check it.

The Council's rules of proceedings, City Code § 2-60, contain no rule addressed to executive sessions. The City's Executive Session Agendas webpage says the minutes are confidential and nothing about how they are made or kept.

Neither residents nor Councilmembers can tell from any public source how the official record of these sessions is created, preserved and reviewed, or what a member can do if the member believes that record is wrong.

What the Proposed Measure Does

Directs the City Manager to provide attributable written answers, within thirty days or before the Council votes to approve executive-session dates for 2027, whichever comes first, to five questions and to place the complete response in this petition's public legislative file. The questions ask:

- whether Phoenix officially records City Council executive sessions verbatim;
- how the official session record is kept, protected and preserved;
- how a member who attended can review it;
- Phoenix's position on personal recordings and on preserving evidence when a member disputes the record.

Why the Council Should Adopt It

- **State law leaves the choice to the City, so the City's choice should be known.**
  Section 38-431.01(C) allows minutes or a recording (Fact 1). The Attorney General's Open Meeting Law handbook calls recording or transcribing executive sessions "the best practice" (Fact 6). The public cannot learn from any published source which option Phoenix uses, why, or under what rules (Facts 7–8). Question 1 asks the City to say.

- **The record matters most when it is disputed.**
  Executive-session minutes are confidential, but the law provides routes by which they reach an investigator or a court (Facts 3–5). How that record is made, kept and protected from alteration determines what any later reviewer can see. Questions 2 and 5 ask for those rules.

- **Members need to know how they can check the record.**
  State law does not keep executive-session minutes confidential from the members of the body that met (Fact 3). Question 3 asks how and when that review actually happens. Question 4(a) asks what a member can do, through lawful channels, if the member believes the minutes are inaccurate or incomplete. These are process questions that can be answered without disclosing any confidential discussion.

- **Answers come before any rule change.**
  The Council should know the City's current rules and practices before deciding whether to change them. The questions allow the answers that no documented decision exists, that no recording is made, that no mechanism is available or that the City cannot determine. Each of those answers tells the Council something it needs to know.

The Facts

1. Arizona law provides: "All public bodies shall provide for the taking of written minutes or a recording of all their meetings, including executive sessions."
   Source: A.R.S. § 38-431.01(C).

2. Executive-session minutes must include:
   - the date, time and place of the meeting;
   - the members recorded as present or absent;
   - a general description of the matters considered;
   - an accurate description of instructions given under § 38-431.03(A)(4), (5) and (7);
   - "other matters as may be deemed appropriate by the public body."

   Source: A.R.S. § 38-431.01(C)(1)–(3), (D).

3. Minutes of and discussions made at executive sessions must be kept confidential except from:
   - the members of the public body that met;
   - officers or employees who were the subject of a personnel discussion;
   - the Auditor General for an authorized audit;

- a county attorney or the Attorney General investigating alleged Open Meeting Law violations.

Source: A.R.S. § 38-431.03(B).

4. A person who receives executive-session information under § 38-431.03 or § 38-431.06 may disclose it only:
   - to the Attorney General or county attorney;
   - by agreement with the public body;
   - to a court in camera for purposes of enforcing the Open Meeting Law.

   Such disclosure does not waive any privilege.
   Source: A.R.S. § 38-431.03(F).
5. In an action challenging the validity of an executive session, the court may review the minutes in camera and, in its discretion, disclose or admit part or all of them.
   Source: A.R.S. § 38-431.07(C).
6. The Attorney General's handbook states: "The best practice is for public bodies to keep an audio or video recording of the executive session or to transcribe the executive session to ensure that they are prepared to meet their burden of proof in the event a complaint is filed."
   Source: Arizona Attorney General, Agency Handbook ch. 7 (Open Meetings), § 7.8.3, at 7-19 (rev. 2018).
7. Phoenix City Code § 2-60, the Rules of Council Proceedings, contains no rule that refers to executive sessions. Two of its rules bear on how meetings are conducted:
   - Rule 11 provides that citizen comments "will be televised as part of the formal meeting."
   - Rule 12 requires the Council to hold all meetings in accordance with the Arizona Open Meeting Law.

   Source: Phoenix City Code § 2-60, Rules 11 and 12 (codified text viewed Oct. 12, 2026).
8. The City's Executive Session Agendas webpage states that "Materials, minutes, and discussions utilized during E-session are confidential and cannot be disclosed unless otherwise provided by law." It does not address whether executive sessions are recorded. No published City rule, policy or procedure on recording executive sessions was located in City Code § 2-60 or on that webpage.
   Source: City of Phoenix, City Council Executive Session Agendas webpage, viewed Oct. 12, 2026; Phoenix City Code § 2-60.
9. The Phoenix City Charter provides: "Except for the purpose of inquiry, the Council and its Members shall deal with the administrative service solely through the City Manager and neither the Council nor any Member thereof shall give orders to any subordinates of the City Manager, either publicly or privately."
   Source: Phoenix City Charter, ch. III, § 4.

REQUEST FOR COUNCIL ACTION

Petitioner	Jerry Van Gasse
Address	4610 E Vía Estrella Phoenix, AZ 85028
Phone	(602) 622-3515
Email	board@goodgoat.net
Date presented	October 21, 2026

Requested Legal Action

> For the City of Phoenix Council to vote on the Proposed Measure exactly as written.

Summary of Proposed Measure

Directs the City Manager to provide attributable written answers, within thirty days or before the Council votes to approve executive-session dates for 2027, whichever comes first, to five questions and to place the complete response in this petition's public legislative file. The questions ask:

- whether Phoenix officially records City Council executive sessions verbatim;
- how the official session record is kept, protected and preserved;
- how a member who attended can review it;
- Phoenix's position on personal recordings and on preserving evidence when a member disputes the record.

Council Action Required

Phoenix City Charter, Chapter IV, Section 22 provides that a written petition presented to the Council at a regular meeting **shall be acted upon by the Council in the regular course of business, within fifteen (15) days.** Section 8 provides that **the Council shall act only by resolution, ordinance, franchise, or formal recorded action.** The Proposed Measure is a formal recorded action.

Acting upon this petition requires that vote, as its own Formal Agenda item, with this Request and the Proposed Measure attached. Any change in the substance of the Proposed Measure, in whole or in part, makes it a different measure from the one proposed by the petitioner, and a vote on it is not action on this petition. Referral, a staff report, a General Information Packet entry, continuation, answers to some or all questions, or a consolidated vote also does not act upon this petition.

PROPOSED MEASURE

Executive-Session Official Recording and Preservation (Formal Action)

SECTION 1. Council Direction and Deadline

The City Council directs the City Manager to provide the attributable written answers specified below. The complete response shall be placed in the public legislative file for Citizen Petition JV-20261021-05 no later than the earlier of (a) thirty (30) days after the Council adopts this Proposed Measure, or (b) the time the Council votes on any item approving, calling, or scheduling executive sessions for calendar year 2027.

SECTION 2. Required Written Answers

The City Manager shall assign each question to the official or employee with direct knowledge, responsibility, or subject-matter competence. The assigned person shall answer each numbered question and each labeled subpart separately and completely.

1. Does Phoenix make any official verbatim recording of City Council executive sessions in addition to written minutes?

   1(a). If so, describe each form of recording, including audio, video, stenographic, or any other form; what each form records; and the authority under which it is made.

   1(b). If not, identify any documented decision establishing the non-recording practice and its stated reasons and authority. If no documented decision has been identified, state that expressly.

2. Describe how Phoenix governs every official verbatim recording of a City Council executive session. Identify the custodian and the applicable custody, access-logging, security, alteration-control, retention, preservation, litigation-hold, and destruction rules. Describe any material difference among recording forms. If Phoenix makes no such recording, state that expressly.

3. Describe the right or process that permits a Councilmember who attended an executive session to review the official minutes, including when and where review may occur, the applicable security conditions, and whether review may occur before approval.

   3(a). Describe the right or process for reviewing any official recording, including when and where review may occur, the applicable security conditions, and whether review may occur before alteration or destruction.

   3(b). Describe the right or process for reviewing the member's preserved objections, including when and where review may occur, the applicable security conditions, and whether review may occur before finalization.

4. Describe Phoenix's current general legal position on whether a participating Councilmember may make a personal verbatim recording of an executive session. Address audio, video, stenographic, and any other form of recording, and identify the authority and conditions supporting Phoenix's position.

   4(a). When a member disputes the accuracy or completeness of the minutes, describe every existing evidence-preservation mechanism, if any, available to that member. For each mechanism, address separately how it may be used through an authorized enforcement process and how it may be used through an authorized in-camera-review process. State expressly if either route is unavailable.

The requested response to Question 4 and its subparts is a statement of the City's general legal position, not personal legal advice or an adjudication of individual liability.

5. Describe the current rule or practice governing preservation of potentially relevant records when a Councilmember raises a good-faith concern that an executive-session discussion exceeded the noticed subject. Include who initiates a preservation hold, what triggers it, what records are included, who receives notice, when it may be released, and the authority governing release.

   5(a). Describe the current rule or practice governing preservation of potentially relevant records when a Councilmember raises a good-faith concern that an executive-session discussion exceeded the invoked statutory exemption. Include who initiates a preservation hold, what triggers it, what records are included, who receives notice, when it may be released, and the authority governing release.

SECTION 3. Written-Answer Standards

1. Reproduce each numbered question and labeled subpart unchanged immediately before its separate answer.
2. Identify the person answering, that person's title and department, and whether the answer is based on direct knowledge, identified records, identified legal authority, or another stated source.
3. When a question asks for a yes-or-no answer, begin with "yes," "no," or "the City cannot determine," before providing any explanation.
4. When a question asks for the City's position, interpretation, policy, or practice, state it expressly and identify the supporting authority, records, written policies, and materially contrary authority considered. State expressly if no City position, written policy, or uniform practice exists.
5. Distinguish an existing fact, current practice, written policy, legal position, and proposed future action. Do not present one as another.
6. If the City cannot answer a question, state that expressly, identify the information needed to answer it, identify the person or entity believed to possess that information, and describe the steps taken to obtain it.
7. If the City contends that any part of an answer cannot lawfully be disclosed, answer every reasonably separable part and identify the specific legal authority asserted for not answering the remainder without disclosing protected information.
8. A response to a rephrased or different question does not answer the submitted question.

SECTION 4. Public Response Package

The City Manager shall place the following in the public legislative file for Citizen Petition JV-20261021-05:

1. The complete written answers;
2. A response index matching every numbered question and every labeled subpart to its separate answer or expressly stated inability to answer; and
3. A specific citation to each record, legal authority, or written policy relied upon, including a direct, stable public link when one is available.

SECTION 5. Scope
This Proposed Measure directs written answers. It does not submit or incorporate a public-records request and does not require production of cited records. Any public-records request concerning the subject remains a separate request with an independent receipt date, scope, process, and legal effect.

SECTION 6. Continuing Responsibility
The City Manager remains responsible for the completeness and timely placement of the response package notwithstanding assignment of individual questions to another official, employee, department, or contractor.

CITIZEN PETITION

pursuant to Phoenix City Charter, Chapter IV, Sec. 22, requests the City Council to:

ADOPT AN ORDINANCE AMENDING THE PHOENIX CITY CODE REGARDING ITEM-BY-ITEM PUBLIC AUTHORIZATION OF EXECUTIVE SESSION MATTERS

Submitted by:
Jerry Van Gasse
4610 E Via Estrella
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2026 OCT 21 PM 4:51
CITY CLERK DEPT.

Jerry Van Gasse
Date: 10-21-26

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Proposed Measure 8–9
The exact measure the Council is asked to vote on, written in the City's own form.

SUMMARY

The Problem

Every year since at least December 2022, the Phoenix City Council has approved a list of dates for the coming year's executive sessions. The list names no subjects and cites state law generally. Weeks or months later, a notice for each date lists the matters to be discussed and the legal authority for closing each one. No Council vote follows that notice. The vote that closes the doors is taken before anyone, including the members voting, knows what will be discussed behind them. When the Council approved the 2026 dates, the City Attorney described the item as setting the dates "for planning and getting it on the calendar."

Phoenix already knows how to do this differently. For special meetings, the notice lists each subject and its legal authority, and the Council votes in public to call the session immediately before holding it. Even there, the published results show only that the vote was "Approved," not how each member voted, and in one case a single vote covered twelve separate matters.

Nothing in the Council's rules of proceedings addresses executive sessions at all.

What the Proposed Measure Does

Adopt an ordinance adding a new section to Chapter 2 of the Phoenix City Code that requires each executive-session matter to appear as its own numbered agenda item and to receive its own public roll-call vote, taken after the agenda is posted and before the public is excluded, and that bars any executive session not authorized in that way.

Why the Council Should Adopt It

- **It puts the vote where the information is.**
  Today members vote on dates before the subjects are public (Facts 1–3). A vote taken after the subject and legal authority are public is the only vote that lets members and residents judge whether a particular matter should be closed. The ordinance requires that vote, for each matter, every time.

- **Phoenix already does part of this.**
  Special-meeting notices list the matter and its legal authority, and the Council votes in public to call the session immediately before holding it (Facts 4–5). The ordinance makes that sequence the rule for every executive session, with a separate vote for each matter and an individual roll call.

- **Members' votes should be visible, matter by matter.**
  State law requires minutes of public meetings to include "a record of how each member voted" on legal actions (Fact 8). Council Rule 7(i) counts a failure to vote or a voluntary abstention as "aye" unless excused by an announced conflict, and Rule 7(l) requires individual votes in the journal for formal actions (Fact 7). The published results of the 2025 special-meeting votes record only "Approved" (Fact 5). The ordinance puts each member's actual conduct, and any vote attributed to it, on the record for each matter. That record matters: in an Attorney General suit for a knowing violation, a court may decline to penalize a member whose objection "is noted on a public record" (Fact 9).

- **It keeps state-law emergency flexibility.**
  The ordinance follows the emergency procedure in A.R.S. § 38-431.02(D) and (J), adding only a public identifier for each matter and the same individual vote (Fact 11).

- **It is a local choice the Council is free to make.**
  State law sets the minimum. Phoenix may require more openness of itself, and this ordinance does.

The Facts

1. On Dec. 14, 2022 (Item 57), Dec. 6, 2023 (Item 36) and Nov. 13, 2024 (Item 21), the Council approved requests to call executive sessions on fourteen 2023 dates, seventeen 2024 dates and seventeen 2025 dates, respectively, each "pursuant to" A.R.S. § 38-431.03(A). On Feb. 19, 2025 (Add-on Item 82), it approved a revised 2025 list. None of these items identifies a subject or a specific paragraph of § 38-431.03(A) for any date.
   Source: City Council Formal Meeting agendas and minutes, Dec. 14, 2022, Item 57; Dec. 6, 2023, Item 36; Nov. 13, 2024, Item 21; Feb. 19, 2025, Add-on Item 82.

2. On Nov. 5, 2025 (Item 20), the Council approved, 8–1, eleven executive-session dates for 2026, with no subjects listed. The minutes record the City Attorney's statements that the item "set the dates for Executive Session," that its purpose "was for planning and getting it on the calendar, similar to policy and formal meetings," and that staff posts the agenda 24 hours before the meeting.
   Source: City Council Formal Meeting agenda, Nov. 5, 2025, Item 20; minutes, Nov. 5, 2025, at 60–61.

3. Ordinary executive-session notices state that the Council will meet "for the purposes of discussion or consultation regarding the items listed on the agenda, all as authorized by A.R.S. §38-431.03, A.1 through A.7," and list each item with one or more specific paragraphs.
   Source: City of Phoenix, Notice of Meeting, Phoenix City Council Executive Session, Jan. 20, 2026 and Feb. 24, 2026.

4. Notices for special meetings called at the Mayor's request under Charter Chapter IV, Section 20 list "Item 1 Vote to call for Executive Session," followed by "If authorized by the majority of the members, the Executive Session will be held immediately after the vote and will not be open to the public," and then the executive-session matters with their statutory paragraphs.
   Source: City of Phoenix, Notice of Meeting, Phoenix City Council Special Meeting, July 29, 2025; Sept. 17, 2025.

5. The City's published Notices of Results for the special meetings of July 29, Sept. 17 and Nov. 18, 2025 each record Item 1, the vote to call for executive session, as "Approved," and do not list individual members' votes. Each meeting was called to order and adjourned the same afternoon. The Nov. 18, 2025 notice lists twelve executive-session matters under the single Item 1 vote.
   Source: City of Phoenix, Notice of Results, Phoenix City Council Special Meeting, July 29, 2025; Sept. 17, 2025; Nov. 18, 2025.

6. A.R.S. § 38-431.03(A) provides that "[o]n a public majority vote of the members constituting a quorum, a public body may hold an executive session but only for the following purposes," which it lists.
   Source: A.R.S. § 38-431.03(A).

7. City Code § 2-60 sets out the Council's rules of proceedings "[i]n accordance with the provisions of Chapter IV, Section 7 of the Charter," and has been amended by ordinance repeatedly.
   - Rule 7(i): "[a] failure to vote or a voluntary abstention shall count as an 'aye' vote unless excused by an announced conflict of interest."
   - Rule 7(l): the journal must "record individual votes on all ordinances, resolutions, franchises, formal actions, and liquor license applications recommended for disapproval."
   - Rule 10(b): "[u]nless otherwise provided by law, these rules may be suspended or modified at any time, by a majority vote of the Council."
   - No rule in § 2-60 refers to executive sessions.

   Source: Phoenix City Code § 2-60, introductory clause, Rules 7(i), 7(l), 10(b), and history note.

8. A.R.S. § 38-431.01(C) requires minutes or a recording of all meetings. For meetings other than executive sessions, it requires "[a]n accurate description of all legal actions proposed, discussed or taken, including a record of how each member voted."
   Source: A.R.S. § 38-431.01(C)(4).

9. A.R.S. § 38-431.07(A) authorizes the Attorney General to sue an individual member of a public body for a knowing violation, and provides that, if a person "objected to the action of the public body and the objection is noted on a public record, the court may choose not to impose a civil penalty on that person."
   Source: A.R.S. § 38-431.07(A).

10. Two provisions govern the content of an executive-session notice:
    - A.R.S. § 38-431.02(B) requires the notice to "state the provision of law authorizing the executive session."
    - A.R.S. § 38-431.02(I) requires the notice to include "only a general description of the matters to be considered," while providing "more than just a recital of the statutory provisions authorizing the executive session."

    Source: A.R.S. § 38-431.02(B), (I).

11. A.R.S. § 38-431.02(D) allows a meeting, including an executive session, to be held in an actual emergency "on such notice as is appropriate to the circumstances." Section

38-431.02(J) provides that, for an executive session, "the reason for consideration of the emergency measure shall be announced publicly immediately before the executive session."
Source: A.R.S. § 38-431.02(D), (J).

REQUEST FOR COUNCIL ACTION

Petitioner	Jerry Van Gasse
Address	4610 E Vía Estrella Phoenix, AZ 85028
Phone	(602) 622-3515
Email	board@goodgoat.net
Date presented	October 21, 2026

Requested Legal Action

> For the City of Phoenix Council to vote on the Proposed Measure exactly as written.

Summary of Proposed Measure

Adopt an ordinance adding a new section to Chapter 2 of the Phoenix City Code that requires each executive-session matter to appear as its own numbered agenda item and to receive its own public roll-call vote, taken after the agenda is posted and before the public is excluded, and that bars any executive session not authorized in that way.

Council Action Required

Phoenix City Charter, Chapter IV, Section 22 provides that a written petition presented to the Council at a regular meeting **shall be acted upon by the Council in the regular course of business, within fifteen (15) days.** Section 8 provides that **the Council shall act only by resolution, ordinance, franchise, or formal recorded action.** The Proposed Measure is an ordinance.

Acting upon this petition requires that vote, as its own Formal Agenda item, with this Request and the Proposed Measure attached. Any change in the substance of the Proposed Measure, in whole or in part, makes it a different measure from the one proposed by the petitioner, and a vote on it is not action on this petition. Referral, a staff report, a General Information Packet entry, continuation, or a consolidated vote also does not act upon this petition.

PROPOSED MEASURE

Current Code text used	Phoenix City Code as published by the City's codifier at phoenix.municipal.codes, retrieved October 13, 2026
Codifier's stated currency	Current through Ordinance G-7524, passed June 17, 2026, as stated by the codifier on October 13, 2026
Amendment marking	Additions in CAPITAL LETTERS; deletions in strikethrough.

ORDINANCE G-_____

AN ORDINANCE AMENDING CHAPTER 2, PHOENIX CITY CODE, BY ADDING SECTION 2-____, RELATING TO ITEM-BY-ITEM PUBLIC AUTHORIZATION OF EXECUTIVE-SESSION MATTERS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That Chapter 2, Article II of the Phoenix City Code is hereby amended by adding Section 2-____ to read as follows:

2-____. ITEM-BY-ITEM PUBLIC AUTHORIZATION OF EXECUTIVE-SESSION MATTERS.

A. EXCEPT AS PROVIDED IN SUBSECTION H FOR AN ACTUAL EMERGENCY, BEFORE THE PUBLIC IS EXCLUDED FROM ANY MEETING, EACH MATTER PROPOSED FOR EXECUTIVE-SESSION CONSIDERATION SHALL BE IDENTIFIED AS A SEPARATELY NUMBERED ITEM ON A PUBLICLY POSTED AGENDA. EACH ITEM SHALL STATE THE GENERAL SUBJECT TO BE CONSIDERED AND EACH PROVISION OF LAW ASSERTED AS AUTHORITY FOR EXCLUDING THE PUBLIC.

B. AFTER THE AGENDA REQUIRED BY SUBSECTION A HAS BEEN POSTED AND BEFORE THE PUBLIC IS EXCLUDED, THE COUNCIL SHALL TAKE A SEPARATE PUBLIC ROLL-CALL VOTE TO APPROVE OR DENY EXCLUSION OF THE PUBLIC FOR EACH SEPARATELY NUMBERED EXECUTIVE-SESSION MATTER. THE MOTION SHALL IDENTIFY THE AGENDA ITEM AND EVERY STATUTORY AUTHORITY ASSERTED FOR THAT MATTER. IF PRIOR AGENDA POSTING IS NOT POSSIBLE IN AN ACTUAL EMERGENCY PERMITTED BY A.R.S. § 38-431.02(D), SUBSECTION H SUPPLIES THE ALTERNATE IDENTIFICATION AND ANNOUNCEMENT PROCEDURE.

C. EACH COUNCIL MEMBER WHO IS PRESENT AND HAS NOT ANNOUNCED A CONFLICT OF INTEREST SHALL BE CALLED INDIVIDUALLY AND SHALL ANSWER "AYE" OR "NAY" ON EACH MATTER. IF A MEMBER INSTEAD VOLUNTARILY ABSTAINS, FAILS TO ANSWER, OR REFUSES TO ANSWER, THE CITY CLERK SHALL RECORD THE MEMBER'S CONDUCT ACCURATELY AS A VOLUNTARY ABSTENTION, FAILURE, OR REFUSAL, AS APPLICABLE.

D. FOR EACH MATTER, THE JOURNAL SHALL SEPARATELY IDENTIFY EVERY MEMBER'S STATED VOTE, ABSENCE, ANNOUNCED CONFLICT OF INTEREST, VOLUNTARY ABSTENTION, FAILURE TO ANSWER, OR REFUSAL TO ANSWER. IF THE CHARTER OR THE COUNCIL RULES IN SECTION 2-60 ATTRIBUTE A VOTE TO A VOLUNTARY ABSTENTION, FAILURE, OR REFUSAL, THE JOURNAL SHALL RECORD BOTH THE MEMBER'S CONDUCT AND THE VOTE LEGALLY ATTRIBUTED TO IT.

E. APPROVAL OF A MEETING CALENDAR, MEETING DATE, LIST OF DATES, OR OTHER SCHEDULING MEASURE DOES NOT AUTHORIZE EXCLUSION OF THE PUBLIC FOR ANY MATTER SUBSEQUENTLY ASSIGNED TO A SCHEDULED DATE. A SINGLE VOTE ON MULTIPLE SEPARATELY NUMBERED EXECUTIVE-SESSION MATTERS DOES NOT SATISFY THIS SECTION.

F. NO EXECUTIVE SESSION SHALL CONVENE, AND NO PERSON SHALL EXCLUDE THE PUBLIC FROM A MEETING, UNLESS THE COUNCIL HAS APPROVED THE EXCLUSION BY THE VOTE REQUIRED BY THIS SECTION AND APPLICABLE LAW FOR THE SPECIFIC MATTER AND EVERY STATUTORY AUTHORITY ASSERTED FOR THAT MATTER.

G. IF THE PUBLIC MEETING RESUMES AFTER AN EXECUTIVE SESSION AND THE COUNCIL LATER PROPOSES TO EXCLUDE THE PUBLIC AGAIN, THE COUNCIL SHALL TAKE A NEW VOTE UNDER THIS SECTION, INCLUDING WHEN THE SAME MATTER WAS AUTHORIZED EARLIER IN THE MEETING.

H. IN AN ACTUAL EMERGENCY GOVERNED BY A.R.S. § 38-431.02(D) AND (J), THE PRESIDING OFFICER SHALL ASSIGN EACH EMERGENCY MATTER A SEPARATE PUBLIC IDENTIFIER AND, IMMEDIATELY BEFORE EXCLUDING THE PUBLIC, PUBLICLY ANNOUNCE THE MATTER, EVERY ASSERTED STATUTORY AUTHORITY, AND THE REASONS NECESSITATING EMERGENCY CONSIDERATION. THE REASONS SHALL BE PLACED IN THE MINUTES AS REQUIRED BY A.R.S. § 38-431.02(J). THE COUNCIL SHALL THEN TAKE THE SEPARATE PUBLIC ROLL-CALL VOTE REQUIRED BY THIS SECTION.

I. THIS SECTION IS NOT SUBJECT TO SUSPENSION OR MODIFICATION UNDER RULE 10(B) OF SECTION 2-60.

SECTION 2. NO APPROPRIATION. This Ordinance appropriates no funds.

SECTION 3. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect any other provision or application that can be given effect without the invalid provision or application.

SECTION 4. This ordinance shall take effect and become operative thirty days after passage.

CITIZEN PETITION



pursuant to Phoenix City Charter, Chapter IV, Sec. 22, requests the City Council to:

PROVIDE ANSWERS REGARDING EXECUTIVE SESSION ATTENDANCE AND PARTICIPATION

Submitted by:
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2025 OCT 21 PM 4:55
CITY CLERK DEPT.

Jerry Van Gasse
Date 10-21-'25

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Proposed Measure 8–9
The exact measure the Council is asked to vote on, written in the City's own form.

SUMMARY

The Problem

State law limits who may be in the room during an executive session. Besides Councilmembers and the officers and employees the statute provides for, only people "whose presence is reasonably necessary" may attend. A meeting can also take place "through technological devices," so participants may not be in the room at all.

What the public can see of a Phoenix executive session is the posted notice. The notices reviewed state the date, a 12:00 pm start, a room on the 12th floor of City Hall and the list of items. They do not say:

- who will attend;
- how anyone will participate;
- when the session will end.

No published record of who attended an ordinary session, or when it began and ended, was located.

No published City rule was located that explains any of the following, and the Council's rules of proceedings, City Code § 2-60, address none of them:

- how Phoenix decides that a nonmember's presence is necessary;
- what record it keeps of who attended;
- what the public may observe;
- how remote participants are verified and kept private.

What the Proposed Measure Does

Directs the City Manager to provide attributable written answers, within thirty days or before the Council votes to approve executive-session dates for 2027, whichever comes first, to five questions and to place the complete response in this petition's public legislative file. The questions ask:

- who may attend a City Council executive session, and how necessity is decided and recorded;
- what records show attendance and timing, and which details are public;
- what the public can observe without hearing confidential discussion;
- what rules govern remote participation.

Why the Council Should Adopt It

- **Who attends is a fact about the session, not part of its content.**
  State law makes executive-session minutes and discussions confidential (Fact 4). The Arizona Court of Appeals has held, in a decision that is now final, that this confidentiality "is extended only to '[m]inutes' and 'discussions,'" and that "attendance is not a discussion" (Fact 6). Questions 1 through 4 ask about attendance, timing and observation. They do not ask what was said.

- **The legal limit on attendance can only be checked if attendance is known.**
  Only people whose presence is reasonably necessary may attend (Facts 1, 7). No published source shows who decides necessity, on what standard or what record is kept (Fact 11). Questions 1 and 2 ask the City to describe its process and records, and to say which details it treats as public and why.

- **The City already publishes timing for some sessions.**
  The results notices for three 2025 special meetings called to vote on an executive session record when each meeting was called to order and when it adjourned (Fact 9). The ordinary notices reviewed state a scheduled start and no end (Fact 8). Question 3 asks what records exist for all sessions and what the City considers public.

- **Remote participation needs rules the public can see.**
  State law allows meetings through technological devices (Fact 2) and requires the Council to instruct those present about confidentiality (Fact 5). A remote participant's location, surroundings and devices are outside the room. The Attorney General's handbook recommends that public bodies "Develop procedures to clearly identify members" participating remotely in public meetings (Fact 10). Question 5 asks what rules Phoenix applies to remote participation in executive sessions, without asking for anything that would compromise security.

- **Answers come before any rule change.**
  The Council should know the City's current rules and practices before deciding whether to change them. Each question allows the answer that no record, rule or requirement exists, and each such answer tells the Council something it needs to know.

The Facts

1. "Executive session" means a gathering of a quorum from which the public is excluded. "In addition to the members of the public body, officers, appointees and employees as provided in section 38-431.03 and the auditor general as provided in section 41-1279.04, only individuals whose presence is reasonably necessary in order for the public body to carry out its executive session responsibilities may attend the executive session."
   Source: A.R.S. § 38-431(2).
2. A "meeting" under the Open Meeting Law means "the gathering, in person or through technological devices, of a quorum of the members of a public body at which they discuss, propose or take legal action."

Source: A.R.S. § 38-431(4)(a).

3. Executive-session minutes must include, among other things, "The members of the public body recorded as either present or absent."
   Source: A.R.S. § 38-431.01(C)(2), (D).

4. Minutes of and discussions made at executive sessions must be kept confidential except from:
   - the members of the public body that met;
   - officers or employees who were the subject of a personnel discussion;
   - the Auditor General for an authorized audit;
   - a county attorney or the Attorney General investigating alleged Open Meeting Law violations.

   Source: A.R.S. § 38-431.03(B).

5. "The public body shall instruct persons who are present at the executive session regarding the confidentiality requirements of this article."
   Source: A.R.S. § 38-431.03(C).

6. In a published opinion, the Arizona Court of Appeals held:
   - the confidentiality established by § 38-431.03(B) "is extended only to '[m]inutes' and 'discussions'";
   - "attendance is not a discussion";
   - the court "cannot extend the confidentiality established in § 38-431.03(B) beyond its plainly stated terms."

   It held that the trial court erred in treating mere attendance as confidential. It also upheld the trial court's refusal to order production of executive-session minutes. The Arizona Supreme Court dismissed a petition for review on Aug. 21, 2026, and the mandate issued Sept. 17, 2026.
   Source: Alley v. Pima County, No. 2 CA-CV 2025-0185, ¶¶ 32–35 (Ariz. App. June 16, 2026); Ariz. Sup. Ct. No. CV-26-0204-PR.

7. The City's Executive Session Agendas webpage states: "E-session may only include individuals whose presence is reasonably necessary for the public body to carry out its E-session responsibilities. A.R.S. § 38-431(2)."
   Source: City of Phoenix, City Council Executive Session Agendas webpage, viewed Oct. 12, 2026.

8. The City's notices for the Council executive sessions of June 9 and Sept. 1, 2026 state the date, a 12:00 pm start time and the location (Central Conference Room, 12th Floor, Phoenix City Hall), followed by the agenda items. They do not list attendees, state an ending time or address remote participation.
   Source: City of Phoenix, Notice of Meeting, Phoenix City Council Executive Session, June 9, 2026 and Sept. 1, 2026.

9. The City's Notices of Results for the special meetings of July 29, Sept. 17 and Nov. 18, 2025, each called to vote on an executive session, record:
   - the call to order (12:04, 1:05 and 12:36 pm);
   - approval of the vote to call the executive session;

- the executive-session item as "Discussed";
- adjournment (2:08, 2:35 and 2:19 pm).

They do not list who attended.

Source: City of Phoenix, Notices of Results, Phoenix City Council Special Meetings, July 29, Sept. 17 and Nov. 18, 2025.

10. The Attorney General's handbook states that members unable to attend a public meeting in person "may participate by telephone or video or internet conference" if not prohibited by applicable statutes. Among its guidelines, it recommends that public bodies "Develop procedures to clearly identify members that are participating by telephonic, video or internet communications."

    Source: Arizona Attorney General, Agency Handbook ch. 7 (Open Meetings), § 7.10.3, at 7-26 to 7-27 (rev. 2018).

11. Phoenix City Code § 2-60, the Rules of Council Proceedings, contains no rule that refers to executive sessions and no provision on remote, telephonic or video participation. No published City rule, policy or procedure on executive-session attendance records, public observation of executive sessions or remote participation in executive sessions was located in § 2-60 or on the City's Executive Session Agendas webpage.

    Source: Phoenix City Code § 2-60 (codified text viewed Oct. 12, 2026); City of Phoenix, City Council Executive Session Agendas webpage, viewed Oct. 12, 2026.

12. The Phoenix City Charter provides: "Except for the purpose of inquiry, the Council and its Members shall deal with the administrative service solely through the City Manager and neither the Council nor any Member thereof shall give orders to any subordinates of the City Manager, either publicly or privately."

    Source: Phoenix City Charter, ch. III, § 4.

REQUEST FOR COUNCIL ACTION

Petitioner	Jerry Van Gasse
Address	4610 E Vía Estrella Phoenix, AZ 85028
Phone	(602) 622-3515
Email	board@goodgoat.net
Date presented	October 21, 2026

Requested Legal Action

> For the City of Phoenix Council to vote on the Proposed Measure exactly as written.

Summary of Proposed Measure

Directs the City Manager to provide attributable written answers, within thirty days or before the Council votes to approve executive-session dates for 2027, whichever comes first, to five questions and to place the complete response in this petition's public legislative file. The questions ask:

- who may attend a City Council executive session, and how necessity is decided and recorded;
- what records show attendance and timing, and which details are public;
- what the public can observe without hearing confidential discussion;
- what rules govern remote participation.

Council Action Required

Phoenix City Charter, Chapter IV, Section 22 provides that a written petition presented to the Council at a regular meeting **shall be acted upon by the Council in the regular course of business, within fifteen (15) days.** Section 8 provides that **the Council shall act only by resolution, ordinance, franchise, or formal recorded action.** The Proposed Measure is a formal recorded action.

Acting upon this petition requires that vote, as its own Formal Agenda item, with this Request and the Proposed Measure attached. Any change in the substance of the Proposed Measure, in whole or in part, makes it a different measure from the one proposed by the petitioner, and a vote on it is not action on this petition. Referral, a staff report, a General Information Packet entry, continuation, answers to some or all questions, or a consolidated vote also does not act upon this petition.

PROPOSED MEASURE

Executive-Session Attendance, Observation, and Remote Participation (Formal Action)

SECTION 1. Council Direction and Deadline

The City Council directs the City Manager to provide the attributable written answers specified below. The complete response shall be placed in the public legislative file for Citizen Petition JV-20261021-06 no later than the earlier of (a) thirty (30) days after the Council adopts this Proposed Measure, or (b) the time the Council votes on any item approving, calling, or scheduling executive sessions for calendar year 2027.

SECTION 2. Required Written Answers

The City Manager shall assign each question to the official or employee with direct knowledge, responsibility, or subject-matter competence. The assigned person shall answer each numbered question and each labeled subpart separately and completely.

1. Describe who may attend a Phoenix City Council executive session. Explain who decides whether a nonmember's presence is reasonably necessary, the standard applied, when the decision is made, and what record, if any, documents the decision. Describe whether the record identifies the attendee, capacity, approving official, and a generic non-substantive basis for necessity. State expressly if no such record exists.

Question 1 does not request the confidential subject matter or substance of legal advice.

2. Describe the records, if any, that identify every person who attends any portion of a City Council executive session. Address each person's name, title or capacity, whether attendance was in person or remote, and the portion of the session attended. For each field, state whether Phoenix considers it public or confidential and identify the supporting authority. State expressly if no such record exists.

Question 2 does not request confidential subject matter or legal advice.

3. Describe the records, if any, that show when an executive session actually begins and ends and when each attendee enters, joins remotely, leaves, disconnects, reconnects, or otherwise participates. Identify who creates and retains each record, which information Phoenix considers public, and the authority governing any nondisclosure. State expressly if no such record exists.
4. Describe what a member of the public can observe about executive-session attendance without hearing or observing the confidential discussion. Address when the Council enters and leaves, who enters and exits the executive-session location, and who participates remotely. If any observation is not permitted or possible, describe the physical, technical, legal, privacy, or security reason and identify the nonconfidential information available instead.
5. Describe the current policy-level rules and instructions governing remote participation in a City Council executive session. Address identity verification, participant location, physical privacy, unauthorized persons, headphones, recording devices, screen visibility, platform access, authentication, connection logs, disconnections, incident reporting, and preservation of technical records. State expressly when no requirement exists for a listed subject.

The response to Question 5 should not disclose credentials, configuration details, vulnerability information, or instructions that would compromise security.

SECTION 3. Written-Answer Standards

1. Reproduce each numbered question and labeled subpart unchanged immediately before its separate answer.
2. Identify the person answering, that person's title and department, and whether the answer is based on direct knowledge, identified records, identified legal authority, or another stated source.
3. When a question asks for a yes-or-no answer, begin with "yes," "no," or "the City cannot determine," before providing any explanation.
4. When a question asks for the City's position, interpretation, policy, or practice, state it expressly and identify the supporting authority, records, written policies, and materially contrary authority considered. State expressly if no City position, written policy, or uniform practice exists.
5. Distinguish an existing fact, current practice, written policy, legal position, and proposed future action. Do not present one as another.
6. If the City cannot answer a question, state that expressly, identify the information needed to answer it, identify the person or entity believed to possess that information, and describe the steps taken to obtain it.
7. If the City contends that any part of an answer cannot lawfully be disclosed, answer every reasonably separable part and identify the specific legal authority asserted for not answering the remainder without disclosing protected information.
8. A response to a rephrased or different question does not answer the submitted question.

SECTION 4. Public Response Package

The City Manager shall place the following in the public legislative file for Citizen Petition JV-20261021-06:

1. The complete written answers;
2. A response index matching every numbered question and every labeled subpart to its separate answer or expressly stated inability to answer; and
3. A specific citation to each record, legal authority, or written policy relied upon, including a direct, stable public link when one is available.

SECTION 5. Scope

This Proposed Measure directs written answers. It does not submit or incorporate a public-records request and does not require production of cited records. Any public-records request concerning the subject remains a separate request with an independent receipt date, scope, process, and legal effect.

SECTION 6. Continuing Responsibility

The City Manager remains responsible for the completeness and timely placement of the response package notwithstanding assignment of individual questions to another official, employee, department, or contractor.

CITIZEN PETITION

pursuant to Phoenix City Charter, Chapter IV, Sec. 22, requests the City Council to:

ADOPT AN ORDINANCE AMENDING THE PHOENIX CITY CODE REGARDING COMMUNICATIONS DURING EXECUTIVE SESSIONS CONVENED FOR LEGAL ADVICE

Submitted by:
Jerry Van Gasse
4610 E Via Estrella
Phoenix, AZ 85028
(602) 622-3515
board@goodgoat.net

Jerry Van Gasse
Date: 10-21-24

2024 OCT 21 PM 4:54
CITY CLERK DEPT.

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The petitioner's case: the problem, what the Proposed Measure does, why the Council should adopt it, and the supporting facts.

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The legal request: a recorded vote of the City Council, within fifteen days, approving or denying the Proposed Measure exactly as written.

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The exact measure the Council is asked to vote on, written in the City's own form.

SUMMARY

The Problem

State law allows the Council to close a meeting to the public only for listed purposes.

- Paragraph (A)(3) is "discussion or consultation for legal advice" with the City's attorneys.
- A different paragraph, (A)(4), lets the Council "consider its position and instruct its attorneys," and only on contracts, litigation and settlement.
- Collective decisions must be made in public.

Phoenix cites paragraph (A)(3) alone for many executive-session items. They include items whose titles refer to ordinances, City policies and programs, such as camping enforcement, heat safety, middle housing, park rules and immigration policies (Fact 6). For every one of those items, the only thing standing between legal advice and closed-door deliberation by the Council is each participant's understanding in the moment, out of public view.

No published Phoenix rule, guideline or training material was located that says where legal advice ends and discussion among Councilmembers begins. The Council's rules of proceedings, City Code § 2-60, contain no rule about executive sessions at all (Fact 7).

What the Proposed Measure Does

Adopt an ordinance adding a new section to Chapter 2 of the Phoenix City Code that, in any executive session for which legal advice under A.R.S. § 38-431.03(A)(3) is the only asserted authority, limits substantive communication to legal advice between Council members and the City's attorneys, bars member-to-member deliberation on the matter, and requires the presiding officer to stop any communication that goes beyond those limits.

Why the Council Should Adopt It

- **It draws a clear line in the Council's own rules.**
  Paragraph (A)(3) is about legal advice from the City's attorneys. Considering the Council's position and instructing attorneys is a separate paragraph, (A)(4), limited to contracts, litigation and settlement (Facts 1–2). Member-to-member deliberation about what the Council should do belongs in public session, or in a session noticed under a paragraph that

authorizes it. The ordinance writes that line into the Council's own Code, in plain terms, for every session in which (A)(3) is the only authority cited.

- **It gives members a clear rule in advance.**
  In a suit brought by the Attorney General, a court may impose a civil penalty on an individual member who knowingly violates the Open Meeting Law, and the City may not pay it for the member (Fact 9). A clear local rule tells each member, before the doors close, what is and is not permitted in an (A)(3) session, and gives every member a ready answer when a discussion drifts.

- **It keeps legal advice fully available.**
  The ordinance does not limit requesting, giving, receiving or clarifying legal advice; it expressly permits all four. It keeps the following available:
  - objections and points of order;
  - conflict announcements;
  - safety communications;
  - requests to return to public session;
  - every other statutory ground for an executive session, provided that ground's own notice and authorization requirements are met.

- **It assigns responsibility in the room.**
  The Council's rules already make the presiding officer responsible for enforcing them (Fact 8). The ordinance applies that responsibility to (A)(3) sessions: when communication exceeds the limits, the presiding officer stops it.

- **It is a local choice the Council can make on its own.**
  The ordinance sets a standard for Phoenix's own proceedings, as the Council has done many times by ordinance (Fact 10). It does not depend on any court ruling.

The Facts

1. Arizona law permits a public body to hold an executive session "only for" the purposes it lists. Paragraph (A)(3) is "Discussion or consultation for legal advice with the attorney or attorneys of the public body."
   Source: A.R.S. § 38-431.03(A)(3).
2. A separate paragraph, (A)(4), permits discussion or consultation with the body's attorneys "in order to consider its position and instruct its attorneys." It applies only to:
   - contracts that are the subject of negotiations;
   - pending or contemplated litigation;
   - settlement discussions.

   Source: A.R.S. § 38-431.03(A)(4).
3. Two limits apply in every executive session:

- Legal action involving a final vote or decision may not be taken in an executive session, except that the body may instruct its attorneys or representatives as provided in paragraphs (A)(4), (5) and (7).
- A public body may not discuss in executive session any matter not described in the notice of the session, except as provided in § 38-431.02(I) and (J).

Source: A.R.S. § 38-431.03(D), (E).

4. "Legal action" means "a collective decision, commitment or promise" made by a public body, and all legal action of public bodies must occur during a public meeting.
Source: A.R.S. §§ 38-431(3), 38-431.01(A).

5. Phoenix's executive-session notices state that the session is "authorized by A.R.S. §38-431.03, A.1 through A.7," and then cite, for each agenda item, the specific paragraph or paragraphs relied on.
Source: City of Phoenix, Notices of Meeting, Phoenix City Council Executive Session, Mar. 3, 2025 and Feb. 24, 2026.

6. Phoenix notices cite paragraph (A)(3) alone for items whose titles refer to ordinances, City policies or programs. For example:
   - "Camping and Trespass Enforcement" (Mar. 3, 2025, Item 1);
   - "Immigration Policies" (June 10, 2025, 2:00 pm session, Item 1);
   - "Middle Housing" (Oct. 7, 2025, Item 11);
   - "Heat Safety Ordinance Amendment" (Oct. 28, 2025, Item 14, and Nov. 4, 2025, Item 2);
   - "Parks Related Ordinances and Code of Conduct" (Nov. 4, 2025, Item 4);
   - "Medical Treatment in the Park" and "Food Sharing in the Park" (Feb. 24, 2026, Items 5 and 6);
   - "Council's Community Transparency Initiative" (Mar. 10, 2026, Item 4).

   On several of the same notices, lawsuit and claim items cite (A)(3) together with (A)(4).
Source: City of Phoenix, Notices of Meeting, Phoenix City Council Executive Session, on the dates and items listed.

7. The Council's rules of proceedings, City Code § 2-60, are established "[i]n accordance with the provisions of Chapter IV, Section 7 of the Charter." Rule 12 requires the Council to "hold all meetings and conduct all business in accordance with" the Arizona Open Meeting Law. No rule in § 2-60 refers to executive sessions.
Source: Phoenix City Code § 2-60, introductory clause and Rule 12 (codified text viewed Oct. 12, 2026).

8. Two of the Council's rules concern enforcement and interruption:
   - Rule 10(a): the Council's rules "shall be enforced by the presiding officer, subject to an appeal to the Council."
   - Rule 8(d): while a member of the Council is speaking, no other member may interrupt "except to make a point of order or point of personal privilege."

   Source: Phoenix City Code § 2-60, Rules 8(d), 10(a).

9. The Attorney General may sue an individual member of a public body for a knowing violation of the Open Meeting Law. The court may impose a civil penalty on each person who

knowingly violates the law, and the public body may not pay the penalty on the member's behalf or reimburse it.
Source: A.R.S. § 38-431.07(A).

10. City Code § 2-60 lists sixteen amending ordinances from 1996 to 2021 in its history note. Rule 10(b) provides: "Unless otherwise provided by law, these rules may be suspended or modified at any time, by a majority vote of the Council."
Source: Phoenix City Code § 2-60, Rule 10(b) and history note.

REQUEST FOR COUNCIL ACTION

Petitioner	Jerry Van Gasse
Address	4610 E Vía Estrella Phoenix, AZ 85028
Phone	(602) 622-3515
Email	board@goodgoat.net
Date presented	October 21, 2026

Requested Legal Action

> For the City of Phoenix Council to vote on the Proposed Measure exactly as written.

Summary of Proposed Measure

Adopt an ordinance adding a new section to Chapter 2 of the Phoenix City Code that, in any executive session for which legal advice under A.R.S. § 38-431.03(A)(3) is the only asserted authority, limits substantive communication to legal advice between Council members and the City's attorneys, bars member-to-member deliberation on the matter, and requires the presiding officer to stop any communication that goes beyond those limits.

Council Action Required

Phoenix City Charter, Chapter IV, Section 22 provides that a written petition presented to the Council at a regular meeting **shall be acted upon by the Council in the regular course of business, within fifteen (15) days.** Section 8 provides that **the Council shall act only by resolution, ordinance, franchise, or formal recorded action.** The Proposed Measure is an ordinance.

Acting upon this petition requires that vote, as its own Formal Agenda item, with this Request and the Proposed Measure attached. Any change in the substance of the Proposed Measure, in whole or in part, makes it a different measure from the one proposed by the petitioner, and a vote on it is not action on this petition. Referral, a staff report, a General Information Packet entry, continuation, or a consolidated vote also does not act upon this petition.

PROPOSED MEASURE

Current Code text used	Phoenix City Code as published by the City's codifier at phoenix.municipal.codes, retrieved October 13, 2026
Codifier's stated currency	Current through Ordinance G-7524, passed June 17, 2026, as stated by the codifier on October 13, 2026
Amendment marking	Additions in CAPITAL LETTERS; deletions in strikethrough.

ORDINANCE G-_____

AN ORDINANCE AMENDING CHAPTER 2, PHOENIX CITY CODE, BY ADDING SECTION 2-____, RELATING TO COMMUNICATIONS DURING EXECUTIVE SESSIONS CONVENED FOR LEGAL ADVICE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That Chapter 2, Article II of the Phoenix City Code is hereby amended by adding Section 2-____ to read as follows:

2-____. EXECUTIVE SESSIONS CONVENED FOR LEGAL ADVICE.

A. THIS SECTION APPLIES TO AN EXECUTIVE SESSION, OR A SEPARATELY IDENTIFIED PORTION OF AN EXECUTIVE SESSION, FOR WHICH A.R.S. § 38-431.03(A)(3) IS THE ONLY ASSERTED AUTHORITY FOR EXCLUDING THE PUBLIC.

B. SUBSTANTIVE COMMUNICATION DURING A SESSION GOVERNED BY THIS SECTION IS LIMITED TO COMMUNICATION BETWEEN ONE OR MORE COUNCIL MEMBERS AND AN ATTORNEY OR ATTORNEYS REPRESENTING THE CITY CONCERNING THE MATTER, AND ONLY FOR THE PURPOSE OF REQUESTING, PROVIDING, RECEIVING, OR CLARIFYING LEGAL ADVICE.

C. DURING A SESSION GOVERNED BY THIS SECTION, A COUNCIL MEMBER SHALL NOT COMMUNICATE WITH ANOTHER COUNCIL MEMBER CONCERNING ANY MATTER IDENTIFIED FOR EXECUTIVE-SESSION CONSIDERATION. NO PARTICIPANT SHALL INVITE, FACILITATE, RELAY, OR CONDUCT COMMUNICATION AMONG COUNCIL MEMBERS CONCERNING:

1. THE FACTS OR MERITS OF THE UNDERLYING MATTER;
2. THE PRACTICAL, POLITICAL, POLICY, BUDGETARY, FINANCIAL, OR OTHER NONLEGAL IMPLICATIONS OF LEGAL ADVICE;
3. ALTERNATIVES AVAILABLE TO THE COUNCIL;
4. A COUNCIL MEMBER'S POSITION OR PREFERRED OUTCOME;
5. WHETHER CONSENSUS EXISTS OR MAY BE REACHED;
6. HOW LEGAL ADVICE SHOULD BE IMPLEMENTED; OR
7. WHAT ACTION THE COUNCIL SHOULD TAKE.

D. SUBSECTIONS B AND C DO NOT PROHIBIT:

1. AN INTERPRETER OR ACCESSIBILITY AIDE FROM FAITHFULLY TRANSMITTING A COMMUNICATION OTHERWISE PERMITTED BY THIS SECTION; OR

2. AN OBJECTION OR POINT OF ORDER, AN ANNOUNCEMENT OF A CONFLICT OF INTEREST, A REQUEST TO STOP A COMMUNICATION OR RETURN TO PUBLIC SESSION, OR A COMMUNICATION STRICTLY NECESSARY FOR SAFETY, EMERGENCY RESPONSE, OPERATION OF RECORDING OR COMMUNICATIONS EQUIPMENT, OR PERFORMANCE OF A MINISTERIAL DUTY BY THE CITY CLERK. A COMMUNICATION UNDER THIS PARAGRAPH SHALL NOT STATE OR CONVEY A COUNCIL MEMBER'S SUBSTANTIVE VIEW CONCERNING THE MATTER.

E. A PERSON OTHER THAN A COUNCIL MEMBER OR AN ATTORNEY REPRESENTING THE CITY CONCERNING THE MATTER SHALL NOT PARTICIPATE IN SUBSTANTIVE COMMUNICATION DURING A SESSION GOVERNED BY THIS SECTION. THIS SUBSECTION DOES NOT AUTHORIZE ATTENDANCE BY ANY PERSON WHOSE PRESENCE IS NOT OTHERWISE PERMITTED BY LAW.

F. IF COMMUNICATION IS INDEPENDENTLY AUTHORIZED BY ANOTHER PARAGRAPH OF A.R.S. § 38-431.03(A), THAT COMMUNICATION MAY OCCUR IN EXECUTIVE SESSION ONLY AFTER ALL NOTICE AND PUBLIC-AUTHORIZATION REQUIREMENTS APPLICABLE TO THAT AUTHORITY HAVE BEEN SATISFIED.

G. WHEN COMMUNICATION EXCEEDS THE LIMITS OF THIS SECTION, THE PRESIDING OFFICER SHALL STOP THE COMMUNICATION IMMEDIATELY. THE EXECUTIVE SESSION SHALL NOT CONTINUE ON THAT SUBJECT UNLESS THE COMMUNICATION RESUMES WITHIN THE LIMITS OF THIS SECTION OR PROCEEDS UNDER INDEPENDENTLY SUFFICIENT AUTHORITY AS PROVIDED IN SUBSECTION F.

H. THIS SECTION IS NOT SUBJECT TO SUSPENSION OR MODIFICATION UNDER RULE 10(B) OF SECTION 2-60.

SECTION 2. NO APPROPRIATION. This Ordinance appropriates no funds.

SECTION 3. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect any other provision or application that can be given effect without the invalid provision or application.

SECTION 4. This ordinance shall take effect and become operative thirty days after passage.

City of Phoenix

Report

Agenda Date: 11/4/2026, **Item No.** *84

REQUEST TO ADD-ON (SEE ATTACHED MEMO) Ordinance Amendment to Include Updated Specific Agreement Terms for the Resource Innovation Campus Development (Ordinance S-53313) - District 7

Request to authorize the City Manager, or the City Manager's designee, to amend Ordinance S-51535 to incorporate finalized agreement terms for the Development Agreement, Ground Lease, and Feedstock Agreement related to the development of the Resource Innovation Campus (RIC) resulting from participation in the C40 Reinventing Cities Program.

Summary

The City participated in the C40 Reinventing Cities Competition, a unique global call for projects to develop a resource innovation headquarters and campus that will utilize the municipal waste stream to develop circular economy uses and help meet the City Council-adopted 50% waste reduction by 2030 and zero waste by 2050. Krause Interior Architecture, Inc. submitted the winning proposal to act as the master developer and construct the campus along with the headquarters building and supporting subtenant uses for a portion of the overall 27th Avenue Site. Their proposal promised to deliver a RIC Campus that was dedicated to the creation and growth of a circular economy that will fulfill the City's waste diversion goals set forth in the 2021 Climate Action Plan for waste reduction as described above.

On December 18, 2024, City Council authorized the City Manager, or the City Manager's designee, to enter into a development agreement and execute any related agreements, instruments, or documents necessary with Krause Interior Architecture, Inc., and its affiliates or subsidiaries, for development of the RIC resulting from participation in the Reinventing Cities Competition. Council further authorized the City Treasurer to accept and the City Controller to disburse funds associated with the ordinance.

Ordinance S-51535 established a two-phase approach with an initial five-year contract term, beginning on or about December 18, 2024, with no options to extend. Phase II contemplated amending the term for up to a maximum of 99 years.

Since Council approval, environmental assessments, land appraisals, fair market lease

rate assessments, and some preliminary work have been completed. The Developer has provided documentation demonstrating financial capacity to complete construction. As a result, the previously contemplated pilot demonstrations and two-phase structure are no longer necessary.

This request seeks amendment of Ordinance S-51535 to incorporate finalized agreement terms for the Ground Lease, Development Agreement and Feedstock Agreement to build the RIC Campus and substantially help implement the City's zero waste by 2050 goal. This requested amendment also eliminates the two-phase structure as originally contemplated and is based upon the below major points.

Ground Lease

- Approximately 33.9 gross acres located on the eastern portion of the southeast corner of 35th Avenue and Elwood Street will be leased for a term of 99 years.
- “Net Rent” shall equal one-fourth (1/4) of the Appraised Rental Value, determined annually for the applicable phase(s), less any quarterly Diversion Deduction offset credit.
- “Diversion Deduction” shall mean, on a quarterly basis, amounts owed by the City to the Tenant pursuant to the Feedstock Agreement, as reflected on the Tenant’s invoice, up to the Appraised Rental Value for that quarter. Offset credits will only be earned based on the applicable quarterly Diversion Deduction. The credit is an offset of funds that otherwise would have been directed toward landfill operational costs by the Public Works Department and is not an additional payment.

The Tenant shall have the right to use the premises for circular economy solution development, including but not limited to waste stream materials such as:

- Municipal solid waste and organic waste;
- Difficult-to-recycle plastics (#3, #4, #6, #7);
- Lithium-ion batteries and electronic waste;
- Textile waste;
- Construction and demolition waste; and
- Industrial, research, educational, office, and retail uses associated with circular economy activities.

The City may consider additional uses aligned with the 2050 Sustainability Goals, Phoenix Climate Action Plan, Rio Reimagined Initiative, and other environmental sustainability initiatives upon written request by the Tenant.

The Campus Headquarters Building shall obtain a minimum of one Petal Certification

under the Living Building Challenge. All other permanent buildings shall, as applicable, obtain LEED v4.1 Building Design and Construction Certification and demonstrate compliance with energy efficiency, low-carbon energy, life cycle assessment, and sustainable materials management principles consistent with the C40 Reinventing Cities Competition requirements.

If the Tenant does not Commence Construction, as defined in the Development Agreement, on the Campus Headquarters Building within eight years of December 12, 2024 (the original signed Letter of Intent date) or does not obtain a certificate of occupancy for the Campus Headquarters Building within two years of Commencement of Construction, the City, as Landlord's sole remedy in connection with either such Tenant default, may elect to terminate the Ground Lease, Feedstock Agreement, and Development Agreement, subject to the terms therein.

Development Agreement

The Development Agreement confirms RIC PHX, LLC as the Developer and that the Developer does not intend to seek reimbursement from the City for Public Infrastructure Improvements. The Development Agreement also provides that approximately 22 net acres of the 33.9 gross acres will be used for development.

Feedstock Agreement

- The Feedstock Agreement will have a term of 50 years following the Commercial Operation Date, with four 10-year renewal options and one additional nine-year renewal option, unless earlier terminated or extended as provided in the agreement so long as the full agreement terms are being met by RIC PHX, LLC.
- RIC PHX, LLC will serve as the Operator.

“Feedstock” means waste collected from residential customers and delivered by the City to the 27th Avenue Transfer Station, or received by the Operator from residential customers and delivered by the City to the North Gateway Transfer Station, if elected by the Operator and coordinated with the City, that is not otherwise obligated under existing agreements, including the WeCare Denali Agreement or Circular Services Agreement.

Key provisions include:

- There is no obligation for the Operator to accept, or for the City to supply, Feedstock between the Effective Date and Commercial Operation Date.
- After the Commercial Operation Date, the City shall maintain availability of Feedstock not otherwise under contract, and the Operator shall accept such Feedstock and prioritize City-provided material.

- If the Operator elects to receive additional Feedstock from other City locations, the parties shall negotiate in good faith to determine actual transfer costs and coordination for delivery of the feedstock. Such costs will reflect the City's current contracted hauling rate and will be deducted from Post Collection Operational Costs.
- "Post Collection Operational Costs" means post-collection operational costs associated with transporting refuse from the 27th Avenue Transfer Station to the SR85 Landfill, as defined in the Feedstock Agreement. These costs are associated with the Diversion Deduction rent credit and are not an additional payment.

Contract Term
This amendment establishes a 99-year Ground Lease term and a 50-year Feedstock Agreement term, with renewal options as described above.

Financial Impact
The primary financial impact to the City consists of providing Feedstock, including municipal solid waste, difficult-to-recycle plastics, and other materials otherwise destined for landfill disposal. Diverting these materials will reduce the amount of solid waste transported to and disposed of at the landfill, which will help reduce operational costs and prolong the life of the landfill.

Concurrence/Previous Council Action
- The Economic Development and Housing Subcommittee recommended approval on November 25, 2024, by a vote of 4-0.
- City Council approved authorization to enter into the Development Agreement and related agreements on December 18, 2024 (Ordinance S-51535).

Location
East of 35th Avenue and Elwood Street.
Council District: 7

Responsible Department
This item is submitted by Assistant City Manager Ginger Spencer, Deputy City Manager Alan Stephenson, and the Community and Economic Development and Public Works departments.

City of Phoenix

To: Alan Stephenson
Deputy City Manager

Date: November 3, 2026

From: Felipe Moreno
Public Works Director

Subject: ADD-ON AGENDA ITEM REQUEST FOR NOVEMBER 4, 2026, CITY COUNCIL FORMAL MEETING AGENDA – AMEND ORDINANCE TO INCLUDE SPECIFIC AGREEMENT TERMS FOR THE RESOURCE INNOVATION CAMPUS (ORDINANCE S-52698)

This memo provides background information regarding an item being added to the November 4, 2026 City Council Formal Meeting Agenda. Formal action by the City Council is required to authorize the adoption of this ordinance amendment.

The City participated in C40 Reinventing Cities Competition, a unique global call for projects to develop a resource innovation headquarters and campus that will utilize the municipal waste stream to develop circular economy uses and help meet the City Council adopted 50% waste reduction by 2030 and zero waste by 2050. Krause Interior Architecture, Inc submitted the winning proposal to act as the master developer and construct the campus along with the headquarters building and supporting subtenant uses for a portion of the overall 27th Avenue Site. Their proposal promised to deliver a RIC Campus that was dedicated to the creation and growth of a circular economy that will fulfill the Phoenix's waste diversion goals set forth in the 2021 Climate action plan as described above.

This memo requests City Council authorization to amend Ordinance S-51535 to incorporate finalized agreement terms for the Ground Lease, Development Agreement, and Feedstock Agreement related to the development of the Resource Innovation Campus (RIC) resulting from participation in the Reinventing Cities Program.

This request amends the Ordinance to incorporate finalized agreement terms, eliminate the two-phase structure, and establish the following key provisions:

Ground Lease

- Approximately 22 acres located on the eastern portion of the southeast corner of 35th Avenue and Elwood Street will be leased for a term of 99 years.
- "Net Rent" shall equal one-fourth (1/4) of the Appraised Rental Value (determined annually) for the applicable phase(s), less any quarterly Diversion Deduction offset credit.
- "Diversion Deduction" shall mean, on a quarterly basis, amounts owed by the City to the Tenant pursuant to the Feedstock Agreement, as reflected on the Tenant's invoice, up to the Appraised Rental Value for that quarter. Offset credits will only

be earned based on the applicable quarterly Diversion Deduction. The credit is an offset of funds that would have been otherwise directed toward landfill operations costs by the Public Works Department and is not an additional payment.

- Tenant shall have the right to use the Premises for circular economy solution development. The City may consider additional uses aligned with the 2050 Sustainability Goals, Phoenix Climate Action Plan, Rio Reimagined Initiative, and other environmental sustainability initiatives upon written request by Tenant.
- The Campus Headquarters Building shall obtain one Petal Certification under the Living Building Challenge. All other permanent buildings shall, as applicable, obtain LEED v4.1 Building Design and Construction Certification and demonstrate compliance with energy efficiency, low-carbon energy, life cycle assessment, and sustainable materials management principles consistent with the C40 Reinventing Cities Competition requirements.
- Tenant must submit sublease applicants to the City's Community and Economic Development Director and Public Works Director for reasonable approval prior to commencing the Sublease processing to ensure the desired Proposed Sublessee or its use of the Premises to be transferred has a circular economy or environmental sustainability business model and/or solution meeting the specifications set forth in Section 8.3.
    - Tenant shall (i) keep the Community and Economic Development Director and Public Works Director (or their designees) reasonably informed of the prospective sublessees (each a Proposed Sublessee), under active consideration, including the identity and proposed use of each; (ii) conduct interviews or meetings with prospective sublessees; and (iii) work in good faith with such Directors, including by giving reasonable advance notice of, and an opportunity to participate in, interviews or meetings with such prospective sublessees, so that the City may provide early input on whether a prospective sublessee is likely to receive City's approval pursuant to the Lease.
    - At least fifteen (15) business days prior to any interviews or meetings with prospective sublessees, Tenant shall provide in writing to the City the information on sublessees including but not limited to waste diversion strategies/capabilities (percentages), environmental/community impacts, and any potential profit-sharing/economic opportunities, and this information will be considered by the City in determining whether the specifications set forth are met and by Tenant in the selection of sublessees, with such selection of all initial sublessees for this Project's Phase II- North Property conditioned upon the City's written consent.

<u>Development Agreement</u>

- The Development Agreement confirms RIC PHX, LLC as the Developer and confirms that the Developer does not intend to seek reimbursement from the City for Public Infrastructure Improvements.
- Developer shall ensure that construction of the Campus Headquarters Building and Parcel commences on the South Property within eight (8) years from December 12, 2024.
- In connection with Developer's development of the North Property, if Developer does not lease all or substantially all of the North Property to a single tenant,

Developer must hold back development on five (5) acres until construction of the Campus Headquarters Building has commenced.

- If Developer provides written notice to the City of its election to lease the entire North Property to a single tenant, then Developer will not be subject to the Section 5.1.3 restriction of holding back five (5) acres until construction of the Campus Headquarters Building has commenced, so long as Developer ensures that construction of the Campus Headquarters Building and Parcel commences on the South Property within seven (7) years from December 12, 2024.

Feedstock Agreement

- Term: 50 years following the Commercial Operation Date, with four 10-year renewal options and one additional nine-year renewal option, unless earlier terminated or extended as provided.
- RIC PHX, LLC will serve as Operator.
- "Feedstock" means waste collected and delivered by the City to the 27th Avenue Transfer Station from residential customers and not otherwise obligated under existing agreements, including the WeCare Denali Agreement or the Circular Services Agreement.
- No obligation for Operator to accept, nor for City to supply, Feedstock between the Effective Date and the Commercial Operation Date. After the Commercial Operation Date, City shall maintain availability of Feedstock not otherwise under contract, and Operator shall accept such Feedstock and prioritize City-provided material.
- If Operator elects to receive additional Feedstock from other City locations, the parties shall negotiate in good faith to determine actual transfer costs. Such costs will reflect the City's current contracted hauling rate and will be deducted from Post Collection Operational Costs.
- "Post Collection Operational Costs" means post-collection operational costs associated with transporting refuse from the 27th Avenue Transfer Station to SR85 landfill, as defined in the Feedstock Agreement. This is affiliated with the "Diversion Deduction" rent credit and is not an additional payment.
- Developer shall use commercially reasonable efforts to cause subtenants under the Ground Lease to maintain reasonable compliance with the minimum diversion standards applicable to each such subtenant as established at the commencement of its sublease known as "Subtenant Diversion Compliance."

The item needs to be approved on the November 4th Formal Agenda,

Approved:

Alan Stephenson
Deputy City Manager