

NOTICE OF PUBLIC MEETING PARKS AND RECREATION BOARD

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of the **PARKS AND RECREATION BOARD**, and to the general public, that the **PARKS AND RECREATION BOARD** will hold a meeting open to the public on **Thursday, October 22, 2020, at 5:00 p.m.**

OPTIONS TO ACCESS THIS MEETING

Call-in to listen to the live meeting. Dial 602-666-0783. Enter the meeting access code 146 973 6426, then press #. Press # again when prompted for attendee ID.

Observe the live meeting virtually. Click on the following link and register to join the meeting online:

<https://phoenixparks.webex.com/phoenixparks/onstage/g.php?MTID=e5b108a631f7674a8579616deaeba64bb>

Register to speak and/or submit a comment on an agenda item.

- Contact: **Theresa Faull**
- At: **602-495-5937** or theresa.faul@phoenix.gov
- By: October 21, 2020
- Indicate: agenda item number, first and last name, email address
- If registered to speak, click on the link above at the time of the meeting to join the event and speak when called upon.

Per the most recent social distancing guidelines from the federal government, no residents will be allowed to attend the meeting in-person.

A complete packet of meeting materials will be posted 48 hours prior to the meeting at <https://www.phoenix.gov/parks>.

The agenda for the meeting is as follows:

1.	Call to Order –	Tony Moya, Chair
2.	INFORMATION ITEM(S): Information items will be provided to the Board in writing and are not intended for formal presentation unless otherwise requested by a Board member or required for future policy consideration.	
	a. Phoenix Parks and Preserves Initiative Fund Update	Theresa Faull
	b. Margaret T. Hance Park Update	Judy Weiss
	c. Intergovernmental Agreement Between the City of Phoenix and the Murphy Elementary School District for a Shared use Parking Lot at Kuban Park	Judy Weiss
	d. McDowell Mountain Music Festival COVID Safety Plan	James Orloski
3.	INFORMATION AND DISCUSSION ITEM(S): Information and discussion items will be presented verbally to the Parks Board and are for discussion only. No action will take place on these items at this meeting	

	a.	Code of Conduct Update	James Orloski Tracee Hall
4.		CONSENT ITEM(S): Consent items will be provided to the Board in writing and are not intended for formal presentation. Consent items may be voted on collectively, unless a Board member requests that any item be voted on separately. The chairperson may direct staff to formally present any consent item. These items are for possible action.	
	a.	Parks and Recreation Board Summary Minutes – September 24, 2020	Ryley Buchanan
	b.	Request to Vend at Arizona Science Center	James Orloski
5.		CALL TO THE PUBLIC – Citizens are provided time to make statements to the Board. <i>(Those desiring to make a statement should have informed staff in advance of the meeting by following the instructions on this notice.)</i> We welcome citizen input; however, items brought to the Board’s attention cannot be discussed unless they are listed as an agenda item. Action taken as a result of public comment will be limited to requesting staff to study the matter or rescheduling the matter for further consideration and/or decision at a later date.	Tony Moya, Chair
6.		BOARD CHAIRPERSON’S REPORT – The Chairperson will verbally present comments or requests to the Board without Board discussion.	Tony Moya, Chair
7.		BOARD COMMENTS/REQUESTS – The Chairperson will entertain Board member comments or requests without Board discussion.	Tony Moya, Chair
8.		DIRECTOR’S BRIEFING – Briefing items will be verbally presented to the Board by the Director or designee without Board discussion.	Tracee Hall, Acting Director
9.		Adjournment	Tony Moya, Chair

For further information or to request a reasonable accommodation, please contact Theresa Faull, Management Assistant II, Parks and Recreation Department at 602-495-5937 or TTY: 7-1-1.

October 16, 2020



To: Parks and Recreation Board

Date: October 22, 2020

From: Tracee Hall, Acting Director

Subject: PHOENIX PARKS AND PRESERVES INITIATIVE FUND UPDATE

This report provides an update to the Parks and Recreation Board about the status of returning funds to the Phoenix Parks and Preserves Initiative (PPPI) fund, from the previous golf deficit.

BACKGROUND

In 2013, the City Council voted to address a deficit that had accumulated in the Golf Program by transferring funds from PPPI to cover the deficit. The result was a transfer from the PPPI Fund to the City’s General Fund in the amount of \$15.032 million. The transfers to the General Fund were made over the course of three years, with the first occurring in 2013.

In 2017, the City Council asked about a plan to return funds to PPPI equal to the \$15.032 million payment. On May 24, 2017, the Parks, Arts, Education and Equality (PAEE) Subcommittee discussed options for returning the funds to PPPI. The subcommittee recommended to the full City Council that proceeds from all eligible City land sales, including park land, be utilized to return funds to PPPI until the \$15.032 million is returned to the fund. On July 6, 2017, the full City Council discussed the issue of PPPI repayment and voted to use the proceeds of the sale of park land that is not otherwise restricted to return funds to PPPI up to \$15.032 million over five years (July 6, 2017 to July 5, 2022).

On April 25, 2018, the Parks and Recreation Department provided a report to the PAEE Subcommittee regarding the status of excess park land unencumbered for PPPI repayment.

DISCUSSION

To date, the following deposits have been added to the PPPI fund:

FY17/18	\$668,646.00	City of Glendale-Camelback Ranch Lot 5 final payment
FY17/18	\$1,070,520.00	City of Glendale-Camelback Ranch Lot 3 final payment
FY17/18	\$7,600.00	Public Transit Department request for land for a bus stop at Encanto
FY17/18	\$1,540,129.14	Proceeds from 2301 W Cheryl Dr. (N. Rose Mofford)
FY17/18	\$6,400.00	Street Transportation Department request for Palo Verde Golf land for a roundabout

FY18/19	\$1,237,470.41	Cemex site lease payments
FY18/19	\$60,000.00	Water Services Department lease for six well sites
FY19/20	\$120,000.00	Water Services Department lease for six well sites
FY19/20	\$898,751.65	Cemex site lease payments
FY19/20	\$2,073,302.34	Park Land Sale Proceeds Fund 1348 balance
FY19/20	\$2,400.00	Maricopa County Groundwater monitoring wellsite

The total of these transactions is \$7,685,219.54. This leaves a return balance of \$7,346,494.25 to the PPPI fund.

The previous PPPI fund balance on Aug. 31, 2020, was \$69,588,422.25; and broken out as follows:

- 60 percent – Flatland Fund = \$26,816,069.34
- 40 percent – Preserves Fund = \$42,772,352.91

The PPPI fund balance on Sept. 30, 2020, was \$70,937,062.85; and broken out as follows (**Attachment A**):

- 60 percent – Flatland Fund = \$27,710,768.06
- 40 percent – Preserves Fund = \$43,226,294.79

RECOMMENDATION

This report is for information only.

Prepared by: Theresa Faull, Management Assistant II

Approved by: Cynthia Aguilar, Assistant Director

Attachment A

City of Phoenix
Phoenix

Fund Balance Report
Fiscal Year: 2021 Reporting Period: 003

Time 08:44:27 Date 10/12/2020
ZRFMFDEL/MBLEA Page 1

NAVIGATION	SELECTION
Fund Center Commitment Item Value Type Grant Number # #	<div style="font-size: 2em; font-weight: bold;">As of September 30, 2020</div>

Funds	ENDING FUND BAL
# 1022 Parks and Preserves Initiati	27,710,768.06-
# 1437 PPPI 40% Mtn & Desert Preser	43,226,294.79-
Total	70,937,062.85-

E N D O F R E P O R T



To: Parks and Recreation Board

Date: October 22, 2020

From: Tracee Hall, Acting Director

Subject: MARGARET T. HANCE PARK UPDATE

This report provides an update to the Parks and Recreation Board on the status of implementation of the Margaret T. Hance Park Master Plan.

BACKGROUND

On April 28, 2016, the Parks and Recreation Board approved the refined Margaret T. Hance Park (Hance Park) Master Plan. In October 2017, a notice to proceed was issued to HargreavesJones to begin the design for the redevelopment of Hance Park, estimated to cost a total of \$100 million. A public open house was held in May 2018; and the Design Concept Review (DCR) was completed in June 2018. The current contract with HargreavesJones will result in 30 percent design of the entire park and 100 percent design of Phase I.

On April 3, 2019, the City Council approved a contract with Haydon Building Corp to perform preconstruction services using a Construction Manager at Risk (CMAR) delivery method. This contract will allow HargreavesJones, as the designers, to verify construction feasibility and pricing in the early stages of Phase I design.

On Aug. 15, 2019, the Parks and Recreation Board approved the first sponsorship agreement for Hance Park: a \$2 million donation from the Fiesta Bowl towards the construction of the *Fiesta Bowl Play at Hance Park* (PLAY).

The Hance Park Partner Coalition, comprised of the Parks and Recreation Department, the Hance Park Conservancy and the Phoenix Community Alliance, hired professional fundraising firms which are assisting in the development of a capital campaign to raise \$30-45 million in private funding, which will complete Phase I of the plan. To date, \$2 million has been raised.

The Parks and Recreation Department, in collaboration with the City Manager's Office, and the Maricopa County Association of Governments (MAG) has approved an Intergovernmental Agreement (IGA) between the City and the State of Arizona Department of Transportation (ADOT) to repair the bridge joints beneath the park as construction of the park takes place.

In July 2020, City Council approved an amendment to the IGA between the City and ADOT for the joint repairs and waterproofing project. The amendment added relocation of a waterline during the park's construction using the City's contracted construction company.

In late September and early October 2020, staff and HargreavesJones met virtually with several partners including the Hance Park Conservancy, Partner Coalition, Irish Cultural Center and Arizona Jewish Historical Society to provide an update and address specific concerns.

Staff continues communication with park stakeholders and other interested groups including Downtown Voices, Roosevelt Action Association, Burton Barr Central Library, Irish Cultural Center, Arizona Humanities Council, Arizona Jewish Historical Society, Phoenix Center for the Arts, Hance Park Conservancy Board of Directors, Sister Cities and others. The monthly Hance Park newsletter continues to be published and provides updates on the Margaret T. Hance Park Revitalization project (**Attachment A, Latest Issue**)

DISCUSSION

Design development phasing and fundraising are in process with detailed coordination and communication to ensure the park is constructed in a sensible sequence; and that portions of Hance Park remain available to the public throughout redevelopment.

Over the next several months, Phase I design will continue with coordination between the City, HargreavesJones, ADOT and park partners/neighbors. Construction documents for the partial escarpment on the west side of the park are complete.

The work continues on final design of the remainder of Phase I. Sixty percent plans are expected to be completed in November 2020. The 30 percent design of the entire park is now complete.

PLAY construction is on schedule and will be completed in December 2020. A ribbon cutting ceremony is scheduled for Dec. 15, 2020, at 1 p.m.

RECOMMENDATION

This item is for information.

Prepared by: Judy Weiss, Deputy Director

Approved by: Cynthia Aguilar, Assistant Director

HANCE PARK

Attachment A

Hance Park Newsletter | October 2020



FIFTH ANNUAL NOCHE EN BLANCO WILL FEATURE VIRTUAL FORMAT

On October 24 at 5 p.m., the Hance Park Conservancy will present the fifth annual Noche en Blanco fundraiser to benefit the Conservancy and help to activate Hance Park. Due to the COVID-19 pandemic, this year's event will be shared in an engaging virtual format and feature live, video-streamed performances. It will also highlight the arts and culture community that surrounds the park. Donations to the Conservancy are encouraged, but not required, and it is free to view the virtual production.

Inspired by a similar "dinner in white" which began in Paris several decades ago, this is a unity dinner party celebration of the cultural diversity within the city. Participants dress in all white, share in a sunset toast, and enjoy festive multi-cultural entertainment.

Those interested in participating can visit [NocheEnBlancoAZ.com](https://www.NocheEnBlancoAZ.com) to start donating and view the live stream.



PHASE ONE CONSTRUCTION UPDATE



Phase one of the **Margaret T. Hance Park Revitalization Project** is in its eighth month and the transformation of the west side of the park is taking form. During this stage of the project, the 20,000-square-foot "Fiesta Bowl Play at Hance Park" play area, surrounding infrastructure and escarpment is being built. In recent weeks, crews have focused their work on constructing the climbing wall and mist water play feature. Work to plant trees and other landscaping is also underway. Construction is being managed by contractor Haydon Building Corp in coordination with the Arizona Department of Transportation (ADOT).

ADDRESSING TREE ISSUES THROUGHOUT THE PARK

The City of Phoenix has partnered with HargreavesJones, an award-winning international architecture firm, to lead the redevelopment of Hance Park. As part of the project, the firm engaged a team of local and national subconsultants to evaluate the existing park, including the trees. That team includes Norris Design, a local landscape architecture firm, and Olsson Associates, a soils specialist.

The team evaluated the existing trees, the soil's organic capacity to support tree growth, soil depths relative to the freeway tunnel deck the park sits on top of and the existing irrigation system. The evaluation showed that planting soil is in generally good condition, but is shallow and not in sufficient quantity to provide substantial support to trees.

As a result, as Hance Park is redeveloped, it will be planted with trees that are placed in adequate soil depth and in soil that is organically appropriate to support new trees. Additionally, trees will have dedicated irrigation that will help roots to grow within the soil profile available above the deck. Unfortunately, these are advantages that the existing trees at Hance Park do not currently have.

Until such time as the Hance Park Revitalization Project can be fully realized, certified arborists that are part of the Phoenix Parks and Recreation Department staff will continue to closely monitor the existing trees. Department staff is also developing a tree removal and planting plan for the park.



SPECIAL THANKS TO PORTLAND ON THE PARK

The Hance Park Partner Coalition would like to acknowledge the Portland on the Park Condominium Association for its assistance with installing the rooftop camera that is being used to capture the project's progress. The bird's-eye view photo of the construction site used in each month's newsletter is provided by that camera.



HANCE PARK CONSERVANCY

The Hance Park Conservancy (HPC) was established in 2010. It is a community-based, 501(c)(3) non-profit organization that is the catalyst for a new chapter of public space renewal in Phoenix.

For information about the Hance Park Conservancy, [visit our website](#).



PHOENIX COMMUNITY ALLIANCE

Every great city has a great urban park, and Phoenix Community Alliance (PCA) is leading the fundraising efforts to support Hance Park as a showcase to the world of what Phoenix continues to become: a thriving, must-see, world-class city. Margaret T. Hance Park's revitalization is integral to the visible progress of our Downtown. Once completed, the Park will be a vibrant central gathering place for the Downtown community and a destination location for the entire region.

Hance Park is a 32.5 acre oasis in our Downtown, and a revitalized Park will be even more critical to the urban live, work, play, learn lifestyle as Downtown becomes denser. Here are a few statistics outlining the residential growth in the Downtown area surrounding Hance Park:

- The number of residents living Downtown is expected to grow from an estimated 12,000 in 2010 to more than 22,000 in 2022.
- More than 6,000 housing units are either under construction or in the pre-development stage, to house all those new neighbors.
- Crane counting is a new past-time Downtown, with 15 of them soaring over 10 projects.

Anticipated economic impact of the revitalization project to the city, county and state: The [2017 Hance Park Economic Impact Analysis](#) recognized the Hance Park Revitalization Project would provide more than \$6.6 billion in direct new spending over a 30-year period. Separately, a [2018 Economic Study of the Downtown Redevelopment Area \(RDA\)](#) pegged Downtown's total economic impact at \$19.1 billion annually. A few years later, these numbers are likely an understatement.

The Hance Park Partner Coalition thanks the Fiesta Bowl for the first major donation toward the Hance Park Revitalization Project. The \$2 million Fiesta Bowl legacy gift will be used specifically for the newly developed "Fiesta Bowl Play at Hance Park," which will be constructed on the west side of the park and opened in conjunction with the Fiesta Bowl's 50th Anniversary season. As part of the Fiesta Bowl's 50th Anniversary celebration, its community efforts will live on through this multi-generational playground for millions of Arizona residents and guests to enjoy.

Thanks also to other organizations supporting PCA's fundraising efforts: True North Studio, Arizona Community Foundation, DeFalco Family Foundation, Okland Construction, Dig Studio, CCBG Architects, Valley Metro, Clearway Energy and Alliance Bank of Arizona.

For more information about PCA, visit our [website](#) or contact us by e-mail via info@phoenixcommunityalliance.com.

FITPHX ANNOUNCES FALL SCHEDULE FOR FREE VIRTUAL PROGRAMS

FitPHX, the city's healthy community initiative, will continue to provide free activities through a virtual platform this fall. Thanks to the sponsorship of AARP Arizona and other supporting partners, the popular Fall Into Fitness and Fitness Boot Camp series started their fall schedules in October and are being streamed using the Zoom app.

Previously offered as in-person activities in Hance Park, these programs were moved to an online format during the summer due to the COVID-19 pandemic. Hundreds of community members took advantage of the virtual option.

The 10-week Fall Into Fitness program, presented in partnership with Energized by Exercise, started October 6 and a four-week session of Fitness Boot Camp, presented in partnership with Valley of the Sun YMCA, gets underway October 19. The fall schedule also features the new monthly Morning Yoga series, presented in partnership with Sutra Studios, that began in July and runs through December.

While the programs are free, registration is required. Registered participants will receive a unique code to virtually join the live stream via Zoom. Participants will also need to download the free Zoom app through the iTunes or Android store, or search for and download it through their internet service provider.

The Phoenix Parks and Recreation Department is offering a variety of additional free virtual programs this fall. Learn more and register at Phoenix.gov/Parks.



FALL OVERSEEDING AND DOG PARK CLOSURE

The annual turf overseeding process is underway in Hance Park. Overseeding the grass with winter rye creates a pleasant, green turf year-round in the park.

Due to the overseeding, the dog park in Hance Park closed October 5 and will reopen November 20. Additionally, Thelda Williams Paw-Pup Park in downtown, 200 W. Jefferson St., will reopen October 25 following turf overseeding and maintenance.

During the closures, dog park users are encouraged to visit the dog park in Steele Indian School Park, 300 E. Indian School Rd.

[Find a dog park near you.](#)



ABOUT THE HANCE PARK REVITALIZATION PROJECT

The Margaret T. Hance Park Revitalization Project is a public-private partnership led by the Hance Park Partner Coalition, consisting of the City of Phoenix Parks and Recreation Department, Phoenix Community Alliance and Hance Park Conservancy. Funding for the project, estimated at \$100 million, will come from public and private sources. City of Phoenix has dedicated \$15 million of voter-approved Phoenix Parks and Preserve Initiative (PPPI) funds toward the project. A fundraising campaign is being led by the Phoenix Community Alliance and Hance Park Conservancy to generate private funding. That campaign is focused on raising \$45 million to continue phase one.

This newsletter, first published in December 2019, is produced by the Hance Park Partner Coalition. The Coalition encourages everyone to share it with family, friends and the organizations in which they are involved to help spread information and awareness about the project. Those who wish to receive it by e-mail can subscribe by visiting the **Hance Park Revitalization Project** website, which is also the best place to follow the latest updates about the project and park. The newsletter can also be viewed and download via that website. Questions and comments about the project can be directed to Hance.Park@Phoenix.gov.



COVID-19

Physical Distancing in Public Parks and Trails
Distanciamiento físico en parques y senderos públicos

Do not use parks and trails if you are exhibiting symptoms.
No visite los parques o senderos si tiene síntomas.

Wear a mask or face covering.
Use un cubrebocas o una cubierta facial.

Bring your own wipes and hand sanitizer.
Tráiga sus propios toallitas y desinfectante para manos.

Keep a safe distance. (6 feet or more)
Mantenga una distancia segura. (6 pies o más)

phoenix.gov/parks

@phoenixparks
 @phoenixparks
 602.262.3663

MANAGING THE SPREAD OF COVID-19

Being outdoors is important for health and wellness, and the Phoenix Parks and Recreation Department encourages residents to get outside, get exercise and practice responsible physical distancing while exploring all that the city's parks and trails have to offer.

City of Phoenix parks, trails and golf courses have remained open throughout the COVID-19 pandemic, but use of select park amenities and sports complexes was being restricted. Following a vote by the City Council during its October 7 meeting, all amenities in city parks and sports complexes reopened effective October 8.

Guidelines about physical distancing when enjoying outdoor recreation can be found at Phoenix.gov/Parks.

Additionally, contractors/subcontractors working on the Hance Park Revitalization Project, and any construction project on city park property, are following Centers for Disease Control (CDC) guidelines and working in coordination with the Office of the City Engineer to maintain a worksite-specific safety plan related to COVID-19.





ASK THE COALITION

The Hance Park Partner Coalition is committed to maintaining consistent communication with the community about the park renovation. Questions and comments should be directed to Hance.Park@Phoenix.gov. Select inquiries submitted through that e-mail address and other frequently asked questions will be answered in this new "Ask the Coalition" section of the newsletter.



PHOENIX
COMMUNITY
ALLIANCE™



HANCE PARK
CONSERVANCY



City of Phoenix

PARKS AND RECREATION DEPARTMENT

PARDON OUR DUST

The Hance Park Partner Coalition thanks park visitors and neighbors for their continued understanding and patience as the construction project progresses.

Dating to March 2020, the walking paths on the north and south edge of the west side of the park are temporarily closed. This closure is expected to last until December 2020. Due to that restriction, those wishing to connect through the park from west to east will need to use the sidewalk along Culver St. on the park's north edge, and then access the stairs or ramp near the Central Ave. bridge. Additionally, area lighting within the footprint of the project is affected, but lighting outside the construction zone is active.

The community is reminded that this is a complex project and construction timelines and park user access is subject to change, but the Hance Park Partner Coalition is committed to maintaining consistent communication. The easiest way to follow project updates is by visiting the [Hance Park Revitalization Project](#) website.



EXTENDED WORK HOURS PERMIT APPROVED

An Extended Work Hours Permit has been approved by the City of Phoenix to allow construction crews to operate on weekdays between the hours of midnight and 6 a.m. Due to seasonal daytime heat, these extended hours are necessary so that crews can follow proper temperature specifications and pour concrete during the overnight hours.

This Extended Work Hours Permit gives variance to Phoenix City Code that permits construction activity from 7 a.m. to 7 p.m. from October 1 to April 30. [Read additional information about Phoenix City Code as it relates to after-hours construction noise.](#)



To: Parks and Recreation Board

Date: October 22, 2020

From: Tracee Hall, Acting Director

Subject: INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PHOENIX AND THE MURPHY ELEMENTARY SCHOOL DISTRICT FOR A SHARED USE PARKING LOT AT KUBAN PARK

This report provides information to the Parks and Recreation Board regarding an Intergovernmental Agreement (IGA) between the City of Phoenix (City) and the Murphy Elementary School District (District), to develop, operate and maintain a shared use parking lot at Kuban Park, 3275 W. Sherman St., and adjacent to the Murphy Education and Health Center, and nearby Kuban Elementary School.

BACKGROUND

Kuban Park opened to the public in 2002, and since that time there has been a .4-acre undeveloped, excess parcel adjacent to the Murphy Education and Health Center, and nearby Kuban Elementary School (**Attachment A**). The Parks and Recreation Department has no plans to develop the excess parcel.

DISCUSSION

The purpose of the IGA is to set forth requirements for the construction, use and maintenance of a permanent, shared use parking lot on City property at Kuban Park. An IGA between the City and the Murphy School District has been developed. The Murphy Elementary School District Board voted approval of the IGA on Oct. 5, 2020. The Phoenix City Council is scheduled to consider the IGA for approval on Nov. 4, 2020.

Highlights of the IGA include:

- The term is 25 years with a 10-year option to renew.
- The District will construct the parking lot on the vacant parcel at the District's expense to accepted Maricopa County Association of Government (MAG) Street design standards.
- For the term of the IGA, the District will maintain, repair and replace any components of the parking lot (curbing, asphalt, signage, lighting).
- The District shall construct a pedestrian gate and sidewalk that connects the parking lot and Kuban Park.
- The District shall have priority for use of the parking lot and the parking lot must remain available to the public during park hours.
- The City may request exclusive use of the lot with written notice to the District.

Council District 7 has been briefed on the item and is in support of an IGA between the City and the District for a shared used parking lot.

RECOMMENDATION

This report is for information only.

Prepared by: Judy Weiss, Deputy Director

Approved by: Cynthia Aguilar, Assistant Director

ATTACHMENT A

SHARED USE PARKING SITE



Shared Use Parking Lot Location – GRAPHIC DEPICTION ONLY



To: Parks and Recreation Board

Date: October 22, 2020

From: Tracee Hall, Acting Director

Subject: MCDOWELL MOUNTAIN MUSIC FESTIVAL COVID SAFETY PLAN

This report provides an update to the Parks and Recreation Board (Board) about the COVID Operational and Safety Plan for the 2021 McDowell Mountain Music Festival (M3F Fest) at Margaret T. Hance Park (Hance Park).

BACKGROUND

The M3F Fest, previously known as the McDowell Mountain Music Festival, began in April 2004 as an endeavor to enjoy and celebrate music and art while bringing the community together. M3F Fest is a 100 percent non-profit festival produced by Phoenix-based Wespac Construction, based on the guiding values of community, culture and charity.

Since 2004, M3F Fest has donated over \$2 million to local Phoenix and Arizona charities, including United Methodist Outreach Ministries, Phoenix Children's Hospital, Teach for America, Habitat for Humanity of Northern Arizona and Leukemia & Lymphoma Society. The mission of M3F is to integrate and support the community, the arts and the underprivileged while giving back to the community.

Since 2013, Hance Park has been the host site for the M3F Fest. On Nov. 17, 2016, the Board authorized the Parks and Recreation Department to enter into a four-year agreement with M3F Fest, covering the 2017, 2018, 2019 and 2020 festivals.

On May 28, 2020, the Board authorized the Parks and Recreation Department to enter into an amendment with M3F Fest to extend the Music and Arts Festival License Agreement, covering the 2021 and 2022 festivals.

DISCUSSION

M3F Fest developed a COVID operational and safety plan for the 2021 Festival based on current federal, state and local government restrictions and guidelines related to the COVID-19 pandemic and large gatherings. This COVID operational plan was submitted for review and approval to the City of Phoenix Special Event COVID Committee, which discussed the application at its Oct. 12, 2020 meeting. This Special Event COVID Committee, which is chaired by the Assistant City Manager, includes City

representatives from Police, Fire, Emergency Management, Parks and Recreation, Street Transportation, Law, Planning and Development, City Clerk, Phoenix Convention Center and Public Works, and an independent public health medical consultant. At the time of this report, an approval decision has not yet been issued by the committee; therefore, staff will provide an update, when it becomes available, to the Board.

For the 2021 Festival, M3F Fest recommends applying the following COVID-19 practices and procedures:

- Modify the festival to a two-day ticketed event
- Reduce attendance capacity to 2500 per day
- Reduce to one performance stage
- Require face coverings for all attendees, staff, vendors and sponsors
- Implement daily event health screening of all attendees, staff, sponsors and vendors
- Implement physical distancing plan for stage viewing areas, merchandise, food and beer station queue lines, placement of art tents and food truck vendors, and back of house artist green rooms
- Enhance cleaning and disinfection protocols for all touchpoints and surfaces
- Modify the food service preparation and service plan
- Enhance handwashing stations, hand sanitizing stands and sanitation plan
- Implement physical barriers
- Encourage cashless transactions by use of RFID bracelets by attendees
- Restrict attendee re-entry
- Install COVID safety signage – personal preventative measures
- Implement a communication plan for messaging COVID personal preventative measures

All attendees, including VIP, will be encouraged to ride METRO light rail, bike or rideshare to and from the festival. VIP valet parking will not be offered.

The 2021 Festival will continue to feature a multi-genre music format and showcase local restaurants, food and beverage vendors, artwork and nonprofit partners. Food offerings will be in prepackage containers utilizing compostable dinnerware and single-service condiments. Free water refill stations will continue to be offered.

M3F Fest recognizes the public health guidance on festival and large gatherings is subject to change. Parks and Recreation staff along with City Major Events will continue to work cooperatively with M3F Fest to adjust their COVID plan, if new public health guidance or restrictions on large gatherings is issued.

RECOMMENDATION

This report is for information only.

Prepared by: James Orloski, Deputy Director
Roxann Favors, City Major Events Administrator

Approved by: Tracee Hall, Acting Director



To: Parks and Recreation Board

Date: October 22, 2020

From: Tracee Crockett, Acting Director

Subject: CODE OF CONDUCT UPDATE

This report provides the Parks and Recreation Board (Board) with an update regarding the behavior policy (code of conduct) implementation.

BACKGROUND

In October 2019, following a series of 13 community meetings to gather public input about problematic behaviors in parks and proposed solutions, and discussions at five Board meetings, the Board approved staff to move forward with the implementation of a code of conduct for parks and park facilities (**Attachment A**).

The goal of the code of conduct is to promote behavior that allows everyone to enjoy clean, safe, accessible and inviting parks, facilities and programs, by providing clear expectations of acceptable behavior in flatland parks, desert and mountain parks and preserves and other park facilities. The code of conduct was written in partnership with the community and City departments, including the Law Department, Prosecutor's Office and Police Department.

Staff's intent at the time the code of conduct was approved was to implement it in April 2020, after a 60-day public education period in which the code of conduct would be rolled out to the community and park users through a public awareness campaign. However, in the intervening time, the COVID-19 pandemic struck, severely impacting the City, including the Parks and Recreation Department, and staff's efforts were redirected away from implementing the code of conduct.

It was also determined that a public awareness campaign about the code of conduct would detract from messaging about COVID-19 and related park amenity closures, resulting in confusion for park users. With recent decreases in the spread of COVID-19, and as a result of recent Board and City Council direction to reopen park amenities, this challenge no longer exists.

In the year since the code of conduct was approved by the Board, there have also been ongoing discussions regarding citywide departmental codes of conduct, which resulted in the "behavior policy" (as it was referred to at the time of Board approval) being

renamed “code of conduct” to align with departmental codes of conduct citywide. With this, staff can continue moving forward with the implementation process for the Parks and Recreation Department’s code of conduct that the Board approved in October 2019.

DISCUSSION

In preparation for the code of conduct’s implementation, staff has worked to prepare for the code of conduct’s implementation, including:

- Formed a liaison committee made up of maintenance, recreation and park ranger staff, which met over 10 times to discuss code of conduct implementation.
- Created a training strategy and materials with which to educate field staff about the code of conduct, including a Field Operation Procedure (FOP) to provide field staff with direction about how the code of conduct is to be implemented and how education and enforcement will be handled.
- Drafted a code of conduct flyer for staff to use when educating park users and the community about behavioral expectations for park users.
- Created a new web site to house information about the code of conduct, park rules and related ordinances.
- Created a trespass notice card for park rangers to provide to recipients of trespass notices, which informs them of their appeal rights.
- Worked with the City’s Information Technology Services Department to develop an Information Technology system to document and track trespass notices and appeals.
- Designed new code of conduct signs for installation in parks and park facilities, which is currently being finalized, and funding identified for installation.

Moving forward, staff will be using the months of November and December to finalize preparations for the code of conduct’s implementation in early 2021. This includes providing training on the code of conduct to field staff and supervisors throughout the Parks and Recreation Department; printing and distributing materials for staff and the public; and working with the City’s sign vendor to finalize, fabricate and install the new code of conduct signage throughout the parks system.

Perhaps most importantly, staff will be promoting the new code of conduct to the community and raising public awareness about the new behavioral expectations for parks and park facilities. As part of this, staff will work with the department’s Public Information Officer to roll out the new code of conduct web page and push out information via the department’s social media channels. Staff will partner with the Neighborhood Services Department, and Mayor and City Council offices so they can share information to their community connections and constituents.

Staff’s intent continues to be to devote the first 60 days of the code of conduct’s implementation to educating park users about the new code of conduct, before the trespass policy of the code of conduct is utilized. Laws and existing park rules will

continue to be enforced during this time, but trespass notices will not be issued for the new behavioral expectations for parks and park facilities contained in the code of conduct, until the conclusion of the 60-day period.

RECOMMENDATION

This report is for information and discussion.

Prepared by: James Orloski, Deputy Director

Approved by: Tracee Crockett, Acting Director

ATTACHMENT A

Phoenix Parks and Recreation Department Code of Conduct

Helping us maintain clean, safe, accessible and inviting parks and programs

Policy Statement:

Phoenix Parks and Recreation provides residents more than 41,000 acres of desert parks and mountain preserves containing more than 200 miles of trails; 185 spacious city parks spanning approximately 5,000 acres; 32 community and recreation centers; classes and sports programs for all ages to learn, stay active and have fun; 8 golf courses; and 29 pools where thousands cool off and learn to swim each summer. The intent of Phoenix Parks and Recreation's Code of Conduct is to promote behavior that allows everyone to enjoy clean, safe, accessible and inviting parks and programs.

While the parks are open to all, no one has the right to interfere with another park guest's use and enjoyment of City parks and facilities. Behavior, including those activities listed below, is unacceptable when it violates the law, interferes with the rights of others, endangers or injures oneself or others or when it results in damage to park property, buildings or equipment. Kindness and respect towards fellow park guests and City staff members is appreciated and expected at all times.

It is Phoenix Parks and Recreation's policy to lead with education and raising awareness to achieve compliance with the Code of Conduct. In cases where education does not work, and to address chronic and/or serious behavior, we reserve the right to take further action, up to and including issuing a trespass notice as described below.

Before a trespass notice is issued by a City staff member, park management is consulted. Park guests are provided with a copy of the trespass notice and information on how to submit an appeal. Appeals are reviewed by the Parks and Recreation Director, or designee, to ensure robust oversight. Regular updates are provided to the Parks and Recreation Board to ensure accountability to the community. Before a trespass notice is issued to a juvenile, a notification is sent to the juvenile's parent/guardian.

Phoenix Parks and Recreation's Code of Conduct was developed jointly with the community we serve and is intended to benefit the public and protect the rights of individuals, and focuses on the actual behavior of a person. Phoenix Parks and Recreation reserves the right to define and identify disruptive behavior and/or actions that interfere with the positive and safe atmosphere in City parks and facilities.

Code of Conduct:

For the purposes of this policy, a facility is a City-owned building operated by the City or by an organization authorized to operate the building on the City's behalf.

The following is not permitted in any Phoenix Parks and Recreation desert park, mountain preserve, park or facility (collectively "Park or Parks"):

- Abusing or vandalizing a Park or its amenities in any way
- Entering or using a Park or its amenities at any time other than during the posted hours of operation
- Using, possessing or selling illegal drugs or possessing drug paraphernalia
- Possessing or consuming alcohol without obtaining proper approval
- Possessing weapons inside any City facility, as posted
- Aggressive intimidation or harassment of patrons or City staff members including physical, sexual or verbal abuse
- Obstructing other park guests' use of Parks and Park amenities, or maintenance of the Park and Park amenities by City staff members
- Using amenities, including picnic tables and playgrounds, outside of their intended or approved purpose
- Bathing, sleeping, storing personal belongings or doing laundry in restrooms or facilities
- Storing or leaving personal belongings unattended within any Park
- Use of shopping carts as posted, or other wheeled devices when they create obstructions, unnecessary clutter or damage to landscaping
- Charging for services, including exercise activities, guided hikes, sports and other special interest classes and activities, without obtaining proper approval
- Assembling groups of 50 people or more without obtaining proper approval
- Use of one or more ramadas in a Park for more than four hours per day, for two consecutive days, without obtaining proper approval
- Use of amplified sound without obtaining proper approval
- Smoking/vaping within 20 feet of a building entrance, playground, ramada or patio, and within restrooms and other enclosed public spaces
- Animals inside facilities, except for service animals, which are permitted
- Entering facilities without appropriate attire, as posted
- Unlawful conduct that violates the Arizona Revised Statutes, Phoenix City Code, or posted Park Rules or Code of Conduct
- Activities that may endanger self, others, wildlife or Park property

In addition to the rules listed above, the following is not permitted in any desert park or mountain preserve:

- Endangering children or vulnerable adults on difficult trails or in adverse weather conditions
- Endangering dogs on difficult trails or in adverse weather conditions, such as temperatures over 100 degrees

- Playing personal music via speakers; use of headphones is encouraged, as a courtesy to fellow hikers, on trails, at ramadas and in parking lots
- Disregarding trail hierarchy; hikers and bicyclists yield to horses, bicyclists yield to hikers
- Disregarding trail etiquette; downhill trail traffic flow yields to uphill trail traffic
- Smoking/vaping
- Defacing natural areas with chalk, marker, powder materials or other non-natural products
- Moving rocks or other native material along a trail or altering the tread in such a way as to facilitate or encourage illegal trail use or to cause personal harm
- Riding electric bicycles or other types of motorized vehicles on trails or off established park roads
- Operating a metal detector and removing any found items
- Placing of geocaches in a location within a park or preserve that does not fall within management guidelines for that area – all geocaches must be reviewed and approved by park management or they will be removed
- Unauthorized off-trail activity

Trespass Policy:

Park guests whose behavior violates the Code of Conduct are educated about the Code of Conduct. It is Phoenix Parks and Recreation's policy to lead with education and raising awareness to achieve compliance with the Code of Conduct. In situations in which verbal warnings and education have not been successful, City staff members have the authority to order a park guest to leave the park for the remainder of the day. In the event of repeated offenses, and with the approval of park management, park guests may be issued a trespass notice for a period of 30 days or more, applicable to the location where the violation(s) took place or to all Phoenix Parks and Recreation parks and facilities.

- First offense will result in a verbal warning and education about the Code of Conduct, and shall require immediate cessation of the behavior that violates the Code of Conduct
- Refusal to cease the behavior that violates the Code of Conduct may result in an order to leave the park for the remainder of the day, pursuant to Phoenix City Code 24-54
- Repeated offenses may result in the issuance of a trespass notice valid for 30 days from some or all parks and facilities
- Park guests who previously received a verbal warning and have been issued a trespass notice, and continue to violate the Code of Conduct, are subject to trespass periods of 60 days and greater from some or all parks and facilities
- The following offenses are subject to immediate trespass periods of 60 days and greater from some or all parks and facilities:
 - Harassing patrons or staff members, including physical, sexual or verbal abuse

- Violating any criminal law of the Phoenix City Code or the Arizona Revised Statutes

Trespass notices must include information on why the park guest is being trespassed, the amount of time they are being trespassed for and the locations from which they are being trespassed. Additionally, the trespass notice provides information on how to appeal the trespass.

Before a trespass notice is issued to a juvenile, a notification is sent to the juvenile's parent or guardian, informing them of the issue and providing education about the Code of Conduct.

**CITY OF PHOENIX
PARKS AND RECREATION BOARD
SUMMARY MINUTES
September 24, 2020**

Virtual meeting hosted on WebEx.

Board Members Present

Tony Moya
Kelly Dalton
Aubrey Barnwell
Masavi Perea
Michael Lieb
Dorina Bustamante
Sarah Porter

Staff

Tracee Hall
Cynthia Aguilar
Esther Avila
Patricia Boland
Theresa Faull

Community Members

Gail LaGrander
Donna Homsher
Richard Berg
Summer Bagley
Chris Clonts
Ashley Zimmerman-Marsh

Board Members Absent

None

1. CALL TO ORDER

Board Chair Moya called the meeting to order at 5:03 p.m.

2. INFORMATION ITEM(S):

2a. Phoenix Parks and Preserves Initiative Fund Update

Item not discussed.

2b. Margaret T. Hance Park Update

Item not discussed.

2c. Papago Baseball Complex Trail Improvements

Item not discussed.

2d. Trees at Margaret T. Hance Park

Item not discussed.

Although a motion was not required, Board Member Bustamante made a motion to approve the Information items. Board Member Perea seconded the motion, which passed unanimously, 6-0.

3. CONSENT ITEMS

- 3a. Parks and Recreation Board Summary Minutes – August 27, 2020**
- 3b. Phoenix Sonoran Preserve and Mountain Parks/Preserves Committee – Reappointment of Tamera Zivic**
- 3c. Middle Mountain Land Donation and Acceptance into the Sonoran Preserve**

Board Chair Moya stated Chris Clonts and Ashley Zimmerman-Marsh were present to answer any questions on this item. There were no questions from the Board.

- 3d. Authorization to Enter into a Golf Instruction Services Contract**
- 3e. Authorization to Enter into a Contract for Camp Colley Operation and Maintenance**

Richard Berg, Executive Director of the Camp Colley Foundation, provided background on Camp Colley. He thanked the Board for the opportunity to operate the Camp Colley program and expand access to Phoenix children. He said they created an extensive five-day, four-night program model and are thrilled to be in a place to explore this.

Board Member Dalton made a motion to approve consent items 3a-3e. Board Member Lieb seconded the motion, which passed unanimously, 6-0.

4. POLICY ITEMS

- 4a. Barrios Unidos Park – Nuestros Barrios AZ Science and Cultural Mural Project**

Deputy Director Esther Avila introduced the request for the installation of a Science and Cultural Mural at Barrios Unidos Park. She stated staff received a proposal from the Nuestros Barrios AZ and Tonatierra Community Development Institute to install a permanent mural on the concrete platform amphitheater located at the park. She provided background information on Barrios Unidos Park, displayed an aerial map of the park and showed where the amphitheater is located, highlighting where the mural would go.

Board Member Barnwell joined the meeting at 5:13 p.m.

Deputy Director Avila showed a rendering of the mural, which focuses on the ability to capture and depict the careful and scientific observations of an Indigenous Peoples Sun Stone Calendar. The mural utilizes traditional, cultural and scientific methods of Mexikayotl. She presented staff's request for Board

approval for the installation of a Science and Cultural Mural at Barrios Unidos Park.

Board Member Bustamante commended Nuestros Barrios AZ, Tonatierra Community Development Institute and City staff for coordinating this installation. She stated this installation is more than just a mural; it is a symbol.

Board Member Perea said he echoes the comments of Board Member Bustamante. He thanked Tonatierra for all the work they are doing with the community and for keeping the culture of the Indigenous ancestors and people alive. He acknowledged Tupac Enrique Acosta as a leading mentor in the community.

Board Chair Moya expressed his agreement with Board Members Bustamante and Perea, and thanked City staff, Nuestros Barrios AZ and Tonatierra.

Board Member Bustamante made a motion to approve item 4a. Board Member Perea seconded the motion, which passed unanimously, 7-0.

4b. Reopening of Outdoor Park Amenities

Acting Director Tracee Hall introduced the next phase of reopening outdoor park amenities due to the temporary suspensions and closures of many park spaces, amenities and programs in response to the COVID-19 pandemic. She stated that parks and open space have been vital to health and exercise during the pandemic and identified park amenities that remained open such as open green space, trailheads, golf courses, dog parks and skate parks, to name a few. She noted that trails and golf courses saw a significant increase in use during this time. She also discussed park amenities that were temporarily closed for precautionary measures, including basketball courts, volleyball courts, fitness equipment, ramadas and playgrounds.

Acting Director Hall discussed the Parks and Recreation metrics for reopening in line with recommendations from the Centers for Disease Control and the National Recreation and Park Association; and stated the metrics are currently met. She explained the State's standards and noted that the benchmark reporting period for Aug. 9-22, 2020, reflected that Maricopa County is in the moderate transmission category for the State's standards.

Acting Director Hall discussed the recent reopening of reservable athletic fields and park restrooms associated with those fields, per City Council approval on Sept. 2, 2020. She outlined the COVID-19 related guidelines the team and organization leaders, coaches and spectators are required to abide by. She stated each team or organization will have to agree to self-monitor the enforcement of these requirements by having an on-site compliance person. Parks and Recreation rangers and rangers will also visit park sites during their

shifts to observe if safety measures are in place and rules are being met. Continuous violations could lead to a team or organization's suspension of future reservations.

Acting Director Hall then introduced the next phase of reopening parks. She stated City Council has asked all City departments to provide their reopening plans. She said the Parks and Recreation Department is proposing a phased reopening plan with outdoor activities and amenities opening first. She explained that, if approved, the following amenities and programs could open or may resume as of Oct. 12, 2020: flatland park restrooms, ramadas, picnic tables, basketball courts, volleyball courts, sports complexes, playgrounds, outdoor fitness equipment, outdoor ranger programming, PHXPlays programming and special events, with the exception of Mobile Recreation and Showmobile resuming January 2021. She explained the department's safety measures and signage plan. She recommended recreation centers, pools and splash pads be included in future phases of re-opening. She explained the recommendation included recreation centers reopening when distance learning programs are no longer needed at seven of the department's community center sites and when Maricopa County meets the minimal benchmark spread of COVID-19.

Acting Director Hall stated staff's recommendation was for the Board to recommend to the Phoenix City Council to reopen all park amenities in flatland parks such as all outdoor courts, ramadas, special events, playgrounds, sports complexes and park restrooms as of Oct. 12, 2020.

Board Member Lieb said he agrees with the recommendation and he thinks it is time to reopen with all the guidelines.

Board Member Bustamante expressed agreement with Board Member Lieb. She said she thinks it is great timing and she made a motion to approve the recommendation.

Board Member Lieb seconded the motion.

Board Member Perea said he agrees. He stated we need to go back to normality while also learning from past mistakes. He asked what the plan is if numbers go back up.

Acting Director Hall said the City receives weekly updates on meeting the State standards. She stated staff will track the trends of the numbers with the Office of Homeland Security and Emergency Management.

Board Member Dalton said she is curious about the process of the Board making this recommendation to City Council. She asked what would happen if the City Council had differing opinions. She also asked if Acting Director Hall could elaborate on the term "special events" because that could entail a large crowd.

Acting Director Hall stated the City Council will take the Board's recommendation into consideration when they are making their decision. She also mentioned the City hired a medical professional consultant to review department's reopening plans before the City Council makes their final decision. She agreed the term "special events" could entail a large crowd. She confirmed the Governor's rules regarding crowds of 50 people or more and the City's review process of event applications, which included the event's safety precautions plan.

Board Chair Moya asked if pools, splash pads and recreation centers would come back to the Board for a recommendation when they are ready.

Acting Director Hall replied in the affirmative, when the metrics are met for those facilities.

Board Chair Moya said he is still unclear on the answer to Board Member Dalton's question regarding what will happen with the Board's recommendation to the City Council.

Board Member Porter said these are important questions from the Board that need to get addressed. She said she is in favor of reopening the parks as quickly as possible but expressed disagreement with how the Board has been involved in the process.

Board Member Bustamante agreed and amended her motion to include the Board in the City Council's decision-making discussions moving forward.

Board Chair Moya stated the Mayor's Chief of Staff acknowledged the Board's letter and confirmed the Board will have input in the decision-making.

Acting Director Hall confirmed the process that staff will take the Board's recommendation to the City Council and the City Council would make the final decision.

Board Member Bustamante asked how the Board will be involved in the conversation before there is a final vote.

Board Member Barnwell asked what the City Council's approval will be based upon, after the Board's recommendation is taken to them.

Acting Director Hall said the City Council will be reviewing every department's reopening plans and will either approve them as is, or modify them.

Board Member Barnwell asked what they will use to gauge those final decisions.

Acting Director Hall stated the City contracted a medical professional to evaluate the reopening plans to help gauge those final decisions.

Board Member Bustamante asked if there will be an opportunity for the Board to review that information also.

Board Member Dalton said it is her understanding the Board is a recommending body and the City Council will make the final decision. She said it sounds like the City Council will take the Board's recommendation into consideration, but the decision to reopen park amenities is not in the Board's jurisdiction or purview.

Board Member Porter stated the Phoenix City Charter allows the Parks and Recreation Board to be a decision-making authority, so, she likes Board Member Bustamante's amendment to her motion. She emphasized that various board members have experience and insight that could be of value in these decision-making conversations.

Board Member Dalton said she would be supportive of the motion that strengthens the Board's role because the recommendation on the table is written as the Board being a recommending body.

Board Member Porter agreed and said it is beneficial to have the Board's input on staff's recommendation. She stated the amendment to the motion could help strengthen the Board's role.

Board Member Perea said it is his understanding the numbers are going down, but it also depends on the zip codes. He asked what would happen to the zip codes where the numbers are high. He asked how that will be measured.

Board Member Porter expressed her support of Board Member Perea's inquiry and stated the Board's questions are important, sound and the types of questions that could be addressed by the Board.

Acting Director Hall asked if the City Attorney could speak on the process.

Parks and Recreation Attorney Patty Boland stated that when it comes to health and safety concerns, the City Council has jurisdiction. She stated she has no objection that the City Council involves the Board in these decision-making discussions. She said the Council has the ultimate authority when it comes to health and safety concerns, which includes the closing and reopening of park amenities.

Board Member Porter said the Board votes on issues of health and safety all the time. She provided multiple examples of items the Board has voted on in the past that relate to health and safety concerns. She expressed there needs to be some clarification of the jurisdiction. She stated the Board's involvement in the

reopening should be greater in this situation because the members of the Board have valuable insight and are stewards of the City's parks system per the City Charter.

Board Chair Moya thanked Board Member Porter and asked Acting Director Hall if she had captured the amended motion.

Acting Director Hall replied that in addition to the recommendation, the Board further requests to designate a Parks Board designee or chair for joint dialogue with respects to opening and closing of parks and amenities during a pandemic.

Board Member Bustamante asked if the Board wants to tie it to a pandemic or state "in an emergency" because the parks were closed due to a state of emergency.

Board Chair Moya agreed it should say emergency.

Board Member Porter stated the Board wants the City Council to ask the Board Chair to designate a Parks Board representative for special consultation.

Board Member Bustamante added and for collaboration also.

Acting Director Hall restated the motion as she understood it to be that in addition to the recommendation, the Board further requests to ask the City Council to designate a Parks Board representative for consultation and collaboration with respects to opening and closing of parks and amenities during an emergency.

Board Member Porter said she would say "outside the regular purview of the Parks Board" rather than "during an emergency." She explained she would say it like that because, unless it is something extraordinary, it is always up to Board.

Board Member Bustamante said she will amend her motion to include that language.

Board Member Dalton said, when she hears "outside the regular purview of the Parks Board," it seems to indicate this decision would be outside the jurisdiction of the Parks Board when the Board is trying to indicate that these decisions are in the Board's purview and that is why we are asking to be consulted.

Board Member Porter said it was justified in the view of the City Council and the Parks and Recreation Department's attorney that this was an instance where the City Council made the decision without consulting the Board, so that is why she would use that phraseology.

Board Member Bustamante asked if it would be helpful to add “within our jurisdiction” so that it does not sound like it could be outside of parks-related matters.

Board Member Porter asked about including a sentence to the beginning that stated that the Board believes that the operations of parks, including opening and closing, is within the jurisdiction of the Parks and Recreation Board as provided in the City Charter. She added the Board understands that, in the case of certain emergencies, there may be limited exceptions to this jurisdiction. Then follow with the motion as stated, with the language “outside the regular purview of the Parks Board.” She explained that way it would include a statement that the Board believes reopening and closing does fall under the Board’s jurisdiction and a statement that the Board understands there are certain emergency situations where this could be an exception and note that the Board would like to be consulted in these situations.

Board Member Lieb said he agrees. He said he does not want to send the message to the Mayor and Council that they should have consulted with the Board before they closed the parks in this situation.

Board Member Porter agreed and said that is why the second sentence notes the Board understands certain situations will supersede the Board. She recommended it would then be followed by the motion to recommend reopening and the request of City Council to ask the Parks Board Chair to designate a Parks Board member to represent the Parks Board in future discussions regarding reopening.

Board Member Dalton said she would support that.

Board Chair Moya asked Acting Director Hall if she captured the amended motion.

Theresa Faull, Management Assistant II, read, “The Parks and Recreation Board believes the opening and closing of parks is within the jurisdiction of the Board under the City Charter but understands there may be times in an emergency condition where there may be exceptions to this authority.”

Board Member Bustamante asked if it could acknowledge that it was an extraordinary time for the City Council to make an emergency call.

Board members Dalton and Porter agreed.

Ms. Faull read, “The Parks and Recreation Board believes the opening and closing of parks is within the jurisdiction of the Board under the City Charter but understands there may be extraordinary times where there may be exceptions to this authority.”

Board Member Lieb asked if the first statement is saying the Board should have been included in the decision to close the parks.

Board Chair Moya said yes, under normal circumstances, the Board does have the authority.

Board Member Porter added that is what the Board has been doing ever since it has been established and it is very consistent with what the Parks and Recreation Department's attorney has said. She stated one of the things that makes the Parks Board special is that we have an independent authority and are stewards for the members of the public.

Board Member Barnwell said he thinks the Board should acknowledge what their authority is. He said he thinks it should say the Board has "approved" the item instead of "recommends approval" of the item.

Board Member Perea agreed and said there is a lot of expertise on this Board that should be taken into consideration with the City Council.

Board Member Barnwell added the reason it should say "approval" is so that the Board is clear on what they are approving. He said the City Council will have medical professional input before they make their decision and one reason why they may not move forward is if they see something medically wrong with their approval. He stated he thinks it is important to note the Board has approved the item with the information they have been provided.

Acting Director Hall added for clarification she did get confirmation that the medical consultants are going to provide guidance as it relates to reopening plans, but they will not provide determination.

Board Chair Moya asked if the Phoenix Parks and Recreation Board could approve the recommendation to the City Council.

Board Member Dalton said the Board is being advised by the department's legal team that the Board does not have authority in these extraordinary circumstances. In this circumstance, the City Council has the ultimate authority, so she thinks it needs to remain a recommendation.

Board Member Barnwell said the Council made an executive decision to close the parks because it was an extraordinary circumstance. He explained the Board does have authority now in the current circumstances to approve this item whether it is implemented or not.

Board Member Porter said she is in support of Board Member Barnwell's change to say the Parks Board "approves" the reopening of parks and park amenities.

She added by approving the reopening of park amenities, it is not denying the Council's position that it had the authority to close in an emergency setting. The difference between approving and recommending approval of reopening at this point is exercising the Board's jurisdiction of approval.

Ms. Boland said, as the department's counsel, she agrees the Board has extraordinary authority over parks. She stated she believes Board Member Barnwell's suggestion to "approve" is fine, along with the Board wanting to have a statement about what it has jurisdiction over as a Parks Board, including that parks should reopen. She stated City Council can take a different position if it needs to.

Board Member Dalton said she supports it.

Board Member Bustamante asked if Ms. Boland thinks the City Council would take offense to the language.

Ms. Boland said she did not know but agrees with Board Member Porter about recognizing that the City Charter gives extraordinary authority over parks to the Parks Board and she believes it's fine for the Board to say they approve the reopening of the parks.

Board Member Bustamante asked her what about the additional language of the Board having a representative being an additional part of the process.

Ms. Boland said she thinks that is something the Board can certainly suggest in its motion and there is no legal issue in respect to it.

Board Chair Moya recommended to add the word approval to the motion. He asked staff if they could read it one more time to ensure the Board has come to a consensus.

Acting Director Hall asked the Board if they would like it to start with the approval.

Board Chairman Moya said yes.

Staff read, "The Parks and Recreation Board approves the re-opening of all amenities in flatland parks. The Parks and Recreation Board believes opening and closing of parks is within the jurisdiction of the Board under the City Charter but understands there may be extraordinary times where there may be an exception to this authority. The Parks and Recreation Board further requests the City Council have the Board Chair designate a representative for joint dialogue and collaboration with respect to opening and closing (of park amenities) outside of the regular purview of the Parks and Recreation Board."

Board Member Bustamante made a motion to approve as amended. Board Member Barnwell seconded the motion, which passed unanimously, 7-0.

5. CALL TO THE PUBLIC

Speaker Donna Homsher spoke about two acres east of Little Canyon Trail to Little Canyon Park and concerns about residents not being notified when properties are sold. She encouraged the newer Board members to become familiar with Parks Board Policy 3.9.

Speaker Summer Bagley stated every city surrounding Phoenix reopened their parks she expressed disagreement with the metrics used to keep parks closed. She stated she supports parks reopening and the Parks Board having a seat at the table with the City Council.

Board Chair Moya noted the Board received a letter from Sarah Walter.

Speaker Gail LaGrander stated, as a representative of the Save Our Parks Policy, she supports Parks Board Policy 3.9. She detailed the benefits of Policy 3.9, including clear, objective criteria, transparency and numerous opportunities for the public opinions to be factored into decision-making processes.

Board Chair Moya asked if the Board could obtain a copy of the policy.

Acting Director Hall responded in the affirmative.

6. BOARD CHAIRPERSON'S REPORT

Board Chair Moya announced two drive-through Halloween events: Boo Fest at Beuf Community Center on Saturday, October 24; and Spooky Boo-Throo at Pecos Community Center on Thursday, October 29.

7. BOARD COMMENTS/REQUESTS

Board Member Perea wanted to acknowledge the work Tonatierra is doing in the community. He said it is important for people to learn about systematic racism and suppression; and, to also celebrate Indigenous people.

Board Member Dalton thanked the other Board Members for the discussion and dialogue this evening. She said she believes it was a great discussion and she appreciates everyone's perspectives.

Board Chair Moya echoed her comments.

8. DIRECTOR'S BRIEFING

Acting Director Hall announced the groundbreaking event of the Cesar Chavez Community Center in Laveen. Attendees at the event included the Mayor, City Council, the Parks and Recreation Board Chair, the Phoenix Parks and Preserves Initiative Oversight Committee Chair, a small group of community members and City staff. She stated construction will begin in October and the grand opening in fall of 2021. She also highlighted the free virtual speaker series offered in partnership by the Parks and Recreation and Human Services departments. She also stated the FitPHX virtual programs will resume in the fall. She highlighted Recreation Coordinator Dave Adams who manages Maryvale Community Center, which was recognized during a segment of ABC15's Sonoran Living program. A community member nominated the center to receive an award as part of the station's Helping Kids Go Places initiative. Mr. Adams was interviewed by ABC15 and accepted a \$500 award to help fund future activities at the center. She concluded by sharing that the fifth annual Noche en Blanco fundraiser event to benefit the Hance Park Conservancy will be held virtually on October 24.

9. ADJOURNMENT

Board Chair Moya adjourned the meeting at 6:38 pm.



To: Parks and Recreation Board

Date: October 22, 2020

From: Tracee Crockett, Acting Director

Subject: REQUEST TO VEND AT ARIZONA SCIENCE CENTER

This report requests Parks and Recreation Board (Board) approval of a request for vending at the Arizona Science Center.

BACKGROUND

Per Phoenix City Charter and Phoenix City Code 24-40, the Board must approve commercial sales/vending in public parks. Each year, the Parks and Recreation Department brings the Board an annual report requesting approval of all known requests for vending in parks. However, staff also receives requests for vending throughout the year and brings them to the Board for approval.

DISCUSSION

In August, the Arizona Science Center (ASC) contacted the Parks and Recreation Department to request approval to have two food trucks in conjunction with their reopening for the dates of August 28 through September 7, 2020. The Board approved the request at its August meeting. The food trucks offered safe, convenient, to-go food options for guests to enjoy as they left the facility. Food was grab-and-go only.

The ASC's café continues to be closed due to COVID-19; therefore, ASC has requested to extend food truck offerings for guests. The request is to allow one or more food trucks in the circular plaza area in front of the ASC on Saturdays and Sundays, approximately 10 a.m. to 4 p.m., through the end of December 2020. Additionally, to continue to encourage safe social distancing, no tables or chairs will be set up,

RECOMMENDATION

Staff recommends Board approval of the request for vending at the Arizona Science Center.

Prepared by: James Orloski, Deputy Director

Approved by: Tracee Crockett, Acting Director