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10 *Attorneys for Plaintiff*

11 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
12 **IN AND FOR THE COUNTY OF MARICOPA**

13 BRAMLEY PAULIN,
14 Plaintiff,

15 vs.

16 KATE GALLEGO, in her official capacity
17 as Mayor of the City of Phoenix; JEFF
18 BARTON, in his official capacity as City
19 Manager of the City of Phoenix; and CITY
20 OF PHOENIX, a municipal corporation of
21 the State of Arizona,

22 Defendants,

Case No. CV2023-000409

**FIRST AMENDED VERIFIED
COMPLAINT FOR
DECLARATORY AND
INJUNCTIVE RELIEF**

23 **INTRODUCTION**

24 1. This lawsuit is a challenge to Phoenix City Council Resolutions 22073 and
25 22095,¹ entitled “Resolution Declaring 2023 National Football League (NFL) Super Bowl
26 Activities Held in Downtown Phoenix as Special Promotional and Civic Events,” and to
27 the City’s refusal to approve certain temporary signage applications without pre-approval
28 from the Arizona Super Bowl Host Committee (“Host Committee”). The Resolution and
the City’s restrictions violate the constitutional rights of Phoenix residents and business
owners by imposing a blanket ban on certain types of temporary signage the content of
which has not been approved by the Host Committee.

¹ Adopted on January 25, 2023, Resolution 22095 superseded Resolution 22073, and is the currently operative version of the challenged law. Because the two are essentially identical, the allegations against 22095 also apply, unless otherwise stated, to 22073.

1 2. Resolution 22073 was adopted on October 12, 2022, by the Phoenix
2 City Council. The Resolution establishes a “Special Promotional and Civic Event
3 Area” (“Clean Zone”) covering nearly two square miles, including most of
4 downtown Phoenix.

5 3. For the three-week period before Super Bowl LVII (“Super Bowl”) and the one-week period after the Super Bowl, Resolution 22073 “restrict[ed] all
6 temporary signage within the Special Promotional and Civic Event Area that has
7 not been authorized by the NFL or the Arizona Super Bowl Host Committee.”

8 4. After Plaintiff brought this constitutional challenge against
9 Resolution 22073, the City amended that resolution by removing a single sentence.
10 Nevertheless, the City still refuses to approve Plaintiff’s temporary signage unless
11 Plaintiff obtains pre-approval from the Host Committee (“signage restriction”).

12 5. Arizona’s Constitution guarantees its residents the right to speak
13 freely, a right broader than the free-speech rights guaranteed under the First
14 Amendment to the U.S. Constitution. Ariz. Const. art. II, § 6. Like its federal
15 counterpart, Arizona’s right to “speak freely” includes the right to display
16 messages on signs free from government censorship. The signage restriction
17 violates Arizonans’ right to speak freely by imposing a prior restraint on signs
18 within the Clean Zone unless a sign’s content has been pre-approved by the Host
19 Committee. The signage restriction also violates Arizonans’ right to speak freely
20 by imposing vague, overbroad restrictions that chill residents and business owners
21 from expressing messages on temporary signs.

22 6. Arizona’s Constitution also guarantees its residents the right to due
23 process of law. Ariz. Const. art. II, § 4. Like its federal counterpart, this right
24 includes the right not to be subject to vague laws and the right not to be deprived of
25 a liberty or property interest without adequate procedures. The signage restriction
26 violates Arizonans’ right to due process by enacting a broad and vague censorship
27 regime for certain types of signage and giving unaccountable private corporations
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1 unfettered authority to implement that regime, without any substantive or procedural
2 safeguards.

3 7. Arizona’s Constitution also guarantees that Arizonans will have a
4 government with a separation of transparent and accountable powers. Through the
5 separation of powers, governmental power is constrained, and the rights of Arizonans
6 better guaranteed. The signage restriction violates the separation of powers by improperly
7 delegating broad powers to private corporations, which are not subject to the ordinary
8 mechanisms by which citizens ensure their governments are accountable and transparent.

9 **PARTIES, JURISDICTION, AND VENUE**

10 8. Plaintiff Bramley Paulin (“Plaintiff”) is a resident of Maricopa County,
11 State of Arizona. He owns property within the Clean Zone.

12 9. Defendant Kate Gallego is the Mayor of the City of Phoenix and is sued in
13 her official capacity only.

14 10. Defendant Jeff Barton is the City Manager of the City of Phoenix and is
15 sued in his official capacity only.

16 11. Defendant City of Phoenix (“City”) is a municipal corporation organized
17 under the laws of the State of Arizona.

18 12. Jurisdiction over this action and its claims is proper pursuant to A.R.S.
19 §§ 12-123, 12-1831, and 12-1801.

20 13. Venue is proper pursuant to A.R.S. § 12-401.

21 **FACTS COMMON TO ALL CLAIMS**

22 **Resolution 22073**

23 14. On October 12, 2022, the Phoenix City Council adopted Resolution 22073.

24 15. In relevant part, Resolution 22073 declared a “Special Promotional and
25 Civic Event Area,” or Clean Zone, covering a nearly two-square-mile area of downtown
26 Phoenix stretching approximately from Lincoln Street to McDowell Road, and from
27 Seventh Avenue to Seventh Street. *See* Resolution 22073 attached as Exhibit 1.
28

1 16. Within the Clean Zone, Resolution 22073 “restrict[ed] all temporary
2 signage ... that has not been authorized by the NFL or the [Host Committee],” for a
3 period from three weeks before the Super Bowl (scheduled for February 12, 2023)
4 until one week after the Super Bowl.

5 17. Resolution 22073 contained no additional details or guidance for
6 what kinds of signage applications would be approved or standards for how the
7 NFL and the Host Committee were to exercise their discretion in “authoriz[ing]”
8 temporary signage applications.

9 18. Resolution 22073 did not define “temporary signage.”

10 19. The City’s Zoning Ordinance defines “temporary sign” as “[a]ny sign
11 or advertising display intended to be displayed for a period of less than six months
12 or for such period as may be established in a use permit.” Phoenix Zoning Ord.
13 § 202. It also defines “sign” as “[a]ny identification, description, illustration,
14 symbol, or device which is affixed directly or indirectly upon a building, vehicle,
15 structure, or land and which identifies or directs attention to a product, place,
16 activity, person, institution, or business.” *Id.*

17 20. Resolution 22073 did not indicate whether its restriction on
18 “temporary signage” was to be read in light of the Zoning Ordinance or any other
19 provisions in the City Code.

20 21. In January 2022, (before passing Resolution 22073), the City
21 informed Plaintiff and other property owners in writing that no temporary signage
22 would be allowed in the downtown area without NFL and Host Committee
23 approval. *See* Resolution 21987, attached as Exhibit 2; June 10, 2022 Letter,
24 attached as Exhibit 3.

25 22. The City’s communications regarding its signage restrictions have
26 sometimes been confusing and contradictory.

27 23. For example, one City webpage states that “[b]usinesses that fall
28 within the ‘Clean Zone’ must remove all their current temporary signage by

1 October 31,” and that “[n]ew temporary signs that will be displayed between November 1,
2 2022, and February 19, 2023, require Arizona Super Bowl Host Committee approval.”²

3 24. Another webpage, however, says (consistent with the Resolution) that
4 enforcement would begin January 15, 2023.³

5 25. Although the City has not provided rules or standards to guide the
6 enforcement of Resolution 22073’s temporary signage restrictions, City spokespeople
7 have stated that the purpose of the Resolution was to prevent signs from displaying
8 messages that are unfavorable to the NFL or the Hosting Committee.

9 26. For example, at a “Super Bowl LVII Small Business Permitting and
10 Licensing Workshop” on November 2, 2022, a City spokesperson stated:

11 “Obviously, the NFL sponsors are making a huge financial commitment to
12 be one of those designated sponsors and we need to provide that protection
13 to those sponsors in the downtown area where a lot of the Super Bowl
14 events are happening.”⁴

15 27. Another City spokesperson at the same meeting stated that any promotional
16 outdoor items with non-NFL-approved logos or products, such as promotional patio
17 umbrellas and chairs, pennant signs, and flags from non-NFL-approved vendors would be
18 considered “temporary signage,” and these items would not be approved.

19 28. The City’s presentation at this meeting also included a slide stating that a
20 purpose of Resolution 22073 was to “Protect NFL Super Bowl Sponsors.”⁵

21 29. The City stated in a resource for downtown business owners, “Permit
22 applications can not [sic] be approved for *materials that display the logos for Super Bowl*
23 *sponsor competitors* and non-licensed use of the Super Bowl LVII trademark.”⁶

24 _____
25 ² Phoenix City Manager’s Office, *Super Bowl 2023 Small Business Support* (Nov. 2,
2022), <https://www.phoenix.gov/newsroom/city-manager/2503>.

26 ³ Clean Zone 101 Fact Sheet, <https://dtphx.org/wp-content/uploads/2022/11/Clean-Zone-101.pdf> (emphasis added).

27 ⁴ Super Bowl LVII Small Business Permitting and Licensing Workshop (10:45 AM Nov.
2, 2022) at 7:30-7:45, <https://www.phoenix.gov/newsroom/ced/2549>.

28 ⁵ *Id.* at 7:11.

⁶ Clean Zone 101 Fact Sheet, <https://dtphx.org/wp-content/uploads/2022/11/Clean-Zone-101.pdf> (emphasis added).

1 30. The deadline for submitting a temporary signage application was
2 December 15, 2022.

3 31. Temporary signage applications required applicants to provide details about
4 the type of signage they wished to display and the content of the proposed signage.

5 32. On information and belief, the City has denied temporary signage
6 applications on the grounds that the NFL or the Hosting Committee disapproved of the
7 proposed sign’s content.

8 **Plaintiff’s Attempts to Exercise His Speech Rights**

9 33. The Host Committee has selected the Margaret T. Hance Park as the
10 site for a multi-day outdoor festival during the week leading up to the Super Bowl.⁷

11 34. This festival “will include an immersive fan experience with live
12 music, entertainment, local cuisine, and multicultural celebrations.”⁸

13 35. On information and belief, upwards of 1.5 million people are
14 expected to attend the festival at Hance Park during the week leading up to the
15 Super Bowl.

16 36. Plaintiff owns two pieces of property in downtown Phoenix,
17 including a property at the intersection of First Street and Moreland, near Hance
18 Park.

19 37. Plaintiff hopes to erect temporary signage on his properties in
20 downtown Phoenix, particularly the property near Hance Park, in order to exercise
21 his constitutional free speech rights and to take advantage of the high public
22 visibility any such signage would garner during Super Bowl-related festivities.

23 38. To this end, Plaintiff contacted potential business partners to discuss
24 the possibility of advertising on his properties. These discussions, however, proved
25 fruitless, as the potential business partners informed Plaintiff that his property “is
26

27 ⁷ *Phoenix’s Margaret T. Hance Park Selected as Super Bowl LVII Outdoor Festival Week*
28 *Location*, City of Phoenix (June 29, 2022), <https://www.phoenix.gov/newsroom/parks-and-recreation/2400>.

⁸ *Id.*

1 in the clean zone for the NFL,” and that “non-NFL partners” may not advertise within the
2 Clean Zone. *See* Paulin/Coca-Cola emails, attached as Exhibit 4.

3 39. Between January 2022 and the filing of this lawsuit, Plaintiff was
4 unable to reach an advertising agreement with these potential business partners
5 because of the City’s ban on temporary signage and because of the understanding,
6 confirmed by the text of Resolution 22073 and public statements by City officials, that no
7 signage will be allowed whose message conflicts with the interests of the NFL or
8 promotes a “non-NFL partner.”

9 40. Because Plaintiff was unable to reach an advertising agreement, he could
10 not complete an application for a temporary signage permit or for a use permit, as these
11 applications would have required details about the proposed signage that Plaintiff has not
12 yet been able to determine.

13 41. Plaintiff tried for over two months to resolve these problems in
14 communications with City and Host Committee staff, without success.

15 42. On December 13, 2022, Plaintiff sent a letter to the City through his
16 attorneys. Kriegh Letter attached as Exhibit 5. In this letter, Plaintiff stated that he was
17 suffering substantial harm from the City’s passage and enforcement of the Resolution,
18 which denied him his constitutional rights. He requested written assurance from the City
19 that he, and any person approved by him, could “advertise on his property without
20 unreasonable restriction and without any input or review by the NFL or the Super Bowl
21 Host Committee.”

22 43. After approximately three weeks of negotiation and meetings with the City
23 proved fruitless, Plaintiff filed this lawsuit on January 5, 2023, challenging the
24 Resolution’s constitutionality on grounds of free speech, due process, and separation of
25 powers.

26 44. At a January 18 return hearing, the City stipulated to an order enjoining
27 Resolution 22073 and stated that the City Council would consider amending the resolution
28 the following week. *See* CV 2023-000409, 1/18/2023 Minute Entry.

1 45. This relief enabled Plaintiff to negotiate a tentative advertising
2 agreement with a marketing company and put together a temporary signage
3 application, which he submitted to the City the morning of January 24. City staff
4 indicated that his application would be evaluated without Host Committee input
5 and that Plaintiff could expect a decision in approximately five business days.

6 46. Hours later, however, Plaintiff received an email from David
7 Williams, a Sign Section official, with a “point of clarification.” He explained that
8 only the Host Committee had a “use permit” allowing the types of signage Plaintiff
9 wanted (banners and inflatables), and that “[i]n order to move forward, [Plaintiff]
10 will need to provide a sign off or approval from the Host Committee to obtain a
11 temporary sign permit made available via the [Host Committee]’s use permit.”
12 Williams Email, attached as Exhibit 6.

13 47. On January 25, the City passed Resolution 22095 which was
14 substantively identical to Resolution 22073 except for the removal of a single
15 sentence: that which said that “restrict[ed] all temporary signage . . . that has not
16 been authorized by the NFL or the [Host Committee].” Resolution 22095, attached
17 as Exhibit 7.

18 48. On information and belief, Resolution 22095 and the
19 communications from the City referenced above mean that Plaintiff may now only
20 place temporary signage in one of two ways: either by obtaining a permit under the
21 City’s ordinary (i.e., pre-Resolution 22073) sign permit requirements, or by
22 obtaining Host Committee permission to use the Host Committee’s use permit.

23 49. Plaintiff, together with hundreds of other downtown Phoenix
24 business owners and thousands of residents, has been and is still suffering the
25 deprivation of his constitutional rights with each passing day.

26 50. As the Super Bowl is set for February 12, 2023, Plaintiff will lose
27 any opportunity to display his signs, and will be unable to remedy his injuries
28 afterward, if he receives no relief by that time.

CONSTITUTIONAL VIOLATIONS

COUNT ONE: FREE SPEECH

1
2
3 51. Plaintiff incorporates by reference all preceding allegations.

4 52. The Arizona Constitution broadly protects the right to free expression:
5 “Every person may freely speak, write, and publish on all subjects, being responsible for
6 the abuse of that right.” Ariz. Const. art. II, § 6.

7 53. The Arizona Constitution’s protection for free speech “provides broader
8 protections for free speech than the First Amendment.” *Brush & Nib Studio, LC v. City of*
9 *Phoenix*, 247 Ariz. 269, 281 ¶ 45 (2019).

10 54. Consequently, “a violation of First Amendment principles ‘necessarily
11 implies’ a violation of the broader protections of article 2, section 6 of the Arizona
12 Constitution,” *id.* at 282 ¶ 47, but a law that does not violate the First Amendment may
13 still violate the Arizona Constitution.

14 55. The City’s signage restriction imposes a blanket prior restraint on entire
15 categories of speech—temporary signage via banner, balloon, flag, or guidon—and
16 conditions the approval of such signage on content-based review of signage applications
17 by the Host Committee. While municipalities have some discretion to constitutionally
18 regulate signage, they may not prohibit signage based on a sign’s content or message. *See*
19 *Reed v. Town of Gilbert*, 576 U.S. 155, 173 (2015).

20 56. The City has no legitimate interest in economic protectionism or in
21 censoring speech that a private corporation, such as the NFL or the Host Committee, finds
22 unfavorable.

23 57. The signage restriction is also not narrowly tailored because it bans *all* signs
24 of certain types, unless they are preapproved by the City and two private corporations.

25 58. The signage restriction is overbroad in reference to any conceivable state
26 interest in regulating signage, as it facially applies to all sorts of temporary signage,
27 regardless of whether the signage is commercial, Super Bowl-related, trademark-
28 infringing, or any other arguably-relevant distinction among types of signage.

1 This requires, at a minimum, that “rights and property are not taken by governmental
2 authority without notice and an opportunity for hearing.” *Elia v. Ariz. Bd. of Dental*
3 *Exam ’rs*, 168 Ariz. 221, 228 (App. 1990).

4 67. The signage restriction lacks adequate procedural safeguards, and therefore
5 violates due process, because it deprives Arizonans of the right to speak and to place
6 signage on their property without affording them an opportunity to be heard meaningfully,
7 to challenge the decisions of the NFL or the Host Committee, to receive a reasoned
8 explanation of those decisions, or to seek meaningful review of those decisions.

9 68. As a direct and proximate result of the signage restriction, Plaintiff is
10 suffering, and will suffer in the future, irreparable harm to his due process rights under the
11 Arizona Constitution.

12 69. Plaintiff has no adequate legal, administrative, or other remedy by which to
13 prevent or minimize this harm. Unless Defendants are enjoined from implementing and
14 administering the signage restriction and required to approve Plaintiff’s applications,
15 Plaintiff and others similarly situated will continue to suffer great and irreparable harm.

16 **COUNT THREE: UNCONSTITUTIONAL DELEGATION**

17 70. Plaintiff incorporates by reference all preceding allegations.

18 71. The Arizona Constitution guarantees that Arizonans will live under a
19 government that is limited in power, accountable to the people, and transparent. To this
20 end, the Arizona Constitution provides that “no one [government department] shall
21 exercise the powers properly belonging to either of the others.” Ariz. Const. art. III.
22 Likewise, it holds that “[a]ll political power is inherent in the people, and governments
23 derive their just powers from the consent of the governed, and are established to protect
24 and maintain individual rights.” *Id.* art. II, § 2.

25 72. For these reasons, a statute, ordinance, or resolution may delegate
26 governmental power only if “it contains reasonably definite standards which govern the
27 exercise of the power, and ... procedural safeguards in the nature of a right of review are
28 provided.” *Schechter v. Killingsworth*, 93 Ariz. 273, 285 (1963).

1 73. By failing to provide any standards to guide decision-makers'
2 discretion whether to approve temporary signage applications, the Resolutions and
3 the signage restriction unconstitutionally delegate power and violate the separation-
4 of-powers principles enshrined in the Arizona Constitution.

5 74. The Arizona Constitution's separation-of-powers principles also
6 forbid governmental entities from delegating power to unaccountable private
7 actors. "[I]t is a well-established theory that a legislature may not delegate its
8 authority to private persons over whom the legislature has no supervision or
9 control." *Emmett McLoughlin Realty, Inc. v. Pima Cnty.*, 203 Ariz. 557, 559 ¶ 7
10 (App. 2002) (quoting *Indus. Comm'n v. C & D Pipeline, Inc.*, 125 Ariz. 64, 66
11 (App. 1979)).

12 75. The signage restriction further violates the separation of powers by
13 giving the NFL and the Host Committee unchecked power to make decisions about
14 Arizonans' constitutional rights, without the panoply of safeguards by which
15 citizens can hold their governments accountable, such as public hearings, records
16 requests, and elections.

17 76. As a direct and proximate result of the signage restriction, Plaintiff is
18 suffering, and will suffer in the future, irreparable harm to his rights under the
19 Arizona Constitution to limited, accountable, transparent government.

20 77. Plaintiff has no adequate legal, administrative, or other remedy by
21 which to prevent or minimize this harm. Unless Defendants are enjoined from
22 implementing and administering the signage restriction, Plaintiff and others
23 similarly situated will continue to suffer great and irreparable harm.

24 **REQUEST FOR RELIEF**

25 For his relief, Plaintiff respectfully requests that this Court take the following
26 actions:

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- A. Issue an injunction ordering the City to immediately approve Plaintiff's temporary signage, subject only to the City's ordinary, content-neutral rules for temporary signage within the special event area;
- B. Preliminarily and permanently enjoin Defendants from administering and enforcing the Amended Resolution;
- C. Enter a judgment declaring the Amended Resolution unconstitutional and unlawful;
- D. Award Plaintiff his costs pursuant to A.R.S. § 12-341, and attorney fees pursuant to the private attorney general doctrine; and
- E. Award such other and further relief as may be just and equitable.

RESPECTFULLY SUBMITTED this 26th day of January 2023.


GOLDWATER INSTITUTE
/s/ John Thorpe
Jonathan Riches (025712)
Timothy Sandefur (033670)
John Thorpe (034901)
Scharf-Norton Center for
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VERIFICATION

I, Bramley Paulin, declare under penalty of perjury that I am the Plaintiff in the action entitled *Paulin v. City of Phoenix, et al.* I verify that the facts stated in the foregoing Verified Complaint related to CAP are true and correct to the best of my knowledge, information, and belief.

Dated this 26th day of January 2023.



Bramley Paulin

CERTIFICATE OF SERVICE

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ORIGINAL E-FILED this 26th day of January, 2023, with a copy delivered via the ECF system to:

Les S. Tuskai
OFFICE OF THE PHOENIX CITY ATTORNEY
200 W. Washington, Ste. 1300
Phoenix, AZ 85003-1611
Law.civil.minute.entries@phoenix.gov
Les.tuskai@phoenix.gov

/s/ Kris Schlott
Kris Schlott, Paralegal

RESOLUTION 22073

A RESOLUTION DECLARING 2023 NATIONAL FOOTBALL LEAGUE (NFL) SUPER BOWL ACTIVITIES HELD IN DOWNTOWN PHOENIX AS SPECIAL PROMOTIONAL AND CIVIC EVENTS.

WHEREAS, the City Council adopted Resolution 21987 and declared that for the three-week period before the National Football League (NFL) 2023 Super Bowl (Super Bowl LVII) on Sunday, February 12, 2023 and the one-week period after Super Bowl LVII, all official NFL events and other NFL and Arizona Super Bowl Host Committee-sanctioned activities that are held in the Special Promotional and Civic Event area in downtown Phoenix will be considered special promotional and civic events for the purposes of the Phoenix Zoning Ordinance.

WHEREAS, it is anticipated that certain events and activities related to Super Bowl LVII will take place in downtown Phoenix in the weeks before and after the event. These events and activities will bring significant revenue and media exposure to the City of Phoenix during the event period. Phoenix Zoning Ordinance, Section 705.F.1.b, provides that advertising devices otherwise prohibited by the Zoning Ordinance may be erected in the Downtown Redevelopment Area, subject to a use permit, in conjunction with special promotional events of a civic or commercial nature. By declaring the NFL and the Arizona Super Bowl Host Committee sanctioned activities

Exhibit 1

as special promotional and civic events, the Resolution allows the NFL, the NFL-approved sponsors, and the Arizona Super Bowl Host Committee to advertise official events in the Promotional and Civic Event Area by use of signs, banners and similar devices. This action will not impact any existing permitted permanent signs in downtown. This declaration will restrict all temporary signage within the Special Promotional and Civic Event Area that has not been authorized by the NFL or the Arizona Super Bowl Host Committee during the above-mentioned time period in order to support NFL event related activities.

WHEREAS, The Special Promotional and Civic Event area in Resolution 21987 must be modified to better align with the Super Bowl related activities

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PHOENIX
as follows:

SECTION 1. Resolution 21987 adopted by the City Council on January 26, 2022 is superseded by this Resolution.

SECTION 2. For the three-week period before the Super Bowl LVII event and the one week after Super Bowl LVII, all official events and other NFL-sanctioned activities that are held in the Special Promotional and Civic Event Area will be considered special promotional or civic events and are hereby declared to be "special promotional event" as that term is used in the Phoenix Zoning Ordinance section 705, subsection F, paragraph 1, subparagraph b.

PASSED by the Council of the City of Phoenix this 12th day of October,
2022.




MAYOR

ATTEST:



Denise Archibald, City Clerk

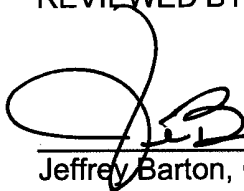
APPROVED AS TO FORM:
Cris Meyer, City Attorney


BY: _____

Deryck R. Lavelle, Assistant Chief Counsel

REVIEWED BY:

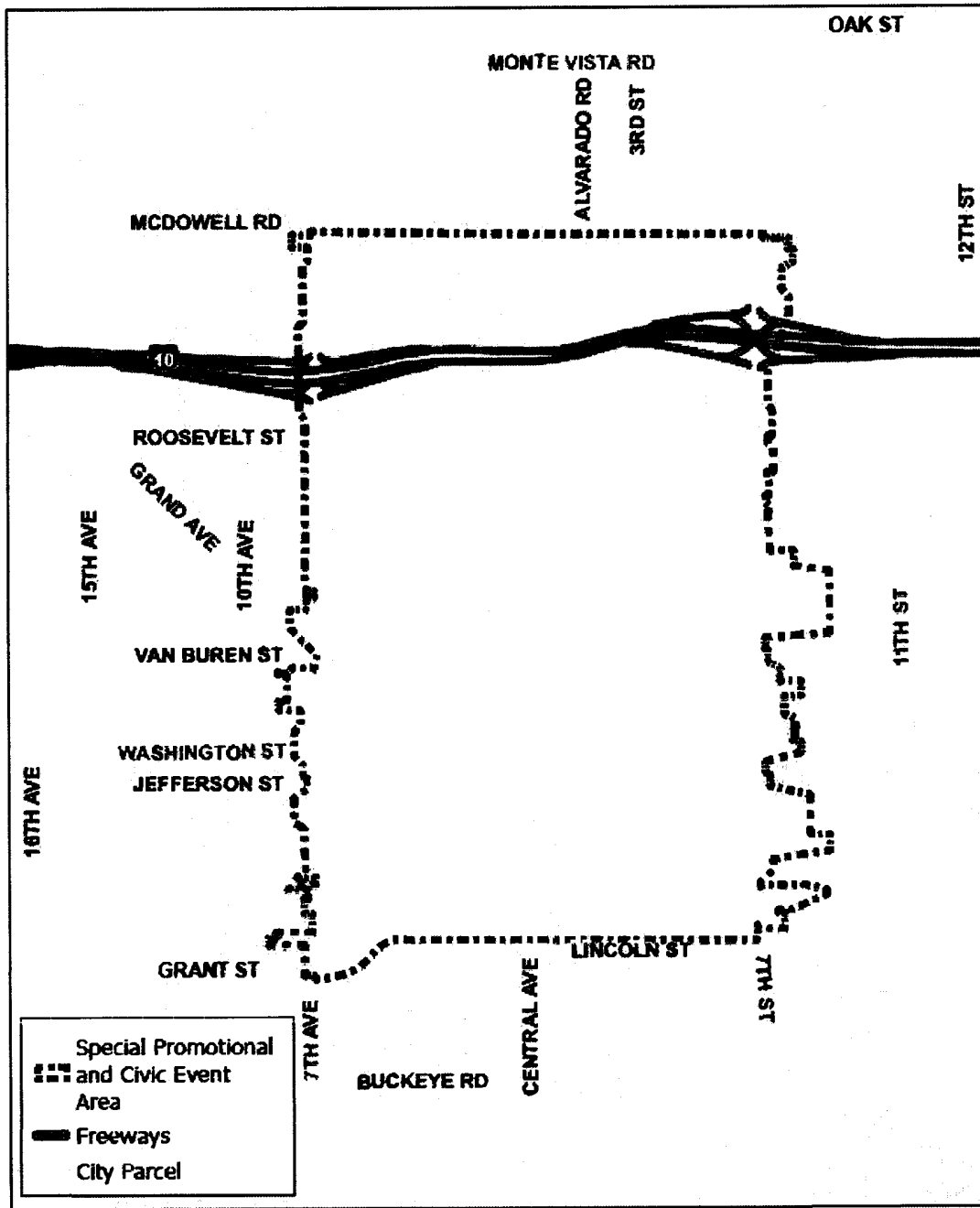
Pml



Jeffrey Barton, City Manager

PML:am:LF22-1558:10/12/22:2339529_1

Special Promotional and Civic Event Area



RESOLUTION 21987

A RESOLUTION DECLARING ALL 2023 NATIONAL FOOTBALL LEAGUE (NFL) SUPER BOWL AND NFL-SANCTIONED ACTIVITIES IN THE DOWNTOWN REDEVELOPMENT AREA AS SPECIAL PROMOTIONAL AND CIVIC EVENTS.

WHEREAS, the City Council hereby declares that for the four week period before the National Football League (NFL) 2023 Super Bowl (Super Bowl LVII) on Sunday, February 12, 2023 and the one week period after Super Bowl LVII, all official events and other NFL-sanctioned activities that are held in the Downtown Redevelopment Area will be considered special promotional and civic events for the purposes of the Zoning Ordinance.

WHEREAS, it is anticipated that certain events and activities related to Super Bowl LVII will take place in downtown Phoenix in the weeks before and after the event. These events and activities will bring significant revenue and media exposure to the City of Phoenix during the event period. Phoenix Zoning Ordinance, Section 705.F.1.b, provides that advertising devices otherwise prohibited by the Zoning Ordinance may be erected in the Downtown Redevelopment Area, subject to a use permit, in conjunction with special promotional events of a civic or commercial nature. By declaring the NFL and the Arizona Super Bowl Host Committee sanctioned activities

as special promotional and civic events, the Resolution allows the NFL, the NFL-approved sponsors, and the Arizona Super Bowl Host Committee to advertise official events in the Downtown Redevelopment Area by use of signs, banners and similar devices. This action will not impact any existing permitted permanent signs in downtown. This declaration will restrict all temporary signage within the Downtown Redevelopment Area that has not been authorized by the NFL or the Arizona Super Bowl Host Committee during the above-mentioned time period in order to support NFL event related activities.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PHOENIX
as follows:

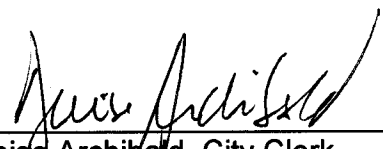
SECTION 1. For the four week period before the Super Bowl LVII event and the one week after Super Bowl LVII, all official events and other NFL-sanctioned activities that are held in the Downtown Redevelopment Area will be considered special promotional or civic events and are hereby declared to be "special promotional event" as that term is used in the Phoenix Zoning Ordinance section 705, subsection F, paragraph 1, subparagraph b.

PASSED by the Council of the City of Phoenix this 26th day of January,
2022.




MAYOR

ATTEST:



Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

BY: 

Acting Chief Counsel

REVIEWED BY:



Jeffrey Barton, City Manager

TGS:rb:LF21-3316:1/26/22:2296147_1



City of Phoenix

June 10, 2022

Caleb Jay
AZPB Limited Partnership
Chase Field
401 East Jefferson Street
Phoenix, AZ 85004

Jeff Moloznik
RED Development, LLC
One East Washington Street, Suite 300
Phoenix, AZ 85004

Brett Barendrick
RED Development, LLC
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Melissa Goldenberg
Suns Legacy Partners, LLC
201 East Jefferson Street
Phoenix, AZ 85004

The Adeline
c/o Rick Carpinelli – Crown Realty & Development
5515 E. Deer Valley Drive
Phoenix, AZ 85054

HH Luhrs, LLC
c/o Rajan Hansji – Hansji Corporation
631 West Katella Avenue, Fifth Floor
Anaheim, CA 92802

**RE: Notice of 2023 NFL Super Bowl LVII Game-Related Events
Jefferson Street Master Sign Plan Members**

The purpose of this letter is to provide notice to parties of the Jefferson Street Master Sign Plan (JSMSP) that Phoenix will be hosting many official game-related events and activities associated with the National Football League (NFL) Super Bowl LVII in 2023. In cooperation with the Arizona Super Bowl Host Committee, the City is notifying you of the future restrictions to signage within the JSMSP area and all of the Downtown Phoenix Redevelopment Area. While the Super Bowl game will be played on February 12, 2023 at State Farm Stadium, the official-sanctioned events will take place in Phoenix between February 3, 2023, and February 13, 2023. This is advance notice that restrictions and allowances to all temporary signage will soon be enacted within the JSMSP.

On January 26, 2022, the Phoenix City Council approved a Resolution recognizing the period from January 15, 2023, through February 19, 2023 as a major entertainment/cultural event.

During this time, all official NFL Super Bowl LVII fan events, NFL and Arizona Super Bowl Host Committee-sanctioned activities are recognized as major entertainment/cultural events in the downtown Phoenix Redevelopment Area. For your convenience, we have attached the formal City Council Resolution No. 21987.

In accordance with Section III, M (Temporary Signs) of the JSMSP, no temporary sign permits will be issued without the approval of the NFL, Arizona Super Bowl Host Committee, and City beginning on November 1, 2022. All current existing temporary sign permits, and any future permits issued prior to November 1, 2022 will expire on October 31, 2022. Therefore, all temporary sign(s) must be removed by October 31, 2022, and a new permit application must be submitted.

We also acknowledge that with Super Bowl LVII come opportunities to utilize other temporary signs such as, but not limited to, banners, flags and balloons within the JSMSP area and downtown Phoenix Redevelopment Area. In any event, all temporary signs must be submitted to the City and Arizona Super Bowl Host Committee for approval as generally described the Phoenix City Council Resolution No. 21987. As always, temporary signage devices may not be placed on sidewalks or driveways adjacent to or within the public Rights-of-Way.

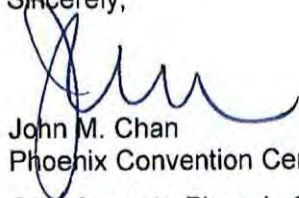
Lastly, as you are aware, a significant amount of effort and collaboration goes into bidding for the opportunity to host mega events. We have successfully hosted NBA and MLB All-Star Games; WWE events; official Super Bowl fan events; and NCAA Final Four events to the collective benefit of the downtown business community. In addition, our success has led to future hosting commitments in the pipeline. Moving forward, it is essential that we continue to utilize best efforts to protect these mega events against potential ambush or gorilla marketing tactics by not entering into contracts for advertising that directly compete with the event organizers and their official corporate sponsors.

We respectfully request your mutual cooperation in the months leading up to Super Bowl LVII in 2023 and ask that you allow the Arizona Super Bowl Committee, the NFL or the NFL partners a first option to purchase space between January 15, 2023 and February 19, 2023. The Arizona Super Bowl Host Committee and City of Phoenix will do our best to provide you with the official NFL and Arizona Super Bowl Host Committee approved sponsor information as soon as it is available.

In the next several months, expect to find further public announcements of specific events to be held within Phoenix. Your relationship with the City is highly valued and critical to the success of the city hosting the 2023 NFL Super Bowl LVII. Please contact Roxann Favors at (602) 256-4265 if you have any questions.

Thank you for your ongoing cooperation and participation in the continued renaissance of downtown Phoenix.

Sincerely,



John M. Chan
Phoenix Convention Center & Venues Director

Attachment: Phoenix City Council Resolution No. 21987

Courtesy copies sent via email:

Blake Edwards, General Manager - Jefferson Street Signage District
Billy Shields, Phoenix representative of Hansji Corporation
Devney Preuss, President and CEO, Downtown Phoenix Inc.
Jay Parry, President & CEO - Arizona Super Bowl Host Committee
Judd Norris, Senior Vice President Corporate Sponsorship - Arizona Super Bowl Host Committee
Kyle Hedstrom, Senior Vice President Finance - Arizona Super Bowl Host Committee
Rayme Lofgren, Head of Marketing – Arizona Super Bowl Host Committee
Inger Erickson, Deputy City Manager - Phoenix City Manager's Office
Alan Stephenson, Deputy City Manager – Phoenix City Manager's Office
Christine Mackay, Director - Phoenix Community and Economic Development Department
Jason Blakey, Acting Assistant Director – Phoenix Planning and Development Department
Xandon Keating, Deputy Director - Phoenix Community and Economic Development Department
Tricia Gomes, Zoning Administrator – Phoenix Planning and Development Department
David Williams, Signage Section Supervisor – Phoenix Planning and Development Department
Roxann Favors, City Major Events Administrator – Phoenix Convention Center Department

SUPER BOWL LVII KEY DATES:

- **October 31, 2022:** All temporary permits expire; signage must be removed
- **November 1, 2022:** All temporary sign permits will be approved by City, NFL, and the Arizona Super Bowl Host Committee
- **January 13 – February 19, 2023:** Period designated as Major Entertainment/Cultural event; No temporary signage will be allowed without an approved permit in place
- **February 3, 2023 – February 12, 2023:** Sanctioned Super Bowl LVII events happening in Phoenix
- **February 12, 2023:** Super Bowl LVII game
- **February 20, 2023:** Period of designated as Major Entertainment/Cultural event ends

From: [Jonathan Riches](#)
To: [John Thorpe](#)
Subject: FW: Coca-Cola - Super Bowl Music Fest 2023 in Phoenix
Date: Thursday, November 3, 2022 8:02:04 PM

From: Bramley Paulin <bramleypaulin@cox.net>
Date: Thursday, November 3, 2022 at 7:18 PM
To: Jonathan Riches <jriches@goldwaterinstitute.org>
Subject: Fwd: Coca-Cola - Super Bowl Music Fest 2023 in Phoenix

John

See Coca-Cola email trail below and NFL Clear Zone article link from abc15

Begin forwarded message:

From: John Mount <johnmount@coca-cola.com>
Subject: Re: Coca-Cola - Super Bowl Music Fest 2023 in Phoenix
Date: October 13, 2022 at 4:22:23 PM MST
To: Bramley Paulin <bramleypaulin@cox.net>

Oh I will check with the NFL and see if we have clearance. If we do I will see if our brand teams have any interest in pursuing an opportunity.

-John
Coca-Cola
North America Operating Unit
(C) 513.638.0902

On Oct 13, 2022, at 7:19 PM, Bramley Paulin <bramleypaulin@cox.net> wrote:

John

I just want to provide clarity that the Super Bowl music festival is not located within the City of Glendale and is many miles from the stadium where the Super Bowl will be played on February 12., 2023.
If I could provide you with certainty that a legal "clear zone" does not apply to the location or to the leasing of my property, would Coca-Cola be interested in leasing my property for the duration of the music festival scheduled for February 8-12, 2023, or longer?

Exhibit 4

Bramley

On Oct 13, 2022, at 4:08 PM, John Mount
<johnmount@coca-cola.com> wrote:

We cant activate within the clean zone – given your proximity to the music fest, I am 100% certain, non-NFL partners can activate there. See the attached article

https://link.edgepilot.com/s/6bc941a5/rY6bgIc7Uk_Z4uS3Mpv44w?u=https://www.abc15.com/sports/clean-zones-will-be-in-place-for-super-bowl-around-state-farm-stadium

Classified - Confidential

From: Bramley Paulin <bramleypaulin@cox.net>
Sent: Thursday, October 13, 2022 2:02 PM
To: John Mount <johnmount@coca-cola.com>
Subject: Re: Coca-Cola - Super Bowl Music Fest 2023 in Phoenix

Hi John

My understanding of Clean Zone refers to public rights of way and or the use of the words Super Bowl & NFL. I can't find any legal prohibition of the use of private property to haven or move Powerade trucks on site to distribute Powerade products and marketing materials to the general public. Nowhere will Super Bow or NFL be used.

On Oct 13, 2022, at 10:24 AM, John Mount
<johnmount@coca-cola.com> wrote:

Received – biggest challenge is that your location is in the clean zone for the NFL which means we will receive a cease and desist letter for doing anything in that location. We will have to pass. THANK YOU for considering us. My reco is that you use your property with an official NFL sponsor.

Classified - Confidential

From: Bramley Paulin
<bramleypaulin@cox.net>
Sent: Thursday, October 13, 2022 12:03 PM
To: John Mount <johnmount@coca-cola.com>
Subject: Coca-Cola - Super Bowl Music Fest
2023 in Phoenix

ATTENTION: This email was sent from outside the company. Do not click links or open files unless you know it is safe. Forward malicious emails to phish@coca-cola.com.

Good afternoon John

As a follow up to our brief phone conversation, I am submitting this email.

I am trying to reach the person who oversees Coca-Cola's marketing and special events. As you may know, the NFL's Super Bowl will be in Phoenix in February 2023. Leading up to the Super Bowl, the NFL has several major events that will engage the public, including a multi-day music festival that will be held in downtown Phoenix's Margaret T. Hance Park. This music festival is open to the general public and will have several major named performers (the names have not yet been made public) along with other activities and vendors for the community attendees. Festival attendance is expected to exceed 1.5 million guests over multiple days.

This NFL festival surrounds my property on 3-sides. While I am not directly related with the NFL, the distance from the festival area from my property is the thickness of a chain link fence. See NFL music festival area map attached indicating the location of my site.

I would like to provide Coca-Cola's Powerade , or other brands, with this exceptional opportunity to utilize my property at this prime location to market its brands & products to the attendees during this amazing Super Bowl event. This allows Powerade to market directly to the Super Bowl crowd without being an

official Super Bowl sponsor.

Would you please provide this information to the appropriate special events person within Coca-cola so we can discuss further the specifics of this great marketing opportunity.

Please confirm your receipt of this email.

Thank you

Bramley Paulin

(602) 918-2998

bramleypaulin@cox.net

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Links contained in this email have been replaced. If you click on a link in the email above, the link will

be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.



December 13, 2022

Via Certified Mail & Email

Ms. Julie Kriegh, City Attorney
City of Phoenix
200 West Washington Street
13th Floor
Phoenix, AZ 85003
Julie.kriegh@phoenix.gov

Re: Super Bowl Clean Zone

Dear Ms. Kriegh:

Our office represents Bramley Paulin, a Phoenix resident and business owner who owns two pieces of property within the “Special Promotional and Civic Event Area” the City of Phoenix recently established in connection with the 2023 Super Bowl.

Mr. Paulin would like to lease out his property during the upcoming Super Bowl activities, including for the placement of temporary signage on his property before, during, and after the Super Bowl. The City, however, has imposed access restrictions that are so stringent as to render the leasing and use of the property virtually impossible. In addition, the City recently passed Resolution 22073, which “restrict[s] all temporary signage within the Special Promotional and Civic Event Area that has not been authorized by the NFL or the Arizona Super Bowl Host Committee.” We gather that these restrictions cover virtually all of downtown Phoenix, they are already being enforced, and they will remain in force through Sunday, February 19, 2023.

When Mr. Paulin reached out to potential partners about the possibility of leasing and advertising on his property, the potential partners immediately rejected his proposal because the city-imposed “Clean Zone” and the City’s temporary signage restrictions forbid any advertising not approved by the NFL and the Super Bowl Host Committee. We understand that the City has stated in various guidance, including a letter dated June 10, 2022, that “no temporary sign permits will be issued without the approval of the NFL, Arizona Super Bowl Host Committee, and City beginning on November 1, 2022.”

The City's restriction on temporary signage violates state and federal constitutional provisions protecting freedom of speech, as it is overbroad, a prior restraint, and a content-based regulation. The ordinance also violates constitutional guarantees regarding due process and improper delegation of government power by broadly authorizing two private entities—the NFL and the Arizona Super Bowl Host Committee—to regulate private citizens' speech with unfettered discretion and no procedural safeguards. It is well established that the government “may not delegate its authority to private persons over whom [it] has no supervision or control.” See, e.g., *Emmett McLoughlin Realty, Inc. v. Pima Cnty.*, 203 Ariz. 557, 559 ¶ 7 (App. 2002); *Indus. Comm'n v. C & D Pipeline, Inc.*, 125 Ariz. 64, 66 (App. 1979). Additionally, the restriction runs afoul of the Arizona Constitution's prohibitions on government aid to private entities, particularly the Equal Privileges and Immunities Clause and the Gift Clause. See Ariz. Const art. 2 § 13; art. 9 § 7.

The City's restrictions have already imposed substantial harm on Mr. Paulin and will continue to do so. We therefore request that the City provide us with written assurance that Mr. Paulin, his business partners, and any other person approved by Mr. Paulin may advertise on his property without unreasonable restriction and without any input or review by the NFL or the Super Bowl Host Committee.

Time is of the essence in this matter, as every passing day is another day Mr. Paulin is denied the ability to exercise his constitutional rights. If we do not receive written assurance from the City we will seek legal remedy.

We are available to discuss this matter with you at any time. Should you have any questions, I can be contacted directly at jthorpe@goldwaterinstitute.org or at the number below.

Sincerely,



John Thorpe
Staff Attorney
Scharf-Norton Center for
Constitutional Litigation at
the Goldwater Institute

Julie Kriegh
December 13, 2022
Page 3 of 3

cc (via email only):

Mayor Kate Gallego
mayor.gallego@phoenix.gov

Jeff Barton, Phoenix City Manager
Jeffrey.barton@phoenix.gov

Councilmember Ann O'Brien, District 1
Council.district.1@phoenix.gov

Councilmember Jim Waring, District 2
Council.district.2@phoenix.gov

Councilmember Debra Stark, District 3
Council.district.3@phoenix.gov

Vice Mayor Laura Pastor, District 4
Council.district.4@phoenix.gov

Councilmember Betty Guardado, District 5
Council.district.5@phoenix.gov

Councilmember Sal DiCiccio, District 6
Council.district.6@phoenix.gov

Councilmember Yassamin Ansari, District 7
Council.district.7@phoenix.gov

Councilmember Carlos Garcia, District 8
Council.district.8@phoenix.gov

John Thorpe

From: David A Williams <david.a.williams@phoenix.gov>
Sent: Tuesday, January 24, 2023 5:38 PM
To: Bramley Paulin
Cc: John Thorpe
Subject: RE: Super Bowl - Temporary Sign Permit Applications
Attachments: 702 East Van Buren - Temporary Sign Permit Application.pdf; 1129 North 1st Street - Temporary Sign Permit Application.pdf

Hi Bramley,

It was nice to meet you and John today. Thank you for sending over the application materials. Before going any further, we need a point of clarification.

We discussed certain types of temporary signs are available via the Host Committee's use permit, we did not discuss that the Host Committee had approved the 'use' of their use permit for the sign types listed in the approved sign plan for this event. All temporary sign permits we have issued have obtained Host Committee approval. In order to move forward, you will need to provide a sign off or approval from the Host Committee to obtain a temporary sign permit made available via the HC's use permit.

Again, all temporary sign permits issued to date, have the blessing of the HC to be under their approved sign use permit. Alternatively, you can apply for your own use permit which is where you seemed to be headed when we met today. Once you obtain your own temporary event use permit, we can issue sign permits and you can have signs in support of that approved temporary use.

At this point, we cannot move ahead and accept and process your application that is based off of the Host Committee's use permit without their approval. If you need additional clarification, please let me know.

Thank you,
David

David A. Williams, AICP
Planner III - Sign Section Supervisor
City of Phoenix
602 256 4242
david.a.williams@phoenix.gov

-----Original Message-----

From: Bramley Paulin <bramleypaulin@cox.net>
Sent: Tuesday, January 24, 2023 4:01 PM
To: David A Williams <david.a.williams@phoenix.gov>
Cc: John Thorpe <jthorpe@goldwaterinstitute.org>
Subject: Super Bowl - Temporary Sign Permit Applications

David

Pursuant to our meeting this morning, please find attached the two Temporary Sign Permit Applications for the two different locations, as we discussed.

Please let me know if you need any additional information or clarification.

Exhibit 6

Thank you for your assistance in the matter.

Bramley
(602) 918-2998



VALIDATION		STAFF USE ONLY													
FEES AND CHARGES															
PERMIT FEE		PROJECT NUMBER – THIS MUST BE AFFIXED TO THE SIGN													
TOTAL															

APPLICANT: COMPLETE FORM BELOW IN BLACK INK – PLEASE PRINT

ADDRESS OF SIGN 702 EAST VAN BUREN		ZIP CODE 85006	NAME OF FIRM OR INDIVIDUAL AUSTIN STEA (ARIZONA) 7TH STREET VAN BUREN LLC		PHONE 602 918-2998
NAME OF APPLICANT Bramley Paulin		CITY PRIVILEGE LICENSE TAX NO.	ADDRESS OF APPLICANT, CITY, STATE, SUITE, ETC. 7112 NORTH 11TH DRIVE PHX 85021		ZIP 85021
ZONING DTX	ST FRONTAGE LENGTH 300'	RESPONSIBLE PERSON FOR CORRECTIONS AND VIOLATIONS Bramley Paulin		ADDRESS, CITY, STATE, SUITE, ETC. 7112 NORTH 11TH DRIVE PHX 85021	PHONE 602 918-2998

IN COLUMNS BELOW DESCRIBE EACH SIGN

QTY	SIZE HEIGHT X LENGTH IN DECIMALS	HEIGHT TO TOP OF SIGN	TYPE SIGN	SQUARE FEET	TYPE CONST.	SIGN COPY OR DESCRIPTION
A	10.0 x 10.0	16'	B	100.0		CORP LOGO, PRODUCT ID
B	10.0 x 10.0	16'	B	100.0		CORP LOGO, PRODUCT ID
C	10.0 x 10.0	16'	B	100.0		CORP LOGO, PRODUCT ID
D	10.0 x 10.0	16'	B	100.0		CORP LOGO, PRODUCT ID

<p>HALF STREET: STREET NAME:</p> <div style="border: 1px dashed black; height: 150px; width: 100%; display: flex; align-items: center; justify-content: center;"> <p style="font-size: 2em; margin: 0;">SEE ATTACHED</p> </div> <p>HALF STREET: STREET NAME:</p>	<p><input type="checkbox"/> GRAND OPENING</p> <p><input checked="" type="checkbox"/> SPECIAL EVENT 1, 2, 3, 4</p> <p><input type="checkbox"/> PENDING PERMANENT SIGN</p> <p style="text-align: center;">Refer to the INFORMATION SHEET FOR TEMPORARY SIGNAGE for applicable guidelines and special conditions.</p>
--	---

THE OWNER AND/OR APPLICANT SHALL BE RESPONSIBLE FOR COMPLIANCE WITH ALL ORDINANCES, SPECIAL STIPULATIONS, AND TIME LIMITS

Event Date: 1/25/23 to 2/19/23

Expires: _____

CERTIFICATION: I hereby certify that the data submitted on or with this application is true and correct, that I am the Owner of the property at this address or, that for the purpose of obtaining this permit approval, I am acting as agent in his or her behalf.

FINAL INSPECTIONS WILL BE CONDUCTED

SIGNATURE

1/24/23
DATE

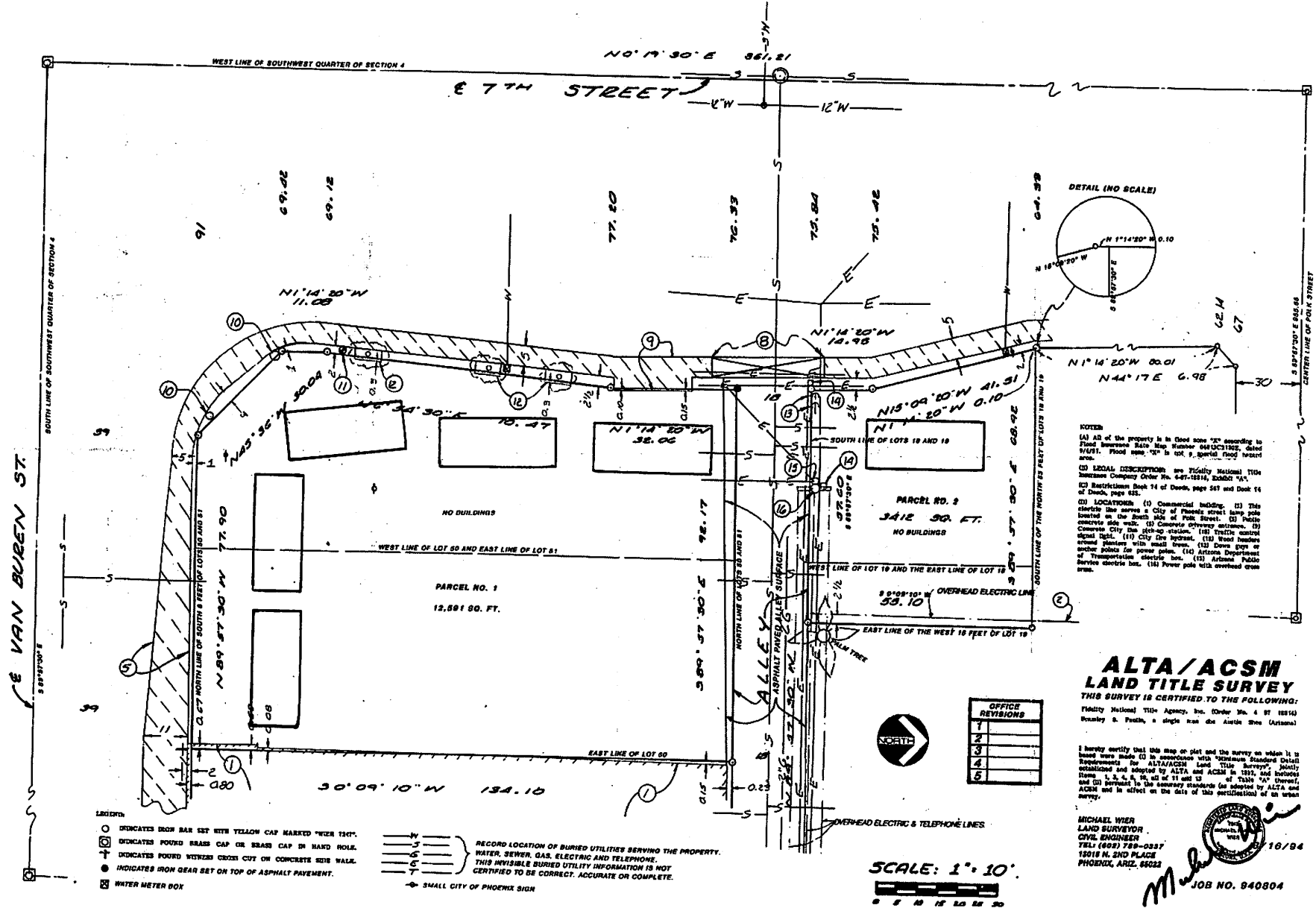
YELLOW – Customer Copy PINK – Office Copy

This publication can be made available in alternate formats (Braille, large print, computer diskette, or audiotape) upon request. Contact Planning and Development at (602) 262-7811 voice or (602) 534-5500 TTY.

702 East Van Buren Street, Phoenix, 85006

<u>QTY</u>	<u>Size HxL Feet</u>	<u>Top of Sign</u>	<u>Type Sign</u>	<u>Square Feet</u>	<u>Type Construction</u>	<u>Description</u>
E	10.0 x 10.0	20 Feet	Banner	100.0	Fabric	Corp Logo, Product ID
F	10.0 x 10.0	20 Feet	Banner	100.0	Fabric	Corp Logo, Product ID
G	10.0 x 10.0	20 Feet	Banner	100.0	Fabric	Corp Logo, Product ID
H	10.0 x 10.0	20 Feet	Banner	100.0	Fabric	Corp Logo, Product ID
I	20.0 x 80.0	80 Feet			Fabric	Corp Logo, Product ID
J	20.0 x 80.0 Not to exceed	80 Feet			Fabric	Corp Logo, Product ID

Note: All banners will be securely fastened to structures (shipping containers).
Locations of shipping containers are approximate.



**ALTA/ACSM
 LAND TITLE SURVEY**

THIS SURVEY IS CERTIFIED TO THE FOLLOWING:

Public National Title Agency, Inc. (Order No. 4 BT 10314)
 Stanley B. Patten, a single man (the Austin Shoa (Autonal)

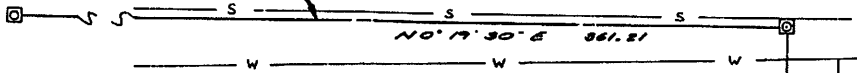
I hereby certify that this map or plat and the survey on which it is based were made (1) in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" (revised 1985) and (2) in accordance with the ALTA and ACSM standards as adopted by the Board of Standards and Practices of the American Land Title Association, Inc. (ALTA) and (3) in accordance with the necessary standards (as adopted by ALTA and ACSM) and in effect on the date of this certification of an ALTA survey.

MICHAEL WIER
 LAND SURVEYOR
 CIVIL ENGINEER
 TEL: (602) 728-0227
 15018 N. 2ND PLACE
 PHOENIX, ARIZ. 85022



JOB NO. 940804

E 7TH STREET

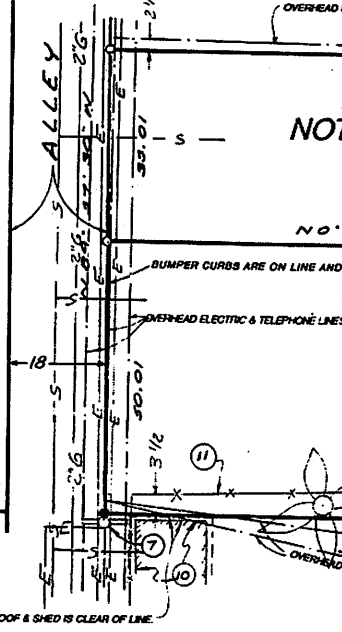
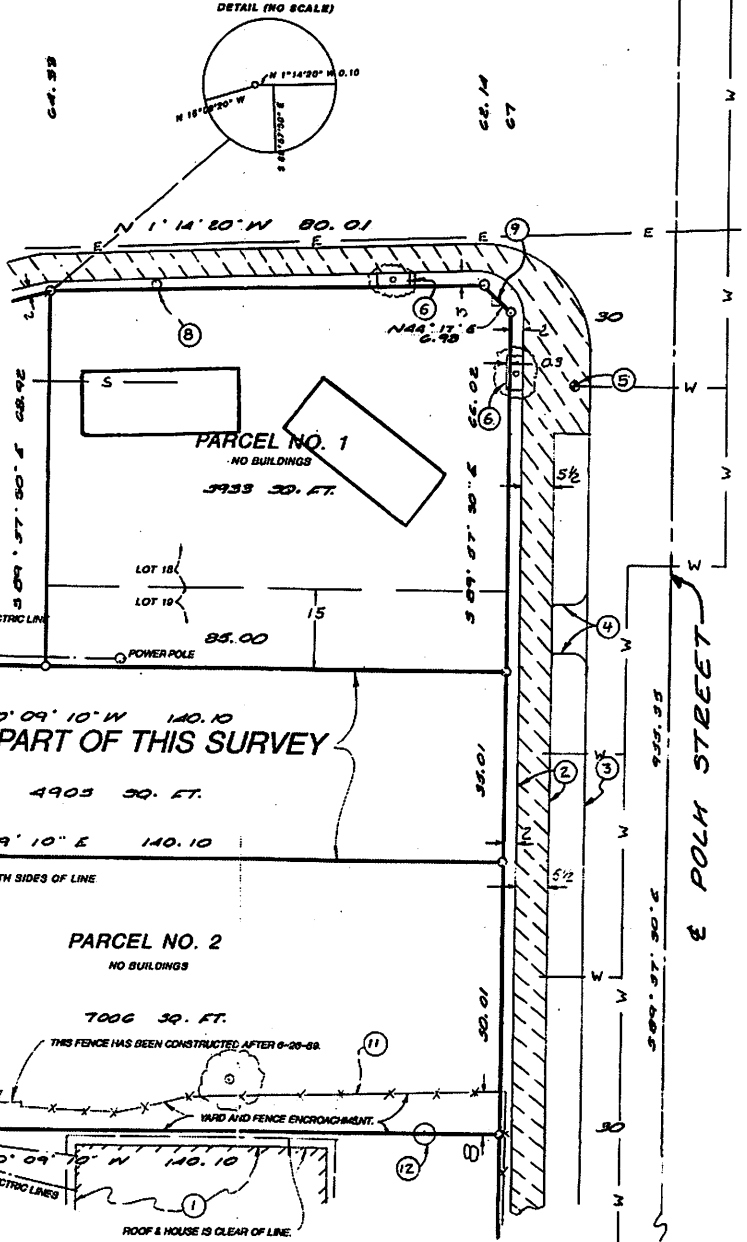


PARCEL NO. 1:
That part of Lots 18 and 19, MONTE VISTA PLACE, according to Book 1 of Maps, Page 14, records of Maricopa County, Arizona, described as follows:
BEGINNING at the Southeast corner of the West 15 feet of the North 85 feet of Lot 19;
THENCE North 89 degrees 37 minutes 10 seconds West, parallel with the North line of Lots 18 and 19, a distance of 64.92 feet to a point on the East right-of-way line of 7th Street;
THENCE North 1 degree 18 minutes 20 seconds West along said East right-of-way line, 80.01 feet to an angle point;
THENCE North 44 degrees 17 minutes 00 seconds East along said East right-of-way line, 6.98 feet to a point on the North line of Lot 18;
THENCE South 89 degrees 37 minutes 10 seconds East along the North line of Lots 18 and 19, a distance of 44.01 feet to the Northeast corner of the West 15 feet of Lot 19;
THENCE South 0 degrees 0 minutes 30 seconds West along the East line of said West 15 feet, a distance of 45 feet to the point of beginning.

PARCEL NO. 2:
Lot 20, MONTE VISTA PLACE, according to Book 3 of Maps, Page 14, records of Maricopa County, Arizona.

NOTES

- (1) One story residential house. (2) Concrete sidewalk. (3) Concrete curb and gutter. (4) Radius type concrete driveway entrance. (5) Fire hydrant. (6) Wood locusts around planter for small trees. (7) Power pole with overhead cross arms. (8) Street lamp pole. (9) Road hole marked "irregular". (10) Stone fence in place. (11) Road hole marked on line. (12) True corner hole in place. See reference given in West line of power pole at 1.11 feet East of true corner.



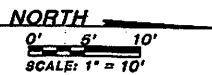
ALTA/ACSM LAND TITLE SURVEY

THIS SURVEY IS CERTIFIED TO THE FOLLOWING:
FIDELITY NATIONAL TITLE INSURANCE COMPANY,
BRANLEY S. PAULIN, LONGMINE FALLIN, AND
AUSTIN SHEA (ARIZONA) 7TH ST. AND VAN BUREN, L.L.C.

I HEREBY CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM IN 1962, AND ARE NECESSARY TO THE ACCURACY STANDARD HAS ADOPTED BY ALTA AND ACSM AND TO THE EFFECT OF THE DATE OF THIS CERTIFICATION OF AN URBAN SURVEY, AND INCLUDES THE FOLLOWING ITEMS OF TABLE "A" THEREON:
1, 3, 4, 8, 10, 11, AND 13.

TITLE NOTES

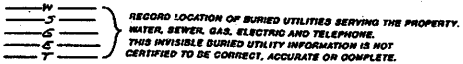
- (1) The proposed subdivision plan of MONTE VISTA PLACE dedicates no easements or interests hereon that affect the property surveyed.
- (2) The property is subject to the covenants set forth in the Ordinance Enforcement and Improvement Plan recorded in District 12318, page 278 and District 12318, page 282.



ADDITIONAL ITEMS

ALL OF THE PROPERTY IS IN FLOOD ZONE "X" ACCORDING TO FLOOD INSURANCE RATE MAP #20132Z100C, DATED 9/4/91. FLOOD ZONE "X" IS NOT A SPECIAL FLOOD HAZARD AREA.

- INDICATES IRON NAIL SET WITH YELLOW CAP MARKED "WIER TMT".
- ⊙ INDICATES POUND BRASS CAP OR BRASS CAP IN HAND HOLE.
- ⊕ INDICATES POUND WIRELESS CROSS OUT ON CONCRETE SIDE WALK.
- SEE NOTE #13.



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Michael Wier


JOB #951005
MICHAEL WIER
CIVIL ENGINEER AND LAND SURVEYOR
TEL: 789-0337 FAX: 993-4822
12235 NORTH CAVE CREEK ROAD
SUITE NO. 6 PHOENIX, AZ 85022

Untitled Map

Write a description for your map.

Legend

 1129 N 1st St

 702 E Van Buren St

Google Earth

Image Landsat / Copernicus



100 ft



VALIDATION				STAFF USE ONLY																
FEES AND CHARGES				PROJECT NUMBER - THIS MUST BE AFFIXED TO THE SIGN																
PERMIT FEE																				
TOTAL																				

APPLICANT: COMPLETE FORM BELOW IN BLACK INK - PLEASE PRINT

ADDRESS OF SIGN 1129 NORTH 1ST STREET	ZIP CODE 85004	NAME OF FIRM OR INDIVIDUAL WYLER PARK - 1129 NORTH FIRST STREET LLC		PHONE
NAME OF APPLICANT Bramley Paulin		CITY PRIVILEGE LICENSE TAX NO.	ADDRESS OF APPLICANT, CITY, STATE, SUITE, ETC. 7112 NORTH 11TH DRIVE, PHX 85021	PHONE 602 918-2998
ZONING DTC	ST FRONTAGE LENGTH 170	RESPONSIBLE PERSON FOR CORRECTIONS AND VIOLATIONS Bramley Paulin	ADDRESS, CITY, STATE, SUITE, ETC. 7112 NORTH 11TH DRIVE, PHX 85021	PHONE 602 918-2998

IN COLUMNS BELOW DESCRIBE EACH SIGN

QTY	SIZE HEIGHT X LENGTH IN DECIMALS	HEIGHT TO TOP OF SIGN	TYPE SIGN	SQUARE FEET	TYPE CONST.	SIGN COPY OR DESCRIPTION
A	100.0 x 100.0	20.0	B	100.0		CORP LOGO, PRODUCT ID
B	100.0 x 100.0	20.0	B	100.0		CORP LOGO, PRODUCT ID
C	100.0 x 100.0	20.0	B	100.0		CORP LOGO, PRODUCT ID
D	100.0 x 100.0	20.0	B	100.0		CORP LOGO, PRODUCT ID

<p>HALF STREET: STREET NAME:</p> <div style="border: 1px dashed black; padding: 20px; text-align: center;"> <p>SEE ATTACHED</p> </div> <p>HALF STREET: STREET NAME:</p>	<p><input type="checkbox"/> GRAND OPENING</p> <p><input checked="" type="checkbox"/> SPECIAL EVENT 1, 2, 3, 4</p> <p><input type="checkbox"/> PENDING PERMANENT SIGN</p> <p>Refer to the INFORMATION SHEET FOR TEMPORARY SIGNAGE for applicable guidelines and special conditions.</p>
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THE OWNER AND/OR APPLICANT SHALL BE RESPONSIBLE FOR COMPLIANCE WITH ALL ORDINANCES, SPECIAL STIPULATIONS, AND TIME LIMITS

Event Date: 1/25/23 to 2/19/23

Expires: _____

CERTIFICATION: I hereby certify that the data submitted on or with this application is true and correct, that I am the Owner of the property at this address or, that for the purpose of obtaining this permit approval, I am acting as agent in his or her behalf.

SIGNATURE: _____ DATE: 1/24/23

FINAL INSPECTIONS WILL BE CONDUCTED

YELLOW - Customer Copy PINK - Office Copy

This publication can be made available in alternate formats (Braille, large print, computer diskette, or audiotape) upon request. Contact Planning and Development at (602) 262-7811 voice or (602) 534-5500 TTY.

1129 North 1st Street, Phoenix 85004

<u>QTY</u>	<u>Size HxL Feet</u>	<u>Top of Sign</u>	<u>Type Sign</u>	<u>Square Feet</u>	<u>Type Construction</u>	<u>Description</u>
E	10.0 x 10.0	20 Feet	Banner	100.0	Fabric	Corp Logo, Product ID
F	10.0 x 10.0	20 Feet	Banner	100.0	Fabric	Corp Logo, Product ID
G	10.0 x 10.0	20 Feet	Banner	100.0	Fabric	Corp Logo, Product ID
H	10.0 x 10.0	20 Feet	Banner	100.0	Fabric	Corp Logo, Product ID
I	20.0 x 80.0 Not to exceed	80 Feet			Fabric	Corp Logo, Product ID

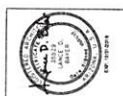
Note: All banners will be securely fastened to the building.
There are multiple banners spaced per each building elevation
Banners are a minimum of 8-feet above grade

- SHEET KEYED NOTES**
- EXISTING DOOR
 - EXISTING WINDOW
 - EXISTING DECORATIVE WALL
 - EXISTING WALL
 - EXISTING ROOF
 - EXISTING CLADDING
 - NEW ROOF/POOR
 - EXISTING RECEIVING DECK WITH RAILING
 - NEW TOP RAIL PER STRUCTURAL SHEETS

1111 West University
 Phoenix, AZ 85018
 480.548.5171

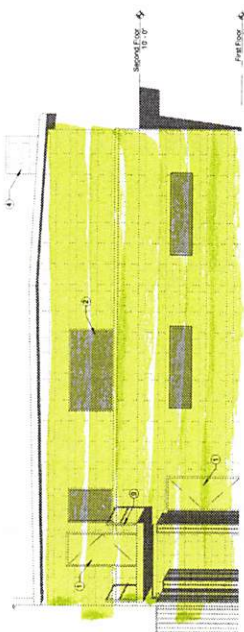
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1129 NORTH 1ST STREET
 PHOENIX, ARIZONA 85004

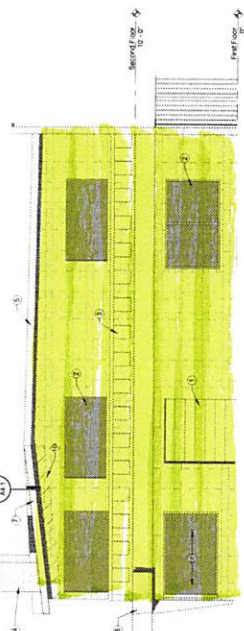


Project:	CUK
Drawn By:	Mal
Reviewed By:	LOB
3D0 Project No.:	3818
Date:	10/11/2017

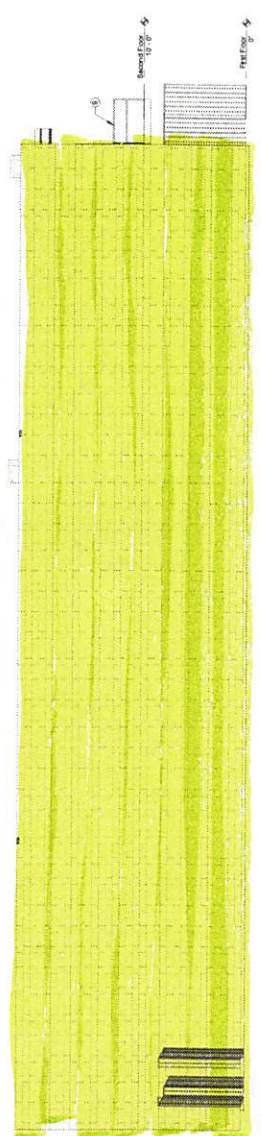
Sheet
A3.1
 EXTERIOR ARCHITECTURE



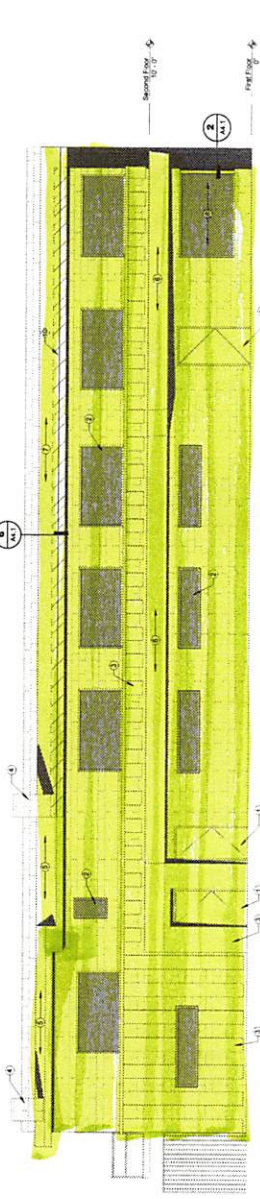
4 WEST ELEVATION
 3/16" = 1'-0"



2 SOUTH ELEVATION
 3/16" = 1'-0"



3 EAST ELEVATION
 3/16" = 1'-0"



1 NORTH ELEVATION
 3/16" = 1'-0"

Untitled Map

Write a description for your map.

Legend
📍 1129 N 1st St



Google Earth

Image Landsat / Copernicus



90 ft

RESOLUTION 22095

A RESOLUTION DECLARING 2023 NATIONAL FOOTBALL LEAGUE (NFL) SUPER BOWL ACTIVITIES HELD IN DOWNTOWN PHOENIX AS SPECIAL PROMOTIONAL AND CIVIC EVENTS.

WHEREAS, the City Council adopted Resolution 22073 and declared that for the three-week period before the National Football League (NFL) 2023 Super Bowl (Super Bowl LVII) on Sunday, February 12, 2023 and the one-week period after Super Bowl LVII, all official NFL events and other NFL and Arizona Super Bowl Host Committee-sanctioned activities that are held in the Special Promotional and Civic Event Area in downtown Phoenix will be considered special promotional and civic events for the purposes of the Phoenix Zoning Ordinance.

WHEREAS, it is anticipated that certain events and activities related to Super Bowl LVII will take place in downtown Phoenix in the weeks before and after the event. These events and activities will bring significant revenue and media exposure to the City of Phoenix during the event period. Phoenix Zoning Ordinance, Section 705.F.1.b, provides that advertising devices otherwise prohibited by the Zoning Ordinance may be erected in the Special Promotional and Civic Area, subject to a use permit. By declaring the NFL and the Arizona Super Bowl Host Committee sanctioned

activities as special promotional and civic events, the Resolution allows the NFL, the NFL-approved sponsors, and the Arizona Super Bowl Host Committee to advertise official events in the Promotional and Civic Event Area by use of signs, banners, and similar devices. This action will not impact any existing permitted permanent signs in downtown.

WHEREAS, Resolution 22073 must be superseded and replaced with this Resolution to better align with the use permit approval process.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. Resolution 22073 adopted by the City Council on October 12, 2022 is superseded by this Resolution.

SECTION 2. For the three-week period before the Super Bowl LVII event and the one week after Super Bowl LVII, all official events and other NFL-sanctioned activities that are held in the Special Promotional and Civic Event Area will be considered special promotional or civic events and are hereby declared to be “special promotional event” as that term is used in the Phoenix Zoning Ordinance section 705, subsection F, paragraph 1, subparagraph b.

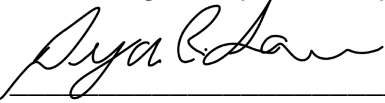
PASSED by the Council of the City of Phoenix this 25th day of January, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

BY: 

Deryck R. Lavelle, Chief Counsel

pml

REVIEWED BY:

Jeffrey Barton, City Manager

PML:am:(LF23-0101):1-25-23:2357577_1.doc

DRAFT

Special Promotional and Civic Event Area

