

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

TO THE HONORABLE the City Council of the City of Phoenix, Arizona –

Your Petitioners undersigned, who are all residents, citizens and voters of the City of Phoenix,

Knowing that:

- The City, after applying through the State of Arizona as required by the Land and Water Conservation Fund Act of 1965 (“the Act”), obtained financial assistance from the federal Land and Water Conservation Fund (“LWCF”) for the acquisition and/or development of Los Olivos Park in 1971 and 1974;
- In its applications for LWCF assistance, the City committed itself to holding and maintaining the assisted project area in conformity with Section 6 (f) of the Act, which provides that “No property acquired or developed with assistance under this section shall, without the approval of the Secretary [of the Interior], be converted to other than public outdoor recreation uses,” and that subsequent federal law transferred this function from the Secretary of the Interior to the National Park Service;
- In its applications for LWCF assistance, the City designated the entire area of Los Olivos Park as being within the project boundary map required, in such applications, to identify the project boundary area to be subject to Section 6 (f) restriction, and made solemn commitments not to allow any of said area to be converted to other than public outdoor recreation use without the approval of the National Park Service;
- There is a proposal under consideration by the City Parks and Recreation Board which, if approved by that Board, would result in the conversion of several acres of Los Olivos Park currently and for decades past dedicated to public outdoor recreation use, into commercial buildings, a fenced-off “urban farm,” and parking lot; and
- Unless the approval of the National Park Service were first obtained, the proposed conversion of part of the LWCF Act Section 6 (f) project boundary area of Los Olivos Park away from public outdoor recreation uses would violate both federal law and the solemn public commitments made by the City when it applied for and received LWCF funding;

And desiring that:

- The City honor the solemn public commitments it made when it applied for and received LWCF funding;
- The City avoid violating federal law; and
- The City preserve City park space devoted to public outdoor recreation use for such use and refrain from decreasing the City park space available for public outdoor recreation use;

Your Petitioners respectfully request that the City Council:

- Instruct the Parks and Recreation Board that no change to Los Olivos Park is to be authorized until that Board has been able to establish that such change:
 1. Does not violate any commitment made by the City when it applied for federal funding assistance in connection with Los Olivos Park;
 2. Would not violate applicable federal law, including Section 6 (f) of the Land and Water Conservation Fund Act of 1965;
 3. Would not decrease City park space devoted to and available for public outdoor recreation use; and further
- Resolve that it is the policy of this City that there should be no reduction in City park space devoted to outdoor recreation use, and that any plan that would convert City park currently devoted to such use to other uses must provide for the substitution of comparable, nearby replacement land for outdoor recreation use.

TO BE PRESENTED March 7, 2018.

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