



**Judicial  
Watch**<sup>®</sup>  
*Because no one  
is above the law!*

April 1, 2015

CERTIFIED MAIL

Ed Zuercher, City Manager  
City of Phoenix  
200 W. Washington St.  
Phoenix, AZ 85003

**Re: Records under Public Records Law  
A.R.S. § 39-101 through 39-221**

Mr. Zuercher:

Arizona Corporation Commissioner Susan Bitter Smith has advised me that the Scottsdale Unified School District (SUSD) provided fee-based advertising space on public school buses to corporations provided that the advertising met the standards/requirements of the District. On the SUSD website, I discovered that the District promotes this program by stating, "By advertising on the exterior of SUSD school buses, you can increase awareness of your business and target specific demographics and neighborhoods. The highly visible mobile billboards not only promote your company, but also provide much needed educational revenue to SUSD schools and programs." It appears as though the District, its taxpayers and the corporation who pays for the advertising benefit from this authorized service.

The Phoenix Fire Department (PFD) seems to offer the same advertising service on their service vehicles. Attached to this letter are examples (Exhibit 1) of PFD service vehicles containing the names and/or logos of the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO) and the Canadian Labour Congress (CLC).

Pursuant to the provisions of the Arizona Public Records Law (APRL), A.R.S. §39-101 through §39-221, please provide copies of:

1. All records concerning, regarding, or relating to the display of names and/or logos of non-governmental entities on PFD services vehicles. Such records include, but are not limited to, contractual agreements, policies, regulations, ordinances, fee schedules, standards, restrictions or resolutions.
2. All records sufficient to identify the average actual and/or projected annual maintenance, purchasing and fueling costs of all PFD service vehicles displaying names and/or logos of non-governmental entities.

3. All records sufficient to identify all City of Phoenix service vehicles (*i.e. police, water, sanitation, parks, airport, etc.*) that are authorized to display names and/or logos of non-governmental entities.
4. All records sufficient to identify the procedures for a non-governmental entity to request, register, enroll, or purchase the display of its names and/or logos on any City of Phoenix service vehicles.
5. Any and all contractual PFD/emergency service and costing/billing agreements between the City of Phoenix and the Town of Paradise Valley.
6. Any and all records concerning, regarding, or relating to the AFL-CIO-CLC corporate/labor entity names, identifiers and/or logos on PFD service vehicles, including those vehicles depicted in Exhibit A.

These records are considered public under A.R.S. §39-101 through §39-221. For purpose of this request the term “record” shall mean: (1) any written, printed, or typed material of any kind, including without limitation all correspondence, memoranda, notes, messages, letters, cards, telegrams, teletypes, facsimiles, papers, forms, records, telephone messages, diaries, schedules, calendars, chronological data, minutes, books, reports, charts, lists, ledgers, invoices, worksheets, receipts, returns, computer printouts, printed matter, prospectuses, statements, check, statistics, surveys, affidavits, contracts, agreements, transcripts, magazine or newspaper articles, or press releases, (2) any electronically, magnetically, or mechanically stored material of any kind, including without limitation all electronic mail or e-mail, meaning any electronically transmitted text or graphic communication created upon and transmitted or received by any computer or other electronic device, and all materials stored on compact disk, computer disk, diskette, hard drive, server, or tape; (3) any audio, aural, visual, or video records, recordings, or representations of any kind, including without limitation all cassette tapes, compact disks, digital video disks, microfiche, microfilm, motion pictures, pictures, photographs, or videotapes; (4) any graphic materials and data compilations from which information can be obtained; (5) any materials using other means of preserving thought or expression; and (6) any tangible things from which data or information can be obtained, processed recorded, or transcribed. The term “record” also shall mean any drafts, alterations, amendments, changes, or modifications of or to any of the foregoing.

Pursuant to A.R.S. §39-121.01.D.1, records must be furnished promptly. We look forward to your prompt written response and records.

If any responsive record or portion thereof is claimed to be exempt from production, please provide sufficient identifying information with respect to each allegedly exempt record or portion thereof to allow us to assess the propriety of the claimed exemption (*A.R.S. §39-121.01.D.2.*) Additionally, any reasonably segregable portion of a record otherwise exempt from disclosure is required to be made available after deletion of the portions that are exempted by law.

Finally, the information sought is for non-commercial purposes. Please be advised that if the records are not provided to our office or if we do not hear from the City we will assume that the City is refusing to comply with our Public Records Request. If you do not

understand this request or any portion thereof, or if you feel you require clarification of this request or any portion thereof, please contact us immediately at 602.510.7875 or [mspencer@judicialwatch.org](mailto:mspencer@judicialwatch.org).

Sincerely,

A handwritten signature in red ink, appearing to be 'M Spencer', with a long horizontal flourish extending to the right.

MARK SPENCER  
Southwest Projects Coordinator  
Judicial Watch, Inc.  
602.510.7875  
[mspencer@judicialwatch.org](mailto:mspencer@judicialwatch.org)

cc: Kevin Burke, Town Manager of Paradise Valley  
Susan Bitter Smith, Chair - Arizona Corporation Commission

Exhibit 1:

