

**City Council Committee of the Whole (COW)**

**Harry E. Mitchell Government Center Tempe**

**City Hall - City Council Chambers**

**31 East 5<sup>th</sup> Street, Tempe, Arizona**

**Monday, June 16, 2014**

**4:00 PM**

*Members of the City Council may attend either in person or by telephone conference call.*

**AGENDA**

**Call to Order**

1. Call to the Audience

The City Council welcomes public comment at this time only for items listed on this City Council Committee of the Whole agenda. There is a three-minute time limit per citizen.

2. Items ready for City Council Direction or Status Update

- A. Underage Drinking Policies and Procedures\* - Status Update

- B. Food Trucks\* - City Council Direction

- C. Veterans Ad Hoc Working Group\* - City Council Direction

- D. Planned Area Development (PAD) Zoning\* - City Council Direction

3. Items in Progress - updates as needed

- A. Right-of-Way Walls - Councilmember Navarro (Spring 2014)

- B. Right-of-Way Landscaping - Councilmember Navarro (Summer 2014)

- C. Liquor in City parks and festivals - Councilmembers Arredondo-Savage and Navarro (September 2014)

- D. Connectivity between College Avenue, Mill Avenue and Ash Avenue - Councilmembers Arredondo-

\*Background material included

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on the agenda. The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance is available at public meetings for sight and/or hearing-impaired persons. Please call (480) 350-2905 (voice) or (480) 350-2750 (TDD) to request an accommodation to participate in a public meeting.

Savage and Ellis (August 2014)

- E. Institution of an Orbit route in the Kiwanis/The Lakes Character Area - Councilmembers Arredondo-Savage, Ellis and Navarro (*Scheduled for the June 12, 2014 Issue Review Session*)
  - F. Walkable City Plan - Mayor Mitchell, Vice Mayor Shekerjian, Councilmember Navarro (Fall 2014)
  - G. Arizona Department of Transportation (ADOT) Park Feasibility Study - Councilmember Navarro (Fall 2014)
  - H. Mill Avenue Tunnel Beautification - Councilmembers Ellis and Woods (Fall 2014)
  - I. Methods to Improve Customer Service in Community Development - Vice Mayor Shekerjian and Councilmember Woods (To be determined)
  - J. Community Development Stakeholder Process - Councilmembers Arredondo-Savage and Ellis (To be determined)
  - K. Improved Code Compliance Policy Options Review - Councilmembers Ellis, Granville, and Woods (To be determined)
  - L. Affordable Housing Projects - Councilmembers Granville and Woods (To be determined)
  - M. Sky Harbor Intergovernmental Agreement Update - Vice Mayor Shekerjian and Councilmember Ellis (To be determined)
  - N. Bicycle Boulevard Concept - Councilmembers Ellis, Granville, and Woods (*Scheduled for the June 12, 2014 Issue Review Session*)
  - O. Green Streets Pilot Program - Councilmembers Granville and Woods (To be determined)
  - P. Education Forum/Education Working Group (Workforce Development) - Vice Mayor Shekerjian, Councilmembers Arredondo-Savage and Navarro (To be determined)
  - Q. Regulating Animals in Backyards - Councilmembers Granville and Woods (To be determined)
  - R. City Hiring Practices - Councilmembers Ellis, Granville, and Woods (To be determined)
4. New Items for City Council Consideration
- A. General Plan Amendment City Council Vote Requirements\*
  - B. One Sided Street Trash/Recycling Pickup\*
  - C. Performance Evaluation Process for City Council Appointees\*
5. Future Committee of the Whole Agenda Items - Progress Reports\*

**\*Background material included**

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on the agenda. The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance is available at public meetings for sight and/or hearing-impaired persons. Please call (480) 350-2905 (voice) or (480) 350-2750 (TDD) to request an accommodation to participate in a public meeting.

6. Committee of the Whole Meeting Structure and Process\*

7. Future Meeting Date(s): To be determined

**\*Background material included**

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on the agenda. The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance is available at public meetings for sight and/or hearing-impaired persons. Please call (480) 350-2905 (voice) or (480) 350-2750 (TDD) to request an accommodation to participate in a public meeting.

## Memorandum



City of Tempe

---

To: Mayor and City Council  
From: Mike Branom, Council Aide  
Date: June 11, 2014  
Subject: Underage Drinking Task Force Status Update

**BACKGROUND:** The Underage Drinking Task Force was scheduled to conduct, on June 13 (therefore, after the deadline for submitting Council of the Whole agenda items), its Stakeholder Forum. The Forum was to bring together various Tempe agencies, public and private, with the Task Force facilitating interaction between the many entities already doing commendable work to address this problem in our community, identifying where gaps may exist and determining what role the City can play in support of further reducing underage drinking.

**NEXT STEPS:** TBD.



**MEMORANDUM**

**CITY ATTORNEY**

**TO:** Mayor and City Council

**THROUGH:** Judi Baumann, City Attorney  
Andrew Ching, City Manager

**FROM:** Chuck Cahoy, Deputy City Attorney  
Jeff Kulaga, Assistant City Manager  
Shelley Hearn, Community Services Director

**RE:** Draft Food Truck Ordinance Changes

**DATE:** June 10, 2014

**BACKGROUND:**

In response to the City Council's direction to ensure that operation of food trucks in Tempe is not burdened by unnecessary regulation, staff reviewed the current ordinances and suggested revisions. These proposed revisions addressed food truck operations on public streets and on city property. No revisions were proposed for food truck operations on private property or as part of a special event.

To gain public input, the proposed revisions were shared on the city's online survey tool, Tempe Forum, in May. A total of 85 viewpoints were received, with 53 coming from Tempe residents and 17 from Tempe business owners. A list of the received viewpoints is attached. In addition, staff met with representatives from the Arizona Restaurant Association, Food Truck Coalition, Chamber of Commerce and Downtown Tempe Community to discuss the proposed revisions.

Based on this input, staff proposes the following actions relating to food truck operations in Tempe:

**Food Truck Operation on City Property:**

Under existing ordinances, competitive bids may be used to procure vendors to operate food trucks on city-owned property. It is proposed that a procurement process be used to have a list of qualified vendors available for city-sponsored special events and operation on city-owned property. Such vendors will be required to hold a Mobile Merchant License and a Privilege License. Establishing designated days and hours for such vendors at certain City properties, such as the library and possible downtown locations, will be considered. Selected vendors might also be requested to operate during selected City-sponsored special events. Procurement documents will establish other operating parameters.

If it proves useful to have such vendors available to the City, the procurement and list of available vendors will be updated on a regular basis.

**Food Truck Operation on Public Streets:** The following table summarizes the suggested ordinance changes; the language in red indicates changes since this table was presented to Council at the 4/7/2014 COW meeting:

EXISTING REGULATORY STRUCTURE	PROPOSED REGULATORY STRUCTURE
<ul style="list-style-type: none"> <li>Mobile Merchant License and Privilege License required</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
<ul style="list-style-type: none"> <li>Prohibited from operating on arterial streets; shall comply with all parking restrictions</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
<ul style="list-style-type: none"> <li>No current provision</li> </ul>	<ul style="list-style-type: none"> <li>Prohibited from operating on public street in downtown improvement district (“ID”) due to traffic congestion. No prohibition on operating downtown on private property; must comply with all land use requirements, etc.</li> </ul>
<ul style="list-style-type: none"> <li>Prohibited from operating on or within 500 feet of the same location on a public street for more than <b>one</b> hour in an eight-hour period</li> </ul>	<ul style="list-style-type: none"> <li>Prohibited from operating on or within 500 feet of the same location on a public street for more than <b>FOUR three</b> hours in an eight-hour period</li> </ul>
<ul style="list-style-type: none"> <li>Prohibited from operating within 500 feet of school grounds from one-half hour before school begins until one-half hour after school ends (the ASU campus is excluded from the school distance requirement)</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
<ul style="list-style-type: none"> <li><b>The mobile merchant applicant and each of the employees</b> undergo a fingerprint and criminal background check</li> </ul>	<ul style="list-style-type: none"> <li><b>The mobile merchant applicant</b> will undergo a fingerprint and criminal background check; <b>other employees may undergo fingerprint and criminal background check; truck may not operate without at least one such security-checked person being present.</b></li> </ul>
<ul style="list-style-type: none"> <li>No limit on operating hours</li> </ul>	<ul style="list-style-type: none"> <li>May only operate in residential areas between the hours of 7:00 a.m. and 10 p.m.</li> </ul>
<ul style="list-style-type: none"> <li>Existing fee structure:</li> <li>Mobile merchant permit application fee: \$100</li> <li>Annual permit fee: \$50</li> <li>Annual truck decal fee: \$50</li> <li>Annual Mobile Merchant Identification Card fee: \$5 for each employee</li> <li>Fingerprinting of all operators/employees: direct cost</li> </ul>	<ul style="list-style-type: none"> <li>Application fee: \$100</li> <li>Annual license fee: \$100</li> <li>Fingerprinting of any operators/employees: direct cost</li> </ul>
<ul style="list-style-type: none"> <li><b>No current provision</b></li> </ul>	<ul style="list-style-type: none"> <li><b>As a part of licensing, require signature of applicant on “good neighbor policy,” modeled after current City of Gilbert ordinance<sup>1</sup></b></li> </ul>

<sup>1</sup> Town of Gilbert: Good Neighbor Principles

The Town of Gilbert is known as a clean, safe and vibrant community. As Gilbert gains national recognition for being a wonderful place to live and work, these Good Neighbor Principles will enhance the efforts to bring family activities to the community. The Town encourages everyone to be a good neighbor in keeping Gilbert clean, safe, vibrant and respecting public and private property, while adding to the current mix of businesses. The Good Neighbor Principles include:

- 1.) Keeping Gilbert a safe place.
- 2.) Keeping Gilbert clean and well maintained.
- 3.) Respecting public and private property.
- 4.) Manage potential impacts to adjacent or nearby establishments and residents such as noise, lighting, parking, and trash.
- 5.) Being accountable, available, and responsive, as reasonable, to community comments and concerns

Food Truck Operation on Private Property: Food trucks are permitted to operate on private property where a Use Permit has been obtained by the owner of the property. The food truck as a business is required to hold a Privilege License in order to operate. No change is proposed.

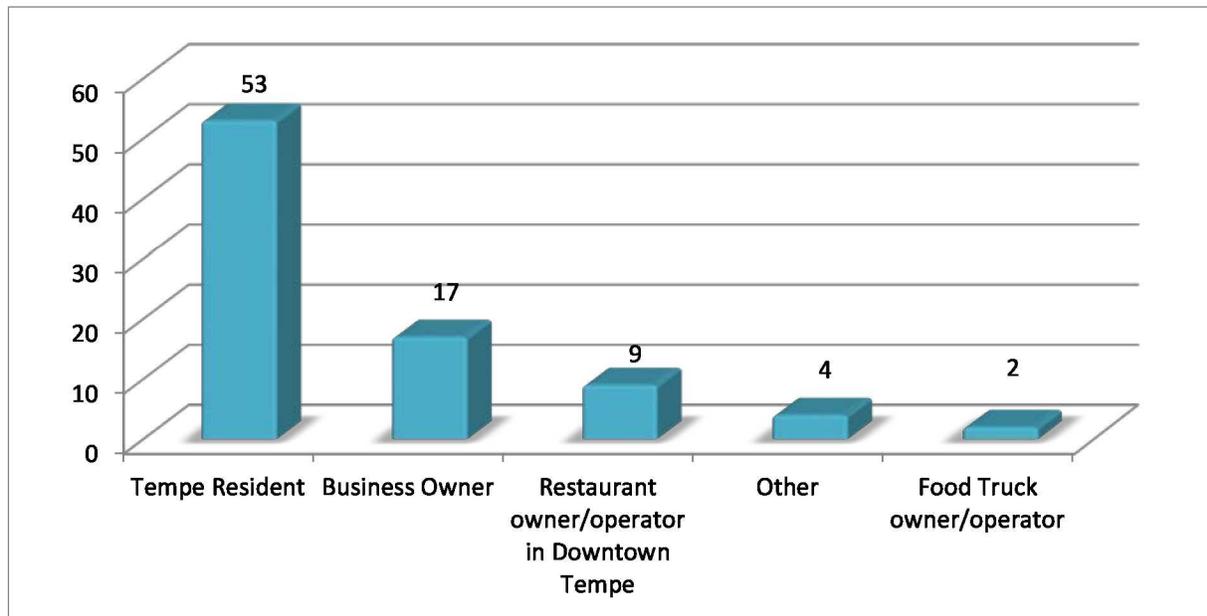
Although no change is being proposed at this time, comments recently received from the Arizona Restaurant Association assert that Use Permits do not work well in this situation because of the difficulty in enforcement. They suggest a “simple over-the-counter” permit could be issued to the operator, showing that a temporary zoning variance has been issued and that the operator has registered its location with the City. Staff continues to explore this option.

Food Truck Operation at Special Events: Food trucks are able to operate at events within the City under a Special Event Permit. A Privilege License is required for this activity. No change is proposed.

**Staff will continue to refine these proposals during the summer break with continued stakeholder involvement and return to City Council at the August Committee of the Whole or Issue Review Session.**

## Food Truck Survey Responses from Tempe Forum as of close of comment period, May 24, 2014.

### 1. Please select which best describes you.



Total respondents: 85

### 2. Where do you want to see food trucks in Tempe?

- A restaurant is a destination; a food cart/truck is a convenience. They should be pedestrian friendly. Portland OR has them down two streets in the downtown area. It's become so much part of the local culture that they are popping up in designated areas of the city culture.
- All the to be where licensed tax paying food establishments don't exist, and in areas that both sanitation standards can be observed and where city officials can monitor the collection of sales tax and trash disposal as all businesses must adhere to this ordinances and pay for services. I am not sure there is a license fee high enough for food trucks to offset what an established local business does for the community.
- Anywhere but within a residential area seems appropriate to me. I would like to see a monthly food truck day, if not more often! Love the idea of having it in the same location each time. Would prefer evening hours. All other changes look appropriate.
- Anywhere feasible, they provide for a great urban environment.
- Anywhere in downtown Tempe especially, or at the larger shopping centers: hotdog stands, hot pastrami, coffee/tea; at farmers markets with the farmers' products: produce, meats. Without these, residents can't get cheap on the go meals. They give the small-time guys a chance.
- Anywhere on Mill that does not impede local traffic but is easily accessible by foot.
- Anywhere!! It would be awesome to have a place (like the city of Portland, OR does) where several food trucks are in one location. Specifically near ASU.

- As a long time Tempe resident and as someone in the process of owning a food truck specializing in local vendors, I am very happy about the proposed food truck regulations in Tempe. One of the things I have always loved about Tempe is its unique urban scene and sensations, unfortunately those have diminished over the years with funky local businesses moving out and big box restaurants and bars moving in. I think food trucks in and around Mill Avenue and other public local places could only be a boon to both the community and the City.
- As a restaurant owner in down town Tempe, I feel food trucks should be put farther south away from down town. It would be unfair to put local restaurants in even more competition. Food trucks should be placed away from local restaurants, somewhere where business is truly needed.
- Beach Park is good. Also close to mill ave and other parts of Tempe to give families an opportunity to visit. Some families do not want to deal with mill ave traffic and parking. Community center would be a good spot to have trucks on a regular schedule.
- Cannot be in competition to existing restaurants which struggle in summer anyways. I would think down by ASU campus proper is better. Tempe Town Lake? Lunch business is always a grab and competition is fierce for lunch business as it is, so to offer these mobile vendors for another quick/cheap option really will hurt Tempe sales tax dollars.
- Certainly with continued freedom to operate on private property but in addition I would like to see Food Trucks in public areas wherein a large number of residents and/or daily employees can walk to the Trucks. The Flour Mill would seem to be a great location to me as it activates the site and reaches a great number of workers during lunch.
- Close to Mill Avenue. Maybe off farmer somewhere or where they have been closer to campus.
- DO NOT ALLOW FOOD TRUCKS IN DOWNTOWN TEMPE. MOST RESTAURANTS DEPEND ON LUNCH TO SURVIVE. FOOD TRUCKS WOULD HURT IN DOWNTOWN TEMPE THAT SERVE LUNCH.
- Don't limit them to just Mill or city parks. What about taking them to neighborhoods once in a while. Involve the school population and have entertainment.
- Downtown, at parks, at the library, and anywhere else there is demand.
- Downtown, at parks, the library and anywhere else there is demand.
- Everywhere and anywhere.
- Everywhere and anywhere. Mill Ave and the ASU campus areas would be great. After the bars let out would also be helpful as there are not many options to eat late night.
- Everywhere! We're in south Tempe-Warner/McClintock. It would be great to have one night a month and have neighbors walking to the food trucks. Get people outside. We've been to Gilbert and Scottsdale food truck events. Would be great to have some in Tempe.
- Everywhere, especially on Mill Avenue and around ASU during events such as football games. What would be really awesome is if a location was setup for food trucks to operate on a regular basis, so people know they can always go there and get food from food trucks. I visited Tahiti last year, and in Papeete, the capital city, every night at 6pm a bunch of food trucks setup near the waterfront. Hundreds of people come out every night. It was amazing. We could do this at Tempe Beach Park. You could even have local bands sign up to provide entertainment. You wouldn't even have to pay the bands; many bands would just love the opportunity to play. This would be a great way to create a fun, vibrant, and family-friendly community environment without the need for big corporate sponsors or alcohol (which I'm not opposed to, but it doesn't need to be everywhere). I think this could really push Tempe to the top of the fun culture list in the Valley.
- Everywhere, they are the best! Need diversity and quality food.

- Everywhere. Love to support these guys. We have them at our location throughout the week and on weekends.
- Everywhere. Why not?
- Festivals, events, neighborhood events throughout the city at parks, library
- Food trucks at Tempe Lake Park would be great, especially on weekends!
- Food trucks would work well in front of the AMC Centerpoint on 7th or next to World of Beer in front of the street parking on 6th, or on the park side of 6th at the end of the cul-de-sac (though the Brickyard would lose that exit, depending on how it was handled.)
- I agree with the consensus that it would be great to have food trucks stationed in specific areas throughout town. Not just downtown--where it's already congested, and not merely roaming haphazardly through residential neighborhoods. In Phoenix and other U.S. cities, specific locations are set up (that aren't necessarily on public land) where food trucks are stationed and allowed to operate. When done right, it provides a fun, social environment and a nice addition to the community. My bigger concern however isn't location; it has to do with the quality and appearance of the trucks themselves. See additional comments section below.
- I don't want to see food trucks in Tempe.
- I don't, other than for perhaps a food truck festival once or twice a year like in Venice, CA.
- I enjoy food trucks and would love to see more of them around. Where ever people gather, special events, whatever.
- I love where they are on Wednesday afternoons. I work right down the street and look forward to visiting them every week. I would also love to see some after-hours around Mill, maybe in one of the parking lots. Say 11pm and later, to serve the people coming out of the clubs. I think it would be great for their business.
- I would be glad to see food trucks in the Downtown area, around ASU, as well as major business centers within Tempe.
- I would like to see food trucks at the parks, down mill Ave. never near a public school. All other places ok. As long as the food is good.
- I would like to see them parking near Tempe Town Lake parking area or even by the Lake (river bank) in the evening.
- I would love to see a food truck scene in Tempe like there is in places like Portland. I think designated areas such as near parks, certain event spaces and certainly the Mill Ave/ASU area would be prime locations that would be beneficial to the business owners in the areas, to the food truck businesses, as well as to the people of Tempe. Food trucks can bring such a diverse and unique food scene to an already great city.
- I would love to see them at Tempe Beach Park near the splash pad in the summer or near the TCA during events such as Childsplay. I really like the established areas for food trucks that I've seen in cities like Austin and it would be a good way to use public space like the lawn around Hayden Flour Mill or even in south Tempe on the weekends or a certain evening each week. Allowing food trucks to consistently park somewhere (like they do near ASU on Wednesdays) is ideal so the trucks can build a following. Consistent food truck service would add to the entertainment options in Tempe.
- I'd like to see them during neighborhood festivals or in business areas in general, not in the way of car, bike or bus, or foot traffic.
- I'd love to see them at the library, near ASU, neighborhoods (if demand), city events and in other populated areas.
- I'd love to see them in places like the Tempe Public Library, Mill District, Kiwanis and Tempe Beach Parks. We love the food trucks!

- Ideally 2-3 at any given time around the Mill Ave. District. As a resident and business owner in the M.A.D. I would love spontaneous alternatives to the stronghold restaurants around town. Near office complexes would be nice for those working with short lunch breaks.
- If there are food trucks on Mill are a bad idea. It would not be very fair to have food trucks selling the same food outside of a restaurant with no regard to the current Mill Ave business owners. It would dilute the current restaurants who spend a lot of money in the city to sustain a positive business and have to pay rent/ payroll etc. to keep their businesses open. While a food truck can just be a fly by night operator that has no expenses and could take hard earned money from the current Mill Ave tenants.
- In front of AMC theatre, in between Mellow Mushroom and Zipps! I think that would be awesome. Another option is on 6th and Mill in between Urban Outfitters and CASA. I SUPPORT FOOD TRUCKS!! Local love!
- In front of Home Depot, outside the library, on Mill after the bars close, in vast parking lots at lunch time...wherever they can sell product in and around commercial/retail space.
- In non-retail locations where they will not steal business from established city of Tempe merchants. The exception being the Mill Ave district
- It would be nice to have a couple food trucks in parks. The changes look ok to me.
- Just about anywhere
- Kiwanis Park, Discovery Business Park, Tempe Beach Park, Farmers Market,
- Library, Svob Park (people don't even realize this park is here), love the idea of a food truck night with local music and local vendors. would also be nice to have hand washing station or at least some hand sanitizer dispensers for the public
- Mill and University
- Mill Avenue District
- Near events and in community locations where the atmosphere is correct, such as the ASU Food Truck Wednesday where a parking lot is reserved for the trucks. It creates a fun atmosphere, but it also doesn't make food trucks too overwhelming. As long as they are in appropriate community areas and not blocking streets, I think they are a positive thing.
- Near the lake would be a great way to connect downtown to the lake. Also, until the Farmer area gets built up, it would be great to have a food truck event in one of the parking lots west of downtown to get people thinking about heading that direction. Keep them off of Mill Avenue, it is already too congested.
- Not in the down town district, including ASU. The weekly Wednesday food truck rodeo is enough. There are far too many established restaurants struggling to pay rent in the down town. The impact of allowing food trucks here in this district could push these restaurants to become less family oriented and more alcohol oriented.
- Not in the downtown Tempe area. There are plenty of diversified restaurants in the downtown area that are paying taxes, employing a large number of people, paying rent. Food trucks are here today and gone tomorrow, they are not helping to build a community.
- Nowhere near downtown! Ever! Especially on big nights and events when the business owners who pay rent year round should be capitalizing on that extra foot traffic.
- On 4th St. just West of Mill S. Mill Ave. (Where Café© Boa, Tavern on Mill are located) this is a good cul-de-sac where they will fit nicely plus Hayden Square is there people can have sit on the benches or grass in Hayden square and eat, bring their dogs or children plus open opportunity for live music & other events in the square that will complement the food trucks. In addition this is out of the way and will not impede traffic.
- On or near Mill Avenue where the people are.

- On the side streets closer to Mill and University
- Only at festivals... otherwise, Lunch time only... no weekends... no holidays no neighbor hoods....designated areas only...near construction sites
- Only at parks or areas away from established Tempe restaurants
- Only in areas where there is not an existing foodservice concentration.
- ONLY in commercial areas and during restricted time periods. I do not want to see them in residential areas at all. That includes NOT wanting to see them at public or private schools that are within residential areas.
- Only in commercial areas during the restricted days/times. I DO NOT want to see food trucks in residential areas; that includes NOT wanting to see food trucks at public or private schools within the residential communities.
- Parking lot near A Mountain.
- Parks and stadiums
- Parks or areas that don't have restaurant options. A designated area with an event once per month.
- Parks, other recreational venues
- Proposed changes in general look fine. I'd be open to later operating hours in the downtown area. Might moderate the effects of too much alcohol - in big cities the food trucks do major business when the bar shut down. Just a thought. I like the idea of having them in parks as well. 10 pm cut off would be fine there. Would be a great use for the parking lot at Daley Park (west side) that is no longer accessible to cars.
- Select a specific night at Tempe Beach Park and stick to that date. Maybe a weeknight to get people out. Kiwanis Park on Saturday nights would be good too. Perhaps the new solar shade structure on Gammage Parkway next to ASU Gammage where picnic table can be set up at lunch time because there is lots of room there. Maybe College Avenue when the renovations are completed.
- Some place other than downtown, maybe at Tempe Town lake
- Somewhere else besides downtown Tempe we already have enough restaurants competing against each other.
- Special events and large gatherings.
- Tempe Beach Park - Close to Mill Ave
- Tempe Beach Park or specific area for trucks; i.e. vacant lot at University/Ash.
- Tempe Beach Part or the Arts Park near TCA. Near the Flour Mill
- Tempe town lake for events
- Tempe Town Lake, the beach area, and anywhere else the food trucks could park. Also, what about in neighborhood parks, we live near Mitchell Park; it would be awesome to have food trucks there during the daytime hours, or whenever. I'm sure other neighborhoods around parks would want food trucks too. Also, the empty corner of University and Ash would be awesome for food trucks. I love food trucks!! Yay!!
- University, Priest to Mill or Tempe Beach Park
- We love food trucks (especially the Grilled Cheese Truck)! Mill Ave!
- Where ever there is demand
- Wherever they wish to operate. The gathering at forest and 7th is alright but I'm not so sure they like being pigeonholed into one lot. I'm sure that brick mortar restaurants think they're a threat, but I just don't see it that way. It's not like food trucks are cheaper, especially given their recent tendencies of branching out into gourmet food. In short, as long as they're meeting health codes, I have no oppositions in regards to where they can operate.

### 3. Additional Comments

- Restaurants should not fear the food cart as competition.
- I think this location will be best because it is right off the light rail station and there is tons of space to accommodate food trucks.
- Wherever the City allows food trucks there needs to be strict regulations and policing about how they handle garbage and litter. The one comment of having food trucks available after bars close would keep patrons on the street longer and they would most likely make a bigger mess. It is extremely challenging now to clean up after existing restaurants. If you allow food trucks down town, the City will have to deal with more grease stains, spilled drinks, and crushed food on the sidewalks. It is not easy to clean up after food messes with the new environmental water regulations.
- Yes please to food trucks and can we PLEASE GET MORE RECYCLING BINS! LARGE BLUE ONES!!
- Do they pay the huge city taxes we pay for the right to show up once in a while...they should...They take away our business...
- They should all operate with the same standards and guidelines.
- Nothing in the downtown Mill business district since those businesses pay rent and taxes, etc. Must be fair.
- I think all of the employees should be fingerprinted and criminal background checked as the current regulation provides.
- Also, I think that all of the employees should be fingerprinted and criminal background checked as the current/orig regulations provide.
- Regulations seems fine
- I like the proposed times of operation as it is reasonable
- The restaurant environment is far from stable in the downtown. Adding low overhead competition would be a big blow to independent restaurants in the downtown that pay year round high rents. It would be a horrible idea to allow food trucks in the downtown.
- The proposed changes to the code look good. Food trucks are a great way for the city to both support small business and add to Tempe's culinary diversity.
- Food trucks are a great way to both support small business owners and increase the culinary diversity of Tempe.
- Both independent and chain establishments are in the community and downtown year round pay overhead, pay a DTC tax (downtown), pay for sewer and other service that food truck will not pay, yet we would consider letting them come into a trade area that they did not develop, but allow them to draw upon the very customers the trade area works with every day.
- I don't believe that there should be food trucks allowed in Downtown Tempe until there is an over whelming density of people. Currently, there are existing restaurants that struggle with paying rent and making ends meet. Food Trucks operate rent and tax free and it is an unfair advantage that they have over brick and mortar restaurants.
- I don't think fees are high enough when you compare to what brick and mortar pay. I don't think they should be near other restaurants; I do not want them patrolling neighborhoods. I do not think downtown Tempe is the place for them.
- Downtown Tempe already has a concentration of food and beverage offerings. There are a lot of people that work hard every day to make a buck and pay the increased overhead that is required to operate in Downtown Tempe. We work hard to advertise and promote the Downtown Tempe experience. Food trucks should not be able to come in and park next to our businesses and take business away from the people that are here 365 days a year. Food trucks should not be allowed within a certain distance of an existing brick and mortar, food service business.

- I've ate from food trucks several times in many cities and states and they are a need for every community especially for those with short lunch breaks or areas with no restaurants, like the beach and parks. Good quality hot dog cart vendors would be great too! Rochester NY is known for their Zweigler hot dog vendors. Tempe needs to create a name for itself too.
- Any time I have seen food trucks in other cities they have been quiet far away from any downtown district so they don't cause financial losses to the current businesses.
- Food trucks should be limited to special events and private functions.
- Whatever you do, stick to a date and make it permanent. You cannot offer it one week and then skip a week or two and then bring it back again. It needs to be a consistent commitment.
- Food trucks are booming, they offer variety, and they're seen as a vibrant cultural component to the city.
- Food trucks are booming, they offer variety, and they're seen as a vibrant cultural component to the city.
- If quality food trucks are present it forces restaurants to focus on their quality. Providing the consumers with more choices and higher quality.
- As a food truck owner / operator I think the conversation needs to be more focused on public safety, land usage and private property zoning limitations. Most food trucks here in the valley do not operate on public streets or in the downtown districts, because the time limitations make it difficult to conduct business. We have primarily focused on using vacant parcels of land to create food truck destinations. Currently in Tempe at the corner of 6th and Forest we have food trucks that serve lunch every Wed. and Friday. from 11am-1:30pm. The difficulty from the operators perspective is finding space to vend from and then determining whether it's properly zoned for mobile vending.

When considering food trucks I think three questions should be asked;

1. Does the food truck location or placement cause a public safety concern?
2. Has the Property owner and or Leasehold given the food truck operator permission to be on their property?
3. Has the food truck properly notified the County's Health Department of their location so that Health Inspections can be conducted.

Assuming all three of these tests can be passed, I think a simple over the counter City of Tempe permit could be issued to the operator, showing that a zoning variance has been issued and the operator has registered its location with the City.

- Tempe should embrace small businesses, not impede their access to the market.
- Once this happens, how will we be able to evaluate it? Is there a trial period?
- I've been to Food Truck Friday in Gilbert, and was very impressed. I'd love to see Tempe do something similar.
- When I used to work near downtown Tempe, I got frustrated that it cost to park so I stopped going to restaurants downtown. Food trucks would solve that problem. people shouldnt be punished for patronizing rest by having to pay to park.
- Tempe is a vibrant city, and there's a quality of visual appeal that goes along with it. Granting permits to trucks which don't meet a basic visual exterior (and of course Health Department Code) standard, would lessen the appeal and attraction Tempe has come to represent. I strongly feel that food trucks allowed in our city should trend toward a clean, possibly more upscale appearance, as opposed to the faded, worn down, rusty, and falling apart trucks I've seen in other cities.

Thanks for opening up the topic for discussion. Excited it's on the agenda, and looking forward to the food trucks!

- In the downtown area near the office buildings would be great, because then we would know where to find them on a regular basis.
- The food trucks that congregate on Wednesday nights at the Phoenix Public Market is such a fun place to shop and get some good unique food, it would be great to have entertainment, local vendors etc each week maybe some covered areas too. It would be a great addition to Tempe.
- Food Trucks are so unique and different and having these somewhere close to surrounding business's and joyful weather where a lot of people are would be amazing! That's a perfect spot with a big enough area for everyone to enjoy downtown Tempe, the lake, and any other surrounding activities.
- Portland has specific areas set up for food trucks that come and go. Some look like they never leave. It's a great way to feed a family with different tastes. Would love to see a "Food Truck Friday" somewhere near the downtown area (similar to what Phoenix offers). Bottom line...I love food trucks!
- I would love to have other quick options for lunch in Tempe especially with all the new specialized food trucks out now. I have never tried one because I never know where they are going to be.
- I think these proposed changes are common sense, and reflect the current atmosphere around Food Trucks. They allow smaller entrepreneur-created business to enter the market with low overhead. I especially enjoy the culture that has been created within other cities, such as Portland around the food trucks.
- This idea is just more regulation for a new fast growing industry that because of the costs involved for a mobile merchant license has become an underground economy that tries to comply (a few) and those that don't (a lot). Rather than addressing the out dated mobile merchant barriers to tax compliance this fix creates more hoops to jump through without any tax compliance benefits. Finally who is going to enforce this? The police? code? tax? This idea needs industry involvement to find the proper solutions before the city makes any more new rules in a vacuum.
- Time and volume limits would probably be advisable to diminish the adverse effects on local restaurants around Mill Ave. but to have a quick way to eat something different around town is very appealing.
- I like that operational limits in residential areas are being proposed. I would like to see more restrictive hours, especially at night.
- Don't put a damper on innovation and entrepreneurship in small businesses like food trucks, and mobile businesses of all kinds. Make it easy and simple to operate in as many areas as is safe and makes sense. encourage new ideas and innovation by not weighing them down with too many regulations-- health and safety, yes, but not restrictions on where they go or how long they can stay.

# Memorandum



## City of Tempe

---

**Date:** June 10, 2014  
**To:** Mayor and Council  
**From:** Tempe Military and Veterans Working Group  
**Through:** Andrew Ching, City Manager  
**Subject:** **Working Group Recommendations**

### **History:**

Military veterans, and active duty personnel and their families often face challenges not experienced by the general population. The 2010 US Census data reports that 9% of Tempe's populations are veterans, and this number is expected to rise due to returning war veterans attracted to Tempe for college and career opportunities. The City of Tempe Mayor and Council recognized our veteran's potential challenges and authorized the creation of the Tempe Military and Veterans Working Group. The working group's task was to assess current veteran conditions and services in the region and identify areas that could be enhanced to successfully reintegrate military veterans and their families. Many issues were discussed and the working group determined that there are four areas where the community could make a difference.

The most common challenge among veterans is integrating back into civilian society. Communities welcome veterans, but are often unsure of how to assist them in their reintegration. For example, veterans are entitled to GI Bill education benefits. When they choose to use these benefits they may require guidance in taking the first steps towards beginning an education or trade program. The Working Group recognizes the importance of creating a "Navigator," a trained advocate and resource for a veteran and their families. This Navigator would be assigned to a veteran through a one-stop center, where a veteran could go for assistance on education choices, social services, mentoring jobs, and workforce development. Workforce development would encompass evaluation and training on the hard and soft skills for career readiness and success.

The working group found that benchmarks currently exist to determine military friendly schools and communities, however, no state or national benchmarks exist for municipalities or businesses. Websites like MilitaryFriendly.com rate cities on *military friendliness*. They calculate *military friendliness* by: veteran unemployment rates, number of veteran-owned businesses, proximity to military friendly schools, military bases, VA Hospitals, and the number of defense contracting companies in the area, in addition to the history of local veteran support.

Finally, with regards to veteran housing, the working group found that supportive services are available in the Phoenix-Metro area. Currently there are six housing developments, all located in the City of Phoenix, specifically for single men and single women. One demographic that has been overlooked in the veteran category has been family housing for veterans.

### **DIRECTION:**

Request Mayor and Council approve and implement the following recommendations.

## **RECOMMENDATIONS:**

1. Establish a Tempe Veterans Commission. The commission would be charged with implementing the recommendations, monitor results and continue to engage local and regional communities on military and veteran concerns to identify issues. The existing working group requests to continue working on these recommendations until the formal Tempe Veteran Commission has been established.
  - The Commission should include a member from the following existing military and veteran service areas:
    - Arizona Coalition of Military Families (ACMF)
    - Arizona Department of Veterans Services (AZDVS)
    - Pat Tillman Veterans Center at ASU
    - East Valley Veterans Education Center
    - US Vets or other supportive service organization
    - Phoenix VA Medical Center or other health and wellness organization
    - Housing specialist
    - Recent returning military veteran (honorable discharge within past 3 years)
    - Retired or prior service military veteran
    - Active military or reservist
2. Develop benchmarks standards for being a “Veteran Friendly” city or business in Arizona.
  - The working group in coordination with the AZDVS and ACMF will develop a method to benchmark cities and businesses
    - Create scorecard that extends beyond simple macro measurements
3. Develop a community connection point to inform, guide and direct military veterans seeking personal and professional enhancement services that may include: education, mentoring, workforce support, and health and wellness.
  - Evaluate private/public partnerships to provide a “navigator” service for veterans to ease the transition into civilian society
    - East Valley Veterans Education Center
    - ASU
    - Maricopa Community Colleges
  - Integrate a full spectrum of workforce development resources to create a viable veteran talent pool
    - Training and apprenticeship
    - Industry connections
    - State and County resources
4. Support affordable housing project for veteran families
  - Continue to seek an opportunity to build a supportive housing project for veterans and their families

**Tempe Military and Veterans Work Group Members**

Councilmember Robin Arredondo-Savage

Councilmember Corey Woods

Keith Finkle, Tempe resident and veteran

Cole Hickman, Tempe resident and veteran

Dave Lucier, Tempe resident and veteran

Michelle Bravo, Major USA

Justin Smothers, Americorps VISTA – Veterans Outreach Coordinator

Thomas Winkel, Arizona Coalition for Military Families

Sean Price, Arizona Department of Veterans Services

Troy Friedman, East Valley Veterans Education Center

Steven Borden, CAPT USN (retired), Pat Tillman Veterans Center at ASU

Joanna Sweatt, Pat Tillman Veterans Center at ASU

Scott Essex, Tempe Chamber of Commerce Military Affairs Committee

Sayda Fairbanks, Phoenix VA Medical Center

John Scott, US Vets

Rosa Inchausti, City of Tempe, Director of Diversity

Steven Methvin, City of Tempe, Mayor and Council Chief of Staff

Parrish Spisz, City of Tempe, Council Aide

# Memorandum



## City of Tempe

Date: June 16, 2014  
To: Mayor and Council  
From: Councilmembers Robin Arredondo-Savage, Onnie Shekerjian and Corey Woods  
Subject: Review of Planned Area Development Policies and Procedures

**Background Information:** The City of Tempe has used Planned Area Development Overlays, commonly known as PADs, to accommodate, encourage and promote innovatively designed developments involving residential and non-residential land uses that form attractive and harmonious units of the community. PADs have been used for a variety of developments, ranging from Hayden Ferry Lakeside to single-family housing and from north to south Tempe.

PADs provide a mechanism for modifying development standards including building height, lot/landscape coverage and parking standards. PADs do not modify density or land use and the standards created through PADs should also assist in the fulfillment of the goals and objectives of the General Plan. While many projects have been built according to the original site plan approved with the PAD, others have been amended and the original site plans and elevations modified. These amendments and modifications, depending on the extent of the changes, are approved at the staff level (minor modification) or through a public process that includes the Development Review Commission and Council (major modification).

Section 6-312 of the Zoning and Development Code defines a minor modification as an increase in non-residential floor area of less than 10%, a reduction in landscape area of less than 10%, or similar changes not likely to have an adverse impact on adjoining properties. A major modification is a significant change that exceeds the thresholds listed above or changes the basic intent of the original plans as determined by the Community Development Director. Elimination or modifications to the original conditions that change the basic intent are also considered a major modification. The current code does not address changes to the design, construction-type or elevations of the approved PADs independently of the standards mention above.

### **Possible Modifications to PAD regulations:**

Based on recent PAD modifications, and in an effort clarify the distinction between major and minor modifications, staff has initiated a review of existing regulations/procedures. In addition, staff has identified a representative sample of PADs for review, including the development of PAD reference sheets. The reference sheets include information related the existing condition of the property, approved development standards and project data.

The review of existing PADs showed a small number of PADs were approved with a condition requiring the development to use the approved site plan and elevations. However, many were approved without a similar condition or with less detailed site plans. In an effort to make the approval process more consistent and to better define the modification procedures, the following items are presented for Council review:

#### *Zoning Ordinance 808*

Tempe's previous Zoning Ordinance 808 required PADs to include the locations, dimensions and elevations for all buildings. In addition, Zoning Ordinance 808 required Council approval "*for modifications pertaining to the overall development*".

#### *Previous Requirements of the Zoning and Development Code*

A previous zoning regulation required the simultaneous processing of a Development Plan Review (site plan, building elevations and landscape plan) application with all rezoning and PAD applications.

### *Standardize Existing Conditions of Approval*

This standardization would include, as a condition of approval, the use of specific site plans and elevations. These conditions could also define the approved floor plans and landscaping requirements. Changes to these parameters would be defined as “major modifications” and therefore require Council approval.

### *Minimum Height*

A condition related to the minimum height of a project can be included as a condition of approval. Changes to the height would be defined as a “major modification” and require Council approval.

### *Timing and Performance*

Standard conditions of approval require that an application for a building permit be made within two years of the approval date. If the application is not made, the zoning of the property may revert to that in place prior to the approval of the PAD. Any reversion is subject to a public hearing process as a zoning map amendment. To date, this process has not been initiated for any PAD. The standard conditions could be modified to require the initiation of the reversion process once the two-year period expires.

### *Criteria & Procedures*

Clarify the purpose and intent of the Planned Area Development Overlay process and identify specific criteria for its use. Define the criteria (acreage/building square-footage) for which elements of the PAD, including the Development Plan Review, will be approved by Council. In addition, the definition of a Major Amendment should be further clarified and expanded.

---

**CITY COUNCIL COMMITTEE OF THE WHOLE (COW)  
New Item for Review and Consideration**

---

**Meeting Date: 6/16/2014  
Agenda Item: 4A**

**Issue Description:** General Plan Amendment Vote Requirements

**Presented by:** Corey Woods, Shana Ellis, Kolby Granville

**Background Information:** Currently, it took a vote of the people as part of the 2040 to amend the general plan as it relates to density. However, to modify density, it requires only a majority vote of council. This is because an individual parcel is considered a "minor amendment". We would like to review if other cities require a 2/3 vote to make density changes to the general plan, and, if appropriate, come back with revisions to city code.

**Anticipated Timeframe and Staff Resources:** Legal. Total combined time, 3-5 hours.

*The Tempe City Council is committed to:*

- 1. ensuring long-term financial stability through quality economic development*
- 2. maintaining high quality of life through safe and vibrant communities*
- 3. creating an atmosphere of fun through innovative programs and special events*

---

**CITY COUNCIL COMMITTEE OF THE WHOLE (COW)  
New Item for Review and Consideration**

---

**Meeting Date: 6/16/2014  
Agenda Item: 4B**

---

**Issue Description:** One Sided Street Trash/Recycling Pickup

**Presented by:** Corey Woods, Shana Ellis, Kolby Granville

**Background Information:** As part of staff's continued desire to keep city costs as low as possible, they suggested in a Friday packet that one potential place for cost saving is, in some areas of the city, switching all trash/recycling bins to one side of the street only. It has been suggested this may save 15%-25% of drive miles as it prevents driving up one side of the street, and back down the other side of the same street. We would like to work with staff to review this idea and get a better estimate of how it might be implemented, and a better understanding of potential cost savings. It would then come back to the group and, if the group was interested, would go out for public comment. No changes would take place until after public comment.

**Anticipated Timeframe and Staff Resources:** Public Works. Total combined time, 5-8 hours.

*The Tempe City Council is committed to:*

- 1. ensuring long-term financial stability through quality economic development*
- 2. maintaining high quality of life through safe and vibrant communities*
- 3. creating an atmosphere of fun through innovative programs and special events*

---

**CITY COUNCIL COMMITTEE OF THE WHOLE (COW)  
New Item for Review and Consideration**

---

**Meeting Date: 6/16/2014  
Agenda Item: 4C**

**Issue Description:** Performance evaluation process for Council appointees.

**Presented by:** Vice Mayor Shekerjian

**Background Information:** This would continue work, started by the Finance and Effective Infrastructure Council Committee, that would create performance reviews and regularly-scheduled evaluations for the Council's four direct reports (City Manager, City Attorney, City Clerk and Presiding City Judge).

**Anticipated Timeframe and Staff Resources:** 5-10 hours

*The Tempe City Council is committed to:*

- 1. ensuring long-term financial stability through quality economic development*
- 2. maintaining high quality of life through safe and vibrant communities*
- 3. creating an atmosphere of fun through innovative programs and special events*

## Committee of the Whole Future Updates

---



Updates on the following topics will be provided at an upcoming Committee of the Whole meeting:

1. Greater Phoenix Economic Partnership – annual review *(last presented on September 30, 2013)*
2. Graffiti Update – six month review *(last presented on May 19, 2014)*
3. Sustainability Progress Report – annual review *(last presented on April 7, 2014)*
4. Renewable Energy Goals – six month review *(last presented on May 22, 2014, Issue Review Session)*

# Memorandum



DATE: June 16, 2014  
TO: Mayor and City Council  
FROM: Andrew B. Ching, City Manager  
SUBJECT: Committee of the Whole Process

The development of the Committee of the Whole (COW) is approaching its one-year anniversary. The following outline is offered for your input to provide council and staff with guidelines for advancing ideas through the COW process.

**1. Ideas from Mayor/Council.**

- a. Councilmember(s) works with aide to complete the *COW New Item for Review and Consideration* form (attached).
- b. Councilmember and aide provide a brief description of the idea and provide any preliminary background material gathered by the councilmember or aide.
- c. Councilmember and aide will estimate anticipated timeframe for completing the background research to return the item to COW for council direction and estimate staff hours for completing the research.
- d. Councilmember and aide identifies which of the following council priorities this new idea best conforms with:
  - i. **Ensuring long-term financial stability through quality economic development;**
  - ii. **Maintaining high quality of life through safe and vibrant communities;**
  - iii. **Creating an atmosphere of fun through innovative programs and special events.**

**2. Ideas introduced at Committee of the Whole for Council direction.**

- a. Councilmember introduces item at COW for council consensus to move item forward for formal staff research.

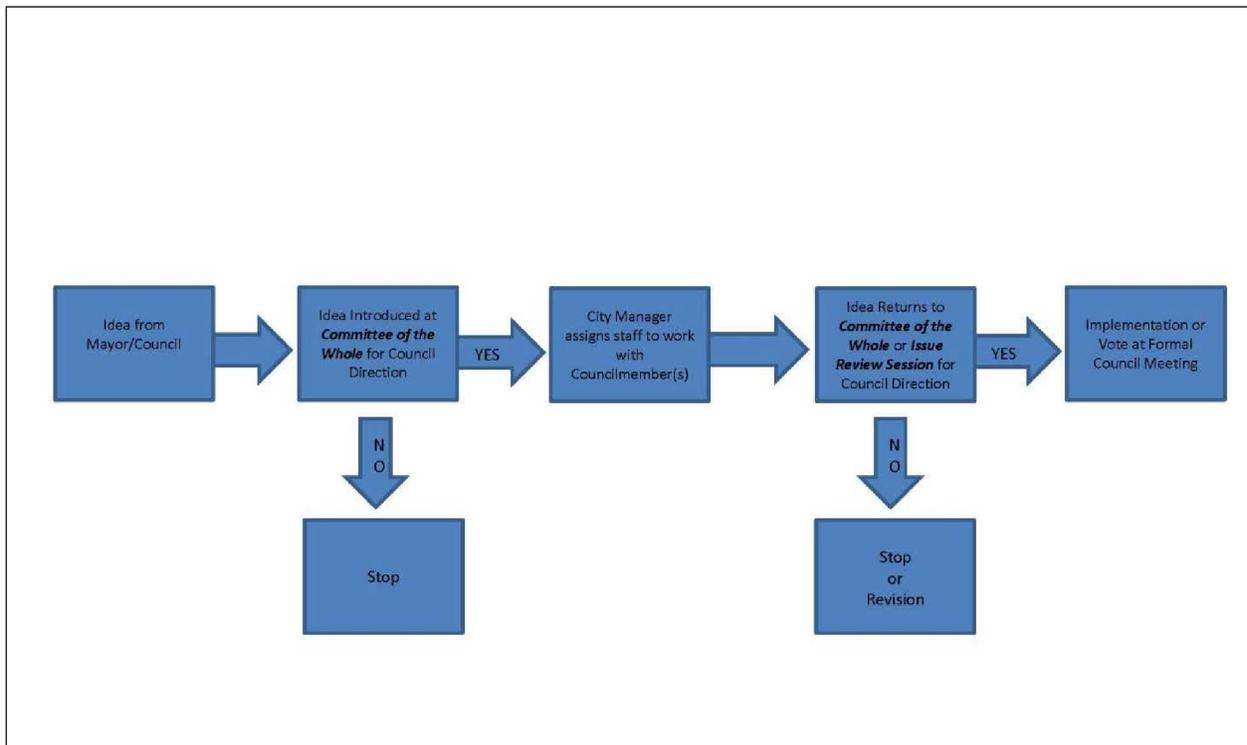
**3. City Manager assigns staff to work with Councilmember(s).**

- a. Aide works with councilmember to complete the *Working Group Setup Checklist* form (attached), which identifies internal and external stakeholders.
- b. Aide sets initial meeting for councilmember and stakeholders.
- c. Aide is responsible for staffing the councilmember(s) on the working group and working with stakeholders to research and develop the final report.

- d. Aide is responsible for ensuring the working group councilmember(s) have had an opportunity to review and approve the final report prior to submitting to the City Clerk's Office.
  - e. Aide is responsible for forwarding the final version of the report, including any attachments, draft ordinances, etc., to the City Clerk's Office. To reduce duplicate versions of the report being forwarded to the City Clerk's Office, only the final version will be submitted by the approved timeline.
- 4. Idea returns to Committee of the Whole (or Issue Review Session) for Council direction.**
- a. Councilmember(s) and staff present their findings at COW or Issue Review Session for council consensus to implement idea or move item forward to a Regular Council meeting for a vote.
  - b. Unless otherwise directed, items that start in the COW process will remain as a COW item until consensus is reached or advanced to a Regular Council meeting.
- 5. Implementation or vote at Regular Council Meeting.**
- a. Aide will work with Councilmember(s) and staff to submit items for Regular Council meeting per the approved meeting schedule.

## COW Flowchart

Approved March 20, 2014 RCM, as part of Tempe City Council Rules of Procedure



---

**CITY COUNCIL COMMITTEE OF THE WHOLE (COW)  
New Item for Review and Consideration**

---

**Meeting Date:  
Agenda Item: 3**

**Issue Description:** Brief description of the new idea/issue to be presented to councilmembers for consideration.  
*This wording will be placed on the agenda to ensure OML compliance.*

**Presented by:** Councilmember Name(s)

**Departments Involved:** Likely city department involved

**Background Information:** Explanation of the issue and any research/data collected by councilmember and/or aide

**Council Priority:** How does this issue align with one or more of the City Council's three strategic priorities?

**Anticipated Timeframe and Staff Resources:** Estimate of timeline and staff resources necessary to explore the issue

*The Tempe City Council is committed to:*

- 1. ensuring long-term financial stability through quality economic development*
- 2. maintaining high quality of life through safe and vibrant communities*
- 3. creating an atmosphere of fun through innovative programs and special events*

# Committee of the Whole Working Group Setup Checklist

Name of Working Group: \_\_\_\_\_

Councilmember(s) Involved: \_\_\_\_\_

Aide: \_\_\_\_\_

Purpose/Mission: \_\_\_\_\_

\_\_\_\_\_

Anticipated Outcome: \_\_\_\_\_

\_\_\_\_\_

Estimation of Staff Hours: \_\_\_\_\_

City Staff Involved: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

External Stakeholders to be Contacted:

(When and How?)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Public Input Process: \_\_\_\_\_

\_\_\_\_\_

Workgroup Meeting Schedule:

Initial Meeting Date

\_\_\_\_\_

Anticipated Date to Return to  
COW for Update or Direction:

\_\_\_\_\_

Will Project Require a Presentation  
at IRS? When? \_\_\_\_\_

Will Project Require Council Action  
at a Regular Meeting? When? \_\_\_\_\_