

## Minutes Regular City Council Meeting August 14, 2014

Minutes of the Regular Council Meeting of Thursday, August 14, 2014, held at 7:30 p.m. in the Harry E. Mitchell Government Center, Tempe City Hall, City Council Chambers, 31 E. Fifth Street, Tempe, Arizona.

### COUNCILMEMBERS PRESENT:

Mayor Mark W. Mitchell	Vice Mayor Onnie Shekerjian
Councilmember Robin Arredondo-Savage	Councilmember Shana Ellis
Councilmember Kolby Granville	Councilmember Joel Navarro
Councilmember Corey D. Woods	

### STAFF PRESENT:

Andrew Ching, City Manager	Ken Jones, Deputy City Manager – Chief Financial Officer
Judi Baumann, City Attorney	Steven Methvin, Deputy City Manager – Chief Operating Officer
Brigitta M. Kuiper, City Clerk	Various Department Heads or their representatives

Mayor Mitchell called the meeting to order at 7:42 p.m.

1. Councilmember Granville gave the invocation.
2. Mayor Mitchell led the audience in the **Pledge of Allegiance**.
3. **MINUTES**
  - A. Approval of City Council Meeting Minutes  
**Motion by Vice Mayor Shekerjian to approve agenda items 3A1 – 3A3; second by Councilmember Woods.**  
**Motion passed unanimously on a voice vote 7-0.**
    1. Regular City Council Meeting - June 12, 2014 and June 26, 2014
    2. Executive Session - July 17, 2014 and July 31, 2014
    3. Housing Authority Governing Board Special Meeting - June 26, 2014
  - B. Acceptance of Board, Commission and Committee Meeting Minutes  
**Motion by Vice Mayor Shekerjian to accept agenda items 3B1 – 3B7; second by Councilmember Woods.**  
**Motion passed unanimously on a voice vote 7-0.**
    1. Aviation Commission - July 8, 2014
    2. Hearing Officer - February 18, 2014, April 15, 2014 and July 15, 2014
    3. Historical Museum Advisory Board - April 10, 2014 (Special Meeting), May 1, 2014, and June 5, 2014
    4. Library Advisory Board - May 7, 2014
    5. Mayor's Commission on Disability Concerns - February 6, 2014 and May 1, 2014
    6. Mayor's Youth Advisory Commission C.I.T.Y. Project Subcommittee - June 23, 2014
    7. Municipal Arts Commission - April 10, 2013, March 12, 2014, and April 9, 2014
4. **REPORTS AND ANNOUNCEMENTS**

A. Mayor's Announcements

1. *Tempe Elks Lodge Donation to Tempe Police Department Explorers*

Mayor Mitchell invited Tom Ryff, Police Chief, to the podium and announced that the Tempe Elks Lodge recently awarded a \$2,000 donation to the Tempe Police Explorer Program.

2. Mayor Mitchell congratulated Andrew Ching, City Manager, for his 15 years of service to the City of Tempe.

B. City Manager's Announcements

Andrew Ching, City Manager, congratulated Tom Ryff, Police Chief, on his 35 years of service to the City of Tempe.

5. **CONSENT AGENDA**

All items listed on the Consent Agenda will be considered as a group and will be enacted with one motion by the City Council unless an item is removed for separate consideration. Members of the public may remove public hearing items for separate consideration. Public hearing items are designated by an asterisk (\*). Councilmembers may remove any item for separate consideration.

Regarding agenda item 5A12, Mayor Mitchell announced that the Arizona Department of Liquor has indicated that the dba name for Meal Ticket LLC has been changed to Blasted Barley Brewery.

**Motion by Councilmember Woods to approve the consent agenda with the exception of item 5B12, which was removed for separate consideration; second by Councilmember Arredondo-Savage. Motion passed unanimously on a roll call vote 7-0.**

A. Miscellaneous Items

5A1. Approved the designation of either Ken Jones, Deputy City Manager – Chief Financial Officer or Steven Methvin, Deputy City Manager – Chief Operating Officer, as Acting City Manager.

*Fiscal Impact:* None.

5A2. Approved a trust agreement for the City of Tempe Worker's Compensation Trust. **(Contract #2014-151)**

*Fiscal Impact:* All costs associated with the trust have been appropriated as part of the fiscal year 2014/15 adopted budget for the City's Risk Management Internal Service Fund.

5A3. Approved the Tempe Diablos Charities Inc. grant award in order to accept and spend grant funds that enable the City of Tempe CARE 7 Crisis Response Team to provide basic needs items and emergency resources to Tempe victims of crime and other traumatic incidents.

*Fiscal Impact:* The amount of the grant award through June 30, 2015 is \$25,000. Sufficient budget appropriations for expenditure of this grant were authorized in the Governmental Grants and Donations Fund (Fund 46, cost center 2455) as part of the fiscal year 2014-15 adopted budget.

5A4. Approved an amendment to the agreement between Mercy Maricopa Integrated Care and the City of Tempe to accept and disburse a federal grant for the provision of youth substance abuse prevention programs and coalition efforts to reduce underage drinking in Tempe. **(Contract #2014-63A)**

*Fiscal Impact:* The amount of the grant award through September 30, 2014 is \$92,962. Sufficient budget appropriations for expenditure of this grant were authorized in the Governmental Grants and Donations Fund (Fund 46) as part of the fiscal year 2013-14 and 2014-15 adopted budgets.

- \*5A5. Held a public hearing and recommended the approval of a Series 12 restaurant liquor license for El Tlacoyo Mexican Food, 2535 East University Drive, Suite 1 & 2.

*Fiscal Impact:* N/A

- \*5A6. Held a public hearing and recommended the approval of a Series 05 government liquor license for City of Tempe, an Arizona Municipal Corporation, dba Ken McDonald Golf Course, 800 East Divot Drive.

*Fiscal Impact:* N/A

- \*5A7. Held a public hearing and recommended the approval of a Series 05 government liquor license for City of Tempe, an Arizona Municipal Corporation, dba Rolling Hills Golf Course, 1405 North Mill Avenue.

*Fiscal Impact:* N/A

- \*5A8. Held a public hearing and recommended the approval of a Series 07 beer and wine bar liquor license for PTTO, LLC, dba Postino Anx, 615 South College Avenue.

*Fiscal Impact:* N/A

- \*5A9. Held a public hearing and recommended the approval of a Series 10 beer and wine store liquor license for Baseline Oil Investments, LLC, dba Arco Food Mart, 2785 West Baseline Road.

*Fiscal Impact:* N/A

- \*5A10. Held a public hearing and recommended the approval of a Series 12 restaurant liquor license for Spinelli's Tempe, LLP, dba Spinelli's Pizza, 420 South Mill Avenue, Suite 101.

*Fiscal Impact:* N/A

- \*5A11. Held a public hearing and recommended the approval of a Series 10 beer and wine store liquor license for 3 Palms Market, LLC, dba 3 Palms Market and Deli, 2115 South McClintock Drive.

*Fiscal Impact:* N/A

- \*5A12. Held a public hearing and recommended the approval of a Series 03 domestic microbrewery liquor license for Meal Ticket, LLC, dba Blasted Barley Brewing, 404 South Mill Avenue, Suite 101.

*Fiscal Impact:* N/A

**B. Award of Bids/Contracts**

- 5B1. Approved the renewal of a one-year contract with United Fire Equipment Company for the supply of turnout clothing for the Fire Medical Rescue Department.

*Fiscal Impact:* Total cost of this contract will not exceed \$110,000 during the one-year contract renewal period. Sufficient funds have been appropriated in General Fund cost center 2340 (Fire – Emergency Services) for the anticipated expenditures in the current fiscal year.

- 5B2. Approved one-year contract renewals with Universal Police Supply Company and West Valley Uniforms dba East Valley Uniforms to provide ballistic vests, carriers, and trauma plates for the Police Department.

*Fiscal Impact:* Total combined cost of these one-year contracts shall not exceed \$85,000. Sufficient funds have been appropriated in General Fund cost center 2251 (Professional Development Bureau) for the anticipated expenditures in fiscal year 2014/2015.

- 5B3. Approved the renewal of a one-year contract with Stanley Convergent Security Solutions for the purchase, repair, installation, and upgrades of security systems throughout the City to be overseen by the Public Works Department.

*Fiscal Impact:* Total cost of this contract will not exceed \$150,000 during the one-year contract renewal period. Sufficient funds have been appropriated in various Citywide funds and cost centers for the anticipated expenditures in the current fiscal year.

- 5B4. Approved the renewal of a two-year contract with Polydyne, Inc. for the purchase of water polymers for the Public Works Department.

*Fiscal Impact:* Total cost of this contract shall not exceed \$400,000 during the two-year contract period. Sufficient funds have been appropriated in the Water and Wastewater Fund - cost centers 3013 (Johnny G. Martinez Plant) and 3014 (South Tempe Water Plant) for the anticipated expenditures in the current fiscal year.

- 5B5. Approved the renewal of a one-year contract with Crafc0, Inc. for the purchase of asphalt crack sealing compound to be used by the Public Works Department.

*Fiscal Impact:* Total cost of this one-year contract will not exceed \$150,000 during the one-year renewal period. Sufficient funds have been appropriated in Highway User Revenue Fund – cost center 3813 (Construction) – for the anticipated expenditures in the current fiscal year.

- 5B6. Approved the renewal of a two-year contract with Brenntag Pacific, Inc. for the purchase of commercial grade liquid sodium hydroxide for the Public Works Department.

*Fiscal Impact:* Total cost of this contract shall not exceed \$450,000 during the two-year contract period. Sufficient funds have been appropriated in the Water and Wastewater Fund - cost centers 3013 (Johnny G. Martinez Plant) and 3014 (South Tempe Water Plant) for the anticipated expenditures in the current fiscal year.

- 5B7. Approved a one-year contract renewal with Western Environmental Company for the purchase of equipment, parts, and supplies for the City's 16 Severn Trent on-site sodium hypochlorite generation disinfection cells located at the water production facilities.

*Fiscal Impact:* Total cost of this contract shall not exceed \$850,000 during the one-year contract renewal period. Sufficient funds have been appropriated in the Water and Wastewater Fund - cost centers 3013 (Johnny G. Martinez Plant) and 3014 (South Tempe Water Plant) for the anticipated expenditures in the current fiscal year.

- 5B8. Awarded a two-year contract with three, one-year renewal options to Chemtrade Chemicals US, Inc. for the purchase of Lime – Blended Alkali 45% for the Public Works Department. **(Contract #2014-142)**

*Fiscal Impact:* Total cost of this contract shall not exceed \$250,000 during the two-year contract period. Sufficient funds have been appropriated in the Water and Wastewater Fund - cost centers 3013 (Johnny G. Martinez Plant) and 3014 (South Tempe Water Plant) for the anticipated expenditures in the current fiscal year.

- 5B9. Approved an increase in the contract amount with MHA Consulting, Inc. for the updating and testing of existing business continuity of operations plans managed by the Internal Services Department.

*Fiscal Impact:* Increase the contract amount by \$29,580 from \$90,000 to \$119,580. Sufficient funds are available in General Fund - cost center 3526 (Non-Department Expense - ISD) for the anticipated expenditures in the current fiscal year.

- 5B10. Approved a sole source contract renewal with Hyland Software, Inc. for annual maintenance and support services for the City's document imaging and agenda management applications used Citywide. **(Contract #2013-178A)**

*Fiscal Impact:* Total amount of this contract will not exceed \$53,883.92. Sufficient funds have been appropriated in the General Fund - cost center 1991 (IT Administration) for the anticipated expenditures in the current fiscal year.

- 5B11. Awarded a professional services contract to OTAK, Inc. for design of a multi-use path and streetscape improvements on 8th Street from Rural Road to McClintock Drive. **(Contract #2014-143)**

*Fiscal Impact:* The contract amount is \$190,570. Funds are approved and appropriated in fiscal year 2014/15 to cover this contract and related costs in Capital Improvement Project No. 6007139, Creamery Branch Rail Path.

- 5B12. **THIS ITEM WAS REMOVED FOR SEPARATE CONSIDERATION. SEE BELOW FOR DISCUSSION AND ACTION.** Authorize the Mayor to execute a Right-of-Way Use Agreement between the City of Tempe and Verizon Wireless for Pole-Attached Personal Wireless Services Facilities.

C. Resolutions

- 5C1. Adopted **RESOLUTION NO. R2014.111** authorizing the Mayor to execute an intergovernmental agreement between the Cities of Mesa and Tempe and the Town of Gilbert for an East Valley Travel Time Monitoring Program, a federal highway funded project. **(Contract #2014-145)**

*Fiscal Impact:* The federal and local match funds are programmed in the Capital Improvement Program budget. Tempe's local match requirement of \$89,508, for design and installation of the devices and software, is budgeted in fiscal years 2014/15 and 2015/16 in Capital Improvement Project No. 6907259, East Valley Arterial Congestion Monitoring.

- 5C2. Adopted **RESOLUTION NO. R2014.115** authorizing the Mayor to execute the Subgrant Award Agreement between the Arizona Department of Public Safety-Victims of Crime Act, Victim Assistance Grant Program and the City of Tempe to accept and disburse a federal grant for the provision of CARE 7 victim services. **(Contract #2014-146)**

*Fiscal Impact:* The amount of the grant award through September 30, 2015 is \$142,943. Sufficient budget appropriations for expenditure of this grant were authorized in the Governmental Grants and Donations Fund (Fund 46), as part of the fiscal year 2014-15 adopted budget. The required match of \$35,736 will be met through a combination of City-funded personnel time paid from existing appropriation in the Community Services Department's General Fund Budget (Cost Center 2485) and Arizona Criminal Justice Commission fiscal year 15 grant award funds, which are appropriated as part of the fiscal year 2014-15 adopted budget in the Governmental Grants and Donations Fund (Fund 46).

- 5C3. Adopted **RESOLUTION NO. R2014.116** authorizing the Mayor to execute the Grant Agreement between the Arizona Criminal Justice Commission and the City of Tempe to accept and disburse a state grant for the provision of CARE 7 victim services. **(Contract #2014-147)**

*Fiscal Impact:* The amount of the grant award through June 30, 2015 is \$27,349. Sufficient budget appropriations for expenditure of this grant were authorized in the Governmental Grants and Donations Fund (Fund 46), as part of the fiscal year 2014-15 adopted budget. Acceptance of the grant requires matching funds in the amount of \$27,349. City-funded personnel time for supervisor and grant oversight will be paid from existing appropriation in the Community Services Department's General Fund budget (Cost Center 2485) and will fulfill the City's required match.

**CONSENT AGENDA ITEM(S) REMOVED FOR SEPARATE CONSIDERATION:**

**5B12. Right-of-Way Use Agreement with Verizon Wireless.**

Councilmember Granville stated that he would like to table agenda item 5B12 so there is additional time to ensure proper safeguards are in place, to protect the community.

**Motion by Councilmember Granville to table agenda item 5B12; second by Councilmember Arredondo-Savage. Motion passed unanimously 7-0.**

**5B12. ITEM TABLED UNTIL A FUTURE REGULAR COUNCIL MEETING; DATE TO BE DETERMINED**  
Authorize the Mayor to execute a Right-of-Way Use Agreement between the City of Tempe and Verizon Wireless for Pole-Attached Personal Wireless Services Facilities.

*Fiscal Impact:* Verizon will pay an annual fee for use of the right-of-way for each pole-attached facility starting at \$1,500 if attached to a third-party owned pole or at \$3,000 if attached to a City-owned pole. The fee will be increased by 3% annually on the anniversary of the individual site licenses that will be entered into for each location of a facility within the right-of-way.

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**6. NON-CONSENT AGENDA**

All items listed on the Non-Consent Agenda will be considered separately. Agenda items scheduled for Introduction and First Public Hearing will be heard, but will not be voted upon at this meeting. Agenda items scheduled for Second Public Hearing and Final Adoption will be voted upon tonight.

**A. Miscellaneous Items/Bids/Contracts/Resolutions**

**6A1. Renewal of a one-year contract with Chemtrade Chemicals US, LLC.**

There was no discussion on agenda item 6A1.

**Motion by Councilmember Woods to approve agenda item 6A1; second by Vice Mayor Shekerjian. Motion passed unanimously on a roll call vote 7-0.**

**6A1. Approved the renewal of a one-year contract with Chemtrade Chemicals US, LLC for the purchase of liquid aluminum sulfate for the Public Works Department.**

*Fiscal Impact:* Total cost of this contract shall not exceed \$1,400,000 during the one-year contract period. Sufficient funds have been appropriated in the Water and Wastewater Fund - cost centers 3013 (Johnny G. Martinez Plant) and 3014 (South Tempe Water Plant) for the anticipated expenditures in the current fiscal year.

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**6A2. Contracts with FCI Constructors, Inc., bo ARCH, LLC, and Bernard Deutsch Associates, Inc. dba Deutsch Architecture Group.**

There was no discussion on agenda item 6A2.

**Motion by Vice Mayor Shekerjian to approve agenda item 6A2; second by Councilmember Navarro. Motion passed unanimously on a roll call vote 7-0.**

- 6A2.** Awarded a construction contract to FCI Constructors, Inc., (**Contract #2014-148**) a construction management contract to ARCH, LLC, (**Contract #2014-149**) and a post-design services contract to Bernard Deutsch Associates, Inc. dba Deutsch Architecture Group (**Contract #2014-150**) for a new environmental laboratory facility at the South Tempe Water Treatment Plant.

*Fiscal Impact:* The total construction contract amount is \$4,547,000, the construction management contract amount is \$288,022, the post-design services contract amount is \$242,685, and the project contingency amount is \$682,050. Funds to cover these contracts and associated costs are approved and appropriated for fiscal year 2014/15 in Capital Improvement Project No. 3203499, Environmental Laboratory Facility.

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- 6A3.** Resolution authorizing the leasing and conveyance of property located within the Hayden Ferry Lakeside Development known as the "Hotel Parcel", and the execution of the related lease and conveyance documents, a land and improvements lease, and a memorandum of lease.

There was no discussion on agenda item 6A3.

**Motion by Councilmember Navarro to approve agenda item 6A3; second by Councilmember Arredondo-Savage. Motion passed unanimously on a roll call vote 7-0.**

- 6A3.** Adopted **RESOLUTION NO. R2014.112** authorizing the leasing and conveyance of the real property located within the Hayden Ferry Lakeside Development and known as the "Hotel Parcel", and the execution of the related lease and conveyance documents, including a land and improvements lease and a memorandum of lease.

*Fiscal Impact:* The Master Development Agreement for Hayden Ferry Lakeside executed in 2000, provides for an 8-year Government Property Lease with an 8-year abatement of the Government Property Lease Excise Tax.

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- 6A4.** Resolution authorizing the leasing and conveyance of real property located within the Hayden Ferry Lakeside Development known as the "Building III Parcel", the execution of the related lease and conveyance documents, a land and improvements lease, and a memorandum of lease.

There was no discussion on agenda item 6A4.

**Motion by Vice Mayor Shekerjian to approve agenda item 6A4; second by Councilmember Granville. Motion passed unanimously on a roll call vote 7-0.**

- 6A4.** Adopted **RESOLUTION NO. R2014.113** authorizing the leasing and conveyance of the real property located within the Hayden Ferry Lakeside Development and known as the "Building III Parcel", and the execution of the related lease and conveyance documents, including a land and improvements lease and a memorandum of lease.

*Fiscal Impact:* The Master Development Agreement for Hayden Ferry Lakeside executed in 2000, provides for an 8-year Government Property Lease with an 8-year abatement of the Government Property Lease Excise Tax.

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**B. Ordinances and Items for Introduction and First Hearing**

- \*6B1. Ordinance amending Chapter 2, Article V, Division 2 of the Tempe City Code, relating to the Historical Museum and Library Advisory Board, and Chapter 14A relating to Historic Preservation.**

Mayor Mitchell introduced the ordinance and opened the public hearing. There was no discussion or public comment on agenda item 6B1.

- \*6B1. Introduced and held the first public hearing to adopt an ordinance amending Chapter 2, Article V, Division 2 of the Tempe City Code, relating to the Historical Museum and Library Advisory Board, and Chapter 14A relating to Historic Preservation. The second and final public hearing was scheduled for September 4, 2014. (Ordinance No. O2014.36)**

*Fiscal Impact:* There is no direct cost to the City with this amendment.

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- \*6B2. Resolution for a General Plan Land Use Map Amendment, and Ordinance for a Zoning Map Amendment, and a request for an Amended Planned Area Development for SHOPS AT FOUNTAINHEAD, located at 1537 West Broadway Road.**

Mayor Mitchell introduced the ordinance and opened the public hearing. There was no discussion or public comment on agenda item 6B2.

- \*6B2. Introduced and held the first public hearing to adopt a Resolution for a General Plan Land Use Map Amendment, an Ordinance for a Zoning Map Amendment, and a request for an Amended Planned Area Development consisting of a new restaurant and retail building for SHOPS AT FOUNTAINHEAD (PL140094), located at 1537 West Broadway Road. The applicant is Justin Gregonis, Vertical Design Studios. The second and final public hearing was scheduled for September 4, 2014. (Resolution No. R2014.114, Ordinance No. O2014.37)**

*Fiscal Impact:* While this ordinance change does not directly impact revenue, the planned development will result in collection of the standard development fees, calculated according to the approved fee structure at the time of permit issuance.

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- \*6B3. Ordinance for a Planned Area Development Overlay for 230 WEST 5TH, located at 230 West 5th Street.**

Mayor Mitchell announced that agenda item 6B3 has been continued to the October 2, 2014, Regular Council Meeting to allow time for the Development Review Commission to hold a hearing on this item on September 9, 2014.

- \*6B3. Public hearing continued to the October 2, 2014, Regular Council Meeting to introduce and hold the first public hearing to adopt an ordinance for a Planned Area Development Overlay to modify the maximum building height from 50 to 300 feet, consisting of a proposed mixed-use building for 230 WEST 5TH, located at 230 West 5th Street. The applicant is Ben Patton, Urban Land Advisors. (Ordinance No. O2014.38)**

*Fiscal Impact:* While this ordinance change does not directly impact revenue, the planned development will result in collection of the standard development fees, calculated according to the approved fee structure at the time of permit issuance.

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- \*6B4. Ordinance approving the sale of land located on the south bank of Tempe Town Lake (Pier 202), and authorizing the Mayor to execute a deed and related documents.**

Mayor Mitchell introduced the ordinance and opened the public hearing. There was no discussion or public comment on agenda item 6B4.

- \*6B4.** Introduced and held the first public hearing to adopt an ordinance approving the sale of approximately 11 acres of City-owned land located on the south bank of Tempe Town Lake (Pier 202), and authorizing the Mayor or his designee to execute a deed and related documents necessary or appropriate to effect the sale and other transactions. The second and final public hearing was scheduled for September 4, 2014. (Ordinance No. O2014.39)

*Fiscal Impact:* The sales price for the property is \$17,625,000 (\$35.74/square-foot).

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- 6B5. Resolution to execute a development and disposition agreement for the future sale of land located on the south bank of Tempe Town Lake (Pier 202).**

There was no discussion on agenda item 6B5.

**Motion by Councilmember Navarro to approve agenda item 6B5; second by Councilmember Woods. Motion passed unanimously on a roll call vote 7-0.**

- 6B5.** Adopted **RESOLUTION NO. R2014.117** authorizing the Mayor or his designee to execute a development and disposition agreement pertaining to the future sale of approximately 11 acres of City-owned land located on the south bank of Tempe Town Lake (Pier 202).

*Fiscal Impact:* The developer will be required to purchase the property for \$17,625,000.00 (\$35.74/square-foot).

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**C. Ordinances and Items for Second Hearing and Final Adoption**

- \*6C1. Ordinance granting a Power Distribution Easement to Salt River Project Agricultural Improvement and Power District.**

Mayor Mitchell opened the public hearing. There was no discussion or public comment on agenda item 6C1. Mayor Mitchell closed the public hearing.

**Motion by Councilmember Woods to approve agenda item 6C1; second by Councilmember Arredondo-Savage. Motion passed unanimously on a roll call vote 7-0.**

- \*6C1.** Held the second and final public hearing and adopted **ORDINANCE NO. O2014.34** authorizing the granting of a Power Distribution Easement to Salt River Project Agricultural Improvement and Power District over certain City of Tempe owned land located near 55th Street and Broadway Road, and the execution of an easement agreement memorializing such easement.

*Fiscal Impact:* No impact on City funds.

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- \*6C2. Ordinance amending Chapter 2, Article II, of the Tempe City Code, Section 2-30 relating to establishment of City court user charge and City court enhancement fund.**

Mayor Mitchell opened the public hearing. There was no discussion or public comment on agenda item 6C2. Mayor Mitchell closed the public hearing.

**Motion by Councilmember Navarro to approve agenda item 6C2; second by Vice Mayor Shekerjian. Motion passed unanimously on a roll call vote 7-0.**

- \*6C2. Held the second and final public hearing and adopted **ORDINANCE NO. O2014.35** amending Chapter 2, Article II, of the Tempe City Code, Section 2-30 relating to establishment of City court user charge and City court enhancement fund.

*Fiscal Impact:* There is no fiscal impact to the City.

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- 6C3. **Resolution amending Appendix A of the Tempe City Code to increase the City Court User Charge.**

There was no discussion on agenda item 6C3.

**Motion by Councilmember Ellis to approve agenda item 6C3; second by Councilmember Arredondo-Savage. Motion passed unanimously on a roll call vote 7-0.**

- 6C3. Adopted **RESOLUTION NO. R2014.110** amending Tempe City Code, Appendix A, Schedule of Fees and Charges, to increase the City Court User Charge.

*Fiscal Impact:* This resolution increases the City Court User Charge from \$10 to \$20 for deposit in the City's Court Enhancement Fund (Fund 47000). The current City Court User Charge generates approximately \$200,000 annually; the rate change is projected to increase Court Enhancement Fund revenue by up to \$200,000 annually.

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## 7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS

### Councilmember Woods

- Thanked Tempe and Phoenix city staff members for their Issue Review Session presentation regarding the Val Vista Waterline Project.

### Vice Mayor Shekerjian

- Monday, August 25, 2014, Corona/South Tempe Character Area public meeting at the Arizona Community Church.
- Tuesday, August 26, 2014, Kiwanis/Lakes Character Area public meeting at Aguilar Elementary School.
- Wednesday, August 27, 2014, Kiwanis/Lakes Character Area public meeting at Fuller Elementary School.
- Her third grandchild was born.

### Councilmember Ellis

- Tuesday, August 19, 2014, Broadway Road Streetscape Bicycle/Pedestrian Improvement Public Art Meeting at the Community Christian Church.

### Councilmember Arredondo-Savage

- Saturday, August 16, 2014, College Connect Program at the Tempe Public Library.

### Councilmember Navarro

- The College Connect Program is a tremendous resource.
- Thanked Police Department representatives for participating in an Escalante neighborhood meeting and encouraging resident involvement to reactivate the neighborhood park.

- Friday, August 15, 2014, Ice Challenge at Tempe Town Lake.
- Happy birthday to his mother and brother.

Councilmember Granville

- Registration for City of Tempe recreation classes is open.

Mayor Mitchell

- Thanked Neighborhood Advisory Commission members for their volunteerism.
- Happy birthday to his daughter.
- Tuesday, August 26, 2014, is the Primary Election; the General Election will be held in November.

## 8. PUBLIC APPEARANCES

### A. Scheduled

Emily Gersema, Lindon Park Neighborhood Association representative, voiced appreciation for the support and assistance of City staff and Councilmembers, particularly Vice Mayor Sherkerjian and Councilmember Woods, regarding the Lindon Park Student Housing Project process. The Capstone development proposal resulted in a nice conclusion.

Councilmembers voiced appreciation for Ms. Gersema's leadership in pursuing the best project for the neighborhood; this development will improve property values. It is important to hold discussions and have guidelines and processes in place when a project first begins, to ensure the City is doing what is best for neighborhoods.

### B. Unscheduled

Jason Ryan, Tempe, spoke about the militarization of police occurring across the country and disagreed with the use of military vehicles by police departments, the maintenance costs, and intimidation. He disagreed with the use of the Stingray System that tracks texts and GPS data on cell phones; it is unconstitutional and illegal. Police uniforms and car colors should be changed to a lighter color.

Debora Zajac, Tempe, spoke about the following: appreciation for providing on-line viewer access to City Council and Development Review Commission (DRC) meetings; concern about the look and density of a multi-family development in her neighborhood; support for the Character Area process and its impact on development; concern with how the DRC addresses variance requests during their PAD evaluation process; and support for public input in processes.

Darlene Tussing, Tempe, voiced support for the Tempe Involving the Public Manual (TIP) and the neighborhood notification process, and thanked Councilmembers for listening to the community.

**The meeting adjourned at 8:24 p.m.**

I, Brigitta M. Kuiper, the duly-appointed City Clerk of the City of Tempe, Maricopa County, Arizona, do hereby certify the above to be the minutes of the Regular City Council meeting of August 14, 2014, by the Tempe City Council, Tempe, Arizona.

ATTEST:

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Mark W. Mitchell, Mayor

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Brigitta M. Kuiper, City Clerk