



Minutes Regular City Council Meeting October 16, 2014

Minutes of the Regular Council Meeting of Thursday, October 16, 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 7:46 p.m.

1. Councilmember Arredondo-Savage 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 Councilmember Woods to approve agenda items 3A1 – 3A2; second by Councilmember Arredondo-Savage. Motion passed unanimously on a voice vote 7-0.

1. [Regular City Council Meeting - September 4, 2014](#)
2. [Executive Session - October 2, 2014](#)

B. Acceptance of Board, Commission and Committee Meeting Minutes

Motion by Councilmember Woods to accept agenda items 3B1 – 3B5; second by Councilmember Granville. Motion passed unanimously on a voice vote 7-0.

1. [Hearing Officer - September 16, 2014](#)
2. [Historical Museum and Library Advisory Board - September 3, 2014](#)
3. [Mayor's Youth Advisory Commission - September 16, 2014](#)
4. [Tempe Fire Public Safety Personnel Retirement System Board - July 8, 2014 and September 4, 2014](#)
5. [Tempe Police Public Safety Personnel Retirement System Board - July 8, 2014 and September 4, 2014](#)

4. REPORTS AND ANNOUNCEMENTS

A. Mayor's Announcements

1. [Lights On Afterschool Proclamation](#)

Mayor Mitchell invited Jill Rasmussen, Kid Zone Program Manager and Gloria Sanchez, Senior Community Education Coordinator, to the podium and read a proclamation declaring October 23, 2014 Lights On AfterSchool Day in Tempe, Arizona.

2. [Tempe Music Revival Month Proclamation](#)

Mayor Mitchell invited Councilmember Joel Navarro to the podium and read a proclamation declaring November 2014 Tempe Music Revival Month in Tempe, Arizona.

3. *Board and Commission Recruitment*

Mayor Mitchell announced boards and commissions vacancies.

B. City Manager's Announcements – None.

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.

Motion by Councilmember Woods to approve the consent agenda with the exception of items 5A1 and 5C8, which were removed for separate consideration; second by Councilmember Ellis. Motion passed unanimously on a roll call vote 7-0.

A. Miscellaneous Items

5A1. [THIS ITEM WAS REMOVED FOR SEPARATE CONSIDERATION. SEE BELOW FOR DISCUSSION AND ACTION.](#) Approve a Final Subdivision Plat for THE LOFTS AT HAYDEN FERRY, located at 260 East Rio Salado Parkway. The applicant is Huellmantel & Affiliates.

5A2. [Approved the transfer of a portion of unencumbered Capital Improvements Program budget appropriation from the City Hall HVAC Piping Replacement project to the City Hall Parking Garage project for the completion of tenant improvements.](#)

Fiscal Impact: The transfer of budget appropriation between the two projects will not increase overall City budget appropriation. \$90,000 in fiscal year 2014-15 Capital Improvements Program budget will be transferred from project number 6705629, City Hall HVAC Piping Replacement to project number 6702979, City Hall Parking Garage. The funding source identified for the tenant improvements is the General Governmental Capital Projects Fund (Fund 67).

5A3. [Approved the transfer of budget appropriation from General Fund Contingency, to Public Works Administration, for unplanned expenditures associated with the transition of Rio Salado Golf Course to an urban agricultural garden facility operated by Singh Organic Soils, LLC.](#)

Fiscal Impact: The amount of the transfer of fiscal year 2014/15 General Fund Contingency, appropriated in cost 3580, to the Public Works General Fund Administration cost center 3210 is \$112,316. No increase in overall City budget appropriation is being requested.

- *5A4. [Held a public hearing and recommended the approval of a Series 12 restaurant liquor license for Two Perfect Pear Bistro, LLC, dba Perfect Pear Bistro, 9845 South Priest Drive, Suite 103.](#)

Fiscal Impact: N/A

- *5A5. [Held a public hearing and recommended the approval of a Series 10 beer and wine store liquor license for Pac West Energy, LLC, dba Jacksons #810, 2096 East Rio Salado Parkway.](#)

Fiscal Impact: N/A

- *5A6. [Held a public hearing and recommended the approval of a Series 12 restaurant liquor license for Monte Vista Resources, LLC, dba La Casa De Juana, 1805 East Elliot Road, Suite 108-109.](#)

Fiscal Impact: N/A

- *5A7. [Held a public hearing and recommended the approval of a Series 12 restaurant liquor license for Peacocks Unlimited, LLC, dba San Pablo, 26 East University Drive.](#)

Fiscal Impact: N/A

- *5A8. [Held a public hearing and recommended the approval of a Series 11 hotel/motel liquor license for Drury Development Corporation, dba Drury Inn & Suites Phoenix/Tempe, 1780 West Ranch Road.](#)

Fiscal Impact: N/A

- *5A9. [Held a public hearing and recommended the approval of a Series 06 bar liquor license for FRC CD Farmer Arts, LLC, dba Culinary Dropout, 149 South Farmer Avenue.](#)

Fiscal Impact: N/A

B. Award of Bids/Contracts

- 5B1. [Approved the one-year renewal of contracts with Horizon and Sprinkler World of Arizona, Inc. for the purchase of sprinkler parts for the Public Works Department.](#)

Fiscal Impact: Total combined cost of these contracts will not exceed \$120,000 during the one-year contract renewal period. Sufficient funds have been appropriated in General Fund cost centers 2551 (Sports Complex Maintenance), 2552 (Parks Maintenance - Administration), 2553 (Diablo Stadium Maintenance), 2554 (Parks Maintenance - Rio Salado), 2555 (Landscape Maintenance), 2556 (North Parks), 2558 (Cemetery Maintenance) and 2559 (South Parks); Golf Fund cost centers 2511 (Rolling Hills Golf Course) and 2512 (Ken McDonald Golf Course); Arts Fund cost center 3611 (TCA Art Park); and various Capital Improvement Funds for the anticipated expenditures in the current fiscal year.

- 5B2. [Approved the renewal of a one-year contract with JPMorgan Chase Bank, NA for banking services for the Internal Services Department.](#)

Fiscal Impact: Total cost of this one-year contract will not exceed \$200,000 during the one-year renewal period. Sufficient funds have been appropriated in the General Fund cost center - 1831 (Accounting), Water/Wastewater Fund - 1841 (Finance: Customer Services), Golf Fund - 2512 (Ken McDonald Golf Course), Performing Arts Fund - 3610 (Performing Arts Administration), Solid Waste Fund - 3712 (Administration), Transit Fund - 3911 (Transit Administration and Regional Service), and Court Enhancement Fund - 4710 (Court Enhancement) for the anticipated expenditures in the current fiscal year.

- 5B3. [Approved the utilization of a six-month City of Mesa contract with WIST Office Products for the purchase of office supplies for use by all City of Tempe departments.](#)

Fiscal Impact: Total cost of this contract will not exceed \$225,000 during the six-month contract extension period. Sufficient funds have been appropriated in various City-wide cost centers within the General Fund and other department operating funds for the anticipated expenditures in the current fiscal year.

- 5B4. [Approved the one-year renewal of a contract with Doehrman Company, Inc. for the inspection and repair services for Rotary brand vehicle lifts at City facilities.](#)

Fiscal Impact: Total cost of this contract will not exceed \$85,000 during the one-year contract renewal period. Sufficient funds have been appropriated in General Fund cost centers 2363 (Fire – Apparatus Maintenance) and 3262 (Public Works - Fleet Services Maintenance) and in Transit Fund cost center 3914 (Transit Operations) for the anticipated expenditures in the current fiscal year.

- 5B5. [Approved the one-year renewal of contracts with Crop Production Services and Target Specialty Products for the purchase of inorganic landscape maintenance products for the Public Works Department.](#)

Fiscal Impact: Total combined cost of these contracts will not exceed \$300,000 during the one-year contract renewal period. Sufficient funds have been appropriated in General Fund cost centers 2551 (Sports Complex Maintenance), 2552 (Parks Maintenance - Administration), 2553 (Diablo Stadium Maintenance), 2554 (Parks Maintenance – Rio Salado), 2555 (Landscape Maintenance), 2556 (North Parks), 2558 (Cemetery Maintenance) and 2559 (South Parks); Golf Fund cost centers 2511 (Rolling Hills Golf Course) and 2512 (Ken McDonald Golf Course); Arts Fund cost center 3611 (TCA Art Park); and various Capital Improvement Funds for the anticipated expenditures in the current fiscal year.

- 5B6. [Approved the utilization of a one-year City of Phoenix contract with Freightliner Sterling Western Star of Arizona for the purchase of a roll-off equipped truck for use by the Public Works Department.](#)

Fiscal Impact: Total cost of this contract will not exceed \$180,000. Sufficient funds have been appropriated in the Solid Waste Fund – cost center 3715 (Roll-Off Tilt Frame) – for the anticipated expenditures in the current fiscal year.

- 5B7. [Approved the utilization of a one-year National Intergovernmental Purchasing Alliance contract issued by the City of Tucson to The Toro Company, represented locally by Simpson Norton Corporation, for the purchase of groundskeeping, golf and sports field maintenance equipment used by the Public Works Department.](#)

Fiscal Impact: Total cost of the one-year contract will not exceed \$180,000. Sufficient funds have been appropriated in the General Fund – cost center 3261 (Fleet Services) – and the Golf Fund – cost centers 2511 (Rolling Hills Golf Course) and 2512 (Ken McDonald Golf Course) – for the anticipated expenditures in the current fiscal year.

- 5B8. [Awarded a one-year contract with four, one-year renewal options to Bingham Equipment Company for the purchase of skid steer loaders used by the Public Works Department. \(Contract #2014-189\)](#)

Fiscal Impact: Total cost of this contract shall not exceed \$200,000 during the initial one-year contract period. Sufficient funds have been appropriated in the Solid Waste Fund – cost center 3718 (Uncontained Refuse) – for the anticipated expenditures in the current fiscal year (\$120,000); the remainder (\$80,000) is anticipated to be budgeted

for fiscal year 2015/2016 based on current vehicle replacement guidelines. The contract carries a fixed price for 12 months.

5B9. [Awarded job order no. 11 to MGC Contractors, Inc. for sludge drain line repairs at the South Tempe Water Treatment Plant.](#)

Fiscal Impact: The total job order amount is \$184,585 and the project contingency amount is \$18,400. Funds to cover this job order contract and related costs are appropriated for fiscal year 2014/15 in Water Utilities' operating budget cost center 3014, account 7525.

5B10. [Awarded a professional services design contract to LSW Engineers Arizona, Inc. for modifications and improvements to the facility control, air monitoring, and HVAC systems at the East Valley Bus Operations and Maintenance Facility. \(Contract #2014-190\)](#)

Fiscal Impact: The contract amount is \$108,630. Funds are approved and appropriated in fiscal year 2014/15 to cover this contract and related costs in Capital Improvement Project No. 6006089, Transit Facility Asset Maintenance.

5B11. [Awarded one-year contracts with four, one-year renewal options to Balar Equipment, Arizona Refuse Sales, Stepp Parts, RWC International, Freightliner of Arizona, Southwest Diesel & Electrical, Tempe Power Equipment, Golf Cart Parts, Simpson Norton Corp, The Lighthouse, O'Reilly Auto Parts, Battery Systems, and Watkins Specialists for the supply of repair parts for City vehicles and equipment utilized by the Public Works Department. \(Contract #2014-191A-M\)](#)

Fiscal Impact: Total combined cost of these 13 contracts shall not exceed \$200,000 during the initial one-year contract period. Sufficient funds have been appropriated in the General Fund – cost center 3262 (Fleet Services Maintenance) – for the anticipated expenditures in the current fiscal year.

5B12. [Awarded a one-year contract with four, one-year renewal options to RDO Equipment Company for the purchase of backhoe loaders for the Public Works Department. \(Contract #2014-192\)](#)

Fiscal Impact: Total cost of this contract shall not exceed \$185,000 during the initial one-year contract period. Sufficient funds have been appropriated in the Water/Wastewater Fund – cost center 3022 (Distribution and Collection) – for the anticipated expenditures in the current fiscal year.

C. Resolutions

5C1. [Adopted RESOLUTION NO. R2014.133 authorizing the Fire Medical Rescue Department Chief to execute the Subgrantee Award Agreement between the Arizona Department of Homeland Security and the City of Tempe for the purpose of accepting and spending a federal grant for the purpose of sustaining the Tempe Fire Medical Rescue Department's Community Emergency Response Team Program. \(Contract #2014-193\)](#)

Fiscal Impact: The amount of the grant award is \$4,000 in federal funds. Acceptance of the grant does not require any matching City funds. This grant award will supplement the Fire Medical Rescue Department's existing General Fund budget appropriation. Sufficient budget appropriation for expenditure of this grant was authorized in the Governmental Grants and Donations Fund (Fund 46) as part of the fiscal year 2014-2015 adopted budget.

- 5C2. [Adopted RESOLUTION NO. R2014.134 authorizing the Fire Medical Rescue Department Chief to execute the Subgrantee Award Agreement between the Arizona Department of Homeland Security and the City of Tempe for the purpose of accepting and spending a federal grant for the purpose of sustaining the Fire Medical Rescue Department Rapid Response Team. \(Contract #2014-194\)](#)

Fiscal Impact: The amount of the grant award is \$108,000 in federal funds. Acceptance of this grant does not require any matching City funds. This grant award will supplement the Fire Medical Rescue Department's existing General Fund budget appropriation. Sufficient budget appropriation for expenditure of this grant was authorized in the Governmental Grants and Donations Fund (Fund 46) as part of the fiscal year 2014-15 adopted budget.

- 5C3. [Adopted RESOLUTION NO. R2014.135 authorizing the Fire Medical Rescue Department Chief to execute the Subgrantee Award Agreement between the Arizona Department of Homeland Security and the City of Tempe for the purpose of accepting and spending a federal grant to sustain the Tempe Fire Medical Rescue Department's Terrorism Liaison Officer. \(Contract #2014-195\)](#)

Fiscal Impact: The amount of the grant award is \$6,260 in federal funds. Acceptance of the grant does not require any matching City funds. This grant award will supplement the Fire Medical Rescue Department's existing General Fund budget appropriation. Sufficient budget appropriation for expenditure of this grant was authorized in the Governmental Grants and Donations Fund (Fund 46) as part of the fiscal year 2014-2015 adopted budget.

- 5C4. [Adopted RESOLUTION NO. R2014.137 authorizing the Mayor to sign an intergovernmental agreement with the Arizona Board of Regents, for and on behalf of Arizona State University, to provide funding to Tempe for existing urban and neighborhood circulator services. \(Contract #2014-196\)](#)

Fiscal Impact: Arizona State University will contribute a total of \$902,716 to the operation of urban (FLASH) and neighborhood circulator bus services (Orbit) in fiscal year 2014/15. ASU is fully funding the FLASH system at the net operating cost of \$772,192 and contributing \$130,524 to the total net operating cost of the Orbit Mars.

- 5C5. [Adopted RESOLUTION NO. R2014.138 authorizing and providing for the issuance and sale of City of Tempe, Arizona, General Obligation Refunding Bonds, Series 2014C, not to exceed \\$61,160,000 principal amount; delegating the authority to approve certain related matters; providing for the annual levy of a tax for the payment of the bonds; and authorizing and approving related actions, agreements and documents.](#)

Fiscal Impact: The debt service on these bonds will be paid out of the General Obligation Debt Service Fund and the Water/Wastewater Fund. Approximate savings of \$2.3 million in future debt service costs is anticipated.

- 5C6. [Adopted RESOLUTION NO. R2014.139 authorizing the Mayor or his designee\(s\) to execute an agreement between the State of Arizona, Department of Homeland Security and the Tempe Police Department to accept federal grant funds to replace 40 ballistic vests for the Tactical Team. \(Contract #2014-197\)](#)

Fiscal Impact: The amount of the total grant award is \$108,000. Acceptance of the grant does not require any matching City funds. This grant award will supplement the Police Department's existing General Fund budget appropriation. Sufficient budget appropriation for expenditure of this grant was authorized in the Police Department Racketeer Influenced and Corrupt Organization and Grants Fund (Fund 45) as part of the fiscal year 2014-15 adopted budget.

- 5C7. [Adopted RESOLUTION NO. R2014.140 authorizing the Mayor or his designee\(s\) to execute an agreement between the State of Arizona, Department of Homeland Security and the Tempe Police Department to accept federal grant funds to sustain and enhance the Terrorism Liaison Officer Program. \(Contract #2014-198\)](#)

Fiscal Impact: The amount of the total grant award is \$8,000. Acceptance of the grant does not require any matching City funds. This grant award will supplement the Police Department's existing General Fund budget appropriation. Sufficient budget appropriation for expenditure of this grant was authorized in the Police Department Racketeer Influenced and Corrupt Organization and Grants Fund (Fund 45) as part of the fiscal year 2014-15 adopted budget.

- 5C8. [THIS ITEM WAS REMOVED FOR SEPARATE CONSIDERATION. SEE BELOW FOR DISCUSSION AND ACTION. Adopt a resolution authorizing the issuance of one or more series of The Industrial Development Authority of the City of Tempe, Arizona Lease Revenue Bonds \(Arizona State University/ASU Foundation Project – D.C. Building\). \(Resolution No. R2014.141\)](#)

CONSENT AGENDA ITEMS REMOVED FOR SEPARATE CONSIDERATION:

- 5A1. **Final Subdivision Plat for THE LOFTS AT HAYDEN FERRY, 260 East Rio Salado Parkway.**

Councilmember Ellis declared a potential conflict of interest on agenda item 5A1.

Motion by Councilmember Arredondo-Savage to approve agenda item 5A1; second by Councilmember Woods. Motion passed on a roll call vote 6-0-1 with Councilmember Ellis abstaining.

- 5A1. Approved a Final Subdivision Plat for THE LOFTS AT HAYDEN FERRY, located at 260 East Rio Salado Parkway. The applicant is Huellmantel & Affiliates.

Fiscal Impact: There is no fiscal impact on City funds.

The following conditions of approval apply:

1. The Subdivision Plat shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the City of Tempe's Community Development Department on or before October 16, 2015. Failure to record the plat within one year of City Council approval shall make the plat null and void.
2. All property corners shall be set and verified with staff upon final recordation of the subdivision plat, no later than three (3) months from the date of County recordation or as determined by staff.

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- 5C8. **Resolution authorizing the issuance of The Industrial Development Authority of the City of Tempe, Arizona Lease Revenue Bonds (Arizona State University/ASU Foundation Project – D.C. Building).**

At the request of Councilmember Ellis, Mayor Mitchell permitted public comment on agenda item 5C8.

Albert Dare, Tempe, questioned why the bonding amount changed from \$35 million to \$36 million; Mr. Dare discussed the proposed project and the City's support of Arizona State University. ASU condemned his home for university growth; they do not have the power or authority to issue bonds. He requested the legality of this item and asked if the Attorney General had written an opinion regarding this project. He requested that Councilmembers look into this further.

Councilmembers and staff discussed the following: this agenda item does not affect Tempe's bonding capacity and Tempe does not bear the risk if a default should occur; Tempe is acting in partnership with the IDA. Tempe revenues are not being used; this process is a formality. Ken Jones, Deputy City Manager – Chief Financial Officer, stated that the City's finances are not involved; the City has the authority to vote on whether or not this project should be an IDA project. The IDA is a standalone entity that has the authority to issue bonds, upon approval of the City Council. The City is not loaning, paying or repaying any bonds and this action does not affect Tempe's bond rating, bonding capacity, or any other debt. Mr. Jones explained the IDA funding process. IDA funding has been used to build projects such as Friendship Village.

Kurt Freund, RBC Capital Markets, introduced Michael Cafiso, legal counsel to the IDA. Mr. Cafiso stated that the transaction is legal and the project has been reviewed and approved by the Attorney General, which is required by statute. He offered to provide a copy of the Attorney General's letter to Mr. Dare. Examples of other projects the IDA has been involved with include the Fulton Center and the Brickyard.

Motion by Councilmember Navarro to approve agenda item 5C8; second by Vice Mayor Shekerjian. Motion passed unanimously on a roll call vote 7-0.

- 5C8.** Adopted **RESOLUTION NO. R2014.141** authorizing the issuance of one or more series of The Industrial Development Authority of the City of Tempe, Arizona Lease Revenue Bonds (Arizona State University/ASU Foundation Project – D.C. Building).

Fiscal Impact: Bonds issued by the Industrial Development Authority of the City of Tempe have no fiscal impact on the City of Tempe.

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.** [Contract option to purchase two emergency response vehicles with approved vendor Emergency Vehicle Group, Inc. for the Fire Medical Rescue Department.](#)

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 a contract option to purchase two additional emergency response vehicles with approved vendor Emergency Vehicle Group, Inc. for the Fire Medical Rescue Department.

Fiscal Impact: Additional spending will not exceed \$1,100,000 and will increase the total contract amount from \$1,100,000 to \$2,200,000. This contract was solicited and approved with additional purchase options and sufficient funds have been appropriated in the Fire Protection Capital Improvement Project fund cost center 5603619 (Fire Apparatus Replacement) for the anticipated expenditures in the current fiscal year.

6A2. [Resolution authorizing the annual Operations Funding Agreement with Valley Metro Rail, Inc. for light rail transit services.](#)

There was no discussion on agenda item 6A2.

Motion by Councilmember Ellis to approve agenda item 6A2; second by Councilmember Woods. Motion passed unanimously on a roll call vote 7-0.

- 6A2.** Adopted **RESOLUTION NO. R2014.136** authorizing the Mayor to sign the annual Operations Funding Agreement with Valley Metro Rail, Inc. for light rail transit services for fiscal year 2014-2015. (**Contract #2014-199**)

Fiscal Impact: The gross cost is \$9,891,751 with revenue estimated at \$4,686,548. The estimated net cost to the City is \$5,205,203. Sufficient funding has been approved for fiscal year 2014-2015 in operating budget cost center 3921, accounts 6625 and 6798.

B. [Ordinances and Items for Introduction and First Hearing](#)

- *6B1. [Ordinance amending the Tempe City Code, Chapter 29 – Streets and Sidewalks – relating to the administration and enforcement of activities in the public right-of-way.](#)**

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

- *6B1.** Introduced and held the first public hearing to amend the Tempe City Code, Chapter 29 – Streets and Sidewalks – relating to the administration and enforcement of activities in the public right-of-way. The second and final public hearing was scheduled for November 13, 2014. (Ordinance No. O2014.65)

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

- *6B2. [Ordinance for a Zoning Map Amendment with a Planned Area Development Overlay for WILSON STREET TOWNHOMES, 6101 South Wilson Street.](#)**

Mayor Mitchell stated that at the request of the applicant, agenda item 6B2 is being continued to the November 13, 2014 Regular Council Meeting.

- *6B2.** *Continued to the November 13, 2014 Regular Council Meeting at the request of the applicant.* Introduce and hold the first public hearing to adopt an ordinance for a Zoning Map Amendment from AG Agricultural to R1-PAD Single Family with a Planned Area Development Overlay for 53 townhomes for WILSON STREET TOWNHOMES, located at 6101 South Wilson Street. The applicant is Shelby Duplessis, Bowman Consulting Group. (Ordinance No. O2014.66)
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C. Ordinances and Items for Second Hearing and Final Adoption

***6C1. [Ordinance approving the sale of land located on the south bank of Tempe Town Lake \(Pier 202\).](#)**

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. O2014.39** 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 affect the sale and other transactions.

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

***6C2. Ordinance authorizing the abandonment of easements located near Terrace Road and Lemon Street.**

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

***6C2.** Held the second and final public hearing and adopted **ORDINANCE NO. O2014.61** authorizing the abandonment of certain existing easements located near the northwest corner of Terrace Road and Lemon Street.

Fiscal Impact: No impact on City funds.

***6C3. Ordinance authorizing the abandonment of a sewer/water easement located near Terrace Road and Lemon Street.**

Mayor Mitchell opened the public hearing. There was no discussion or public comment on agenda item 6C3. Mayor Mitchell closed the public hearing.

Motion by Councilmember Woods to approve agenda item 6C3; second by Vice Mayor Shekerjian. Motion passed unanimously on a roll call vote 7-0.

***6C3.** Held the second and final public hearing and adopted **ORDINANCE NO. O2014.62** authorizing the abandonment of an existing sewer/water easement located near the northwest corner of Terrace Road and Lemon Street.

Fiscal Impact: No fiscal impact on the City.

***6C4. Ordinance authorizing the abandonment of a sewer easement located near Terrace Road and Lemon Street.**

Mayor Mitchell opened the public hearing. There was no discussion or public comment on agenda item 6C4. Mayor Mitchell closed the public hearing.

Motion by Councilmember Granville to approve agenda item 6C4; second by Councilmember Woods. Motion passed unanimously on a roll call vote 7-0.

- *6C4.** Held the second and final public hearing and adopted **ORDINANCE NO. O2014.63** authorizing the abandonment of an existing sewer easement located near the northwest corner of Terrace Road and Lemon Street.

Fiscal Impact: No impact on City funds.

***6C5. Ordinance granting an easement near 5th Street and Mill Avenue and authorizing an easement and reimbursement agreement with Mill Avenue Apartments Limited Partnership and Qwest Corporation dba CenturyLink QC.**

Mayor Mitchell opened the public hearing. There was no discussion or public comment on agenda item 6C5. Mayor Mitchell closed the public hearing.

Motion by Councilmember Navarro to approve agenda item 6C5; second by Councilmember Woods. Motion passed unanimously on a roll call vote 7-0.

- *6C5.** Held the second and final public hearing and adopted **ORDINANCE NO. O2014.64** authorizing the granting of an easement over certain City-owned land located near 5th Street and Mill Avenue to Qwest Corporation d/b/a CenturyLink QC, and the execution of an Easement and Reimbursement Agreement with Mill Avenue Apartments Limited Partnership and Qwest Corporation d/b/a CenturyLink QC, memorializing such easement. **(Contract #2014-200)**

Fiscal Impact: No fiscal impact on the City.

7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS

Councilmember Granville

Soma Half Ironman event will be held this weekend.
Saturday, October 25, 2014 – 37th Annual Halloween Carnival at Kiwanis Park.

Councilmember Navarro

Tempe Music Revival – Fridays during the month of November.
Friday, November 7, 2014 – Walt Richardson plaque dedication.
Saturday, October 25, 2014 – Old Settlers potluck event at Arizona Community Church.
Saturday, October 18, 2014 – Fire Safety Day at the Fire Training Center.

Councilmember Arredondo-Savage

Friday, October 17, 2014 – Veterans Health Care Benefit and Resource Clinic, Rio Salado College at East Valley Education Center.
Saturday, November 1, 2014 – College Connect event at the Tempe Public Library.
Happy birthday to her son.

Councilmember Ellis

Congratulations to Neil Giuliano for receiving the Don Carlos Humanitarian award.
Happy Halloween.

Vice Mayor Shekerjian

Highlighted Business Wire magazine article regarding Tempe's AAA bond rating from Fitch Rating.
Condolences to the Tebow family.

Councilmember Woods

Saturday, October 18, 2014 – Tempe Centers for Habilitation is hosting a Monster Mash event at the Pera Club.

Mayor Mitchell

Congratulated Sister Cities representatives and City staff on the Oktoberfest event.
Happy 50th anniversary to McClintock High School.
Support Arizona State University (ASU) at ASU v. Stanford game.
Saturday, October 25, 2014 – Getting Arizona Involved in Neighborhoods event.

8. PUBLIC APPEARANCES

A. Scheduled – None.

B. Unscheduled

Krystine Grace, Gilbert, spoke about changes to the Mill Avenue environment over time, including impacts on families, culture and tourism; the impacts of sign walkers and amplifiers; and implementation of a street entertainment program that requires a permit with entertainment screened by the City. Perhaps entertainment zones that are supported by the district can be created with the rules in House Bill 2528 applied, and also areas where sign walkers are not allowed to loiter and solicit. She will be meeting with Kate Borders (Downtown Tempe Community, Inc.) regarding this issue.

The meeting adjourned at 8:31 p.m.

I, Brigitta M. Kuiper, the duly-appointed 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 October 16, 2014, by the Tempe City Council, Tempe, Arizona.

Mark W. Mitchell, Mayor

ATTEST:

Brigitta M. Kuiper, Deputy City Clerk