

LEGAL ACTION SUMMARY

SECOND REVISED

**Tempe City Council
Regular Council Meeting
Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 East Fifth Street, Tempe, Arizona
Thursday, December 04, 2014
7:30 PM**

[MEETING VIDEO](#)

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

1. **INVOCATION - Vice Mayor Shekerjian**
2. **PLEDGE OF ALLEGIANCE**
3. **MINUTES - Councilmember Navarro**

- A. Approval of City Council Meeting Minutes
 1. [Regular City Council Meeting - October 2, 2014](#)
 2. Executive Session - November 13, 2014

APPROVED

- B. Acceptance of Board, Commission and Committee Meeting Minutes
 1. [Aviation Commission - August 6, 2014](#)
 2. [Development Review Commission - October 28, 2014](#)
 3. [Development Review Commission Study Session - October 28, 2014](#)
 4. [Hearing Officer - November 5, 2014](#)
 5. [Human Relations Commission - October 14, 2014](#)
 6. [Mayor's Youth Advisory Commission - November 4, 2014](#)
 7. [Mayor's Youth Advisory Commission C.I.T.Y. Project Subcommittee - November 4, 2014](#)
 8. [Tempe Fire Public Safety Personnel Retirement System Board - October 2, 2014](#)
 9. [Tempe Police Public Safety Personnel Retirement System Board - October 2, 2014](#)
 10. [Transportation Commission - October 14, 2014](#)

ACCEPTED

4. **REPORTS AND ANNOUNCEMENTS**
 - A. Mayor's Announcements

1. **Governor's Office of Highway Safety Proclamation, accepted by Alberto Gutier, Director**

B. City Manager's Announcements

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.

A. **Miscellaneous Items**

- 5A1. [Approve the October 2014 Report of Claims Paid to be filed for audit.](#)

Fiscal Impact: Total payments in October: \$16,906,218.83

APPROVED

- 5A2. [Approve an Amended Subdivision Plat for KENNETH PLACE TOWNHOMES, located at 1419 and 1425 South Kenneth Place. The applicant is Mario Mangiamele, of Iplan Consulting.](#)

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

APPROVED

- 5A3. [Approve a Final Subdivision Plat and Condominium Plat for THE PLACE ON JENTILLY LANE CONDOMINIUMS located at 1717 South JenTilly Lane. The applicant is Paul Rogers, Trapezium Consulting.](#)

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

APPROVED

- 5A4. [Approve a Final Subdivision Plat consisting of one \(1\) lot and a tract for SWC LOOP 101 & LOOP 202, located at 2100 East Rio Salado Parkway. The applicant is Roger Buss, Hunter Engineering.](#)

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

APPROVED

- 5A5. [Approve an Amended Subdivision Plat consisting for ASU RESEARCH PARK, located at 2045 East Innovation Circle. The applicant is Laurie Castillo, Survey Innovation Group, Inc.](#)

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

APPROVED

- 5A6. [Approve a federal Highway Safety Improvement Program grant award in order for the Public Works Transportation Design and Studies group to accept and spend grant funds to obtain traffic crash analysis software.](#)

Fiscal Impact: The cost of the crash analysis software is \$25,000. The grant will reimburse the City of Tempe \$23,575. There is a recurring annual cost of \$1,000 for software maintenance. Sufficient budget appropriations to cover expenditures associated with the initial software purchase and annual maintenance costs are included in the operating budget as authorized in the Highway User Revenue Fund (Fund 40, cost center 3822).

APPROVED

- 5A7. [Approve the transfer of a portion of unencumbered Capital Improvements Program budget appropriation from the Unaccounted Federal Grants Contingency project to the U.S. Army Corps Match Money project to provide matching funds for the City's funding agreement with the U.S. Army Corps of Engineers.](#)

Fiscal Impact: \$284,000 in fiscal year 2014-15 Capital Improvements Program budget will be transferred from project number 6005259, Unaccounted Federal Grants Contingency to project number 6007209, U.S. Army Corps Match Money. The transfer of budget appropriation between the two projects will not increase overall City budget appropriation. The funding source for matching funds will be Transit Tax revenue. The balance of \$801,000 will be due and payable during the fiscal year 2015-16 budget cycle.

APPROVED

- 5A8. [Approve the Super Bowl XLIX Forestry grant award in order for the Public Works Department to accept and spend grant funds for the planting of trees at Goodwin Park, located at 1835 East Caroline Lane.](#)

Fiscal Impact: The amount of the grant award is \$2700 for the purchase of the trees. Sufficient budget appropriations for expenditure of this grant are authorized in the Governmental Grants and Donations Fund (Fund 46, cost center 2593) as part of the fiscal year 2014-15 adopted budget.

APPROVED

- *5A9. [Hold a public hearing to recommend the approval of a Series 12 restaurant liquor license for Tzikii, LLC, dba Tzikii Pita Grill, 7510 South Priest Drive, Suite #104.](#)

Fiscal Impact: N/A

APPROVED

- *5A10. [Hold a public hearing to recommend the approval of an acquisition of control of a Series 09 liquor store liquor license for Bashas' Inc., dba Food City #41, 1845 North Scottsdale Road.](#)

Fiscal Impact: N/A

APPROVED

- *5A11. [Hold a public hearing to recommend the approval of an acquisition of control of a Series 09 liquor store liquor license for Bashas' Inc., dba Food City #157, 725 West Baseline Road.](#)

Fiscal Impact: N/A

APPROVED

- *5A12. [Hold a public hearing to recommend the approval of an acquisition of control of a Series 09 liquor store liquor license for Bashas' Inc., dba Food City #96, 1338-40 East Apache Boulevard.](#)

Fiscal Impact: N/A

APPROVED

- *5A13. [Hold a public hearing to recommend the approval of an acquisition of control of a Series 09 liquor store liquor license for Bashas' Inc., dba Bashas' #48, 1761 East Warner Road.](#)

Fiscal Impact: N/A

APPROVED

- *5A14. [Hold a public hearing to recommend the approval of a Series 09S sampling liquor store license for Wal-Mart Stores Inc., dba Wal-Mart Supercenter #1746, 1380 West Elliot Road.](#)

Fiscal Impact: N/A

APPROVED

- *5A15. [Hold a public hearing to recommend the approval of a Series 12 restaurant liquor license for Brinker Restaurant Corporation, dba Chili's Grill & Bar #1565, 400 West University Drive.](#)

Fiscal Impact: N/A

APPROVED

- *5A16. [Hold a public hearing to recommend the approval of a Series 06 bar liquor license for Kitch Enterprises, LLC, dba Scully's, 1807 East Baseline Road, Suite #101.](#)

Fiscal Impact: N/A

APPROVED

- *5A17. [Hold a public hearing to recommend the approval of a Series 06 bar liquor license for Endgame, LLC, dba Endgame, 699 South Mill Avenue, Suite #201.](#)

Fiscal Impact: N/A

APPROVED

- *5A18. [Hold a public hearing to recommend the approval of a Series 06 bar liquor license for Graduate Tempe Lessee, LLC, dba Graduate Tempe, 225 East Apache Boulevard.](#)

Fiscal Impact: N/A

APPROVED

- 5A19.** [Approve 54 \(re\)appointments to 13 City of Tempe boards, commissions, and committees. Item/material added](#)

Fiscal Impact: N/A

APPROVED, WITH THE EXCEPTION OF THE TEMPE VETERANS COMMISSION, WHICH WILL BE CONSIDERED AT A LATER DATE

B. Award of Bids/Contracts

- 5B1.** [Approve the four-year reappointment of Judge Thomas J. Robinson and authorize the Mayor to sign the agreement.](#)

Fiscal Impact: Sufficient funds have been allocated in the General Fund budget for this reappointment.

APPROVED

- 5B2.** [Approve the one-year renewal of a contract with Arizona Uniform and Apparel for the purchase of employee uniforms and miscellaneous clothing items used by several City departments.](#)

Fiscal Impact: The total combined cost of these contracts will not exceed \$75,000 during the one-year renewal period. Sufficient funds have been appropriated in various cost centers citywide.

APPROVED

- 5B3.** [Approve a one-year contract renewal with First Data Government Solutions, LP for an Interactive Voice Response/Interactive Web Response system that allows for automated payment processing services for various City departments.](#)

Fiscal Impact: Total cost of this one-year contract will not exceed \$400,000 during the one-year renewal period. Sufficient funds have been appropriated in the General Fund cost center - 1831 (Accounting) and Water/Wastewater Fund - 1841 (Finance: Customer Services) for the anticipated expenditures in the current fiscal year.

APPROVED

- 5B4.** [Award a construction contract to Ronald E. Bayley Construction of Arizona for replacement of the restroom facilities at the Kiwanis Park ball field complex located at 5805 South All-America Way.](#)

Fiscal Impact: The total construction contract amount is \$413,000 and the project contingency amount is \$41,300. Funds to cover this contract and associated costs are approved and appropriated for fiscal year 2014/15 in Capital Improvement Project No. 6305129, Park Restrooms and Ramadas.

APPROVED

- 5B5.** [Award a professional services contract to HoskinoRyan Consultants, Inc. for design of a replacement sanitary sewer in the Carver Ranch Estates neighborhood south of Carver Road and west of Rural Road. *Material revised*](#)

Fiscal Impact: The contract amount is \$104,316.76. Funds are approved and appropriated in fiscal year 2014/15 to cover this contract and related costs in Capital Improvement Project No. 3299969, Sewer Lines – New, Upgrades and Extension.

APPROVED

- 5B6.** [Award job order no. 12 to PCL Construction, Inc. for emergency waterline repair and roadway restoration on McClintock Drive north of Apache Boulevard.](#)

Fiscal Impact: The total job order amount is \$75,797.59. Funds to cover this job order contract and related costs are appropriated for fiscal year 2014/15 in Capital Improvement Project No. 3299989, Water System – Upgrades, Repairs, and Replacement.

APPROVED

- 5B7.** [Approve the one-year renewal of a contract with West Coast Arborists, Inc. for palm tree maintenance services for use by the Public Works Department.](#)

Fiscal Impact: Total cost of this contract shall not exceed \$56,000 during the one-year contract renewal period. Sufficient funds have been appropriated in General Fund cost centers 2553 (Diablo Stadium Maintenance), 2554 (Parks Maintenance – Rio Salado), 2555 (Landscape Maintenance), 2556 (North Parks), 2557 (Parks Maintenance – Rio Salado Community Facilities District), 2559 (South Parks), and Golf Fund cost center 2512 (Ken McDonald Golf Course) for the anticipated expenditures in the current fiscal year.

APPROVED

- 5B8.** [Approve the Third Amendment to the 20-year Solar Services Agreement with SolarCity Corporation for the development, construction, and maintenance of the Police & Courts Building Complex solar photovoltaic electric generating system.](#)

Fiscal Impact: FISCAL IMPACT: The total cost of the 20-year Solar Services Agreement for the Police & Courts Building complex is estimated at \$560,283 – which represents the total 20-year sum that will be paid to SolarCity Corporation based on projected power generation. Due to the lower per kilowatt-hour cost associated with the solar production portion of the plant's energy demand, the City will realize a net savings over currently approved energy budgets. The 20-year projected Net Present Value energy savings is calculated at \$144,686. This project required no upfront capital cost by the City.

APPROVED

- 5B9.** [Award two-year contracts with three, one-year renewal options to Exerplay, Inc., Play Power LT Farmington, Inc., Play It Safe Playgrounds and Park Equipment, Dave Bang Associates, Kompan, Inc., Miracle Recreation Equipment Company, and Playcore Wisconsin/GameTime for the supply and installation of playground equipment for the Public Works Department.](#)

Fiscal Impact: Total cost of this contract will not exceed \$600,000 during the initial two-year contract term. Sufficient funds have been appropriated in Park Improvement/Recreation Capital Improvement Project fund cost centers 6305499 (Park Playground Replacement) and 6306809 (Kiwanis Park Playground Replacement) for the anticipated expenditures in the current fiscal year.

APPROVED

- 5B10. [Award one-year contracts with four, one-year renewal options, to Kary Environmental Services, PSC Environmental Services, and Heritage Environmental Services who will provide for the classification, transportation and disposal of hazardous substances for the Public Works Department.](#)

Fiscal Impact: Total combined cost of these three contracts shall not exceed \$350,000 during the initial one-year contract period. Sufficient funds have been appropriated in the Solid Waste Fund – cost center 3721 (Hazardous Material Safety) – for the anticipated expenditures in the current fiscal year.

APPROVED

C. Resolutions

- 5C1. [Adopt a resolution authorizing the Mayor to sign Amendment One to the Intergovernmental Agreement between the Regional Public Transportation Authority and the City of Tempe for Dial-a-Ride and related mobility services. \(Resolution No. R2014.151\)](#)

Fiscal Impact: Net cost to Tempe is estimated at \$339,324. Gross cost of Tempe's Dial-a-Ride and mobility programs is \$1,590,861. Funding sources include: Regional Proposition 400 (\$1,002,863 - 63%), fare revenue (\$248,674 - 16%), and Tempe local funds (\$339,324 - 21%). Funding for Tempe's local share is provided by Transit operating budget in cost center 3914.

ADOPTED

- 5C2. [Adopt a resolution approving the amended Post Employment Healthcare Policy. \(Resolution No. R2014.152\)](#)

Fiscal Impact: It is estimated that the cost of extending this benefit will not exceed \$42,000 in fiscal year 2014-15. Sufficient funds have been appropriated in the Human Resources General Fund fiscal year 2014-15 budget (cost center 1910) to cover this expense.

ADOPTED

- 5C3. [Adopt a resolution authorizing the City Manager or designee to transfer Staffing for Adequate Fire and Emergency Response grant funded firefighter positions to the Tempe Fire Medical Rescue Department general fund budget, and to make any additional necessary transfers and appropriations, as grant funding for the firefighter positions will expire. \(Resolution No. R2014.154\)](#)

Fiscal Impact: The transfer of the Staffing for Adequate Fire and Emergency Response grant funded positions will be cost neutral to the City with no increase in overall City

budget appropriation being requested.

ADOPTED

- 5C4. [Adopt a resolution authorizing the Mayor or his designee\(s\) to execute an amendment to the Intergovernmental Agreement between East Valley Gang and Criminal Information Center and the Tempe Police Department for operating and maintenance cost associated with the center. \(Resolution No. R2014.155\)](#)

Fiscal Impact: Total cost associated with this agreement will not exceed \$10,000 annually. This reoccurring cost shall be in effect for the duration of the IGA. Sufficient funds have been appropriated in cost center 2222, Fund 45 (Police Department RICO and Grants Fund) for the anticipated expenditure in the current fiscal year.

ADOPTED

- 5C5. [Adopt a resolution authorizing the Mayor to sign an agreement with the Arizona Department of Revenue, authorizing the City of Tempe to perform municipal Transaction Privilege Tax Licensing procedures on behalf of the Arizona Department of Revenue for one year beginning January 1, 2015. \(Resolution No. R2014.156\)](#)

Fiscal Impact: The cost of performing the licensing procedures is included in the fiscal year 2014-15 General Fund budget. It is anticipated that remaining resources dedicated to licensing functions will be shifted to compliance functions when Arizona Department of Revenue takes over licensing.

ADOPTED

- 5C6. [Adopt a resolution authorizing the City Manager, or designee, to negotiate exclusively with Baum Development et al, for an agreement for the development and lease/purchase of approximately five acres of City-owned land situated on the southeast corner of Rio Salado Parkway and Mill Avenue. \(Resolution No. R2014.157\)](#)

Fiscal Impact: Financial details will be determined through negotiation of the terms of the Development and Disposition Agreement and subject to City Council approval.

ADOPTED

- 5C7. [Adopt a resolution authorizing the Mayor to execute an intergovernmental agreement between Salt River Pima-Maricopa Indian Community and the City of Tempe for the purpose of accepting and disbursing a portion of Salt River Pima- Maricopa Indian Community's 12% gaming proceeds for 2014. \(Resolution No. 2014.158\)](#)

Fiscal Impact: The City of Tempe will receive a one-time amount of \$1,116,500. Of that amount, Tempe will serve as a pass through for \$731,000. Of the remaining amount, Tempe will receive \$30,000 for College Connect Tempe, \$181,000 for Patient Advocacy Services (Tempe Fire Medical Rescue Department and Tempe St. Luke's Hospital), \$10,000 for Tempe Tardeada, \$7,000 for Regional Unity Walk, \$45,000 for HOPE (Homeless Outreach Program), \$71,000 Shrinking Digital Demand, and \$41,500 for Teaching Tutorials through Technology.

ADOPTED

- 5C8. [Adopt a resolution authorizing the Mayor, or his designee, to execute a letter agreement with the City of Phoenix pertaining to the removal of the no residential use restriction on City-owned land located on the north bank of Tempe Town Lake. The land is known as Lot 3A of Playa del Norte. \(Resolution No. R2014.159\)](#)

Fiscal Impact: The removal of the no residential use restriction does not affect the terms of existing agreements.

ADOPTED

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.

Quasi-judicial items are indicated by "q-j". The City Council sits as a quasi-judicial body when hearing variances. In this situation, the City Council must conduct itself as a court, not as a legislative body. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited. Any materials or conversations concerning the item shall only be presented to the City Council at the scheduled public hearing.

A. Miscellaneous Items/Bids/Contracts/Resolutions

- 6A1. [Adopt a resolution authorizing the Mayor to sign Amendment One to an Intergovernmental Agreement with the Regional Public Transportation Authority for the purchase and supply of transit services. \(Resolution No. R2014.153\)](#)

Fiscal Impact: The gross cost is \$24,738,116 with revenue estimated at \$10,050,413, which includes Proposition 400 funding. The estimated net cost to the City is \$14,687,703. Sufficient funding has been approved for fiscal year 2014-15 in operating budget cost center 3914, accounts 6620, 6624 and 6626.

ADOPTED

- 6A2. [Award a construction manager at risk construction services contract to Felix Construction Company for the construction of new production well no. 16 to be located at 8690 South McClintock Drive.](#)

Fiscal Impact: The total contract amount is \$1,117,764.29 and the project contingency amount is \$112,000. Funds to cover this construction manager at risk contract and related costs are appropriated for fiscal year 2014/15 in Capital Improvement Project No. 3200019, New Production Wells.

APPROVED

B. Ordinances and Items for Introduction and First Hearing

- *6B1. [Introduce and hold the first public hearing to adopt an ordinance authorizing the granting of an avigation and noise easement to the benefit of the City of Phoenix to secure the removal of a no residential use restriction on City-owned land located on the north bank of Tempe Town Lake, and authorizing the execution of an easement agreement memorializing such easement. The land is known as Lot 3A of Playa del Norte. The second and final public hearing is scheduled for January 8, 2015. \(Ordinance No. O2015.01\)](#)

Fiscal Impact: The removal of the residential use restriction does not affect the terms of existing agreements.

THE SECOND PUBLIC HEARING WAS SCHEDULED FOR JANUARY 8, 2015

- *6B2. [Introduce and hold the first public hearing to adopt an Ordinance for a Planned Area Development Overlay for hotels, restaurants, bars and retail uses in the HID Heavy Industrial District for 2100 RIO SALADO, located at 2100 East Rio Salado Parkway. The applicant is Mike Withey, Withey Morris PLC. The second and final public hearing is scheduled for January 8, 2015. \(Ordinance No. O2015.02\)](#)

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.

THE SECOND PUBLIC HEARING WAS SCHEDULED FOR JANUARY 8, 2015

C. Ordinances and Items for Second Hearing and Final Adoption

- *6C1. [Hold the second and final 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 44 townhomes for WILSON STREET TOWNHOMES, located at 6101 South Wilson Street. The applicant is Shelby Duplessis, Bowman Consulting Group. \(Ordinance No. O2014.66\) **Material added**](#)

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.

THIS ITEM WAS CONTINUED TO THE JANUARY 8, 2015 REGULAR COUNCIL MEETING

- *6C2. [Hold the second and final public hearing to adopt an ordinance authorizing the abandonment of two existing waterline easements located near the southwest corner of Elliot Road and River Parkway. \(Ordinance No. O2014.67\)](#)

Fiscal Impact: No impact on City funds.

ADOPTED

- *6C3. [Hold the second and final public hearing to adopt an ordinance for a code text amendment and adopt a resolution authorizing a fee schedule change for BACKYARD ANIMALS, to allow certain animals subject to a use permit. The applicant is the City of Tempe. \(Ordinance No. O2014.69 and Resolution No. R2014.146\)](#)

Fiscal Impact: The new Use Permit will result in the collection of additional fees in the amount of

\$53 per request.

ADOPTED

- *6C4. [Hold the second and final public hearing to adopt an ordinance for GENERAL PLAN AMENDMENT VOTING, consisting of a code text amendment for voting procedures when a change is requested with the General Plan. The applicant is the City of Tempe. \(Ordinance No. O2014.70\)](#)

Fiscal Impact: This ordinance change does not directly impact revenue.

ADOPTED

- *6C5. [Hold the second and final public hearing to adopt an ordinance authorizing the Mayor to execute a development agreement, a land and improvements lease, a memorandum of lease and additional documents with Hayden House Tempe LLC with respect to the project to be constructed at Mill Avenue and Rio Salado Parkway. \(Ordinance No. O2014.71\)](#)

Fiscal Impact: The City will be entitled to retain all revenues from night/weekend parking rights for 50 spaces granted in the development agreement over a 20 year term for a value of approximately \$816,900. These funds will be deposited into the General Fund.

ADOPTED

- *6C6. [Hold the second and final public hearing to adopt an ordinance for PAD REFORM & PUBLIC INVOLVEMENT, consisting of changes within the Zoning and Development Code for a Code Text Amendment that modifies the administrative and decision-making processes for zoning and PAD requests, and improvements for greater outreach in the public process. The applicant is the City of Tempe. \(Ordinance No. O2014.72\) *Material revised/added*](#)

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

**THIS ITEM WAS APPROVED WITH TWO AMENDMENTS;
ORDINANCE NEEDS TO BE UPDATED AS FOLLOWS: SECTION F, REMOVE THE LAST SENTENCE
THAT STARTS WITH "A HEARING PURSUANT...", AND, ADD A ONE-YEAR REVIEW**

- *6C7. [Hold the second and final public hearing to adopt an ordinance amending multiple sections of Chapter 16 of the Tempe City Code relating to licensing of businesses subject to Transaction Privilege Tax to conform with changes enacted by the Arizona State Legislature. \(Ordinance No. O2014.73\)](#)

Fiscal Impact: The elimination of the license application fee and the reduction of license renewal fees for businesses having multiple locations are expected to result in an annual loss of licensing fee revenues of approximately \$65,000.

ADOPTED

- *6C8. [Hold the second and final public hearing to amend the Tempe City Code, Chapter 10, relating to Community Antenna Television. \(Ordinance No. O2014.74\)](#)

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

ADOPTED

***6C9.** [Hold the second and final public hearing to adopt an ordinance for an Amended Planned Area Development Overlay to modify the standards for density, lot coverage, landscape area, building height, and vehicle parking for JEFFERSON TOWN LAKE, located at 909 East Playa del Norte Drive. The applicant is Huellmantel & Affiliates. \(Ordinance No. O2014.68\) **Material added**](#)

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.

THIS ITEM WAS CONTINUED TO THE JANUARY 8, 2015 REGULAR COUNCIL MEETING

***6C10.** [Hold a public hearing for an Appeal of the decision by the Development Review Commission for a Development Plan Review for JEFFERSON TOWN LAKE, located at 909 East Playa del Norte Drive. The appellant is Francis Slavin.](#)

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

THIS ITEM WAS CONTINUED TO THE JANUARY 8, 2015 REGULAR COUNCIL MEETING

7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS

8. PUBLIC APPEARANCES

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on this agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on this agenda. There is a three-minute time limit per speaker. Speaker's visual aids or recorded tapes are not allowed.

Members of the public shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.

A. Scheduled

B. Unscheduled

Legal Advice: If necessary, the City Council may vote to adjourn to executive session for the purpose of obtaining legal advice from the Council's attorney on any matter listed on the agenda pursuant to A.R.S §38-431.03(A)(3).

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-2905 (voice) or (480) 350-2750 (TDD) to request an accommodation to participate in the City Council meeting.

Agendas are also available at <http://www.tempe.gov/clerk>.
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Video replay of this meeting is available the next day at www.tempe.gov/tempe11.