



Minutes City Council Work Study Session August 6, 2015

Minutes of the Tempe City Council Work Study Session held on Thursday, August 6, 2015, 4:00 p.m., in the City Council Chambers, Tempe City Hall, 31 E. Fifth Street, Tempe, Arizona.

COUNCILMEMBERS PRESENT:

Mayor Mark W. Mitchell
Councilmember Robin Arredondo-Savage
Councilmember Lauren Kuby
Councilmember David Schapira

Vice Mayor Corey D. Woods
Councilmember Kolby Granville
Councilmember Joel Navarro

STAFF PRESENT:

Andrew B. Ching, City Manager
Judi Baumann, City Attorney
Brigitta M. Kuiper, City Clerk
Marilyn DeRosa, Dep. Public Works Dir. – Water Utilities
Don Bessler, Public Works Director
Ryan Levesque, Dep. Community Dev. Dir. – Planning
Marge Zylla, Government Relations Officer
Dave Nakagawara, Community Development Director

Ken Jones, Deputy City Manager – Chief Financial Officer
Steven Methvin, Dep. City Manager – Chief Operating Officer
Theresa James, Homeless Coordinator
John Osgood, Deputy Public Works Dir. – Field Operations
Alex Smith, Real Estate Development Supervisor
Eric Iwersen, Principal Planner
Nikki Ripley, Communication and Media Relations Manager
Various Department Heads or their representatives

Mayor Mitchell called the meeting to order at 4:10 p.m.

Call to the Audience

Stanley Williams, Phoenix, Assistant Executive Director of the Arizona Advocacy Network, discussed the role of the Arizona Advocacy Network and spoke in support of the proposed publicly financed campaign system for City elections. The system would allow voters the opportunity to vote on the issue and instead of diverting taxpayer funds to fund campaigns. Identify other funding sources. A recent poll conducted by the Arizona Advocacy Network with Arizona State University (ASU) revealed that Tempe voters from all political parties are in favor of placing the proposed Clean and Transparent Campaigns (TCTC) System charter amendment on the March 8, 2016 ballot. There is also statewide support for publicly financed elections. Mr. Williams then discussed voter turnout and candidate participation data related to publicly financed elections.

Katie Brewer, Tempe, ASU student, stated that she assisted with the recent ASU poll and that she supports publicly financed elections because it gives voters a choice. She noted that college students are an underrepresented demographic in politics.

Bobette Gorden, Tempe, provided data from a poll of Tempe residents and noted that 60.6% of residents are in favor of clean elections and transparent campaigns. The voters should have the opportunity to vote on the proposed TCTC Charter amendment. She noted that this year is the 50th anniversary of the Voting Rights Act.

John Simon, ASU student, discussed issues concerning low voter turnout and political engagement among college students and public perception that politicians are influenced by big businesses and donors, versus voters. Many people are in favor of a clean elections system. Tempe voters should be able to decide on the proposed TCTC Charter amendment. Thomas Collins, Phoenix, Executive Director of the Arizona Citizens Clean Elections Commission, stated that he has met with the

working group, which includes Councilmembers Schapira, Kuby, and Granville. Mr. Collins offered to provide additional information or technical assistance, if needed.

Marjorie Thornton, Tempe, stated that she is affiliated with the Phoenix Metro League of Women Voters and is a small business owner. She supports placing the proposed TCTC Charter amendment on the March 8, 2016 ballot. This initiative would eliminate the influence of money on decisions; create a "level playing field" for all candidates; eliminate the time it takes for candidates to fund their campaigns; and, provide voter equality. Doris

Marie Provine, Tempe, thanked Councilmembers for the opportunity to provide public comment. The Tempe Chamber of Commerce and various business leaders have expressed opposition to the TCTC proposal because business leaders feel it will cost money and it will impact their influence with the City Council. However, the proposed TCTC Charter amendment should be placed on the March 8, 2016 ballot.

Nick Keller, Tempe, stated that his place of business at Centerpoint on Mill Avenue has experienced security concerns regarding individuals sitting on sidewalks. He asked that this issue be considered.

Miguel Hipolito, Tempe, ASU student, said he believes that a clean elections system will encourage higher voter turnout and political engagement among college-age Latino voters.

Michael Shelton, Tempe, spoke in favor of the proposed TCTC System because it will allow qualified individuals to run for office, based on their merit. This initiative should be placed on the March 8, 2016 ballot.

Sam Wercinski, Paradise Valley resident, Tempe property owner, and Executive Director of the Arizona Advocacy Network, discussed the benefits of the proposed TCTC system. Candidates who participate in a publicly financed campaign system have a greater chance of winning an election, as opposed to candidates who run traditional campaigns. Participating candidates tend to focus efforts to reach out to their potential constituents rather than efforts to raise funds from donors outside of their jurisdiction. Tempe City Council elections are nonpartisan and candidates run for their seats at large. The Portland City Council abolished their public campaign finance system because it was not providing resources for candidates to run competitively against incumbents. Currently there is an effort in Oregon and Washington to restore public campaign financing. The voters should have the opportunity to vote on the proposed TCTC Charter amendment.

Kellye Pinkleton, Phoenix, Arizona State Director of the Humane Society of the United States (HSUS), voiced support for banning commercial pet sales in Tempe. She read a statement outlining reasons why the HSUS is opposed to the sale of puppies raised in large-scale commercial breeding facilities and retail pet stores. Data indicates that in jurisdictions that have ordinances regulating the sale of puppy mill animals, the rates of intake and euthanasia at local animal shelters have decreased. Ms. Pinkleton discussed reasons why some pet stores are opposed to these efforts. The HSUS has assisted pet stores across the country to convert them to a business model featuring adoptable animals instead of puppy mill bred puppies. Similar ordinances have been challenged and have been upheld by the courts. Ms. Pinkleton offered her assistance, and encouraged Councilmembers to review the data on health and animal concerns, and to speak with constituents and stakeholders.

Giuliana Thomas, Tempe, voiced support for banning commercial pet sales in Tempe.

April Nielsen, Tempe, voiced support for banning commercial pet sales in Tempe. She discussed several health related issues her dog suffered, after purchasing her dog from a puppy store. Puppy mills breed for money, not for quality. These facilities should not be allowed to conduct business in Tempe.

Angelica Seliga, Phoenix, stated that she works for a bank on Mill Avenue and requested that the City Council review the sitting on sidewalks ordinance. Sitting on sidewalks has a negative impact on downtown businesses; it creates security issues for patrons and employees, adversely affects the image of downtown Tempe, and creates an uncomfortable environment.

Judy Tapscott, Tempe, thanked Councilmembers for their work on the proposed distracted driving ordinance. City staff has researched the enforceability of distracted driving laws from the national law enforcement community. The research indicates that driving while using an electronic device is dangerous and potentially lethal. Ms. Tapscott provided statistics on distracted driving activity, compared to drinking and driving and speeding. Arizona does not have a statewide distracted driving law. She urged the City Council to adopt the distracted driving ordinance. Additionally, the League of Arizona Cities and Towns should work with the State Legislature to pursue implementation of statewide legislation.

Paul Galvan, Peoria, General Manager of the Gordon Biersch restaurant on Fifth Street and Mill Avenue, outlined various ongoing safety problems associated with individuals sitting on sidewalks. He urged the City Council to reinstate the section of the ordinance that prohibits individuals from sitting on downtown sidewalks.

Darlene Justus, Tempe, thanked Councilmembers for bringing forward the issue of quadcopters and drones. The Tempe Aviation Commission (TAVCO) studied the issue last year in response to drones in her neighborhood and in Papago Park. Drones using night vision cameras in neighborhoods is an intrusion. A high altitude crash occurred in Papago Park, which is located in the flight path for Sky Harbor Airport and the Air National Guard. Regulations need to be implemented for hobbyists; there should also be licensing requirements and additional park signage.

Ron Tapscott, Tempe, voiced support for a clean elections system for City elections. He discussed how such a system will reduce the influence of special interest money in municipal elections.

Nicole Galvan, Tempe, voiced support for banning commercial pet sales in Tempe. She outlined several health related problems her adopted dog had, after it was rescued from a puppy mill, and described the poor living conditions within these large-scale commercial breeding facilities where profit is given precedence over the welfare of the animals. This industry is regulated by the U.S. Department of Agriculture. Animals sold in pet stores are prone to harboring genetic diseases or experiencing other health conditions and requiring immediate veterinary attention. Pet stores present other problems to include not accepting dogs returned to them after a period of time, pet overpopulation, selling specialized breeds to customers without ensuring that the breed is a good fit for the household, introducing unspayed or unneutered dogs into the community, and increasing the number of animals in shelters or rescue organizations.

Mary Ann Miller, President/CEO of the Tempe Chamber of Commerce (Chamber), thanked Councilmembers for considering a review of the City's sign ordinance. The Chamber opposes the creation of a publicly financed campaign system for City elections because it would neither increase transparency nor curb costs and would increase independent expenditure activity. The proposed additional fee to civil and criminal citations to fund the system would place an additional unfair burden on individuals. The draft TCTC resolution language is vague. Taxpayer funds should not be used to finance elections. The proposed TCTC program underestimates the operating costs and provides little oversight for the proposed Independent Oversight Committee. Although the Arizona Clean Elections system has existed for more than a decade, voter perception of disenfranchisement and underrepresentation still occurs. The Chamber urges Councilmembers to not move forward with the creation of a publicly financed campaign system.

Issue Review Session Items

Downtown Tempe Authority Update – Sitting on Downtown Sidewalks

Andrew Ching, City Manager, provided background information on ordinance requirements related to sitting on sidewalks in the Downtown Commercial District. This ordinance provision was initially proposed by the Downtown Tempe Authority (DTA) to address issues associated with sitting or lying down on sidewalks. Tempe City Code (Code) Sections 29-70 and 71, was enacted in 1999 as part of a larger amendment that dealt with sitting or blocking the right-of-way on sidewalks throughout Tempe. Shortly after the ordinance was adopted, it was challenged by the American Civil Liberties Union and found to be constitutional by the U.S. District and Ninth Circuit Courts.

Based on community feedback that the ordinance was too general, in October, 2014, staff proposed revised ordinance language to clarify responsibilities for enforcing activities in the public right-of-way, to address public health and safety concerns. Staff also proposed repealing the City Code provision that banned sitting or lying down on public sidewalks in the Downtown Commercial District, as part of a comprehensive, City-wide approach, to addressing the issue of individuals sitting

or lying on public sidewalks. The City Council adopted the current ordinance in November 13, 2014. Mr. Ching outlined the five exceptions to the prohibition, as outlined in the ordinance.

The DTA requests that the City Council reinstate the language that was stricken from City Code Sections 29-70 and 29-71, relating to prohibited conduct; exceptions; and penalty.

Kate Borders, President/Executive Director, DTA, stated that had the DTA been aware of the proposed ordinance, the DTA would have provided input at that time. After the City Council adopted the ordinance, the downtown experienced an immediate increase in individuals sitting and lying on sidewalks. The DTA receives daily complaints and concerns from merchants regarding security, employee safety, and feedback that patrons choose to go elsewhere. This activity is negatively impacting the commercial viability of the district. If the ordinance language is reinstated, it will give the DTA the tools to manage conduct. The DTA supports the City Council in further discussing this issue.

Councilmembers and Ms. Borders discussed reinstating the repealed City Code language. In response to a Councilmember query, Ms. Borders indicated that DTA members meet regularly with the Homeless Task Force and are working on a variety of programs for downtown Tempe.

Theresa James, Homeless Coordinator, stated that she understands the concerns of business owners and downtown visitors. She discussed a Department of Justice study that revealed that criminalizing homeless behavior is happening more frequently, and that it is not an effective tool to end homelessness. Studies also show that individuals that are cited for their behavior end up with warrants for their arrests because they cannot pay their fines, which ultimately increases the barriers to ending homelessness. Ms. James stated that she looks forward to working with Ms. Borders and with the DTA to educate people about homelessness issues, including educating people about not giving money to panhandlers.

Ms. James stated that she oversees the Homeless Outreach Team, which works on Mill Avenue every week. The team approaches people who are panhandling daily, some of whom are not homeless. She would like to continue working with the safety team and with Police officers, to assist individuals that are truly homeless.

Councilmembers discussed how initially, there was an ordinance that regulated sitting or lying on downtown sidewalks and another ordinance for sitting or lying in alleys, creating two different sets of rules that led to legal concerns. At that time, Councilmembers requested legal guidance regarding if the rules are bifurcated, and if that will cause any issues. Judi Baumann, City Attorney, stated that her recollection is that in 2014, the Public Works and Police Departments indicated that implementing a ban or restriction for sitting on a public sidewalk or right-of-way was for public safety and ingress and egress reasons. The Code section relating to the downtown was repealed; however, that language could be reinstated and it would not cause any consistency issues. There are overlays in the downtown that exist for various reasons; this Code language could be part of that overlay. Mr. Ching stated that the ordinance was revised twice as part of a clean-up effort, once to clarify departmental responsibilities, and once again to repeal the section of the ordinance regulating downtown. The DTA is requesting that the portion of the ordinance relating to the downtown be reinstated.

Councilmembers discussed a State law that addresses aggressive panhandling; the difference between panhandling activity versus homeless individuals sitting on sidewalks; the nature of comments from business owners regarding the homeless population; lack of affordable housing; and, displacement of homeless individuals. Cities across the country are providing housing for homeless individuals and addressing behaviors. The homeless community is vulnerable and should be involved in discussions with City staff. The City is working with various organizations to address homeless issues. It is important to look at the symptoms of how people become homeless and find ways to humanely address the issues. Concern was raised that if the ordinance is reinstated, it will criminalize and target the homeless, versus addressing conduct. It is important that everyone be treated consistently.

Councilmembers and Mr. Ching discussed that the intent of the ordinance revision was to apply a consistent standard throughout Tempe; there was concern that if there are two separate standards, it could draw a legal challenge. Mr. Ching stated that there was no staff discussion on the proposed revisions, nor was there a stakeholder outreach process. The ordinance revision relating to downtown was not detailed in the staff report requesting City Council action. Currently, Tempe

has ordinances that address aggressive panhandling, urban camping, and sitting on sidewalks. The ordinance revision relating to downtown has had unintended consequences.

Councilmembers voiced a desire to have additional discussion with stakeholders, prior to reinstating the previous ordinance language. The DTA has conferred with business owners on this matter. If this is a behavioral issue, it pertains to everyone. There are a variety of resources for homeless individuals; however, some homeless individuals choose not to utilize those resources. While funding has remained level for homeless services, the demand exceeds available resources.

Brigitta Kuiper, City Clerk, cautioned that the discussion is moving away from the topic that is listed on the meeting agenda. Mayor Mitchell acknowledged this and stated that the issue under consideration is about behavior, not homelessness. He questioned if additional stakeholder involvement would be helpful. Councilmembers may add the topic of homelessness to a future meeting agenda.

Mr. Ching clarified that the former ordinance section that was repealed relates to the behavior of sitting or lying on the sidewalk, which is not a homeless specific behavior. Mr. Ching then outlined behaviors on sidewalks that the ordinance does not prohibit. The purpose of the ordinance was to prohibit a specific type of behavior.

Vice Mayor Woods requested that the issue of homelessness be scheduled for a future meeting. This discussion is about conduct. Councilmembers acknowledged the concerns of downtown merchants who are also stakeholders; the importance of addressing homelessness issues in a humane manner; and, ensuring that enforcement is fair and equitable. Additional stakeholders that should be included in discussions include homeless individuals, the human services community, and the Homeless Task Force. Councilmembers expressed concern that not all of the stakeholders have been involved in this process. Councilmembers will have an opportunity to vote on the ordinance, when it is presented.

Councilmembers voiced a desire for additional information regarding what the City is working on regarding homelessness issues; collaboration with service providers; and, solutions. The City can improve on increasing the number of organizations that are available to support the homeless population.

This process provides the City Council an opportunity to look at the issue in a holistic manner. Concern was raised that the decision on whether to allow individuals to sit on the sidewalk may disproportionately impact the homeless population. Lack of affordable housing and the growing divide between the wealthy and the poor are also issues. A committee could be established to look at all of the issues involved. Councilmembers noted that there is bench seating on sidewalks.

Based on the discussion, Councilmembers agreed to move forward with the ordinance reversion. Mr. Ching stated that staff will work the DTA and conduct outreach to various stakeholders so that staff is prepared to address questions when this item is scheduled for its first public hearing. Councilmembers also requested that the issue of homelessness be scheduled for an upcoming Issue Review Session.

Downtown Tempe Authority Update – New Year’s Eve Block Party

Ms. Borders provided background information regarding the Tempe’s New Year’s Eve Block Party. This year would be the 31st annual New Year’s Eve Block Party (Block Party). Ms. Borders discussed how the City of Tempe and the nature of the event have evolved over time; the event today is much smaller than in years past. Under a contractual agreement with the City, the DTA has produced the Block Party event for the past two years; one event was successful, and one was not successful. The DTA is a non-profit organization and does not want to risk the loss of revenue to produce this event. The City’s sponsorship of \$50,000 would not be needed if the DTA modified the event. The DTA contacted the merchants and stakeholders and all agree with the DTA’s proposed modifications to the event. She requested that Councilmembers provide feedback and noted that if the DTA pursues this direction, no contract would be brought before the City Council.

Councilmembers reviewed and discussed the following DTA proposal:

- Reduced admission into the event - \$10 presale and \$15 day-of
- One stage at Fifth Street and Mill Avenue that has entertainment and countdown
- One special event liquor license area for entire event diagram
- Rename the event

Councilmembers discussed their support of the proposed modifications to the block party event and support for including stakeholders in the process. The event modifications financially benefits the City \$50,000 and the downtown merchants. If the event is renamed, consideration should be given to having a certain brand on the event name.

In response to questions from Councilmembers, Ms. Borders stated that the proposed event changes will result in a decrease in infrastructure, less cost, and less stress. Councilmembers noted that in prior years the Police Department felt that charging a higher admission fee would give the Police Department a higher comfort level regarding post event drunk driving concerns. From a safety standpoint, the Police Department was also opposed to allowing patrons to walk around the event with alcohol. Ms. Borders stated that the Police Department has been kept informed and have indicated that this is an event that they can manage.

Based on the discussion, Councilmembers agreed to move forward with the proposed New Year's Eve Block Party event modifications.

Water/Wastewater and Solid Waste Utility Rate Update

Marilyn DeRosa, Public Works Deputy Director – Water Utilities, provided an update on the utility rate processes and policy. The public processes and City Council rate review studies have been combined to provide Councilmembers with a more holistic picture of the impact to customers and to provide customers an opportunity to better plan their finances. At an upcoming meeting, staff will identify cost drivers and provide a two-year recommendation. Staff will also return to the City Council for further discussions regarding various Consumer Price Indexes (CPIs) and recommendations regarding their use to help moderate significant rate fluctuations over time.

Ms. DeRosa explained that last April, staff began exploring combining the solid waste, water, and wastewater rate evaluations into one biannual study. Customer workshops for various user groups were held; recommendations from the workshops are included in the rate study analysis. In September 2015, staff will present recommended rates to the City Council. Additional customer workshops will be held, followed by a public hearing, and adoption process. Rate modifications become effective in January, 2016.

The rate structure should recover program costs, fund replacement infrastructure, and cover regulatory costs. The process should be consistent with adopted financial policies, promote conservation, and be able to withstand changes in demand. The process should also reflect the community's values, be balanced with local and regional trends, and be fair and equitable. The process is consistent with the vision and direction of the City Council.

Ms. DeRosa and John Osgood, Public Works Deputy Director – Field Operations, delivered a slide presentation outlining the four steps in the rate study process and discussed various elements associated with each of the following steps:

- Step 1: Calculation of cost of service
- Step 2: Determine cost allocation
- Step 3: Development of rate design
- Step 4: Analysis of impacts

Discussion highlights include: current costs of service for the solid waste residential fund are not being recovered under the existing rate structure. Without increased revenue, the fund balance will be unable to continue supporting the program. Implementation of best practices for replacement, reinvestment, and minimizing deferral of large capital assets is occurring. Key cost reductions, program modifications, and sustainability and efficiency measures have been implemented over the past

few years. Councilmembers reviewed statistics and information regarding residential customer account activity and the solid waste services provided by the City.

Continuing the presentation, Mr. Osgood discussed how staff has worked to reduce the water fund operating and maintenance costs, and debt service. The current rate structure has been in place for approximately two years; costs for services are being recovered under the existing rate structure. The fund balance currently exceeds the City's fund balance policy. Program costs are impacted by unrealistic cost assumptions, regulatory impacts, aging infrastructure, and decreasing demand.

Ms. DeRosa then reviewed water fund costs and noted that distributing costs to the correct customer class ensures cost recovery and ensures that one class is not subsidizing service for another class. Rates are modified when necessary. This does not include the flood irrigation program. This is followed by the creation of a rate design that reflects the values of the community, provides for cost recovery from each customer class, and can withstand changes in demand. The last solid waste rate increase occurred in 2009.

Staff is recommending the following:

- Minor adjustments to the roll off and commercial rate structure by implementing a base and volume rate instead of a flat rate; a pay as you throw rate.
- Implementing a tiered rate approach for large volume customers.
- Expanding commercial recycling services.

Councilmembers and Mr. Osgood clarified that the pay as you throw rate is for residential and commercial customers; program expansion could be considered in future rate structures. Councilmembers expressed an interest in expanding this program.

Staff is recommending that all of the customer class water rate structures remain the same. The single-family residential customer class tier rates are based on usage. The base charges and pricing tiers will be presented to the City Council at the September 17, 2015, Work Study Session. This proposal makes water more affordable for those in the low use category, and it strengthens the City's conservation message.

The final step in the process is to analyze the possible impacts to customers. The recommendations are compared with local and national trends, and then the adjustment drivers are evaluated and clarified.

Mr. Osgood stated that staff is seeking direction on:

- Solid Waste
 - Balance fund
 - Continue focus on alley conditions
 - Continue focus on diversion
 - Green organics
 - Recycling
- Water/Wastewater
 - Replacement program for aging water infrastructure
 - Short-term debt to support CIP
 - Affordability and conservation messaging with water rates

Mr. Osgood discussed various opportunities to expand recycling activities and noted that staff is working with Arizona State University on various waste diversion options.

Councilmembers discussed the pay for throw model where the customer is charged by the weight of waste; this could incentivize recycling. Another option might be for customers to have various size bins, and be billed based on the bin size used.

Councilmembers discussed how flood irrigation rates are not at a cost recovery level for the services provided; it is not an equitable fund. There has not been a rate increase in over ten years. Councilmember Granville requested City Council consensus that a policy be implemented to annually raise the flood irrigation rates by the amount of the CPI. When the rate study is presented to the City Council, the discussion could include whether or not this fund should be a cost recovery fund. At the request of Councilmembers, Judi Baumann, City Attorney, clarified that the City Council consensus would not necessarily occur at this meeting because this agenda item is listed on the agenda as an update; flood irrigation is scheduled for discussion at an upcoming Work Study Session.

Mr. Bessler noted that the purpose of combining the two rate study processes is to provide transparency and for the budgeting authority to assess monthly rate impacts. On September 17, 2015, staff will further discuss potential CPI utility rate increases. Mayor Mitchell noted that flood irrigation will be discussed when the item has been properly agendized.

Ms. Baumann stated that Councilmembers may consider the information provided and provide direction by way of City Council consensus. The flood irrigation item in particular is not on the agenda and to her knowledge no background information was provided to Councilmembers on this topic.

Mayor Mitchell reviewed the staff recommendations. Based on the discussion, staff will return on September 17, 2015, with revenue projections to accomplish the staff recommendations; staff will also provide revenue data for a single-family residential volume charge.

Mayor Mitchell voiced concern regarding providing direction on flood irrigation without having notified the public and stakeholders. Councilmembers discussed that the process should be transparent, improving the City utility bills to make them more understandable, and promoting the H2O Program in the utility bill.

Downtown Parking Strategic Plan and Fifth Street Update

Alex Smith, Real Estate Development Supervisor, provided an update on the Downtown Strategic Parking Plan since it was last presented to the City Council in June. He outlined public involvement activities and noted that of the various recommendations in the report and based on City Council input, staff has done additional work related to the following three recommendations: changes to the Fifth Street design, changes to loading zones, and changes to Downtown Parking Standards. Staff is working with the Downtown Tempe Authority (DTA) and has provided this presentation to the DTA and the Development Review Commission (DRC).

In response to a Councilmember query, Mr. Smith stated that City employee parking is located at various locations in Tempe, one of which offers a pay for parking option. Infrastructure investments have resulted in increased parking revenue. Downtown merchants are concerned about curb lane management related to congestion and visual blight. To address the issue, staff has drafted ordinance revisions, one of which changes the definition of a commercial vehicle.

Mr. Smith outlined various aspects of the proposed ordinance revisions. In response to a Councilmember inquiry, Mr. Smith clarified that no changes are being recommended for existing loading zones; the proposed changes primarily apply to large delivery trucks and incentivize non-peak delivery activity by offering free loading and unloading parking meter spaces. Smaller vehicles can pay to use parking meters or use existing loading zones. Increased fines for fire lane violations and loading zone violations are also being proposed with the provision that there will be focused enforcement, including an initial period of time where warnings will be issued. Staff is also proposing an ordinance revision to allow for back angle parking. Back angle parking will be incorporated to the Fifth Street design, similar to what many other cities are doing. This increases bicycle safety. Currently, parking standards throughout Tempe are uniform; however, the downtown is a more urban environment. Staff is also developing parking standards that are based on an urban, transit-oriented environment.

Ryan Levesque, Deputy Community Development Director – Planning, stated that the transportation overlay district (TOD) encompasses approximately half of the downtown area. The TOD has reduced parking standards. Staff is holistically analyzing the downtown and the City Center Zoning District parking requirements for restaurant, retail, office, bars, residential and various other land use requirements in the downtown and combining the uses into one category, as a commercial land use. When there is a change in land use, parking requirements for that land use will not need to be analyzed, making it easier for businesses to relocate.

A holistic approach to parking requirements includes data regarding downtown parking needs, which will assist in assessing parking needs for new buildings. This will provide staff an opportunity to assess parking requirements for a variety of settings and uses. This process includes providing public parking spaces and will parallel some of the existing TOD parking requirements.

Councilmembers cautioned that while increasing fines will impact revenues, violators may not be able to afford paying the fine, which would be up to a 50% increase. In response to a Councilmember query, Mr. Smith stated that staff worked with the DTA and business community to develop the proposed fines, which are relatively low compared to other cities. Councilmembers voiced support for a multi-modal transit system and expressed concern that there is feedback from the community about the lack of downtown parking; this proposal might make it difficult for visitors to come downtown. Mr. Smith stated that the intent is to have a measured approach and to be prepared to address issues if they occur. Staff feels that the proposal is adequate and will alleviate congestion during peak periods.

Eric Iwersen, Principal Planner, provided an update on the Fifth Street redesign process and some of the key issues related to advancing a project for Fifth Street, from College Avenue to Farmer Avenue. Staff has worked with various stakeholders such as the DTA and the Tempe Transportation Commission on this project. There are opportunities for increasing on-street parking. Mr. Iwersen outlined the steps involved and the timeline for the proposed process.

Mr. Iwersen stated that staff will work with the DTA on selecting the design firm for the Fifth Street redesign project. Staff will then seek City Council direction on preferred concepts prior to moving forward with construction documents and developing a funding plan. This process will focus on maximizing Fifth Street parking, enhancing the bicycle and pedestrian experience, increasing landscaping and shade, retaining transit access for various transit services, and connectivity opportunities between College Avenue and Farmer Avenue. Staff is exploring partnering with ASU to work on the street design. The project timeline was also discussed.

Mr. Iwersen confirmed that Councilmembers have reviewed the Fifth Street design concepts. This public process focuses on obtaining buy-in from all stakeholders, including the Police Department, and downtown property owners. Mr. Smith added that the City Council has reviewed conceptual drawings; the proposed process will generate engineered plans that will assist in estimating the project timing and costs involved.

Mr. Smith stated that staff is seeking direction on the proposed ordinance changes related to the back in angle parking, the Downtown Parking Standards, increasing parking meter fines, modifying parking meter times to allow for free loading and unloading activity during non-peak hours, and for direction on moving forward with the design of Fifth Street.

Items noted in the study and slated for future consideration include: dynamic parking meter pricing, taxi loading zones, parklets, bicycle parking, and motorcycle parking. Staff is also in the process of refining a Park Plus model that combines ASU's parking assets with the City's assets, and identifying public-private partnerships to increase the amount of parking available for transient demand.

Councilmembers noted that as Tempe becomes denser, it is appropriate to address how and when deliveries occur. Parking meter pricing and fines should be appropriate. Renovations to Fifth Street are critical as Fifth Street provides connectivity to large events. As new development occurs, tree palettes along Fifth Street should be coordinated. Currently there is a variety of trees planted along Fifth Street and Mill Avenue. Councilmembers discussed the possibility of removing the trees and replanting new trees in a coordinated manner, to add shade and improve the landscaping. Mr. Smith noted that the engineered drawings will provide an opportunity for incremental improvements that developers can include in their plans and establish documented expectations for future development.

Councilmembers expressed support for dynamic meters, parklets, and for offering free downtown parking on weekend mornings or implementing a no ticket policy for various days or times.

Councilmembers questioned why staff is recommending that downtown parking requirements be lowered when it has been expressed that there is a shortage of parking. Mr. Smith explained that the goal is to have adequate parking versus a parking surplus. The value created per square foot for a restaurant, hotel, or a business greatly exceeds the value per square foot generated for parking. Behavioral and cultural transitions are expected to occur.

Councilmembers and Mr. Smith discussed that there could be a perception that by lowering the parking requirements, the cost of parking shifts to Tempe taxpayers. Mr. Smith stated that the proposed standards are reflective of what has already been approved for most of the mixed-use and high density residential projects in the downtown. This process codifies those changes, eliminating the requirement for smaller businesses to go through amendments to parking plans or requiring an amendment to a Planned Area Development (PAD).

Based on the discussion, Councilmembers voiced support for reducing parking requirements and how that complements a multimodal environment. Councilmembers also suggested that staff include the arts community in the process and consider partnering with Arizona Public Service Company, Arizona State University (ASU), and the LightWorks Group. Mr. Smith stated that staff plans to reach out to ASU to participate in this process.

League of Arizona Cities and Towns Resolutions

Marge Zylla, Government Relations Officer, provided an overview of the League of Arizona Cities and Towns (League) proposed resolutions for 2016. Mayor Mitchell will be Tempe's representative to vote on the resolutions at the League Conference in August, 2015. The resolutions that pass will be included in the League's 2016 legislative session.

Ms. Zylla outlined the new League policy committee process to review resolutions and noted that 14 resolutions were recommended for advancement. She then reviewed the materials provided to the City Council which include the City departments that the resolutions could affect, a summary of potential impacts, and the recommendation of support. Staff has recommended support of resolutions that would benefit other communities as long as they do not negatively impact Tempe. Additional background information regarding the resolutions is also included in the materials.

The items listed do not automatically become part of Tempe's legislative agenda. Ms. Zylla stated that she will brief the City Council prior to the legislative session to seek input on items of interest for Tempe's legislative agenda. Items that the City Council supports or opposes are in concept form; the City is not bound to opposing or supporting any specific legislation.

Mayor Mitchell stated that the League has greatly reduced the number of proposed resolutions, compared to previous years. The League does not have the ability to enact laws; that is the role of the Legislature. He voiced support of the proposed resolutions and asked his colleagues to allow for flexibility during public safety pension negotiations with the State Legislature. Councilmembers discussed clarification of the term "Yardstick", which is a tool to evaluate the public safety personnel retirement system. Councilmembers requested an opportunity to analyze the proposed plan and to review the data used in the evaluation process. Ms. Zylla stated that the language provides flexibility for the League to evaluate the plans and to work with stakeholders. The new process does not allow for the language allowing flexibility to be rescinded. It would be helpful to use numbers versus using a yardstick for this process; a yardstick may not correlate with effective public policy. Mayor Mitchell reiterated his desire to remain flexible during the negotiation process.

Based on the discussion, Councilmembers requested clarification of the term "Yardstick", and that Councilmembers be provided an opportunity to analyze the proposed plan and to review the data used in the evaluation process.

City Sponsored Council Outreach Events

Judi Baumann, City Attorney, stated that this discussion relates to potentially creating a blackout period, as an additional safeguard to stay in compliance with State law that prohibits using City resources to influence an election. In response to questions raised at a previous Work Study Session, she provided a confidential memorandum to the City Council. An additional memo is also included in the agenda packet materials.

Councilmembers and Ms. Baumann discussed that the Mayor's State of the City and State of the Neighborhoods events would not be included in the blackout period, as long as there is no advocacy on behalf of a candidate or ballot measure. Councilmembers discussed that it might be more appropriate for the City Manager to develop a fair and equitable policy rather than Councilmembers, who have a vested interest; it would also remove the appearance of politics from the process. Consideration of what other cities do should be part of this process. Councilmembers could readdress the issue after the March, 2016, election, if needed. Councilmembers expressed concern that this may place the City Manager in an awkward position and about the amount of staff resources needed to coordinate City Council events. Councilmembers also suggested

that Nikki Ripley, Communications and Media Relations Manager, and Ms. Baumann, be involved in the process.

Andrew Ching, City Manager, stated that one approach would be for management to inform the workforce that employees are not permitted to work on or support these types of events, making it a prohibition on the use of City resources. He clarified that this is not a prohibition on elected officials for having events. Rather, it is whether or not City Council events would involve the use of City resources during a designated period. Staff can research how other cities address blackout periods and define calendar dates. Mr. Ching offered to develop parameters that comply with the statute regarding what types of City Council events would be impacted when considering informational, traditional, or advocacy related events. He will be cautious about not overdrawn the prohibition.

Councilmembers and Ms. Baumann discussed that the City does not have a blackout period and there have been no gross negligence situations in the past. Social media has had an impact on City Council activities. The statute has been amended twice within the past three years; the Legislature is looking closely at the law and potential violations.

Mr. Ching stated that during the election cycle, the City Attorney's office and the City Clerk typically issue a memo to all City employees regarding prohibited election related activities. That memo could be amended to include the blackout dates during which City employees are not to participate in certain types of activities.

Based on the discussion, Councilmembers agreed that having the City Manager develop a blackout policy would remove the appearance of impropriety.

Community/Employee Survey Update

Andrew Ching, City Manager, stated that the City's contract with ETC has expired. ETC has provided community survey instruments to the City since 2007. He noted that staff is in the process of developing a City employee survey instrument related to workplace issues; City employees have not been surveyed since 2002. Staff is considering doing a concurrent or a joint procurement to ask potential companies to bid on both or either of the surveys. Councilmembers concurred with this approach.

Future Agenda Items

- Rio Salado Foundation Update on the Eisendrath Center for Water Conservation and the Arizona Boathouse – September 3, 2015, Issue Review Session
- Homelessness Programs and Services Update – to be determined
- Plastic Bag Ban Working Group – September 3, 2015 Committee of the Whole
- Tempe Public Library Fines and Fees Program Update – to be presented at an upcoming Regular Council Meeting under City Manager's Announcements

Committee of the Whole Items

Items ready for City Council Direction or Status Update

Opt-In Publicly Financed City Campaign System – City Council Direction

Councilmember Schapira thanked the members of the City Manager's Working Group (Working Group), and the members of a stakeholders group that included community members, non-profit organizations, and staff members from the Arizona Citizens Clean Elections Commission and the Maricopa County Recorder's Office. Tonight, the Working Group is presenting a resolution with a proposed Tempe City Charter amendment (Charter amendment) and overview of the Opt-In Publicly Financed City Campaign System (system) highlights. The Working Group is seeking direction from the City Council to move the resolution forward to the next Regular Council Meeting for consideration and placement on the March 8, 2016, election ballot; as a parallel process, the Working Group will be working on an ordinance with a conditional enactment provision.

The proposed Charter amendment gives the City Council authority to create the system; the system would be adopted by ordinance with a conditional enactment provision and added to the Tempe City Code if the proposed Charter amendment is passed by voters. If the proposed Charter amendment does not pass, the ordinance would not become part of the Tempe City Code. The ordinance will help voters understand what their vote will accomplish and is based on a recommendation

from Thomas Collins, Arizona Citizens Clean Elections Commission, to simplify making necessary fixes to the system. The proposed Charter amendment also provides for the formation of an Independent Oversight Committee.

Councilmember Schapira addressed a letter received from Glen Hamer, Arizona Chamber of Commerce; the letter discusses the use of taxpayer dollars to fund the system, but the system will not use taxpayer dollars. The system is similar to the Arizona clean elections system and would require a candidate to raise a certain number of qualifying contributions in order to become a participating candidate. The candidate would then submit the qualifying contributions to the City for verification with the Maricopa County Recorder's Office; if a sufficient number of qualifying contributions have been submitted, the City would grant the candidate participating funding in the amount of \$25,000 per election for City Council candidates and \$50,000 per election for Mayoral candidates. The proposed funding amounts are based on a backwards analysis of previous elections and would make candidates viable. Qualifying contributions and other recommendations from the Working Group are variables that are open for discussion.

Opposition to the proposal has come from the Chamber of Commerce, which cited a Government Accountability Office (GAO) Study. The GAO Study said that clean elections failed to meet all but one of many established goals; however, many of the goals were set by the State of Maine or by other entities, and Arizona is being held to those goals. The Arizona clean elections system had its own goals, including competition, ensuring that incumbency doesn't guarantee reelection, increasing voter turnout, getting more people involved in elections, and limiting the influence that money can have on the decisions made by elected bodies.

Councilmember Schapira referenced a 2008 Stanford Study, which stated that clean elections programs in Maine and Arizona significantly increased competition in districts where challengers accepted public funding and discussed the importance of considering the timing of redistricting and the implementation of clean elections. The Stanford Study also stated that there is evidence that clean election laws affect the fundraising behaviors of candidates and reduce the overall amount of dollars raised. A 2006 study by the Center for Governmental Studies stated that clean elections programs free candidates from fundraising pressures, reduce the perception that special interests and wealthy private contributors exert undue influence over candidates, create opportunities for women, minority and new candidates to participate, reduce funding disparities between candidates, and increase opportunities for voters to become more engaged by lowering contribution thresholds and increasing voter education.

Tempe resident Bobette Gorden's poll showed that 60.6% of Tempe registered voters today would vote in favor of the proposed Charter amendment, 13.1% would vote no and 26.3% were undecided. The poll also showed that 92.3% believe that at least some influence from lobbyists, developers and special interests impacts City Council decisions, and 43.6% believe that lobbyists, developers and special interests have a high level of influence on City Council decisions.

Mayor Mitchell asked about the stakeholders and whether any public meetings were held to allow for public comment. Councilmember Schapira listed the stakeholders from his introduction; based on stakeholder input, he is comfortable with placing the proposed Charter amendment on the ballot while a public process is held to make decisions about the system. With the proposed Charter amendment on the March 8, 2016, ballot, the system could be ready for the 2018 City Council election cycle.

Vice Mayor Woods expressed concern that it may be backwards-mapped, bringing forward a vague Charter amendment proposal and working out the details later, and compared it to the 2014 Charter amendment process. He expressed concerns about the public input process, and lack of stakeholders that could have been opposed to the proposed Charter amendment. Councilmember Schapira responded that the voters will choose whether or not to have a clean elections system, while stakeholders will help to determine the system's details.

Vice Mayor Woods stated that the City Council has not had the opportunity to discuss the system's cost with staff; the cost estimate was provided to the City Council today. Councilmember Schapira explained that there are a number of variables involved that may change based on City Council and stakeholder input, and as a result the final cost of the system will change.

Upon request by the City Council, Brigitta M. Kuiper, City Clerk, stated that the cost estimate is a draft and is based on assumptions. The program will be administered by the City Clerk's Office, by moving the duties to the existing Assistant City Clerk and back-filling certain duties; the cost estimate to backfill those duties is based on the City of Tempe executive assistant position, and includes standard costs for new employees. Also included is the projected cost of a candidate statement pamphlet, expenses for candidate debates, independent audit costs and miscellaneous supplies. Councilmember Schapira stated that the costs will be funded by the system, not the General Fund; the system is estimated to generate \$200,000 annually, with administrative costs for candidate election years currently estimated at \$70,000. The level of candidate funding will depend on the number of candidates that opt in to the system. In response to Mayor Mitchell, Ms. Kuiper confirmed that administrative costs were discussed by the Working Group and that the Working Group was continuing to work on some items that affect costs; Mayor Mitchell stated his opinion that the information was not provided timely enough to make a decision, and that what is being proposed is a resolution that will be fixed at a later date.

Councilmember Kuby stated that candidates will need to work and talk to voters to raise the qualifying contributions. The program will allow candidates who work hard to connect with voters and to not be disqualified based on lack of financial connection.

Councilmember Navarro clarified that the system is voluntary, asked about funding if the number of candidates that opt in is higher than funding levels, and asked how the system will increase voter turnout. Councilmember Schapira answered that the candidate would need to run as a traditional candidate and that it wouldn't necessarily increase turnout; however, increased competition with more voter outreach would increase voter turnout.

Councilmember Kuby stated that campaign contribution limits were increased statewide to \$2,500 [per election], and asked if the larger contributions will be to a newcomer or to an incumbent from a developer, lobbyist or individual with business before the City Council. A clean elections program changes the relationship between large contributors and elected officials.

Councilmember Navarro stated that the system will increase independent expenditures; Councilmember Schapira concurred, and stated that the system will address Political Action Committees (PACs) and Super PACs, which can contribute up to \$10,000 per election to each candidate.

Councilmembers discussed whether the system will provide an advantage to incumbents or non-incumbents, and available funding based on the 2014 candidate election cycle. The proposed fee to fund the system could be increased, if necessary.

Councilmember Granville discussed the differences between his unsuccessful 2000 and successful 2012 campaigns, when he went from spending \$4,000 to \$50,000. He discussed his 2012 opponent's campaign contributions; 30% of his opponent's campaign contributions were received from Tempe residents. He read the names of campaign contributors in the 2014 election, and stated that contributors believe their contributions help them when they have business before the City Council. The system will allow more people to run for office.

Councilmember Kuby spoke about transparency, and that the average citizen is able to read about PAC contributions, but may not know the developers or developer's attorneys.

Mayor Mitchell discussed the use of \$26 million of dark money [independent expenditures] in the 2014 Arizona statewide and legislative races, and asked about transparency. Councilmember Schapira stated that this system will not fix Citizens United [Citizens United v. Federal Election Commission], but allows every individual who contributed to a candidate to be identified. Individual contributors to PACs and Super PACs can't be identified.

Councilmember Arredondo-Savage asked about additional reporting requirements. Ms. Kuiper responded that there are additional reports due, in addition to the six reports required in traditional campaign finance reporting. Each qualifying contribution will also be reported. In traditional campaign finance reporting, individual contributions less than \$50 do not need to be reported.

Councilmember Arredondo-Savage stated that nothing is broken that needs to be fixed with this proposal; she would like to see naysayers in the stakeholder meetings. She expressed concerns about the fee being added to fines, and stated that this would generate a new revenue source, and she does not consider the system to be a top priority for funding from a new revenue source. She expressed concern about receiving the cost estimate late; the number of variables; that it's the City Council's due diligence to give voters a complete plan; and, that the studies cited were completed in 2006 and 2008.

Councilmember Schapira stated that the only naysayers appear to be the Chamber of Commerce, and they have stated their opposition, under all circumstances, to publicly financed campaigns. He requested that the City Manager's Working Group be allowed to continue the process. The Working Group's recommendation to the City Council included, in part, forwarding the proposed Charter amendment resolution to the next Regular Council Meeting for consideration; however, the members of the Working Group concurred to postpone the resolution until after the Working Group has done more work.

Councilmembers requested more public input and that discussions on the funding mechanism be more transparent. In order to be on the March 8, 2016 ballot, the ballot language would need to be adopted at one of the two Regular Council Meetings in October, 2015. Councilmembers continued to discuss public and stakeholder input, timing, priorities including use of available funds and the community's comfort with that use, and the importance of having the proposal formally voted on.

Councilmember Kuby asked Vice Mayor Woods if he would like to take her place on the Working Group; Vice Mayor Woods agreed to become a part of the Working Group.

Councilmembers discussed bringing the resolution to a Regular Council Meeting for consideration separately from the ordinance, bringing the entire proposal back to the next Committee of the Whole meeting on September 3, 2015, and the existing Committee of the Whole process. Councilmembers discussed whether or not the proposed Charter amendment could wait until a subsequent election. Councilmembers also discussed the proposed Charter amendment ballot language; the system allows participating candidates to raise seed money in more of a traditional fashion.

Based on the discussion, the entire item will be brought back for City Council direction at the September 3, 2015, Work Study Session – Committee of the Whole. The Working Group will conduct more research and public outreach. Vice Mayor Woods will replace Councilmember Kuby on the Working Group.

Distracted Driving (Texting and Talking on Cell Phone while Driving) – City Council Direction

Vice Mayor Woods opened the discussion by stating that he was contacted by a political consultant who is involved in running a statewide distracted driving ballot initiative for 2016; they are currently collecting signatures. The consultant has requested that Tempe postpone taking action on a distracted driving ordinance for 30 days; if the required signatures have not been obtained by then, Tempe could move forward with its own initiative. Vice Mayor Woods stated that he would prefer a statewide solution, but if that does not occur he would like to place the ordinance on a Regular Council Meeting agenda.

Councilmembers agreed that statewide initiatives sometimes do not come to fruition, which is why there is a time limit on the request for a postponement. Councilmembers agreed to wait until September 1, 2015, to see if enough signatures have been obtained for a statewide ballot measure. Vice Mayor Woods agreed to schedule the issue for an upcoming Regular Council Meeting agenda; if the statewide initiative comes to fruition, the item would be removed from the meeting agenda.

Councilmember Schapira noted that there have been discussions since 2007 at the State Capitol regarding Bills, Initiatives, and Referendums regarding texting while driving, none of which have come to fruition. He agreed with moving forward with scheduling this issue for an upcoming Regular Council Meeting, in the event that not enough signatures are obtained. Councilmember Navarro concurred.

Councilmember Arredondo-Savage agreed with the proposed approach. She noted that the working group had differing opinions on how to proceed and felt that it was appropriate for the entire City Council to discuss the issue. At the request of Councilmember Kuby, Vice Mayor Woods agreed to let her take his place on the working group.

Councilmember Granville provided examples of issues Councilmembers have worked on that have been taken over by the legislature. He agreed with having the public hearings scheduled for September 10, 2015, and September 24, 2015.

Councilmember Kuby requested that a working group meeting be scheduled to discuss whether distracted driving should be a primary versus a secondary offense.

Andrew Ching, City Manager, asked the City Attorney to verify if there are any potential Open Meeting Law quorum violations with substituting Councilmembers on working groups. Ms. Baumann stated that if a Councilmember is no longer active on a working group and has no further discussions, it should not be a problem; however, she will verify if this is the case.

Councilmembers discussed their preferences regarding making distracted driving a primary versus a secondary offense. The draft ordinance language makes distracted driving a primary offense. Councilmembers agreed that the item could be scheduled for a Regular Council Meeting and that Councilmembers will have the ability to amend the ordinance during the meeting, if desired.

Based on the discussion, Councilmembers agreed to schedule the public hearings for a distracted driving ordinance for September 10, 2015, and September 24, 2015.

Small House Community (Tiny Houses) – City Council Direction

Councilmember Kuby provided background information regarding the tiny houses working group and how the tiny houses concept grew into a cottage community or a cottage house concept where there would be approximately seven houses ranging from 400 to 1,000 square feet; there would be no special zoning or building code requirements. This could be a potential project to explore with Arizona State University's (ASU) Engineering Projects in Community Service Program (EPICS). ASU students could be involved with designing and building the houses. Community members would be involved with the program from the beginning and would decide who the possible tenants would be; tenants would not necessarily be students. There may be an application process to apply to live there. This will be a sustainable community with net zero homes, agriscaping, and a garden.

Councilmembers discussed that a tenant within this community would be somebody who is committed to living a sustainable lifestyle; there is an income opportunity to make approximately \$250 a month from growing produce in an urban farm setting. If this pilot program is successful, it could lead to developing affordable housing opportunities. A potential site under consideration is on Rita Lane in the JenTilly neighborhood. The neighborhood outreach process has not yet begun.

Mr. Nakagawara explained these communities will go through each of the steps involved in the zoning process. Staff is seeking City Council direction on whether or not to proceed with the EPICS partnership. If approved, the EPICS program could conduct a feasibility study, scope the project, address the management and the operation of the community, and provide design ideas.

Based on the discussion, Councilmembers agreed to move forward with executing the scope of work plan to engage ASU EIPCS on creating a small house community pilot project

Boards and Commissions Consolidation Follow-up – Status Update

Brigitta Kuiper, City Clerk, stated that as requested by the City Council, she is providing a one-year update regarding the City's boards and commissions consolidation process. Last year, the City Council reduced the total number of boards and commissions from 26 to 21; membership was reduced from approximately 260 to 200 board and commission members. Since that time, the Tempe Veterans Commission, the Tempe Sustainability Commission, and the Tempe Family Justice Commission have been established.

One of the purposes for merging the boards and commissions and reducing the number of members on various boards and commissions was due to concerns about quorum issues. After surveying board and commission staff liaisons, it was determined that the consolidation process either had no impact or it helped with quorum issues. The survey has been provided to Councilmembers.

New Items for City Council Consideration

Temporary Cables in the Right-of-Way

Councilmember Schapira provided background information regarding problems associated with businesses such as CenturyLink and Cox Communications installing temporary cable lines in alleys, and installing the lines in a dangerous fashion. He requested permission to form a working group to develop changes to the Tempe City Code relating to temporary cables in the right-of-way and implementing a complaint-based system that includes deadlines. Stakeholders will be invited to participate in the process. Councilmembers agreed to convene this working group. Councilmember Schapira will be participating on this working group.

Commercial Pet Sales Ban

Councilmember Kuby stated that she has been approached by community members regarding a commercial pet sales ban. A court recently upheld a City of Phoenix commercial pet sale ban ordinance. She requested permission to form a working group to explore animal health and welfare concerns associated with commercial pet sales, as well as the consumer protection implications. She discussed various stakeholders that would be involved in the process. Councilmembers agreed to convene this working group. Councilmember Granville stated that he would like to participate in the working group. Councilmembers Kuby and Granville will be participating on this working group.

Commercial Sign Regulation Reform

Councilmember Arredondo-Savage stated that she and Vice Mayor Woods are seeking permission to form a working group to do a comprehensive review of the Tempe sign code. Councilmembers suggested that Jeff Tamulevich, Code Compliance Manager, be included on the working group. Councilmembers agreed to convene this working group. Councilmember Arredondo-Savage and Vice Mayor Woods will be participating on this working group.

Unmanned Aircraft Regulation

Councilmember Navarro stated that the Public Safety Steering Committee is looking at how drones can be used, best practices, and what cities should begin implementing. He is seeking permission to form a working group to explore best practices and ways to address drones in areas such as Papago Park and in flight paths. Councilmembers agreed to convene this working group. Councilmember Navarro will be participating on this working group.

Items in Progress – updates as needed

Dementia Friendly City

Mayor Mitchell stated that the City of Tempe was one of six cities that was recently selected by the White House Conference on Aging to participate in a pilot program to become a Dementia Friendly Community. City representatives will be working with representatives from the Alzheimer's Institute. He stated that he will provide updates to the City Council as the process moves forward.

Landlord Certification Program

Councilmembers Granville and Navarro provided an update on the Landlord Certification Program, which is similar to the Police Department Crime Free Multi-Housing Program. The working group has met with various stakeholders. This could be an opt in program to develop a preferred rental list that is provided by Arizona State University (ASU) to students and parents. The list would particularly assist out of state residents to determine if rental properties meet certain safety and lighting standards. Work is also being done on ways to promote this program.

My Brother's Keeper Designation

Vice Mayor Woods stated that the City of Tempe was one of 29 entities that was awarded a grant by the Arizona Community Foundation in the amount of \$50,000. The City will be working with an AARP program and the Boys and Girls Club regarding programming activities. A press release will be issued announcing the grant award. Vice Mayor Woods thanked Marie Raymond, Education Coordinator, for her work on obtaining the grant award.

Items Scheduled for Periodic Review

No discussion.

Mayor's Announcements/City Manager's Announcements

None.

Future Meeting Date:

September 3, 2015, at 4:00 p.m., City Council Chambers, Tempe City Hall, 31 E. Fifth Street, Tempe, Arizona.

The meeting adjourned at 9:32 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 City Council Work Study Session of August 6, 2015, by the Tempe City Council, Tempe, Arizona.

Mark W. Mitchell, Mayor

ATTEST:

Brigitta M. Kuiper, City Clerk