



Minutes City Council Issue Review Session May 9, 2013

Minutes of the Tempe City Council Issue Review Session held on Thursday, May 9, 2013, 6:00 p.m., in the City Council Chambers, Tempe City Hall, 31 E. Fifth Street, Tempe, Arizona.

COUNCIL PRESENT:

Mayor Mark W. Mitchell
Councilmember Robin Arredondo-Savage
Councilmember Kolby Granville
Councilmember Corey D. Woods

Vice Mayor Onnie Shekerjian
Councilmember Shana Ellis
Councilmember Joel Navarro

STAFF PRESENT:

Andrew Ching, City Manager
Judi Baumann, Interim City Attorney
Kathy Berzins, Community Services Director
Eric Iwersen, Senior Transportation Planner
Lisa Collins, Interim Community Development Director
Bill Amato, Police Legal Advisor

Jeff Kulaga, Assistant City Manager
Brigitta M. Kuiper, City Clerk
Naomi Farrell, Deputy Community Services Director – Social Services
Shelly Seyler, Deputy Public Works Director – Traffic Engineering
Various Department Heads or their representatives

OTHERS PRESENT:

Beth Fiorenza, Executive Director, Tempe Community Action Agency
Woody Wilson, TCC Board President

Kate Hanley, Executive Director, Tempe Community Council (TCC)
Bob Kawa, TCC Agency Review Enhancement Committee Chair

Mayor Mitchell called the meeting to order at 6:15 p.m.

Call to the Audience

Doug Akins, Tempe, spoke about City of Tempe Human Service funding, including: he is a volunteer for the Urban Outreach Program and was dismayed that the Program only received \$4,850 out of the requested \$30,000 in funding; 83% of Crisis category funds allocated for homeless programs and services support agencies outside the City of Tempe. Urban Outreach was allocated less than 17% of those funds; all groups are worthy of funding, but more funds should be allocated to serve Tempe-based programs that support Tempe residents. Central Arizona Shelter Services will receive 40% of the total funds allocated for homeless programs and services in the Crisis category. Councilmembers have indicated that outside agencies provide documentation showing that they do serve Tempe residents.

Reverend Dan Hurlbert, Senior Pastor of Tempe First United Methodist Church, thanked his congregation for their work serving the homeless population and also thanked Councilmembers for responding to his congregates' concerns. Reverend Hurlbert noted that the Kid Zone presentation was moving. He shares some of the concerns raised by Mr. Akins; the second largest amount of funds was allocated to an agency that received a "D" grade in the grants review process. There is a need for more transparency in the grant process. All groups receiving funding deserve such support. He is concerned about the amount of funding being allocated outside of Tempe; he voiced appreciation for the funding allocation of \$4,850 to the Urban Outreach Program.

Senior Center Services Programming

Kathy Berzins, Community Services Director, provided background information regarding the Human Services Committee (Committee), which is composed of staff from the City of Tempe, Tempe Community Action Agency (TCAA), and Tempe Community Council (TCC). The Committee is charged with examining the efficiencies and effectiveness of human services offered by the City, and proposing program improvements or modifications as needed. The Committee formed two subcommittees: Homeless Coalition and Senior Programs.

Naomi Farrell, Deputy Community Services Director – Social Services, noted that the Senior Programs Committee is comprised of City staff involved in the City's Senior Programs, TCAA, Tempe Connections, AARP Experience Corps, and Community Relations staff. Findings from surveys and focus groups revealed that not all City residents are aware of the offerings at each of the City's five senior/adult centers. Through collaboration, promotional opportunities have been developed as follows: senior center open houses; senior centers combined bi-annual newsletter; a senior nutrition education grant for \$46,000; a health expo that featured 60 vendors, attracted 400 participants and provided 100 health screenings; transportation services were provided for seniors to attend events located at various centers; and a video developed for Adults 50 Plus.

Ms. Farrell played a video highlighting the Senior Programs, which is also available on the City's website. The Senior Programs Committee will continue to collaborate on ways to deliver services and programs to Tempe's senior population with a focus on human services, education, recreation, health and wellness, lifelong learning, volunteerism, and various opportunities that keep seniors engaged in the community.

Beth Fiorenza, Executive Director, TCAA, indicated that TCAA provides services at the Escalante and North Tempe Senior Centers. Recent open house events were successful and resulted in several new participants. Encore Fellow, Jeff Abraham, assisted TCAA in a strategic planning process, which focused on human services offered within senior centers, including emergency services and needs not currently being addressed. The Area Agency on Aging has significantly increased senior center participation by providing bus transportation for senior residents to attend special events, classes, health screenings, and other activities; the bus is also accessible to disabled individuals. Additional bus service is being considered to meet the high demand. TCAA is also discussing the possibility of offering an outreach fair in South Tempe to educate residents regarding senior center programs and services that are available in Tempe. An executive summary of the TCAA Strategic Plan will be provided to the City Council in the May 10, 2013, Friday Information Packet.

Councilmembers and presenters discussed the following: the positive impact of the health expo; a desire to continue to hold open houses; not all senior housing facilities provide transportation to their residents; and the benefits of the "Making Music, Making Memories" program, in partnership with Banner Alzheimer's Institute and Arizona State University. Because baby boomers' interests are different from those of older adults, programs, services, and volunteer opportunities will need to be modified to meet changing needs. Targeted marketing methods will be used to promote programs and activities, which include: newsletters, websites, smart phone technology; speaking to local neighborhood associations, senior housing communities, and civic, faith-based, and senior-oriented organizations; distributing fliers in Tempe communities; advertising, press releases, and various media outlets; and promoting word-of-mouth communications. Marketing senior programs and services to South Tempe residents positively impacts neighborhoods; the goal should be to bring services to residents where it is the most convenient for them.

Based on the discussion, Councilmembers expressed support for the following activities:

- Continue to offer health expos and open houses to promote the City's senior centers.
- Continue to market the senior center programs and services to residents in South Tempe; increase services provided to senior residents in South Tempe.
- Explore alternative marketing methods to cater to the changing communication needs of seniors.

Fiscal Year 2013-14 Human Services (Outside Agency) Recommendations

Kate Hanley, Executive Director, Tempe Community Council (TCC), introduced co-presenters Bob Kawa, TCC Agency Review Enhancement Committee Chair, and Woody Wilson, TCC Board President, who will be presenting the Tempe Human Services funding recommendations for fiscal year (FY) 2013-14. Ms. Hanley expressed appreciation for the City Council's commitment to support Human Services through the City's General Revenue Fund, which allows funding to remain level and demonstrates the City Council's dedication to helping the neediest in the community.

Funding challenges include a reduction in the water utility customer donations through Tempe's Help to Others (H2O) Program, and a reduction in Federal funding of the Community Development Block Grant (CDBG) Program, which resulted in a program funding shortfall of approximately \$65,000.

The Arizona Town Hall's recent session on civic engagement highlighted Tempe's citizen-led Agency Review process as a best practice. The Agency Review process entails interviewing agencies, drafting recommendations for Human Services funding, and drafting recommendations for the City Council.

Mr. Wilson reported that 48 volunteers participated in this process; 31 agencies submitted 46 funding requests totaling \$1,238,241; this was \$208,000 above the City's investment in FY 2012-13. Funding is being recommended for 40 existing programs, most of which have seen a continued increase in the demand for services and a decline in available resources. Volunteers utilize tools to prioritize programs, which include the Fourth Annual Human Services Survey, a nine-point evaluation of written proposals, and a rating system of agency interviews.

A large percentage of funding is allocated to agencies located outside of Tempe to support the needs of the homeless population. The goal of the Homeless Coalition is to end homelessness. The key to ending homelessness is to identify the barriers that are keeping an individual from being independent; finding the right fit is the key. TCC continues to look at comprehensive 24-hour-a-day programs that include rehabilitation services, domestic violence support, and family assistance. The Central Arizona Shelter Services (CASS) is an example of a comprehensive program. TCC disperses funds to various homeless shelters that provide these services, and collaborates with partner agencies that provide permanent supportive or transitional housing services to individuals in Tempe.

Councilmembers and presenters discussed how funding allocations are determined for Tempe-based agencies versus agencies located outside of Tempe. Consideration is first given to agencies that serve Tempeans; the recommendations reflect the data in the Human Services Survey. The condition of homelessness can be contained, with the assistance of various entities, including CASS. This important process should be evaluated, and shortfalls identified.

Councilmember Ellis noted that she is a member of Tempe First United Methodist Church and a former member of TCC. She made the following comments: several members of the City Council have served on the Agency Review Committee and understand the process; City funding for Human Services has remained consistent; Federal cuts and a decrease in donations have contributed to the funding shortfall. None of the agencies that applied for funding received more funding than what they received last year, regardless of the funding amount that they requested. The majority of the funds allocated for homeless programs and services in the Crisis category support homeless shelters; there is data to show where the homeless population is being served. Agencies in Tempe refer individuals to homeless shelters in Phoenix and Mesa because no such shelter exists in Tempe; funding supports those individuals. Councilmember Ellis expressed support for locating a homeless shelter in Tempe.

The Urban Outreach Program requested \$5,000 in funding last year, which was granted. This year the program received \$4,850, but requested \$30,000 in funding. Mr. Wilson voiced a commitment to assist Urban Outreach Program representatives in seeking additional funding to makeup the funding shortfall.

Councilmembers continued discussion regarding their appreciation for the work of TCC and the Agency Review Committee; past City Councilmembers involvement on the Committee; support for the Agency Review process, its sustainability, and how this approach depoliticizes the process; appreciation for TCC staff reaching out to various entities to keep them informed of the funding process and assisting them in securing funds from alternative sources; and the volunteer commitment to develop recommendations that ensure level funding for the majority of the agencies.

Discussion continued regarding what is being done to encourage program enhancements, and the availability of funding for new programs and program expansions. Historically, it has been rare when agencies have been dropped from funding or new programs are added to the funding process. There is a need to strengthen priorities and to review priorities on an annual basis, which includes gathering feedback from frontline employees, evaluating progress, and making changes. The process should evolve into a closer working relationship between the City and TCC. Concern was raised because there were several new requests, but only one of them was approved for funding. Without additional funding, it will be necessary to re-prioritize how funding is allocated; future funding of agencies at the same level might not match the priorities identified. Staff has begun working on strategies to align funding with priorities.

In terms of process, TCC provides Human Services funding allocation recommendations to the City Council as part of the budget process. After the Council adopts the recommendations, the City sends quarterly checks to the agencies. TCC staff monitors the agencies for program compliance, and withholds funding when agencies are found to be in non-compliance.

Based on the discussion, Councilmembers made the following comments and recommendations:

- The Agency Review process should be constantly evaluated and appropriate changes should be made to make it more efficient and effective.
- Agency Review participants should identify shortfalls and ways to accommodate for those shortfalls, and identify ways to communicate to Human Service agencies about factors that may affect funding, such as an economic downturn.
- TCC staff should continue to verify that homeless individuals from Tempe are assisted by homeless shelters by assessing and tracking data.
- It would be setting a precedent for the City Council to engage in an appeal process with agencies that did not receive the funding level they requested.
- The Agency Review process should allow the opportunity to reserve some funds to encourage and support program enhancements, expansion of existing programs, and implementation of new programs.
- Councilmembers, Tempe Human Services staff, and TCC staff should meet bi-annually to determine human services priorities; the progress made on priorities should be reviewed, present conditions should be evaluated, and appropriate changes should be made to accommodate current needs.
- The City should ensure that programs that address top priority needs receive adequate funding, regardless of their status as new, existing, or the expansion of an existing program, versus allocating the same level of Human Services funding annually.
- TCC was asked to provide an update to the City Council on Senior Programming and the Shared Living Program.
- Funding requests for new initiatives and projects, such as the Age Friendly Community Pilot Program, should be presented to the Finance and Effective Infrastructure Council Committee before they receive funding; this will provide Councilmembers with the flexibility to make Human Services funding decisions mid-year without disrupting the Agency Review process.

University Drive Bicycle and Pedestrian Streetscape Enhancements

Eric Iwersen, Senior Transportation Planner, introduced co-presenter Shelly Seyler, Deputy Public Works Director – Traffic Engineering. Mr. Iwersen delivered a slide presentation detailing the University Drive Bicycle and Pedestrian Streetscape Enhancements Project, which included information on the project limits, project history and funding, the public participation process, and the context and character of the project area. Of the early project concepts that were vetted, some of them did not advance in this phase due to lack of funding available or because they did not fit within the project parameter. However, some of these concepts were supported by the community and could be used in future phases.

Project challenges include the purchase of right-of-way to plant trees for shade, which would be cost prohibitive and may be detrimental to the public image of the City. Tree planting on the side of the road is an opportunity for a future phase, and represented a top priority of the community.

Regarding the elimination of vehicle travel lanes, staff has determined that the current level of capacity should be retained. The project elements that encompass the preferred concept were displayed, which included ADA enhancements and right-of-way constraints:

- 1) landscape median islands with left-turn access in each of the eighth mile sections of the street;
- 2) buffered bike lanes, allowing for a different textured treatment between the bike lane and the vehicle lane;
- 3) green on-street bike lanes to increase the visibility of bicyclists;
- 4) traffic signals at Roosevelt Street and at Farmer Avenue, which was one of the top community priorities; and
- 5) enhanced pedestrian crosswalk treatments at all signalized intersections to emphasize the visibility of pedestrians.

Mr. Iwersen reviewed the next steps to advance the project from a preferred concept phase into a construction phase:

- 1) Staff submits the construction documents and the required environmental studies to the Arizona Department of Transportation and the Maricopa Association of Governments in April – June 2013;
- 2) Staff submits a request for funding to the Federal Highway Administration by July 1, 2013;
- 3) If this request is approved, staff anticipates receiving authorization for the funds by September – October 2013; and

- 4) Engineering Division staff posts a bid for construction in spring 2014.

Vice Mayor Shekerjian discussed the benefits of planting trees along the side of the street, creating a more pedestrian-friendly walkway and providing shade. She requested that staff approach business owners and landowners to ask them to consider donating the right-of-way necessary for the City to plant and maintain trees along street frontages. Support was expressed for the buffered bike lanes as they provide a pavement texture change separating the bike lane from the vehicle lane, provide a safety barrier for bicyclists, and provide warnings to bicyclists and motorists when they are moving from one lane to the next.

Additional topics discussed included: pavers require little maintenance and sustain their appearance in the long term; concern about the green bike lanes due to maintenance issues; and inquiry about the long-term maintenance, associated costs, and appearance of the green paint used for bike lanes and its endurance of the extreme heat in the summer.

Councilmembers and staff continued discussion regarding staff exploring the application of green thermoplastic on the bike lanes; the amount of traffic that drives over the surface determines the frequency of surface reapplications; the amount of traffic is expected to increase near the street intersections; thermoplastic is currently applied to existing road surfaces in the City and withstands existing environmental conditions; and consideration of the application of green striping on bike lanes, pavers, and stamped asphalt.

Mayor Mitchell noted that the University Drive bicycle and pedestrian streetscape enhancements would provide value-added amenities, thereby supporting the business community and facilitating the flow of traffic in the area. He expressed appreciation for staff's work on their outreach to the business community to develop a solution to achieve traffic calming.

Based on the discussion, staff was asked to record and monitor the maintenance costs associated with the application of green thermoplastic and ensure that its appearance remains in good condition.

Nuisance Parties and Unlawful Gatherings Ordinance Revision

Lisa Collins, Interim Community Development Director, introduced co-presenter Bill Amato, Police Legal Advisor, who provided a presentation regarding the proposed amendment to the Nuisance Parties and Unlawful Gatherings Ordinance, which is scheduled for a public hearing at the May 30, 2013 Formal Council Meeting (FCM).

Mr. Amato noted that the City of Tempe Interdepartmental Work Group examined shortcomings in the current Nuisance Parties and Unlawful Gatherings Ordinance and drafted changes that would assist the Police Department in the enforcement of nuisance party violations, as follows:

- Police Officers can post a notice of citation on the door of the premises of the nuisance party if the resident refuses to answer the door.
- Nuisance party fees are increased to allow for a \$250 first response fee, a \$1,000 second response fee, and a \$1,500 third response fee.
- Any persons in attendance at the party who are responsible for causing the nuisance can be cited.
- Non-involved landlords/property owners will still be provided notice from the City that a nuisance party or unlawful gathering had taken place on the premises, without a fee, on the first offense.
- The landlord/property owner will be charged a fee if he or she had been sent a notice, and a subsequent nuisance party or unlawful gathering with the same responsible person, persons, sponsors, or hosts, occurs.
- Police can charge the responsible person(s) a fee commensurate with the next level fee for a nuisance party if the partygoers are involved in other criminal activity, such as minor(s) in possession, minor(s) in consumption, illegal drugs, weapons, or felonious conduct, due to the considerable amount of Police resources necessary to terminate the party or gathering.
- Any responsible person(s) who wishes to dispute the determination that they are liable for the Police service fee can appeal to the Police Commander assigned to that geographical location. If the responsible person is unsuccessful, he or she can submit a request for an administrative review hearing before a Hearing Officer.
- More than one individual can be held jointly and severally liable for the costs incurred for Police services.
- The definition of "responsible person" has been extended to include any persons in attendance, any owner, occupant, or tenant of the premises, or any sponsor, or organizer of the event constituting the nuisance party or unlawful gathering.

Councilmembers and staff discussed the following: the proposed ordinance is more effective and provides value to the community; the Police Department has the discretion to determine whether or not to issue a citation for a first offense; the Police Department has been working with Arizona State University (ASU) to ensure that Tempe residents, incoming students, fraternities, sororities, and other student organizations are informed of the Ordinance changes. Calls in response to complaints or other information regarding a nuisance party or unlawful gathering involving the same resident in the same location does not have to occur during a 90-day period for it to be considered a second or subsequent response. If after written notice of the violation, a second or subsequent Police response(s) is necessary to the same location for a nuisance party within 90 days of the first response, such response shall be deemed a second response and subject to the Police service fee. The Police Department will continue to track and monitor the number of calls, violations, and citations involving nuisance parties and unlawful gatherings, in coordination with ASU. Staff sought feedback from Police Officers regarding what they believed was effective or ineffective in the existing ordinance to support officers in addressing the problems associated with nuisance parties and unlawful gathering. It is important to ensure that when the City Council revises an ordinance, that it meets the needs of the employees who implement the policies set by the City Council.

Based on the discussion, staff was asked to include information regarding the changes to the Nuisance Parties and Unlawful Gatherings ordinance in the Tempe Today community newsletter, after it is adopted by the City Council, and to provide a program update to the City Council within one year.

Formal Council Agenda Items

- 5B4. Construction contract with Sunland, Inc. – Asphalt & Sealcoating
- 5B5. Construct contract with Nesbitt Contracting Company
- 5B6. Contract with PSC Mobile for the purchase of Panasonic Toughbook PC's
- 5E8. Intergovernmental agreement with the Regional Public Transportation Authority

Due to time constraints, Mayor Mitchell requested that if the Councilmembers had questions on any of the above agenda items, the item could be removed from the Formal Council Meeting for separate consideration.

Future Agenda Items

- Commercial Code Enforcement

Mayor's Announcements/Manager's Announcements

None.

The meeting adjourned at 7:36 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 Issue Review Session of May 09, 2013, by the Tempe City Council, Tempe, Arizona.

ATTEST:

Mark W. Mitchell, Mayor

Brigitta M. Kuiper, City Clerk