Mayor Hallman called the meeting to order at 4:09 p.m.

**Agenda Item 1 – Public Appearances/Call to the Public**

None.

**Agenda Item 2 – Approval of Minutes of November 19, 2009**

Councilmember Mitchell made a motion for approval of the minutes from November 19, 2009. Second by Councilmember Navarro. Motion passed unanimously.

**Agenda Item 3 – Interdepartmental Work Group Update**

Shauna Warner reported that the interdepartmental work group has been meeting for a year and has been working on a pilot project emphasizing a comprehensive, proactive approach to neighborhood issues and concerns. The pilot project area spans from Continental Drive to Weber Drive and Scottsdale Road to College Avenue and was selected based on public safety calls for service as well as code violation trends and data. A pre and post mail survey of all residents in this area was conducted to assess perceptions and experiences specific to neighborhood and quality of life concerns. Following the survey, residents were mailed a flier explaining their area of responsibility for property maintenance and upkeep and to encourage participation in a November 21 clean up event. A community meeting was held on February 16, 2010 to build on what had been accomplished to date and to encourage continual neighborhood asset development. A wrap up meeting is scheduled for May 10, 2010 to discuss the results of the
surveys and assess the impact this project has had on this area of Tempe. Staff will then meet to evaluate the outcome of this pilot project and fine tune the process with the intent to expand the scope beyond calls for service and code enforcement as selection criteria for the next project location.

Mayor Hallman asked if staff used the community survey data to identify trends and hot spots. Shauna Warner responded yes, that data is currently being mapped out and compiled.

Angel Carbajal stated that the issues of concern for staff and residents in this project location were code enforcement and law enforcement. Part of this process included inviting representatives from the North Tempe Neighborhood Association (NTNA) to meet with staff to discuss their specific issues of concern.

There were two large scale operations going on in the area that got a lot of media attention. Operation Crystal Dragon was the seizure of 124 pounds of methamphetamine, 114 pounds of cocaine, and 11 ounces of heroine. 16 warrants were served and 130 people were arrested, 26 of which were Tempe residents. 35 vehicles were seized along with nearly $1.5 million dollars in cash.

The second operation in the Weber neighborhood resulted in 41 arrests, and the seizure of 4.75 pounds of methamphetamine, 3.5 grams of cocaine, and ¾ of a pound of marijuana. Seven search warrants were conducted in the same apartment complex at the same time. The owners of the apartment complex and the police department are working to bring the building up to code compliance standards. If the owners know of criminal activity going on and do not report it, the city can force the landlord into an abatement process to require compliance with building codes. The police department will be in North Tempe on April 26, to talk about the criminal process and will be meeting with neighborhood residents in May to talk about this pilot program, including the post program survey results. Staff has received a lot of positive feedback and support regarding this project.

**Agenda Item 4 – Rental Housing License Update**

Phil Falcosky reviewed the Tax and License database results regarding residential rental properties. Currently there are 8,071 rental properties in the system which represents 5,644 landlords. These properties are either single family or condos, and multiplexes with four or fewer units.

Councilmember Mitchell asked staff to monitor the Senate bill that will be on the May ballot that is intended to preempt some cities and towns from imposing rental housing license fees and taxes on landlords. Mayor Hallman added that since Tempe is required by Charter to place any tax increase on a ballot for voters to decide, this legislation would be irrelevant.

Mayor Hallman asked about the percentage of landlords in Tempe are legally licensed for rental income activity. Phil Falcosky responded that over 80% of landlords in Tempe are properly licensed with the City, perhaps even closer to 90%. This estimation is based on water utility activity. Because of this high compliance rate, staff will be shifting the focus of residential landlord licensing to commercial properties.

**Agenda Item 5 – Discussion of Solid Waste Code Revisions**

John Osgood went over the major proposed changes to the solid waste city code. Mr. Osgood referred to Section 28-12 pertaining to “Violations and Penalties” which has been rewritten to align with other parts of the city code in terms of code enforcement consistency.

Public Works staff has met with code enforcement and solid waste personnel to discuss the enforcement approach and inspection process. System inefficiencies were the outcome of those meetings. The current practice might sometimes require that a code enforcement inspector and a solid waste inspector visit the same property. This code section describes property maintenance in general and helps residents understand that their property line
actually ends eight feet into the alley, not at their gate. This places the responsibility of alley upkeep on residents. The overall goal is to not have multiple inspectors conducting business at the same residence.

Section 28-100 relates to recycling. Recycling requirements have been strengthened for those that want to participate. For those who require two pick ups a week, they will now be charged for the second pick up since the truck driver will have to go off of their route to accommodate that pick up. Section 28-120 (b) states that 'a recycling nonparticipant shall not receive or retain a city-owned container used for recycling. However, residential nonparticipants shall be charged the standard residential refuse rate plus an additional monthly charge.' Mayor Hallman asked if this verbiage was added due to the additional costs associated with extra waste. Mr. Osgood responded yes. Mayor Hallman stated that the question then becomes should a fee be imposed for non participants or should a penalty be imposed for those who recycle and are part of the blue barrel program but don't use it. Mr. Osgood stated that non participants are easily identified right now. Mayor Hallman sited an example of one resident who doesn’t recycle through the blue barrel, but has received awards for recycling. Councilmember Navarro clarified that charging a customer if they choose to not recycle is the end result. Mr. Osgood replied yes. However, staff will need to further discuss the criteria for being classified as being non compliant with the recycling policy.

Councilmember Arredondo asked how much revenue is generated by the recycling program each year. Mr. Osgood replied that the recycling program generates approximately $300,000 annually. Councilmember Arredondo commented that if the system is not broken, then why is this being suggested. Mayor Hallman stated that enhancing revenue would be the goal. Perhaps more public education on the value of recycling and how those cost savings are used to keep refuse rates reasonable might serve as an incentive to get people to participate in the program. Mayor Hallman asked if staff has considered using recycling as a positive incentive by discounting refuse fees for program participants. It was agreed that this would require monitoring to ensure compliance. Mr. Osgood stated that this is an industry wide issue and dilemma. Mayor Hallman commented that another method might be to explore technologies that would allow trash/recycling to be weighed and bill customers based on that data.

Section 28-52 refers to the uncontained bulky item program. The intent is to clarify the uncontained program. The revised verbiage puts potential limits on the amount of material generated for pick up each month, where that material can be placed, and explains the collection of the uncontained items. The maximum volume of uncontained items will be 10 cubic yards. Currently there is no volume limit placed on this service and it is not uncommon for customers to exceed that volume. Mayor Hallman commented there are problems associated with landscapers dumping their debris in alleys.

Councilmember Navarro commented on the fact that people that do not have alleys have to place their waste in front of their homes and asked if consideration has been given to prohibiting all alley waste activity, and convert it to curbside. With this, dumping in alleys could be expressly prohibited. John Osgood stated that the alleys are funded by Highway User Revenue Funds (HURF) and that the proposal of requiring all solid waste items going to the front yard has been explored. However, that will require further analysis. It might be more cost efficient since less time will be needed to keep the alleys clean or some alleys can be closed completely. Currently, approximately 40% of Tempe does have curbside waste collection. Mr. Osgood stated that he would follow up on the possibility of running a pilot program of closing some alleys and converting solid waste pick up in those areas to curbside. Staff will be prepared to update the committee on this topic at the next meeting. Mayor Hallman stated that this might also give residents the opportunity to extend their fence lines another 8' into the alley. Mayor Hallman sited that there would be several benefits to converting alley waste collection from alley's to curbside, such as lower costs, aesthetics, maintenance, etc. John Osgood added that this could also have a positive impact on alley maintenance resources. Councilmember Navarro stated that he was not necessarily suggesting that alleys be closed, in case fire/public safety personnel need emergency access. He has seen that in Phoenix, where alleys have been closed, the alleys become a fire hazard with people still discarding items in the alley. Instead of permanently closing some alleys, Mayor Hallman suggested that they be chained off so that emergency vehicles can still have access to those spaces. John Osgood stated that staff has identified some community block grant funding (CDBG) that could be used for these
types of projects. Shauna Warner added that there are some communities that are converting their alleys into community garden spaces.

The remainder of the code pertains to how and where to appropriately dispose of hazardous materials. The previous language limited residents to one trip to the dump per month at no charge. Now residents can make more than one trip to the dump per month at no additional charge. The goal of this is to encourage people to properly dispose of their waste versus illegally dumping waste to avoid a dump fee, including construction materials.

Green waste separation is also new in the code and was added in anticipation of a green waste compost program. This is to get people to separate their “junk” from the green waste so it can be used as compost. The last time a compost program was in effect, it had to be discontinued due to material contamination issues. Councilmember Navarro asked Mr. Osgood when the compost program will begin. Mr. Osgood stated that there is a green waste pilot program underway.

Councilmember Navarro mentioned that the school by his house has a recycle bin on the street directly outside of the school and asked if this recycle bin was strictly for school use, or can neighbors use it as well? Mr. Osgood stated that the primary use for these bins are for the school, however there could be flexibility on this usage. Councilmember Navarro suggested a joint effort with schools for neighborhood recycling containers.

Councilmember Arredondo suggested that recycle bins be placed at Tempe Marketplace and/or supermarkets. This would be ideal for larger recycling item such as cardboard. Shauna Warner stated that there are neighborhood recycling centers that allow the community the ability to place their recycled materials in community containers.

Mr. Osgood stated that when stores have commercial contracts with the city, recycling bins are provided to them at no extra charge. Stores can currently get a breakdown of cardboard free from the City.

Councilmember Arredondo cautioned staff to be aware that there are Tempe residents that enjoy the use of their alleys for waste collection. Rubberizing alleys was also mentioned as a potential point of consideration. Mr. Osgood commented that there are substantial costs associated with alley surface rubberization.

**Agenda Item 6 – Tempe Neighbors Helping Neighbors**

Lisa Roach and Woody Wilson gave an overview of the Tempe Neighbors Helping Neighbors Program which is an outgrowth of the Neighborhood Advisory Committee. This program was created to provide support to low income and disabled Tempe residents who are unable to maintain or stay in their own homes without maintenance assistance. TNHN, a non-profit 501c3 organization, matches eligible residents with volunteers that assist with yard and landscape maintenance and minor home repairs. Lowes has agreed to sponsor this program and will send out an estimator to determine what needs to be done in these homes. TNHN has partnered with the Tempe Community Council to create a pool of volunteers to do this work. Mr. Wilson asked the committee if they could have a point of contact from code enforcement so they can find out about problem properties so that they can follow up with the homeowner to conduct a needs assessment. The community has supported this effort and many churches have already offered assistance. Within the next 2-3 months, the program will be ready to move forward. There is also a hotline at the Tempe Community Council for this program.

Liability concerns remain an area still being studied. Councilmember Arredondo suggested that a representative from the City Attorney’s office take a look at the liability issues before the City gets involved. Shauna Warner stated that Teresa Voss, Assistant City Attorney, is looking at the liability associated with referring code violations to TNHN.

Mayor Hallman stated that since TNHN is an independent non-profit organization, the city does not need to get involved. Until the city begins making official referrals to TNHN for follow up, then it will be time for the liability issues to be addressed.
Councilmember Navarro suggested including the TNHN project information in the water bill newsletter to get the word out.

Jason Matthews commented on what a great community asset this program is and thanked Woody Wilson and Lisa Roach for their hard work. The TCC has frequently had to turn the elderly away for these types of services, so this program fills that niche. Referrals from the police department were also brought up as an ideal method of getting this information to TNHN.

**Agenda Item 7 – Future Agenda Items**
None.

**Agenda Item 8 – Future Meeting Dates**
The next meeting will be scheduled as needed.

**Agenda Item 9 - Announcements**
None.

*Meeting adjourned at 5:05 p.m.*

Prepared by: Jaclyn Levin
Reviewed by: Kay Savard

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Jan Hort
City Clerk