

**REVISED**

**Tempe City Council  
Regular Council Meeting  
Harry E. Mitchell Government Center  
Tempe City Hall - City Council Chambers  
31 East Fifth Street, Tempe, Arizona  
Thursday, April 14, 2016  
6:00 PM**

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

1. **INVOCATION - Vice Mayor Woods**
2. **PLEDGE OF ALLEGIANCE**
3. **MINUTES - Councilmember Granville**
  - A. Approval of City Council Meeting Minutes
    1. [Regular City Council Meeting - January 28, 2016, February 11, 2016, and February 25, 2016](#)
    2. Executive Session - March 17, 2016
  - B. Acceptance of Board, Commission and Committee Meeting Minutes
    1. [Development Review Commission - February 23, 2016](#)
    2. [Development Review Commission Study Session - February 23, 2016](#)
    3. [Hearing Officer - March 1, 2016 and March 15, 2016](#)
    4. [History Museum and Library Advisory Board - March 2, 2016](#)
    5. [Human Relations Commission - February 9, 2016](#)
    6. [Mayor's Youth Advisory Commission - March 1, 2016 and March 15, 2016](#)
    7. [Parks, Recreation, Golf and Double Butte Cemetery Advisory Board - February 17, 2016](#)
    8. [Tempe Municipal Arts Commission - February 10, 2016 and February 24, 2016](#)
4. **REPORTS AND ANNOUNCEMENTS**
  - A. Mayor's Announcements
    1. **Week of the Young Child Proclamation**
    2. **2016 State of the Neighborhoods**
  - B. City Manager's Announcements

## 5. CONSENT AGENDA

All items listed on the Consent Agenda will be considered as a group and will be enacted with one motion by the City Council unless an item is removed for separate consideration. Members of the public may remove public hearing items for separate consideration. Public hearing items are designated by an asterisk (\*). Councilmembers may remove any item for separate consideration.

### A. Miscellaneous Items

- 5A1. [Approve the February 2016 Report of Claims Paid to be filed for audit.](#)

**Fiscal Impact:** Total payments in February: \$15,647,013.17.

- 5A2. [Approve a fiscal year 2015-16 Capital Improvements Program budget appropriation transfer from project number 5605949, Fire Medical Rescue Training Center Facilities, to project number 5603619, Fire Medical Rescue Apparatus Replacement, to provide fiscal year 2015-16 funding for the purchase of a ladder truck. The funding for award of a contract to Rosenbauer South Dakota, LLC for a ladder truck.](#)

**Fiscal Impact:** \$500,000 of fiscal year 2015-16 appropriations will be transferred from CIP project No. 5605949, Fire Medical Rescue Training Center Facilities, to CIP project No. 5603619, Fire Medical Rescue Apparatus Replacement. Total CIP appropriations will not increase as a result of the transfer. General obligation bonds will be the source of funding for the ladder truck replacement project.

- 5A3. [Approve fiscal year 2015-16 Capital Improvements Program budget appropriation transfers from cost center 9854 \(Streets Grant Contingency\) to project number 6707961 \(Tempe Butte Power Line Relocation\) to provide funding for the award of construction contracts to B and F Contracting, Inc. and Arizona Public Service for trenching, electrical line replacement, and other work associated with undergrounding of existing power lines on Tempe Butte. \(Related to Agenda Item 5B25\)](#)

**Fiscal Impact:** \$376,512.95 of the fiscal year 2015-16 appropriations will be transferred from cost center 9854, Streets Grant Contingency, to Capital Improvements Program Project No. 6707961, Tempe Butte Power Line Relocation. Funding for the project is in the Underground Utility Fee reserve in the Traffic Signals Capital Project Fund.

- 5A4. [Approve the transfer of budget appropriation from the Solid Waste Fund to the Capital Improvement Project Fleet Maintenance Improvements to fully fund construction of the compressed natural gas fuel dispensing system at the Public Works fuel yard. \(Related to Agenda Item No. 5B26\)](#)

**Fiscal Impact:** \$44,000 of the Solid Waste Fund's fiscal year 2015-2016 operating budget, appropriated in cost center 3713, will be transferred to Capital Improvement Project No. 6705189 to fully fund the project construction. The entire project is funded by the Solid Waste Fund.

- 5A5. [Approve fiscal year 2015-16 Capital Improvements Program \(CIP\) budget appropriation transfers from CIP project numbers 6305981A Structural Assessment Diablo Stadium\); 6307117 \(I-10 Pit Engineering Study\); 6399827 \(Tischler Bise Development Impact Fee Study\); and, 6303089 \(Athletic Field Lighting Improvements\) to project number 6303009 \(Diablo Stadium Capital Replacement and Reinvestment\) for unplanned expenditures related to safety, storm damage and infrastructure repairs at Tempe Diablo Stadium.](#)

**Fiscal Impact:** \$5,759 of the fiscal year 2015-16 appropriations will be transferred from CIP project number 6305981A, (Structural Assessment Diablo Stadium); \$5,700 will be transferred from project number 6399827 (Tischler Bise Development Impact Fee Study); \$24,195 from project number 6307117 (I-10 Pit Engineering Study); and \$45,550 from project number 6303089 (Athletic Field Lighting Improvements) to project number 6303009 (Diablo Stadium Capital replacement and Reinvestment). The total combined transfer is \$81,204.

- 5A6. [Approve fiscal year 2015-16 Capital Improvement Program appropriations transfers from project #6705229 \(Water Heater Replacement\) and from project #6707031 \(Waste & Vent Pipe Renov\) to project #6799779 \(Emergency Capital Repairs\) to provide funding to respond to emergencies during the rest of the fiscal year.](#)

**Fiscal Impact:** \$30,000 will be transferred from project #6705229 (Water Heater Replacement) and \$22,181 from project #6707031 (Waste & Vent Piping Renov) to project #6799779 (Emergency Capital Repairs). The total combined transfer is \$52,181. All of the projects involved are in the General Governmental Capital Improvement Projects Fund.

- \*5A7. [Hold a public hearing to recommend the approval of a series 12 restaurant liquor license for Tokyo Inc., dba Tokyo Joe's, 4715 South Rural Road, Suite 104.](#)

**Fiscal Impact:** N/A

- \*5A8. [Hold a public hearing to recommend the approval of a series 10 beer and wine store liquor license for Bottleshop 48 LLC, dba Bottleshop 48, 3316 & 3318 South McClintock Drive.](#)

**Fiscal Impact:** N/A

- \*5A9. [Hold a public hearing to recommend the approval of a series 18 In-state craft distillery liquor license for Red Mountain Distilling and Spirits LLC, dba Red Mountain Distilling and Spirits, 625 South Smith Road, Suite 25.](#)

**Fiscal Impact:** N/A

- \*5A10. [Hold a public hearing to recommend the approval of a series 01 In-state producer's liquor license for Arizona Spirits LLC, dba Arizona Distilling Co., 601 West University Drive.](#)

**Fiscal Impact:** N/A

**B. Award of Bids/Contracts**

- 5B1. [Approve the utilization of a one-year State of Arizona contract with Bridgestone/Firestone of North America, Inc. for the purchase of tires and tubes.](#)

**Fiscal Impact:** Total cost of this contract will not exceed \$225,000. Sufficient funds have been appropriated in the General Fund – cost center 3264 (Fleet Services Inventory) – for the anticipated expenditures.

- 5B2. [Approve the utilization of a one-year State of Arizona contract with Goodyear Tire and Rubber Company to purchase tires and tubes.](#)

**Fiscal Impact:** Total cost of this contract will not exceed \$85,000. Sufficient funds have been appropriated in the General Fund – cost center 3264 (Fleet Maintenance Inventory) – for the anticipated expenditures.

- 5B3. [Approve the utilization of a one-year City of Scottsdale contract with Ancon Services Company for routine and trouble spot cleaning of the City's sewer system, lift stations, and wet wells.](#)

**Fiscal Impact:** The cost of this contract shall not exceed \$200,000 during the one-year contract period. Sufficient funds have been appropriated in the Water/Wastewater Fund - cost center 3022 (Distribution & Collection) for the anticipated expenditures in the current fiscal year.

- 5B4. [Approve a one-year contract renewal with Heinfeld, Meech & Company, P.C. for professional financial statement audit services for the Internal Services Department and other City departments on an as-needed basis.](#)

**Fiscal Impact:** Total cost of this contract will not exceed \$130,000 during the contract renewal period. Sufficient funds have been appropriated in General Fund cost center 1831 (Accounting), Community Facilities District Fund cost center 5016 (Community Facilities District - Equipment, Insurance and Contingency), Transit Fund cost center 3911 (Transit Admin and Regional Services), Section 8 Housing Fund cost center 2772 (Section 8 Administration), and other City-wide cost centers as needed for anticipated expenditures in the current fiscal year.

- 5B5. [Approve a one-year contract renewal with CHC Wellness to provide a wellness program offered to eligible City employees.](#)

**Fiscal Impact:** Total cost of this contract will not exceed \$250,000 during the one-year renewal period beginning July 1, 2016. Sufficient funds will be budgeted in the Health Fund – cost center 4167 (Employees) – for the anticipated expenditures in the upcoming fiscal year.

- 5B6. [Approve a one-year contract renewal with Vulcan Materials to supply base material and asphalt compounds to make repairs to City streets and facilities.](#)

**Fiscal Impact:** Total cost of this one-year contract will not exceed \$100,000. Sufficient funds have been appropriated in the Highway User Fund cost centers 3813 – (Construction) and 3814 (Right of Way Maintenance) - for the anticipated expenditures.

- 5B7. [Approve one-year contract renewals with Arizona Truck and Coach, Auto Body Specialists, and Maaco Collision Repair & Auto Painting for vehicle body repairs and painting.](#)

**Fiscal Impact:** Total combined cost of these contracts will not exceed \$100,000. Sufficient funds have been appropriated in the General Fund – cost center 3262 (Fleet Services Maintenance) – for the anticipated expenditures.

- 5B8. [Approve a one-year contract renewal with York Risk Services Group, Inc. for workers' compensation claims third party administrator services managed by the Internal Services Department.](#)

**Fiscal Impact:** Total cost of this contract will not exceed \$67,000 during the one-year renewal period. Sufficient funds are available in the Worker's Comp Fund - cost center 2701 (Worker's Comp) for the anticipated expenditures in the upcoming fiscal year.

- 5B9. [Approve a one-year contract renewal with F2 Industries, LLC for powdered activated carbon used by the Public Works Department.](#)

**Fiscal Impact:** Total cost of this contract will not exceed \$650,000. Sufficient funds have been appropriated in the Water/Wastewater Fund – cost centers 3013 (Johnny G. Martinez Water Treatment Plant) and 3014 (South Tempe Water Treatment Plant) for the anticipated expenditures in the current fiscal year.

- 5B10. [Approve a one-year contract renewal for annual software maintenance and support with Versaterm, Inc. for the City's integrated public safety system for the Police Department.](#)

**Fiscal Impact:** Total cost of this contract will not exceed \$360,199.79 during the one-year renewal period. Sufficient funds have been appropriated in General Fund cost center 1991 (IT Administration) for the anticipated expenditures in the current fiscal year.

- 5B11. [Approve a one-year contract renewal with Pride Group, LLC for special event equipment rental and services to be used by various City departments.](#)

**Fiscal Impact:** Total cost of this contract will not exceed \$75,000 during the one-year renewal period. Sufficient funds have been appropriated in the General Fund cost centers 1212 (Diversity Office), 2522 (Recreation – Special Services), 2531 (Recreation – Kiwanis Recreation Center), and Government Grants or Donations Fund cost center 2577 (Special Event Donations) for the anticipated expenditures in the current fiscal year.

- 5B12. [Approve a one-year contract renewal with Crop Production Services for ryegrass seed and bentgrass seed for use at City parks, golf courses and sports complexes.](#)

**Fiscal Impact:** Total cost of this contract will not exceed \$135,000 during the one-year renewal period. Sufficient funds have been appropriated in several General Fund Field Operations cost centers and the Golf Fund for the anticipated expenditures in the current fiscal year.

- 5B13. [Approve one-year contract renewals with Hypertec USA, Inc., and Securis Group, LLC for the purchase of information technology security software, hardware, related accessories, and products on an as needed basis.](#)

**Fiscal Impact:** Total combined cost of these two contracts will not exceed \$230,000 during the one-year contract renewal term. Sufficient funds are available in General Fund - cost center 1997 (IT Security Administration) and other City-wide cost centers as needed for the anticipated expenditures.

- 5B14. [Approve a two-year contract renewal with Aquatic Consulting and Testing, Inc. for Tempe Town Lake cleaning, inspection, and maintenance services.](#)

**Fiscal Impact:** Total cost of this contract will not exceed \$396,764.16 during the two-year renewal period. Sufficient funds have been appropriated in the Community Facilities District Fund - cost center 5014 (Lake Surface and Shoreline Cleanup) for the anticipated expenditures in the current fiscal year.

- 5B15. [Approve one-year contract renewals with Fisher Scientific, Copper State Supply, AGS Safety and Supply, and Clark Security Products for the supply of safety related products to be used throughout the City.](#)

**Fiscal Impact:** Total combined cost of these contracts shall not exceed \$200,000 over the one-year renewal period.

- 5B16. [Approve one-year contract renewals with SolarCity Corporation, Oak Leaf Energy Partners and Green Choice Solar for the development, construction and maintenance of solar photovoltaic electric generating systems.](#)

**Fiscal Impact:** There is no cost related to these renewals. This action will continue the availability of the named solar providers on an approved short list from which future projects could be awarded through separate Council action.

- 5B17. [Award one-year contracts with four, one-year renewal options to Foster Electric Motor Service, Inc., Keller Electrical Industries, Inc. and Laron Inc. for water plant mechanic services on an as-needed basis.](#)

**Fiscal Impact:** Total cost of this contract shall not exceed \$500,000 during the one-year contract period. Sufficient funds have been appropriated in the Water and Wastewater Fund – cost centers 3013 (Johnny G. Martinez Plant) and 3014 (South Tempe Water Plant) – for the anticipated expenditures.

- 5B18. [Award a one-year contract with five, one-year renewal options to Praxair, Inc. to purchase refrigerated liquid carbon dioxide that is used in the purification process for drinking water.](#)

**Fiscal Impact:** Total cost of this contract will not exceed \$450,000 during the one-year contract period. Sufficient funds have been appropriated in the Water and Wastewater Fund – cost centers 3013 (Johnny G. Martinez Plant) and 3014 (South Tempe Water Plant) for the anticipated expenditures in the current fiscal year.

- 5B19. [Award a contract to NiteHawk Sweepers, LLC for the purchase of a regenerative sweeper for cleaning of the City's multi-use pathways.](#)

**Fiscal Impact:** Total cost of this contract will not exceed \$112,000. Sufficient funds have been budgeted in the Transit Fund – cost center 3917 (Bus Stop & Bikeway Maintenance) – for the anticipated expenditures.

- 5B20. [Award a two-year contract with three, one-year renewal options to United Fire Equipment Company for the dress and station uniforms worn by the Fire Medical Rescue Department personnel.](#)

**Fiscal Impact:** Total cost of this contract will not exceed \$170,000 during the initial two-year contract period. Sufficient funds have been appropriated in the General Fund cost center 2340 (Fire – Emergency Services) for the anticipated expenditures in the current fiscal year.

- 5B21. [Award a five-year contract with one, two-year renewal option to The Bicycle Cellar, Inc. for the operation of the Regional Bicycle Center at the Tempe Transportation Center.](#)

**Fiscal Impact:** There is no cost to the City for this contract. The contractor compensates the City with monthly rent payments. Total income to the City for the initial five year term will be \$38,000.

- 5B22. [Approve a fifteen-year lease agreement with two, five-year renewal options between the City of Tempe and the Tempe Union High School District for the Benedict Fields complex.](#)

**Fiscal Impact:** The City is obligated to pay \$1 per year for the lease of the District-owned property. The City also pays to maintain the facilities installed on the site by the City and the cost to program activities on the site. The costs to maintain the facilities and provide activities are budgeted annually in the City's operating and capital budgets. No new facilities or activities are required by the agreement.

- 5B23. [Award a construction manager at risk construction services contract to Hunter Contracting Co. for drying beds at South Tempe Water Treatment Plant.](#)

**Fiscal Impact:** The construction services contract amount is \$364,284.42 and the project contingency amount is \$36,000. Funds to cover these contracts and related costs are appropriated for fiscal year 2015/16 in Capital Improvement Project No. 3205919, South Tempe Water Treatment Plant Asset Maintenance.

- 5B24. [Award a one-year contract with four, one-year renewal options to Mining, Rock, Excavation & Construction LLC for the purchase of towable air compressors.](#)

**Fiscal Impact:** Total cost of this one-year contract will not exceed \$76,000. Sufficient funds have been budgeted in the Water/Wastewater Fund – cost centers 3022 (Distribution & Collection) and 3024 (Irrigation) – for the anticipated expenditures.

- 5B25. [Award a construction contract to B&F Contracting, Inc. and a professional services consultant contract to Logan Simpson Design, Inc. for power line relocation at Hayden Butte. \(Related to Agenda Item No. 5A3\)](#)

**Fiscal Impact:** The construction contract amount is \$207,145.88, the professional services contract amount is \$66,668.00, and the project contingency amount is \$21,000.00. Funds to cover this contract and related costs are appropriated for fiscal year 2015/16 in Capital Improvement Project No. 6707961, Powerline Relocation – Hayden Butte.

- 5B26. [Award a construction contract to RKS Plumbing & Mechanical, Inc. for expansion of the compressed natural gas fuel dispensing system at the Public Works Department fuel yard, west of the East Valley Bus Operations and Maintenance Facility. \(Related to Agenda Item No. 5A4\)](#)

**Fiscal Impact:** The construction contract amount is \$149,700 and the project contingency amount is \$15,000. Funds to cover this contract and related expenses were approved and appropriated for fiscal year 2015/16 in Capital Improvement Project No. 6705189, Fleet Maintenance Improvements.

**C. Resolutions**

- 5C1. [Adopt a resolution authorizing the Chief of Police or designee\(s\), to execute a grant award agreement between the State of Arizona, Governor's Office of Highway Safety and the Tempe Police Department to accept funding for overtime and employee related expenses to participate in the two-week Buckle Up Arizona Enforcement Campaign throughout the City of Tempe. \(Resolution No. R2016.33\)](#)

**Fiscal Impact:** The amount of the total grant award is \$10,000. This grant award will supplement the Police Department's existing General Fund budget appropriation. Sufficient budget appropriation for expenditure of this grant was authorized in the Police Grants and Restricted Revenue Fund (Fund 45) as part of the fiscal year 2015-16 adopted budget.

- 5C2. [Adopt a resolution authorizing the Mayor to execute the Second Amendment to that certain Lease between the City of Tempe, and PKY FUND II PHOENIX II, LLC, a Delaware limited liability company \("Parkway"\), successor in interest to Hayden Ferry Lakeside, LLC, covering property located at 40 East Rio Salado Parkway. \(Resolution No. R2016.34\)](#)

**Fiscal Impact:** The Lease is scheduled to expire January 31, 2019; the Second Amendment to Lease extends the term by 2 years to January 31, 2021. During the extension, Parkway will pay the required excise tax rate and \$150,000 per year for the term of the two-year extension.

- 5C3. [Adopt a resolution authorizing the Tempe Municipal Court to accept grant funding from the Arizona Department of Veterans' Services to establish an East Valley Regional Veterans' Court. \(Resolution No. R2016.35\)](#)

**Fiscal Impact:** The amount of the grant award is \$100,000 in state funds. Acceptance of this grant does not require any matching City funds. This grant award will supplement the Tempe Municipal Court's existing General Fund budget appropriation. Sufficient budget appropriation for expenditure of this grant was authorized for fiscal year 2015-16, and a new fund and cost center will be established.

- 5C4. [Adopt a resolution authorizing the Mayor to execute an Amendment to Intergovernmental Agreement between Maricopa County Animal Care and Control and the City of Tempe for animal care and control services. \(Resolution No. R2016.36\)](#)

**Fiscal Impact:** Total amount shall not exceed \$117,000 over the one-year contract term. Sufficient budget appropriation for this expenditure was requested as part of the Police Department's General Fund Budget (cost center 2259) in the recommended fiscal year 2016-17 budget.

- 5C5. [Adopt a resolution authorizing the Mayor to execute an Amendment #1 to an Intergovernmental Agreement between the City of Tempe and Valley Metro for the operations and maintenance of the Tempe Streetcar Project. \(Resolution No. R2016.37\)](#)

**Fiscal Impact:** The Tempe Streetcar operations and maintenance costs will be covered by the Tempe Transit Fund. Estimated annual operations and maintenance costs are projected to be approximately \$4.2 million, partially offset by fare box recovery and other possible agreements or revenue sources.

- 5C6. [Adopt a resolution authorizing the Mayor to execute Amendment #1 to a Public Way Use Agreement between the City of Tempe and Valley Metro to utilize public right-of-way for the Tempe Streetcar Project. \(Resolution No. R2016.39\)](#)

**Fiscal Impact:** N/A

- 5C7. [Adopt a resolution authorizing the Mayor to execute the Subrecipient Agreement between the AARP Foundation and the City of Tempe to accept and disburse a federal grant from the Department of Justice, Office of Juvenile Justice and Delinquency Prevention passed through the AARP Foundation for the provision of a juvenile mentoring program. \(Resolution No. R2016.40\)](#)

**Fiscal Impact:** The amount of the grant award is \$180,000 for performance between February 1, 2016 to January 31, 2018. Sufficient budget appropriations for expenditure of this grant were authorized in the Governmental Grants and Donations Fund (Fund 46), as part of the 2015-16 adopted budget.

- 5C8. [Adopt a resolution authorizing the Mayor to execute an Intergovernmental Agreement with the Arizona Board of Regents, a body corporate, acting for and on behalf of Arizona State University, Tempe Campus to execute an agreement outlining their obligations regarding cooperative public safety resources, duties and programs. \(Resolution No. R2016.41\) \*\*Material revised\*\*](#)

**Fiscal Impact:** No fiscal impact.

## 6. NON-CONSENT AGENDA

All items listed on the Non-Consent Agenda will be considered separately. Agenda items scheduled for Introduction and First Public Hearing will be heard, but will not be voted upon at this meeting. Agenda items scheduled for Second Public Hearing and Final Adoption will be voted upon tonight.

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

### A. Miscellaneous Items/Bids/Contracts/Resolutions

- 6A1. [Approve the utilization of one-year State of Arizona contracts with Corporate Job Bank, All About People, and Kelly Services for temporary staffing services utilized throughout the City.](#)

**Fiscal Impact:** The total combined cost of these three contracts shall not exceed \$2,000,000 during the one-year contract period. Sufficient funds have been appropriated in various funds and cost centers for the anticipated expenditures.

- 6A2. [Award a construction manager at risk construction services contract to Hunter Contracting Co. and a professional services consultant contract to C. Williams Construction Engineering, Inc. for water and sewer line replacement along Farmer Avenue from Broadway Road to First Street and along First Street to Mill Avenue.](#)

**Fiscal Impact:** The construction services contract amount is \$3,339,941.32, the professional services consultant contract amount is \$59,760, and the project contingency amount is \$335,000. A portion of the funds to cover these contracts and related costs are approved and appropriated in fiscal year 2015/16 Capital Improvement Project Nos. 3204969, Water System Rehabilitation or Replacement of Aging Infrastructure (\$800,000), and 3299969, Collection System and Pump Station Replacement and Repair (\$400,000). The balance is proposed to be funded in fiscal year 2016/17.

- 6A3. [Adopt a resolution authorizing the Mayor to execute an Intergovernmental Agreement between the City of Tempe and Valley Metro to design, construct, and finance the Tempe Streetcar Project. \(Resolution No. R2016.38\)](#)

**Fiscal Impact:** The Tempe Streetcar operations and maintenance costs will be covered by the Tempe Transit Fund. Estimated design, construction, and finance costs are projected to be approximately \$4.2 million; partially offset by fare box recovery and other possible agreements or revenue sources. The City is also obligated to \$13 million in capital funding which is anticipated to be reimbursed by impacted property owners.

**B. Ordinances and Items for Introduction and First Hearing - None.**

**C. Ordinances and Items for Second Hearing and Final Adoption**

- \*6C1. [Hold the second and final public hearing to adopt an ordinance authorizing the abandonment of a portion of the right-of-way for College Avenue and the re-dedication of the abandoned right-of-way for use as a public park and authorizing the City Manager or his designee to execute a notice of abandonment and re-dedication to memorialize the change in use. \(Ordinance No. O2016.19\)](#)

**Fiscal Impact:** No impact on City funds.

- \*6C2. [Hold the second and final public hearing to adopt an ordinance authorizing the abandonment of a portion of a sewer line easement in the vicinity of South Rural Road and East Apache Boulevard to facilitate development of the project at 1000 East Apache Boulevard. \(Ordinance No. O2016.20\)](#)

**Fiscal Impact:** N/A

- \*6C3. [Hold the second and final public hearing to adopt an ordinance amending Chapter 29, Article V, of the Tempe City Code relating to sitting or lying down on public sidewalks in the downtown commercial district. \(Ordinance No. O2016.21\)](#)

**Fiscal Impact:** There is no direct cost to the City.

- \*6C4. [Hold the second and final public hearing to adopt an ordinance amending Chapter 2, Article II, of the Tempe City Code relating to Officers and Employees; Chapter 2, Article III, relating to Departments; Chapter 19, Article IV, relating to Operation of Vehicles; amending the City Code generally to reflect that finance and technology director shall be known as internal services director; and amending the Diversity Office to be known as the Office of Strategic Management and Diversity. \(Ordinance No. O2016.22\)](#)

**Fiscal Impact:** There is no fiscal impact to the City for this fiscal year.

- \*6C5.** [Hold the second and final public hearing to adopt an ordinance for an Amended Planned Area Development Overlay and approve a Development Plan Review for a 13-story mixed-use development, containing 281 dwelling units and 1,641 square feet of retail for LOT 1@ FARMER ARTS DISTRICT – PARCEL 1, located at 707 South Farmer Avenue. The applicant is Charles Huellmantel, Huellmantel & Affiliates. \(This item was continued from the March 17, 2016 Regular Council Meeting\) \(Ordinance No. O2016.17\) \*\*Material revised\*\*](#)

**Fiscal Impact:** While this ordinance change does not directly impact revenue, the planned development will result in collection of the standard development fees, calculated according to the approved fee structure at the time of permit issuance.

- \*6C6.** [Hold the second and final public hearing to adopt an ordinance for an Amended Planned Area Development Overlay and approve a Development Plan Review for a new five-story building and five-story parking garage containing approximately 190,000 square feet of office and flex commercial space for FARMER ARTS DISTRICT – PARCEL 2, located at 401 South Farmer Avenue. The applicant is Huellmantel & Affiliates. \(This item was continued from the March 17, 2016 Regular Council Meeting\) \(Ordinance No. O2016.18\)](#)

**Fiscal Impact:** While this ordinance change does not directly impact revenue, the planned development will result in collection of the standard development fees, calculated according to the approved fee structure at the time of permit issuance.

## 7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS

## 8. PUBLIC APPEARANCES

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

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

- A. Scheduled
- B. Unscheduled

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

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

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