



## Minutes Regular City Council Meeting April 21, 2016

Minutes of the Regular Council Meeting of Thursday, April 21, 2016, held at 6:00 p.m. in the Harry E. Mitchell Government Center, Tempe City Hall, City Council Chambers, 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 Ching, City Manager  
Ken Jones, Deputy City Manager – Chief Financial Officer  
Craig Caggiano, Water Utilities Operations Manager

Judi Baumann, City Attorney  
Brigitta M. Kuiper, City Clerk  
Various Department Heads or their representatives

Mayor Mitchell called the meeting to order at 6:05 p.m.

1. Councilmember Navarro gave the invocation.
2. Mayor Mitchell led the audience in the **Pledge of Allegiance**.
3. **MINUTES**

A. Approval of City Council Meeting Minutes

**Motion by Vice Mayor Woods to approve agenda items 3A1 – 3A3; second by Councilmember Arredondo-Savage. Motion passed unanimously on a voice vote 7-0.**

1. Regular City Council Meeting - March 3, 2016
2. City Council Work Study Session - February 18, 2016
3. City Council and Downtown Tempe Authority Joint Meeting - March 24, 2016

B. Acceptance of Board, Commission and Committee Meeting Minutes

**Motion by Vice Mayor Woods to accept agenda items 3B1 – 3B7; second by Councilmember Arredondo-Savage. Motion passed unanimously on a voice vote 7-0.**

1. Aviation Commission - March 8, 2016
2. Development Review Commission - March 9, 2016
3. Development Review Commission Study Session - March 9, 2016
4. Enhanced Services Commission - January 12, 2016
5. Tempe Fire Public Safety Personnel Retirement System Board - February 4, 2016, March 3, 2016
6. Tempe Fire and Police Public Safety Personnel Retirement System Board Joint Meeting - February 4, 2016
7. Tempe Police Public Safety Personnel Retirement System Board - February 4, 2016

#### 4. REPORTS AND ANNOUNCEMENTS

##### A. Mayor's Announcements

Mayor Mitchell introduced Dr. Scott Shrake, Director of the Arizona State University (ASU) Engineering Projects in Community Service Program (EPICS), to present the EPICS Community Catalyst Award to Dave Nakagawara, Community Development Director, for his mentoring activities with students. Dr. Shrake provided background information regarding EPICS, which is a social entrepreneurship, and discussed the importance of partnerships, faculty support, industry mentors, and community support.

##### B. City Manager's Announcements

###### *1. Tempe Town Lake Operations*

Craig Caggiano, Water Utilities Operations Manager, provided a PowerPoint presentation on the history of Tempe Town Lake (Lake) and recent changes that have occurred. He discussed the removal of the previous dam and the installation of a new dam, which is scheduled to open shortly. The City partnered with Salt River Project on dewatering and refilling the Lake; refilling the Lake began April 12, 2016. He outlined various activities coordinated by several City departments during the time the Lake was dry and defined the roles and responsibilities of various departments going forward. Mr. Caggiano stated that he will serve as the single point of contact for Lake-related issues. The focus of staff is to provide unique and unequalled recreational resources and leverage economic development around the Lake. He emphasized that local stakeholder involvement is important and announced that a Tempe Town Lake Day event is scheduled for Saturday, May 14, 2016.

Andrew Ching, City Manager, announced that the City of Tempe Fire Medical Rescue Department was recently honored with the Seven Seals Award by the Employer Support of the Guard and Reserve (ESGR). This award recognizes the City of Tempe as being an outstanding employer to employees serving in the United States National Guard and Reserves. Mr. Ching thanked Tempe Firefighters, Aaron Hall (Army Reserves), and Gabriel Ulibarri (Air Force Reserves), for nominating the City for this award. Mr. Ching noted that Tempe prides itself on its relationship with the veteran community.

#### 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.

**Motion by Councilmember Navarro to approve the consent agenda; second by Councilmember Kuby. Motion passed unanimously on a roll call vote 7-0.**

##### A. Miscellaneous Items

**5A1.** Approved the March 2016 Report of Claims Paid to be filed for audit.

*Fiscal Impact:* Total payments in March: \$18,331,646.90.

##### B. Award of Bids/Contracts

**5B1.** Approved the utilization of a one-year National Joint Powers Alliance contract with PlayPower Inc. for the supply and installation of playground and recreation related equipment, accessories, and supplies for use by the Public Works Department.

*Fiscal Impact:* Total cost of this contract will not exceed \$320,000 during the one-year contract period. Sufficient funds have been appropriated in Park Improvement/Recreation

Capital Improvement Project Fund cost centers 6305499 (Park Playground Replacement) and 6307921C (Infrastructure Improvement Escalante Park) for the anticipated expenditures in the current fiscal year.

- 5B2. Approved the one-year contract renewal with JPMorgan Chase Bank, N.A. for lockbox services for the expedited collection of payments due to the City for alarm permits, business sales tax, licensing, and utilities.
- Fiscal Impact:* Total cost of this contract will not exceed \$300,000 during the one-year renewal period. Sufficient funds are available in General Fund cost center - 1831 (Accounting) and Water and Wastewater Fund cost center - 1841 (Customer Services) for the anticipated expenditures.
- 5B3. Approved the one-year contract renewal with The Hays Group to provide employee benefits consulting services.
- Fiscal Impact:* Total cost of this contract will not exceed \$60,000 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.
- 5B4. Approved the one-year contract renewal with Econolite to purchase traffic control equipment.
- Fiscal Impact:* Total cost of this contract will not exceed \$110,000. Sufficient funds have been appropriated in the Highway User Revenue Fund – cost center 3825 (Signal Systems) – for the anticipated expenditures.
- 5B5. Approved a sole source three-year term contract with the Active Network, LLC. for an upgrade to the City's enterprise-wide Class software system utilized by Community Services, Public Works, and other City departments and residents and businesses. **(Contract #2016-90)**
- Fiscal Impact:* Total cost of the three-year contract will not exceed \$310,000. Sufficient funds have been appropriated in General Fund cost centers 1991 (IT – Administration) and 2521 (Recreation Administration) for the anticipated expenditure.
- 5B6. Awarded a two-year contract with two, two-year renewal options to Border States Electric Supply for the purchase of Rockwell-Allen Bradley Control Logix System components, electronics, hardware, software and services, which are used in the production of drinking water. **(Contract #2016-91)**
- Fiscal Impact:* Total cost of this contract shall not exceed \$90,000 during the two-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.
- 5B7. Awarded a two-year contract with two, two-year renewal options to Industrial Automation Services, Inc. for the maintenance, repair, and purchase of Rexa actuators. **(Contract #2016-92)**
- Fiscal Impact:* Total cost of this contract shall not exceed \$450,000 during the two-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.
- 5B8. Awarded a two-year contract with three, one-year renewal options to Southwest Fabrication, LLC for the refurbishment of bus stop passenger shelters. **(Contract #2016-93)**

**Fiscal Impact:** Total cost of this contract will not exceed \$225,000 during the initial two-year contract period. Sufficient funds have been appropriated in the Transit Capital Improvement Project fund cost center 6005239 (Bus Stop Capital Maintenance) for the anticipated expenditures in the current fiscal year.

- 5B9. Awarded a one-year contract with four, one-year renewal options to Alpine Technical Services, Inc. to purchase EarthTec liquid copper sulfate pentahydrate that is used in the purification process for drinking water. **(Contract #2016-94)**

**Fiscal Impact:** Total cost of this contract will not exceed \$350,000 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.

- 5B10. Awarded job order no. 5 to Foresite Design & Construction, Inc. for renovations to the Supervisory Control and Data Acquisition control center at the Johnny G. Martinez Water Treatment Plant.

**Fiscal Impact:** The total job order amount is \$316,295 and the project contingency amount is \$32,000. Funds to cover this job order contract and related costs are appropriated for fiscal year 2015/16 in Capital Improvement Project No. 3204409, SCADA Master Plan Implementation.

- 5B11. Awarded a professional services design contract to Parsons Transportation Group Inc. for improvements to the intersection of Rural Road and Southern Avenue. **(Contract #2016-95)**

**Fiscal Impact:** The professional services design contract amount is \$257,975.63. Funds to cover this contract were approved and are appropriated for fiscal year 2015/16 in Capital Improvement Project No. 5407821, Rural Road and Southern Avenue Intersection Improvements.

- 5B12. Awarded job order no. 2 to Valley Rain Construction Corporation for improvements to the ballfield and irrigation at Daley Park at 1625 South College Avenue.

**Fiscal Impact:** The total job order amount is \$486,411.49 and the project contingency amount is \$48,000. Funds to cover this job order contract and related costs are appropriated for fiscal year 2015/16 in Capital Improvement Project Nos. 6305969, Ball Field Infield Renovation, and 6303089, Athletic Field Lighting System Replacement. This project is funded in part with a \$200,000 grant from the Salt River Pima Maricopa Indian Community.

C. Resolutions

- 5C1. Adopted **RESOLUTION NO. R2016.42** establishing a fund balance policy for the City's Health Fund.

**Fiscal Impact:** There is no immediate fiscal impact. The current Health Fund balance is within the recommended fund balance policy.

- 5C2. Adopted **RESOLUTION NO. R2016.46** to accept donations from the Weight Loss Institute of Arizona's Every Step of the Way Relay and authorize the use of such donations.

**Fiscal Impact:** The amount of the donation through June 30, 2016 is \$10,175.50. Sufficient budget appropriations for expenditure of this donation were authorized in the Governmental Grants and Donations Fund (Fund 44, cost center 44407) as part of the fiscal year 2015-16 adopted budget.

- 5C3. Adopted **RESOLUTION NO. R2016.47** to accept donations from the Rotary Club of Tempe Downtown Foundation and authorize the use of such funds.

*Fiscal Impact:* The total amount of the donation is \$ 46,000.00 to be divided into two equal allocations of \$23,000. Sufficient budget appropriations for the expenditure of this donation is authorized in the Governmental Grants and Donations Fund (Fund 67, cost center 6707899) as part of the 2015-16 adopted budget. There will be no additional cost to the City of Tempe for the construction of a conference room and office.

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## 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.

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

- 6A1. Resolution for the issuance and sale of General Obligation and Refunding Bonds; to approve related matters; the annual levy of a tax; and related actions, agreements and documents.

There was no discussion on agenda item 6A1.

Motion by Vice Mayor Woods to approve agenda item 6A1; second by Councilmember Kuby. Motion passed unanimously on a roll call vote 7-0.

- 6A1. Adopted **RESOLUTION NO. R2016.43** authorizing and providing for the issuance and sale of City of Tempe General Obligation Bonds, Series 2016A and General Obligation Refunding Bonds, Series 2016B; delegating the authority to approve certain related matters; providing for the annual levy of a tax for the payment of the bonds; and authorizing and ratifying related actions, agreements and documents.

*Fiscal Impact:* An amount not to exceed \$13,630,000 will be used to finance current year general governmental capital expenditures. The debt service on these bonds will be paid out of the General Obligation Debt Service Fund and Water/Wastewater Enterprise Fund. Approximate savings of \$5 million in future debt service costs is currently anticipated for the refinanced bonds.

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- 6A2. Resolution authorizing purchase, trust, and depository trust agreements, a continuing disclosure certificate, an obligation purchase contract, and an official statement; the sale, execution and delivery of Transit Excise Tax Revenue Refunding Obligations; an obligation purchase contract; redemption of outstanding obligations; and, all actions necessary to the consummation of the transactions.

There was no discussion on agenda item 6A2.

Motion by Vice Mayor Woods to approve agenda item 6A2; second by Councilmember Arredondo-Savage. Motion passed unanimously on a roll call vote 7-0.

- 6A2.** Adopted **RESOLUTION NO. R2016.44** authorizing the execution and delivery of a purchase agreement, a trust agreement, a depository trust agreement, a continuing disclosure certificate, and an obligation purchase contract; authorizing the preparation of an official statement; approving the sale, execution and delivery of City of Tempe Transit Excise Tax Revenue Refunding Obligations, Series 2016, evidencing a proportionate interest of the owners thereof in such purchase agreement; authorizing the execution of an obligation purchase contract; authorizing the redemption in advance of maturity of certain outstanding obligations; and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution.

*Fiscal Impact:* The debt service on these bonds will be paid out of the Transit Special Revenue Fund. Approximate savings of \$2.3 million in future debt service costs is currently anticipated for the refinanced bonds.

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- 6A3.** Resolution authorizing purchase, trust, and depository trust agreements, a continuing disclosure certificate, and an obligation purchase contract; an official statement and the issuance and sale of Excise Tax and Revenue Refunding Obligations; an obligation purchase agreement; redemption of outstanding obligations; and, all actions necessary to the consummation of the transactions.

There was no discussion on agenda item 6A3.

**Motion by Councilmember Schapira to approve agenda item 6A3; second by Vice Mayor Woods. Motion passed unanimously on a roll call vote 7-0.**

- 6A3.** Adopted **RESOLUTION NO. R2016.45** authorizing the execution and delivery of a purchase agreement, a trust agreement, a depository trust agreement, a continuing disclosure certificate, and an obligation purchase contract; approving an official statement; approving the issuance and sale of City of Tempe Excise Tax and Revenue Refunding Obligations, Series 2016, evidencing a proportionate interest of the owners thereof in the purchase agreement; authorizing the execution of an obligation purchase agreement; authorizing the redemption in advance of maturity of certain outstanding obligations; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution.

*Fiscal Impact:* An amount not to exceed \$23,000,000 will be used to finance water/wastewater capital expenditures. Approximate savings of \$500,000 in future debt service costs is currently anticipated for the refinanced bonds. The debt service on these bonds will be paid out of the Water/Wastewater Fund.

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**B. Ordinances and Items for Introduction and First Hearing**

- \*6B1.** Ordinance authorizing the granting of a power distribution easement to Salt River Project Agricultural Improvement and Power District near Desert Cross Lutheran Church, 8600 South McClintock Drive, and an easement agreement and related documents.

Mayor Mitchell introduced the ordinance and opened the public hearing. There was no discussion or public comment on agenda item 6B1. The public hearing was closed.

- \*6B1. Introduced and held the first public hearing to adopt an ordinance authorizing the granting of a power distribution easement to Salt River Project Agricultural Improvement and Power District over certain City-owned land near Desert Cross Lutheran Church, 8600 South McClintock Drive, and authorizing the Mayor or his designee to execute an easement agreement and related documents. The second and final public hearing was scheduled for May 12, 2016. (Ordinance No. O2016.23)

*Fiscal Impact:* No impact on City funds.

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- \*6B2. **Ordinance amending Chapter 2, Article VIII, of the Tempe City Code relating to human relations.**

Mayor Mitchell introduced the ordinance and opened the public hearing. There was no discussion or public comment on agenda item 6B2. The public hearing was closed.

- \*6B2. Introduced and held the first public hearing to adopt an ordinance amending Chapter 2, Article VIII, of the Tempe City Code relating to human relations. The second and final public hearing was scheduled for May 12, 2016. (Ordinance No. O2016.25)

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

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

- \*6C1. **Resolution authorizing the Community Development Block Grant and HOME Program Action Plan for Fiscal Year 2016-2017.**

Mayor Mitchell opened the public hearing. There was no discussion or public comment on agenda item 6C1. The public hearing was closed.

**Motion by Councilmember Navarro to approve agenda item 6C1; second by Vice Mayor Woods. Motion passed unanimously on a roll call vote 7-0.**

- \*6C1. Held the second and final public hearing to receive public comment and adopted **RESOLUTION NO. R2016.19** authorizing the Annual Community Development Block Grant and HOME Program Action Plan for Fiscal Year 2016-2017.

*Fiscal Impact:* There is no fiscal impact on City funds as funding for the activities proposed in the Action Plan is federal.

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

Councilmember Granville

- Friday, April 29, 2016 – Arbor Day 5K event at Kiwanis Park.

Councilmember Navarro

- Wished his son happy birthday.

Councilmember Arredondo-Savage

- Wished Mayor Mitchell well on his participation in the Pat's Run event.

Councilmember Kuby

- Friday, April 22, 2016 – Earth Day A-Mountain restoration project. Thanked volunteers and community partners for donating food and for providing parking.

Councilmember Schapira

- He attended the Dollars for Scholarship event for Tempe Union High Schools.
- The Salt River Pima-Maricopa Indian Community has adopted an ordinance to ban texting while driving.

Mayor Mitchell

- Friday, April 22, 2016 – Earth Day.
- Saturday, April 23, 2016 – Pat's Run event.
- New opening of Legoland Discovery Center in the Arizona Mills Mall.

## 8. PUBLIC APPEARANCES

A. Scheduled – None.

B. Unscheduled

Robert Ferraro, Gilbert, stated that he is representing the Tempe Officer's Association as its President-elect. He discussed how Councilmember Granville's previous comments related to sitting on downtown sidewalks negatively impacts community relations with the law enforcement community. He noted that homelessness is a regional issue.

Councilmember Granville expressed his apologies and stated that that was not the intent of his comments. He voiced his faith in law enforcement officials and emphasized his open door policy to meet and discuss issues of concern.

**The meeting adjourned at 6:36 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 Regular City Council meeting of April 21, 2016, by the Tempe City Council, Tempe, Arizona.

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Mark W. Mitchell, Mayor

ATTEST:

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Brigitta M. Kuiper, City Clerk