



## Minutes Regular City Council Meeting November 3, 2016

Minutes of the Regular Council Meeting of Thursday, November 3, 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 Kolby Granville

Councilmember Lauren Kuby

Councilmember David Schapira

Vice Mayor Robin Arredondo-Savage

Councilmember Keating

Councilmember Joel Navarro

### **STAFF PRESENT:**

Andrew Ching, City Manager

Ken Jones, Deputy City Manager – Chief Financial Officer

Steven Methvin, Deputy City Manager - Chief Operating Officer

Ryan Levesque, Deputy Community Development Dir. - Planning

Various Department Heads or their representatives

Judi Baumann, City Attorney

Brigitta M. Kuiper, City Clerk

Shelly Seyler, Deputy Public Works Dir. – Transportation

Jeff Tamulevich, Interim Community Development Director

**Mayor Mitchell called the meeting to order at 6:18 p.m.**

1. Lindsay Hand, Baha'i Faith Community Member, gave the invocation.

2. Mayor Mitchell led the audience in the **Pledge of Allegiance**.

### **3. MINUTES**

A. Approval of City Council Meeting Minutes - None.

B. Acceptance of Board, Commission and Committee Meeting Minutes

**Motion by Councilmember Keating to accept agenda items 3B1 – 3B5; second by Vice Mayor Arredondo-Savage. Motion passed unanimously on a voice vote 7-0.**

1. Development Review Commission - September 13, 2016
2. Development Review Commission Study Session - September 13, 2016
3. Merit System Board - August 29, 2016
4. Tempe Aviation Commission - September 13, 2016
5. Tempe Historic Preservation Commission - September 8, 2016

A. Mayor's Reports and Announcements

1. *Recognition of Veteran Supportive Employers in Tempe*

Mayor Mitchell invited Vice-Mayor Arredondo-Savage and Keith Finkle, Tempe Veterans Commission Chair, to the podium to participate in the recognition of employers that have received the Veteran Supportive Employer Designation by the Arizona Coalition for Military Families. Employers recognized include Arizona State University, City of Tempe, Crisis Response Network, DHL (Express), FNF Construction Inc., Schreiber Foods, Sharp Decisions Inc., and T.E.A.M. Security.

B. City Manager's Reports and Announcements

1. *Proposition 400 (Transportation Sales Tax) Update*

Shelly Seyler, Deputy Public Works Director – Transportation, provided an update on [Arizona] Proposition 400 relating to transportation sales tax. Ms. Seyler explained that the Maricopa Association of Governments (MAG) is rebalancing funding for freeways. Tax revenues have been lower than anticipated, and continue to fluctuate. She discussed transit funding categories and City projects that are included in the MAG Regional Transportation Plan, some of which are unfunded. Staff has identified various projects that may qualify for additional funding. Project funding is not guaranteed. Next steps include staff working with MAG to include the additional projects in Tempe's freeway-related projects. In 2017, staff will present a list of projects and cost estimates to the City Council in preparation for [Arizona] Proposition 500 [regional transportation funding initiative].

2. Andrew Ching, City Manager, announced that Samuel Baptiste, City Hall Security Guard, has accepted a position with another employer and thanked him for his service to the City of Tempe.

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 Vice Mayor Arredondo-Savage. Motion passed unanimously on a roll call vote 7-0.**

A. Miscellaneous Items

**5A1.** Approved the transfer of budget appropriation from the Solid Waste Fund to Capital Improvement Project Fleet Maintenance Improvements to fully fund construction of the compressed natural gas fuel dispensing system at the Public Works fuel yard.

**Fiscal Impact:** \$25,000 of the \$500,000 fiscal year 2016-17 Solid Waste Fund operating budget contingency, appropriated in cost center 3750, 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.

**5A2.** Approved fiscal year 2016-17 Capital Improvements Program budget appropriation transfer from Elliot Road Fiber Optic Installation to Rural Road Fiber Optic Installation and East Valley Arterial Congestion Monitoring.

**Fiscal Impact:** \$31,000 of fiscal year 2016-17 appropriations will be transferred from Capital Improvements Program (CIP) project #6906179 (Elliot Road Fiber Optic Installation) to fund \$6,000 in design cost increases for project #6907269 (Rural Road Fiber Optic Installation) and \$25,000 in construction costs for project #6907259 (East

Valley Arterial Congestion Monitoring) due to unplanned expenditures related to environmental monitoring of cultural resources and delayed construction.

- \*5A3. Held a public hearing and recommended the approval of a series 12 restaurant liquor license for Chadi LLC, dba Moroccan Paradise, 1212 East Apache Boulevard, Suite 107-109.

*Fiscal Impact:* N/A

**B. Award of Bids/Contracts**

- 5B1. Approved an increase to the approved spending level of a contract with TNT Cement Contractors for minor concrete repairs as needed for repair and maintenance at City parks.

*Fiscal Impact:* Total spending on this contract will not exceed \$328,000 during the initial two-year contract period (ending September 13, 2017) and will increase the contract value from \$200,000 to \$328,000, an increase of \$128,000. Sufficient funds have been appropriated in the Community Facilities District Capital Improvement Project Fund cost center 6206009 (Rio Salado Community Facilities District Infrastructure Replacement) and the Park Improvement/Recreation Capital Improvement Project Fund cost center 6305119 (Concrete and Court Replacement/Renovation) for the anticipated expenditures in the current fiscal year.

- 5B2. Approved the utilization of a State of Arizona cooperative contract with Creative Communications Sales & Rentals, Inc., for the purchase of a telephone and radio logger solution for the Police Department.

*Fiscal Impact:* The total cost of this contract including first year maintenance shall not exceed the budgeted amount of \$191,375. Sufficient funds have been appropriated in the Police Protection Capital Improvement Project Fund, cost center 5508439 (Communication Telephone/Radio Logger Replace) for the anticipated expenditures in the current fiscal year.

- 5B3. Approved the utilization of a State of Arizona contract with Konica Minolta Business Solutions USA for a five-year lease of one new digital production color copier for the Print Shop Services Division of the Internal Services Department.

*Fiscal Impact:* Total amount of this contract will not exceed \$230,553 during the 5-year lease term. Sufficient funds have been appropriated in General Fund cost center 1989 (IT Duplicating Inventory) for the anticipated expenditures.

- 5B4. Approved the utilization of a three-month Mohave Educational Services Cooperative, Inc. contract with General Acrylics, Inc. for resurfacing the basketball courts at Hollis Park and Redden Park.

*Fiscal Impact:* Total spending on this contract will not exceed \$55,000 during the three-month contract period (ending January 31, 2017). Sufficient funds have been appropriated in the Park Improvement/Recreation Capital Improvement Project Fund cost center 6305119 (Concrete and Court Replacement/Renovation) for the anticipated expenditures in the current fiscal year.

- 5B5. Approved the utilization of a nine-month Mohave Educational Services Cooperative contract with Netsian Technologies Group for data and telecommunications cabling, fiber optic installation and repair services in City buildings and streets.

**Fiscal Impact:** Total combined cost of this contract will not exceed \$150,000 during the nine-month contract period. Sufficient funds have been appropriated in General Fund cost center 1993 (Information Technology - Network Engineering) and other City-wide cost centers as needed for the anticipated expenditures.

- 5B6.** Approved the utilization of six-month State of Arizona contracts with IES Commercial, Inc., Logicalis Group and Premise One Inc. for data and telecommunications cabling, fiber optic installation and repair services in City buildings and streets.

**Fiscal Impact:** Total combined cost of these contracts will not exceed \$60,000 during the six-month contract period. Sufficient funds have been appropriated in General Fund cost center 1993 (Information Technology - Network Engineering) and other City-wide cost centers as needed for the anticipated expenditures.

- 5B7.** Approved one-year contract renewals with Hambicki Trucks, Waste & Recycling Plastic Containers, Impact Plastics, and Rotational Molding for the purchase of refuse containers.

**Fiscal Impact:** Total cost of these four contracts shall not exceed \$250,000 during the one-year contract renewal period. Sufficient funds have been appropriated in the Solid Waste Fund – cost centers 3713 (Residential); 3714 (Commercial); and 3716 (Support Services) – for the anticipated expenditures.

- 5B8.** Approved a one-year sole source contract with Scutari and Company who serves as a funding consultant for the Tempe Streetcar Project. **(Contract #2016-243)**

**Fiscal Impact:** Total cost of this one-year contract will not exceed \$100,000. Sufficient funds have been appropriated in the Transit Fund – cost center 3921 (Light Rail Operation) – for the anticipated expenditures.

- 5B9.** Awarded a two-year contract with two, two-year renewal options with Dunbar Armored, Inc., to provide armored car transport services to be overseen by the Internal Services Department. **(Contract #2016-244)**

**Fiscal Impact:** The total two-year cost of this contract shall not exceed \$68,000. Sufficient funds have been appropriated in the General Fund cost center 1831 (Accounting) for the anticipated expenditures in the current fiscal year.

- 5B10.** Awarded Job Order No. 10 to Caliente Construction, Inc. for improvements at sanitary sewer metering stations located at 51 South Priest Drive, 15 South 48th Street and 951 North Priest Drive.

**Fiscal Impact:** The Job Order No. 10 amount is \$441,592.44 and the project contingency amount is \$44,000. Funds to cover this contract and related costs are appropriated for fiscal year 2016/17 in the Capital Improvement Project No. 3202559, Wastewater Conveyance System – Mechanical Stations.

- 5B11.** Awarded Job Order No. 12 to CSW Contractors, Inc. for Phase 7 of the City-Wide Water Valve & Fire Hydrant Replacements program throughout the City.

**Fiscal Impact:** The Job Order No. 12 amount is \$295,075.31 and the project contingency amount is \$29,507.53. Funds to cover this contract and related costs are appropriated for fiscal year 2016/17 in the Capital Improvement Project No. 3299989, Transmission & Distribution Capital Improvements.

C. Resolutions

- 5C1. Adopted **RESOLUTION NO. R2016.110** authorizing the Mayor to execute an intergovernmental agreement between the Tempe Union High School District and the City of Tempe for the provision of school-based prevention programming services. **(Contract #2016-245)**

*Fiscal Impact:* The amount of the grant funding for these services is not to exceed \$69,149, payable before June 30, 2017. Sufficient budget appropriation for expenditure of this grant is authorized in the Governmental Grants Fund (Fund 46) as part of the Fiscal Year 2016-17 adopted budget.

- 5C2. Adopted **RESOLUTION NO. R2016.111** authorizing the Mayor to execute the affiliate agreement with AARP Experience Corps to provide the Experience Corps Program through August 31, 2017. **(Contract #2016-246)**

*Fiscal Impact:* No funds are associated with the agreement, which allows Tempe to provide the AARP affiliated Experience Corps early literacy tutoring program in Tempe elementary schools.

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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. **Contract with Ferguson Waterworks to purchase water meter boxes and lids.**

There was no discussion on agenda item 6A1.

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

- 6A1. Awarded a one-year contract with four, one-year renewal options to Ferguson Waterworks for the purchase of water meter boxes and lids. **(Contract #2016-247)**

*Fiscal Impact:* Total cost of this one-year contract will not exceed \$1,600,000. Sufficient funds have been appropriated in the Water/Wastewater CIP Fund – cost center 3209319 (Meter Replacement Program) – for the anticipated expenditures.

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B. Ordinances and Items for Introduction and First Hearing

- \*6B1. **Ordinance for a Zoning and Development Code text amendment for USE SEPARATION REQUIREMENTS for pawn shops, gold-buying stores, and changes within Section 3-423.**

Mayor Mitchell introduced the ordinance and opened the public hearing.

Phil Amorosi, Tempe, expressed support for the ordinance. He requested that the classification for existing businesses that do not comply with the proposed Zoning and Development Code (Code) provision be changed to a legal non-conforming business, if the City Council chooses to grandfather in existing businesses. Currently, the ordinance gives property owners one year to find a similar business to replace it after a legal non-conforming business closes. His preference would be to eliminate or shorten that timeframe. He discussed the Transportation Overlay District and noted that there are several legal, non-conforming businesses along Apache Boulevard.

At the request of a Councilmember, Ryan Levesque, Deputy Community Development Director – Planning, clarified that the Code provision relating to non-conforming use and non-conforming development standards has always been in place as a separate condition for either land use changes or changes that require a use permit. If an existing use is legally operating, has a non-conforming status and closes, then a similar legal non-conforming business could reopen within one year.

Councilmembers noted that this is the first public hearing on this item; it will not be voted on at this meeting. At the request of Councilmembers, staff agreed to provide a legal opinion or additional information, prior to the second public hearing, regarding if the one-year timeframe is related to state law, or if an alternative timeframe is an option. This issue could also be studied in the Committee of the Whole process.

The public hearing was closed.

- \*6B1.** Introduced and held the first public hearing to adopt an ordinance for a Zoning and Development Code text amendment for USE SEPARATION REQUIREMENTS, consisting of new regulations for pawn shops, gold-buying stores, and changes within Section 3-423. The applicant is the City of Tempe. The second and final public hearing was scheduled for December 8, 2016. (Ordinance No. O2016.63)

***Fiscal Impact:*** There is no fiscal impact on City funds.

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- \*6B2. Ordinance for a Zoning and Development Code text amendment for SIGN CODE REFORM, to modify permitting processes and enforcement for sign related activities.**

Mayor Mitchell introduced the ordinance and opened the public hearing.

Phil Amorosi, Tempe, spoke in opposition to allowing political signs to be installed 100 days prior to a primary election. He compared the proposed Zoning and Development Code (Code) amendment related to political signs to State law requirements and code requirements in surrounding jurisdictions, both of which allow political signs to be installed 60 days prior to a primary election. The City of Scottsdale does not allow political signs in the public right-of-way. He discussed election cycle timelines; the potential of having political signs installed 51 weeks of the year; and, requested that the proposed 100-day timeframe be changed to 60 days.

Councilmember Schapira stated that Mr. Amorosi's election cycle and timeline assumes there would be a March election. He pointed out that State law does not say that political signs cannot be installed before 60 days, as outlined in the staff memo. Instead, the State law prohibits cities from banning political signs within a 60-day period. Many of the cities that Mr. Amorosi referenced, and cities across the state, do not have political sign ordinances; signs can be installed year round. The inaccuracy in the staff memo may have misled the Development Review Commission and the public.

Councilmember Schapira and Mr. Amorosi discussed the length of time political signs can be installed and how that impacts incumbents and challengers.

Councilmember Schapira stated that he considers this a first amendment issue. He discussed the difference in name recognition between incumbents and challengers. He was a member of the Arizona Legislature when the State law was

passed. The point of the legislation was to prohibit cities from violating first amendment rights, especially for challengers as it relates to name recognition, an area where incumbents have an advantage. That is the rationale behind the Working Group's recommendation for the 100-day timeframe.

Councilmembers and Jeff Tamulevich, Interim Community Development Director, discussed the staff interpretation of the State law, which is to allow political signs to be installed 60 days prior to an election and prohibits staff from removing, altering, or defacing political signs during that 60-day timeframe. During the last election cycle, staff enforced the 60-day political sign restriction. After several discussions between a Councilmember and staff, it was determined that the State law does not restrict political signs from being installed beyond a 60-day period; the law does restrict cities from enforcing sign bans beyond a 60-day period.

Councilmembers discussed a previous Attorney General opinion and requested clarification in a follow up memo regarding State law requirements, compared to the proposed recommendation to change the timeframe from 60 days to 100 days; and, information on how surrounding cities are enforcing their political sign ordinances. Judi Baumann, City Attorney, stated that staff will provide two Attorney General opinions, the State Statute, and City activities as they relate to a court ruling that occurred last year [Reed et al. v. Town of Gilbert, Arizona] (Reed).

Mike LaPorte, Tempe, stated that the proposed Code addresses cluttered signage, which can create potential hazards; he does not support political signs being up for long periods of time. He discussed a misunderstanding that the business community has regarding code enforcement of signs. The City reviewed its sign code because of the Reed case in Gilbert, Arizona, where it was determined that there was a violation of a citizen's first amendment rights. He detailed various aspects of the proposed Code changes and urged Councilmembers to evaluate the proposed changes versus overarchingly approving them.

Mayor Mitchell announced that the second public hearing is scheduled for December 8, 2016, and closed the public hearing.

- \*6B2. Introduced and held the first public hearing to adopt an ordinance for a Zoning and Development Code text amendment for SIGN CODE REFORM, consisting of changes within the modifying permitting processes and enforcement for sign related activities. The applicant is the City of Tempe. The second and final public hearing was scheduled for December 8, 2016. (Ordinance No. O2016.64)

***Fiscal Impact:*** There is no fiscal impact on City funds.

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

- \*6C1. **Ordinance authorizing the City to purchase improvements from Childsplay, Inc., transfer real property from Childsplay to the City, and to amend the Development and Disposition Agreement.**

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

**Motion by Councilmember Kuby to approve agenda item 6C1; second by Councilmember Keating. Motion passed unanimously on a roll call vote 7-0.**

- \*6C1.** Held the second and final public hearing and adopted **ORDINANCE NO. O2016.56** authorizing the City of Tempe to purchase improvements from Childsplay, Inc., and transfer real property from Childsplay to the City, and to further amend the Development and Disposition Agreement. (Related to Agenda Item 6C2) **(Contract #2006-60D)**

**Fiscal Impact:** The City of Tempe will pay Childsplay the depreciated value of capital improvements made to the property, less offsets due the City, which totals \$1,948,102.30 payable over five years. This was not part of the fiscal year (FY) 2016/17 budget process; the FY2016/17 payment of \$500,000 will come from the general fund contingency.

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- 6C2. Resolution to approve a Use Agreement with Childsplay, Inc., that allows Childsplay to utilize the property at Mitchell School, 900 South Mitchell Drive.**

There was no discussion on agenda item 6C2.

**Motion by Councilmember Keating to approve agenda item 6C2; second by Councilmember Kuby. Motion passed unanimously on a roll call vote 7-0.**

- 6C2.** Adopted **RESOLUTION NO. R2016.109** to approve the Use Agreement between the City of Tempe and Childsplay, Inc., that allows Childsplay to utilize the property at Mitchell School, 900 South Mitchell Drive, to provide programming and the production of performance arts-based programs for Tempe youth and the general community. (Related to Agenda Item 6C1) **(Contract #2016-248)**

**Fiscal Impact:** Childsplay shall pay the City \$1,500 per month from the Effective Date through June 30, 2032; \$2,000 per month from July 1, 2032, through June 30, 2048; and \$2,500 per month from July 1, 2048, through June 30, 2066, plus any and all excise, privilege, use or sales tax levied on the rentals or the receipt thereof.

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- \*6C3. Ordinance granting a Power Distribution Easement to Salt River Project Agricultural Improvement and Power District for underground power lines located in Kiwanis Park, and execution of an easement agreement.**

Mayor Mitchell opened the public hearing. There was no discussion or public comment on agenda item 6C3. The public hearing was closed.

**Motion by Vice Mayor Arredondo-Savage to approve agenda item 6C3; second by Councilmember Schapira. Motion passed unanimously on a roll call vote 7-0.**

- \*6C3.** Held the second and final public hearing and adopted **ORDINANCE NO. O2016.57** authorizing the granting of a Power Distribution Easement to Salt River Project Agricultural Improvement and Power District for new underground power lines located near the parking area in Kiwanis Park, along All American Way, and the execution of an easement agreement memorializing such easement. **(Contract #2016-249)**

**Fiscal Impact:** N/A

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- \*6C4. Ordinance authorizing the leasing and conveyance of the real property located within Lot 1 of Hanover Mill Avenue, 101 W. 5th Street, and the execution of related lease documents, including a land and improvements lease and a memorandum of lease.**

Mayor Mitchell opened the public hearing. There was no discussion or public comment on agenda item 6C4. The public hearing was closed.

**Motion by Councilmember Kuby to approve agenda item 6C4; second by Vice Mayor Arredondo-Savage. Motion passed unanimously on a roll call vote 7-0.**

- \*6C4.** Held the second and final public hearing and adopted **ORDINANCE NO. O2016.58** authorizing the leasing and conveyance of the real property located within Lot 1 of Hanover Mill Avenue, 101 W. 5th Street, and the execution of related lease documents, including a land and improvements lease and a memorandum of lease. **(Contract #2004-128J)**

**Fiscal Impact:** The Amended and Restated Development Agreement for Lots 2 and 3 of Centerpoint Plaza Three (C2004-128I), executed in 2013, provides for a combination of economic incentives, including a Government Property Lease option with the abatement of the Government Property Lease Excise Tax.

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- \*6C5. Ordinance approving the sale of City-owned land and authorizing the Mayor (or his designee) to execute a development and disposition agreement, deeds, a land and improvements lease, a memorandum of lease and additional documents with Eastline Land Ventures, LLC for a project on Apache Boulevard from Smith Road to River Drive.**

Mayor Mitchell opened the public hearing. There was no public comment on agenda item 6C5.

Mayor Mitchell noted that there is a proposed amendment to the development and disposition agreement related to recycling. He asked the City Attorney to read the proposed amendment into record.

Judi Baumann, City Attorney, read the proposed amendment to Section 4.6(e) Building Design. "Each building in the project will include a separate chute for recycling and trash collection, as well as a separate compactor for recycling and trash. Developer agrees to participate in recycling programs for the term of the agreement."

Manjula Vaz, Gammage and Burnham, P.L.C., Eastline Land Ventures, LLC representative, stated that the applicant intends to include recycling in the project and is happy to accept the amendment language.

Councilmembers discussed State legislation that impacted cities as it relates to recycling. They praised the applicant, project partners, and staff for their willingness to find solutions to various concerns. The neighbors and Councilmembers support this project and look forward to future phases.

Ms. Vaz thanked Councilmembers and staff for their assistance and support.

The public hearing was closed.

**Motion by Vice Mayor Arredondo-Savage to approve agenda item 6C5 with the amendment as read into the record; second by Councilmember Keating. Motion passed unanimously on a roll call vote 7-0.**

- \*6C5.** Held the second and final public hearing and adopted **ORDINANCE NO. O2016.59** approving the sale of City-owned land and authorizing the Mayor (or his designee) to execute a development and disposition agreement, *as amended*, deeds, a land and improvements lease, a memorandum of lease and additional documents with Eastline Land Ventures, LLC with respect to the project to be constructed along Apache Boulevard from Smith Road to River Drive. **(Contract #2016-250)**

**Fiscal Impact:** The City will convey the City-owned land to Eastline Land Ventures, LLC at the price stated in the development and disposition agreement (development agreement). The development agreement provides for a 15-year government property lease with no abatement of the Government Property Lease Excise Tax. The development agreement also provides for the sale of City-owned land and right-of-way within the project area.

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- \*6C6. Ordinance granting an easement for a building encroachment to Tempe 425 Mill, LP, 425 South Mill Avenue.**

Mayor Mitchell opened the public hearing. There was no discussion or public comment on agenda item 6C6. Mayor Mitchell closed the public hearing.

**Motion by Councilmember Keating to approve agenda item 6C6; second by Councilmember Kuby. Motion passed unanimously on a roll call vote 7-0.**

- \*6C6.** Held the second and final public hearing and adopted **ORDINANCE NO. O2016.60** authorizing the granting of an easement for a building encroachment to Tempe 425 Mill, LP over certain public right of way located at 425 South Mill Avenue.

**Fiscal Impact:** The property owner is required to pay a one-time payment of \$2,400 to the City upon execution of the easement. The funds will be deposited in the General Fund, Cost Center 2712 (Community Development), Account 4413 (Streets, Easements, Alley Abandonments). **(Contract #2016-251)**

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- \*6C7. Ordinance amending Tempe City Code Chapter 26A, Article I, related to Procurement, Sections 26A-1 through 26A-22, and Chapter 26A, Article II, related to Materials Management, Sections 26A-50 through 26A-52.**

Mayor Mitchell opened the public hearing. There was no discussion or public comment on agenda item 6C7. The public hearing was closed.

**Motion by Councilmember Schapira to approve agenda item 6C7; second by Councilmember Keating. Motion passed unanimously on a roll call vote 7-0.**

- \*6C7.** Held the second and final public hearing and adopted **ORDINANCE NO. O2016.61** amending Tempe City Code Chapter 26A, Article I, related to Procurement, Sections 26A-1 through 26A-22, and Chapter 26A, Article II, related to Materials Management, Sections 26A-50 through 26A-52.

**Fiscal Impact:** There is no fiscal impact to City funds.

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**\*6C8. Ordinance for a Zoning Map Amendment for DANARI TEMPE LLC, 1401 South Siesta Lane.**

Mayor Mitchell opened the public hearing. There was no discussion or public comment on agenda item 6C8. The public hearing was closed.

**Motion by Councilmember Navarro to approve agenda item 6C8; second by Councilmember Keating. Motion passed unanimously on a roll call vote 7-0.**

**\*6C8.** Held the second and final public hearing and adopted **ORDINANCE NO. O2016.62** for a Zoning Map Amendment for DANARI TEMPE LLC, located at 1401 South Siesta Lane, from General Industrial District (GID) and Transportation Overlay District to GID. The applicant is Lewis Roca Rothgerber & Christie.

**Fiscal Impact:** There is no fiscal impact on City funds.

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

### Councilmember Kuby

- Friday, November 4, 2016 – Last day to vote early at the Tempe Public Library; registered Maricopa County voters can vote at this location.
- Friday, November 11, 2016 – Arizona State University (ASU) Sustainability @ ASU Veterans Day project in Victory Acres. Volunteers can register online.
- Friday, November 11, 2016 – Veterans Day Parade.

### Councilmember Navarro

- Saturday, November 5, 2016 – *Java with Joel* event to discuss housing trends with Mark Stapp, Executive Director Masters of Real Estate Development, Arizona State University.
- Thanked Sammy Baptiste, City Hall Security Guard, for his service to the City of Tempe.

### Vice Mayor Arredondo-Savage

- Thanked Sammy Baptiste, City Hall Security Guard, for his service to the City of Tempe.
- Saturday, November 19, 2016 – College Connect event at the Tempe Public Library.
- Friday, November 11, 2016 – Veterans Day Parade. Tempe has had the longest running Veterans Day parade in Arizona, since 1947.
- Wished her husband a happy 23<sup>rd</sup> anniversary.

### Councilmember Granville

- Saturday, November 20, 2016 – Ironman event at the Tempe Town Lake.

### Councilmember Schapira

- Thanked Sammy Baptiste, City Hall Security Guard, for his service to the City of Tempe.
- Voters can drop off their ballots at early voting sites or at polling locations.
- Congratulated his wife for her induction into the Rhodes College Athletic Hall of Fame.

### Mayor Mitchell

- It is important to vote on Election Day.
- Support veterans on Veterans Day.
- Saturday, November 5, 2016 – City employee picnic.
- Congratulated Chicago Cubs and the Indians on the World Series; both organizations are in the Cactus League.
- Thanked Sammy Baptiste, City Hall Security Guard, for his service to the City of Tempe.

- Congratulated Sue Taaffe, Public Works Supervisor, for being recognized as a Valley Metro Outstanding Transit Coordinator.
- The City of Tempe won the Valley Metro 2016 Clean Air Award.
- Congratulated Eric Iwersen, Principal Planner, on Tempe winning the [Valley Metro] Outstanding Bike Program Award for the El Paso Gasline Easement Multi-Use Path.

**8. PUBLIC APPEARANCES**

A. Scheduled – None.

B. Unscheduled

David Rice, Tempe, talked about the City's sports fields as follows: lighting is not automated, lack of and underutilized sports fields, and the need to allocate field space more efficiently. He requested that the City consider providing online, real time field reservation access and field availability information, key code access for users to operate field lighting, and provide consistent field space to soccer teams. Mayor Mitchell suggested that Mr. Rice work with Shelley Hearn, Community Services Director, to address his concerns.

***The meeting adjourned at 7:19 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 November 3, 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