

To the Tempe Arts and Culture Community:

As members of your Tempe City Council, we wish to publicly express our strong support for our city's live music venues. Tempe has, for many years, placed a high value on live music as a driver of a thriving arts and culture community.

Since 2015, Shady Park has contributed greatly to Tempe's reputation as the Valley's live music capital. Equally important, Shady Park has been a consistent force for good in Tempe's downtown – as an employer, by feeding the homeless on a weekly basis, and by contributing hundreds of thousands of dollars to local nonprofits who serve individuals and families in need across the city and the region.

Unfortunately, a ruling made by a Maricopa County Superior Court judge on April 12th calls into question the future of this local institution, and very well could have a chilling effect on live music across the city. This ruling has the potential to cost many employees their jobs, and rob the City of Tempe of an economic and cultural asset.

The judge's ruling casts into doubt Tempe's ability to thoughtfully regulate and promote live music throughout the city. Furthermore, we are concerned about the precedent of substituting a judge's opinion on a matter of local concern, instead of allowing elected officials to determine the best policies for our community as a whole.

To be sure, each of us has abiding respect for the residents of Mirabella, which opened in December 2020. The City of Tempe prides itself on being a community where all are welcome and where people are accepted as they are. As councilmembers, we believe that every Tempe resident should be able to enjoy a peaceful environment in their home, no matter the hour, and a good night's sleep. With that said, we also believe that live music venues like Shady Park, that have operated for years in the Mill Avenue District, should be able to coexist and thrive with the downtown's many permanent residents.

It is our understanding that Shady Park intends to appeal this preliminary injunction. We hope that this local business can be preserved and that live music venues, which contribute much to Tempe's culture, will be able to continue to add to our city's quality of life and economy.

We appreciate all the public feedback we have heard on this issue, and we hope this situation can be resolved to the satisfaction of all concerned and in full compliance with all applicable laws.

Sincerely,