

# Formal Meeting Agenda



## Tempe City Council April 21, 2005

Harry E. Mitchell Government Center  
Tempe City Hall - City Council Chambers  
31 East Fifth Street  
7:30 p.m.

1. INVOCATION - Vice Mayor Mitchell
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Arredondo
  - A. Approval of Council Meeting Minutes
    1. Council Formal Meeting – April 7, 2005 [20050421clrkck02.pdf](#)
    2. Rio Salado Community Facilities District Board – April 7, 2005 [20050421clrkck01.pdf](#)
    3. Council Diversity & Human Relations and Resources Committee – March 22, 2005 [20050421DHRR01.pdf](#)
    4. Council Technology Advancement, Tourism & Redevelopment Committee – March 16 & 28, 2005 [20050421TATR01.pdf](#) [20050421TATR02.pdf](#)
  - B. Acceptance of Board & Commission Meeting Minutes
    5. Commission on Disability Concerns – February 22, 2005 [20050421cdc01.pdf](#)
    6. Community Special Events Task Force – March 29, 2005 [20050421setf01.pdf](#)
    7. Golf Committee – December 1, 2004 [20050421csmr01.pdf](#)
    8. Hearing Officer – April 5, 2005 [20050421ho01.pdf](#)
    9. Historic Preservation Commission – March 3, 2005 [20050421hpc01.pdf](#)
    10. Library Advisory Board – January 3 & February 7, 2005 [20050421lab01.pdf](#) [20050421lab02.pdf](#)
    11. Mayor's Youth Advisory Commission – March 22, 2005 [20050421myac01.pdf](#)
    12. Tempe Fire Public Safety Personnel Retirement Board – February 3, 2005 [20050421fpsprb01.pdf](#)
    13. Tempe Police Public Safety Personnel Retirement Board – February 3, 2005 [20050421ppsprb01.pdf](#)
4. REPORTS AND ANNOUNCEMENTS
  - A. Mayor's Announcements
    - Board and Commission Appointments [20050421boards.pdf](#)

- B. Manager's Announcements
- Tempe Legal Lines

5. **AGENDA**

All items listed on the 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.

Agenda items scheduled for Introduction/First Public Hearing will be heard, but will not be voted upon at this meeting. Items scheduled for Second Public Hearing/Final Adoption will be voted upon tonight.

'q-j' indicates quasi-judicial items. 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

14. Request approval of the Report of Claims Paid to be Filed for Audit for the weeks of March 27 and April 3, 2005.

**COMMENTS:** A copy of the detailed claims report may be obtained by contacting the City Clerk's Office.

15. Request authorization for the Mayor and City Manager to execute an Intergovernmental Agreement between the cities of Tempe, Phoenix and Chandler providing for no incentives for retail development.

**DOCUMENT NAME:** [20050421casv01.pdf](#) **ECONOMIC DEVELOPMENT PROGRAM (0111-03)**

16. Request approval of Amendment #1 to Independent Contractor Agreement #C2001-66 with Greyhound Lines, Inc.

**DOCUMENT NAME:** [20050421pwgj01.pdf](#) **PUBLIC TRANSIT (1106)**

17. Request approval of a Contract Change Order to Valley Rain Construction Corporation for the Cole and Rotary Park Improvements.

**COMMENTS:** Total amount shall not exceed \$67,311.

**DOCUMENT NAME:** [20050421PWDR08.pdf](#) **PARKS ADMINISTRATION (0706-01) PROJECT NO. 6301531**

- \*18. This is a public hearing to recommend the approval of a Series 10 Beer and Wine Store

Liquor License for Tempe Mart, LLC, dba Tempe Mart, 818 W. Broadway Road, #105A.

**COMMENTS:** Muntasar W. Zieah, Agent

**DOCUMENT NAME:** [20050421LIQ1.pdf](#) LIQ LIC (0210-02)

- \*19. This is a public hearing to recommend the approval of a Series 9 Liquor Store License for Wal-Mart Stores, Inc., dba Wal-Mart Supercenter #1746, 1380 W. Elliot Road.

**COMMENTS:** Clare H. Abel, Agent

**DOCUMENT NAME:** [20050421LIQ2.pdf](#) LIQ LIC (0210-02)

- \*20. This is a public hearing to recommend the approval of a Series 9 Liquor Store License for Bashas', Inc., dba Food City #41, 1845 N. Scottsdale Road.

**COMMENTS:** Michael J. Basha, Agent

**DOCUMENT NAME:** [20050421LIQ3.pdf](#) LIQ LIC (0210-02)

- \*21. This is a public hearing to recommend the approval of a Series 4 Wholesaler's Liquor License for Ponti, Inc., 2121 S. 48<sup>th</sup> Street, #106.

**COMMENTS:** H. J. Lewkowitz, Agent

**DOCUMENT NAME:** [20050421LIQ4.pdf](#) LIQ LIC (0210-02)

- \*22. This is a public hearing to recommend the approval of a Series 10 Beer and Wine Store Liquor License for Tempe Beer and Deli, 2044 E. Southern Avenue.

**COMMENTS:** Katie Hong-Lee, Agent

**DOCUMENT NAME:** [20050421LIQ6.pdf](#) LIQ LIC (0210-02)

- \*23. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Brutus Capital Venture Group, LLC, dba Final Round Café, 5030 S. Mill Avenue.

**COMMENTS:** Bradley Leo Piippo, Agent

**DOCUMENT NAME:** [20050421LIQ7.pdf](#) LIQ LIC (0210-02)

B. Award of Bids/Contracts

24. Request to award a one year contract with two (2) one-year renewal options to Best Access Systems for Hirsch card access system components and service to provide electronic access, camera surveillance, and electronic cards for City facilities.

**COMMENTS:** Subject to execution of the final written contract. Total cost for this contract shall not exceed \$200,000 during the initial contract period.

**DOCUMENT NAME:** [20050421fslg01.pdf](#) PURCHASES (1004-01)

RFP#05-095

25. Request to award a one-year contract with four (4) one-year renewal options to EPOCH for medical third party administration services for the current self-funded medical PPO plans for employees, retirees and COBRA participants, and to Sheakley Uniservice for Administration of Flexible Spending Account Services.

**COMMENTS:** Subject to execution of the final written contracts. Total cost shall not exceed \$203,000 (TPA Services) and \$9,000 (Flexible Spending Account administration) during the initial contract period.

**DOCUMENT NAME:** [20050421fsdl04.pdf](#) **PURCHASES (1004-01)** RFP #05-110

26. Request to award a two-year contract with three (3) one-year renewal options to ING Employee Benefits for basic and voluntary life insurance, and to CIGNA Group Insurance for basic, voluntary, and travel AD&D insurance for all benefits-eligible City employees.

**COMMENTS:** Subject to execution of the final written contracts. Total cost shall not exceed \$337,000 (Basic Life), \$300,000 (Voluntary Life), \$41,000 (Basic AD&D), \$31,000 (Voluntary AD&D), and \$14,000 (Travel AD&D) during the initial contract period.

**DOCUMENT NAME:** [20050421fsdl05.pdf](#) **PURCHASES (1004-01)** RFP #05-062

27. Request to award a two-year contract with three (3) one-year renewal options to Vision Service Plan for a vision plan for all eligible City employees and dependents.

**COMMENTS:** Subject to execution of the final written contract. Total cost for this contract shall not exceed \$603,000 during the initial contract period.

**DOCUMENT NAME:** [20050421fsdl06.pdf](#) **PURCHASES (1004-01)** RFP #05-063

28. Request to award a two-year contract with three (3) one-year renewal options to CONTACT Behavioral Health Services for the Employee Assistance Program for all eligible City employees.

**COMMENTS:** Subject to execution of final written contract. Total cost for this contract shall not exceed \$81,028 during the initial contract period.

**DOCUMENT NAME:** [20050421fsdl13.pdf](#) **PURCHASES (1004-01)** RFP #05-061

29. Request to award a five-year contract with two (2) five-year renewal options to MobilePro Corp/WazAlliance, LLC, for Wi-Fi Services.

**COMMENTS:** Subject to execution of the final written contract.

**DOCUMENT NAME:** [20050421fst14.pdf](#) **PURCHASES (1004-01)** RFP #05-084

30. Request approval of a construction contract with Achen-Gardner Engineering, LLC, plus a contingency amount of \$200,000; and a professional services contract with

Oridian Construction Services, LLC, for the Curry Road Waterline from Scottsdale Road to Stadem Drive.

**COMMENTS:** Subject to execution of final written contracts. Total amount of the Achen-Gardner Engineering LLC construction contract shall not exceed \$2,311,474 (Base Bid) and the total amount of the Oridian Construction Services, LLC, professional services contract shall not exceed \$166,930.

**DOCUMENT NAME:** [20050421PWMG03.pdf](#) **WATERMAIN UPGRADES (0810-04) PROJECT NO. 3200031**

31. Request to award construction contracts to Sun Eagle Corporation, Foresight Design & Construction, Inc. and 3D/I for on-call Job Order Contracting; also to set individual job order dollar amounts at no more than \$750,000; and the use of one-year job order contracts with options for two (2) one-year renewals.

**COMMENTS:** Subject to execution of final written contracts. Total annual amount shall not exceed \$3,000,000 for each contract.

**DOCUMENT NAME:** [20050421PWMG05.pdf](#) **ENGINEERING ADMINISTRATION (803-02)**

32. Request to award a Construction Manager at Risk Construction Services contract to Moline Construction Co. for the Diablo Stadium Complex Improvements, Phase II.

**COMMENTS:** Subject to execution of the final written contract for a Guaranteed Maximum Price (GMP) of \$5,942,512.

**DOCUMENT NAME:** [20050421PWTG06.pdf](#) **DIABLO STADIUM (0706-12) PROJECT NO. 6301781**

33. Request approval of a one-year contract renewal with ING Employee Benefits for Medical stop-loss insurance for City employees and retirees on the PPO medical plan.

**COMMENTS:** Total amount shall not exceed \$411,513.

**DOCUMENT NAME:** [20050421fsdl07.pdf](#) **PURCHASES (1004-01) T04-118-01**

34. Request approval of a one-year contract renewal with Metropolitan Life Insurance Company for the PPO Dental Plan for all eligible employees and dependents.

**COMMENTS:** Total amount shall not exceed \$987,514.

**DOCUMENT NAME:** [20050421fsdl08.pdf](#) **PURCHASES (1004-01) T04-089-01**

35. Request approval of a one-year contract renewal with CIGNA Healthcare of Arizona, Inc., for the HMO Medical Plan for City employees, families and retirees.

**COMMENTS:** Total amount shall not exceed \$4,790,118.

**DOCUMENT NAME:** [20050421fsdl09.pdf](#) **PURCHASES (1004-01) T97-001-01**

36. Request approval of a one-year contract renewal with CIGNA Dental Health for the HMO dental plan for eligible City employees and dependents.

COMMENTS: Total amount shall not exceed \$110,677.

DOCUMENT NAME: [20050421fsdl10.pdf](#) PURCHASES (1004-01) T04-089-02

37. Request approval of a one-year contract renewal with Arizona Foundation for Medical Care for PPO network health care for eligible City employees, dependents, and retirees.

COMMENTS: Total amount shall not exceed \$87,888.

DOCUMENT NAME: [20050421fsdl11.pdf](#) PURCHASES (1004-01) T01-053-01

38. Request approval of a one-year contract renewal with Ingersoll Rand Company, United Rentals, and Sunstate Equipment Company for heavy equipment rental.

COMMENTS: Total amount shall not exceed \$50,000.

DOCUMENT NAME: [20050421fslg12.pdf](#) PURCHASES (1004-01) T03-128-01, T03-128-02, T03-128-03

39. Request approval of a one-year contract renewal with Crafcro, Inc., for rubberized crack sealant for asphalt street surfaces.

COMMENTS: Total amount shall not exceed \$125,000.

DOCUMENT NAME: [20050421fslg02.pdf](#) PURCHASES (1004-01) T02-050-01

40. Request approval of a one-year contract renewal with National Barricade Company, as a primary contractor, and with Bob's Barricade, as a secondary contractor, for street/sidewalk barricades and warning devices used during various repair projects.

COMMENTS: Total amount shall not exceed \$100,000.

DOCUMENT NAME: [20050421fslg03.pdf](#) PURCHASES (1004-01)

- C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings before final Council action.

- \*41. This is the **introduction and first public hearing** for an ordinance amending Section 19-63 of the Tempe City Code establishing speed limits. **The second public hearing is set for May 5, 2005.**

DOCUMENT NAME: [20050421PWJW01.pdf](#) TCC CH 19 – MOTOR VEHICLES AND TRAFFIC (0503-19) ORDINANCE NO. 2004.47.

- \*42. This is the **introduction and first public hearing** for an ordinance abandoning a portion of the cul-de-sac at 2036 E. Innovation Circle, in the ASU Research Park, and the existing 20-inch public utility easement adjacent to the cul-de-sac. **The second**

public hearing is scheduled for May 5, 2005.

DOCUMENT NAME: [20050421PWMG07.pdf](#) ABANDONMENT (0904-02)  
ORDINANCE NO. 2005.11

D. Ordinances and Items for Second Hearing/Final Adoption

- \*43. This is the **second public hearing** for an ordinance granting an access easement to the Flood Control District of Maricopa County (FCDMC) at the second Mill Avenue bridge and south bank of Town Lake.

DOCUMENT NAME: [20050421PWMG01.pdf](#) EASEMENT (0904-02)  
ORDINANCE NO. 2005.16

- \*44. This is the **second public hearing** for an ordinance executing a Quit Claim Deed and relinquishing certain rights-of-way along Lemon Street at 1037 South Rural Road.

DOCUMENT NAME: [20050421PWMG02.pdf](#) REAL PROPERTY  
DISPOSITION (0902-21-01) ORDINANCE NO. 2005.23

E. Resolutions

45. Request approval of a resolution to accept \$1.2M Urban Area Security Initiative (UASI) funding through the Department of Homeland Security.

COMMENTS: Grants will fund equipment and training to improve our capabilities for responding to terrorist attacks and other disasters.

DOCUMENT NAME: [20050421pdsr01.pdf](#) POLICE DEPARTMENT  
ADMINISTRATION (0606-02) RESOLUTION NO. 2005.14

46. Request approval of a resolution amending City Code Appendix A—Fee Schedule (Chapter 14, Fire Prevention and Protection) relating to the fees for permits, inspections and operational services.

COMMENTS: As required by the Uniform Fire Code and the Tempe City Code.

DOCUMENT NAME: [20050421fdms01.pdf](#) MISCELLANEOUS FEES (0210-05)  
RESOLUTION NO. 2005.16

6. **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 five-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.

*SCHEDULED PUBLIC APPEARANCE:*

Dennis Skolnick, Tempe, re: Parking, Towing, Arts Festival and Ironman.

**7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS**

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

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