
Tempe City Council
June 16, 2005

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

1. INVOCATION - Councilmember Arredondo
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Vice Mayor Mitchell
 - A. Approval of Council Meeting Minutes
 1. Council Issue Review Session – April 21, May 5 & 19 , 2005 [20050616clrkck03.pdf](#)
[20050616clrkck04.pdf](#) [20050616clrkck05.pdf](#)
 2. Council Formal Meeting – May 5 & 19, 2005 [20050616clrkck02.pdf](#)
[20050616clrkck01.pdf](#)
 3. Council's Central City Development Committee of the Whole – May 5, 2005
[20050616ccd01.pdf](#)
 4. Council's Diversity & Human Relations & Resources Committee –
May 17, 2005 [20050616dhrr01.pdf](#)
 5. Council's Neighborhood Quality of Life & Public Safety Committee –
May 10, 2005 [20050616nqlps01.pdf](#)
 6. Council's Transportation Committee – May 24, 2005 [20050616tc01.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 7. Aviation Commission – April 12, 2005 [20050616tavco01.pdf](#)
 8. Board of Adjustment – April 27, 2005 [20050616boa01.pdf](#)
 9. Community Special Events Task Force – June 7, 2005 [20050616self01.pdf](#)
 10. Design Review Board – October 6 & November 3, 2004
[20050616drb01.pdf](#) [20050616drb02.pdf](#)
 11. Historic Preservation Commission – May 12, 2005 [20050616hpc01.pdf](#)
 12. Tempe Fire Public Safety Personnel Retirement Board – May 5, 2005
[20050616fpsprb01.pdf](#)
 13. Tempe Police Public Safety Personnel Retirement Board – May 5, 2005
[20050616ppsprb01.pdf](#)

4. REPORTS AND ANNOUNCEMENTS

A. Mayor's Announcements -

- July 4th Transportation Reminder
- ***Rotary River Rally – Check Presentation for Pappas School***

B. Manager's Announcements

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 May 22 & 29, 2005.

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

15. Request approval for the Mayor to enter into a Memorandum of Understanding (MOU) between the City of Tempe and Arizona Diamondback Charities for the purpose of constructing and maintaining a dedicated Little League ballfield at Tempe Beach Park, 80 W. Rio Salado Parkway.

DOCUMENT NAME: [20050616csmr01.pdf](#) TEMPE BEACH PARK (0706-38)

16. Request approval of an Intergovernmental Agreement between Tempe School District No. 3 and the City of Tempe to provide summer school, breakfast, summer school lunch and after school snacks for the Kid Zone Enrichment Program.

DOCUMENT NAME: [20050616csjt01.pdf](#) COMMUNITY SERVICE ADM (0701-01)

17. Request approval of a \$76, 216 grant award from the Arizona Department of Public Safety (Victims of Crime Act) to provide crisis intervention/victim assistance staffing, and emergency funds for CARE 7 services.

DOCUMENT NAME: [20050616csjt02.pdf](#) **HUMAN SERVICES NEEDS (0608-01)**

18. Request approval for the Mayor to enter into an agreement with AdamsMorioka, Inc. assigning the rights for the Tempe Center for the Arts identity mark to the City of Tempe.

DOCUMENT NAME: [20050616cacc02.pdf](#) **TEMPE ARTS CENTER (0109-19)**

19. Request approval for the Mayor to enter an agreement with JDMD-Apollo Venture, LLC, for the installation of a traffic signal at the intersection of Cotton Center Boulevard/Westcourt Way and 48th Street.

DOCUMENT NAME: [20050616PWSS01.pdf](#) **TRANSPORTATION ADM (1101)**

19a. Request approval of annual insurance premium renewals for FY 2005/2006.

COMMENTS: Total annual cost shall not exceed \$990,112. Includes property, liability, workers' compensation, crime, inland marine, and auto damage insurance purchased through City's Risk Consultant, Marsh (Contract #T05-109-01).

DOCUMENT NAME: [20050616fst11.pdf](#) **LIABILITY INSURANCE (0510-01)**

20. Request approval of a Preliminary and Final Subdivision Plat for the NORTH TEMPE MULTI-GENERATIONAL CENTER at 1555 North Bridalwreath Street.

COMMENTS: (Tempe School District No. 3, property owner) #SBD-2005.55 for a Preliminary and Final Subdivision Plat for one (1) lot on 11.43 net acres.

DOCUMENT NAME: [20050616dsd2k02.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *21. This is a public hearing to recommend the approval of a Series 6 Bar liquor license for Otaku, LLC, dba The Door, 1126 N. Scottsdale Road.

COMMENTS: Brian C. Roehrich, Agent

DOCUMENT NAME: [20050616LIQ1.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 Badshah, LLC, dba Friendly Market, 830 W. Broadway Road.

COMMENTS: Shahid Javed, Agent

DOCUMENT NAME: [20050616LIQ2.pdf](#) **LIQ LIC (0210-02)**

- *23. This is a public hearing to recommend the approval of a Series 12 Restaurant liquor license for Garcia's-Mills, LLC, dba Garcia's Mexican Restaurant, 5000 Arizona Mills Circle, #557.

COMMENTS: H. J. Lewkowitz, Agent

DOCUMENT NAME: [20050616LIQ3.pdf](#) LIQ LIC (0210-02)

- *24. This is a public hearing to recommend the approval of a Series 10 Beer and Wine Store liquor license for Southern Tempe CVS, LLC, dba CVS Pharmacy, #7078, 3303 S. Rural Road.

COMMENTS: Jason Morris, Agent

DOCUMENT NAME: [20050616LIQ4.pdf](#) LIQ LIC (0210-02)

- *25. This is a request to recommend the approval of a Series 6 Bar liquor license for the Loft, 420 S. Mill Avenue, Suite 101.

COMMENTS: Michael Dove, Agent

DOCUMENT NAME: [20050616LIQ5.pdf](#) LIQ LIC (0210-02)

B. Award of Bids/Contracts

26. Request approval for the assignment of Contracts C94-113 and C94-113A, between the City of Tempe and Peter and Linda Kotsakis, dba as Pete's 19th Hole Restaurant, to James Godfrey, dba Bogie's Clubhouse, for food and beverage concession services at the Ken McDonald Golf Course for the duration of the existing term.

COMMENTS: Existing term ends June 30, 2009, with an acknowledgement that the City of Tempe can terminate the contracts by June 30, 2007, if necessary.

DOCUMENT NAME: [20050616csmr02.pdf](#) GOLF COURSE ADM (0703-01)

27. Request approval for a one-year contract renewal with Greater Phoenix Economic Council (GPEC) for regional economic development marketing services.

COMMENTS: Subject to execution of the final written contract in an amount not to exceed \$62,678.

DOCUMENT NAME: [20050616edsws01.pdf](#) ECONOMIC DEVELOPMENT PROGRAM (0111-03)

28. Request approval to utilize a three-year City of Chandler contract with Bank of America for procurement card services.

DOCUMENT NAME: [20050616fst01.pdf](#) PURCHASES (1004-01) #MS5-946-2124

29. Request to award a one-year contract with two (2) one-year renewal options to Graybar for traffic signal cable.

COMMENTS: Subject to execution of final written contract. Total cost for this contract

shall not exceed \$60,000 during the initial contract period.

DOCUMENT NAME: [20050616fslg02.pdf](#) **PURCHASES (1004-01) #05-076RB**

30. Request to award a one-year contract with two (2) one-year renewal options to Phoenix Highway Products for LED Ready Traffic Signal Heads.

COMMENTS: Subject to execution of final written contract. Total cost for this contract shall not exceed \$100,000 during the initial contract period.

DOCUMENT NAME: [20050616fslg03.pdf](#) **PURCHASES (1004-01) #05-134**

31. Request to award a one-year contract with two (2) one-year renewal options to AZ Apparel and Martin's Uniforms for Public Works Department uniforms.

COMMENTS: Subject to execution of final written contracts. Total cost for this contract shall not exceed \$27,000 for AZ Apparel and \$4,000 for Martin's Uniforms during the initial contract period.

DOCUMENT NAME: [20050616fsdl04.pdf](#) **PURCHASES (1004-01) IFB#05-052RB**

32. Request to award a one-year, sole source contract to Laerdal Medical Corporation for a WMD Training Simulator and Accessories.

COMMENTS: Subject to execution of final written contract. To be used by the Tempe Fire Department to provide simulation education for clinical and decision making skills during realistic patient care scenarios. Total cost for this contract shall not exceed \$44,000 during the contract period.

DOCUMENT NAME: [20050616fsdl05.pdf](#) **PURCHASES (1004-01) #05-150**

33. Request approval to utilize a three-year Western States Contracting Alliance contract, with two (2) one-year renewal options, with Dell, Inc., and Gateway, Inc., for personal computer equipment, software, development, and consulting services.

COMMENTS: Subject to execution of final written contracts. Total cost of these contracts shall not exceed \$40,000 per year.

DOCUMENT NAME: [20050616fst06.pdf](#) **PURCHASES (1004-01) A63307, A63308**

34. Request to award a one-year contract to Childress Consulting Services, LLC, for the Development Services Process Improvement Study.

COMMENTS: Subject to execution of final written contract. Total cost for this contract shall not exceed \$35,000 during the initial contract period.

DOCUMENT NAME: [20050616fslg07.pdf](#) **PURCHASES (1004-01) RFP #05-127**

35. Request to award a one-year contract to MNI Advertising for an economic development ad campaign in the San Diego market.

COMMENTS: Promoting "Tempe, Arizona . . . The Smart Place To Be." Subject to execution of final written contract. Total cost for this contract shall not exceed \$75,000 during the initial contract period.

DOCUMENT NAME: [20050616fslg08.pdf](#) **PURCHASES (1004-01) #06-016**

36. Request to award a contract to Resun Leasing for the purchase of a modular, portable building for the Public Works/Streets Department at 51 South Priest.

COMMENTS: Subject to execution of final written contract. Total cost for this contract shall not exceed \$130,623.78.

DOCUMENT NAME: [20050616fslg09.pdf](#) **PURCHASES (1004-01) RFP #05-074**

37. Request to award a one-year sole source contract to GG&G, Inc., for night vision monoculars/binoculars for Police Department tactical and rapid response teams.

COMMENTS: Subject to execution of final contract. Total cost for this contract shall not exceed \$77,500 during the contract period.

DOCUMENT NAME: [20050616fsl10.pdf](#) **PURCHASES (1004-01) #05-159**

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

- *38. This is the **introduction and first public hearing** for an ordinance authorizing the transfer of City-owned property to Miravista/Vestar TM-Landco, LLC. **The second public hearing will be held on July 7, 2005.**

DOCUMENT NAME: [20050616dsnc01.pdf](#) **RIO SALADO MASTER PLAN (0112-07-03) ORDINANCE NO. 2005.38**

- *39. This is the **introduction and first public hearing** for an ordinance approving the historic designation of the D.J. FRANKENBERG HOUSE at 2222 South Price Road. **The second public hearing is set for July 7, 2005.**

COMMENTS: (Church of the Epiphany, owner) (CC050023) **Ordinance No. 2005.22 #HPO-2005.40** for the historic designation of the D.J. Frankenberg House, located at 2222 South Price Road.

DOCUMENT NAME: [20050616dsrl02.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *40. This is the **introduction and first public hearing** for an ordinance authorizing a lease agreement with Verizon Wireless Communications for a cell site located in the SRP easement on the north side of Town Lake. **The second public hearing is set for July 7, 2005.**

DOCUMENT NAME: [20050616ITD01.pdf](#) **VERIZON WIRELESS (0903-54) ORDINANCE NO. 2005.37**

D. Ordinances and Items for Second Hearing/Final Adoption

- *41. This is the **second public hearing** for an ordinance authorizing the Mayor to execute Addendum No. 1 to the Lease Agreement between the City of Tempe and the Arizona Board of Regents (Arizona State University) for the use of Mitchell School.

DOCUMENT NAME: [20050616cacc01.pdf](#) **MITCHELL SCHOOL (0903-13)**
ORDINANCE NO. 2005.34

E. Resolutions

42. Request approval of a resolution authorizing the execution of the Memorandum of Understanding (MOU) between the City of Tempe and Service Employees International Union (SEIU Local 5 Public Works Non-Supervisory Employee Group).

DOCUMENT NAME: [20050616HRdas02.pdf](#) **PUBLIC WORKS – MEET & CONFER (0303-08-01) RESOLUTION NO. 2005.35**

43. Request approval of a resolution authorizing the execution of the Memorandum of Understanding (MOU) between the City of Tempe and the International Association of Fire Fighters (Tempe Firefighters Union).

DOCUMENT NAME: [20050616HRdas01.pdf](#) **FIRE – MEET & CONFER (0303-08-01) RESOLUTION NO. 2005.34**

44. Request approval of a resolution authorizing the execution of the Memorandum of Understanding (MOU) between the City of Tempe and the Tempe Officers Association (TOA).

DOCUMENT NAME: [20050616hrdas03.pdf](#) **POLICE – MEET & CONFER (0303-08-02) RESOLUTION NO. 2005.33**

45. Request approval of a resolution authorizing the Mayor to enter into a Parcel Agreement with Tempe Land Company, LLC.

COMMENTS: To allow buildings or structures to cross property lines and treat the individual parcels as one parcel and one building or structure for the purpose of the Building Code.

DOCUMENT NAME: [20050616cdcm02.pdf](#) **SOUTHWEST QUADRANT DOWNTOWN TEMPE (0403-02-04) RESOLUTION NO. 2005.10**

46. Request approval of a resolution amending City Code Appendix A – Fee Schedule (Chapter 35, Zoning Fees) for Planning and Zoning Fees relating to development processing and implementing annual Consumer Price Index (CPI) fee adjustments.

DOCUMENT NAME: [20050616dsnw04.pdf](#) MISCELLANEOUS FEES (0210-05)
RESOLUTION NO. 2005.26

47. Request approval of a resolution authorizing the First Amendment to the Development Agreement with Tempe Land Company to develop property located at Fifth Street and Maple Avenue.

DOCUMENT NAME: [20050616cdcm01.pdf](#) DEVELOPMENT PROJECT
(0406) RESOLUTION NO. 2005.32

48. *Request approval of a resolution authorizing the Mayor to enter into a Parcel Agreement between the City of Tempe and Hayden Ferry Lakeside, L.L.C., Edgewater at Hayden Ferry Lakeside, L.L.C., and BV at Hayden Ferry Lakeside, L.L.C.*

COMMENTS: To allow buildings or structures to cross property lines and treat the individual parcels with multiple owners as one parcel and one building or structure for the purpose of the Building Code.

DOCUMENT NAME: [20050616casv01.pdf](#) RIO SALADO MASTER PLAN
(0112-07-03) RESOLUTION NO. 2005.37

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

- Dr. Shirley Miles, Tempe Union High School District, re: Bus Pass Program for Students
- Dennis Skolnick re: "Greenwich Village of the Southwest"
- *Barbara Sherman re: Phoenix Sky Harbor Environmental Impact Statement*

7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS

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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