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**Tempe City Council**  
**November 3, 2005**

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

1. INVOCATION - Councilmember Hutson
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Vice Mayor Mitchell
  - A. Approval of Council Meeting Minutes
    1. Council Issue Review Session – September 29, 2005 [20051103clrkck01.pdf](#)
    2. Ad-hoc Long Range Budget & Finance Planning Committee – March 1, September 20, October 4 & 18, 2005 [20051103lrb01.pdf](#) [20051103lrb02.pdf](#) [20051103lrb03.pdf](#) [20051103lrb04.pdf](#)
    3. Ad-Hoc Rental Housing Task Force – September 27, 2005 [20051103rhtf01.pdf](#)
  - B. Acceptance of Board & Commission Meeting Minutes
    4. Committee for Youth, Families & Community – September 19, 2005 [20051103yfc01.pdf](#)
    5. Enhanced Services Commission – September 21, 2005 [20051103esc01.pdf](#)
    6. Hearing Officer – October 5, 2005 [20051103ho01.pdf](#)
    7. Historic Preservation Commission – September 8, 2005 [20051103hpc01.pdf](#)
    8. Mayor's Youth Advisory Commission – October 4, 2005 [20051103myac01.pdf](#)
    9. Municipal Arts Commission – September 14, 2005 [20051103mac01.pdf](#)
    10. Plumbing & Mechanical Code Advisory Board – September 20 & October 5, 2005 [20051103pmcab01.pdf](#) [20051103pmcab02.pdf](#)
    11. Redevelopment Review Commission – August 16 & September 6, 2005 [20051103rrc01.pdf](#) [20051103rrc02.pdf](#)
    12. Tempe Sports Authority – August 16 & September 13, 2005 [20051103tsa01.pdf](#) [20051103tsa02.pdf](#)
4. REPORTS AND ANNOUNCEMENTS

A. Mayor's Announcements

- Kid Zone Awards
- NATOA Media Awards
- *Outstanding Native American Junior High Student Award – Cheyenne Walker*
- *National Disability Employment Awareness Month*

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

13. Request approval of the Report of Claims Paid to be Filed for Audit for the weeks of July 31, August 7, 14, 21, & 28, 2005.

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

14. Request a 120-day extension of the exclusive negotiations with Childsplay for the sale of Mitchell School.

**DOCUMENT NAME:**      [20051103cddnc03.pdf](#)      **COMM DEV/REDEVELOPMENT  
ADM (0403-01)**

15. Request approval of two new grant-funded positions in the Housing Services Division of the Community Development Department.

**DOCUMENT NAME:**      [20051103cddnc01.pdf](#)      **COMM DEV/REDEVELOPMENT  
ADM (0403-01)**

16. Request authorization for the Mayor to sign an Intergovernmental Agreement with Maricopa County for special transportation services.

**COMMENTS:** Cost per one-way trip of \$16.16 for FY 2006 with a total annual cost not to exceed \$8,000.

**DOCUMENT NAME:** [20051103pwgj01.pdf](#) PUBLIC TRANSIT (1106)

17. Request authorization for the Mayor to sign Amendment No. 4 to Intergovernmental Agreement #C2001-45 with the City of Phoenix extending a grant for the retrofit of 20 electric-hybrid buses.

**COMMENTS:** For extension of Grant AZ-90-X054 through October 30, 2006.

**DOCUMENT NAME:** [20051103pwgj02.pdf](#) PUBLIC TRANSIT (1106)

18. Request approval of an Amended Final Subdivision Plat by RUSTICO'S TEQUILA at 2425 East University Drive.

**COMMENTS:** (Larry West, property owner) (CC050065) #SBD-2005.81 for an Amended Final Subdivision Plat consisting of one (1) lot on .710 net acre.

**DOCUMENT NAME:** [20051103dssl04.pdf](#) PLANNED DEVELOPMENT (0406)

19. Request approval of a Horizontal Regime (Condominium Plat) by SIGNATURE PLACE CONDOMINIUM at 600 West Grove Parkway.

**COMMENTS:** (Bernard/Allison Management Services, owner) (CC050082) #SHR-2005.101 for a Horizontal Regime for 440 unit residential condominium development on 23.97 net acres..

**DOCUMENT NAME:** [20051103dssl03.pdf](#) PLANNED DEVELOPMENT (0406)

20. Request approval of an Amended Final Subdivision Plat by HOHOKAM OFFICE PARK, LOT 7, at 2100 W. 15<sup>th</sup> Street.

**COMMENTS:** (ADM Group Development, property owner) (CC050083) #SBD-2005.97 for an Amended Final Subdivision Plat consisting of two (2) lots on 1.39 net acres.

**DOCUMENT NAME:** [20051103dssl05.pdf](#) PLANNED DEVELOPMENT (0406)

21. Request approval of a Horizontal Regime (Condo Plat) by LAKE POINT VILLAGE CONDOMINIUMS at 330 South Beck Avenue.

**COMMENTS:** (330 South Beck, LLC, property owner and Nicholas Toronto, applicant) (CC050086) #SHR-2005.103 for a Horizontal Regime (Condominium Plat), consisting of fifty-six (56) condominium units, on 2.3 net acres.

**DOCUMENT NAME:** [20051103dsd2k08.pdf](#) PLANNED DEVELOPMENT (0406)

- \*22. This is a public hearing to recommend the approval of a Series 9 Liquor Store License for Liquor Den, 1335 W. University Drive.

**COMMENTS:** Suzan Ruffino, Agent

**DOCUMENT NAME:** [20051103LIQ1.pdf](#) LIQ LIC (0210-02)

- \*23. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Grupo del Mar, dba Taco del Mar, 414 S. Mill Avenue, #118.

**COMMENTS:** James Redmond, Agent

**DOCUMENT NAME:** [20051103LIQ2.pdf](#) LIQ LIC (0210-02)

- \*24. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Efes Turkish Cuisine, Inc., dba Efes Turkish Cuisine, 1701 E. Guadalupe Road.

**COMMENTS:** Sarkawt Shawani, Agent

**DOCUMENT NAME:** [20051103LIQ3.pdf](#) LIQ LIC (0210-02)

- \*25. This is a public hearing to recommend the approval of a Series 12 Restaurant liquor license for Heart Attack Grill, LLC, dba Heart Attack Grill, 440 W. Warner Road, #104.

**COMMENTS:** Jon Basso, Agent

**DOCUMENT NAME:** [20051103LIQ4.pdf](#) LIQ LIC (0210-02)

**B. Award of Bids/Contracts**

26. Request approval of a contract with Lorna Jordan for environmental artwork at the Tempe Transportation Center.

**COMMENTS:** Subject to execution of the final contract. Total cost for this contract shall not exceed \$59,150.

**DOCUMENT NAME:** [20051103csju01.pdf](#) TEMPE TRANSIT CENTER (1106-06)

27. Request to award a one-year, sole source contract to Bridgestone Industrial Products America, Inc., for hardware and software upgrades to the upstream and downstream dam facilities at Tempe Town Lake.

**COMMENTS:** Subject to execution of the final written contract. Total cost for this contract shall not exceed \$38,000 during the contract period.

**DOCUMENT NAME:** [20051103fslq02.pdf](#) PURCHASES (1004-01) (Sole Source #06-083)

28. Request to award a one-year, sole source contract to Hansen Information Technologies for software maintenance and development.

**COMMENTS:** For the Water Utilities, Information Technology, Public Works, and Community Services departments. Subject to execution of final written contract. Total cost for this contract shall not exceed \$192,000 during the contract period.

**DOCUMENT NAME:** [20051103fst06.pdf](#) PURCHASES (1004-01) Sole

Source #06-090

29. Request to award a one-year contract with two (2) one-year renewal options to Bingham Equipment Company for the purchase of four skid steer loaders.

**COMMENTS:** Subject to execution of final written contract. Total cost for this contract shall not exceed \$98,633 during the initial contract period.

**DOCUMENT NAME:** [20051103fsdl05.pdf](#) **PURCHASES (1004-01) RFP#06-060**

30. Request approval of a professional services contract with Dick & Fritsche Design Group for the South Tempe Water Treatment Plant expansion project.

**COMMENTS:** For Administration Building remodel and expansion. Subject to execution of the final written contract. Total cost of this contract shall not exceed \$88,210.

**DOCUMENT NAME:** [20051103PWTG02.pdf](#) **SOUTH TEMPE WATER TREATMENT PLANT (0811-08) PROJECT NO 3200072**

31. Request to award a Job Order Contract, plus a \$20,000 change order contingency, to Foresite Design & Construction, Inc., for the Newberry Terrace Project.

**COMMENTS:** Subject to execution of the final written contract. Total amount shall not exceed \$360,403.

**DOCUMENT NAME:** [20051103PWMG03.pdf](#) **NEWBERRY TERRACE (0812-02) PROJECT NO. 5401171**

32. Request approval of an addendum to the Construction Manager at Risk Contract with Moline Construction Company for the Diablo Stadium Complex improvements, Phase IV.

**COMMENTS:** Subject to the execution of the final written addendum, for a Guaranteed Maximum Price (GMP) of \$5,081,586.

**DOCUMENT NAME:** [20051103PWTG04.pdf](#) **DIABLO STADIUM (0706-01) PROJECT NO. 6301781**

33. Request approval of a one-year contract renewal with Contractors West for traffic pole foundations.

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

**DOCUMENT NAME:** [20051103fslg01.pdf](#) **PURCHASES (1004-01) T04-013-02**

34. Request approval of a one-year contract renewal with Carmanah Technologies, Inc., for solar lighting for bus shelters.

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

**DOCUMENT NAME:** [20051103fslg03.pdf](#) **PURCHASES (1004-01) T05-032-01**

35. Request approval of a one-year contract renewal with The Segal Company for employee benefits consultant services.

**COMMENTS:** Total amount of contract shall not exceed \$107,000.

**DOCUMENT NAME:** [20051103fsdl08.pdf](#) **PURCHASES (1004-01)** T05-053-01

36. Request approval of three-month contract renewals with Lucier Chemical Industries, Ltd., Polydyne, Inc., Cal-Pacifica Carbon, Inc., DPC Enterprises, Hill Brothers Chemical, and Thatcher Company of Arizona for water treatment chemicals.

**COMMENTS:** Total amount of contracts shall not exceed \$400,000.

**DOCUMENT NAME:** [20051103fst07.pdf](#) **PURCHASES (1004-01)**  
(T01-093-02, 03, 04, 06, 10, and 11)

37. Request approval to utilize a one-year Coconino County contract with Empire Machinery for a backhoe loader.

**COMMENTS:** Total cost of this contract shall not exceed \$73,885 during the initial contract period.

**DOCUMENT NAME:** [20051103fsdl09.pdf](#) **PURCHASES (1004-01)**  
Contract #2005-25

38. Request approval to utilize one-year State of Arizona contracts with Courtesy Chevrolet for 39 staff vehicles and trucks to be used by various City departments.

**COMMENTS:** Total cost of the contracts shall not exceed \$658,988 during the initial contract period.

**DOCUMENT NAME:** [20051103fsdl11.pdf](#) **PURCHASES (1004-01)**  
Contract #AD040001-002-A2 & AD040004-002-A2

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

- \*39. This is the **introduction and first public hearing** for a 16<sup>th</sup> Amended Planned Area Development for PAPAGO BUTTES PHASE III at 1250 West Washington Street. **The second public hearing is scheduled for November 17, 2005.**

**COMMENTS:** (Metro Commercial Properties, property owner) #RRC05041/DS051062 **#SPD-2005.90** an Amended Planned Area Development, including site plan, landscape plan and building elevations, consisting of 98,174 s.f. of building area on 3.42 net acres.

**DOCUMENT NAME:** [20051103dssl06.pdf](#) **PLANNED DEVELOPMENT (0406)**

- \*40. This is the **introduction and first public hearing** for a Zoning and Development Code text amendment and Zoning Map amendment for a Transportation Overlay District. The second hearing is scheduled for November 17, 2005.

**COMMENTS:** RRC05019, Ordinance No. 2005.24 #ZON-2005.08 Approximately 738 parcels of private or public owned property are located within the corridor and nine (9) station areas. The area within the overlay district is approximately 653 acres of land. The proposed Transportation Overlay District will change development standards for residential density, building height, lot setbacks, design standards, and allowable uses within the defined boundary. Properties within a single family residential district are excluded from the overlay district.

**DOCUMENT NAME:** [20051103dsdk02.pdf](#) TRANSPORTATION PLANNING (1101-01)

- \*41. This is the **introduction and first public hearing** for an Amended Planned Area Development for CENTERPOINT RESIDENTIAL (Phases 2, 3 and 4) at 100, 111, 121, 161 and 188 West 6<sup>th</sup> Street. The second public hearing is scheduled for November 17, 2005.

**COMMENTS:** (Tempe Land Company, LLC, property owner) #RRC05040 for an 11<sup>th</sup> Amended Planned Area Development (PAD) located at 100, 111, 121, 161 and 188 West 6<sup>th</sup> Street, including the following:

#SPD-2005.86 An 11<sup>th</sup> Amended Planned Area Development for Centerpoint Development consisting of 627,968 square feet of existing commercial development and 2,260,098 square feet of additional mixed-use development including office, retail, residential and parking structures, proposed in four phases (Phase 1 and 2 as one building of 997,915 square feet, Phase 3 as one building of 603,580 square feet, and Phase 4 as one building of 658,603 square feet), for a total of 2,888,066 square feet of development within 22.04 net acres at Centerpoint. The four phases of Centerpoint Residential will be located on Centerpoint Plaza Two (Lot 1) and will provide 788 residences on 4.65 net acres.

**DOCUMENT NAME:** [20051103dsdk03.pdf](#) PLANNED DEVELOPMENT (0406)

D. Ordinances and Items for Second Hearing/Final Adoption

- \*42. This is the **second public hearing** for an ordinance authorizing a land exchange between the City of Tempe and the United States Bureau of Reclamation for a Salt River Project (SRP) Irrigation Pipeline Relocation in Elliot Road.

**DOCUMENT NAME:** [20051103cacc01.pdf](#) REAL PROPERTY EXCHANGES (0902-21-05) ORDINANCE NO. 2005.77

- \*43. This is the **second public hearing** for an ordinance granting a license agreement to Kiewit Western Company for lease of City-owned property in the vicinity of Rio Salado Parkway and Priest Drive for construction staging purposes.

**COMMENTS:** The initial license is for a 4-month term, beginning November 8, 2005. Kiewit Western Company is rehabilitating the Val Vista Water Main for the City of Phoenix.

**DOCUMENT NAME:** [20051103PWMG01.pdf](#) **REAL PROPERTY MGMT (0900)** **ORDINANCE NO. 2005.58**

- \*44. This is the **second public hearing** for a Zoning Map Amendment for INTERNATIONAL ACADEMY at 4812 South Mill Avenue.

**COMMENTS:** (Globe Corporation, Ray Carter, property owner) for a zoning map amendment, including the following:

**Ordinance No. 2005.72 #ZON-2005.19** (CC050075) for a zoning map amendment from LID, Light Industrial District to GID, General Industrial District, on 1.16 acres.

**DOCUMENT NAME:** [20051103dsd2k07.pdf](#) **PLANNED DEVELOPMENT (0406)**

#### E. Resolutions

45. Request approval of a resolution authorizing the City Manager or designee to execute all documents necessary for the acquisition of real estate for a neighborhood park in the Victory Acres neighborhood.

**COMMENTS:** As recommended by the Parks and Recreation Advisory Board.

**DOCUMENT NAME:** [20051103prmr01.pdf](#) **REAL PROPERTY ACQUISITION (0902-21-02)** **RESOLUTION NO. 2005.62**

46. Request approval of a resolution authorizing the Mayor to sign the Intergovernmental Agreement between the City of Tempe and the City of Chandler for an emergency water interconnection facility.

**DOCUMENT NAME:** [20051103cacc02.pdf](#) **WATER MANAGEMENT ADMINISTRATION (0811-13)** **RESOLUTION NO. 2005.66**

#### 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



- Denny Skolnick, Tempe, re: Parking Rules for Downtown Tempe
- Bob Stafford, Tempe, re: Transportation Overlay District
- *Amy Milliron, Tempe, re: Breastfeeding Ordinance*

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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