

Formal Meeting Agenda



Tempe City Council November 17, 2005

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

1. INVOCATION - Councilmember Copple
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Arredondo
 - A. Approval of Council Meeting Minutes
 1. Council Executive Session – August 18, September 15 & 29, October 6 & 27, & November 3, 2005
 2. Council Issue Review Session – October 20 & 27, 2005 [20051117clrkck03.pdf](#)
[20051117clrkck04.pdf](#)
 3. Formal Council Meeting – October 6 & 20, November 3, 2005 [20051117clrkck01.pdf](#)
[20051117clrkck02.pdf](#) [20051117clrkck05.pdf](#)
 4. Council's Community Services Committee – October 19, 2005 [20051117csc01.pdf](#)
 5. Council's Education Partnerships Committee – November 7, 2005 [20051117epc01.pdf](#)
 6. Council's Technology Advancement, Tourism and Redevelopment Committee – August 17, September 12 & October 10, 2005 [20051117tatr01.pdf](#)
[20051117tatr02.pdf](#) [20051117tatr03.pdf](#)
 7. Council's Transportation Committee – September 20 & October 25, 2005
[20051117tc02.pdf](#) [20051117tc01.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 8. Community Special Events Task Force – October 25, 2005 [20051117setf01.pdf](#)
 9. Hearing Officer – October 18, 2005 [20051117ho01.pdf](#)
 10. Historical Museum Advisory Board – June 2 & September 1, 2005
[20051117csjc01.pdf](#) [20051117csjc02.pdf](#)
 11. Mayor's Youth Advisory Commission – October 18, 2005 [20051117myac01.pdf](#)
 12. Neighborhood Advisory Commission – August 27, September 7 & October 5, 2005
[20051117nac01.pdf](#) [20051117nac02.pdf](#) [20051117nac03.pdf](#)
 13. Tempe Fire Public Safety Personnel Retirement Board – July 7, 2005

4. REPORTS AND ANNOUNCEMENTS

A. Mayor's Announcements

- Bicycle Friendly Community
- National Award for Television Spot
- Tempe Fire Department - Pediatric Medical Training Mannequin

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 to convert a position within the Community Development Department from temporary to permanent.

DOCUMENT NAME: [20051117cddnc01.pdf](#) COMM DEV/REDEVELOPMENT
ADM (0403-01)

15. Request authorization to cancel the School Crossing Agreement for Kyrene de las Manitas Elementary School.

DOCUMENT NAME: [20051117PWJW01.pdf](#) SCHOOL-PEDESTRIAN
CROSSINGS (0809-04)

16. Request approval to update the School Crossing Agreements between Tempe School District, Kyrene Elementary School District and the City of Tempe for the 15-mph school crossing zones within the City of Tempe public right-of-way.

DOCUMENT NAME: [20051117pwjw02.pdf](#) SCHOOL-PEDESTRIAN
CROSSINGS (0809-04)

17. Request approval to transfer surplus City property to the City of Williams.

COMMENTS: Surplus property includes ice rink, Zamboni, ice skates, and related equipment/supplies.

DOCUMENT NAME: [20051117JH01.pdf](#) FINANCIAL MANAGEMENT (0208)

18. Request approval of an Amended Final Subdivision Plat for PAPAGO PARK CENTER - PHASE III, 1250 W. Washington Street.

COMMENTS: (Metro Commercial Properties, owner) (RRC05041) #SBD-2005.89 for an Amended Final Subdivision Plat consisting of two (2) lots on 3.43 net acres.

DOCUMENT NAME: [20051117dssl08.pdf](#) PLANNED DEVELOPMENT (0406)

- *19. This a public hearing to recommend the approval of a Series 10 Beer and Wine Store Liquor license for BP West Coast Products, LLC, dba AM/PM Mini Market #1511, 908 E. Broadway Road.

COMMENTS: Ronald Makis, Agent

DOCUMENT NAME: [20051117LIQ1.pdf](#) LIQ LIC (0210-02)

- *20. This is a public hearing to recommend the approval of a Series 10 Beer and Wine Store Liquor license for Roadrunner Gasoline, LLC, dba Roadrunner Gasoline, 1350 W. Broadway Road.

COMMENTS: Jason LeVecke, Agent

DOCUMENT NAME: [20051117LIQ2.pdf](#) LIQ LIC (0210-02)

- *21. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor license for Peter Piper, Inc., dba Peter Piper Pizza #172, 1805 E. Baseline Road.

COMMENTS: Steven Dunsire, Agent

DOCUMENT NAME: [20051117LIQ3.pdf](#) LIQ LIC (0210-02)

B. Award of Bids/Contracts

22. Request to award a one-year contract with two (2) one-year renewal options to Basile, Baumann, Prost & Associates, Inc., for development consultant services.

COMMENTS: Subject to execution of the final written contract. Total cost for this contract shall not exceed \$100,000 during the initial contract period. Consultant services regarding development proposals within the Downtown and Rio Salado districts in the City of Tempe.

DOCUMENT NAME: [20051117fslg05.pdf](#) PURCHASES (1004-01)
RFP #06-013RB

23. Request to award a one-year, sole source contract to the Arizona State University National Science Foundation Water Quality Center, for water research and annual membership.

COMMENTS: Subject to execution of the final written contract. Total cost for this contract shall not exceed \$60,000 during the contract period.

DOCUMENT NAME: [20051117fst06.pdf](#) **PURCHASES (1004-01)** Sole Source #06-061

24. Request approval of a professional services contract with Advantica for the Water Utilities Department's GIS implementation and hydraulic model integration.

COMMENTS: Subject to execution of the final written contract in an amount not to exceed \$329,000.

DOCUMENT NAME: [20051117PWTG02.pdf](#) **WATER MANAGEMENT ADMINISTRATION (0811-13)** PROJECT NO. 3202021

25. Request approval of a professional services contract with Durrant for the Water Utilities Department security improvements project.

COMMENTS: Subject to execution of the final written contract in an amount not to exceed \$179,290.

DOCUMENT NAME: [20051117PWTG03.pdf](#) **WATER MANAGEMENT ADMINISTRATION (0811-13)** PROJECT NO 3201024

26. Request award of a Construction Manager at Risk Construction Services contract to D.L. Withers Construction, Inc., plus a \$348,530 contingency allowance, and a professional services contract with 3D/International for the Apache Boulevard Police Substation and Property Storage Facility.

COMMENTS: Subject to execution of the final written Construction Manager at Risk Construction Services contract for a Guaranteed Maximum Price of \$17,426,519. and subject to execution of the final written professional services contract in an amount not to exceed \$174,075.

DOCUMENT NAME: [20051117PWTG06.pdf](#) **CITY FACILITIES (1001)** PROJECT NO. 5500160

27. Request a one-year extension of the construction contract with CPC Construction, Inc., for 2005-2008 minor concrete improvements, on-call maintenance, repairs or grading.

COMMENTS: Subject to execution of the final written amendment, in an amount not to exceed \$615,000.

DOCUMENT NAME: [20051117PWMG01.pdf](#) **STREET UPGRADING-MAINT-CONSTRUCTION (0809-05)** PROJECT NO. 5401412

28. Request approval of a two-month contract renewal with Motorola for communications and mobile data terminal system equipment, parts, and repair services.

COMMENTS: Total amount of contract shall not exceed \$230,000.

DOCUMENT NAME: [20051117fst01.pdf](#) **PURCHASES (1004-01)** T01-082-01

29. Request approval of a one-year contract renewal with Arizona Control Specialists, Inc., for energy management systems.

COMMENTS: Total amount shall not exceed \$250,000.

DOCUMENT NAME: [20051117fslg03.pdf](#) **PURCHASES (1004-01)**
T04-054-01

30. Request approval of a one-year contract renewal with Arizona Pacific Pulp & Paper Inc., for the sale of recyclable cardboard.

COMMENTS: Total estimated receipts for the contract are \$59,000, based upon last year's receipts.

DOCUMENT NAME: [20051117fslg04.pdf](#) **PURCHASES (1004-01)**
T03-040-01

31. Request approval of a one-year contract renewal with Dave Bang Associates for picnic tables.

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

DOCUMENT NAME: [20051117fsdl07.pdf](#) **PURCHASES (1004-01)** T04-125-01

32. Request approval to utilize a State of Arizona contract with Gartner, Inc., for consulting services on the Police radio system upgrade.

COMMENTS: Total cost of this contract shall not exceed \$150,000 during the initial contract period.

DOCUMENT NAME: [20051117fsdl02.pdf](#) **PURCHASES (1004-01)**
Contract #AD990090-001-A10

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

- *33. This is the **introduction and first public hearing** for an ordinance repealing Chapters 8 and 31 of the Tempe City Code, and adopting new Building Codes and Building Regulations. The **second public hearing** is set for December 1, 2005.

DOCUMENT NAME: [20051117dsmw01.pdf](#) **TCC CH 8 CITY CODE (0503-8)**
ORDINANCE NO. 2005.89

- *34. This is the **introduction and first public hearing** for an ordinance to abandon 10 feet of excess public right-of-way on the south side of east University Drive east of Smith Road. **The second public hearing is set for December 1, 2005.**

COMMENTS: A public utility easement will be retained over the area to accommodate existing and future utilities.

DOCUMENT NAME: [20051117PWMG04.pdf](#) **ABANDONMENT (0901)**

ORDINANCE NO. 2005.85

- *35. This is the **introduction and first public hearing** for an ordinance granting easements to Salt River Project for electric facilities for the Light Rail project. **The second hearing is set for December 1, 2005.**

DOCUMENT NAME: [20051117PWMG05.pdf](#) **GRANT OF EASEMENTS (0904-02)** **ORDINANCE NO.** 2005.86

- *36. This is the **introduction and first public hearing** for amendments to the Zoning and Development Code, Section 6-404 - Notice for Public Hearing Signs. **The second hearing is scheduled for December 1, 2005.**

COMMENTS: (City of Tempe, applicant) (CC050063) **Ordinance No. 2005.59 #ZOA-2005.15** for a code text amendment in the Zoning and Development Code, amending Section 6-404 Notice for Public Hearings, to allow smaller hearing signs for single-family residential and inline commercial tenants with no landscape, when not part of a Planned Area Development Overlay or Zoning Map Amendment request.

DOCUMENT NAME: [20051117dsrl01.pdf](#) **ZONING AND DEVELOPMENT CODE (0414-06)**

- *37. This is the **introduction and first public hearing** for an amendment to the Zoning and Development Code, Section 1-308 - Redevelopment Review Commission. **The second public hearing is scheduled for December 1, 2005.**

COMMENTS: (City of Tempe, applicant) (CC050097) **Ordinance No. 2005.80 #ZOA-2005.22** for a code text amendment in the Zoning and Development Code, amending Section 1-308 relating to the Redevelopment Review Commission, to extend this Commission for a six (6) month effective period.

DOCUMENT NAME: [20051117dsrl02.pdf](#) **ZONING AND DEVELOPMENT CODE (0414-01)**

- *38. This is the **introduction and first public hearing** for amendments to the Zoning and Development Code, Part 3 - Land Use, and Part 7 – Definitions. **The second hearing is scheduled for December 1, 2005.**

COMMENTS: (City of Tempe, applicant) for **ADDITIONAL USE PERMITS AND CRITERIA** (CC050104) as follows: **#ZON-2005.25** for code text amendments,

requiring use permits for auto lien loan, employment agency, plasma donation center, rent-to-own, and smoke shop; including definitions for such uses, including the following:

Ordinance No. 2005.91 for a code text amendment for Part 3 – Land Use, of the Zoning and Development Code

Ordinance No. 2005.94 for a code text amendment for Part 7 – Definitions, of the Zoning and Development Code

DOCUMENT NAME: [20051117dssl09.pdf](#) **ZONING AND DEVELOPMENT CODE (0414-03); ZONING AND DEVELOPMENT CODE (0414-07)**

- *39. This is the **introduction and first public hearing** for amendments to the Zoning and Development Code, Part 3 – Land Use, and Part 7 – Definitions (for deferred presentment stores). **The second public hearing is scheduled for December 1, 2005.**

COMMENTS: (City of Tempe, Applicant) (CC050103) **Ordinance No. 2005.90 #ZOA-2005.24** for a code text amendment, requiring deferred presentment companies to obtain a use permit and a separation requirement from the same use, including a definition.

DOCUMENT NAME: [20051117dsrl06.pdf](#) **ZONING AND DEVELOPMENT CODE (0414-03); ZONING AND DEVELOPMENT CODE (0414-07)**

- *40. This is the **introduction and first public hearing** for an ordinance authorizing the historic designation of the CENTENNIAL HOUSE, 601 West 3rd Street. **The second public hearing is set for December 1, 2005.**

COMMENTS: (Ronald D./Eduarda Yates, property owner) (CC050078) **Ordinance No. 2005.64 #HPO-2005.87** for the historic designation of the Centennial House located at 601 West 3rd Street.

DOCUMENT NAME: [20051117dsd2k11.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *41. This is the **introduction and first public hearing** for a Planned Area Development by FARMER-GOODWIN ARCHITECTURAL OFFICE AND TOWN HOMES at 820 and 830 S. Farmer Avenue. **The second public hearing is scheduled for December 1, 2005.**

COMMENTS: (Doug Bruan, Halle Capital, LLC, property owner and Manjula Vaz, Gammage and Burnham, PLC, applicant) for a proposed Planned Area Development on the north west corner of Farmer Avenue and Ninth Street, with ten (10) new three-story town houses and an architectural office within the historic Farmer-Goodwin House, including a General Plan 2030 Projected Land Use map amendment and Zoning map amendment on the northern .57 acres of the total 1.07 acre site. The project includes the following:

Resolution No. 2005.57 #GEP-2005.03 for a General Plan 2030 Projected Land Use Map Amendment for .57 acres from Residential to Commercial, retaining the Density Map designation of Cultural Resource Area (20 du/ac based on zoning in 12/03) located at 820 S. Farmer Avenue.

Ordinance No. 2005.76 #ZON2005.14 for a Zoning Development Code Map Amendment for .57 acres from R-3 Multi-family to R/O Residential Office, located at 820 S. Farmer Avenue.

SPD#2005.79 a Preliminary and Final Planned Area Development (PAD) consisting of ten (10) three-story, two-bedroom townhomes on 0.50 acres, located at 830 S. Farmer Avenue.

DOCUMENT NAME: [20051117dsdk05.pdf](#) **PLANNED DEVELOPMENT (0408); LAND USE GENERAL PLAN (0401-01)**

- *42. This is the **introduction and first public hearing** for an ordinance amending Chapter 22 of the Tempe City Code, adding a new section relating to breastfeeding. The **second public hearing** is set for **December 1, 2005**.

DOCUMENT NAME: [20051117cacc02.pdf](#) **TCC CH 22 – OFFENSES-MISCELLANEOUS ORDINANCE NO. 2005.95**

D. Ordinances and Items for Second Hearing/Final Adoption

- *43. This is the **second public hearing** for a 16th Amended Planned Area Development for PAPAGO BUTTES PHASE III, 1250 West Washington Street.

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: [20051117dssl07.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *44. This is the **second public hearing** for a Zoning and Development Code text amendment and Zoning Map amendment for a Transportation Overlay District.

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: [20051117dsdk04.pdf](#) **TRANSPORTATION PLANNING (1101-01)**

- *45. This is the **second public hearing** for an Amended Planned Area Development for CENTERPOINT RESIDENTIAL (Phases 2, 3 and 4) at 100, 111, 121, 161 and 188 West 6th Street.

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

#SPD-2005.86 An 11th 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: [20051117dsdk03.pdf](#) **PLANNED DEVELOPMENT (0406)**

E. Resolutions

46. Request approval of a resolution authorizing the Mayor to sign the Development Agreement between the City of Tempe and Beck Development for sharing construction costs of water infrastructure on University Drive between Beck and Hardy.

DOCUMENT NAME: [20051117cacc01.pdf](#) **WATER MANAGEMENT
ADMINISTRATION (0811-13) RESOLUTION NO. 2005.67**

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

- **Bob Stafford, Tempe, re: Transportation Overlay District**

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

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