

# Formal Meeting FINISHED Agenda



## Tempe City Council January 18, 2007

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 Hutson
  - A. Approval of Council Meeting Minutes
    1. Council Executive Session – January 4, 2007
    2. Council's Formal Meeting – January 4, 2007 [20070118clrkck01.pdf](#)
    3. Council's Finance, Economy & Veterans Affairs Committee – December 19, 2006 [20070118feva01.pdf](#)
  - B. Acceptance of Board & Commission Meeting Minutes
    4. Aviation Commission – December 14, 2006 [20070118tavco01.pdf](#)
    5. Development Review Commission – November 14 & 28, and December 12, 2006 [20070118drc01.pdf](#) [20070118drc02.pdf](#) [20070118drc03.pdf](#)
    6. Enhanced Services Commission – December 13, 2006 [20070118esc01.pdf](#)
    7. Historical Museum Advisory Board – October 5 & November 2, 2006 [20070118hmab01.pdf](#) [20070118hmab02.pdf](#)
    8. Human Relations Commission – November 14, 2006 [20070118hrc01.pdf](#)
    9. Mayor's Youth Advisory Commission – December 5, 2006 [20070118myac01.pdf](#)
    10. Neighborhood Advisory Commission – November 8, 2006 [20070118nac01.pdf](#)
    11. Tempe Police Public Safety Personnel Retirement Board – December 7, 2006
    12. Tempe Police Public Safety Personnel Retirement Board – Executive Session – December 11, 2006
4. REPORTS AND ANNOUNCEMENTS
  - A. Mayor's Announcements
    - Proclamation for Homes for AZ Days
    - Introduction of guests from Sister City Lower Hutt, New Zealand

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 23, & 30, August 6, 13 & 20, 2006.

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

**APPROVED**

14. Request approval of the dissolution of Residential Permit Parking Area 5 at 107 E 7<sup>th</sup> Street.

**DOCUMENT NAME:** [20070118pwss01.pdf](#) **RESIDENTIAL PERMIT PARKING (0503-19)**

**APPROVED**

15. Request approval of a management agreement between the City of Tempe and the Tempe Historical Society for the management of the Tempe Historical Museum gift shop.

**DOCUMENT NAME:** [20070118csju01.pdf](#) **TEMPE HISTORICAL SOCIETY (0109-12)**

**APPROVED**

16. Request approval of an amendment to an existing Condominium Plat by UNIT 13 OF MOUNTAIN VIEW BUSINESS PARK OFFICE CONDOMINIUMS at 2727 West

Baseline Road.

**COMMENTS:** (Ken Matheson, Southern Gardens Acquisitions, L.L.C., owner) (PL060677) located at 2727 West Baseline Road in the GID, General Industrial Zoning District, including the following request:

**SBD06027** – Replat of the Mountain View Business Park Condominium Plat for Unit 13  
**DOCUMENT NAME:** [20070118dskko01.pdf](#) **PLANNED DEVELOPMENT (0406)**

**APPROVED**

17. Request approval of a Subdivision and Condominium Plat for RAINTREE VILLAS at 1424 South Jentilly Lane.

**COMMENTS:** (Elizabeth Ross/Jentilly 24 LLC, applicant/property owner) (PL060605) located at 1424 South Jentilly Lane, in the R-4 Zoning District, including the following:

**SBD06022** – Subdivision and Condominium Plat for 24 units on 1 lot.  
**DOCUMENT NAME:** [20070118dsrl02.pdf](#) **PLANNED DEVELOPMENT (0406)**

**APPROVED**

- \*18. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Rui Shing, Inc., dba Tang Yuan Restaurant, 6438 S. McClintock Drive.

**COMMENTS:** Zhi Jun Liu, Agent.  
**DOCUMENT NAME:** [20070118LIQ1.pdf](#) **LIQ LIC (0210-02)**

**APPROVED**

- \*19. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for KJSR, Inc., dba Pasand Indian Cuisine, 1801 E. Baseline Road.

**COMMENTS:** Karuna Boggula, Agent  
**DOCUMENT NAME:** [20070118LIQ2.pdf](#) **LIQ LIC (0210-02)**

**APPROVED**

- \*20. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Café Wasabi, Inc., dba Café Wasabi, 3223 S. McClintock Drive.

**COMMENTS:** Hee Won Lee, Agent  
**DOCUMENT NAME:** [20070118LIQ3.pdf](#) **LIQ LIC (0210-02)**

**APPROVED**

- \*21. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Sunset Diner, LLC, dba Sunset Diner, 414 S. Mill Avenue, #115.

**COMMENTS:** John Kolintzas, Agent

**DOCUMENT NAME:** [20070118LIQ4.pdf](#) LIQ LIC (0210-02)

**APPROVED**

- \*22. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Tempe Life Care Village, Inc., dba Friendship Village of Tempe, 2645 E. Southern Avenue.

**COMMENTS:** Darrell Jensen, Agent

**DOCUMENT NAME:** [20070118LIQ5.pdf](#) LIQ LIC (0210-02)

**APPROVED**

- \*23. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Dos Gringos Priest, Inc., dba Dos Gringos Grille, 8000 South Priest Drive.

**COMMENTS:** Brian Roehrich, Agent

**DOCUMENT NAME:** [20070118LIQ6.pdf](#) LIQ LIC (0210-02)

**APPROVED**

B. Award of Bids/Contracts

24. Request approval to award a one-year, sole source contract to Bentley System, Inc., for annual software system support.

**COMMENTS:** Total cost for this contract shall not exceed \$32,000 during the contract period.

**DOCUMENT NAME:** [20070118fsts07.pdf](#) PURCHASES (1004-01) (Sole Source #07-123)

**APPROVED**

25. Request to award a one-year contract with two (2) one-year renewal options to Empire Machinery for wheel loaders to be used by the Public Works Department.

**COMMENTS:** Total cost for this contract shall not exceed \$291,870 during the initial contract period.

**DOCUMENT NAME:** [20070118fsta02.pdf](#) PURCHASES (1004-01) (RFP #07-106)

**APPROVED**

26. Request approval of a one-year contract renewal with Contractors West for street light maintenance.

**COMMENTS:** Total amount not to exceed \$487,000.

**DOCUMENT NAME:** [20070118fsta01.pdf](#) **PURCHASES (1004-01)** (T03-042RB-01)

**APPROVED**

27. Request approval of a one-year contract renewal with Qwest Communications Corporation for telecommunications carrier services.

**COMMENTS:** Total amount not to exceed \$486,000.

**DOCUMENT NAME:** [20070118fsts04.pdf](#) **PURCHASES (1004-01)** (EPS060014-A6)

**APPROVED**

28. Request approval of a ten-month contract renewal with Portable Computer Systems, Inc., for Panasonic laptop computer equipment.

**COMMENTS:** Total amount not to exceed \$200,000.

**DOCUMENT NAME:** [20070118fsts06.pdf](#) **PURCHASES (1004-01)** (05PB050)

**APPROVED**

29. Request approval of a one-year contract renewal with Total Office Interiors for remanufactured Haworth and Herman Miller systems furniture, freestanding furniture and related support services.

**COMMENTS:** Total amount not to exceed \$140,000.

**DOCUMENT NAME:** [20070118fsts08.pdf](#) **PURCHASES (1004-01)** (T05-090-01)

**APPROVED**

30. Request approval of a twenty-three month contract renewal with Philip Transportation and Remediation, Inc., for the transportation and disposal of hazardous waste.

**COMMENTS:** Total amount shall not exceed \$210,000.

**DOCUMENT NAME:** [20070118fsts03.pdf](#) **PURCHASES (1004-01)** (03025)

**APPROVED**

31. Request approval to utilize a ten-month State of Arizona contract with Environmental Systems Research Institute, Inc., for ESRI software and support.

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

DOCUMENT NAME: [20070118fst05.pdf](#) PURCHASES (1004-01)  
(AD040025-001-A4)

**APPROVED**

- 31a. Request approval to utilize a one-year State of Arizona contract with Glotel, Inc., for Information Technology consultant services.

COMMENTS: Total cost of this contract shall not exceed \$55,000 pending approval of an Information Technology Consultant Agreement.

DOCUMENT NAME: [20070118fst09.pdf](#) PURCHASES (1004-01)  
(Contract # AD000197-013)

**APPROVED**

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

- \*32. This is the **introduction and first public hearing** for Code text amendments for ADULT ORIENTED BUSINESS REGULATIONS. **The second public hearing is set for February 1, 2007.**

COMMENTS: (City of Tempe, applicant) (PL060481) for code text amendments within the Zoning and Development Code, including prohibiting "sexual encounter centers"; incorporating State Law as it pertains to adult oriented business separation requirements; and clarify definition related to determining area devoted to adult oriented material, including the following:

**ZOA06003 – (Ordinance No. 2007.01)** Code Text Amendments within the Zoning and Development Code for Sections 3-403 and 7-102.

DOCUMENT NAME: [20070118dsrl01.pdf](#) PLANNED DEVELOPMENT  
(0406)

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR FEBRUARY 1, 2007.**

- \*33. This is the **introduction and first public hearing** to amend Chapter 16A, Article VI of the Tempe City Code, relating to Adult-Oriented Businesses and adding new Section 22-17 relating to Sexual Encounter Centers. **The second public hearing is set for February 1, 2007.**

DOCUMENT NAME: [20070118cacc01.pdf](#) TCC CH16 – LICENSES,  
TAXATION & MISC BUS REGS, ETC. CITY CODE (0503-16) ORDINANCE NO.  
2007.07

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR FEBRUARY 1, 2007.**

- D. Ordinances and Items for Second Hearing/Final Adoption – None.
- E. Resolutions – None.

**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.

**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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Watch live at [www.tempe.gov/tempe11](http://www.tempe.gov/tempe11)**