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Tempe City Council  
March 1, 2007

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

1. INVOCATION - Councilmember Mitchell
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Arredondo
  - A. Approval of Council Meeting Minutes
    1. Council's Executive Session – February 15, 2007
    2. Council's Issue Review Session – February 15, 2007 [20070301clrkck02.pdf](#)
    3. Council's Formal Meeting – February 15, 2007 [20070301clrkck01.pdf](#)
    4. **DELETED**
  - B. Acceptance of Board & Commission Meeting Minutes
    5. Apache Boulevard Project Area Committee – January 8, 2007 [20070301apac01.pdf](#)
    6. Committee for Youth, Families & Community – January 22, 2007 [20070301cyfc01.pdf](#)
    7. Community Special Events Task Force – February 13, 2007 [20070301setf01.pdf](#)
    8. Enhanced Services Commission – January 10, 2007 [20070301esc01.pdf](#)
    9. Hearing Officer – January 16 & February 6, 2007 [20070301ho01.pdf](#)  
[20070301ho02.pdf](#)
    10. Historical Preservation Commission – December 14, 2006 [20070301hpc01.pdf](#)
    11. Human Relations Commission – January 9, 2007 [20070301hrc01.pdf](#)
    12. Municipal Arts Commission Facilities Committee – February 14, 2007  
[20070301macfc.pdf](#)
    13. Parks & Recreation Board – October 18 & November 15, 2006 [20070301prtd01.pdf](#)  
[20070301prtd02.pdf](#)
4. REPORTS AND ANNOUNCEMENTS
  - A. Mayor's Announcements
  - 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 to adopt the Notice of Intention setting the date and time (May 3, 2007 at 7:30 p.m.) for the public hearing to modify *water and sewer* development fees.

**DOCUMENT NAME:** [20070301fstd01.pdf](#) **MISCELLANEOUS FEES (0210-05)**

- 14a. Request approval of an amendment to the "Advised Fund Agreement", Contract #C-92-02, for the Tempe Community Foundation.

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

**DOCUMENT NAME:** [20070301tcc01.pdf](#) **TEMPE COMMUNITY FOUNDATION (0110-07)**

15. This is a request for an Amended Condominium Plat for CENTERPOINT CONDOMINIUMS at 111 West 6<sup>th</sup> Street.

**COMMENTS:** Request for CENTERPOINT CONDOMINIUMS (PL060560) (Tempe Land Company LLC, property owner; Jason Kack, DEI Professional Services, applicant) located at 111 West 6<sup>th</sup> Street in the CC, City Center District, including the following:

**SBD06015** – Amended Condominium Plat on +/- 2.03 acres.

**DOCUMENT NAME:** [20070301dsrl04.pdf](#) **PLANNED DEVELOPMENT (0406)**

16. This is a request for an Amended Subdivision Plat for VICTORY RANDALL at 2428 East Victory Drive.

**COMMENTS:** Request for VICTORY RANDALL (PL060667) (Judy Peters, property owner/applicant) located at 2428 East Victory Drive in the R1-6, Single Family

Residential District, including the following:

**SBD06028** – Amended Subdivision Plat consisting of 2 lots on 0.38 acres.

**DOCUMENT NAME:** [20070301dsrl03.pdf](#) **PLANNED DEVELOPMENT (0406)**

17. This is a request for an Amended Subdivision Plat for DORSEY CROSSING LIVE/WORK at 1233 East Broadway Road.

**COMMENTS:** Request for DORSEY CROSSING LIVE/WORK (PL060409) (Dorsey Crossing LLC and Desert Schools Federal Credit Union, property owners; Mark Richmond, applicant) located at 1233 East Broadway Road in the PCC-2, Planned Commercial Center General District, including the following:  
**SBD06002** – Amended Subdivision Plat consisting of 45 lots and 9 tracts, including remaining portions of existing lots.

**DOCUMENT NAME:** [20070301dsrl01.pdf](#) **PLANNED DEVELOPMENT (0406)**

- \*18. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Cho & Kim, Inc., dba Sushi Eye Bar & Grill, 780 W. Elliot Road, #104.

**COMMENTS:** Pu Cho, Agent

**DOCUMENT NAME:** [20070301LIQ1.pdf](#) **LIQ LIC (0210-02)**

- \*19. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Rock Junction, Inc., dba Boulders Bar and Grill, 530 W. Broadway Road.

**COMMENTS:** Eric Geryol, Agent

**DOCUMENT NAME:** [20070301LIQ2.pdf](#) **LIQ LIC (0210-02)**

- \*20. This is a public hearing to recommend the approval of a Series 6 Bar Liquor License for The Chi-Town Guys, LLC, dba Devil House, 829 S. Rural Road.

**COMMENTS:** Al Green, Agent

**DOCUMENT NAME:** [20070301LIQ3.pdf](#) **LIQ LIC (0210-02)**

- \*21. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for T & D Sparky's, LLC, dba Sparky's Sports Grill, 1301 E. University Drive.

**COMMENTS:** Deborah Pinsonneault, Agent

**DOCUMENT NAME:** [20070301LIQ4.pdf](#) **LIQ LIC (0210-02)**

**B. Award of Bids/Contracts**

22. Request approval of a professional services contract with T.Y. Lin International for the Tempe Town Lake Downstream Pedestrian Bridge Project.

**COMMENTS:** Subject to execution of the final written contract in an amount not to exceed \$574,307.

**DOCUMENT NAME:** [20070301PWCH04.pdf](#) RIO SALADO PARK (0706-32)  
**PROJECT NO.** 6501541

**22a.** *Request to award a one-year contract with two (2) one-year renewal options to Water Movers, Inc., for bypass pumping of the nuisance water from upstream of Tempe Town Lake.*

**COMMENTS:** Subject to execution of the final written contract. Total cost for this contract shall not exceed \$450,000 during the initial contract period.

**DOCUMENT NAME:** [20070301fslq06.pdf](#) PURCHASES (1004-01)  
(RFP #07-127)

23. Request approval of a one-year contract renewal with United Fire Equipment Company for self contained breathing apparatus.

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

**DOCUMENT NAME:** [20070301fslq01.pdf](#) PURCHASES (1004-01)  
(T06-088-01)

24. Request approval of a one-year contract renewal with Creative Pipe, Inc., for powder-coated transit furniture.

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

**DOCUMENT NAME:** [20070301fslq03.pdf](#) PURCHASES (1004-01)  
(T06-139-01)

25. Request approval of a one-year contract renewal with Sanitors Services, Inc., for the cleaning of Diablo Stadium.

**COMMENTS:** Total amount not to exceed \$55,000

**DOCUMENT NAME:** [20070301fslq04.pdf](#) PURCHASES (1004-01)  
(T05-060-01)

26. Request approval of one-year contract renewals with Thatcher Company of Arizona; Hill Brothers Chemical Company; DPC Enterprises; Commercial Pool Repair; Los Angeles Chemical Company; Hasa, Inc.; Basic Chemical Solutions, LLC; Altivia Corporation; Calgon Carbon Corporation; Polydyne, Inc.; Salt Works; Chalum, Inc.; LCI, Ltd.; Kemiron Companies, Inc.; and Occidental Chemical Corporation for water treatment chemicals.

**COMMENTS:** Total amount not to exceed \$2,100,000.

**DOCUMENT NAME:** [20070301fst05.pdf](#) PURCHASES (1004-01) (MU6-505-2185-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14 and 15)

27. Request approval to increase by \$50,001 the contract amount with Daytech Limited for bus stop supplemental seating.

**COMMENTS:** Increase from \$29,999 to \$80,000.

**DOCUMENT NAME:** [20070301fslg02.pdf](#)  
(T07-059-01)

**PURCHASES (1004-01)**

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

- \*28. This is the **introduction and first public hearing** for GENERAL PLAN 2030 TEXT AMENDMENTS for technical corrections of omissions and errors. **The second public hearing is set for March 22, 2007.**

**COMMENTS:** Request for GENERAL PLAN 2030 TECHNICAL AMENDMENTS (PL060641) (City of Tempe, applicant) consisting of amendments to 36 pages within the General Plan: additions that update the index and historic timeline, corrections to the date reference on the bottom of pages, corrections to references that are mislabeled, spelling corrections and graphic errors. All pages would be updated with the Approved / Ratified / Amended date within the footer, including the following request:

**GEP06009 – (Resolution No. 2006.90)** General Plan 2030 text amendments

**DOCUMENT NAME:** [20070301dk01.pdf](#) **PLANNED DEVELOPMENT (0406)**

- \*29. This is the **introduction and first public hearing** for a Planned Area Development Overlay for PERRY PLACE CONDOMINIUMS at 1949 East University Drive. **The second public hearing is set for March 22, 2007.**

**COMMENTS:** Request for PERRY PLACE CONDOMINIUMS (PL060609) (AGI Investors LLC, property owner; William Bannister, Bannister Development LLC, applicant) for the development of 156 new condominium units, located at 1949 East University Drive, in the R-4, Multi-Family Residential General District, including the following:

**PAD06011 – (Ordinance No. 2007.11)** Planned Area Development Overlay to modify development standards for +/- 86,600 s.f. of building area on +/-6.36 acres.

**DOCUMENT NAME:** [20070301dsrl02.pdf](#) **PLANNED DEVELOPMENT (0406)**

- \*30. This is the **introduction and first public hearing** for an ordinance granting an easement to Salt River Project to install and maintain the facilities necessary to provide electrical service to Rio West Business Park. **The second public hearing is scheduled for March 22, 2007.**

DOCUMENT NAME: [20070301PWCH03.pdf](#)  
ORDINANCE NO. 2007.14

EASEMENTS (0904-02)

D. Ordinances and Items for Second Hearing/Final Adoption

- \*31. This is the **second public hearing** for a Planned Area Development Overlay for RIVERSIDE OFFICE PLAZA PHASE III at 1275 West Rio Salado Parkway.

**COMMENTS:** RIVERSIDE OFFICE PLAZA PHASE III (PL060707) (Richard J. Lund, Biltmore Holdings, property owner; Stephen C. Earl, Earl, Curley & Lagarde P.C., applicant) for a four level office building and a two level parking garage structure in the GID Zoning District, including the following requests:

**PAD06015 – (Ordinance No. 2007.09)** Planned Area Development Overlay to modify development standards to allow a height increase from 35 feet to 77 feet for the Office Building.

DOCUMENT NAME: [20070301dskko02.pdf](#) PLANNED DEVELOPMENT (0406)

- \*32. This is the **second public hearing** for a Planned Area Development Overlay for HAYDEN FLOUR MILLS located at 119 South Mill Avenue.

**COMMENTS:** HAYDEN FLOUR MILLS (PL060637) (Chris Messer, representative, City of Tempe, property owner; Rick Labonte, Tempe Flour Mill L.L.C., applicant) for a phase I renovation of the historic flour mill including a six story addition, in the MU-4 and CC Zoning Districts, and the Transportation Overlay and Rio Salado Overlay Districts, including the following requests:

**PAD06014 – (Ordinance No. 2007.08)** Planned Area Development Overlay to define development standards for the MU-4 and CC Zoning Districts

DOCUMENT NAME: [20070301dskko01.pdf](#) PLANNED DEVELOPMENT (0406)

- \*33. This is the **second public hearing** to amend Chapter 2, Article II of the Tempe City Code relating to Officers and Employees by adding new Section 2-34 relating to the appointment and qualifications of commissioners.

DOCUMENT NAME: [20070301cccla01.pdf](#) TCC CH 2 – CITY CODE ADMINISTRATION (0503-02) ORDINANCE NO. 2007.13

- \*34. This is the **second public hearing** for an ordinance abandoning a portion of alley right-of-way located adjacent to 1709 South La Rosa Drive. A public utility easement will be retained over the north 5' of the abandoned parcel.

DOCUMENT NAME: [20070301PWMG02.pdf](#) ABANDONMENT (0901)  
ORDINANCE NO. 2007.12

- \*35. This is the **second public hearing** for an ordinance granting an easement to Salt River Project to provide electrical service to Well No. 15 at 6600 South Price Road.

DOCUMENT NAME: [20070301PWMG01.pdf](#) EASEMENTS (0904-02)  
ORDINANCE NO. 2007.10

E. Resolutions

36. Request approval of a resolution authorizing the execution and submission of an application for Low Income Housing Tax Credits for the 5<sup>th</sup> & Farmer Project.

DOCUMENT NAME: [20070301cdls01.pdf](#) COMMUNITY  
DEVELOPMENT/REDEVELOPMENT ADM (0403-01) RESOLUTION NO. 2007.12

37. *Request approval of a resolution authorizing the execution of a Development and Disposition Agreement and a Joint Development Agreement for the Apache Boulevard and McClintock Drive properties.*

DOCUMENT NAME: [20070301cdls02.pdf](#) COMMUNITY  
DEVELOPMENT/REDEVELOPMENT ADMIN (0403-01) RESOLUTION NO. 2007.13

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.

- Tim Culligan, Tempe, re: commercial parking permits for residential neighborhoods

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.

Agendas are also available at [www.tempe.gov/clerk](http://www.tempe.gov/clerk)  
Watch live at [www.tempe.gov/tempe11](http://www.tempe.gov/tempe11)