

Formal Meeting FINISHED Agenda



Tempe City Council March 22, 2007

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

1. INVOCATION - Councilmember Shekerjian
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Carter
 - A. Approval of Council Meeting Minutes
 1. Council's Issue Review Session – March 1, 2007 [20070322clrkck02.pdf](#)
 - 1a. Council's Executive Session – March 1, 2007
 2. Council's Formal Meeting – March 1, 2007 [20070322clrkck01.pdf](#)
 3. Council's Arts & Community Services Committee – February 21, 2007
[20070322acs01.pdf](#)
 4. Council's Education & Technology Advancement Committee – February 6, 2007
[20070322ceta01.pdf](#)
 5. Council's Finance, Economy & Veterans Affairs Committee – February 20, 2007
[20070322feva01.pdf](#)
 6. Council's Neighborhood Quality of Life, Public Safety & Parks and Recreation Committee – February 13, 2007 [20070322npspr01.pdf](#)
 7. Council's Tourism & Amateur Sports Committee – February 14, 2007
[20070322tasc01.pdf](#)
 8. Council's Transportation & Affordable Housing Committee – February 27, 2007
[20070322tahc01.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 9. Community Special Events Task Force – February 27 & March 13, 2007
[20070322setf01.pdf](#) [20070322setf02.pdf](#)
 - 9a. Development Review Commission – January 9 & 23 and February 13 & 27, 2007
[20070322drc01.pdf](#) [20070322drc02.pdf](#) [20070322drc03.pdf](#) [20070322drc04.pdf](#)
 10. Hearing Officer – February 20, 2007 [20070322ho01.pdf](#)
 11. Historic Preservation Commission – February 8, 2007 [20070322hpc01.pdf](#)
 12. Library Advisory Board – February 5, 2007 [20070322lab01.pdf](#)
 13. Mayor's Youth Advisory Commission – February 6 & 20, 2007 [20070322myac01.pdf](#)

- [20070322myac02.pdf](#)
14. Municipal Arts Commission – January 10, 2007 [20070322mac01.pdf](#)
 15. Sports Authority – January 23 & February 20, 2007 [20070322tsa01.pdf](#)
[20070322tsa02.pdf](#)
 16. Tempe Fire Public Safety Personnel Retirement Board – March 1, 2007
 17. Tempe Police Public Safety Personnel Retirement Board – March 1, 2007

4. REPORTS AND ANNOUNCEMENTS

- A. Mayor's Announcements
- Proclamation for Inclusive Community
- 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

18. Request approval of the Report of Claims Paid to be filed for audit for the weeks of February 4, 11, 18, 25 and March 4, 2007.

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

APPROVED

- 18a. Request approval for the Mayor to appoint members to fill Board and Commissions vacancies.

DOCUMENT NAME: [20070322boards.pdf](#) BDS, COMMISSIONS, COMMITTEES
ADM (0102-01)

APPROVED

19. Request approval for the Mayor to execute a license agreement between Time-Warner Telecom of Arizona, LLC, and the City of Tempe for the continued use of the City's rights-of-way to provide intrastate telecommunication services.

DOCUMENT NAME: [20070322ITD01.pdf](#) TIME/WARNER TELECOM OF ARIZONA (0802-25)

APPROVED

20. Request approval of a Condominium Plat for EMERALD DESIGN CENTER II LOT 1 at 8475 South Emerald Drive.

COMMENTS: Request by EMERALD DESIGN CENTER II (PL070062) (Emerald Phase II, property owner / Gary R. Brandt, Hunter Engineering, applicant) located at 8475 South Emerald Drive, in the RCC, Regional Commercial Center and Southwest Tempe Overlay Districts.

SBD07005 – Condominium Plat for six (6) retail buildings on twelve (12) net acres.

DOCUMENT NAME: [20070322dsdk02.pdf](#) PLANNED DEVELOPMENT (0406)

APPROVED

21. The City of Tempe's Tax and License Division is requesting City Council authorization to release all requested documents to the Internal Revenue Service pursuant to the attached IRS Summons on the following taxpayer: Mel Cooper/ Valley View Christmas Trees, LLC [Taxpayer License Nos. 105542 and 105543]

DOCUMENT NAME: [20070322cacc01.pdf](#) CITY ATTORNEY ADMINISTRATION (0501-02)

APPROVED

- *22. This is a public hearing to recommend the approval of a Series 10 Beer and Wine Store Liquor License for Anmash Enterprises, LLC, dba Q Star Mart, 1125 S. Terrace Road.

COMMENTS: Dilip Seth, Agent

DOCUMENT NAME: [20070322LIQ2.pdf](#) LIQ LIC (0210-02)

APPROVED

- *23. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Crab Addison, Inc., dba Joe's Crab Shack, 1606 W. Baseline Road.

COMMENTS: Lee Sch, Agent

DOCUMENT NAME: [20070322LIQ3.pdf](#) LIQ LIC (0210-02)

APPROVED

- *24. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Crab Addison, Inc., dba Joe's Crab Shack, 1604 E. Southern Avenue.

COMMENTS: Lee Sch, Agent

DOCUMENT NAME: [20070322LIQ4.pdf](#) LIQ LIC (0210-02)

APPROVED

- *25. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Sakebomber Sushi & Grill, Inc., dba Sakebomber Sushi & Grill, 1705 E. Broadway Road.

COMMENTS: Tzu-ting Jao, Agent

DOCUMENT NAME: [20070322LIQ5.pdf](#) LIQ LIC (0210-02)

APPROVED

- *26. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Red Robin International, Inc., dba Red Robin America's Gourmet Burgers & Spirits, 19 S. McClintock Drive.

COMMENTS: Lee Esch, Agent

DOCUMENT NAME: [20070322LIQ6.pdf](#) LIQ LIC (0210-02)

APPROVED

- *27. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Pho Minh-Chau, LLC, dba Pho Sapa Authentic Vietnamese Restaurant, 7707 S. Kyrene Road, #106.

COMMENTS: Chau Nguyen, Agent

DOCUMENT NAME: [20070322LIQ7.pdf](#) LIQ LIC (0210-02)

APPROVED

- *28. This is a public hearing to recommend the approval of a Series 10 Beer and Wine Store Liquor License for Cost Plus, Inc., dba Cost Plus World Market, 1800 E. Rio Salado Parkway, #150.

COMMENTS: H. J. Lewkowitz, Agent

DOCUMENT NAME: [20070322LIQ8.pdf](#) LIQ LIC (0210-02)

APPROVED

B. Award of Bids/Contracts

29. Request approval of a professional services contract with Stantec Consulting, Inc., for the pavement management system update.

COMMENTS: Subject to execution of the final written contract in an amount not to exceed \$95,627.

DOCUMENT NAME: [20070322PWCH04.pdf](#) STREET UPGRADING-MAINT-CONSTRUCTION (0809-05) PROJECT NO. 5400782

APPROVED

30. Request award of a construction contract to Truesdell Corporation and approval of a change order contingency for the bridge joint repair at Pier 7 (Scottsdale Road Bridge at Salt River).

COMMENTS: Subject to execution of the final written contract in an amount not to exceed \$59,768, and a change order contingency of \$15,000.

DOCUMENT NAME: [20070322PWCH05.pdf](#) BRIDGES (0801)
PROJECT NO. 5401882

APPROVED

31. Request to award a one-year contract with four (4) one-year renewal options to Sungard Availability Services for business continuity and recovery services.

COMMENTS: Subject to execution of the final written contract. Total cost for this contract shall not exceed \$80,000 during the initial contract period.

DOCUMENT NAME: [20070322fsdl01.pdf](#) PURCHASES (1004-01)
(RFP #06-122)

APPROVED

32. Request to award a one-year contract with two (2) one-year renewal options to East Valley Uniforms for employee uniforms.

COMMENTS: Subject to execution of the final written contract. Total cost for this contract shall not exceed \$125,000 during the initial contract period.

DOCUMENT NAME: [20070322fslg02.pdf](#) PURCHASES (1004-01)
(RFP #7-091)

APPROVED

33. Request to award a one-year limited source contract to Visible Systems, Inc., for computer programming and software maintenance services for the Municipal Court.

COMMENTS: Subject to execution of the final written contract. Total cost for this contract shall not exceed \$75,000 during the contract period.

DOCUMENT NAME: [20070322fst05.pdf](#) **PURCHASES (1004-01)** (Limited Source #07-138)

APPROVED

34. Request approval of a one-year contract with two (2) one-year renewal options to East Valley Tribune/AZ Interactive for the design, layout, printing and distribution of Tempe Leisure Opportunity Magazine.

COMMENTS: Subject to execution of the final written contract. Total cost of this contract shall not exceed \$75,000 during the initial contract period.

DOCUMENT NAME: [20070322fst07.pdf](#) **PURCHASES (1004-01)** (RFP #07-122)

APPROVED

35. Request to award a one-year, sole source contract to Econolite Control Products, Inc., for traffic signal control equipment.

COMMENTS: Subject to execution of the final written contract in an amount not to exceed \$300,000.

DOCUMENT NAME: [20070322fst09.pdf](#) **PURCHASES (1004-01)** (#07-140)

APPROVED

36. Request to award a one-year contract with two (2) one-year renewal options to Dana Kepner Company, Inc., for double strap service saddles and repair clamps.

COMMENTS: Subject to execution of the final written contract. Total cost for this contract shall not exceed \$55,000 during the contract period.

DOCUMENT NAME: [20070322fst13.pdf](#) **PURCHASES (1004-01)** (IFB #07-110)

APPROVED

37. Request to award two-year contracts to Corporate Interior Systems, Emerling's Office Interiors, Goodmans Interior Structures, and U.S. Business Interiors for furniture for the Tempe Center for the Arts.

COMMENTS: Subject to execution of the final written contracts. Total cost for these contracts shall not exceed \$504,000 during the contract period.

DOCUMENT NAME: [20070322fst15.pdf](#) **PURCHASES (1004-01)** (IFB #07-057)

APPROVED

38. Request to award a one-year contract with two (2) one-year renewal options to Ferguson Enterprises, Inc., for copper tubing.

COMMENTS: Subject to execution of the final written contract. Total cost for this contract shall not exceed \$125,000 during the contract period.

DOCUMENT NAME: [20070322fst18.pdf](#) **PURCHASES (1004-01)**
(IFB #07-099)

APPROVED

39. Request to award a one-year contract with two (2) one-year renewal options to Advantage Professionals of Phoenix, LLC, for personal computer refresh installation and disposal.

COMMENTS: Subject to execution of the final written contract. Total cost for this contract shall not exceed \$80,000 during the contract period.

DOCUMENT NAME: [20070322fst19.pdf](#) **PURCHASES (1004-01)**
(IFB #07-125)

APPROVED

40. Request approval of an addendum to a professional services contract with C. Williams Construction Engineering, Inc., for the Light Rail Project - Utilities Relocation and Site Modifications (Cost to Cure) Inspection Services project.

COMMENTS: Subject to the execution of the final written addendum in an amount not to exceed \$138,000.

DOCUMENT NAME: [20070322PWCH06.pdf](#) **TRANSPORTATION PLANNING (1101-01)** PROJECT NO. 60-966710

APPROVED

41. Request approval to increase by \$120,001 the contract amount with Basic Chemical Solutions, LLC, for sodium hydroxide.

COMMENTS: Increase from \$29,999 to \$150,000.

DOCUMENT NAME: [20070322fst14.pdf](#) **PURCHASES (1004-01)**
(T06-142-01)

APPROVED

42. Request approval of one-year contract renewals with Fluoresco Lighting and DECA Southwest for area lighting maintenance services.

COMMENTS: Total amount not to exceed \$150,000.

DOCUMENT NAME: [20070322fslq03.pdf](#)
(T06-133-01 and T06-133-02)

PURCHASES (1004-01)

APPROVED

43. Request approval of a one-year contract renewal with Stanley Security Solutions for Hirsch Card Access System components and service.

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

DOCUMENT NAME: [20070322fsta04.pdf](#)
(T05-095-01)

PURCHASES (1004-01)

APPROVED

44. Request approval of one-year contract renewals with Aquatic Consulting and Testing, Inc., Legend Technical Services, Inc., MWH Laboratories, and Transwest Geochem, Inc., for laboratory services for the Water Utilities Department.

COMMENTS: Total amount not to exceed \$500,000.

DOCUMENT NAME: [20070322fst10.pdf](#)
(T06-135-01, 02, 03, and 04)

PURCHASES (1004-01)

APPROVED

45. Request approval of one-year contract renewals with Foster Electric/Arizona Pump and Weber Group, LC, for maintenance and repair of water wells, pumps and motors.

COMMENTS: Total amount not to exceed \$500,000.

DOCUMENT NAME: [20070322fst11.pdf](#)
(T03-065-01 and 02)

PURCHASES (1004-01)

APPROVED

46. Request approval of a one-year contract renewal with Utility Service Co., Inc., for water tank repair and maintenance for the Water Utilities Department.

COMMENTS: Total amount not to exceed \$75,000.

DOCUMENT NAME: [20070322fst12.pdf](#)
(T01-052-01)

PURCHASES (1004-01)

APPROVED

47. Request approval of two-month contract renewals with Haworth, Inc., and Herman Miller, Inc., for the purchase of systems furniture, freestanding furniture, seating, filing equipment and related support services.

COMMENTS: Total cost of contracts not to exceed \$350,000.

DOCUMENT NAME: [20070322fst16.pdf](#)

PURCHASES (1004-01)

(US Communities RQ01-411313-16)

APPROVED

48. Request approval of three-month contract renewals with Facilitec, Inc., and Goodmans, Inc., for the purchase of modular panel systems furniture.

COMMENTS: Total cost of contracts not to exceed \$450,000.

DOCUMENT NAME: [20070322fst17.pdf](#)

PURCHASES (1004-01)

(#AD000171-001-A5, 002-A5)

APPROVED

49. Request approval to utilize a one-year State of Arizona contract with Waxie Sanitary Supply for janitorial supplies and equipment.

COMMENTS: Total amount of the contract shall not exceed \$200,000 during the contract period.

DOCUMENT NAME: [20070322fst06.pdf](#)

PURCHASES (1004-01)

(Contract # SCC060003-A1-1)

APPROVED

50. Request approval to utilize State of Arizona contracts with Staffmark Pacific, LLC, Kelly Services, and Corporate Job Bank for temporary employment services for two (2) months of service.

COMMENTS: Total amount of the contracts shall not exceed \$85,000.

DOCUMENT NAME: [20070322fst08.pdf](#)

PURCHASES (1004-01)

(#AD000171-001-A8, AD00171-002-A8 and AD000171-004-A8).

APPROVED

51. Request approval to utilize a nine-month State of Arizona contract with Ferguson Enterprises for plumbing supplies and equipment.

COMMENTS: Total cost of this contract shall not exceed \$400,000 during the contract period.

DOCUMENT NAME: [20070322fst20.pdf](#)

PURCHASES (1004-01)

(EPS050069-02-A2)

APPROVED

52. Request approval to utilize a three-year State of Arizona contract with Technology Providers, Inc., to complete the 3rd floor jury room lectern at the Tempe Municipal Court.

COMMENTS: Total amount of this contract will not exceed \$25,000.

DOCUMENT NAME: [20070322fsta22.pdf](#) **PURCHASES (1004-01)**
(Contract #EPS060125-8-A1)

APPROVED

53. Request approval to utilize one-year State of Arizona contracts with Midway Chevrolet/Isuzu and Five Star Ford for the purchase of four vehicles.

COMMENTS: Total amount of the contracts shall not exceed \$86,000 during the initial contract period.

DOCUMENT NAME: [20070322fsta23.pdf](#) **PURCHASES (1004-01)**
(SCC070002-A1 and SCC070002-A4)

APPROVED

54. Request approval to execute a change order to Tempe's participation in a Regional Public Transit Authority (RPTA) contract with Arizona Bus Sales, Inc., adjusting the unit cost and increasing the purchase quantity of neighborhood circulator buses.

COMMENTS: Total cost of this contract shall not exceed \$2,800,000 during the initial contract period.

DOCUMENT NAME: [20070322fslq21.pdf](#) **PURCHASES (1004-01)**
(Contract #0640016E)

APPROVED

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

- *55. This is the **introduction and first public hearing** for a Planned Area Development Overlay for RESIDENCE INN BY MARRIOTT at 125 East 5th Street. **The second public hearing is set for April 5, 2007.**

COMMENTS: (PL060674) (Richard Finvarb, Tempe RI, L.L.C., owner; Manjula Vaz, Gammage & Burnham, P.C., applicant) for an eleven story, 172 guest room hotel and retail building in the City Center District and the Transportation Overlay District Station Area. The request includes the following:

PAD07002 – (Ordinance No. 2007.15) Planned Area Development Overlay for +/- 138,879 s.f. of building area on +/- 0.351 acres.

DOCUMENT NAME: [20070322dskko01.pdf](#) **PLANNED DEVELOPMENT (0406)**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING SET FOR APRIL 5, 2007.**

- *56. This is the **introduction and first public hearing** for an ordinance granting an easement to Salt River Project to provide electrical service to the Kyrene Reclamation Plant, located at 311 W. Guadalupe Road. **The second public hearing is scheduled for April 5, 2007.**

DOCUMENT NAME: [20070322PWCH02.pdf](#) **EASEMENTS (0904-02)**
ORDINANCE NO. 2007.18

**INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING SET FOR APRIL 5, 2007.**

- *57. This is the **introduction and first public hearing** for an ordinance granting an easement to Salt River Project to provide electrical service to the East Valley Bus Operation and Maintenance Facility, located at 2050 W. Rio Salado Parkway. **The second public hearing is scheduled for April 5, 2007.**

DOCUMENT NAME: [20070322PWCH03.pdf](#) **EASEMENTS (0904-02)**
ORDINANCE NO. 2007.19

**INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING SET FOR APRIL 5, 2007.**

D. Ordinances and Items for Second Hearing/Final Adoption

- *58. This is the **second public hearing** for GENERAL PLAN 2030 TEXT AMENDMENTS for technical corrections of omissions and errors.

COMMENTS: Request for GENERAL PLAN 2030 TECHNICAL AMENDMENTS (PL060641) (Diana Kaminski, 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: [20070322dk01.pdf](#) **PLANNED DEVELOPMENT (0406)**

APPROVED

- *59. This is the **second public hearing** for a Planned Area Development Overlay for PERRY PLACE CONDOMINIUMS at 1949 East University Drive.

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: [20070322dsrl01.pdf](#) **PLANNED DEVELOPMENT (0406)**

APPROVED

- *60. This is the **second 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.

DOCUMENT NAME: [20070322PWCH01.pdf](#) **EASEMENTS (0904-02)**
ORDINANCE NO. 2007.14

APPROVED

E. Resolutions

61. Request approval of a resolution to renew the Intergovernmental Agreement (IGA) between the City of Tempe and Tempe Union High School District No. 213 (TUHSD) detailing the responsibilities of the School Resource Officer (SRO) grant program.

DOCUMENT NAME: [20070322pdma01.pdf](#) **POLICE DEPARTMENT**
ADMINISTRATION RESOLUTION NO. 2007.11

APPROVED

62. Request approval of a resolution amending City Code Appendix A—Schedule of Fees and Charges, Chapter 35, Zoning and Development Fees.

DOCUMENT NAME: [20070322cacc02.pdf](#) **MISCELLANEOUS FEES (0210-05)**
RESOLUTION NO. 2007.15

APPROVED

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.

- Clay Poulson, dba Yucatecan Imports, re: Recent Enforcement of Sign Laws on Mill Avenue

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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