

## Minutes Formal City Council Meeting March 22, 2007

Minutes of the Formal Council Meeting of Thursday, March 22, 2007, held at 7:30 p.m. in the Harry E. Mitchell Government Center, Municipal Building, City Council Chambers, 31 E. Fifth Street, Tempe, Arizona.

### COUNCIL PRESENT:

Mayor Hugh Hallman  
Vice Mayor Hut Hutson  
Councilmember P Ben Arredondo  
Councilmember Barbara J. Carter  
Councilmember Shana Ellis  
Councilmember Mark W. Mitchell  
Councilmember Onnie Shekerjian

Mayor Hallman called the meeting to order.

1. Councilmember Shekerjian gave the invocation.
2. Mayor Hallman led the audience in the **Pledge of Allegiance**.
3. **MINUTES**

#### A. Approval of Council Meeting Minutes

Motion by Councilmember Carter to approve the following **COUNCIL MEETING MINUTES**.

Second by Vice Mayor Hutson. Motion passed unanimously on a voice vote.

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**

Motion by Councilmember Carter to accept the following **COMMITTEE & BOARD MEETING MINUTES**. Second by Vice Mayor Hutson. Motion passed unanimously on a voice vote.

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**

- Mayor Hallman stated that Tempe has received the designation as an Inclusive Community and he read a proclamation designating the week of March 26, 2007, as Inclusive Communities Week in Tempe.
- Mayor Hallman read recommendations for board and commission appointments and reappointments as follows:

**Aviation Commission**

Sandeep Gopalan  
Ross Meyer

Terms Expire 12-31-08  
Replaces Jim Aker (U)  
Replaces Mark Lymer (U)

Gloria Regensberg  
William Justus  
Connie Thompson

Terms Expire 12-31-09 (1)  
Replaces Richard Collins  
Replaces Peter Schelstraete  
Replaces Seth Chalmers

**Board of Adjustment**

Wallis Stemm

Term Expires 12-31-07 (U)  
Replaces Thomas Bourdo

**Double Butte Cemetery Committee**

Katherine Schmidt  
Lois Love-Rizzo  
Brad Olson

Terms Expire 8-31-09 (1)  
Replaces Lillie Moraga  
Replaces Carol Smith  
Replaces Joe Spracale

<b>Historic Preservation Commission</b> Michael Deskin Ann Patterson	Terms Expire 3-31-10 Reappointment (*) Reappointment (*)
<b>Historical Museum Advisory</b> Lisa Roach	Term Expires 7-31-09 (1) Replaces Robert McKinley
<b>Human Relations Commission</b> Fentress Tuxon Florence Boyle	Term Expires 12-31-09 (1) Replaces Edwin Gonzalez-Santin Replaces Hassan Elsaad
 Irina Pohoata	 Term Expires 12-31-08 (U) Replaces Michele Duval
<b>Municipal Arts Commission</b> Richard Strange	Term Expires 12-31-07 (U) Replaces Clinton Lepetich
 Shirlee King	 Term Expires 12-31-09 (1) Replaces Ben Tyler
<b>Neighborhood Advisory Commission</b> Joe Pospicil Pete DeMott Thomas Catlaw	Terms Expire 12-31-09 Replaces Mary Ann Dillon (1) zip 84282 Replaces Jim Newell (1) zip 85281 Replaces Helen Stern (1) zip 85283
<b>Police Citizens Review Board</b> Angelita Reyes Julie Krause David Lucier Burke Files	Terms Expire 12-31-09 (1) Replaces Wayne Arnett Replaces Frank Castro Replaces Jim Delton Replaces Eleanor Strang
<b>Rio Salado Advisory Commission</b> Sue Lofgren	Term Expires 12-31-09 (1) Reappointment
<b>Tardeada Advisory Board</b> Dora Bustoz Anthony Gutierrez Irene Hormell Lillie Parra-Moraga Isabel Ruiz	Terms Expire 1-01-10 (2) Reappointment Reappointment Reappointment Reappointment Reappointment
<b>Transportation Commission</b> Catherine Mayorga	Term Expires 12-31-09 (1) Replaces Scott Nowicki
 Marco Valenzuela	 Term Expires 12-31-08 (U) Replaces Andres Sotil

B. Manager's Announcements – None.

5. **AGENDA**

All items in these minutes identified with an asterisk (\*) **are public hearing items**. All items listed on the agenda are approved with one council action. Items scheduled for Introduction/First Public Hearing will be heard but not adopted at this meeting. Items scheduled for Second Public Hearing/Final Adoption will be voted upon at this meeting.

Mayor Hallman announced consideration of the **AGENDA**.

**Motion by Councilmember Arredondo to approve the Agenda as amended (Item #54 was removed for separate consideration). Second by Vice Mayor Hutson. Motion passed on a roll call vote 7-0.**

A. Miscellaneous Items

18. Approved 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.

- 18a. Approved request for the Mayor to appoint members to fill Board and Commissions vacancies.

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

19. Approved **Contract #2001-214A**, 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)**

20. Approved **with conditions** 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.

The following conditions were also approved:

1. The Plat for Emerald Design Center II shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the City of Tempe's Development Services Department prior to issuance of any occupancy permits. Failure to

record the plan within one year of Council approval shall make the plan null and void.

2. The Plat for Emerald Design Center shall comply with previously approved parking provisions for Lot 1; not to exceed 22,120 s.f. of restaurant use and not to include future medical office uses without revised parking calculations and provisions.

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

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

21. Authorized the City of Tempe's Tax and License Division 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)**

- \*22. Held a public hearing and 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)**

- \*23. Held a public hearing and 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)**

- \*24. Held a public hearing and 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)**

- \*25. Held a public hearing and 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)**

- \*26. Held a public hearing and 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)**

- \*27. Held a public hearing and 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)

- \*28. Held a public hearing and 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)

B. Award of Bids/Contracts

29. Approved **Contract #2007-40**, 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

30. Awarded **Contract #2007-41**, 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

31. Awarded **Contract #2007-42**, 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)

32. Awarded **Contract #2007-43**, 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:** [20070322fslq02.pdf](#) PURCHASES (1004-01)  
(RFP #7-091)

33. Awarded **Contract #2007-44**, 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:** [20070322fsta05.pdf](#) **PURCHASES (1004-01)** (Limited Source #07-138)

34. Approved **Contract #2007-45**, 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:** [20070322fsta07.pdf](#) **PURCHASES (1004-01)** (RFP #07-122)

35. Awarded **Contract #2007-46**, 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:** [20070322fsta09.pdf](#) **PURCHASES (1004-01)** (#07-140)

36. Awarded **Contract #207-47**, 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)

37. Awarded **Contract #2007-48**, 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)

38. Awarded **Contract #2007-49**, 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)

39. Awarded **Contract #2007-50**, 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)
40. Approved **Contract #2006-39A**, 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
41. Approved the increase by \$120,001 of 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)
42. Approved 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:** [20070322fslg03.pdf](#) **PURCHASES (1004-01)**  
(T06-133-01 and T06-133-02)
43. Approved 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](#) **PURCHASES (1004-01)**  
(T05-095-01)
44. Approved 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](#) **PURCHASES (1004-01)** (T06-135-01, 02, 03, and 04)
45. Approved 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:** [20070322fsts11.pdf](#) **PURCHASES (1004-01)**  
(T03-065-01 and 02)

46. Approved 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:** [20070322fsts12.pdf](#) **PURCHASES (1004-01)**  
(T01-052-01)

47. Approved 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:** [20070322fsts16.pdf](#) **PURCHASES (1004-01)**  
(US Communities RQ01-411313-16)

48. Approved 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:** [20070322fsts17.pdf](#) **PURCHASES (1004-01)**  
(#AD000171-001-A5, 002-A5)

49. Approved the utilization of 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:** [20070322fsta06.pdf](#) **PURCHASES (1004-01)**  
(Contract # SCC060003-A1-1)

50. Approved the utilization of 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:** [20070322fsta08.pdf](#) **PURCHASES (1004-01)**  
(#AD000171-001-A8, AD00171-002-A8 and AD000171-004-A8).

51. Approved the utilization of 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:** [20070322fsts20.pdf](#) **PURCHASES (1004-01)**

(EPS050069-02-A2)

52. Approved the utilization of a three-year State of Arizona contract with Technology Providers, Inc., to complete the 3<sup>rd</sup> floor jury room lectern at the Tempe Municipal Court.

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

**DOCUMENT NAME:** [20070322fst22.pdf](#)

**PURCHASES (1004-01)**

(Contract #EPS060125-8-A1)

53. Approved the utilization of 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:** [20070322fst23.pdf](#)

**PURCHASES (1004-01)**

(SCC070002-A1 and SCC070002-A4)

54. **THIS ITEM WAS REMOVED FOR SEPARATE CONSIDERATION.**

Approved 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.

Councilmember Shekerjian asked staff to explain this item.

Carlos deLeon stated that this action will allow the City to increase the number of buses to be ordered through the RPTA contract with Arizona Bus Sales, Inc., from 16 to 23. This would allow expansion of the Neighborhood Circulator Program at the request of Mayor and Council. Since there is a six-month delay in fulfillment of the order, the order would need to be placed now.

Councilmember Shekerjian asked for clarification that by Council voting on this, it does not necessarily indicate that every neighborhood being considered for the Neighborhood Circulator bus would necessarily be forced to have one.

Mr. deLeon clarified that a public process is underway to define the final routes and staff will return to Council for approval of those routes.

Councilmember Shekerjian assured citizens that the public process in place is a valid process and that citizens still need to attend the meetings and provide input.

Motion by Councilmember Arredondo for approval of Item #54. Second by Councilmember Carter. Motion passed on a roll call vote, 7-0.

**DOCUMENT NAME:** [20070322fslq21.pdf](#)

**PURCHASES**

**(1004-01)**

(Contract #0640016E)

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

- \*55. Introduced and held the **first public hearing** for a Planned Area Development Overlay for RESIDENCE INN BY MARRIOTT at 125 East 5<sup>th</sup> 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)**

- \*56. Introduced and held the **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**

- \*57. Introduced and held the **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**

D. Ordinances and Items for Second Hearing/Final Adoption

- \*58. Held the **second public hearing** and approved 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)

- \*59. Held the **second public hearing** and **approved with conditions** 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.

The following conditions were also approved:

1. The modified general development standard shall allow a maximum building height from forty (40) feet to forty-six (46) feet. Provide height of buildings measured from the nearest midpoint top of curb along front of property (as defined by Zoning and Development Code).
2. The modified general development standard shall allow a minimum side yard setback on the East from ten (10) feet to nine (9) feet.
3. The Planned Area Development Overlay for Perry Place Condominiums shall be put into proper engineered format with appropriate signature blanks and kept on file with the City of Tempe's Development Services Department prior to issuance of building permits.

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

- \*60. Held the **second public hearing** and approved ORDINANCE NO. 2007.14 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)**

E. Resolutions

61. Approved RESOLUTION NO. 2007.11 renewing **Contract #2007-51**, an 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**

62. Approved RESOLUTION NO. 2007.15 amending City Code Appendix A—Schedule of Fees and Charges, Chapter 35, Zoning and Development Fees.

**DOCUMENT NAME:** [20070322cacc02.pdf](#) **MISCELLANEOUS FEES (0210-05)**

## 6. PUBLIC APPEARANCES

### SCHEDULED PUBLIC APPEARANCE

- **Clay Poulson, dba Yucatecan Imports, re: Recent Enforcement of Sign Laws on Mill Avenue.**  
Mr. Poulson stated that his business has been located at 414 S. Mill for the last eight and one-half years. He could move his business to any city in about a dozen different countries in the world. He speaks as a representative of other small businesses on in Tempe. His business is in the downtown district, and he realizes there are problems throughout Tempe. The recent sign enforcement is having an immediate impact on small businesses. He is concerned about the long term impact. He doesn't believe Tempe is out to hurt small businesses, but it is hurting his business. He showed examples of signs. The signs are necessary to direct the public to his area in the Mill Avenue Courtyard area. Tempe is very seasonal and many tourists are in the area. Without signs, he misses the tourist business.

Mayor Hallman stated that the Downtown Tempe Community (DTC) represents all the businesses in the downtown.

Mr. Poulson responded that he had recently met with the DTC. He distributed a list of 16 businesses that agree the sign ordinance is hurting small businesses. He feels the code enforcement representatives should be offering assistance in creating appropriate signs to help the businesses.

Mayor Hallman added that the City has been working with Mr. Poulson's landlord to get a sign that would service all of the shops in the Mill Avenue Courtyard. He asked if there were signs in front of his location before he signed his lease.

Mr. Poulson responded that the businesses are struggling.

Mayor Hallman added that the photographs provided show buildings with empty space. The City is currently tight for retail space that we are at a 4% vacancy rate. Mr. Poulson might not be aware that part of the reason that the specific buildings showing vacancies is because there is a redevelopment plan going forward by two of the developers. One photo shows a business as if it is out of business, but that building is being rehabilitated by the owner because he believes it is a great investment on Mill Avenue. Restaurant Mexico is going into the building that is part of that and there are additional plans for what is being rehabilitated. That shows investment by small business landlords in the neighborhood. More importantly, he understands Mr. Poulson has been made aware that the City is working with his landlord to seek ways in which signage could be prepared that would meet the sign code but also help bring attention to the businesses in the Courtyard.

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

- Councilmember Arredondo reminded the public about the Southwest Salsa Challenge this Saturday. He also urged citizens to help north Tempe with a clean-up.

- Councilmember Shekerjian acknowledged the Gene Autry Courage Awards event this past week. This event features athletes who have overcome great obstacles. The event was hosted by the Tempe Sports Authority and the California Angels. She also announced that the Youth Leadership Government Day will be held this Saturday morning.
- Vice Mayor Hutson invited everyone to look at the new police car on display in the parking lot.
- Mayor Hallman announced that the Dragon Boat Festival starts this Saturday.

Meeting adjourned at 8:46 p.m.

I, Jan Hort, the duly-appointed City Clerk of the City of Tempe, Maricopa County, Arizona, do hereby certify the above to be the minutes of the Formal City Council meeting of March 22, 2007, by the Tempe City Council, Tempe, Arizona.

\_\_\_\_\_  
Hugh Hallman, Mayor

ATTEST:

\_\_\_\_\_  
Jan Hort, City Clerk

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2007.