
Tempe City Council
April 5, 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 - Councilmember Ellis
 - A. Approval of Council Meeting Minutes
 1. Council's Executive Session – March 22, 2007
 2. Council's Issue Review Session – March 22, 2007 [20070405clrkck02.pdf](#)
 3. Council's Formal Meeting – March 22, 2007 [20070405clrkck01.pdf](#)
 4. Council's Finance, Economy & Veterans Affairs Committee – March 20, 2007 [20070405feva01.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 5. Aviation Commission – January 9, 2007 [20070405tavco01.pdf](#)
 6. Commission on Disability Concerns - January 16 & February 20, 2007 [20070405cdc01.pdf](#) [20070405cdc02.pdf](#)
 7. Committee for Youth, Families and Community – February 12, 2007 [20070405cyfc01.pdf](#)
 8. Double Butte Cemetery Advisory Committee – January 17, 2007 [20070405prsw01.pdf](#)
 9. Hearing Officer – March 6, 2007 [20070405ho01.pdf](#)
 10. Human Relations Commission – February 13, 2007 [20070405hrc01.pdf](#)
 11. Mayor's Youth Advisory Commission – March 6, 2007 [20070405myac01.pdf](#)
 12. Merit System Board – February 28, 2007
 13. Parks & Recreation Board – January 17, 2007 [20070405prmr01.pdf](#)
4. REPORTS AND ANNOUNCEMENTS
 - A. Mayor's Announcements
 - Introduction of Diversity Dialogue Participants
 - Introduction of Cesar Chavez Coloring Contest Winners

- Introduction of Sister Cities teachers from Germany

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 acceptance of the Civic Ventures Affiliate Agreement for the purpose of providing Experience Corps™ in the Kid Zone Enrichment Program and the Tempe Elementary School District.

DOCUMENT NAME: [20070405csjt01.pdf](#) **COMMUNITY SERVICE ADM (0701-01)**

15. Request approval of an amended agreement between North America Sports, Inc., the Tempe Convention and Visitors Bureau, and the City of Tempe to host the Ironman Arizona Triathlon in April, 2007.

DOCUMENT NAME: [20070405prtd01.pdf](#) **SPORTS ADMINISTRATION/POLICIES (0105-01-07)**

16. Request approval of an intergovernmental agreement between the Tempe Union High School District and the City of Tempe for the provision of substance abuse prevention services.

DOCUMENT NAME: [20070405csjt02.pdf](#) **TEMPE UNION HIGH SCHOOL DISTRICT (0109-14)**

17. Request approval of a Final Subdivision Plat for CARQUEST at 39 West Southern Avenue.

COMMENTS: (PL070045) CARQUEST (Tanner Grossmiller/Oncall Construction,

applicant; Yucca Rental Properties LLC, property owner) located in the Danelle Plaza at 39 West Southern Avenue in the CSS, Commercial Shopping and Services District for:
SBD07003 – Combine two (2) lots into one (1) lot.

DOCUMENT NAME: [20070405dssl01.pdf](#) **PLANNED DEVELOPMENT (0406)**

18. Request approval of an Amended Subdivision Plat for SUBWAY at 950 South Mill Avenue.

COMMENTS: (PL070141) SUBWAY (Ken & Mary Clark, property owners; Bill Hunse, applicant) for an Amended Final Subdivision Plat, located at 950 South Mill Avenue in the CC, City Center District, including the following:

SBD07012 – Amended Subdivision Plat consisting of one (1) lot on 0.32 acres.

DOCUMENT NAME: [20070405dsrl01.pdf](#) **PLANNED DEVELOPMENT (0406)**

B. Award of Bids/Contracts

19. Request approval of a professional services contract with Wilson Engineers for the Johnny G. Martinez Water Treatment Plant Water Quality Improvements Phase I.

COMMENTS: Subject to execution of final written contract. Total cost for this contract shall not exceed \$149,720.

DOCUMENT NAME: [20070405PWCH03.pdf](#) **JOHNNY G. MARTINEZ WATER TREATMENT PLANT (0811-03) PROJECT NO. 3201091**

20. Request award of a Job Order construction contract to 3D/International, Inc., and approval of a change order contingency for the epoxy floor installation at the apparatus and SWAT storage areas at the Apache Boulevard Police Substation.

COMMENTS: Subject to execution of the final written contract in an amount not to exceed \$35,797, and a change order contingency of \$1,500.

DOCUMENT NAME: [20070405PWMV05.pdf](#) **APACHE BOULEVARD POLICE SUB-STATION (1001-20) PROJECT NO. 5500963**

21. Request to award a three-year contract with two (2) one-year renewal options to Metro Commercial Properties for property management and leasing services of city-owned properties throughout the city.

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

DOCUMENT NAME: [20070405fslq01.pdf](#) **PURCHASES (1004-01) (RFP #07-116)**

22. Request to award one-year contracts with two (2) one-year renewal options to All Star Materials and Pioneer Sand Company for landscaping granite and sand.

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

DOCUMENT NAME: [20070405fslq02.pdf](#) **PURCHASES (1004-01)**
(IFB #07-105)

23. Request to award a one-year contract with two (2) one-year renewal options to United Fire Equipment Company for Fire Department turnout clothing.

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

DOCUMENT NAME: [20070405fslq03.pdf](#) **PURCHASES (1004-01)**
(RFP #07-001)

24. Request approval of a one-year contract renewal with Urban Forest Tree Care for tree trimming services for downtown trees.

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

DOCUMENT NAME: [20070405fslq04.pdf](#) **PURCHASES (1004-01)**
(T05-088-01)

25. Request approval of a two-year contract renewal with Office Depot for office supplies.

COMMENTS: Total amount not to exceed \$1,000,000.

DOCUMENT NAME: [20070405fslq05.pdf](#) **PURCHASES (1004-01)**
(US Communities #42595)

26. Request approval of a one-year contract renewal with MP Environmental Services, Inc., for sludge pickup and transportation.

COMMENTS: Total amount not to exceed \$95,000.

DOCUMENT NAME: [20070405fst08.pdf](#) **PURCHASES (1004-01)**
(T06-132-01)

27. Request approval of a one-year contract extension with Southwest Microsurfacing, LLC, and approval of a construction change order contingency for Local Street Renovation 2005-2007 Slurry Seal.

COMMENTS: Subject to execution of the final written amendment in an amount not to exceed \$1,579,296, and a change order contingency of \$157,929.

DOCUMENT NAME: [20070405PWMV04.pdf](#) **STREET UPGRADING-MAINT-CONSTRUCTION (0809-05) PROJECT NO. 5400742**

28. Request approval to increase by \$50,000 the contract amount with Arizona Foundation for medical care for Preferred Provider Organization network health care for eligible city employees, dependents and retirees.

COMMENTS: Increase from \$115,580 to \$165,580.

DOCUMENT NAME: [20070405fsta06.pdf](#) **PURCHASES (1004-01) (T01-053-01)**

29. Request approval to increase by \$50,000 the contract amounts with Bob's Barricades and Trafficade Services, Inc., for barricades and warning devices.

COMMENTS: Increase from \$100,000 to \$150,000.

DOCUMENT NAME: [20070405fsta07.pdf](#) **PURCHASES (1004-01) (T07-009-01 and T07-009-02)**

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

- *30. This is the **introduction and first public hearing** to amend Chapter 16 of the Tempe City Code relating to License, Privilege and Excise Taxes. **The second public hearing is set for April 19, 2007**

DOCUMENT NAME: [20070405cacc01.pdf](#) **TCC CH 16 - LICENSES, TAXATION & MISC BUS REGS, ETC. (0503-16) ORDINANCE NO. 2007.20**

- *31. This is the **introduction and first hearing** to amend Chapter 23 of the Tempe City Code related to Parks and Recreation by adding new Section 23-35; amending Sections 23-36; 23-37; 23-7.1; 23-40; 23-45; 23-46; 23-57; 23-74; 23-75; 23-76; 23-77; and 23-79; and repealing Section 23-59. **The second public hearing is scheduled for April 19, 2007.**

DOCUMENT NAME: [20070405cdnr01.pdf](#) **TCC CH 23 - PARK AND RECREATION (0503-23) ORDINANCE NO. 2007.21**

31a. *This is the introduction and first public hearing for an ordinance authorizing the conveyance of the City's interests in certain real property within the Apache Boulevard Redevelopment Area to GDG Partners, LLC. The second public hearing will be held on April 19, 2007.

DOCUMENT NAME: [20070405cdnc01.pdf](#) **REAL PROPERTY DISPOSITION (0902-21-01) ORDINANCE No. 2007.23**

D. Ordinances and Items for Second Hearing/Final Adoption

- *32. This is the **second public hearing** for a Planned Area Development Overlay for RESIDENCE INN BY MARRIOTT at 125 East 5th Street.

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: [20070405dskko01.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *33. This is the **second 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.

DOCUMENT NAME: [20070405PWCH01.pdf](#) **EASEMENTS (0904-02)**
ORDINANCE NO. 2007.18

- *34. This is the **second 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.

DOCUMENT NAME: [20070405PWCH02.pdf](#) **EASEMENTS (0904-02)**
ORDINANCE NO. 2007.19

- *35. This is the **second public hearing** to obtain City Council and citizen comments on the proposed 2007-2008 Action Plan for the Community Development Block Grant (CDBG) and Home Programs.

DOCUMENT NAME: [20070405cdlc.pdf](#) **COMMUNITY DEVELOPMENT BLOCK GRANT (0207-26)**

E. Resolutions

36. Request approval of a resolution approving the issuance of not to exceed \$40,000,000 aggregate principal amount of revenue bonds by Colorado Health Facilities Authority for the skilled nursing care (Westchester Care Center) and assisted living (Westchester Villas) projects of Volunteers of America Care Facilities Obligated Group.

DOCUMENT NAME: [20070405fsjh01.pdf](#) **INDUSTRIAL DEV REVENUE BONDS ADMIN (0203-05) RESOLUTION 2007.20**

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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