

## Minutes Formal City Council Meeting April 19, 2007

Minutes of the Formal Council Meeting of Thursday, April 19, 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 at 7:30 p.m.*

1. Councilmember Ellis gave the invocation.
2. Colin Lathem led the audience in the **Pledge of Allegiance**.
3. **MINUTES**

#### A. Approval of Council Meeting Minutes

Motion by Vice Mayor Hutson to approve the following **COUNCIL MEETING MINUTES**.  
Second by Councilmember Shekerjian. Motion passed unanimously on a voice vote.

1. Council's Executive Session – April 5, 2007
2. Council's Issue Review Session - April 5, 2007 [20070419clrkck03.pdf](#)
3. Council's Formal Meeting – April 5, 2007 [20070419clrkck01.pdf](#)
4. Council's Special Budget Meeting – April 5, 2007 [20070419clrkck04.pdf](#)
5. Council's Education & Technology Advancement Committee – March 6, 2007  
[20070419etac01.pdf](#)
6. Council's Finance, Economy & Veterans Affairs Committee – March 20 & 29, 2007  
[20070419feva01.pdf](#) [20070419feva02.pdf](#)
7. Council's Transportation & Affordable Housing Committee – March 27, 2007  
[20070419tahc01.pdf](#)
8. Housing Authority Governing Board – April 5, 2007 [20070419clrkck02.pdf](#)

**B. Acceptance of Board & Commission Meeting Minutes**

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

9. Apache Boulevard Project Area Committee – March 12, 2007 [20070419apac01.pdf](#)
10. Aviation Commission – March 13, 2007 [20070419tavco01.pdf](#)
11. Community Special Events Task Force – March 27 & April 10, 2007  
[20070419setf01.pdf](#) [20070419setf02.pdf](#)
12. Enhanced Services Commission – February 14, 2007 [20070419esc01.pdf](#)
13. Hearing Officer – March 20, 2007 [20070419ho01.pdf](#)
14. Historical Museum Advisory Board – January 4, February 1, & March 1, 2007  
[20070419hmab01.pdf](#) [20070419hmab02.pdf](#) [20070419hmab03.pdf](#)
15. Library Advisory Board – March 5, 2007 [20070419lab01.pdf](#)
16. Mayor's Youth Advisory Commission – March 20, 2007 [20070419myac01.pdf](#)
17. Rio Salado Advisory Commission – January 23 & February 27, 2007  
[20070419rsac01.pdf](#) [20070419rsac02.pdf](#)
18. Tempe Fire Public Safety Personnel Retirement Board – March 1, 2007
19. Tempe Police Public Safety Personnel Retirement Board – March 1, 2007

**4. REPORTS AND ANNOUNCEMENTS**

**A. Mayor's Announcements**

- Mayor Hallman stated that the **StormReady® Program** was started in Tulsa, OK, in 1999 to help arm America's communities with communication and skills needed to save lives and property during storm events. Tempe applied for this program in January. He introduced **David Runyan** of the Phoenix Office of the National Weather Service who presented a certificate of achievement to the **Fire Chief Cliff Jones**, and **HazMat Specialist Alan Jensen**. This certificate designates Tempe as a StormReady® community.
- Mayor Hallman summarized that **Kid Zone** is an award winning elementary school-age enrichment program administered by the City of Tempe in cooperation with the Tempe Elementary and Kyrene School Districts. He recognized the Kid Zone staff in the audience and introduced **Patricia Weegar**, Director of Instructional Services for the Kyrene Elementary School District, and **Andrea Colby**, Early Childhood Education Coordinator from Tempe Elementary School District. He further introduced school partners in honor of their commitment to the program: **Dr. Ana Gomez del Castillo**, Principal, Kyrene de los Ninos Elementary School; **Kristin Fleming**, 4<sup>th</sup> grade teacher, Broadmor Elementary School; and **Mary K. Harding**, Secretary, Kyrene de la Mariposa Elementary School. He also introduced **Buddy Davis**, PE Specialist from Tempe Elementary School District #3, who received special recognition as "School District Hero." Mayor Hallman also introduced and presented certificates to representatives of the 1700 children enrolled in Kid Zone, who were selected for their kind and respectful attitude to others, initiative and enthusiastic participation, and display of cooperation, good sportsmanship, responsibility and leadership.

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 Vice Mayor Hutson to approve the Agenda. Second by Councilmember Carter. Motion passed on a roll call vote 7-0.**

A. Miscellaneous Items

20. Approved **Contract #2007-58** for the emergency purchase of a replacement Fire/Rescue Pumper Truck in an amount not to exceed \$434,535 from American LaFrance Fire Apparatus Corporation.

**DOCUMENT NAME:** [20070419fdbb01.pdf](#) **FIRE PROTECTION (0605)**

- \*21. Held a public hearing and recommended the approval of a Series 9 Liquor Store License for Smart and Final Stores Corporation dba Smart and Final, #495, 1737 E. Broadway Road, #104.

**COMMENTS:** Joseph Cipollini, Agent

**DOCUMENT NAME:** [20070419LIQ1.pdf](#) **LIQ LIC (0210-02)**

- \*22. Held a public hearing and recommended the approval of a Series 12 Restaurant Liquor License for California Pizza Kitchen, Inc., dba California Pizza Kitchen, 2000 E. Rio Salado Parkway, #E1.

**COMMENTS:** H. J. Lewkowitz, Agent

**DOCUMENT NAME:** [20070419LIQ3.pdf](#) **LIQ LIC (0210-02)**

- \*23. Held a public hearing and recommended the approval of a Series 7 Beer and Wine Bar Liquor License for Kolby's Corner Pocket Billiards, LLC, dba Kolby's Corner Pocket Billiards, 1301 E. University Drive, #112.

**COMMENTS:** Douglas Abernathy, Agent

**DOCUMENT NAME:** [20070419LIQ5.pdf](#) **LIQ LIC (0210-02)**

- \*24. Held a public hearing and recommended the approval of a Series 12 Restaurant Liquor License for Restaurant Mexico, Inc., dba Restaurant Mexico, 423 S. Mill Avenue.

**COMMENTS:** Carolina Chavarria, Agent

**DOCUMENT NAME:** [20070419LIQ6.pdf](#) **LIQ LIC (0210-02)**

- \*25. Held a public hearing and recommended the approval of a Series 6 Bar Liquor License for VTLL LLC dba The District at Tempe Marketplace, 2000 E. Rio Salado Parkway, #C-6.  
**COMMENTS:** H. J. Lewkowitz, Agent  
**DOCUMENT NAME:** [20070419LIQ4.pdf](#) LIQ LIC (0210-02)

B. Award of Bids/Contracts

26. Approved **Contract #2007-59**, a professional services contract with Community Design + Architecture for the Light Rail Station Area Planning Project.  
**COMMENTS:** Subject to execution of the final written contract. Total cost for this contract shall not exceed \$155,857.  
**DOCUMENT NAME:** [20070419PWCH03.pdf](#) TRANSPORTATION PLANNING (1101-01) PROJECT NO. 6002711
27. Approved **Contract #2007-60**, a professional services contract with Malcolm Pirnie, Inc., for the Water and Wastewater Cost of Service Rate Study.  
**COMMENTS:** Subject to execution of the final written contract. Total cost for this contract shall not exceed \$188,436.  
**DOCUMENT NAME:** [20070419PWCH04.pdf](#) WASTEWATER STUDIES (0112-15) PROJECT NO. 3206411
28. Awarded **Contract #2007-61**, one-year contracts to Doehrman Company and MGM Equipment Source, LLC, for shop equipment.  
**COMMENTS:** (IFB #07-120) Subject to execution of final written contract. Total cost for this contract shall not exceed \$110,000 during the initial contract period.  
**DOCUMENT NAME:** [20070419fslg03.pdf](#) PURCHASES (1004-01)
29. Awarded **Contract #2007-62**, a one-year contract with two (2) one-year renewal options to United Fire Equipment Company for fire department clothing.  
**COMMENTS:** (IFB #07-128) Subject to execution of final written contract. Total cost for this contract shall not exceed \$80,000 during the initial contract period.  
**DOCUMENT NAME:** [20070419fslg11.pdf](#) PURCHASES (1004-01)
30. Awarded **Contract #2007-63**, a five-year contract with one (1) five-year renewal option to Rolling Hills Restaurant, LLC, for food and beverage services at the Rolling Hills Golf Course Restaurant.  
**COMMENTS:** (RFP #07-055) This contract shall be at no cost to the City. The City will receive monthly payments of base rent or a percentage of gross receipts, whichever is greater.  
**DOCUMENT NAME:** [20070419fsdl16.pdf](#) PURCHASES (1004-01)
31. Approved a one-year contract renewal with Contact Behavioral Health Services for an

Employee Assistance Program for all eligible city employees.

**COMMENTS:** (T05-061-01) Total amount of the contract shall not exceed \$45,000.

**DOCUMENT NAME:** [20070419fsta01.pdf](#) **PURCHASES (1004-01)**

32. Approved a one-year contract extension with WHP Health Initiatives, Inc., for pharmacy benefits management services.

**COMMENTS:** (T02-084-01) Total amount shall not exceed \$4,200,000.

**DOCUMENT NAME:** [20070419fsta02.pdf](#) **PURCHASES (1004-01)**

33. Approved a one-year contract renewal with Basic Chemicals Solutions, LLC, for sodium hydroxide.

**COMMENTS:** (T06-142-01) Total amount not to exceed \$150,000.

**DOCUMENT NAME:** [20070419fsts04.pdf](#) **PURCHASES (1004-01)**

34. Approved a one-year contract renewal with Metering Service, Inc., for water meter calibration, maintenance, and repair service.

**COMMENTS:** (WD6-936-2251) Total cost of the contract not to exceed \$120,000.

**DOCUMENT NAME:** [20070419fsts05.pdf](#) **PURCHASES (1004-01)**

35. Approved a one-year contract renewal with Priority 1 Power Services, LLC, for consulting and maintenance services for high voltage switch and automatic transfer control equipment.

**COMMENTS:** (T03-097-01) Total amount not to exceed \$90,000.

**DOCUMENT NAME:** [20070419fsts06.pdf](#) **PURCHASES (1004-01)**

36. Approved a one-year contract renewal with Ancon Marine for sewer and lift station cleaning.

**COMMENTS:** (03PB074) Total amount not to exceed \$400,000.

**DOCUMENT NAME:** [20070419fsts07.pdf](#) **PURCHASES (1004-01)**

37. Approved one-year contract renewals with Skyline Builders & Restoration, Inc.; SDB, Inc.; GTI Contractors; Roto-Rooter Service and Plumbing Co.; Piper Power Plumbing and Mechanical; Hernandez Companies, Inc.; Fluoresco Lighting – Sign Maintenance Corporation; Commonwealth Electric Company; Vortex; M Group; Star Roofing, Inc.; Emmet Refrigeration; Arctic Air Heating and Cooling; Trane; KSK Electric; and Kaye Contracting, Inc., for trade services.

**COMMENTS:** (Contracts T06-103-01 thru T06-103-16) Total value of these contracts shall not exceed \$1,500,000 during the contract period.

**DOCUMENT NAME:** [20070419fsta09.pdf](#) **PURCHASES (1004-01)**

38. Approved a one-year contract renewal with Devau Human Resources for temporary sports officials in the Parks and Recreation Department.

**COMMENTS:** (T05-140-01) Total amount shall not exceed \$250,000.

DOCUMENT NAME: [20070419fslg10.pdf](#) PURCHASES (1004-01)

39. Approved a one-year contract renewal with Total Care Tree Services for palm tree trimming services.

COMMENTS: (T05-131-02) Total amount not to exceed \$70,000

DOCUMENT NAME: [20070419fslg12.pdf](#) PURCHASES (1004-01)

40. Approved twelve-month contract renewals with Philip Transportation and Remediation, Inc., and Environmental Response, Inc., for emergency and routine response to situations involving hazardous substances and/or pollutants.

COMMENTS: (#ASCC060013-2 and SCC060013-4) Total cost of contracts shall not exceed \$70,000.

DOCUMENT NAME: [20070419fst15.pdf](#) PURCHASES (1004-01)

41. Approved the increase by \$15,000 of the contract amount with General Modular Sales and Leasing for a modular office building for the Public Works Streets Division.

COMMENTS: (T06-014-01) Increase from \$145,000 to \$160,000.

DOCUMENT NAME: [20070419fst08.pdf](#) PURCHASES (1004-01)

42. Approved the utilization of one-year State of Arizona contracts with Staffmark Pacific LLC, Kelly Services, Randstad NA and Corporate Job Bank for temporary employment services.

COMMENTS: (#EPS070043-3, 4, 6 and 16). Total amount of the contracts shall not exceed \$600,000.

DOCUMENT NAME: [20070419fst14.pdf](#) PURCHASES (1004-01)

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

- \*43. Introduced and held the **first public hearing** for an ordinance granting an easement to Southwest Gas Corporation to install and maintain the facilities necessary to provide service to the East Valley Bus Operation and Maintenance Facility, located at 2050 West Rio Salado Parkway. **The second public hearing is scheduled for May 3, 2007.**

DOCUMENT NAME: [20070419PWCH02.pdf](#) GRANT OF EASEMENTS (0904-02) ORDINANCE NO. 2007.22

- \*44. Introduced and held the **first public hearing** to amend Chapter 19 of the Tempe City Code relating to Motor Vehicles and Traffic by amending Section 19-141 relating to position of motor-driven cycles. **The second public hearing is set for May 3, 2007.**

COMMENTS: The purpose of this amendment is to make it lawful to park more than two motor-driven cycles within one parking meter space in order to maintain constitutionality as well as provide equitable enforcement of the law for citizens and

patrons of Tempe.

**DOCUMENT NAME:** [20070419pdsam02.pdf](#) **MOTOR VEHICLES & TRAFFIC  
(0503-19) ORDINANCE NO. 2007.28**

**D. Ordinances and Items for Second Hearing/Final Adoption**

- \*45. Held the **second** public hearing and **approved** ORDINANCE NO. 2007.20 amending Chapter 16 of the Tempe City Code relating to License, Privilege and Excise Taxes.  
**DOCUMENT NAME:** [20070419cacc01.pdf](#) **TCC CH 16 - LICENSES, TAXATION & MISC BUS REGS, ETC. (0503-16)**
- \*46. Held the **second** public hearing and **approved** ORDINANCE NO. 2007.21 amending 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.  
**DOCUMENT NAME:** [20070419cdnr01.pdf](#) **TCC CH 23 – PARKS AND RECREATION (0503-23)**

**E. Resolutions**

47. Approved RESOLUTION NO. 2007.25 accepting grant funding from the Governor's Office of Highway Safety for the purchase of portable breath testers (PBT's).  
**COMMENTS:** The award totals \$25,000 for fifty (50) portable breath testers.  
**DOCUMENT NAME:** [20070419pdsam03.pdf](#) **POLICE DEPARTMENT ADMINISTRATION (0606-02)**
48. Approved RESOLUTION NO. 2007.23 authorizing **Contract #2007-64**, an intergovernmental agreement between the City of Tempe and the City of Glendale detailing the agreed respective responsibilities of personnel when working together during large events at the Arizona Sports and Tourism Authority Stadium (University of Phoenix Stadium).  
**DOCUMENT NAME:** [20070419pdsam01.pdf](#) **POLICE DEPARTMENT ADMINISTRATION (0606-02)**
49. Approved RESOLUTION NO. 2007.21 authorizing **Contract #2007-65**, a license agreement with Salt River Project to allow two existing driveways over the Gila Drain on the east side of Rural Road, north of Warner Road.  
**DOCUMENT NAME:** [20070419PWCH01.pdf](#) **SALT RIVER PROJECT (SRP) (0113-03)**
50. Approved RESOLUTION NO. 2007.27 ordering the sale of not to exceed \$80,000,000 principal amount of City of Tempe General Obligation Bonds, Series 2007A, and approving related documents.

DOCUMENT NAME: [20070419fsjh01.pdf](#) BOND SERVICE ADMINISTRATION  
(0203-01)

6. PUBLIC APPEARANCES – None.
7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS – None.

*Meeting adjourned at 8:05 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 April 19, 2007, by the Tempe City Council, Tempe, Arizona.

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

ATTEST:

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

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