
Tempe City Council
May 17, 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 Shekerjian
 - A. Approval of Council Meeting Minutes
 1. Council's Executive Session – May 3, 2007
 2. Council's Issue Review Session – May 3, 2007 [20070517clrkck01.pdf](#)
 3. Council's Formal Meeting - May 3, 2007 [20070517clrkck02.pdf](#)
 4. Council's Arts & Community Services Committee – April 18, 2007
[20070517acsc01.pdf](#)
 5. Council's Education & Technology Advancement Committee – April 3, 2007
[20070517etac01.pdf](#)
 6. Council's Finance, Economy & Veterans Affairs Committee – April 17, 2007
[20070517feva01.pdf](#)
 7. Council's Neighborhood Quality of Life, Public Safety & Parks and Recreation Committee - April 10, 2007 [20070517nqlps01.pdf](#)
 8. Council's Transportation & Affordable Housing Committee – April 24, 2007
[20070517tahc01.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 9. Board of Adjustment – March 28, 2007 [20070517boa01.pdf](#)
 10. Community Special Events Task Force – May 8, 2007 [20070517setf01.pdf](#)
 11. Enhanced Services Commission – April 11, 2007 [20070517esc01.pdf](#)
 12. Golf Committee – February 7 & April 4, 2007 [20070517gc01.pdf](#)
[20070517st04.pdf](#)
 13. Hearing Officer – April 17, 2007 [20070517ho01.pdf](#)
 14. Human Relations Commission – April 10, 2007 [20070517hrc01.pdf](#)
 15. Mayor's Youth Advisory Commission – April 17, 2007 [20070517myac01.pdf](#)
 16. Parks & Recreation Board – February 21, 2007 [20070517prmr01.pdf](#)
 17. Tempe Police Public Safety Personnel Retirement Board – April 5, 2007

4. REPORTS AND ANNOUNCEMENTS

- A. Mayor's Announcements
 - EMS Week Proclamation
- 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 an intergovernmental agreement with Maricopa County for animal control services for fiscal years 2008 – 2010.

COMMENTS: Total cost is estimated to be \$164,173 for fiscal year 2008 -2009.

DOCUMENT NAME: [20070517cdjk01.pdf](#) ANIMAL CONTROL (0601)

- 19. Request approval of the second amendment to the intergovernmental agreement between the Maricopa County Library District and the City of Tempe for participation in the District's Reciprocal Borrowing Program.

DOCUMENT NAME: [20070517cstm01.pdf](#) LIBRARY ADM (07040-01)

- 20. Request approval of the first amendment to the Playa del Norte Subordinate Development Parcel Agreement – Parcel No. 5.

DOCUMENT NAME: [20070517cdnc01.pdf](#) COMMUNITY DEVELOPMENT ADMIN. (0406)

- 21. Request approval for an Amended Subdivision Plat for ANABOLIC LABORATORIES at 405 South Siesta Lane.

COMMENTS: (PL060473) (Nick Wood, Snell & Wilmer LLP, applicant; Lebruns, LLC, property owner) located at 405 South Siesta Lane in the GID, General Industrial District for:

SBD07006 - An Amended Subdivision Plat to combine five (5) lots into one (1) lot.

DOCUMENT NAME: [20070517dsgk01.pdf](#) **PLANNED DEVELOPMENT (0406)**

22. This is the **reconsideration** of an ordinance previously approved by Council on April 19, 2007, 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: [20070517clrck03.pdf](#) **TCC CH 23 – PARKS AND RECREATION (0503-23) ORDINANCE NO. 2007.21**

- *23. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Hof's Hut Restaurant, Inc., dba Lucille's Smokehouse Bar-B-Que, 2030 E. Rio Salado Parkway.

COMMENTS: H J Lewkowitz, Agent

DOCUMENT NAME: [20070517LIQ4.pdf](#) **LIQ LIC (0210-02)**

- *24. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Sneakers Sports Grill, Inc., dba Sneakers Sports Grill, 1470 East Southern Avenue.

COMMENTS: Keith Quilty, Agent

DOCUMENT NAME: [20070517LIQ5.pdf](#) **LIQ LIC (0210-02)**

B. Award of Bids/Contracts

25. Request to award a one-year, sole source contract to Cox Communications (Cox Media) for the Transportation Division's cable television advertising for fiscal year 2007/2008.

COMMENTS: (Sole Source #T08-008-01) Subject to execution of the final written contract. Total cost for this contract shall not exceed \$132,000 during the contract period.

DOCUMENT NAME: [20070517fslq02.pdf](#) **PURCHASES (1004-01)**

26. Request to award a one-year, sole source contract to Oracle Corporation for renewal of enterprise database product support licenses and purchase of database software and tools.

COMMENTS: (Sole Source #T07-182) Subject to execution of the final written

contract. Total cost for this contract shall not exceed \$426,000 during the contract period.

DOCUMENT NAME: [20070517fst13.pdf](#) **PURCHASES (1004-01)**

27. Request to award a one-year, sole source contract to Oracle Corporation for the purchase of Talent Acquisition Software module.

COMMENTS: (Sole Source #T07-183) Subject to execution of the final written contract. Total cost for this contract shall not exceed \$87,000 during the contract period.

DOCUMENT NAME: [20070517fst14.pdf](#) **PURCHASES (1004-01)**

28. Request to award one-year contracts with two (2) one-year renewal options to Pipeline Video Inspection & Cleaning and Roto Rooter Service & Plumbing Co. for sewer maintenance, pumping and repairs.

COMMENTS: (IFB07-151) Subject to execution of the final written contracts. Total amount not to exceed \$75,000 during the initial contract period.

DOCUMENT NAME: [20070517fst04.pdf](#) **PURCHASES (1004-01)**

29. Request to award a two-year contract with three (3) one-year renewal options to Mission Uniform Service for uniform rental and laundry pickup service, alterations/repairs and delivery service.

COMMENTS: (IFB #07-111) Subject to execution of the final written contract. Total cost for this contract shall not exceed \$120,000 during the initial contract period.

DOCUMENT NAME: [20070517fst08.pdf](#) **PURCHASES (1004-01)**

30. Request approval of a professional services contract with URS Corporation for the Tempe Town Lake Dam Replacement Study.

COMMENTS: Subject to execution of the final written contract in an amount not to exceed \$99,364.

DOCUMENT NAME: [20070517PWCH03.pdf](#) **RIO SALADO MASTER PLAN (0112-07-03) PROJECT NO. 6502073**

31. Request approval of a professional services contract with E Group, Inc., for the Crosscut Canal Multi-Use Path Phase II (Canal Park to Moeur Park).

COMMENTS: Subject to execution of the final written contract in an amount not to exceed \$305,042.

DOCUMENT NAME: [20070517PWCH04.pdf](#) **TRANSPORTATION PLANNING (1101-01) PROJECT NO. 6002441**

32. Request approval of a one-year contract renewal with Classic Events & Parties for tent rental and special event supplies.

COMMENTS: (T06-114-01) Total amount not to exceed \$85,000.

DOCUMENT NAME: [20070517fslg01.pdf](#) **PURCHASES (1004-01)**

33. Request approval of a one-year contract renewal with Arizona Foundation for Preferred Provider Organization (PPO) network health care for eligible City employees, dependents and retirees.

COMMENTS: (T01-053-01) Total amount not to exceed \$173,000.

DOCUMENT NAME: [20070517fsta03.pdf](#) **PURCHASES (1004-01)**

34. Request approval of a one-year contract renewal with Metropolitan Life Insurance for the PPO Dental Plan for all eligible City employees and dependents.

COMMENTS: (T04-089-01) Total amount not to exceed \$1,300,000.

DOCUMENT NAME: [20070517fsta05.pdf](#) **PURCHASES (1004-01)**

35. Request approval of one-year contract renewals with Banner Occupational Health Services and U.S. Healthworks Medical Group of Arizona for occupational health care services.

COMMENTS: (T05-103-01 and 02) Total amount not to exceed \$200,000.

DOCUMENT NAME: [20070517fsts07.pdf](#) **PURCHASES (1004-01)**

36. Request approval of a one-year contract renewal with Marsh USA, Inc., for risk management consultation and insurance broker services.

COMMENTS: (T05-109-01) Total amount not to exceed \$100,000.

DOCUMENT NAME: [20070517fsts09.pdf](#) **PURCHASES (1004-01)**

37. Request approval of a one-year contract renewal with Salt River Project for operation and maintenance of the Tempe Town Lake.

COMMENTS: (T05-034-01) Total amount not to exceed \$600,000.

DOCUMENT NAME: [20070517fsts11.pdf](#) **PURCHASES (1004-01)**

38. Request approval of a one-year contract renewal with Teledyne Isco, Inc., for the purchase of wastewater sampling equipment.

COMMENTS: (T05-034-01) Total amount not to exceed \$400,000.

DOCUMENT NAME: [20070517fsts12.pdf](#) **PURCHASES (1004-01)**

39. Request approval of a one-year contract renewal with Arizona Emergency Products for emergency vehicle equipment and lighting.

COMMENTS: (T06-171-01) Total amount not to exceed \$250,000.

DOCUMENT NAME: [20070517fsta15.pdf](#) **PURCHASES (1004-01)**

40. Request approval to increase by \$275,000 the construction contract contingency amount with D.L. Withers Construction, and request approval of addenda to the construction management services contract with Kitchell CEM and the design services contract with RNL Design for the East Valley Bus Operation and Maintenance Facility.

COMMENTS: Subject to execution of the final written addenda in amounts not to exceed \$40,888 for the construction management services contract with Kitchell CEM, and \$215,238 for the design services contract with RNL Design.

DOCUMENT NAME: [20070517PWCH06.pdf](#) **TRANSPORTATION PLANNING (1101-01) PROJECT NO. 6000561**

41. Request approval to utilize a one-year Arizona Counter Drug Program 1122 contract for the purchase of a boat (Boston Whaler) to be used by the Tempe Police Department.

COMMENTS: (Contract #07-181) Total cost of this contract shall not exceed \$92,000 during the initial contract period.

DOCUMENT NAME: [20070517fsta06.pdf](#) **PURCHASES (1004-01)**

42. Request approval to utilize a one-year State of Arizona contract with Clean Harbors Environmental Services, Inc., for chemical waste removal, treatment and disposal services.

COMMENTS: (#SCC060009-1-A3) Total amount the contract not to exceed \$70,000.

DOCUMENT NAME: [20070517fst10.pdf](#) **PURCHASES (1004-01)**

43. Request approval of an addendum to a professional services contract with Achen-Gardner Engineering, LLC, for the Reclaimed Waterline - Kyrene Reclamation Facility to Town Lake project.

COMMENTS: Subject to the execution of the final written addendum in the amount of \$66,250.

DOCUMENT NAME: [20070517PWCH05.pdf](#) **WATER MANAGEMENT ADMIN (0811-13) PROJECT NO. 3201601**

44. Request approval of an addendum to a professional services contract with Malcolm Pirnie, Inc., for the Wastewater Master Plan Update.

COMMENTS: Subject to execution of the final written addendum in the amount of \$20,592.

DOCUMENT NAME: [20070517PWCH02.pdf](#) WATER MASTER PLAN (0811-14) PROJECT NO. 3200591

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

- *45. This is the **introduction and first public hearing** for an ordinance to amend the Tempe City Code, Chapter 8, relating to Buildings and Building Regulations, by amending Article I, Section 8-100. **The second public hearing is set for May 31, 2007.**

DOCUMENT NAME: [20070517dssf01.pdf](#) TCC CH 8 CITY CODE (0503-8) ORDINANCE NO. 2007.32

- *46. This is the **introduction and first public hearing** for an ordinance to amend Chapter 19, Article XII, of the Tempe City Code relating to Parking Meters by adding new Section 19-144. **The second public hearing is set for May 31, 2007.**

DOCUMENT NAME: [20070517pwcdl01.pdf](#) TCC CH 19 - MOTOR VEHICLES & TRAFFIC (0503-19) ORDINANCE NO. 2007.41

- *47. This is the **introduction and first public hearing** for a Zoning Map Amendment and Planned Area Development Overlay for 5th STREET WEST at 1300 West 5th Street. **The second public hearing is scheduled for May 31, 2007.**

COMMENTS: (PL060558) (Tom Goscicki, AJT Development, Owner/Applicant) for a two and three-story (13) unit residential development located at 1300 West 5th Street, in the R-2, Multi-Family Residential District, including the following:

ZON07001 – (Ordinance No. 2007.29) Zoning Map Amendment from R-2, Multi-Family Residential District to R1-PAD, Single Family Residential Planned Area Development District on +/-0.89 net acres.

PAD07006 – Planned Area Development Overlay to modify development standards for 13 units on +/-27,000 s.f. of total building area.

DOCUMENT NAME: [20070517dsrl03.pdf](#) PLANNED DEVELOPMENT (0406)

- *48. This is the **introduction and first public hearing** for a Zoning Map Amendment and Planned Area Development Overlay for TEMPE TRANSIT SITE at 1811 East Apache Boulevard. **The second public hearing is scheduled for May 31, 2007.**

COMMENTS: (PL070099) (City of Tempe, property owner; GDG Enterprises LLC, Daniel Tilton, applicant) for a mixed-use development including a 300 space Light Rail Park and Ride, residential apartments and retail located at 1811 East Apache Boulevard, in the GID, General Industrial District and CSS, Commercial Shopping and Service District and Transportation Overlay District, including the following:

ZON07002 – (Ordinance No. 2007.27) Zoning Map Amendment from GID, General

Industrial District and CSS, Commercial Shopping and Service District to MU-4, Mixed-Use High Density District including the Transportation Overlay District on +/-4.81 net acres.

PAD07008 – Planned Area Development Overlay for +/-759,387 s.f. of total building area.

DOCUMENT NAME: [20070517dsrl02.pdf](#) **PLANNED** **DEVELOPMENT**
(0406)

- *49. This is the **introduction and first public hearing** for a Planned Area Development Overlay and Amended Subdivision Plat for NEWTOWN ROOSEVELT at 1029 South Roosevelt Street. **The second public hearing is scheduled for May 31, 2007.**

COMMENTS: (PL070036) (Allen Carlson, Executive Director/Newtown CDC, applicant; Newtown CDC, property owner) for the development of two (2) single-family units located at 1029 South Roosevelt Street in the R-2, Multi-Family Residential District for:

PAD07012 – (Ordinance No. 2007.26) Planned Area Development Overlay to modify development standards for +/- 1782 s.f. of building area on +/- 0.195 acres.

SBD07002 – Amended Subdivision Plat of Lot 8, Block 8 of the Goodwin Home Subdivision creating two (2) lots on .195 acres.

DOCUMENT NAME: [20070517dssl01.pdf](#) **PLANNED** **DEVELOPMENT**
(0406)

- *50. This is the **introduction and first public hearing** for an ordinance to amend Chapter 10 of the Tempe City Code relating to Community Antenna Television. **The second public hearing is set for May 31, 2007.**

DOCUMENT NAME: [20070517cacc02.pdf](#) **TCC CH 10 – COMMUNITY**
ANTENNA & TELEVISION (0503-10) ORDINANCE NO. 2007.39

- *51. This is the **introduction and first public hearing** for an ordinance authorizing the Mayor to execute a Special Warranty Deed between the City of Tempe and the Pier 202 Tempe LLC, a Delaware limited liability company. **The second public hearing is set for May, 31 2007.**

DOCUMENT NAME: [20070517swscd01.pdf](#) **REAL PROPERTY DISPOSITION**
(0902-21-01) ORDINANCE NO. 2007.42

- *52. This is the **introduction and first public hearing** for an ordinance authorizing the conveyance of City-owned property, located at 900 South Una Avenue. **The second public hearing is scheduled for May 31, 2007.**

DOCUMENT NAME: [20070517PWCH07.pdf](#) **REAL** **PROPERTY**
MANAGEMENT(0900) ORDINANCE NO. 2007.34

- *53. This is the **introduction and first public hearing** for an ordinance authorizing a first amendment to a communications site lease agreement with American Tower Asset Sub, LLC (successor in interest to C-Call Corp. formerly doing business as OneComm Corp.) for cellular communication facilities located on Carver Road east of Hardy in Tempe. **The second public hearing is set for May 31, 2007.**

DOCUMENT NAME: [20070517PWCH09.pdf](#) **COMMUNICATION (1002)**
ORDINANCE NO. 2007.40

D. Ordinances and Items for Second Hearing/Final Adoption

- *54. This is the **second public hearing** for an ordinance authorizing the Mayor to execute agreements to terminate the lease with and convey property to FLY (CD) LLC, a Delaware limited liability company, and AWHQ LLC, an Arizona limited liability company.

DOCUMENT NAME: [20070517cdcm01.pdf](#) **COMM DEV/REDEVELOPMENT**
ADM (0403-01) ORDINANCE NO. 2007.31

- *55. This is the **second first public hearing** for an Amended Planned Area Development Overlay for PIER 202 at 1200 East Rio Salado Parkway.

COMMENTS: (PL060548) (Pier 202 Tempe LLC, property owner; Brad Gorman, applicant) consisting of nine (9) new buildings up to 310 feet in height for commercial, 285 room hotel and 1,484 residential units on +/-27.4 acres, located at 1200 East Rio Salado Parkway, in the MU-4, Mixed-Use High Density District, including the following:
PAD07003 – (Ordinance No. 2007.17) Amended Planned Area Development Overlay to modify development standards for nine (9) buildings, totaling approximately 3,693,000 s.f. of building area on +/-27.4 acres.

DOCUMENT NAME: [20070517dsrl01.pdf](#) **PLANNED DEVELOPMENT**
(0406)

- *56. This is the **second public hearing** for a General Plan Amendment for DOUBLE BUTTE CEMETERY at 2505 W. Broadway Road.

COMMENTS: (PL070054) (City of Tempe, applicant) for a General Plan Land Use Map Amendment for 5.42 acres for the Double Butte Cemetery future mausoleum site located at 2505 W. Broadway Road, in the GID, General Industrial District, including the following:

GEP07002 (Resolution No. 2007.17) – General Plan 2030 Projected Land Use Map Amendment for approximately 5.42 acres to be amended from the Public Open Space Land Use designation to the Public Recreational/Cultural Land Use designation.

DOCUMENT NAME: [20070517DSDK01.pdf](#) **PLANNED DEVELOPMENT**
(0406)

- *57. This is the **second public hearing** for a General Plan Amendment for VICTORY ACRES PARK at 2407 E McArthur Drive.

COMMENTS: (PL060586) (Jeff Valasquez of J2 Design, applicant, on behalf of City of Tempe, owner) A General Plan Land Use Map Amendment for approximately 3 acres for the new Victory Acres Park in the R-2 Multi-Family Zoning and CSS Commercial Shopping and Service districts. The request includes the following:

GEP07001 (Resolution No. 2007.18) - for a General Plan 2030 Projected Land Use Map Amendment for approximately 3 acres to be amended from the Residential Land Use designation to the Public Open Space Land Use designation.

DOCUMENT NAME: [20070517DSDK02.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *58. This is the **second public hearing** for an ordinance approving the Operations and Maintenance Agreement with Valley Metro Rail, Inc.

DOCUMENT NAME: [20070517pwjsm01.pdf](#) [20070517pwjsm02.pdf](#)
TRANSPORTATION PLANNING (1101-01) ORDINANCE NO. 2007.33

E. Resolutions

59. Request approval of a resolution approving and authorizing execution of the amended subcontract for Central Arizona Project municipal and industrial water.

DOCUMENT NAME: [20070517cacc01.pdf](#) **CENTRAL ARIZONA PROJECT (0107-03) RESOLUTION NO. 2007.38**

60. Request approval of a resolution to amend Appendix A of the Tempe City Code relating to sewer and water development fees. A public hearing was held May 3, 2007.

DOCUMENT NAME: [20070517fstd01.pdf](#) **MISCELLANEOUS FEES (0210-05) RESOLUTION NO. 2007.24**

61. Request approval of a resolution providing for the issuance and sale of \$76,485,000 of City of Tempe General Obligation Bonds, Series 2007A; providing for the annual levy of a tax for the payment of the bonds; providing certain terms, covenants and conditions regarding the issuance of the bonds; accepting a proposal for the purchase of the bonds; appointing a registrar, transfer agent and paying agent for the bonds.

DOCUMENT NAME: [20070517fsjh01.pdf](#) **BOND SERVICE ADMINISTRATION (0203-01) RESOLUTION NO. 2007.36**

62. Request approval of a resolution authorizing the execution and delivery of certain agreements; approving an official statement; approving the execution and sale of Variable Rate Demand Transit Excise Tax Revenue Obligations (not to exceed \$50,000,000), Series 2007.

DOCUMENT NAME: [20070517fsjh02.pdf](#) BOND SERVICE
ADMINISTRATION (0203-01) RESOLUTION NO. 2007.37.

63. Request approval of a resolution authorizing the execution of a Purchase and Sales Agreement for the disposal of excess City property at 900 South Una Avenue.

DOCUMENT NAME: [20070517PWCH08.pdf](#) REAL PROPERTY
MANAGEMENT(0900) RESOLUTION NO. 2007.34

- *64. This is a public hearing approving the Assessments for the Miller Road Improvement District, No. 179, City of Tempe Project No. 5101241

DOCUMENT NAME: [20070517PWTG01.pdf](#) IMPROVEMENT
(ASSESSMENT) DISTRICTS (0805) RESOLUTION NO. 2007.28

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.

SCHEDULED PUBLIC APPEARANCE

- [Gloria Regensberg](#), Tempe, re: Airport

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
Watch live at www.tempe.gov/tempe11