

# Formal Meeting FINISHED Agenda



## Tempe City Council May 31, 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 Arredondo
  - A. Approval of Council Meeting Minutes
    1. Council's Executive Session – May 17, 2007
    2. Council's Issue Review Session – May 17, 2007 [20070531clrkck04.pdf](#)
    3. Council's Formal Meeting – May 17, 2007 [20070531clrkck03.pdf](#)
    4. Council's Special Budget Meeting – May 17, 2007 [20070531clrkck01.pdf](#)
    5. Rio Salado Community Facilities District Board Meeting – May 17, 2007  
[20070531clrkck02.pdf](#)
    6. Council's Finance, Economy & Veterans Affairs Committee – May 15, 2007  
[20070531feva01.pdf](#)
    7. Council's Neighborhood Quality of Life, Public Safety, and Parks & Recreation Committee – May 8, 2007 [20070531nqlps01.pdf](#)
  - B. Acceptance of Board & Commission Meeting Minutes
    8. Apache Boulevard Project Area Committee – April 9, 2007 [20070531apac01.pdf](#)
    9. Committee for Youth, Families and Community – April 16, 2007 [20070531cyfc01.pdf](#)
    10. Community Special Events Task Force – May 22, 2007 [20070531setf01.pdf](#)
    11. Development Review Commission – April 10 & 24, 2007 [20070531drc01.pdf](#)  
[20070531drc02.pdf](#)
    12. Hearing Officer – May 1, 2007 [20070531ho01.pdf](#)
    13. Historic Preservation Commission – April 12, 2007 [20070531hpc01.pdf](#)
    14. Municipal Arts Commission – April 21, 2007 [20070531mac01.pdf](#)
    15. Neighborhood Advisory Commission – February 7 & March 7, 2007  
[20070531nac01.pdf](#) [20070531nac02.pdf](#)
    16. Rio Salado Advisory Commission – March 27 & April 24, 2007  
[20070531rsac01.pdf](#) [20070531rsac02.pdf](#)

#### 4. REPORTS AND ANNOUNCEMENTS

##### A. Mayor's Announcements

- 2006 Distinguished Services to Exceptional Children Award

##### 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

17. Request approval of the Report of Claims Paid to be filed for audit for the period April 15 through May 12, 2007.

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

#### APPROVED

18. Request approval to renew public defender contracts for a one-year period to provide services for indigent defendants in the Tempe Municipal Court.

**DOCUMENT NAME:** [20070531ctjw01.pdf](#) COURT ADMINISTRATION (0501-02)

#### APPROVED

- 18a. Request authorization for the Mayor to sign an accommodation and settlement agreement between the City of Tempe and Childsplay, Inc.

**DOCUMENT NAME:** [20070531casv02.pdf](#) CHILDSPLAY (0902-23)

#### APPROVED

19. Request approval of a Final Subdivision Plat for MCCLINTOCK AND APACHE PARK

AND RIDE (Tempe Transit Site) at 1811 East Apache Boulevard.

**COMMENTS:** (PL070099) (City of Tempe, property owner; GDG Enterprises LLC, Daniel Tilton, applicant) for a mixed-use development including a Park and Ride, 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:

**SBD07009** – Final Subdivision Plat consisting of two (2) lots on +/-4.81 net acres.

**DOCUMENT NAME:** [20070531dsrl02.pdf](#) **PLANNED DEVELOPMENT (0406)**

**APPROVED**

20. Request approval of a Subdivision Plat for PLAYA DEL NORTE LOT 6 at 951 E Playa Del Norte Drive.

**COMMENTS:** (PL070121) (Monica Morales, Triyar Hospitality Tempe L.L.C., property owner; Christopher Wilson, Metro/Land Consultants L.L.C., applicant) for a Final Subdivision Plat, located at 951 East Playa Del Norte Drive, in the MU-4 Mixed Use, High Density District and the Rio Salado Overlay District, including the following:

**SBD07017** – Final Subdivision Plat to split the existing lot 6 into two adjacent parcels on +/-4.45 net acres.

**DOCUMENT NAME:** [20070531dskko01.pdf](#) **PLANNED DEVELOPMENT (0406)**

**APPROVED**

21. Request approval of an Amended Subdivision Plat for 5<sup>TH</sup> STREET WEST at 1300 West 5<sup>th</sup> Street.

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

**SBD07007** – Amended Subdivision Plat consisting of 13 lots and 1 tract on 0.89 acres.

**DOCUMENT NAME:** [20070531dsrl05.pdf](#) **PLANNED DEVELOPMENT (0406)**

**APPROVED**

22. Request approval of a Condominium Plat for CONCEPT 1037 LOFTS at 1037 South Farmer Avenue.

**COMMENTS:** (PL070059) (Nick Nevels/NO Studio Architects, applicant; Glenn Balleit, Property Owner) located at 1037 South Farmer Avenue, in the R-3 Multi-Family Residential Zoning District for:

**SBD07014** – Condominium plat for seven (7) new residential condominium units within two (2) 25-foot tall buildings on .468 acres.

**DOCUMENT NAME:** [20070531dsdk01.pdf](#) **PLANNED DEVELOPMENT (0406)**

**APPROVED**

**B. Award of Bids/Contracts**

23. Request to award a one-year, limited source contract to Williams & Associates for lobbyist services.

**COMMENTS:** (Limited Source #07-147) Subject to execution of final written contract. Total cost for this contract shall not exceed \$102,000 during the contract period.

**DOCUMENT NAME:** [20070531fslq01.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

24. Request to award a one-year, sole source contract to Adamson Police Products for Winchester frangible ammunition.

**COMMENTS:** (Sole Source #07-117) Subject to execution of final written contract. Total cost for this contract shall not exceed \$85,000 during the contract period.

**DOCUMENT NAME:** [20070531fsta08.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

25. Request to award a one-year contract with two (2), one-year renewal options to Horizon for sprinkler parts used by the Parks and Recreation Department.

**COMMENTS:** (IFB #07-148) Subject to execution of final written contract. Total cost for this contract shall not exceed \$180,000 during the initial contract period.

**DOCUMENT NAME:** [20070531fslq04.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

26. Request to award a one-year contract with two (2), one-year renewal options to Salt Works for white crystal coarse solar salt.

**COMMENTS:** (IFB #07-171) Subject to execution of final written contract. Total cost for this contract shall not exceed \$250,000 during the initial contract period.

**DOCUMENT NAME:** [20070531fst16.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

27. Request to award a two-year, limited source contract to Cummins Rocky Mountain LLC for the supply of replacement liquid natural gas engines for sixty-five (65) transit buses.

**COMMENTS:** (Limited Source #07-159) Subject to execution of final written contract. Total cost for this contract shall not exceed \$2,072,691 during the contract period.

**DOCUMENT NAME:** [20070531fslg17.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

28. Request to award one-year contracts with three (3), one-year renewal options to Live Earth Products, UAP Distribution, Inc., and Target Specialty Products for chemicals, fertilizers and pesticides.

**COMMENTS:** (RFP #07-129) Subject to execution of final written contract. Total cost for this contract shall not exceed \$195,000 during the initial contract period.

**DOCUMENT NAME:** [20070531fslg18.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

29. Request to award a one-year contract with two (2), one-year renewal options to Freightliner Sterling Western Star of Arizona for a water truck.

**COMMENTS:** (RFP 07-174) Subject to execution of final written contract. Total cost for this contract shall not exceed \$133,000 during the initial contract period.

**DOCUMENT NAME:** [20070531fsta19.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

30. Request to award a one-year contract with two (2), one-year renewal options to Handling Systems, Inc., for a forklift to be used at the Water Utilities warehouse.

**COMMENTS:** (RFP #07-172) Subject to execution of final written contract. Total cost for this contract shall not exceed \$33,500 during the initial contract period.

**DOCUMENT NAME:** [20070531fsta20.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

31. Request to award a one-year contract with two (2), one-year renewal options to Falcon Power for a backhoe to be used by the Parks and Recreation Department.

**COMMENTS:** (RFP 07-173) Subject to execution of final written contract. Total cost for this contract shall not exceed \$65,500 during the initial contract period.

**DOCUMENT NAME:** [20070531fsta21.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

32. Request approval to award a one-year sole source contract to Ironweave Dust Control for dust control compound.

**COMMENTS:** (T07-137-01) Subject to execution of final written contract. Total cost for this contract shall not exceed \$80,000.

**DOCUMENT NAME:** [20070531fsta24.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

33. Request approval of a construction Job Order with Sun Eagle Corporation, and approval of a construction contingency of \$20,000 for the Library restroom renovation for ADA compliance.

**COMMENTS:** Subject to execution of the final written contract in an amount not to exceed \$78,769.

**DOCUMENT NAME:** [20070531PWMV03.pdf](#) **LIBRARY (0902-12)**  
**PROJECT NO.** 6700371

**APPROVED**

34. Request approval of an addendum to a professional services contract with Environmental Planning Group, Inc., for the Western Canal Multi-Use Path.

**COMMENTS:** Subject to the execution of the final written addendum in an amount not to exceed \$184,580.

**DOCUMENT NAME:** [20070531PWCH05.pdf](#) **TRANSPORTATION PLANNING (1101-01)**  
**PROJECT NO.** 6000421

**APPROVED**

35. Request approval of a twelve-month Job Order Construction Contract extension with Sun Eagle Corporation, ForeSite Design & Construction, Inc., and 3D/International, Inc., for continuation of on-call job order contracting.

**COMMENTS:** Subject to execution of the final written amendments. Maximum cumulative annual contract amount shall not exceed \$4,000,000 for each firm.

**DOCUMENT NAME:** [20070531PWMV01.pdf](#) **ENGINEERING ADMINISTRATION (803-02)**

**APPROVED**

36. Request approval of a one-year contract renewal with Aquatic Environmental Systems, Inc., for the purchase of calcium hypochlorite to be used in City swimming pools.

**COMMENTS:** (T05-121-01) Total amount not to exceed \$50,000.  
**DOCUMENT NAME:** [20070531fslq02.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

37. Request approval of a one-year contract renewal with Lacor/Streetscape for the purchase of vertical shade assemblies for bus shelters.

**COMMENTS:** (T07-014-01) Total amount not to exceed \$55,000.  
**DOCUMENT NAME:** [20070531fslq03.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

38. Request approval of a one-year contract renewal with Epoch Group LC for third party administrator services.

**COMMENTS:** (T05-110-01) Total amount not to exceed \$206,000.  
**DOCUMENT NAME:** [20070531fsta05.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

39. Request approval of a one-year contract renewal with CIGNA Health Care for an HMO Medical Plan for City employees, families and retirees.

**COMMENTS:** (T97-001-01) Total amount not to exceed \$5,100,000.  
**DOCUMENT NAME:** [20070531fsta06.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

40. Request approval of a one-year contract renewal with CIGNA Dental for a HMO Dental Plan for eligible City employees and dependents.

**COMMENTS:** (T04-098-02) Total amount not to exceed \$100,000.  
**DOCUMENT NAME:** [20070531fsta07.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

41. Request approval of a one-year contract renewal with Vision Service Plan for a vision plan for all eligible City employees and dependents.

**COMMENTS:** (T05-063-01) Total amount not to exceed \$290,000 during the contract period.  
**DOCUMENT NAME:** [20070531fsta09.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

42. Request approval of one-year contract renewals with Bob's Barricades and Trafficade Service, Inc., for barricades and warning devices.

**COMMENTS:** (T07-009-01 and T07-009-02) Total amount not to exceed \$150,000.

**DOCUMENT NAME:** [20070531fsta11.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

43. Request approval of a one-year contract renewal with AOT Public Safety Corporation for alarm permit tracking and billing software.

**COMMENTS:** (T06-138-01) Total amount not to exceed \$53,000.

**DOCUMENT NAME:** [20070531fst12.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

44. 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:** [20070531fst14.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

45. Request approval of a one-year contract renewal with Heinfeld, Meech & Co., P.C., for professional auditing services.

**COMMENTS:** (AC3-0893-2012) Total cost of the contract not to exceed \$85,000.

**DOCUMENT NAME:** [20070531fst15.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

46. Request approval to increase by \$2,100,000 the contract amounts with Concert Architectural Interiors, Corporate Express, Emerling's Office Interiors, Goodmans Interiors Structures, Vanguard Legato Group, and Walsh Brothers for the purchase of furniture, as well as request award of additional contracts to Arizona School Furnishing, Dave Bang Associates Inc., Transact Commercial Furnishing Inc., US Business Interiors, Filing Solutions, and Wright Line, LLC, for the purchase of furniture.

**COMMENTS:** (2689-8) Increase from \$800,000 to \$2,900,000.

**DOCUMENT NAME:** [20070531fst23.pdf](#) **PURCHASES (1004-01)**

**APPROVED**



47. Request approval to utilize two-month State of Arizona contracts with Purcell Western States and Am-Pac for tires and tubes.

**COMMENTS:** (AD040531-A2-2-A4 and AD040531-A2-3-A5) Total amount shall not exceed \$50,000.

**DOCUMENT NAME:** [20070531fsta10.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

48. Request approval to utilize eight-month State of Arizona contracts with The Arizona Republic and East Valley Tribune for the purchase of legal and classified advertising.

**COMMENTS:** (#SCC070006-6 and SCC070006-8) Total amount of the contracts shall not exceed \$300,000.

**DOCUMENT NAME:** [20070531fsts13.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

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

- \*49. This is the **introduction and first public hearing** for a Planned Area Development Overlay for AM/PM ARCO BROADWAY AND RURAL at 908 East Broadway Road. The second public hearing is scheduled for June 28, 2007.

**COMMENTS:** (PL060538) (Gina Gill/Broadway & Aujla LLC; Fred Stern, Stern and Associates, applicant) for a 2400 s.f. convenience store with fuel dispensers on .45 acres, located at 908 East Broadway Road in the CSS, Central Commercial District, including the following:

**PAD07010 – (Ordinance No. 2007.25)** Planned Area Development Overlay to modify development standards for +/- 2400 s.f. of building area on +/- 0.45 acres.

**DOCUMENT NAME:** [20070531dssl01.pdf](#) **PLANNED DEVELOPMENT (0406)**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR JUNE 28, 2007.**

- \*50. This is the **introduction and first public hearing** for a Planned Area Development Overlay for AM/PM ARCO SOUTHERN AND MCCLINTOCK located at 3233 South McClintock Drive. The second public hearing is scheduled for June 28, 2007.

**COMMENTS:** (PL060450) (Sonya Branson, Bhadvadia, LLC, owner; Manjula Vaz, Gammage & Burnham PC, applicant) for a 2900 s.f. convenience store with 1056 s.f. carwash and fuel dispensers on .91 acres, located at 3233 South McClintock Drive

in the PCC-1, Planned Commercial Center District, including the following:  
**PAD07009– (Ordinance No. 2007.24)** Planned Area Development Overlay to modify development standards for +/- 3956 s.f. of building area on +/- 0.91 acres.

**DOCUMENT NAME:** [20070531dssl02.pdf](#) **PLANNED DEVELOPMENT (406)**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR JUNE 28, 2007.**

- \*51. This is the **introduction and first public hearing** for Code Text Amendments to the Zoning and Development Code. **The second public hearing is scheduled for June 28, 2007.**

**COMMENTS:** (PL070198) (City of Tempe, applicant) for changes to the Zoning and Development Code pertaining to separation requirements for tobacco retailers; setback reductions when adjacent to a public alley, including related items for the following:

**ZOA07001 – (Ordinance No. 2007.36)** Code Text Amendments pertaining to Section 3-202, 3-401, 3-423 and 7-109 of the Zoning and Development Code.

**DOCUMENT NAME:** [20070531dsrl03.pdf](#) **ZONING & DEVELOPMENT CODE (0414-03)**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR JUNE 28, 2007.**

- \*52. This is the **introduction and first public hearing** for a Planned Area Development Overlay for MARINA HEIGHTS AT TEMPE TOWNLAKE – EAST, at 600 East Rio Salado Parkway. **The second public hearing is scheduled for June 28, 2007.**

**COMMENTS:** (PL070156) (Arizona State University, property owner; Kendle Design Collaborative / SunCor, applicant) for the development of five (5) new buildings, totaling up to 1,566,750 r.s.f. of building area for a hotel and office/retail use on +/-15.23 acres, located at 600 East Rio Salado Parkway, in the MU-Ed District, including the following:

**PAD07015 – (Ordinance No. 2007.38)** Planned Area Development Overlay to modify development standards for +/-1,566,750 s.f. of building area on +/-15.23 acres.

**DOCUMENT NAME:** [20070531dsrl07.pdf](#) [20070531dsrl.pdf](#) **PLANNED DEVELOPMENT (0406)**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR JUNE 28, 2007.**

- \*53. This is the **introduction and first public hearing** for a Zoning Map Amendment and Planned Area Development Overlay for MARINA HEIGHTS AT TEMPE TOWNLAKE – WEST, at 300 East Rio Salado Parkway. **The second public hearing is scheduled**

for June 28, 2007.

**COMMENTS:** (PL070155) (Arizona State University, property owner; Kendle Design Collaborative / SunCor, applicant) for the development of seven (7) new buildings, totaling up to 1,886,200 r.s.f. of building area for office and residential condominiums on +/-10.6 acres, located at 300 East Rio Salado Parkway, in the MU-Ed District, including the following:

**ZON07003 – (Ordinance No. 2007.37)** Zoning Map Amendment from MU-Ed, Mixed-Use Educational District to MU-4, Mixed-Use High Density District on +/- 10.6 acres.

**PAD07014 –** Planned Area Development Overlay to modify development standards for +/-1,886,200 s.f. of building area on +/-10.6 acres.

**DOCUMENT NAME:** [20070531dsrl06.pdf](#) [20070531dsrl.pdf](#) **PLANNED DEVELOPMENT (0406)**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR JUNE 28, 2007.**

- \*54. This is the **introduction and first public hearing** for an ordinance abandoning a water line easement on the Sundt offices work site, located near the northeast corner of Alameda Drive and Priest Drive. **The second public hearing is set for June 28, 2007.**

**DOCUMENT NAME:** [20070531PWCH06.pdf](#) **ABANDONMENT (0901)**  
**ORDINANCE NO. 2007.47**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR JUNE 28, 2007.**

- \*55. This is the **introduction and first public hearing** for an ordinance abandoning miscellaneous easements on the Dorsey Crossing Live/Work site, located near the southwest corner of Broadway Road and Dorsey Lane, at 1243 East Broadway Road. **The second public hearing is set for June 28, 2007.**

**DOCUMENT NAME:** [20070531PWCH08.pdf](#) **ABANDONMENT (0901)**  
**ORDINANCE NO. 2007.44**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR JUNE 28, 2007.**

- \*56. This is the **introduction and first public hearing** for an ordinance abandoning segments of a waterline easement located at 1740 East Broadway Road. **The second public hearing is scheduled for June 28, 2007.**

**DOCUMENT NAME:** [20070531PWCH09.pdf](#) **ABANDONMENT (0901)**  
**ORDINANCE NO. 2007.45**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR JUNE 28, 2007.**

- \*57. This is the **introduction and first public hearing** for an ordinance abandoning a waterline easement located at 305 East Elliot Road. The **second public hearing** is scheduled for June 28, 2007.

**DOCUMENT NAME:** [20070531PWCH10.pdf](#) **ABANDONMENT (0901)**  
**ORDINANCE NO.** 2007.48

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR JUNE 28, 2007.**

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

- \*58. This is the **second 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.

**DOCUMENT NAME:** [20070531dssf01.pdf](#) **TCC CH 8 CITY CODE (0503-8)**  
**ORDINANCE NO.** 2007.32

**APPROVED**

- \*59. This is the **second 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.

**DOCUMENT NAME:** [20070531pwcdl01.pdf](#) **TCC CH 19 - MOTOR VEHICLES  
& TRAFFIC (0503-19) ORDINANCE NO.** 2007.41

**APPROVED**

- \*60. This is the **second public hearing** for a Zoning Map Amendment and Planned Area Development Overlay for 5<sup>th</sup> STREET WEST at 1300 West 5<sup>th</sup> Street.

**COMMENTS:** (PL060558) (Tom Goscicki, AJT Development, Owner/Applicant) for a two and three-story (13) unit residential development located at 1300 West 5<sup>th</sup> 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:** [20070531dsrl04.pdf](#) **PLANNED DEVELOPMENT  
(0406)**

**APPROVED**

- \*61. This is the **second public hearing** for a Zoning Map Amendment and Planned Area Development Overlay for TEMPE TRANSIT SITE at 1811 East Apache Boulevard.

**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:** [20070531dsrl01.pdf](#) **PLANNED DEVELOPMENT (0406)**

**APPROVED**

- \*62. This is the **second public hearing** for a Planned Area Development Overlay and Amended Subdivision Plat for NEWTOWN ROOSEVELT at 1029 South Roosevelt Street.

**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:** [20070531dssl03.pdf](#) **PLANNED DEVELOPMENT (0406)**

**APPROVED**

- \*63. This is the **second public hearing** for an ordinance to amend Chapter 10 of the Tempe City Code relating to Community Antenna Television.

**DOCUMENT NAME:** [20070531cacc01.pdf](#) **TCC CH 10 – COMMUNITY ANTENNA & TELEVISION (0503-10) ORDINANCE NO. 2007.39**

**APPROVED**

- \*64. This is the **second 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.

DOCUMENT NAME: [20070531swscd01.pdf](#) REAL PROPERTY  
DISPOSITION (0902-21-01) ORDINANCE NO. 2007.42

APPROVED

- \*65. This is the **second public hearing** for an ordinance authorizing the conveyance of City-owned property, located at 900 South Una Avenue.

DOCUMENT NAME: [20070531PWCH02.pdf](#) REAL PROPERTY  
MANAGEMENT (0900) ORDINANCE NO. 2007.34

APPROVED

- \*66. This is the **second 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.

DOCUMENT NAME: [20070531PWCH04.pdf](#) COMMUNICATION (1002)  
ORDINANCE NO. 2007.40

APPROVED

- \*67. This is the **second public hearing** of an ordinance authorizing the conveyance of the City's interests in certain real property within the Apache Boulevard Redevelopment Area to GDG Partners, LLC.

DOCUMENT NAME: [20070531cdnc02.pdf](#) REAL PROPERTY DISPOSITION  
(0902-21-01) ORDINANCE NO. 2007.23

APPROVED

E. Resolutions

68. Request approval of a resolution amending City Code Appendix A – Fee Schedule modifying the Buildings and Building Regulation Fees relating to the development processing and implementing annual Consumer Price Index (CPI) fee adjustments.

DOCUMENT NAME: [20070531dssf02.pdf](#) MISCELLANEOUS FEES (0210-05)  
RESOLUTION NO. 2007.30

**APPROVED**

69. Request approval of a resolution amending Tempe City Code, Appendix A – Schedule of Fees and Charges, Chapter 19, Motor Vehicles and Traffic, relating to parking meter rates.

**DOCUMENT NAME:** [20070531pwcdl02.pdf](#) **MISCELLANEOUS FEES (0210-05) RESOLUTION NO. 2007.39**

**APPROVED**

70. Request approval of a resolution authorizing the Mayor to execute a Development and Disposition Agreement between the City and Melrose 223, LLC and Cardiff Capital, LLC.

**DOCUMENT NAME:** [20070531cdnc01.pdf](#) **COMMUNITY DEVELOPMENT ADMIN. (0406) RESOLUTION NO. 2007.44**

**APPROVED**

71. Request approval of a resolution authorizing the execution of a Development and Disposition Agreement for the 5<sup>th</sup> and Farmer properties.

**DOCUMENT NAME:** [20070531cdhg01.pdf](#) **COMMUNITY DEVELOPMENT/REDEVELOPMENT ADM (0403-01) RESOLUTION NO. 2007.42**

**APPROVED**

72. Request approval of a resolution authorizing the execution of a Purchase and Sales Agreement for the disposal of excess City property located at 780 South Priest Drive.

**DOCUMENT NAME:** [20070531PWCH07.pdf](#) **REAL PROPERTY MANAGEMENT (0900) RESOLUTION NO. 2007.41**

**APPROVED**

73. Request approval of a resolution indicating the City's intention to adopt a primary property tax levy that, excluding amounts related to new construction, will be greater than last year's primary levy.

**COMMENTS:** Adoption of a resolution by roll call vote as required under the state Truth in Taxation statute, indicating the City's intention to adopt a primary property tax levy that, excluding amounts related to new construction, will be greater than last year's primary levy.

**DOCUMENT NAME:** [20070531fsae03.pdf](#) **MISCELLANEOUS TAXES (0210-**

**06) RESOLUTION NO. 2007.35**

**APPROVED**

74. Request approval of a resolution authorizing the Mayor to execute the Second Cable License Renewal Agreement between the City and CoxCom, Inc., for a license to provide cable television services within the City of Tempe.

**DOCUMENT NAME:** [20070531casv01.pdf](#) **COX CABLE TELEVISION (0802-31) RESOLUTION NO. 2007.45**

**APPROVED**

75. Request approval of a resolution approving and authorizing the Mayor to execute the Memorandum of Understanding Between SEIU Local 5 and the City of Tempe July 1, 2007 – June 30, 2009.

**DOCUMENT NAME:** [20070531IAKJ01.pdf](#) **PUBLIC WORKS – MEET & CONFER (0303-08-03) RESOLUTION NO. 2007.40**

**APPROVED**

76. Request approval of a resolution to enter into a Memorandum of Understanding with Maricopa County to accept funding from the Maricopa County Justice Assistance Grant (JAG) Program.

**DOCUMENT NAME:** [20070531pdsam01.pdf](#) **POLICE DEPARTMENT ADMINISTRATION (0606-02) RESOLUTION NO. 2007.43**

**APPROVED**

77. Approval of a resolution affirming powers and duties of the City Manager and officers under his direction.

**COMMENTS:** This resolution affirms the powers and duties of the City Manager as defined in Section 3.04(d). It also recognizes the Development Services Manager as an officer of the City Manager and the administrative review authorities and duties that Manager has under the Tempe Zoning and Development Code, Section 6-312.

**DOCUMENT NAME:** [20070531casv03.pdf](#) **DEVELOPMENT SERVICES ADMINISTRATION (0403-01-01) RESOLUTION NO. 2007.46**

**APPROVED**

78. Request approval of a resolution approving a Development Agreement with German Dobson CVS, L.L.C. with regard to a project located at the Southwest Corner of



University and Mill Avenue.

DOCUMENT NAME: [20070531cdcm01.pdf](#)  
(0406) RESOLUTION NO. 2007.47

DEVELOPMENT PROJECT

**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.

**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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