

Tempe City Council August 16, 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 – August 2, 2007
 2. Council's Issue Review Session – August 2, 2007 [20070816clrkck01.pdf](#)
 3. Council's Finance, Economy & Veterans Affairs Committee and Transportation and Affordable Housing Committee Joint Meeting – July 24, 2007 [20070816fevatah01.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 4. Board of Adjustment – May 23, 2007 [20070816boa01.pdf](#)
 5. Building Code Advisory Board – July 24, 2007 [20070816bcab01.pdf](#)
 6. Community Special Events Task Force – July 31, 2007 [20070816setf01.pdf](#)
 7. Enhanced Services Commission – May 9 & June 13, 2007
[20070816esc01.pdf](#) [20070816esc02.pdf](#)
 8. Hearing Officer - June 27, 2007 [20070816ho01.pdf](#)
 9. Merit System Board – June 27, 2007 [20070816msb01.pdf](#)
 10. Tempe Fire Public Safety Personnel Retirement Board – July 5, 2007
 11. Tempe Police Public Safety Personnel Retirement Board – July 5, 2007
4. REPORTS AND ANNOUNCEMENTS
 - A. Mayor's Announcements
 - Introduction of Tempe Sister Cities Delegates
 - 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

12. Request acceptance of a grant award from the Arizona Department of Public Safety Victim Assistance Grant Program for CARE 7 services.

COMMENTS: Grant is for \$57,751 for 2007-2008.

DOCUMENT NAME: [20070816csjt01.pdf](#) COMMUNITY SERVICE ADM
(0701-01)

APPROVED

13. Request approval of a one-year membership renewal with the Arizona Municipal Water Users Association (AMWUA) for water resource coordination, planning and support.

COMMENTS: (08-055) Total amount shall not exceed \$61,000.

DOCUMENT NAME: [20070816fst05.pdf](#) PURCHASES (1004-01)

APPROVED

14. Request approval for a Final Subdivision Plat for PIER 202 at 1200 East Rio Salado Parkway.

COMMENTS: (PL060548) (City of Tempe, property owner; Brad Gorman, applicant) for the future development of nine (9) new buildings for commercial and residential on +/-27.4 acres, located at 1200 East Rio Salado Parkway, in the MU-4, Mixed-Use High Density District, including the following:

SBD07024 – Final Subdivision Plat consisting of nine (9) lots on +/-27.4 gross acres.

DOCUMENT NAME: [20070816dsrl01.pdf](#) PLANNED DEVELOPMENT
(0406)

APPROVED

15. Request approval for an Amended Final Subdivision Plat for WALGREENS consisting

of one (1) lot at 1717 East Southern Avenue.

COMMENTS: (PL060533) (Walgreens, property owner, Hunter Engineering Group., Rodney Carlson, applicant), located at 1717 East Southern Avenue in the PCC-1, Planned Commercial Center District for:

SBD06016 - Amended Final Subdivision Plat consisting of one (1) lot on 1.390 net acres.

DOCUMENT NAME: [20070816dssl01.pdf](#)
DEVELOPMENT (0406)

PLANNED

APPROVED

16. Request approval to procure annual software system support from Public Safety Systems Incorporated (PSSI).

COMMENTS: (Sole Source #08-056) Total amount not to exceed \$49,250.

DOCUMENT NAME: [20070816fst07.pdf](#) **PURCHASES (1004-01)**

APPROVED

- *17. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for In P. Inc., dba Haru Sushi, 9845 South Priest Drive, #106.

COMMENTS: In T. Chon, Agent

DOCUMENT NAME: [20070816LIQ1.pdf](#) **LIQ LIC (0210-02)**

APPROVED

- *18. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Pat & Rose dba Tipps 88 Thai Cuisine, 1435 East University Drive.

COMMENTS: Patcharee Liampetchakul, Agent

DOCUMENT NAME: [20070816LIQ2.pdf](#) **LIQ LIC (0210-02)**

APPROVED

- *19. This is a public hearing to recommend the approval of a Series 13 Domestic Farm Winery Liquor License for Zemper Reserve LLC dba Studio Vino, 1825 E. Guadalupe Road, #105.

COMMENTS: Karen Zemper, Agent

DOCUMENT NAME: [20070816LIQ3.pdf](#) **LIQ LIC (0210-02)**

APPROVED

- *20. This is a public hearing to recommend the approval of a Series 10 Beer and Wine Store

Liquor License for Quick Mart LLC dba Quick Mart, 1806 North Scottsdale Road.

COMMENTS: Dhia Sharmookh, Agent
DOCUMENT NAME: [20070816LIQ4.pdf](#) LIQ LIC (0210-02)

APPROVED

- *21. This is a public hearing to recommend the approval of a Series 10 Beer and Wine Store Liquor License for Target Corporation dba Target Stores, Inc., 1800 East Rio Salado Parkway, #120.

COMMENTS: Joseph Cordovana, Agent
DOCUMENT NAME: [20070816LIQ5.pdf](#) LIQ LIC (0210-02)

APPROVED

- *22. This is a public hearing to recommend the approval of a Series 6 Bar Liquor License for Dave & Busters, Inc., dba Dave & Buster's, 2000 East Rio Salado Parkway, #1100.

COMMENTS: Clare Abel, Agent
DOCUMENT NAME: [20070816LIQ6.pdf](#) LIQ LIC (0210-02)

APPROVED

- *23. This is a public hearing to recommend the approval of a Series 7 Beer and Wine Bar Liquor License for A International Wines LLC dba A International Wines, 2125 S. 48th Street, #103.

COMMENTS: Jesus Altamirano, Agent
DOCUMENT NAME: [20070816LIQ7.pdf](#) LIQ LIC (0210-02)

APPROVED

- *24. This is a public hearing to recommend the approval of a Series 10 Beer and Wine Store Liquor License for TNT Stores LLC dba Tempe Beer & Deli, 2044 East Southern Avenue.

COMMENTS: Christina Armenta, Agent
DOCUMENT NAME: [20070816LIQ8.pdf](#) LIQ LIC (0210-02)

APPROVED

- *25. This is a public hearing to recommend the approval of a Series 4 Wholesaler's Liquor License for Independent Brands LLC dba Independent Brands, 2121 S. 48th Street, #106.

COMMENTS: Jesus Altamirano, Agent
DOCUMENT NAME: [20070816LIQ9.pdf](#) LIQ LIC (0210-02)

APPROVED

B. Award of Bids/Contracts

26. Request to award a one-year contract with two (2), one-year renewal options to Shimadzu Scientific Instruments, Inc., for the purchase of a Total Organic Carbon (TOC) Analyzer.

COMMENTS: (IFB #07-184) Total cost for this contract shall not exceed \$39,000 during the initial contract period.
DOCUMENT NAME: [20070816fst09.pdf](#) PURCHASES (1004-01)

APPROVED

27. Request to award a one-year contract with two (2), one-year renewal options to Central States Fire Apparatus, LLC, for a Fire Department ladder tender.

COMMENTS: (RFP #08-015) Total cost for this contract shall not exceed \$150,000 during the initial contract period.
DOCUMENT NAME: [20070816fslq02.pdf](#) PURCHASES (1004-01)

APPROVED

28. Request approval of an addendum to a professional services contract with Geotechnical and Environmental Consultants, Inc., for construction observation and inspection of the Tempe Center for the Arts.

COMMENTS: Subject to the execution of the final written addendum for an amount not to exceed \$32,000.
DOCUMENT NAME: [20070816PWDR02.pdf](#) TEMPE ARTS CENTER (0109-19) PROJECT NO. 57-997005

APPROVED

29. Request approval of a construction Job Order with Foresite Design and Construction, Inc., for the 36-inch waterline relocation (Scottsdale Road and Playa Del Norte).

COMMENTS: Subject to execution of the final written contract in an amount not to exceed \$999,993.
DOCUMENT NAME: [20070816PWMV03.pdf](#) WATER MANAGEMENT ADMINISTRATION (0811-13) PROJECT NO. 3202981

APPROVED

30. Request approval of a one-year contract renewal with Brown's Parts Master Inc., Ferguson Waterworks, and Paul's Ace Hardware for building and plumbing parts, products, supplies and sundries, hand and power tools.

COMMENTS: (T05-138-01, 02, and 03) Total amount shall not exceed \$160,000.

DOCUMENT NAME: [20070816fst10.pdf](#) **PURCHASES (1004-01)**

APPROVED

31. Request approval of a one-year contract renewal with Norit Americas, Inc., for powdered activated carbon (PAC) for the Water Utilities Department.

COMMENTS: (T07-068-01) Total amount not to exceed \$850,000.

DOCUMENT NAME: [20070816fst08.pdf](#) **PURCHASES (1004-01)**

APPROVED

32. Request approval of a one-year contract renewal with Metron Farnier, LLC, for residential and industrial water meters.

COMMENTS: (T05-017-01) Total amount not to exceed \$1,000,000.

DOCUMENT NAME: [20070816fst06.pdf](#) **PURCHASES (1004-01)**

APPROVED

33. Request approval of a one-year contract renewal with Wellness Council of Arizona to manage a wellness program for eligible City employees.

COMMENTS: (T06-167-01) Total amount not to exceed \$78,000.

DOCUMENT NAME: [20070816fst04.pdf](#) **PURCHASES (1004-01)**

APPROVED

34. Request approval of a three-month contract renewal with Mariposa Horticultural Enterprises for landscape maintenance services.

COMMENTS: (T03-109-01) Total amount not to exceed \$200,000.

DOCUMENT NAME: [20070816fslq03.pdf](#) **PURCHASES (1004-01)**

APPROVED

35. Request approval of a one-year contract renewal with Project for Public Spaces, Inc., for an urban open space development plan.

COMMENTS: (T06-125-01) Total amount not to exceed \$110,000.
DOCUMENT NAME: [20070816fslq01.pdf](#) PURCHASES (1004-01)

APPROVED

36. Request approval of a one-year contract renewal with Continuant, Inc., for hardware and software maintenance and repairs for the City telephone system.

COMMENTS: (T05-123-01) Total amount not to exceed \$93,000.
DOCUMENT NAME: [20070816fst11.pdf](#) PURCHASES (1004-01)

APPROVED

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

- *37. This is the **introduction and first public hearing** for an ordinance amending Chapter 23 of the Tempe City Code relating to Parks and Recreation by amending Section 23-36. **The second public hearing is scheduled for September 6, 2007.**

DOCUMENT NAME: [20070816prsw01.pdf](#) PARKS & RECREATION (0503-23)
ORDINANCE NO. 2007.62

**INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING SET FOR SEPTEMBER 6, 2007.**

- *38. This is the **introduction and first public hearing** for an ordinance abandoning a sewer line easement south of the McClintock and Apache Park and Ride site, located south of Apache Blvd and east of McClintock Drive. **The second public hearing is scheduled for September 6, 2007.**

DOCUMENT NAME: [20070816PWCH04.pdf](#) ABANDONMENT (0901)
ORDINANCE NO. 2007.60

**INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING SET FOR SEPTEMBER 6, 2007.**

- *39. This is the **introduction and first public hearing** for an ordinance abandoning three easements on the ASU property west of Rural Road and north of Rio Salado Parkway. **The second public hearing is scheduled for September 6, 2007.**

DOCUMENT NAME: [20070816PWCH05.pdf](#) ABANDONMENT (0901)
ORDINANCE NO. 2007.61

INTRODUCED AND HELD FIRST PUBLIC HEARING.

SECOND PUBLIC HEARING SET FOR SEPTEMBER 6, 2007.

D. Ordinances and Items for Second Hearing/Final Adoption

- *40. This is the **second public hearing** for an ordinance amending Chapter 9 of the Tempe City Code relating to Civil Defense and Emergency Services.

DOCUMENT NAME: [20070816itdh01.pdf](#) **CIVIL DEFENSE & EMERGENCY SERVICES (0503-09) ORDINANCE NO. 2007.54**

APPROVED

- *41. This is the **second public hearing** for an ordinance abandoning a waterline easement located at Tempe Village, 9150 South Hardy Drive.

DOCUMENT NAME: [20070816PWCH01.pdf](#) **ABANDONMENT (0901) ORDINANCE NO. 2007.56**

APPROVED

E. Resolutions

42. Request approval of a resolution naming Victory Acres Park, 2407 E. McArthur, "Esquer Park."

DOCUMENT NAME: [20070816prtd01.pdf](#) **PARKS ADM (0706-01) RESOLUTION NO. 2007.69**

APPROVED

43. Request approval of a resolution approving the "Tempe Involving the Public" manual as guidelines for public involvement processes.

DOCUMENT NAME: [20070816crsw01.pdf](#) [20070816crsw02.pdf](#)
COMMUNITY RELATIONS ADMIN (0105-02-04) RESOLUTION NO. 2007.70

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. Comments are aired live and replayed on Tempe Channel 11.

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

- *Lawn Griffiths, Tempe, re: recycling*
- *Gayle Collins, Tempe, re: Neighborhood Enhancement anonymous calls without merit*

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**