

Formal Meeting FINISHED Agenda



Tempe City Council September 6, 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 – August 16, 27 & 31, 2007
 2. Council's Issue Review Session – August 16, 2007 [20070906clrkck03.pdf](#)
 3. Council's Formal Meeting – August 2 & 16, 2007 [20070906clrkck01.pdf](#)
[20070906clrkck02.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 4. Aviation Commission – July 17, 2007 [20070906tavco01.pdf](#)
 5. Commission on Disability Concerns – July 17, 2007 [20070906cdc01.pdf](#)
 6. Community Special Events Task Force – August 14 & 28, 2007 [20070906setf01.pdf](#)
[20070906setf02.pdf](#)
 7. Development Review Commission - May 22, June 12 & 26, and July 10, 2007
[20070906drc01.pdf](#) [20070906drc02.pdf](#) [20070906drc03.pdf](#) [20070906drc04.pdf](#)
 8. Hearing Officer – July 17, 2007 [20070906ho01.pdf](#)
 9. Historic Preservation Commission – June 7, 2007 [20070906hpc01.pdf](#)
 10. Human Relations Commission – May 8 & June 12, 2007 [20070906hrc01.pdf](#)
[20070906hrc02.pdf](#)
 11. Merit System Board – August 13, 2007 [20070906msb01.pdf](#)
 12. Neighborhood Advisory Commission Retreat – June 23, 2007 [20070906nac01.pdf](#)
 13. Rio Salado Advisory Commission – June 26, 2007 [20070906rsac01.pdf](#)
4. REPORTS AND ANNOUNCEMENTS
 - A. Mayor's Announcements
 - 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 authorization for the Mayor to sign Amendment #3 to an Intergovernmental Agreement with the City of Phoenix to extend the term of the agreement through October 31, 2007, to complete reimbursements for design of the downtown Transportation Center.

COMMENTS: (#C2004-46) Subject to execution of final written amendment.

DOCUMENT NAME: [20070906PWgj01.pdf](#) **TRANSPORTATION PLANNING (1101-01)**

APPROVED

15. Request authorization for the Mayor to sign an Intergovernmental Agreement with the City of Phoenix for receipt of federal transit funds to offset costs of associated capital maintenance and contracting.

COMMENTS: Subject to execution of final written agreement. Grant will provide Tempe with \$228,320 in federal assistance.

DOCUMENT NAME: [20070906PWgj02.pdf](#) **TRANSPORTATION PLANNING (1101-01)**

APPROVED

16. Request authorization for the Mayor to sign an Intergovernmental Agreement with the City of Phoenix for receipt of federal funds for the construction of the East Valley Bus Operations and Maintenance Facility.

COMMENTS: Subject to execution of final written agreement. Grant will provide Tempe with \$2,227,322 in federal assistance.

DOCUMENT NAME: [20070906PWgj03.pdf](#) **TRANSPORTATION PLANNING**

(1101-01)

APPROVED

17. Request authorization for the Mayor to sign an amendment to an Intergovernmental Agreement with the Regional Public Transportation Authority (RPTA) for Dial-a-Ride services.

COMMENTS: (C2004-241) Subject to execution of final written amendment for an amount not to exceed \$355,080, the estimated cost to fund Dial-a-Ride service to residents who have disabilities but are not certified under the ADA, as well as to senior citizens for FY 2007/2008.

DOCUMENT NAME: [20070906PWgj04.pdf](#) **TRANSPORTATION PLANNING (1101-01)**

APPROVED

18. Request authorization for the Mayor to sign an Intergovernmental Agreement with Maricopa County for special transportation services to augment Valley Metro's East Valley Dial-a-Ride service.

COMMENTS: Subject to execution of final written agreement for an amount not to exceed \$10,000.

DOCUMENT NAME: [20070906PWgj05.pdf](#) **TRANSPORTATION PLANNING (1101-01)**

APPROVED

19. Request authorization for the Mayor to sign an amendment to an Intergovernmental Agreement with the Regional Public Transportation Authority (RPTA) for transit services on Southern Avenue, University Drive, and McClintock Drive.

COMMENTS: (C2004-99) Subject to execution of final written amendment for an amount not to exceed \$2,427,471.

DOCUMENT NAME: [20070906PWgj06.pdf](#) **TRANSPORTATION PLANNING (1101-01)**

APPROVED

20. Request approval of a prevention services grant administered through Magellan Health Services of Arizona, Inc., for after-school prevention programs for substance abuse, violence and suicide for the four Tempe School District No. 3 middle schools.

COMMENTS: Subject to execution of final written agreement for federal and state funds in the amount of \$135,833.

DOCUMENT NAME: [20070906csjt01.pdf](#) **TEMPE ELEMENTARY SCHOOL**

DISTRICT #3 (0109-11)

APPROVED

- *21. This is a request for an Amended Subdivision Plat and a Condominium Plat for the ARMORY at 323 East Veterans Way.

COMMENTS: (PL060464) (Julia DiMaria/CMX, applicant; PCCP Constellation LLC, property owner) combining several lots into one (1) lot for a mixed-use development consisting of residential, commercial, and a hotel, located at 323 East Veterans Way in the MU-4, Mixed-Use High Density District and the Transportation Overlay District with a PAD Overlay. The request includes the following:

SBD07025 – Amended Subdivision Plat consisting of one (1) lot on +/-1.62 acres.

SBD07030 – Condominium Plat consisting of a total of 273 units/suites

DOCUMENT NAME: [20070906dsrl03.pdf](#) **PLANNED DEVELOPMENT (0406)**

APPROVED

22. Request approval of a one-year membership renewal with the National Science Foundation – Water Quality Center, Arizona State University.

COMMENTS: Total amount not to exceed \$60,000.

DOCUMENT NAME: [20070906fst11.pdf](#) **PURCHASES (1004-01)**

APPROVED

23. Request approval of a one-year subscription renewal with Amigos Library Services for online catalog and inter-library loan services.

COMMENTS: Total amount not to exceed \$41,745.

DOCUMENT NAME: [20070906fst12.pdf](#) **PURCHASES (1004-01)**

APPROVED

B. Award of Bids/Contracts

24. Request approval of a professional services contract with Wilson Engineers for the Tempe Beach Park Pump Station Upgrades, and authorize a fund balance transfer for design and construction.

COMMENTS: Professional services contract in an amount not to exceed \$44,500, conditioned upon execution of the final written documents, and a transfer of \$255,000 from Fund No. 65 fund balance to Capital Improvement Program No. 6501755 for design and construction.

DOCUMENT NAME: [20070906PWCH03.pdf](#) **TEMPE BEACH PARK (0706-38) PROJECT NO. 6501755**

APPROVED

25. Request approval of a professional services contract with Deutsch Associates for the Priest Yard Relocation Study.

COMMENTS: Professional services contract in an amount not to exceed \$78,116, from the contingency fund, conditioned upon execution of the final written documents.

DOCUMENT NAME: [20070906PWCH08.pdf](#) **STAFF SERVICES AND FACILITIES (1000) PROJECT NO. 6702901**

APPROVED

26. Request approval of a professional services contract with Premier Engineering Corporation for the Tempe employee parking facility at 1435 S. Price Road.

COMMENTS: Professional services contract in an amount not to exceed \$137,779, conditioned upon execution of the final written documents.

DOCUMENT NAME: [20070906PWCH09.pdf](#) **PARKING (0503-19) PROJECT NO. 6003021**

APPROVED

27. Request approval of a professional services contract with Weddle Gilmore Architects for the Tempe Historical Museum renovation.

COMMENTS: Professional services contract in an amount not to exceed \$136,920, conditioned upon execution of the final written documents.

DOCUMENT NAME: [20070906PWCH10.pdf](#) **TEMPE HISTORICAL MUSEUM (0705-04) PROJECT NO. 6702481**

APPROVED

28. Request approval of a construction Job Order with 3D/International, Inc., approval of a construction change order contingency, and approval of a professional services contract for construction management services with Bosak CPM for the South Tempe Water Treatment Plant Administration Building expansion.

COMMENTS: Job order in the amount of \$780,368 with 3D/International, Inc., a construction change order contingency of \$40,000, and a construction management contract in the amount of \$47,900 with Bosak CPM, subject to execution of final written contracts.

DOCUMENT NAME: [20070906PWMV06.pdf](#) SOUTH TEMPE WATER
TREATMENT PLANT (0811-08) PROJECT NO. 3200072

APPROVED

29. Request approval of a construction Job Order with ForeSite Design and Construction, Inc., and a construction change order contingency for the Kyrene Water Reclamation Facility diesel tank addition.

COMMENTS: Job order in the amount of \$87,972, and a construction change order contingency of \$5,000, subject to execution of the final written contract.

DOCUMENT NAME: [20070906PWMV07.pdf](#) KYRENE WATER
RECLAMATION FACILITY (0812-02) PROJECT NO. 3202881

APPROVED

30. Request to award a one-year, limited source contract to Husk Partners for consulting services for the Tempe Police Department.

COMMENTS: (Limited Source #07-170) Subject to execution of final written contract. Total cost for this contract shall not exceed \$90,000 during the contract period.

DOCUMENT NAME: [20070906fsta14.pdf](#) PURCHASES (1004-01)

APPROVED

31. Request approval to increase by \$150,000 the contract amount with CPC Construction, Inc., for Minor Concrete 2005-2008.

COMMENTS: This contract increase of \$150,000 is to cover significant right-of-way and facility accessibility improvements on segments of McClintock Drive and Rio Salado Parkway and will increase the original contract to \$700,000.

DOCUMENT NAME: [20070906PWDR12.pdf](#) STREET UPGRADING-MAINT-
CONSTRUCTION (0809-05), PROJECT NO. 5401412

APPROVED

32. Request approval to increase by \$400,000 the contract amount with Motorola, Inc., for 800 MHz digital radio subscriber equipment used by the Fire Department, Police Department and various other City departments.

COMMENTS: (P03-011) Increase from \$2,000,000 to \$2,400,000.

DOCUMENT NAME: [20070906fsts08.pdf](#) PURCHASES (1004-01)

APPROVED

33. Request approval to increase by \$59,000 the contract amount with Oracle Corporation for the City's PeopleSoft Financial, Human Resources, and eApplications systems annual software maintenance and purchases.

COMMENTS: (Contracts T07-061-01, T07-138-01 and T08-040-01) Increase from \$606,000 to \$665,000.

DOCUMENT NAME: [20070906fst10.pdf](#) **PURCHASES (1004-01)**

WITHDRAWN BY STAFF. NO ACTION TAKEN

34. Request approval to increase by \$374,500 the contract amount with Midway Chevrolet /Isuzu for the purchase of seventeen fleet vehicles.

COMMENTS: (SCC070002-A4) Increase from \$194,050 to \$568,550.

DOCUMENT NAME: [20070906fst15.pdf](#) **PURCHASES (1004-01)**

APPROVED

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

COMMENTS: (AD04531-A2-1-A5, 2-A5 and 3-A6) Total amount not to exceed \$75,000.

DOCUMENT NAME: [20070906fst01.pdf](#) **PURCHASES (1004-01)**

APPROVED

36. Request approval to utilize Western States Contracting Alliance contracts with Dell Marketing L.P. and Hewlett Packard for an additional two-year term for personal computer equipment and related devices, software, development, and consulting services.

COMMENTS: (Contracts A66307 and A66309) Total amount not to exceed \$1,600,000.

DOCUMENT NAME: [20070906fst06.pdf](#) **PURCHASES (1004-01)**

APPROVED

37. Request approval of a one-year contract renewal with Mesa Materials and Vulcan Materials Company for raw construction materials.

COMMENTS: (T07-044-01 and T07-044-02) Total amount not to exceed \$375,000.

DOCUMENT NAME: [20070906fst02.pdf](#) **PURCHASES (1004-01)**

APPROVED

38. Request approval of one-year contract renewals with North Valley Motorsport; W.W.Williams; Trucks West; McCandless; Sanderson Ford; Chapman Chevrolet; RLS Services, Inc.; Valley Truck & Trailer Services; The Lighthouse; Watkins Specialists; Mesa Mustang; Arizona Rubber Company; American Filter; Genuine Parts; Factory Motor Parts; Granberry Supply; and Arizona Refuse Sales for vehicle parts and services.

COMMENTS: (T02-065-01, 02, 03, 04, 05, 07, 09, 10, 14, 19, 20, 21, 25, 26, 27, 31 and 32) Total amount not to exceed \$500,000.

DOCUMENT NAME: [20070906fsta03.pdf](#) **PURCHASES (1004-01)**

APPROVED

39. Request approval of a one-year contract renewal with Western International University for an educational partnership.

COMMENTS: (T05-023-01) Total amount not to exceed \$91,000 during the contract period.

DOCUMENT NAME: [20070906fsta04.pdf](#) **PURCHASES (1004-01)**

APPROVED

40. Request approval of a one-year contract renewal with Anderson Security Agency, LTD, for security guard services for the City water plants.

COMMENTS: (T04-135-01) Total amount not to exceed \$280,000.

DOCUMENT NAME: [20070906fsts05.pdf](#) **PURCHASES (1004-01)**

APPROVED

41. Request approval of a one-year contract renewal with PSI Group, Inc., for pre-sort mailing services.

COMMENTS: (T06-049-01) Total amount not to exceed \$70,000.

DOCUMENT NAME: [20070906fsts07.pdf](#) **PURCHASES (1004-01)**

APPROVED

42. Request approval of one-year contract renewals with KNK Diversified, Inc., and Spray Systems Environmental for asbestos, lead paint, and mold abatement.

COMMENTS: (T06-094RB-01 and 02) Total amount not to exceed \$50,000.

DOCUMENT NAME: [20070906fsts09.pdf](#) **PURCHASES (1004-01)**

APPROVED

43. Request approval of a one-year software support agreement with Public Safety Systems Incorporated for annual software system support.

COMMENTS: (Agreement #08-056) Subject to execution of final written agreement in an amount not to exceed \$49,250.

DOCUMENT NAME: [20070906fst13.pdf](#) **PURCHASES (1004-01)**

APPROVED

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

- *44. This is the **introduction and the first public hearing** for a General Plan Amendment and a Zoning Map Amendment for NORTHWEST FARM LTD PARTNERSHIP at 2727 East University Drive. **The second hearing is scheduled for September 20, 2007.**

COMMENTS: (PL070276) (Lee Moser, property owner & applicant) for a change in the General Plan Projected Density Map and a Zoning Map Amendment for the Montecito mobile home community consisting of +/-21.65 acres, located at 2727 East University Drive in the RMH, Mobile Home Residence District. The request includes the following:

GEP07003 – (Resolution No. 2007.68) General Plan Projected Density Map Amendment from Medium Density (up to 15 du/ac) to Medium-High Density (up to 25 du/ac).

ZON07007 – (Ordinance No. 2007.58) Zoning Map Amendment from RMH, Mobile Home Residence District to R-4, Multi-Family Residential General District.

DOCUMENT NAME: [20070906dsrl04.pdf](#) **PLANNED DEVELOPMENT (0406)**

INTRODUCED AND HELD FIRST PUBLIC HEARING.

SECOND PUBLIC HEARING SET FOR SEPTEMBER 20, 2007.

- *45. This is the **introduction and first public hearing** for an Historic Overlay District for GAGE ADDITION located south of University Drive to 10th Street and west of Mill Avenue to the Southern Pacific Railroad. **The second public hearing is scheduled for September 20, 2007.**

COMMENTS: (PL060472) (Multiple property owners; Bob Gray / Karyn Gitlis / Jenny Lucier / Dan O'Neill / Julia Andrews, applicants) for the designation of an Historic Overlay District, located in the area south of University Drive to 10th Street and west of Mill Avenue to the Southern Pacific Railroad, including the following:

HPO06001 – (Ordinance No. 2006.72) Historic Overlay District for Gage Addition Subdivision consisting of 56 parcels.

DOCUMENT NAME: [20070906dsrl01.pdf](#) **PLANNED DEVELOPMENT**

(0406)

**INTRODUCED AND HELD FIRST PUBLIC HEARING.
APPLICATION WITHDRAWN BY APPLICANT.**

- *46. This is the **introduction and first public hearing** for an Historic Overlay District for PARK TRACT located south of 10th Street to 13th Street and west of Mill Avenue to the Southern Pacific Railroad. **The second public hearing is scheduled for September 20, 2007.**

COMMENTS: (PL060472) (multiple property owners; Bob Gray / Karyn Gittis / Jenny Lucier / Dan O'Neill, applicants) for the designation of an Historic Overlay District, located in the area south of 10th Street to 13th Street and west of Mill Avenue to the Southern Pacific Railroad, including the following:

HPO06002 – (Ordinance No. 2006.73) Historic Overlay District for Park Tract Subdivision consisting of 92 parcels.

DOCUMENT NAME: [20070906dsrl02.pdf](#) **PLANNED DEVELOPMENT (0406)**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.
APPLICATION WITHDRAWN BY APPLICANT.**

- *47. This is the **introduction and first public hearing** for an ordinance abandoning a sewer line easement located within the Arizona State University Research Park in the vicinity of 8620 South River Parkway. **The second public hearing is scheduled for September 20, 2007.**

DOCUMENT NAME: [20070906PWCH04.pdf](#) **ABANDONMENT (0901)**
ORDINANCE NO. 2007.64

**INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING SET FOR SEPTEMBER 20, 2007.**

- *48. This is the **introduction and first public hearing** for an ordinance abandoning a portion of a water line easement on the Acura of Tempe site at 7800 South Autoplex Loop. **The second public hearing is scheduled for September 20, 2007.**

DOCUMENT NAME: [20070906PWCH11.pdf](#) **ABANDONMENT (0901)**
ORDINANCE NO. 2007.65

**INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING SET FOR SEPTEMBER 20, 2007.**

D. Ordinances and Items for Second Hearing/Final Adoption

- *49. This is the **second public hearing** for an ordinance amending Chapter 23 of the Tempe City Code relating to Parks and Recreation by amending Section 23-36.

COMMENTS: Proposed revision will allow City flexibility to set park curfew hours based upon the needs of the City and the desire of the neighborhood in which the park is located.

DOCUMENT NAME: [20070906prsw01.pdf](#) **PARKS & RECREATION (0503-23)**
ORDINANCE NO. 2007.62

APPROVED

- *50. This is the **second 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.

DOCUMENT NAME: [20070906PWCH01.pdf](#) **ABANDONMENT (0901)**
ORDINANCE NO. 2007.60

APPROVED

- *51. This is the **second public hearing** for an ordinance abandoning three easements on the ASU property west of Rural Road and north of Rio Salado Parkway.

DOCUMENT NAME: [20070906PWCH02.pdf](#) **ABANDONMENT (0901)**
ORDINANCE NO. 2007.61

APPROVED

E. Resolutions

52. Request approval of a resolution authorizing negotiation of a development and disposition agreement with Holualoa Arizona, Inc., for the development of City-owned property at 3rd Street and Ash Avenue.

DOCUMENT NAME: [20070906cdls01.pdf](#) **COMMUNITY**
DEVELOPMENT/REDEVELOPMENT ADM (0403-01) RESOLUTION NO. 2007.73

APPROVED

53. Request approval of a resolution approving and authorizing the Mayor to sign a waterline cost-sharing agreement between the City of Tempe and Macot Realty Trust in connection with development of the Methods Machine Tools facility in the vicinity of 24th and Roosevelt Streets.

DOCUMENT NAME: [20070906cacc01.pdf](#) **WATERMAIN CONSTRUCTION**
(NEW) (0810-06) RESOLUTION NO. 2007.72

APPROVED

54. Request approval of a resolution authorizing the execution of a parking agreement between the City and Randy Boles to use City property located at 1111 South Rural Road for parking.

DOCUMENT NAME: [20070906PWCH05.pdf](#) **REAL PROPERTY LEASES**
(0903) **RESOLUTION NO. 2007.57**

APPROVED

55. Request adoption of a resolution naming the amphitheater at Tempe Beach Park on the south side of Tempe Town Lake as "David L. Hanna Amphitheater."

DOCUMENT NAME: [20070906cdnr01.pdf](#) **RIO SALADO MASTER PLAN**
(0112-07-03) **RESOLUTION NO. 2007.75**

APPROVED

56. Request approval of a resolution authorizing negotiation of a development and disposition agreement with Arizona Boathouse and Welcome Center, LLC for the lease of City property and the construction of a Welcome Center and Boathouse.

DOCUMENT NAME: [20070906cdnr02.pdf](#) **RIO SALADO MASTER PLAN**
(0112-07-03) **RESOLUTION NO. 2007.76**

APPROVED

57. Request approval of a resolution authorizing negotiation of a development and disposition agreement with Avenue Communities for the lease of City property and the construction of a public park/event space.

DOCUMENT NAME: [20070906cdnr03.pdf](#) **RIO SALADO MASTER PLAN**
(0112-07-03) **RESOLUTION NO. 2007.77**

APPROVED

58. Request approval of a resolution authorizing funding to implement the first phase of the Police Department reorganization.

DOCUMENT NAME: [20070906pdmag01.pdf](#) **POLICE DEPARTMENT**
ADMINISTRATION (0606-02) **RESOLUTION NO. 2007.74**

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.

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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