

Formal Meeting FINISHED Agenda



Tempe City Council May 15, 2008

Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 East Fifth Street
7:30 p.m.

1. INVOCATION - Councilmember Arredondo
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Carter
 - A. Approval of Council Meeting Minutes
 1. Council's Executive Session – May 1, 2008
 2. Council's Issue Review Session – May 1, 2008 [20080515clrkck01.pdf](#)
 3. Council's Formal Meeting – May 1, 2008 [20080515clrkck02.pdf](#)
 4. Council's Education, Technology & Economic Development Committee – April 1, 2008 [20080515eted01.pdf](#)
 5. Council's Finance, Economy & Veterans Affairs Committee – April 15, 2008 [20080515feva01.pdf](#)
 6. Council's Social Services & Culture Committee – April 16, 2008 [20080515ssc01.pdf](#)
 7. Ad Hoc Long Range Budget & Finance Planning Committee – April 24, 2008 [20080515lrbf01.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 8. Development Review Commission – February 12, 2008 [20080515drc01.pdf](#)
 9. Human Relations Commission – March 11, 2008 [20080515hrc01.pdf](#)
 10. Tempe Police Public Safety Personnel Retirement Board – April 3, 2008
4. REPORTS AND ANNOUNCEMENTS
 - A. Mayor's Announcements
 - Proclamation for Public Works Week
 - 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

11. Request approval of the Report of Claims Paid to be filed for audit for the April 2008.

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

APPROVED

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

COMMENTS: The total cost of these contracts with overages shall not exceed \$220,000

DOCUMENT NAME: [20080515mclca01.pdf](#) **COURT ADMINISTRATION (0501-02)**

APPROVED

13. Request authorization for the Mayor to sign an intergovernmental agreement with the Regional Public Transportation Authority (RPTA) for site design and construction of the South Tempe Transportation Center.

COMMENTS: The City will receive Public Transportation Funds (PTF) totaling \$1,945,123.

DOCUMENT NAME: [20080515PWRY02.pdf](#) **TRANSPORTATION PLANNING (1101-01)**

APPROVED

14. Request authorization for the Mayor to sign Amendment #4 to an intergovernmental agreement with Arizona State University to design and construct bus stop improvements.

COMMENTS: (C93-195) City's contribution in this Amendment is \$188,000 while

ASU will provide \$70,000 to assist in the completion of this project.

DOCUMENT NAME: [20080515PWRY01.pdf](#) **BUS BENCHES / SHELTERS /
BUS BAYS (1107)**

APPROVED

15. Request approval of the City Manager's designation for the extension of the Residential Permit Parking Area 7 to include portions of the Mitchell Park neighborhood.

DOCUMENT NAME: [20080515PWJD01.pdf](#) **RESIDENTIAL PERMIT PARKING
(0503-19)**

APPROVED

16. Request approval of the City Manager's designation for the extension of the Residential Permit Parking Area 5 to include portions of the Jen Tilly Terrace Neighborhood.

DOCUMENT NAME: [20080515PWJD02.pdf](#) **RESIDENTIAL PERMIT
PARKING (0503-19)**

APPROVED

17. Request approval of the City Manager's designation of Residential Permit Parking Area 11 to include portions of Farmer Avenue.

DOCUMENT NAME: [20080515PWJD03.pdf](#) **RESIDENTIAL PERMIT PARKING
(0503-19)**

APPROVED

18. Request approval for a Final Subdivision Plat for CITY HALL COMPLEX located at 31 East Fifth Street.

COMMENTS: (PL080118) (City of Tempe, owner; Chris Aulerich, Brady-Aulerich & Associates, Inc., applicant) for a Final Subdivision Plat on +/- 6.91 net acres located at 31 East Fifth Street in the CC, City Center District and within the TOD, Transportation Overlay District, including the following:

SBD08010 – Final Subdivision Plat to combine the property into four lots and two parcels.

DOCUMENT NAME: [20080515dskko01.pdf](#) **PLANNED DEVELOPMENT
(0406)**

APPROVED

19. Request for a Final Subdivision Plat for VICTORY ACRES PARK located at 2407 East

McArthur Drive.

COMMENTS: (PL080111) (City of Tempe, property owner, Marvin G. Lovlein, V3 Companies of Arizona, applicant) located at 2407 East McArthur Drive, in the CSS, Commercial Shopping and Services District and in the R-2 Multi – Family Residential. The request includes the following:

SBD08002- A final subdivision plat combining seven (7) lots into two (2) on 22.92 net acres parcel.

DOCUMENT NAME: [20080515dsjc02.pdf](#) **PLANNED DEVELOPMENT (0406)**

APPROVED

20. Request for a Final Subdivision Plat for SOUTHERN AND MCCLINTOCK PLAZA 2 located at 1709 East Southern Avenue.

COMMENTS: (PL080045) (Walgreens Company, Rebecca Lidskin, property owner, Jerry Heath, Hunter Engineering, applicant), located at 1709 East Southern Avenue in the PCC-1, Planned Commercial Center Neighborhood District. The request includes the following:

SBD08002- A final subdivision plat, consisting of creating two (2) lots on a net of 2.96 acres parcel.

DOCUMENT NAME: [20080515dsjc01.pdf](#) **PLANNED DEVELOPMENT (0406)**

APPROVED

- *21. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Thai Rama Tempe LLC dba Thai Rama Restaurant, 927 East University Drive.

COMMENTS: Nantiya Vaughn is the Agent for this application.

DOCUMENT NAME: [20080515LIQ01.pdf](#) **LIQ LIC (0210-02)**

APPROVED

- *22. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Macayo's Depot Cantina LLC dba Macayo's Depot Cantina, 300 South Ash Avenue.

COMMENTS: Stephen Johnson is the Agent for this application.

DOCUMENT NAME: [20080515LIQ02.pdf](#) **LIQ LIC (0210-02)**

APPROVED

B. Award of Bids/Contracts

23. Request approval of a professional services contract with Olsson Associates for an athletic field preliminary lighting design study.

COMMENTS: Total cost for this contract shall not exceed \$37,182.

DOCUMENT NAME: [20080515PWDR01.pdf](#) **PARKS STUDIES (0112-07)**
PROJECT NO. 6303081

APPROVED

24. Request to award two-year contracts with three, one-year renewal options to Stantec Consulting Inc.; Willdan; BJB Southwest; Bureau Veritas; and W.C. Scoutten, Inc. for plan review and building inspection services.

COMMENTS: (RFP #08-113) Total cost for this contract shall not exceed \$136,000 during the initial contract period.

DOCUMENT NAME: [20080515fslg01.pdf](#) **PURCHASES (1004-01)**

APPROVED

25. Request to award a two-year contract with three, one-year renewal options to Off Madison Ave for professional advertising and marketing services for the City's transportation program.

COMMENTS: (RFP #08-101) Total cost for this contract shall not exceed \$770,000 during the initial contract period.

DOCUMENT NAME: [20080515fslg06.pdf](#) **PURCHASES (1004-01)**

APPROVED

26. Request to award a two-year contract with four, one-year renewal options to MedCo Health Solutions, Inc. for the management of Pharmacy Benefits for current and retired City employees and their dependents.

COMMENTS: (RFP #08-124) Total cost for this contract shall not exceed \$7,000,000 during the initial contract period.

DOCUMENT NAME: [20080515fsta07.pdf](#) **PURCHASES (1004-01)**

APPROVED

27. Request to award one-year contracts with four, one-year renewal options to Chematrix, LLC, Lakepointe Environmental Group, Inc., and Siemens Water Technologies Corporation for the purchase of chemicals by the Water Utilities Department to control odor in wastewater.

COMMENTS: (IFB #08-154) Total cost for these contracts shall not exceed

\$100,000 during the initial contract period.

DOCUMENT NAME: [20080515fsts08.pdf](#) PURCHASES (1004-01)

APPROVED

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

COMMENTS: (T05-109-01) Total amount not to exceed \$80,000.

DOCUMENT NAME: [20080515fsts02.pdf](#) PURCHASES (1004-01)

APPROVED

29. Request approval of a one-year renewal of a contract with Salt Works for the purchase of white crystal coarse solar salt for use in the production of sodium hypochlorite for the disinfection of water at Johnny G. Martinez Water Treatment Plant and the South Tempe Water Treatment Plant.

COMMENTS: (T07-171-01) Total amount not to exceed \$250,000.

DOCUMENT NAME: [20080515fsts03.pdf](#) PURCHASES (1004-01)

APPROVED

30. Request approval of one-year renewals of contracts with Banner Occupational Health Services and U.S. Healthworks Medical Group of Arizona for City of Tempe employee occupational health care services.

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

DOCUMENT NAME: [20080515fsts05.pdf](#) PURCHASES (1004-01)

APPROVED

31. Request approval to utilize a four-month State of Arizona contract with Federal Communications Group for data and telecommunications cabling and fiber optic installation in City buildings and streets.

COMMENTS: (EPS060014-A6) Total cost of this contract shall not exceed \$200,000.

DOCUMENT NAME: [20080515fsts04.pdf](#) PURCHASES (1004-01)

APPROVED

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

- *32. This is the **introduction and first public hearing** for a Planned Area Development Overlay for TEMPE LANDING located at 125 S. Priest Dr. **The second public hearing is scheduled for June 5, 2008.**

COMMENTS: (PL070508) (Tom Meissner, Vaughan Street LLC, property owner; David Thorson, McShane Construction Corporation, applicant) consisting of a commercial development of two mid-rise office buildings with combined area of 420,406 s.f. and a parking garage of 516,892 s.f. of area on a site of approximately 7.68 acres located at 125 South Priest Drive in the GID, General Industrial District and the Rio Salado Overlay. The request includes the following:

PAD08003 – (Ordinance No. 2008.17) Planned Area Development Overlay to modify development standards to allow a building height increase from 35'-0" to 101'-0" for the two office buildings and from 35'-0" to 96'-0" for the garage.

DOCUMENT NAME: [20080515dskko02.pdf](#) **PLANNED DEVELOPMENT (0406)**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING SET FOR JUNE 5, 2008.**

- *33. This is the **introduction and first public hearing** to amend Chapter 21 of the Tempe City Code relating to Nuisances and Property Enhancement by amending Section 21-3 relating to Enumerated Violations. **The second public hearing is scheduled for June 5, 2008.**

DOCUMENT NAME: [20080515cdjk01.pdf](#) **TCC CH 21 – NUISANCES (0503-21) ORDINANCE NO. 2008.21**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING SET FOR JUNE 5, 2008.**

D. Ordinances and Items for Second Hearing/Final Adoption

- *34. This is the **second public hearing** of an ordinance authorizing the Mayor to execute a Development and Disposition Agreement between the City of Tempe and Arizona Boathouse and Welcome Center LLC.

DOCUMENT NAME: [20080515cdnc01.pdf](#) **COMMUNITY DEVELOPMENT ADMIN. (0406) ORDINANCE NO. 2008.22**

APPROVED

- *35. This is the **second public hearing** to adopt an ordinance abandoning a forty foot bus, bicycle and pedestrian access easement located east of McAllister Avenue within Krueger Street west of Rural Road.

DOCUMENT NAME: [20080515PWCH02.pdf](#) ABANDONMENT (0901)
ORDINANCE NO. 2008.15

APPROVED

- *36. This is the **second public hearing** to adopt an ordinance abandoning portions of Water & Sewer Line Easements located at 1900 E. Apache Boulevard.

DOCUMENT NAME: [20080515PWCH03.pdf](#) ABANDONMENT (0901)
ORDINANCE NO. 2008.18

APPROVED

- *37. This is the **second public hearing** to adopt an ordinance abandoning two existing Water Line Easements located at 777 E. Baseline Road.

DOCUMENT NAME: [20080515PWCH04.pdf](#) ABANDONMENT (0901)
ORDINANCE NO. 2008.19

APPROVED

E. Resolutions

38. Request approval of a resolution amending City Code Appendix A—Schedule of Fees and Charges, Relating to Chapter 4, Alcoholic Beverages.

COMMENTS: A restaurant continuation liquor license allows the applicant to continue to sell liquor during the application review process.

DOCUMENT NAME: [20080515cacc01.pdf](#) MISCELLANEOUS FEES (0210-05) RESOLUTION NO. 2008.37

APPROVED

39. DELETED

40. Request approval of a resolution amending the polling places and districts set by Resolution 2008.25 for the May 20, 2008, General Election.

DOCUMENT NAME: [20080515clrkck06.pdf](#) GENERAL ELECTION – MAY 20, 2008 (0506-31-01) RESOLUTION NO. 2008.39

APPROVED

41. Request approval of a resolution authorizing the Mayor to execute a Development Agreement with Insight Direct Worldwide, Inc.

DOCUMENT NAME: [20080515cdsws01.pdf](#) COMMUNITY
DEVELOPMENT/REDEVELOPMENT ADM (0403-01) RESOLUTION NO. 2008.40

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

- Jill Ellis, Tempe, re: refund for damages re: water main break

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
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