

# Formal Meeting FINISHED Agenda



## Tempe City Council August 14, 2008

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

1. INVOCATION - Councilmember Woods
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Arredondo
  - A. Approval of Council Meeting Minutes
    1. Council's Executive Session – July 22, 2008
    2. Council's Issue Review Session – July 22, 2008 [20080814clrkck02.pdf](#)
    3. Council's Formal Meeting – July 17 & July 22, 2008 [20080814clrkck04.pdf](#)  
[20080814clrkck01.pdf](#)
    4. Housing Authority Governing Board – July 17, 2008 [20080814clrkck03.pdf](#)
  - B. Acceptance of Board & Commission Meeting Minutes
    5. Commission on Disability Concerns – April 15 & June 5, 2008 [20080814cdc01.pdf](#)  
[20080814cdc02.pdf](#)
    6. Community Special Events Task Force – July 29, 2008 [20080814setf01.pdf](#)
    7. Development Review Commission – March 12 & 25, April 8 & 22, May 13 & 27, & July 8, 2008 [20080814drc01.pdf](#) [20080814drc02.pdf](#) [20080814drc03.pdf](#)  
[20080814drc04.pdf](#) [20080814drc05.pdf](#) [20080814drc06.pdf](#) [20080814drc07.pdf](#)
    8. Hearing Officer – July 1, 2008 [20080814ho01.pdf](#)
    9. Historical Museum Renovation – Public Art Design Team Opportunity Review Panel – April 16, 2008 [20080814hmb01.pdf](#)
    10. Human Relations Commission – June 10, 2008 [20080814hrc01.pdf](#)
    11. Human Relations Commission – Diversity Awards Subcommittee – June 5, 2008  
[20080814hrc02.pdf](#)
    12. Library Advisory Board – Nominations Committee – May 5, 2008 [20080814lab01.pdf](#)
    13. Municipal Arts Commission – May 14, 2008 [20080814mac01.pdf](#)
    14. Municipal Arts Commission – Public Art/Art in Private Development Committee – July 22, 2008 [20080814mac02.pdf](#)
    15. Sponsorship Review Committee – May 12 & July 1, 2008 [20080814src01.pdf](#)  
[20080814src02.pdf](#)

16. Transportation Commission – Multi-Modal Planning & Project Review Committee –  
May 14 & June 11, 2008 [20080814tc01.pdf](#) [20080814tc02.pdf](#)

#### 4. REPORTS AND ANNOUNCEMENTS

##### A. Mayor's Announcements

- a. Recognition of Kiwanis Lifeguard
- b. Awards by Special Olympics to Tempe Adapted Recreation Program
- c. Introduction of Sister Cities Chinese educators
- b. Board and Commission Reappointment Selections

##### 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 Mayor's Board and Commission reappointment selections.

**DOCUMENT NAME:** [20080814boards.pdf](#) BDS, COMMISSIONS, COMMITTEES  
ADM (0102-01)

**APPROVED**

18. Request approval of recommended funding for the 2008-2009 Arts Grant Awards to schools and non-profit organizations.

**COMMENTS:** Total amount of recommended grants funding is \$149,954 to be paid from the Municipal Arts Fund.

**DOCUMENT NAME:** [20080814csar01.pdf](#) COMMUNITY SERVICE ADM  
(0701-01)

**APPROVED**

19. Request approval of recommended funding for the 2008-2009 Neighborhood Grant Program to homeowners' and neighborhood associations.

DOCUMENT NAME: [20080814crsw01.pdf](#) NEIGHBORHOOD ASSOCIATION  
PROGRAM (0109-24)

APPROVED

20. Request authorization for the Mayor to sign a Memorandum of Consent with Gyro 5 LLC (dba Segway of Scottsdale) to allow the operation of for-profit guided Segway tours within Rio Salado Parks.

DOCUMENT NAME: [20080814cdnr03.pdf](#) RIO SALADO PARK (0706-32)

APPROVED

21. Request approval of an amendment to the Downtown Tempe Community Enhanced Services District contract.

DOCUMENT NAME: [20080814cdcm02.pdf](#) COMM DEV/REDEVELOPMENT  
ADM (0403-01)

APPROVED

22. Request approval to allocate the City of Tempe's portion of revenues from Tempe Diablo Stadium display panels per amended lease C2004-252B to Tempe Community Council 501(c)3.

COMMENTS: Allocation of funds in the estimated amount of \$150,000  
DOCUMENT NAME: [20080814tccjm01.pdf](#) DIABLO STADIUM -  
CALIFORNIA ANGELS (0903-15)

APPROVED

23. Request for a Final Subdivision plat for TUTOR TIME located at 1765 East University Drive.

COMMENTS: (PL070515) (Tutor Time Childcare, property owner, Darin Sender, applicant), located at 1765 East University Drive, in the PCC-1, Planned Commercial Center Neighborhood District. The request includes the following:

SBD08019 - A final subdivision plat, consisting of a line adjustment on a 2.128 net acres parcel.

DOCUMENT NAME: [20080814dsjc02.pdf](#) PLANNED DEVELOPMENT  
(0406)

APPROVED

- q-j \*24. A public hearing for an appeal of the December 13, 2005, Planning and Zoning Commission approval of a use permit for U-HAUL CENTER to operate a self-storage

facility in the CSS Commercial Service and Shopping District at 2340 E. Apache Boulevard.

**COMMENTS:** Appeal by the Apache Boulevard Planning Area Committee (APAC) (PL050101/UPA08004) of the December 13, 2005, Planning and Zoning Commission decision to grant U-HAUL CENTER (CC050088) (Republic Western, property owner / Amerco Real Estate, applicant) #SIP-2005.108 a use permit as follows:

Use Permit:

1. To allow a self-storage facility consisting of 28,657 s.f. in the CSS, Commercial Service and Shopping District, within the Transportation Overlay District Station Area, located at 2340 East Apache Boulevard.

**DOCUMENT NAME:** [20080814dsdk01.pdf](#) **PLANNED DEVELOPMENT (406)**

**HELD A PUBLIC HEARING AND APPROVED THE APPEAL**

- \*25. This is a public hearing to recommend the approval of a Series 6 Bar Liquor License for The ROC Bar and Grill dba Yogi's Sports Bar and Grill, 1400 South McClintock Drive.

**COMMENTS:** Nathan Robbins, Agent.

**DOCUMENT NAME:** [20080814LIQ01.pdf](#) **LIQ LIC (0210-02)**

**APPROVED**

- \*26. This is a public hearing to recommend the approval of a Series 9 Liquor Store License for Circle K Stores Inc., dba Circle K Store #3379, 507 West Broadway Road.

**COMMENTS:** Kim Kwiatkowski, Agent.

**DOCUMENT NAME:** [20080814LIQ02.pdf](#) **LIQ LIC (0210-02)**

**APPROVED**

- \*27. This is a public hearing to recommend the approval of a Series 7 Beer and Wine Bar Liquor License for Aramark Entertainment LLC dba at Tempe Diablo Stadium, 2200 West Alameda Drive.

**COMMENTS:** Robert P. Chapman. Agent.

**DOCUMENT NAME:** [20080814LIQ03.pdf](#) **LIQ LIC (0210-02)**

**APPROVED**

- \*28. This is a public hearing to recommend the approval of a Series 6 Bar Liquor License for Rustee Enterprises LLC dba Door Lounge, 1126 North Scottsdale Road.

**COMMENTS:** Barbara L. Freeman is the Agent for this application.

**DOCUMENT NAME:** [20080814LIQ04.pdf](#) **LIQ LIC (0210-02)**

**APPROVED**

**B. Award of Bids/Contracts**

29. Request to award three-year contracts with three, one-year renewal options to Skyline Builders; GTI Contractors; M Group; Fabiani Painting; Crout and Heller Painting; Vortex Industries; Star Roofing; Southwest Trane; Crawford Mechanical; Emmet Refrigeration; Piper Power Plumbing; Hernandez Companies; Roto Rooter; Pipeline Video; Commonwealth Electric; Spectra Electrical; Arizona Repair Masons; Rapid Contracting; SDB Inc.; and Iron Paving for trade service providers for routine repairs and maintenance of City facilities.

**COMMENTS:** (08-178-01 thru 08-178-19) Total cost for these contracts shall not exceed \$3,000,000 during the initial contract period.

**DOCUMENT NAME:** [20080814fst01.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

30. Request to award a contract to Advanced Striping Equipment for a thermoplastic pavement marker and support trailer.

**COMMENTS:** (08-182) Total cost for this contract shall not exceed \$46,000.

**DOCUMENT NAME:** [20080814fst04.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

31. Request to award a one-year contract with four, one-year renewal options to Christmas Light Decorators for holiday light displays and installation.

**COMMENTS:** (RFP #08-168) Total cost for this contract shall not exceed \$110,000 during the initial contract period.

**DOCUMENT NAME:** [20080814fslg16.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

32. Request to award a two-year contract with three, one-year renewal options to Stanley Convergent Security Solutions for security system purchase, installation and maintenance.

**COMMENTS:** (RFP 08-186) Total cost for this contract shall not exceed \$500,000 during the initial contract period.

**DOCUMENT NAME:** [20080814fst18.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

33. Request to award a one-year contract to TransCore ITS, LLC, for an information display

system and system integration at the Transportation Management Center within the Tempe Transportation Center.

**COMMENTS:** (RFP #08-112) Total cost for this contract shall not exceed \$532,692 during the initial contract period.

**DOCUMENT NAME:** [20080814fslq20.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

34. DELETED

35. Request to award a seven (7) month, sole source contract to Veolia Transit Services, Inc. for transit bus services.

**COMMENTS:** (Purchase Agreement #T09-011-01) Total cost for this sole source contract shall not exceed \$19,550,168.

**DOCUMENT NAME:** [20080814fslq23.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

36. Request to award a two-year contract with three, one-year renewal options to Premier Graphics for the printing of *Tempe Today*.

**COMMENTS:** (09-010) Total cost for this contract shall not exceed \$65,000 during the initial contract period.

**DOCUMENT NAME:** [20080814fstq05.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

37. Request to award a sole source contract to Khemia Software for the Laboratory Information Management System software upgrade for the Water Utilities Department.

**COMMENTS:** (Sole Source #WUD09-035-01) Total cost for this contract shall not exceed \$90,000 during the contract period.

**DOCUMENT NAME:** [20080814fstq13.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

38. Request to award a one-year sole source contract to Tata Consulting Services, Ltd., for annual software maintenance and technical assistance for the business license/privilege tax software system used by the Tax and License Division of the Financial Services Department.

**COMMENTS:** (Sole Source #08-181) Total cost for this contract shall not exceed \$104,000 during the contract period.

**DOCUMENT NAME:** [20080814fstq17.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

39. Request approval to purchase liquid natural gas (LNG) for transit services for fiscal year 2008/2009 through the existing intergovernmental cooperative purchasing agreement with the City of Phoenix and the Regional Public Transportation Authority.

**COMMENTS:** (Contract #RFA 09-003) Total cost of this contract shall not exceed \$4,979,888 during the initial contract period.

**DOCUMENT NAME:** [20080814fslq21.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

40. Request award of a professional services contract with QED Airport & Aviation Consultants for aircraft noise impact evaluation.

**COMMENTS:** Total cost for this contract is the amount of \$34,440.

**DOCUMENT NAME:** [20080814PWDR01.pdf](#) **AIRCRAFT STUDIES (0112-01)**  
**PROJECT NO. 3203101**

**APPROVED**

41. Request award of a professional services contract with FM Solutions, Inc., for the Facilities Maintenance Master Plan.

**COMMENTS:** Total cost for this contract shall not exceed \$239,221.

**DOCUMENT NAME:** [20080814PWDR10.pdf](#) **CITY FACILITY MAINTENANCE  
– UPGRADE (1001) PROJECT NO. 6706031**

**APPROVED**

42. Request approval of a Construction Manager at Risk design phase contract with Pierson Construction Corporation for water line replacement on various City streets.

**COMMENTS:** The amount of this contract is \$146,861.32.

**DOCUMENT NAME:** [20080814PWDR02.pdf](#) **WATERMAIN UPGRADES  
(0810-04) PROJECT NO. 3202891**

**APPROVED**

43. Request approval of an addendum to a professional services contract with Environmental Planning Group, Inc., (EPG) for the design of a multi-use path at the Western Canal.

**COMMENTS:** Total addendum not to exceed \$196,850.

**DOCUMENT NAME:** [20080814PWDR03.pdf](#) **TRANSPORTATION PLANNING**

**(1101-01) PROJECT NO. 6000421**

**APPROVED**

44. Request approval of an addendum to a professional services contract with Superstition Foothills Consulting Services, Inc., for plan review and inspections of the Cox Extendable Optical Network project

**COMMENTS:** Total addendum not to exceed \$61,250.

**DOCUMENT NAME:** [20080814PWDR12.pdf](#) **UNDERGROUND UTILITIES  
(0810) PROJECT NO. 6702711**

**APPROVED**

45. Request approval of amendment number one to Job Order contract with 3D/International, Inc., for renovations to Fire Station No. 4 and addition to the Fire Training Center.

**COMMENTS:** The amount of the Job Order contract is increased from \$697,017 to \$781,739.

**DOCUMENT NAME:** [20080807PWWWS04.pdf](#) **FIRE STATIONS -  
MAINTENANCE/ IMPROVEMENTS (1001-08) PROJECT NO. 5602531**

**APPROVED**

46. Request approval of Job Order No. 1 with Foresite Design & Construction, Inc., for remodel of the administration building at the Johnny G. Martinez Water Treatment Plant (JGMWTP), and approval of a project contingency.

**COMMENTS:** Total amount for Job Order No. 1 is \$84,708 and the initial project contingency is \$16,000.

**DOCUMENT NAME:** [20080814PWDR06.pdf](#) **CITY FACILITIES  
MAINTENANCE – UPGRADES (1001) PROJECT NO. 3202941**

**APPROVED**

47. Request approval of Job Order No. 1 with Caliente Construction, Inc., for replacement of disinfection equipment at various well sites and approval of a project contingency.

**COMMENTS:** Total amount for the Job Order No. 1 is \$435,808 and the initial project contingency is \$43,500.

**DOCUMENT NAME:** [20080814PWDR09.pdf](#) **WELLS –  
CONSTRUCTION/MAINTENANCE (0811-01) PROJECT NO. 3200018**

**APPROVED**



48. Request approval of a one-year renewal of a contract with Specialty Disease Management, Inc., for a disease management program offered to all eligible employees, retirees and their dependents.

**COMMENTS:** (T06-149-01) Total amount not to exceed \$70,000.

**DOCUMENT NAME:** [20080814fst02.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

49. Request approval of a one-year renewal of a contract with Robertson Industries, Inc., for the purchase of rubberized playground surfacing.

**COMMENTS:** (T08-013-01) Total amount not to exceed \$100,000.

**DOCUMENT NAME:** [20080814fslq07.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

50. Request approval of a one-year renewal of contracts with Seeds West, UAP Distribution, Inc., and Western Sere for the purchase of mulch, grass seed, tackifier, and other products.

**COMMENTS:** (T08-035-01 through T08-035-03) Total amount not to exceed \$75,000.

**DOCUMENT NAME:** [20080814fslq09.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

51. 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 not to exceed \$89,494.00

**DOCUMENT NAME:** [20080814fst10.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

52. Request approval of a three-month renewal of a contract with Anderson Security Agency, Ltd., for the purchase of security guard services for the Water Utilities Department.

**COMMENTS:** (T04-135-01) Total amount not to exceed \$75,000.

**DOCUMENT NAME:** [20080814fst11.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

53. Request approval of a one-year renewal of a contract with Continuant, Inc., for hardware and software maintenance and miscellaneous repairs of the City's Avaya

telephone systems.

**COMMENTS:** (T05-123-01) Total amount not to exceed \$93,000.

**DOCUMENT NAME:** [20080814fst12.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

54. Request approval of a one-year renewal of contracts with KNK Diversified, Inc., and Spray Systems Environmental for asbestos, lead paint, and mold abatement services for City-owned buildings.

**COMMENTS:** (T06-094-01 and 02) Total cost of this contract shall not exceed \$75,000.

**DOCUMENT NAME:** [20080814fst15.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

55. Request approval of a one-year renewal of a contract with Tempe Family YMCA for the provision of child care services at the Westside Multigenerational Facility.

**COMMENTS:** (T06-117-01) There is no cost to the City for these services.

**DOCUMENT NAME:** [20080814fslg03.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

56. Request approval to utilize a ten-month City of Scottsdale contract with Ancon Service Company for the cleaning of the City's sewer system, lift stations and wet wells for the Water Utilities Department.

**COMMENTS:** (WUD08PB049) Total cost of this contract shall not exceed \$300,000.

**DOCUMENT NAME:** [20080814fst14.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

57. Request approval to utilize an eleven-month City of Scottsdale contract with PFM Asset Management LLC for investment management services for the Accounting Division.

**COMMENTS:** (FS05RP029) Total cost of this contract shall not exceed \$200,000.

**DOCUMENT NAME:** [20080814fst19.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

58. Request approval for the expenditure of funds under the existing Intergovernmental Agreement with the City of Phoenix Fire Department for firefighter medical and physical exams.

**COMMENTS:** (C97-179) Total expenditure of funds for this fiscal year shall not exceed \$128,367.

**DOCUMENT NAME:** [20080814fslg06.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

59. Request approval for the expenditure of funds under the existing Intergovernmental Agreement with the cities of Chandler and Phoenix for training at their fire recruit academies.

**COMMENTS:** (C97-95a) Total expenditure of funds for this fiscal year shall not exceed \$134,800.

**DOCUMENT NAME:** [20080814fslg08.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

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

- \*60. This is the **introduction and first public hearing** for a Zoning Map Amendment and Planned Area Development Overlay for THE RETREAT AT 1000 APACHE located at 1000 East Apache Boulevard. **The second public hearing is scheduled for September 11, 2008.**

**COMMENTS:** (PL080071) (David Freeman, GNJ Properties LLC, owner; Len Erie, Leonard J. II and Susan M. Erie Trust, owner; City of Tempe, owner; Manjula Vaz, Gammage & Burnham, applicant) consisting of two five-story mixed use buildings, 67'-0" high, including 124 student housing units with apartment/amenity area of 162,629 s.f. and retail/restaurant area of 4,352 s.f., and one five-level parking garage, 52'-0" high, with area of 96,665 s.f., including one subterranean level. The site is 1.81 gross acres and is located at 1000 East Apache Boulevard in the CSS, Commercial Shopping and Service District. The request includes the following:

**ZON08003 – (Ordinance No. 2008.30)** Zoning Map Amendment from CSS, Commercial Shopping and Service District to MU-4 (PAD) (TOD), Mixed-Use High Density District with a Planned Area Development Overlay and within the Transportation Overlay District.

**PAD08008** –Planned Area Development Overlay to establish development standards to allow a maximum density of 70 dwelling units per acre, maximum building height of 67'-0", minimum building setbacks of 0'-0" at front and side yards, minimum 7'-0" building setback at rear yard, maximum building lot coverage of sixty-four (64) percent, and minimum landscape lot coverage of nineteen (19) percent.

**DOCUMENT NAME:** [20080814dskko01.pdf](#) **PLANNED DEVELOPMENT (0406)**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.**

**SECOND PUBLIC HEARING SET FOR SEPTEMBER 11, 2008.**

- \*61. This is the **introduction and first public hearing** to adopt an ordinance granting an easement to Salt River Project to install and maintain the facilities necessary to provide electrical service across City-owned property at 230 E. Marigold Lane. **The second public hearing is scheduled for September 11, 2008.**

**COMMENTS:** Salt River Project has requested an underground electrical line easement across a portion of City-owned property at 230 E. Marigold Lane (aka parcel number 132-04-003c). The electrical service is to serve a cell tower located in that area.

**DOCUMENT NAME:** [20080814PWCH05.pdf](#) **EASEMENTS (0904-02)**  
**ORDINANCE NO. 2008.33**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR SEPTEMBER 11, 2008.**

- \*62. This is the **introduction and first public hearing** to adopt an ordinance abandoning an existing waterline easement located at 911 N. Stadem Drive. **The second public hearing is scheduled for September 11, 2008.**

**COMMENTS:** The City of Tempe desires the abandonment of an existing waterline easement described and recorded in Docket 94-0108316. New waterline easements are being provided by the City of Scottsdale that will replace the previously existing easement.

**DOCUMENT NAME:** [20080814PWCH11.pdf](#) **ABANDONMENT (0901)**  
**ORDINANCE NO. 2008.37**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR SEPTEMBER 11, 2008.**

- \*63. This is the **introduction and first public hearing** for an ordinance authorizing the execution of a Development and Disposition Agreement with Wisdom Tree Institute, Inc., an Arizona corporation. **The second public hearing is scheduled for September 11, 2008.**

**DOCUMENT NAME:** [20080814cdcm05.pdf](#) **COMMUNITY DEVELOPMENT/REDEVELOPMENT ADMIN (0403-01)** **ORDINANCE NO. 2008.41**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR SEPTEMBER 11, 2008.**

- \*64. This is the **introduction and first public hearing** for an ordinance authorizing the execution of a Development Agreement with Meltdown Glass Art & Design, LLC, an Arizona limited liability company. **The second public hearing is scheduled for September 11, 2008.**

DOCUMENT NAME: [20080814cdcm04.pdf](#) COMMUNITY  
DEVELOPMENT/REDEVELOPMENT ADMIN (0403-01) ORDINANCE NO. 2008.42

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR SEPTEMBER 11, 2008.**

D. Ordinances and Items for Second Hearing/Final Adoption

- \*65. This is the **second public hearing** to amend Chapter 16 of the Tempe City Code relating to License, Privilege and Excise Taxes.

DOCUMENT NAME: [20080814cacc01.pdf](#) TCC CH 16 - LICENSES,  
TAXATION & MISC BUS REGS, ETC. (0503-16) ORDINANCE NO. 2008.26

**APPROVED**

- \*66. This is the **second public hearing** to adopt an ordinance granting two permanent power distribution easements to Salt River Project Agricultural Improvement and Power District by the City of Tempe.

DOCUMENT NAME: [20080814PWCH08.pdf](#) EASEMENTS (0904-02)  
ORDINANCE NO. 2008.32

**APPROVED**

- \*67. This is the **second public hearing** for a Historic Overlay District for TEMPE (HAYDEN) BUTTE, located at 222 East 5<sup>th</sup> Street.

COMMENTS: (PL080136) (City of Tempe, property owner; Joe Nucci, Historic Preservation Officer, applicant) for designation to the *Tempe Historic Property Register*, located at 222 East 5<sup>th</sup> Street in the GID, General Industrial District, the MU-4, Mixed-Use High Density District and in the Rio Salado & Transportation Overlay Districts. The request includes the following:

HPO08002 – (Ordinance No. 2008.31) Historic Overlay District located on approximately 35 acres.

DOCUMENT NAME: [20080814dsrl01.pdf](#) PLANNED DEVELOPMENT  
(0406)

**APPROVED**

- \*68. This is the **second public hearing** to approve an ordinance authorizing the Mayor to execute documents to terminate the lease with, and convey property to, Mark and Lynn Irby.

DOCUMENT NAME: [20080814cdcm01.pdf](#) COMM DEV/REDEVELOPMENT

**ADM (0403-01) ORDINANCE NO. 2008.34**

**APPROVED**

- \*69. This is the **second public hearing** to approve an ordinance amending Chapter 22 of the Tempe City Code by adding a new Article VIII regarding Transit, and amending Chapter 26 of the Tempe City Code by amending Section 26-1 and by adding Section 26-5 regarding Transit Enforcement Aides.

**DOCUMENT NAME:** [20080814pwjsm01.pdf](#) **TRANSPORTATION PLANNING**  
**(1101-01) ORDINANCE NO. 2008.36**

**APPROVED**

- \*70. This is the **second public hearing** to adopt an ordinance granting an easement to Salt River Project to install and maintain the facilities necessary to provide electrical service across a portion of property owned by the City pursuant to a GPLET Lease, known as Tempe Marketplace Project.

**DOCUMENT NAME:** [20080814cdnr01.pdf](#) **COMMUNITY DEVELOPMENT**  
**ADMIN. (0406) ORDINANCE NO. 2008.35**

**APPROVED**

**E. Resolutions**

71. Request approval of a resolution to enter into a revised Intergovernmental Agreement (IGA) between the Cities of Mesa, Chandler, Gilbert, Tempe, Scottsdale and the Salt River Pima Maricopa Indian Community Police Department and the US Bureau of Alcohol, Tobacco, and Firearms to develop an East Valley Gang and Criminal Information Fusion Center.

**DOCUMENT NAME:** [20080814pdsam02.pdf](#) **POLICE DEPARTMENT**  
**ADMINISTRATION (0606-02) RESOLUTION NO. 2008.77**

**APPROVED**

72. Request approval of a resolution authorizing the City Manager to sign the Application for Designation of Assured Water Supply.

**DOCUMENT NAME:** [20080814cacc02.pdf](#) **WATER MANAGEMENT**  
**ADMINISTRATION (0811-13) RESOLUTION NO. 2008.78**

**APPROVED**

73. Request approval of a resolution authorizing the Mayor to execute a Land

Improvements and Lease between the City and Mondrian TTL L.L.C., and a Memorandum of Lease.

**DOCUMENT NAME:** [20080814cdnr02.pdf](#) **RIO SALADO MASTER PLAN**  
**(0112-07-03) RESOLUTION NO. 2008.74**

**APPROVED**

74. Request approval of a resolution approving the First Amendment to the Development and Disposition Agreement with Cardinal Capital Management, Inc., to develop property located at 2428 E Apache Boulevard.

**DOCUMENT NAME:** [20080814cdls02.pdf](#) **COMMUNITY DEVELOPMENT**  
**/REDEVELOPMENT ADM (0403-01) RESOLUTION NO. 2008.75**

**APPROVED**

75. Request approval of a resolution authorizing negotiation of a Development and Disposition Agreement with Golub & Company regarding property located at 903 South Rural Road.

**DOCUMENT NAME:** [20080814cdls01.pdf](#) **COMMUNITY**  
**DEVELOPMENT/REDEVELOPMENT ADM (0403-01) RESOLUTION NO. 2008.73**

**APPROVED**

76. Request approval of a resolution authorizing the use of City contingency funds to pay for two contract School Resource Officers for the 2008/09 school year.

**COMMENTS:** The cost will be approximately \$165,000. These funds are only being requested on a one-time basis as the schools will help support these positions in future years.

**DOCUMENT NAME:** [20080814pdsam01.pdf](#) **POLICE DEPARTMENT**  
**ADMINISTRATION (0606-02) RESOLUTION NO. 2008.76**

**APPROVED**

77. Request approval of a resolution authorizing the execution of a Development Agreement with Kalil Bottling Co., an Arizona Corporation.

**DOCUMENT NAME:** [20080814cdcm03.pdf](#) **COMMUNITY**  
**DEVELOPMENT/REDEVELOPMENT ADMIN (0403-01) RESOLUTION NO. 2008.79**

**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**

- Mark Haefs, Tempe, re: road conditions at Hardy and the Canal

**7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS**

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 72 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](http://www.tempe.gov/clerk)  
Watch live at [www.tempe.gov/tempe11](http://www.tempe.gov/tempe11)**