

Formal Meeting FINISHED Agenda



Tempe City Council September 11, 2008

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

Members of the City Council may attend either in person or by telephone conference call.

1. **INVOCATION - Councilmember Arredondo**
2. **PLEDGE OF ALLEGIANCE**
3. **MINUTES - Vice Mayor Ellis**
 - A. Approval of Council Meeting Minutes
 1. Council's Executive Session – August 14 & 16, 2008
 2. Council's Issue Review Session – August 14, 2008 [20080911clrkck01.pdf](#)
 3. Council's Formal Meeting – August 14, 2008 [20080911clrkck02.pdf](#)
 4. Joint Council and Tempe Chamber of Commerce Dinner – August 28, 2008
[20080911clrkck03.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 5. Building Code Advisory Board of Appeals – August 5, 2008 [20080911bcab01.pdf](#)
 6. Commission on Disability Concerns – August 7, 2008 [20080911cdc01.pdf](#)
 7. Committee for Youth, Families and Community – June 16, 2008 [20080911cyfc01.pdf](#)
 8. Community Special Events Task Force – August 12 & 26, 2008
[20080911setf01.pdf](#) [20080911setf02.pdf](#)
 9. Development Review Commission – July 29 & August 12, 2008
[20080911drc01.pdf](#) [20080911drc02.pdf](#)
 10. Double Butte Cemetery Advisory Committee – April 16, 2008 [20080911dbc01.pdf](#)
 11. Hearing Officer – July 15 & August 5, 2008 [20080911ho01.pdf](#) [20080911ho02.pdf](#)
 12. Historic Preservation Commission – June 19, 2008 [20080911hpc01.pdf](#)
 13. Human Relations Commission – July 8, 2008 [20080911hrc01.pdf](#)
 14. Human Relations Commission – Strategic Planning Committee – July 15, 2008
[20080911hrc02.pdf](#)
 15. Municipal Arts Commission – July 9, 2008 [20080911mac01.pdf](#)
 16. Municipal Arts Commission – Grants Review Panel – May 30, 2008
[20080911mac02.pdf](#)
 17. Municipal Arts Commission – Public Art/Art in Private Development Committee –

- May 27, 2008 [20080911mac03.pdf](#)
18. Neighborhood Advisory Commission – May 7 & June 7, 2008 [20080911nac02.pdf](#)
[20080911nac01.pdf](#)
 19. Parks & Recreation Board – May 21, 2008 [20080911prb01.pdf](#)
 20. Rio Salado Advisory Commission – June 24, 2008 [20080911rsac01.pdf](#)
 21. Transportation Commission – May 13, 2008 [20080911tc01.pdf](#)
 22. Transportation Commission – Multi-modal Planning & Project Review Committee –
June 11 & July 9, 2008 [20080911tc02.pdf](#) [20080911tc03.pdf](#)
 23. Transportation Commission – Public Involvement/Marketing Committee – July 7, 2008
[20080911tc04.pdf](#)
 24. Tempe Fire Public Safety Personnel Retirement Board – July 3, 2008

4. REPORTS AND ANNOUNCEMENTS

- A. Mayor's Announcements
 - a. Police Department Interagency Recognition
- 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.

Legal Advice: If necessary, the City Council may make a vote to adjourn to executive session for the purpose of obtaining legal advice from the Council's attorney on any matter listed on the agenda pursuant to A.R.S. §§ 38-431.03(A)(3).

A. Miscellaneous Items

25. Request approval of the Report of Claims Paid to be filed for Audit for the months of July and August, 2008.

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

APPROVED

26. Request authorization for the appropriation of funds from the Rio East land sale proceeds to CIP No. 6707029, for environmental remediation and infrastructure construction of a four-lot subdivision on 12 acres of City-owned property at Rio Salado Parkway and Hardy Drive (the ELEMENTS at TCA).

DOCUMENT NAME: [20080911cdnr01.pdf](#) **RIO SALADO MASTER PLAN**
(0112-07-03)

APPROVED

27. Request approval of a Fourth Addendum to the Hayden Ferry Lakeside, LLC Development and Disposition Agreement to amend the Schedule of Performance.

COMMENTS: Hayden Ferry Lakeside LLC is requesting a time extension to the existing schedule of performance, which currently requires that a Certificate of Completion be issued for at least 700,000 square feet of office space (essentially the third office tower), by December 31, 2008. The Fourth Addendum would extend the deadline to June 29, 2012.

DOCUMENT NAME: [20080911cdcm04.pdf](#) **RIO SALADO MASTER PLAN**
(0112-07-03)

APPROVED

28. Request authorization of the engagement of the Calderon Law Offices to provide legal consulting and investigative services.

COMMENTS: Expenditures shall not exceed 100,000.

DOCUMENT NAME: [20080911casv01.pdf](#) **LEGAL AND LEGISLATIVE SERVICES (0500)**

APPROVED

29. Request for a Final Subdivision and Condominium Plat for LINCOLN PARK CONDOS located at 1504 West University Drive.

COMMENTS: (PL080228) (Eddie Essy, Essy Investments LLC; owner and Jonathan Sicroff, Sicroff Investments, LLC owner; Drew Wood, DeLorme & Associates, applicant) for a Final Subdivision and Condominium Plat on +/- 1.80 net acres located at 1504 West University Drive in the R-3, Multi-Family Residential Limited District, including the following:

SBD08023 – Final Subdivision and Condominium Plat to unite two existing parcels, make public right of way dedication and create twenty-six (26) residential condominiums and one common tract.

DOCUMENT NAME: [20080911dskko02.pdf](#) **PLANNED DEVELOPMENT (0406)**

APPROVED

30. Request for an Amended Final Subdivision Plat for 6th & WILSON CUSTOM LOTS located at 430 West 6th Street.

COMMENTS: (PL080154) (Joseph Lewis, Sunny Tempe Investments, property owner; Barry Goldstein, Vincent Goldstein Architect, applicant) consisting of an Amended Subdivision Plat on .27 net acres, located at 430 W. 6th Street in the R-3, Multi-Family Residential Limited District. The request includes the following:

SBD08020 – Amended Subdivision Plat to modify the lot lines of Lots 9, 10 and 11 to create three (3) new lots.

DOCUMENT NAME: [20080911dsdk02.pdf](#) **PLANNED DEVELOPMENT (0406)**

APPROVED

31. Request for an Amended Final Subdivision Plat for GREENWOOD APARTMENTS located at 4502 S. Hardy Drive.

COMMENTS: (PL070267) (Jerald Alford, Monarch Group, owner / John Gravatt, Terrascope Consulting LLC, applicant) consists of modification to an existing subdivision plat to combine remnant parcels to the two main properties to conform with previous conditions of approval for the existing multi-family development of approximately 277,536 s.f., on 16.33 net acres, located at 4502 S. Hardy Drive in the R-3 Multi-Family Residential Limited District. The request includes the following:

SBD08017 – Amended Subdivision Plat to combine remnant parcels into two main properties and modify water easements for new development.

DOCUMENT NAME: [20080911dsdk03.pdf](#) **PLANNED DEVELOPMENT (0406)**

APPROVED

- *32. This is a public hearing for an **appeal** by the Date Palm Neighborhood Association of the July 8, 2008, Development Review Commission decision to uphold the Hearing Officer's approval of the request by H B TOBACCO located at 53 East Broadway Road for one (1) use permit.

COMMENTS: Appeal by the Date Palm Neighborhood Association (UPA08005) of the July 8, 2008 Development Review Commission decision to uphold the May 20, 2008 Hearing Officer's approval of the request by WALGREENS PLAZA - H B TOBACCO (PL060676) (Steve Stewart, Date Palm Manor, applicant; Anis Ben Harzallah, business owner; Mark Stoneman/Stoneman Properties, property owner) located at 53 East Broadway Road in the CSS, Commercial Shopping and Services District for:

ZUP08068 Use permit to allow a hookah lounge/tobacco retailer.

DOCUMENT NAME: [20080911dssd01.pdf](#) **PLANNED DEVELOPMENT (0406)**

APPEAL APPROVED DENYING THE AMENDMENT TO ALLOW SMOKING INSIDE THE ESTABLISHMENT.

- *33. This is a public hearing to recommend the approval of a Series 10 Beer and Wine Store Liquor License for 7-Eleven #32265F, 485 West Warner Road.

COMMENTS: Vaneet Sapra, Agent
DOCUMENT NAME: [20080911LIQ02.pdf](#) LIQ LIC (0210-02)

APPROVED

- *34. This is a public hearing to recommend the approval of a Series 6 bar liquor license for CP Aroma LLC dba Aroma Market/Café, 116 West Sixth Street.

COMMENTS: Kenneth Losch, Agent
DOCUMENT NAME: [20080911LIQ01.pdf](#) LIQ LIC (0210-02)

APPROVED

B. Award of Bids/Contracts

35. Request award of a landscape design services contract with EPG, Inc., for Daley Park improvements.

COMMENTS: Total cost for this contract shall not exceed \$463,819.25.
DOCUMENT NAME: [20080911PWDR02.pdf](#) DALEY PARK (0706-10)
PROJECT NO. 6305051

APPROVED

36. Request to award three-year contracts with two, one-year renewal options to Sunbelt Rentals, A to Z Equipment Rental and Sales and Empire Machinery for rental of various types of tools and equipment to supplement the City's inventory.

COMMENTS: (RFP 09-021) Total cost for this contract shall not exceed \$150,000 during the initial contract period.
DOCUMENT NAME: [20080911fsta02.pdf](#) PURCHASES (1004-01)

APPROVED

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

COMMENTS: (Limited Source #T09-034-01) Total cost for this contract shall not exceed \$102,000 during the contract period.
DOCUMENT NAME: [20080911fslq04.pdf](#) PURCHASES (1004-01)

APPROVED

38. Request to award three-year contracts with two, one-year renewal options to Global Traffic Technologies and Southwest Traffic Systems for traffic signal pre-emption equipment.

COMMENTS: (RFP #09-006) Total cost for these contracts shall not exceed \$500,000 during the initial contract period.

DOCUMENT NAME: [20080911fslg05.pdf](#) **PURCHASES (1004-01)**

APPROVED

39. Request to award a three-year contract with two, one-year renewal options to Pressure Sensitive Products for decaling transit buses.

COMMENTS: (IFB #09-017) Total cost for this contract shall not exceed \$125,000 during the initial contract period.

DOCUMENT NAME: [20080911fslg06.pdf](#) **PURCHASES (1004-01)**

APPROVED

40. Request to award a twenty-month contract with three, one-year renewal options to Madara Engineering, Inc., for plan review and building inspection services.

COMMENTS: (RFP #08-113) Total cost for this contract, along with the previously awarded consultants, shall not exceed \$65,000 during the initial contract period.

DOCUMENT NAME: [20080911fslg11.pdf](#) **PURCHASES (1004-01)**

APPROVED

41. Request to award a one-year sole source contract to Accela, Inc., (formerly known as Sierra Computer Systems) for software maintenance and support of the Permits Plus system which is utilized by various City departments.

COMMENTS: (Sole Source #IT09-037-003) Total cost for this contract shall not exceed \$36,485.79 during the contract period.

DOCUMENT NAME: [20080911fst12.pdf](#) **PURCHASES (1004-01)**

APPROVED

42. Request award of a construction manager at risk construction phase contract to Felix Construction Company, approval of a construction management contract with CMX, LLC, and approval of a project contingency for the Well No. 13 Equipping Project.

COMMENTS: Total cost for the construction services contract is \$580,432.00 and total cost for the construction management contract is \$41,977.50. The project contingency shall not exceed \$50,000.

DOCUMENT NAME: [20080911PWDR01.pdf](#) WELLS –
CONSTRUCTION/MAINTENANCE (0811-01) PROJECT NO. 3200015

APPROVED

43. Request approval of a one-year sole source contract renewal with Public Safety Systems Incorporated (PSSI) for annual software system support of the Police Department Computer Aided Dispatch (CAD) system and the Incident / Crime Information System (ICIS).

COMMENTS: (Sole Source #IT09-037-004) Total amount not to exceed \$51,710.
DOCUMENT NAME: [20080911fst09.pdf](#) PURCHASES (1004-01)

APPROVED

44. Request approval of a one-year renewal of a contract with Fluoresco Lighting for the purchase, repair and maintenance of traffic sign cabinets and faces.

COMMENTS: (T08-045-01) Total amount not to exceed \$80,000.
DOCUMENT NAME: [20080911fst07.pdf](#) PURCHASES (1004-01)

APPROVED

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

COMMENTS: (T08-060-01) Total amount not to exceed \$43,100.
DOCUMENT NAME: [20080911fst08.pdf](#) PURCHASES (1004-01)

APPROVED

46. Request approval to utilize a City of Phoenix contract with 3M Company for pavement marking tapes and preformed markings for the Public Works Department.

COMMENTS: (City of Phoenix RFA 07-120) Total cost of this contract shall not exceed \$35,000.
DOCUMENT NAME: [20080911fst03.pdf](#) PURCHASES (1004-01)

APPROVED

47. Request approval to utilize thirteen-month State of Arizona contracts with CCS Presentation Systems and Troxell Communications for the purchase of audio and video products and services used by various departments for presentations, training and events.

COMMENTS: (EPS060125-5 and EPS060125-13) Total amount not to exceed

\$100,000.

DOCUMENT NAME: [20080911fst10.pdf](#) PURCHASES (1004-01)

APPROVED

48. Request approval to utilize State of Arizona contracts with Bingham Equipment Company; Golf Ventures West; A to Z Equipment Rentals and Sales; Bobcat of Phoenix; Borders Turf & Tractor, Inc.; John Deere Company; E-Z-GO Division of Textron, Inc.; Norstar Industries, Inc.; Quality Equipment & Spray; Horner Group, LLC; Simpson Norton Corporation and Bobcat Company for turf and construction equipment to be utilized by the Public Works Department.

COMMENTS: (SCC070014) Total cost of this contract shall not exceed \$250,000.

DOCUMENT NAME: [20080911fsta01.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** to amend Chapter 2 of the Tempe City Code relating to Administration by amending Section 2-32 relating to the Establishment of Prosecution Assessment. **The second public hearing is set for September 18, 2008.**

DOCUMENT NAME: [20080911cacc01.pdf](#) TCC CH 2 – CITY CODE
ADMINISTRATION (0503-02) ORDINANCE NO. 2008.47

INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING IS SET FOR SEPTEMBER 18, 2008.

- *50. This is the **introduction and first public hearing** to amend Chapter 19 of the Tempe City Code relating to Motor Vehicles and Traffic by amending Section 19-142 relating to Parking Without Paying Designated Meter Prohibited. **The second public hearing is set for September 18, 2008.**

DOCUMENT NAME: [20080911cdcm.pdf](#) TCC CH 19 – MOTOR VEHICLES &
TRAFFIC (0503-19) ORDINANCE NO. 2008.45

INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING IS SET FOR SEPTEMBER 18, 2008.

- *51. This is the **introduction and first public hearing** for an ordinance granting an easement to Southwest Gas Corporation to install and maintain the facilities necessary to provide gas service across a parcel of City-owned property located at approximately 1621 West Rio Salado Parkway. **The second public hearing is set for September**

18, 2008.

DOCUMENT NAME: [20080911PWCH07.pdf](#) EASEMENTS (0904-02)
ORDINANCE NO. 2008.38

INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING IS SET FOR SEPTEMBER 18, 2008.

- *52. This is the **introduction and first public hearing** for an ordinance abandoning an existing Public Utility Easement and Sewer Easement located at 1240 E. University Drive. **The second public hearing is set for September 18, 2008.**

DOCUMENT NAME: [20080911PWCH05.pdf](#) ABANDONMENT (0901)
ORDINANCE NO. 2008.39

INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING IS SET FOR SEPTEMBER 18, 2008.

- *53. This is the **introduction and first public hearing** for an ordinance abandoning portions of existing public utility easements located at 222 S. Mill Avenue. **The second public hearing is set for September 18, 2008.**

DOCUMENT NAME: [20080911PWCH06.pdf](#) ABANDONMENT (0901)
ORDINANCE NO. 2008.43

INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING IS SET FOR SEPTEMBER 18, 2008.

- *54. This is the **introduction and first public hearing** for an ordinance abandoning a portion of an existing alley located at 1000 East Apache Boulevard. **The second public hearing is set for September 18, 2008.**

DOCUMENT NAME: [20080911PWCH09.pdf](#) ABANDONMENT (0901)
ORDINANCE NO. 2008.44

INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING IS SET FOR SEPTEMBER 18, 2008.

- *55. This is the **introduction and first public hearing** for a Code Text Amendment for ZONING AND DEVELOPMENT CODE AMENDMENTS. **The second public hearing is set for October 2, 2008**

COMMENTS: (PL080143) (City of Tempe Development Services, applicant) consisting of changes within the development Code, providing reinvestment opportunities in our residential neighborhoods relating to provisions for alternative fence heights in the front yard (Section 4-706), reduced rear and side yard building setbacks

when adjacent to an alley (Section 4-202), and time limitations when holding a required neighborhood meeting (Sections 6-401 & 6-402). The request includes the following:

ZOA08001 – (Ordinance No. 2008.28) Code Text Amendment for the Zoning and Development Code Sections 4-202, 4-706, 6-401 and 6-402.

DOCUMENT NAME: [20080911dsrl01.pdf](#) **ZONING AND DEVELOPMENT CODE (0414-04, 0414-06)**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING IS SET FOR OCTOBER 2, 2008.**

- *56. This is the **introduction and first public hearing** for a Planned Area Development Overlay for DRURY INN AND SUITES located at 1780 West Ranch Road. **The second public hearing is set for October 2, 2008.**

COMMENTS: (PL070546) (Larry Hasselfeld, Drury Development Corporation, property owner; Dennis Newcombe, Beus Gilbert PLLC, applicant) consisting of an 8 story hotel building, with approximately 124,519 s.f. of building area on 2.96 net acres, located at 1780 West Ranch Road in the PCC-1, Planned Commercial Center Neighborhood and GID, General Industrial Districts, and within the Southwest Tempe Overlay District. The request includes the following:

PAD08011 – (Ordinance No. 2008.40) Planned Area Development Overlay to modify the development standards to allow for a building height increase from 60 feet to 99 feet.

DOCUMENT NAME: [20080911dsac01.pdf](#) **PLANNED DEVELOPMENT (0406)**

**INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING IS SET FOR OCTOBER 2, 2008.**

- *57. This is an **introduction and first public hearing** for a Zoning Map Amendment and Planned Area Development Overlay for 6th & WILSON CUSTOM LOTS, located at 430 West 6th Street. **The second public hearing is set for October 2, 2008.**

COMMENTS: (PL080154) (Joseph Lewis, Sunny Tempe Investments, property owner; Barry Goldstein, Vincent Goldstein Architect, applicant) consisting of a Planned Area Development for four new lots for three-story custom homes, ranging from 2,000-2,800 s.f. within a 1,114 s.f. building footprint on four 2,800 s.f. lots totaling .27 net acres, located at 430 W. 6th Street in the R-3, Multi-Family Residential Limited District. The request includes the following:

ZON08005 – (Ordinance No. 2008.29) Zoning Map Amendment from R-3 Multi-Family Residential Limited District to R-1 PAD, Single-Family Residential Planned Area Development District.

PAD08009 – Planned Area Development Overlay for four new single-family lots with development standards to allow for future custom homes on 2,800 s.f. lots, with a 40-foot building height, 50% lot coverage, 25% landscape area, 5-foot front, side and street side-yard setbacks and a 15-foot rear yard setback.

DOCUMENT NAME: [20080911dsdk01.pdf](#) PLANNED DEVELOPMENT
(0406)

INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING IS SET FOR OCTOBER 2, 2008.

D. Ordinances and Items for Second Hearing/Final Adoption

- *58. This is the **second** public hearing for a Zoning Map Amendment and Planned Area Development Overlay for the RETREAT AT 1000 APACHE located at 1000 East Apache Boulevard.

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 1.827 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: [20080911dskko01.pdf](#) PLANNED DEVELOPMENT
(0406)

APPROVED

- *59. This is the **second public hearing** for 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.

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: [20080911PWCH03.pdf](#) EASEMENTS (0904-02)
ORDINANCE NO. 2008.33

APPROVED

- *60. This is the **second public hearing** for an ordinance abandoning an existing waterline easement located at 911 N. Stadem Drive.

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: [20080911PWCH04.pdf](#) **ABANDONMENT (0901)**
ORDINANCE NO. 2008.37

APPROVED

- *61. This is the **second public hearing** for an ordinance authorizing the execution of a Development and Disposition Agreement with Wisdom Tree Institute, Inc., an Arizona corporation.

DOCUMENT NAME: [20080911cdcm02.pdf](#) **COMMUNITY**
DEVELOPMENT/REDEVELOPMENT ADMIN (0403-01) ORDINANCE NO. 2008.41

APPROVED

- *62. This is the **second public hearing** for an ordinance authorizing the execution of a Development Agreement with Meltdown Glass Art & Design, LLC, an Arizona limited liability company.

DOCUMENT NAME: [20080911cdcm01.pdf](#) **COMMUNITY**
DEVELOPMENT/REDEVELOPMENT ADMIN (0403-01) ORDINANCE NO. 2008.42

APPROVED

E. Resolutions

63. Request for reconsideration of Resolution No. 2008.67 adopted by the City Council on July 22, 2008, which authorized the Mayor to execute a Development and Disposition Agreement between the City and Centerpoint Holdings, LLC.

COMMENTS: At the August 14, 2008, City Council meeting, the Mayor asked that staff place Resolution No. 2008.67 on the September 11, 2008, agenda for reconsideration.

DOCUMENT NAME: [20080911cdcm03.pdf](#) **COMMUNITY DEVELOPMENT**
ADMIN. (0406) RESOLUTION NO. 2008.67

APPROVED REQUEST FOR RECONSIDERATION

64. Request approval of a resolution amending City Code Appendix A – Fee Schedule

modifying the Buildings and Building Regulations Fees relating to the development process with a two-tiered fee adjustment.

DOCUMENT NAME: [20080911dsnw01.pdf](#) MISCELLANEOUS FEES (0210-05)
RESOLUTION NO. 2008.82

APPROVED

65. Request approval of a resolution authorizing the granting of a License Agreement to Sundt Construction Company for use of right-of-way located at McAllister Avenue north of Apache Boulevard.

DOCUMENT NAME: [20080911PWCH08.pdf](#) LICENSE AGREEMENT (0505)
RESOLUTION NO. 2008.81

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

- David Hilton, Scottsdale, re: how parking ordinance is being used

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.

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