

Minutes Formal City Council Meeting January 22, 2009

Minutes of the Formal Council Meeting of Thursday, January 22, 2009, held at 7:30 p.m. in the Harry E. Mitchell Government Center, Municipal Building, City Council Chambers, 31 E. Fifth Street, Tempe, Arizona.

COUNCIL PRESENT:

Mayor Hugh Hallman
Vice Mayor Shana Ellis
Councilmember P Ben Arredondo
Councilmember Mark W. Mitchell
Councilmember Joel Navarro
Councilmember Onnie Shekerjian
Councilmember Corey D. Woods

Mayor Hallman called the meeting to order at 7:30 p.m.

1. Councilmember Woods gave the invocation.
2. The following members from Scout Troop 474 led the audience in the Pledge of Allegiance: New Eagle Patrol members Dillon Stanley, Jesse Morris, and Richard Norton; Fox Patrol members Justin Temple, Jacob Wells and Adam Defazio; and Dragons Ben Friedman, J. D. Whitney, Drew Helblig, Chris Jones, Kevin Pendley, and Andrews Jagelski.
3. MINUTES
 - A. Approval of Council Meeting Minutes
Motion by Councilmember Navarro to approve the following COUNCIL MEETING MINUTES. Second by Councilmember Mitchell. Motion passed unanimously on a voice vote.
 1. Council's Executive Session – January 8, 2009
 2. Council's Issue Review Session – January 8, 2009 [20090122clrkck02.pdf](#)
 3. Council's Formal Meeting – January 8, 2009 [20090122clrkck03.pdf](#)
 4. Council's Calendar Meeting – January 8, 2009 [20090122clrkck01.pdf](#)
 5. Council's Neighborhood Parks Rehabilitation & Maintenance Committee – December 17, 2008 [20090122nprm01.pdf](#)
 6. Council's Transportation Committee – November 25, 2008 [20090122ctc01.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
Motion by Councilmember Navarro to accept the following COMMITTEE & BOARD MEETING MINUTES. Second by Councilmember Woods. Motion passed unanimously on a voice vote.

7. Community Special Events Task Force – December 30, 2008 [20090122setf01.pdf](#)
8. Historic Preservation Commission – December 11, 2008 [20090122hpc01.pdf](#)
- 8a. Historical Museum Advisory Board – November 6 & December 4, 2008
[20090122hmab01.pdf](#) [20090122hmab02.pdf](#)
9. Library Advisory Board – December 1, 2008 [20090122lab01.pdf](#)
10. DELETED
11. Neighborhood Advisory Commission – December 3, 2008 [20090122nac01.pdf](#)
12. Tempe Fire Public Safety Personnel Retirement Board – November 6 & December 11, 2008
13. Tempe Police Public Safety Personnel Retirement Board – Executive Session – November 6, 2008
- 13a. Tempe Police Public Safety Personnel Retirement Board – November 6, 2008
14. Tempe Police and Fire Public Safety Personnel Retirement Board Joint Meeting – November 6, 2008
15. Transportation Commission – Multi-modal Planning & Project Review – December 10, 2008 [20090122tc01.pdf](#)

4. REPORTS AND ANNOUNCEMENTS

A. Mayor's Announcements

- a. Mayor Hallman announced that Tempe continues to receive awards.
 - The American Planning Association considers Mill Avenue one of the Ten Great Streets in America.
 - In a recent poll by O'Neil Associates/ASBA Economic Indicators Monitor, Tempe ranked as the Arizona city with the highest quality of life and best downtown.
 - The Urban Land Institute designated Tempe's Mill Avenue/Rio Salado Parkway and in south Tempe at Warner and Priest, at Emerald Center, as two of the hottest intersections in the state.
 - Then the City of Tempe's Economic Development Division received the Arizona Economic Engine Award for successfully recruiting new businesses and developments to Tempe by the *Arizona Business Magazine*.
 - Tempe received the 10 Best New Bridges in America Award by *Roads and Bridge Magazine* and a separate award by *Southwest Contractor Magazine* for the new light rail bridge that spans Town Lake.
 - Tempe also received the Best Green Building Award by the *Southwest Contractor Magazine* for the Papago Gateway Center on Mill Avenue and Washington.
 - Tempe continues to be one of the 100 Best Communities for Youth three years in a row, according to the America's Promise Alliance. The award honors a variety of groups in Tempe for outstanding efforts to assist youth.
 - Tempe was recently honored to receive the **Urban Land Institute's "Smart Growth Award."** This award is a validation of all of the work that the City's Development Services Department, the Engineering group, the Public Works Department, City planners, and the business community have undertaken to create a truly vibrant community. It is the result of years of planning. The Urban Land Institute began looking at projects that could receive this award and discovered that of the 24 projects it identified, 12 were in the City of Tempe, and that caused them to recognize that the City itself and its planning efforts should be honored. This has been part of the City's efforts to cultivate open spaces, connectivity, and create a vibrant, historic and authentic downtown, and that is what this

award provides. He presented the award to **Chris Salomone** of the Community Development office and **Chris Anaradian** of the Development Services office representing the planners and those who have helped put this together. Even in this economic downturn, the City of Tempe, from July 1st through December 31st, 2008, has seen more economic development activity in the community than in its entire history. That speaks volumes about the great work this staff and this Council has done to promote the community and keep the activity going.

b. Mayor Hallman announced the following recommendations for **Board and Commission Appointments and Reappointments:**

Aviation Commission Karyn Gittlis Richard Collins Tara Ellman Barbara Sherman	Terms Expire 12-31-11 Replaces Ross Meyer (1) Replaces Edwin Wiggington (1) Reappointment (1) Reappointment (1)
Board of Adjustment Joe Arredondo Dave Maza Jonathan Gillen	Terms Expire 12-31-11 (*) Reappointment Reappointment Reappointment as Alternate
Disability Concerns Commission Liz Perez	Term Expires 12-31-09 (U) Replaces Tom Ringhofer
Jose De La Torre	Term Expires 12-31-11 (1) Reappointment
Double Butte Cemetery Committee Mary Turner	Term Expires 12-31-09 (U) Replaces Lois Love-Rizzo
Historic Preservation Commission Charles Lee	Term Expires 3-31-11 (U) Replaces Donna Marshak as <u>Alternate</u>
Historical Museum Advisory Board Julie Syrmopoulos	Term Expires 12-31-11 (1) Replaces Marcia Cypert
Human Relations Commission Joseph Mann Kathleen Dietz Frank Morales Thaddeus Swiecki	Term Expires 12-31-11 Reappointment (*) Replaces Irina Pohoata (1) Replaces Muhammad Zubair (1) Replaces Gail Paredes-Ewen (1)
Municipal Arts Commission Donna Goyette Judy Tapscott Barbara Hanigsberg Doris Parker Chamberlain	Terms Expire 12-31-11 Reappointment (*) Replaces Lise Hawkos (1) Replaces Paul Hubbell (1) Replaces M. Lisa Morley (1)

Nikala Crawford	Term Expires 12-31-10 (U) Replaces Chin-an Shen
Neighborhood Advisory Commission	
Kathy Davenport	Terms Expire 12-31-11
Jimmye R. Dubuy	Replaces Faye Farmer (1) (zip 85282)
Don Payton	Replaces Bill Weigele (1) (zip 85281)
Joochul Kim	Replaces Alex Podressoff (1) (zip 85282)
Bill Wagner	Reappointment (1)
Erik Aldrete	Reappointment (1)
Ira King, Jr.	Reappointment (*)
	Reappointment (*)
Police Citizens Review Board	
Matthew Kim	Terms Expire 12-31-11 (*)
Ira King, Jr.	Reappointment (*)
Matt Nelson	Reappointment (*)
Kathy Stevens	Reappointment (*)
Darlene Tussing	Replaces Michael Balwinski (1)
Autumn Muir	Term Expires 12-31-10 (U)
Jason Smeltzer	Replaces Archer Shelton
	Replaces Jack Confer
Tardeada Advisory Board	
Karen Arredondo	Terms Expire 1-01-12
Rachel Arroyo	Reappointment (*)
Ed Arvizu	Reappointment (*)
Manuel Bustoz	Reappointment (*)
Narcie Espinoza	Reappointment (*)
Santos Vega	Reappointment (*)
Transportation Commission	
Marco Valenzuela	Terms Expire 12-31-11
Bryan Young	Reappointment (1)
Augustus Shaw IV	Reappointment (*)
Ben Goren	Replaces Judi Nelson (1)
Gary Roberts	Replaces Kevin Olson (1)
	Replaces Amanda Ormond (1)

B. Manager's Announcements - None

5. **AGENDA**

All items in these minutes identified with an asterisk (*) are **public hearing items**. All items listed on the agenda are approved with one council action. Items scheduled for Introduction/First Public Hearing will be heard but not adopted at this meeting. Items scheduled for Second Public Hearing/Final Adoption will be voted upon at this meeting.

Mayor Hallman announced consideration of the **AGENDA**.

Motion by Vice Mayor Ellis to approve the Agenda as amended (Items #39 and #56 were removed for separate consideration). Second by Councilmember Mitchell. Motion passed on a roll call vote 7-0.

A. Miscellaneous Items

16. Approved the Report of Claims Paid to be filed for audit for December, 2008.
COMMENTS: A copy of the detailed claims report may be obtained by contacting the City Clerk's Office.
17. Approved the Mayor's Board and Commission appointment and reappointment selections.
DOCUMENT NAME: [20090122boards.pdf](#) **BDS, COMMISSIONS, COMMITTEES ADM (0102-01)**
18. Approved and authorized the Mayor to execute **Contract #2002-193B**, the Renewal of Agreement C2002-193 between the Tempe Convention and Visitors Bureau and the City of Tempe for a period of six months.
COMMENTS: The estimated amount of payments to be made to the Convention and Visitors Bureau during the six-month renewal period is \$1,000,000.
DOCUMENT NAME: [20090122crsh01.pdf](#) **TEMPE CONVENTION & VISITORS BUREAU (0109-26)**
19. Approved **Contract #2009-08**, Diablo Stadium Non-Spring Training concession agreement between the City of Tempe and Aramark Entertainment.
COMMENTS: This contract is expected to produce approximately \$18,000 in revenue per year.
DOCUMENT NAME: [20090122prtd01.pdf](#) **SPORTS ADMINISTRATION/POLICIES (0105-01-07)**
20. Approved the annual maintenance and support expenditures with Oracle Corporation for the City's PeopleSoft Financial, Human Resources and eApplications systems for annual maintenance and support services used City-wide by all departments.
COMMENTS: (Sole Source # T97-012-01) Total cost shall not exceed \$255,000 during the contract period.
DOCUMENT NAME: [20090122fst02.pdf](#) **PURCHASES (1004-01)**
21. Approved the annual maintenance and support expenditures with Oracle Corporation for database support and associated infrastructure management for many of the City's enterprise and department level business applications for Human Resources, Financial Services, Police, Water Utilities and other City departments.
COMMENTS: (Sole Source # T07-182) Total cost shall not exceed \$174,000 during the contract period.
DOCUMENT NAME: [20090122fst03.pdf](#) **PURCHASES (1004-01)**
22. Approved **with condition** a Final Subdivision Plat for THE RETREAT located at 1000 East Apache Boulevard.
COMMENTS: (PL080071) (David Freeman, GNJ Properties LLC, owner; Manjula Vaz, Gammage & Burnham, applicant) for a final subdivision plat on 1.801 net acres located at 1000

East Apache Boulevard in the CSS, Commercial Shopping and Service District, including the following:

SBD08026 – Final Subdivision Plat to combine the property parcels into one lot and make public right of way dedication.

The following condition was also approved:

1. Place the final subdivision plat into proper engineered format with appropriate signature blanks. Record the final subdivision plat with the Maricopa County Recorder's Office through the Tempe Development Services Department on or before one year from date of City Council approval (January 22, 2010). Failure to record the plat by one year from date of City Council approval shall make the approval of the final subdivision plat null and void.

DOCUMENT NAME: [20090122dskko01.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *23. Held a public hearing and recommended the approval of a Series 06 bar liquor license for Vintage Bar and Grill, 414 South Mill Avenue, #215.

COMMENTS: Jay Johari is the Agent for this application.

DOCUMENT NAME: [20090122LIQ01.pdf](#) **LIQ LIC (0210-02)**

- *24. Held a public hearing and recommended the approval of a Series 12 restaurant liquor license for Vintage Bar and Grill, 414 South Mill Avenue, #215.

COMMENTS: Jay Johari is the Agent for this application.

DOCUMENT NAME: [20090122LIQ02.pdf](#) **LIQ LIC (0210-02)**

- *25. Held a public hearing and recommended the approval of a Series 07 beer and wine bar liquor license for Top's Liquors Inc., dba Taste of Tops, 403 West University Drive, #103.

COMMENTS: Gregory Eccles is the Agent for this application.

DOCUMENT NAME: [20090122LIQ03.pdf](#) **LIQ LIC (0210-02)**

- *26. Held a public hearing and recommended the approval of a Series 10 beer and wine store liquor license for Kimrhee & Company LLC dba Easy Market, 2115 South McClintock Drive.

COMMENTS: Nancy Rhee is the Agent for this application.

DOCUMENT NAME: [20090122LIQ04.pdf](#) **LIQ LIC (0210-02)**

- *27. Held a public hearing and recommended the approval of a Series 10 beer and wine store liquor license for Rundles Market, 1324 West University Drive.

COMMENTS: Ashraf Ali is the Agent for this application.

DOCUMENT NAME: [20090122LIQ05.pdf](#) **LIQ LIC (0210-02)**

- *28. Held a public hearing and recommended the approval of a Series 06 bar liquor license for KPJ Enterprise LLC dba College Dropouts, 560 South College Avenue, #101.

COMMENTS: Kevin Jones is the Agent for this application.

DOCUMENT NAME: [20090122LIQ06.pdf](#) **LIQ LIC (0210-02)**

- *29. Held a public hearing and recommended the approval of a Series 06 bar liquor license for Jester Incorporated dba Prankster's Gar & Brill, 1024 East Broadway Road.

COMMENTS: Perry Bolster is the Agent for this application.

DOCUMENT NAME: [20090122LIQ07.pdf](#) **LIQ LIC (0210-02)**

- *30. Held a public hearing and recommended the approval of a Series 10 beer and wine store liquor license for Pride Travel Centers LLC dba Pride, 1734 East Apache Boulevard.
COMMENTS: Manjit Bajwa is the Agent for this application.
DOCUMENT NAME: [20090122LIQ08.pdf](#) LIQ LIC (0210-02)
- *31. Held a public hearing and recommended the approval of a Series 04 in-state wholesaler's liquor license for Biltmore Business Group LLC dba Wild Vine, 521 South 48th Street, #109.
COMMENTS: Salvatore Lacognata is the Agent for this application.
DOCUMENT NAME: [20090122LIQ09.pdf](#) LIQ LIC (0210-02)

B. Award of Bids/Contracts

32. Awarded **Contract #2009-09**, a construction manager at risk design phase contract with Okland Construction Company, Inc., for renovations to the Tempe Public Library.
COMMENTS: Total cost for this contract is \$87,920.
DOCUMENT NAME: [20090122PWTG03.pdf](#) LIBRARY – 3500 S. RURAL RD (0902-12)
PROJECT NO. 6702491
33. DELETED
34. Awarded **Contract #2009-10**, a professional services design contract with Olsson Associates, Inc. for a Papago Park regional master plan.
COMMENTS: Total cost for this contract is \$576,897.
DOCUMENT NAME: [20090122PWDR07.pdf](#) PAPAGO PARK MASTER PLAN
(0112-07-01) PROJECT NO. 6309041
35. Awarded **Contract #2009-11**, one-year contracts with four, one-year renewal options to Ashland Inc., Basic Chemical Solutions, LLC., Brenntag Pacific, Inc., CIBA Corporation, DPC Enterprises, LP., General Chemical Performance Products, LLC., Kemira Water Solutions, Inc., Pencoco, Inc., Polydyne, Inc., Saltworks and Thatcher Company of Arizona for the purchase of water and wastewater treatment chemicals for the Water Utilities Department.
COMMENTS: (IFB WUD09-029) Total cost for this contract shall not exceed \$1,200,000 during the initial contract period.
DOCUMENT NAME: [20090122fst04.pdf](#) PURCHASES (1004-01)
36. Awarded **Contract #2009-12**, a one-year contract to Sun Country Truck Equipment for a service body to be mounted on a previously purchased chassis for use by the Fire Department for vehicle preventative maintenance and emergency service work.
COMMENTS: (RFP 09-052) Total cost for this contract shall not exceed \$56,100.
DOCUMENT NAME: [20090122fst05.pdf](#) PURCHASES (1004-01)
37. Awarded **Contract #2009-13**, a three-year contract with two, one-year renewal options to Chapman Chevrolet/Isuzu for police vehicles.
COMMENTS: (RFP 09-064) Total cost for this contract shall not exceed \$1,800,000 during the initial three-year contract period.

DOCUMENT NAME: [20090122fst06.pdf](#) PURCHASES (1004-01)

38. Awarded **Contract #2009-14**, three-year contracts with two, one-year extensions to Vulcan Materials Company and Mesa Material for concrete and asphalt products to be used primarily by the Streets Division of Public Works.

COMMENTS: (RFP09-055) Total cost for this contract shall not exceed \$1,200,000 during the initial three-year contract period.

DOCUMENT NAME: [20090122fst08.pdf](#) PURCHASES (1004-01)

39. **THIS ITEM WAS REMOVED FOR SEPARATE CONSIDERATION.**

Awarded **Contract #2009-16**, a two-year contract with three, one-year renewal options to Complete Coach Works for transit fleet mid-life refurbishment services.

COMMENTS: (RFP #09-003) Total cost for this contract shall not exceed \$3 million during the initial contract period.

Councilmember Arredondo asked if there was a final number for the cost to the City.

Public Works Manager Glenn Kephart responded that \$3M is the maximum amount of the contract. The actual amount of the contract will be determined by the specific work done that is listed in the Schedule of Activities, which is anything that needs to be done to keep the buses in top running condition.

Councilmember Arredondo clarified that the contract was for two years with three one-year renewals. He asked if the \$3M stays intact from the beginning to the end of the renewals.

Mr. Kephart responded that the \$3M refers to the initial term of the contract, so staff would bring the amount back at the time of renewal.

Councilmember Arredondo asked if these repairs absolutely have to be made. The \$3M figure seems high.

Mr. Kephart stated that only the repairs that need to be done to keep the buses in good running condition will be done.

Councilmember Arredondo suggested that staff provide an update on a yearly basis.

Mayor Hallman asked if this is money from the general fund or transit fund.

Mr. Kephart responded that it is money from the transit fund. Transit money needs to be spent only for transit purposes.

Motion by Councilmember Arredondo to approve Item #39. Second by Councilmember Navarro. Motion passed on a roll call vote, 7-0.

DOCUMENT NAME: [20090122fslg09a.pdf](#) [20090122fslg09b.pdf](#) PURCHASES (1004-01)

40. Awarded **Contract #2009-17**, a one-year contract with four, one-year renewal options to Harris Corporation for the purchase of tracking hardware, software and maintenance for use by the Police Department.

COMMENTS: (RFP 09-071) Total cost for this contract shall not exceed \$401,000.

DOCUMENT NAME: [20090122fsta11.pdf](#) **PURCHASES (1004-01)**

41. Approved **Contract #2007-219A**, an addendum to extend the existing contract with Southwest Micro Surfacing, LLC, for an additional twelve months for arterial street renovation work.

COMMENTS: Total cost for this addendum is \$1,217,051.92.

DOCUMENT NAME: [20090122PWTG06.pdf](#) **STREET UPGRADING-MAINT-CONSTRUCTION (0809-05) PROJECT NO. 5401642**

42. Approved addenda as follows: **Contract #2008-03** with C&W Sons Enterprises, Inc., **Contract #2008-18**, with ACR Contracting, Inc., and **Contract #2008-19**, with BCS Enterprises, Inc., to extend the job order contract terms for an additional twelve months to perform on-call demolition of commercial and residential property.

COMMENTS: Total cost for each addendum is \$1,000,000.

DOCUMENT NAME: [20090122PWDR01.pdf](#) **ENGINEERING ADMINISTRATION (0803-02)**

43. Approved addenda as follows: **Contract #2007-218**, with Sunland, Inc. - Asphalt and Sealcoating, **Contract #2007-221**, with J. Banicki Construction, Inc., and **Contract #2007-238**, with Cactus Transport, Inc., to extend the job order contracts for an additional twelve months each to perform on-call paving and resurfacing, of streets and City facilities.

COMMENTS: Total cost for each addendum is \$4,000,000.

DOCUMENT NAME: [20090122PWDR02.pdf](#) **ENGINEERING ADMINISTRATION (0803-02)**

44. Approved one-year renewal of contracts with Accuvant Inc., and Intelligent Connections for the purchase of information technology security products, services and accessories used by the Information Technology Department to support various City departments.

COMMENTS: (T07-095-01 and T07-095-02) Total cost for these contracts shall not exceed \$350,000 during the contract period.

DOCUMENT NAME: [20090122fst01.pdf](#) **PURCHASES (1004-01)**

45. Approved one-year renewals of contracts with T.A. Caid for modular traffic signal poles.

COMMENTS: (T05-073-01) Total amount not to exceed \$100,000. (T06-089-01) Total amount not to exceed \$50,000.

DOCUMENT NAME: [20090122fsta07.pdf](#) **PURCHASES (1004-01)**

46. Approved the increase of the contract amount with Waxie Sanitary Supply for janitorial supplies and equipment.

COMMENTS: (SCC060003) Increase in the amount of \$76,000 from \$200,000 to \$276,000.

DOCUMENT NAME: [20090122fsta10.pdf](#) **PURCHASES (1004-01)**

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

- *47. Introduced and held the **first public hearing** to adopt an ordinance authorizing the annexation of two parcels of land located between the Tempe Market Place development and the Red Mountain Freeway at 2106 E. Rio Salado Parkway. **The second public hearing is scheduled for February 5, 2009.**

DOCUMENT NAME: [20090122PWWS11.pdf](#)
ORDINANCE NO. 2009.01

ANNEXATION (0402-01)

- *48. Introduced and held the **first public hearing** to adopt an ordinance abandoning a portion of an existing Water Line Easement located at 7414 South Harl Avenue. **The second public hearing is scheduled for February 5, 2009.**

DOCUMENT NAME: [20090122PWCH10.pdf](#) **ABANDONMENT (0901) ORDINANCE NO.** 2009.03

D. Ordinances and Items for Second Hearing/Final Adoption

- *49. Held the **second public hearing** and approved ORDINANCE NO. 2008.60 for the historic designation of the WILKIE [BRAUN / GUTIERRES] HOUSE located at 1290 South Maple Avenue.

COMMENTS: (PL080191) (J. Jay Braun trustee of the Braun 2007 Revocable Trust and Sara E. Gutierrez trustee of the Gutierrez 2007 Revocable Trust, property owners; Joe Nucci, Historic Preservation Officer, applicant) consisting of a property with a 1937 constructed house located at 1290 South Maple Avenue, in the R-2, Multi-Family Residential District. The request includes the following:

HPO08003 – (Ordinance No. 2008.60) Historic Designation of an individual property on +/- 0.24 acres.

DOCUMENT NAME: [20090122dsrl01.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *50. Held the **second public hearing** and approved ORDINANCE NO. 2009.02 amending Chapter 2, Article V, of the Tempe City Code relating to Boards, Commission, Etc. by adding new Division 19, establishing the Housing Trust Fund Advisory Board.

DOCUMENT NAME: [20090122cdch03.pdf](#) **TCC CH 2 – CITY CODE ADMINISTRATION (0503-02)**

E. Resolutions

51. Approved RESOLUTION NO. 2009.07 certifying compliance with the Consolidated Plan and administrative commitment supporting an Application for fiscal years 2009/2010 Federal Home Funds by Newtown Community Development Corporation.

DOCUMENT NAME: [20090122cdch01.pdf](#) **COMMUNITY DEVELOPMENT (0403-01)**

52. Approved RESOLUTION NO. 2009.08 authorizing the creation of a Housing Trust Fund for the purpose of funding affordable housing activities.

DOCUMENT NAME: [20090122cdch02.pdf](#) **COMMUNITY DEVELOPMENT (0403-01)**

53. Reconsidered and approved RESOLUTION NO. 2008.67 authorizing the Mayor to execute a Development and Disposition Agreement **Contract #2008-149** between the City and Centerpoint Holdings, LLC, approved on July 22, 2008.
DOCUMENT NAME: [20090122cdcm03.pdf](#) **COMMUNITY DEVELOPMENT ADMIN. (0406)**
54. Approved RESOLUTION NO. 2009.09 amending Appendix A of the Tempe City Code relating to sewer and water development fees by expanding tables 27-213 and 33-93 to include the full standardized suite of meters based on the development fee structure adopted November 6, 2008.
DOCUMENT NAME: [20090122cacc01.pdf](#) **MISCELLANEOUS FEES (0210-05)**
55. Approved RESOLUTION NO. 2009.10 authorizing **Contract #2009-18**, Intergovernmental Agreement (IGA) between the City of Glendale and the City of Tempe to provide law enforcement security services at the University of Phoenix Stadium in Glendale.
COMMENTS: The agreement expires February 15, 2012, but may be renewed in three-year increments.
DOCUMENT NAME: [20090122pdsj01.pdf](#) **POLICE DEPARTMENT ADMINISTRATION (0606-02)**
56. **THIS ITEM WAS REMOVED FOR SEPARATE CONSIDERATION.**
Request approval of a resolution authorizing the development of plan documents governing new City of Tempe retiree health benefits to become effective July 1, 2009.

Councilmember Arredondo asked that this item be continued to the February 5, 2009, Council meeting to allow time to determine the impact.

Mayor Hallman asked that a comprehensive response be prepared to provide information on the direction Council gave to staff and what the options were. In addition, it would be helpful to know the differences in the costs of those options. Council, staff and representatives of the employees groups recognized on December 1st that there is only so much money and it must be spent carefully. If we cut in one place, we have more in another, and if we spend in one place, we have less in another. Currently, there is some controversy over the groups that are being identified and how they will be treated in terms of the medical benefits the City supplies. We tried to follow the recently adopted model by the City of Phoenix with a little more generosity associated with it. Even doing that, there has been some political pushback. It is important to identify the amount of money associated with each of these and what costs and benefits would be received by changing that model. He suggested having an Issue Review Session on this one item, as well as placing it on the Formal agenda.

Councilmember Arredondo added that at the same time, it would be helpful to see what plan cuts the City Manager has established already to see where we are, so if he has a strong feeling in one area or another, he can voice it.

Mayor Hallman clarified that Councilmember Arredondo's concern is that if Council takes action, it is perceived that it is "set in stone" as opposed to giving direction to start preparing the documents that would be decided at some later date. Given that perception, at some point Council needs to see the other things that could be dealt with if Council decides to fund more money into retirement benefits and where else could be cut. It may require moving forward in smaller steps toward adopting a final health benefit plan effective July 1st. He suggested going back to the budget balancing worksheet and reviewing the general categories, as well as the extent to which the City Manager found cuts that could add more resources

to the pool that could be spent differently. He also suggested a side-by-side comparison of the Phoenix medical plan and the Tempe medical plan.

Mr. Meyer clarified that there are two issues being raised. In terms of the 5-year budget balancing plan, a workshop has been scheduled on February 19th at 3:00. Staff needs to make sure it balances before presenting it to Council. He would be happy to have discussions prior to that time. In addition, if there are specific questions on OPEB, he asked that they be forwarded to him so he can respond to those at the IRS on February 5th.

Mayor Hallman suggested that he refer to the emails received from retirees through the Council Communicator and be sure all of those get answered. A side-by-side analysis of the Phoenix and Tempe plans would be helpful, as well as the total amounts of costs for the various proposals. He asked whether this could be part of the final budget balancing process, since staff will know what the options are. That could be presented to Council and, to the extent that Council would want to tinker with the retiree healthcare plan, that it could be done in the context of the proposals for cuts and changes to the budget. He asked if that would be too late, given the proposed implementation date of July 1st.

Mr. Meyer responded that there are no absolute deadlines in this plan. The plan proposes a significant July 1, 2009, start-up date, so in talking about the difference of two weeks, it is probably not significant. The reason it is before Council tonight is because staff wanted to ensure that as they go through the more formalized process of actually creating plan documents, they were creating plan documents for the plan that the Council supports. If it is adopted on February 19th, that does not present major problems. The other consideration is that there are clearly employees who want to make decisions about retirement and other things, and staff wanted to provide sufficient time. A series of meetings are being held for both current employees as well as retirees to try to get as much word out as possible.

Mayor Hallman clarified that a discussion will be held on these items at the IRS on February 5th, and council could take formal action to start preparing the plan documents, as well. His suspicion is that Council won't feel comfortable to do that on the 5th, but that option will be left open. On February 19th, the Council will finalize the approach on how to bring the budget into balance.

There was consensus to continue this item to the February 5th Council meeting.

DOCUMENT NAME: [20090122hrrb01.pdf](#) HEALTH INSURANCE (0303-03-01)
RESOLUTION NO. 2009.11

57. Approved RESOLUTION NO. 2009.12 authorizing the Mayor to execute **Contract #2009-19**, Amended and Restated Development Agreement with Insight North America, Inc.
DOCUMENT NAME: [20090122cdsws01.pdf](#) COMMUNITY
DEVELOPMENT/REDEVELOPMENT (0403-01)

6. PUBLIC APPEARANCES

UNSCHEDULED PUBLIC APPEARANCE

Ed Mitchell, Tempe, stated that there are shortcomings in the accommodations for the disabled in Tempe. His experience has been that Tempe is a leader, but there are instances where Tempe has fallen short. Tempe has a population of approximately 175,000, and statistics compute that 20% would be disabled, but not seriously. Of that, 10% would be seriously disabled. That would mean that there are approximately 35,000 residents that need some kind of disability category in Tempe, with approximately 18,000 seriously disabled. At the Cigna Harris facility, his

wheelchair-bound mother was unable to use the bathroom. Also, the examination room was not of sufficient size to accommodate her wheelchair as well as two family members. In a new Cigna facility in Gilbert, his mother was stuck in the bathroom for 45 minutes due to inadequate accommodations. Also, in the valet parking in the City Hall lot, there are designated handicapped spaces, but one is consistently occupied by a vehicle without handicapped insignia or plates. That is an ongoing problem. Tempe Marketplace does not have handicapped accessibility. There are 16 handicapped spaces 150 yards from the closest store and that does not comply with any accessibility requirements. With 5500 total spaces and using the formula of 2%, including those 16, that is 68 spaces short of meeting the requirements. The goal of Tempe has long been to be a destination city, but it is difficult to bring a handicapped person to Tempe when a large event is occurring since finding accessible parking is almost impossible. It is not strategically located where it is functional and that is a barrier for people with disabilities to come here. It is not worth the effort for his family. He was told that because there are not enough handicapped-accessible parking spaces in downtown Tempe, handicapped citizens are allowed to park in metered spaces at no charge. However, those are not accessible spaces. Something needs to be done.

Mayor Hallman directed the Diversity Manager respond to the issues raised this evening.

7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS

- Councilmember Woods congratulated the events staff for the P.F. Chang's Rock 'n Roll Marathon. It is amazing how well-planned the events are in the City. He added a special thanks to Mark Richwine. The newspaper had a good article today about hotel rooms being sold out in Tempe and together with the restaurant patronage, that contributing to the sales tax base. He also added congratulations to the Diversity staff for their efforts with the MLK Brunch. It was a sold-out event with 500 people. Concerning Tuesday's inauguration, it is an amazing time in history. Clearly, there are issues that will require continued work, but this is a giant step forward regarding race relations, as well as fulfilling Dr. King's dream in judging people, not by the color of their skin, but by the content of their character.
- Councilmember Navarro concurred with Councilmember Woods. The events in Tempe are magnificent. He commended all staff and departments involved. It is a great advantage for Tempe to be able to host so many events. The MLK Brunch was impressive. To provide such a service for the community and to see the message brought forward adds to what Tempe can do to encompass everyone. He also thanked Veolia Transportation for donating and sponsoring that brunch. Also, in respect to the City's retirees, he understands what it means to work for a City and have the people who still work for the City look out for the retirees. He is impressed with Council for pulling this item for further examination. As an employee, we owe it to our retirees. We can still make the sacrifices and still pull together resources to make sure that we do the right thing for the retirees.
- Councilmember Arredondo added that this was a "week of firsts." Congratulations to U.S. Airways for pulling every person out of the Hudson River and to the pilot for a great job. There is change in the air and that was evident with the inauguration. The Cardinals making the Super Bowl is monumental and he congratulated the organization. The MLK Brunch was outstanding and he acknowledged Zita Johnson for her efforts and congratulated her on her award. Catherine Mayorga's work with the Chamber of Commerce has not gone unnoticed. Her understanding of diversity is clear in her actions. The Tempe Convention and Visitors Bureau is also due their award. He also commended Rosa Inchausti and Ginny Belousek for their efforts. Also, the Mayor led an outstanding effort for charity in the P.F. Chang's Rock 'n Roll Marathon.
- Councilmember Shekerjian concurred with everything that had been said. She added that Team Tempe consisted of over 200 who either walked or ran in the marathon. About \$250K was raised for charities in Tempe as a result of that. Of that amount, over \$150K was raised solely by Mayor Hallman. She also

suggested that staff provide an update at the next Council meeting on photo radar, specifically the cost, number of citations, number of violations, by location, etc.

- Mayor Hallman joined Councilmember Navarro in thanking Veolia for sponsoring the MLK brunch. Last year when the request was made to find a sponsor, they responded immediately. This allowed the brunch to be provided at no charge. Concerning Team Tempe, more than 220 people volunteered to support community charities and run or walk the half-marathon or marathon. The total raised is not yet final, but it is estimated that the combined total between the major sponsors totals \$150,450. Those 220 people went out and talked to their friends and family members about the charities they support in our community and that helps build the grassroots support for those charities. The money raised through the major sponsors is matching money, and the charities themselves have to raise money to support their own causes. The combined total will approach \$280K for the community charities. He added thanks to the major sponsors: SunCor, Wolf, Aloft, and Blue Cross/Blue Shield. They helped recruit the 16 other sponsors as well. He improved his time to 2 hours, 2 minutes, and 19 seconds and he challenged the other Councilmembers to do the same.
- Councilmember Mitchell announced that on Saturday the Tempe Earned Income Tax Credit starts at 9 a.m. at the Tempe Schools Credit Union at 2800 S. Mill Avenue. Volunteers will be preparing taxes free for those who are eligible. For further information, visit www.tempe.gov/tcc or call (480) 858-2300.

Meeting adjourned at 8:20 p.m.

I, Jan Hort, the duly-appointed City Clerk of the City of Tempe, Maricopa County, Arizona, do hereby certify the above to be the minutes of the Formal City Council meeting of January 22, 2009, by the Tempe City Council, Tempe, Arizona.

Hugh Hallman, Mayor

ATTEST:

Jan Hort, City Clerk

Dated this _____ day of January, 2009.