

Tempe City Council January 22, 2009

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 WOODS**
2. **PLEDGE OF ALLEGIANCE**
3. **MINUTES - Councilmember Navarro**
 - A. Approval of Council Meeting Minutes
 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
 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. City of Tempe receives the Urban Land Institute's "Smart Growth Award"
 - b. Board and Commission Appointment 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.

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
 - 16. Request approval of 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.

APPROVED

- 17. Request approval of the Mayor's Board and Commission appointment and reappointment selections.

DOCUMENT NAME: [20090122boards.pdf](#) BDS, COMMISSIONS, COMMITTEES ADM (0102-01)

APPROVED

- 18. Request approval of and authorization for the Mayor to execute 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)

APPROVED

19. Request approval of 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)

APPROVED

20. Request approval of 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)

APPROVED

21. Request approval of 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)

APPROVED

22. Request approval of 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.

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

APPROVED

- *23. This is a public hearing to recommend 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)

APPROVED

- *24. This is a public hearing to recommend 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)

APPROVED

- *25. This is a public hearing to recommend 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)

APPROVED

- *26. This is a public hearing to recommend 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)

APPROVED

- *27. This is a public hearing to recommend 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)

APPROVED

- *28. This is a public hearing to recommend 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)

APPROVED

- *29. This is a public hearing to recommend 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)

APPROVED

- *30. This is a public hearing to recommend 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)

APPROVED

- *31. This is a public hearing to recommend 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)

APPROVED

B. Award of Bids/Contracts

32. Request to award 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

APPROVED

33. DELETED

34. Request award of 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

APPROVED

35. Request to award 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., Pencco, 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)

APPROVED

36. Request to award 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: [20090122fsta05.pdf](#) **PURCHASES (1004-01)**

APPROVED

37. Request to award 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: [20090122fsta06.pdf](#) **PURCHASES (1004-01)**

APPROVED

38. Request to award 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: [20090122fsta08.pdf](#) **PURCHASES (1004-01)**

APPROVED

39. Request to award 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.
DOCUMENT NAME: [20090122fslg09a.pdf](#) [20090122fslg09b.pdf](#) **PURCHASES (1004-01)**

APPROVED

40. Request to award 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)**

APPROVED

41. Request approval of 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**

APPROVED

42. Request approval of addenda with C&W Sons Enterprises, Inc., ACR Contracting, Inc., and 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)**

APPROVED

43. Request approval of addenda with Sunland, Inc., Asphalt and Sealcoating, J. Banicki Construction, Inc., and 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)**

APPROVED

44. Request approval of 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)**

APPROVED

45. Request approval of 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)**

APPROVED

46. Request approval to increase 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)

APPROVED

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

- *47. This is the **introduction and 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: [20090122PWWWS11.pdf](#)

ANNEXATION (0402-01)

ORDINANCE NO. 2009.01

INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING SET FOR FEBRUARY 5, 2009.

- *48. This is the **introduction and 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

INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING SET FOR FEBRUARY 5, 2009.

D. Ordinances and Items for Second Hearing/Final Adoption

- *49. This is the **second public hearing** for 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)

APPROVED

- *50. This is the **second public hearing** to amend 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) ORDINANCE NO. 2009.02

APPROVED

E. Resolutions

51. Request approval of a resolution 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) RESOLUTION NO. 2009.07**

APPROVED

52. Request approval of a resolution authorizing the creation of a Housing Trust Fund for the purpose of funding affordable housing activities.

DOCUMENT NAME: [20090122cdch02.pdf](#) **COMMUNITY DEVELOPMENT (0403-01) RESOLUTION NO. 2009.08**

APPROVED

53. Request reconsideration of the approval of Resolution No. 2008.67 authorizing the Mayor to execute a Development and Disposition Agreement between the City and Centerpoint Holdings, LLC, approved on July 22, 2008.

DOCUMENT NAME: [20090122cdcm03.pdf](#) **COMMUNITY DEVELOPMENT ADMIN. (0406) RESOLUTION NO. 2008.67**

APPROVED

54. Request approval of a resolution to amend 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) RESOLUTION NO. 2009.09**

APPROVED

55. Request approval of a resolution to enter into an 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) RESOLUTION NO. 2009.10**

APPROVED

56. 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.

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

CONTINUED TO FEBRUARY 5, 2009, COUNCIL MEETING

57. Request approval of a resolution authorizing the Mayor to execute Amended and Restated Development Agreement with Insight North America, Inc.

DOCUMENT NAME: [20090122cdswws01.pdf](#) COMMUNITY
DEVELOPMENT/REDEVELOPMENT (0403-01) RESOLUTION NO. 2009.12

APPROVED

6. PUBLIC APPEARANCES

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on this agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on this agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes are not allowed. Comments are aired live and replayed on Tempe Channel 11.

Members of the public shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.

7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 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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