
Tempe City Council August 18, 2005

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

1. INVOCATION - Vice Mayor Mitchell
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Carter
 - A. Approval of Council Meeting Minutes
 1. Council Executive Session – July 7, 2005
 2. Formal City Council Meeting – July 7, 2005 [20050818clrkck01.pdf](#)
 3. Special Formal City Council Meeting – July 19, 2005 [20050818clrkck02.pdf](#)
 4. Council Ad-hoc Long-range Budget & Finance Planning Committee – June 7, July 5, 19, & August 2, 2005 [20050818ahbf01.pdf](#) [20050818ahbf02.pdf](#) [20050818ahbf03.pdf](#) [20050818ahbf04.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 5. Aviation Commission – May 25, 2005 [20050818tavco01.pdf](#)
 6. Board of Adjustment – June 22, 2005 [20050818boa01.pdf](#)
 7. Community Special Events Task Force – July 19, 2005 [20050818self01.pdf](#)
 8. Design Review Board – June 1 & 15 and July 6, 2005 [20050818drb01.pdf](#) [20050818drb02.pdf](#) [20050818drb03.pdf](#)
 9. Hearing Officer – July 5 & 19, 2005 [20050818ho01.pdf](#) [20050818ho02.pdf](#)
 10. Historic Preservation Commission – June 2, 2005 [20050818hpc01.pdf](#)
 11. Historical Museum Advisory Board – May 5, 2005 [20050818csjc01.pdf](#)
 12. Industrial Development Authority – December 7, 2004 [20050818ida01.pdf](#)
 13. Police Public Safety Personnel Retirement Board – July 7, 2005
 14. Transportation Commission – Ad Hoc Veterans Memorial Subcommittee – February 10, March 8, & April 5, 2005 [20050818tcm01.pdf](#) [20050818tcm02.pdf](#) [20050818tcm03.pdf](#)
 15. Transportation Commission – Bicycle Committee – April 13, 2005 [20050818tcbc01.pdf](#)
 16. Transportation Commission – Public Involvement/Marketing Committee – April 4 & May 2, 2005 [20050818tcpimc01.pdf](#) [20050818tcpimc02.pdf](#)
 17. Transportation Commission – February 8, April 12, & May 10, 2005 [20050818tc01.pdf](#) [20050818tc02.pdf](#) [20050818tc03.pdf](#)

4. REPORTS AND ANNOUNCEMENTS

A. Mayor's Announcements

- Introduction of Sister City Exchange Students
- Police Department Presentation: Amber Alert Thank You
- City of Tempe Night: ASU vs. Temple

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

18. Request approval of the Community Use of School Facilities Contract Use Agreement and Use Agreement Addendum between the Kyrene School District No. 28 and the City of Tempe for the Before School, After School and Summer facilities for the Kid Zone Enrichment Program.

DOCUMENT NAME: [20050818csjt01.pdf](#) **COMMUNITY SERVICE ADM (0701-01)**

19. Request acceptance of a \$163,000 ValueOptions grant for after-school drug abuse, violence and suicide prevention programs.

COMMENTS: Combination of federal and state funds for programs at four Tempe middle schools.

DOCUMENT NAME: [20050818csjt02.pdf](#) **COMMUNITY SERVICE ADM (0701-01)**

20. Request approval of the City sponsorship for 2005-06 Community Special Events.

COMMENTS: As recommended by the Sponsorship Review Committee for fiscal year 2005/2006. Total recommended allocations are \$57,200 in both cash and in kind

sponsorship.

DOCUMENT NAME: [20050818csmr01.pdf](#) RECREATION ADM-POLICIES (0707-01)

21. Request authorization for the Mayor to sign Amendment #1 to the Intergovernmental Agreement (IGA) with the City of Phoenix for technical support of the vehicle management system.

DOCUMENT NAME: [20050818PWGJ01.pdf](#) TRANSPORTATION PLANNING (1101-01) C2004-242

22. Request authorization for the Mayor to sign Amendment #2 to the IGA with the City of Phoenix for FY 2005/2006 transit services.

DOCUMENT NAME: [20050818PWGJ02.pdf](#) TRANSPORTATION PLANNING (1101-01) C2004-242

23. Request authorization for the Mayor sign an amendment to the IGA with the Regional Public Transportation Authority (RPTA) for transit services.

DOCUMENT NAME: [20050818pwgj03.pdf](#) PUBLIC TRANSIT (1106) C2004-99

24. Request authorization for the Mayor to sign an amendment to the IGA with the RPTA for Dial-A-Ride services.

DOCUMENT NAME: [20050818pwgj04.pdf](#) PUBLIC TRANSIT (1106) C2004-241

25. Request approval for a Final Plat by HAYDEN FERRY LAKESIDE, LLC, for Hayden Ferry Lakeside East at 100, 120 and 140 (formerly 24) E. Rio Salado Parkway.

COMMENTS: (Suncor, owner) (CC050045) #SBD-2005.65 for a Final Subdivision Plat, consisting of three (3) lots, Parcels C-1, C-2 and H-1, on 3.928 net acres.

DOCUMENT NAME: [20050818dsdk11.pdf](#) PLANNED DEVELOPMENT (0406)

26. Request approval for an Amended Final Subdivision Plat by ELLIOT ESTATES – TOSCANA at 455 E. Elliot Road.

COMMENTS: (Scott Communities, property owner) #SBD-2005.76 (CC050058) for an Amended Final Subdivision Plat consisting of 42 lots and 5 tracts on 13.63 net acres.

DOCUMENT NAME: [20050818dsd2k10.pdf](#) PLANNED DEVELOPMENT (0406)

27. Request approval for a Condominium Plat by EMERALD CENTER, LOT 1C, for seven commercial condominium units at 1746 W. Ruby Drive.

COMMENTS: (Tait Development, property owner) #SHR-2005.72 (CC050054) for a Condominium Plat consisting of seven (7) condo units for 72,264 square feet of

commercial space on 5.74 net acres.

DOCUMENT NAME: [20050818dsrl08.pdf](#) **PLANNED DEVELOPMENT (0406)**

28. Request approval for a Horizontal Regime (Condominium Plat) by MAPLE AVENUE CONDOMINIUMS at 1002 S. Maple Avenue.

COMMENTS: (Scott Haskins, property owner) #SHR-2005.73 for a Horizontal Regime (Condominium Plat) on .21 net acres.

DOCUMENT NAME: [20050818dsdk13.pdf](#) **PLANNED DEVELOPMENT (0406)**

29. Request approval for an Amended Final Subdivision Plat by MAK DEVELOPMENT at 1901 E. 5th Street.

COMMENTS: (Mak Building Development, LLC, property owner) (CC050036) #SBD-2005.60 for a Preliminary and Final Subdivision Plat consisting of four (4) lots on 2.59 net acres.

DOCUMENT NAME: [20050818dsd2k09.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *30. This is a public hearing to recommend the approval of a Series 10 beer and wine store liquor license for Rundle's Market, 1324 W. University Drive.

COMMENTS: Mike Jang, Agent

DOCUMENT NAME: [20050818LIQ2.pdf](#) **LIQ LIC (0210-02)**

- *31. This is a public hearing to recommend the approval of a Series 12 restaurant liquor license for The PA Connection, LLC, dba PA Connection, 414 S. Mill Avenue, #205.

COMMENTS: James Neville Jr., Agent

DOCUMENT NAME: [20050818LIQ1.pdf](#) **LIQ LIC (0210-02)**

B. Award of Bids/Contracts

32. Request to award a one-year, sole source contract to Public Safety Systems Inc., for Computer-Aided Dispatch (CAD/MDT) system and Incident Crime Information System (ICIS) software support.

COMMENTS: For the Police Department. Subject to execution of the final written contract. Total amount shall not exceed \$46,950 during the contract period.

DOCUMENT NAME: [20050818fsdl01.pdf](#) **PURCHASES (1004-01) #06-042**

33. Request to award a one-year, sole source contract to Amigos Library Services for online catalog and inter-library loan services.

COMMENTS: Subject to execution of the final written contract. Total amount shall not exceed \$34,605 during the contract period.

DOCUMENT NAME: [20050818fsdl09.pdf](#) **PURCHASES (1004-01) #06-045**

34. Request to award a professional services contract to Wood Patel & Associates, Inc., for Well No. One (1) Irrigator Building Site Work Project.

COMMENTS: Subject to execution of the final written contract. Total amount shall not exceed \$53,500. PROJECT NO 3202091

DOCUMENT NAME: [20050818PWTG06.pdf](#) **WELLS CONSTRUCTION/MAINTENANCE (0811-01)**

35. Request to award a professional services contract to NFra, Inc., for 2005-2006 bridge maintenance.

COMMENTS: Subject to execution of the final written contract. Total amount shall not exceed \$40,139. This contract covers design services for repairs identified in the 2003 Arizona Department of Transportation Bridge Inspection Report.

DOCUMENT NAME: [20050818PWDR08.pdf](#) **BRIDGES (0801) PROJECT NO. 5401881**

36. Request to award a professional services contract to Total Building Commissioning, Inc., for the East Valley Bus Operation and Maintenance Facility.

COMMENTS: Subject to execution of the final written contract. Total amount shall not exceed \$150,458.

DOCUMENT NAME: [20050818PWDR10.pdf](#) **TRANSPORTATION PLANNING (1101-01) PROJECT NO. 6000561**

37. Request to award a professional services contract to Brown and Caldwell for the Arc Flash Hazard Analysis and Engineering Services Project.

COMMENTS: Subject to execution of the final written contract. Total amount shall not exceed \$396,698.

DOCUMENT NAME: [20050818PWTG14.pdf](#) **WATER MANAGEMENT ADMINISTRATION (0811-13) PROJECT NO 3202101**

38. Request to award a professional services contract to Sebesta Blomberg for the Tempe Transportation Center.

COMMENTS: Subject to execution of the final written contract. Total amount shall not exceed \$230,831.

DOCUMENT NAME: [20050818PWTG17.pdf](#) **TRANSPORTATION PLANNING (1101-01) PROJECT NO. 60-976762**

39. Request to award a Construction Manager at Risk Design Phase Services contract to Adolfson & Peterson Construction for the Kyrene Utilities Services Building and Warehouse Project.

COMMENTS: Subject to execution of the final written contract, Total amount shall not exceed \$61,340.

DOCUMENT NAME: [20050818PWTG07.pdf](#) WASTEWATER MANAGEMENT ADMIN(0812-01) PROJECT NO. 3201591

40. Request to award a Construction Manager at Risk Construction Services contract to Achen-Gardner Engineering, LLC, plus a \$350,000 contingency allowance for change orders, for the Apache Boulevard Waterline Replacement – Phases 1 and 2.

COMMENTS: Phase 1 -Terrace Road to Tempe Canal; Phase II - Normal Avenue to Terrace Road. Subject to execution of the final written contract for a Guaranteed Maximum Price of \$3,659,477.

DOCUMENT NAME: [20050818PWTG13.pdf](#) WASTEWATER MANAGEMENT ADMIN. (0812-01) PROJECT NO. 3201681

41. Request to award a one-year contract with two (2) one-year renewal options to Work of Art Painting, SQP Construction and Management, and Fabiani Painting for pole and fixture painting.

COMMENTS: Subject to the execution of the final written contract. Total cost shall not exceed \$50,000 during the initial contract period.

DOCUMENT NAME: [20050818fslq03.pdf](#) PURCHASES (1004-01) RFP #05-128

42. Request to award a one-year contract with two (2) one-year renewal options to American Safety Shoes Co., Industrial Shoes of Arizona, Iron Age Corporation, and United Fire for the purchase of safety shoes.

COMMENTS: Subject to the execution of the final written contract. Total cost shall not exceed \$120,000 during the initial contract period.

DOCUMENT NAME: [20050818fst08.pdf](#) PURCHASES (1004-01) IFB#05-148

43. Request to award a one-year contract with three (3) one-year renewal options to Telecom Labs, Inc., for hardware and software maintenance and repairs for the City telephone system.

COMMENTS: Subject to the execution of the final written contract. Total cost shall not exceed \$86,000 during the initial contract period.

DOCUMENT NAME: [20050818fst10.pdf](#) PURCHASES (1004-01) RFP#05-123

44. Request to award a one-year contract to Hart Lighting and Supply for string lights.

COMMENTS: Subject to the execution of the final written contract. Total cost shall not exceed \$32,500 during the initial contract period.

DOCUMENT NAME: [20050818fslg04.pdf](#) **PURCHASES (1004-01) IFB #06-009**

45. Request to award a Job Order Construction Contract to Foresite Design & Construction, Inc., plus a \$38,450 contingency allowance for change orders, for the Third Floor Courts Renovation Project and Floor Exiting Project.

COMMENTS: Subject to execution of the final written contract. Total amount shall not exceed \$555,985.

DOCUMENT NAME: [20050818PWDR12.pdf](#) **POLICE/COURTS BUILDING MAINT (0110-01) PROJECT NOS. 6700242 AND 6701152**

46. Request to award a Job Order Construction Contract to Foresite Design & Construction, Inc., plus a \$5,000 contingency allowance, for the Fifth Street and Myrtle Avenue Parking Garage security improvements.

COMMENTS: Subject to execution of the final written contract. Total amount shall not exceed \$79,722.

DOCUMENT NAME: [20050818PWDR16.pdf](#) **PARKING (0503-19) PROJECT NO. 6002111**

47. Request approval to utilize a nine-month State of Arizona contract with NEC Unified Solutions, Inc., for the purchase of communication and information technology equipment, maintenance and consulting services.

COMMENTS: Total cost of this contract shall not exceed \$500,000 during the initial contract period.

DOCUMENT NAME: [20050818fsts06.pdf](#) **PURCHASES (1004-01) Contract #AD000187-011-A7**

48. Request approval of an addendum to a professional services contract with Architekton for the Tempe Performing and Visual Arts Center.

COMMENTS: For fire sprinkler design/analysis. Subject to the execution of the final written addendum. Total amount shall not exceed \$53,500.

DOCUMENT NAME: [20050818PWDR09.pdf](#) **TEMPE VISUAL AND PERFORMING ARTS CENTER (0109-19) PROJECT NO. 57-997005**

49. Request approval of one-year contract renewals with Tempe Commercial Carpet and Norcon Industries for carpet, tile, and installation.

COMMENTS: Total amount shall not exceed \$100,000.

DOCUMENT NAME: [20050818fslg05.pdf](#) **PURCHASES (1004-01) T02-007-01 and T02-007-02**

50. Request approval of a one-year contract renewal with Anderson Security Agency, Ltd., for security guard services at City water plants.

COMMENTS: Total cost shall not exceed \$250,000.
DOCUMENT NAME: [20050818fst07.pdf](#) **PURCHASES (1004-01) T04-135-01**

51. Request approval of a two-year contract renewal with Phoenix Fuel for gasoline and diesel fuels.

COMMENTS: Total cost shall not exceed \$2,800,000 during the contract period.
DOCUMENT NAME: [20050818fsdl02.pdf](#) **PURCHASES (1004-01) T02-012-01**

52. Request approval to increase by \$665,620 the City's construction contract contingency amount for the Kyrene Reclamation Facility Expansion Project.

COMMENTS: Increase from \$1,113,616 to \$1,779,236.
DOCUMENT NAME: [20050818PWDR11.pdf](#) **WATER RECLAMATION PLANT (0812-02) PROJECT NO. 32-997044**

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

- *53. This is the **introduction and first public hearing** for an ordinance granting an electrical easement to Arizona Public Service (APS) on city property at 655 S. Ash Avenue. **The second public hearing is set for September 15, 2005.**

COMMENTS: To allow the development of the Centerpoint Plaza Condominiums.
DOCUMENT NAME: [20050818PWMG15.pdf](#) **EASEMENTS (0904-02) ORDINANCE NO. 2005.57**

- *54. This is the **introduction and first public hearing** for an ordinance authorizing a lease agreement with New Cingular Wireless PCS, LLC, for a cell site located at the northeast corner of University Drive and Hardy. **The second public hearing is set for September 15, 2005.**

DOCUMENT NAME: [20050818ITDH02.pdf](#) **CINGULAR WIRELESS - UNIV/HARDY (0903-55) ORDINANCE NO. 2005.61**

- *55. This is an **introduction and first public hearing** for a General Plan Projected Land Use and Zoning Map Amendments for EMERALD CENTER, Lot 2, at 8475 S. Emerald Drive. **The second public hearing is scheduled for September 15, 2005.**

COMMENTS: (Tait Development, Inc, property owner) (CC050037) located at 8475 S. Emerald Drive, Lot 2 of Emerald Center including the following:
GEP2005.02 Resolution 2005.36 for a General Plan 2030 Projected Land Use Map amendment from Industrial to Commercial land use designation for 23.7 net acres on Lot 2 of Emerald Center.
ZON 2005.11 Ordinance 2005.51 for a Zoning Map amendment from General

Industrial District (GID) to Regional Commercial Center (RCC) for 23.7 net acres on Lot 2 of Emerald Center.

DOCUMENT NAME: [20050818dsdk12.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *56. This is the **introduction and first public hearing** for an ordinance authorizing text amendments for Section 4-903 of the Zoning and Development Code (Signs). **The second public hearing is set for September 15, 2005.**

COMMENTS: (City of Tempe, applicant) (CC050057) **Ordinance No. 2005.54 #ZON-2005.13** amending Section 4-903 in the Zoning and Development Code, relating to construction signs and future development signs.

DOCUMENT NAME: [20050818dsrl07.pdf](#) **ZONING AND DEVELOPMENT CODE (0414-04)**

- *57. This is the **introduction and first public hearing** for an ordinance authorizing the sale of the City-owned property to Newberry Terrace, L.L.C. **The second public hearing will be held on September 15, 2005.**

DOCUMENT NAME: [20050818dsrls01.pdf](#) **REAL PROPERTY DISPOSITION (0902-21-01) ORDINANCE NO. 2005.62**

- *58. This is the **introduction and first public hearing** for an ordinance authorizing the Mayor to execute a Development Agreement, authorizing the transfer of real property, and granting an easement along the Rio Salado Parkway to Pulte Home Corporation, **The second public hearing will be held on September 15, 2005.**

DOCUMENT NAME: [20050818cdcm01.pdf](#) **COMMUNITY DEVELOPMENT/REDEVELOPMENT ADM (0403-01)**

- *58A. This is the **introduction and first public hearing** for a zoning map amendment for WEST WILLOW DEVELOPMENT at 1628 East Broadway Road. **The second public hearing will be held on September 15, 2005.**

COMMENTS: (Sportswest Holdings, LLC, John Peck, property owner) (CC050035) **Ordinance No. 2005.41 ZON-2005.09** for a zoning map amendment from GID, General Industrial District, to CSS, Commercial Shopping and Service District, on 1.75 net acres.

DOCUMENT NAME: [20050818dssl14.pdf](#) **PLANNED DEVELOPMENT (0405)**

D. Ordinances and Items for Second Hearing/Final Adoption

- *59. This is the **second public hearing** for an ordinance granting an easement to Arizona Public Service (APS) for electrical service to the Tempe Performing Arts Center at 700 W. Rio Salado Parkway.

DOCUMENT NAME: [20050818PWMG01.pdf](#) **GRANT OF EASEMENTS (0904-02) ORDINANCE NO. 2005.33**

- *60. This is the **second public hearing** for an ordinance abandoning certain waterline and fire hydrant easements within the Town of Guadalupe.

DOCUMENT NAME: [20050818PWMG02.pdf](#) **ABANDONMENT (0904-02) ORDINANCE NO. 2005.12**

- *61. This is the **second public hearing** for an ordinance abandoning two (2) 8' public utility easements at 1330 West Baseline Road.

DOCUMENT NAME: [20050818PWMG03.pdf](#) **ABANDONMENT (0904-02) ORDINANCE NO. 2005.44**

- *62. This is the **second public hearing** for an ordinance abandoning a roadway and public utility easement adjacent to 29 E. Papago Drive.

DOCUMENT NAME: [20050818PWMG04.pdf](#) **ABANDONMENT (0904-02) ORDINANCE NO. 2005.52**

- *63. This is the **second public hearing** for an ordinance abandoning a portion of a waterline and fire hydrant easement, and appurtenances, at Hayden Ferry Lakeside, 60 East Rio Salado Parkway.

DOCUMENT NAME: [20050818PWMG05.pdf](#) **ABANDONMENT (0904-02) ORDINANCE NO. 2005.53**

- *64. This is the **second public hearing** for an ordinance authorizing the sale of the City's interest in Old Town Square to OTS II, LLC.

DOCUMENT NAME: [20050818dsnc01.pdf](#) **CENTRAL BUSINESS DISTRICT (0403-05) ORDINANCE NO. 2005.55**

- *65. This is the **second public hearing** for an ordinance authorizing text amendments to Part 1 of the Zoning and Development Code.

COMMENTS: (City of Tempe, applicant) (CC050050) #ZON-2005.10 for code text amendments throughout various sections of the Zoning and Development Code, including the following: **Ordinance No. 2005.42**, amending Part 1 – Introduction, of the Zoning and Development Code, by amending Section 1-207 and 1-307 relating to the Planning and Zoning Commission.

DOCUMENT NAME: [20050818dsrl01.pdf](#) **ZONING AND DEVELOPMENT CODE (0414-01)**

- *66. This is the **second public hearing** for an ordinance authorizing text amendments to Part 2 of the Zoning and Development Code.

COMMENTS: (City of Tempe, applicant) (CC050050) #ZON-2005.10 for code text amendments throughout various sections of the Zoning and Development Code, including the following:

Ordinance No. 2005.46, amending Part 2 – Establish Zoning Districts, of the Zoning and Development Code, by amending Sections 2-102 and 2-103.

DOCUMENT NAME: [20050818dsrl02.pdf](#) ZONING AND DEVELOPMENT CODE (0414-02)

- *67. This is the **second public hearing** for an ordinance authorizing text amendments to Part 3 of the Zoning and Development Code.

COMMENTS: (City of Tempe, applicant) (CC050050) #ZON-2005.10 for code text amendments throughout various sections of the Zoning and Development Code, including the following: **Ordinance No. 2005.47**, amending Part 3 – Land Use, of the Zoning and Development Code, by amending Sections 3-201, 3-202, 3-302, 3-401, 3-412, 3-414, and 3-416.

DOCUMENT NAME: [20050818dsrl03.pdf](#) ZONING AND DEVELOPMENT CODE (0414-03)

- *68. This is the **second public hearing** for an ordinance authorizing text amendments to Part 4 of the Zoning and Development Code.

COMMENTS: (City of Tempe, applicant) (CC050050) #ZON-2005.10 for code text amendments throughout various sections of the Zoning and Development Code, including the following: **Ordinance No. 2005.48**, amending Part 4 – Development Standards, of the Zoning and Development Code, by amending Sections 4-102, 4-201, 4-205, 4-406, 4-501, 4-503, 4-601, 4-602, 4-604, 4-702, 4-704, 4-706, 4-902, and 4-903.

DOCUMENT NAME: [20050818dsrl04.pdf](#) ZONING AND DEVELOPMENT CODE (0414-04)

- *69. This is the **second public hearing** for an ordinance authorizing text amendments to Part 6 of the Zoning and Development Code. **The second public hearing is set for August 18, 2005.**

COMMENTS: (City of Tempe, applicant) (CC050050) #ZON-2005.10 for code text amendments throughout various sections of the Zoning and Development Code, including the following: **Ordinance No. 2005.49**, amending Part 6 – Applications and Review Procedures, of the Zoning and Development Code, by amending Sections 6-302, 6-309, 6-803, and 6-903.

DOCUMENT NAME: [20050818dsrl05.pdf](#) ZONING AND DEVELOPMENT CODE (0414-06)

- *70. This is the **second public hearing** for an ordinance authorizing text amendments to Part 7 of the Zoning and Development Code.

COMMENTS: (City of Tempe, applicant) (CC050050) #ZON-2005.10 for code text amendments throughout various sections of the Zoning and Development Code, including the following: **Ordinance No. 2005.50**, amending Part 7 – Definitions, of the Zoning and Development Code, by amending Sections 7-103, 7-113, 7-120, and 7-124.

DOCUMENT NAME: [20050818dsrl06.pdf](#) **ZONING AND DEVELOPMENT CODE (0414-07)**

E. Resolutions

71. Request approval of a resolution authorizing the issuance and sale of Excise Tax Revenue Obligations (not to exceed \$24 million), Series 2005.

COMMENTS: These bonds are being issued in connection with the construction and renovation of Diablo Stadium and expansion of the Double Butte Cemetery (Phase 1). Includes the execution and delivery of a purchase agreement, a trust agreement, a continuing disclosure agreement, and an obligation purchase agreement; approving an official statement, approving a proportionate interest of the owners thereof in the purchase agreement, and the sale to the purchaser thereof, and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution.

DOCUMENT NAME: [20050818fsjh01.pdf](#) **BOND SERVICE ADMINISTRATION (0203-01) RESOLUTION NO. 2005.46.**

72. Request approval of a resolution authorizing acceptance of a \$500,000 federal grant for construction of the Crosscut Canal Multi-use Path Project Phase II.

COMMENTS: Grant application of federal The Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU).

DOCUMENT NAME: [20050818pwei01.pdf](#) **BICYCLES (1102) RESOLUTION NO. 2005.38**

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.

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

- Ronald Williams, Tempe, re: alleged arrest complaints

7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

**Agendas are also available at www.tempe.gov/clerk
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