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## Tempe City Council September 29, 2005

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

1. INVOCATION - Councilmember Copple
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Goronkin
  - A. Approval of Council Meeting Minutes
    1. Council Formal Meeting – August 18, 2005 [20050929clrkck02.pdf](#)
    2. Joint Council/Salt River Project Board of Directors – September 8, 2005  
[20050929clrkck01.pdf](#)
    3. Ad Hoc Long-Range Budget & Finance Planning Committee – August 16, 2005  
[20050929lrbf01.pdf](#)
  - B. Acceptance of Board & Commission Meeting Minutes
    4. Apache Boulevard Project Area Committee – April 11, 2005 [20050929abpac.pdf](#)
    5. Aviation Commission – June 14, 28 & August 9, 2005 [20050929tavco01.pdf](#)  
[20050929tavco02.pdf](#) [20050929tavco03.pdf](#)
    6. Board of Adjustment – July 27, 2005 [20050929boa01.pdf](#)
    7. Commission on Disability Concerns – June 21, 2005 [20050929cdc01.pdf](#)
    8. Committee for Youth, Families and Community – August 15, 2005 [20050929cyfc01.pdf](#)
    9. Design Review Board – July 20, 2005 [20050929drb01.pdf](#)
    10. Enhanced Services Commission – May 18 & August 17, 2005 [20050929esc01.pdf](#)  
[20050929esc02.pdf](#)
    11. Golf Committee – April 6, 2005 [20050929csmr02.pdf](#)
    12. Hearing Officer – September 6, 2005 [20050929ho01.pdf](#)
    13. Historic Preservation Commission – August 11, 2005 [20050929hpc01.pdf](#)
    14. Human Relations Commission – August 9, 2005 [20050929hrc01.pdf](#)
    15. Mayor's Youth Advisory Commission – May 3, 2005 [20050929myac01.pdf](#)
    16. Municipal Arts Commission – August 10, 2005 [20050929mac01.pdf](#)
    17. Plumbing & Mechanical Code Advisory Board Work Session – August 25, 2005  
[20050929pmcb01.pdf](#)
    18. Redevelopment Review Commission – June 7, 21 & July 19, 2005

19. [20050929rrc01.pdf](#) [20050929rrc02.pdf](#) [20050929rrc03.pdf](#)  
Sports Authority – February 15, March 1 & 15, May 17, & June 14, 2005  
[20050929tsa01.pdf](#) [20050929tsa02.pdf](#) [20050929tsa03.pdf](#) [20050929tsa04.pdf](#)  
[20050929tsa05.pdf](#)

#### 4. REPORTS AND ANNOUNCEMENTS

##### A. Mayor's Announcements

- Housing Authority Awards Presentation
- 2005 Valley Forward Association Environmental Excellence Award
- Sister Cities Exchange Students – Zhenjiang, China

##### 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

20. Request approval of an Extension of Lease Agreement between the City of Tempe and the Tempe Community Council for lease of the office space and property located at 34 East 7<sup>th</sup> Street.

COMMENTS: Lease extended to June 30, 2010.

DOCUMENT NAME: [20050929csjt01.pdf](#) LEASES FOR STAFF FACILITIES  
(1001-05) C98-102

21. Request approval of an Intergovernmental Agreement between the Tempe Union High School District and the City of Tempe for the provision of the substance abuse prevention services.

DOCUMENT NAME: [20050929csjt02.pdf](#) TEMPE UNION HIGH SCHOOL  
DISTRICT (0109-14)

22. Request authorization for the Mayor to execute an agreement between the Downtown Tempe Community (DTC) and the City of Tempe for the production of the 2005 through 2009 Boat Parades.

**DOCUMENT NAME:** [20050929csmr01.pdf](#) **DOWNTOWN TEMPE COMMUNITY , INC. (0109-30)**

23. Request approval of an Amended Final Subdivision Plat by KNOX / SPECTRUM AEROSPACE PARK at 605 West Knox Road.

**COMMENTS:** (LGE Corporation, property owner) (CC050073) #SBD-2005.93 for an Amended Final Subdivision Plat consisting of two (2) lots on 2.54 net acres.  
**DOCUMENT NAME:** [20050929dsrl02.pdf](#) **PLANNED DEVELOPMENT (0406)**

- \*24. This is a public hearing to recommend the approval of a Series 7 Beer and Wine Bar Liquor License for Santos Maria, LLC, dba Brewskis Bar and Grill, 5235 S. Kyrene Rd., #104.

**COMMENTS:** Veronica Tovar, Agent.  
**DOCUMENT NAME:** [20050929LIQ1.pdf](#) **LIQ LIC (0210-02)**

- \*25. This is a public hearing to recommend the approval of a Series 6 Bar Liquor License for Backward Hat, LLC, dba Fumbles Sports Bar, 560 S. College Avenue, #101.

**COMMENTS:** Randy Nations, Agent  
**DOCUMENT NAME:** [20050929LIQ2.pdf](#) **LIQ LIC (0210-02)**

- \*26. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for A.P.F., Inc., dba Café Roma, 960 W. University Drive, #104-105.

**COMMENTS:** Paula Faria, Agent  
**DOCUMENT NAME:** [20050929LIQ3.pdf](#) **LIQ LIC (0210-02)**

B. Award of Bids/Contracts

27. Request to award a one-year contract with two (2) one-year renewal options to Dave Bang Associates for bus stop furniture.

**COMMENTS:** Subject to execution of the final written contract. Total cost for this contract shall not exceed \$100,000 during the initial contract period.  
**DOCUMENT NAME:** [20050929fslq04.pdf](#) **PURCHASES (1004-01) IFB #06-025**

28. Request to award a one-year contract with two (2) one-year renewal options to A J Roberts Industrial, Inc., for bus shelters.

**COMMENTS:** Subject to execution of the final written contract. Total cost for this contract shall not exceed \$150,000 during the initial contract period.

**DOCUMENT NAME:** [20050929fslg05.pdf](#) **PURCHASES (1004-01)** (IFB #06-024

29. Request to award one-year contracts with two (2) one-year renewal options to Golf Ventures West, Arizona Machinery, Simpson Norton, A to Z Equipment Rental & Sales, Horizon, Bingham Equipment Co., and Turf Specialists, Inc., for turf equipment and utility vehicles.

**COMMENTS:** Subject to execution of the final written contracts. Total cost for these contracts shall not exceed \$306,843 during the initial contract period.

**DOCUMENT NAME:** [20050929fssl09.pdf](#) **PURCHASES (1004-01)** RFP#06-040

30. Request to award a one-year, sole source contract to Arizona Municipal Water Users Association (AMWUA) for Sub Regional Operating Group (SROG) and water resource coordination, planning, and support.

**COMMENTS:** Subject to execution of the final written contract. Total cost for this contract shall not exceed \$93,138 during the contract period.

**DOCUMENT NAME:** [20050929fst07.pdf](#) **PURCHASES (1004-01)** Sole Source #06-067

31. Request to award a one-year, sole source contract to American Water Works Association Research Foundation (AWWARF) for an annual membership.

**COMMENTS:** Subject to execution of the final written contract. Total cost for this contract shall not exceed \$46,000 during the contract period.

**DOCUMENT NAME:** [20050929fst08.pdf](#) **PURCHASES (1004-01)** Sole Source #06-068

32. Request to award a Job Order Contract, plus a \$15,000 change order contingency, to Foresite Design & Construction, Inc., for the Kyrene Reclamation Facility Expansion Project.

**COMMENTS:** Administration Building. Subject to execution of the final written contract. Total amount shall not exceed \$182,627.

**DOCUMENT NAME:** [20050929PWMG05.pdf](#) **KYRENE WATER RECLAMATION PLANT (0812-02) PROJECT NO. 997044A**

33. Request approval of an addendum to a professional services contract with Burgess & Niple, Inc., for the Apache Boulevard waterline replacement.

**COMMENTS:** Subject to execution of the final written addendum in an amount not to exceed \$146,434.

**DOCUMENT NAME:** [20050929PWDR01.pdf](#) **WASTEWATER MANAGEMENT ADMIN. (0812-01) PROJECT NO. 3201681**

34. Request approval to utilize a one-year State of Arizona contract with Am-Pac, Wingfoot Commercial and Purcell Western States for vehicle tires and tubes.

**COMMENTS:** Total cost of this contract shall not exceed \$260,000 during the initial contract period. #AD040531-A2-2-A1 and AD040531-A2-3-A2

**DOCUMENT NAME:** [20050929fsdl01.pdf](#) **PURCHASES (1004-01)**

35. Request approval to utilize an Arizona Counter Drug Program 1122 contract for an Andros F6A Bomb Robot System.

**COMMENTS:** For use by the Tempe Police Department Rapid Response Team.

Total cost of this contract shall not exceed \$183,000.

**DOCUMENT NAME:** [20050929fsdl03.pdf](#) **PURCHASES (1004-01) #06-063**

36. Request approval to utilize a one-year State of Arizona contract with Courtesy Chevrolet for a utility vehicle.

**COMMENTS:** Vehicle to be used by the Environmental and Health Division of the Water Utilities Department. Total cost of this contract shall not exceed \$33,006 during the initial contract period. #AD040004-002-A1

**DOCUMENT NAME:** [20050929fsdl10.pdf](#) **PURCHASES (1004-01)**

37. Request approval to utilize a one-year State of Arizona contract with Five Star Ford for a Police Department K-9 vehicle.

**COMMENTS:** Total cost of this contract shall not exceed \$33,717 during the initial contract period.

**DOCUMENT NAME:** [20050929fsdl11.pdf](#) **PURCHASES (1004-01) #AD040004-005-A1**

38. Request approval of a one-year contract renewal with Arizona Glove and Safety and Western Glove for the purchase of safety equipment and supplies.

**COMMENTS:** Total cost shall not exceed \$60,000 during the contract period.

**DOCUMENT NAME:** [20050929fst06.pdf](#) **PURCHASES (1004-01) T03-080RB-01 and 02**

39. Request approval to increase by \$5,000 the City's contract with the Arizona Counter Drug Program 1122 for fiber optic and video search cameras for the Police Department.

**COMMENTS:** Increase from \$38,000 to \$43,000.

**DOCUMENT NAME:** [20050929fsdl02.pdf](#) **PURCHASES (1004-01) 05-156-01**

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

- \*40. This is the **introduction and first public hearing** for an ordinance abandoning an eight foot irrigation line easement located along the south side of 3<sup>rd</sup> Street, between Ash Avenue and Mill Avenue. **The second public hearing is set for October 6, 2005.**

**DOCUMENT NAME:** [20050929PWMG06.pdf](#) **ABANDONMENT (0904-02)**  
ORDINANCE NO. 2005.70

- \*41. This is the **introduction and first public hearing** for an ordinance establishing the Tardeada Advisory Board. **The second public hearing is set for October 6, 2005.**

**DOCUMENT NAME:** [20050929dri01.pdf](#) **TARDEADA ADVISORY BOARD (0102-49)**  
ORDINANCE NO. 2005.71

- \*42. This is the **introduction and the first public hearing** for a Zoning Map Amendment for ARIZONA STATE UNIVERSITY (ASU) for 130 parcels of land. **The second public hearing is set for October 20, 2005.**

**COMMENTS:** (Arizona Board of Regents, property owner) Change the zoning on 130 parcels of land comprised of approximately 102 acres located on the first 150 feet from the right-of-way of properties owned by the Arizona Board of Regents located along Mill Avenue, University Drive, Apache Boulevard and Rural Road and full parcels of property located on the southeast corner of Mill Avenue and University Drive, and between the College Avenue Alignment and Rural Road on the north side of Rio Salado Parkway, including the following:

**Ordinance No. 2005.07 #ZON-2005.04** the proposed amendment includes the following changes to the Zoning Map:

<u>Acres:</u>	<u>From:</u>	<u>To:</u>
23.00 acres	Single Family Residential R1-6	Mixed-Use Educational MU-ED
01.50 acres	Multi-Family Residential R-4	Mixed-Use Educational MU-ED
01.60 acres	Light Industrial I-1	Mixed-Use Educational MU-ED
36.60 acres	General Industrial I-2	Mixed-Use Educational MU-ED
22.70 acres	Central Commercial District CCD	Mixed-Use Educational MU-ED
02.40 acres	Multi-use General Commercial MG	Mixed-Use Educational MU-ED
06.10 acres	Commercial C-1	Mixed-Use Educational MU-ED
03.70 acres	Commercial C-2	Mixed-Use Educational MU-ED
04.20 acres	Residential Office RO	Mixed-Use Educational MU-ED
101.80	Total Acres	

**DOCUMENT NAME:** [20050929dsd2k05.pdf](#) **PLANNED DEVELOPMENT (0406)**

D. Ordinances and Items for Second Hearing/Final Adoption

- \*43. This is the **second public hearing** for an ordinance amending Chapter 12, Article II, of the Tempe City Code relating to Floodplain Management *and declaring the existence*

*of an emergency.*

**COMMENTS:** FEMA has advised the City that after September 30, 2005, all reviews for the City of Tempe will be suspended and any policies that expire and come up for renewal will not be able to be reviewed until a new ordinance is effective. Without an emergency declaration, City ordinances do not become effective until 30 days after Council approval. If the ordinance is passed with the emergency declaration, it becomes effective immediately.

**DOCUMENT NAME:** [20050929cacc02.pdf](#) TCC CH 12 – DRAINAGE & FLOOD CONTROL (0503-12) ORDINANCE NO. 2005.67

- \*44. This is the **second public hearing** for an ordinance amending Chapter 26A of the Tempe City Code relating to Procurement.

**DOCUMENT NAME:** [20050929fsjh01.pdf](#) TCC CH 26A – PROCUREMENT & MATERIALS MGMT (0503-41) ORDINANCE NO. 2005.69.

- \*45. This is the **second public hearing** for an ordinance authorizing the Mayor to sign two deactivation agreements with Salt River Project in conjunction with the Light Rail Project.

**DOCUMENT NAME:** [20050929PWMG02.pdf](#) EASEMENTS (GRANTED BY THE CITY) (0904-02) ORDINANCE NO. 2005.65

- \*46. This is the **second public hearing** for an ordinance authorizing the Mayor to sign certain siphon maintenance agreements with Salt River Project in conjunction with the Light Rail Project.

**DOCUMENT NAME:** [20050929PWMG03.pdf](#) SALT RIVER PROJECT (SRP) (0113-03) ORDINANCE NO. 2005.66

- \*47. This is the **second public hearing** for an ordinance granting easements to Salt River Project for irrigation lines in conjunction with the Light Rail Project.

**DOCUMENT NAME:** [20050929PWMG04.pdf](#) EASEMENTS (GRANTED BY THE CITY) (0904-02) ORDINANCE NO. 2005.68

- \*48. This is the **second public hearing** for a Zoning Map Amendment, a Planned Area Development Overlay, and a Subdivision Plat for TEMPE PARKVIEW TOWNHOMES at 1937 East Don Carlos Avenue.

**COMMENTS:** (Equity Development & Management Inc., Mike Calkins & Jeff Han, property owners) for nineteen (19) townhomes, located at 1937 East Don Carlos Avenue, including the following:

**Ordinance No. 2005.56 #ZON-2005.12** for a Zoning Map Amendment from R-4, Multi-

Family Residential to R4-PAD Overlay, on 1.06 net acres. #SPD-2005.69 for a Planned Area Development Overlay consisting of nineteen (19) townhomes with a total building area of 27,028 s.f., including garages. #SBD-2005.70 for a Final Subdivision Plat consisting of nineteen (19) lots and one (1) tract on 1.06 net acres.

DOCUMENT NAME: [20050929dsd2k04.pdf](#) PLANNED DEVELOPMENT (0406)

- \*49. This is the **second public hearing** for an ordinance authorizing text amendments for Section 4-903 of the Zoning and Development Code (Signs).

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: [20050929dsr103.pdf](#) ZONING AND DEVELOPMENT CODE (0414-04)

- \*50. Request by applicant to *continue* to October 20, 2005, the **second public hearing** for a General Plan Projected Land Use and Zoning Map Amendments for EMERALD CENTER, Lot 2, at 8475 S. Emerald Drive.

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: [20050929dsdk03.pdf](#) PLANNED DEVELOPMENT (0406)

#### E. Resolutions

51. Request approval of a resolution authorizing the Mayor to sign an Intergovernmental Agreement between the Arizona Board of Regents (on behalf of Arizona State University) and the City of Tempe for construction of the Tempe Center sewer in University Drive.

DOCUMENT NAME: [20050929cacc01.pdf](#) WASTEWATER MANAGEMENT ADMIN (0812-01) RESOLUTION NO. 2005.50

#### 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.

**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.

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