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Tempe City Council  
May 1, 2008

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

1. INVOCATION - Councilmember Shekerjian
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Arredondo
  - A. Approval of Council Meeting Minutes
    1. Council's Executive Session – April 17, 2008
    2. Council's Issue Review Session – April 17, 2008 [20080501clrkck03.pdf](#)
    3. Council's Formal Meeting – April 17, 2008 [20080501clrkck01.pdf](#)
    4. Council's Special Budget Meeting – April 10, 2008 [20080501clrkck02.pdf](#)
    5. Council's Public Safety & Neighborhood Quality of Life Committee – April 8, 2008 [20080501psngl01.pdf](#)
    6. Council's Social Services & Culture Committee – March 19, 2008 [20080501ssc01.pdf](#)
    7. Council's Tourism & Recreation Committee – April 9, 2008 [20080501trc01.pdf](#)
    8. Council's Transportation, Housing & Environment Committee – February 26 & March 25, 2008 [20080501the01.pdf](#) [20080501the02.pdf](#)
  - B. Acceptance of Board & Commission Meeting Minutes
    9. Apache Boulevard Project Area Committee – March 10, 2008 [20080501apac01.pdf](#)
    10. Aviation Commission – March 11, 2008 [20080501tavco01.pdf](#)
    11. Board of Adjustment – February 27, 2008 [20080501boa01.pdf](#)
    12. Commission on Disability Concerns – March 18, 2008 [20080501cdc01.pdf](#)
    13. Commission on Disability Concerns – Architectural Compliance Committee – April 1, 2008 [20080501cdc03.pdf](#)
    14. Commission on Disability Concerns – Mayor's Awards Committee – April 3, 2008 [20080501cdc02.pdf](#)
    15. Committee for Youth, Families & Community – March 17, 2008 [20080501cyfc01.pdf](#)
    16. Community Special Events Task Force – March 11 & April 16, 2008 [20080501setf02.pdf](#) [20080501setf01.pdf](#)
    17. Double Butte Cemetery Advisory Committee – February 13, 2008 [20080501dbc01.pdf](#)
    18. Hearing Officer – April 1, 2008 [20080501ho01.pdf](#)

19. Historic Preservation Commission – March 13, 2008 [20080501hpc01.pdf](#)
20. Historical Museum Advisory Board – March 6, 2008 [20080501csjc01.pdf](#)
21. Library Advisory Board – March 3, 2008 [20080501lab01.pdf](#)
22. Mayor's Youth Advisory Commission – March 18, 2008 [20080501myac01.pdf](#)
23. Municipal Arts Commission – March 12, 2008 [20080501mac01.pdf](#)
24. Parks and Recreation Board – February 20, 2008 [20080501prb01.pdf](#)
25. Rio Salado Advisory Commission – March 25, 2008 [20080501rsac01.pdf](#)

#### 4. REPORTS AND ANNOUNCEMENTS

##### A. Mayor's Announcements

- a. **Grad Nite Check Presentation**
- b. **2008 Bicycle Advocate Award**
- c. **Law Day Awards**
- d. **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.

##### A. Miscellaneous Items

26. Request approval of the Mayor's appointment of members to fill Board and Commission vacancies.

#### **BDS, COMMISSIONS, COMMITTEES ADM (0102-01)**

27. Request authorization for the Mayor to execute an agreement and license with the O'Connor House Conservancy for the relocation of the Sandra Day O'Connor House to City-owned property.

DOCUMENT NAME: [20080501cdnc01.pdf](#) COMMUNITY DEVELOPMENT  
ADMIN. (0406)

28. DELETED

29. Request approval to expend contingency funds to Hunter Construction for emergency repairs made to the waterline at the intersection of McClintock Drive and University Drive.

**COMMENTS:** Total cost for the emergency repairs is \$569,521.02.

**DOCUMENT NAME:** [20080501PWDR09.pdf](#) WATERMAIN UPGRADES  
(0810-04) PROJECT NO. 3208001

30. Request approval for a Final Subdivision Plat for HOLDEMAN ELEMENTARY located at 1326 West 18<sup>th</sup> Street.

**COMMENTS:** (PL070209) (Tempe Elementary School District #3, property owner; John Hess, Hess-Rountree Inc, applicant) consisting of combining two lots into one and dedicating certain rights-of-way on 8.40 net acres, located at 1326 West 18<sup>th</sup> Street in the R1-6, Single-Family Residential District. The request includes the following:

**SBD07048** – Final Subdivision Plat for one (1) lot on 8.40 net acres.

**DOCUMENT NAME:** [20080501dsrl01.pdf](#) PLANNED DEVELOPMENT  
(0406)

31. Request approval for a Subdivision plat for LAKES TOWNE CENTER located at 777 East Baseline Road

**COMMENTS:** (PL070361) (Andrew M. Cohn, Pivotal 650 California St. LLC, property owner, Robert Schramm, Kitchell Development Company, applicant), located at 777 East Baseline Road, in the PCC-2, Planned Commercial Center Comprehensive. The request includes the following:

**SBD08007** - A subdivision plat, consisting of a lot line adjustment for a 16 net acres parcel.

**DOCUMENT NAME:** [20080501dsjc01.pdf](#) PLANNED DEVELOPMENT  
(0406)

\*32. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Jaciolou Incorporated dba Taco Del Mar, 414 South Mill Avenue, #118.

**COMMENTS:** Alice Narducci is the Agent for this application.

**DOCUMENT NAME:** [20080501LIQ01.pdf](#) LIQ LIC (0210-02)

\*33. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Yupha's Thai Kitchen LLC dba Yupha's Thai Kitchen, 1805 East Elliot Road, #115.

**COMMENTS:** Yupha Dequenne is the Agent for this application.  
**DOCUMENT NAME:** [20080501LIQ02.pdf](#) LIQ LIC (0210-02)

- \*34. This is a public hearing to recommend the approval of a Series 7 Beer and Wine Bar Liquor License for Residence Inn By Marriott LLC dba Residence Inn By Marriott, 5075 South Priest Drive.

**COMMENTS:** Tyler Strathman is the Agent for this application.  
**DOCUMENT NAME:** [20080501LIQ03.pdf](#) LIQ LIC (0210-02)

- \*35. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Sparky's Pizza & Pub LLC dba Sparky's Pizza & Pub, 1301 East University Drive, #114-116.

**COMMENTS:** Glen Irizarry is the Agent for this application.  
**DOCUMENT NAME:** [20080501LIQ04.pdf](#) LIQ LIC (0210-02)

**B. Award of Bids/Contracts**

36. Request approval of a professional services contract with Davey Resource Group for a Municipal Forestry Management Plan.

**COMMENTS:** Total cost for this contract shall not exceed \$100,000.  
**DOCUMENT NAME:** [20080501PWDR01.pdf](#) PARKS STUDIES (0112-07)  
**PROJECT NO. 6302791**

37. Request approval of a professional services contract with C. Williams Construction Engineering, Inc., for utility inspection and plan review for a Qwest Communications system upgrade.

**COMMENTS:** Total cost for this contract shall not exceed \$109,200.  
**DOCUMENT NAME:** [20080501PWDR04.pdf](#) UNDERGROUND UTILITIES (0810) PROJECT NO. 6708021

38. Request to award a nine-month, sole source contract to United Fire Equipment Company for MSA repair and replacement parts for self-contained breathing apparatus (SCBA).

**COMMENTS:** (Sole Source #08-130-01) Total cost for this contract shall not exceed \$40,000 during the contract period.  
**DOCUMENT NAME:** [20080501fslq05.pdf](#) PURCHASES (1004-01)

39. Request to award a three-year contract with two (2) one-year renewal options to Arizona Control Specialists for energy management system installation and maintenance.

**COMMENTS:** (RFP #08-138) Total cost for this contract shall not exceed \$200,000.

**DOCUMENT NAME:** [20080501fsta07.pdf](#) **PURCHASES (1004-01)**

40. Request to award a seven-month contract to Wedeco Inc. for the purchase of parts and equipment for the ultraviolet disinfection systems used for disinfection of water at the South Water Plant and reclaimed water at the Kyrene Reclamation Plant.

**COMMENTS:** (IFB #08-153) Total cost for this contract shall not exceed \$150,000 during the initial contract period.

**DOCUMENT NAME:** [20080501fsts12.pdf](#) **PURCHASES (1004-01)**

41. Request approval of a Construction Manager at Risk design phase contract with J. Banicki Construction for the ASU Transit Station on University Drive.

**COMMENTS:** Total cost for this contract shall not exceed \$72,550.

**DOCUMENT NAME:** [20080501PWDR03.pdf](#) **PUBLIC TRANSIT (1106)**  
**PROJECT NO. 6002961**

42. Request approval of a revised contract with PMT Ambulance for emergency medical transportation services.

**COMMENTS:** (T08-053-01)

**DOCUMENT NAME:** [20080501fslq13.pdf](#) **PURCHASES (1004-01)**

43. Request approval of a one-year renewal of a contract with Bound Tree Medical, LLC, for the purchase of emergency medical products to be used by the Tempe Fire Department.

**COMMENTS:** (T04-114-01) Total amount not to exceed \$100,000.

**DOCUMENT NAME:** [20080501fslq04.pdf](#) **PURCHASES (1004-01)**

44. Request approval of two (2) one-year renewals of contracts with Trafficade Services, Inc., and Bob's Barricades for the rental of barricades and warning devices.

**COMMENTS:** (T07-009-01 and 02) Total amount not to exceed \$150,000

**DOCUMENT NAME:** [20080501fsta06.pdf](#) **PURCHASES (1004-01)**

45. Request approval of a one-year renewal of a contract with Craftco, Inc., for rubberized crack sealing asphalt.

**COMMENTS:** (T06-165-01) Total amount not to exceed \$100,000.

**DOCUMENT NAME:** [20080501fsta08.pdf](#) **PURCHASES (1004-01)**

46. Request approval of a one-year renewal of a contract with Salt River Project for the operation and maintenance of the Tempe Town Lake dams, controls systems, wells and water delivery system.

**COMMENTS:** (T05-034-01) Total amount not to exceed \$600,000.

**DOCUMENT NAME:** [20080501fsts10.pdf](#) **PURCHASES (1004-01)**

47. Request approval to utilize a nine-month State of Arizona contract with Ferguson Enterprises for the purchase of plumbing supplies and equipment.

**COMMENTS:** (EPS050069-2-A4) Total cost of this contract shall not exceed \$250,000.

**DOCUMENT NAME:** [20080501fsts11.pdf](#) **PURCHASES (1004-01)**

48. Request approval to utilize one-year State of Arizona contracts with Environmental Response, Inc., and PSC Industrial Outsourcing, Inc., for emergency and routine response to situations involving hazardous substances and/or pollutants.

**COMMENTS:** (#SCC060013-4-A2 and A3) Total cost of this contract shall not exceed \$500,000.

**DOCUMENT NAME:** [20080501fsts01.pdf](#) **PURCHASES (1004-01)**

49. Request approval to utilize a fifteen-month State of Arizona contract with Qwest Communications Corporation to provide the City of Tempe with local and long distance telecommunications carrier services.

**COMMENTS:** (EPS060014-A6) Total cost of this contract shall not exceed \$500,000.

**DOCUMENT NAME:** [20080501fsts02.pdf](#) **PURCHASES (1004-01)**

50. Request approval to utilize twenty-four month Maricopa County contracts with Alltel Communications, Arch Wireless and American Messaging Services to provide the City of Tempe with cellular telephone, Blackberry, paging services and the purchase of related equipment.

**COMMENTS:** (#04-043-01, 02, and 05) Total cost of this contract shall not exceed \$180,000.

**DOCUMENT NAME:** [20080501fsts03.pdf](#) **PURCHASES (1004-01)**

51. Request approval to utilize one-year State of Arizona contracts with Continental Flooring Company, Wholesale Floors, Norcon Industries and Diversified Flooring Services for commercial floor coverings.

**COMMENTS:** (Contract EPS060077-1 thru EPS060077-4) Total amount shall not exceed \$100,000.

DOCUMENT NAME: [20080501fsta09.pdf](#) PURCHASES (1004-01)

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

- \*52. This is the **introduction and first public hearing** of an ordinance authorizing the Mayor to execute a Development and Disposition Agreement between the City of Tempe and Arizona Boathouse and Welcome Center LLC. **The second public hearing is scheduled for May, 15 2008.**

DOCUMENT NAME: [20080501cdnc02.pdf](#) COMMUNITY DEVELOPMENT ADMIN. (0406) ORDINANCE NO. 2008.22

- \*53. This is the **introduction and first public hearing** to adopt an ordinance abandoning a forty foot bus, bicycle and pedestrian access easement located east of McAllister Avenue within Krueger Street west of Rural Road. **The second public hearing is scheduled for May 15, 2008.**

DOCUMENT NAME: [20080501PWCH02.pdf](#) ABANDONMENT (0901) ORDINANCE NO. 2008.15

- \*54. This is the **introduction and first public hearing** to adopt an ordinance abandoning portions of Water & Sewer Line Easements located at 1900 E. Apache Boulevard. **The second public hearing is scheduled for May 15, 2008.**

DOCUMENT NAME: [20080501PWCH05.pdf](#) ABANDONMENT (0901) ORDINANCE NO. 2008.18

- \*55. This is the **introduction and first public hearing** to adopt an ordinance abandoning two existing Water Line Easements located at 777 E. Baseline Road. **The second public hearing is scheduled for May 15, 2008.**

DOCUMENT NAME: [20080501PWCH06.pdf](#) ABANDONMENT (0901) ORDINANCE NO. 2008.19

D. Ordinances and Items for Second Hearing/Final Adoption

E. Resolutions

56. Request approval of a resolution authorizing the City Manager to execute Intergovernmental Agreements between the City of Tempe and one or more Indian Communities for the disbursement of a portion of their gaming revenues to support economic development within the City of Tempe.

**COMMENTS:** The monies will be utilized for support of the Apache ASL Trails project for the Deaf, Deaf/Blind and Hard of Hearing located at 2428 East Apache.

**DOCUMENT NAME:** [20080501cdls01.pdf](#) **COMMUNITY DEVELOPMENT adm (0403-01) RESOLUTION NO. 2008.33**

57. Request approval of a resolution authorizing the approval and submission of the Community Development Block Grant (CDBG) and Home Programs Action Plan for Fiscal Year 2008-2009.

**DOCUMENT NAME:** [20080501cdlc01.pdf](#) **COMMUNITY DEVELOPMENT BLOCK GRANT (0207-30) RESOLUTION NO. 2008.34**

- 58.** Request approval of a resolution authorizing the execution and delivery of certain agreements; approving an official statement; approving the issuance and sale of Transit Excise Tax Revenue Obligations (not to exceed \$31,000,000), Series 2008, *authorizing the taking of all other actions necessary for the immediate consummation of the transactions contemplated; and declaring an emergency.*

**DOCUMENT NAME:** [20080501fsjh02.pdf](#) **BOND SERVICE ADMINISTRATION (0203-01) RESOLUTION NO. 2008.36**

59. Request adoption of a resolution ordering the sale of not to exceed \$66,365,000 principal amount of City of Tempe General Obligation Bonds, Series 2008A, and approving related documents.

**DOCUMENT NAME:** [20080501fsjh01.pdf](#) **BOND SERVICE ADMINISTRATION (0203-01) RESOLUTION NO. 2008.35.**

60. Request approval of a resolution naming the ramada structures in Esquer Park, located at 2407 E. McArthur, in honor of Lupe Hernandez Esquer and Isabelle Cortez Avila.

**DOCUMENT NAME:** [20080501prcy01.pdf](#) **ESQUER PARK (0706-48) RESOLUTION NO. 2008.32**

61. Request approval of a resolution amending City Code Appendix A – Schedule of Fees and Charges, Chapter 29, Streets and Sidewalks, relating to Engineering Fees.

**DOCUMENT NAME:** [20080501PWWWS07.pdf](#) **MISCELLANEOUS FEES (0210-05) RESOLUTION NO. 2008.26**

- 62.** Request approval of a resolution amending City Code Appendix A – Schedule of Fees and Charges, Chapter 19, Motor Vehicles and Traffic, relating to Special Permits for Hauling Waste Material.

**DOCUMENT NAME:** [20080501PWWWS08.pdf](#) **MISCELLANEOUS FEES (0210-**

05) RESOLUTION NO. 2008.31

**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 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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Watch live at [www.tempe.gov/tempe11](http://www.tempe.gov/tempe11)**