
Tempe City Council March 5, 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 Shekerjian**
2. **PLEDGE OF ALLEGIANCE**
3. **MINUTES - Councilmember Arredondo**
 - A. Approval of Council Meeting Minutes
 1. Council's Executive Session – February 19, 2009
 2. Council's Issue Review Session – February 19, 2009 [20090305clrkck03.pdf](#)
 3. Council's Formal Meeting – February 19, 2009 [20090305clrkck02.pdf](#)
 4. Council's Special Five-Year Financial Planning Session – February 19, 2009 [20090305clrkck04.pdf](#)
 5. Council's Joint Dinner Meeting with School Districts – February 11, 2009 [20090305clrkck01.pdf](#)
 6. Council's Housing Committee – February 17, 2009 [20090305chc01.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 7. Aviation Commission – January 13, 2009 [20090305tavco01.pdf](#)
 8. Commission on Disability Concerns – November 6, 2008 [20090305cdc01.pdf](#)
 9. Commission on Disability Concerns – Architectural Compliance Committee – November 20, 2008 [20090305cdc02.pdf](#)
 10. Commission on Disability Concerns – Mayor's Awards Committee – November 12 & December 17, 2008 [20090305cdc03.pdf](#) [20090305cdc04.pdf](#)
 - 10a. Committee for Youth, Families & Community – January 25, 2009 [200900305cyfc01.pdf](#)
 11. Community Special Events Task Force – February 10, 12 & 24, 2009 [20090305setf01.pdf](#) [20090305setf02.pdf](#) [20090305setf03.pdf](#)
 12. Hearing Officer – February 3, 2009 [20090305ho01.pdf](#)
 13. Historic Preservation Commission – January 8, 2009 [20090305hpc01.pdf](#)
 - 13a. Historical Museum Advisory Board – January 8, 2009 [20090305csjc01.pdf](#)
 14. Human Relations Commission – January 13, 2009 [20090305hrc01.pdf](#)

15. Tempe Public Library Renovation – Public Art Design Team Review Panel – February 6, 2009 [20090305lab01.pdf](#)
16. Mayor's Youth Advisory Commission – February 3, 2009 [20090305myac01.pdf](#)
17. Municipal Arts Commission – Public Art/Art in Private Development Committee – February 11, 2009 [20090305mac01.pdf](#)
18. Parks & Recreation Board – January 21, 2009 [20090305prb01.pdf](#)
19. Tardeada Advisory Board – November 17, 2008 [20090305tab01.pdf](#)
20. Tardeada Advisory Board – Light Rail Subcommittee – November 17, 2008 [20090305tab02.pdf](#)

4. REPORTS AND ANNOUNCEMENTS

A. Mayor's Announcements

- a. Presentation of U.S. Flag to City of Tempe by Tempe Firefighters/U.S. Army Reservists Hall and Martinez
- b. Aloha Festival Proclamation
- c. Board and Commission Appointment Recommendations

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

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

BDS, COMMISSIONS, COMMITTEES ADM (0102-01)

- *22. This is a public hearing to recommend the approval of a Series 09 liquor store license for Circle K Stores, Inc., dba Circle K, 5240 South Rural Road.

COMMENTS: Kim Kwiatkowski is the Agent for this application.
DOCUMENT NAME: [20090305LIQ01.pdf](#) LIQ LIC (0210-02)

- *23. This is a public hearing to recommend the approval of a Series 12 restaurant liquor license for Pho Thang Long LLC dba Pho Thang Long, 414 South Mill Avenue, #115.

COMMENTS: Randy Nations is the Agent for this application.
DOCUMENT NAME: [20090305LIQ02.pdf](#) LIQ LIC (0210-02)

- *24. This is a public hearing to recommend the approval of a Series 06 bar liquor license for Triyar Entertainment Scottsdale LLC dba aloft Tempe, 951 East Playa Del Norte Drive.

COMMENTS: Dominic Scoles is the Agent for this application.
DOCUMENT NAME: [20090305LIQ03.pdf](#) LIQ LIC (0210-02)

B. Award of Bids/Contracts

25. Request award of a professional services design contract with HDR Engineering, Inc. for the design of roadway and landscaping improvements along College Avenue between U.S. 60 and Apache Boulevard.

COMMENTS: Total cost for this contract is \$339,477.
DOCUMENT NAME: [20090305PWTG02.pdf](#) TRANSPORTATION PLANNING (1101-01) PROJECT NO. 6001941

26. Request to award a one-year contract with four one-year renewal options to United Concordia Insurance Company for a dental preferred provider organization (DPPO) benefit plan for eligible City employees and their dependents.

COMMENTS: (RFP 09-058) Total amount not to exceed \$1,300,000 during the initial one-year contract period.
DOCUMENT NAME: [20090305fsta03.pdf](#) PURCHASES (1004-01)

27. Request approval of a one-year renewal of a contract with Vision Service Plan for a vision service benefit program for all eligible City employees and dependents.

COMMENTS: (T05-063-01) Total amount not to exceed \$350,000.
DOCUMENT NAME: [20090305fsta01.pdf](#) PURCHASES (1004-01)

28. Request approval of a one-year renewal of a contract with East Valley Tribune/AZ Interactive for design, layout, printing and distribution of the Tempe Leisure Opportunity Brochure.

COMMENTS: (T07-122-01) Total amount not to exceed \$80,000.
DOCUMENT NAME: [20090305fsta02.pdf](#) PURCHASES (1004-01)

29. Request approval of a one-year renewal of a contract with United Fire Equipment Company for the purchase and repair of protective clothing for the Fire Department.

COMMENTS: (T07-001-01) Total amount not to exceed \$110,000.
DOCUMENT NAME: [20090305fslq06.pdf](#) PURCHASES (1004-01)

30. Request approval of a one-year renewal of a contract with United Fire Equipment Company for the purchase of Fire Department personnel station clothing.

COMMENTS: (T07-128-01) Total amount not to exceed \$90,000.
DOCUMENT NAME: [20090305fslg07.pdf](#) PURCHASES (1004-01)

31. Request approval of a nine-month renewal of a contract with Office Depot for the purchase of office supplies.

COMMENTS: (US Communities #42595) Total amount not to exceed \$425,000.
DOCUMENT NAME: [20090305fslg09.pdf](#) PURCHASES (1004-01)

32. Request approval of a one-year renewal of a contract with Psomas for professional services for the creation of an enterprise geographical information system which will be used by various City departments including Police, Fire, Water Utilities and Public Works.

COMMENTS: (T06-030-01) Total amount not to exceed \$175,000.
DOCUMENT NAME: [20090305fst05.pdf](#) PURCHASES (1004-01)

33. Request approval to utilize a one-year State of Arizona contract with AmPac Tire Distributors, Inc. for the purchase of tires and tubes.

COMMENTS: (DPS070094) Total cost of this contract shall not exceed \$70,000.
DOCUMENT NAME: [20090305fsta04.pdf](#) PURCHASES (1004-01)

34. Request approval to utilize State of Arizona Contracts with Continental Flooring Company; Wholesale Floors, Inc.; Norcon Industries, Inc.; and Diversified Flooring Services for the purchase and installation of commercial floor coverings.

COMMENTS: (EPS060077) Total cost of these contracts shall not exceed \$150,000.
DOCUMENT NAME: [20090305fsta08.pdf](#) PURCHASES (1004-01)

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

- *35. This is the **introduction and first public hearing** for an ordinance authorizing an amendment to the lease between the City of Tempe and Urban Outfitters. **The second public hearing is scheduled for March 26, 2009.**

DOCUMENT NAME: [20090305cdnc03.pdf](#) CENTRAL BUSINESS DISTRICT (0403-05) ORDINANCE NO. 2009.09

- *36. This is the **introduction and first public hearing** to adopt an ordinance abandoning an existing Public Utility Easement located at 1949 E. University Drive. **The second public hearing is scheduled for March 26, 2009.**

DOCUMENT NAME: [20090305PWWS01.pdf](#) ABANDONMENT (0901)
ORDINANCE 2009.08

D. Ordinances and Items for Second Hearing/Final Adoption

- *37. This is the **second public hearing** to amend Chapter 14 of the Tempe City Code relating to Fire Prevention and Protection by adopting the 2006 Edition of the International Fire Code with amendments thereto.

DOCUMENT NAME: [20090305cacc01.pdf](#) TCC CH 14 (0503-14) ORDINANCE NO. 2009.04

- *38. This is the **second public hearing** to amend Chapter 28 of the Tempe City Code relating to Solid Waste by amending Sections 28-1, 28-11 and 28-12; and adding new Section 28-2 relating to Property Maintenance.

DOCUMENT NAME: [20090305cacc02.pdf](#) TCC CH 28 - SOLID WASTE (0503-28) ORDINANCE NO. 2009.10

- *39. This is the **second public hearing** to adopt an ordinance abandoning a portion of an existing Recovery Well Easement located on Lots 4 and 4A, "PLAYA DEL NORTE."

DOCUMENT NAME: [20090305PWWS03.pdf](#) ABANDONMENT (0901) ORDINANCE NO. 2009.07

E. Resolutions

40. Request approval of a resolution authorizing the fourth modification for reallocation of assessments for Playa Del Norte/Miller Road Improvement District No.179.

COMMENTS: The modification will reallocate the assessments across the units to be created in a condominium plat.

DOCUMENT NAME: [20090305PWWS04.pdf](#) IMPROVEMENT (ASSESSMENT) DISTRICTS (0805-79) RESOLUTION NO. 2009.01

41. Request approval of a resolution amending City Code Appendix A—Schedule of Fees and Charges (Chapter 14, Fire Prevention and Protection) relating to the fees for permits, inspections and operational services required by the International Fire Code and the Tempe City Code.

DOCUMENT NAME: [20090305cacc03.pdf](#) MISCELLANEOUS FEES (0210-05) RESOLUTION NO. 2009.16

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.

**Agendas are also available at www.tempe.gov/clerk
Watch live at www.tempe.gov/tempe11**