

Minutes Formal City Council Meeting June 11, 2009

Minutes of the Formal Council Meeting of Thursday, June 11, 2009, held at 7:30 p.m. in the Harry E. Mitchell Government Center, Municipal Building, City Council Chambers, 31 E. Fifth Street, Tempe, Arizona.

COUNCIL PRESENT:

Mayor Hugh Hallman
Vice Mayor Shana Ellis
Councilmember P Ben Arredondo
Councilmember Mark W. Mitchell
Councilmember Joel Navarro
Councilmember Onnie Shekerjian
Councilmember Corey D. Woods

Mayor Hallman called the meeting to order at 7:30 p.m.

1. Councilmember Arredondo gave the invocation.
2. Mayor Hallman led the audience in the **Pledge of Allegiance**.

3. MINUTES

A. Approval of Council Meeting Minutes

Motion by Councilmember Shekerjian to approve the following **COUNCIL MEETING MINUTES**. Second by Councilmember Woods. Motion passed unanimously on a voice vote.

1. Council's Executive Session – May 28, 2009
2. Council's Issue Review Session – May 7, 14 & 28, 2009 [20090611clrkck01.pdf](#)
[20090611clrkck02.pdf](#) [20090611clrkck06.pdf](#)
3. Council's Formal Meeting – May 7, 14 & 28, 2009 [20090611clrkck03.pdf](#)
[20090611clrkck04.pdf](#) [20090611clrkck05.pdf](#)
4. Council's Special Budget Session – May 28, 2009 [20090611budget01.pdf](#)
5. DELETED
6. Community Facilities District Board Meeting – May 28, 2009 [20090611cfd01.pdf](#)

B. Acceptance of Board & Commission Meeting Minutes

Motion by Councilmember Shekerjian to accept the following **COMMITTEE & BOARD MEETING MINUTES**. Second by Councilmember Woods. Motion passed unanimously on a voice vote.

7. Community Special Events Task Force – May 22 & 27 and June 2, 2009 [20090611setf01.pdf](#)
[20090611setf02.pdf](#) [20090611setf03.pdf](#)
8. Development Review Commission – April 28, 2009 [20090611drc01.pdf](#)

9. Hearing Officer – May 5 & 19, 2009 [20090611ho01.pdf](#) [20090611ho02.pdf](#)
10. Parks and Recreation Board – April 15, 2009 [20090611prb01.pdf](#)

4. REPORTS AND ANNOUNCEMENTS

A. Mayor's Announcements

- a. Mayor Hallman stated that Tempe works hard to create an environment in which the community benefits economically, environmentally and culturally through cooperative efforts with its partners. One of the great partners for many years is the Tempe Rotary. Rotarians work with individuals and businesses in the community to sponsor events that raise money for good causes, such as the Children's First Academy. Tonight the City of Tempe and the Rotary want to thank two of the many sponsors in this year's Rotary River Rally. ITT Technical Institute and Dibble Engineering are both long time participants and sponsors who are making a difference in our local community. Jim Lemmon and representatives from Tempe South and Tempe Rotary Clubs were introduced. Mr. Lemmon added that this was the tenth year for the Tempe Rotary River Rally. There are sponsors in the community who believe in children, in alcohol-free events, and in technology. The important thing about the River Rally is that it has always supported children's charities in Tempe. He introduced representatives from ITT Technical Institute and Dibble Engineering. **He presented a check to the Children's First Academy representatives.** He further presented a plaque to the City of Tempe for the 2008 and 2009 events. Mayor Hallman also presented a trophy to Dibble Engineering for a 3rd place finish.
- b. Mayor Hallman announced that the Tempe community is stellar in terms of citizen inclusion and participation, both in government and in volunteer service. The City Council appreciates the dedication and expertise of those currently serving on boards and commissions and invited residents to consider applying to participate as a member of one of the three dozen boards and commissions. Recommendations for current **Board and Commission appointments and reappointments:**

Housing Trust Fund Advisory Board	Terms Expire 12-31-12 (1)
Chris Martin	
Shane Graser	
Myra Jefferson	
Stanley Nicpon	
Kevin Kaesberg	
Kolby Granville	
Todd Marshall	

Disability Concerns Commission	Terms Expire 12-31-12 (*)
Linda Bergevin	Reappointment
Nora Nunez	Reappointment

Electrical Code Advisory Board	Term Expires 2-10-12 (*)
Robert Neely	Reappointment

Historic Preservation Commission	Term Expires 3-31-12 (*)
Elizabeth Wilson	Reappointment
Dan Killoren	Reappointment

Library Advisory Board Jeanette Daane	Term Expires 12-31-12 (*) Reappointment
Merit System Board Russell Schoeneman	Term Expires 5-31-12 (*) Reappointment
Police Public Safety Personnel Retirement Board Jeff McHenry	Term Expires 6-30-13 (1) Replaces Joe Schiefer

B. Manager's Announcements

City Manager Charlie Meyer announced that the City is in a series of transitions as a result of the economic climate and retirement incentives. He stated that this represents the last Council meeting for two department heads who have worked for the City for a great deal of time. **Gene Obis**, Information Technology Department Manager, worked for the City for 30.483 years. Today, **Dave Heck** has been appointed to serve as Interim Information Technology Department Manager. **Tom Canasi**, Community Services Manager, worked for the City for 29.747 years. **Kathy Berzins** has been appointed to serve as Interim Community Services Manager.

5. AGENDA

All items in these minutes identified with an asterisk (*) are **public hearing items**. All items listed on the agenda are approved with one council action. Items scheduled for Introduction/First Public Hearing will be heard but not adopted at this meeting. Items scheduled for Second Public Hearing/Final Adoption will be voted upon at this meeting.

Mayor Hallman announced consideration of the **AGENDA**.

Mayor Hallman clarified Items #46, #48 and #49. The City is in continuing negotiations with the employee union groups to finalize contracts and the Firefighters' Union has a two-year agreement in place (#46). Rather than determine what will happen between now and July 1, Council is leaving open the option that we will enter an agreement to extend that contract while negotiations are completed for the Council's July 2 meeting. The same is true for Items #48 and #49, although those two union organizations only have one-year agreements, and we want to make sure we have agreements in place through the completion of the negotiations. Those two items allow Council to do that.

Motion by Councilmember Mitchell to approve the Agenda as amended (Items #15, #25 and #31 were removed for separate consideration, and Item #47 was deleted). Second by Councilmember Navarro. Motion passed on a roll call vote 7-0.

A. Miscellaneous Items

11. Approved the Report of Claims Paid to be filed for audit for the month of May, 2009.
COMMENTS: A copy of the detailed claims report may be obtained by contacting the City Clerk's Office.
12. Approved the Mayor's Board and Commission appointment and reappointment selections.

DOCUMENT NAME: [20090611boards.pdf](#) BOARDS, COMMISSION, COMMITTEES ADM (0102-01)

13. Authorized the Mayor to sign **Contract #2000-123I**, the 2009-2010 Greater Phoenix Economic Council (GPEC) Contract for regional economic development marketing services.

COMMENTS: Total cost for this contract shall not exceed \$63,914.

DOCUMENT NAME: [20090611cdsw01.pdf](#) ECONOMIC DEVELOPMENT PROGRAM (0111-03)

14. Approved **Contract #2009-102**, a Lease Agreement between the City of Tempe and Catholic Charities Community Services, East Valley for the property located at 2237 E. Maryland Drive for one year.

DOCUMENT NAME: [20090611cskb01.pdf](#) CATHOLIC SERVICES (0109-25)

15. **THIS ITEM WAS REMOVED FOR SEPARATE CONSIDERATION.**

Approved **Contract #2009-103**, an Agreement with Friends of Tempe Center for the Arts for an initial term of ten (10) years, with an optional renewal term of ten (10) years.

Mayor Hallman declared a conflict of interest because he represented the Friends of Tempe Center for the Arts in their formation and activity.

Vice Mayor Ellis conducted the vote for Item #15.

Motion by Councilmember Arredondo for approval of Item #15. Second by Councilmember Mitchell. Motion passed on a roll call vote, 6-0, with Mayor Hallman abstaining.

DOCUMENT NAME: [20090611csdf01.pdf](#) TEMPE ARTS CENTER (0109-19)

16. Approved **Contract #2006-236C**, the Renewal of the Facility Use Agreement between Tempe School District No.3 and the City of Tempe Kid Zone Enrichment Program for the before school, after school, breaks (fall, winter and spring) and summer facilities for the Kid Zone Enrichment Program from August 1, 2009 to July 2010.

COMMENTS: Total cost shall not exceed \$38,492.00

DOCUMENT NAME: [20090611cskb02.pdf](#) COMMUNITY SERVICE ADM (0701-01)

17. Approved the 2009 Seized Asset Community Action (SACA) Summer Grant Program.

DOCUMENT NAME: [20090611pdbb01.pdf](#) POLICE DEPARTMENT ADMINISTRATION (0606-02)

18. Approved the settlement of Barker, et al., v. City of Tempe, CV2006-012711.

COMMENTS: Plaintiffs have agreed to dismiss with prejudice all claims against the City of Tempe in exchange for a settlement amount of one million, three hundred fifty thousand dollars (\$1,350,000).

DOCUMENT NAME: [20090611cacc02.pdf](#) LITIGATION SETTLEMENTS (0501-04)

19. Approved **Contract #2003-168E**, Ancillary Agreement between Chicanos Por La Causa and City

of Tempe. Reimbursement to the City of Tempe as part of New Markets Tax Credit application process.

COMMENTS: Reimbursement to City of Tempe in the amount of \$100,000.

DOCUMENT NAME: [20090611cdaws01.pdf](#) **ECONOMIC DEVELOPMENT PROGRAM (0111-03)**

20. Approved the expenditure of funds under the existing Intergovernmental Agreement with the City of Phoenix Fire Department for firefighter medical and physical exams for fiscal year 2009/2010.

COMMENTS: (C97-179) Total expenditure of funds for fiscal year 2009/2010 shall not exceed \$123,498.

DOCUMENT NAME: [20090611fslg06.pdf](#) **PURCHASES (1004-01)**

21. Approved expenditures for annual insurance premiums for fiscal year 2009/2010 to include excess property, primary and excess liability, crime, excess workers' compensation, and auto insurance purchased through the City's risk management consultant/broker, Marsh USA, Inc.

COMMENTS: (T05-109-01) Total amount shall not exceed \$1,200,000.

DOCUMENT NAME: [20090611fst02.pdf](#) **LIABILITY INSURANCE, CITY, SELF-INSURED (0510-01)**

- 21a. Authorized the Mayor to execute **Contract #2002-193C**, a one-year renewal contract with the Tempe Convention and Visitors Bureau (TCVB) for the tourist and convention promotional program.

COMMENTS: The estimated TCVB proceeds of the transient bed tax is \$1.2 million.

DOCUMENT NAME: [20090611cdcm03.pdf](#) **TEMPE CONVENTION AND VISITORS BUREAU (0109-26)**

B. Award of Bids/Contracts

22. Approved **Contract #2008-137F**, job order no. 6 with Caliente Construction, Inc. and a project contingency, for improvements at Playa del Norte Drive park.

COMMENTS: Total amount of job order no. 6 is \$511,775 and the project contingency is \$50,000.

DOCUMENT NAME: [20090611PWTG02.pdf](#) **RIO SALADO PARK (0706-32) PROJECT NO. 6502421**

23. Approved **Contract #2008-250**, job order no. 1 with Quest Civil Constructors, Inc., and a project contingency for Kyrene Water Reclamation Plant Safety Improvements.

COMMENTS: Total amount of job order no. 1 is \$71,216 and the project contingency is \$7,000.

DOCUMENT NAME: [20090611PWTG03.pdf](#) **KYRENE WATER RECLAMATION PLANT (0812-02) PROJECT NO. 3202882**

24. Awarded **Contract #2009-104**, a professional services contract with Deutsch Architecture Group, Inc. for the Fire support services building improvements.

COMMENTS: Total cost for this contract is \$241,691.

DOCUMENT NAME: [20090611PWTG06.pdf](#) **FIRE STATIONS – MAINTENANCE/IMPROVEMENTS (1001-08) PROJECT NO. 5604001**

25. **THIS ITEM WAS REMOVED FOR SEPARATE CONSIDERATION.**
Awarded **Contract #2009-105**, a construction manager at risk (CMAR) contract with Okland Construction Company, Inc. for construction services, awarded **Contract #2009-106**, a construction management contract with Bosak Architectural Companies, Inc., and approved a project contingency for renovations of the Tempe Public Library.
COMMENTS: Total cost for the construction services contract (CMAR) is \$6,483,419. Total cost for the construction management contract is \$150,000, and the amount of the project contingency is \$340,000.

Councilmember Shekerjian asked staff to clarify this item.

Glenn Kephart summarized that this project is a long-awaited citizen bond-approved project for renovations to the Library. It is funded out of the secondary property tax and is part of the City's Capital Improvement Program. It is different money than that used for the operating budget.

Councilmember Shekerjian added that when people hear that positions are being eliminated, and then they see that \$6.4M is being spent, it is important to understand that it is a different pot of money that they actually voted for.

Motion by Councilmember Shekerjian to approve Item #25. Second by Councilmember Navarro. Motion passed on a roll call vote, 7-0.

DOCUMENT NAME: [20090611PWTG07.pdf](#) [20090611PWTG07a.pdf](#)
[20090611PWTG07b.pdf](#) **LIBRARY – 3500 S RURAL RD (0902-12) PROJECT NO. 6702491**

26. Awarded **Contract #2009-107**, a professional services contract with Stantec Consulting, Inc., for the flood irrigation system.
COMMENTS: Total cost for this contract is \$476,362.
DOCUMENT NAME: [20090611PWTG08.pdf](#) **STORM DRAIN & FLOOD CONTROL (0808) PROJECT NO. 6704041**
27. Awarded **Contract #2009-108**, a construction contract with B & F Contracting, Inc. and approval of a project contingency for traffic signal foundations.
COMMENTS: Total cost for this contract is \$732,715 and the amount of the project contingency is \$50,000.
DOCUMENT NAME: [20090611PWTG09.pdf](#) **TRAFFIC SIGNAL MAINTENANCE ADMIN (1105-06) PROJECT NO. 6903381**
28. Awarded **Contract #2009-109**, job order construction contract to USA Shade and Fabric Structures, Inc. and **Contract #2009-110**, job order construction contract to Shade-N-Net of Arizona, Inc., to perform on-call job order construction for shade structures.
COMMENTS: Job order construction contracts for an annual amount not to exceed \$1,000,000 with USA Shade and Fabric Structures, Inc., and Shade-N-Net of Arizona, Inc.
DOCUMENT NAME: [20090611PWTG04.pdf](#) [20090611PWTG04a.pdf](#) **ENGINEERING ADMINISTRATION (0803-02)**

29. Approved **Contract #2009-111**, two-year contracts with three, one-year renewal options to Republic ITS, Inc., and Fluoresco Lighting & Signs for service and maintenance of area lighting including park lighting, facility safety lighting and recreational area lighting.
COMMENTS: (RFP 09-140) Total amount of this contract shall not exceed \$300,000 during the initial two-year contract period.
DOCUMENT NAME: [20090611fsta08.pdf](#) **PURCHASES (1004-01)**
30. Approved **Contract #2009-112**, two-year contracts with two, two-year renewal options to Highway Technologies, Inc., and Bob's Barricades for the rental of barricades and warning devices.
COMMENTS: (RFP 09-147) Total amount of this contract shall not exceed \$500,000 during the initial two-year contract period.
DOCUMENT NAME: [20090611fsta07.pdf](#) **PURCHASES (1004-01)**
31. **THIS ITEM WAS REMOVED FOR SEPARATE CONSIDERATION.**
Approved the purchase of liquefied natural gas (LNG) for transit services for fiscal years 2009/2010 through 2011/2012 through the existing intergovernmental cooperative purchasing agreement with the City of Phoenix and the Regional Public Transportation Authority (RPTA).
COMMENTS: (Contract #09-166) Total amount not to exceed \$10,209,500.

Councilmember Shekerjian asked staff to clarify this contract.

Carlos de Leon summarized that this awards a three-year contract to Clean Energy to purchase liquid natural gas. This procurement process was done in a cooperative manner with the City of Phoenix and Valley Metro which resulted in a sizeable discount. Costs are being reduced by 46% from the current price and all of the funds will come from the transit funds.

Motion by Councilmember Shekerjian to approve Item #31. Second by Councilmember Woods. Motion passed on a roll call vote, 7-0.

DOCUMENT NAME: [20090611fslq01.pdf](#) **PURCHASES (1004-01)**

32. Approved a six-month renewal of a contract with Urban Forest Tree Care, Inc., for landscape maintenance services.
COMMENTS: (T09-002-01) Total amount not to exceed \$54,000.
DOCUMENT NAME: [20090611fslq03.pdf](#) **PURCHASES (1004-01)**
33. Approved a five-year renewal of a contract with James Godfrey, dba Bogie's Clubhouse, for food and beverage concession services at Ken McDonald Golf Course.
COMMENTS: (Contract C94-113B) There is no cost to the City for this contract.
DOCUMENT NAME: [20090611fslq04.pdf](#) **PURCHASES (1004-01)**

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

*34. Introduced and held the **first public hearing** to adopt an ordinance abandoning a portion of

existing Water Line Easement located at 1990 East Third Street (N.W. corner of Smith Road/3rd Street), more particularly described in the attached Exhibits. **The second public hearing is scheduled for July 2, 2009.**

DOCUMENT NAME: [20090611PWWWS11.pdf](#) **ABANDONMENT (0901) ORDINANCE NO. 2009.24**

- *35. Introduced and held the **first public hearing** to adopt an ordinance to authorize a License for an ATM at 25 East Fifth Street. **The second public hearing is scheduled for July 2, 2009.**

DOCUMENT NAME: [20090611PWWWS12.pdf](#) **REAL PROPERTY/RIGHT OF WAY LICENSE (TO OTHERS) ORDINANCE NO. 2009.25**

- *36. Introduced and held the **first public hearing** to approve an ordinance authorizing the Mayor to execute an Assignment and Assumption of Leases on Units 1 and 2 of the Brickyard, and a Deed reconveying Units 1 and 2 to ASU. **The second public hearing is scheduled for July 2, 2009**

DOCUMENT NAME: [20090611dscm02.pdf](#) **COMMUNITY DEVELOPMENT/REDEVELOPMENT ADM (0403-01) ORDINANCE NO. 2009.26**

D. Ordinances and Items for Second Hearing/Final Adoption - None

E. Resolutions

- *37. Held a public hearing and approved RESOLUTION NO. 2009.52 approving the annual assessments for the Downtown Tempe Enhanced Services Improvement District.

DOCUMENT NAME: [20090611cdcm01.pdf](#) **CENTRAL BUSINESS DISTRICT (0403-05)**

38. Approved RESOLUTION NO. 2009.56 authorizing the Mayor to execute five Intergovernmental Agreements between the City and the Pascua Yaqui Tribe for disbursement pursuant to Arizona law of a portion of the Tribe's gaming revenues and authorizes the Mayor to execute the necessary funding agreements as follows: **Contract #2009-113** for the City of Tempe Public Library's Veterans History Project, **Contract #2009-114** to City of Tempe Experience Corp Program, **Contract #2009-115** to the City of Tempe Historical Museum, **Contract #2009-116** to Jobs for Arizona's Graduates (JAG), **Contract #2009-116A** for the JAG Funding Agreement, **Contract #2009-117** for the Tempe Union High School District (TUHSD) – Marcos de Niza High School Band Program, and **Contract #2009-117A** for the TUHSD Funding Agreement.

DOCUMENT NAME: [20090611graw01.pdf](#) **STATE LEGISLATURE (0107-06)**

39. Approved RESOLUTION NO. 2009.58 authorizing the Water Utilities Department to apply for a United States Bureau of Reclamation Challenge Grant to help fund the Tempe Kyrene Water Reclamation Facility Groundwater Recharge Project, and to enter into a cooperative agreement with the Bureau if the application is successful.

DOCUMENT NAME: [20090611cacc01.pdf](#) **WASTEWATER MANAGEMENT ADMIN (0812-01)**

40. Approved RESOLUTION NO. 2009.59 authorizing the Mayor to execute **Contract #2007-142A**,

a Land and Improvements Lease between the City and WPRE I Triyar Tempe, LLC, a Delaware limited liability company, or their successor in interest, and **Contract #2007-142B**, a Memorandum of Lease.

DOCUMENT NAME: [20090611cdnr02.pdf](#) **RIO SALADO MASTER PLAN (0112-07-03)**

41. Approved RESOLUTION NO. 2009.60 approving **Contract #2000-151H**, renewal of the Intergovernmental Agreement with the U.S. Department of Agriculture, Wildlife Services Division for fiscal year 2009/2010 to provide Wildlife Management Assistance for the Rio Salado Project.

COMMENTS: Total cost of the contract shall not exceed \$25,000.

DOCUMENT NAME: [20090611cdnr01.pdf](#) **RIO SALADO MASTER PLAN (0112-07-03)**

42. Approved RESOLUTION NO. 2009.57 amending City Code Appendix A—Schedule of Fees and Charges, as it pertains to certain Zoning and Development Fees.

DOCUMENT NAME: [20090611dsrl01.pdf](#) **MISCELLANEOUS FEES (0210-05)**

43. Approved RESOLUTION NO. 2009.61 amending the City of Tempe Personnel Rules and Regulations pertaining to requirements for shift differential, hiring of relatives, vacation accrual, Wellness Leave Program, Sabbatical Leave Program, bereavement leave, Family and Medical Leave Act (FMLA) and computer and telephone use.

COMMENTS: This resolution amends the City of Tempe Personnel Rules and Regulations; Rule 2, Section 204(D); Rule 3, Sections 301(D); Rule 5, Sections 502(A), 502(H), 503(I), 505(A) and (B) and 512 (D); and Rule 6, Section 612(A), (B), (E), (F) and (G).

DOCUMENT NAME: [20090611hrrb01.pdf](#) **PERSONNEL RULES AND REGULATIONS (0301-01)**

44. Adopted RESOLUTION NO. 2009.62 approving **Contract #2001-136C**, Third Amendment to the Intergovernmental Agreement between the Maricopa County Library District and the City of Tempe for participation in the Reciprocal Borrowing Program.

COMMENTS: The City of Tempe received \$193,749 in revenue for FY 2007/2008 and \$196,000 for FY 2008/2009 for its participation in this program at the reimbursement rate of \$29.00 per net non-resident borrower card issued. It is estimated that the City will receive approximately \$185,874 in revenue for FY 2009/2010 at the reduced reimbursement rate of \$26.00 for the one year term of the Amendment.

DOCUMENT NAME: [20090611cstm01.pdf](#) **LIBRARY ADM (0704-01)**

45. Approved RESOLUTION NO. 2009.63 approving **Contract #2008-147A**, a Memorandum of Understanding between the Tempe Supervisors' Association and the City of Tempe July 1, 2009 – June 30, 2010 and authorizing its execution.

DOCUMENT NAME: [20090611hrrb02.pdf](#) **SUPERVISORY EMPLOYEES – MEET AND CONFER (0303-08-05)**

46. Approved RESOLUTION NO. 2009.64 authorizing the City Manager to execute **Contract #2005-144E**, an Addendum amending the current Memorandum of Understanding between the Firefighter's Unit and the City of Tempe.

DOCUMENT NAME: [20090611casv01.pdf](#) **FIRE FIGHTERS – MEET AND CONFER**

(0303-08-01)

47. **THIS ITEM WAS REMOVED**
48. Approved RESOLUTION NO. 2009.65 extending the termination date of the Memorandum of Understanding between the City of Tempe and SEIU Local 5 with exceptions.
DOCUMENT NAME: [20090611casv03.pdf](#) SEIU LOCAL 5 – MEET AND CONFER (0303-08-01)
49. Approved RESOLUTION NO. 2009.66 extending the termination date of the Memorandum of Understanding between the City of Tempe and the Tempe Officers Association with exceptions.
DOCUMENT NAME: [20090611casv02.pdf](#) TEMPE OFFICERS ASSOCIATION – MEET AND CONFER (0303-08-01)

6. PUBLIC APPEARANCES

UNSCHEDULED PUBLIC APPEARANCE

Jack Batty, City of Tempe employee, presented a challenge that came from Chandler. The SEIU Chandler and Tempe are conducting the “Bottled Water War.” The Mayor and City Council of Chandler have challenged the Tempe Mayor and City Council to 25 cases of water each. Pat McDermott, Chandler’s Assistant City Manager, has challenged Jeff Kulaga, Assistant City Manager, for 50 cases. Mr. Batty extended the challenge to all department managers for 100 cases. This water is donated to charities, and donations received from cases of water are given to the homeless. Last year, 1500 cases were donated. This year, the challenge is 1500 cases per city. Chandler doesn’t think Tempe can do it. July 3rd is the deadline and water can be dropped off at the Priest Yard, the North Water Plant, or the Escalante Center. The community may also participate by bringing water. A case typically costs about \$4.

Mayor Hallman added that he and the Council donated 100 cases last year.

Councilmember Shekerjian asked about cash donations.

Mr. Betty responded that checks may be made payable to Sandra DeWittie, and she will purchase the water.

Dan O’Connor, Phoenix, AZ, currently President of the Arizona Chapter of ATSSA (American Traffic Safety Services Association) explained that the ATSSA is comprised of traffic safety companies throughout the country and the world. The local chapter consists of most of the traffic control companies in Arizona. His purpose tonight is to state their position regarding a new regulation added to the City of Tempe Barricade Manual. ATSSA has been a partner with agencies throughout the State and the country in creating and modifying such documents as the Manual on Uniform Traffic Control Devices, the Arizona supplement to the that manual, ADOT special provisions for traffic control, Maricopa County Temporary Traffic Control Regulations, City of Phoenix Barricade Manual, and many other documents. When the City’s Transportation Department contacted all of the barricade companies and invited them to a meeting concerning changes to the manual, ATSSA members expected the June 4th meeting to be a presentation of the changes with an opportunity for feedback to help the City reach their goals while making the program flow smoothly. They were very disappointed to learn that the plan was to present the program as created without any input from the industry or contracting community. They agree with the plan to continue the

\$150 barricade permit, but they strongly disagree with the new policy that requires that fees for closing or restricting lands be charged to the company supplying the traffic control. The contractor that uses the roadway to do his work determines how much time and how many necessary lanes will be affected, and then contacts the barricade company to draw up the plan and provide the equipment. They pay ATSSA for these services. The new plan will put the burden of reserving the closed lanes for specific periods on the shoulders of the barricade companies. No other city in Arizona collects these types of fees through the barricade companies. In those cities, the contractor is required to pay the fees when they pick up the permit to do their work. This new policy would place the barricade company in the position of financing and then collecting the fees from the contractor. ATSSA is requesting that the City Council rescind the July 1st start date for this program and send it back to staff with a request to partner with the industry and contracting community to work out these issues. The program the City is attempting to implement in less than a month, with no guidance and very little communication, is very complicated. There is not enough time to react or educate themselves or the contracting community.

Mayor Hallman reassured Mr. O'Connor that staff would consider his comments and bring something forward, if appropriate, to the July 2nd Council meeting.

Jim Barker, Scottsdale, parent of Kyle Barker. He hoped that the Police Department policies and procedures that were disobeyed would be reviewed and an appropriate reprimand would be given to the officer involved. He also hoped that better guidelines would be developed.

7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS

- Councilmember Mitchell congratulated Tom Canasi for his long term service to the City.
- Councilmember Arredondo thanked Tom Canasi for his leadership, friendship and service. He also congratulated the Fire Department for their response to the severe residential fire recently.
- Councilmember Shekerjian added her thanks to Tom Canasi. As a new councilmember, she appreciated Tom's help in the early part of her term. He was a mentor to her. Gene Obis was also a big help to her. She also extended best wishes to Dave Heck and Kathy Berzins in their new roles. She added birthday wishes to Councilmember Mitchell.
- Councilmember Navarro added that Tom Canasi has been an inspiration to him and he thanked him for his outstanding service. He thanked all of the retirees for their service and efforts for the City. His children are involved in a Parks and Recreation program that could have been eliminated, and the support this Council gave for those programs has been tremendous. These programs are filled in a matter of a day or two. That says a lot about Tempe. He also thanked Coach Dwains.
- Councilmember Woods added his thanks to Tom Canasi and Gene Obis. He congratulated Dave Heck and Kathy Berzins for their appointments. He also extended birthday greetings to Councilmember Mitchell.
- Vice Mayor Ellis echoed what has been said about the retirees. She especially thanked Tom Canasi, Gene Obis, Teri Metros, and Kathy Gasperich. She added birthday greetings to Councilmember Mitchell.
- Mayor Hallman extended birthday wishes to Councilmember Mitchell. He further congratulated Gene Obis and Tom Canasi. He added that Sue Canasi has only been in the Council Chambers for Council meetings twice, the first to celebrate Tom's joining the City of Tempe 30 years ago, and tonight to celebrate his retirement. She has also been an extraordinary gift to the City because she has contributed significant efforts to the community and has been a tremendous support for Tom.

He added thanks to all those who will be retiring for their long service to the community.

Meeting adjourned at 8:25 p.m.

I, Jan Hort, the duly-appointed City Clerk of the City of Tempe, Maricopa County, Arizona, do hereby certify the above to be the minutes of the Formal City Council meeting of June 11, 2009, by the Tempe City Council, Tempe, Arizona.

Hugh Hallman, Mayor

ATTEST:

Jan Hort, City Clerk

Dated this _____ day of _____, 2009.