Call to Order

Roll Call

1. Call to Audience: Persons wishing to address the Commission on any matter may do so at the discretion of the Chair. However, Arizona Open Meeting Law limits Commission discussion to matters listed on the posted agenda. Other topics may be placed on a future agenda for discussion.

2. Approval of March 14th, 2017 Meeting Minutes

3. Introduction of New Member – John Southard, Historic Preservation Officer

4. Consideration of City Council Chambers Naming Request

5. Tempe Streetcar Presentation – Eric Iwersen, Principal Planner

6. Tempe (Hayden) Butte Master Plan Presentation – Bonnie Richardson, Principal Planner

7. Discuss and Consider One Hundred Mill Project / 1873-1924 Charles T. Hayden House

8. Discussion and Possible Direction on Preservation-Related General Plan 2040 Elements

9. Chair / Staff Updates

10. Current Events / Announcements / Future Agenda Items
   - Member Announcements
   - Staff Announcements

Adjourn

For further information on the above agenda items, contact Community Development, Planning Division (480) 350-8331. Agenda items may not be heard in the order listed. The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance is available at public meetings for sight and/or hearing-impaired persons. Please call 350-8331 (voice) or 350-8400 (TDD) to request an accommodation to participate in a public meeting.
Agenda Item 2
Chair Gregory called the meeting to order at 6:00 p.m.

1. Call to Audience: No response

2. Approval of February 09th, 2017 Meeting Minutes

   Commissioner Soliday moved the Commission approve the February 09th, 2017 minutes. The motion was seconded by Commissioner Garrison and passed with a vote of 8-0.

3. Fifth Street Streetscape - Preferred Treatment Concept – Tony Belleau, Transportation Planner

   - Presentation given by Transportation Planner Tony Belleau on the projects current status speaking to the following:
     - Process of gather input from stakeholder along 5th Street;
     - Design Goals; and
     - Preliminary Concepts
   - Preferred concept is a combination of all three preliminary concepts with punctuated bike lanes rather than separated bike lanes
   - Walks through preferred concept treatment in four quadrants speaking to design elements in each quadrant, as well as, throughout the concept
   - Next steps are a public meeting April 4th and a council update on progress
   - Question about the crosswalk signal at College Avenue.
     - Study currently underway
     - Scramble not advised due to truck turning
   - Mention of overcrowding the sidewalk near Laird and Dines with the addition of Date Palms and already existing poles
   - Question about trailhead improvements associated with the project
     - Mention of involving the SRPMIC in the process
   - Question from audience about the budget and design team
   - Mention of potential to integrate the new streetscape in with upcoming CIP projects
4. **Hayden House Update** – John Southard, historic Preservation Officer
   - Brief update given with regard to the Historic Hayden House mentioning the following items
     - Adobe inspection has yet to be scheduled
     - Fire sprinklers are due for inspection
     - Project team has been invited to the April 11th meeting
     - Protection Plan is near completion
     - Minor revisions have been made to the HABS
     - Project team will be seeking PAD extension from City Council
     - Sinkhole was located in the parking lot
   - Question about the PAD renewal and whether or not progress would need to be made
   - Request to include conditions and stipulations from PAD in the April packet
   - Update given about construction plans and protection measures
   - Question about timeline for construction
   - Mention to the potential for building or site to be used for Streetcar project office

5. **Chair / Staff Updates**
   - Chari Updates:
     - First Congregational Church
       - Per an ad received the stained glass is being sold
       - Last service is March 26, 2017
       - Removing of windows would need to come to HPC for approval
   - Staff updates:
     - Hayden Butte Water Tank
       - Water line for drainage is being relocated
         - The Four Southern Tribes were happy with the relocation of the drainage line
       - The tank to the east is beginning to be coated
       - The tank to the west is currently under rehab
     - Hayden Flour Mill
       - The elevators are in need of being decommissioned and that process is currently underway
       - Approval of the Part 1 application was received
       - Approval from NPS to remove wash towers was received
     - Reminder about the Jim Elmore pedestrian bridge dedication at 12pm on Saturday March 18, 2017.
     - Mitchell Park and Willacker Homes have inquired about Historic designation
o Mitchell Park and Willacker Homes have inquired about Historic designation
o Update on gaming grant applications
  • $300K for a blanket archaeological monitoring plan
  • Historic Preservation Plan was not one of the highest priorities this year
o Reminder that May is Preservation Month
  • The focus of this year will be our adobe resources
  • Abney mentions a video with regard to Elias-Rodriguez
  • Mention of an adobe resource on Spence
o Reminder about the HP Awards being presented at the Neighborhood Awards on April 22, 2017.

6. Current Events / Announcements / Future Agenda Items
   • Future agenda items were mentioned
     o Butte Master Plan
     o Streetcar Updates and Changes
     o 8th Street Update
     o General Plan Implementation and Monitoring
     o Hayden House Update
   • Announcements
     o Kori Turner terming out
     o Brenda Abney announces play at Elias-Rodriguez
     o Brenda mentions her new position within the city
     o Tempe History Museum is now accredited by the American Alliance of Museums

Meeting adjourned at 7:15pm

Prepared by: City of Tempe Historic Preservation Office

Andrea Gregory, Chair
Agenda Item 4
DESCRIPTION: City Council Chambers Naming Request

BACKGROUND INFORMATION: The City Clerk received a facilities naming request seeking recognition of the late Joseph “Joe” Pospicil, Jr. on February 22nd, 2017. The request was put forward by John Altman, Arthur Jacobs, Richard Peterson, and Dean Short, a group self-identified as “The Five Minus One.” This group, all longtime acquaintances of Mr. Pospicil, previously submitted requests to name a multi-use path or other transportation-related City property in honor of Mr. Pospicil. Their prior requests did not receive recommendations of approval from the Tempe Transportation Commission and were not adopted by the City Council. The February 22nd, 2017 naming request lists, in order of preference, numerous options for consideration, including naming the City Council Chambers the Joe Pospicil, Jr. City Council Chambers. Per Resolution 2012.130, naming requests are to be processed according to the standards outlined in a document entitled “Procedure for Naming of City Facilities” (Procedures). That protocol is as follows:

The requesting entity shall deliver the naming request to the City Clerk. The City Clerk shall determine if the naming request is complete and, if so, shall submit the naming request to the Mayor for assignment to the appropriate Board, Commission, or Committee. The Board, Commission, or Committee so assigned shall review the naming request and report its recommended action to the City Council.

As the Tempe Municipal Building is listed in the Tempe Historic Property Register, Mayor Mitchell assigned the City Council Chambers naming request to the Historic Preservation Commission. Pursuant to section 5 of the abovementioned Procedures, the naming request is to be considered using the following criteria:

…the individual’s contributions through community service, involvement, or dedication beyond an ordinary interest level that clearly resulted in tangible benefits to the City. Examples of tangible benefits to the City may include:

a. An enhanced well-being and quality of life for City residents;

b. Preservation of the City’s history;

c. Contributions toward the acquisition, development, or conveyance of land, buildings, structures or other amenities to the City or community;

d. Local, state or national recognition for work in public service that directly impacted the City;

e. An act of heroism;

f. Any other contribution that resulted in tangible benefits to the City or City residents.

In addition, “the connection between the contribution of the individual and the City facility should be thoroughly explained.”

The request to name the City Council Chambers for Joe Pospicil, Jr. is explained by the applicants as an attempt to recognize Pospicil’s efforts as reflective of the “Common Man,” as opposed to elected leaders or other prominent individuals.
for whom facilities are sometimes named. The request to name the City Council Chambers for Mr. Pospicil is submitted under the context of tangible benefit A, that being an “individual's contributions through community service, involvement, or dedication beyond an ordinary interest level that clearly resulted in… an enhanced well-being and quality of life for City residents.” The applicants submitted the following narrative to support their facility choice and Mr. Pospicil’s contributions to the City:

Joe Pospicil Jr. attended a variety of meetings in the Council Chambers, in fact, for years he rarely missed a meeting. Joe Pospicil Jr. attended numerous Council meetings, Issue Review Sessions, Formal City Council Meetings, Budget Hearings and other Special Council Meetings. Even though Joe Pospicil Jr. worked full-time for AVNET, Joe was a frequent attendee at the cited meetings. In addition, Joe made many recommendations, contributions, and positive critiques at the cited meetings which enhanced the well-being and quality of life for City residents. In some cases Joe would use his personal vacation time at AVNET so that he could attend a meeting being held during normal working hours. In other words, Joe Pospicil served his community above and beyond his civic duties.

The full submittal, including a letter of support from Louise Pospicil Whitmer, Mr. Pospicil’s sister, is attached. In addition, numerous supplemental documents and photographs provided by Arthur Jacobs are included in this file.

COMMENTS: Please review the attached documents and be prepared to discuss and take action on a recommendation to the Mayor and City Council as relates to this request. Per the Procedures, the naming request submittal is complete. The Historic Preservation Commission is to base their recommendation on the strength of “connection between the contribution of [Mr. Pospicil] and the City facility,” and whether Mr. Pospicil displayed “community service, involvement, or dedication beyond an ordinary interest level” that “clearly resulted in” the tangible benefit of “an enhanced well-being and quality of life for City residents.”

STAFF RECOMMENDATION: Recommendation of denial.

The Procedures establish a high bar for naming City facilities in recognition of an individual. Examples of City facilities currently bearing an individual’s name include the Johnny G. Martinez Treatment Plant and the Harry E. Mitchell Government Center. The treatment plant bears the name of a City employee employed by the Water Utilities Service Division for 41 years. In this case, the individual’s affiliation with the facility is clearly established and his lengthy service to Tempe well-documented. The City Hall complex named for former Mayor Harry Mitchell is also clearly and closely affiliated with an honoree whose thoroughly-documented civic contributions are myriad. The applicants propose naming the City Council Chambers in honor of Mr. Pospicil in recognition of Mr Pospicil’s efforts specifically and, more generally, the “Common Man.” However, the Historic Preservation Office has determined that insufficient documentation quantifying Mr. Pospicil’s time and participation in the chambers relative to other active citizens exists. As such, “the connection between the contribution of [Mr. Pospicil] and the City facility” is not adequate. In addition, the Historic Preservation Office has found there to be little information available demonstrating Mr. Pospicil’s involvement qualified as “beyond an ordinary interest level” for other engaged citizens, and concluded that no tangible benefit “[enhancing] the well-being and quality of life for City residents” can be directly or even substantively liked to Mr. Pospicil’s activities. Accordingly, staff suggests the Historic Preservation Commission recommend against naming the City Council Chambers for Mr. Pospicil as the request does not satisfy the standards set forth in the Procedures.

ATTACHMENTS: Naming request submittal, “Procedure for Naming of City Facilities,” Supplemental materials submitted by Arthur Jacobs

STAFF CONTACT(S): John Larsen Southard, Historic Preservation Officer, (480) 350-8870

Department Director: Chad Weaver
Legal review by: N/A
Prepared by: John Southard, Historic Preservation Officer
Agenda Item 3

Attachment 1
Dear Ms. Kuiper:

Enclosed is a request by the Five minus One for the naming of a city “facility” in memory of Joseph “Joe” Pospicil Jr. deceased. This request is submitted as directed in Exhibit A to City Resolution No. 2012.130.

You are hereby advised that Joe Pospicil has neither children nor parents which survived him.

To be sure, should the City have a better idea for naming a specific “facility” that we are amenable to a change in our request.

We close with a reminder that you that the Mayor has a personal copy of the Louise Whitmer, Joe’s sister, letter which briefly describes the naming of streets within Tempe, and a brief description of Joe’s contribution to the City. It is difficult for us to understand why a commission, unelected officials, has control over their domain. Joe was a citizen of Tempe and his service helped all Tempeans not simply within his neighborhood—he represents the Common Man!

I again, ask the question, is the Transportation Commission reserving the items we chose for the naming for someone else?

Respectfully and sincerely,

The Five minus One,

/s/ John N. Altman,  
/s/ Richard Peterson,

/s/ Dean Short,  
/s/ Arthur D. Jacobs

Enclosure
The Naming Entity: The “Five minus One” aka John N. Altman, Richard Peterson, Dean Short, and Arthur D. Jacobs. Contact: Arthur D. Jacobs, 480-968-0572, adjacobs@cox.net.

Proposed Facility Name: “Joe Pospicil Jr. Way” or other such with the name of “Joe Pospicil Jr.”. We believe that the City of Tempe, should pick the facility or the area, for example, we initially recommended a “stretch or section” of the El Paso Gas-line Multi-use Path would be ideal. Failing this we then we would recommended a “stretch or section” Kyrene Canal Multi-use Path or Rio Salado Multi-use Paths. The connection between these examples of the contribution of Joe Pospicil is a “clean, well-lighted place.” Finally, another consideration would have been the Tempe Town Lake Bike/Ped Bridge, and this connection would have been a “bridge to the common man.”

Obviously, The Transportation Commission did not like any of these ideas because they did not think the Joe was involved with these “facilities.” Joe’s involvement with council meeting after council meeting attests to involvement with a broad range of City “facilities” including those of the Transportation Commission.

Now we offer different choices of proposed “facilities.” The priority of choices is as they are listed.

We start with the “City Council Chambers” within the Harry E. Mitchell Government Center. The chambers should be renamed the Joe Pospicil Jr. City Council Chambers.

Failing this choice, it is recommended that the street name El Camino Drive be renamed to the “Joe Pospicil Jr. Way.” This would only include a short distance between Aepli Drive and Broadway.

Rename the Water Utilities Services Division to the Joe Pospicil Jr. Water Utilities Services Division.


Another choice would be to entitle the Neighborhood Advisory Commission to the Joe Pospicil Jr. Neighborhood Advisory Commission.

The following paragraphs provide a summary of examples which include information about Joe Pospicil Jr.’s contribution to the enhancement of the well-being and quality of life for City residents.

Joe Pospicil Jr. attended a variety of meetings in the Council Chambers, in fact, for years he rarely missed a meeting. Joe Pospicil Jr. attended numerous Council meetings, Issue Review Sessions, Formal City Council Meetings, Budget Hearings and other Special Council Meetings. Even though Joe Pospicil Jr. worked full-time for AVNET, Joe was a frequent attendee at the cited meetings. In addition, Joe made many recommendations, contributions, and positive critiques at the cited meetings which enhanced the well-being and quality of life for City residents. In some cases Joe would use his personal vacation time at AVNET so that he could attend a meeting being held during normal working hours. In other words, Joe Pospicil served his community above and beyond his civic duties.

Parking restrictions at S. El Camino Drive and Aepli Drive, adjacent to Broadmor Elementary School, Tempe: This is just one of many examples of Joe Pospicil Jr.’s contribution to the enhancement of the
well-being and quality of life for City residents. For example, it made the area adjacent to the Broadmor Elementary School safer for both the parents and the children attending the school.

Joe Pospicil Jr. discussed water services and irrigation at many council meetings, including IRS sessions. Many of his recommendations which enhanced the delivery system and conservation were accepted.

**Cleaning up of the front and rear yards of a variety of homes Tempe.** Unfortunately, the City did not keep official records of the number of yards involved. In any event those that were cleaned, i.e., debris removed by volunteers, like Joe Pospicil Jr., made the neighborhood safer, not only for the residents of the property, but for their neighbors, in addition the effort removed eyesores and safety hazards from a variety of neighborhoods throughout Tempe.

**Joe Pospicil Jr. was a member of the Neighborhood Advisory Commission (NAC) for 5 years and 9 months.** While a member of this commission, Joe Pospicil served on several committees of the Commission. And as the record will show he attended most of the meetings during his tenure.

**Joe Pospicil Jr. was most instrumental the improvement of Rental Housing Tax Collection:** In January 2007 Joe Pospicil Jr. delivered to the City Council a CD disc with his research within the County Records concerning rental properties. This definitely highlighted the “issues” with the City’s rental tax collection process. To be sure this in-depth research was performed by Joe Pospicil on his own time and with his personal computer equipment.

In conclusion, the historical records of the City of Tempe will show that Joe Pospicil Jr. had not only a commitment to the well-being and to the quality of life of the citizens of Tempe, but he also acted upon his commitment. Joe was an exemplary citizen who challenged the system.

**Signed: Arthur D. Jacobs for the Five minus One**

Dear Art,

My heartfelt thanks to you & the members of the Five minus One. I very much appreciate your efforts & approve of Tempe giving Joe's name to memorialize him. Joe loved his hometown. Over the years he showed this love by his involvement in & attention to Tempe's government.

Reading the summary of Joe's contributions to the betterment of Tempe brought back many memories. We had numerous phone conversations about city council meetings.

It would be a great honor for my brother to have a part of Tempe carry his name. The only request I have would be to include the suffix "Jr." after his name so as to make a distinction from our father who was also Joseph Pospicil.

Sincerely,

Louise Pospicil Whitmer
5753 Overland Way
Placerville, CA 95667
530-409-3839
Agenda Item 3

Attachment 2
RESOLUTION NO. 2012.130

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, APPROVING PROCEDURES FOR NAMING OF CITY FACILITIES.

WHEREAS, the City Council of Tempe wishes to adopt written procedures for naming of City facilities, including parks, buildings, structures and rights of way (except for streets and alleys); and

WHEREAS, the City of Tempe desires to establish fair and consistent procedures for naming of City facilities;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

1. That the procedures for naming of City facilities as set forth on Exhibit A, attached hereto and incorporated herein by this reference, is hereby approved and adopted.

2. That should the need arise, the Mayor or his designee is hereby authorized to execute any documents that may be necessary to carry out the purpose of this resolution.


Mark W. Mitchell, Mayor

ATTEST:

Brigitta M. Kuiper, City Clerk

APPROVED AS TO FORM:

Andrew B. Ching, City Attorney
EXHIBIT A

Procedure for Naming of City Facilities

Purpose:

This document establishes a process for naming a City facility in recognition of an individual, and includes procedures to follow when completing a naming request.

Definitions:

“City facility,” any building, structure or property owned by the City of Tempe and any City right-of-way excluding the naming of City streets and alleys as governed by Chapter 25, Article III of the Tempe City Code;

“Individual,” a natural person whose name is submitted as part of, or in whole, as a proposed facility name;

“Felony,” an offense for which a sentence to a term of imprisonment in the custody of any state within the United States or the Federal Bureau of Prisons is authorized by a law of any state, or the United States;

“Naming guidelines,” suggested information to include in any City facility naming request;

“Naming request,” the City facility naming request and all supporting documentation;

“Proposed facility name,” the City facility name that the requesting entity proposes be adopted by the City Council;

“Requesting entity,” the individual, entity, or group that is initiating the naming request;

“Supporting documentation,” any documents used to support the naming guidelines.

The following information must be included in any City facility naming request:

1) Current City facility name and street address;

2) Requesting entity and contact information;

3) Proposed facility name;

4) A written summary that includes information about the individual in the proposed facility name. The summary should explain how the individual’s contribution relates to any one or more of the guidelines listed in the following section;
5) Proof of consent to the proposed facility name by the individual for whom the City facility is to be named or, in the case of a deceased individual, proof of consent of a family or legal representative.

The following guidelines apply to any naming request:

1) The requesting entity should not be the same as the proposed facility name;

2) The proposed facility name should not be similar to any existing City facility name;

3) The connection between the contribution of the individual and the City facility should be thoroughly explained;

4) The naming request should contain information supporting the affiliation between the individual and the City;

5) The naming request should summarize the individual’s contributions through community service, involvement, or dedication beyond an ordinary interest level that clearly resulted in tangible benefits to the City. Examples of tangible benefits to the City may include:

   a. An enhanced well-being and quality of life for City residents;

   b. Preservation of the City’s history;

   c. Contributions toward the acquisition, development, or conveyance of land, buildings, structures or other amenities to the City or community;

   d. Local, state or national recognition for work in public service that directly impacted the City;

   e. An act of heroism;

   f. Any other contribution that resulted in tangible benefits to the City or City residents.

6) The naming request shall not include a proposed facility name for an individual who has been convicted of a felony.

Re-Naming:

The City Council reserves the right to re-name any City facility previously named, if it is determined that it is in the best interest of the community that the facility should no longer bear its current name. The City Manager shall remove the name from any City facility if the person for whom the facility was named has been subsequently convicted of a felony. If a name is removed from a facility, it shall immediately revert to its previous name, until the City Council approves a new name.
Procedure:

The requesting entity shall deliver the naming request to the City Clerk. The City Clerk shall determine if the naming request is complete and, if so, shall submit the naming request to the Mayor for assignment to the appropriate Board, Commission, or Committee. The Board, Commission, or Committee so assigned shall review the naming request and report its recommended action to the City Council.

Approval by City Council Resolution shall accomplish the naming of the City facility.
Agenda Item 3

Attachment 3
Joe Pospicil, Tempe, re: Item #5. The State is losing a lot of money through homes that are not owner/occupied but classified as owner/occupied. He proposed that the State as well as the East Valley could pull in several million dollars.

Mayor Hallman stated that the rental housing task force and licensing department have been pursuing this. Mr. Pospicil has invested a lot of work identifying houses that are not owner/occupied and their misclassification in the County’s records. The Arizona Multi-Housing Association had legislation passed a year ago that has made it much more difficult for the City to attack this problem. The goal is to figure out how to get around the limitations that have been placed on municipalities from requiring further information for building a database that handles these things differently from the County database. It has been a difficult process.

Mr. Pospicil added that there are three databases that don’t seem to be coordinated and from an IT standpoint, it should be easy to pull the three together so that if a unit is registered as a rental in the County database and/or it is registered with the City for tax license as a rental and, it should produce a red flag.

Mayor Hallman added that the problem for the City is that the value stemming in changes in property tax classification is so small that it doesn’t justify a lot of energy working on that. This should be part of the
Education Committee’s Scope of Work. The school district should be very interested in this because it gets about 85 percent of the property tax associated with a property. If efforts were pooled, we could probably end up with a much better result by getting the properties properly classified for property tax purposes.

Mr. Pospicil added that it all adds up. He provided back-up information to the City Manager on CDs. Tempe City Council Issue Review Session 3 Minutes – January 8, 2009
Minutes
City Council Issue Review Session
January 4, 2007

Minutes of the Tempe City Council Issue Review Session held on Thursday, January 4, 2007, 6:00 p.m., i
City Council Chambers, Tempe City Hall, 31 E.
Fifth Street, Tempe, Arizona.

COUNCIL PRESENT:
COUNCIL ABSENT:
Mayor Hugh Hallman
Councilmember Mark
W. Mitchell
Vice Mayor Hut Hutson Councilmember P. Ben Arredondo Councilmember Barbara J. Carter
Councilmember Shana Ellis Councilmember Onnie Shekerjian

Mayor Hallman called the meeting to order at 6:08 p.m.

Call to the Audience
Zig Popko, Tempe, re: Item #2, summarized that this issue started as an attempt to regulate noisy
sco and "pocket bikes." The proposal has grown
into one that will severely restrict the use of electric sco unless they look like traditional bicycles. Based
on the way this is presently drafted, he can't get his el scooter across the river in any legal way to teach
at ASU. Council needs to remember that electric sco come in all shapes and sizes, but the one thing they
do have in common is that they all generally mee definition in the code of federal regulations. Council
should rely on that definition in enacting a progre ordinance that encourages the use of these items in
lieu of cars and not one that just favors those that ha to look like bicycles which are generally more
expensive.

Joe Pospicil, Tempe, re: Item #6. He is concerned that this will be financed through the rental transa tax.
He wondered how many rentals are
actually licensed. There are conflicts in the
records. distributed a disc with research he has completed from the County records for Council's
information.
Mayor Hallman asked how many specialty vehicles has the company manufactured. Mr. Steele responded that the company has been in business since 1974. He and his wife have owned the company since 1999.

Mayor Hallman asked if he knew how many of these vehicles the selected bidder has produced. Mr. Steele responded that their main business is not vehicle construction, but rather trade show display and has built two vehicles.

Kathy LaFontain Steele, Mesa, stated that she is the majority owner of Quality Vans. The company is a Tempe-based, woman-owned, GSA validated, specialty vehicle manufacturer. Tempe currently owns and operates several of their specialty vehicles, for example, the MOM vehicle. She and her employees would appreciate Council’s consideration in keeping Tempe jobs and Tempe dollars in Tempe.

Mayor Hallman asked for clarification of the MOM (mobile mammography vehicle).

Ms. Steele responded that the company has built several of those vehicles. The company has both a metal shop and a wood shop and they construct the vehicle to ensure that, concerning the MOM vehicle, the sensitive medical equipment is unhindered. The medical equipment is provided by a third party medical vendor. They also have a foam insulating machine in their shop.

Joe Pospicil, Tempe, re: Item #5. The State is losing a lot of money through homes that are not owner/occupied but classified as owner/occupied. He proposed that the State as well as the East Valley could pull in several million dollars.

Mayor Hallman stated that the rental housing task force and licensing department have been pursuing this. Mr. Pospicil has invested a lot of work identifying houses that are not owner/occupied and their misclassification in the County’s records. The Arizona Multi-Housing Association had legislation passed a year ago that has made it much more difficult for the City to attack this problem. The goal is to figure out how to get around the limitations that have been placed on municipalities from requiring further information for building a database that handles these things differently from the County database. It has been a difficult process.

Mr. Pospicil added that there are three databases that don’t seem to be coordinated and from an IT standpoint, it should be easy to pull the three together so that if a unit is registered as a rental in the County database and/or it is registered with the City for tax license as a rental and, it should produce a red flag.

Mayor Hallman added that the problem for the City is that the value stemming in changes in property tax classification is so small that it doesn’t justify a lot of energy working on that. This should be part of the Education Committee’s Scope of Work. The school district should be very interested in this because it gets about 85 percent of the property tax associated with a property. If efforts were pooled, we could probably end up with a much better result by getting the properties properly classified for property tax purposes.

Mr. Pospicil added that it all adds up. He provided back-up information to the City Manager on CDs.
Minutes of the meeting of the City Council’s Quality of Life Committee held on Thursday, September 10, 2009, 4:00 p.m., in the 3rd Floor Conference Room, Tempe City Hall, 31 E. 5th Street, Tempe, Arizona

Guests Present

Joe Pospicil, Neighborhood Advisory Commission

Joe Pospicil stated that the County keeps track of home ownership information, including rental homes.

Mayor Hallman requested that a representative from the Tax and License Division attend the next meeting to discuss rental housing licensing processes.
Tempe plans two-year warranty on 50-year dam

Tempe Town Lake dam.

(Photo: Patrick Breen/The Republic)

Story Highlights

- Tempe plans two-year warranty on 50-year, $40.8 million dam
- City officials say the warranty is an industry standard
- Engineering experts say no dam is alike, so there is no such thing as an industry standard

Tempe officials say they are certain that a two-year warranty will be sufficient for the new Town Lake steel dam, which is expected to last 50 years and cost $40.8 million. Some residents aren't convinced.

Engineering experts who spoke with The Arizona Republic said there are no industry standards for warranty lengths on major dam projects, as each dam is tailored to the site and function.

City and contract engineers have said the structure will be the world's largest hydraulically controlled crest-gate dam and will span about 950 feet across the Salt River.

Officials with the Arizona Department of Water Resources, which is charged with the dam's safety, have told The Republic that there are similar U.S. dams but that using the steel-gate technology as a primary dam structure is uncommon, as such barriers most often sit atop concrete dams, where smaller steel gates allow water to spill over.

RELATED: State: Tempe family has been squatting for 120 years

Construction on the massive project began this summer and is expected to be completed by next December.

Tempe City Manager Andrew Ching said the Tempe City Council will have to vote on the dam's warranty only if the cost is $50,000 or more, which is the monetary threshold for city actions that require council approval. The two-year warranty comes with the purchase of the dam and is therefore not subject to a council vote, Ching said.
Andy Goh, Tempe's deputy public works director and engineer, said city and contract engineering experts who have reviewed plans for the dam say the two-year warranty is an industry standard for major capital projects involving steel and concrete.

Some residents have worried that Tempe taxpayers will pay the price for the City Council accepting a short-term warranty on a 50-year dam. That concern is heightened because the city's original Town Lake rubber dam failed in 2010, at least a decade earlier than it was supposed to.

Joseph Pospicil, a longtime critic of Town Lake and the failed rubber dam, said Tempe's steel dam is a costly taxpayer-funded project that merits greater council and public scrutiny.

Pospicil said he wants the council to commission a study to analyze the risks of the dam failing or deteriorating, as well as the costs of purchasing a lengthier warranty or additional insurance vs. funding a savings account to pay for future unexpected fixes. Once that study is complete, Pospicil said, the council should schedule a public hearing so residents may review and comment on the analysis prior to Tempe making a final warranty decision.

Previous dam burst

The original dam, made of four massive rubber bladders, was completed in 1999 and incorporated technology that never had been tested in desert temperatures. It had a 10-year warranty, but the city was told the rubber bladders would last more than 20 years.

Before the failure, Bridgestone Industrial Products Inc. and city leaders argued over who was at fault for not installing a structure to spray water on the dam to cool the black rubber bladders in the sweltering desert heat.

An agreement was reached to install a temporary rubber dam and give the council more time to find a permanent replacement. But before a temporary fix could be installed, the rubber dam burst and spewed an estimated 1 billion gallons of water into the dry river bed, creating a muddy mess.

Goh said the steel materials and construction being used for the new dam is more reliable than the rubber dam. Additionally, many components of the steel dam have separate, longer warranties, he said.

"We are using very traditional construction materials … concrete and steel," Goh said. "You design it correctly, build it correctly, and it lasts a long time."
An industry standard?

Joseph Kulikowski, a California civil engineer and dam expert with Genterra Consultants, said that while he is not familiar with the Town Lake dam project, each dam is built specific to its location and purpose, so warranties and liabilities would depend on those details.

"There is no industry standard," he said. "I've seen over 350 dams in my whole career; every one is different. You could have a warranty on just one part that's perhaps longer than necessary and just the reverse so that you could have a warranty that's very short on a critical component. You would have to look at the whole thing."

Ross Boulanger, a civil-engineering professor at the University of California who has managed risk assessments of major capital projects, said that because no dam is alike, any warranty and maintenance plan must be tailored.

"A manufacturer who produces a unique structure, and there is no other one like it, they don't have that history on which to know exactly how it's going to behave over 50 years of operation," he said.

Boulanger said some manufacturers of major capital projects reach agreements with cities or states to operate the structure for the life of the project. That way they are guaranteeing their work for the life expectancy of a costly capital project, he said. It also helps guarantee the structure is maintained to the manufacturer's specifications, he said.

Federal agencies are in the early stages of using independent risk assessments to review some dam designs, but that review is not required at the state level, said Tom Woosley, a program manager with the Georgia Safe Dams Program.

Woosley said manufacturers typically will not warranty an entire dam because the structure involves too many components.

"A large project like that (Town Lake steel dam) certainly warrants having an independent reviewer who's experienced with dams," Woosley said. "Then you just have to have faith in the individual engineers involved with it and make sure the engineer who does the design is on site during construction."
Goh said city, contract and Water Resources engineers have reviewed the dam engineering plan. Water Resources has called on Tempe to contract with a separate engineering firm to independently review the novel hydraulic system that will raise and lower the steel dam gates.

Tempe has received the first phase of permitting from Water Resources, which allows for foundation work, Goh said. The second phase will consider the entire dam system, including the hydraulics, and is expected in a couple of weeks, Goh said.

Tempe City Council members have said they understand why residents are worried about the dam failing again. But comparing the steel dam to the rubber dam is akin to comparing apples to oranges, Councilman Kolby Granville said.

"The difference with the rubber bladder and the steel dam is the rubber is designed to fail eventually," Granville said. "The Empire State Building is still standing, and it's more than 50 years old, and that's because it's built out of steel."

During the last council update in May, staff said Tempe's property-insurance policy would cover damages up to an estimated $41 million. Mayor Mark Mitchell said he felt reassured that the new dam would be protected at a rate that equates to what it will cost to build.

The policy includes coverage for natural disasters. However, it does not cover the dam for wear and tear, gradual deterioration or a defective design, according to the May report.

The dam contractor, Tempe-based PCL Construction, said the company could offer an insurance policy through a third party to cover the dam beyond the standard two-year warranty, according to the May report.

Goh, the deputy public works director, said he was not aware of Tempe pursuing the manufacturer's extended insurance.

The council supported the staff recommendation in May not to seek further insurance coverage through the dam manufacturer. Staff said the council also could seek additional insurance through the city's current provider.

Costs for the additional insurance were not included in the May report, but Ching said financial estimates could be sought if the council directed staff to seek insurance beyond the two-year warranty.

Granville told The Republic in November that if the dam deteriorates earlier than expected, the city could sue for compensation.

"Politically, it plays well to say we have to insure our assets, but it's not factually accurate, because it's not insurance we need in this situation," he said. "In the case of this particular project, this particular type of structure, if it fails, it's a product-liability lawsuit."
However, legal options were a challenge for Tempe officials who dealt with the original rubber dam, which failed after 10 years despite claims it would last more than 20. Tempe officials negotiated with Bridgestone when the rubber dam began deteriorating years earlier than expected, but the parties argued over who was at fault for the problems.

Tempe is paying for the steel dam as a long-term replacement. As part of an agreement with the manufacturer, Tempe is using a rented rubber dam from Bridgestone that must be removed by December 2015 or the city could face fines.

**Five facts about Town Lake**

Each of the eight steel dam gates will be 106 feet long, 17 feet high and 232,000 pounds.

Each of the dam's 16 hydraulic cylinders will be 27 feet long.

The average depth of the lake is 12.5 feet; its deepest point is 19 feet.

The lake holds about 977 million gallons of water.

Evaporation each year costs Town Lake about the same amount of water used by two golf courses or a 1,000-acre alfalfa field.

Source: Tempe
Public meetings in the Valley sometimes stretch out like a yawn, as some citizens grow bored or restless and others get disgusted and leave.

On July 1, about 100 people tried to get the Scottsdale City Council to let voters decide whether to start a municipal fire department. The council droned for more than four hours before turning them down.

But more than half the audience couldn't wait. They had to go home to tuck kids into bed and rest for work the next day.

Rich Woerth, a leader of the group, said council members were making a point.

"They were saying, 'You're a thorn to us, so we'll make it as difficult as we can,' " Woerth asserted.

Scottsdale Mayor Mary Manross denies that. She said the council only put off that issue to deal with audience members who waited months for their cases to come up.

Throughout the Valley, meetings may run long because of agendas packed with thorny issues. Or because some public officials like to yak.

"Sometimes I get suspicious that the council talks something to death because they don't want to get to another issue," said Darlene Petersen, 72, a retired nurse and longtime Scottsdale civic activist.

They're definitely not an oddity.

On Dec. 19, 2000, the Glendale City Council met for five hours and 15 minutes.

On June 27, the Chandler City Council spent five hours and 30 minutes dealing with such issues as relocating 34 families to widen Ray Road, expanding a home for at-risk kids and approving gas tank bladders for the city's Ford Crown Victorias. At a July 1 meeting of the Mesa City Council that lasted three hours and 18 minutes, 80 residents from southwest Mesa had to bide their time for more than two hours to say they didn't want a solid-waste transfer station near their homes.

"They went through a lot of other stuff before they got to the stuff we were there for," recalled Donald Mock, 67, a retired test driver.

Sometimes meetings bog down because many citizens are allowed to speak.

"I've seen a cultural change," said Mary Frances Lewis, who has been on the Tempe Union High School Board since 1978. "People used to not involve themselves. Now you have people who say, 'I want to know, I want to participate,' and that is a really good thing."
So what can be done to keep citizens from having to wait out long meetings? Public officials and citizens offer a few suggestions:

* Make sure officials are well-briefed beforehand.

Between 1992 and 1996, the Tempe Union School Board sometimes started at 7:30 p.m. and ambled on for seven hours. Now meetings end by midnight because members hold executive sessions earlier and are briefed in study sessions.

With similar prepping, the Maricopa County Board of Supervisors usually finishes in an hour.

* Don't bring up new items late.

A good idea but rarely practiced. Since 1999, the Scottsdale City Council has had a rule to cut off new debate on items that arise after 10 p.m. But members can and often do override that rule.

In Phoenix, Mayor Skip Rimsza has suggested no city board should introduce new items after 10 p.m. But he has found no support.

* Keep public comment short.

This moves things along but can frustrate citizens who want to speak. The Deer Valley Unified School Board limits public comment to 30 minutes, which doesn't please Alan Richardson, 55, the board's best-known gadfly.

"I don't care how long a meeting goes as long as an issue gets a full airing," Richardson said.

* Deal with some controversial items at a separate meeting.

The Phoenix City Council holds a "policy and consent" meeting the day before its regular meeting to deal with explosive topics. Regular meetings seldom exceed two hours.

* Deal with hot items early so people don't have to wait.

A number of officials say they do this, including Surprise Mayor Joan Schafer and David Richert, who runs the Phoenix Planning Commission.

"When you start pushing midnight to 1 (a.m.)," Richert said, "you're asking people to take out a big chunk of their day."

1) Bill Lipscomb

53, an Air Force senior master sergeant

"No doubt we've had many people who finally said, 'I'm bailing because I've got to get up in the morning and go to work.'"

2) James Molina

28, U.S. Marine Corps corporal from Phoenix

"They're here to listen to the public's concerns, and they're putting in an effort."
3) David Eng
44, tavern operator from Phoenix
"(If) you get too many people voicing the same opinion, it drags it out."

4) The Rev. Phil Reller
50, pastor, First Congregational Church of Tempe
"The difference between mutual respect and the quality of the meetings is a remarkable thing for me to observe as a resident."

(1) Fred Brittingham, the planning director for Tempe, rests his eyes as a speaker addresses the City Council recently. On June 6, the council meeting ran nearly four hours. Brittingham attends every week.
(2) Joe Pospicil can't stifle a yawn during a recent meeting of the Tempe City Council. Marathon sessions of government bodies have become a problem Valley-wide.

(1) Fast facts, slow meetings

* From January to June 1999, the Scottsdale School Board, known for marathon meetings, spent at least 58 hours in public meetings and 30 in executive sessions, more than double what it had logged in the same period in 1998. The board said especially serious issues ate up the time. The meetings were so notorious that parents would bring coffee and pretzels to fortify themselves during the ordeal.

* When Dan Perkins, president of the Tempe Union High School Board, first served on the board from 1992 to 1996, the board held 33 hours of discussion on one issue over three or four days, dealing with a teacher accused of misconduct with a student.

* Several years ago, the Deer Valley Unified School District Board met in executive session so long that at about midnight the furious crowd threatened to storm through the door to the room where the board was chatting.

(2) Marathon meetings

* Scottsdale City Council,
June 4, 2001:
seven hours, 32 minutes.

* Surprise City Council,
Nov. 8, 2001:
six hours, 10 minutes.

* Chandler City Council,
June 27, 2002:
five hours, 30 minutes.
* Tempe Union High School Board, Nov. 14, 2001:

five hours, 19 minutes.

* Glendale City Council,

Dec. 19, 2000:

five hours, 15 minutes.

* Mesa City Council,

March 5, 2001:

four hours, 30 minutes.

* Tempe City Council,

June 6, 2002:

three hours, 50 minutes.

* Peoria City Council,

June 18, 2002:

three hours, 5 minutes.

* Phoenix City Council,


This story was written by Charles Kelly of The Arizona Republic, with contributions from Bob Petrie, Lesley Wright, Diana Balazs, Anne Ryman, Monica Mendoza, Adam Klawonn, Ashley Bach, Lori Baker, Cadonna Peyton, Connie Cone Sexton, David Madrid, Christina Leonard, Mel Melendez and Tom Zoellner.

**Subject:** School boards; Municipal government; Meetings; Cultural change; Councils

**Publication title:** Arizona Republic; Phoenix, Ariz.

**Pages:** B.1

**Publication year:** 2002

**Publication date:** Aug 7, 2002

**Year:** 2002

**Section:** Local
Agenda Item 7 – Selection of Committee Chair, Members, Reports and Consideration of Minutes A.

Codes Committee – The Codes Committee met on October 20 at the Connections Café. The meeting was not called to order as a quorum was not present. Shauna shared that Commissioner Dubuy has resigned from the commission and will no longer serve as the Chair of this Committee. Commissioner Calender made a motion to add Commissioner’s Catlaw and Pospicil as Code Committee members. Commissioner Wasko seconded the motion. The motion passed unanimously.
Tribute & Message From The Family

Joseph Lee Pospicil (aka Tempe Joe, Popsicle) age 66 of Tempe, AZ passed away suddenly on July 8, 2015 while visiting his sister at Eagle Lake in CA. Joe was born August 25, 1948 in Mea, AZ. He was preceded in death by his parents Beatrice L. & Joseph L. Pospicil, Sr. Joe is survived by his sister, Louise & brother-in-law Rudy Whitmer, Placerville, CA, niece, Laura Zadel, San Jose, CA, nephew, Larry Whitmer, Cameron Park, CA & great-niece, Cori Whitmer, Los Angeles. Joe was an active member of his community & always seeking ways to improve his beloved Tempe. He was a 1966 graduate of Tempe High School & attended Mesa Community College. Joe spent most of his Air Force service at Kincheloe Air Force Base (now closed) in northern Michigan. Joe held a variety of jobs in the Tempe area. He last worked at Avnet as a HP computer tech, retiring after they "made him an offer he couldn't refuse." Joe was a dragster & happiest when behind the wheel of his "hustler" or on a gold panning adventure. Joe bought a camper with plans for an Alaska trip. Unfortunately, he never made his "dream" trip. There will never be another Popsicle like Joe. A gravesite service to be held July 23, 2015 at 9 AM at Mesa City Cemetery, 1212 North Center Street, Mesa, AZ Tributes.com Powered Logo Services

Funeral Service

July 23, 2015
9:00 AM
City of Mesa Cemetery
1212 N. Center St.
Mesa, AZ
(480) 644-2335

Interment

July 23, 2015
9:00 AM
City of Mesa Cemetery
1212 N. Center St.
Mesa, AZ
(480) 644-2335

Tributes.com Powered Logo
Condolence & Memory Journal

I was Joe's neighbor for 25 years. He shared Broadmor neighborhood history with me, including information about our house. Thanks for watching out for our community, Joe. You will be missed.

Posted by Irene Serna   July 24, 2015

Joseph will be also missed by his buddies, the Five, but most of all Joseph will be missed by his community. Joseph served his community, Tempe, silently; his goal was to make his community a better place to live. We know Joe for whom the bells toll!

Posted by A.d. Jacobs   July 24, 2015
I was his coworker at Avnet as computer technician. Joe was a great personality and I knew deep down he had a good heart and a passionate person despite knowing him in his professional life only. We kept email contact after his retirement and Joe always gave his personal view on different matters and on what he strongly believed in. He was a passionate person on his character. My condolence to the family.

Posted by jean vincenot  July 24, 2015

I hae

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I met Joe when I started at Avnet 28yrs ago....great guy. We had many discussions on cars, and politics. RIP Buddy...

Posted by Lise Moskop  July 23, 2015

We have known Joe since childhood as a neighbor and classmate. He was a really great guy. Our thoughts and prayers are with his sister and family. Mark and Joyce Voyles.

Posted by Mark and Joyce Voyles  July 23, 2015

RIP buddy

Posted by David Smith  July 23, 2015
Last chance for public to weigh in on Tempe's property tax

Author: Nanez, Dianna M

Abstract:

Former Tempe Mayor Hugh Hallman advocated for the policy, saying that it would stabilize city property-tax collections and prevent future council members from collecting a windfall in property taxes whenever home values spike, as they did before the most recent recession during the Valley's housing boom.

Links: Get It! @ ASU
Full text:

Tempe residents will get their final chance Thursday to weigh in on the City Council vote to set the property-tax rate and levy.

The council did not set a specific time for the public hearing, rather the agenda posted on the city's website states only that the hearing is "immediately following the formal City Council meeting, which begins at 7:30 p.m." A vote will be taken after the hearing.

State statute requires Tempe to host the public hearing and to post a "truth in taxation" notice informing residents that it expects to collect more in primary property taxes over the past fiscal year. The law allows cities to exclude amounts attributable to new construction.

Increases in primary tax levy will generate $270,258 over last year's primary levy. The law does not require Tempe to notify residents of changes in its secondary property-tax rate.

The primary and secondary tax rates make up Tempe's proposed combined property-tax rate of $2.4882.

The proposed total city property-tax rate for fiscal 2013-14 is $2.4882 per $100 of assessed valuation, compared with the current year's $2.1414 rate.

The city's proposed primary property-tax rate is 0.9177, compared with the current primary rate of 0.7862. The proposed secondary rate is $1.5705, compared with the current $1.3552.

The city's total property-tax levy, which includes new and existing development, would total about $37,545,043, compared with this year's estimated total of $36,272,128, according to Tempe finance documents.

City Finance Director Ken Jones has said that the city property-tax levy on existing property will increase by 1.7 percent.

The new policy was aimed at dealing with steep declines in property values.

In 2011, the council approved a fiscal policy that would limit increases on the total property taxes the city collects on existing properties by the Consumer Price Index rate of inflation. Before the policy, the council had long maintained the tax rate at $1.40.
Former Tempe Mayor Hugh Hallman advocated for the policy, saying that it would stabilize city property-tax collections and prevent future council members from collecting a windfall in property taxes whenever home values spike, as they did before the most recent recession during the Valley's housing boom.

The policy drew support from many residents, who saw the move as responsible fiscal planning to maintain debt payments.

But some fiscal conservatives have balked at the policy and annual rate increases, saying that homeowners paid high tax bills for years because of the run-up in property valuations during the real-estate boom. They argued that more residents would see a tax break associated with falling home prices if Tempe had not changed its policy.

Tempe resident Joe Pospicil said at a recent council hearing that his tax bill has increased despite the city's stabilization plan.

"I went from a tax bill of $80 to the city of Tempe to approximately $110 ... on a stabilized property-tax thing we're supposed to have," he said.

Public records for Tempe's proposed tax levy:

Subject: Tax rates; Cities; Property taxes; Budgets; Taxes; Assessed valuation; Public hearings; Councils; Housing prices

Publication title: Arizona Republic; Phoenix, Ariz.

First page: 8

Publication year: 2013

Publication date: Jun 26, 2013

Year: 2013

Section: Tempe Republic 10

Publisher: Gannett Co., Inc.

Place of publication: Phoenix, Ariz.
Tempe to weigh revising Town Lake plan

By Dianna M. Náñez The Republic | azcentral.com

Tue Jul 30, 2013 12:10 AM

The Tempe City Council took a leap of faith more than a decade ago when it sank $44.8 million into building a 2 1/2-mile-long lake in the desert.

The council hoped that risking the debt to create high-profile waterfront property would pay off in the long run for Tempe, then a landlocked city desperate for new development.

But 14 years after the lake opened in 1999, city finance officials say Tempe is faced with a reality check that Town Lake is far from reaching the city’s development goals.

Tonight, the council is expected to consider revising a financing plan for Town Lake.

City finance officials have said the revised plan would give developers a financial break on their share of costs tied to the man-made lake [i.e. - stiff us taxpayers with the cost], make private development more affordable [i.e. stiff us taxpayers with the cost] and, ultimately, advance Tempe’s plans to secure sufficient lakeshore private development to ease the hefty public costs of maintaining Town Lake. [now the last phrase certainly is an oxymoron - give tax dollars private developers to lower the cost to taxpayers - now that's an impossibility - the more we give them the more it costs us]

But critics argue that taxpayers have long carried the financial burden for private lake development.

The new plan offers no guarantee that economic breaks for developers will actually spur construction, argue Joe Pospicil and Art Jacobs, two longtime Tempe residents who regularly question city finances and criticize lake expenses.
Are 2 years too little for Town Lake dam warranty?

Author: Nanez, Dianna M

Abstract:

Andy Goh, Tempe's deputy public-works director and engineer, said city and contract engineering experts who have reviewed plans for the dam say the two-year warranty is an industry standard for major capital projects involving steel and concrete.

Links: Get It! @ ASU

Full text:

Tempe officials say they are certain that a two-year warranty will be sufficient for the new Town Lake steel dam, which is expected to last 50 years and cost $40.8 million. Some residents aren't convinced.

Engineering experts who spoke with The Arizona Republic said there are no industry standards for warranty lengths on major dam projects, as each dam is tailored to the site and function.

City and contract engineers have said the structure will be the world's largest hydraulically controlled crest-gate dam and will span about 950 feet across the Salt River.

Officials with the Arizona Department of Water Resources, which is charged with the dam's safety, have told The Republic that there are similar U.S. dams but that using the steel-gate technology as a primary dam structure is uncommon, as such barriers often sit atop concrete dams, where smaller steel gates allow water to spill over.

Construction on the massive project began this summer and is expected to be completed by next December.

Tempe City Manager Andrew Ching said the Tempe City Council will have to vote on the dam's warranty only if the cost is $50,000 or more, which is the monetary threshold for city actions that require council approval. The two-year warranty comes with the purchase of the dam and is therefore not subject to a council vote, Ching said.

Andy Goh, Tempe's deputy public-works director and engineer, said city and contract engineering experts who have reviewed plans for the dam say the two-year warranty is an industry standard for major capital projects involving steel and concrete.

Some residents have worried that Tempe taxpayers will pay the price for the City Council accepting a short-term warranty on a 50-year dam. That concern is heightened because the city's original Town Lake rubber dam failed in 2010, at least a decade earlier than it was supposed to.

Joseph Pospicil, a longtime critic of Town Lake and the failed rubber dam, said Tempe's steel dam is a costly taxpayer-funded project that merits greater council and public scrutiny.

Pospicil said he wants the council to commission a study to analyze the risks of the dam failing or deteriorating, as well as the costs of purchasing a lengthier warranty or additional insurance vs. funding a savings account to pay for future unexpected fixes. Once that study is complete, Pospicil said, the council
should schedule a public hearing so residents may review and comment on the analysis prior to Tempe making a final warranty decision.

Previous dam burst

The original dam, made of four massive rubber bladders, was completed in 1999 and incorporated technology that never had been tested in desert temperatures. It had a 10-year warranty, but the city was told the rubber bladders would last more than 20 years.

Before the failure, Bridgestone Industrial Products Inc. and city leaders argued over who was at fault for not installing a structure to spray water on the dam to cool the black rubber bladders in the sweltering desert heat.

A deal was reached to install a temporary rubber dam and give the council more time to find a permanent replacement. But before a temporary fix could be installed, the dam burst and spewed about 1 billion gallons of water into the dry river bed, creating a muddy mess.

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No warranty for entire dam

Woosley said manufacturers typically will not warranty an entire dam because the structure involves too many components.
“A large project like that (Town Lake steel dam) certainly warrants having an independent reviewer who’s experienced with dams,” Woosley said. “Then you just have to have faith in the individual engineers involved with it and make sure the engineer who does the design is on site during construction.”

Goh said city, contract and Water Resources engineers have reviewed the dam engineering plan. Water Resources has called on Tempe to contract with a separate engineering firm to independently review the novel hydraulic system that will raise and lower the steel dam gates.

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5. Evaporation each year costs Town Lake about the same amount of water used by two golf courses or a 1,000-acre alfalfa field.

Source: Tempe

**Subject:** Dams; Cities; Rubber; Engineers; Cost control

**Location:** California

**Company / organization:** Name: Department of Water Resources-Arizona; NAICS: 924110

**Publication title:** Arizona Republic; Phoenix, Ariz.

**First page:** A.3

**Publication year:** 2014

**Publication date:** Dec 2, 2014

**Year:** 2014

**Section:** Valley & State

**Publisher:** Gannett Co., Inc.

**Place of publication:** Phoenix, Ariz.
Agenda Item 5
MEMORANDUM

Public Works Department

Date: April 2017

To: Historic Preservation Commission

From: Eric Iwersen, Principal Planner (350-8810)

Subject: Streetcar Update

SUBJECT
Tempe Streetcar Update

PURPOSE
The purpose of this memo and PowerPoint is to provide an update on the Tempe Streetcar Project, with specific details regarding Off-Wire Scenarios, Rio Salado Parkway Trackway and next steps.

BACKGROUND & PROJECT STATUS
The Tempe Streetcar Project is a 3-mile urban circulator rail transportation technology with 14 stops, six vehicles and two connections to the regional light rail network. The project will connect Tempe Town Lake and the development of Rio Salado through the downtown core, linking ASU and Tempe’s oldest neighborhoods. The project received a positive rating of “medium-high” in late 2015, and the Streetcar Small Starts Grant Request of $75 million was subsequently included in President Obama’s FY 2017 budget in February 2016.

OFF-WIRE SCENARIOS FOR DOWNTOWN TEMPE
Two off-wire segments were included as options in the vehicle manufacturer RFP, providing configurations on both Mill and Ash Avenues. In December 2016, City Council identified two new scenarios to be included for consideration, detailing additional segments in the downtown route, with four scenarios for evaluation:
Scenario 1 – Mill Avenue; Scenario 2 – Mill and Ash avenues; Mill Avenue and gateway intersections; and Downtown Tempe, including Mill, Ash and gateway intersections.

A multi-disciplinary evaluation ensued, including City of Tempe staff, Valley Metro, Center for Transportation and Environment (CTE) and the preferred vehicle manufacturer, Brookville. This assessment employed both independent and collaborative approaches, including advanced modeling of propulsion and charge capabilities, operational, system and cost analysis. Staff requests Council recommendation to advance into final design for the project. CTE, Tempe and Valley Metro staff will present this information to the Council at the April 6 Issue Review Session.

RIO SALADO PARKWAY TRACKWAY
The initial trackway design along Rio Salado Parkway (from Mill Avenue to Marina Heights) utilized the median traffic lanes for operation of the streetcar. As the project advanced, ongoing efforts to mitigate center-running utility conflicts while optimizing traffic flow and streetcar operations induced the consideration for a south-side alignment.

As part of the 30 percent design package, the design team has prepared overlay drawings of this configuration detailing track placement, stop alignment, and key elements such as bike and pedestrian flow adjacent to the alignment. The proposed south-side configuration provides a separated, exclusive right-of-way operation of the streetcar, enhancing performance and maintaining vehicle flow while avoiding the costs of relocating heavy utilities from the median.
Additionally, impacts on major events would be reduced in this scenario with the continued operation of the system on the south-side of the roadway. Continued planning efforts to alleviate possible issues of a south-side configuration are in-progress, including coordination with utility providers, adjacent property owners, ASU, Parks, Community Development, Tribal Communities, Historic Preservation and the Hayden Flour Mill development.

**UPCOMING ACTIVITIES**
Project construction documents continue, with a 30 percent design package delivered in early April. This package includes significant base-level details related to track and stop placement, stop alignment and traffic integration. On April 19, a public meeting will be held to share design progress and provide a forum for stakeholder feedback. A public meeting will be held on May 11 to present more details on specific stop design and integration of public art. On May 22, staff will provide Council with an update regarding stop designs, fare policy and system branding.

**CONTACT**
Eric Iwersen, Principal Planner
eric_iwersen@tempe.gov
480-350-8810

**ATTACHMENTS**
- Powerpoint
Tempe Streetcar Update

Historic Preservation Commission

April 2017
Route and Stop Locations

Quick Facts:
- 3 miles
- 14 stops
- 6 vehicles
- 2 LRT connections
Off-Wire Scenarios for Downtown Tempe

Scenario 1
Mill Avenue

Scenario 2
Mill & Ash Avenues

Scenario 3
Mill & Intersections

Scenario 4
Downtown Tempe
Off-Wire Options for Downtown Tempe

- Four off-wire design concepts evaluated
  - Coordinated evaluation effort:
    - City of Tempe
    - Valley Metro
    - Center for Transportation and the Environment (CTE)
    - Brookville Equipment (vehicle manufacturer)

- Goals:
  - Find opportunities for reasonable use of off-wire operation
  - Balance operational and operating cost risks
# Off-Wire Operating Cost Risks

<table>
<thead>
<tr>
<th>Issue</th>
<th>Risk</th>
</tr>
</thead>
</table>
| Battery State of Charge (SOC) | • Longer reliance on battery power decreases useful life, requires earlier battery replacement  
                               | • At 38%, systems begin to shut down  
                               |   • Air conditioning, motors, control systems |
| Raising/Lowering Pantograph  | • Failure to raise/lower pantograph may result in damage  
                               |   • Damage to pantograph/catenary if left up  
                               |   • Additional battery draw if pantograph left down  
                               |   • Greater wear/tear on the pantograph motor  
                               |   • Requires earlier replacement |
Scenario 1

- Regular operation takes battery down to 60%
- 18-minute delay on Mill takes battery down to 38% (system shut down begins)
- 2 pantograph operations per trip
Scenario 2

- Regular operation takes battery down to 60%
- 18-minute delay on Mill takes battery down to 38% (system shut down begins)
- 4 pantograph operations per trip
Scenario 3

- Regular operation takes battery down to 60%
- Battery down to 38% (system shutdown begins) with delay of:
  - 18 minutes – Mill
  - 20 minutes – Ash/Rio Salado
  - 20 minutes – University
- 6 pantograph operations per trip
Scenario 4

• Regular operation takes battery down to 48%

• Battery down to 38% (system shutdown begins) with delay of:
  • 18 minutes – Mill
  • 10 minutes – Ash

• 4 pantograph operations per trip
Additional Costs for Off-Wire Operation

- Operating costs
  - Replacement battery packs: $250,000 - $350,000
  - Replacement pantograph: $25,000 - $27,000
  - Pantograph motor: $8,000 - $10,000
  - Damage to wire/car body: undetermined

- More raises/lowers of pantograph, longer reliance on battery increases wear/tear requiring earlier replacement

- City of Tempe responsible for all operating and maintenance costs
  - Includes costs for damage to vehicles
### Summary of Off-Wire Options

<table>
<thead>
<tr>
<th>Option</th>
<th>Off-wire Segment(s)</th>
<th>SOC</th>
<th>Operating Costs</th>
</tr>
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<tbody>
<tr>
<td>Scenario 1</td>
<td>Mill Avenue</td>
<td>Acceptable</td>
<td>Lowest</td>
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<tr>
<td></td>
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<td></td>
<td>2 pantograph ops / trip</td>
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<tr>
<td>Scenario 2</td>
<td>Mill &amp; Ash avenues</td>
<td>Acceptable</td>
<td>Increased</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>4 pantograph ops / trip</td>
</tr>
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<td>Scenario 3</td>
<td>Mill Avenue &amp; gateway</td>
<td>Acceptable</td>
<td>Increased</td>
</tr>
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<td>intersections</td>
<td></td>
<td>6 pantograph ops / trip</td>
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<td>Scenario 4</td>
<td>Downtown: Mill, Ash &amp;</td>
<td>Unacceptable</td>
<td>Increased</td>
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<tr>
<td></td>
<td>gateway intersections</td>
<td>Not</td>
<td>4 pantograph ops / trip</td>
</tr>
</tbody>
</table>
Rio Salado Parkway Track Location

- Between Mill Avenue and Marina Heights
- Underground utility conflicts with initial trackway configuration using median lanes of Rio Salado Parkway
- South-side trackway configuration
Rio Salado Parkway Track Location
Rio Salado South-side Utility Constraints
Rio Salado Parkway Configuration

Looking West on Rio Salado Parkway
Rio Salado Parkway South-side

- Improves traffic & Streetcar operations
- Avoids costly relocation of 230kV transmission line
- Confines construction impacts
- Limits impacts to major events
- Formalizes Hayden Butte Preserve
Rio Salado Track Location Next Steps

- Advance construction documents
- Continue coordination with Parks, ASU, Tribal Communities, Historic Preservation, and Hayden Flour Mill
Public Outreach

- Public Meeting – April 19, 2017
  - Project update
    - Project design progress
    - Vehicle design information
    - Update on public art process

Photos courtesy of www.tempetourism.com
Upcoming Activities / Next Steps

• Continue project final design
• Begin basic utility relocations
• Award vehicle manufacturing contract: April 2017
• Public meeting: April 19, 2017
• Finalize location of downtown project office
  ▪ Anticipate opening in first half of 2017
• Begin business outreach and assistance: Mid 2017
• Next Council update on May 22, 2017
Agenda Item 6
HAYDEN BUTTE PRESERVE MANAGEMENT PLAN

Historic Preservation Commission
April 11, 2017

PRESERVE

‘... to establish a preserve of desert land as a habitat for desert vegetation, wildlife and natural resources; &...
... to protect archaeological, paleontological & historical resources & sites, while providing appropriate public access.’

DESERT LANDMARKS
Hayden Butte
Double Buttes
Papago Butte
Papago Regional Park
MANAGEMENT

“preserve the preserve”

GEOLOGY & SOILS

secure boulders

stabilize tailings
TOPOGRAPHY & DRAINAGE

NATIVE AMERICAN COMMUNITY

LEGEND:
- '1,180' Contour Line
- Area with Cultural Resources
- Area with Terraced Farming
HISTORICAL DEVELOPMENT

1,180' contour boundary
quarry
Hayden Flour Mill
historic railroad
original water reservoir

LEGEND:
1. 1,180' Contour Line
2. Historic Carl Hayden Homestead
3. Historic Hayden Flour Mill
4. Historic Canal
5. Historic Railroad Tracks
6. N. End of San Pablo Barrio
7. Approximate Location of Our Lady of Mt. Carmel RC Church
8. Historic Quarry
9. Original Town Water Reservoir

CHALLENGES

stability of boulders
erosion
graffiti
off trail activity
unauthorized access
invasive species
tower structure
utilities
special uses
EXISTING CONDITIONS

ravine adjacent to Rio Salado Parkway

IMPROVEMENTS

improve & control access
new signage
stabilization

landscape

ASU/COT
STRATEGIES
preserve education enforcement management

COMMUNITY OUTREACH
preserve nature trails & trailheads stabilization landscape signage

TIMELINE

COMPLETE STAFF REVIEW  Aug-Sept 2016
DISCUSSIONS WITH SRP-MIC & NATIVE AMERICAN COMMUNITIES  Ongoing
PROGRESS REPORT TO COUNCIL  Jan 19, 2017
STAKEHOLDERS’ MEETINGS  April 24, 2017
COMMISSIONS & BOARDS  Jan-April 2017
PUBLIC OPEN HOUSE  May 1, 2017
CITY COUNCIL PRESENTATION  June 29, 2017
ENJOY TEMPE’S PRESERVES

Bonnie Richardson AIA, MSL
Parks Planning & Open Space
City of Tempe
bonnie_richardson@tempe.gov
480.350.8628
Agenda Item 7
March 13, 2017

Ryan Levesque  
Deputy Director - Planning  
Tempe City Hall Municipal Complex  
Community Development Department  
Lower Level, East Side  
31 East Fifth Street  
Tempe, AZ  85281

RE: One Hundred Mill  
PAD Overlay (PAD14012) and Development Plan Review (DPR14278)  
Time Extension Requests

Dear Ryan:

This firm represents Hayden House Tempe LLC ("Hayden House"), the owner of the approximate 2.51 acre property located at the southwest corner of Mill Avenue and Rio Salado Parkway (the "Site") in downtown Tempe.

On May 7, 2015, the City Council approved an Amended Planned Area Development Overlay ("PAD14012") and a Development Plan Review ("DPR14278") to accommodate the redevelopment of the Site with a commercial development known as One Hundred Mill (formerly Mill & Rio Salado). One Hundred Mill is comprised of a hotel tower, an office tower, subterranean parking, and ground floor restaurant and retail uses (the "Project"). The Project will also preserve and protect the original Hayden House structure at the northeast corner of the Site.

The approvals of PAD14012 and DPR14278 are conditioned on a complete application for a building permit being submitted to the City for the Project within two years of the City Council’s approval. We are respectfully requesting that the City extend our building permit application deadline to allow time to process building plans with the City. Specifically, we are requesting that the building permit application deadlines specified by condition three of PAD14012 and condition one of DPR14278 be extended as follows:

PAD14012

3. If a complete application for building permit has not been submitted within two (2) years after the approval date by City Council (April 23, 2017) BY MAY 7, 2018, a meeting with the City Council shall be held to determine the processing of a revocation for the PAD. The period of approval is extended upon the time review limitations set forth for
building permit applications, pursuant to Tempe building safety administrative code, section 8-104.15. An expiration of the building permit application or failure to submit the building permit application will result in automatic scheduling of a meeting with City Council. A reversion shall be processed in accordance with the public hearing procedures with the City Council.

DPR14278
1. The development plan review approval shall expire if a complete application for a building permit has not been submitted by May 7, 2018, within two (2) years of the City Council approval date.

Section 6-901.B of the Zoning and Development Codes specifies that a time extension of an approval shall be granted upon finding that:

1) The use or development could not reasonably commence for reasons beyond the control of the permit holder;
2) The request for extension is not sought for purposes of avoiding the requirements of this Code or the permit;
3) There has been no change in city standards or other circumstances likely to necessitate significant modification of the development approval or conditions of approval; and
4) The use of property, if any, conforms to applicable city codes.

As with any large commercial development, securing financing is always a challenge. The mix of building types requires the integration of different investors for the hotel building, office building and the original Hayden House structure reuse. While Hayden House has worked diligently to secure financing for One Hundred Mill since the approvals of PAD14012 and DPR14278, uncontrollable uncertainties and fluctuations in equity markets that occurred over the past year have resulted in a delay in the anticipated timeline for securing financing. Now that uncertainties and fluctuations in equity markets are settling, the market for office space remains strong, and interest from potential users of the Project received to date remains both strong and continuous, Hayden House anticipates securing financing for One Hundred Mill in the very near term.

The requested extensions are in no way reflective of intent by Hayden House to avoid requirements or standards applicable to One Hundred Mill. Hayden House intends to move forward with the processing of building plans for One Hundred Mill in the coming months and we anticipate that construction of the first phase of One Hundred Mill will commence in the first or second quarter of 2018. In fact, great progress towards the commencement of construction since the approvals of PAD14012 and DPR14278 has already occurred, as permits for the Project’s shoring and excavation have been issued, a protection plan for the original Hayden House structure has been approved, and documents and drawings for a submittal to the City for building permits are nearly complete.
Levesque  
March 13, 2017  
Page 3

Furthermore, there have not been any changes in City standards that require a significant modification to the approved development plan or conditions of approval for One Hundred Mill, and the current use of the Site (commercial parking and associated facilities) conforms to applicable codes and regulations.

Thank you for your consideration of this request. Please let us know if you have any questions or if you require any additional information regarding the time extension requests.

Sincerely,
GAMMAGE & BURNHAM

By  
Manjula M. Vaz

MMV/rl

cc: Michael L. Brekka, AIA