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**Tempe City Council**  
**March 2, 2006**

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

1. INVOCATION - Councilmember Hutson
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Copple
  - A. Approval of Council Meeting Minutes
    1. Council Issue Review Session – January 5 & 19 and February 2, 2006  
[20060302clrkck03.pdf](#) [20060302clrkck04.pdf](#) [20060302clrkck06.pdf](#)
    2. Formal Council Meeting – January 5 & 19, and February 2, 2006  
[20060302clrkck01.pdf](#) [20060302clrkck02.pdf](#) [20060302clrkck05.pdf](#)
    3. Council's Community Services Committee – January 18, 2006 [20060302csc01.pdf](#)
    4. Council's Neighborhood Quality of Life & Public Safety Committee – November 8, 2005 & January 10, 2006 [20060302nqlps01.pdf](#) [20060302nqlps02.pdf](#)
    5. Ad Hoc Towing Committee – December 12, 2005 & January 9, 2006  
[20060302ahtc01.pdf](#) [20060302ahtc02.pdf](#)
    6. Ad Hoc Veterans Memorial Committee – June 7 & 28, July 18 & August 9 & 18, 2005  
[20060302vmc01.pdf](#) [20060302vmc02.pdf](#) [20060302vmc03.pdf](#) [20060302vmc04.pdf](#)  
[20060302vmc05.pdf](#)
  - B. Acceptance of Board & Commission Meeting Minutes
    7. Aviation Commission – January 12, 2006 [20060302tavco01.pdf](#)
    8. Community Special Events Task Force – February 14, 2006 [20060302setf01.pdf](#)
    9. Golf Committee – November 2, 2005 [20060302prmr02.pdf](#)
    10. Historic Preservation Commission – January 12, 2006 [20060302hpc01.pdf](#)
    11. Municipal Arts Commission – January 11, 2006 [20060302mac01.pdf](#)
    12. Parks & Recreation Board – January 10, 2006 [20060302prmr03.pdf](#)
    13. Redevelopment Review Commission – December 20, 2005 [20060302rrc01.pdf](#)
    14. Transportation Commission – June 14, August 9, September 13, October 11, November 8 & December 13, 2005 [20060302tc01.pdf](#) [20060302tc02.pdf](#)  
[20060302tc03.pdf](#) [20060302tc04.pdf](#) [20060302tc05.pdf](#) [20060302tc06.pdf](#)
    15. Transportation Commission Bicycle Committee – June 8 & August 10, 2005

- [20060302tcbc01.pdf](#) [20060302tcbc02.pdf](#)
16. Transportation Commission Accountability/Governance Committee – February 22, April 19 & August 2, 2005 [20060302tcagc01.pdf](#)  
[20060302tcagc02.pdf](#) [20060302tcagc03.pdf](#)
17. Transportation Commission Planning & Project Review Committee – June 27 & August 22, 2005 [20060302tcpprc01.pdf](#) [20060302tcpprc02.pdf](#)
18. Transportation Commission Public Involvement/Marketing Committee – June 6, August 15 & October 10, 2005 [20060302tcpim01.pdf](#) [20060302tcpim02.pdf](#)  
[20060302tcpim03.pdf](#)

#### 4. REPORTS AND ANNOUNCEMENTS

##### A. Mayor's Announcements

- *American Legion Community Service Award*

##### B. Manager's Announcements

#### 5. AGENDA

All items listed on the agenda will be considered as a group and will be enacted with one motion by the City Council unless an item is removed for separate consideration. Members of the public may remove public hearing items for separate consideration. Public hearing items are designated by an asterisk (\*). Councilmembers may remove any item for separate consideration.

Agenda items scheduled for Introduction/First Public Hearing will be heard, but will not be voted upon at this meeting. Items scheduled for Second Public Hearing/Final Adoption will be voted upon tonight.

'q-j' indicates quasi-judicial items. The City Council sits as a quasi-judicial body when hearing variances. In this situation, the City Council must conduct itself as a court, not as a legislative body. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited. Any materials or conversations concerning the item shall only be presented to the City Council at the scheduled public hearing.

##### A. Miscellaneous Items

19. Request approval of the Report of Claims Paid to be Filed for Audit for the weeks of January 15, 22, 29 and February 5, 2006.

**COMMENTS:** A copy of the detailed claims report may be obtained by contacting the City Clerk's Office.

20. Request approval for the Mayor to execute a Parking License with Motorola, Inc., and CLH Wilshire I, for the use of 750 parking spaces for Spring Training games and special events at Diablo Stadium.

**COMMENTS:** In accordance with Development Agreement C2004-155.

**DOCUMENT NAME:** [20060302prmr01.pdf](#) **ECONOMIC DEVELOPMENT PROGRAM (0111-03)**

- 21.** *Request approval of a 30-day extension to the exclusive negotiations with STH Enterprises, LLC, for development and operation of a 19.16 acre Indoor Sports Facility and lease of City land at 1600 W. Rio Salado Parkway.*

**DOCUMENT NAME:** [20060302cdnr01.pdf](#) PURCHASES (1004-01)

22. Request approval of an Amended Subdivision Plat by FNB FOUNTAINHEAD COMMERCE CENTER at 1655 West Alameda Drive.

**COMMENTS:** (FNB Fountainhead LLC, property owner) (CC050117) #SBD-2006.03 for an Amended Subdivision Plat, consisting of three (3) lots on 25.40 net acres.

**DOCUMENT NAME:** [20060302dsd2k08.pdf](#) PLANNED DEVELOPMENT (0406)

23. Request approval of a Preliminary and Final Subdivision Plat by FARMER AVENUE LOFTS at 400 South Farmer Avenue.

**COMMENTS:** (Pat Logue, Tempe Ancala Group LLC, property owner / Clare H. Abel, Burch & Cracchiolo, P.A., applicant) (CC06006) #SBD-2006.12 for a Preliminary and Final Subdivision Plat for 18 new residential lots and 5 tracts.

**DOCUMENT NAME:** [20060302dsdk03.pdf](#) PLANNED DEVELOPMENT (0406)

24. Request approval of an addendum to a professional services agreement with Bernard Deutsch Associates, Inc., for the Kyrene Utilities Services Building and Warehouse Facilities.

**COMMENTS:** Subject to execution of the final written addendum, in the amount of \$37,500.

**DOCUMENT NAME:** [20060302PWTG01.pdf](#) WASTEWATER MANAGEMENT ADMIN (0812-01) PROJECT NO. 3201591

- \*25. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Arizona Restaurants, LLC, dba Villa Pizza, 777 S. College Avenue, #105.

**COMMENTS:** Robert Garcia, Agent.

**DOCUMENT NAME:** [20060302LIQ1.pdf](#) LIQ LIC (0210-02)

B. Award of Bids/Contracts

- 26.** Request to award a one-year contract to Cox Communications for the Transportation Division's cable television advertising (FY 2006/2007).

**COMMENTS:** Subject to execution of final written contract. Total cost for this contract shall not exceed **\$132,000** during the contract period.

**DOCUMENT NAME:** [20060302fslg01.pdf](#) **PURCHASES (1004-01) #T06-158-01**

27. Request to award a one-year contract with two (2) one-year renewal options to Utility Crane and Equipment for an aerial lift truck.

**COMMENTS:** Subject to execution of final written contract. Total cost for this contract shall not exceed \$80,148 during the initial contract period.

**DOCUMENT NAME:** [20060302fstd02.pdf](#) **PURCHASES (1004-01) RFP#06-121**

28. Request to award a three-year contract with two (2) one-year renewal options to Psomas for professional services for the creation of an enterprise geographical information system.

**COMMENTS:** Subject to execution of final written contract. Total cost for this contract shall not exceed \$800,000 during the initial contract period.

**DOCUMENT NAME:** [20060302fst04.pdf](#) **PURCHASES (1004-01) RFP #06-030**

29. Request to award a one-year contract to Prudential America Associates Real Estate for real estate broker services for the sale of City-owned property.

**COMMENTS:** 8150 South Jentilly Lane. Subject to execution of final written contract. Total cost for this contract shall not exceed 6% of the total sales price plus applicable fees.

**DOCUMENT NAME:** [20060302fst07.pdf](#) **PURCHASES (1004-01) RFP#06-120**

30. Request approval of a one-year contract renewal with Roto-Rooter Service and Plumbing Co. for sewer drain maintenance and repair.

**COMMENTS:** Total amount not to exceed \$75,000

**DOCUMENT NAME:** [20060302fslg05.pdf](#) **PURCHASES (1004-01) T04-082-01**

31. Request approval of a one-year contract renewal with Ancon Marine for sewer and lift station cleaning.

**COMMENTS:** Total cost for this contract shall not exceed \$400,000 during the initial contract period.

**DOCUMENT NAME:** [20060302fst06.pdf](#) **PURCHASES (1004-01) #03PB074**

32. Request approval to utilize a four-month Pima County contract with Peoria Pest Control for manhole treatment services for cockroach control.

**COMMENTS:** Total cost of this contract shall not exceed \$70,000 during the initial contract period.

**DOCUMENT NAME:** [20060302fst03.pdf](#) **PURCHASES (1004-01)**  
Pima County #11-03-P-137279-1105

33. Request to award a one-year contract with two (2) one-year renewal options to Archaeological Consulting Service, Ltd., for archaeology testing and research at the Hayden Flour Mills.

**COMMENTS:** Subject to execution of final written contract. Total cost for this contract shall not exceed \$344,000 during the initial contract period.

**DOCUMENT NAME:** [20060302fst08.pdf](#) **PURCHASES (1004-01) RFP #06-084**

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

- \*34. This is the **introduction and first public hearing** for General Plan 2030 Projected Land Use amendment and zoning map amendment from General Industrial (GID) to Multi-Family Residential (R-4) for SOTELO LOFTS at 1221 N. College Avenue. **The second public hearing is set for March 23, 2006.**

**COMMENTS:** (HCC Investment LLLP, Mitch Mudick, Property Owner) (CC050116) for a new 170 unit residential condominium development including the following:

**#GEP-2005.08 Resolution No. 2006.02** for a General Plan 2030 Projected Land Use map amendment for approximately 6.8 acres from a Commercial to Residential land use designation with a Medium to High Density (up to 25 dwelling units/acre), and **#ZON-2005.27 Ordinance No. 2006.04** for a zoning map amendment from General Industrial GID to Multi-Family Residential R-4, on 6.8 net acres.

**DOCUMENT NAME:** [20060302dsdk02.pdf](#) **PLANNED DEVELOPMENT (0406)**

- \*35. This is the **introduction and first public hearing** for a Planned Area Development Overlay for DORSEY CROSSING LIVE/WORK TOWNHOMES at 1233 East Broadway Road. **The second public hearing is set for March 23, 2006.**

**COMMENTS:** (Elsie A. Brodtkin Family Limited Partnership; Wallace L. Darling and Marilyn Darling 1981 Revocable Trust; and Desert Schools Credit Union; property owners) (CC050121) for a total of forty-five (45) new residential units (14 live-work units), including the following:

**#SPD-2006.04 Ordinance No. 2006.15** for a Planned Area Development Overlay within the PCC-2, Planned Commercial Center General District, for forty-five (45) townhomes, consisting of 87,425 s.f. building area and 42,000 s.f. of existing commercial buildings on 8.55 acres.

**DOCUMENT NAME:** [20060302dsrl01.pdf](#) **PLANNED DEVELOPMENT (0406)**

- \*36. This is the **introduction and first public hearing** for an ordinance abandoning four easements within the Tempe Marketplace property at 2000 East Rio Salado Parkway. **The second public hearing is set for March 23, 2006.**

DOCUMENT NAME: [20060302PWMG02.pdf](#) ABANDONMENT (0901)  
ORDINANCE NO. 2006.20

- \*37. This is the **introduction and first public hearing** for an ordinance abandoning twelve easements within the Tempe Marketplace property at 2000 East Rio Salado Parkway. The **second public hearing** is set for **March 23, 2006**.

DOCUMENT NAME: [20060302PWMG03.pdf](#) ABANDONMENT (0901)  
ORDINANCE NO. 2006.21

D. Ordinances and Items for Second Hearing/Final Adoption

- \*38. This is the **second public hearing** for a Zoning Map Amendment and an Amended Planned Area Development (PAD) for residential and office uses for FOUNTAINHEAD APARTMENTS at 1605 West Broadway Road.

**COMMENTS:** (Tempe Fountainhead Corporate LLC, property owner / Mark-Taylor, Kevin Ransil, applicant) (CC050100), including the following:

#ZON-2005.27 Ord. No. 2006.06 for a Zoning Map Amendment from GID, General Industrial District to MU-4, Mixed-Use High Density District on 10.7 net acres; and #SPD-2005.112 for an Amended Planned Area Development for Fountainhead Corporate Park, Lots 1 and 9, consisting of 372,448 s.f. total building area for 308 residential units and 15,000 s.f. of retail on 17.4 net acres.

DOCUMENT NAME: [20060302dsd2k07.pdf](#) PLANNED DEVELOPMENT (0406)

- \*39. This is the **second public hearing** for General Plan Projected Land Use and Residential Density map amendments and a Zoning Map amendment for RAVENWOOD at 647 West Baseline Road.

**COMMENTS:** (Sallquist, Drummond & O'Conner P.C., Gary Drummond, Property Owner) (CC050110) including the following:

Resolution No. 2006.03 #GEP-2005.07 for a General Plan 2030 Residential Density map amendment for approximately 25.44 acres from Low Density (up to 3 dwelling units/acre) to Medium Density (up to 15 du/ac) with an actual density of 10.02 du/ac; and a Land Use map amendment for 10.49 acres of the total 25.44 acres to be designated Private Open Space, located at 647 W. Baseline Road.

#ORD 2006.08 #ZON-2005.26 for a zoning map amendment from Agricultural AG to Multi-Family Residential R-3, on 25.4 net acres.

DOCUMENT NAME: [20060302dsdk01.pdf](#) PLANNED DEVELOPMENT (0406)

- \*40. This is the **second public hearing** for an ordinance authorizing the conveyance of the City's interests in certain real property associated with the Tempe Marketplace Project to Miravista/Vestar TM Landco.

DOCUMENT NAME: [20060302cdnc01.pdf](#) REAL PROPERTY

**DISPOSITION (0902-21-01) ORDINANCE NO. 2006.22**

- \*41. This is the **second public hearing** for an ordinance authorizing the Mayor to execute a development and disposition agreement between the City of Tempe and Childsplay.

**DOCUMENT NAME:** [20060302cdnc02.pdf](#) **REAL PROPERTY DISPOSITION (0902-21-01) ORDINANCE NO. 2006.23**

E. Resolutions

42. Request approval of a resolution amending the Personnel Rules and Regulations, Rule 3, Section 304(C) relating to internal recruitments.

**DOCUMENT NAME:** [20060302hrds01.pdf](#) **PERSONNEL RULES AND REGULATIONS (0301-01) RESOLUTION NO. 2006.16.**

43. Request approval of a resolution adopting the restated Tempe Health Plan Document.

**COMMENTS:** incorporating the format utilized by the City's new third part administrator (EPOCH) for the self-insured medical plans.

**DOCUMENT NAME:** [20060302HRJH01.pdf](#) **HEALTH INSURANCE (0303-03-01) RESOLUTION NO. 2006.18**

44. Request approval of a resolution establishing polling places and districts for the May 16, 2006, General Election.

**DOCUMENT NAME:** [20060302clrkck07.pdf](#) **GENERAL ELECTION – MAY 16, 2006 (0506-30-02) RESOLUTION NO. 2006.19**

45. Request approval of a resolution authorizing the execution and delivery of certain agreements; approving an official statement; approving the execution and delivery of Performing Arts Center Excise Tax Revenue Obligations (not to exceed \$23 million), Series 2006.

**COMMENTS:** Includes a purchase agreement, a trust agreement, a continuing disclosure agreement and an obligation purchase agreement. Also evidencing a proportionate interest of the owners thereof in the purchase agreement, and the sale to the purchaser thereof, and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution.

**DOCUMENT NAME:** [20060302fsjh01.pdf](#) **BOND SERVICE ADMINISTRATION (0203-01) RESOLUTION NO. 2006.20.**

- 46. *Request approval of a resolution authorizing the execution of a Supplemental Development Parcel Agreement to the Tempe Marketplace Redevelopment Agreement.***

**DOCUMENT NAME:** [20060302cdnc03.pdf](#) **RIO SALADO MASTER PLAN  
(0112-07-03) RESOLUTION NO. 2006.21**

**6. PUBLIC APPEARANCES**

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on this agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on this agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes are not allowed.

Members of the public shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.

SCHEDULED PUBLIC APPEARANCE

- Dennis Skolnick, Tempe, re: "Secrets of Tempe Hospitality"

**7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS**

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

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