
Tempe City Council
February 1, 2007

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

1. INVOCATION - Councilmember Ellis
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Mitchell
 - A. Approval of Council Meeting Minutes
 1. Council's Executive Session – January 18, 2007
 2. Council's Special Executive Session – January 12, 2007
 3. Council's Issue Review Session – January 4 & 18, 2007 [20070201clrkck01.pdf](#)
[20070201clrkck02.pdf](#)
 4. Council's Formal Meeting – January 18, 2007 [20070201clrkck03.pdf](#)
 5. Council's Arts & Community Services Committee – January 17, 2007
[20070201acsc01.pdf](#)
 6. Council's Education & Technology Advancement Committee – January 16, 2007
[20070201etac01.pdf](#)
 7. Council's Finance, Economy & Veterans Affairs Committee – January 16, 2007
[20070201feva01.pdf](#)
 8. Council's Neighborhood Quality of Life, Public Safety & Parks and Recreation Committee – January 9, 2007 [20070201npspr01.pdf](#)
 9. Council's Tourism & Amateur Sports Committee – January 10, 2007
[20070201tasc01.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 10. Apache Boulevard Project Area Committee – December 11, 2006
[20070201apac01.pdf](#)
 11. Community Special Events Task Force – January 16, 2007 [20070201setf01.pdf](#)
 12. Hearing Officer – January 2, 2007 [20070201ho01.pdf](#)
 13. Mayor's Youth Advisory Commission – January 9, 2007 [20070201myac01.pdf](#)
 14. Neighborhood Advisory Commission – December 6, 2007 [20070201nac01.pdf](#)
4. REPORTS AND ANNOUNCEMENTS

- A. Mayor's Announcements
- 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

- 15. Request approval of the Report of Claims Paid to be Filed for Audit for the months of September, October, November, and December, 2006.
COMMENTS: A copy of the detailed claims report may be obtained by contacting the City Clerk's Office.

APPROVED

- 16. Request approval of the appointment of Janet R. Hort as City Clerk and approval to enter into an employment agreement under the terms described therein.
DOCUMENT NAME: [20070201casv01.pdf](#) **POSITIONS AUTHORIZED (0302-01)**

APPROVED

- 17. Request approval of the extension of the Residential Permit Parking Area 1 to include the University Estates Neighborhood.
DOCUMENT NAME: [20070201PWJD01.pdf](#) **RESIDENTIAL PERMIT PARKING (0503-19)**

APPROVED

- 18. Request approval of a Subdivision and Condominium Plat for LINCOLN PARK CONDOS at 1504 West University Drive.
COMMENTS: (Sicroff / Essy L.L.C., property owner; Bill Durham, DeLorme & Associates, applicant) (PL060474) for a Subdivision and Condominium Plat, located at

1504 W. University Drive, in the R-3 District , including the following request:
SBD06023 – Subdivision and Condominium Plat to combine two adjacent parcels and convert twenty-six existing apartments into twenty-six residential condominiums on 1.79 net acres.

DOCUMENT NAME: [20070201dskko02.pdf](#) **PLANNED DEVELOPMENT**
(0406)

APPROVED

- *19. This is a public hearing to recommend the approval of a Series 07 Beer and Wine Bar Liquor License for 1550 Tempe, LLC, dba Quality Inn Tempe, 1550 S. 52nd Street.
COMMENTS: Shailesh Kuber, Agent
DOCUMENT NAME: [20070201LIQ1.pdf](#) **LIQ LIC (0210-02)**

APPROVED

- *20. This is a public hearing to recommend the approval of a Series 07 Beer and Wine Bar Liquor License for Two Glass Eyes, LLC, dba Two Glass Eyes Sports Grill, 1807 E. Baseline Road, #101.
COMMENTS: Karsten Corrigan, Agent
DOCUMENT NAME: [20070201LIQ2.pdf](#) **LIQ LIC (0210-02)**

APPROVED

- *21. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Mariscos Sinaloa, Inc., dba Mariscos Sinaloa, 3135 S. 48th Street, #110.
COMMENTS: Gonzalo Gamez, Agent
DOCUMENT NAME: [20070201LIQ3.pdf](#) **LIQ LIC (0210-02)**

APPROVED

- *22. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Gotta Serve Somebody, LLC, dba Mamacita's, 216 E. University Drive.
COMMENTS: Justin Garbinski, Agent
DOCUMENT NAME: [20070201LIQ4.pdf](#) **LIQ LIC (0210-02)**

APPROVED

- *23. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Feller's Place, LLC, dba Final Round, 5030 S. Mill Avenue, D-20.
COMMENTS: Jesse Feller, Agent
DOCUMENT NAME: [20070201LIQ5.pdf](#) **LIQ LIC (0210-02)**

APPROVED

B. Award of Bids/Contracts

24. Request to award a one-year, sole source contract to United Fire Equipment Company for MSA repair and replacements parts for self-contained breathing apparatus (SCBA).
COMMENTS: Subject to execution of final written contract. Total cost for this contract shall not exceed \$50,000 during the contract period.
DOCUMENT NAME: [20070201fslg05.pdf](#) **PURCHASES (1004-01)** (Sole Source #07-101)

APPROVED

25. Request to award one-year contracts with two (2) one-year renewal options to RCI Systems, Inc., (primary) and Equity Plumbing, Inc., (secondary) for testing, repair and replacement of backflow prevention assemblies.
COMMENTS: Subject to execution of final written contracts. Total cost for these contracts shall not exceed \$65,000 during the contract period.
DOCUMENT NAME: [20070201fsts08.pdf](#) **PURCHASES (1004-01)** (IFB #07-067)

APPROVED

26. Request approval of a six-month contract renewal with United Road Towing, Inc., for towing services.
COMMENTS: Total estimated amount for community towing is \$68,000 including \$8,000 of city vehicle towing.
DOCUMENT NAME: [20070201fsta01.pdf](#) **PURCHASES (1004-01)** (T01-092-01)

APPROVED

27. Request a one-year contract renewal with Liberty Mutual for voluntary group Auto, Homeowners and Personal Umbrella Insurance for eligible City employees.
COMMENTS: There is no cost to the City. Employees currently pay approximately \$410,000 annually for these services.
DOCUMENT NAME: [20070201fsta02.pdf](#) **PURCHASES (1004-01)** (T05-064-01)

APPROVED

28. Request approval of one-year contract renewals with Dave Bang Associates, Inc., and Miracle Playground Sales Southwest for playground play structures for City parks.
COMMENTS: Total amount not to exceed \$100,000.
DOCUMENT NAME: [20070201fslg03.pdf](#) **PURCHASES (1004-01)** (T06-099-01 and T06-099-02)

APPROVED

29. Request approval to increase by \$100,000 the contract amount with Econolite Control Products, Inc., for traffic signal control equipment.
COMMENTS: Increase from \$200,000 to \$300,000.
DOCUMENT NAME: [20070201fsta09.pdf](#) **PURCHASES (1004-01)** (Sole Source #06-126-01)

APPROVED

30. Request approval to utilize one-year Western States Contracting Alliance (WSCA) contracts with Verizon Wireless and Sprint/Nextel Communications for cellular telephone, services and related equipment.
COMMENTS: Total cost of these contracts shall not exceed \$250,000 during the contract period.
DOCUMENT NAME: [20070201fsts06.pdf](#) **PURCHASES (1004-01)** (EPS070070-1-A1 and 3-A1)

APPROVED

31. Request approval to utilize a two-year US Communities contract with Tech Depot for computer hardware, peripherals, and related services.
COMMENTS: Total cost of this contract shall not exceed \$80,000 during the contract period.
DOCUMENT NAME: [20070201fsts07.pdf](#) **PURCHASES (1004-01)** (RQ03-605674-16A)

APPROVED

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

- *32. This is the **introduction and first public hearing** for a Zoning Map Amendment and a Planned Area Development Overlay for P CAN LOFTS located at 675 South Roosevelt Street. **The second public hearing is set for February 15, 2007.**
COMMENTS: (Oleander Lofts L.L.C., property owner; Barry Goldstein, A.I.A., V.V.G. Associates, L.L.C., applicant) (PL060525) for the development of twelve residential condominiums, located at 675 S. Roosevelt Street, in the R-3 District, including the following requests:
ZON06013 – (Ordinance No. 2007.06) a Zoning Map Amendment from R-3, Multi-Family Residential Limited District to R-4 Multi-Family Residential General District, on 0.49 net acres.
PAD06012 – Planned Area Development Overlay to modify R-4 development standards to allow a building 'B' height increase from 40 feet to 51 feet to the top of roof railing, to allow a Building 'A' front setback reduction from 20'-0" to 0'-0" and Building 'B' side-yard and rear-yard setback reductions from 10'-0" to 0'-0" to minimize the building volume step-back.

DOCUMENT NAME: [20070201dskko01.pdf](#) PLANNED DEVELOPMENT
(0406)

INTRODUCED AND HELD FIRST PUBLIC HEARING.
SECOND PUBLIC HEARING SET FOR FEBRUARY 15, 2007.

D. Ordinances and Items for Second Hearing/Final Adoption

- *33. This is the **second public hearing** for Code text amendments for ADULT ORIENTED BUSINESS REGULATIONS.

COMMENTS: (City of Tempe, applicant) (PL060481) for code text amendments within the Zoning and Development Code, including prohibiting "sexual encounter centers"; incorporating State Law as it pertains to adult oriented business separation requirements; and clarify definition related to determining area devoted to adult oriented material, including the following:

ZOA06003 – (Ordinance No. 2007.01) Code Text Amendments within the Zoning and Development Code for Sections 3-403 and 7-102.

DOCUMENT NAME: [20070201dsrl01.pdf](#) PLANNED DEVELOPMENT
(0406)

APPROVED

- *34. This is the **second public hearing** to amend Chapter 16A, Article VI of the Tempe City Code, relating to Adult-Oriented Businesses and adding new Section 22-17 relating to Sexual Encounter Centers.

DOCUMENT NAME: [20070201cacc01.pdf](#) TCC CH16 – LICENSES,
TAXATION & MISC BUS REGS, ETC. CITY CODE (0503-16) ORDINANCE NO.
2007.07

APPROVED

E. Resolutions

35. Request approval of a resolution to accept grant funding from the Oversight Council on Driving or Operating Under the Influence Abatement for DUI enforcement.

DOCUMENT NAME: [20070201pdsam01.pdf](#) POLICE DEPARTMENT
ADMINISTRATION (0606-02) RESOLUTION NO. 2007.04

APPROVED

36. Request approval of a resolution to accept grant funding from the Wal-Mart Corporation for K-9 equipment.

DOCUMENT NAME: [20070201pdsam02.pdf](#) POLICE DEPARTMENT
ADMINISTRATION (0606-02) RESOLUTION NO. 2007.05

APPROVED

37. Request approval of a resolution to renew the Intergovernmental Agreement (IGA) between the City of Tempe and Tempe Elementary School District No. 3 (TSD3) which details the agreed respective responsibilities of the School Resource Officer grant program.

DOCUMENT NAME: [20070201pdma01.pdf](#) POLICE DEPARTMENT
ADMINISTRATION (0606-02) RESOLUTION NO. 2007.07

APPROVED

38. Request approval of a resolution to change the color scheme of our patrol vehicles from blue and white to a traditional black and white color scheme.

DOCUMENT NAME: [20070201pdsam03.pdf](#) POLICE DEPARTMENT
ADMINISTRATION (0606-02) RESOLUTION NO. 2007.06

APPROVED

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.

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.

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