

**Tempe City Council
Formal Council Meeting
Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 East Fifth Street, Tempe, Arizona
Thursday, May 31, 2012
7:30 PM**

Members of the City Council may attend either in person or by telephone conference call.

- 1. INVOCATION - Vice Mayor Navarro**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MINUTES - Councilmember Arredondo-Savage**
 - A. Approval of Council Meeting and Council Committee Meeting Minutes
 1. [Formal Council Meeting - May 10, 2012](#)
 2. [Issue Review Session - April 26, 2012 and May 10, 2012](#)
 3. Executive Session - May 10, 2012
 4. [Education Partnerships Council Committee - February 6, 2012](#)
 5. [Housing and Social Service Programs Council Committee - March 27, 2012](#)
 6. [Transportation Council Committee - February 14, 2012](#)
 7. [Neighborhood Quality of Life and Revitalization Council Committee - February 28, 2012](#)
 8. [Sports, Tourism, Recreation, Arts & Cultural Development Council Committee - April 4, 2012](#)
 - B. Acceptance of Committee, Board & Commission Meeting Minutes
 1. [Parks, Recreation and Golf Course Advisory Board - March 21, 2012](#)
 2. [Commission on Disability Concerns - April 5, 2012](#)
 3. [Aviation Commission - April 10, 2012](#)
 4. [Human Relations Commission - April 10, 2012](#)
 5. [Transportation Commission - April 10, 2012](#)
 6. [Historic Preservation Commission - April 12, 2012](#)
 7. [Mayor's Youth Advisory Commission - April 17, 2012](#)
 8. [Double Butte Cemetery Advisory Committee - April 18, 2012](#)
 9. [Development Review Commission - April 24, 2012 and May 8, 2012](#)
 10. [Hearing Officer - May 1, 2012](#)

4. REPORTS AND ANNOUNCEMENTS

- A. Mayor's Announcements
 - 1. **Tempe 11 – Telly Awards**
 - 2. **Water Safety Awareness Month**

- B. Manager's Announcements

5. AGENDA

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

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

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

Legal Advice: If necessary, the City Council may vote to adjourn to executive session for the purpose of obtaining legal advice from the Council's attorney on any matter listed on the agenda pursuant to A.R.S §38-431.03(A)(3).

A. Miscellaneous Items

- A1. [Request approval of the April 2012 Report of Claims Paid to be filed for audit.](#)

COMMENTS This report is a compilation of all payments made through the City's accounts payable system during April 2012 that will be subject to audit by the City's external auditors.

DOCUMENT NAME 20120531fsnw01 ACCOUNTS PAYABLE (0208-01)

- *A2. [Hold a public hearing for an appeal of a previously approved use permit for PJ PROPERTIES located at 1290 North Scottsdale Road, Suite Nos. 120 – 122.](#)

COMMENTS Hold a public hearing for an appeal of the April 10, 2012 Development Review Commission decision to overturn the use permit approved for RIO SALADO CENTER – P J PROPERTIES (PL110435) (Arnaldo Matos/P J Properties, applicant/property owner) located at 1290 North Scottsdale Road, Suite Nos. 120 – 122 in the PCC-1, Planned Commercial Center Neighborhood District for: UPA12009– Use Permit appeal (ZUP11116) to allow a reception center with live entertainment.

DOCUMENT NAME 20120531cdsl01 PLANNED DEVELOPMENT (0406-00)

- *A3. [Hold a public hearing to recommend the approval of a Series 12 restaurant liquor license for Mad Hatter Brew Pub, LLC, dba Mad Hatter Brew Pub, 502 South College Avenue #103.](#)

COMMENTS Justin Merrick Borchik is the Agent for this application.
DOCUMENT NAME 20120531 fsap01 203354 LIQ LIC (0210-02)

B. Award of Bids/Contracts

- B1. [Request approval of a one-year contract renewal for annual software maintenance and support with Versaterm, Inc. for the City's integrated public safety system for the Police Department.](#)

COMMENTS Total cost of this contract shall not exceed \$326,000 during the one-year contract renewal period.
DOCUMENT NAME 20120531fsts06 PURCHASES (1004-01)

- B2. [Request approval of a one-year sole source contract renewal for annual software maintenance and support with Hansen Information Technologies for the City's infrastructure management system which is used by the Community Services, Finance and Technology and Public Works departments.](#)

COMMENTS Total cost of this contract will not exceed \$82,000 during the one-year contract renewal period.
DOCUMENT NAME 20120531fsts07 PURCHASES (1004-01)

- B3. [Request approval of one-year contract renewals with All City Towing, Inc. and Apache Sands Service Center, Inc. for vehicle towing services for the Police Department and Public Works Department.](#)

COMMENTS Total combined costs of these contracts for City of Tempe fleet tows shall not exceed \$30,000 during the one-year renewal period. Charges for Police initiated tows are the responsibility of the vehicle owner.
DOCUMENT NAME 20120531fsmg05 PURCHASES (1004-01)

- B4. [Request approval of one-year contract renewals with Aquatic Consulting and Testing, Inc., Bio-Aquatic Testing, Inc., Legend Technical Services of Arizona, Inc., MWH Laboratories, Test America Inc. and Xenco-Tranwest Analytical for potable water quality, wastewater and soil testing services for the Public Works Department.](#)

COMMENTS Total combined cost of these contracts will not exceed \$360,000 during the one-year contract renewal period.
DOCUMENT NAME 20120531fsts02 PURCHASES (1004-01)

- B5. [Request approval of one-year contract renewals with Scott McAlister \(Division I\), Robert A. Butler \(Division II\), Patrick G. Gann \(Division III\) and Chad D. Niven \(alternate\) to provide public defender representation for indigent defendants whose cases are filed with the Tempe Municipal Court.](#)

COMMENTS Total combined cost of these four contracts, and related indigent representation, will not exceed \$200,000 during the one-year contract period beginning July 1, 2012.

DOCUMENT NAME 20120531fsta03 PURCHASES (1004-01)

- B6. [Request approval to award a two-year contract with three, one-year renewal options to Total Office Interiors for the purchase of remanufactured Haworth systems furniture, ESI Ergonomic Solutions products, freestanding furniture and related support services to be used throughout the City.](#)

COMMENTS The total cost of this contract shall not exceed \$60,000 during the initial two-year contract period.

DOCUMENT NAME 20120531fslg04 PURCHASES (1004-01)

- B7. [Request award of a construction contract with AJP Electric, Inc. for security and lighting improvements at Johnny G. Martinez Water Treatment Plant.](#)

COMMENTS Total cost for the construction contract is \$832,758 and the project contingency amount is \$85,000.

DOCUMENT NAME 20120531pwr04 WATER MANAGEMENT (0811) PROJECT NO. 3203501

- B8. [Request award of a professional engineering services contract with Arcadis U.S., Inc. to develop a Master Plan for the water and wastewater Supervisory Control and Data Acquisition system.](#)

COMMENTS Total cost for the professional services contract is \$199,909.

DOCUMENT NAME 20120531pwr05 WATER MANAGEMENT ADMINISTRATION (0811-13) PROJECT NO. 3204401

- B9. [Request approval of one-year contracts with four one-year renewal options to Roberts Tire Sales and Redburn Tire Company for tire retreading services used by the Public Works Department.](#)

COMMENTS The total cost of these two contracts will not exceed \$150,000 during the initial one-year contract period.

DOCUMENT NAME 20120531fsta08 PURCHASES (1004-01)

- B10. [Request approval to amend the Energy Performance Agreement with Ameresco Southwest, formerly known as APS Energy Services Company, to extend the construction period for energy retrofits an additional six \(6\) months to December 31, 2012.](#)

COMMENTS There is no change in scope of work or project cost to the agreement with Ameresco Southwest for energy upgrades. Additional time is needed to install exterior lighting, a power management system, retro-commissioning and rebalancing City Hall and the Police/Courts buildings.

DOCUMENT NAME 20120531cmgk01 ELECTRICAL SAVINGS GOALS (0105-01-04)

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

- *C1. [Introduction and first public hearing to adopt an ordinance abandoning an existing public utility easement over a portion of the 8th Street alignment, east of Rural Road and south of University Drive. The second public hearing is scheduled for June 14, 2012.](#)

COMMENTS The City reserved a public utility easement over the public right-of-way abandoned through City of Tempe Ordinance 86.61, recorded in the office of the Maricopa County Recorder, document number 86-559327, October 14, 1986. The Developer of the adjacent property has completed relocation of the affected utilities and has requested abandonment of the public utility easement.

DOCUMENT NAME 20120531pwko01 ABANDONMENT (0901) ORDINANCE NO. 2012.21

- *C2. [Introduction and first public hearing to adopt an ordinance for an Amended Planned Area Development Overlay for VILLAS AT SOUTHBANK, located at 1122 East Vista Del Lago Drive. The second public hearing is scheduled for June 14, 2012.](#)

COMMENTS Request for VILLAS AT SOUTH BANK (PL120046) (SOUTHBANK ASU LLC, property owner; MDT Development Partners LLC, applicant) consisting of 262 units within a 17-story senior living facility (including assisted living and memory care components) and a 2-story commercial building, totaling 367,896 sf. of building area on 2.23 net acres, located at 1122 East Vista Del Lago Drive in the MU-4 (PAD), Mixed-Use High Density District with a Planned Area Development Overlay and within the Rio Salado Overlay District. The request includes the following:

PAD12002 (Ordinance No. 2012.23) – An Amended Planned Area Development Overlay to establish development standards of 118 dwelling units per acre; a maximum building height of 211'-0"; reduce the required vehicle parking from 458 to 187 spaces, and reduce the required bicycle parking from 182 to 53 spaces.

DOCUMENT NAME 20120531cdri01 PLANNED DEVELOPMENT (0406) ORDINANCE NO. 2012.23

- *C3. [Introduction and first public hearing to adopt an ordinance authorizing the transfer of a portion of the City of Tempe 8th Street right-of-way east of Rural Road to Salt River Project. The second public hearing is scheduled for June 14, 2012.](#)

COMMENTS The City is a party to a Development and Disposition Agreement with 529 Tempe, LLC, in which the City agreed to sell the property located at 903 S. Rural Rd. Per the agreement, the City will transfer ownership of 12'-6" of the existing 8th St right-of-way east of Rural Road and south of University Drive to Salt River Project for use in the relocation of the existing McKinney-Kirkland Ditch, currently located between the 529 Tempe, LLC. property and the City property.

DOCUMENT NAME 20120531pwko02 SRP (0113-03) ORDINANCE NO. 2012.24

- *C4. [Introduction and first public hearing to adopt an ordinance authorizing an Irrigation Easement for the benefit of Salt River Project over a portion of the City of Tempe 8th Street right-of-way. The second public hearing is scheduled for June 14, 2012.](#)

COMMENTS The City is a party to a Development and Disposition Agreement with 529 Tempe, LLC, in which the City agreed to sell the property located at 903 S. Rural Rd. Per the agreement, the City will grant an Irrigation Easement over a portion of the existing 8th St right-of-way to Salt River Project Agricultural Improvement and Power District. The easement is to be used for relocation and maintenance of the existing McKinney-Kirkland Ditch.

DOCUMENT NAME 20120531pwko03 SRP (0113-03) ORDINANCE NO. 2012.25

- *C5. [Introduction and first public hearing to adopt an ordinance abandoning five sanitary sewer easements south of Apache Boulevard, between Rural Road and Terrace Road. The second public hearing is scheduled for June 14, 2012.](#)

COMMENTS The District on Apache is being constructed at 941 East Apache Boulevard. Five existing sanitary sewer easements were previously dedicated for sanitary sewer service to the site. The site has been redesigned and the locations of the sanitary sewer lines have been changed. A new easement will be dedicated by the developer to provide access to public sewer lines which will be constructed with the project.

DOCUMENT NAME 20120531pwko06 ABANDONMENT (0901-00) ORDINANCE NO. 2012.29

D. Ordinances and Items for Second Hearing/Final Adoption

- *D1. [Second and final public hearing for Historic Designation of WEXLER \(DESKIN/WAGNER\) HOUSE, located at 1215 South Maple Avenue.](#)

COMMENTS Request for WEXLER (DESKIN/WAGNER) HOUSE (PL120017) (Mike Deskin & Jan Wagner property owner/ applicants) consisting of the historic designation and listing in the Tempe Historic Property Register one (1) lot on approximately 0.21 acres, located at 1215 South Maple Avenue, in the R-2, Multi-Family Residential. The request includes the following:
HPO12001 (Ordinance No. 2012.05) – Historic Property Designation consisting of one (1) lot on approximately 0.21 acres.

DOCUMENT NAME 20120531cdjn01 PLANNED DEVELOPMENT (0406-00) ORDINANCE NO. 2012.05

- *D2. [Second and final public hearing to adopt an ordinance for a Zoning Map Amendment and Planned Area Development Overlay for GRACIE'S VILLAGE located at 1520 East Apache Boulevard.](#)

COMMENTS A LEGAL PROTEST HAS BEEN FILED WITH REGARD TO THIS MATTER. THEREFORE, A ¾ COUNCIL MAJORITY (6 OF 7) IS REQUIRED FOR APPROVAL.

The Development Review Commission is recommending approval of this proposal. Staff is recommending approval as submitted, subject to conditions.

Request for GRACIE'S VILLAGE (PL110282) (Jeff Brosman, Grace Community Church of the Valley, property owner; Francis J. Slavin, Esq., Law Offices of Francis J. Slavin, PC, applicant) consisting of a four (4) story mixed-use commercial and residential development including +/-13,035 sf. Gracie's Thrift store and fifty (50) dwelling units with program support and amenity spaces, +/-93,718 sf. overall on +/-1.984 acres, located at 1520 East Apache Boulevard in the CSS (TOD) Commercial Shopping and Service District and Transportation Overlay District (Corridor). The request includes the following:

ZON12001 – (Ordinance No. 2012.16) Zoning Map Amendment from CSS, Commercial Shopping and Service District to MU-3, Mixed-Use, Medium-High Density District. The TOD, Transportation Overlay District shall remain without change.

PAD12001 – (Ordinance No. 2012.16) Planned Area Development Overlay to establish development standards for building height, building setbacks, building lot coverage and landscape lot coverage.

DOCUMENT NAME 20120531cdkko01 PLANNED DEVELOPMENT (0406-00)
ORDINANCE NO. 2012.16

- *D3. [First and final public hearing to adopt an ordinance authorizing the Mayor to execute a development and disposition agreement with BestIT.Com, Inc. \(BestIT\) for the granting of a Right-of-Way encroachment permit and easement.](#)

COMMENTS The development and disposition agreement provides for the redevelopment of an underutilized property, improves the City's bike and pedestrian transportation system, supports economic development and generates revenues for the City.

DOCUMENT NAME 20120531cdmm02 ORDINANCE NO. 2012.32

E. Resolutions

- E1. [Request adoption of a resolution authorizing the Mayor to sign the seventh amendment to the intergovernmental agreement for Dial-a-Ride services with the Regional Public Transportation Authority \(RPTA\) during fiscal year 2011-12.](#)

COMMENTS (Contract C2004-241G) Cost to Tempe is estimated to be \$337,575.
DOCUMENT NAME 20120531pwmn01 RPTA (0107-08) RESOLUTION NO. 2012.53

- E2. [Request adoption of a resolution authorizing the Mayor to sign the fiscal year 2011-12 light rail operations funding agreement with Valley Metro Rail, Inc. \("METRO"\) for the City of Tempe's proportionate share of light rail operating costs.](#)

COMMENTS Net cost to Tempe is \$7,176,637.
DOCUMENT NAME 20120531pwjc01 TRANSPORTATION PLANNING (1101-01)
RESOLUTION NO. 2012.54

- E3. [Request adoption of a resolution that authorizes external nonprofit organizations to apply for the Pascua Yaqui Tribe State Shared Revenue Grant Funds through the City of Tempe.](#)

COMMENTS If funded by the Pascua Yaqui Tribe, the City of Tempe will serve as a pass through for the distribution of the Pascua Yaqui Tribe's State Shared Revenue Grant Funds. There is no direct fiscal impact to the City of Tempe.

DOCUMENT NAME 20120531craw01 STATE LEGISLATURE (0107-06), RESOLUTION NO. 2012.56

- E4. [Request adoption of a resolution that authorizes City of Tempe departments to apply for Pascua Yaqui Tribe State Shared Revenue Grant Funds.](#)

COMMENTS If granted by the Pasqui Yaqui Tribe, the City of Tempe will fund four City programs for a total amount of \$277,968.00.

DOCUMENT NAME 20120531craw02 STATE LEGISLATURE (0107-06), RESOLUTION NO. 2012.57

- E5. [Request adoption of a resolution that authorizes the submission of applications from external nonprofit organizations to the Gila River Indian Community.](#)

COMMENTS If funded by the Gila River Indian Community, the City of Tempe will serve as a pass through for the distribution of the Tribe's State Shared Revenue Grant Funds. There is no fiscal impact to the City of Tempe.

DOCUMENT NAME 20120531craw03 GILA RIVER INDIAN COMMUNITY (0109-32), RESOLUTION NO. 2012.58

- E6. [Request adoption of a resolution that authorizes the submission of City of Tempe applications to the Gila River Indian Community.](#)

COMMENTS If granted by the Gila River Indian Community, the City of Tempe will fund three City programs for a total amount of \$267,968.00.

DOCUMENT NAME 20120531craw04 GILA RIVER INDIAN COMMUNITY (0109-32), RESOLUTION NO. 2012.59

- E7. [Request adoption of a resolution authorizing the Mayor to execute Amendment No. 2 to the Sharing Agreement to the Intergovernmental Agreement for Telecommunications Facilities Sharing, between the City of Tempe and the City of Phoenix \(Nos. 100502 and C99-238A\), to extend the term of the Sharing Agreement.](#)

COMMENTS This Amendment No. 2 will be of no cost to the City of Tempe.

DOCUMENT NAME 20120531fitdh COMMUNICATION (1010-02) RESOLUTION NO. 2012.61

- E8. [Request adoption of a resolution accepting the 100 Club of Arizona's Safety Enhancement Stipend Award.](#)

COMMENTS The 100 Club of Arizona has awarded a stipend to the Tempe Fire Department in the amount of \$1,372.00 to purchase a Medical Support Unit - Cooling System.

DOCUMENT NAME 20120531fdta01 FIRE/PARAMEDIC SERVICE ADMIN (0605-01) RESOLUTION NO. 2012.62

- E9. [Request adoption of a resolution that authorizes the Mayor to execute an Intergovernmental Agreement between the Pascua Yaqui Tribe and the City of Tempe for the disbursement of a portion of its annual 12% monies from gaming proceeds from the July, 2011 grant cycle.](#)

COMMENTS State law, A.R.S. §5-601.02, requires Pascua Yaqui Tribe and other Indian tribes to distribute twelve percent of its total annual contribution to local governments for government services which benefit the general public. Via the Intergovernmental Agreement and Funding Agreements, the City of Tempe will act as a pass through for the Pascua Yaqui Tribe for Compadre High School - Jobs for Arizona Graduates (JAG) program in the amount of \$10,000.00 and for Tempe Union High School District Indian Education Program in the amount of \$22,000.00.

DOCUMENT NAME 20120531craw05 STATE LEGISLATURE (0107-06), RESOLUTION NO. 2012.63

- E10. [Request adoption of a resolution that authorizes the Mayor to execute funding agreements between the City of Tempe, Compadre High School and Tempe Union High School District for the disbursement of a portion of the Pascua Yaqui gaming proceeds from applications submitted to the Tribe in July, 2011.](#)

COMMENTS State law, A.R.S. §5-601.02, requires Pascua Yaqui Tribe and other Indian tribes to distribute twelve percent of its total annual gaming contribution to local governments for government services which benefit the general public. Via Funding Agreements, the City of Tempe will act as a pass through for the Pascua Yaqui Tribe for Compadre High School - Jobs for Arizona Graduates (JAG) program in the amount of \$10,000.00 and for Tempe Union High School District Indian Education Program in the amount of \$22,000.00.

DOCUMENT NAME 20120531craw06 PASCUA YAQUI TRIBE (0109-36), RESOLUTION NO. 2012.64

- *E11. [Hold a public hearing to request adoption of a resolution for the approval of the annual assessments for the Downtown Tempe Enhanced Services Improvement District.](#)

COMMENTS Each year the City Council authorizes assessments on downtown Tempe property owners. The Assessment partially funds the Downtown Tempe Community operation for the upcoming fiscal year.

DOCUMENT NAME 20120531cdcm01 DOWNTOWN TEMPE ENHANCED SERVICES DISTRICT (0805-03) RESOLUTION NO. 2012.65

- E12. [Request adoption of a resolution declaring the official canvass \(results\) of the May 15, 2012 General/Special Election.](#)

COMMENTS State law requires the City Council to meet and canvass the election results not less than six days nor more than twenty days following the election.

DOCUMENT NAME 20120531 ccbk 2012 PRIMARY, GENERAL /SPECIAL ELECTIONS (0506-33-01) RESOLUTION NO. 2012.66

- E13. [Request adoption of a resolution authorizing the execution of a Development Agreement between the City of Tempe and Tempe Campus SPV, LLC.](#)

COMMENTS The Development Agreement allows for shorter building heights; waives any one-time or reoccurring pavement resurfacing fees and surcharges; defers payment of all potable water and sanitary sewer fees; waives the undergrounding of utility lines; and allows for additional signage.

DOCUMENT NAME 20120531cdmm01 PLANNED DEVELOPMENT (0406-00)
RESOLUTION NO. 2012.69

- E14. [Request adoption of a resolution authorizing the Mayor to execute the Amended and Restated Parking Easement and Cost Sharing Agreement among ZARCALRES TEMPE, LLC, CENTERPOINT LAND LLC, CENTERPOINT HOLDINGS, LLC, and the CITY OF TEMPE, ARIZONA.](#)

COMMENTS On March 22, 2001 the City Council approved a number of documents related to the transfer of ownership of certain properties (the "Brownstone Parcel") within the Centerpoint development from Centerpoint Plaza Limited Partnership (DMB) to Brownstone 6th & Maple, L.L.C. (MCW). Among these documents was a Parking Easement and Cost Sharing Agreement ("Brownstone Agreement"), providing for the operation, maintenance and cost sharing of parking to be replaced and developed on Lot 7A. The Brownstone Agreement also granted the City an easement for 175 parking spaces. The City currently uses these spaces to satisfy its obligations under various third-party parking agreements. The Amended and Restated Parking Easement and Cost Sharing Agreement withdraws Lot 1 from the real property encumbered by the Brownstone Agreement and reduces the number of replacement spaces, from 316 to 271, required to be built on the Centerpoint Land property.

DOCUMENT NAME 20120531cdaws01 PLANNED DEVELOPMENT (0406-00)
RESOLUTION NO. 2012.70

- E15. [Request adoption of a resolution authorizing the Mayor to sign an Intergovernmental Agreement with Arizona State University \(ASU\) for the funding of urban and neighborhood circulator services.](#)

COMMENTS ASU will contribute a total of \$873,901 to the operation of urban (FLASH) and neighborhood circulator bus services (Orbit) in Fiscal Year 2011-12.

DOCUMENT NAME 20120531pwgj01 TRANSPORTATION PLANNING (1101-01)
RESOLUTION NO. 2012.71

- E16. [Request adoption of a resolution authorizing the Mayor to execute the Second Modification Agreement between Centerpoint Land, LLC \(Centerpoint Land\) and the City modifying portions of the Development Agreement \(C2004-128\), originally executed by Tempe Land Company, LLC and the City, that have been assumed by Centerpoint Land.](#)

COMMENTS

This agreement modifies Section 2.3 of the Development Agreement which addressed certain parking issues arising out of the Parking Easement and Cost Sharing Agreement (“Brownstone Agreement”), to which the property was subject. The Brownstone Agreement provided for the operation, maintenance and cost sharing of parking to be replaced and developed on Lot 7A. Lot 7A was subdivided into Lots 1, 2 and 3 of Centerpoint Plaza and Centerpoint Land became the successor in interest with respect to Lots 2 and 3 (DMB Surface Parking Lots).

The Brownstone Agreement has been replaced with the Amended and Restated Parking Easement and Cost Sharing Agreement (the “Amended Parking Easement”). The Amended Parking Easement withdraws Lot 1 from the real property encumbered by the Brownstone Agreement and reduces the number of replacement spaces, from 316 to 271, required to be built on the Centerpoint Land property.

DOCUMENT NAME

20120531cdaws03 DEVELOPMENT PROJECT (0406)
RESOLUTION NO. 2012.73

6. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS

7. 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.

A. Scheduled

B. Unscheduled

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-2905 (voice) or (480) 350-2750 (TDD) to request an accommodation to participate in the City Council meeting.

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