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

1. **MOMENT OF SILENCE**

2. **PLEDGE OF ALLEGIANCE**

3. **MEETING MINUTES - Councilmember Chin**
   
   A. Approval of City Council Meeting Minutes - None

   B. Acceptance of Board, Commission and Committee Meeting Minutes
      1. Tempe Arts and Culture Commission - May 8, 2019
      2. Board of Adjustment - February 27, 2019
      3. Hearing Officer - May 7, 2019
      4. Library Advisory Board - May 1, 2019
      5. Mayor’s Youth Advisory Commission - April 9, 2019
      6. Risk Management Trust Board - May 21, 2019
      7. Transportation Commission - May 28, 2019

4. **REPORTS AND ANNOUNCEMENTS**

   A. Mayor’s Reports and Announcements
      1. La Gattara Cat Lounge
      2. Proclamation Presentation for Gretchen Chalmers
      3. City of Tempe Board and Commission (Re)Appointments

   B. City Manager’s Reports and Announcements
      1. Temporary Closing of Council Chambers for Renovation
5. **CONSENT AGENDA**

All items listed on the Consent 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.

**A. Miscellaneous Items**

5A1. **Approve (re)appointments to City of Tempe Boards and Commissions.**

*Fiscal Impact:* N/A

5A2. **Approve the recommended Diversity Unity Grant Program funding for fiscal year 2018/2019 in the amount of $26,000. Of these funds, $10,000 will be distributed between six schools in the Tempe Union High School District and one school in the Tempe Elementary School District, and $16,000 will be allocated to the Challenge Day Program.**

*Fiscal Impact:* Funds in the amount of $16,000 have been appropriated in the Strategic Management and Diversity General Fund cost center 1251 (Diversity). The remaining $10,000 will be disbursed directly by the Tempe Community Council.

5A3. **Approve a Final Subdivision Plat for PRECISION FLEET SERVICES, located at 360 South Smith Road. The applicant is Ganem Construction, LLC.**

*Fiscal Impact:* There is no fiscal impact on City funds.

5A4. **Approve a Final Subdivision Plat for a single-family residential development consisting of 80 two-story attached units for THE LEVEL, located at 915 South Smith Road. The applicant is Porchlight Homes.**

*Fiscal Impact:* There is no fiscal impact on City funds.

5A5. **Approve an Amended Subdivision Plat for PALMCROFT MANOR ELEVEN, located at 2211 South McClintock Drive. The applicant is Coe & Van Loo Consultants, Inc.**

*Fiscal Impact:* There is no fiscal impact on City funds.

5A6. **Hold a public hearing to recommend the approval of an acquisition of control of a series 12 restaurant liquor license for Rota Inc., dba Opa Life Greek Cafe, 227 East Baseline Road #J-7.**

*Fiscal Impact:* N/A

5A7. **Hold a public hearing to recommend the approval of a series 10 beer and wine store liquor license for Hot Pizzas LLC, dba Pizza Hut #35866, 808 West Broadway Road.**

*Fiscal Impact:* N/A

5A8. **Hold a public hearing to recommend the approval of a series 10 beer and wine store liquor license for Hot Pizzas LLC, dba Pizza Hut #35858, 1712 East Guadalupe Road, Suite #102.**

*Fiscal Impact:* N/A
*5A9. Hold a public hearing to recommend the approval of a series 10 beer and wine store liquor license for Hot Pizzas LLC, dba Pizza Hut #35871, 1740 East Broadway Road #109.

_Fiscal Impact:_ N/A

*5A10. Hold a public hearing to recommend the approval of a series 12 restaurant liquor license for Romulus Restaurants LLC, dba IHOP, 705 South Rural Road #101.

_Fiscal Impact:_ N/A

*5A11. Hold a public hearing to recommend the approval of a series 06 bar liquor license for Beer Can LLC, dba Ted's Refreshments, 404 South Mill Avenue, Suite #101.

_Fiscal Impact:_ N/A

**B. Award of Bids/Contracts**

5B1. Authorize the City Manager to execute the 2019-2020 Greater Phoenix Economic Council contract for regional marketing and business attraction services in the amount of $90,742.

_Fiscal Impact:_ Sufficient funding for the Greater Phoenix Economic Council (GPEC) contract has been appropriated in General Fund cost center 1221 (Economic Development), account 7009.

5B2. Approve the utilization of a one-year Pinal County cooperative contract with Southwest Slurry Seal, Inc. for pavement preservation and maintenance work on City streets and parking lots.

_Fiscal Impact:_ Total cost of this contract will not exceed $750,000. Sufficient funds have been appropriated in the Street Improvement Capital Improvement Project Fund in various cost centers for the anticipated expenditures.

5B3. Approve the utilization of 28-month City of Mesa contracts with Ewing Irrigation Products and Stabilizer Solutions, Inc. for sports field supplies.

_Fiscal Impact:_ Total cost of these contracts shall not exceed $275,000 for the 28-month contract period. Sufficient funds have been appropriated in the General Fund cost center 2553 (Field Operations – Diablo Stadium Maintenance) for the anticipated expenditures in fiscal year 2019-2020.

5B4. Approve the utilization of a one-year State of Arizona contract with Idemia Identity & Security, USA, LLC to purchase biometric products and services.

_Fiscal Impact:_ Total cost of this one-year contract will not exceed $110,000. Sufficient funds have been appropriated in the Police cost center 2256 (Technical Services - Administration) as needed for the anticipated expenditures in the current fiscal year.

5B5. Approve the utilization of a nine-month National Association of State Procurement Officials (NASPO) ValuePoint cooperative contract with Fisher Scientific Company, LLC and VWR International Inc. for the purchase of laboratory testing equipment and supplies.
**Fiscal Impact:** Total combined cost of this one-year contract utilization will not exceed $300,000 annually. Sufficient funds have been appropriated in the Water and Wastewater Fund cost centers – 3041 (Environmental – Laboratory) for the anticipated expenditures in the 2019-20 fiscal year.

5B6. **Approve the utilization of a 22-month Sourcewell contract with CXT, Inc. for the supply and installation of a pre-fabricated restroom building for Benedict Fields.**

**Fiscal Impact:** Total cost of this contract shall not exceed $250,000 during the 22-month contract period. Sufficient funds have been appropriated in the Park Improvement/Recreation Capital Improvement Project cost center 6307649 (Park Restrooms Renovation and Replacement) for the anticipated expenditures in the current fiscal year.

5B7. **Approve the utilization of a six-month National Association of State Procurement Officials (NASPO) ValuePoint cooperative contract with Verizon Wireless for the purchase of a wide variety of wireless devices and airtime services to include cellular phones, smart phones, tablets, laptops, and hotspot devices.**

**Fiscal Impact:** Total cost of this contract shall not exceed $400,000 for the six-month extension. Sufficient funds have been appropriated in various City-wide cost centers for the anticipated expenditures during the current fiscal year in the General, Court Enhancement, Governmental Grants, Section 8 Housing, Highway User Revenue, Transit, Performing Arts, Solid Waste, and Water/Wastewater Funds. This contract is widely used throughout the City and is charged to approximately 60 different cost centers.

5B8. **Approve the utilization of a one-year State of Arizona contract with Premise One, LLC for the purchase and installation of security system upgrades including surveillance cameras, Video Management System (VMS) software, and physical door access/intrusion detection for City facilities such as the downtown municipal complex, Tempe Center for the Arts, Library buildings, and City Council Chambers.**

**Fiscal Impact:** Total cost of this contract will not exceed $450,000. Sufficient funds have been appropriated in the General Governmental Capital Improvement Project Fund – cost center 6707609 (Citywide Security System Replacement) and various departmental cost centers for the anticipated expenditures in the current fiscal year.

5B9. **Approve one-year contract renewals with Gabriel & Ashworth, PLLC; Dickinson Wright, PLLC; Gust Rosenfield, PLC; Kutak Rock LLP; Ballard Spahr LLP; Broening Oberg Woods & Wilson; Green & Baker, Ltd.; Ball, Santin & McLeran, PLC; Koeller, Nebeker Carlson & Haluck, LLP; The Cavanagh Law Firm, PA; Struck Wieneke & Love, PLC; and Ellman Weinzweig LLC to provide legal representation in the event that the use of outside legal counsel becomes necessary.**

**Fiscal Impact:** Total cost of these 13 contracts will not exceed $115,000 during the one-year contract period. Sufficient funds have been appropriated in the General Fund – cost center 1710 (Legal Services) and cost center 2611 (Liability Claims/Risk) for the current fiscal year.

5B10. **Approve a one-year contract renewal with Landmark Studio & Design for the supply of benches and trash receptacles for City parks.**
**Fiscal Impact:** Total cost of this contract shall not exceed $150,000 during the one-year contract renewal period. Sufficient funds have been appropriated in the Park Improvement/Recreation Capital Improvement Project Fund cost centers 6305499 (Park Playground Replacement) and 6399829 (Infrastructure/Equipment Replacement) for the anticipated expenditures in fiscal year 2019-20.

5B11. **Approve a one-year contract renewal with Sun Life Financial to provide stop loss insurance for the City’s self-funded medical plan.**

**Fiscal Impact:** Total cost of this one-year contract renewal will not exceed $882,644 for the period beginning July 1, 2019. Sufficient funds will be appropriated in the Health Fund – cost centers 4167 (Employees) and 4169 (Cobra Participants) – for the anticipated expenditures in fiscal year 2019/2020.

5B12. **Approve a three-month contract renewal with Chemrite, Inc. for powdered activated carbon for the City’s water treatment plants.**

**Fiscal Impact:** Total cost of this contract will not exceed $350,000. Sufficient funds have been appropriated in the Water and Wastewater Fund – cost centers 3013 (Johnny G. Martinez Plant) and 3014 (South Tempe Water Plant) for the anticipated expenditures in the 2019-20 fiscal year.

5B13. **Approve a one-year sole source contract renewal with Stabilizer Solutions, Inc. for Hilltopper brand products to be used to renovate and maintain ball fields at City parks and the Diablo Sports Complex.**

**Fiscal Impact:** Total cost of this contract shall not exceed $275,000 during the one-year renewal period. Sufficient funds have been appropriated in the General Fund cost center 2553 (Field Operations – Diablo Stadium Maintenance) for the anticipated expenditures in the current fiscal year.

5B14. **Award a contract for software implementation including first year warranty, two years hosting services, and training, to be followed by one-year renewal options for up to 10 years hosting and support, to PMWeb, Inc. to provide a Capital Improvement Program management software solution for the City’s Engineering Division.**

**Fiscal Impact:** Total combined cost of the implementation contract will not exceed $466,875. Sufficient funds have been appropriated in the General Fund – Cost Center No. 6708740 (Capital Improvement Engineering Software) for the anticipated expenditures in the 2019-20 fiscal year.

5B15. **Approve the utilization of a one-year Mohave Educational Services Cooperative, Inc. contract with Arizona Office Technologies and Baystone Financial Group, a Division of Kansas State Bank for the lease, installation, and maintenance of two production printers for the City’s Print Shop Services Division of the Internal Services Department.**

**Fiscal Impact:** Total amount of this contract will not exceed $263,765 during the 5-year lease term. Sufficient funds have been appropriated in various departmental operating budgets for the anticipated expenditures in the in the 2019-20 fiscal year.

5B16. **Approve a change order allowance to the construction contract to PCL Construction, Inc. for the Water Tank Storage Rehabilitation – Bell Butte project located at 1705 West Broadway Road.**
**Fiscal Impact**: The construction change order allowance amount is $775,814. Funds to cover this contract and related costs are appropriated for fiscal year 2018/19 in Capital Improvement Project No. 3205851, Butte Storage Tanks Improvement.

5B17. **Award a professional services contract to Carollo Engineers, Inc. for the Water Treatment Plant Assessment – South Tempe and Johnny G. Martinez Water Treatment Plants project located at 6600 South Price Road and 255 East Marigold Lane, respectively.**

**Fiscal Impact**: The professional services contract is $998,324. Funds to cover this contract and related costs are appropriated for fiscal year 2018/19 in the Capital Improvement Project No. 3208019A, Water Treatment Plant Asset Maintenance + Upgrades.

5B18. **Award a professional services contract to Dibble & Associates Consulting Engineers, Inc. for the post design and construction management services for the Sewer Capacity Improvements – 23rd Street from Priest to Hardy Drives and Hardy Drive from 23rd Street to Broadway Road project.**

**Fiscal Impact**: The professional services contract is $370,470. Funds to cover this contract and related costs are appropriated for fiscal year 2018/19 in the Capital Improvement Project No. 3233018B, on 23rd Street and on Hardy Drive.

5B19. **Award a professional services contract to Brown and Caldwell, Inc. for the Pipeline Assessment – Interceptors and Trunk Lines project at various locations throughout the City.**

**Fiscal Impact**: The professional services contract is $811,126. Funds to cover this contract and related costs are appropriated for fiscal year 2018/19 in the Capital Improvement Project No. 3221020A, Wastewater Collection System Upgrades + Improvement.

5B20. **Award a professional services contract to Wilson Engineers, LLC for the Intersection Improvements – Rural Road and Southern Avenue project located at the intersection of Rural Road and Southern Avenue.**

**Fiscal Impact**: The professional services contract is $138,665. Funds to cover this contract and related costs are appropriated for fiscal year 2018/19 in the Capital Improvement Project No. 5407821, Rural + Southern Intersection Improvements.

5B21. **Award a professional services contract to TY Lin International, Inc. for the Design Options – New Bus Shelters project located at various locations throughout the City.**

**Fiscal Impact**: The professional services contract is $156,417.62. Funds to cover this contract and related costs are appropriated for fiscal year 2018/19 in the Capital Improvement Project No. 6005231B, Design Options – New Bus Shelters.

5B22. **Award a professional services contract to Engineering and Environmental Consultants, Inc. for the Grease Trap Improvements – Various Facilities project located at various locations around the City.**

**Fiscal Impact**: The professional services contract is $124,918. Funds to cover this contract and related costs are appropriated for fiscal year 2018/19 in the Capital Improvement Project No. 6708841Q, Existing City Build Asset Management.

5B23. **Award Job Order No. 18 to Builders Guild, Inc. for the Site Improvements – Kyrene Reclamation Facility project located at 311 West Guadalupe Road.**
**Fiscal Impact:** The Job Order No. 18 amount is $215,822.32 and the project contingency amount is $21,600. Funds to cover this contract and related costs are appropriated for fiscal year 2018/19 in the Capital Improvement Project No. 3203091A1, Kyrene Water Reclamation Facility.

5B24. **Ratify the emergency construction contract for Felix Construction Company for the Emergency Mechanical Station Repair – Carver Lift Station project located at 8180 South Jentilly Lane.**

**Fiscal Impact:** The construction contract amount was $248,180.75. The funding to cover this contract and related costs are appropriated for fiscal year 2018/19 in the Capital Improvement Project No. 3223019B, Carver Road Pump Station Rehabilitation.

C. **Resolutions**

5C1. **Adopt a resolution revising the physical posting location for public meeting notices, modifying the City of Tempe Disclosure Statement, and repealing Resolution No. 2011.95.** (Resolution No. R2019.55)

**Fiscal Impact:** None

5C2. **Adopt a resolution to approve the City of Tempe’s Pension Funding Policy for fiscal year 2019-20.** (Resolution No. R2019.56)

**Fiscal Impact:** None. The City’s contributions to pension systems are approved in the annual budget process and the proposed policy is consistent with the current budget.

5C3. **Adopt a resolution authorizing the Chief Financial Officer to file financial documents on behalf of the City.** (Resolution No. R2019.57)

**Fiscal Impact:** None

5C4. **Adopt a resolution approving and authorizing the amended City of Tempe Personnel Rules governing employment policies for the City of Tempe.** (Resolution No. R2019.58)

**Fiscal Impact:** N/A

5C5. **Adopt a resolution authorizing the Mayor to sign a development agreement wherein United Dairymen of Arizona (UDA) agrees to reimburse the City for costs incurred by the City to design and construct the Hardy Drive and 23rd Street Sewer Expansion.** (Resolution No. R2019.59) (Related to Item 6A4)

**Fiscal Impact:** UDA will reimburse the City for actual costs up to $5,338,114 over a 10-year period for the costs associated with the design and construction of a new sewer line. This project was included in the adopted fiscal year 2018-19 Capital Improvement Program and funded by the Water Fund.

5C6. **Adopt a resolution authorizing the Mayor to sign an agreement among the United States of America represented by the Secretary of the Interior acting through the Regional Director of the Lower Colorado Region of the Bureau of Reclamation, The Arizona Department of Water Resources, The Arizona Banking Authority, The Central Arizona Water Conservation District, the Gila River Indian Community, City of Chandler, Town of Gilbert, City of Glendale, City of Mesa, City of Phoenix, City of Scottsdale and the City of Tempe for the mitigation of reductions to NIA Priority Cap Water Under the Drought Contingency Plan (DCP).** (Resolution No. R2019.60)
Fiscal Impact: None

5C7. Adopt a resolution to accept a corporate contribution donation from Salt River Project (SRP) and to authorize the use of such funds to continue the College Connect Tempe program. (Resolution No. R2019.61)

Fiscal Impact: The amount of the donation is $5,000. Sufficient budget appropriations for expenditure of this grant were authorized in the Restricted Revenue and Donations Fund (Fund 44, cost center 44906) as part of the fiscal year (FY) 2019 adopted budget. City staff will coordinate College Connect Tempe program activities within the current Human Services Department General Fund budget allocations for FY 2019.

5C8. Adopt a resolution authorizing the Mayor to sign the Amendment to Agreement between the City of Tempe and the Tempe Elementary School District No. 3 to construct certain improvements on District-owned property. (Resolution No. R2019.62)

Fiscal Impact: There is no fiscal impact to Tempe Elementary School District 3; the City of Tempe will fund certain restroom improvements on District-owned property. Sufficient budget appropriation for the restroom renovation has been budgeted in Fund 63, Cost Center 6307649.

5C9. Adopt a resolution authorizing the Mayor to execute an Intergovernmental Agreement with the State of Arizona, acting by and through its Department of Transportation (ADOT), to allow the City utilization of contract(s) solicited and established by ADOT Procurement for the purchase, payment to the supplier by the City, and reimbursement of PM-10 Certified Street Sweeper(s). (Resolution No. R2019.63)

Fiscal Impact: The City will make all payments directly to the vendor, and be responsible for all costs incurred for the purchase of the Street Sweeper(s). Within 30 days after payment for the Street Sweeper(s), the City will submit an invoice, including all back-up documentation, to ADOT for review and approval, of eligible costs incurred by the City for the purchase of the Street Sweeper(s) at a cost not yet determined but will not exceed the federal funds programmed and approved in the amount of $254,575.

5C10. Adopt a resolution authorizing the Chief of Police or designee(s), to execute a grant award contract between the State of Arizona, Governor's Office of Highway Safety and the Tempe Police Department to accept funding to purchase crash data retrieval tool kit and software to enhance accident investigations. (Resolution No. R2019.64)

Fiscal Impact: The amount of the total grant award is $20,310. This grant award will supplement the Police Department's existing General Fund budget appropriation. Sufficient budget appropriations for expenditure of this grant was authorized in the Police Grants and Restricted Revenue Fund (Fund 45) as part of the fiscal year 2019-20 adopted budget.

5C11. Adopt a resolution authorizing the Mayor or designee(s), to execute an Intergovernmental Agreement between Maricopa County Animal Care and Control and the City of Tempe for animal care and control services. (Resolution No. R2019.65)
Fiscal Impact: Total amount shall not exceed $195,334 over the one-year contract term. Sufficient budget appropriation for this expenditure was requested as part of the Police Department’s General Fund Budget (cost center 2259) in the recommended fiscal year 2019-20 budget.

5C12. Adopt a resolution authorizing the Chief of Police or designee(s), to execute an agreement between Arizona Mills Mall LLC and the Tempe Police Department for dedicated and specific police services at Arizona Mills Mall. (Resolution No. R2019.66)

Fiscal Impact: The amount of the total reimbursement from Arizona Mills Mall LLC is $135,770.99. Sufficient funds have been appropriated in the Police Department’s General Fund (Cost Center 2272) as part of the fiscal year 2019-20 adopted budget.

5C13. Adopt a resolution authorizing the City Manager or designee(s), to execute an Intergovernmental Agreement between the City of Mesa and the City of Tempe for employee sharing related to aviation administration for the Mesa Police Department. (Resolution No. R2019.67)

Fiscal Impact: The amount of the total reimbursement from City of Mesa is $61,489.50. Sufficient funds have been appropriated in the Police Department’s General Fund (Cost Center 2272) as part of the fiscal year 2019-20 adopted budget.

5C14. Adopt a resolution authorizing the Mayor to execute an Intergovernmental Agreement with the Arizona Board of Regents relating to the costs and expenses incurred by the City of Tempe (the City) for the construction of the median islands along University Drive between College Avenue and Veterans Way. (Resolution No. R2019.68)

Fiscal Impact: Arizona State University (ASU) will reimburse the City $650,500 plus 50% of any costs over $750,500 for costs and expenses for the construction of the median islands along University Drive. The City will pay $100,000 plus 50% of any costs over $750,500. The University Drive construction contract was awarded for $750,500.

5C15. Adopt a resolution authorizing the Memorandum of Understanding between the Tempe Officers’ Association (TOA) and the City of Tempe, effective July 1, 2017 to June 30, 2022, as amended June 27, 2019. (Resolution No. R2019.69)

Fiscal Impact: The amendment to the Memorandum of Understanding includes increases in compensation and uniform reimbursement that is consistent with the 2017-2022 long range budget forecast for increases in total personnel costs.

5C16. Adopt a resolution to authorize data sharing, collaboration, and exploration of East Valley regional solutions to address homelessness. (Resolution No. R2019.70) [Material revised]

Fiscal Impact: None

5C17. Adopt a resolution to create a new video service license and new license form. (Resolution No. R2019.71) [Item/Material added]

Fiscal Impact: N/A
5C18. **Adopt a resolution authorizing the Memorandum of Understanding between the Tempe Firefighters’ Association and the City of Tempe, effective July 1, 2019 to June 30, 2022.** (Resolution No. R2019.72) *(Item/Material added)*

**Fiscal Impact:** The Memorandum of Understanding includes increases in compensation and uniform reimbursement that are consistent with the 2019 long range budget forecast for increases in total personnel costs.

6. **NON-CONSENT AGENDA**

All items listed on the Non-Consent Agenda will be considered separately. Agenda items scheduled for Introduction and First Public Hearing will be heard, but will not be voted upon at this meeting. Agenda items scheduled for Second Public Hearing and Final Adoption will be voted upon tonight.

Quasi-judicial items are indicated by "q-j". The City Council sits as a quasi-judicial body when hearing appeals. 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/Bids/Contracts/Resolutions**

6A1. **Approve the annual excess insurance renewal program for fiscal year 2019-2020 to include excess property, primary and excess liability, crime, cyber security liability, excess workers’ compensation, environmental pollution, underground storage tanks, fiduciary liability, foreign travel insurance purchased through the City’s insurance broker, Willis Towers Watson.**

**Fiscal Impact:** The total premium for the fiscal year is estimated at $1,289,012.22 based on the current value of insured property and can change depending on property added or removed during the year, typically fleet vehicles. Sufficient funds have been appropriated in the Risk Management Fund – cost center 2621 (Risk Management) and Workers’ Compensation Fund – cost center 2701 (Workers’ Comp) for the anticipated expenditure.

6A2. **Approve a two-year contract renewal with IT Partners for Hewlett Packard enterprise servers and related products, accessories, and services that are used by the Internal Services Department to support numerous software applications throughout the City.**

**Fiscal Impact:** Total cost of this contract will not exceed $3,000,000 during the two-year contract renewal period. Sufficient funds have been appropriated in the General Fund – cost center 1991 (IT Administration), 1995 (IT – Systems Administration) and various City-wide funds and cost centers for the anticipated expenditures in fiscal year 2019-20.

6A3. **Approve one-year contract renewals with ACT Towing, LLC doing business as All City Towing, Apache SandsService Center, Inc., and Towing Professionals of Arizona, Inc. for vehicle towing services.**

**Fiscal Impact:** Total combined cost for City fleet tows shall not exceed $45,000 during the one-year renewal period. Costs associated with Police initiated tows are the responsibility of the vehicle owner with a combined annual estimated market value of $1,035,000. For costs incurred by the City, sufficient funds have been budgeted in the General Fund – cost center 3262 (Fleet Maintenance) – for the anticipated expenditure in fiscal year 2019-20.
6A4. **Award a construction manager at risk construction contract to Achen-Gardner Construction, LLC for the Sewer Capacity Improvements – 23rd Street from Priest to Hardy Drives and Hardy Drive from 23rd Street to Broadway Road project.** *(Related to Item 5C5)*

**Fiscal Impact:** The construction contract amount is $4,126,746.92 and the contingency is $412,674.69. Funds to cover this contract and related costs are appropriated for fiscal year 2018/19 in the Capital Improvement Project No. 3233018B, on 23rd Street and on Hardy Drive. United Dairymen of Arizona will reimburse the City for actual costs up to $5,338,114 over a 10-year period for the costs associated with the design and construction of a new sewer line. This project was included in the adopted fiscal year 2018-19 Capital Improvement Program and funded by the Water Fund.

6A5. **Award a construction contract to Sunland Asphalt & Construction, Inc. for the Pavement Preservation: Rural Road – Bell de Mar Drive to Ray Road (South City Limit) project located along Rural Road from Bell de Mar Drive to Ray Road.**

**Fiscal Impact:** The construction contract amount is $2,687,700 and the project contingency amount is $268,770. Funds to cover this contract and related costs are appropriated for fiscal year 2018/19 in the Capital Improvement Project No. 5499741W, Arterial Resurfacing.

6A6. **Award a construction manager at risk construction contract to Core Construction, Inc. for the Council Chambers Remodel – Municipal Complex project located at 31 East 5th Street.**

**Fiscal Impact:** The construction contract amount is $2,385,551 and the contingency amount is $238,555.10. Funds to cover this contract and related costs are appropriated for fiscal year 2018/19 in the Capital Improvement Project No. 6700114, City Hall Municipal Complex Improvements.

*6A7. **Hold a final public hearing, and adopt a resolution approving the fiscal year 2019-2020 annual assessment for the City of Tempe Downtown Tempe Enhanced Services Improvement District, ruling on objections, making corrections, approving a new district map, and approving modified assessments.** *(Resolution No. R2019.50)*

**Fiscal Impact:** The annual assessment for City-owned property within the District for fiscal year (FY) 2019/2020 is $134,425.92. Sufficient budget appropriation for the City’s annual assessment was included as part of Community Development’s recommended FY 2019/20 General Fund budget, cost center 2712.

B. **Ordinances and Items for Introduction and First Hearing**

*6B1. **Introduce and hold the first public hearing to adopt an ordinance for a Zoning Map Amendment, Planned Area Development Overlay and approve the Development Plan Review consisting of 13 new single-family residential units and a community center for TEMPE MICRO ESTATES, located at 1443 South Rita Lane. The applicant is Newtown Community Development Corporation.** The second and final public hearing is scheduled for July 31, 2019. *(Ordinance No. O2019.23)*

**Fiscal Impact:** While this ordinance change does not directly impact revenue, the planned development will result in collection of the standard development fees, calculated according to the approved fee structure at the time of permit issuance.
*6B2. **Introduce and hold the first public hearing to adopt an ordinance amending the City Code, Tempe Administrative Code Article I, Section 8-104.10; Section 8-104.11; Section 8-105.1.3.2; Section 8-105.1.4.; Section 8-105.1.5.5; Section 8-105.3.2.; and Section 8-109.7, for consistent language in reference to Appendix A, Schedule of Fees and Charges; and Section 8-109.1, adding new sections on the establishment of fees and adjustment of fees. The second and final public hearing is scheduled for July 31, 2019. (Ordinance No. O2019.24)**

**Fiscal Impact:** N/A

*6B3. **Introduce and hold the first public hearing to adopt an ordinance to amend Chapter 21, Section 3b(19) of the Tempe City Code relating to Enumerated Violations, decreasing the required number of witnesses for a barking dog complaint from THREE (3) to TWO (2). The second and final hearing is scheduled for July 31, 2019. (Ordinance No. O2019.25)**

**Fiscal Impact:** No fiscal impact identified.

*6B4. **Introduce and hold the first public hearing to adopt an ordinance repealing Chapter 7, Bicycles and Light Motorized Vehicles from the Tempe City Code. Due to substantive changes made to Ordinance No. O2019.22 between the initial hearing held on June 6, 2019 and this hearing, a second and final public hearing has been scheduled for July 31, 2019. (Ordinance No. O2019.21) (Related to Item 6B5) (Item/Material revised)**

**Fiscal Impact:** None

*6B5. **Introduce and hold the first public hearing to adopt an ordinance amending and expanding Chapter 19, Tempe City Code concerning Motor Vehicles and Multimodal Traffic. Due to substantive changes made to the ordinance between the initial hearing held on June 6, 2019 and this hearing, a second and final public hearing has been scheduled for July 31, 2019. (Ordinance No. O2019.22) (Related to Item 6B4) (Item/Material revised)**

**Fiscal Impact:** None

C. **Ordinances and Items for Second Hearing and Final Adoption**

*6C1. **Hold the second and final public hearing to adopt an ordinance approving the conveyance of certain unimproved City-owned land with an addresses of 1443 South Rita Lane and 1444 South Rita Lane to Newtown Development Corporation and authorizing the Mayor to execute a development and disposition agreement, one or more deeds and other related documents necessary to affect such conveyance and related transactions. (Ordinance No. O2019.16)**

**Fiscal Impact:** The purchase price for the land is $10.00 per parcel and will be paid to the City's Community Development Block Grant (CDBG) program when the land is conveyed. The land was purchased with CDBG funding to facilitate the development of affordable housing. Therefore, the proceeds are required to be incorporated back into the CDBG program.

*6C2. **Hold the second and final public hearing to adopt an ordinance authorizing the Mayor to execute deeds, leases and other documents pursuant to the Development Disposition Agreement between Farmer Arts LLC and the City of Tempe. (Ordinance No. O2019.17)**

**Fiscal Impact:** The City will receive a twenty-five thousand-dollar ($25,000) payment upon the closing of Parcel 2.
*6C3. **Hold the second and final public hearing to adopt an ordinance amending Chapter 23, Article III, Division 2 of the Tempe City Code relating to park rules, park and building use permit, by amending Section 23-56, relating to when required; consideration of applications. (Ordinance No. O2019.18)**

**Fiscal Impact:** None

*6C4. **Hold the second and final public hearing to adopt an ordinance authorizing to establish a permit process and fee when filming for a commercial purpose on City property. (Ordinance No. O2019.19)**

**Fiscal Impact:** While this ordinance change does not directly impact revenue, the permit process and fee will result in the collection of set established fees, including an application fee of $50.00, a permit fee of $25.00 per day, and a late application fee of $100.00.

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

8. **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 three-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**

1. Merrill (Mick) Darcey - Night time construction noise within the MAPLE ASH and Riverside Neighborhoods

**B. Unscheduled**

Legal Advice: If necessary, the City Council may vote to recess or 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).

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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