

COUNCIL MINUTES

April 15, 1996

The City Council of the City of Mesa met in a Regular Session in the Council Chambers, 57 East 1st Street, on April 15, 1996 at 5:30 P.M.

COUNCIL PRESENT

Mayor Willie Wong
Jerry Boyd
Pat Gilbert
T. Farrell Jensen
Jim Stapley

COUNCIL ABSENT

Dale Johnson
Joan Payne

OFFICERS PRESENT

C.K. Luster
Neal Beets
Barbara Jones

POLICE OFFICER PRESENT

Sam Jeppsen

The Invocation was given by Councilmember Stapley.

The Pledge of Allegiance was led by Clint Adair, Troop 636.

Presentation to seven Mesa citizens selected to carry the 1996 Olympic torch.

Mayor Wong presented gift certificates to Mesa citizens selected to carry the 1996 Olympic torch and thanked each for their outstanding service to the community. Mayor Wong expressed appreciation to the Mesa United Way for their support of the 1996 Olympic Torch Relay.

1. Approval of minutes of previous meeting as written.

It was moved by Councilmember Stapley, seconded by Councilmember Boyd, that the minutes of March 18, 1996 and April 1, 1996 be approved.

Mayor Wong declared the motion carried unanimously by those present.

2. Consider all consent agenda items.

At this time, all matters on the consent agenda were considered or were removed at the request of a member of the Council or a citizen present. All items identified in these minutes with an asterisk (*) were approved with one Council action.

It was moved by Vice Mayor Jensen, seconded by Councilmember Stapley, that the consent agenda items be approved.

Mayor Wong declared the motion carried unanimously by those present.

3. Acknowledge receipt of minutes and meetings of various boards and committees and consider action where appropriate.

- *a. Adjustment Board meeting - April 2, 1996
- *b. Design Review Board meeting - April 3, 1996
- *c. Downtown Development Committee meeting - April 11, 1996
- *d. Library Advisory Board meeting - April 2, 1996
- *e. Parks and Recreation Board meeting - April 11, 1996

Councilmember Stapley briefly provided background information concerning the recommendations of the Parks and Recreation Board.

Recommend establishment of a new golf fee of \$8.00 for the period of time between 1-4 p.m., Monday through Thursday, from June 1 to October 31, 1996.

It was moved by Councilmember Stapley, seconded by Councilmember Gilbert, that the recommendation of the Parks and Recreation Board be accepted.

Mayor Wong declared the motion carried unanimously by those present.

Recommend the extension of the entire summer fee schedule through October 31 at both golf courses.

It was moved by Councilmember Stapley, seconded by Councilmember Gilbert, that the recommendation of the Parks and Recreation Board be accepted.

Mayor Wong declared the motion carried unanimously by those present.

Recommend alternative #4 be instituted for the 1996 Lions Baseball Club tournament, with the provision that the supplemental concession services provided by the Lions Baseball Club not duplicate or be in competition with the concession items provided by City concession services.

It was moved by Councilmember Stapley, seconded by Councilmember Gilbert, that the recommendation of the Parks and Recreation Board be accepted.

Mayor Wong declared the motion carried unanimously by those present.

- *f. Police Committee meeting - April 10, 1996.

Recommend endorsement of the concept of implementation of the handicapped parking enforcement program be approved.

Vice Mayor Jensen commended the Police Department for their efforts relative to the enforcement program.

It was moved by Vice Mayor Jensen, seconded by Councilmember Stapley, that the recommendation of the Police Committee be accepted.

Mayor Wong declared the motion carried unanimously by those present.

Recommend that the Intergovernmental Agreement with Williams Gateway Airport Authority for police and security services at the airport be approved.

It was moved by Vice Mayor Jensen, seconded by Councilmember Stapley, that the recommendation of the Police Committee be accepted.

Mayor Wong declared the motion carried unanimously by those present.

4. Consider the following liquor license application:

*a. JEAN M. KAMINSKI, PARISH ADMINISTRATOR

Special Event License application of Jean M. Kaminski, Parish Administrator, for St. Bridget Catholic Church, a two-day religious event to be held on Friday, May 3, 1996 and Saturday, May 4, 1996 from 5:00 p.m. to 10:00 p.m., at 2213 North Lindsay Road, St. Bridget Catholic Church.

5. Consider the following bingo license application:

*a. CLASS A

Palmas Summer Bingo
Arthur Hansen, Proceeds Coordinator
6209 E. McKellips Road
Mesa, AZ 85215

6. Consider the following contracts:

*a. One-year renewal of the annual supply contract for street sweeper brooms as requested by Fleet Support Services.

The Purchasing Division recommends exercising the first of two 1-year renewal options with the lowest overall bid by West Coast Equipment & Parts for annual purchases estimated at \$37,264.80 plus 7.05% sales tax of \$2,627.16 for a total of \$39,891.96.

*b. One-year renewal of the annual supply contract for automotive alternators and starters as requested by Fleet Support Services.

The Purchasing Division recommends exercising the first of two 1-year renewal options with the lowest overall bid by Copperstate Automotive Products, Inc. for annual purchases estimated at \$20,000.00.

- *c. One-year renewal of the annual supply contract for bronze water service valves and fittings for warehouse inventory to be used by the Utility Construction and Utility Services Divisions.

The Purchasing Division recommends exercising the first of two 1-year renewal options with the low bid by Arizona Water Works Supply at \$42,815.94 plus 6.95% sales tax of \$2,975.70 for a total of \$45,791.64 based on estimated requirements.

- *d. One-year renewal of the annual supply contract for automotive hydraulic hose and fittings as requested by Fleet Support Services.

The Purchasing Division recommends exercising the first of two 1-year renewal options with the lowest overall bid meeting specification by Fluid Connector Products for annual purchases estimated at \$35,000.00.

- *e. Annual supply contract for asphalt materials used by the Transportation Division.

The Purchasing Division recommends accepting the following bids:

Primary Contracts for Zone A & B:

Group I and Group III to Copperstate Emulsions, Inc. at \$419,400.00 plus 7.25% sales tax on material of \$28,383.75 for a total of \$447,783.75; and Group II to EOTT Energy Corp. at \$33,000.00 plus 7.05% sales tax on the material of \$2,115.00 for a total of \$35,115.00. The combined award is then \$482,898.75 based on estimated requirements.

- f. Annual supply contract for construction materials used by Street Maintenance, Utility Construction, Electric, Parks Maintenance and other departments.

The Purchasing Division recommends accepting the following bids:

Primary Contracts For Zone A & B:

Zone A:

Sunward Materials as the lowest complete bidder for Items 1-4 and 12-16 at \$155,631.75 plus 7.05% sales tax of \$10,972.03 for a total of \$166,603.78.

A & A Materials as the lowest overall bidder for Items 5-10 at \$21,570.00 plus 7.15% sales tax of \$1,542.25 for a total of \$23,112.25.

Fort McDowell Sand & Gravel as the only bidder for Item 11 at \$625.00 plus 6.95% sales tax of \$43.43 for a total of \$668.43.

Cashway Concrete & Materials as the lowest overall bidder for Items 17, 18a, and 18b at \$194,206.50 plus 5.75% sales tax of \$11,166.87 for a total of \$205,373.37.

CalMat of Arizona as the lowest overall bidder for Items 19, 20, 21, and 23 at \$51,975.00 plus 7.05 sales tax of \$3,664.23 for a total of \$55,639.23.

Mesa Materials, Inc. as the lowest bidder for Item 22 at \$8,750.00 plus 5.75% sales tax of \$503.12 for a total of \$9,253.12.

The combined award for Zone A contracts is \$460,650.18 based on estimated requirements.

Zone B:

Sunward Materials as the lowest complete bidder for Items 1-4 and 12-16 at \$112,686.75 plus 7.05% sales tax of \$7,944.41 for a total of \$120,631.16.

A & A Materials as the lowest overall bidder for Items 5-10 at \$20,287.50 plus 7.15% sales tax of \$1,450.55 for a total of \$21,738.05.

Fort McDowell Sand & Gravel as the only bidder for Item 11 at \$655.00 plus 6.95% sales tax of \$45.52 for a total of \$700.52.

Cashway Concrete & Materials as the lowest overall bidder for Items 17 and 18a at \$50,222.50 plus 5.75% sales tax of \$2,887.79 for a total of \$53,110.29.

CalMat of Arizona as the lowest overall bidder for Items 19, 20, and 21 at \$49,575.00 plus 7.05 sales tax of \$3,495.03 for a total of \$53,070.03.

Mesa Materials, Inc. as the lowest overall bidder for Items 22 and 23 at \$10,785.00 plus 5.75% sales tax of \$620.13 for a total of \$11,405.13.

The combined award for Zone B contracts is \$260,655.18 based on estimated requirements.

The combined award for Zones A and B is \$721,305.36 based on estimated requirements.

Secondary Contracts For Zone A & B:

In order to assure continuity of supply, the following vendors are recommended as secondary suppliers, to be called when the primary supplier is unable to fill a particular order or when the plant location is more convenient for material pickup:

Zone A:

Chandler Ready Mix for Items 1, 12-18a, and 18b; A & A Materials, Inc. for Items 2 and 4; Cashway Concrete and Materials for Item 3; Red Mountain Mining for Items 5-10; CalMat of Arizona for Item 22; United Metro Materials for Items 19, 20, 21, and 23.

Zone B:

Chandler Ready Mix for Items 1, 12-18a; A & A Materials, Inc. for Item 4; Cashway Concrete and Materials for Items 2 and 3; Red Mountain Mining for Items 5-10; CalMat of Arizona for Items 22 and 23; United Metro Materials for Items 19, 20, and 21.

In response to a question from Bill Brando, 61 South Macdonald, Public Works Manager Harry Kent advised that in some instances, City departments use materials or provide materials to contractors, but in general, contractors supply their own materials for large projects. Mr. Brando requested a report outlining to whom the City provides materials and the method by which appropriation is determined.

It was moved by Councilmember Stapley, seconded by Councilmember Boyd, that the recommendation of staff be accepted.

Mayor Wong declared the motion carried unanimously by those present.

- g. Criminal Laboratory Information Management System for the Police Department's Crime Lab Division as requested by the Information Services Division.

The Purchasing Division recommends accepting the proposal from Varian for a LIMS system for \$95,400.00 plus use tax of \$4,770.00, for a total of \$100,170.00.

The Purchasing Division further recommends authorizing purchase from State of Arizona contracts with AmeriData, Inc. for a file server at \$30,640.04, plus 7.05% sales tax of \$2,160.12, for a total of \$32,800.16; and network and database software from ASAP Software at \$5,432.37, plus 5% use tax of \$271.62, for a total of \$5,703.99. Also, purchase of laser barcode scanners from a separate informal quotation are recommended from the low quote by Blue Star for \$5,875.00, plus 5% use tax of \$293.75, for a total of \$6,168.75.

The evaluated five-year total is then \$170,882.90.

In response to questions from Bill Brando, 61 South Macdonald, Police Captain Steve Baker advised that the software program is new and has not been considered previously. Captain Baker stated that the system will provide on-line access to criminalists' analyses.

It was moved by Councilmember Boyd, seconded by Councilmember Gilbert, that the recommendation of staff be accepted.

Mayor Wong declared the motion carried unanimously by those present..

- *h. Higley Road, Southern Avenue to Main Street.

This project will overlay and reconstruct Higley Road from Southern Avenue to Main Street and install storm sewer improvements from Delta Avenue to Broadway Road. This project will also widen the roadway to allow for right-turn lanes on Higley Road at the Southern Avenue and Broadway Road intersections.

Recommend award to low bidder, Hunter Contracting Co., in the amount of \$1,444,502.00.

- *i. Brooks Reservoir inlet value replacement.

This project will replace outdated controls for the inlet valves and replace them with new computerized controls allowing for better monitoring at the Brooks Reservoir, 310 South Brooks.

Recommend award to low bidder, Grimm Construction Co., in the amount of \$164,466.00.

- *j. 96/97 utility location and potholing.

This project is an annual contract for subsurface utility location to assist in the design of capital improvement projects. The information gathered is used to avoid underground conflicts during construction. The award amount is based on estimated services. The actual cost will depend on the amount of potholing required for City projects.

Recommend award to low bidder, North America Locating, in the amount of \$124,075.00.

- k. Modular workstations as requested by the Public Works Department.

The Purchasing Division recommends purchase from the State of Arizona contract with Goodman's Inc. for a total of \$305,468.18, including materials, design services, delivery, installation, and applicable sales tax.

Bill Brando, 61 South Macdonald, questioned the number and location of the modular workstations. Mr. Kent stated that the workstations will be placed on the fifth and sixth floors of the Mesa City Plaza building. Councilmember Boyd advised that 61 workstations have been requested for the fifth floor, and 47 workstations have been requested for the sixth floor. Mr. Kent invited Mr. Brando to view the floor plans for the workstations.

It was moved by Vice Mayor Jensen, seconded by Councilmember Stapley, that the recommendation of staff be accepted.

Mayor Wong declared the motion carried unanimously by those present.

7. Consider the following resolutions:

- *a. Authorizing the City Manager to sign a contract with Maricopa County for provision of Community Action Program (CAP) services in Mesa - Resolution No. 6889.
- *b. Authorizing the City Manager to execute an agreement between the City of Phoenix and the City of Mesa for operating and capital assistance under Federal Transit Administration project AZ-90-X040 - Resolution No. 6890.

- c. Granting the sale of excess property located at 8026 and 8028 East Broadway - Resolution No. 6894.

The water storage tank has been removed and the remaining property is no longer needed.

In response to a question from Bill Brando, 61 South Macdonald, Real Estate Services Director Doug Tessendorf reported that an offer for the appraised value (\$34,000) has been received from a neighbor to the property. Mr. Tessendorf stated that the property was marketed through a real estate company.

It was moved by Councilmember Stapley, seconded by Vice Mayor Jensen, that Resolution No. 6894 be adopted.

Mayor Wong declared the motion carried unanimously by those present.

- *d. Granting two easements for underground power to Salt River Project – Resolution No. 6891.

The easements are needed to supply power to T-hangars at Falcon Field and to streetlight facilities on Dobson Road, north of 8th Street.

- *e. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the State of Arizona by the Governor's Division for Children and the City of Mesa, by the Mesa Police Department - Resolution No. 6892.

- *f. Vacating a portion of a public roadway and reserving an easement on Lot 1 & Tract C of Rockcrest Replatted - Resolution No. 6893.

8. Consider the following ordinances:

- *a. Prohibiting parking on the east side of Center Street to a point 90 feet north of Main Street, from a point 120 feet south of 1st Street to a point 420 feet north of 1st Street, from a point 115 feet south of 2nd Street to a point 50 feet north of 2nd Street, and from a point 120 feet south of 3rd Place to University Drive; on the west side from University Drive to a point 55 feet south of 3rd Place, from a point 115 feet north of Second Street to a point 55 feet south of 2nd Street, from a point 230 feet north of 1st Street to a point 170 feet south of 1st Street, from a point 130 feet north of Pepper Place to a point 60 feet south of Pepper Place; from a point 200 feet north of Main Street to Main Street; on Lehi Road from Gilbert Road to a point 2,350 feet east of Gilbert Road; the north side of Lindner Avenue from a point 150 feet east of Dobson Road to a point 260 feet east of Dobson Road, from a point 385 feet east of Dobson Road to a point 545 feet of Dobson Road, and from a point 750 feet east of Dobson Road to a point 965 feet east of Dobson Road; and reducing the speed limit from 35 mph to 30 mph on Horne from Lehi Road to the north City limits, all as recommend by the Traffic Safety Committee - Ordinance No. 3167.

- b. Amending Section 11-13-2 of the Mesa City Code pertaining to exterior building illumination; and amending Section 11-18-8 pertaining to the Design Review Board - Ordinance No. 3170.

At the request of Bill Brando, 61 South Macdonald, Community Development Manager Wayne Balmer explained that under the proposed ordinance, cases involving the use of neon could be decided by the Design Review Board, with an option to appeal to the City Council.

It was moved by Councilmember Boyd, seconded by Vice Mayor Jensen, that Ordinance No. 3170 be adopted.

Mayor Wong declared the motion carried unanimously by those present.

- *c. Pertaining to City Departments; repealing Chapter 11 of Title 3; amending Chapter 12 of Title 3 and Chapter 9 of Title 9 - Ordinance No. 3168.

9. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding Ordinances:

- a. **Z96-16** The northwest corner of Signal Butte Road and Broadway Road. Rezone from R1-7-DMP to R1-7-PAD and modification of the Development Master Plan (109± acres). This case involves the development of a 450± lot single-residence project. Signal Butte Land Partners Limited, owner; Standage & Truitt Engineering, Ltd., applicant - Ordinance No. 3171.

P&Z Recommendation: Approval with conditions. (Vote 4-2.)

1. Compliance with the basic development as shown on the site plan and elevations submitted, except as noted below;
2. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
3. Dedicate the right-of-way required under the Mesa City Code at the time of recordation of the subdivision plat or at the time of the City's request for dedication, whichever comes first;
4. Compliance with all requirements of the Subdivision Technical Review Committee;
5. Compliance with the Project Narrative submitted which is included in the zoning case file; and
6. Enlarged play areas (2 additional residential lots each) in east portion of the project; relocate play area in northwest portion (total of 4 residential lots); to be owned and maintained by the homeowners association; to contain appropriate mix of active and passive amenities to be detailed prior to City Council review.

Mr. Balmer advised that there were two dissenting votes by the Planning and Zoning Board. Mr. Balmer said that the project now includes more open space and amenities, but concern was expressed that the current proposal requests deletion of multifamily zoning in favor of more single-family residential. Mr. Balmer stated that a letter from Boardmember Shipley has been forwarded to Council.

Cynthia Donald, representing the applicant, Standage & Truitt Engineering, responded to questions from Councilmember Boyd concerning the limited space (by today's standards) available for multifamily zoning.

Discussion ensued concerning the original site plan as shown in 1987, the property to the south, surrounding land uses, mix of housing opportunities, and additional properties in the City with multifamily zoning.

Councilmember Gilbert indicated support for the proposal but requested that inventories of properties having the type of zoning affected by a particular project be made available in the future.

Councilmember Boyd shared the concerns expressed by the dissenting members of the Planning and Zoning Board but stated that he will support the request for rezoning.

It was moved by Councilmember Gilbert, seconded by Vice Mayor Jensen, that Ordinance No. 3171 be adopted.

Mayor Wong declared the motion carried unanimously by those present.

- b. **Z96-17** The northeast corner of Power Road and Madero Avenue. Rezone from AG to C-2 (3.5 acres). This case involves the development of a restaurant and a mini storage. Cosimo DiBella, owner; DMS Architects, applicant - Ordinance No. 3172.

P&Z Recommendation: Approval with conditions. (Vote 6-0.)

1. Compliance with the basic development as shown on the site plan and elevations submitted, except as noted below;
2. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
3. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit or at the time of the City's request for dedication, whichever comes first;
4. Compliance with all requirements of the Design Review Board;
5. Review and approval of a Special Use Permit by the Board of Adjustment;
6. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport which will be prepared and recorded by the City (prior to the issuance of a building permit);
7. Noise attenuation measures be incorporated into the design and construction of the manager's residence to achieve a noise level reduction of 25 decibels;
8. Hours of operation be limited to the hours between 6:00 am. and 10:00 p.m.; and
9. Incorporate security aspects into the project to include an automated gate system.

Mr. Balmer indicated that concerns were expressed by neighbors relative to the driveway location and traffic that could be generated by the mini-storage facility. Mr. Balmer stated that facilities in the City are used mainly by neighborhood residents at night and on weekends. Mr. Balmer said that it is the opinion of staff that the project is compatible with the neighborhood.

It was moved by Councilmember Stapley, seconded by Councilmember Gilbert, that Ordinance No. 3172 be adopted.

Mayor Wong declared the motion carried unanimously by those present.

- *c. **Z96-19** 310 North Dobson Road and 2026 West 3rd Street. Rezone from R1-6 to C-2 and Site Plan Modification (1± acre). This case involves the expansion of an existing commercial strip center through the improvement of a new parking area. Kenneth Y. Louie, owner/applicant - Ordinance No. 3169.

P&Z Recommendation: Approval with conditions. (Vote 6-0.)

1. Compliance with the basic development as shown on the site plan and elevations submitted, except as noted below;
2. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
3. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit or at the time of the City's request for dedication, whichever comes first;
4. All alley improvements, perimeter landscaping, and screen walls to be installed in the first phase of construction;
5. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the variance(s) outlined in the staff report; and
6. Construction of a 6' high block wall along the west side of the new alley.

10. Consider the following subdivision plats:

- *a. "DAVE BROWN - HIGLEY ROAD UNIT 2" - The 5000 block of East Hampton Avenue (south side), 97 R1-6-PAD patio home lots (19.97 acres). Homes by Dave Brown, developer; Infinity Engineering Services, Ltd., engineer.
- *b. "GRIFFITH ESTATES" - The 9600 and 9700 blocks of East Pueblo Avenue (south side), 71 R1-6-PAD manufactured home lots (16.34 acres). WBK DR.H.C.JVR. Olaf Lange-International Commerce Inc., developer; Arizona Land Surveying, Inc., engineer.
- *c. "SAN MONTEGO A CONDOMINIUM DEVELOPMENT" - The 6700 block of East Superstition Springs Boulevard (south side), 240 R-3-PAD-DMP condominium units (14.12 acres). Sueba-Mark II, L.L.C., developer; D.N.A., Inc., engineer.
- *d. "SUNLAND VILLAGE EAST GOLF CONDOMINIUMS UNIT TWO, PHASE THREE" - The 7700 block of East Laguna Azul Avenue (north side), 28 R-2 PAD-DMP condominium units (4.1 acre). Transnation Title Insurance Co., developer; Clouse Engineering, Inc., engineer.

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- *e. "SUPERSTITION SPRINGS AUTO PARK - UNIT ONE" - The 6200 block of East Superstition Springs Blvd. (south side), 1 M-1-PAD-AF-DMP lot and 2 tracts (41.74 acre). The Westcor Company II Limited Partnership and Bank Midwest, N.A., developer; Val-Tec, Inc., engineer.

11. Adjournment.

It was moved by Councilmember Stapley, seconded by Vice Mayor Jensen, that the Regular Council Meeting adjourn at 6:28 P.M.

Carried unanimously.

WILLIE WONG, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK