

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, April 17, 2006
5:45 P.M.

Invocation by Dr. of Divinity, Blaine C. Mays, Community Church of New Thought.

Pledge of Allegiance.

Mayor's Welcome.

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items. If you are interested in speaking on an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

CONSENT AGENDA

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the Consent Agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

1. Take action on all consent agenda items.
- *2. Approval of minutes of previous meetings as written.

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3. Conduct a public hearing prior to release of the petition for signatures for the following proposed annexation:
 - 3a. **A06-09 (District 5)** Annexing land on Power Road south of University Drive. (0.41 ± ac.) Initiated by Dennis Callison, the property owner.
4. Conduct a public hearing for Minor General Plan Amendment (**GPMInor06-01**) to change the General Plan Land Use Map from Neighborhood Commercial (NC) to medium Density Residential 6-10 dwelling units per acre (MDR 6-10). The 10800 to 11000 block of East Broadway Road (south side). Located at the southeast corner of Signal Butte Road and Broadway Road (12.55± ac).
5. Take action on the following resolution:
 - 5a. **GPMInor06-01 (District 6)** The 10800 to 11000 block of East Broadway Road (south side). Located at the southeast corner of Signal Butte Road and Broadway Road (12.55± ac). Minor General Plan Amendment to change the General Plan Land Use Map from Neighborhood Commercial (NC) to Medium Density Residential 6-10 dwelling units per acre (MDR 6-10). Todec Properties, LLC, (Thomas C. Decker) owner; Lyle Richardson, Lazarus & Associates, applicant. **COMPANION CASE Z06-15.**

P&Z Recommendation: Approval. (Vote: 5-0-1 with Boardmembers Carpenter absent and Mizner nay.
6. Take action on the following liquor license applications:
 - *6a. Anthology Inc.

This is a one-day charitable event to be held on Friday, April 28, 2006 from 3:00 p.m. to 12:00 a.m. at 243 S. Mesa Dr. District #4.
 - *6b. Anthology Inc.

This is a one-day charitable event to be held on Friday, May 5, 2006 from 12:00 p.m. to 12:00 a.m. at 243 S. Mesa Dr. District #4.

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*6c. Anthology Inc.

This is a one-day charitable event to be held on Sunday, September 17, 2006 from 12:00 p.m. to 12:00 a.m. at 243 S. Mesa Dr. District #4.

*6d. Anthology Inc.

This is a one-day charitable event to be held on Sunday, December 31, 2006 from 12:00 p.m. to 12:00 a.m. at 243 S. Mesa Dr. District #4.

*6e. Sister City Association of Mesa

This is a one-day charitable event (Cinco de Mayo Celebration) to be held on Saturday, May 6, 2006 from 12:00 p.m. to 10:00 p.m. at 530 E. Main St. District #4.

*6f. Country Club Express

New Beer & Wine Store License for Country Club Express LLC, 2816 S. Country Club Dr. The Beer & Wine Store License previously held at this location by Texaco Food Mart will revert back to the State. District #3.

*6g. Quiktrip #459

New Beer & Wine Store License for Quiktrip Corporation, 1141 S. Crismon Rd. No previous liquor license at this location. District #6.

*6h. Holiday Inn Hotel

New Hotel/Motel License for Bandra LLC, 1600 S. Country Club Dr. The Hotel/Motel License previously held at this location by Holiday Inn Motel will revert back to the State. District #3.

*6i. Mitchone's O Sole Mio Restaurant

New Restaurant License for Mitchone's O Sole Mio Restaurant, 4815 E. Main St. Ste 34. No previous liquor license at this location. District #5.

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7. Take action on the following contracts:

- *7a. Two-year renewal of Supply Contract for Paint and Sundry Supplies for multiple City Departments.

The Purchasing Division recommends exercising the renewal option with ICI Paints at \$40,000.00 annually based on estimated requirements.

- *7b. Three-year Supply Contract for Office Supplies used by all City Departments.

The Purchasing Division recommends authorizing a three-year contract with Office Depot through the US Communities Government Purchasing Alliance contract for annual purchases estimated at \$880,000.00, including contingencies.

- *7c. Twelve Refrigerated Temperature Controlled Locking Cabinets as requested by the Fire Department.

The Purchasing Division recommends accepting the only bid from Budd Medical & Fire Equipment for \$48,186.60, including applicable taxes to be purchased with Fire's Quality of Life allocation.

- *7d. Contract Award for an Electronic Patient Care Records System as requested by the Fire Department in cooperation with the Valley Emergency Medical Services Managers.

The Purchasing Division endorses the evaluation team's recommendation to accept the proposal submitted by Roam I.T., Inc.

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- 7e. 2006 Surface Seal, City of Mesa Project No. 05-902-002
(ONLY ONE BID RECEIVED).

Each year the Transportation Division identifies roadway segments that require some measure of pavement maintenance. Pavement maintenance varies from crack sealing, fog sealing, pavement overlays, and pavement reconstruction depending on the age and condition of the asphalt. This project will fog seal over 1,075,000 square yards of street pavement citywide.

Recommend award to the low bidder, Cactus Asphalt, in the amount of \$528,325.92 plus an additional \$52,832.59 (10% allowance for change orders) for a total award of \$581,158.51. Funding is available through Highway User Revenue Fund (HURF) funds in the Transportation Field Operations Budget.

8. Introduction of the following ordinances and setting May 1, 2006, as the date of the public comment and Council action on these ordinances:

- *8a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

No Parking: 10-3-24 (F 9) (10:00 pm to 4:00 am No Parking)

On Jerome Avenue from the south leg of Vineyard to Revere (north of Baseline Road and west of Country Club Drive, Council District 3).

- *8b. Amending Title 7, Chapter 2 of the Mesa City Code by adding a new section 7-2-3 requiring developers and architects to submit electronic drawings for building projects in addition to blueprints as recommended by the Fire Committee. (Single family residences and other related residential projects are excluded from this ordinance).

Fire Committee Recommendation: Approval. (Vote 3-0)

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9. Take action on the following resolutions:
- *9a. Extinguishing a Public Utilities Easement at 2207 West Kiowa Circle.

This easement is being extinguished to allow the construction of an addition to the owner's house.
 - 9b. Setting May 22, 2006, as the Public Hearing date on the proposed final assessments for the Mesa Town Center Improvement District No. 228. The proposed final assessments for FY 2006/2007 do not include any rate increases. This district was established to provide enhanced municipal services for the Mesa Town Center.
 - *9c. Authorizing the City Manager to execute an Intergovernmental Agreement between the State of Arizona, Division of Emergency Management (ADEM), and the City of Mesa to receive Federal Department of Homeland Security (DHS), Office of Grants & Training reimbursement grants from ADEM in the amount of approximately \$1,058,842.
 - 9d. Approving and authorizing the City Manager or his designated representative to proceed with an application to the Department of Housing and Urban Development (HUD) for FY 2006-2007 funding for nonprofit organization projects through the Community Development Block Grant (CDBG) program.
 - 9e. Approving and authorizing the City Manager or his designated representative to proceed with an application to the Department of Housing and Urban Development (HUD) for FY 2006-2007 funding for City department projects through the Community Development Block grant (CDBG) program.
 - 9f. Approving and authorizing the City Manager or his designated representative to proceed with an application to the Department of Housing and Urban Development (HUD) through the Maricopa HOME Consortium for FY 2006-2007 funding for nonprofit organization projects through the HOME Investment Partnerships (HOME) Program.

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- *9g. Approving and authorizing the City Manager or his designated representative to proceed with an application to the Department of Housing and Urban Development (HUD) through the Maricopa HOME Consortium for FY 2006-2007 funding for City of Mesa Department projects through the HOME Investment Partnership (HOME) Program.
- 9h. Approving and authorizing the City Manager or his designated representative to proceed with an application to the Department of Housing and Urban Development (HUD) for FY 2006/2007 funding through the Emergency Shelter Grant (ESG) program.
- 9i. Adopting revisions to the Freeway Landmark Monument Guidelines and affirming support for the appropriate placement of freeway identification signage.
- *9j. Approving and authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Criminal Justice Commission to secure grant funds to purchase scientific equipment and supplies for the Firearms Unit of the Police Department.
- *9k. Approving and authorizing the City Manager to execute an Agreement authorizing the transfer of control of Cable America Corporation through its wholly owned subsidiary Cable Arizona Corporation to CoxCom, Inc. and terminating the cable television license granted to Cable America Corporation.
- *9l. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the Flood Control District of Maricopa County for discharges of reclaimed water from the Greenfield Water Reclamation Plant.

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10. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen that wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the Clerk before Council votes on the consent agenda.

10a. **Z06-15 (District 6)** The 10800 to 11000 block of East Broadway Road (south side). Located at the southeast corner of Signal Butte Road and Broadway Road (12.55± ac). Rezone from C-2 and R1-7 to R1-6-PAD and Site Plan Modification. This request will allow for the development of single residence subdivision. Todec Properties, LLC, (Thomas C. Decker) owner; Lyle Richardson, Lazarus & Associates, applicant. **COMPANION CASE GPMInor06-01. (Held two neighborhood meetings, notified property owners and interested neighbors.)**

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Carpenter absent)

*10b. **Z06-17 (District 6)** The 8400 and 8500 blocks of East Southern Avenue (north side). Located at the northeast corner of South Hawes Road and East Southern Avenue (2.8± ac). Rezone from AG and R-4 to C-1 and Site Plan Review. This request will allow for the development of a retail building. Crescent Run Limited Partnership (Patricia L. Koslow), owner; Jessica Sarkissian, applicant. **(Held two neighborhood meetings, notified property owners, neighbors, registered neighborhoods and homeowners associations.)**

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Carpenter absent)

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- *10c. **Z06-18 (District 4)** 410 South Nevada Way (west side). Located west and south of the southwest corner of South Stapley Drive and East Broadway Road (0.15± ac). Rezone from C-1 to R1-6. This request will allow for the development of a single residence. Bradley MacLay, owner/applicant. ***(Notified property owners and delivered fliers to residences and businesses.)***

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Carpenter absent)

- *10d. **Z06-19 (District 6)** 3635 East Inverness Avenue (south side). Located north and east of the northeast corner of South Val Vista Drive and East Baseline Road (1.13± ac). Rezone from C-2 to C-2 PAD and Site Plan Modification. This request will allow for the development of medical/office buildings. DFFM Yukon, LLC, (Francis J. Marotta) owner; Francis J. Marotta, MarCor Commercial Real Estate Services. ***(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Carpenter absent)

- *10e. **Z06-20 (District 6)** The 7600 and 7700 blocks of East Elliot Road (north side). Located at the northeast corner of Sossaman and Elliot Roads. (17.7± ac). Rezone from AG to C-2. This request is to rezone property for future development. SLPR, LLC, an Arizona Limited Liability Corporation (Patrick E. Sovereign), owner; Lindsay Schube, Beus Gilbert, PLLC, applicant. ***(Notified property owners, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Carpenter absent)

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- *10f. **Z06-21 (District 6)** The 2700 to 3000 blocks of South Sossaman Road (west side). Located at the northwest corner of Sossaman and Guadalupe (5.2± ac). Rezone from R1-7 to C-2 and Site Plan Review. This request will allow for the development of a daycare building and retail shops. Chris Huss, owner; Kevin D Kerpan, applicant. ***(Held a neighborhood meeting, notified property owners, registered neighborhoods, homeowners associations and schools affected by the proposed development.)***

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Carpenter absent)

- *10g. **Z06-22 (District 3)** The 1000 to 1200 blocks of West Grove Avenue (north side). Located south of Southern Avenue and east of Alma School Road (4.9± ac). Rezone from C-2-DMP to C-2-BIZ-CUP and Modification of the Fiesta Quadrant Development Master Plan and Site Plan Review. This request will allow the development of a mixed-use high-rise condominium project with first floor retail. TR Alma Partners, LLC; Thomas Roszak, owner/applicant. ***(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval with Conditions. (Vote: 5-0-1 with Boardmembers Carpenter absent and Saemisch abstaining)

- 10h. **Z06-23 (District 1)** The 900 and 1,000 blocks of North Dobson Road, west side. Southwest corner of US 202 and Dobson Road. (32.3 ac). Site Plan Review. Specific location of the private drive through the future Riverview automall site. KRS Acquisitions Corp c/o Mike Withey, owner; Withey, Anderson & Morris c/o Mike Withey, applicant. ***(Notified property owners, neighbors, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval with Conditions. (Vote: 5-0-1 with Boardmembers Carpenter absent and Saemisch abstaining)

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- 10i. **Z06-24 (District 1)** The 1,000 and 1,100 blocks of North Alma School Road, west side. Southwest corner of US202 and Alma School Road. (47.96 ac). Site Plan Review. Specific location of private drive extending from Bass Pro Drive east to Alma School. KRS Acquisitions Corp c/o Mike Withey, owner; Withey, Anderson & Morris c/o Mike Withey, applicant. ***(Notified property owners, neighbors, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval with Conditions. (Vote: 5-0-1 with Boardmembers Carpenter absent and Saemisch abstaining)

- *10j. **Z06-26 (District 1)** The 100 block of West McKellips Road (south side). Southwest corner of Center and McKellips Road. (3.73 acres). Rezone from C-2 to R-3 PAD and Site Plan Modification. This request will allow for the development of a townhome subdivision. Ross Farnsworth, RSB Partners LLC, owner; Jeff Welker, Welker Development Resources LLC, applicant. ***(Held two neighborhood meetings, notified property owners, registered neighborhoods, homeowners associations and schools affected by the proposed development.)***

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Carpenter absent)

11. Consider the following subdivision plats:

- *11a. "NOVA VISTA UNIT B" (**District 6**) – 3600-4000 blocks of South Signal Butte Road (east side) located south and east of Elliot Road and Signal Butte Road. 128 R1-6 PAD DMP single residence lots (32.39 ac) Standard Pacific of Arizona, Inc., Bruce Schroeder, owner.
- *11b. "NOVA VISTA UNIT C" (**District 6**) – 3800-4200 blocks of South Mountain Road (west side) located south and west of Elliot Road and Mountain Road. 129 R1-9 PAD DMP single residence lots (41.24 ac) Standard Pacific of Arizona, Inc., Bruce Schroeder, owner.

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- *11c. "NOVA VISTA UNIT D" (**District 6**) – 3600-3900 blocks of South Mountain Road (west side) located south and west of Elliot Road and Mountain Road. 135 R1-9 PAD DMP single residence lots (67.02 ac) Porchlight Land & Cattle, LLC, Scott Peterson, owner.
 - *11d. "PIERPONT BUSINESS COURT" (**District 6**) – 4700-4800 block of East Baseline Road (north side) located north and west of Baseline Road and Higley Road. 158 PEP PAD office condominium units (5.92 ac) Pierpont Commerce Partners, LLC, Franklin D. Richards, III, owner.
 - *11e. "MAP OF DEDICATION FOR THE GARDENS AT SUPERSTITION SPRINGS" (**District 6**) – 7200 block of East Baseline Road (south side) located south and east of Baseline Road and Power Road. GSS Partners, LLC, Grant A. Tayrien, owner.
12. Items from citizens present. (Maximum of three speakers for three minutes per speaker)