

## **CITY COUNCIL AGENDA**

### **COUNCIL CHAMBERS – 57 EAST FIRST STREET**

Monday, April 7, 2003

5:45 P.M.

Invocation by Pastor Terry Darnall, Mesa Palms Seventh Day Adventist Church.

Pledge of Allegiance.

Mayor's Welcome.

General Plan Amendment Process Update.

1. Consider all consent agenda items.

### **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 so requests, in which event the item will be removed from the Consent Agenda and considered as a separate item.

- \*2. Approval of minutes of previous meetings as written.

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3. Conduct a public hearing for the following proposed Scalloped Street Assessment Projects:
  - a. McDowell Road Project No. 99-54.  
  
This project installed street improvements along portions of McDowell Road from East Lehi Road to Greenfield Road.
  - b. Hermosa Vista Drive Project No. 00-105.  
  
This project improved portions of Hermosa Vista Drive from Harris Drive to the east 1,307 feet plus or minus.
4. Consider the following liquor license applications:
  - \*a. BROOKE ELLYN DAWSON, ACTIVITIES COORDINATOR  
  
Special Event License application of Brooke Ellyn Dawson, Activities Coordinator, Florence Crittenton, a one-day charitable event to be held Friday, May 9, 2003, from 6:30 p.m. to 11:00 p.m., at 2260 E. Brown Road, The Fountains.
  - \*b. RONALD E. NEWTH, CHAIRMAN  
  
Special Event License application of Ronald E. Newth, Chairman, Sister City Association of Mesa, a two-day charitable event to be held Friday, May 2, 2003, from 5:00 p.m. to 10:00 p.m. and Saturday, May 3, 2003, from 10:00 a.m. to 10:00 p.m., at 530 E. Main Street, Pioneer Park.
5. Consider the following contracts:
  - \*a. Three-year supply contract for automotive lighting, mirrors and safety supplies as requested by Fleet Support Services.  
  
The Purchasing Division recommends accepting the low bid by C.W. Carter at \$42,000.00 based on estimated annual requirements.

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- \*b. Two-year renewal of the supply contract for bronze water service valves and fittings for warehouse inventory to be used by the Utilities Department.

The Purchasing Division recommends exercising the two-year renewal option with the original overall low bid by Arizona Waterworks at \$63,943.36 based on estimated annual requirements.

- \*c. Network Hardware Supply Contract, as requested by the Information Services Division (ISD).

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Ames Business and Learning Environments, Inc. for purchases totaling \$100,835.87, including applicable sales tax.

- \*d. Closed circuit television (CCTV) and communications equipment as requested by the Police Department.

The Purchasing Division recommends accepting the low overall bid meeting specification by AVS Integrated Systems at \$104,811.49.

- \*e. Three-year supply contract for deep well pump repair and maintenance as requested by the Utilities – Water Division.

The Purchasing Division recommends accepting the overall low bid by Weber Group LC for annual repairs estimated at \$150,000.00 total for three separate contracts. In order to assure continuity of services, the Purchasing Division also recommends awarding a secondary contract to Duncan Pump.

- \*f. Two-year renewal of the supply contract for DS1 microwave protection equipment as requested by the Communications Division.

The Purchasing Division recommends exercising the two-year renewal option with the original low bidder, Walker & Associates, Inc. at \$11,734.27 based on estimated annual requirements.

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- \*g. Three-year supply contract for optically controlled traffic control equipment as requested by the Transportation Division.

The Purchasing Division recommends accepting the low bids as follows:

Items 1-8, 10-14, 16-18 and 23-26 to 3M Company at \$149,036.03 including applicable use tax; and

Items 9, 15 and 19-22 to J & J Inc. at \$19,557.91 including applicable use tax.

The combined award is then \$168,593.94 based on estimated annual requirements

- \*h. Two-year renewal of the supply contract for street sweeper brooms as requested by Fleet Support Services.

The Purchasing Division recommends exercising the two-year renewal option with the original low bid by Nationwide Wire & Brush Mfg., Inc. at \$20,000.00 based on estimated annual requirements.

- i. Falcon Field Airport Security Fencing, Phase II. City of Mesa Project No. 02-16.1.

This project proposes to upgrade facilities throughout the airport to meet airport needs as well as to comply with FAA requirements based on the most recent FAA inspection. This project replaces 3,724 feet of existing fence along McDowell Road from the Boeing property to Higley Road, and along Higley from McDowell to Anzio Landing near Falcon Drive, per FAA request in improving perimeter security fencing. This is a State Grant Funded Project.

Recommend award to low bidder, JMH Company, Ltd., in the amount of \$109,357.50 plus an additional \$10,935.75 (10% allowance for change orders) for a total award of \$120,293.25.

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- j. Val Vista Drive Widening McKellips Road to McDowell Road.  
City of Mesa Project No. 00-44.1.

This project proposes to continue improvements to Val Vista Drive between McDowell and McKellips by widening to 2 lanes plus a bicycle lane in each direction, and adding raised landscaped median, storm drain, street lighting, and water, sewer and sidewalk. This project is the third in a series of projects to implement improvements to the Val Vista Corridor between McKellips and the Freeway.

Recommend award to low bidder, Archon Inc., in the amount of \$3,169,560.00 plus an additional \$316,956.00 (10% allowance for change orders) for a total award of \$3,486,516.00.

- \*k. Sunshine Acres Children's Home (Replacement Lift Station).  
City of Mesa Project No. 02-413-001.

This project proposes to relocate an existing lift station that is in the path of the new roadway intersection of Longbow Parkway and Higley Road. This lift station is currently servicing the Sunshine Acres Children's Home.

Recommend award to low bidder, Archon, Inc., in the amount of \$152,106.00 plus an additional \$15,210.60 (10% allowance for change orders) for a total award of \$167,316.60.

6. Introduction of the following ordinances and setting April 21, 2003 as the date of public hearing on these ordinances:

**Note:** City Council introduction of ordinances does not necessarily reflect City Council approval of these ordinances. Introduction of ordinances sets in motion the public posting and advertising process for ordinances so that the City Council can hear from concerned citizens at the public hearing.

- \*a. Moved to Item #8c.

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- \*b. Amending Section 11-2-2 of the Mesa City Code, changing the zoning of certain property described in Zoning Case No. CZ03-001TC, for the proposed relocation of City Well Site No. 10 to 219 and 225 South Robson.
  - \*c. Amending Section 11-2-2 of the Mesa City Code, changing the zoning of certain property described in Zoning Case No. CUP03-002TC for a newspaper establishment at 120 W. First Avenue and 27 S. Robson.
7. Consider the following resolutions:
- a. Authorizing the City Manager to proceed with an application to the Department of Housing and Urban Development (HUD) for FY 2003/2004 funding through the CDBG, HOME, and ESG programs.
  - \*b. Authorizing the City Manager to execute an Intergovernmental Agreement between Salt River Project Agricultural Improvement and Power District (SRP), the City of Phoenix, and the City of Mesa to construct additional substation facilities at the Val Vista Substation located at the Val Vista Water Treatment Plant, to provide electrical service to the water treatment plant.
  - \*c. Authorizing the City Manager to execute an Intergovernmental Agreement with the Maricopa County Department of Emergency Management Services (MCDEM) to provide for emergency management within their jurisdiction.
  - d. Approving the final assessments for the McDowell Road Scalloped Street Assessment Project No. 99-54.  
  
This project installed street improvements along portions of McDowell Road from East Lehi Road to Greenfield Road.
  - e. Approving the final assessments for the Hermosa Vista Drive Scalloped Street Assessment Project No. 00-105.  
  
This project improved portions of Hermosa Vista Drive from Harris Drive to the east 1,307 feet plus or minus.

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- \*f. Approving the Assessment Diagram Map for the Power Road Scalloped Street Assessment Project No. 02-09.

This project improved portions of the east and west half of Power Road from McKellips Road to Delmon.

A portion of the improvement costs are being assessed to the adjacent property owners under the Scalloped Street Assessment Laws.

- \*g. Fixing May 5, 2003, as the Public Hearing date on the proposed final assessments for the Power Road Scalloped Street Assessment Project No. 02-09.

This project improved portions of the east and west half of Power Road from McKellips Road to Delmon.

- \*h. Granting a Power Distribution Easement to Salt River Project at the Transit Maintenance Facility at 3320 North Greenfield Road.

This easement will provide power to the Transit Maintenance Facility.

- \*i. Dedicating a right-of-way to North Greenfield Road, East Virginia Street, North Norwalk Street and East Quenton Drive at Quail Run Park.

This will dedicate City property as a public street adjacent to Quail Run Park.

- \*j. Approving criteria allowing for the transfer of ownership of federally funded properties, revising the City policies to allow nonprofit agencies to receive ownership of sites under specified conditions, and authorizing the transfer of federally funded properties meeting these conditions and criteria to nonprofit agencies.

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- k. Authorizing the City Manager or his designated representative to execute documents to acquire a house on behalf of ARM of Save the Family Foundation using City HOME program funds.
8. Consider the following ordinances:
- \*a. Amending Section 10-3-24 of the Mesa City Code regarding the following traffic modifications:
    - \* Prohibiting parking between the hours of 8:00 a.m. to 4:00 p.m. on school days at the following locations:

On the Brown Road frontage road from 25<sup>th</sup> Street to a point 251 feet west of Gaylord and from a point 92 feet east of 24<sup>th</sup> Street to a point 145 feet west of 24<sup>th</sup> Street.

On the west side of 24<sup>th</sup> Street from the Brown Road frontage road to a point 95 feet north of the Brown Road frontage road.
  - \*b. Relating to signs; amending Section 11-19-5 of the Mesa City Code, definition of terms for window sign area.
  - c. Pertaining to firearms; amending Ordinance No., 3582; prescribing a disposal policy for firearms seized by the Mesa Police Department.
9. Consider the following recommendations from the General Development Committee:
- a. Authorizing staff to proceed with drafting an amendment to the Sign Ordinance, establishing a new definition of "Freeway Landmark Monument" and specifying conditions for the approval thereof.

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- b. Authorizing staff to proceed with drafting an amendment to the zoning ordinance pertaining to the regulation of “portable storage containers,” and including a modification to exclude those individuals who use a portable storage container for the purpose of moving items from one location to another from obtaining a Use Permit.
10. Consider the following recommendations from the Police Committee:
- a. Authorizing staff to proceed with drafting an amendment to the City of Mesa’s Alarm Ordinance.
  - \*b. Approving proceeding with the design phase of the Police Technical Services Building.
- \*11. Consider adopting a Notice of Intention to increase rates or rate components, fees and/or service charges for Irrigation Water Service and setting May 19, 2003 as the date of the public hearing.
- \*12. Consider the write-off of utility and miscellaneous accounts in the amount of \$603,700.00.
- \*13. Deleted.
- \*14. Authorizing the Utilities Manager to sign the confirmation extending Coral Energy’s current natural gas supply contract until March 31, 2004.
15. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding Ordinances:
- \*a. **Z03-06** 804 North Country Club Drive (1.26± acres) Rezone from R-4 to C-2. This case involves the development of retail shops and car wash. Edward Pole, owner; Raad Salih, applicant.  
P&Z Recommendation: Approval with conditions (Vote: Passed 6-0).
    - 1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, (without guarantee of lot yield or lot coverage) except as noted below.

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2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
5. Compliance with all requirements of the Design Review Board.
6. All buildings to be architecturally compatible.
7. Non-conforming and/or prohibited signs shall be brought into conformance prior to the issuance of a building permit.
8. Review and approval of a Special Use Permit by the Board of Adjustment for a car wash and comprehensive sign plan.
9. Review and approval of a Substantial Conformance Improvement Permit by the Zoning Administrator or Board of Adjustment.
10. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

- \*b. **Z03-07** The 8800 and 8900 blocks of East Guadalupe Road, south side (16.68 ± acres) Rezone from R-3 to R-4. This case involves the development of an apartment complex. Ruiz Engineering Corporation, owner; Sean Lake, Pew and Lake, PLC, applicant.

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

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, (without guarantee of lot coverage) except as noted below.
2. Compliance with all City development codes and regulations.

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3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Compliance with all requirements of the Design Review Board, including landscaping, pedestrian connections and elevations.
5. 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).
6. Written notice be provided to future residents, and acknowledgment received that the project is within three miles of Williams Gateway Airport.
7. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction of 25 db.

\*c. **Z03-08** The southeast corner of Southern Avenue and Ellsworth Road (1.89± acres). Site Plan Modification. This case involves the development of an Eckerd's Pharmacy. Unicorp International, owner; Don Andrews, applicant.

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

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, (without guarantee of lot coverage) except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
5. Compliance with all requirements of the Subdivision Technical Review Committee.

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6. Compliance with all requirements of the Design Review Board.
7. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
8. Written notice be provided to current and future occupants and acknowledgment received that the project due to their proximity to Williams Gateway Airport, will experience aircraft overflights that generate noise levels which will be of concern to some individuals.
9. Noise attenuation measures be incorporated into the design and construction of the development to achieve a noise level reduction of 20 db.
10. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

\*d. **Z03-09** The northeast corner of Thomas Road and Rafriver Street (1.2± acres). Site Plan Modification. This case involves the development of a bakery and restaurant. Dan Janssen, owner; Basilio Coragides, applicant.

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

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, (without guarantee of lot coverage) except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Compliance with all requirements of the Design Review Board, including landscaping, pedestrian connections and elevations.

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5. Owner granting an Avigation Easement and Release to the City, pertaining to Falcon Field Airport, which will be prepared and recorded by the City (prior to the issuance of a building permit).
6. Noise attenuation measures be incorporated into the design and construction of the buildings to achieve a noise level reduction of 25 db.

\*e. **Z03-11** The southwest corner of Southern Avenue and South Longmore (11.5± acres). Rezone from C-2 to C-2 BIZ. This case involves the development of a Target. Target Corporation, owner; Charles Nixon, Val-Tec Incorporated, applicant.

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

1. Compliance with the basic development as described in the project narrative and as shown on the revised plan submitted on February 20<sup>th</sup>, 2003 and elevations submitted, (without guarantee of lot yield, building count, lot coverage) except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Compliance with all requirements of the Design Review Board.
5. Provide a copy of the recorded document specifying the no-build easement included with the building permit plan submittal package.
6. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.
7. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.

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8. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report.
  9. Review and approval of a Special Use Permit by the Board of Adjustment for a comprehensive sign plan.
  10. Pedestrian walkways shown on site plan, extending from Target to Southern Avenue and South Longmore, shall be revised to be a meandering walkway with landscaping on both sides. Landscaping shall consist of trees that alternate from side to side to provide adequate pathway shading and shrubs. Final design of pedestrian connections and landscape details to be completed with Design Review staff prior to the Design Review Board hearing.
16. Consider the following subdivision plat:
- \*a. "CONDOMINIUM PLAT FOR AMBERWOOD BUSINESS PLAZA", – (Council District 1) – 840 East McKellips Road (north side) 12 O-S PAD office condominium units (1.72 ac) Amberwood (Horne/McKellips) Partners, L.L.C., owner; JMA Engineering Corporation, engineer.
17. Items from citizens present. (Maximum of three speakers for three minutes per speaker).