

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, April 18, 2005

5:45 P.M.

Invocation by Reverend Jack D. O'Brien, Grace Fellowship Bible Church.

Pledge of Allegiance.

Mayor's Welcome.

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.

3. Consider the following liquor license applications:

*3a. ROBERT L. NELSON, DIRECTOR

Special Event License application for Robert L. Nelson, Director, Anthology, Inc., a one-day civic event to be held on Friday, April 29, 2005, from 6:00 P.M. to 12:00 Midnight at 243 S. Mesa Drive. District #4.

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*3b. CHARLIE MCCRAKEN, VICE-PRESIDENT

Special Event License application for Charlie McCracken, Vice-President, National Heritage Foundation, a one-day charitable event to be held on Thursday, May 5, 2005, from 11:00 A.M. to 2:00 A.M. on Friday, May 6, 2005 at 1976 W. Southern Avenue. District #3.

*3c. PAMELA PANOPOULOS, AGENT

Person Transfer Bar License for Dog House Bar, 1241 E. Broadway Road, Suite #17. This is an existing business. This is a Person Transfer from Jim Brian Lundquist, Agent, JSA Investments, LLC, 1241 E. Broadway Road, Suite #17. This license will transfer to the applicant. District #4.

*3d. RICHARD JOHN RZENDZIAN, AGENT

New Beer & Wine Store License for Conoco, 6807 E. Baseline Road. This is an existing business. The license previously held at this location by Yasser Hassan Majed, Agent, Speedmart, Inc., will revert back to the State. District #6.

*3e. MAHMOUD HASSAN MAJED, AGENT

New Beer & Wine Store License for Texaco Star Mart, 1158 W. University Drive. This is an existing business. The license previously held at this location by Rodney S. Herbert, Agent, Reays Ranch Investors LLC, will revert back to the State. District #1.

*3f. JUNG S. YOON, INDIVIDUAL

New Restaurant License for Hodori Soon Tofu Restaurant, 1116 S. Dobson Road, Ste #111. This is an existing business. The license previously held at this location by Sarah Hyun-Ja Chang, Agent, Mikosa LLC, will revert back to the State. District #3.

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4. Consider the following contracts:

- *4a. Medical Oxygen Carts as requested by the Fire Department. (Mesa Contract 2005122)

The Purchasing Division recommends accepting the only qualifying bid received by American Airworks at \$50,155.78, including applicable taxes. (Funding for this purchase is available through the 2004 Metropolitan Medical Response System grant monies.)

- *4b. Additional purchase of Self-Contained Breathing Apparatus as requested by the Fire Department. (Mesa Contract 2005106)

The Purchasing Division recommends authorizing an additional purchase option with the original bidder, First In, Inc., in the amount of \$392,403.00, including applicable taxes. (Funding for this purchase is available through the 2004 Fire Act Grant.)

- *4c. Skid Steer Loader as requested by the Transportation Division Field Operations. (Mesa Contract 2005116)

The Purchasing Division recommends accepting the low responsive bid by Empire Machinery for \$68,153.77, including options, warranty, and applicable taxes.

- *4d. Thirty-three Vehicles as requested by the Police Department. (State Contract #AD 040004-005-A1)

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Five Star Ford at \$830,852.00, including applicable taxes.

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- *4e. Laboratory Information Management System for the Utilities Department as requested by the Information Services Division. (Mesa Contract 2004153)

The Purchasing Division endorses the Evaluation Team's recommendation to accept the proposal from Accelerated Technology Laboratories, Inc. for an amount not to exceed \$111,437.71. The Purchasing Division further recommends approving \$11,143.77 for project contingencies (10% of total project, including all hardware and software). The combined total award for these expenses is not to exceed the amount of \$122,581.48.

- *4f. Server hardware as requested by the Information Services Division. (State Contract #A63309)

The Purchasing Division recommends approving:

\$371,892.58 for server hardware from the State of Arizona contract with Hewlett Packard, including applicable taxes.

\$76,001.61 for software from the State of Arizona contract with ASAP Software, Inc., including applicable taxes.

The combined total award for the recommended purchases is \$447,894.19.

- *4g. One-year renewal of contract for electronic database subscriptions used by the Library. (Maricopa County Contract #01120)

The Purchasing Division recommends authorizing the one-year contract renewal of the Maricopa County cooperative purchase contracts for electronic database subscriptions totaling \$148,284.00 based on estimated annual purchases.

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- *4h. Ticket Scanners for the Mesa Arts Center as requested by Information Services. (State Contract #AD990005-006)

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Transource Computers for a total of \$31,039.83, including applicable sales tax.

- *4i. Mesa Arts Center Season Brochures as requested by the Community Services Division Mesa Arts Center. (Mesa Contract 2005130)

The Purchasing Division recommends accepting the low bid from Century Graphics for a total of \$135,136.13, including postage and applicable taxes.

- *4j. Special Election Sample Ballot/Publicity Pamphlet Printing as requested by the City Clerk's Office.

The Purchasing Division recommends ratifying the emergency purchase from Century Graphics for a total of \$30,645.35, including applicable taxes.

- *4k. FY 2005 Street Improvements – Phase IV, City of Mesa Project No. 04-841-004.

This project will rehabilitate and overlay over 147,600 square yards of residential street pavement. Improvements will also include the construction of 115 sidewalk ramps along the improved streets.

Recommend award to low bidder, FNF Construction, Inc., in the amount of \$1,410,695.00 plus an additional \$141,069.50 (10% allowance for change orders) for a total award of \$1,551,764.50.

- *4l. Various Waterline Ties – East 8th Ave/South Stapley Dr; East Pueblo Ave/South Ellsworth Rd; East Pueblo Ave/South 93rd Way; East Pueblo Ave/South 96th St; and North Hawes Rd/Range Rider Trail, City of Mesa Project No. 01-557-002.

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This project will connect existing waterlines within these zones to create water system loops, and eliminate some existing connections between the zones to establish separate water zones.

Recommend award to low bidder, Behr Drilling, in the amount of \$205,687.48 plus an additional \$20,568.75 (10% allowance for change orders) for a total award of \$226,256.23.

- *4m. Electrical Upgrades at Falcon Well No. 2 (1804 N 46th Street) and City Well No. 12 (32 E 6th Street), City of Mesa Project No. 01-465-001.

This project will upgrade the existing electrical layout and equipment at both sites, improve the site enclosure walls at City Well No. 12 and relocate equipment with both sites for improved accessibility.

Recommend award to low bidder, Weber Group, LC, in the amount of \$329,048.00 plus an additional \$32,904.80 (10% allowance for change orders) for a total award of \$361,952.80.

- *4n. Powell Jr. High School Ballfield Lighting Renovations (855 West 8th Avenue), City of Mesa Project No. 04-080-001.

This project will improve lighting conditions by upgrading existing lighting and installing new fixtures, poles, and electrical service to the ballfield.

Recommend award to low bidder, Kimbrell Electric Inc., in the amount of \$119,089.75 plus an additional \$11,908.98 (10% allowance for change orders) for a total award of \$130,998.73. (12% Indian Gaming Revenue Sharing Funds)

- *4o. Mesa Main, Dobson, and Red Mountain Libraries Electronic Security and Access Control, City of Mesa Project No. 02-403-001.

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This project will install new electronic security and access control equipment to secure the libraries and limit public access to restricted areas of the libraries. In addition, the fire alarm system at Mesa Main and Dobson Libraries do not meet current standards and are also being improved as part of this project.

Recommend award to low bidder, Nelson-Holland, Inc., in the amount of \$125,800.82 plus an additional \$12,580.08 (10% allowance for change orders) for a total award of \$138,380.90. (Only one bid received).

5. Introduction of the following ordinances and setting May 2, 2005, as the date of public hearing on these ordinances:

- *5a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

Prohibiting Left Turns From Driveways: 10-3-15 (C)

The west side of Mountain Road between 7:00 am and 3:00 pm on school days from the driveway with centerline approximately 225 feet south of Dover Street (east of Signal Butte Road and north of University Drive, Council District 5).

No Parking: 10-3-24 (D) (Full Time No Parking)

On the east side of 32nd Street from Broadway Road to a point 263 feet south of Broadway Road and on the west side of 32nd Street from Broadway Road to a point 175 feet south of Broadway Road (32nd Street south of Broadway Road, Council District 2).

- *5b. Amending Section 11-15-2 of the Zoning Ordinance (Title 11 of the Mesa City Code) pertaining to building, parking, drive aisle and landscape setbacks adjacent to arterial streets.

P&Z Recommendation: Approval. (Vote: Passed 6-0-1, Boardmember Carpenter abstaining)

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- *5c. **Z05-31 (District 6)** 5416 East Baseline Road.
Located north and east of Baseline Road and Higley Road
(4.4 ac). Council Use Permit. This request is to allow an
Everest College to operate in an existing building zoned C-1.
Kurt Waltz, Diessner Development Company, owner; Ralph
Pew, Pew and Lake, PLC, applicant.

P&Z Recommendation: Approval. (Vote: Passed on
consent)

- *5d. **Z05-32 (District 1)** 2711 N. Horne. Located north
and east of McKellips Road and Horne Road (3.19 ac.).
Rezone from R1-43 to R1-43 PAD and Site Plan Review.
This case is to allow for a 3-lot residential subdivision.
Marlin Porter, owner/ applicant.

P&Z Recommendation: Approval. (Vote: Passed on
consent)

- *5e. **Z05-33 (District 6)** The 9200 block of East Southern
Avenue (south side) and the 1200 block of South Ellsworth
Road (east side). Located south of Southern Avenue and
east of Ellsworth Road (20.83 ac.). Site Plan Modification.
This case is to allow for a Lowe's home improvement store
with commercial pads. Ray Downs, owner; Don Andrews,
applicant. Also consider the preliminary plat.

P&Z Recommendation: Approval. (Vote: Passed on
consent)

- *5f. **Z05-34 (District 3)** 2950 South Alma School Road.
Located south and west of Alma School Road and
Guadalupe Roads (1.63 ac). Site Plan Modification.
Development of a Dairy Queen restaurant and pad building.
SWC Guadalupe and Alma School Road Ltd Partnership
(Gary Davidson), owners; Paul Gilbert, applicant. **LEGAL
PROTEST FILED. ¾ VOTE REQUIRED.**

P&Z Recommendation: Approval. (Vote: Passed 5-1-1,
Boardmember Esparza voting nay, Saemisch abstaining)

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- *5g. **Z05-35 (District 1)** The 3000 Block of East McKellips Road. Located south and east of McKellips Road and Lindsay Road (3.7 ac). Site Plan Modification. This request is to allow development of a restaurant building. Wayne Wyatt, owner; Chris Neal, Neptune Design Group, applicant.

P&Z Recommendation: Approval. (Vote: Passed on consent)

- *5h. **Z05-36 (District 1)** The 1200 to 1300 block of East McKellips Road (south side) and the 1800 to 1900 block of North Stapley Drive (east side). Located south and east of McKellips Road and Stapley Drive (10.25 ac). Site Plan Modification. This request to development commercial retail buildings. Ryan Gaston, Barclay Group, owner; Martin Flood, applicant. Also consider the preliminary plat "Fry's Shopping Center at Stapley & McKellips".

P&Z Recommendation: Approval. (Vote: Passed on consent)

- *5i. **Z05-37 (District 5)** The 3700 block of East McLellan Road (north side). Located south and east of McKellips Road and Val Vista Drive (22.64 ac). Rezone from R1-35 to R1-35 PAD and Site Plan Review. This request is to allow for the development of a gated single-residence subdivision. Jeff Blandford, owner/applicant. Also consider the preliminary plat.

P&Z Recommendation: Approval. (Vote: Passed 6-0-1, Boardmember Mizner absent for the vote)

- *5j. **Z05-38 (District 5)**The 4200 to 4400 Block of East Brown Road (north side). Located west and north of Greenfield Road and Brown Road (3.3 ac). Site Plan Modification. This request is to allow development of three office buildings. David Gillette, FCF UTAH, LLC and Dr. Douglas A. Bobb, Legacy Investments, L.L.C., owner; Allen Willis, Amberwood Homes, applicant. Also consider the preliminary plat for "Amberwood Homes".

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P&Z Recommendation: Approval. (Vote: Passed on consent)

- *5k. **Z05-39 (District 6)** Properties located between the Signal Butte Road alignment and Mountain Road, and between the Galveston Road alignment and 1320' north of Warner Road (558± ac). Rezone from R1-43 to R1-6 (conceptual R-2 and PF), R1-6 PAD, R1-7 PAD, and R-2 PAD all within the Mountain Horizons Development Master Plan. This request is to allow the development of a residential master planned community. Pulte Homes (Tim Loughrin), owner; Sean Lake, Pew & Lake, PLC, applicant. Also consider the preliminary plat.

P&Z Recommendation: Approval. (Vote: Passed 7-0)

- *5l. **Z05-40 (District 6)** The 4700 to 4800 block of East Baseline Road (north side). Located north and west of Baseline Road and Higley Road (12 ac). Rezone from AG to PEP PAD and Site Plan Review. This request is to allow for the development of an industrial office complex. Frank Richards, owner; Steve Nevala – Cawley Architects, applicant. Also consider the preliminary plat "Pierpont Business Court".

P&Z Recommendation: Approval. (Vote: Passed on consent)

- *5m. **Z05-23 (District 1)** 851 E. Main Street. Located south and west of Main Street and Stapley Road (1± ac.). Council Use Permit. This request is to allow a day labor business. Ron Walters, owner; David Naja (Able Body Labor), applicant.

P&Z Recommendation: Denial. (Vote: Passed 6-1, Boardmember Carpenter voting nay)

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6. Consider the following resolutions:

- *6a. Setting May 16, 2005 as the Public Hearing date on the proposed final assessments for the Mesa Town Center Improvement District No. 228.

This district was established to provide enhanced municipal services for the Town Center.

- *6b. Authorizing the City Manager or his designee to execute the purchase agreement and all documents necessary for the sale of City property at 615 and 627 East University Drive to Word of Grace Ministries.

7. Consider the following the ordinances:

- 7a. Amending Title 5, Chapter 17, Table 5, of the Mesa City Code relating to Cultural Facility Development Impact Fees.

- *7b. **A04-17 (District 6)** Annexing the SWC of Ellsworth Road and E. Florian Ave. (3.37±acres). Initiated by the property owners (list of property owners attached).

- 7c. **Z03-64 (District 3)** Northwest corner of Sycamore and Main Street (14.46 ac.). Rezone from C-2 and C-3 to C-2 BIZ and C-3 BIZ and Site Plan Modification. This request is for the development of a bus/light rail transfer lot and park-and-ride facility to serve the Mesa light rail station and to reserve a site for future Transit Oriented Development (TOD). Judith A. Klein, Rising Sun, LLC., owner; Jeff Martin, City of Mesa, applicant. **CONTINUED FROM THE MAY 3, 2004, MAY 17, 2004, JUNE 7, 2004, JULY 6, 2004, AUGUST 16, 2004, SEPTEMBER 7, 2004, OCTOBER 4, 2004, DECEMBER 6, 2004, AND FEBRUARY 7, 2005 CITY COUNCIL MEETINGS. THE APPLICANT IS REQUESTING THIS CASE BE CONTINUED TO THE MAY 16, 2005 CITY COUNCIL MEETING.**

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

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1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted.
 2. All street improvements and perimeter landscaping to be installed in the first phase of construction.
 3. 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.
 4. Compliance with all City development codes and regulations.
 5. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
 6. Compliance with all requirements of the Design Review Board.
 7. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans.
 8. Transit oriented development is encouraged for the 3.67 acre lot.
8. Items from citizens present. (Maximum of three speakers for three minutes per speaker).