

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, March 15, 2004, 5:45 P.M.

Invocation by Associate Pastor, Gene Maples, Broadway Christian Church.

Pledge of Allegiance.

Mayor's Welcome.

1. Consider all consent agenda items.
Councilmember Griswold moved to approve, seconded by Vice Mayor Kavanaugh; motion approved 7-0.
2. Approval of minutes of previous meetings as written.
Approved on consent.
3. Consider the following liquor license applications:
 - a. MELISSA GAYLE PULSON, PRESIDENT
Special Event License application of Melissa Gayle Poulson, President, Las Sendas Elementary PTO, a one-day charitable event to be held Friday, April 23, 2004 from 7:00 p.m. to 10:00 p.m. at 7900 East Eagle Crest Drive (Las Sendas Trailhead Club). District #5.
Approved on consent.
 - b. RUBEN RUIZ, AGENT
Person Transfer Beer and Wine Bar License for Villa del Sol Mexican Food, 1340 S. Country Club Drive. This is an existing business. This is a person transfer from Manuel D. Armenta, Etal, Armenta's Mexican Food, 1340 S. Country Club Drive. This license will transfer to the applicant. District #3.
Approved on consent.
 - c. KYE SUN CHANG, INDIVIDUAL
New Beer and Wine Store License for Asiana Market, 1116 S. Dobson Road, Suite 117. This is an existing building. No previous liquor licenses at this location. District #3.
Approved on consent.
 - d. SHAHID HANIF, AGENT
New Beer and Wine Store License for Salt & Pepper, 2333 W. Broadway Road, Suite 1. This is an existing business.

The Beer and Wine Store License currently held at this location by Mahesh C. Patel, Agent, Krupalu Corporation, will revert back to the State. District #3.

Approved on consent.

- e. RANDY D. NATIONS, AGENT
New Beer and Wine Store License for Sprouts Farmers Market, 1933 E. Brown Road. This is an existing building. No previous liquor licenses at this location. District #2.
Vice Mayor Kavanaugh moved to approve, seconded by Councilmember Jones; motion approved 6-0 with Councilmember Griswold abstaining due to a conflict of interest.

 - f. ROBERT T. CAREY, AGENT
New Restaurant License for Uncle Bears Grill and Bar, 9053 E. Baseline Road, Suite 101-103. This is new construction. No previous liquor licenses at this location. District #6.
Approved on consent.

 - g. KAREN L. GRUNWALK, CHAIRMAN
Special Event License application of Karen L. Grunwalk, Chairman, St. Bridget Church, a one-day religious event to be held Sunday, March 28, 2004 from 4:00 p.m. to 7:00 p.m. at 2213 N. Lindsay Road, St. Bridget Church. District #5.
Approved on consent.
4. Consider the following Bingo application:
- a. Sunland Springs Village – CLASS B
William P. Reisenauer, Manager
11214 E. Laguna Azul Circle
Mesa, AZ 85212
District #6
Approved on consent.
5. Consider the following contracts:
- a. Claims Management System for the City Attorney's Office and Workers' Compensation as requested by the Information Services Division (ISD).
The City Council is requested to approve the purchase of a Claims Management System, including associated project reserves, and system hardware and software, as recommended. Proposals were obtained by the Purchasing

Division and evaluated by the City Attorney's Office, Workers' Compensation Unit, and the Information Services Division.

The Purchasing Division endorses the Evaluation Team's recommendation to accept the proposal from Computer Sciences Corporation (CSC) for an amount not to exceed \$236,978.00. The CSC proposal received a score of 1,065 points (85.2% of the maximum). The Purchasing Division further recommends approving:

\$31,609.98 for server hardware using the City's Intergovernmental Agreement with the State of Arizona to utilize the Western States Contracting Alliance contracts with Hewlett Packard, including tax; and, \$30,758.85 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 \$299,347.32.

Approved on consent.

- b. One-year renewal of the supply contract for office supplies, toner cartridges and copier paper used by all City departments.
The Purchasing Division recommends exercising a one-year renewal of the US Communities Government Purchasing Alliance contract with Office Depot for annual purchases estimated at \$950,000.00.
Approved on consent.

- c. Two-year renewal of the publication and distribution of the TimeOut magazine as requested by the Community Services Department.
The Purchasing Division recommends exercising the two-year renewal option with the original low bid by Tribune Newspapers for annual expenses estimated at \$49,000.00 based on three issues per year.
Approved on consent.

- d. Two-year renewal of the supply contract for traffic control signs as requested by the Transportation Division.
The Purchasing Division recommends exercising the two-year renewal with the original low bidders as follows: Section I and Section IIB to Custom Products Corp. at \$66,803.94; and Section IIA to Rocal Inc. at \$62,975.46. The combined award is then \$129,779.40 based on estimated annual requirements.

Approved on consent.

- e. “Ruggedized” Notebook Computers for the Utility Locating Division, as requested by the Information Services Division. The Purchasing Division recommends authorizing purchase from the State of Arizona contract with CLH International, Inc. for a total of \$56,352.53.

Approved on consent.

- f. Six new workstations and six reconfigured workstations for Building Safety as requested by Development Services. The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Goodman’s, Inc. at \$22,674.64 including design, installation, delivery and applicable sales tax.

Approved on consent.

- g. Mesa City Plaza 1st Floor Remodel. City of Mesa Project No. 02-415-001.
This project will remodel the existing first floor of the old bank area of the City Plaza Building for new office space for the Planning Division. This will allow the Building Safety Division to expand into the space where Planning staff vacated in a future phase of the remodeling project. Recommend award to low bidder, SDB, Inc., in the amount of \$49,598.00 plus an additional \$4,959.80 (10% allowance for change orders) for a total award of \$54,557.80.

Approved on consent.

- h. Mesa Arts Center. City of Mesa Project No. 99-70. Ratification to increase the contract amount of Project No. 99-70 and 01-124 in the amount of \$540,000.00 to pay for the adding of the mechanical equipment and piping for the water features in the project. The current contract amount with the approved allowance is \$76,092,476.90. The new contract amount with this increase would be \$76,632,476.90

Vice Mayor Kavanaugh moved to approve, seconded by Councilmember Jones; motion approved 6-1 with Councilmember Thom voting against.

- 6. Introduction of the following ordinances and setting April 5, 2004, as the date of public hearing on these ordinances:
 - a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

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

The east and west side of Power Road from driveways with centerlines approximately 620 feet north of McKellips Road. (Power Road north of McKellips Road)

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

On the south side of Enid Avenue from Sunnyvale to a point 95 feet west of Sunnyvale. (north of Southern Avenue and east of Higley Road)

On the west side of 54th Street from Sunnyvale to a point 50 feet south of Sunnyvale. (north of Southern Avenue and east of Higley Road)

The east side of Pasadena from McLellan Road to Jasmine Street. (Remove Prohibition) (south of McKellips Road and east of Center Street)

The west side of Pasadena from McLellan Road to Jacaranda Street. (Remove Prohibition) (south of McKellips Road and east of Center Street)

No Parking: 10-3-24 (F 2) (No Parking, School Days, 7:00 am – 4:00 p.m.)

On the south side of McLellan Road from Pasadena to a point 140 feet west of Pasadena. (south of McKellips Road and east of Center Street)

On the west side of Pasadena from McLellan Road to a point 122 feet north of McLellan Road. (south of McKellips Road and east of Center Street)

On the east side of Pasadena from McLellan Road to a point 145 feet north of McLellan Road. (south of McKellips Road and east of Center Street)

Approved on consent.

- b. Repealing the existing Personnel Rules applicable to City of Mesa Employees and adopting by reference new Personnel Rules.

Vice Mayor Kavanaugh moved to approve, seconded by Councilmember Thom; motion approved 6-0 with Councilmember Griswold abstaining due to a conflict of interest.

- c. **Z03-66 (District 2):** The 2500 block of East Southern Avenue (north side) Located north and west of Southern and Lindsay (1.26± ac.). Rezone from R1-43 to O-S. This request is for the development of a medical office building. S.L.A.M. (Drs. Thomas Sulton, Cynthia Lowe, James Anderson, and Richard Merkley), owner; Marty Fifer, applicant.

Approved on consent.

- d. **Z04-05 (District 6):** 517 South Higley Road. Located south of Broadway Road and east of Higley Road (12.69± ac.). Rezone from AG to R1-6 PAD. This request is for the development of a single residence subdivision. Donald R. Allison, Monogram Development Services, L.L.C., owner/applicant.
Councilmember Whalen moved to approve, seconded by Councilmember Thom; motion approved 7-0.
- e. **Z04-11 (District 6):** 5416 and 5424 East Southern Avenue (3.4± ac.). Located north of Southern Avenue and east of Higley Road. Rezone from O-S to O-S PAD. This case involves rezoning to facilitate condominium ownership on an existing building. David Rothberg (Manager), owner; Clare Abel, applicant.
Approved on consent.
- f. **Z04-12 (District 5):** 2835 North Power Road. Located north of McDowell Road and East of Power Road (3.9± ac.). Rezone from C-2 DMP to C-2 PAD DMP. This request is for the development of office condominiums within an approved center. Sam Sprague/Power and McDowell Associates, LLC, owner and applicant.
Approved on consent.
- g. **Z04-13 (District 6):** West of the southwest corner of Southern Avenue and Ellsworth Road. (3.27± ac.) Rezone from AG to C-2. This request is for the development of an auto service building. Russell Scaramella, owner; Vince Dalke, V.P. Archicon L.C., applicant.
Approved on consent.
- h. **Z04-14 (District 2):** 1102 North Val Vista Drive. Located south of Brown Road and west of Val Vista Drive (0.36± ac.). Rezone from O-S to R1-9. This request is for the development of a single residence lot. Tydam LLC; Tyson M. Tibshraeny, owner; Ray W. Syder, Ray Quality Homes, Inc., applicant.
Approved on consent.
- i. **Z04-15 (District 6):** Southeast corner of Southern Avenue and Higley Road (13.39± ac.). Site Plan Review. This

request is for the development of a commercial shopping center. Richard F. Cavanaugh, Southern and Higley Realty Partners, LLC, owner; Nick Wood and Reese Anderson, Snell and Wilmer, applicants.

Approved on consent.

- j. **Z04-16 (District 6):** 5800 E. Still Circle. Located north of Baseline Road and west of Recker Road (9.15± ac.). Site Plan Review of PEP, PAD parcel. This case involves the development of a medical office complex as part of the Arizona Health and Technology Park. A.T. Still University, owner; Tim Becker, Alter Group, applicant.
Approved on consent.

- k. **Z04-17 (District 5):** The northeast corner of North Sossaman Road and East Willetta Street. South and East of Sossaman and McDowell (2.86± ac.). Rezone from Maricopa County R1-35 to City of Mesa R1-35. This case involves the establishment of City zoning on recently annexed property. Aaron David Smith, owner; City of Mesa, applicant.
Approved on consent.

- l. **Z04-18 (District 6):** The northwest corner of South Signal Butte Road and East Pecos Road. (36.37± ac.). Rezone from Maricopa County Rural 43 to City of Mesa R1-43. This case involves the establishment of City zoning on recently annexed property. Clark Fox, David Jarvis, owners; City of Mesa, applicant.
Approved on consent.

- m. **Z04-19 (District 5):** Area south of East Hermosa Vista Drive to East McKellips Roads, and west of North Sossaman Road to the Central Arizona Project Canal. (150.2± ac.). Rezone from Maricopa County R1-35 and R-18 to City of Mesa R1-35 and R-15. This case involves the establishment of City zoning on recently annexed property. Various owners (see list of owners in the packet); City of Mesa, applicant.
Approved on consent.

- n. **Z04-20 (District 5):** Certain properties south of University Dr. and east of Crismon Rd. between N. 101st Cir. and 102nd St. (2.4± ac.). Rezone from Maricopa County R1-8 to City of Mesa R1-9. This case involves the establishment of City

zoning on recently annexed property. D.B. / Billie A. Chamberlin, owners; City of Mesa, applicant.

Approved on consent.

- o. **Z04-21 (District 5):** Areas on the east and west sides of Ellsworth Road north of Main Street. (38± ac.). Rezone from Maricopa County R1-8, R-2 RUPD, R-5, C-2, and C-3 to City of Mesa R1-9, R1-6 PAD, and C-2. This case involves the establishment of City zoning on recently annexed property. Various owners (see list of owners in the packet); City of Mesa, applicant.

Approved on consent.

- p. **Z04-22 (District 5):** The 6000 – 6200 block of East McKellips Road (north side) and the 6200 – 6400 block of East Hermosa Vista Drive (south side). Located north of McKellips Road and east of Recker Road (47± ac.). Rezone from R1-6 DMP and R-4 PAD-DMP to R1-6 PAD-DMP; also Modification of a Development Master Plan. This case involves the development of a residential community. Shelby Futch, owner; Ray Mehan, Mehan Construction, and Shelby Futch, applicants.

Approved on consent.

- q. **Z04-03 (District 6):** South and east of the southeast corner of Power Road and Elliott Road (20.5± ac.). Rezone from R-3 to C-3 within an approved DMP. This request is to bring zoning into conformance with Mesa 2025 General Plan per City Council direction. Farnam Realty Inc., owner; Wayne Balmer, Project Manager WGAA, applicant.

Approved on consent.

- r. Relating to the Privilege License Tax; adopting “The 2003 Amendments to the Tax Code of the City of Mesa” by reference; establishing an effective date; providing for severability and providing penalties for violations.

Approved on consent.

7. Consider the following resolutions:

- a. Approving the appointment of Terry Williams as the City of Mesa’s Building Official.

Approved on consent.

- b. Authorizing the City to purchase vehicles from the State of

Arizona contracts and making the determination that for 2004 the City of Mesa is unable to acquire alternative fuel vehicles at the net cost of no greater than ten percent more than the net costs of conventional fueled vehicles.

These purchases will include 55 vehicles for various departments. 48 vehicles are replacements; 7 are additions to the fleet.

The Purchasing Division recommends the following purchases:

Five Star Ford for items A, B and C at \$495,066.73;

Courtesy Chevrolet for items D, E, F, G and H at

\$198,523.45; and Valley Kawasaki for item I at \$76,307.36.

The combined award is then \$769,897.54.

Approved on consent.

- c. Canvassing, declaring, and adopting the results of the Primary/Special Election held March 9, 2004.

Approved on consent.

7.1. Consider the following recommendation from the Police Committee:

- a. Adopting the addition of Mesa City Code subsection 3-6-3 which would authorize civilian volunteers in police service to issue citations for unauthorized use of Physically Disabled Parking.

Approved on consent.

8. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding ordinance:

- a. **Z03-58 (District 5)** Southwest corner of Recker Road and McDowell Road. (1.56 ac. +) Site Plan Modification. This request is for the development of a Quik Trip convenience store. Quik Trip Corporation; owner/applicant.
(2 ordinances) (CONTINUED FROM THE FEBRUARY 2, 2004 AND FEBRUARY 17, 2004 CITY COUNCIL MEETINGS).

OPTION REFLECTING PLANNING AND ZONING BOARD RECOMMENDATION:

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

- 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, building count, lot coverage) except as noted below.

2. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, 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. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the variance outlined in the staff report.
6. Review and approval of a Special Use Permit by the Board of Adjustment for gas pumps.
7. 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.
8. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.
9. Finished floor elevation not to exceed 2-foot variation in height measured from lowest point of the centerline of alley along the west property line.

OPTION PROPOSED BY THE APPLICANT: (Stipulation #9, above, is not included in this option)

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, building count, lot coverage) except as noted below.
2. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, 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. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the variance outlined in the staff report.
6. Review and approval of a Special Use Permit by the Board of Adjustment for gas pumps.
7. 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.
8. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

Approved on consent the option proposed by the applicant which does not include stipulation #9.

9. Items from citizens present. (Maximum of three speakers for three minutes per speaker).
There were no speakers.