

CITY COUNCIL AGENDA
COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, November 17, 2003

5:45 P.M.

Invocation by Dr. James E. Adams, Cornerstone Church.

Pledge of Allegiance.

Mayor's Welcome.

Presentation from the Mesa Public Safety Foundation.

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 Major General Plan Amendment:
 - a. **GPMajor03-01- (District 6)** Proposed General Plan Land Use Amendment: Medium Density Residential 2-4 (2-4 du/ac), Mixed Use/Residential (30% at 15+ du/ac) and Neighborhood Commercial for the area between Ellsworth and Signal Butte Roads, from Elliot Road north to the Power Transmission Lines (583± ac). **THE APPLICANT HAS REQUESTED THIS CASE BE CONTINUED TO THE DECEMBER 15, 2003 CITY COUNCIL MEETING. (2/3 VOTE REQUIRED)**

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

4. Conduct a public hearing concerning the Thomas and Recker Rd Scalloped Street Assessments Project #00-086.

This project installed street improvements along portions of Thomas Road from 56th Street to Recker Road and along Recker Road from Thomas Road to Preston Street. (See item no. 9d)

A portion of the project costs has been assessed to the adjacent property owners under the Scalloped Street Assessment Laws.

5. Conduct a public hearing on the McDowell and Recker Road Scalloped Street Assessments Project #01-005.

This project installed street improvements along portions of McDowell Road from Higley to Power Road and along Recker Road from McDowell Road to Preston Street. (See item no. 9e)

A portion of the project costs has been assessed to the adjacent property owners under the Scalloped Street Assessment Laws.

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6. Consider the following liquor license applications:

*a. JAMES CHARLES WENHART, CHAIRMAN

Special Event License application of James Charles Wenhart, Chairman, Mesa Jaycees, a one-day civic event to be held Friday, December 5, 2003, from 5:00 p.m. to 1:00 a.m., at 260 W. Main Street.

*b. CHARLES E. BACKUS, AGENT

New Government License for Williams Campus Union of AZ State University East, 7001 E. Williams Field Road. This is an existing building. No previous liquor licenses at this location.

c. MATTHEW K. SHREEVE, AGENT

Person and Location Transfer License for Main Street Sports Grill, 260 W. Main Street. This is an existing business. This is a Person & Location transfer from Delores De La Cruz, Individual, Bricks at 2401 N. 32nd St., Ste. 1-3, Phoenix. This license will transfer to the applicant.

*d. COLIN CAMPBELL, AGENT

New Restaurant License for Lucky Lou's, 1929 N. Power Road, Suite 104 & 105. This is an existing building. No previous liquor licenses at this location.

7. Consider the following contracts:

*a. Ballistic/riot helmets as requested by the Police Department.

The Purchasing Division recommends accepting the low bid by Adamson Ind. at \$50,924.54 including applicable sales tax.

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- *b. Queue Management System for the Mesa City Court as requested by the Information Services Division (ISD).

The Purchasing Division recommends accepting the only proposal from Q-MATIC Corporation, for a total of \$41,777.00, including applicable sales tax (**Sole Source**). This item is fully grant funded by a grant from the Arizona Supreme Court).

- c. Baseline Road 30-inch Water Line, Ellsworth to Crismon, City of Mesa Project 01-937-001.

This project will create a more reliable water distribution system by extending the transmission main in the Desert Wells Water Zone into this area. The extension will install nearly 4,500 feet of 30-inch waterline and short lengths of 8-inch and 16-inch waterline to tie to the existing system.

Recommend award to low bidder, Bison contracting Company, in the amount of \$626,555.00 plus an additional \$62,655.50 (10% allowance for change orders) for a total award of \$689,210.50.

- d. Water Line Replacement, Southern Avenue and Harris Drive Area, City of Mesa Project 01-573-001.

This project replaces nearly 10,600 feet of 8-inch waterline and 170 water service connections to improve water system reliability in the neighborhood bounded by Southern Avenue, Harris Drive, US60 and Hall Street.

Recommend award to low bidder, B&F Contracting, in the amount of \$629,385.20 plus an additional \$62,938.52 (10% allowance for change orders) for a total award of \$692,323.72.

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- e. 16-inch Water Line; Broadway Road, Crismon Road to the CAP Canal, and Southern Avenue, 105th Place to Signal Butte Road, City of Mesa Project 01-938-001.

This project will create a more reliable water distribution system by completing gaps in two distribution mains in the Desert Wells Water Zone.

Recommend award to low bidder, Arizona Valley Underground, in the amount of \$234,936.50 plus an additional \$23,493.65 (10% allowance for change orders) for a total award of \$258,430.15.

- 8. Introduction of the following ordinances and setting December 1, 2003, as the date of public hearing on these ordinances:
 - *a. **Z03-50 (District 6)** 9355 East Southern Avenue, south and east of Southern Avenue and Ellsworth Road. 36.1± ac. Rezone from M-1 to R-2 PAD. This request is for the development of a residential subdivision. Will Cardon, owner; Sean Lake, Pew & Lake, P.L.C., applicant.
 - *b. **Z03-51 (District 5)** 6063 East Arbor Avenue, south and east of Main Street and Recker Road. (1.6 ac. ±) Rezone from C-3 to R-4 and Site Plan Modification. This request is for the expansion of an existing assisted living facility. Arbor Rose LLC, owner; Ron Genenbacher, Arbor Rose LLC, applicant.
- 9. Consider the following resolutions:
 - a. Consider the use of eminent domain to acquire rights-of-way for bus pullouts and shelters. Project Nos. 00-46 and 00-46.2.

Clear property title to four bus shelter and pullout locations is necessary for the City of Mesa to complete this project.

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- *b. Extinguishing a portion of a Public Utilities Easement at 101 East Ingram Street in the Pleasant Homes Subdivision Unit II.

This portion of the easement is no longer required.

- *c. Granting an Easement to Salt River Project in the 10100 to 10400 blocks of East Southern Avenue.

This easement is necessary to replace the existing easement that Consider the following subdivision plat:

- d. Approving the final Scalloped Street Assessments for Thomas and Recker Rd Scalloped Street Assessment Project #00-086.

This project installed street improvements along portions of Thomas Road from 56th Street to Recker Road and along Recker Road from Thomas Rd to Preston St. A portion of the project costs has been assessed to the adjacent property owners under the Scalloped Street Assessment Laws.

- e. Approving the final Scalloped Street Assessments for McDowell and Recker Rd Scalloped Street Assessment Project #01-005.

This project installed street improvements along portions of McDowell Rd from Higley to Power Rd and along Recker Rd from McDowell Rd to Preston St. A portion of the improvement costs has been assessed to the adjacent property owners under the Scalloped Street Assessment Laws.

- *f. Approving and authorizing the City Manager to execute a Development Agreement for City Share Reimbursement between the First Assembly of God Church of Mesa, Inc. and the City of Mesa for regional improvements that are being constructed in conjunction with the development of a new Mesa Assembly of God Church located at 1303 South Lindsay Road.

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- *g. Approving and authorizing the City Manager to execute a Development Agreement for City Share Reimbursement between Julio Gonzalez and Linda M Gonzalez and the City of Mesa for regional improvements that are being constructed in conjunction with the development of the Cambridge Academy located at 9412 East Brown Road.
- h. Approving and authorizing the City Manager to execute an agreement between the City of Mesa and the Mesa Unified School District Number 4, for the disbursement of Indian gaming revenues received by the City of Mesa to assist Mesa Public Schools in providing after-school and weekend recreational activities.
- *i. Extinguishing two drainage easements at 6242 East Arbor Avenue.

These easements are no longer needed.
- *j. Extinguishing a Public Utility Easement at 2918 South Alma School Road.

New easements have been granted, making this easement not longer necessary.
- *k. Authorizing the sale of City property to Hazel W. Swartz Family Trust.

This is excess City-owned property located at 146 West Main Street.
- *l. Authorizing the sale of City property to D. R. Horton.

This is excess City-owned property located west of the southwest corner of Greenfield Road and Southern Avenue.

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10. Consider the following recommendations from the Transportation Committee:
 - *a. Approving Alternative B as the preferred future alignment for Ray Road, that the City proceed with a survey of the properties where future right-of-way will be needed (Alternative Two).
 - b. Approving Alternative One in which the City would fund staff time and neighborhoods would pay data collection and construction costs in connection with construction of neighborhood speed humps.

11. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding Ordinances:
 - a. **Z03-12 – (District 5)** The 4400 block of East McLellan Road (south side), south to East Hannibal, north and east of Greenfield and Brown Roads (2.02 ac±). Rezone from R-3 to R-3 P.A.D. This case involves the development of an apartment complex. John Bellerose, owner/applicant. **3/4 VOTE REQUIRED. CONTINUED FROM THE OCTOBER 13, 2003 CITY COUNCIL MEETING.**

P&Z Recommendation: Denial (Vote: 7-0)

 - b. **Z03-38 – (District 6)** The 3800 block of South Power Road (eastside) and the 6900 block of East Elliot Road (southside) (20.63 ac.±). Site Plan Review. This case involves development of an apartment complex. Farnham Realty, Inc., owner; Sean Lake, Pew & Lake, PLC, applicant. **CONTINUED FROM THE OCTOBER 13, 2003 CITY COUNCIL MEETING. THE APPLICANT HAS REQUESTED THIS CASE BE CONTINUED TO THE DECEMBER 1, 2003 CITY COUNCIL MEETING**

P&Z Recommendation: Denial (Vote: 5-2 Carpenter, Esparza voting nay)

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12. Consider the following subdivision plats:
 - *a. "MAP OF DEDICATION FOR SAN MIGUEL APARTMENTS", – **(Council District 6)** – 8800-8900 blocks of East Guadalupe Road (south side) located south and west of Guadalupe and Ellsworth Roads. San Miguel Apartments, L.P., Roberto C. Ruiz, Manager, owner; Landmark Engineering Inc., engineer.
 - *b. "ARBOR MEDICAL CENTER, A CONDOMINIUM", – **(Council District 5)** – 6242 East Arbor Avenue (north side) located north and east of Main Street and Recker Road. 5 C-1 PAD office condominium buildings (2.38 ac) Arbor Medical Center, L.L.C., Michael Hamberlin, Managing Partner, owner; Brooks Engineers & Surveyors, Inc., engineer.
13. Items from citizens present. (Maximum of three speakers for three minutes per speaker).