

## **CITY COUNCIL AGENDA**

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

Monday, January 8, 2007  
5:45 P.M.

Invocation by Dr. Brant D. Baker, First Presbyterian Church.

Pledge of Allegiance.

Mayor's Welcome.

Mayor's State of the City address.

Presentation of Exceptional Customer Service Award.

### **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.

***(Members of the Mesa City Council will attend either in person or by telephone conference call)***

MESA CITY COUNCIL  
January 8, 2007  
Page 2

1. Take action on all consent agenda items.
- \*2. Approval of minutes of previous meetings as written.
3. Conduct a public hearing prior to release the petition for signatures for the following proposed annexation:
  - 3a. **A06-29 (District 5)** Annexing land located on University Drive west of Power Road (7.9 ± ac). Initiated by Bill Duff, representing the property owner.
4. Take action on the following liquor license applications:
  - \*4a. Arizona Craft Brewer's Guild

This is a one-day charitable event to be held on Saturday, February 17, 2007 from 1:00 P.M. to 6:00 P.M. at Mesa Centennial Center, 201 N. Center Street. (District #4)
  - \*4b. Praise Fellowship

This is a one-day religious event to be held on Sunday, February 4, 2007 from 10:00 A.M. to 10:00 P.M. at Long Wong's, 1455 S. Stapley Drive, Suite 23-24. (District #4)
  - \*4c. Organizacion Maya Guatemalteca

This is a one-day civic event to be held on Saturday, January 13, 2007 from 6:00 P.M. to 1:00 A.M. at 1940 E. Main Street. (District #2)
  - \*4d. Knights of Columbus

This is a one-day fraternal event to be held on Sunday, January 28, 2007 from 4:00 P.M. to 7:00 P.M. at St. Bridget's Catholic Church, 2213 N. Lindsay Road. (District #5)

MESA CITY COUNCIL  
January 8, 2007  
Page 3

\*4e. Swift's Restaurant Bar & Lounge

Person-to-Person & Location Transfer Beer & Wine Bar License for Swift's Restaurant Bar & Lounge, 2655 W. Guadalupe Road, Suite #17, Swift's Restaurant Inc – Applicant, Soncerea Trill Richardson – Agent. The previous restaurant license held at this location by String Chemistry Café will revert back to the State. (District #3)

Beer & Wine Bar License provides ability to purchase beer & wine in original container for consumption on or off the premises.

\*4f. Target #0639

New Beer & Wine Store for Target #0639, 1525 S. Power Road, Target Corporation – Applicant, John Edward Schlieper – Agent. This is an existing business with no previous liquor license at this location. (District #6)

\*4g. Bonefish Grill #6301

New Restaurant License for Bonefish Grill #6301, 6538 E. Superstition Springs Blvd, Bonefish Desert Ridge Limited Partnership #1 – Applicant, Amy S. Nations – Agent. This is new construction with no previous liquor license at this location. (District #6)

\*4h. Down Younder Way

New Restaurant License for Down Younder Way, 6915 E. University Drive, Down Younder Way LLC – Applicant, Donald Eugene Nace – Agent. The previous Restaurant License for SG Brothers Partnership closed on 01/21/2005. (District #5)

\*4i. Swift's Restaurant Bar & Lounge

New Restaurant License for Swift's Restaurant Bar & Lounge, 2655 W. Guadalupe Road, Suite #17, Swift's Restaurant Inc – Applicant, Soncerea Trill Richardson – Agent. The previous restaurant license held at this location

MESA CITY COUNCIL  
January 8, 2007  
Page 4

by String Chemistry Café will revert back to the State.  
(District #3)

Restaurant License provides for consumption on premises only. This license will run in conjunction with the Beer & Wine Bar License.

5. Take action on the following contracts:

- \*5a. Eleven (11) Automated Side Loading Refuse Trucks (Ten Replacement and One Addition to the Fleet) as requested by the Solid Waste Department.

The Procurement Services Department recommends accepting the low bid by Freightliner Sterling Western Star of Arizona at \$2,643,077.05, including desired options, extended warranties and applicable sales tax.

- \*5b. Three-year Supply Contract for Asphalt Materials as requested by the Transportation Department.

The Procurement Services Department recommends awarding primary and secondary contracts to the lowest responsive, responsible bidders, Vulcan Materials Company in the amount of \$571,740.90, and Mesa Materials in the amount of \$47,758.10, for a total of \$619,499.00 annually based on estimated requirements, including applicable sales tax.

- \*5c. Three-Year Supply Contract for Rock and Concrete Materials as requested by the Utilities Department.

The Procurement Services Department recommends awarding primary and secondary contracts to the lowest responsive, responsible bidders as detailed on the attachments to: A&A Materials, Inc., Ft. McDowell Yavapai Materials, Mesa Materials, Pioneer Sand Co., Rock Solid, United Metro Materials (Rinker), and Vulcan Materials, Co. for a total of \$2,089,375.34 annually based on estimated requirements, including applicable sales tax.

MESA CITY COUNCIL  
January 8, 2007  
Page 5

- \*5d. Two Hybrid Gas/Electric Sedans (One Replacement and One Addition) as requested by the Engineering and Financial Services Operations Departments.

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with Larry Miller Toyota at \$48,624.72, including applicable sales tax.

- 5e. Park and Ride No. 1 – Power Road at U.S. 60, City of Mesa Project No. 01-507-001.

This project will construct a new park and ride facility on the north side of U.S. 60 (Superstition Freeway) between Power Road and Superstition Springs Boulevard. Improvements include a paved parking lot, and access connections from Power Road to Superstition Spring Boulevard and to the Superstition Springs Mall. This project will provide a park and ride lot for bus users to access bus routes that run along U.S. 60.

Recommend award to the Low Bidder, Nesbitt Contracting Co., Inc., in the amount of \$3,515,722.20 plus an additional \$351,572.22 (10% allowance for change orders) for a total award of \$3,867,294.42. Funding for this project is available from Federal Transit Administration (FTA) Grant funds (\$2,162,572.00), Quality of Life Sales Tax funds (\$540,645.00), and Highway User Revenue Fund (HURF) Bond funds (\$1,164,077.42).

- 6. Introduction of the following ordinances and setting January 22, 2007, as the date of the public hearing on these ordinances:

- \*6a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

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

On Bridlewood from Guadalupe Road to a point 275 feet south of Guadalupe Road (south of Guadalupe Road and east of Sossaman Road, Council District 6).

MESA CITY COUNCIL  
January 8, 2007  
Page 6

On Indigo Street from 48<sup>th</sup> Street to a point 925 feet east 48<sup>th</sup> Street (street is located within the Mesa Commerce Center east of Greenfield Road and south of McKellips Road, Council District 5).

On Ingram Street from 46<sup>th</sup> Street to 48<sup>th</sup> Street (street is located within the Mesa Commerce Center east of Greenfield Road and south of McKellips Road, Council District 5).

On Ingram Street from 48<sup>th</sup> Street to a point 900 feet east of 48<sup>th</sup> Street (street is located within the Mesa Commerce Center east of Greenfield Road and south of McKellips Road (street is located within the Mesa Commerce Center east of Greenfield Road and south of McKellips Road, Council District 5).

On Ivy Street from a point 330 feet east of Greenfield Road to 48<sup>th</sup> Street (street is located within the Mesa Commerce Center east of Greenfield Road and south of McKellips Road, Council District 5).

On Jasmine Street from 48<sup>th</sup> Street to Rochester (street is located within the Mesa Commerce Center east of Greenfield Road and south of McKellips Road, Council District 5).

On Jensen Street from Parkcrest to 46<sup>th</sup> Street (street is located within the Mesa Commerce Center east of Greenfield Road and south of McKellips Road, Council District 5).

On Julep Street from 48<sup>th</sup> Street to Rochester (street is located within the Mesa Commerce Center east of Greenfield Road and south of McKellips Road, Council District 5).

On Parkcrest from Ivy Street to Jensen Street (street is located within the Mesa Commerce Center east of Greenfield Road and south of McKellips Road, Council District 5).

MESA CITY COUNCIL  
January 8, 2007  
Page 7

On Quail from Ivy Street to Ingram Street (street is located within the Mesa Commerce Center east of Greenfield Road and south of McKellips Road, Council District 5).

On Rochester from Jasmine Street to Julep Street (street is located within the Mesa Commerce Center east of Greenfield Road and south of McKellips Road, Council District 5).

On San Jose from Southern Avenue to a point 220 feet north of Southern Avenue (north of Southern Avenue and west of Dobson Road, Council District 3).

On 46<sup>th</sup> Street from Ivy Street to Jensen Street (street is located within the Mesa Commerce Center east of Greenfield Road and south of McKellips Road, Council District 5).

On 48<sup>th</sup> Street from McKellips Road to Ivy Street (street is located within the Mesa Commerce Center east of Greenfield Road and south of McKellips Road, Council District 5).

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

On Maple from Palm Street to Presidio Street (street is located in the Commons Industrial Park north of McDowell Road and west of Greenfield Road, Council District 5).

On Norfolk from Palm Street to Presidio Street (street is located in the Commons Industrial Park north of McDowell Road and west of Greenfield Road, Council District 5).

On Palm Street from Maple to Norfolk (street is located in the Commons Industrial Park north of McDowell Road and west of Greenfield Road, Council District 5).

On Presidio Street from Maple to Norfolk (street is located in the Commons Industrial Park north of McDowell Road and west of Greenfield Road, Council District 5).

On the east side of 40<sup>th</sup> Street from Presidio Street to a point 78 feet north of Presidio Street (street is located in the

MESA CITY COUNCIL  
January 8, 2007  
Page 8

Commons Industrial Park north of McDowell Road and west of Greenfield Road, Council District 5).

On the west side of 40<sup>th</sup> Street from Presidio Street to a point 108 feet north of Presidio Street (street is located in the Commons Industrial Park north of McDowell Road and west of Greenfield Road, Council District 5).

No Parking: 10-3-24 (F 2) (No Parking between 7:00 am and 4:00 pm, on any day that the public schools of Mesa are in session)

On Abbey from Lomita Avenue to Los Lagos Vista Avenue (south of Baseline Road and east of Crismon Road, Council District 6).

On Lomita Avenue from Abbey to Labelle (south of Baseline Road and east of Crismon Road, Council District 6).

- \*6b. **A06-23 (District 5)** Annexing land located on Sossaman Road north of McDowell Road (1.21 ± ac). Initiated by the property owner, Las Sendas Community Association.
- \*6c. **A06-25 (District 5)** Annexing land located on McKellips Road west of Crismon Road (1.06 ± ac). Initiated by the property owner, Alan Saquella.
- \*6d. **Z06-94 (District 6)** The 7800 to 8000 block of East Pecos Road (south side). Located east of the southeast corner of Pecos and Sossaman Roads (19.11± ac.). Site Plan Review. This request will allow for the development of industrial offices/ warehouses. Roger Buttrum, owner; Michael Hill, applicant.

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

MESA CITY COUNCIL  
January 8, 2007  
Page 9

- \*6e. **Z06-95 (District 6)** The 1200 block of South Crismon Road (east side). Located south and east of Southern Avenue and Crismon Road (2.9± ac.). Site Plan Modification. This request will allow for the development of two commercial buildings. VJ Crismon, LLC – Vance Marshall, owner; Saemisch DiBella Architects, Inc. – Vince DiBella, applicant.

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

- \*6f. **Z06-96 (District 5)** The 3550 block of East McDowell Road (north side). Located at the northwest corner of McDowell Road and Val Vista Drive (1.57± ac.). Rezone from R1-35 to O-S and Site Plan Review. This request will allow for the development office condominiums.

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

- 6g. **Z06-98 (District 1)** The 900 to 1100 blocks of North Dobson Road (west side). Located at the southwest corner of the Loop 202 Red Mountain Freeway and Dobson Road. (32.4± ac.) Rezone from C-3 to C-3 PAD and Site Plan Review. This request will allow the development of three auto dealers and an auto body shop.

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

- \*6h. **Z06-99 (District 5)** The 200 to 300 block of North Power Road (east side). Located south of University Drive on the east side of Power Road (1.94± ac.). Site Plan Review. This request will allow for the development of a car wash.

P&Z Recommendation: Approval with conditions. (Vote: 4-2 with Boardmembers Adams and Mizner nay, Esparza absent)

MESA CITY COUNCIL  
January 8, 2007  
Page 10

7. Take action on the following resolutions:
- \*7a. Implementing various fees and charges for the Fire Department Inspection Program (**Related to Item 8a**).
  - \*7b. Approving and authorizing the City Manager to execute the necessary documents to transfer ownership of 924 N. Country Club Drive to the Marc Center of Mesa as recommended by the Audit and Finance Committee.
  - \*7c. Approving and authorizing the City Manager to execute an Intergovernmental Agreement (IGA) between the Sienna Estates Street Lighting Improvement District and the City of Mesa for the operation and maintenance of street lighting facilities outside of the Mesa City limits. The annual operation and maintenance reimbursement from the District is estimated at \$1,181.76.
  - \*7d. Approving and authorizing the City Manager to execute a Development Agreement for City Share Reimbursement between HG Enterprises, LLC, and the City of Mesa for the reimbursement of \$17,350.25 for regional street and street lighting improvements that are being required by Mesa in conjunction with the proposed residential subdivision known as Tuscany Cove, located at 1613 North 26<sup>th</sup> Street.
  - \*7e. Approving and authorizing the City Manager to execute a Development Agreement for City Share Reimbursement between GS & E, LLC, and the City of Mesa for the reimbursement of \$36,422.00 for street lights and the relocation of a traffic signal being required by Mesa in conjunction with the proposed commercial development known as Citadel Professional Plaza, located at 5151 East Broadway Road.
  - \*7f. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the State of Arizona, Department of Homeland Security (ADOHS) to participate in the Statewide Terrorism Liaison Officer Program.

MESA CITY COUNCIL  
January 8, 2007  
Page 11

\*7g. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the State of Arizona, Department of Homeland Security (ADOHS) to receive \$225,360 in grant funds.

\*7h. Extinguish a Temporary Easement of Ingress/Egress at 10211 East University Drive.

This easement is no longer needed as the phase of the subdivision is complete.

\*7i. Grant a Power Distribution Easement to Salt River Project at 10144 East Elliot Road (City Well Site – Desert Well #16).

This easement is necessary for SRP to provide power to the well site.

\*7j. Vacate right-of-way along East Inverness Drive alignment, west of 48<sup>th</sup> Street.

This right-of-way is no longer necessary as there is no need for a public roadway along this alignment.

\*7k. Approving the Electric Integrated Resource Plan to be submitted to the Western Area Power Administration as recommended by the Utility Committee.

8. 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.

\*8a. Amending Title 7, Chapter 2 of the Mesa City Code adding a Fire Safety Operational Permit to collect the fees associated with the Fire Department's Inspection Program. **(Related to Item 7a).**

\*8b. Amending Title 10, Chapter 3 of the Mesa City Code to establish a thirty-day vehicle impound administrative fee of \$150.00 as recommended by the Audit and Finance Committee.

MESA CITY COUNCIL  
January 8, 2007  
Page 12

9. Take action on the following recommendation from the Audit and Finance Committee:
  - \*9a. Accept the City's Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2006.
10. Take action on the following subdivision plats:
  - \*10a. "CHILD CRISIS CENTER" (**District 4**) 805 North Country Club Drive (east side) located south and east of Brown Road and Country Club Drive. 2 O-S commercial lots (4.17 ac) First Christian Church of Mesa, Rhonda Hensley, moderator/president and Child Crisis Center East Valley, Inc., Christine Scarpati, CEO, owners.
  - \*10b. "GREENFIELD COURT LOT 7 CONDOS" (**District 6**) 1129 South Oakland (east side) located north and west of Southern Avenue and Greenfield Road. 2 O-S PAD office condominium units (0.71 ac) Arizona Gold Properties, David Benson, manager, owner.
  - \*10c. "SANTAN COMMERCE COURT CONDOMINIUMS" (**District 6**) 6859 East Rembrandt Avenue (south side) located north and east of Warner Road and Power Road. 112 M-1 PAD industrial condominium units (3.84 ac) Pierpont San Tan Two, LLC, Franklin D. Richards III, manager, owner.
11. Items from citizens present. (Maximum of three speakers for three minutes per speaker).