

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, October 10, 2005
5:45 P.M.

Invocation by Dr. Brant D. Baker, First Presbyterian 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. Conduct a public hearing on the McLellan Road Scalloped Street Assessment Project No. 04-004-001.

This Project installed street improvements along East McLellan Road from North Val Vista Drive to the east 1,265 feet plus or minus. **(See Agenda Item 8I)**

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4. Consider the following liquor license applications:

*4a. MARLA M. GIARRATANO, DIRECTOR

Special Event Liquor License application for Marla M. Giarratano, Director, United Food Bank, a one-day charitable event to be held on Saturday, November 5, 2005, from 6:00 p.m. to 10:00 p.m. at 358 E. Javelina Ave. District # 4.

*4b. DEBBIE LAN NGUYEN, AGENT

New Beer & Wine Store License for Cobble Stone, 1821 S. Country Club Drive. This is an existing business. The license previously held at this location by Riad F. Khaled, Agent, Texaco Star Mart will revert back to the State. District #4.

*4c. DENNIS LYNN AUSTIN, AGENT

New Beer & Wine Store License for DenMart Convenience Store, 5151 E. McKellips Road. This is an existing business. The license previously held at this location by Cyrus Mohammadzadeh, Agent, Cyrus Higley LLC will revert back to the State. District #5.

*4d. LAUREN KAY MERRETT, AGENT

New Restaurant License for Bullwinkles, 2235 S. Power Road. This is new construction. No previous liquor license at this location. District #6.

*4e. H.J. LEWKOWITZ, AGENT

New Restaurant License for Chipotle Mexican Grill #0717, 1130 W. Grove Avenue, Bldg 1, Ste. 101. This is new construction. No previous liquor license at this location. District #3.

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*4f. SANDRA L. GOMEZ, INDIVIDUAL

New Restaurant License for Mariscos Vamos Con Tavo, 816 S. Stapley Drive. This is an existing business. The license previously held at this location by Yolanda Vidal Araujo, Individual, Mariscos Vamos Con Tavo will revert back to the State. District #4.

*4g. KIMBERLY ANN BUTLER, AGENT

New Restaurant License for Simpleton's, 2639 E. Broadway Road, Ste C105. This is an existing business. The license previously held at this location by Danny Kinnard, Agent, Simpleton's will revert back to the State. District #2.

5. Consider the following contracts:

*5a. Additional purchase of Six Automated Side Loading (ASL) Refuse Trucks for the Solid Waste Division. (Contract 2004178)

The Purchasing Division recommends authorizing an additional purchase option with the original bidder, Cunningham Commercial Vehicles, in the amount of \$1,228,615.38, including extended warranties and applicable sales tax.

*5b. One-year Renewal of Supply Contract for Tires for Warehouse Inventory as requested by the Fleet Support Services Division. (State Contract #AD040531)

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Goodyear Tire & Rubber Company. Purchases will be split between two distributors: Wingfoot Commercial Tire for \$455,395.17 and Purcell's Western States Tire for \$50,599.46 for total annual purchases estimated at \$505,994.63.

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- * 5c. Two-year Renewal of Supply Contract for Traffic Sign Posts for Warehouse Inventory as requested by the Transportation Division. (2002186)

The Purchasing Division recommends authorizing the two-year renewal with Allied Tube & Conduit at \$84,235.95 annually, based on estimated requirements including contingencies and applicable taxes.

- *5d. Two-year Renewal of Supply Contract for Spray Marking Paint for Warehouse Inventory as requested by the Gas Utility Division Utility Locating. (2002172)

The Purchasing Division recommends authorizing the two-year renewal with Griggs Paint of Domcom Ent. at \$35,394.49 annually, based on estimated requirements and including contingencies and applicable sales tax.

- *5e. Three-year Contract for Landscape Maintenance for Parks and Retention Basins, in an area designated as Zone 8, as requested by the Parks and Recreation Division. (2005159)

The Purchasing Division recommends accepting the overall low bid meeting specification by The Groundskeeper at \$317,496.00 annually, based on estimated requirements.

- *5f. Firearms Training Simulator System as requested by the Police Department. (Sole Source)

The Purchasing Division recommends authorizing purchase from IES Interactive Training for \$50,338.55, including options and applicable sales tax. **Grant funds provided by AZPOST.**

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- 5g. 54-inch Reclaimed Waterline, Ocotillo Road to Gila River Indian Community, City of Mesa Project No. 01-923-003. This project will construct the south half of this reclaimed waterline from Ocotillo Road south along Val Vista Road to the Gila River Indian Community (GRIC) inlet structure at the Highline Canal, near the Hunt Highway. Improvements include the installation of 16,350 lineal feet of 54-inch reclaimed water line.

Recommend award to low bidder, Highland Engineering, in the amount of \$5,800,000.00 plus an additional \$580,000.00 (10% allowance for change orders) for a total award of \$6,380,000.00.

- 5h. Desert Sage Zone Waterline, City of Mesa Project No. 01-564-001.

This project will install a new 24-inch waterline from Crismon Road east along Main Street to 104th Street, then south from Main Street along 104th Street to Broadway Road, then east from 104th Street along Broadway Road to Signal Butte Road. This waterline is part of the City's Water Master Plan.

Recommend award to low bidder, Pierson Construction, in the amount of \$2,225,000.00 plus an additional \$222,500.00 (10% allowance for change orders) for a total award of \$2,447,500.00.

6. Introduction of the following ordinances and setting November 7, 2005 as the date of public hearing on these ordinances:

*6a. Moved to Agenda Item 7h.

*6b. **A04-09 (District 6)** Annexing the southeast corner of Elliot and Sossaman Roads. (59.94± acres). Initiated by the property owner (Thomas Dodd).

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7. Introduction of the following ordinances and setting October 24, 2005, as the date of public hearing:

*7a. **Z04-105 (District 6)** The 1600 block of South Signal Butte Road (west side). Located south of US 60 and west of Signal Butte Road (91± ac.). Requesting a Council Use Permit to allow the development of a Freeway Landmark Monument sign in conjunction with the construction of group commercial center. **(Contacted registered neighborhoods)**

P&Z Recommendation: Approval with conditions. (Vote: Passed 5-1-1 with Finter nay and Carpenter absent)

DRB Recommendation: Approval with conditions. (Vote: Passed 5-0-1 with DiBella abstaining)

*7b. **Z05-86 (District 4)** 1316 East Southern Avenue (north side). Located on the northwest corner of East Southern Avenue and South Doran Street (1.13ac). Rezone from O-S to C-1 and Site Plan Review. This request will allow for the development of a commercial building with ancillary office and warehouse spaces. **(Held neighborhood meeting and contacted neighbors).**

P&Z Recommendation: Approval. (Vote: 6-0 with Boardmember Finter abstaining)

*7c. **Z05-87 (District 6)** 7115 East Baseline Road (south side). Located south of Baseline Road and east of Superstition Springs Boulevard (2.1 ac). Rezone from AG to C-2 and Site Plan Review. This request will allow for the development of a retail/office complex. **(Mailed written notifications to property owners and registered neighborhood associations).**

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

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- *7d. **Z05-88 (District 5)** The 8400 -8700 block of East Range Rider Trail (north and south side). Located at the southeast corner of Thomas Road and Hawes Road (71.76 ac). Rezone from Maricopa County Rural 35 to City of Mesa R1-35. Establishment of city zoning.

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

- *7e. **Z05-90 (District 6)** The 8800-9000 block of East Germann Road (north side). Located west of the northwest corner of Germann Road and Ellsworth Road (49 ac. ±). Rezone from M-1 to M-1 PAD and site plan review. This request is to allow for a light industrial complex. ***(Held neighborhood meeting and contacted registered neighborhoods and homeowners associations)***

P&Z Recommendation: Approval. (Vote: 6-0 with Boardmember Finter abstaining)

- *7f. Amending Section 11-18-8 K of the Zoning Ordinance pertaining to the legal protest filing deadline from the Friday noon prior to the City Council public hearing to one week prior to the City Council public hearing.

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

- *7g. Amending Section 11-1-6 "Definitions" and 11-13-2 "Supplementary Provisions" of the Zoning Ordinance pertaining to replacement of the term "infill site" with the term "by-passed properties".

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

- *7h. **A05-08 (District 5)** Annexing land located on the SEC of Hawes and Thomas Roads. (71.76 ± ac.). Initiated by Paul Gilbert representing City View Properties, LLC for the development of a residential subdivision.

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8. Consider the following resolutions:

*8a. Designating Saturday as the primary and Wednesday as the secondary day for publication of legal notices.

*8b. Approving and authorizing the City Manager to execute an amendment to an Intergovernmental Agreement between the State of Arizona through the Department of Economic Security and the City of Mesa to increase funding for Case Management Services.

*8c. Extinguishing a Public Utilities Easement at 2942 E. Greenfield Road.

This easement is being extinguished to allow for the development of a new project known as Greenfield Business Center.

*8d. Extinguishing Public Utilities Easement at 4724 E. Ingram Street.

This easement is no longer required.

*8e. Extinguishing a Drainage Easement located at 6116 E. Arbor Avenue.

This easement is no longer required.

*8f. Extinguishing a Drainage Easement located at 4447 and 4503 E. Ivy Street.

This easement is no longer required.

*8g. Granting a Power Distribution Easement to Salt River Project at Dobson Ranch Golf Course.

This easement is necessary for new electrical lines to be installed to replace the old lines to the residential subdivision adjacent to the golf course.

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- *8h. Approving and authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Criminal Justice Commission to fund forensic crime scene investigation training for police department personnel to enhance investigation of criminal cases.
- *8i. Approving and authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Criminal Justice Commission to fund technical forensic training for police department personnel to enhance investigations of criminal cases.
- *8j. Approving and authorizing the City Manager to execute the first amendment to the agreement for treatment and delivery of Central Arizona Project Water between the City of Mesa, Apache Junction Water Company and Arizona Water Company.
- *8k. Approving and authorizing the City Manager to execute the necessary agreements to secure the Light Rail End Station and Park and Ride Lot.
- *8l. Approving the final assessments for the McLellan Road Scalloped Street Assessment Project No. 04-004-001. This project installed street improvement along East McLellan Road from North Val Vista Drive to the east 1,265 feet plus or minus.
- *9. Recommending temporary agency vendors for the purpose of recruiting and payrolling temporary agency workers.
- 10. Consider the following recommendations from the General Development Committee:
 - 10a. Approving proposal for preparing a neighborhood area plan for a portion of West Main Street and an associated Transit Oriented Development (TOD) overlay district ordinance for an area around the Main/Sycamore light rail station.
 - *10b. Approving proposed Building Safety permit fee structure concept and directing staff to prepare the required ordinances to implement the proposal.

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10.1 Consider the following recommendations from the Police Committee:

*10.1a. Consider issues associated with the proposed Photo Safety Program:

1. Approving design of proposed system
2. Awarding contract to American Traffic Solutions, Inc.

11. Consider the following case from the Planning and Zoning Board and possible adoption of the corresponding Ordinance:

*11a. **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. ***(There has been extensive outreach effort made by the applicant to provide information and seek input from the neighbors.)***
CONTINUED FROM THE MAY 3, 2004, MAY 17, 2004, JUNE 7, 2004, JULY 6, 2004, AUGUST 16, 2004, SEPTEMBER 7, 2004, OCTOBER 4, 2004 AND THE DECEMBER 6, 2004, FEBRUARY 7, 2005, MARCH 7, 2005, APRIL 18, 2005, MAY 16, 2005, AND JULY 5, 2005 CITY COUNCIL MEETINGS.

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

12. Consider the following subdivision plats:

*12a. "FAIRWAY MANOR UNIT 2", – **(District 1)** – 1800 block of North Barkley (west side) located south and east of McKellips Road and Stapley Drive. 4 R-2 PAD single residence lots (0.41 ac) Nupetco Associates, owner; Landev Engineers, LLC., engineer.

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- *12b. "MAIN STREET CASITAS", – (**District 5**) – 5700 block of East Main Street (south side) located south and west of Main Street and Recker Road. 58 R-2 PAD townhome units (7.96 ac) 56th & Main Development, LLC., Dragomir Mikalacki, owner; D&M Engineering, engineer.
- 13. Items from citizens present. (Maximum of three speakers for three minutes per speaker).