

## **CITY COUNCIL AGENDA**

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

Monday, February 7, 2005

5:45 P.M.

Invocation by Father Leonard Walker, Queen of Peace Church.

Pledge of Allegiance.

Mayor's Welcome.

Presentation of Spirit of Mesa Neighborhood Awards.

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. Consider the following liquor license applications:

3a. RANDY D. NATIONS, AGENT

Person & Location Transfer Bar License for Famous Sam's #44, 2860 E. Main Street, Suite #111-114. This is an existing business. Current Restaurant License exists at this location. This is a person and location transfer from Randy D. Nations, Agent, Cat Eye Lounge, Inc., at 7164 E. Stetson Drive, Scottsdale. This license will transfer to the applicant. District #2.

\*3b. ROBERT THOMAS VIVIAN, AGENT

New Restaurant License for PF Chang's China Bistro, 6610 E. Superstition Springs Blvd. This is new construction. No previous liquor licenses at this location. District #6.

4. Consider the following contracts:

\*4a. Three-year supply contract for Class 250 Gas Meters for warehouse inventory as requested by the Utility Service Division.

The Purchasing Division recommends accepting the low bid meeting specification by Measurement Control Systems at \$262,310.40 based on estimated annual requirements.

\*4b. Three-year supply contract for Dead Animal Collection Services as requested by the Police Department.

The Purchasing Division recommends accepting the low bid by Arizona Pet Mortuary at \$56,934.20 based on estimated annual requirements.

\*4c. Gas Meter Prover/Tester as requested by the Utility Service Division.

The Purchasing Division recommends accepting the bid by The American Meter Company at \$47,250.72. (Sole Source)

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- \*4d. HazMat Material Shelter Replacement Parts as requested by the Fire Department.

The Purchasing Division recommends accepting the bid by Lee Bays Supply at \$28,627.87 including applicable sales tax. (Sole Source)

- \*4e. Nineteen Hand-Held Lidar Speed Enforcement Guns as requested by the Police Department.

The Purchasing Division recommends authorizing purchase from the Department of Public Safety Statewide contract with Kustom Signals, Inc. at \$57,924.77. (Grant Funded).

- 4f. Musician's Chairs, Music Stands, Stage Platforms (choral risers) and Related Equipment for the Mesa Arts Center

The Purchasing Division recommends authorizing purchase from the Maricopa County Community College District (MCCD) contract with Wenger Corporation at \$117,658.53.

- \*4g. Three-year supply contract for Polymer Modified Asphaltic Emulsion as requested by the Development Services Division.

The Purchasing Division recommends accepting the bid by Paramount Petroleum Corp. of Arizona at \$57,026.20 based on estimated annual requirements.

- 4h. 25 each 800 MHz Portable Radios for Mesa Arts Center staff as requested by Communications Division.

The Purchasing Division recommends authorizing purchase from the Phoenix/Mesa contract for 800 MHz radios with Kenwood USA at \$51,067.10.

- \*4i. Three-year supply contract for Sodium Hypochlorite as requested by the Utilities Department.

The Purchasing Division recommends accepting the low bid by HASA, Inc. at \$192,841.20 based on estimated annual requirements.

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- \*4j. System Backup Hardware and Software for the Police (PD) Records Management System (RMS) as requested by the Information Services Division (ISD).

The Purchasing Division recommends authorizing purchase from the State of Arizona contracts with CompuCom, Inc. for a total of \$95,509.31, including applicable sales tax.

- 4k. Three-Year Supply Contract for T-Shirts as requested by the Parks, Recreation and Cultural Division.

The Council is requested to approve the contract accepting the low bid by Lamb Sportswear as the primary supplier for annual purchases estimated at up to \$60,000. To ensure continuity of supply, a secondary contract is recommended to Sports Station Ltd.

- \*4l. Three-year supply contract for Ultra Thin Bonded Wearing Course as requested by the Development Services Division.

The Purchasing Division recommends accepting the bid by Rinker Materials at \$683,732.50 based on estimated annual requirements.

- \*4m. Replacement Vehicles for the Utilities Gas Division.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Five Star Ford at \$55,944.87.

- 4n. Gas Line Replacement in Quarter Section 30B, City of Mesa Project No. 01-891-001.

This project will create a more reliable gas distribution system by replacing gas mains and service lines within Quarter Section 30 bounded by 8<sup>th</sup> Avenue on the north, 10<sup>th</sup> Avenue on the south, Center Street on the east and Grand Avenue on the west. Construction of this project will ensure reliability of the natural gas pipeline system.

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Recommend award to low bidder, K.R. Swerdfeger Construction Inc., in the amount of \$742,880.44 plus an additional \$74,288.00 (10% allowance for change orders) for a total award of \$817,168.44.

5. Discuss and consider a recommendation to install angle parking on First Street between Country Club and Mesa Drive.
6. Introduction of the following ordinances and setting February 22, 2005, as the date of public hearing on these ordinances:
  - \*6a. Providing a monthly communications allowance of up to \$80.00 for the Mayor and City Councilmembers.
  - \*6b. **A04-04 (District 6)** Annexing the east side of Power Road between Ray and Williams Field Road. (67.7± acres). Initiated by the property owners (List of property owners attached).
  - 6c. Amending the Mesa City Code regarding the following traffic modification:

Speed Limits: 10-4-5 (35 mph) and 10-4-06 mph)

Reducing the speed limit from 35 mph to 30 mph on 1<sup>st</sup> Street from Country Club Drive to Mesa Drive. (Town Center Area, Council District 4).
7. Consider the following resolutions:
  - \*7a. Approving the use of the Scalloped Street Assessment Laws to assess a portion of the costs for East McLellan Road from Val Vista Drive to the east 1,265 feet +/-, Project # 04-004-001.

This project will install street improvements along the north and south side of East McLellan Road from North Val Vista Drive to the east.

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\*7b. Approving and authorizing the City Manager to execute a City Share Reimbursement Agreement for the reimbursement of regional offsite street improvements that are being required by Mesa in conjunction with the proposed commercial development of The Groves Towne Center located at 1130 West Grove Avenue

\*7c. Approving and authorizing the City Manager to execute an Intergovernmental Agreement (IGA) between the State of Arizona Department of Transportation and the City of Mesa for the design and construction of dual left turn lanes and one additional through lane in each direction at the traffic interchange at the Superstition Freeway (US 60) and Mesa Drive.

\*7d. Vacating the right-of-way located at South Diego Circle in the Banner Baywood Medical Center Campus, at 6644 East Baywood Avenue.

This right-of-way is no longer required.

\*7e. Authorizing the sale of City property to Virgin Properties and NewMark Merrill.

This is excess City-owned property located at the northwest corner of Red Mountain Freeway Loop 202 and Recker Road.

\*7f. Authorizing the City Manager to execute an Agreement between the City of Mesa and the Maricopa County Sheriff's Office for the salary reimbursement of one officer assigned to the Meth Lab Task Force.

\*7g. Extinguishing a Public Utility Easement located at 2735 East Main Street.

This easement is no longer required.

\*7h. Extinguishing Easements for Highway Purposes for North 38<sup>th</sup> Street and East Boston Street.

These easements are no longer required.

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- \*7i. Vacating Right-of-Way at East Sunland Circle and Extinguishing a Public Utility Easement at 924 South Crismon.

The right-of-way and easement are no longer required.

- \*7j. Vacating a portion of a Right-of-Way in the 4200 block of East Valley Auto Drive.

This portion of right-of-way is no longer required.

- \*7k. Extinguishing portions of a Sidewalk Easement, Landscape Easement, Sign Easement, Temporary Drainage Easement, Controlled Vehicular Access Easement and Public Utilities and Facilities Easement in the 4200 block of East Valley Auto Drive.

These portions of easements are no longer required.

- 7l. Authorizing the City Manager to execute an Intergovernmental Agreement between the State of Arizona Department of Transportation (ADOT) and the City of Mesa for the design and construction of a Downtown Pedestrian Path from Main Street north along the Lewis Street alignment to 1<sup>st</sup> Street.

- 8. Consider and approve the City of Mesa Municipal Corp. (MDC) authorization to sign a City of Coolidge Annexation Petition (airport Annexation – Phase I Revised).

- 9. Consider the following the ordinances:

- \*9a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

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

The north side of McKellips Road from driveway with centerline approximately 152 feet east of June Street (McKellips Road west of Recker Road, Council District 5).

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

On the south side of Baywood from a point 1,015 feet west of Power Road to a point 1,855 feet west of Power Road (north of Broadway Road and west of Power Road, Council District 5).

On the south side of McLellan Road from Power Road to a point 270 feet west of Power Road and on the north side of McLellan Road from Power Road to a point 100 feet west of Power Road (north of Brown Road and west of Power Road, Council District 5).

- \*9b. **CUP03-002TC (District 4)** 120 West 1<sup>st</sup> Avenue and 27 South Robson. Located east of Robson Street and north of 1<sup>st</sup> Avenue. Council Use Permit. This is a request to amend ordinance no. 4062. Freedom Arizona Newspaper Inc., applicant.
- 9c. **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 AND THE DECEMBER 6, 2004 CITY COUNCIL MEETINGS.**

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

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.

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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.

9d. **Z04-107 (District 4)** 500 West Southern Avenues, Suite 33. Located west of Country Club Drive and north of Southern Avenue (3.90 ac). Council Use Permit. This request is for a modification to Ordinance #4163. Taschner Center Partners, applicant, Larry S. Lazarus, applicant.

P&Z Recommendation: Approval with conditions (Vote: Passed 6-0 (Adams absent)).

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Administrative review and approval of any tenant space exterior building elevations and site landscaping improvements through Design Review Board Staff.

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5. Firearms of any type will not be pawned, bought or sold at this location.
  6. Adult materials will not be pawned, bought or sold at this location.
10. Consider the following subdivision plats:
- \*10a. “COBBLESTONE AT LAS SENDAS” (**District 5**) – 6900 block of East Eagle Crest Drive (west side) located north and east of Thomas Road and Power Road. 57 R1-7 PAD DMP single residence lots (12.60 ac) Sonoran Desert Holdings, L.L.C., Jeff Blandford, President, owner; Wood/Patel, engineer.
  - \*10b. “THE BASELINE CENTER OFFICE CONDOMINIUMS” **District 6** – 4100 block of East Baseline Road (north side) located north and west of Baseline Road and Greenfield Road. 28 M-1 PAD office condominium units (4.04 ac) Baseline Center L.L.C., Michael T. Reidy, Managing Member, owner; Brooks Engineers & Surveyors Inc., engineer.
  - \*10c. “STAPLEY CORPORATE CENTER TWO” (**District 4**) – 1800-1900 blocks of South Stapley Drive (west side) located north and west of Baseline Road and Stapley Drive. 4 M-1 commercial lots (17.46 ac) DAZ-3 Stapley, LLC, a Missouri Limited Liability Company, Mark J. Schnuck, President, owner; Knudsen-Smith Engineering, Inc., engineer.
  - 10d. “ESTRELLA VISTA” (**District 5**) – 8000-8200 blocks of East Hermosa Vista Drive (south side) located north and west of McKellips Road and Hawes Road. 29 R1-35 PAD single residences lots (38.94 ac) Momentum Construction & Development, LLC, Kelly Shepherd, Managing Member and Larry Arney and William S. Jaffa, owners; Ace Engineering, Inc., engineer.
11. Items from citizens present. (Maximum of three speakers for three minutes per speaker).