

# UTILITY COMMITTEE MINUTES

March 28, 1996

The Utility Committee of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on March 28, 1996 at 7:30 A.M.

## COMMITTEE PRESENT

Dale Johnson, Chairman  
Jerry Boyd  
Farrell Jensen

## COMMITTEE ABSENT

None

## COUNCIL PRESENT

Pat Gilbert  
Jim Stapley

## STAFF PRESENT

C.K. Luster  
Linda Crocker  
Elva Fimbres  
Tyrone Howard  
Mike Hutchinson  
Harry Kent  
Bill McCarthy  
Bryan Raines  
David Ramirez  
Others

## OTHERS PRESENT

Thomas Cavanagh  
Edna Bathen  
Sue Taylor  
Jon Novenski  
Others

### 1. Consider Standard Terms and Conditions for Sale of Utilities Outside the City Limits.

Public Works Manager Harry Kent reported that within the past few months fourteen requests have been received for utility service outside the City limits, and stated that improvements other than waterline extensions have been discussed at length. Mr. Kent added that staff has developed a standard development agreement as a result of these requests and discussions and referred to the reports provided for Committee's review.

Chief Engineering Technician, Jeff Welker provided the Committee with a draft of the proposed agreement and outlined the prerequisite stipulations recommended by staff in an effort to consistently and fairly respond to requests for utilities outside Mesa's corporate limits.

Mr. Welker referred to an aerial map displayed in the Council Chambers and pointed out the differences and similarities between the current terms and conditions for the sale of utilities within the City of Mesa and the proposed prerequisite stipulations for services outside City limits.

In response to Committeemember Boyd's comments relative to a letter received from Mr. Steven Bandusky, a property owner requesting utility service, regarding the placement of a "lien" on his property, Mr. Kent responded that the same stipulations apply to City residents, and added that new dedications would be transferred to the County pending annexation.

Mr. Kent explained that the lien is not related to the dedication of right of way or an easement and would occur as a part of initiating utility service to the property. Mr. Kent stated that the lien represents a contractual obligation to participate in future improvements and added that the obligation would be passed on to future owners of the property. Discussion ensued regarding concerns about liens.

City Manager Charles Luster recommended that an optional "lieu of payment" method based on current prices, paid in cash or installments over a ten-year period of time, be incorporated into the proposed agreement. Mr. Luster explained that if the estimated costs are paid up front, the "lien" would not be required.

Mr. Jeff Welker stated that current costs for the properties in question are estimated at \$40.00 to \$50.00 per linear foot and added that staff will pursue this issue. Mr. Luster added that cost estimates would have to be prepared by staff.

It was moved by Committeemember Jensen, seconded by Committeemember Boyd to recommend to the Council that staff's proposal regarding the standardization of terms and conditions for the sale of potable water and sanitary sewer utility service outside Mesa's corporate limits in conjunction with the development of property that will most likely be annexed in the future, including an optional "lieu of payment" method based on current prices, be approved.

Carried unanimously.

## 2. Consider Utility Service Requests.

Chairman Johnson advised that at this time owners of the properties requesting utility service are encouraged to ask questions and voice their comments and concerns.

Thomas Cavanagh, 5525 E. Thomas, Phoenix, Arizona, spoke in favor of annexation and stated that he owns a 62-lot development.

Chief Engineering Technician Jeff Welker provided the Committeemembers with a copy of a letter received from Curt Dana, a property owner, stating concerns based on the annexation process including the fact that costs will not be retroactive to existing utility customers in the area, and the fact that future costs which are not yet defined may not be economically viable.

Committeemember Boyd recommended that a draft of the proposed agreement be provided to all of the property owners involved. Committeemember Boyd also recommended that property owners and developers be informed of Federal Government mandates relative to road improvements (rural atmosphere/environment) and stated that citizens are unaware of the fact that dirt roads require paving and/or dust coverings.

Edna Bathen, 23002 E. Ivanhoe Street, stated that she represents five people on her street, and requested clarification relative to extension costs and responsibility. In response to a question from Ms. Barthen relative to the fact that a number of neighbors may oppose the annexation process, Mr. Kent advised that a majority of the residents will decide on that issue.

Sue Taylor, representing Ken Nickum, Parcel 6 along Power Road, stated concerns relative to irrigation, and requested a copy of the proposed agreement. Ms. Taylor expressed additional concerns regarding future costs, septic system, and pavement of roads.

Jon R. Novenski, 10131 E. Akron, requested property line clarification.

It was moved by Committeemember Jensen, seconded by Committeemember Boyd to recommend to the Council that the staff's recommendations relative to the approval with stipulations of 14 Utility Service Requests be approved and that the annexation of the property be expedited.

Carried unanimously.

3. Adjournment.

It was moved by Committeemember Jensen, seconded by Committeemember Boyd, that the meeting adjourn at 8:35 A.M.

Carried unanimously.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Utility Committee of the City of Mesa, Arizona, held on the 28th day of March, 1996. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 1<sup>st</sup> day of April 1996

BARBARA JONES, CITY CLERK