

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, August 11, 2003

5:45 P.M.

Invocation by Pastor Rick L. Fowler, Power Road Baptist Church.

Pledge of Allegiance.

Mayor's Welcome.

Presentation from representatives of the National Weather Service concerning designating Mesa as a "StormReady" community.

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. Consider the following liquor license applications:

*a. KIM KWIATKOWSKI, AGENT

Location transfer Liquor Store License for Circle K Store #5401, 417 S. Dobson Road. This is an existing business

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currently holding a Beer and Wine Store License. This transfer is from Kwik Mart, 606 W. Broadway Road, Tempe. This license will transfer to the applicant.

*b. JASWINDER SINGH, AGENT

New Beer and Wine Store License for Circle Seven Mart, 415 E. McKellips Road. This is an existing business. The Beer and Wine Store License previously held at this location by Sami F. Salameh, Individual, Turtle Stop 1, never renewed their 2001 liquor license.

*c. RAVINDER SHANDIL, AGENT

New Beer and Wine Store License for Mesa Dollar Mart Plus, 526 W. Broadway Road, Suite 1. This is an existing business. The Beer and Wine Store License previously held at this location by Salim S. Noorani, Individual, Mesa Dollar Mart Plus, will revert back to the State.

d. SAMI YOUAIL BATO, AGENT

New Beer and Wine Store License for Mi Pueblo Market, 330 E. Brown Road. This is an existing building. The Beer and Wine Store License previously held at this location by Carol Lynne Poor, Agent, Walgreen Drug Store #2285, never renewed their 2002 liquor license.

*e. JAVIER MURRIETA GAMEZ, INDIVIDUAL

New Beer and Wine Store License for Murrietas Carniceria #2, 1911 W. Broadway Road. This is an existing building. No previous liquor licenses at this location.

4. Consider the following contracts:

*a. Two circuit switchers as requested by the Utilities Department.

The Purchasing Division recommends accepting the low bid by Alstom T & D Inc. at \$66,458.40.

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- *b. One replacement copier as requested by the Financial Services Division.

The Purchasing Division recommends authorizing purchase from State of Arizona contract with Minolta Corp. c/o Business Imaging System at \$11,851.03.

- *c. Two-year renewal of the supply contract for fiber optic cable as requested by the Transportation Division.

The Purchasing Division recommends exercising the two-year renewal option with Graybar Electric at \$82,314.91 including applicable sales tax based on estimated annual purchases.

- *d. Additional Software Licenses for Microsoft Products as requested by the Information Services Division (ISD).

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with ASAP Software for a cost of \$105,726.51, including applicable sales tax.

- *e. Three-year supply contract for Network Cabling Supplies as requested by the Information Services Division (ISD).

The Purchasing Division recommends awarding contracts to the following original low bidders meeting specification:

Anixter as primary supplier for Groups 2, 6, 8-10, and 16-17, and Communications Supply Corporation as primary supplier for Groups 11-15, and Global Systems Headquarters as primary supplier for Groups 3, 7, 21 and 22, and Graybar Electric as primary supplier for Groups 1, 4, 5, and 18-20. The combined total award is \$515,000.00, based on estimated annual requirements. Staff projects that 24% (\$123,600.00) of the total expenditures will be with Anixter, 10% (\$51,500.00) with Communications Supply Corporation, 12% (\$61,800.00) with Global Systems Headquarters, and 54% (\$278,100.00) with Graybar Electric.

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In order to assure continuity of supply, the Purchasing Division also recommends awarding secondary supply contracts to Anixter for Groups 1, 11, 13, and 18-19, Communications Supply Corporation for Groups 2-4, 6, 9-10, and 21, Global Supply Corporation for Groups 5 and 14, and Graybar Electric for Groups 7-8, and 15-17. The secondary supplier will be utilized in the event that the primary supplier cannot meet the City's requirements.

- *f. Three-year supply contract for powdered activated carbon used by the CAP Water Treatment Plant, as requested by the Utilities Department.

The Purchasing Division recommends accepting the low bid meeting specification by Norit Americas, Inc. at \$111,650.00 based on estimated annual purchases

- *g. Supplies to construct 35 remote terminal units as requested by the Utilities Department.

The Purchasing Division recommends accepting the low bids as follows:

Items 1-14, 25, 27-30, and 42 to Summit Electric Supply at \$160,825.03; Items 39-41 and 43 to Transcat at \$10,710.43; Items 35-38 to Piping Alloys at \$4,033.21; Item 24 to Fluid Conditioning at \$34,051.50; Items 15-17, 26, 31-34, and 44 to Border States Electric at \$4,040.24; and Items 18-23 to Talley Communications at \$8,171.50. The combined award is then \$221,831.91 including applicable sales/use tax.

- *h. One year supply contract for thermoplastic striping material for warehouse inventory to be used by the Transportation Division.

The Purchasing Division recommends authorizing purchase from the ADOT contract with Susannah Dobbs Company, LC dba Dobco at \$38,101.07 including applicable sales tax.

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- *i. Fire Station No. 202 Site Improvements, City of Mesa
Project No. 02-214-001.

This project is going to make three minor changes to remedy small problems that became evident during the use of the new facility that needed to be modified. The items to be included by this project includes a gate to prevent cut-through traffic from Stapley and 8th Ave, 75 feet of landscape curbing to contain the decomposed granite and three light fixtures along the north side of the building site to brighten a dark area along the driveway.

Recommend award to low bidder, RJC Contracting, Inc., in the amount of \$33,100.00 plus an additional \$3,310.00 (10% allowance for change orders) for a total award of \$36,410.00.

- *j. University Drive Right-of-Way Fence, Game and Fish Office to Sossaman Rd, City of Mesa Project No. 02-907-001.

This project will install approximately 2,500 feet of barbed wire fence and two gates to fence off a section of vacant BLM property adjacent to University Drive in order to reduce trespassing, property destruction, and dust generated by off-road vehicles.

Recommend award to low bidder, FST Consulting, in the amount of \$15,983.00 plus an additional \$1,598.30 (10% allowance for change orders) for a total award of \$17,581.30.

- *k. City Well #10 Equipment and Piping, Electrical Upgrades at Desert Well #7, City of Mesa Project Nos. 02-41 and 02-30.

This project will install piping, pump, motor, chlorine facility, mechanical and electrical equipment to connect City Well #10 to the City's water system, as well as installing a new perimeter wall and landscaping. Additionally, the project will replace the electrical service and motor control center, upgrade the pump control and flow metering, and replace wiring and other electrical appurtenances at Desert Well No. 7 to improve operational efficiency and reliability.

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Recommend award to low bidder, Hunter Contracting Company, in the amount of \$517,617.20 plus an additional \$51,761.71 (10% allowance for change orders) for a total award of \$569,378.81.

- *l. Country Life Subdivision Water Line Replacement and Pavement Reconstruction, City of Mesa Project No. 02-06, increase the contract amount.

The increase to the contract amount is needed to cover the additional costs that were incurred after it was discovered that the existing subgrade base to the roadway was saturated with moisture and was unsuitable for reuse for the reconstruction of the roadway.

Recommend Council ratify the increase to the contract amount by \$17,751.23.

- 5. Introduction of the following ordinance and setting August 25, 2003 as the date of public hearing on these ordinances:

Note: City Council introduction of ordinances does not necessarily reflect City Council approval of these ordinances. Introduction of ordinances sets in motion the public posting and advertising process for ordinances so that the City Council can hear from concerned citizens at the public hearing.

- *a. **A02-8** Annexation ordinance repealing Ordinance No. 4089 and extending and increasing the corporate limits of the City of Mesa, north of Main Street and west of Power Road. (2.58+ acres). Initiated by the property owners. Council District No. 5.
- *b. **A03-7** Annexing the northwest corner of East Florian Avenue and South Ellsworth Road Council District No. 6.
- *c. **CZ03-003TC** The property at and adjacent to 231 S. Sistine Street (.53 ac.). Rezone from TCR-2 to TCB-2. This case involves the expansion of two existing businesses. owner; KRAG Properties LLC. Council District No. 4.

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- *d. **CZ03-005TC** The property at the northwest corner of Country Club and Main Street. Rezone from R-1-6 and TCR-1 to TCB-1. This case is associated with Redevelopment Project Site 24. owner; City of Mesa. Council District No. 4
 - *e. **CZ03-006TC** The property 506 N. Center Street (.54 ac). Rezone from R-2 to C-2. This case involves the development of office and studio space. owner; William Barnhart. Council District No. 4.
 - *f. Amending various sections of the Mesa City Code regarding the following traffic modifications:
 - No Parking: 10-3-24 (D) (Full Time No Parking)
 - On Holmes Avenue from Greenfield Road to a point 325 feet east of Greenfield Road.
 - On Longbow Parkway from Higley Road to Recker Road.
 - Speed Limits: 10-4-3 (45 mph), 10-4-4 (40mph), and 10-4-5 (35 mph)
 - Establishing a speed limit of 35 mph on Longbow Parkway from Higley Road to Recker Road.
 - Increasing the speed limit from 40 mph to 45 mph on Thomas Road from Higley Road to Recker Road.
 - *g. Amending Section 5-3-2 of the Mesa City Code pertaining to licenses required and repealing Section 5-3-8 of the Mesa City Code pertaining to privilege license reports and collection of taxes.
6. Consider the following resolutions:
- *a. Authorizing the City Manager to acquire a 10-acre land parcel located on the south side of Redberry Street between 81st and 82nd Streets for a proposed future development of a neighborhood park.

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- *b. Approving the Assessment Diagram Map for the Baseline Rd Scalloped Street Assessment Project #98-41.

This project installed street improvements along Baseline Rd from Horne to 24th Street. A portion of the project costs will be assessed to the adjacent property owners under the Scalloped Street Assessment laws.

- *c. Fixing September 8, 2003 as the Public Hearing for the proposed final assessments for the Baseline Rd Scalloped Street Assessment Project #98-41.

This project installed street improvements along Baseline Rd from Horne to 24th Street. A portion of the project costs will be assessed to the adjacent property owners under the Scalloped Street Assessment laws.

- *d. Authorizing the City Manager to execute a Development Agreement for City Share Reimbursement between Northgate, and the City of Mesa for the reimbursement of regional offsite improvements that are being required by Mesa in conjunction with the proposed development of a Gateway Norte located at 4303 South Power Road.

- *e. Authorizing the City Manager to execute a Changed Condition Request to an existing Development Agreement for City Share Reimbursement between Evergreen-Santa Anna, Limited Partnership, and the City of Mesa for the reimbursement of regional offsite improvements that are being required by Mesa in conjunction with the proposed development of a Walgreen's located at 2024 West Main Street.

- *f. Extinguishing a Temporary Easement for Drainage on "Lot 5, Shops at Sossaman" in the 7700 block of East Guadalupe Road.

A permanent drainage solution has been approved marking this easement no longer required.

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- *g. Extinguishing a portion of a Public Utility Easement at 1011 South Sinova Circle.

This portion of the easement is no longer required.

- *h. Authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the Arizona Game and Fish Department for the purpose of continuing the Urban Fishing Program at Riverview and Red Mountain Parks.

- *i. Supporting the recommendation that City staff conduct a review of the 2003 International Building Codes (IBC) to identify and develop building code amendments that ensure safe buildings are constructed within the City of Mesa as recommended by the General Development Committee.

- *j. Authorizing the City Manager to execute an Intergovernmental Agreement on behalf of the City of Mesa with Mesa Unified School District No. 4 for cooperative planning services.

7. Consider the following ordinance:

- *a. Amending Sections 11-19-5 and 11-19-8 of the Zoning Ordinance of the Mesa City code pertaining to electronic message display signs.

8. Consider the following recommendations from the Transportation Committee:

- *a. Continuing to replace existing fences and walls along the right-of-way with new barrier walls when the arterial street is physically moved closer to the residences, that staff continue to engage in a public outreach process prior to the installation of new barrier walls, and that the Transportation Advisory Board be used as a forum whereby residents can address issues subsequent to the completion of a new barrier wall.

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- *b. Placing a resolution on a future Council meeting agenda in support of the Southeast Maricopa/Northern Pinal County Area Transportation Study and that ADOT initiate corridor studies for the Williams Gateway Freeway and the Apache Junction/Coolidge Corridor.
- 9. Consider write-off of utility and miscellaneous accounts in the amount of \$330,861.00.
- 10. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding Ordinances:
 - *a. **Z03-17** (District 6) The southwest corner of Pueblo Avenue and Crismon Road (33 acres±). Rezone from R1-43 to R1-6-PAD. This case involves the development of a 184-lot single residential subdivision. D. R. Horton, owner; Sean Lake, applicant.

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

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count, lot coverage) except as noted below.
2. Compliance with the Residential Development Guidelines including: on the arterial street, one-story product only; along the collector street, no more than 40% of the product to be two-story or provide thirty foot aggregate total landscaping within the right-of-way or tract.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
5. 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.

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6. All street improvements and perimeter landscaping to be installed in the first phase of construction.
7. Compliance with all requirements of the Subdivision Technical Review Committee.
8. Traffic calming devices to be approved by City staff prior to or concurrent with approval of the plat by the Subdivision Technical Review Committee.
9. Product is limited to one-story along the western property line except where immediately adjacent to the existing City of Mesa well site.
10. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
11. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

*b. **Z03-25** (District 4) 300 West Southern Avenue (4.46 acres±) Rezone from C-2 and C-3 to M-1. This case involves the development of a distribution warehouse facility for an existing Maytag appliance store. Russ Johnson, owner; William H. Hunse, Architectural Team Three, applicant.

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

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, (without guarantee of lot coverage) except as noted below.
2. Compliance with all requirements of the Design Review Board, including landscaping, pedestrian connections and elevations.
3. Submittal of a photometric study for review by the Design Review Board.
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 conditions of a Substantial Conformance Improvement Permit.

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7. Upon submittal of construction documents to Building Safety, the applicant shall submit a revised site plan and landscape plan to the Planning Division identifying the fire access alternative approved by the Fire Marshall.
 8. Documents verifying the parcel combination will be required to be submitted with the construction documents to the Building Safety Division.
- c. **Z03-26** (District 6) North and east of the northeast corner of Crismon Road and Southern Avenue (18.9 acres±) Site Plan Modification. This case involves the development of an apartment complex. Glenn Walling, Coyote Landing Limited Partnership, owner; Denise Burton, Broadbent and Associates, Inc., applicant.

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

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, (without guarantee of lot coverage) except as noted below.
2. Compliance with all requirements of the Design Review Board, including landscaping, pedestrian connections and elevations.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
5. All street improvements and perimeter landscaping to be installed in the first phase of construction.
6. 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.

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- d. **Z03-28** (District 3) 310 North Dobson Road, Suites 1 and 2 (0.79 acres). Council Use Permit. This case involves the development of a body-piercing salon. Kenneth Louie, owner; Kelsey Yamashita, applicant.

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

1. Compliance with the basic development as described in the project narrative 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. Perimeter landscaping to be installed along the street frontages at a minimum of one (1) tree and three (3) bushes per every 25 linear feet.
5. Council Use Permit is for a body-piercing studio only.
6. The Council Use Permit granted hereby shall apply only to Units 1 and 2 at 310 North Dobson Road and a business entity in which Glen Bevell, Kelsey Yamashita or Shane Ocell individually or collectively own a majority/controlling interest. In accordance with Mesa City Code Section 11-18-8(R), the Council Use Permit granted herein may be suspended, revoked or modified, upon a finding at a public hearing, that any condition, stipulation or term of the approval of said Council Use Permit has been violated including a change in ownership in which Kelsey Yamashita, Glen Bevell or Shane Ocell collectively or individually do not own a majority/controlling interest.

11. Consider the following subdivision plats:

- *a. "CVS PHARMACY STORE NO. 5779", (Council District 2) 360 North Val Vista Drive (west side) 1 C-2 commercial lot (1.69 ac) University Val Vista CVS, L.L.C., owner; Carter Burgess, engineer.

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- b. "LEGACY", (Council District 1) 3200 block of East McLellan Road (south side) 44 R1-35 PAD single residence lots (44.61 ac) JM Land Development, LLC, owner; Allen Consulting Engineers, Inc., engineer.
 - *c. "THE VILLAGE AT LAS SENDAS", (Council District 5) 2800 block of North Power Road (east side) 2 C-2 BIZ DMP commercial lots (11.28 ac) Power & McDowell Associates, L.L.C., owner; DRW Engineering, Inc., engineer.
12. Items from citizens present. (Maximum of three speakers for three minutes per speaker).