

CITY COUNCIL AGENDA
COUNCIL CHAMBERS – 57 EAST FIRST STREET

Tuesday, January 18, 2005

5:45 P.M.

Invocation by Jim Baugh, Mesa Baptist Church.

Pledge of Allegiance.

Mayor's Welcome.

Announcement of the Enterprise Zone Certification to the City of Mesa from the Arizona Department of Commerce.

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. CHRIS MATTHEW CARPENTER, PASTOR

Special event application of Chris Matthew Carpenter, Pastor, Christ the King Catholic Church, a one-day charitable event to be held Saturday, January 29, 2005 from 12:00 Noon to 4:00 P.M. at 1551 E. Dana Avenue. District #4.

*3b. KAREN LINETTE GRONWALD, COORDINATOR OF FACILITATORS

Special event application of Karen Linette Gronwald, Coordinator of Facilitators, St. Bridget Catholic Church, a one-day charitable event to be held Friday, February 4, 2005 from 6:00 P.M. to 10:00 P.M. at 2213 N. Lindsay Road. District #5.

3c. RANDY D. NATIONS, AGENT

Person and Location Transfer Beer and Wine Bar for D'Vine Wine Bar & Bistro LLC, 2837 N. Power Road, Suite 101. This is new construction. This is a Person and Location Transfer from Gerald E. House, Agent, Wine Merchant LLC at 4242 E. Chandler Blvd., Suite #3, Phoenix. This license will transfer to the applicant. District #5.

*3d. KENAN ARKAWI, INDIVIDUAL

Person Transfer Liquor Store for Westwood Liquors, 427 N. Alma School Road. This is an existing business. The Liquor Store License previous held at this location by Mohini M. Hutchins, Individual, Westwood Liquors will transfer to the applicant. District #1.

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*3e. PAWAN KUMAR SETHI, AGENT

New Beer & Wine Store License for Country Club Chevron, 414 W. Guadalupe Road. This is an existing business. The Beer & Wine Store License previously held at this location by Troy Jack Lane, Agent, Lane Petroleum, Inc., will revert back to the State. District #3.

*3f. PAUL J. O'NEILL, AGENT

New Restaurant License for Indigo Joe's Sports Pub and Restaurant, 2855 N. Power Road, Suite #101. This is new construction. No previous liquor licenses at this location. District #5.

*3g. MARK STEVEN RUSSELL, AGENT

New Restaurant License for Oregano's Pizza Bistro, 1130 S. Dobson Road. This is an existing building. The Bar License previously held at this location by Charles Edwin Misfeldt, Agent, Gallagher's, Inc., will remain with Mr. Misfeldt. District #3.

4. Consider the following contracts:

*4a. Three-year supply contract for manhole insecticidal coating as requested by the Utility Operations Division.

The Purchasing Division recommends accepting the low bid by Jabco, Inc. at \$42,261.12 based on estimated annual requirements.

*4b. Audio Visual Equipment, Fabricated Wood and Metal Work Tables and Storage Devices and Eight Pianos for the new Mesa Arts Center

The Purchasing Division recommends the following:

Accepting the bid from Ford Audio-Video Systems at \$101,337.41 for audio visual equipment;

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Authorizing purchase from the State of Arizona contract with Arizona Corrections Industries at \$25,607.17 for fabricated wood and metal work tables and storage devices;

Accepting the bid from Washburn Piano Company for 8 pianos at \$204,216.32.

The combined award is then \$331,160.90.

- 4c. Bus Pullout and Shelter at Various Locations, City of Mesa Project No. 00-46.2.

This project installs bus pullouts and shelters at various locations throughout the City in an effort to enhance transit facilities for riders and improve system operations. This phase will relocate 1 existing shelter, install 3 existing shelters currently in storage, install 1 new shelter and construct 3 bus pullouts with new shelters.

Recommend award to low bidder, Krisdan Company, in the amount of \$231,035.50 plus an additional \$23,103.00 (10% allowance for change orders) for a total award of \$254,138.50.

- 4d. Desert Wells Zone 24" Waterline and Desert Sage 20" Waterline Power Road to Desert Sage Reservoir No. 1, City of Mesa Project No. 02-025.2.

This project will install approximately 1,500 linear feet of the 24" water transmission main and 3,200 linear feet of 20" water transmission main between Power Road, and their respective reservoirs. This project represents the final segments of both transmission lines to be installed by the City.

Recommend award to low bidder, Archon, Inc, in the amount of \$2,670,360.00 plus an additional \$267,036.00 (10% allowance for change orders) for a total award of \$2,937,396.00.

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- *4e. Falcon Field South Perimeter Security Fence, City of Mesa Project No. 02-016-002.

This project will install, replace and/or repair approximately 3,417 lineal feet of substandard fencing in the southeast corner of the airport to enhance the overall safety and security at the Falcon Field Airport.

Recommend award to low bidder, Allied Fencing, in the amount of \$87,800.70 plus an additional \$8,780.00 (10% allowance for change orders) for a total award of \$96,580.70.

- 4f. Water Meter Vault Reconstruction, City of Mesa Project No. 01-603-001

This project will rehabilitate six existing underground water meter vaults within the City of Mesa water distribution system.

Recommend award to low bidder, Atlantis Construction, in the amount of \$75,415.00 plus an additional \$7,541.00 (10% allowance for change orders) for a total award of \$82,956.00.

- 4g. New and replacement vehicles for the Planning Division, the Electric Division, Facilities Maintenance and Mesa Arts Center.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Five Star Ford at \$128,745.55.

- 4h. Mesa Town Center Streetscape Improvements – Phase 5, City of Mesa Project No. 01-213-001.

This project will install improvements to create a more pedestrian friendly environment, add new landscaping, street furniture, and improve lighting and directional signage.

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Recommend award to low bidder, Valley Rain Construction Corporation, in the amount of \$1,872,928.75 plus an additional \$187,292.00 (10% allowance for change orders) for a total award of \$2,060,220.75.

5. Introduction of the following ordinances and setting February 7, 2005, as the date of public hearing on these ordinances:
 - *5a. 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).

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).
 - *5b. **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.
 - *5c. **CUP03-002TC (District 4)** 120 West 1st Avenue and 27 South Robson. Located east of Robson Street and north of 1st Avenue. Council Use Permit. This is a request to amend ordinance no. 4062. Freedom Arizona Newspaper Inc., applicant.

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6. Consider the following resolutions:
 - 6a. Adopting the Citizen Participation Plan for the following federal grant programs: Community Development Block Grant (CDBG); Home Investment Partnerships (HOME); Emergency Shelter Grant (ESG); and American Dream Down Payment Initiative (ADDI).
 - 6b. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with Maricopa County and other participating jurisdictions for the continued participation in the Maricopa Home Consortium.
 - *6c. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the State of Arizona Department of Transportation and the City of Mesa for landscape maintenance along the Santan Freeway from Elliot Road to Baseline Road. (ADOT JPA 04-085).
 - *6d. Extinguishing a portion of a Public Utility Easement located at 1142 W. Guadalupe Road.

This easement is no longer required.
 - 6e. Authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Governor's Office of Highway Safety providing funds to pay overtime for officers to educate and enforce safety belt use.
 - *6f. Authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Criminal Justice Commission Oversight Council on Driving or Operating Under the Influence Abatement to provide supplemental overtime for enhanced DUI enforcement.
 - 6g. Authorizing the City Manager to execute an agreement between the City of Mesa and Prehab of Arizona, as partners in grant funding from the Governor's Office For Children, Youth and Families to provide counseling, crisis intervention and youth services.

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- *6h. Supporting the application for A.R.M. of Save the Family and Housing for Mesa (HFM) to the Maricopa Home Consortium for funding through the Federal Home Investment Partnerships CHDO Program.
- *6i. Supporting the application of the Affordable Rental Movement of Save The Family Foundation of Arizona (ARM) to the Maricopa Home Consortium for funding through the Federal Home Investment Partnerships CHDO Program.
- *6j. Extinguishing two drainage easements on the plat of The Village at Las Sendas, located at the northeast corner of Power and McDowell Roads.

These easements are no longer needed.
- *6k. Extinguishing all easements in the original plat of Bella Vista Phases I, II and III located in the 4600 block of South Mountain Road.

The easements are no longer necessary as this area has been re-platted as Gila River Ranches Units I, II & III.
- *6l. Vacating all rights-of-way in the original plat of Bella Vista Phases I, II & III located in the 4600 block of South Mountain Road.

The rights-of-way are no longer necessary as this area has been re-platted as Gila River Ranches Units I, II & III.
- *6m. Providing in the year 2005 and thereafter a monthly communications allowance of up to \$80.00 for the Mayor and City Councilmembers.
- *6n. Approving and authorizing the City Manager to execute agreements for the development, installation, operation and maintenance of a digester gas processing plant project at the 91st Avenue Wastewater Treatment Plant.

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7. Review and Consider adoption of the following resolution.
(CONTINUED FROM THE NOVEMBER 15, 2004 CITY COUNCIL MEETING).
- 7a. **GPMajor 04-01** Consider a resolution to amend the General Plan land use map from Mixed Use/ Residential (30 % at 15+ du/ac) to Medium Density Residential 2-4 (2-4 du/ac), Medium Density Residential 6-10 (6-10 du/ac), High Density Residential 10-15 (10-15 du/ac), Office and Community Commercial for approximately 314.5 ± acres generally located south of Thomas Road between Val Vista Drive and Lehi Road. Various owners; Paul Gilbert; Beus Gilbert PLLC, applicant.
- P&Z Recommendation: 3 Approval (Boardmembers Cowan, Adams and Esparza), 3 Denial (Boardmembers Saemisch, Carpenter and Finter). (Vote 3-3-1; Mizner absent).
8. Consider the following case from the Planning and Zoning Board and possible adoption of the corresponding ordinance:
- *8a. **Z04-94 (District 4)** 1511 South Mesa Drive. Located north of the Superstition Freeway and east of Mesa Drive (2.39± ac). Rezone from R1-6 to C-1 and Site Plan Review. This case is to allow for the development of a retail center. Venancio Macias, owner; Robert Gomez, applicant.
CONTINUED FROM THE DECEMBER 6, 2004 CITY COUNCIL MEETING. THE APPLICANT HAS REQUESTED THIS CASE BE CONTINUED FOR 60 DAYS.
- P&Z Recommendation: Approval with Conditions.
(Vote: Passed 4-3 (Mizner, Cowan, Esparza voting nay)
1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted.
 2. Compliance with all City development codes and regulations.

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3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
 4. Compliance with all requirements of the Design Review Board.
 5. No vehicular access to East Holmes Avenue from the subject property.
9. Items from citizens present. (Maximum of three speakers for three minutes per speaker).