

CITY COUNCIL AGENDA
COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, December 1, 2003

5:45 P.M.

Invocation by Reverend Father Lloyd Kramlich, Queen of Peace 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 for the following General Plan Amendment:
 - a. **GPMInor03-03 (District 6)** – The 5800 block of East Southern Avenue (south side) on the east side of the Roosevelt Water Conservation District Canal. Generally located south and east of Southern Avenue and Higley Road. Change the Land Use Map from high-density

MESA CITY COUNCIL
December 1, 2003
Page 2

residential to medium-density residential. This will allow for development of a 139 lot residential development with 7.09 du/ac. **CONTINUED FROM THE NOVEMBER 3, 2003 COUNCIL MEETING. (See items 6a and 8a). THE APPLICANT HAS REQUESTED THIS CASE BE CONTINUED TO THE DECEMBER 15, 2003 CITY COUNCIL MEETING.**

4. Consider the following liquor license applications:

*a. DENNIS CAVANAUGH, AGENT

Person Transfer Beer and Wine Bar License for Fozzles Restaurant, 721 S. Rochester. This is an existing business. This is a Person transfer from Willis Herman Miller, Agent, Sunland Village Golf Club, 721 S. Rochester. This license will transfer to the applicant.

*b. OSAMA MAHAYNI, AGENT

New Beer and Wine Store License for Ramona Market, 1931 W. University Drive. This is an existing building. No previous liquor licenses at this location.

*c. QUIT DUONG, INDIVIDUAL

New Restaurant License for Binh Minh Restaurant, 1116 S. Dobson Road, #113. This is an existing business. No previous liquor licenses at this location.

5. Consider the following contracts:

*a. One-year supply contract for automotive batteries as requested by Fleet Support Services.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Interstate Batteries for annual purchases estimated at \$87,227.18.

MESA CITY COUNCIL
December 1, 2003
Page 3

- *b. One new class 8 conventional semi-tractor for pulling a trailer of medical supplies as requested by the Fire Department.

The Purchasing Division recommends accepting the low bid by I-10 International at \$86,056.13 including extended warranty and sales tax. (This purchase is 100% grant funded by the U.S. Dept. of Justice).

- *c. Election Printing for the 2004 Primary and General Elections as requested by the City Clerk's Office.

The Purchasing Division recommends accepting the low bid meeting specification by Century Graphics at \$40,815.10 based on estimated requirements.

- *d. Three-year supply contract for insulated electrical separable connectors and accessories to be used by the Electric Division of Utilities.

The Purchasing Division recommends accepting the low bid by Wesco Distribution, for option #2, at \$62,313.91 based on estimated annual requirements.

- *e. Three-year contract for landscape maintenance services for parks and retention basins, in an area designated as Zone 7, as requested by the Parks & Recreation Division.

The Purchasing Division recommends accepting the overall low bid meeting specification by Artistic Land Management, Inc. at \$275,610.34 based on estimated annual requirements.

- *f. Five month supply contract for tires as requested by Fleet Support Services and Fire Support Services. These tires are stored in the City warehouses.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Goodyear Tire & Rubber Company distributor, Wingfoot Commercial Tire, for annual purchases estimated at \$632,118.61.

MESA CITY COUNCIL
December 1, 2003
Page 4

- *g. Two-year renewal of the supply contract for traffic signal heads, pedestrian signals & LED modules for warehouse inventory to be used by the Transportation Division.

The Purchasing Division recommends exercising the two-year renewal option with the original low bidder for Category B, Jerry E. Fondaw & Associates, at \$228,491.47 based on estimated annual requirements.

- h. Miscellaneous Drainage Improvements, South Quinn Circle and North Stapley Drive, City of Mesa Project No. 01-477-001.

This project will lower the outlet of the drain pipe to provide positive drainage and eliminate ponding within the pipe and on South Quinn. On Stapley Drive, north of the consolidated canal, the existing grate only catch basins located in a sump condition will be modified to grate plus curb opening catch basins to eliminate plugging due to debris collection on the grates.

Recommend award to low bidder, Five Points Excavation, in the amount of \$22,252.00 plus an additional \$2,225.20 (10% allowance for change orders) for a total award of \$24,477.20.

- i. University Drive Street and Utility Improvements, Stapley Drive to Gilbert Drive, City of Mesa Project No. 99-46.

This project will construct approximately 5,000 feet of 30-inch sewer line, along with manholes, service markers and other sanitary line appurtenances. The project also includes installing over 2,000 linear feet of 2-inch and 6-inch gas line, nearly 5,000 linear feet of quad duct for future fiber optic cable use, and reconstructing 27,000 square yards of pavement.

Recommend award to low bidder, Blucor Contracting, in the amount of \$1,216,910.25 plus an additional \$121,691.03 (10% allowance for change orders) for a total award of \$1,338,601.28.

MESA CITY COUNCIL
December 1, 2003
Page 5

- j. Utility Location and Potholing by Vacuum Extraction, City of Mesa Project No. 03-903-001.

This project is an annual contract for the upcoming year, to perform non-destructive location and potholing of underground utilities in order to identify and avoid conflicts during design and construction of City capital improvement projects. The project provides the City an option to extend for up to two additional one-year periods.

Recommend award to low bidder, HMS Conco, Inc., as the primary contractor, and to second low bidder, Northern Pipeline, as the secondary contractor, in the total amount of \$250,00.00.

- k. 2003/2004 Crack Sealing Project, City of Mesa Project No. 03-905-001.

This project will crack seal nearly 2,000,000 square yards of residential and collector street pavement surfaces throughout Mesa.

Recommend award to low bidder, CPC Construction, Inc., in the amount of \$458,190.97 plus an additional \$45,819.10 (10% allowance for change orders) for a total award of \$504,010.07.

6. Consider the following resolutions:

- a. **GPMInor03-03 (District 6)** – The 5800 block of East Southern Avenue (south side). South of the Salt River Project sub-station on the west side of the Roosevelt Water Conservation District Canal. Generally located south and east of Southern Avenue and Higley Road. Adopting a minor amendment to the General Plan that would change 20± acres parcel from high-density residential (HDR) to medium-density residential (MDR). **CONTINUED FROM THE NOVEMBER 3, 2003 COUNCIL MEETING. THE APPLICANT HAS REQUESTED THIS CASE BE CONTINUED TO THE DECEMBER 15, 2003 CITY COUNCIL MEETING.**

MESA CITY COUNCIL
December 1, 2003
Page 6

- *b. Authorizing the City Manager to execute an agreement between the City of Mesa and the Driving Under the Influence Abatement Council for additional funds to pay overtime for extra DUI enforcement. (Federal Funds)
 - *c. Approving and adopting procedures for the auction of firearms disposed of by the Mesa Police Department.
 - *d. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and Maricopa County for improvements to Gilbert Road.
 - e. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and Maricopa County for improvements to Val Vista Drive.
 - *f. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and Maricopa County for improvements to Power Road.
 - *g. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and Maricopa County to allow Maricopa County to pass Homeland Security Grant funds to the City of Mesa.
 - h. Authorizing the City Manager to execute the First Amendment to the Site 21 Disposition and Development Agreement between the City of Mesa and Outsource International LLC for the redevelopment of Site 21, and all other documents necessary to carry out the provisions of the Amendment.
7. Consider the following recommendation from the General Development Committee:
- *a. Approving a new procedure that requires applicants scheduled to appear before the Design Review Board provide notification to the adjacent neighborhoods by mail indicating the meeting date, time and location of the meeting.

MESA CITY COUNCIL
December 1, 2003
Page 7

- 7.1. Consider the following recommendations from the Fire Committee:
- *a. Approving the donation of three surplus Fire Department vehicles (two fire pumper trucks and one air/light unit) to the Mesa Community College Fire Service Program, the East Valley Institute of Technology, and the Apache Junction Fire District.
 - *b. Approving the proposal by Southwest Ambulance/Rural Metro to provide Emergency Medical Services Transportation for a three-year contract, subject to the successful negotiation of an operational contract based on the terms of the RFP and Southwest Ambulance's proposal.
- *7.2. Consider the acquisition of a 5-acre parcel of property located at the southwest corner of Sossaman and McDowell Roads for the purpose of constructing a detention basin and a sulfide control station.
8. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding Ordinances:
- a. **Z03-44 (District 6)** - The 5800 block of East Southern Avenue (south side). South of the Salt River Project sub-station on the west side of the Roosevelt Water Conservation District Canal (20± ac. ±) Generally located south and east of Southern Avenue and Higley Road. Rezone from R-3 to R1-6 PAD. This request is for the development of a residential subdivision. Harris Bank, N.A., owner; Chris Clonts, KB Homes, applicant. **CONTINUED FROM THE NOVEMBER 3, 2003 COUNCIL MEETING. THE APPLICANT HAS REQUESTED THIS CASE BE CONTINUED TO THE DECEMBER 15, 2003 CITY COUNCIL MEETING.**
- P&Z Recommendation: Approval with conditions. (Vote passed 6-0, Esparza absent.)

MESA CITY COUNCIL
December 1, 2003
Page 8

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 City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. All street improvements and landscaping to be installed in the first phase of construction.
5. Compliance with all requirements of the Subdivision Technical Review Committee.
6. Recordation of cross-access easement over Tract F of the Stonegate Estates subdivision plat between the Stonegate Estates Board of Directors, on behalf of Stonegate Estates, and the property owner, Harris Bank, N.A., prior to recordation of the final plat.

- *b. **Z03-50 (District 6)** 9355 East Southern Avenue, south and east of Southern Avenue and Ellsworth Road. 36.1± ac. Rezone from M-1 to R-2 PAD. This request is for the development of a residential subdivision. Will Cardon, owner; Sean Lake, Pew & Lake, P.L.C., applicant.

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

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 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. 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.

MESA CITY COUNCIL
December 1, 2003
Page 9

5. Compliance with all requirements of the Subdivision Technical Review Committee.
6. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report.
7. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
8. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

*c. **Z03-51 (District 5)** 6063 East Arbor Avenue, south and east of Main Street and Recker Road. (1.6 ac. ±) Rezone from C-3 to R-4 and Site Plan Modification. This request is for the expansion of an existing assisted living facility. Arbor Rose LLC, owner; Ron Genenbacher, Arbor Rose LLC, applicant.

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

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 City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.)

MESA CITY COUNCIL
December 1, 2003
Page 10

- d. **Z03-38 – (District 6)** The 3800 block of South Power Road (east side) and the 6900 block of East Elliot Road (south side) (20.63 ac.±). Site Plan Review. This case involves development of an apartment complex. Farnham Realty, Inc., owner; Sean Lake, Pew & Lake, PLC, applicant.
CONTINUED FROM THE OCTOBER 13, 2003 CITY COUNCIL MEETING. CONTINUED FROM THE NOVEMBER 17, 2003 CITY COUNCIL MEETING.

P&Z Recommendation: Denial (Vote: 5-2 Carpenter, Esparza voting nay)

- 8.1. Instruct staff to rezone property in the 3800 block of South Power Road (east side) and the 6900 block of East Elliot Road (south side) (20.63 ac+) from Residential to another use.
9. Consider the following subdivision plats:
- *a. “NEIGHBORHOOD MARKET @ HAWES & GUADALUPE”, – (**Council District 6**) – 2800 block of South Hawes Road (west side) located south and west of Guadalupe Road and Hawes Road. 4 C-2 DMP commercial lots (13.32 ac) Wal-Mart Stores, Inc., a Delaware Corporation, owner; Kimley-Horn & Associates, engineer.
10. Items from citizens present. (Maximum of three speakers for three minutes per speaker).