

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, August 25, 2008
5:45 P.M.

Invocation by Sr. Pastor Al Wilsey, Paloma Community Church.

Pledge of Allegiance.

Mayor's Welcome.

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items. If you are interested in speaking on an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

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 or citizen requests, in which event the item will be removed from the Consent Agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

(Members of the Mesa City Council will attend either in person or by telephone conference call).

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1. Take action on all consent agenda items.
- *2. [Approval of minutes](#) of previous meetings as written.
3. Take action on the following liquor license applications:
 - *3a. [Dobson Ranch Retirees Club](#)

This is a charitable event to be held on October 11, 2008 from 5:00 P.M. to 8:00 P.M. at 2345 S Saratoga Avenue.
(District 3)
 - *3b. [Augusta Ranch Golf Club](#)

Person Transfer Beer & Wine Bar License for Augusta Ranch Golf Club, 2401 S. Lansing, YSPF Holding B, LLC – Raymond J. DiMuro, Agent. The previous Beer & Wine Bar License held at this location by Augusta Ranch Golf Club, issued March 4, 1999 will transfer to the applicant.
(District 6)
 - *3c. [Rosa's Mexican Grill](#)

New Restaurant License for Rosa's Mexican Grill, 328 E. University Drive, JKG LLC – James Warner Gifford, Agent. The previous Restaurant License held at this location by Rosa's Mexican Grill will revert back to the State. **(District 4)**
4. Take action on the following Teenage Dance Hall Application:
 - *4a. [Club Seis Frias](#)

New Teenage Dance Hall for Club Seis Frias, 111 S. Dobson Road, Suite #108 – Applicant Kathleen C. Frias. This is an existing building with no previous teenage dance hall license. **(District 3)**

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5. Take action on the following contracts:

- *5a. Purchase of a Fingerprint Card File Storage System for the Police Department.

The Procurement Services Department recommends awarding the contract to the lowest, responsive and responsible bid from Office & Warehouse Storage Solutions, LLC at \$204,979.42, including applicable sales tax.

- *5b. Purchase of Computer Equipment and Software for the Police Department, Forensic Services.

The Procurement Services Department recommends authorizing purchase from the current Mesa contract with JusticeTrax, Inc. at \$193,546.03, and the State of Arizona contract (through the Western States Contracting Alliance [WSCA]) with Dell, Inc. at \$75,654.21, for a combined total of \$269,200.24, including applicable taxes.

6. Introduction of the following ordinances and setting September 8, 2008, as the date of the public hearing on these ordinances:

- *6a. A08-17 (District 4) Annexing land located south of US 60 and east of Country Club Drive (44.11 ± ac). Initiated by Dana Belknap, Gallagher and & Kennedy PA representing the property owner.

- *6b. Z08-48 (District 4) The 1600 and 1700 blocks of South Country Club (east side). Located southeast of US 60 and Country Club Drive. (44± acres) Establish M-2 and C-3 zoning. This case will establish city zoning. Patrick Cusack, Horner Clyde/Cowley Duke/Cusack Pat Tr and John Helms, Empire Southwest LLC, owners; City of Mesa, applicant.

PHO Recommendation: Approval with Conditions.

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- *6c. **Z08-49 (District 4)** The 1600 and 1700 blocks of South Country Club Drive (east side). Located southeast of US 60 and Country Club Drive. (50 +/- acres) Rezone from M-1, M2 and C-3 to M1-PAD and Site Plan Review. This case is for a campus industrial use. Patrick Cusack, Horner Clyde/Cowley Duke/Cusack Pat Tr and John Helms, Empire Southwest LLC., owners; City of Mesa, applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

P&Z Recommendation: Approval with Conditions.
(Vote: 5-0 with Boardmembers Roberts and Salas absent)

- *6d. **Z08-51 (District 6)** 6747 East Broadway Road (south side). Located west and south of Broadway Road and Power Road. (1.34± acres). Rezone from C-2 to AG and Site Plan Review. This request will allow for the expansion of an existing cemetery. SCI Arizona Funeral Services Inc., owner; Daniel Cable, EDA Land Planning PC, applicant.

PHO Recommendation: Approval with Conditions.

- *6e. **Z08-52 (District 6)** 11318 East Pecos Road (north side). Located east and north of Pecos Road and Mountain Road. (5± acres). Rezone from M-1 PAD to M-2 PAD. This case will rezone to allow for M-2 uses utilizing the approved site plan. Justin Dupuy, Braided Cord Enterprises, owner; Randolph Carter, Dream Catchers Planning and Design, LLC, applicant. Wade E. Cooke, Landcor Consulting, P.C., engineer.

PHO Recommendation: Approval with Conditions.

- *6f. **Z08-01TC (District 4)** Property located south of University Drive, east of Pasadena, west of Mesa Drive and north of East Second Street (26± acres). The proposed Rezoning will eliminate an existing Council Use Permit and Planned Area Development. The underlying base zoning district of Mixed Use – Town Center will remain the same. City of Mesa, applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

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DDC Recommendation: Approval with Conditions.
(Vote: 8-0)

7. Take action on the following resolutions:
- *7a. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the Regional Public Transportation Authority (RPTA) and the City of Mesa for the operation of Dial-a-Ride service in the City of Mesa. Mesa's estimated cost is \$1,499,922.
 - *7b. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the Regional Public Transportation Authority (RPTA) and the City of Mesa for the operation of the RideChoice Program in the City of Mesa. Mesa's cost is \$350,000.
 - *7c. Approving and authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Criminal Justice Commission (Crime Victim Assistance) to secure grant funds in the amount of \$30,600 for salaries and fringe benefits for the City Prosecutor's Office Victim Services Program assisting crime victims.
 - *7d. Approving and authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Department of Public Safety Victims of Crime Act (VOCA) to secure grant funds in the amount of \$41,348 for salaries and fringe benefits for the City Prosecutor's Office Victim Services Program assisting domestic violence victims of crime.
 - *7e. Approving and authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Department of Public Safety Victims of Crime Act (VOCA) to secure grant funds in the amount of \$42,486 for salaries and fringe benefits for the City Prosecutor's Office Victim Services Program assisting restitution-eligible victims of crime.

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- *7f. Approving and authorizing the City Manager to execute a [Memorandum of Understanding with the Federal Bureau of Investigation \(FBI\)](#) to participate in the Financial Crimes and Mortgage Fraud Task Force. FBI will reimburse the City up to \$15,854.25 per year for overtime earned by officer assigned to the task force.
- *7g. [Extinguishing a portion of a Vehicular Non-Access Easement at 4010 East McDowell Road.](#) **(District 5)**
- The extinguishment of a portion of this easement is necessary for the development of an industrial warehouse.
- *7h. [Extinguishing a portion of a Drainage Easement on Lot 15 of Escalante at Mountain Bridge.](#) **(District 5)**
- The extinguishment of a portion of this easement is necessary to remove the easement from the title on Lot 15.
- *7i. [Extinguishing a portion of a Public Utilities Easement at 1828 South Rialto Street.](#) **(District 6)**
- The extinguishment of a portion of this easement is necessary for the construction of a backyard swimming pool.
- *7j. [Extinguishing portions of two Drainage Easements](#) located in the Legacy at Mountain Bridge Subdivision. **(District 5)**
- The extinguishment of a portion of these two easements are necessary to correct the subdivision plat.
- *7k. Revising the Policy Guidelines and Application Procedures for the Establishment of [Community Facilities Districts](#).
- *7l. Approving and authorizing the City Manager to execute a [Joint Power Agreement](#) between City of St. Paul, Minnesota and the City of Mesa to provide three police officers to assist with security at the 2008 Republican National Convention.

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8. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen that wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the Clerk before Council votes on the consent agenda.

- *8a. **Z08-42 (District 1)** 1614 North Mesa Drive. Located south of McKellips Road and west of Mesa Drive (1.09± acres). Rezone from R1-6 to O-S and Site Plan Review. This request will allow for the development of an assisted living facility. Gregory D. Link, CSOM – Link, LLC., owner/applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

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

- *8b. **Z08-44 (District 6)** The 6800 block of East Elliot Road (south side) and the 3600-3700 blocks of South Power Road (east side). Located south of Elliot Road and east of Power Road (14.46± acres). Rezone from C-2-DMP to C-2-BIZ-DMP and Site Plan Review. This request will allow the development of a multiple-use center including a 4-story hotel. George, Gilbert, “The Commons”, L.L.C., owner; Ralph Pew, Pew and Lake, PLC, applicant; Eugene S. Cetwinski, ESCA Environmental, Inc. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

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

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- *8c. **Z08-45 (District 1)** 2304 North Center Street. Located on the west side of the Center Street and north of McKellips Road (2± acres). Site Plan Modification. This request will allow the construction of an industrial shell building. Joe Boyle, Boyle Family, L.L.C., owner; J. Joseph Diemer, Diemer & Associates, applicant; William H. Standage, Standage & Associates, Ltd., engineer. ***Notified property owners, homeowners associations and registered neighborhoods.***

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

- *8d. **Z08-46 (District 6)** 4730 & 4750 East Baseline Road. Located on the north side of Baseline Road and east of Greenfield Road (5± acres). Rezone from AG (Conceptual M-1) to PEP PAD and Site Plan Review. This request will allow the development a group office center. Gary R. Claybaugh, Baseline 2005, L.L.C., owner; Gary R. Claybaugh, Midiron Development Group, L.L.C., applicant; Cameron B. MacDonald, Site Solutions, L.L.C. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

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

- *8e. **Z08-47 (District 6)** The 8200 to 8500 blocks of East Baseline Road (north side). Located west of the Loop 202 on the north side of Baseline Road (53± acres). Rezone from AG (conceptual M-1, C-2, O-S, R-3, and R-2) to C-2, PEP, and R-4 and the establishment of the "Baseline Center" Development Master Plan (DMP). This request will establish a Development Master Plan to allow the creation of a mixed-use residential development. David Glimcher, GVSU 202/60 LLC, owner; Susan Demmitt, Beus Gilbert PLLC, applicant; Stuart Rayburn, RCC Design Group, LLC, engineer. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

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

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9. Take action on the following subdivision plats:
 - *9a. “URBAN VILLAS” (District 4) 1759 East Broadway Road (south side) located south and west of Broadway Road and Gilbert Road. 6 R-4 condominium units (0.29 ac.) Michael Watson, owner; Jeff Cook, Western Geomatics Services, surveyor.
 - *9b. “MAP OF DEDICATION FOR MOUNTAIN BRIDGE PHASE 2” (District 5) 8633 East Mountain Bridge Drive (south side) located south and west of McKellips Road and Ellsworth Road. (5.97 ac.) Jeff Blandford, manager, Pinnacle Ridge Holdings, L.L.C., owner; Darrell Smith, Wood, Patel & Associates, Inc., engineer.
- *10. Assign delinquent, uncollectible accounts to collection services and to write-off and charge their respective bad debt expense accounts for the three-month period ending June 30, 2008, totaling \$456,592.
11. Items from citizens present. (Maximum of three speakers for three minutes per speaker).