

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, July 9, 2007
5:45 P.M.

Invocation by Pastor Gregory Dansby, Holy Temple Church of God in Christ.

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. Discuss, take public comment and take action on the following Minor General Plan Amendment, zoning case and right-of-way abandonment:

3a. Public Hearing on Minor General Plan Amendment
GPMInor07-03 (District 3).

[3b.](#) Take action on the following resolution:

GPMInor07-03 (District 3) 1350 West Main Street. Located west of Alma School Road and north of Main Street (3.32± ac.). Minor General Plan Amendment to change the General Plan Land Use Map from Mixed-Use Residential 30 percent at 15+ dwelling units per acre (MUR 15+) to High Density Residential 15+ dwelling units per acre (HDR 15+). Dan Randal/Mulberry Business Park, LLC, owner; Fred Woods/Fred Woods Architecture, applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)*** **COMPANION CASE Z07-28.**

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

[3c.](#) Take action on the following ordinance introduced at a prior Council meeting:

Z07-28 (District 3) 1350 West Main Street. Located west of Alma School Road and north of Main Street (3.32± ac.). District 3. Rezone from C-3 to C-1 BIZ CUP and R-4-BIZ and Site Plan Review. This request will allow the development of a mixed-use office/retail and townhouse development. Dan Randal/Mulberry Business Park, LLC, owner; Fred Woods/Fred Woods Architecture, applicant. ***(Held neighborhood meetings, notified property owners, homeowners associations and registered neighborhoods.)***

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

- 3d. Take action on the following resolution:

Vacating a portion of North Standage Street located between West Main Street and West Pepper Street. **(District 3)**

This abandonment of street right-of-way is being requested from the developers to assemble the adjacent properties for the West Main Station Village Project.

4. Conduct a public hearing and take action on an amendment to the land use map for the following Minor General Plan Amendment:

- 4a. Public Hearing on Minor General Plan Amendment
GPMInor07-09 (District 5).

- 4b. Take action on the following resolution:

GPMInor07-09 (District 5) The 5500 block of East McKellips Road (south side). Located east of Higley Road on the south side of McKellips Road (4.09± ac.). Minor General Plan Amendment to change the General Plan Land Use Map from Office (O) to High Density Residential (HDR 10-15 du/ac). Ross N. Farnsworth, RSB Partners, LLC., owner; Jeff D. Welker, Welker Development Resources, applicant. ***(Held two neighborhood meetings, notified property owners, homeowners associations and registered neighborhoods.)*** **COMPANION CASE Z07-59.**

P&Z Recommendation: Approval with Conditions.
(Vote: 4-0 with Boardmembers Salas and Carter absent.)

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- [4c.](#) Take action on the following ordinance introduced at a prior Council meeting:

Z07-59 (District 5) The 5500 block of East McKellips Road (south side). Located east of Higley Road on the south side of McKellips Road (4.09± ac.). Rezone from O-S to R-2 BIZ DMP and Site Plan Review. This request will allow the development of a townhouse community. Ross N. Farnsworth, RSB Partners, LLC., owner; Jeff D. Welker, Welker Development Resources, applicant. ***(Held two neighborhood meetings, notified property owners, homeowners associations and registered neighborhoods.)***

P&Z Recommendation: Approval with Conditions.
(Vote: 4-0 with Boardmembers Salas and Carter absent.)

5. Discuss, take public comment and take action on the following Minor General Plan Amendment and zoning case:
- 5a. Public Hearing on General Plan Amendment **GPMInor 07-10 (District 6)**

- [5b.](#) Take action on the following resolution:

GPMInor07-10 (District 6) The 2600 block of South Power Road (east side). Located north of Guadalupe Road on the east side of Power Road (16.06± ac). Minor General Plan Amendment from Community Commercial (CC) to Medium Density Residential 6-10 du/acre (MDR 6-10). This request will allow the development of a single residential subdivision. Mark Reeb, owner; Greg Hitchens, applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)*** **COMPANION CASE Z07-60.**

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

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- 5c. Take action on the following ordinance introduced at a prior Council meeting:

Z07-60 (District 6) The 2600 block of South Power Road (east side). Located north of Guadalupe Road on the east side of Power Road (20.62± ac). Rezone from AG and R1-7 to R1-6 PAD, C-2 on the northwest and southwest corners of the site and Site Plan Review. This request will allow the development of a single residential subdivision and to future retail sites. Mark Reeb, owner; Greg Hitchens, applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

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

6. Take action on the following liquor license applications:

*6a. **U-Stop**

Person Transfer Liquor Store License for U-Stop, 5207 E. Main Street, Singh Brothers LLC – Applicant, Lauren Kay Merrett – Agent. The previous Liquor Store License held at this location by Sahajanand LLC will transfer to the Applicant. **(District 5)**

*6b. **Desert Peaks Pizza & Grille**

New Restaurant License for Desert Peaks Pizza & Grille, 5601 E. Hermosa Vista Drive, The Jeebp LLC – Applicant, Elias Ibrahim Chawki – Agent. The previous Restaurant License held at this location by Wingo Enterprises, Inc. will revert back to the State. **(District 5)**

6c. **Rubio's Fresh Mexican Grille**

New Restaurant License for Rubio's Fresh Mexican Grille, 1804 S. Signal Butte Road, Suite #101, Rubios Restaurants, Inc. – Applicant, Christopher Curt Bartos – Agent. This is new construction with no previous liquor license held at this location. **(District 6)**

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7. Take action on the following contracts:

- *[7a.](#) Two-Year Renewal of the Contract for Landscape Maintenance Services for Section IV for Parkway Medians and Right-of-Way Areas as requested by the Transportation Department, Field Operations Division.

The Procurement Services Department recommends exercising a two-year renewal option with Mariposa Horticultural Enterprises, Inc. at \$191,899.53 annually, based on estimated requirements.

- *7b. Two-Year Renewal of the Contract for Landscape Maintenance Services for Section III for Parkway Medians and Right-of-Way Areas as requested by the Transportation Department, Field Operations Division.

The Procurement Services Department recommends exercising a two-year renewal option with The Groundskeeper at \$316,180.19 annually, based on estimated requirements.

- *7c. Six-Month Extension of the Contract for Landscape Maintenance Services for Section VI for Parkway Medians and Right-of-Way Areas as requested by the Transportation Department, Field Operations Division.

The Procurement Services Department recommends a six-month extension with The Groundskeeper at \$87,791.44, based on estimated requirements.

- *7d. Three-Year Supply Contract for Ultraviolet Wastewater Disinfection Lamps, Ballasts and Wipers for the Utilities Department, Water Division. **(Sole Source)**

The Procurement Services Department recommends awarding the Mesa contract to the sole source bidder, Trojan Technologies at \$128,230.08 annually including applicable use tax, based on estimated requirements.

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- *7e. Two-Year Renewal for the Supply Contract for Polyethylene Gas Pipe and Fittings for Warehouse Inventory.

The Procurement Services Department recommends exercising the two-year renewal of the Mesa contract with Performance Pipe at \$363,681.88 annually including applicable use tax, based on estimated requirements.

- *7f. Two-Year Renewal for the Supply Contract for Streetlight and Traffic Poles, Mast Arms and Anchor Bolts for Warehouse Inventory.

The Procurement Services Department recommends exercising the two-year renewal of the Mesa contract with Cem-Tec Corporation at \$26,687.94, Southwest Fabrication LLC at \$145,352.83, and Valmont Industries, Inc. at \$42,182.18, for a total of \$214,222.95 annually including contingencies and applicable tax, based on estimated requirements.

- *7g. Extension and Dollar Limit Increase to the Supply Contract for Tires for Warehouse Inventory.

The Procurement Services Department recommends authorizing a one-month extension and dollar limit increase to this contract through the State of Arizona contract with Goodyear Tire & Rubber Company, increasing the dollar limit by \$70,000 to \$763,465.80.

- *7h. Purchase of Dual Voltage Pole Mount Transformers and Related Hardware for the Utilities Department, Electric Division.

The Procurement Services Department recommends awarding the Mesa contract to the low bidder, City of Brundidge, Alabama at \$64,716.96, including applicable tax and shipping.

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- 7i. Baseline Wastewater Interceptor Siphon Inlet and Outlet Structure Rehabilitation, City of Mesa Project 03-083-001 (CMAR Construction Contract).

This project will rehabilitate the structures by repairing and re-lining the damaged concrete surfaces, repairing or replacing equipment damaged by corrosion, and re-lining the 42-inch pipe under the freeway with a cured in-place liner.

Recommend award of the construction phase service contract to B&F Contracting, Inc. with a Guaranteed Maximum Price (GMP) of \$2,941,450.32 plus an additional \$294,145.03 (10% allowance for change orders) for a total award of \$3,235,595.35. Funding is available from existing bond proceeds in the Wastewater Bond Program.

- *7j. South C.A.P. Reservoir and Booster Pump Station, City of Mesa Project No. 01-600-001 (CMAR Construction Contract).

This project includes a buried 8-million gallon concrete reservoir and several pumps to distribute water to various pressure zones within the City. The project will be completed using the Construction Manager at Risk (CMAR) delivery method. This initial phase will be the Design Phase Services. During the Design Phase, the CMAR will work closely with City Staff and the design professional to develop the project design.

Recommend award of the design phase services contract to McCarthy Building Companies as the Construction Manager at Risk (CMAR) for this project and authorize staff to execute a Design Phase Services contract with McCarthy in the amount of \$190,109.00. Funding is available from existing bond proceeds in the Water Bond Program.

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- *7k. Sewer Diversion Structure Rehabilitation at Baseline and Emerson Roads, City of Mesa Project No. 01-687-003.

City Council is asked to ratify an increase to the contract amount for Project No. 01-687-003, to pay for a portion of an existing underground wastewater line adjacent to the diversion structure that had deteriorated and required repair. The damaged wastewater line required immediate repair to ensure the reliability of the wastewater collection system.

In accordance with City Policy on Construction Contract Change Orders, the Council is asked to ratify the increase of \$46,613.10 to the construction contract. The Contract amount was \$120,084.00, plus \$12,008.40 allowance for Change Orders. With the Change Order allowance, the total Contract amount awarded was \$132,092.40. With the increase of \$46,613.10, the new contract amount is \$178,705.50.

8. Introduction of the following ordinances and setting August 13, 2007, as the date of the public hearing on these ordinances:

- *[8a](#). Amending various sections of the Mesa City Code regarding the following traffic modifications:

No Parking: 10-3-24 (D) (Full Time No Parking) (The following provision will be deleted and thereby parking will be permitted on the following street)

On the west side of 26th Street from Inglewood Street to Ivy Street and on the west side of 26th Street from a point 100 feet south of Ivy Street to a point 235 feet south of Inca Street. (north of Brown Road and west of Lindsay Road)
(District 1)

No Parking: 10-3-24 (F2) (No Parking between 7:00 am and 4:00 pm, on any day that the public schools of Mesa are in session)

On the east side of Abbey from Los Lagos Vista Avenue to Lomita Avenue. (south of Baseline Road and east of Crismon Road) **(District 6)**

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On the west side of Abbey from the north side of Lomita Avenue to a point 160 feet south of the north side of Lomita Avenue. (south of Baseline Road and east of Crismon Road) **(District 6)**

On the west side of Abbey from the south side of Los Lagos Vista Avenue to a point 100 feet north of the south side of Los Lagos Vista Avenue. (south of Baseline Road and east of Crismon Road) **(District 6)**

On the north side of Lomita Avenue from the west side of Abbey to a point 230 feet east of the west side of Abbey. (south of Baseline Road and east of Crismon Road) **(District 6)**

On the south side of Lomita Avenue from Abbey to a point 405 feet east of Abbey. (south of Baseline Road and east of Crismon Road) **(District 6)**

9. Take action on the following resolutions:

- *9a.** Extinguishing a Drainage Easement in the 6500 Block of East McDowell Road. **(District 5)**

The adjacent development makes this easement no longer required.

- *9b.** Extinguishing a portion of a 20-foot Easement for Alley in the 6700 Block of East Main Street. **(District 5)**

This alley is being vacated at the request of the adjacent property owners to better secure the area. A Public Utility Easement will be retained for access by the utility companies.

- *9c.** Vacating street right-of-way in the 2100 Block of East Kael Street, east of North Gentry Street. **(District 1)**

This right-of-way is being vacated at the request of the adjacent property owners to eliminate a dead-end street.

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- *9d. Approving and authorizing the City Manager to execute an agreement between the Arizona Automobile Theft Authority and the City of Mesa to accept grant funds in the amount of \$11,710.00 to purchase equipment and fund overtime for the Bait Car Program.
- *9e. Approving and authorizing the City Manager to execute an agreement between the Governor's Office of Highway Safety and the City of Mesa to accept grant funds in the amount of \$2,565.00 for DRE/DUI training.
- *9f. Approving and authorizing the City Manager or his designated representative to execute a Gas Sales Contract between the Public Energy Authority of Kentucky (PEAK) and the City of Mesa.
- *9g. Conveying the eastern parcel of the Mesa Historical Museum site at 2345 N. Horne, along East Lehi Road to the Mesa Historical Society as recommended by the Community & Neighborhood Services Committee. (Approval. Vote: 3-0).
- *9h. Renaming the Mesa Southwest Museum to Arizona Museum of Natural History as recommended by the Community & Neighborhood Services Committee. (Approval. Vote: 3-0)
- *9i. Approving and authorizing the City Manager to execute a lease with the East Valley Senior Services to operate the Senior Center located at 247 North Macdonald Street.
- *9j. Approving and authorizing the City Manager to execute a lease with Western States Police and Fire Games for usage of the City facility located at 100 North Center Street.

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10. 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.
- *[10a.](#) **A06-24 (District 5)** Annexing land located on Sossaman Road north of McDowell Road (1.7± ac.) Initiated by the property owner, Ronda White.
- *10b. **Z07-63 (District 5)** The 1340 to 1430 block of North Power Road (east side). Located north of Brown Road on the east side of Power Road (2.05± ac.). Rezone from R1-35 to O-S, and Site Plan Review. This request will allow for the development of office buildings. Dave Marquez, owner; Boyd Thacker – Brock, Craig and Thacker Architects, Ltd., applicant. ***(Held two neighborhood meetings, notified property owners, homeowners associations and registered neighborhoods.)***
- P&Z Recommendation: Approval with Conditions. (Vote: 4-0 with Boardmembers Salas and Carter absent.)
- *10c. **Z07-64 (District 3)** The 1000 to 1200 block of West Grove Avenue (north side). Located south of Southern Avenue and east of Alma School Road (4.9± ac). Site Plan Modification and Modification of the existing BIZ overlay. This request will allow the development of a mixed-use mid-rise condominium project with first floor retail. TR Alma Partners, LLC; Thomas Roszak, owner; Pew and Lake, PLC; Reese Anderson, applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***
- P&Z Recommendation: Approval with Conditions. (Vote: 4-1 with Boardmembers Langkilde nay and Salas absent.)

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- *10d. **Z07-65 (District 6)** The 5600 to 5900 blocks of East Baseline Road (north side). Located west of Recker Road on the north side of Baseline Road (78.5± ac.). Rezone from AG, AG (Conceptual C-2 and M-1) and PEP-PAD to PEP-DMP-CUP, and Site Plan Review. This request will allow for the development of a hospital, specialty hospital, and physician office buildings including a 15,000 sf pharmacy. Dan F. Ausman, Sr. V.P. of Operations, VHS Acquisition Subsidiary No. 11 Abrazo Health Care, owner; Stephen C. Earl – Earl, Curley and Lagarde, applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

P&Z Recommendation: Approval with Conditions. (Vote: 4-0 with Boardmembers Salas and Carter absent.)

- *10e. **Z07-67 (District 6)** 11202 East Germann Road. Located on the west side of the Meridian Road alignment between Pecos Road and Germann Road (227± ac). Rezone from M-2 to M-2 BIZ, Council Use Permit, and Site Plan Review. This request will allow the development of a steel mill. TRW-VSSI; Will C. Rogers, owner; Commercial Metals Company; Andrew Sarat, applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

P&Z Recommendation: Approval with Conditions. (Vote: 4-0 with Boardmembers Salas and Adams absent.)

- *10f. **Z07-68 (District 3)** 1803 South Vineyard Road. Located north and west of Baseline Road and Country Club Drive (7.8± ac.). Rezone from M-1 and C-3 to C-3 and Site Plan Review. This request will allow the development of five medical office buildings. David Sellers, LGE Design Build, owner; Michael Edwards, DFD Architecture, applicant. ***(Held two neighborhood meetings, notified property owners, homeowners associations and registered neighborhoods.)***

P&Z Recommendation: Approval with Conditions. (Vote: 4-0 with Boardmembers Salas and Carter absent.)

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- *10g. **Z07-69 (District 6)** 9135 East Guadalupe Road. Located on the southwest corner of Guadalupe Road and Ellsworth Road (9.9± ac.). Site Plan Review. This request will allow the development of a retail shopping center and health club facility. Chris Lattanzio, VDG Guadsworth, LLC., owner; Jeff Looker, Looker & Cappello Architects Inc., applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

P&Z Recommendation: Approval with Conditions. (Vote: 4-0 with Boardmembers Salas and Carter absent.)

- *10h. **Z07-70 (District 5)** 4827 East McKellips Road. Located west of Higley Road on the south side of McKellips Road (2.8± ac.). Rezone from M-1 to M-1 BIZ and Site Plan Review. This request will allow the development of a four-story hotel and a restaurant pad. Jason Jones, Hansji Hotels, owner/applicant. ***(Held two neighborhood meetings, notified property owners, homeowners associations and registered neighborhoods.)***

P&Z Recommendation: Approval with Conditions. (Vote: 4-0 with Boardmembers Salas and Carter absent.)

11. Take action on the following subdivision plat:

- *[11a](#). **“FALCON COMMERCE PARK CONDOMINIUMS” (District 5)** 1600-1700 blocks of North Rosemont (west side) located south and west of McKellips Road and Higley Road. 24 M-1 industrial condominium units (7.05 ac) Graystar Real Estate Holdings, LLC, Doug Drago, member, owner.

12. Items from citizens present. (Maximum of three speakers for three minutes per speaker).