

## **CITY COUNCIL AGENDA**

### **COUNCIL CHAMBERS – 57 EAST FIRST STREET**

Monday, October 18, 2004

5:45 P.M.

Invocation by Dr. James E. Adams, Pastor, Cornerstone 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. Consider the following liquor license applications:

\*a. JAMES H. RYAN, PRESIDENT

Ten Special Event Applications for James H. Ryan, President, Back-To-School Clothing Drive Association, ten one-day charitable events to be held Saturday, October 30, 2004 from 6:00 P.M. to 10 P.M., Friday, November 19, 2004, from 11:00 A.M. to 2:00 P.M., Friday, December 10, 2004

MESA CITY COUNCIL  
October 18, 2004  
Page 2

from 11:00 A.M. to 2:00 P.M., Friday, January 7, 2005 from 11:00 A.M. to 2:00 P.M., Saturday, January 15, 2005 from 12:00 Noon to 10:00 P.M., Friday, February 4, 2005, from 11:00 A.M. to 2:00 P.M., Friday, February 18, 2005 from 11:00 A.M. to 2:00 P.M., Friday, March 4, 2005 from 11:00 A.M. to 2:00 P.M., Friday March 11, 2005 from 11:00 A.M. to 10:00 P.M., and Monday, March 28, 2005 from 6:00 P.M. to 10:00 P.M., at 1101 S. Ellsworth Road, The Resort. District #6.

\*b. CHRISTOPHER CARPENTER, PASTOR

Special Event Application of Christopher Carpenter, Pastor, Christ the King Catholic Church, a one-day religious event to be held Saturday, October 30, 2004, from 5:00 P.M. to 10:00 P.M. at 1551 E. Dana Avenue. District #4.

\*c. CHRIS M. RHODES, VICE CHAIR - DEVELOPMENT

Special Event Application Chris M. Rhodes, Vice Chair - Development, Friends of Mesa Arts Center, a one-day charitable event to be held Saturday, November 13, 2004 from 5:30 P.M. to 10:30 P.M. at 200 N. Centennial Way. District #4.

\*d. JAYNE R. PINKSTON, EVENT CHAIR

Special Event Application for Jayne R. Pinkston, Event Chair, St. Timothy Catholic Academy, a one-day religious event to be held Saturday, October 23, 2004 from 5:00 P.M. to 9:30 P.M. at 2520 S. Alma School Road. District #3.

\*e. JOSEPH SPADARO, PROGRAM DIRECTOR

Special Event Application of Joseph Spadaro, Program Director, St. Bridget's Knights of Columbus, a one-day fraternal event to be held Sunday, November 14, 2004 from 4:00 P.M. to 7:00 P.M. at 2213 N. Lindsay Road. District #5.

MESA CITY COUNCIL  
October 18, 2004  
Page 3

\*f. BELINDA L. DOMINGUEZ, INDIVIDUAL

New Restaurant License for La Cascada Sea & Mexican Food, 540 W. Broadway Road, Suite 101-102. This is an existing business. The license previously held at this location by Jimmie Garcia Jimenez, Agent, Jimenez's Enterprises, Inc., will revert back to the State. District #4.

4. 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 \$64,737.04.

- \*b. Three-year supply contract for cationic emulsion polymer, a chemical used by the North West Reclamation Plant (Utilities Department).

The Purchasing Division recommends accepting the bid with the lowest overall cost (based on a formula defined in the bid) from Polydyne, Inc. at \$62,790 based on estimated annual requirements.

- \*c. Replacement of microwave equipment as requested by the Communications Division.

The Purchasing Division recommends authorizing purchase from the Western States Contracting Alliance (WSCA) contract with Harris Corporation for \$176,274.50.

- \*d. Hardware and Services for the Police (PD) Records Management System (RMS) Network Infrastructure and Network Encryption Upgrades as requested by the Information Services Division (ISD).

MESA CITY COUNCIL  
October 18, 2004  
Page 4

The Purchasing Division recommends approving \$100,459.20 for optical ethernet subscription services and \$518,906.15 for network encryption hardware and related services, all from the State of Arizona contract with Qwest Communications. The combined total award is \$619,365.35.

- \*e. One new (bio) robot for the Crime Laboratory DNA/Serology Unit as requested by the Police Department.

The Purchasing Division recommends accepting the only bid by Qiagen, Inc. at \$30,660.96 including applicable use tax. (This purchase is 100% grant funded by the National Institute of Justice's No Suspect DNA Backlog Reduction Program). (Sole Source)

- \*f. One-year supply contract for tires as requested by Fleet 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. Purchases will be split between two distributors: Wingfoot Commercial Tire & Purcell's Western States Tire for annual purchases estimated at \$632,499.32.

- \*g. Eight new workstations and twelve reconfigured workstations for Tax & Licensing as requested by Development Services.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Goodman's, Inc. at \$32,482.86 including design, installation, delivery and applicable sales tax.

- \*h. One new mini-derrick for the Electric Utility Division.

The Purchasing Division recommends accepting the low bid meeting specification by AZ Aerial Equipment at \$93,460.02 including applicable sales tax.

- \*i. One-year Supply Contract for Computing Equipment for various City departments as requested by the Information Services Division.

MESA CITY COUNCIL  
October 18, 2004  
Page 5

The Purchasing Division recommends authorizing purchase from the following State of Arizona contracts:

- \* \$ 1,276,393.73 for personal computer hardware from Dell, Inc.;
- \* \$ 810,999.71 for "ruggedized" notebook computers from CLH International;
- \* \$ 25,389.45 for server hardware from Hewlett Packard; and
- \* \$ 29,757.13 for server software from CompuCom.

The combined award is \$2,167,540.02 , to be purchased with a combination of a tax-exempt lease for \$2,123,938 and budgeted funds for the balance required.

- j. Ellsworth Sulfide Control Station located at 9197 East Florian. City of Mesa Project No. 01-679-001. (Wastewater Bonds)

This project will install a ferrous chloride injection station in the area of Ellsworth Road and Southern Avenue. This will help to minimize odors and corrosion in the City's sanitary sewer system.

Recommend award to low bidder, Citywide Contracting, in the amount of \$860,998.00 plus an additional \$86,099.00 (10% allowance for change orders) for a total award of \$947,097.00.

- \*k. Falcon Well No. 18, Drilling Phase, located at 9015 East Pecos Road. City of Mesa Project No. 01-604-001. (Water Bonds)

This project will drill a new well near Pecos and Ellsworth Road to expand the City's water supply capabilities and system reliability in the southeast portion of the City.

Recommend award to low bidder, Layne Christensen Company, in the amount of \$447,777.00 plus an additional \$44,777.00 (10% allowance for change orders) for a total award of \$492,554.00.

MESA CITY COUNCIL  
October 18, 2004  
Page 6

- I. Falcon Police Substation. City of Mesa Project No. 01-90.  
(Police Bonds)

This project will construct a new Falcon Police Substation in the area of Greenfield Road and University Drive for the Falcon Patrol District staff.

Recommend award to low bidder, Norquay Construction, in the amount of \$3,741,400.00 plus an additional \$374,140.00 (10% allowance for change orders) for a total award of \$4,115,540.00.

- m. McLellan Road Improvements and Tempe Wasteway Sewer Main. City of Mesa Project No. 00-78.

This project will follow the sewer master plan and replace an existing 18-inch sewer main with a new 36-inch sewer main. This project will also include spot improvements of sidewalk and streetlights on McLellan Road between Country Club Drive and Alma School Road.

Recommend award to low bidder, B & F Contracting, in the amount of \$2,469,579.00 plus an additional \$246,957.00 (10% allowance for change orders) for a total award of \$2,716,536.00.

5. Introduction of the following ordinances and setting November 1, 2004 as the date of public hearing on these ordinances:

- \*a. **A04-10** Annexation located on the southwest corner of Ray Road and South Mountain Road. (160.71±acres). Initiated by the property owner.
- \*b. **Z04-70 (District 4)** 1860 S. Stapley. Located north and west of Stapley Drive and Baseline Road (3.35ac.). Rezone from M-1 to C-2 and Site Plan Review. This request is to allow for two retail pads. Desco Southwest, Bruce Gillespie, owner; Archicon, Jere Planck, applicant.

MESA CITY COUNCIL  
October 18, 2004  
Page 7

- \*c. **Z04-71 (District 6)** The 10100 to 10200 block of East Southern Avenue (north side) and the 1100 block of South Crismon Road (east side). Located north and east of Southern Avenue and Crismon (19.33ac). Rezone from R-3 to R-3 PAD and Site Plan Modification. This request is for an apartment complex. Glen Walling, Coyote Landing Apartments, LLP, owner; Denise Burton, Broadbent and Associates, Inc., applicant.
- \*d. **Z04-72 (District 6)** 6060 E. Baseline Road. Located north and east of Baseline Road and Recker Road (6.5 ac). Rezone from AG and M-1 to M-1 PAD. This request is to allow for an owner occupied industrial park. Malcom & Loretta Pace, owner; David Udall, applicant.
- \*e. **Z04-73 (District 3)** The 200 block of West Broadway Road (north side) and the 400 block of South Dobson Road (west side). Located at the northwest corner of Broadway Road and Dobson Road (78.25 ac). Rezone from M-1 to M-1 PAD and Site Plan Review. This request is to allow an owner occupied industrial/office park. David Krumwiede, Scott Hesse, Broadway 101 Venture, LLC, owner; Korey Wilkes, Butler Design Group, applicant.
- \*f. **Z04-74 (District 5)** 5750 E. Main Street. Located on Main Street (north side) and east of Higley Road (13.6 ac). Rezone from C-2 to C-2 BIZ and Site Plan Review. This request is to allow for a 5-story Holiday Inn Hotel and ancillary uses. Shane Kuber, owner; Gerald Kesler (Gerald Kesler, Inc Architects), applicant.
- \*g. **Z04-75 (District 1)** 605 E. McKellips Road. Located south and east of McKellips Road and Mesa Drive (1.32 ac). Rezone from R1-43 to C-2 PAD and Site Plan Review. This request is to allow for the development of three office buildings. David E. Young, owner; Jonathon Johns, High Desert Engineering, Inc., applicant.

MESA CITY COUNCIL  
October 18, 2004  
Page 8

- \*h. **Z04-76 (District 4)** The 200 to 250 block of West Southern Avenue and the 1400 to 1450 block of South Country Club Drive. Located south and east of Southern Avenue and Country Club Drive (37.55 ac). Rezone from R-2 PAD, R-4 and M-1 to R-3 PAD and Site Plan Review. This request is to allow a condominium development. American Land Lease (Rod Morris), owner; Ralph Pew, applicant.
- \*i. **Z04-77 (District 6)** The 4300 block of East Southern Avenue (south side) and the 1300 block of South Greenfield Road (west side). Located south of Southern Avenue and west of Greenfield Road (24.1 ac±). Rezone from AG to R-3 PAD and Site Plan Review. This request is to allow for a multi-residential development. DR Horton, owner; Sean Lake, Pew & Lake P.L.C., applicant.
- j. **Z04-79 (District 6)** The 1500 block of South Sossaman Road (west side). Located north of US Highway 60 and west of South Sossaman Road (36± acres). Requesting a Council Use Permit to allow the development of a Freeway Landmark Monument sign in conjunction with the construction of group automobile sales center. Superstition Springs Investors, LP, owner; Biskind, Hunt and Taylor, PLC – Karrin Kunasek Taylor, applicant.
- \*k. **Z04-81 (District 6)** The 1300 Block of South Ellsworth Road (west side). Located south of Southern Avenue and west of Ellsworth Road (9.58ac). Rezone from AG to R-3 PAD and Site Plan Review. This request is to allow for a multi-residential development. James Barrons, owner; Sean Lake, Pew & Lake P.L.C., applicant.
- \*l. **Z04-83 (District 6)** The 1600 to 1900 Block of South Signal Butte Road (west side). Located south of Superstition Freeway and west of Signal Butte Road (66.7 ac). Site Plan Modification. This request is to allow for a regional commercial development. Bojer Land/Signal Butte Limited Partnership, owner; Elizabeth Gaston, Diversified Partners, applicant.

MESA CITY COUNCIL  
October 18, 2004  
Page 9

- \*m. Amending various sections of the Mesa City Code regarding the following traffic modifications.

Left Turns Prohibited During Posted Hours From Driveways on Certain Streets: 10-3-15 (C)

The west side of Barkley directly across from Hale Street between the hours of 8:00 am and 3:30 pm on school days (south of McLellan Road and east of Stapley Drive, Council District 1).

- \*n. Pertaining to the zoning ordinance and subdivision regulations of the Mesa City Code; amending Sections 11-18-8, 11-18-9, 11-18-10 regarding adjustments to the required fees for Planning services; and amending Sections 9-6-2(C), 9-6-2(D), 9-6-2(E), 9-6-2(F) regarding adjustments to the required fees for subdivision plats and land splits, as recommended by the General Development Committee.

6. Consider the following resolutions:

- \*a. Approving and authorizing the City Manager to execute a Development Agreement for City Share reimbursement between Heritage Development Inc., a Utah Corporation, and the City of Mesa for regional improvements that are being constructed in conjunction with the development of Ellsworth Villas located at 9220 East Brown Road.
- \*b. Authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the Mesa Unified School District #4 to pay for the salaries of Mesa Police Officers assigned to be School Resource Officers in the district's high schools.
- \*c. Conveying a portion of City property located at 924 North Country Club Drive to adjacent property owners.

This area, in part, has been used for rear access to the multi-family properties and should no longer be owned by the City.

MESA CITY COUNCIL  
October 18, 2004  
Page 10

- \*d. Vacating Rights-of-Way at Hawes Road, Adobe and 88<sup>th</sup> Street in the ViewPoint RV and Golf Resort.

The rights-of-way are no longer necessary as they should have been abandoned prior to issuance of construction permits in 1997

- \*e. Vacating Rights-of-Way at Hawes Road, Adobe and 88<sup>th</sup> Street in the ViewPoint RV and Golf Resort.

The rights-of-way are no longer necessary as they should have been abandoned prior to issuance of construction permits in 1997

- 7. Consider the following recommendation from the Fire Committee:

- a. Directing staff to proceed with a proposed amendment to the Mesa Fire Code to exempt new B Occupancies less than 5,000 square feet from the automatic sprinkler requirement and that the imposition of an inspection fee be left to staff's discretion.

- 7.1. Discuss and consider increasing the City Attorney's salary.

- 8. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding Ordinances:

- \*a. **Z04-82 (District 1)** The 1200 block of North Dobson Road (east side). Located at the northwest corner of North Dobson Road and West Brown Road (17.66± ac). Rezone from Maricopa County Rural 43 to R1-43. This request is to establish City zoning on recently annexed property. Robert Hurley, owner; City of Mesa, applicant.

P&Z Recommendation: Approval with conditions (Vote: Passed 6-0-1, Saemisch abstaining due to conflict of interest).

MESA CITY COUNCIL  
October 18, 2004  
Page 11

1. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans.
  2. Compliance with all City development codes and regulations.
  
9. Consider the following subdivision plats:
  - \*a. “CRIS CROSSING”, – (Council District 5) – 10100 block of East University Drive (south side) located south and east of University Drive and Crismon Road. 6 R1-9 single residence lots (2.40 ac) RWI Construction Services, Inc., an Arizona Corporation, owner; Rosendahl & Associates, Inc., engineer.
  
  - \*b. “RED MOUNTAIN PROFESSIONAL PLAZA, A CONDOMINIUM”, – (Council District 1) – 2100 block of North Gilbert Road (west side) located north and west of McKellips Road and Gilbert Road. 4 O-S PAD office condominium buildings (3.13 ac) Red Mountain Investors, LLC, Ronald Buchholz, Managing Member, owner; Survey Innovation Group, Inc., engineer.
  
10. Items from citizens present. (Maximum of three speakers for three minutes per speaker).