

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, March 6, 2006
5:45 P.M.

Invocation by Pastor Mike Cash, East Valley Free Will Baptist Church.

Pledge of Allegiance.

Mayor's Welcome.

Hear a presentation by Maricopa County Elections Director Karen Osborne regarding Proposition 200 requiring voter identification at the polls.

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.

1. Take action on all consent agenda items.
- *2. Approval of minutes of previous meetings as written.

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3. Take action on the following liquor license applications:

*3a. Las Sendas Elementary PTO

Special Event Liquor application for a one day charitable event to be held on Saturday, April 22, 2006, from 6:00 p.m. to 10:00 p.m. at 7900 E. Eagle Crest Dr. District #5.

*3b. Shell 1957

New Beer and Wine Store License for 1957 N. Country Club Dr. The license previously held at this location by Texaco Start Mart #774 was closed 1-05-06. District #1.

*3c. Benchwarmers Grill

New Restaurant License for Brabeion LLC, 801 S. Power Rd. The Restaurant license previously held at this location by Benchwarmers Sports Grill Inc. will revert back to the State. District #6.

4. Take action on the following contracts:

*4a. Forty-seven Vehicles as requested by the Police Department. (State Contracts #AD 030039, #AD 040003, and #AD 040004)

The Purchasing Division recommends authorizing purchase from three State of Arizona contracts with Five Star Ford at \$1,188,326.02, including applicable sales tax.

*4b. Two 5-Yard Dump Trucks as requested by the Transportation Division, Field Operations. (Mesa Contract #2005192)

The Purchasing Division recommends accepting the low responsive, responsible bid from Don Sanderson Ford at \$113,308.99, including options, warranties and applicable sales tax.

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- *4c. Two-year renewal of Supply Contract for Deep Well Pump Repair and Maintenance as requested by the Water Utility Division, Water Supply. (Mesa Contract #2003105)

The Purchasing Division recommends authorizing a two-year renewal for the primary contract with Weber Group LC and the secondary contract with Duncan Pump for annual repairs estimated at \$100,000.00 total for City owned wells in Maricopa County.

- *4d. One-Year renewal of Catering Services at Hohokam Stadium as requested by the Community Services Department, Commercial Facilities. (Mesa Contract #2002171)

The Purchasing Division recommends authorizing a one-year renewal with Arizona Catering.

- *4e. Three-year Contract for Landscape Maintenance Services for Parks and Retention Basins, in an Area designated as Zone 3, as requested by the Parks & Recreation Division. (Mesa Contract #2005193)

The Purchasing Division recommends accepting the low responsive, responsible bid from Basin Tree Service & Pest Control (dba United Right of Way) at \$230,041.50 annually, based on estimated requirements.

- *4f. Three-year Contract for Landscape Maintenance Services for Parks and Retention Basins, in an Area designated as Zone 4, as requested by the Parks & Recreation Division. (Mesa Contract #2005194)

The Purchasing Division recommends accepting the low responsive, responsible bid from Mariposa Horticultural Ent. Inc. at \$222,334.94 annually, based on estimated requirements.

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*4g. **Deleted.**

4h. 2004/2005 Residential Street Overlays, City of Mesa Project No. 01-841-009.

This project will rehabilitate and overlay over 192,000 square yards of residential street pavement. Improvements will also include the construction of 91 sidewalk ramps along the improved streets.

Recommend award to low bidder, Sunland Asphalt, Inc., in the amount of \$1,953,881.00 plus an additional \$195,388.10 (10% allowance for change orders) for a total award of \$2,149,269.10.

*4i. Public Housing Agency Information Management System for the Housing Division as requested by the Information Services Division. (Mesa Contract #2004188)

The Purchasing Division endorses the Evaluation Team's recommendation to accept the proposal from Emphasys Software, Inc. for an amount not to exceed \$49,087.04. The Purchasing Division further recommends approving \$4,908.70 for project contingencies, (10% of total project, including all hardware and software). The combined total award for these expenses is not to exceed the amount of \$53,995.74. In addition, ongoing maintenance and support for the four years following the warranty period is estimated at \$16,980.48 in general funds.

5. Introduction of the following ordinances and setting March 20, 2006 as the date of the public comment and Council action on these ordinances.

*5a. **Deleted.**

*5b. **A05-03 (District 5)** Annexing land located on the southwest corner of Brown & Meridian Roads. (3.61± ac.). Initiated by Wilfred Klingsat representing Portigal Travel, LLC.

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- *5c. Amending Section 11-13-2 of the Zoning Ordinance to allow the platting of condominium subdivisions without requiring a Planned Area Development (PAD) overlay or frontage on a public street for individual units

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

DDC Recommendation: Denial. (Vote: 6-1 with Chucri voting for approval. Boardmembers Riekema and Close absent.)

- *5d. **Z06-04 (District 6)** 1301 South Crismon Road
(designated as Medical Office Building 1). Located south of Southern Avenue and east of Crismon Road (0.6± ac). Site Plan Review. This request will allow for the development of a medical office building at the Mountain Vista Medical Center. William Molloy, DevMan Company, L.C, owner; Suzanne Schweiger-Nitchals, Devenney Group, applicant. ***(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent)

- *5e. **Z06-05 (District 6)** 1301 South Crismon Road
(designated as Medical Office Building 2). Located south of Southern Avenue and east of Crismon Road (0.6± ac). Site Plan Review. This request will allow for the development of a medical office building at the Mountain Vista Medical Center. Stephen Richards, Tegra East Mesa MOB, L. C., owner; Korey Wilkes, Butler Design Group, applicant. ***(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent)

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- *5f. **Z06-06 (District 6)** The 8700 to 8800 block of East Pecos Road (south side). Located west of the southwest corner of Pecos Road and Ellsworth Road (8.95± ac). Rezone from M-1 to M-1-PAD and Site Plan Review. This request will allow for the development of office warehouses, self-storage facilities, caretaker quarters, and a retail building. Bill Stevenson, Williams Gateway Self Storage, owner; Dorothy R. Shupe, Dream Catchers Planning and Design LLC; applicant. ***(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent)

- *5g. **Z06-07 (District 5)** 11540 East University Drive (north side). Located at the northwest corner of University Drive and Meridian Drive (3.75± ac). Site Plan Review. This request will allow for the development of a retail building. John Keith, owner; Vincent P. DiBella, Saemisch-DiBella Architects, Inc., applicant. ***(Held a neighborhood meeting, notified property owners neighbors, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval with Conditions. (Vote: 5-0-1 with Boardmembers Adams absent and Saemisch abstaining)

- *5h. **Z06-08 (District 1)** 1806 North Lindsay Road (west side). Located south of the southwest corner of Lindsay Road and McKellips Road (0.99± ac). Rezone from R1-43 to O-S and Site Plan Review for the conversion of a residence to an office. Wayne Funk, owner; Sean B. Lake, applicant. ***(Held a neighborhood meeting, notified property owners and neighbors.)***

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent)

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- *5i. **Z06-09 (District 5)** The 3500 block of East McDowell Road (south side). Located at the southwest corner of Val Vista Drive and McDowell Road (1.27± ac). Rezone from R1-35 to O-S-PAD and Site Plan Review. This request will allow for the development of an office condominium project. Ray Nitti, owner; Dustin T. Chisum, applicant. ***(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent)

- *5j. **Z06-10 (District 1)** 924 North Country Club Drive (west side). Located on the southwest corner of Country Club Drive and 10th Street (4.14± ac). Site Plan Modification and Modification to the BIZ overlay district. This request will allow for the development of a new training center building. Donald (Don) Jackson, Chief Administrative Officer, MARC Center, owner; Alisa Petterson-Dangelo, Saemisch DiBella Architects, Inc., applicant. ***(Notified property owners and registered neighborhoods associations.)***

P&Z Recommendation: Approval with Conditions. (Vote: 5-0-1 with Boardmembers Adams absent and Saemisch abstaining)

- *5k. **Z06-11 (District 4)** 154 South Vineyard (west side). Generally located west of Country Club Drive and south of Main Street (1.18± ac). Rezone from R-2 (conceptual M-1) to M-1 and Site Plan Review. This request will allow for the development of warehouse buildings. John Little, owner/ applicant. ***(Held a neighborhood meeting, notified property owners and homeowners associations.)***

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent)

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- *5l. **Z06-12 (District 6)** 9335 East Baseline Road. Located east of Ellsworth Road and south of Baseline Road (14.18± ac). Rezone from R-3-DMP to R-3-PAD-DMP. This request will allow for the conversion of apartments to condominiums. Prime Group Inc., Michael W. Reschke, owner; Rachel Rybski, Beus Gilbert PLLC, applicant. ***(Notified property owners, neighbors, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent)

- *5m. **Z06-13 (District 6)** The 7300 block of East Hampton Avenue (south side). Located south of Southern Avenue and west of Sossaman Road (6.5± ac). Rezone from M-1-DMP to M-1-PAD-DMP and Site Plan Review. This request will allow for the development of office/warehouse buildings. LGE Design Build (Frank Pettit), owner; David Alameddin, applicant. ***(Notified property owners and committed to extended citizen participation prior to Council action on 3-20-06.)***

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent)

- *5n. **Z06-14 (District 2)** The 3300 to 3500 blocks of East Southern Avenue (south side). Located west of Val Vista Drive and south of Southern Avenue (8.9± acres). Rezone from R1-15 to R1-15-PAD. This request will allow for the development of a single-residence subdivision. Curt Dana, owner; William Standage, Standage and Associates, applicant. ***(Notified property owners, neighbors and homeowners associations.)***

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent)

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- *5o. **Z06-16 (District 6)** The 7600 to 8400 blocks of East Germann Road (north side). Located north of Germann Road and east of Sossaman Road (288.24± ac). Rezone from AG to M-1. This request will bring the zoning of the property into conformance with the Mesa 2025 General Plan. Russ Brandt, owner; City of Mesa, applicant. (Property owner supports this request.) ***(Notified property owners and neighbors.)***

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Adams absent)

- *5p. **Deleted.**

6. Take action on the following resolutions:

- *6a. Approving and authorizing the City Manager to execute a City Share Reimbursement Agreement for the reimbursement of regional offsite street lighting and traffic signal improvements that are being required by Mesa in conjunction with the proposed development of a residential subdivision known as Villas at Montana Vista located at 7867 East University Drive.
- *6b. Extinguishing two Public Utility Easements at 2530 East Hale Street for the purpose of constructing a swimming pool.
- These easements are no longer necessary on this property.
- *6c. Modifying fees and charges for the Mesa Southwest Museum as recommended by the Finance Committee.
- *6d. Modifying fees and charges for the Museum for Youth as recommended by the Finance Committee.
- 6e. Authorizing City of Mesa staff to request the City of Mesa Municipal Corp. release certain real property located in Pinal County, Arizona to the City pursuant to the terms of a lease between the City and the City of Mesa Municipal Development Corp.

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- *6f. Approving and authorizing the City Manager to execute an agreement between the City of Mesa and Apache Junction Water Company for treatment of Central Arizona Project Water and delivery of water.
 - 6g. Approving the resolution supporting the City of Mesa application for State Historic Preservation Heritage Funds for \$100,000 for the Alston House.
 - *6h. Approving and authorizing the City Manager to execute an intergovernmental agreement between the Maricopa County Community College District and the City of Mesa for use of the Mesa Police Training Facility.
7. Take action on the following recommendations from the Utility Committee:
- 7a. Request by East Valley Sports to provide water and sewer service outside the city limits at the northwest corner of North Power Road and East Boise Street.

Utility Committee Recommendation: Approval of Option 2.
(Vote 3-0)
 - *7b. Request by Maricopa County Parks and Recreation Department to provide water service outside the city limits to Usery Mountain Regional Park.

Utility Committee Recommendation: Approval of Option 2.
(Vote 3-0)
 - 7c. Request by Dillon's RV City to provide water and sewer service outside the city limits at 9452 E. Apache Trail.

Utility Committee Recommendation: Approval of Option 2.
(Vote 3-0)
 - 7d. Request by Chris and Cassie Plourd to provide water service outside the city limits in the 8200 block of East Redberry.

Utility Committee Recommendation: Approval of Option 2 or Option 3. (Vote 3-0)

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8. Take action on the following subdivision plats:
 - *8a. “WAL-MART SUPERCENTER, STORE NO. 3799-00”, (**District 4**) – 100-400 block of West Baseline Road (north side) located north of Baseline Road and east of Country Club Drive. 6 M-1 commercial lots (33.06 ac) Wal-Mart Stores, Inc., owner; Brady Aulerich & Associates, Inc., engineer.
 - *8b. “NOVA VISTA”, (**District 6**) – 3600-4200 BLOCKS OF South Mountain Road (west to the Signal Butte Road alignment) located south of Elliot Road and east of Signal Butte Road. 6 residential parcels (198.73 ac) Standard Pacific of Arizona, Inc., Porchlight Land & Cattle, L.L.C., Scott Peterson, manager, and Pleasant Valley Investmans, L.C., owners; CMX, L.L.C., engineer.
 - *8c. “PIONEER PLAZA OF MESA”, (**District 1**) – 600 block of East Main Street (north side) located east of Mesa Drive and north of Main Street. 1 C-2 commercial lot (1.16 ac) Steven M. Shore, owner; Brooks Engineers & Surveyors, Inc., engineer.
 - *8d. “LINDSAY GROVES MARKETPLACE”, (**District 1**) – 1700 block of North Lindsay Road (west side) located west of Lindsay Road and south of McKellips Road. 5 C-2 commercial lots (11.92 ac) Wal-Mart Stores, Inc. and SC Lindsay Groves, L.L.C., Ross Watson, managing member, owners; Horizon Consultants of Arizona, engineer.
9. Items from citizens present. (Maximum of three speakers for three minutes per speaker)