

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, December 19, 2005
5:45 P.M.

Invocation by Reverend David Schorejs, Parkway Baptist Church

Pledge of Allegiance.

Mayor's Welcome.

Recognition of Service of City Manager, Mike Hutchinson

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.
 - 2.1 Consider the appointment of a City Magistrate.
 - 2.2 Swearing in of new City Magistrate.

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3. Consider the following liquor license applications:

*3a. Jose Carmen Anguiano Hernandez, Agent

Person Transfer for Combos Club, 1241 E. Broadway Rd. #17. This is a person transfer from Pamela Panopoulos, Agent, Dog House Bar, 1241 E. Broadway Rd. #17. This license will transfer to the applicant. District #4.

4. Consider the following contracts:

*4a. Turning Target System for Police Range as requested by the Police Department. (2005184)

The Purchasing Division recommends authorizing purchase from the only responsive bidder, Action Target Inc., for \$31,363.20, including applicable sales tax.

*4b. Med-Eng Ballistic Protective Suits as requested by the Police Department. (2005182) **(Grant funds from the Urban Area Security Initiative)**

The Purchasing Division recommends authorizing purchase from the only responsive bidder, MED-ENG System Inc. at \$39,426.82, including applicable sales tax.

*4c. Three-year Contract for Towing of City Vehicles as requested by the Fleet Support Services Division. (2005165)

The Purchasing Division recommends accepting the overall low bid meeting specification by Industrial Towing at \$80,925.00 annually, based on estimated requirements.

4d. Three-year Supply Contract for Meter Set Assemblies for Warehouse Inventory as requested by the Gas Utility Division, Gas Distribution & Construction. (2005181)

The Purchasing Division recommends accepting the only responsive bid by R.W. Lyall & Co. Inc. for annual purchases estimated at \$221,263.68, including applicable sales tax and contingencies.

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- *4e. Fiber Optic Network Backbone for the Greenfield Water Reclamation Plant (GWRP) as requested by the Information Services Division (ISD).

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Corporate Technology Solutions, Inc. for purchases totaling \$148,156.60, including applicable sales tax.

- *4f. Three-year Contract for Landscape Maintenance Services for Parks and Retention Basins, in an Area designated as Zone 1, as requested by the Parks & Recreation Division. (2005174)

The Purchasing Division recommends accepting the overall low bid meeting specification by Artistic Land Management Inc. at \$323,345.57 annually, based on estimated requirements.

- *4g. Three-year Contract for Facilities Landscape Maintenance Services for Grounds adjacent to City Buildings and Facilities as requested by the Facilities Maintenance Division. (2005167)

The Purchasing Division recommends accepting the low bid by The Groundskeeper at \$514,079.00 annually, based on estimated requirements and extra options.

- *4h. Mesa Senior Center Renovations and Expansion, Community Development Block Grant (CDBG) Funding, City of Mesa Project No. 02-205-001.

This project will expand the Senior Center to include an 800 square foot exercise facility. Improvements include a locker room, renovated shower room, lobby area, and exercise area. Community Development Block Grant (CDBG #8383) funding is being used to pay for this project.

Recommend award to low bidder, Koo Design-Build, in the amount of \$213,615.86 plus an additional \$21,361.59 (10% allowance for change orders) for a total award of \$234,977.45.

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- *4i. Mesa Transit Diesel Fueling Facility, City of Mesa Project No. 03-057-001 (**ONLY ONE BID RECEIVED**).

This project will construct a new diesel fueling facility at the East Mesa Transit Operations & Maintenance Facility. It includes the installation of two 12,000-gallon aboveground storage tanks (ASTs) with associated equipment for fueling and operation. The Regional Public Transit Authority (RPTA) is paying for the cost of this project through an Intergovernmental Agreement (IGA).

Recommend award to low bidder, Weber Group, LLC, in the amount of \$538,250.00 plus an additional \$53,825.00 (10% allowance for change orders) for a total award of \$592,075.00.

- 4j. West Loop ITS Fiber Installation, City of Mesa Project No. 04-077-001.

This project includes the installation of fiber optic communication lines in existing ADOT conduit along US 60, Loop 101, and Loop 202 for the completion of fiber optic connectivity along the western and northern limits of the City. Improvements include the installation of conduit and fiber along various arterial streets, upgrading existing traffic control systems, and installing cameras on cross streets at interchanges for improved traffic monitoring.

Recommend award to low bidder, Power Engineers, Inc., in the amount of \$1,935,099.41 plus an additional \$193,509.94 (10% allowance for change orders) for a total award of \$2,128,609.35.

- *4k. Carson Junior High School Aquatic Facility, City of Mesa Project No. 01-810-001.

This project will include demolishing the existing pool facility and constructing a new family-style aquatic facility and will be completed using the Construction Manager at Risk (CM@Risk) delivery method. This initial phase of work will be the Design Phase Services. During this phase the CM@Risk will work closely with City staff and the design professional to develop the project design.

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Recommend award to the Construction Manager at Risk,
Low Mountain Construction, Inc., in the amount of
\$53,636.00 for Design Phase Services.

5. Introduction of the following ordinances and setting January 9, 2006
as the date of public hearing on these ordinances:

- *5a. Amending Sections pertaining to the Zoning Ordinance and
Subdivision Regulations of the Mesa City Code; amending
Sections 11-18-2, 11-18-6, 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), 9-6-6(d) regarding adjustments to the required fees
for subdivision plats and land splits.

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

- *5b. **Z05-94 (District 6)** The 6500 block of East
Superstition Springs Boulevard (north side). Located west of
Power Road and south of the Superstition Freeway (3±
acres). Site Plan Modification. This request is to allow for
the development of restaurant uses in a group commercial
center. (***Notified neighbors, registered neighborhoods
and homeowners associations.***)

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

- *5c. **Z05-97 (District 6)** The 4100 block of East Valley
Auto Drive (north side). Located at the southwest corner of
US60 and South Greenfield Road (5.85± ac). Rezone from
M-1 to M-1-PAD and Site Plan Review. This request will
allow for the development of office and warehouse
condominiums. Jon Huston, owner, Boyd H. Thacker,
applicant. (***Held neighborhood meetings and contacted
registered neighborhoods.***)

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

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- *5d. **Z05-98 (District 5)** 4460 East Main Street. Located east of the northeast corner of North Greenfield Road and East Main Street (2.5± ac). Rezone from C-2 to C-3. This request is to bring the current tenant uses into compliance with the zoning ordinance. Joe Dotty, Power of Attorney for owner, Jerry Torr, applicant. (**Notified neighbors, registered neighborhoods and homeowners associations.**)

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

- *5e. **Z05-99 (District 6)** The 2400 block of South Wattlewood extending east and south to the approximate alignment of East Nell Avenue, then east to South Copperwood. Located north of Guadalupe Road and west of Meridian Drive (23.2± ac). Rezone from R1-6 DMP to R-2 PAD DMP and Site Plan Review. This request will allow the development of golf condominiums within the Sunland Springs Village Development Master Plan. Craig Alstrom, Farnsworth Development, owner/ applicant. (**Held neighborhood meeting and notified the homeowners association.**)

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

- *5f. **Z05-100 (District 6)** 5905 East Still Circle. Located west of Recker Road and north of Baseline Road (5± ac). Site Plan Review. This request is to allow for the development of a long-term acute care facility. Gary Cloud, owner, Timothy C. Becker, applicant. (**Notified neighbors, registered neighborhoods and homeowners associations.**)

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

- *5g. **Z05-102 (District 6)** The 8500-8600 block of East Guadalupe Road (south side). Located east of the southeast corner of South Hawes Road and East Guadalupe Road (9± ac). Rezone from R1-43 to R1-6-PAD and Site Plan Review. This request will allow for the development of

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a single-family residential subdivision. Yoram Hachamon, Miramesa Properties, LLC, owner, Thomas D. Bohlen, Oracle Architecture & Planning, applicant. ***(Held neighborhood meetings, notified neighbors, registered neighborhoods and homeowners associations.)***

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

- *5h. **Z05-103 (District 5)** The 6300-6800 blocks of East Baywood Avenue (north side). Located west of Power Road and north of Broadway Road (38.5± ac). Rezone from R-4 BIZ, C-2, and O-S to C-1 BIZ and Site Plan Review. This request will facilitate the further development of the hospital campus. Don A. Evans, owner, John Berry, Esq., applicant. ***(Held neighborhood meetings, notified neighbors, registered neighborhoods and homeowners associations.)***

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

- *5i. **Z05-104 (District 4)** 1050 South Stapley Drive. Located north of Southern Avenue and west of Stapley Drive (6.5± ac). Rezone from R-2 to R-2 PAD. This request is to allow the conversion of existing apartments to condominiums. Sunland Manor Limited Liability Company, owner, Sean Lake, Pew & Lake, P.L.C., applicant. ***(Notified neighbors, registered neighborhoods and homeowners associations.)***

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

- *5j. **CZ05-001TC (District 4)** Located at the northeast corner of 1st Avenue and Extension Road (approx. 6 acres). Request for rezoning from R-4 and C-2 to C-3. Coury Family Trust, owner; Paul Devers, Cawley Architects, applicant. ***(Property owners and tenants within 1,000 feet were notified by mail. Held neighborhood meeting on September 13, 2005)***

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DDC Recommendation: Approval with conditions. (Vote:
Passed 5-0)

6. Consider the following ordinances:
 - *6a. Amending Section 10-3-21 of the Mesa City Code by adding Subsection (N) which allows the Development Services Manager the ability to designate certain streets or areas for parking of vehicles with parking decals.
 - *6b. Creating a new, simplified structure for permit fees charged by amending sections 4-1-4(I), 4-1-4(K), 4-1-4(N), 4-1-6(B) and 4-1-6(D) of the Mesa City Code and by repealing and replacing Section 4-1-8 of the Mesa City Code. **(See Items 7a and 7b)**
 - *6c. Amending Section 211 of the Mesa City Charter to except from introduction those ordinances required to have a public hearing and citizen participation as required by the Zoning Ordinance.
 - *6d. Amending Section 401 of the Mesa City Charter establishing a Council appointed City Auditor position.
7. Consider the following resolutions:
 - *7a. Modifying fees and charges for the Engineering Division (Engineering Construction Services).
 - *7b. Modifying fees and charges for the Building Safety Division.
 - *7c. Authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the Apache Junction Fire District (AJFD) to provide engineering services, technical installation, and two-way radio maintenance for AJFD's radio equipment at Mormon Flat and Horse Mesa Dam sites.
 - *7d. Consider granting easements for electrical transmission and aerial electric lines to Salt River Project at 2565 E. Southern Avenue (on the south side of Southern Avenue between S. 24th Street and S. Lindsay Road).

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These easements are necessary due to the widening of Southern Avenue so that Salt River Project can relocated the electrical service for the Lindsay Park Townhomes development.

- 7e. Approving an exchange of City owned real property for real property owned by Habitat for Humanity, Valley of the Sun and approving \$90,000 in Community Development Block Grant (CDBG) funds for rehabilitation of the Alston House property.
- *7f. Authorizing and directing the City Manager to execute necessary documents to acquire certain real property for Signal Butte Road right of way north of Elliot Road.
- *7g. Granting a Power Distribution Easement to Salt River Project at 11200 East Elliot Road.

Salt River Project is requesting this easement to improve reliability of their electrical service in Southeast Mesa.

- 7h. Discuss, consider and revise a resolution ordering and calling a special utility revenue bond election for May 16, 2006.
- *7.1. Discuss and consider employment contract with new City Manager Chris Brady.
- 8. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding Ordinances:
 - *8a. **Z05-93 (District 5)** 862 North Power Road. Located at the southwest corner of North Power Road and East Encanto Street (5.89± ac). Rezone from R1-7 (conceptual O-S) to R1-7-PAD. This request will allow for the development of a single residence subdivision. Steven J. Hall, owner/applicant. **(Held neighborhood meetings with property owners, registered neighborhood associations and homeowners association.) CONTINUED FROM THE NOVEMBER 21, 2005 CITY COUNCIL MEETING.**

P&Z Recommendation: Approval with Conditions. (Vote: 5-1 with Boardmembers Adams nay and Carpenter abstaining)

- 8b. **Z05-101 (District 1)** East side of Dobson Road from 8th Street north to the Loop 202, and North side of 8th Street

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from Dobson Road to the Tempe Canal, and Northwest side of the Tempe Canal from 8th Street northeast 1,562 ft (127.02 acres). Site Plan Review. This case involves the development of a regional commercial center known as Mesa Riverview. Hurley Properties, owner; KRS Acquisitions Corp c/o Mike Withey, applicant. ***(Held neighborhood meeting and contacted registered neighborhoods and homeowners associations.)*** **(Ordinance as requested by Applicant per direction of City Council)**

P&Z Recommendation for ordinance with additional stipulation: Approval with Conditions. (Vote 4-1 with Boardmembers Finter opposed, Saemisch abstaining and Salas absent)

9. Consider the following subdivision plats:
 - *9a. "MOUNTAIN HORIZONS UNIT 2", **(District 6)** – 4200-4300 blocks of South Mountain Road (west side) located north and west of Warner Road and Mountain Road. 83 R1-7 PAD DMP single residence lots (30.62 ac) Pulte Home Corporation, owner; CMX, LLC, engineer.
 - *9b. "MOUNTAIN HORIZONS UNIT 5", **(District 6)** – 4600-4700 blocks of South Signal Butte Road (east side) located south and east of Warner Road and Signal Butte Road. 147 R1-6 PAD DMP single residence lots (31.87 ac) Pulte Home Corporation, owner; CMX, LLC, engineer.
 - *9c. "MOUNTAIN HORIZONS UNIT 6", **(District 6)** – 4600-4700 blocks of South Mountain Road (west side) located south and west of Warner Road and Mountain Road. 143 R-2 PAD DMP single residence lots (19.75 ac) Pulte Home Corporation, owner; CMX, LLC, engineer.
 - *9d. "MOUNTAIN HORIZONS UNIT 7", **(District 6)** – 4800-4900 blocks of South Signal Butte Road (east side) located north and east of Ray Road and Signal Butte Road. 119 R1-6 PAD DMP single residence lots (28.49 ac) Pulte Home Corporation, owner; CMX, LLC, engineer.

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- *9e. “MOUNTAIN HORIZONS UNIT 8”, (**District 6**) – 4800-5000 blocks of South Mountain Road (west side) located north and west of Ray Road and Mountain Road. 154 R1-6 PAD DMP single residence lots (24.26 ac) Pulte Home Corporation, owner; CMX, LLC, engineer.
 - *9f. “LOWE'S AT ELLSWORTH”, (**District 6**) – 9200 block of East Southern Avenue (south side) and the 1200 block of South Ellsworth Road (east side) located south and east of Southern Avenue and Ellsworth road. 3 C-2 commercial lots (23.23 ac) ADGroup Southern & Ellsworth , LLC, Don Andrews, managing partner and Lowe's HIW, Inc, owners; R.B. Williams & Associates, Inc., engineer.
 - *9g. “RED MOUNTAIN VILLAGE OFFICE SUITES”, (**District 5**) – 3500-3600 block of North Power Road (west side) 23 C-2 PAD office condominium units (5.21 ac) Red Mountain Village Investors, LLC, James R. Riggs, manager, owner; Survey Innovation Group, Inc., engineer.
 - *9h. “PIERPONT SAN TAN CONDOMINIUM NO. 1”, (**District 6**) – 4135 South Power Road (east side) located north and east of Warner Road and Power Road. 129 PEP PAD office condominium units (4.87 ac) Pierpont San Tan, LLC, Frank Richards, managing member, owner; Hunter Engineering, engineer.
 - *9i. “MESA RIDGE BUSINESS PARK”, (**District 5**) – 4200 block of East McDowell Road (south side) 8 M-1 industrial lots (19.12 ac) Mesa Ridge Business Park I, LLC, and Mesa Ridge Business Park III, LLC, Mike Wilson, managing member, owner; Stantec Consulting, Inc., engineer.
- 9.1 Conduct a public hearing regarding various City budget issues and election scenarios, including, but not limited to:
 - a. Changes to the City's sales tax
 - b. Implementing a primary property tax
 - 9.2 Discuss proposed tax changes, budget and election scenarios.

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- 9.3 Discuss, consider and revise a resolution to submit to the Mesa voters the question of increasing the City's transaction privilege tax (sales tax).
- 9.4 Discuss, consider and revise a resolution to submit to the Mesa voters the question of authorizing a proposed amount to be raised by a primary property tax (ad valorem tax).
- 9.5. Discuss, consider and revise a resolution ordering and calling a General Election for May 16, 2006.
10. Items from citizens present. (Maximum of three speakers for three minutes per speaker).