

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, October 15, 2007
5:45 P.M.

Invocation by Reverend Stewart Lewis, Velda Rose United Methodist 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. Conduct a public hearing concerning the Home Rule adjustment to the State expenditure limitation.
4. Conduct a public hearing prior to release of the petition for signatures for the following proposed annexations:
 - 4a. [A07-06 \(District 5\)](#) Annexing land located north and west of Hawes Road and McDowell Road (1.01 ± ac). Initiated by the property owner, Brian Rogerson.
 - 4b. [A05-10 \(District 5\)](#) Annexing land located south of Range Rider Trail between Hawes and Ellsworth Roads (17.55± ac). Initiated by one of the property owners, Joseph Courtney.
5. Conduct a public hearing and take action on amending the Mesa 2025 General Plan Chapter 2 text for the following Minor General Plan Amendment:
 - 5a. Public hearing on General Plan Amendment **GPMInor07-12 (Citywide)**
 - 5b. Take action on the following resolution:

[GPMInor07-12 \(Citywide\)](#) Proposed General Plan Land Use Amendment: Text Amendment to the Mesa 2025 General Plan. (All Council Districts). Minor General Plan Amendment to change the text in Chapter 2 titled Land Use of the Mesa 2025 General Plan adopted on June 24, 2002. In particular, the text amendment deals with the addition of a new land use category titled "Mixed Use/Community. City of Mesa is the applicant.

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

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6. Take action on the following liquor license application:

*6a. [The Duchess](#)

Person Transfer Bar License for The Duchess, 3929 E. Main Street, Suite #2, KKBG LLC – Applicant, Kimberly Ann Guethle – Agent. The Bar License previously held at this location by Butler Entertainment, Inc. will transfer to the Applicant. **(District 2)**

7. Take action on the following contracts:

*7a. [Two \(2\) Replacement Vehicles](#) as requested by the Utilities and Human Resources Departments (Budgeted Vehicle Replacement Program Funding) (State of Arizona Contract)

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with Courtesy Chevrolet at \$39,218.55, including applicable sales tax.

*7b. Two-Year Renewal to the [Supply Contract for 15kV Aluminum Electrical Cable](#) for Warehouse Inventory

The Procurement Services Department recommends exercising the two-year renewal of the Mesa contract with WESCO Distribution, Inc. at \$188,666.98 annually, including contingencies and applicable use tax, based on estimated requirements.

*7c. [Personal Computer Equipment](#) for Various City departments as Requested by the Information Technology Department. (Tax-Exempt Lease) (WSCA Contract #63307 and National IPA Contract #073103)

The Procurement Services Department recommends authorizing purchase of 785 Personal Computers, 303 Monitors and associated hardware from the Western States

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Contracting Alliance (WSCA) contract with Dell, Inc., at \$1,056,394.85, and 181 Notebook Computers and associated hardware from the National Intergovernmental Purchasing Alliance (IPA) contract with CLH International, Inc. at \$785,912.94, for a combined award of \$1,842,307.79, including applicable sales tax and installation.

- *7d. [Two-Year Renewal of Supply Contract](#) for Cationic Emulsion Polymer for the Utilities Department, Water Division (Mesa Contract # 2004116)

The Procurement Services Department recommends authorizing renewal of the Mesa contract to Polydyne, Inc. at \$205,110.00 annually, based on estimated requirements.

- 7e. [Wastewater / Water / Gas Replacement](#) on North Lewis Street from University Drive to 6th Street, City of Mesa Project No. 01-656-003.

This project will replace aging wastewater, water and gas pipelines that are past their useful life and experiencing leaks or blockages. In addition the streets that are damaged from the replacement of utilities will be repaved and the sidewalk ramps will be replaced or retrofitted where possible to bring them into compliance with the Americans with Disabilities Act (ADA) requirements.

Recommend award to Spire Engineering, LLC, in the amount of \$566,990.00 plus an additional \$56,699.00 (10% allowance for change orders) for a total award of \$623,689. Funding is available from the approved FY 07/08 capital bond programs for water, wastewater and gas and the approved FY 06/07 Transportation Field Operations Budget for pavement and ADA ramps improvements.

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- *7f. [Falcon Field Airport Runway Incursion](#) Prevention Perimeter Access Control (Phase 2), City of Mesa Project No. 02-397-004.

This project will install the Phase 2 perimeter fence around Falcon Field Airport.

Recommend cancellation of the August 27, 2007 contract award to Steelock Fence Corporation and award to second low bidder JMH Company, LTD, in the amount of \$395,733.00 plus an additional \$39,573.30 (10% allowance for change orders) for a total award of \$435,306.30. Funding is available as follows: UASI Grant (\$73,000.00), FAA Grant (\$343,420.00) and an Arizona Department of Transportation (ADOT) Grant (\$18,886.30).

8. Introduction of the following ordinances and setting November 5, 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:

Speed Limits: 10-4-4 (40 mph) and 10-4-5 (35 mph)

Increasing the speed limit from 35 mph to 40 mph on Country Club Drive from Broadway access road to the east leg of 2nd Avenue. (Country Club Drive south of Main Street) **(District 4)**

- *8b. [Z07-87 \(District 6\)](#) 6555 East Southern Avenue. Located north and west of the US 60 Freeway and Power Road. Council Use Permit. This request will allow the development of a Freeway Landmark Monument sign. Steve Wood, East Mesa Land Partnership, owner; Josh Goins, Young Electric Sign Co., applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

P&Z Recommendation: Approval with conditions. (Vote: 5-1 with Boardmembers Roberts nay and Salas absent).

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DRB Recommendation: Approval with Conditions (Vote: 7-0)

- *8c. [CUP07-001TC \(District 4\)](#) – 241 East 6th Street (1.12± acres). Request to obtain a Council Use Permit to allow the expansion of the Salvation Army which will include a family services/warehouse facility. Major Brian Jones, Salvation Army, applicant. **(Property owners within 300 feet were notified).**

9. Take action on the following resolutions:

- *9a. Approving and authorizing the City Manager to execute a [Development Agreement for City Share Reimbursement between Regency Development, Inc. and the City of Mesa](#) for the reimbursement of \$75,345.50 for regional street and street lighting improvements that are being required by Mesa in conjunction with a Church known as Spirit of Hope Lutheran Church located at 2605 South Signal Butte Road. Mesa's estimated share will be funded from existing Street HURF Bond proceeds.

- *9b. [Granting Power Distribution Easements](#) to Salt River Project on city-owned property located at 7201 East Baseline Road.

These easements are necessary to underground power lines and to provide power to Greenbrier Marlborough, a new development.

- *9c. Approving and authorizing the City Manager to execute an [agreement between the City of Mesa and the Arizona Criminal Justice Commission](#) – Project Safe Neighborhood (PSN) Anti-Gang Initiative to secure grant funds in the amount of \$99,557 for salary and employee related expenses for the City Prosecutor's Office.

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- *9d. Approving and authorizing the City Attorney or her designee to sign the [“Stipulation of Intervenors’](#) Concurring in the Joint Motion of the Central Arizona Conservation District and the United States to Approve Amendment to the Revised Stipulation and for Entry of Stipulated Judgment” to be filed in CENTRAL ARIZONA WATER CONSERVATION DISTRICT V. UNITED STATES, NO CIV 95-625-TUC-WCB (EHC), NO. CIV 95-1720-PHX-(EHC) (Consolidated Action).
- *9e. Approving and authorizing the City Manager to execute [Amendment No. 2 to the Amended and Restated Gila River Indian Community Water Rights Settlement Agreement.](#)
- *9f. Approving and authorizing the City Manager to execute an [Intergovernmental Agreement with the Salt River Pima-Maricopa Indian Community](#) for the receipt and administration of grants in the amount of \$425,000. Mesa Public Schools: \$125,000 pass through grant for tutoring and student enrichment. Arizona Museum of Natural History: \$150,000 to begin development of Mesa Grande Cultural Park. Mesa Parks, Recreation and Commercial Facilities: \$150,000 for a new air conditioning system at Broadway Recreation Center.
- *9g. [Adopting an Amendment to Section II\(D\)](#) of the Ethics Handbook for Elected Officials and Advisory Board Members. **(Requires 5 affirmative votes)**
- 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. [Amending Sections 11-13-2 \(R\), 11-13-2 \(S\), and 11-18-12](#) to allow sites within the Town Center Redevelopment area to be eligible to apply for Development Incentive Permits (DIP) and Substantial Conformance Improvement Permits (SCIP) and to allow the Downtown Development Committee to hear and make recommendations on DIP and SCIP requests.

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

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DDC Recommendation: Approval. (Vote: 6-0)

- *10b. [Amending the City of Mesa Zoning Ordinance](#) to add a new zoning district entitled “PC – Planned Community”. The proposal would amend Section 11-2-1 by adding a new category of land use districts, “Mixed Use”, and include PC – Planned Community as one of the districts under that category; and may amend Chapter 11-18, as needed, to facilitate the processing and administration of this proposed zoning district. It will also add a new chapter, 11-9.1, and associated sections, as needed, to fully describe the purpose and intent; administration, processing and implementation; and any associated land use, building form, design and/or site planning requirements, as needed, to implement this proposed zoning district. **(Related to Item 10c)**

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

- *10c. [Amending Sections 9-5-3, 9-6-7 and 9-8-4](#) of the Mesa City Code to add a process that would permit applications to be filed requesting modifications of adopted engineering and off-site related development standards when in conjunction with a rezoning application for a PC, Planned Community District. **(Related to Item 10b)**
- *10d. [Z07-93 \(District 6\)](#) The 1800 and 1900 blocks of South Crismon Road (east to South LaBelle Road). Located north of Baseline Road and east of Crismon Road (25.9± acres). Rezone 5.27± acres from C-2 to C-2-BIZ and Site Plan Review for the entire site. This request will allow the development of a retail/office development with two 3-story office buildings. Michael S. Gustafson, Crismon Gateway, LP, owner; Chris Sittler, DPA Architects, applicant. ***(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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- *10e. [Z07-95 \(District 3\)](#) 2318 South Country Club Drive. Located south of Baseline Road on the west side of Country Club Drive (23± acres). Rezone from M-1 PAD to M-1 and Site Plan Modification. This request will remove the existing site plan and the associated overlay district from the property. Brandon Wolfswinkel, Vanderbilt Farms, LLC, owner; W. Ralph Pew, Pew and Lake, PLC, applicant. ***(Held two neighborhood meetings, notified property owners, homeowners associations and registered neighborhoods.)***

P&Z Recommendation: Approval with conditions. (Vote: 6-1 with Boardmember Langkilde nay)

11. Take action on the following subdivision plat:
- *11a. [“THE COMMONS AT SUPERSTITION SPRINGS” \(District 6\)](#) 7447 East Southern Avenue (south side) located south and west of Southern Avenue and Sossaman Road. 24 M-1 PAD DMP industrial condominium units (6.00 ac) A.T. Meridian Companies, L.L.C., Grant A. Tayrien, member, owner; D&M Engineering, engineer.
12. Items from citizens present. (Maximum of three speakers for three minutes per speaker).