

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, August 27, 2007
5:45 P.M.

Invocation by Dr. Brad Bryant, Gold Canyon 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.
- 2.1. Discuss and take action on the [appointment of Linda Crocker as City Clerk](#) as recommended by the City Manager.
3. Take action on the following liquor license applications:
 - *3a. [Southeast Valley Regional Association of Realtors](#)

This is a one-day fraternal event to be held on Friday, September 28, 2007, from 5:00 P.M. to 10:00 P.M. at 1363 S. Vineyard. **(District 3)**
 - *3b. [Famous Dave's Legendary Pit Bar-B-Que](#)

New Restaurant License for Famous Dave's Legendary Pit Bar-B-Que, 1011 N. Dobson Road, Famous Charlie LLC – Applicant, Randy D. Nations – Agent. This is new construction with no previous liquor license at this location. **(District 1)**
4. Take action on the following contracts:
 - *4a. [Renewal of the Supply Contract for Dust and Erosion Control Services](#) as requested by the Development Services Department, Environmental Programs Division.

The Procurement Services Department recommends authorizing renewal to use the Maricopa County contract with EarthCare Consultants, LLC at \$144,081.63, based on estimated requirements.
 - *4b. [Two-Year Renewal of the Supply Contract for Helicopter Engine Parts](#) & Repair for the Police Department.

The Procurement Services Department recommends exercising a two-year renewal option with Aero Maritime America, Inc. at \$390,000.00 annually, based on estimated usage.

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- *4c. [Two Replacement Fire Pumper Trucks](#) for the Fire Department. (Fire Bond Funded) **(Single Proposal)**

The Procurement Services Department recommends authorizing purchase from Pierce Manufacturing, Inc. at \$1,106,601.41 including applicable use tax.

- *4d. [Professional Sound System for the Mesa Arts Center.](#)

The Procurement Services Department recommends authorizing purchase from AVDB Group, LC at \$228,577.83, including applicable use tax.

- *4e. [Ratification of Emergency Purchase of X-Ray Screening Equipment for the Mesa Municipal Court \(Arizona Supreme Court Grant Funded\).](#)

The Procurement Services Department recommends ratification of purchase from the Maricopa County contract with Smiths Detection at \$57,393.84, including applicable use tax and freight.

- 4f. [Falcon Field Airport Runway Incursion Prevention Perimeter Access Control \(Phase 2\), City of Mesa Project No. 02-397-004.](#)

This project will install the second phase of interior fencing along Falcon Drive, Roadrunner Drive, Eagle Drive and Higley Road to reduce the possibility of runway incursions at Falcon Field.

Recommend award to Steelock Fence Corporation, dba Steelock General Fence Contractors, in the amount of \$388,270.00 plus an additional \$38,827.00 (10% allowance for change orders) for a total award of \$427,097.00. Funding is available from Federal (FAA) Grant (\$343,420.00), a State grant (\$10,677.00) and a UASI grant (\$73,000.00)
(Related to item 7h)

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- *4g. [Desert Wells Pump Station No. 1 Expansion](#) at 6102 East McDowell Road, City of Mesa Project No. 03-072-001.

This project will expand water pumping capacity and system reliability in the northeast portion of the Desert Wells Pressure Zone and will clean and repaint the interior of Falcon Field Reservoir No. 1.

Recommend award to Archer Western Contractors, in the amount of \$1,156,148.00 plus an additional \$115,614.80 (10% allowance for change orders) for a total award of \$1,271,762.80. Funding is available from the approved FY 07/08 Water Bond Program.

- 4h. [2007/2008 Surface Seal Project](#), City of Mesa Project No. 07-901-001 (**Sole Bidder**).

This project will surface seal approximately 752,065 square yards of pavement throughout the City.

Recommend award to Cactus Asphalt, in the amount of \$386,016.25 plus an additional \$38,601.63 (10% allowance for change orders) for a total award of \$424,617.88. Funding is available from the Transportation Operations Budget.

- *4i. [2007/2008 Crack Seal Project](#), City of Mesa Project No. 07-902-001.

This project will crack seal approximately 4,229,300 square yards of pavement throughout the City.

Recommend award to Cholla Pavement Maintenance, Inc., in the amount of \$1,045,046.00 plus an additional \$104,504.60 (10% allowance for change orders) for a total award of \$1,149,550.60. Funding is available from the Transportation Operations Budget.

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5. Introduction of the following ordinances and setting September 4, 2007, as the date of the public hearing on these ordinances:

*5a. [A07-16 \(District 5\)](#) Annexing land located on Crismon Road north of Brown Road (0.15 ± ac). Initiated by the property owner, Warren Petersen.

*5b. [Z07-84 \(District 5\)](#) 2759 North Val Vista Drive. Located at the southeast corner of Val Vista Drive and McDowell Road (2.62 ± ac). Rezone from O-S PAD to O-S. Jennifer Hassan, owner; City of Mesa, applicant. (**Notified property owners and homeowners associations.**)

PHO Recommendation: Approval with Conditions.

*5c. [Amending the City of Mesa Zoning Code](#) to provide the remaining seven (7) of forty-four (44) Level 1 Historic Structures identified in a 1984 Historical Survey of the City of Mesa the opportunity to apply for a Special Use Permit to allow office use.

6. Introduction of the following ordinance and setting September 17, 2007, as the date of the public hearing on this ordinance:

*6a. [Z07-66 \(District 5\)](#) North side of McKellips from Hawes to the alignment of 92nd Street and the south side of McKellips from the alignment of 80th Street to the alignment of 92nd Street. Modification of the Stone Bridge Mountain DMP. Site Plan Review and rezone of parcel 23 from R1-35 DMP (conceptual R1-9) to R1-15 PAD. Pinnacle Ridge Holdings, LLC, Jeff Blandford, owner; Paul Dugas, applicant. (**Held neighborhood meetings and notified property owners.**)

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

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7. Take action on the following resolutions:

- *7a. [Vacating an alley](#) between the 1900 blocks of East Delta Avenue and East Diamond Avenue. **(District 4)**

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

- *7b. [Vacating Right-of-Way](#) on North Stapley Drive at 1220 East Nance Street and 2645 North Stapley Drive. **(District 1)**

This 10-foot wide section of right-of-way is no longer needed.

- *7c. [Extinguishing a Water Line Easement](#) at 7530 East Hampton Avenue. **(District 6)**

The easement is not required and is in the way of a new development project.

- *7d. [Granting a Power Distribution Easement](#) to Salt River Project on City-owned property at 6935 East Decatur Street. **(District 5)**

This easement is necessary to reinstall new power lines to Fremont Junior High School across city-owned property.

- *7e. [Extinguishing a portion of a Public Utility Easement](#) at 2842 East Emelita Avenue. **(District 2)**

This easement is being extinguished to allow the construction of a swimming pool.

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- *7f. Approving and authorizing the City Manager to execute a [Development Agreement for City Share Reimbursement](#) between Pros Investments, LLC and the City of Mesa for the reimbursement of \$59,736.20 for regional street lighting and traffic signal improvements that are being required by Mesa in conjunction with a proposed commercial subdivision known as Parkwood Ranch Marketplace located at 1137 South Crismon Road. Mesa's estimated share will be funded from existing Street HURF Bond proceeds. **(District 6)**
- *7g. Approving and authorizing the City Manager to execute an [Intergovernmental Agreement between Maricopa County Department of Transportation \(MCDOT\)](#) and the City of Mesa for maintenance and operation of Elliott Road just west of Signal Butte Road.
- This agreement will allow Mesa to reduce congestion and delay at the intersection by adding a dedicated eastbound left turn lane on Elliott Road at Signal Butte Road. The improvements can be made less expensively and in a more timely manner than if MCDOT retained responsibility for maintenance and operations.
- 7h. Approving and authorizing the City Manager to execute an [Airport Improvement Program \(AIP\) Grant Agreement between the Federal Aviation Administration \(FAA\)](#) and the City of Mesa for installation of perimeter fencing at Falcon Field Airport. **(Related to item 4f)**
- *7i. Approving and authorizing the City Manager to execute an [Intergovernmental Agreement between the City of Mesa and City of Scottsdale](#) for cooperative law enforcement training operations.
- *7j. Approving and authorizing the City Manager to execute an [Intergovernmental Agreement between the City of Mesa and City of Maricopa](#) for cooperative law enforcement training operations.

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- *7k. Approving and authorizing the City Manager to execute an [Intergovernmental Agreement between the City of Mesa and the Salt River Pima Maricopa Indian Community](#) for cooperative law enforcement training operations.
8. 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.
- *8a. [A06-28 \(District 6\)](#) Annexing land located at the northwest corner of Broadway Road and 82nd Way (0.20± ac). Initiated by the property owner, James Vanderpool.
- *8b. [Z07-43 \(District 6\)](#) 8659 East Pecos Road. Located south and east of Hawes Road and Pecos Road (10.59± ac.). Rezone from AG to O-S-PAD for the southern 110' of the site, and M-1-PAD for the remainder of the site, and Site Plan Review. This request will allow for the development of an office/warehouse development. Jeff Phillippe, Pecos 77, LLC, owner; Reese Anderson, Pew & Lake, PLC, applicant. ***(Held neighborhood meetings, notified property owners, homeowners associations and registered neighborhoods.)*** **LEGAL PROTEST FILED – ¾ VOTE REQUIRED. CONTINUED TO THE SEPTEMBER 4, 2007 COUNCIL MEETING.**
- P&Z Recommendation: Approval with conditions. (Vote: 4-2-1 with Boardmembers Esparza and Langkilde nay; Carter abstaining due to a potential conflict of interest).
- *8c. [Z07-56 \(District 5\)](#) The 2800 to 3200 blocks of North Sossaman Road (west side). Located north of McDowell Road on the west side of Sossaman Road (1.21± ac). Rezone from Maricopa County R1-35 to City of Mesa R1-35-PAD. For the establishment of City of Mesa zoning on recently annexed property. Las Sendas Community Association, represented by Michael Moore, owner; City of Mesa, applicant.

PHO Recommendation: Approval with Conditions.

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- *8d. [Z07-71 \(District 6\)](#) The 200-300 blocks of South Hawes Road (east side). Located at the northeast corner of Broadway and Hawes Roads (8.69± acres). Rezone from Maricopa County R-5 to City of Mesa R-4. For the establishment of City of Mesa zoning on recently annexed property. Bonita Vista Mobile Home Park LP, represented by Jack Evans, owner; City of Mesa, applicant.

PHO Recommendation: Approval with Conditions.

- *8e. [Z07-72 \(District 5\)](#) 7611 East Palm Lane. Located east of Sossaman Road north of McDowell Road (1.21± acres). Rezone from Maricopa County R1-35 to City of Mesa R1-35. For the establishment of City of Mesa zoning on recently annexed property. Brian Bresson and Julie Preder, owners; City of Mesa, applicant.

PHO Recommendation: Approval with Conditions.

- *8f. [Z07-73 \(District 6\)](#) 221 South Power Road. Located south of Main Street on the east side of Power Road (1.46± ac.) Site Plan Review. This request will allow the development of a medical office building. Chatham and Chatham LLC, Joseph Chatham, owner; Keith Paul, Looker & Cappello Architects, Inc., applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

PHO Recommendation: Approval with Conditions.

- *8g. [Z07-75 \(District 5\)](#) 3820 North Hawes Road, APN 219-18-008A. Located north of Thomas and Hawes Roads (west side) (1.5 ± ac.) Site Plan Review. To accommodate the future development of a single residence. JCA Holdings LLC, Chris Arnold, owner; Reese Anderson, Pew and Lake, PLC, applicant. ***(Notified property owners and homeowners associations.)***

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

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- *8h. [Z07-76 \(District 6\)](#) 3225 South Power Road. Located south of Guadalupe Road on the east side of Power Road (14.72± ac.). Rezone from R1-43 to M-1 PAD and Site Plan Review. This request will allow the development of an industrial/office complex. Frank Warren, Newport Builders, owner; Thomas D. Bohlen, Oracle Architecture & Planning, applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

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

- *8i. [Z07-77 \(District 5\)](#) 1460 North Alta Mesa Drive. Located south of McKellips Road and west of Recker Road (7.04 ± ac.). Rezone from R-2 PAD DMP to R1-6 PAD DMP and Site Plan Review. This request will allow the development of a townhouse community. John Perkinson, Perkinson Investment Corp., owner; Dorothy Shupe, Dreamcatchers Planning & Design, LLC., applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

P&Z Recommendation: Approval with conditions. (Vote: 6-0-1 with Boardmember Carter abstaining due to a potential conflict of interest.)

- *8j. [Z07-80 \(District 5\)](#) The 8000-8100 blocks of East Brown Road. Located south and east of Brown Road and 80th Street (4.52± ac.). Rezone from R1-9 (conceptual O-S) to O-S, and Site Plan Review. To accommodate the development of an assisted living facility and an office building. Gary Crosby, Crosby Enterprises, Inc., owner/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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- *8k. [Z07-81 \(District 5\)](#) 1202 North Power Road (west side). Located on the northwest corner of Brown Road and Power Road (1.9± ac.). Rezone from R1-9 to C-1, and Site Plan Review. This request will allow the development of a convenience store with fuel pumps. John Ortle & David Sleater, owners; David Cisiewski, Law Office of David Cisiewski, PLLC, applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

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

- *8l. [Z07-82 \(District 2\)](#) 2434 East Southern Avenue. Located on the north side of Southern Avenue west of Lindsay Road (1.34+/- acres). Rezone from R1-43 to O-S. This request will allow for a commercial childcare facility. John and Linda Skidmore owner; Thomas Bottomley – Dreamcatchers Planning & Design, applicant. ***(Notified property owners, homeowners associations and registered neighborhoods.)***

PHO Recommendation: Approval with conditions.

- 8m. [Z07-83 \(District 2\)](#) 4225 East University Drive. Located on the southwest corner of University Drive and Greenfield Road (24.9+/- acres). Rezone from R-4 to R-4 PAD and Site Plan Review. This request will allow for the conversion of apartments to townhomes for sale. D. Gregory Hales, Carlsbad Development Inc LLC, owner; Mark Tomecak, applicant. ***(Notified property owners)***.

PHO Recommendation: Approval with conditions.

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9. Hear, discuss and take action on the appeal of the following Design Review Board case:
 - 9a. [DR07-85 \(District 6\) Pecos Gateway](#) Southwest corner of Pecos and 88th Street. Approval of three industrial buildings. Pecos Gateway LLC owner; Tim Rasnake, Archicon, applicant.

Design Review Board Decision: Passed. (Vote: 5-0, DiBella and LeSueur absent)
10. Take action on the following subdivision plats:
 - *10a. ["BROADWAY MESA COMMONS CONDOMINIUMS"](#) **(District 3)** 1716 West Broadway Road (north side) located north and east of Broadway Road and Dobson Road. 13 M-1-PAD industrial condominium units. (3.82 ac.) Broadway Mesa Commons, LLC, Robert Nuttall, manager, owner.
 - *10b. ["THE SHOPPES AT PARKWOOD RANCH"](#) **(District 6)** 10600-10800 blocks of East Southern Avenue (north side) located north and west of Southern Avenue and Signal Butte Road. 7 C-2-DMP commercial lots. (15.76 ac.) Weingarten/Investments, Inc., Andrew Alexander, president, owner.
- *11. [Approve write-off of utility and miscellaneous accounts](#) for the three-month period ending June 30, 2007 totaling \$336,447. Collection efforts will continue with respect to all of these accounts, including the assignment of accounts to a collection agency.
12. Items from citizens present. (Maximum of three speakers for three minutes per speaker).