

## **CITY COUNCIL AGENDA**

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

Monday, February 4, 2008  
5:45 P.M.

Invocation by Father Charlie Goraieb, Queen of Peace Catholic 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 prior to the release of the petition for signatures for the following proposed annexation:
  - 3a. [A07-22 \(District 5\)](#) Annexing land located south and west of McDowell Road and Sossaman Road (0.52± ac.). Initiated by one of the property owners, Christy Sutphen.
4. Take action on the following liquor license applications:
  - \*4a. [Ragnar Relay Del Sol](#)

This is a one-day charitable event to be held on Saturday, March 1, 2008 from 10:00 A.M. to 7:00 P.M. at Riverview Park, 2100 W. 8<sup>th</sup> Street. **(District 1)**
  - 4b. [Club Seis Frias](#)

New Bar License for Club Seis Frias, 111 S. Dobson Road, Suite #108, Kathleen Concepcion Frias – Individual. This is an existing building with no previous liquor license at this location. **(District 3)**
  - \*4c. [Superstition Springs Golf Club](#)

Person to Person Transfer Bar License for Superstition Springs Golf Club, 6542 E. Baseline Road, EAGL Arizona Beverage LLC – Applicant, Andrea Dahlman Lewkowitz – Agent. The previous Bar license held at this location by American Golf Corporation, issued 12/31/1992, will transfer to the Applicant. **(District 6)**
  - \*4d. [Allegiant Air](#)

New Conveyance License for Allegiant Air, 5835 S. Sossaman Road, Allegiant Air LLC – Applicant, Randy Joe Shaklee – Agent. This is an existing building with no previous liquor license at this location. **(District 6)**

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\*4e. [Valero](#)

New Beer & Wine Store License for Valero, 1821 S. Country Club Drive, ST Food Mart, Inc – Applicant, Thao Thi Mai Uyen Dinh – Agent. The previous Beer & Wine Store License held at this location by TL Qik Stop Market, Inc., issued 11/30/2005, will revert back to the State. **(District 4)**

5. Take action on the following contracts:

\*5a. [Three \(3\) Replacement Vehicles](#) for the Police and Neighborhood Services Departments

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with Courtesy Chevrolet at \$36,456.38, and Midway Chevrolet at \$29,166.97, for a combined award of \$65,623.35, including applicable sales tax.

\*5b. [Renewal Supply Contract for T-Shirts](#) for the Parks, Recreation & Commercial Facilities Department

The Procurement Services Department recommends authorizing a two-year renewal contract to Snider Sports & Apparel, LLC at \$37,730.00 annually, based on estimated requirements, including applicable sales tax.

\*5c. [Three-Year Supply Contract for Polymer](#) Modified Asphaltic Emulsion for the Transportation Department, Field Operations (HURF Funded)

The Procurement Services Department recommends awarding the contract to the low responsive, responsible bid from Paramount Petroleum Corporation at \$334,322.10 annually, based on estimated requirements.

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- \*5d. Purchase of Twenty-five (25) "Ruggedized" Notebook Computers. **Deleted.**
- \*5e. [Three-Year Supply Contract for Street Sign Materials](#) for the Transportation Department, Field Operations

The Procurement Services Department recommends awarding contracts items to the lowest responsive, responsible bidders as follows: Group 1 to Safeway Sign Co. at \$98,475.17; Group 2 to 3M Company at \$28,290.24; and Group 3 to Traffic Safety Brackets at \$59,611.20 annually, based on estimated requirements, for a combined annual award of \$186,376.61, including applicable taxes.

- \*5f. [Three-Year Supply Contract for Ultraviolet Disinfection System Parts and Supplies](#) for the Utilities Department, Water Division (**Sole Source**)

The Procurement Services Department recommends awarding the contract to the sole source bidder, Wedeco, Inc. dba ITT/Wedeco at \$60,162.09 annually, including applicable use tax, based on estimated requirements.

- \*5g. [One-Year Supply Contract for Recycled Copier Paper](#) for Citywide Use

The Procurement Services Department recommends awarding the contract to xpedx for \$157,035.00 and Spicers Paper, Inc. for \$27,075.00 for a total of \$184,110.00, including applicable sales tax, based on estimated requirements.

- \*5h. [Purchase of Three \(3\) Heavy-Duty Frontloading Refuse Trucks](#) (Two Replacement and One Addition to the Fleet) for the Solid Waste Department (Funded through Fleet Services' Vehicle Replacement Program and Solid Waste FY07/08 Budget)

The Procurement Services Department recommends awarding the contract to the lowest responsive bidder, Rush Truck Center at \$811,921.85, including sales tax.

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- \*5i. [Purchase of Ten \(10\) Replacement Heavy-Duty Automated Side-Loading Refuse Trucks](#) for the Solid Waste Department (Funded through Fleet Services' Vehicle Replacement Program and Solid Waste Replacement and Extension Reserve Fund)

The Procurement Services Department recommends awarding the contract to the lowest responsive bidder, Rush Truck Center at \$2,456,905.08, including sales tax.

- 5j. [Exterior Paint and Stucco Repair](#) for the Mesa Convention Center as requested by the Facilities Maintenance and Parks, Recreation & Commercial Facilities Departments

The Procurement Services Department recommends approving purchase off the State of Arizona contract with Larkin Painting Contractors at \$248,142.57, including applicable taxes.

- \*5k. [Renewal Supply Contract for Water Treatment Chemicals](#) for Warehouse Inventory

The Procurement Services Department recommends authorizing purchase from Brenntag Pacific at \$47,728.45 and DPC Enterprises at \$79,851.13, including applicable sales tax for a combined award of \$127,579.58 annually.

- \*5l. [Addendum to Employment Agreement](#) for the City Manager.

6. Introduction of the following ordinances and setting February 19, 2008, as the date of the public hearing on these ordinances:

- \*6a. [Amending Title 10 Chapter 3 of Mesa City Code](#) to delegate authority establishing and implementing parking prohibitions to the City Traffic Engineer, and establishing guidelines to be used in authorizing parking prohibitions.

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- \*6b. [Z08-03 \(District 5\)](#) The 5500 block of East Thomas Road (south side). Located east of Higley Road and South of Thomas Road (4.95± ac.). District 5. Rezone from R1-90 to PEP-BIZ, and Site Plan Review. This request will allow the development of general office buildings. Alex Goldstein, Rosebud Holdings, LLC; owner, Carl Bommarito, Vision 5 Development, LLC, applicant; Phillip C. Williams, R.B. Williams and Associates, Inc., engineer. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

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

- \*6c. Repealing the existing [Personnel Rules](#) applicable to City of Mesa employees and adopting new Personnel Rules.

7. Introduction of the following ordinance and setting March 3, 2008, as the date of the public hearing on this ordinance or referral back to the Planning and Zoning Board:

- 7a. [Z07-74 \(District 5\)](#) Parcel 51 at Las Sendas. The 7100 and 7200 blocks of East McDowell Road (north side). Located east of Power Road on the north side of McDowell Road (50± ac.). Rezone from R1-90 DMP to R-2, C-2 and PEP, all part of a P.A.D. overlay and a modification to the Las Sendas Development Master Plan. This request will allow the development of a mixture of multi-family, retail, and office uses. JCA Holdings, LLC, Chris Arnold, owner; Reese Anderson, Pew and Lake, PLC, applicant; Julie S. Rayburn, RCC Design Group, LLC; engineer. ***(Held neighborhood meetings, notified property owners, homeowners associations and registered neighborhoods.)***

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

- \*7b. **Deleted. (See Agenda Item 7.1a.)**

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7.1. Introduction of the following ordinance and setting March 3, 2008, as the date of the public hearing on this ordinance:

- \*7.1a. [Z07-122 \(District 5\)](#) 7336 East Main Street, Suite 14. Located west of Sossaman Road on the north side of Main Street (23,106 square feet). Council Use Permit to allow for a nightclub in a C-2 zoning district. Michael A. Pollack, Pollack Investments, owner; Reese Anderson, Pew and Lake, PLC, applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

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

8. Take action on the following resolutions:

- 8a. [Setting March 3, 2008, as the public hearing date](#) for the proposed rate adjustment for the Mesa Town Center Improvement District No. 228. The proposed rate adjustment will increase the annual assessments three percent per year for the next four years (FY 08/09, 09/10, 10/11 and 11/12).

- \*8b. [Extinguishing portions of a one-foot Vehicular Non-Access Easement](#) at 5225 East Enid Avenue. **(District 6)**

The portions of this easement are being extinguished to allow new driveway accesses associated with a new development.

- \*8c. [Extinguishing a portion of a Public Utility Easement](#) at 2356 South Paseo Loma Circle. **(District 3)**

A portion of this easement is being extinguished to allow the construction of a new swimming pool.

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- \*8d. [Vacating an alley](#) located between East 1<sup>st</sup> Street and East Pepper Place, east of North Lazona Drive. **(District 2)**

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.

- \*8e. [Vacating an alley](#) located south of West 10<sup>th</sup> Avenue, extending East from MacDonald Street to Center Street, south to 11<sup>th</sup> Drive. **(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.

- 8f. [Adopting fees for zoning applications](#) for the Planned Community District and Development Unit Plans.

- \*8g. Declaring that Bryan Raines, Deputy City Manager is authorized to execute and file an [application for disaster relief funds](#).

- \*8h. Approving and authorizing the City Manager to execute a [Grant Agreement with the Arizona Department of Homeland Security](#) to secure grant funds in the amount of \$5,591 for education and training for the Community Emergency Response Teams (CERT).

- \*8i. Approving and authorizing the City Manager to execute a [Grant Agreement with the Arizona Department of Homeland Security](#) to secure grant funds in the amount of \$258,145.25 to support the Metropolitan Medical Response System (MMRS) Program.

- \*8j. Approving and authorizing the City Manager to execute a [Grant Agreement with the Arizona Department of Homeland Security](#) to secure grant funds in the amount of \$35,000 for training and development of the Continuity of Operations Plan.

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- \*8k. Approving and authorizing the City Manager to execute a [Grant Agreement with the Arizona Department of Homeland Security](#) to secure grant funds in the amount of \$5,000 to support the Fire Department's Terrorism Liaison Officer Program.
  - \*8l. Approving and authorizing the City Manager to execute a [Grant Agreement with the Arizona Department of Homeland Security](#) to secure grant funds in the amount of \$250,000 to support the Fire Department's Rapid Response Team.
  - \*8m. Approving and authorizing the City Manager to execute [Addendum #2 to an Intergovernmental Agreement with Gilbert Unified School District](#) for the joint use of Highland Junior High School ballfields.
  - \*8n. Approving and authorizing the City Manager to execute an [Intergovernmental Agreement with the Arizona Department of Water Resources](#) to provide continued funding of \$150,000 for the East Valley Water Forum.
9. 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.
- 9a. [Z08-02 \(District 5\)](#) The 5400 and 5500 blocks of E. Thomas Road (north side) (13± ac.). Modification of Ordinance 4050. This request is to amend and delete certain conditions within the ordinance to facilitate development of the Red Mountain Commerce Center. Tres Hijos LLC, Inez Boyle and Cindy Brady, Managers, owner; James Passey, applicant.  
***(Notified property owners.)***

PHO Recommendation: Approval with Conditions.

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10. Take action on the following subdivision plat:
  - \*10a. ["DESERET MEDICAL CENTER, A CONDOMINIUM"](#)  
**(District 6)** 1425 South Greenfield Road (east side) located south and east of Greenfield Road and Southern Avenue. 4 O-S condominium units (3.09 ac.). Deseret Medical Center Greenfield, LLC, Robert J. Allen, member, owner; Gerald Hughes, EPS Group, Inc., engineer.
11. Discuss and provide direction regarding the [South Canal Multi-Use Path Project](#).
12. Items from citizens present. (Maximum of three speakers for three minutes per speaker).