



COUNCIL MINUTES

August 19, 2013

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on August 19, 2013 at 5:45 p.m.

COUNCIL PRESENT

Scott Smith
Alex Finter
Chris Glover
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Dee Ann Mickelsen

Invocation by Councilmember Glover.

Pledge of Allegiance was led by Jared Bridges, Scout Troop # 544.

Mayor's Welcome.

Mayor Smith welcomed everyone to the meeting. A videotaped presentation was aired that outlined meeting procedures and provided attendees with instructions relative to addressing the Council.

Awards, Recognitions and Announcements.

There were no awards, recognitions or announcements.

1. Take action on all consent agenda items.

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.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Glover, that the consent agenda items be approved.

Carried unanimously.

*2. Approval of minutes of previous meetings as written.

Minutes from the April 11 and 18, May 20 and 30, June 3 and 17 and July 1 and 8, 2013 Council meetings.

3. Take action on the following liquor license applications:

*3-a. 99 Cents Only Store 163

New Beer and Wine Store License for 99 Cents Only Store 163, 4433 East Main Street, 99 Cents Only Stores of California, Inc. – Randy D. Nations, agent. This is an existing building with no previous liquor license at this location. **(District 2)**

*3-b. Cigarette and Cigar Outlet

New Beer and Wine Store License for Cigarette and Cigar Outlet, 2753 East Broadway Road, Suite A109, Resi Cigars, LLC – Rodney Peter Hu, agent. This location has a Beer and Wine Store License held by AR Five, LLC that will revert back to the State. **(District 2)**

*3-c. Barro's Pizza

New Restaurant License for Barro's Pizza, 6663 East McDowell Road, Suite 105, A and D Pizza, Inc. – Bruce Robert Barro, agent. This is an existing building with no previous liquor license at this location. **(District 5)**

*3-d. Mi Amigo's

New Restaurant License for Mi Amigo's, 1264 South Gilbert Road, Mesa1264, LLC – David Noel Candland Senior, agent. This location has a Restaurant License held by Comida Management, LLC that will revert back to the State. **(District 4)**

*3-e. Mi Amigo's

New Restaurant License for Mi Amigo's, 6465 East Southern Avenue, Mesa 6465, LLC – David Noel Candland Senior, agent. This location has a Restaurant License held by Comida Management, LLC that will revert back to the State. **(District 6)**

*3-f. O'Briens Restaurant and Irish Pub

New Restaurant License for O'Briens Restaurant and Irish Pub, 1310 South Longmore, Dream Builders Food Corp, Inc. – David Arthur Robinson, agent. The previous Restaurant License held at this location by Briad Restaurant Group, LLC was terminated by the State on March 31, 2008. **(District 3)**

*3-g. Pacino's Italian

New Restaurant License for Pacino's Italian, 2831 North Power Road, Suite 104, Twospackys Food Services, LLC – Jared Michael Repinski, agent. This location has a

Restaurant License held by Footprints in the Sand Restaurant, Inc. that will revert back to the State. **(District 5)**

*3-h. Sunnyside Breakfast Lounge

New Restaurant License for Sunnyside Breakfast Lounge, 2823 North Power Road, Suite 101, Garfio Enterprises, LLC – Gamaliel Garfio, agent. This is an existing building with no previous liquor license at this location. **(District 5)**

*3-i. What the Hell Bar and Grill

New Restaurant License for What the Hell Bar and Grill, 7303 East Main Street, Suite 115-116, HGJB Enterprises, LLC – Jason Everette Bowen, agent. This location has a Restaurant License held by Island Luaus, LLC that will revert back to the State. **(District 5)**

4. Take action on the following contracts:

*4-a. One-Year Term Contract for Copper Cable for the Materials and Supply Warehouse (for the Energy Resources Department). **(Citywide)**

This contract will provide copper cable that will be used to connect the recently purchased mobile/emergency electric generators to the intended buildings or equipment. The purchase provides eight to ten sets of cable for each of the three mobile/emergency electric generators. When not in use, the cable will be stored in secure areas.

Energy Resources, Engineering, Materials and Supply and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Landco Rentals LLC, dba Landco Power, at \$36,000, based on estimated requirements.

*4-b. Three-Year Term Contract for Ultra-Violet Wastewater Disinfection Parts for the Water Resources Department. **(District 1)**

The City's Northwest Water Reclamation Plant utilizes a Trojan Technologies UV 3000 plus Ultra-Violet Disinfection System to aid in the disinfection of the wastewater. This contract will provide lamps, ballasts, wiper assemblies and lamp sleeve assemblies that fit and operate in the system. While the City has previously purchased original equipment, manufacturer parts or vendor-approved aftermarket components for this system, the City did consider non-OEM products in its Request for Proposals (RFP). The City will save approximately \$40,000 annually by purchasing aftermarket lamps and sleeves.

Two protests were received on the RFP. DC Frost protested and appealed the City's choice to use non-OEM products in the UV disinfection system. The RFP clearly stated the City's intent and their appeal was denied. UV Superstore's protest related to their misunderstanding of the ordering process. Their protest would not change the award recommendation, was filed untimely and was denied. No appeal was filed.

Water Resources and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders, Emperor Aquatics, Inc., at \$50,400 annually, and DC

Frost at \$38,812.50 annually, based on estimated requirements, for the combined total award of \$89,212.50.

- *4-c. Dollar-Limit Increase to the Term Contract for Gasoline and Diesel Fuel for the City of Mesa and Mesa Unified School District No. 4. **(Citywide)**

Due to low fuel tank inventories at the end of FY 2012/13, Fleet Services had to make several purchases that took them over the approved contract amount. Fleet Services did not exceed budget, however, they did exceed the purchasing threshold and missed the last Council agenda to request the increase. The increase is required for fuel expenses through the end of the contract period, June 30, 2013. Fleet Services has instituted a new control system and increased the contract amount for FY 2013/14 so that this will not occur in the current fiscal year.

Fleet Services and Purchasing recommend authorizing a dollar-limit increase with Supreme Oil Company of \$58,000, from \$6,409,645.09 to \$6,467,645.09 annually, based on estimated requirements.

- *4-d. Purchase of a Replacement DNA Polymerase Chain Reaction (PCR) System for the Police Department (Sole Source). **(Citywide)**

This purchase will provide a new 7500 Real-Time PCR system for Mesa Police Forensic Services, Biology Unit, to be used for the quantification of human DNA samples following the extraction procedure. It is required that forensic DNA samples be quantitated and that an estimate is given of the amount of DNA present in a sample prior to the amplification step.

The laboratory currently has one 7000 Real-Time PCR system and one 7500 Real-Time system to perform the quantitation step. Police Information Technology has determined the 7000 system needs to move off the Windows 2000 operating system. In addition, Applied Biosystems/Life Technologies will no longer support the 7000 system after 2016.

Police and Purchasing recommend awarding the contract to the sole source vendor, Life Technologies, at \$40,128.00. This purchase is \$38,000 grant funded by the Arizona Criminal Justice Commission and \$2,128 by the Police operating budget.

- *4-e. Term Contract for Uniform Garments for the Fire and Medical Services Department. **(Citywide)**

The uniforms are purchased by individual fire personnel through a voucher system with defined uniform allowances per person ranging from \$100 to \$550. Uniform allowances are determined by job duties/assignment. Uniform items are selected in accordance with the National Fire Protection Association Standards.

A committee representing Fire and Medical Services and Purchasing evaluated responses and recommends awarding the contract to the highest scored proposal from Matlick Enterprises, Inc., dba United Fire Equipment Company, at \$307,000 annually, based on estimated requirements.

- *4-f. Dollar-Limit Increase to the Term Contract for Wireless Hearing Impaired Smoke Alarms, Battery Operated Smoke Alarms and Lithium Batteries for Fire and Medical Services' Home Safety Inspection Program. **(Citywide)**

Fire and Medical applied for the FEMA grant in the Spring of 2013. FEMA authorized \$105,000 based on the quantities and costs provided in the grant. Council approved the initial three-year term contract at \$55,208.41 annually with two one-year renewal options on April 1, 2013.

Bids for the hearing impaired smoke alarm systems came in lower than forecasted for the original FEMA grant application. Fire and Medical submitted a grant amendment to FEMA on July 1, 2013, requesting authorization to purchase additional items with the remaining funding. FEMA approved the amendment on July 29th, allowing the purchase of additional units: 100 hearing impaired systems, 800 dual sensor smoke alarms, and 800 9-volt long-life lithium batteries. Fire and Medical will be able to conduct additional home inspections for the hearing impaired, elderly, and winter residents of Mesa's large adult mobile home communities.

Fire and Medical and Purchasing recommend authorizing a dollar-limit increase with Compu-TTY, Inc. of \$15,312.00, from \$46,371.00 to \$61,683.00 and Lenhart's Ace Hardware (a Mesa business), of \$17,512.75, from \$8,837.41 to \$26,350.16, based on grant amendment requirements. The contract amount will be increased by \$32,824.75 to \$88,033.16, annually.

- *4-g. Purchase of Data Storage Hardware and Software for the Municipal Court Integrated Case Management System and City Prosecutor Case Management System. **(Citywide)**

Council approved the purchase of the Integrated Case Management System for the Municipal Court on August 20, 2012, and the purchase of a replacement Case Management System for the City Prosecutor's Office on February 25, 2013. This purchase will provide the storage hardware and software for these new systems and addresses Court and Prosecutor current growth needs and data protection in case of hardware failures or connectivity issues. When implementation is complete, the City will retire the mainframe platform.

Information Technology, Municipal Court, City Prosecutor's Office and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with EMC Corporation at \$108,120.99.

- *4-h. Purchase of One Replacement Light-Duty Cargo Van for the Facilities Maintenance Department. **(Citywide)**

The proposed vehicle will replace a vehicle that has met established criteria for replacement.

Fleet Services, Facilities Maintenance and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, PFVT Motors, Inc., at \$32,674.93. This purchase is funded by the Vehicle Replacement Fund.

- *4-i. Purchase of Replacement Carpet and Installation for the Police Metro Services Building as Requested by the Facilities Maintenance Department. **(Citywide)**

The Police Metro Services Building currently has carpet that is in poor condition and delaminating from the subfloor. The life cycle of this carpet has been exceeded and it needs to be replaced.

Facilities Maintenance and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Continental Flooring at approximately \$47,188.29, including applicable construction sales tax.

- *4-j. One-Year Term Contract for Fertilizer for the Parks, Recreation and Commercial Facilities Department. **(Citywide)**

This contract will provide fertilizer for use at the Mesa Cemetery, Dobson Ranch Golf Course, aquatics facilities, park retention basins, and City sports fields.

Parks, Recreation and Commercial Facilities and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders: Helena Chemical Company, at \$16,600; Fertizona, at \$206,600; Horizon, at \$8,100; and Wilbur Ellis Company, at \$2,200; annually, based on estimated requirements. The combined total award is \$233,500.

- *4-k. One-Year Term Contract for Perennial Ryegrass Seed for the Parks, Recreation and Commercial Facilities Department. **(Citywide)**

This contract will provide perennial ryegrass seed used to overseed various City locations during the fall and winter. Sites include: Mesa Cemetery, Dobson Ranch Golf Course, Eastmark Great Park, Gene Autry Baseball/Rattlers Complex, Red Mountain Baseball Complex, Red Mountain Multi-Generational Center and Riverview City Fields; Hohokam Stadium will be seeded for scheduled fall activities, including Fall League, Boston Pops concert, et cetera.

Parks, Recreation and Commercial Facilities and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, J.R. Simplot Co., dba Simplot Partners, at \$94,000, based on estimated requirements.

- *4-l. Three-Year Term contract for Tree Pruning, Removal and Other Services for the Parks, Recreation and Commercial Facilities and Transportation Departments. **(Citywide)**

This contract will provide tree pruning, removal and other related services at the City's aquatics, parks and sports field facilities (approximately 13,000 trees) for Parks, Recreation and Commercial Facilities, and annual street tree maintenance for Transportation on an as-needed basis.

Parks, Recreation and Commercial Facilities, Transportation, and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders: Primary Award to West Coast Arborists, Inc.; and Secondary Award to Somerset Landscape Maintenance, Inc., for a contract total of \$410,000 annually.

*4-m. Purchase of Computer Hardware Components (Network Switches) for the City's Storage Area Network. **(Citywide)**

The City uses a Storage Area Network (SAN), which is composed of various storage devices with switches that interconnect them, providing high-speed data access and throughput for a large number of users and systems. The SAN allows the City to share, backup, restore, archive and mirror data on multiple devices to improve our ability to protect the City's data in case of failure.

The switches are the critical components that securely manage the transfer of data within the SAN and were purchased in 2006. Some components of these switches have reached the end of their lifecycle and can no longer be supported by the vendor with firmware and security patches. Most of the City of Mesa's critical business services rely upon the SAN for data storage, which is ultimately reliant upon these switches. This purchase is part of the IT Infrastructure Lifecycle Roadmap as a planned item for FY 13/14.

Information Technology and Purchasing recommend authorizing purchase using the State of Arizona cooperative contract with EMC Corporation, at \$105,528.20.

*4-n. Purchase of Computer Hardware and Software to Improve Critical Business Systems Availability and Upgrade the Document Management Platform for the Information Technology Department. **(Citywide)**

This contract will provide the hardware and software to improve data protection, provide high availability of critical business systems, and upgrade the document management platform. This effort brings the Mesa Courts' electronic records system into compliance with Arizona Supreme Court regulations for document management and retention, also allowing the Courts to stop retaining physical paper documents as it continues with its paperless Court processes.

Information Technology (IT) recommends authorizing purchase from cooperative State of Arizona contracts: Insight Public Sector at \$98,345.39, CenturyLink at \$96,364.26, IBM at \$24,430.11, EMC Corporation at \$235,370.99, and SHI International at \$79,253.03; Sole Source – enChoice at \$251,709.24; miscellaneous solution components at \$22,350.98; and project contingency in the amount of \$42,176.00. The total combined award is \$850,000.00, including applicable sales taxes.

*4-o. Nine-Month Term Contract for Heavy Equipment Rental for the Transportation Department. **(Citywide)**

Transportation needs to rent heavy equipment for storm drain system maintenance, right-of-way maintenance and road hazard responses. This equipment is typically needed on short notice as the department may not know in advance the type of equipment required.

This contract will provide multiple vendors for the rental of a variety of heavy equipment on an as-needed basis. Items such as: compaction, drilling, landscape, paving and moving equipment; backhoe loaders and backhoes; front-end wheel, tractor loaders and loaders; sump and trash pumps; water trucks and tower; and miscellaneous tools; will be available through this contract.

Transportation and Purchasing recommend authorizing a nine-month Term Contract using the State of Arizona cooperative contract with multiple vendors: RDO Construction Equipment Company; Hertz Equipment Rental Corp.; Empire Southwest, LLC (a Mesa business); Earhart Equipment Corp.; Qualex Construction Inc.; Sunbelt Rentals, Inc.; and Neff Rental, LLC; not to cumulatively exceed \$200,000 for the nine-month period, based on estimated requirements.

- *4-p. Three-Year Term Contract for Light Control Cabinets for the Materials and Supply Warehouse (for the Transportation Department). **(Citywide)**

This contract will provide light control cabinets used to feed and control streetlight systems that are along Mesa's streets and roadways. Each unit consists of aluminum housing, including an electrical service panel, circuit breakers, contactors and other associated controls inside. The units will be stored in Warehouse stock and used to replace cabinets damaged in vehicular accidents or older, deteriorating steel cabinets as necessary.

Materials and Supply, Transportation, and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Southern Manufacturing and Fabrication, LLC, dba Southern Manufacturing, at \$30,000 annually, based on estimated requirements.

- *4-q. Purchase of One Replacement Light-Duty Cab Chassis equipped with Stake Body for the Transportation Department. **(Citywide)**

The proposed vehicle will replace a vehicle which has met established criteria for replacement. The vehicle being replaced will be retired and sold at auction.

Fleet Services, Transportation, and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Berge Ford (a Mesa business), at \$31,490.61. This purchase is funded by the Vehicle Replacement Fund.

- *4-r. Three-Year Term Contract for Street Sweeping Services for the Transportation Department. **(Citywide)**

This contract will provide routine nightly route sweeping (on a weekly basis) and seal coat sweeping services, on an as needed, where needed basis. Additional services, including emergency call-outs and assignments requested by the City (including special event sweeping), are included.

Transportation and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Contract Sweeping Services, Inc., at \$920,000 annually, based on estimated requirements.

- *4-s. Re-Award of Term of Contract for Traffic Signal Controller Cabinets and Replacement Components for the Materials and Supply Warehouse (for the Transportation Department). **(Citywide)**

On March 4, 2013, Council awarded the Traffic Signal Controller Cabinets and Replacement Components to Richsiobhan Industries, dba RSI. RSI failed to perform the desired terms and specifications of the contract. It has been determined to be in the best interest of the City to terminate the contract with RSI. On July 18, 2013, the City issued a Default of Contract – Notice of Termination. The contract was terminated as of the date of the letter.

Transportation, Materials and Supply Warehouse and Purchasing recommend re-awarding the contract to the second lowest, responsive and responsible bidders: Siemens Industry, at \$235,000; and Econolite at \$55,000; annually, based on estimated requirements.

5. Take action on assigning delinquent accounts to collection services:

- *5-a. Assign delinquent accounts to collection services for the nine-month period ending March 31, 2013, totaling \$1,293,556. **(Citywide)**

Delinquent accounts are usually brought to Council quarterly, however, staff did not bring this item to Council during the financial system implementation. For the nine-month period, the percent of total revenue sent to collections was 0.37%. For the same nine-month period in the previous fiscal year, the percent sent to collections was 0.34%.

6. Take action on the following resolutions:

- *6-a. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Maricopa County Library District for the Library Assistance Program. Under the agreement, participating Libraries receive library materials in an amount to be determined based on the percentage of assessed valuation and the percentage of library cards issued. **(Citywide)** – Resolution No. 10311.
- *6-b. Approving and authorizing the City Manager to accept funds made available through a Sub-Grant Award Agreement with the Arizona Department of Public Safety, Victims of Crime Act. Funding in the amount of \$156,608 will be used to provide a portion of the salary and fringe benefits for three existing Victim Services Specialists. The remaining salary costs of \$35,369 will be funded by the City. **(Citywide)** – Resolution No. 10312.
- *6-c. Approving and authorizing the City Manager to execute an agreement with the Department of Public Safety through the Victims of Crime Act to accept grant funds in the amount of \$96,506. The grant funding will be used for salaries and employee-related expenses for two full-time Victim Services Assistants who provide criminal justice support/advocacy to domestic violence and restitution-eligible victims of crimes. **(Citywide)** – Resolution No. 10313.
- *6-d. Approving and authorizing the City Manager to accept funding made available through a Tactical Diversion Task Force Agreement with the Drug Enforcement Administration. The Task Force Agreement provides \$17,202.25 for overtime. **(Citywide)** – Resolution No. 10314.
- *6-e. Approving and authorizing the City Manager to accept funding made available through Phoenix Task Force Group 2 and Group 3 Task Force Agreements with the Drug

Enforcement Administration. The Task Force Agreement provides \$17,202.25 for overtime for the officers assigned to the respective Task Force. **(Citywide)** – Resolution No. 10315.

7. Introduction of the following ordinances and setting August 26, 2013, as the date of the public hearing on these ordinances:

*7-a. Amending Title 1, Chapter 12 of the Mesa City Code to repeal the Court User Fee and establish a Court Sustainability Fee to enhance and maintain the technological, operational and security capabilities of the Municipal Court.

*7-b. **Z13-31 (District 4)** Properties at 1014, 1015, 1029, and 1042 South Lewis and 1014 and 1022 South Serrine. Located on the south side of 10th Avenue, west of Serrine and east and west of Lewis (4.4± acres). Rezone from LI and GI to GI-PAD and Site Plan Review. This request will allow redevelopment and expansion of an existing industrial use. Milling Machinery, Inc., owner; Bret Harris, applicant.

Staff Recommendation: Approval with conditions

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

*7-c. **Z13-29 (District 6)** The 10800 to 10900 blocks of East Broadway Road (south side) and the 400 to 500 blocks of South Signal Butte Road. Located south of Broadway Road and east of Signal Butte Road (13.03± acres). Rezone from LC-PAD and RS-6 PAD to RS-6 PAD and Site Plan Review. This request will allow development of a single-residence subdivision. Intravest Holdings LLC., owner; Ed Reichenberg/Project Design Consultants, applicant.

Staff Recommendation: Approval with conditions

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

*7-d. **Z13-30 (District 3)** The 2200 to 2300 blocks of South Country Club Drive (west side). Located south of Baseline Road on the west side of Country Club Drive (24.35± acres). Rezone from LI-CUP to RM-3 PAD and Site Plan Review. This request will allow the development of a multi-residence project. Lowe's HIW, Inc., owner; Stephen Earl, Earl, Curley and Largaard, applicant.

Staff Recommendation: Approval with conditions

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

8. Discuss, receive public comment, and take action on the following ordinances that were introduced at a prior Council meeting. Any citizen who wants to provide comment should submit a blue card to the City 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 City Clerk before Council votes on the Consent Agenda.

*8-a. **Z13-24 (District 5)** North of 3142 North 90th Street (west side) and the 8900 block of East Plymouth (north side). Located within the area bound by Quenton on the north, Plymouth

on the south, the 88th Street alignment on the west, and 90th Street on the east. Parcel numbers 219-33-002 and 219-33-006E. (11.07± acres). Rezone from Maricopa County R1-35 to City of Mesa RS-35. This request will establish City of Mesa zoning on annexed undeveloped property. Linda Rae Ramsey, Trueno Montana, LLC, owner; City of Mesa, applicant – Ordinance No. 5165.

Staff Recommendation: Approval with conditions

P&Z Recommendation: Approval with conditions (Vote: 4-0, Boardmembers DiBella, Hudson, and Johnson absent.)

- *8-b. **Z13-25 (District 2)** 6521 East University Drive. Located south and east of 65th Street and University Drive (1.85± acres). Rezone from Maricopa County R-3 to City of Mesa RM-3. This request will establish City of Mesa zoning on annexed property. Jan and Frances Hyc, owners; City of Mesa, applicant – Ordinance No. 5166.

Staff Recommendation: Approval with conditions

P&Z Recommendation: Approval with conditions (Vote: 4-0, Boardmembers DiBella, Hudson, and Johnson absent.)

- *8-c. **Z13-26 (District 5)** 10002, 10018, 10036, and 10052 East Broadway Road. Located north and east of Broadway Road and Crismon Road (2.89± acres). Rezone from Maricopa County R-2 to City of Mesa RM-2. This request will establish City of Mesa zoning on annexed property. Thomas E. Aspel, owner; City of Mesa, applicant – Ordinance No. 5167.

Staff Recommendation: Approval with conditions

P&Z Recommendation: Approval with conditions (Vote: 4-0, Boardmembers DiBella, Hudson, and Johnson absent.)

- *8-d. **Z13-27 (District 5)** 9651 East Brown Road. Located south of Brown Road and east of 96th Street (1.25± acres). Rezone from Maricopa County RU-43 to City of Mesa RS-43. This request will establish City of Mesa zoning of an annexed property. Christopher and Kelly Carmichael, owners; City of Mesa, applicant – Ordinance No. 5168.

Staff Recommendation: Approval with conditions

P&Z Recommendation: Approval with conditions (Vote: 4-0, Boardmembers DiBella, Hudson, and Johnson absent.)

- *8-e. **Z13-28 (District 5)** 10100 block of East Boise Street (north side immediately east of 203 North 101st Place). Located east of Crismon Road, south of University Drive (1± acre). Rezone from Maricopa County R1-8 to City of Mesa RS-7. This request will establish City of Mesa zoning on a recently annexed property. Hacienda del Este HOA, owner; City of Mesa applicant – Ordinance No. 5169.

Staff Recommendation: Approval with conditions

P&Z Recommendation: Approval with conditions (Vote: 4-0, Boardmembers DiBella, Hudson, and Johnson absent.)

- *8-f. **Z13-33 (District 5)** The 8700 to 8800 blocks of East Upper Canyon Drive (north side). Located north of McKellips Road east of Hawes Road (21.44± acres). Rezone from RS-35-PAD to RS-35-PAD and Site Plan Review. This request will allow the development of a single-residence subdivision. Pinnacle Ridge Holdings, LLC, Jeff Blandford, owner; Paul Dugas, applicant – Ordinance No. 5170.

Staff Recommendation: Approval with conditions

P&Z Recommendation: Approval with conditions (Vote: 4-0, Boardmembers DiBella, Hudson, and Johnson absent.)

- *8-g. **A13-03 (District 5)** Annexing 1.0± acres of land located west of the northwest corner of Merrill Road and Boise Street. This annexation is initiated by the property owner – Ordinance No. 5171.

Staff Recommendation: Approval with conditions

P&Z Recommendation: Approval with conditions (Vote: 4-0, Boardmembers DiBella, Hudson, and Johnson absent.)

9. Take action on the following subdivision plats:

- *9-a. “Eastmark Development Unit 7 North Parcels 7-6, 7-7, 7-8, 7-9, 7-10, 7-11 and 7-12” **(District 6)** The 4400-4500 blocks of South Signal Butte Road (west side). Located north and west of Signal Butte and Ray Roads; 569 PCD lots (137.5± acres). DMB Mesa Proving Grounds, LLC, Kent M. Groh, Hoskin, Ryan Consultants, Inc., surveyor.
- *9-b. “Eastmark Development Unit 7 North Parcels 7-13, 7-14, 7-15, 7-16 and 7-17” **(District 6)** The 4400 – 5500 blocks of South Signal Butte Road (west side). Located south of Warner and west of Signal Butte Roads; 394 PCD lots (93.34± acres). DMB Mesa Proving Grounds, LLC, owner; Ryan H. Raab, Hoskin-Ryan Consultants, Inc., engineer.
- *9-c. “Map of Dedication Eastmark Phase 2” **(District 6)** The 10000–10800 blocks of East Point Twenty-Two Boulevard and the 4400-5500 blocks of South Eastmark Parkway and South Everton. Located north and west of Signal Butte and Ray Roads. DMB Mesa Proving Grounds, LLC, owner; Kent M. Groh, Hoskin, Ryan Consultants, Inc., surveyor.
- *9-d. “Map of Dedication Mountain Bridge – East McKellips Road Phase 3” **(District 5)** The 8800 to 8900 blocks of East McKellips Road. Located on McKellips Road, between Hawes and Ellsworth Roads. Pinnacle Ridge Holdings, LLC, owner; Darrel Smith, Wood/Patel, engineer.
- *9-e. “Map of Dedication Mountain Bridge – North Estates Drive Phase 1” **(District 5)** The 1800 to 2200 blocks of North Estates Drive. Located north and south of McKellips Road

and west of Ellsworth Road. Pinnacle Ridge Holdings, LLC, owner; Darrel Smith, Wood/Patel, engineer.

*9-f. "Map of Dedication Mountain Bridge – East Upper Canyon Drive Phase 3 and North Estates Drive Phase 2" (**District 5**) The 8800 to 8900 blocks of East Upper Canyon Drive and 2300 block of North Estates Drive. Located north of McKellips Road and west of Ellsworth Road. Pinnacle Ridge Holdings, LLC, owner; Darrel Smith, Wood/Patel, engineer.

*9-g. "La Jara Estates" (**District 5**) The 1200 through 1300 blocks of North Crismon Road (east side). Located north of Brown Road on the east side of Crismon Road. 28 RS-15 PAD lots (14.31± acres). La Jara Farms, LLC, owner; Greg Allen, Allen Consulting Engineers, engineer.

10. Take action on the following Resolution relating to an Agreement with Semain Brothers Limited Partnership:

*10-a. Approving and authorizing the City Manager to execute an Agreement with Semain Brothers Limited Partnership, a California Limited Partnership, for the extension of the City wastewater system to a property located in Maricopa County to address an immediate risk to public health. (**District 6**) – Resolution No. 10316.

11. Adoption of the following Notices of Intention and setting September 23, 2013 as the date of the public hearings:

*11-a. Notice of Intention regarding proposed additional Multi-Unit Dwelling Wastewater schedules with increased rates, components, fees or charges and setting September 23, 2013, as the date of the public hearing.

*11-b. Notice of Intention to continue existing development impact fees and setting September 23, 2013, as the date of the public hearing.

Items not on the Consent Agenda

There were no items off the consent agenda.

12. Items from citizens present.

There were no items from citizens present.

13. Adjournment.

Without objection, the meeting adjourned at 5:59 p.m.

SCOTT SMITH, MAYOR

ATTEST:

DEE ANN MICKELSEN, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the City Council of Mesa, Arizona, held on the 19th day of August, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

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