

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, June 2, 2008
5:45 P.M.

Invocation by Blaine Mays, Community Church of New Thought.

Pledge of Allegiance.

1. [Approval of minutes](#) of previous meetings as written.
2. Remarks by Mayor Hawker, Vice Mayor Claudia Walters, and Councilmembers Mike Whalen, Tom Rawles and Darrell Truitt
3. Swearing in and seating of Mayor and Councilmembers:

District 1 Councilmember Dave Richins sworn in by Mark Jansson
District 2 Councilmember Alex Finter sworn in by
Commissioner Peter Thompson
District 3 Councilmember Dennis Kavanaugh sworn in by
Michael Mendenhall
District 5 Councilmember Dina Higgins sworn in by Jack Higgins
and family
Mayor Scott Smith sworn in by Dr. George N. Smith
4. Remarks and introductions by the Mayor and Councilmembers.
5. Inaugural remarks by Mayor Smith.
6. Election of Vice Mayor.

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).

7. Take action on all consent agenda items.
8. Conduct a public hearing on the proposed Fiscal Year 2008-09 Budget Plan.
9. Take action on the adoption of the tentative proposed Fiscal Year [2008-09 Budget Plan](#).
10. Take action on the following liquor license application:

*10a. Knights of Columbus Msgr Collins Assembly 2889

This is a one-day charitable event to be held June 13, 2008 from 6:00 P.M. to 10:00 P.M. at 141 N. MacDonald.
(District 4)

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11. Take action on the following contracts:

- *11a. [2006/2007 Waterline Replacement](#) at Various Locations, City of Mesa Project No. 01-557-004. **(Districts 1, 2, 4, 5 and 6)**

This project will replace approximately 5,500 linear feet of pipe and complete several existing pipe loops.

Recommend award to the low bidder, Visus Engineering Construction Inc., in the amount of \$772,370.00 plus an additional \$77,237.00 (10% allowance for change orders) for a total award of \$849,607.00. This project is funded from the Preliminary FY 08/09 Water Bond Capital program.

- *11b. [Police Department Gate Improvements](#) – 130 N. Robson, City of Mesa Project No. 07-908-001 and Communications Building Site Hardening – 161 E. 6th Place, City of Mesa Project No. 07-004-001. **(District 4)**

This project will replace the existing entrance swing style gate at the Police Department with an automatic roll type gate. Also, a new automatic electric motorized roll type gate will be installed at the Communications Building.

Recommend award to the low bidder, Sallaway Development, LLC, in the amount of \$127,992.00, plus an additional \$12,799.20 (10% allowance for change orders), for a total award of \$140,791.20. Funding for the Police Department Improvements is available from the approved FY 07/08 Facilities Maintenance Budget. Funding for the Communications Building Site Hardening is available from a 100% grant from the Homeland Security Department.

12. Introduction of the following ordinances and setting June 23, 2008, as the date of the public hearing on these ordinances:

- *12a. [Modifying rates for water utility services](#) as recommended by the Audit & Finance (Approval. Vote: 2-1, Rawles nay) and Transportation & Infrastructure (Approval. Vote: 2-0, Truitt absent) Committees.

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- *12b. [Modifying rates for wastewater utility services](#) as recommended by the Audit & Finance (Approval. Vote: 2-1, Rawles nay) and Transportation & Infrastructure (Approval. Vote: 2-0, Truitt absent) Committees.
- *12c. [Modifying rates for natural gas utility services](#) as recommended by the Audit & Finance (Approval. Vote: 2-1, Rawles nay) and Transportation & Infrastructure (Approval. Vote: 2-0, Truitt absent) Committees.
- *12d. [Modifying rates for solid waste utility services](#) as recommended by the Audit & Finance (Approval. Vote: 2-1, Rawles nay) and Transportation & Infrastructure (Approval. Vote: 2-0, Truitt absent) Committees.
- *12e. [Modifying rates for district cooling](#) as recommended by the Audit & Finance (Approval. Vote: 2-1, Rawles nay) and Transportation & Infrastructure (Approval. Vote: 2-0, Truitt absent) Committees.
- *12f. [Modifying the Terms and Conditions for the Sale of Utilities](#) as recommended by the Audit & Finance (Approval. Vote: 3-0) and Transportation & Infrastructure (Approval. Vote: 2-0, Truitt absent) Committees.
- *12g. [Modifying the fees and charges for Utility Customers](#) as recommended by the Audit & Finance (Approval. Vote: 3-0) and Transportation & Infrastructure (Approval. Vote: 2-0, Truitt absent) Committees.
- *12h. [Modifying the Utility Service Fees](#) as recommended by the Audit & Finance (Approval. Vote: 3-0) and Transportation & Infrastructure (Approval. Vote: 2-0, Truitt absent) Committees.
- *12i. [Amending Title 5, Chapter 7, Section 3 of the Mesa City Code](#) to implement a fee involving all pawnshop transaction reports filed within the Mesa Police Recovered Property Unit as recommended by the Audit & Finance Committee. (Approval: Vote: 2-0, Rawles absent)

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- *12j. [Amending Title 5, Chapter 13, Section 2 of the Mesa City Code](#) to change the name of the Residential Development Tax to Solid Waste Residential Development Tax and adjusting the rate as recommended by the Audit & Finance Committee. (Approval. Vote: 3-0)
 - *12k. [Amending Title 5, Chapter 10 of the Mesa City Code relating to Privilege and Excise Taxes.](#) This amendment includes an annual renewal and a renewal fee, late application penalty fee and addition of a Transient Privilege License category for those business activities operating for a temporary period of less than thirty days as recommended by the Audit & Finance Committee. (Approval. Vote: 3-0)
 - *12l. [Repealing Title 5, Chapter 19 of the Mesa City Code](#) relating to fortune telling licenses as recommended by the Audit & Finance Committee. (Approval. Vote: 3-0)
13. Take action on the following resolutions:
- *13a. Approving and authorizing the City Manager to execute an [Intergovernmental Agreement between City of Chandler, Town of Gilbert, City of Scottsdale, City of Tempe and City of Mesa](#) for sharing law enforcement data through the Coplink System.
 - *13b. Approving and authorizing the City Manager to execute a [Subgrant Agreement between the City of Mesa and the Arizona Department of Homeland Security](#) to secure grant funds in the amount of \$41,250 for equipment and training for the Police Department's Bomb Squad Team.
 - *13c. 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 the installation of perimeter access control (Phase 3) project at Falcon Field Airport. **(District 5)**
 - *13d. [Eliminating the fees and charges for Housing Services](#) relating to the operation of the City's Escobedo facility as recommended by the Audit & Finance Committee. (Approval. Vote: 3-0)

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- *13e. [Modifying fees and charges for the Arizona Museum of Natural History, Arizona Museum for Youth and Mesa Arts Center](#) as recommended by the Audit & Finance Committee. (Approval. Vote: 3-0)
- *13f. [Modifying fees and charges for the Parks, Recreation and Commercial Facilities Department](#) as recommended by the Audit & Finance Committee. (Approval. Vote: 3-0)
- *13g. [Modifying fees and charges for the Engineering Department](#) as recommended by the Audit & Finance Committee. (Approval. Vote: 3-0)
- *13h. [Modifying fees and charges for the Falcon Field Airport](#) as recommended by the Audit & Finance Committee. (Approval. Vote: 2-1, Rawles nay)
- *13i. [Modifying fees and charges for the Transportation Department](#) as recommended by the Audit & Finance Committee. (Approval. Vote: 2-1, Rawles nay)
- *13j. [Modifying fees and charges for the Environmental Programs Division](#) as recommended by the Audit & Finance Committee. (Approval. Vote: 2-0, Rawles absent)
- *13k. [Modifying fees and charges for the Citywide Schedule of Fees and Charges – Collections Costs](#) as recommended by the Audit & Finance Committee. (Approval. Vote: 3-0)
- *13l. [Modifying fees and charges for the Building Safety Division](#) as recommended by the Audit & Finance Committee. (Approval. Vote: 3-0)
- *13m. [Modifying fees and charges for the Planning Division](#) as recommended by the Audit & Finance Committee. (Approval. Vote: 2-1, Rawles nay)

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14. 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.

*14a. [A07-12 \(District 5\)](#) Annexing land located south and east of Recker Road and Brown Road (1.18 ± ac). Initiated by the property owner, Richard M. Leckey.

*14b. [Z08-29 \(District 6\)](#) 6859 East Rembrandt Avenue. Located north of Warner Road and east of Power Road (14,100± sf). Council Use Permit. This request will allow a charter school within an industrial zoned area. Lance Richards; Pierpont Santan Two, LLC, owner; Larry Pieratt, applicant. (**Notified property owners, homeowners associations and registered neighborhoods.**)

PHO Recommendation: Approved with Conditions.

15. Take action on the following subdivision plats:

*15a. ["MAP OF DEDICATION FOR AQUATERRA" \(District 3\)](#) 1010 West Grove Avenue (north side) located south and east of Southern Avenue and Alma School Road. (4.69 ac.) TR Alma Partners, LLC, Thomas Roszak, owner; Stantec Consulting, Inc., Steven R. Long, land surveyor.

*15b. ["FALCON 7 EXECUTIVE HANGARS – LEASEHOLD CONDOMINIUMS" \(District 5\)](#) 4710 East McKellips Road (north side) located north and east of McKellips Road and Greenfield Road. 53 M-1 leasehold condominium units (14.5 ac.) City of Mesa, owner; Greg Allen, Allen Consulting Engineers, Inc., engineer.

*15c. ["MONTEBELLA AT MOUNTAIN BRIDGE" \(District 5\)](#) 8415 East Mountain Bridge Drive (west side) located south and west of McKellips Road and Ellsworth Road. 90 R1-15 PAD DMP single residence lots (34.96 ac.) Pinnacle Ridge Holdings, L.L.C., Jeff Blandford, manager, owner; Darrell D. Smith, Wood, Patel & Associates, Inc., engineer.

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- *15d. ["MONTECITO AT MOUNTAIN BRIDGE"](#) (**District 5**) 8527 East Mountain Bridge Drive (south side) located south and west of McKellips Road and Ellsworth Road. 51 R1-9 PAD DMP single residence lots (13.6 ac.) Pinnacle Ridge Holdings, L.L.C., Jeff Blandford, manager, owner; Darrell D. Smith, Wood, Patel & Associates, Inc., engineer.
- 16. Items from citizens present. (Maximum of three speakers for three minutes per speaker).