

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, March 20, 2006
5:45 P.M.

Invocation by President Terry D. Turk, The Church of Jesus Christ of Latter-day Saints.

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.

1. Take action on all consent agenda items.
- *2. Approval of minutes of previous meetings as written.

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3. Conduct a public hearing prior to release of the petition for signatures for the following proposed annexations:
 - 3a. **A06-04 (District 5)** Annexing land located on Range Rider Trail east of Hawes Rd. (4.73 ± ac.). Initiated by the property owner, Ruth Irvine.
 - 3b. **A06-05 (District 5)** Annexing land located on Range Rider Trail east of Hawes Rd. (11.12 ± ac.). Initiated by one of the property owners, Gail Knight.
4. Conduct a public hearing on the proposed FY 2006/2007 CDBG/HOME/ADDI/ESG programs.
5. Take action on the following liquor license applications:
 - *5a. Country Club Bowl

Person to Person Transfer Bar License for Country Club Recreation Inc., 140 N. Country Club Dr. The Bar license previously held at this location by JLK Country Club Bowl Inc. closed 1/25/06. District #4.
 - *5b. Famous Sam's

Person to Person and Location Transfer Bar License for 3rd Base Inc., 430 N. Power Rd. The Restaurant License previously held at this location by Famous Sam's will revert back to the State. District #5.
 - *5c. Super Plus

New Beer & Wine Store License for Super Plus Inc., 4356 E. University Dr. The Beer & Wine Store License previously held at this location by Chevron closed 1/06/06. District #2.
 - *5d. Khan Chinese Restaurant

New Restaurant License for Won Hee Inc., 2048 E. Baseline Rd. #1. The license previously held at this location by Khan Co. closed 4/01/05. District #2.

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*5e. Tacos Y Mariscos Los Fogones Michoacanos

New Restaurant License for Tacos Y Mariscos Los Fogones Michoacanos, 816 S. Stapley Dr. The Restaurant License previously held at this location by Mariscos Vamos Con Tavo will revert back to the State. District #4.

*5f. Nicholas Edward Feldaverd III, President

Special Event Liquor application for East Valley Harley Owners Group, a one-day charitable event to be held on Friday, March 31, 2006 from 11:00 a.m. to 10:00 p.m. at 922 S. Country Club Drive. District #3.

6. Take action on the following bingo application:

*6a. BINGO LICENSE APPLICATION – CLASS A

Towerpoint Activity Bingo
Don Johnson
4860 E. Main St.
Mesa, AZ 85205
District #5

7. Take action on the following contracts:

*7a. One Air Supply Trailer as requested by the Police Department.
(Grant Funded - Urban Area Security Initiative)

The Purchasing Division recommends accepting the sole bid submitted by American Airworks at \$43,914.82 including options and applicable use tax.

*7b. Portable Weighing Scales as requested by the Police Department. (Grant Funded – Arizona Department of Public Safety)

The Purchasing Division recommends accepting the bid by Load-O-Meter Corp. at \$31,215.36, including applicable use tax. **(Sole Source)**

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- *7c. Three Vehicles as requested by the Electric Utility and Water Utility Divisions. (State Contract #AD 040004)

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Five Star Ford at \$51,646.86, including applicable sales tax.

- *7d. Computer Hardware and Software for the Greenfield Water Reclamation Plant as requested by the Information Services Division.

The Purchasing Division recommends accepting the bid from Technical Marketing Manufacturing, Inc. (TMMI) for software and hardware totaling \$143,182.78. **(Sole Source)**

- *7e. Two-year renewal of Supply Contract for Anodeless Service Risers for Warehouse Inventory as requested by the Utilities Department, Gas Utility Division.

The Purchasing Division recommends exercising the two-year renewal option with R. W. Lyall at \$222,945.32, including contingencies and applicable sales tax.

- *7f. Three-year Supply Contract for LED Traffic Signal Heads and Pedestrian Signals for Warehouse Inventory as requested by the Transportation Division, Traffic Engineering.

The Purchasing Division recommends accepting the lowest responsive bid from Brown Wholesale Electric, at \$148,014.41 annually based on estimated requirements.

- *7g. Two-year renewal of Supply Contract for Uniform Garments purchased by Various City Departments.

The Purchasing Division recommends authorizing a two-year renewal as follows:

Groups #1 and #3 to ICA, Inc. for annual purchases estimated at \$85,000.00; and Group #2 to Mission Uniform for annual purchases estimated at \$2,000.00. The combined award is then \$87,000.00 annually based on estimated requirements.

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8. Introduction of the following ordinances and setting April 3, 2006 as the date of the public comment and Council action on these ordinances.

*8a. Amending Title 7, Chapter 2 of the Mesa City Code by adding a new section 7-2-3 requiring developers and architects to submit electronic drawings for building projects in addition to blueprints as recommended by the Fire Committee. (Single family residences and other related residential projects are excluded from this ordinance)

Fire Committee Recommendation: Approval. (Vote 3-0)

*8b. Amending various sections of the Mesa City Code regarding the following traffic modifications:

Changing the Name of a Street

East 9510 through East 9590 Harmony Avenue to the name of Hampton Avenue (west of Crismon Road and south of Southern Avenue, Council District 6).

No Parking: 10-3-24 (D) (Full Time No Parking)

On the north side of Auto Park Drive from a point 300 feet west of Superstition Springs Boulevard to a point 515 feet west of Superstition Springs Boulevard (north of US 60, Superstition Freeway and west of Superstition Springs Boulevard, Council District 6).

On the west side of Auto Loop Avenue from Auto Park Drive to a point 295 feet south of Auto Park Drive (north of US 60, Superstition Freeway and west of Superstition Springs Boulevard, Council District 6).

On Hobson from Baseline Road to a point 250 feet north of Baseline Road (north of Baseline Road and east of Mesa Drive, Council District 4).

On Mesquite Street from a point 740 feet west of Mountain Road to a point 135 feet east of Mountain Road (south of Elliot Road at Mountain Road, Council District 6).

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No Parking: 10-3-24 (F 9) (10:00 pm to 4:00 am No Parking)

On Auto Center Drive from Mesa Drive to Horne (north of Baseline Road and east of Mesa Drive, Council District 4).

On Hobson from a point 250 feet north of Baseline Road to Auto Center Drive (north of Baseline Road and east of Mesa Drive, Council District 4).

9. Take action on the following resolutions:
- *9a. Authorizing and approving the City Manager to execute an Intergovernmental Agreement between the Maricopa County Community College District on behalf of the Chandler Gilbert Community College; the Arizona Board of Regents acting for and on behalf of Arizona State University and the City of Mesa for the design and construction of a traffic signal at the intersection of Sossaman Road and Tahoe Avenue.
 - *9b. Approving and authorizing the City Manager to execute the Motorola Customer Service Plan for the 800 MHz Radio System.

This service plan will provide network monitoring, technical support and security services for the period April 1, 2006 through June 30, 2007 in the amount of \$289,087.98, and a software subscription agreement for the period April 1, 2006 through March 31, 2010 in the amount of \$958,127.04. The total award is \$1,247,215.00.
 - *9c. Extinguishing a portion of a Vehicular Non-Access Easement in the 4000 block of East McDowell Road.

A portion of this easement needs to be extinguished to allow the construction of a driveway for the construction of a mixed-use development.
 - *9d. Extinguishing a portion of a Public Utility Easement located at 8223 E. Emelita Avenue.

A portion of this easement needs to be extinguished to allow the construction of a swimming pool.

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- *9e. Granting a Power Distribution Easement to Salt River Project on city-owned property located along the Western Canal, west of Dobson Road.

This easement is needed for SRP to have their facilities on city-owned property.

- *9f. Granting easements to the Arizona Department of Transportation for road purposes and for construction and maintenance and relinquishing a portion of leased land for the continuation of the Red Mountain Freeway Loop 202 across a portion of Red Mountain Regional Park.

- 9g. Approving and authorizing the City Manager to execute an amendment to an airport development grant agreement between the City of Mesa and the Federal Aviation Administration (FAA) to construct cul-de-sacs and install fences/gates at the Falcon Drive/Taxiway B intersection, design perimeter fencing and install airfield guidance signs.

This grant amendment will allow the City to utilize \$1,217,037 from this existing FAA grant to fund these improvements. The City's match for this grant is \$59,742.54.

- *10. Approve write-off of utility and miscellaneous accounts for the quarter ending November 30, 2005 in the amount of \$387,352. Collection efforts will continue with respect to all of these accounts.

- 10.1 Take action on the following recommendation from the Utility Committee:

- 10.1a. Request by Chris and Cassie Plourd to provide water service outside the city limits in the 8200 block of East Redberry.

Utility Committee Recommendation: Approval of Option 2 or Option 3. (Vote 3-0)

- *10.2 Approve the request from the MARC Center for \$100,000 in 2005/2006 Community Development Block Grant contingency funds for design of a new vocational training rehabilitation center.

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11. 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.

*11a. **A05-03 (District 5)** Annexing land located on the southwest corner of Brown & Meridian Roads. (3.61± ac.). Initiated by Wilfred Klingsat representing Portigal Travel, LLC.

*11b. Amending Section 11-13-2 of the Zoning Ordinance to allow the platting of condominium subdivisions without requiring a Planned Area Development (PAD) overlay or frontage on a public street for individual units. **(Continued to April 3, 2006 Council meeting)**

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

DDC Recommendation: Denial. (Vote: 6-1 with Boardmembers Riekema and Close absent and Chucri voting for approval))

*11c. **Z06-04 (District 6)** 1301 South Crismon Road (designated as Medical Office Building 1). Located south of Southern Avenue and east of Crismon Road (0.6± ac). Site Plan Review. This request will allow for the development of a medical office building at the Mountain Vista Medical Center. William Molloy, DevMan Company, L.C, owner; Suzanne Schweiger-Nitchals, Devenney Group, applicant. ***(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and homeowners associations.)***

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

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- *11d. **Z06-05 (District 6)** 1301 South Crismon Road (designated as Medical Office Building 2). Located south of Southern Avenue and east of Crismon Road (0.6± ac). Site Plan Review. This request will allow for the development of a medical office building at the Mountain Vista Medical Center. Stephen Richards, Tegra East Mesa MOB, L. C., owner; Korey Wilkes, Butler Design Group, applicant. ***(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and homeowners associations.)***

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

- *11e. **Z06-06 (District 6)** The 8700 to 8800 block of East Pecos Road (south side). Located west of the southwest corner of Pecos Road and Ellsworth Road (8.95± ac). Rezone from M-1 to M-1-PAD and Site Plan Review. This request will allow for the development of office warehouses, self-storage facilities, caretaker quarters, and a retail building. Bill Stevenson, Williams Gateway Self Storage, owner; Dorothy R. Shupe, Dream Catchers Planning and Design LLC; applicant. ***(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and homeowners associations.)***

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

- *11f. **Z06-07 (District 5)** 11540 East University Drive (north side). Located at the northwest corner of University Drive and Meridian Drive (3.75± ac). Site Plan Review. This request will allow for the development of a retail building. John Keith, owner; Vincent P. DiBella, Saemisch-DiBella Architects, Inc., applicant. ***(Held a neighborhood meeting, notified property owners neighbors, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval with Conditions. (Vote: 5-0-1 with Boardmembers Adams absent and Saemisch abstaining)

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- *11g. **Z06-08 (District 1)** 1806 North Lindsay Road (west side). Located south of the southwest corner of Lindsay Road and McKellips Road (0.99± ac). Rezone from R1-43 to O-S and Site Plan Review for the conversion of a residence to an office. Wayne Funk, owner; Sean B. Lake, applicant. ***(Held a neighborhood meeting, notified property owners and neighbors.)***

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

- *11h. **Z06-09 (District 5)** The 3500 block of East McDowell Road (south side). Located at the southwest corner of Val Vista Drive and McDowell Road (1.27± ac). Rezone from R1-35 to O-S-PAD and Site Plan Review. This request will allow for the development of an office condominium project. Ray Nitti, owner; Dustin T. Chisum, applicant. ***(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and homeowners associations.)***

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

- *11i. **Z06-10 (District 1)** 924 North Country Club Drive (west side). Located on the southwest corner of Country Club Drive and 10th Street (4.14± ac). Site Plan Modification and Modification to the BIZ overlay district. This request will allow for the development of a new training center building. Donald (Don) Jackson, Chief Administrative Officer, MARC Center, owner; Alisa Petterson-Dangelo, Saemisch DiBella Architects, Inc., applicant. ***(Notified property owners and registered neighborhoods associations.)***

P&Z Recommendation: Approval with Conditions. (Vote: 5-0-1 with Boardmembers Adams absent and Saemisch abstaining)

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- *11j. **Z06-11 (District 4)** 154 South Vineyard (west side). Generally located west of Country Club Drive and south of Main Street (1.18± ac). Rezone from R-2 (conceptual M-1) to M-1 and Site Plan Review. This request will allow for the development of warehouse buildings. John Little, owner/ applicant. ***(Held a neighborhood meeting, notified property owners and homeowners associations.)***

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

- *11k. **Z06-12 (District 6)** 9335 East Baseline Road. Located east of Ellsworth Road and south of Baseline Road (14.18± ac). Rezone from R-3-DMP to R-3-PAD-DMP. This request will allow for the conversion of apartments to condominiums. Prime Group Inc., Michael W. Reschke, owner; Rachel Rybski, Beus Gilbert PLLC, applicant. ***(Notified property owners, neighbors, registered neighborhoods and homeowners associations.)***

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

- *11l. **Z06-13 (District 6)** The 7300 block of East Hampton Avenue (south side). Located south of Southern Avenue and west of Sossaman Road (6.5± ac). Rezone from M-1-DMP to M-1-PAD-DMP and Site Plan Review. This request will allow for the development of office/warehouse buildings. LGE Design Build (Frank Pettit), owner; David Alameddin, applicant. ***(Notified property owners and committed to extended citizen participation prior to Council.)***

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

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- *11m. **Z06-14 (District 2)** The 3300 to 3500 blocks of East Southern Avenue (south side). Located west of Val Vista Drive and south of Southern Avenue (8.9± acres). Rezone from R1-15 to R1-15-PAD. This request will allow for the development of a single-residence subdivision. Curt Dana, owner; William Standage, Standage and Associates, applicant. ***(Notified property owners, neighbors and homeowners associations.)***

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

- *11n. **Z06-16 (District 6)** The 7600 to 8400 blocks of East Germann Road (north side). Located north of Germann Road and east of Sossaman Road (288.24± ac). Rezone from AG to M-1. This request will bring the zoning of the property into conformance with the Mesa 2025 General Plan. Russ Brandt, owner; City of Mesa, applicant. ***(Notified property owners and neighbors.)***

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

12. Consider the following subdivision plats:

- *12a. "NOVA VISTA UNIT A" (**District 6**) – 4000-4200 blocks of South Signal Butte Road (east side) located south of Elliot Road and east of Signal Butte Road. 105 R1-7 PAD single residence lots (33.07 ac) Pleasant Valley Investments, L.C., owner; CMX, L.L.C., engineer.
- *12b. "TOWNE SQUARE AT DESERT VILLAGE" (**District 6**) – 8400 block of East Broadway Road (south side) located south of Broadway Road and east of Hawes Road. 81 R-2 PAD BIZ condominium units (9.19 ac) Richmond American Homes of Arizona, Inc., owner; HEC Engineering, L.L.C., engineer.

13. Items from citizens present. (Maximum of three speakers for three minutes per speaker)