

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, October 27, 2003

5:45 P.M.

Invocation by Pastor Terry Darnall, Mesa Palms Seventh-day Adventist.

Pledge of Allegiance.

Mayor's Welcome.

1. Consider all consent agenda items.

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 so requests, in which event the item will be removed from the Consent Agenda and considered as a separate item.

- *2. Approval of minutes of previous meetings as written.
3. Conduct a public hearing on the Power Road (Delmon to McDowell Road) Improvement Project #00-043. This project improved portions of the east and west sides of North power Road from Delmon Street to McDowell Road. **(See item 8d).**
4. Conduct a public hearing regarding the continuation of the Home Rule Expenditure Limit Option.

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4.1. Conduct a public hearing concerning a request from Cable America Corporation, to renew its license to provide cable service in the City of Mesa.

5. Consider the following liquor license applications:

*a. JAMES H. RYAN, CHAIRMAN

Ten Special Event License applications for James H. Ryan, Chairman, Back to School Clothing Drive Association, ten one-day charitable events to be held Friday, October 31, 2003, from 6:00 p.m. to 10:00 p.m., Friday, November 21, 2003, Friday, December 12, 2003, Friday, January 9, 2004, Friday, January 30, 2004, Friday, February 6, 2004, Friday, February 27, 2004, from 11:00 a.m. to 2:00 p.m., Monday, March 8, 2004, from 6:00 p.m. to 9:00 p.m., Friday, March 12, 2004, from 11:00 a.m. to 2:00 p.m., and Monday, March 29, 2004, from 6:00 p.m. to 10:00 p.m. at 1101 S. Ellsworth Road, The Resort.

*b. JOSEPH SPADARO, PROGRAM DIRECTOR

Special Event License application for Joseph Spadaro, Program Director, St. Bridgets Knights of Columbus, a one-day charitable event to be held Sunday, November 16, 2003, from 4:00 p.m. to 7:00 p.m. at 2213 N. Lindsay Road, St. Bridgets Catholic Church.

*c. JOSEPH SPADARO, FUNDRAISER CHAIRMAN

Special Event License application for Joseph Spadaro, Fundraiser Chairman, St. Bridgets Catholic Church, a one-day religious event to be held Saturday, November 1, 2003, from 6:00 p.m. to 9:00 p.m. at 2213 N. Lindsay Road, St. Bridgets Catholic Church.

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*d. RODNEY S. HERBERT, AGENT

New Beer and Wine Store License for Texaco Star Mart #769, 1959 S. Greenfield Road. This is an existing business. The Beer and Wine Store License previously held at this location by Gregory Sargovatz, Agent, Equilon Enterprises, LLC, will revert back to the State.

*e. RODNEY S. HERBERT, AGENT

New Beer and Wine Store License for Texaco Star Mart #770, 1158 W. University Drive. This is an existing business. The Beer and Wine Store License previously held at this location by Gregory Sargovatz, Agent, Equilon Enterprises, LLC, will revert back to the State.

*f. RODNEY S. HERBERT, AGENT

New Beer and Wine Store License for Texaco Star Mart #771, 16 W. McKellips Road. This is an existing business. The Beer and Wine Store License previously held at this location by Gregory Sargovatz, Agent, Equilon Enterprises, LLC, will revert back to the State.

*g. RODNEY S. HERBERT, AGENT

New Beer and Wine Store License for Texaco Star Mart #774, 1957 N. Country Club Drive. This is an existing business. The Beer and Wine Store License previously held at this location by Gregory Sargovatz, Agent, Equilon Enterprises, LLC, will revert back to the State.

*h. RODNEY S. HERBERT, AGENT

New Beer and Wine Store License for Texaco Star Mart #776, 2011 E. McKellips Road. This is an existing business. The Beer and Wine Store License previously held at this location by Gregory Sargovatz, Agent, Equilon Enterprises, LLC, will revert back to the State.

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*i. LOUIS G. BERGERON, ETAL

New Restaurant License for Jersey Shore Pizza, 3655 E. Southern Avenue, Suite B-1. This is an existing business. The Restaurant License previously held at this location by Christopher John Halvorsen, Agent, Chris's Pizza LLC, will revert back to the State.

*j. ROBERT BILLANY, AGENT

New Restaurant License for Regal Café, 4700 E. Main Street. This is an existing building. No previous liquor licenses at this location.

6. Consider the following contracts:

- *a. Three-year supply contract for plastic refuse container lids as requested by the Solid Waste Division.

The Purchasing Division recommends accepting the low bid by RLS Services, Inc. at \$19,915.27 based on estimated annual requirements.

- *b. Three-year supply contract for water meters for the warehouse inventory to be used by the Utilities Department.

The Purchasing Division recommends accepting the low bid including a trade-in offer by Dana Kepner Company, Inc. (option 2) at \$618,242.12 based on estimated annual requirements.

- *c. New Citywide Telecommunications System as requested by the Communications Division.

The Purchasing Division endorses the Evaluation Team's recommendation to accept the proposal from Norstan Communications for \$2,928,693.15. An additional \$348,869 is requested for project contingencies. The combined project cost is \$3,277,562.15 excluding interest expense, to be financed through a five-year tax-exempt lease.

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7. Introduction of the following ordinances and setting November 3, 2003 as the date of public hearing on these ordinances:

Note: City Council introduction of ordinances does not necessarily reflect City Council approval of these ordinances. Introduction of ordinances sets in motion the public posting and advertising process for ordinances so that the City Council can hear from concerned citizens at the public hearing.

- *a. **Z03-44** (District 6) The 5800 block of East Southern Avenue (south side). South of the Salt River Project sub-station on the west side of the Roosevelt Water Conservation District Canal (20 ac. \pm). Generally located south and east of Southern and Higley. Rezone from R-3 to R1-6 PAD. This request is for the development of a residential subdivision. Harris Bank, N.A., owner; Chris Clonts, KB Homes, applicant.
- *b. **Z03-45** (District 2) Northeast corner of Brown Road and Val Vista Road (9.2 ac \pm). Rezone from AG to R1-35 PAD. This request is for the development of a residential subdivision. Ralph Horlacher, owner; Robert Walker, applicant.
- *c. **Z03-46** (District 1) West of the southwest corner of McKellips and Arboleda (2.5 ac. \pm). Generally located south and west of McKellips and Val Vista. Rezone from R1-43 (Conceptual C-2) to O-S. This request is for the development of an office building. Delos Development, L.L.C., owner; Dorothy Shupe, Dreamcatchers Planning & Design, applicant.
- *d. **Z03-47** (District 6) Southwest corner of Greenfield and US-60 (43.58 \pm). Council Use Permit and Site Plan Review. This request is for the development of a Wal-Mart Supercenter. Brent Berge Revocable Trust & Lumberjack Capital LLC, owner; Sean Lake, Pew & Lake, applicant.
- *e. **Z03-48** (District 4) 438 South Drew Street (1.15 ac. \pm). Generally located south and west of Broadway and Center. Council Use Permit. This request is for the development of a community labor facility. Mesa Community Action Network (MesaCAN), owner and applicant.

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- *f. Amending Section 201 of the Mesa City Charter modifying residency requirements for candidates for Mayor and City Council.
 - *g. Amending Section 211 of the Mesa City Charter to designate by resolution two days of the week to publish legal notices.
 - *h. Amending Section 609 of the Mesa City Charter relating to the purchasing policies of the City.
 - *i. Amending Section 903 of the Mesa City Charter establishing when City Charter amendments shall be submitted.
8. Consider the following resolutions:
- *a. Granting an Overhead and Underground Power Distribution Easement to Salt River Project at the Desert Sage Tank Site #9 at 9601 East Pueblo Avenue.

This easement is to provide power to the Desert Sage Tank Site.
 - *b. Extinguishing portions of a 1-foot Vehicular Non-Access Easement on Tract A of the Mesa Commerce Center in the 4400 block of East McLellan Road.

These portions of the easement conflict with the approved site plan.
 - *c. Extinguishing portions of Public Utility Easements at 1452 S. Ellsworth Road at the Valley Del Oro Amended Subdivision.

The portions of the easements are no longer required.
 - d. Approving the Final Assessment for the Power Road (Delmon to McDowell Road) Improvement Project #00-043.

This project installed street improvements along portions of the east and west side of Power Road from Delmon Street to McDowell Road.

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- *e. Approving the use of the Scalloped Street Assessment Laws to assess a portion of the costs for the Power Road (Adobe to McKellips Road) Improvement Project #00-043.1.

This project will install street improvements along portions of the east and west side of North Power Road from Adobe Road to McKellips Road.

- *f. Approving and authorizing the City Manager to execute a License Agreement between the City of Mesa and the Mesa Association of Sports for the Disabled (MASD).

- *g. Vacating the right-of-way at 2465 North Horne and reserving an easement for public utilities.

This right-of-way is no longer required.

- *h. Authorizing the sale of City Property to Carniceria Sonora I, Inc. for the development of a retail center.

This is excess City-owned property located at 223 South Mesa Drive.

- i Approving and authorizing the City Manager to execute the City of Mesa, Arizona Nonexclusive, 2003 Cable Television Renewal License with Cable America Corporation.

9. Consider the following ordinances:

- *a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

Prohibiting Left Turns From Driveways: 10-3-15

On the east side of Greenfield Road from the driveway with centerline approximately 550 feet south of Hackamore Street.

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

On the west side of Drew Street from Main Street to a point 503 feet south of Main Street.

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No Parking: 10-3-24 (F1) (No Parking, School Days,
8:00 am – 4:00 pm)

On the west side of 26th Street from a point 275 feet south of Hope Street to a point 525 feet south of Hope Street and on the west side from Highland Street to a point 135 feet north of Highland Street.

- *b. Relating to the City's organizational structure; amending Chapter 9, Title 3 of the Mesa City Code replacing the Management Services Department designation by establishing a Financial Services Department and the office and duties of the Financial Services Manager; and making other conforming changes to the Mesa City Code.
- 10. Discuss and consider whether to file a petition for review in the Arizona Supreme Court regarding City of Mesa v. Bailey, 1CA-SA02-0108.
- 11. Consider the following recommendations from the Transportation Committee:
 - a. Approving a proposal for:
 - 1. Joint City/Valley Metro administration of bus program;
 - 2. The purchase of all Mesa bus service from Valley Metro (with the exception of routes purchased from Phoenix;
 - 3. The lease of Mesa Transit Maintenance Facility to Valley Metro.
- 12. Items from citizens present. (Maximum of three speakers for three minutes per speaker).