

CITY COUNCIL AGENDA
COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, December 15, 2003

5:45 P.M.

Invocation by Pastor Roger Williams, Jr., Calvary Baptist Church.

Pledge of Allegiance.

Mayor's Welcome.

Presentation by the Mesa Storytelling Board of Directors.

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.

MESA CITY COUNCIL
December 15, 2003
Page 2

3. Deleted.
4. Conduct a Public Hearing and consider amendments to the land use map for the following General Plan Amendments:
 - a. **GPMajor03-01- (District 6)** Proposed General Plan Land Use Amendment: Medium Density Residential 2-4 (2-4 du/ac), Mixed Use/Residential (30% at 15+ du/ac) and Neighborhood Commercial for the area between Ellsworth and Signal Butte Roads, from Elliot Road north to the Power Transmission Lines (583± ac). P&Z Recommendation: Denial. **CONTINUED FROM THE NOVEMBER 17, 2003 CITY COUNCIL MEETING. (See item 8a).**

**NEW
ITEM**

- b. **GPMInor03-03 – (District 6)** The 5800 block of East Southern Avenue (south side) on the east side of the Roosevelt Water Conservation District Canal. Generally located south and east of Southern Avenue and Higley Road. Change the Land Use Map from high-density residential to medium-density residential. This will allow for development of a 139 lot residential development with 7.09 du/ac. **CONTINUED FROM THE NOVEMBER 3 AND DECEMBER 1, 2003 COUNCIL MEETINGS. (See items 8 and 10a).**
5. Consider the following liquor license applications:

*a. REVEREND DANIEL J. VOLLMER

Special Event License application of Rev. Daniel J. Vollmer, Associate Pastor, Christ the King Catholic Church, a one-day religious event to be held Saturday, February 14, 2004 from 7:00 p.m. to 11:00 p.m. at 1551 E. Dana Avenue.

*b. CLARE HOLLIE ABEL, AGENT

Person and Location Transfer Liquor Store for Wal Mart Neighborhood Market #5257, 5122 E. University Drive. This is a vacant lot currently under construction. This is a person and location transfer from Randy Guse, Agent, Walgreens #806 at 1120 S. 16th St., Phoenix. This license will transfer to the applicant.

MESA CITY COUNCIL
December 15, 2003
Page 3

*c. CLARE HOLLIE ABEL, AGENT

Person and Location Transfer Liquor Store for Wal Mart Neighborhood Market #5332, 730 E. McKellips Road. This is a vacant lot currently under construction. This is a person and location transfer from Randy Guse, Agent, Walgreens #3008 at 785 S. Cooper Road, Gilbert. This license will transfer to the applicant.

*d. CLARE HOLLIE ABEL, AGENT

Person and Location Transfer Liquor Store for Wal Mart Supercenter #2767, 4505 E. McKellips Road. This is a vacant lot currently under construction. This is a person and location transfer from Randy Guse, Agent, Walgreens #02024 at 4239 W. McDowell Road, Phoenix. This license will transfer to the applicant.

*e. JASON B. MORRIS, AGENT

New Beer and Wine Store License for CVS Pharmacy #5812, 5954 E. McDowell Road. This lot is currently under construction. No previous liquor licenses at this location.

*f. JASON B. MORRIS, AGENT

New Beer and Wine Store License for CVS Pharmacy #5814, 9950 E. Guadalupe Road. This lot is currently under construction. No previous liquor licenses at this location.

*g. PATRICK D. MCMULLEN, AGENT

New Restaurant License for Giordano's, 2909 S. Dobson Road. This is an existing business. The Restaurant License previously held at this location by Cheryl C. Maxfield, Individual, Giordano's, will revert back to the State.

MESA CITY COUNCIL
December 15, 2003
Page 4

*h. PHILIP J. MACDONNELL, AGENT

New Restaurant License for Red Robin Americas Gourmet Burgers & Spirits, 6632 E. Superstition Springs Boulevard. This is a vacant lot currently under construction. No previous liquor licenses at this location.

6. Consider the following contracts:

*a. AutoCAD Software Licenses as requested by Information Services.

The Purchasing Division recommends authorizing purchase from DLT Solutions, c/o CADsoft Consulting, for a total of \$12,127.20, including applicable sales tax. Total recommended award is \$12,127.20.

*b. Additional purchase option for optically controlled traffic control equipment as requested by the Transportation Division.

The Purchasing Division recommends authorizing additional purchases on the current supply contract with 3M Company at \$36,432.00 including applicable use tax based on estimated requirements between now and the contract expiration on March 31, 2004.

*c. Two replacement trucks for Fire Resources.

The Purchasing Division recommends authorizing purchase from the following State of Arizona contracts:

One truck from Five Star Ford for a total of \$24,538.27; and one truck from Courtesy Chevrolet for a total of \$29,132.02. The combined award is then \$53,670.29.

*d. Three-year supply contract for wood poles for use by the Utilities Department.

The Purchasing Division recommends accepting the second low bid by Arizona Pacific at \$108,033.74 including applicable sales tax.

MESA CITY COUNCIL
December 15, 2003
Page 5

- *e. Desert Well No. 16, Drilling Phase, City of Mesa Project No. 01-602-001.

This project will drill a new well near Elliot and Crismon to expand the City's water supply capabilities and system reliability in the southeast portion of the Desert Wells Zone.

Recommend award to low bidder, Zim Industries, in the amount of \$462,917.00, plus an additional \$46,291.70 (10% allowance for change orders) for a total award of \$509,208.70.

- *f. Solid Waste Building Expansion and Re-Roof, City of Mesa Project No. 01-652-002.

This project will re-roof and add approximately 2,700 sq. ft. to the Solid Waste Building (formerly the Electric Operations Building). The addition will include a conference/training room and restroom / locker room for field personnel. In addition this project will complete revisions to the parking and landscaping around the building.

Recommend award to low bidder, Ardavin Construction, in the amount of \$510,023.00, plus an additional \$51,002.30 (10% allowance for change orders) for a total award of \$561,025.30.

- *g. Bus Pullout and Shelter Relocations at Various Locations, City of Mesa Project 00-046.1.

This project will install 1 bus pullout, relocate 5 existing shelters to better locations, and will restore a bus pullout at Fiesta Mall through pavement markings and minor parking area modifications.

Recommend award to low bidder, Krisdan Company, in the amount of \$111,255.75, plus an additional \$11,125.58 (10% allowance for change orders) for a total award of \$122,381.33.

MESA CITY COUNCIL
December 15, 2003
Page 6

- *h. Dobson Ranch Golf Course Fence Replacement, Phase 10, City of Mesa Project No. 01-266-001.

This project will replace the existing fence with a new combination block and wrought iron fence, which will enhance the aesthetics for the golf course and the residents, and will also eliminate the maintenance problem of the old fence.

Recommend award to lower bidder, Five Points Construction, in the amount of \$98,480.00, plus an additional \$9,848.00 (10% allowance for change orders) for a total award of \$108,328.00.

7. Introduction of the following ordinances and setting January 5, 2004, as the date of public hearing on these ordinances:

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

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

On Solomon from Baseline Road to a point 280 feet north of Baseline Road. (west of Stapley Drive between Baseline Road and the Superstition Freeway)

On the west side of Sycamore from 1st Avenue to a point 210 feet north of 1st Avenue. (south of Main Street and east of Dobson Road)

On the north side of 1st Avenue from Sycamore to a point 625 feet west of Sycamore. (south of Main Street and east of Dobson Road)

On the north side of 1st Street from Mesa Drive to a point 410 feet west of Mesa Drive. (west of Mesa Drive between Main Street and University Drive)

On the west side of 32nd Street from a point 133 feet north of Menlo Circle to a point 365 feet north of Menlo Circle. (south of McDowell Road between Lindsay Road and Val Vista Drive)

MESA CITY COUNCIL
December 15, 2003
Page 7

No Parking: 10-3-24 (F9) (No Parking, 10:00 pm – 4:00 am)

On the east side of Solomon from Baseline Road to a point 280 feet north of Baseline Road. (Remove Prohibition) (west of Stapley Drive between Baseline Road and the U.S. 60)

- *b. Amending Sections 11-16-2 and 11-13-2 of the Zoning Ordinance regarding "Vehicle Display Platforms".
- *c. Amending Sections 11-19-5 and 11-19-8 of the Zoning Ordinance regarding "Vehicle Signs".
- d. **HL03-001TC (District 4)** 26 North Macdonald Street. Historic Landmark Overlay for the Federal building. City of Mesa, owner, Historic Preservation Committee, applicant.
- *e. **Z03-26 (District 6)** North and east of the northeast corner of Crismon Road and Southern Avenue (18.9 ac. ±) Site Plan Modification. This case involves the development of an apartment complex. Glenn Walling, Coyote Landing Limited Partnership, owner; Denise Burton, Broadbent and Associates, Inc., applicant.
- *f. **Z03-53 (District 5)** 1231 North Greenfield Rd (Lot 1 of Mountain View Plaza). Located north and east of Brown Road and Greenfield Road. (1.22 ac. ±) Site Plan Modification. This request is for the development of a drive-thru restaurant. MVP Equities Limited Partnership, owner; Stephanie Rowe; Reece, Angell, Rowe Architecture, applicant.
- *g. **Z03-55 (District 5)** The 100 – 200 blocks of north Power Road (west side). North and west of Main Street and Power Road. (2.58± ac.) Rezone from Maricopa County R1-8 and C-O to City of Mesa R1-9 and O-S. This case involves the establishment of City zoning on recently annexed property. Various owners; City of Mesa, applicant.

MESA CITY COUNCIL
December 15, 2003
Page 8

- *h. **Z03-56 (District 6)** The northwest corner of Florian Avenue and Ellsworth Road. North and west of Southern Avenue and Ellsworth Road. (2.86± ac.) Rezone from Maricopa County C-1 P.D. (Conceptual Plan of Development) to City of Mesa C-1. This case involves the establishment of City zoning on recently annexed property. Ellsworth Plaza Partnership, owner; City of Mesa, applicant.
- *i. **Z03-57 (District 5)** The north and south sides of University Drive between North 90th Street and North 93rd Street. Generally located around the intersection of Ellsworth Road and University Drive. (55.82± ac.) Rezone from Maricopa County, R-5, C-2 CUPD, C-2 P.D. (Conceptual Plan of Development), C-S, and Rural-43 to R-4, C-2, and R1-43. This case involves the establishment of City zoning on recently annexed property. Various owners; City of Mesa, applicant.
- *j. **Z03-60 (District 5)** 4722 East Ivy Street. South and east of Greenfield Road and McKellips Road. (1.24 ac. ±) Rezone from M-1 to M-1 PAD. This case involves rezoning an existing building to allow individual ownership. Commerce Capital Investments, LLC (Rick Dobkin), owner; Greg Hitchens, applicant.
- *k. **Z03-61 (District 5)** 11530, 11540 and 11550 East University Drive. Located north of University Drive and west of Meridian Drive. (4.96 ac. ±) Site Plan Review. This request is for the development of a commercial shopping center. Henry Keith, owner; Gloria Walker, Andrews Design Group, applicant.
- *l. **Z03-62 (District 2)** 3607 East McKellips Road. Located south and east of McKellips Road and Val Vista Road. (1.15 ac. ±) Rezone from R1-35 to OS PAD. This request is for the development of an office building. Michael Shane Beus, Lindsey Beus Worthen, Patrick Beus, and Ryan David Beus (SLPR, LLC), owner; Eric A. Faas, applicant. Three ordinances are to be introduced.

MESA CITY COUNCIL
December 15, 2003
Page 9

- *m. **Z03-63 (District 6)** Southeast corner of Crismon Road and US-60 Freeway (32.26 ac. ±) Rezone from R-3 to R-2 PAD. This request is for the development of a single-family residential subdivision. Mike Hare, owner; Pew and Lake, P.L.C., Sean Lake, applicant.

8. Consider the following resolutions:

- a. **GPMAJOR03-01- (District 6)** Adopting an amendment to the Mesa 2025 General Plan, A Shared Vision, as depicted by the attached map for case GPMAJOR03-01, and directing municipal efforts toward implementation of the goals, objectives, and policies stated within the plan. P&Z Recommendation: Denial.

- *b. Authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and Mesa Public Schools for cooperative use of the City's and the Mesa Public Schools facilities.

- *c. Authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Criminal Justice Commission to pay for equipment to improve digital imaging and overtime compensation to enhance crime laboratory results in firearms cases committed in the City of Mesa.

- *d. Authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Criminal Justice Commission to pay for equipment and overtime to improve crime laboratory results in firearms cases committed in the City of Mesa.

**NEW
ITEM**

- *e. Pertaining to the regulation governing water flowing upon streets by transferring such regulation from Title 6 to Title 8 of the Mesa City Code; deleting Section 6-1-14 and amending Section 8-6-3.

**NEW
ITEM**

- *f. Approving and authorizing the City Manager to execute an agreement between the Regional Public Transportation Authority and the City of Mesa.

MESA CITY COUNCIL
December 15, 2003
Page 10

- NEW ITEM** *g. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the Arizona Department of Health Services which will allow Mesa to transmit certain Emergency Medical Support data from its Fire Records System to the Arizona Department of Health Services, Office of Bioterrorism & Epidemic Preparedness & Response.
- NEW ITEM** *h. Approving and authorizing the City Manager or his authorized representative to execute an Amendment and Assignment of Power Purchase and Sale Agreement between the City of Mesa and American Electric Power Service Corporation.
- NEW ITEM** *i. Approving and authorizing the City Manager to certify the Baseline Court Collections for the fiscal year 2002-2003 as required by A.R.S. 12-116.04.
- NEW ITEM** *j. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and State of Arizona, by and through the Department of Transportation to advance the application of rubberized asphalt on the Red Mountain Freeway from Val Vista Drive to Higley Road.
- NEW ITEM** *k. Amending Resolution 8043 related to fees and charges for the Engineering Construction Division for declaring this resolution and said fees and charges to be a public record.
- NEW ITEM** l. **GPMInor03-03 (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. Generally located south and east of Southern Avenue and Higley Road. Adopting a minor amendment to the General Plan that would change 20± acres parcel from high-density residential (HDR) to medium-density residential (MDR). **CONTINUED FROM THE NOVEMBER 3 AND DECEMBER 1, 2003 COUNCIL MEETINGS.**

MESA CITY COUNCIL
December 15, 2003
Page 11

9. Consider the following recommendation from the Finance Committee.
 - *a. Approving the structure and concept for the upcoming citizen review process relating to the City of Mesa's financial status.
- NEW ITEM** 10. Consider the following case from the Planning and Zoning Board and possible adoption of the corresponding Ordinance:
 - a. **ZO3-44 (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± acres). Generally located south and east of Southern Avenue and Higley Road. 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. **CONTINUED FROM THE NOVEMBER 3 AND DECEMBER 1, 2003 COUNCIL MEETINGS.**
11. Items from citizens present. (Maximum of three speakers for three minutes per speaker).