

# COUNCIL MINUTES

March 20, 2000

The City Council of the City of Mesa met in a Regular Council Meeting in the upper level meeting room of the Council Chambers, 57 East 1st Street, on March 20, 2000 at 5:45 p.m.

## COUNCIL PRESENT

Mayor Wayne Brown  
Jim Davidson  
John Giles  
Keno Hawker  
Dennis Kavanaugh  
Pat Pomeroy  
Bill Jaffa

## COUNCIL ABSENT

None

## OFFICERS PRESENT

Mike Hutchinson  
Neal Beets  
Barbara Jones

The Invocation was given by Dave Udall.

The Pledge of Allegiance was led by members of Boy Scout Troop 659, Lazona Ward.

### 1. Approval of minutes of previous meetings as written.

It was moved by Councilmember Kavanaugh, seconded by Vice Mayor Giles, that the minutes of January 27, and February 3, 10, 25, and March 2, 6, 2000 be approved.

Carried unanimously.

### 2. Consider all consent agenda items.

At this time, all matters on the consent agenda were considered or were removed at the request of a member of the Council. All items identified in these minutes with an asterisk (\*) were approved with one Council action.

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

Carried unanimously.

### 3. Conduct a public hearing concerning the following:

Mayor Brown announced that this is the time and place for a public hearing regarding Proposed CDBG/HOME/ESG Projects and the 5-Year Consolidated Plan required by HUD.

- \*a. Proposed CDBG/HOME/ESG Projects (Community Development Block Grant, HOME Investment Partnerships Program, Emergency Shelter Grant) for FY 2000/2001.
- \*b. The 5-Year Consolidated Plan (CP) required by HUD for FY 2000/2004 for CDBG, HOME and ESG funds.

Randall Grey, Chief Executive Officer of the Marc Center, provided the Council with a brief update on the organization's efforts to construct a \$3.3 million facility and noted that this year the Center will serve over 1400 citizens with special needs. Mr. Grey noted that the organization is requesting funding assistance from the City of Mesa to assist them in meeting their goal and thanked the Council for their past and continuing support and consideration.

Scott Rhodes, Chairman of the Board of Mesa CAN (Community Action Network), addressed the Council and discussed his organization's plans to pursue the development of a 10,000 square foot facility that would house all of the organization's needs. Mr. Rhodes advised that he has submitted a funding application in the amount of \$500,000 to assist in covering the initial costs associated with this project and requested that the Council consider Mesa CAN's request. Mr. Rhodes thanked the Council for their efforts and support.

Mayor Brown thanked the speakers for their input.

There being no additional citizens present wishing to speak on this issue, the Mayor declared the public hearing closed.

4. Consider the following liquor license applications:

\*a. ALAN PAYNE, ADVISOR

Special Event License application of Alan Payne, Advisor, Gilbert Kiwanis Club, a three-day charitable event to be held Friday and Saturday, April 7 & 8, 2000, from 9:00 a.m. to 6:00 p.m., and Sunday, April 9, 2000, from 10:00 a.m. to 6:00 p.m., at 6001 S. Power Road, Williams Gateway Airport.

\*b. HASSAN M. ZEITOUN, AGENT

New Beer and Wine Store License for Arco AM/PM, 5965 E. Brown Road. This is an existing business. The Beer and Wine Store License previously held at this location by Sam J. Mocerero, Agent, AM/PM Mini Market will revert back to the State.

\*c. MANJIT KAUR, AGENT

New Beer and Wine Store License for Mesa Star Inc., 7956 E. University Drive. This is an existing business. The Beer and Wine Store License previously held at this location by Hisham F. Francis, Agent, Grab-N-Go Mart #1 will revert back to the State.

\*d. DAVID CISIEWSKI, AGENT

New Beer and Wine Store License for Quiktrip #419, 2311 W. Broadway Road. This is an existing business. The Restaurant License previously held at this location by Maria Aviles, Individual, Lulu's Tacos Mesa will revert back to the State.

\*e. CROCIFISSA PIZZURRO, AGENT

New Restaurant License for Café Roma, 2011 N. Recker Road. This is an existing building. The Beer and Wine Store License previously held by Jan A. Shumake, Individual, Seven-Eleven Food Store #26900 was closed on 12/15/95.

\*f. JASON L. GARRETT, INDIVIDUAL

New Restaurant License for Yesterdays Grill, 204 E. First Avenue. This is an existing building, no previous liquor licenses at this location.

5. Consider the following bingo application:

- \*a. Las Palmas Ltd. Partnership - CLASS A  
Kim L. Price, Supervisor  
215 N. Power Road  
Mesa, Arizona 85205

6. Consider the following contracts:

- \*a. Three thermal imaging cameras as requested by the Fire Department.

The Purchasing Division recommends accepting the bid by First In Inc. at \$45,584.63 including a two-year extended warranty on each unit and applicable sales tax.

- \*b. Two-year supply contract for ¾" and 2" gas regulators for the Materials & Supply Division warehouse inventory to be used by the Utility Service Division.

The Purchasing Division recommends accepting the low bids as follows:

Items 1 and 2 to National Meter, Inc. at \$69,582.00 plus 5% use tax of \$3,479.10 for a total of \$73,061.00; and

Item 3 to Familian Northwest dba Crow Company at \$10,051.80 plus 7.10% sales tax of \$713.68 for a total of \$10,765.48. The combined award is then \$83,826.48 based on estimated annual requirements.

- \*c. One-year renewal of the supply contract for pavement striping powder for Materials and Supply Division warehouse inventory to be used by the Traffic & Streets Division.

The Purchasing Division recommends exercising the second and final one-year renewal option with the original low bid meeting specification, Cataphote, Inc. at \$59,670.00 plus 5% use tax of \$2,983.50 for a total award of \$62,653.50 based on estimated requirements.

- \*d. One-year renewal of the supply contract for sodium bisulfite as requested by the Utility Operations Division. This product is used to dechlorinate the effluent at the Northwest Wastewater Reclamation Plant as required by EPA regulations.

The Purchasing Division recommends exercising the second and final one-year renewal option with the original low bid by Hill Brothers Chemical Company at \$19,700.00 plus 7.10% sales tax of \$1,398.70 for a total of \$21,098.70 based on estimated requirements.

- \*e. One-year renewal of the annual supply contract for automotive hydraulic hose and fittings as requested by Fleet Support Services.

The Purchasing Division recommends exercising the second and final one-year renewal option with the original low bid by Hydraulic Controls, Inc. for annual purchases estimated at \$50,000.00.

- \*f. One-year renewal of the supply contract for street sweeper brooms as requested by Fleet Support Services.

The Purchasing Division recommends exercising the second and final one-year renewal option with the original lowest overall bid by West Coast Equipment & Parts for annual purchases estimated at \$38,000.00 based on estimated requirements.

- \*g. 121 Work stations for the Electric Utility, Services, Operations, and Administration Divisions of the Utilities Department for their new Utilities building.

The Purchasing Division recommends authorizing purchase from State of Arizona contract with Goodman's Inc. at \$348,963.50 including materials, design services, delivery, installation and applicable sales tax.

- \*h. Two-year renewal of the contract for publication and distribution of the TimeOut community services magazine as requested by the Community Services Department.

The Purchasing Division recommends exercising the two-year renewal option with Tribune Newspapers for annual expenses estimated at \$95,000.00.

- \*i. Two high volume copiers, one new and one replacement, as requested by the Information Services Division (ISD). One of the recommended copiers will be installed in the Information Services Building and the other at the South Center Street Campus.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Document Technologies for a total of \$79,907.31, including trade-in and applicable sales tax.

- \*j. A Citizen Contact System to support the Mayor's Office, City Council's Office, and City Manager's Office. This new system will provide a method for recording, storing, searching, routing, assigning, retrieving, and reporting residents', businesses' and visitors' contacts with the City of Mesa.

The Information Services Division recommends accepting the proposal from JPH International Inc., for a total of \$105,359.75, including all applicable taxes. The JPH proposal received an evaluated score of 882 points (88.2% of the maximum).

In addition to the Citizen Contact System referenced above, a network scanner, modems, and software, estimated at a total of \$4,618.95, will be processed through the normal purchasing

processes. Finally, system maintenance for years two through five totals \$77,280.00. The evaluated five-year total is therefore \$187,258.70.

- k. Power Road Gravity Sewer Lines and Force Main. City of Mesa Project No. 00-90.1.

This project consists of the installation of a gravity sewer and a sewer force, along Power Road between Ray Road and Guadalupe Road to provide utility service to approximately 400 acres between Power Road and the RWCD Canal.

Recommend award to low bidder S.J.L. Construction of Arizona in the amount of \$2,273,403.00.

Councilmember Hawker indicated that he had a potential conflict of interest in connection with the matter now under discussion which he wanted recorded in the minutes of the meeting, and because of such conflict of interest, he would refrain from voting upon or otherwise participating in any manner in connection with same.

It was moved by Vice Mayor Giles, seconded by Councilmember Davidson, that the recommendations of staff be approved.

Upon tabulation of votes, it showed:

AYES - Brown-Davidson-Giles-Jaffa-Kavanaugh-Pomeroy

NAYS - None

ABSTAIN - Hawker

Mayor Brown declared the motion carried unanimously by those voting.

- l. Williams Campus and Williams Gateway Airport Master Water Meter Installation. City of Mesa Project No. 96-84.2.

This project consists of installing master water meters throughout the Williams Gateway Campus to allow individual water metering for each property owner.

Recommend award to low bidder, Archon, Inc., in the amount of \$947,871.00.

Councilmember Hawker indicated that he had a potential conflict of interest in connection with the matter now under discussion which he wanted recorded in the minutes of the meeting, and because of such conflict of interest, he would refrain from voting upon or otherwise participating in any manner in connection with same.

It was moved by Vice Mayor Giles, seconded by Councilmember Davidson, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES - Brown-Davidson-Giles-Jaffa-Kavanaugh-Pomeroy

NAYS - None

ABSTAIN - Hawker

Mayor Brown declared the motion carried unanimously by those voting.

- \*m. Country Club Drive Landscape Improvements, Phase II. City of Mesa Project No. 97-06.1.

This project involves new landscaping in various areas adjacent to the roadway between Main Street and McKellips Road.

Recommend award to low bidder, Valley Rain Construction Corp., in the amount of \$548,976.30.

- n. Northwest Water Reclamation Plant Expansion. City of Mesa Project No. 97-73.

This project involves the expansion of the existing Northwest Water Reclamation Plant from a current capacity of eight (8) million gallons per day to a new capacity of 18 million gallons per day.

Councilmember Hawker indicated that he had a potential conflict of interest in connection with the matter now under discussion which he wanted recorded in the minutes of the meeting, and because of such conflict of interest, he would refrain from voting upon or otherwise participating in any manner in connection with same.

It was moved by Vice Mayor Giles, seconded by Councilmember Kavanaugh, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES - Brown-Davidson-Giles-Jaffa-Kavanaugh-Pomeroy  
NAYS - None  
ABSTAIN - Hawker

Mayor Brown declared the motion carried unanimously by those voting.

- o. Approve signing a contract with Motorola for an 800 MHz, digital, trunked radio infrastructure in the amount of not to exceed \$14,990,519.00.

Councilmember Kavanaugh stated support for this agenda item and commented that staff has been involved in this project together with the City of Phoenix for a number of years. Councilmember Kavanaugh advised that the infrastructure will be a crucial component of the public safety communications network and thanked staff for their extensive efforts to arrive at this point.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Pomeroy, that the recommendation of staff be approved.

Carried unanimously.

7. Introduction of the following ordinances and setting April 3, 2000 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. **Z00-02** The southwest corner of Southern Avenue and Crismon Road. Rezone from R1-43 and R1-43 DMP (conceptual PEP and M-1) to C-2 (13± acres). This case involves the development of a retail shopping center.
- \*b. **Z00-07** The northeast corner of Warner and Power Roads. Rezone from County AD III to M-1 and M-1-PAD with an AF overlay (81± acres). This case involves the establishment of City zoning on recently annexed property.
- \*c. **Z00-08** 1922 South 74<sup>th</sup> Street. Rezone from R-4 to C-2 (1.4± acres). This case involves the expansion of the existing pro-shop at Desert Sands Golf Course.
- \*d. **Z00-09** The 4500 block of East Baseline Road - north side. Rezone from M-1 to M-1-PAD (5± acres). This case involves the development of an office complex.
- \*e. **Z00-10** 223 East Brown Road. Rezone from O-S to C-2 (1.8± acres). This case involves the conversion of a bank building for use as a restaurant.
- \*f. **Z00-13** 215 South Power Road ("Power Road Medical Village, Lot 5"). Site Plan Review (2.5± acres). This case involves the development of medical offices.

8. Consider the following resolution:

- \*a. Regarding coordination of land use planning with neighboring communities, acknowledgement of comprehensive plans efforts and the provision of adequate public facilities to support proposed new developments – Resolution No. 7477.

9. Consider the following recommendations from the Museum and Cultural Advisory Board:

- a. A proposed fee increase for admission to the Mesa Southwest Museum from \$4 to \$6 for adults; \$2 to \$3 for children ages 3-12; \$3.50 to \$5 for seniors age 55 and older; \$3.50 to \$5 for students with ID; and that the Museum continue to offer quarterly free days to the public.

In response to a request from Councilmember Jaffa, Museum Administrator Tray Mead emphasized that schools and other groups which may have difficulty purchasing admission tickets will receive assistance and stressed that every effort will continue to be made to ensure that everyone has the opportunity to enjoy and participate in the various Museum exhibits. Mr. Mead added that the Museum will continue to offer quarterly free days to the public.

It was moved by Councilmember Pomeroy, seconded by Councilmember Davidson, that the recommendations of staff be approved.

Carried unanimously.

- b. A proposed fee increase for ticket prices to the Mesa Youtheatre from \$7 to \$9.

Councilmember Jaffa indicated that his concerns have been addressed and he will vote in support of this item.

It was moved by Councilmember Jaffa, seconded by Councilmember Kavanaugh, that the recommendation of staff be approved.

Carried unanimously.

\*c. A name change of Galeria Mesa to Mesa Contemporary Arts.

9.1 Consider the findings and recommendations of the Judicial Advisory Board to reappoint Presiding Magistrate Walter Switzer for a four-year term beginning July 1, 2000; Magistrate Rebecca Standage for a four-year term beginning July 1, 2000; Magistrate Robin Allen for a four-year term beginning July 1, 2000; Magistrate Michelle Lue Sang for a two-year term beginning July 1, 2000; and to not reappoint Magistrate Gunn McKay.

It was moved by Vice Mayor Giles, seconded by Councilmember Pomeroy, that the Judicial Advisory Board recommendations relative to the reappointments of Presiding Magistrate Walter Switzer and Magistrates Rebecca Standage, Robin Allen and Michelle Lue Sang be approved, and that consideration of the reappointment of Magistrate Gunn McKay be continued to the April 3, 2000 Regular Council Meeting.

Carried unanimously.

10. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding ordinances:

\*a. **Z00-5** 619 and 621 West Southern Avenue. Rezone from R-4 to C-1 (1.6± acre). This case involves the development of an Urgent Care facility. Hugh Dana, owner; Eugene Johnson, applicant. **CONTINUED FROM THE MARCH 6, 2000 COUNCIL MEETING. THE APPLICANT IS REQUESTING THIS CASE BE CONTINUED TO THE APRIL 17, 2000 COUNCIL MEETING.**

P&Z Recommendation: Approval with conditions (Vote: Passed 6-0).

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.).
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit or at the time of the City's request for dedication whichever comes first.
5. Compliance with all requirements of the Design Review Board.
6. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the variance(s) outlined in the staff report.

\*b. **Z00-6** The southwest corner of Signal Butte and U. S. 60. Rezone from R1-43 to C-2 (67± acres). This case involves development of a community commercial center. Bojer Land / Signal Butte Limited Partnership, owner; Bill Ring, applicant. **A ¾ VOTE IS REQUIRED TO APPROVE THIS REQUEST. CONTINUED FROM THE MARCH 6, 2000 COUNCIL MEETING – Ordinance No. 3754.**

P&Z Recommendation: Approval with conditions (Vote: Passed 6-0).

1. Compliance with the basic development as described in the project narrative and as shown on the conceptual site plan, submitted except as noted below.
2. Future Site Plan Review of the entire site (with design guidelines, elevations, CCR's property management information, preliminary plat and compatible architecture and landscaping throughout) by the Planning and Zoning Board and City Council prior to development of any portion of the site.
3. Future Design Review Board approval of the entire site (with design guidelines, landscape design and plant palette, and architectural design, elevations and materials) prior to development of any portion of the site.
4. Compliance with all City development codes and regulations.
5. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.).
6. Dedicate the right-of-way required under the Mesa City Code for all adjacent public streets at the time of application for any building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
7. Compliance with all requirements of the Subdivision Technical Review Committee.
8. Review and approval of a Special Use Permit by the Board of Adjustment for a comprehensive sign plan.
9. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
10. The wall height to be eight feet on the west side of property to completely shield the dumpster and garbage areas from the Mesa Marketplace view.
11. Indoor/Outdoor swap meets, flea markets, sidewalk sales, tent or other outdoor sales whether temporarily, for promotional purposes or otherwise, be prohibited.

11. Consider the following subdivision plat:

- \*a. "PINNACLE HILLS AT LAS SENDAS AMENDED" – The 4000 block of North Pinnacle Hills Circle (east side) 6 R1-35 PAD DMP single residence lots (5.49 acres) City View Properties, L.L.C., developer; Wood, Patel and Associates, engineer.

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

Mayor Brown advised that there were no items from citizens present.

13. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:18 p.m.

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WAYNE BROWN, MAYOR

ATTEST:

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BARBARA JONES, 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 20<sup>th</sup> day of March 2000. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_ day of \_\_\_\_\_ 2000

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BARBARA JONES, CITY CLERK