

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday July 12, 2004

5:45 P.M.

Invocation by Reverend Jack D. O'Brien, Grace Fellowship Bible Church.

Pledge of Allegiance.

Mayor's Welcome.

Presentation by Mike Bonar representing the Arizona Chapter of the American Public Works Association recognizing the State Chapter's 50th year anniversary.

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. Consider the following liquor license applications:

*a. JONATHAN JOSEPH CARR, AGENT

Person Transfer Beer & Wine Bar License for Alessia's Ristorante Italiano, LLC, 5251 E. Brown Road, Suite 108. This is an existing business. This is a Person Transfer from

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John Maugeri, Individual, Gianni, 5251 E. Brown Road, Suite 108. This license will transfer to the applicant. District #5.

*b. JASON BARCLAY MORRIS, AGENT

New Beer & Wine Store License for CVS Pharmacy #5303, 9152 E. Brown Road. This is new construction. No previous liquor licenses at this location. District #5.

*c. JASON BARCLAY MORRIS, AGENT

New Beer & Wine Store License for CVS Pharmacy #5779, 360 N. Val Vista Drive. This is a new business. No previous liquor licenses at this location. District #2.

*d. ROBERT JEFFERY BENTON, AGENT

New Beer & Wine Store License for Target #1386, 2151 N. Power Road. This is an existing business. No previous liquor licenses at this location. District #5.

4. Consider the following contracts:

*a. One replacement copier for use in the Forensic Services Division (Crime Laboratory) as requested by the Police Department.

The Purchasing Division recommends authorizing purchase from State of Arizona contract with Minolta Corp. c/o Business Imaging Systems at \$11,829.38 including applicable sales tax. (100% Grant Funded)

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- *b. Three-year supply contract for electric meters as requested by the Utilities Department.

The Purchasing Division recommends accepting the following bids:

Items 1 and 3 to Wesco Dist. at \$5,587.21; and

Items 2, 4, 5 and 6 to Zia Electrical Products at \$120,736.86. The combined award is \$126,324.07 based on estimated annual purchases.

- *c. Three-year supply contract for ferrous chloride, a wastewater treatment chemical used by the Utilities Department.

The Purchasing Division recommends accepting the low bidder by Kemiron Companies, Inc. at \$255,024.00 based on estimated requirements.

To ensure continuity of supply a secondary contract is recommended to Univar, USA, Inc.

- *d. Three-year supply contract for police patrol bicycles as requested by the Police Department.

The Purchasing Division recommends accepting the low bid by Landis Cyclery at \$37,089.38 based on estimated annual purchases.

- *e. Ticketing and Customer Relationship Management System for the Mesa Arts Center as requested by the Information Services Division (ISD).

The Purchasing Division endorses the Evaluation Team's recommendation to accept the proposal from AudienceView for \$.25 per transaction for software licensing and \$84,500.00 for implementation services. The AudienceView proposal received a score of 818 points (81.8% of the maximum). The Purchasing Division further recommends approving:

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\$30,874.30 for system software from the State of Arizona contracts with ASAP Software Express, Inc.; \$12,946.24 for network equipment from the State of Arizona contracts with Ames Business and Learning Environments, Inc.; \$48,359.62 for server hardware using the City's Intergovernmental Agreement with the State of Arizona to utilize the Western States Contracting Alliance contracts with Hewlett Packard; and, \$18,118.02 for project contingencies (10% of total project, including all hardware and software).

The combined total award for these expenses is not to exceed the amount of \$199,298.18.

- *f. Val Vista Effluent Pump Station, 3750 N. Val Vista Drive City of Mesa Project No. 02-86.1.

This project will construct a booster pump station that will take reclaimed water from the existing pipeline and boost its pressure to be used in ADOT's irrigation system.

Recommend award to low bidder, RDH Environmental in the amount of \$283,512.04 plus an additional \$28,351.20 (10% allowance for change orders) for a total award of \$311,863.24.

- *g. 3-year contract for non-emergency towing as requested by Fleet Support Services and the Police Department. **This contract was continued from the July 6 City Council meeting.**

The Purchasing Division recommends award to the low bidder, Diversified Towing, Inc, dba Cactus Towing for \$54,600.00 based on estimated annual service requirements.

- *4.1. Discuss and consider increasing the change order allowance by \$751,000.00 for the Mesa Arts Center.

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5. Introduction of the following ordinance and setting August 16, 2004 as the date of public hearing on this ordinance:

*a. Deleted.

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

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

On 1st Avenue from Country Club Drive to Morris. (Town Center Area. Council District 4)

On the north side of 1st Avenue from a point 60 feet west of Robson to a point 168 feet east of Robson. (Town Center Area. Council District 4)

On the north side of 1st Avenue from a point 117 feet west of Macdonald to a point 91 feet east of Macdonald and on the south side of 1st Avenue from a point 204 feet west of Macdonald to a point 72 feet east of Macdonald. (Town Center Area. Council District 4)

On the north side of 1st Avenue from a point 83 feet west of Drew Street to a point 66 feet east of Drew Street and on the south side of 1st Avenue from a point 120 feet west of Drew Street to a point 48 feet east of Drew Street. (Town Center Area. Council District 4)

On the north side of 1st Avenue from a point 101 feet west of Center Street to a point 114 feet east of Center Street and on the south side of 1st Avenue from a point 102 feet west of Center Street to a point 43 feet east of Center Street. (Town Center Area. Council District 4)

On the north side of 1st Avenue from a point 79 feet west of Serrine to a point 256 feet east of Serrine and on the south side of 1st Avenue from a point 224 feet west of Serrine to a point 41 feet east of Serrine. (Town Center Area. Council District 4)

On the south side of 1st Avenue from a point 229 feet west of Pasadena to a point 146 feet east of Pasadena. (Town Center Area. Council District 4)

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On the north side of 1st Avenue from a point 193 feet west of Hibbert to a point 109 feet east of Hibbert and on the south side of 1st Avenue from a point 123 feet west of Hibbert to a point 91 feet east of Hibbert. (Town Center Area. Council District 4)

On the north side of 1st Avenue from a point 111 feet west of Pomeroy to a point 70 feet east of Pomeroy. (Town Center Area. Council District 4)

On the north side of 1st Avenue from a point 76 feet west of Mesa Drive to a point 55 feet east of Mesa Drive and on the south side of 1st Avenue from Pomeroy to a point 74 feet east of Mesa Drive. (Town Center Area. Council District 4)

On the east side of Harris Drive from Kramer Street to a point 200 feet north of Kramer Street. (north of McKellips Road and west of Gilbert Road. Council District 1)

- *c. **Z04-49 (District 4)** 1130 and 1110 South Horne. Located east of Mesa Drive and north of Southern Avenue (2.35 ac \pm). Rezone from M-1 to M-1 PAD and Site Plan Review. This request is to allow for the development of a light industrial development. Todd Allen, owner; Corey Smith, applicant.
- *d. **Z04-50 (District 2)** The 1600 block of East University Drive (south side). Located south of University Drive and west of Gilbert Road (1.08 ac \pm). Rezone from O-S to C-1 and Site Plan Review. This request is for the development of an office with fleet vehicle parking. Lisa Miller, owner; Josh Oehler, applicant.
- *e. **Z04-51 (District 2)** The 1600 to 1700 block of East Main Street (south side). Located west of Gilbert Road and south of Main Street (0.98 ac \pm). Site Plan Review. This request is to allow for the development of a commercial building. Ernesto G. Castro, owner; Michael P. Monroe, applicant.

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- *f. Pertaining to an update of the Zoning Ordinance Design Guidelines and Standards; regarding various technical and clerical amendments; Amending Sections 11-1-6, 11-3-6, 11-3-7, 11-3-8, 11-3-9, 11-3-10, 11-3-11, 11-4-5, 11-4-6, 11-4-7, 11-4-8, 11-4-9, 11-4-10, 11-4-11, 11-5-6, 11-5-7, 11-5-8, 11-5-9, 11-5-10, 11-5-11, 11-6-6, 11-6-7, 11-6-8, 11-6-9, 11-6-10, 11-6-11, 11-7-7, 11-7-8, 11-7-9, 11-7-10, 11-7-11, 11-7-12, 11-9-5, 11-9-6, 11-9-7, 11-9-8, 11-9-9, 11-9-10, 11-10-8, 11-10-9, 11-10-10, 11-12-4, 11-12-5, 11-12-6, 11-12-7, 11-14-2, 11-14-3, 11-15-1, 11-15-2, 11-15-3, 11-15-4, 11-15-5, and 11-16-2 by adding clarifying provisions, removing conflicting provisions; and providing penalties for the violation thereof.
- *g. Relating to public health and safety, repealing Title 7, Chapter 2 of the Mesa City Code; preserving rights and duties that have already matured and proceedings that have already begun thereunder; adopting the 2003 International Fire Code by reference; amending certain provisions in the 2003 International Fire Code; amending Title 7 of the Mesa City Code by adding thereto a new Chapter 2; providing penalties for violations; and an effective date of September 18, 2004.
- *h. Repealing Chapter 1, Chapter 8 and Chapter 9 of Title 4 of the Mesa City Code, and amending Title 4 of the Mesa City Code by adding a new Chapter 1 Mesa Administrative Code.
- *i. Repealing Chapter 2, Chapter 10 and Chapter 11 of Title 4 of the Mesa City Code, and amending Title 4 of the Mesa City Code by adding a new Chapter 2 Mesa Building Code.
- *j. Repealing Chapter 3 and Chapter 7 of Title 4 of the Mesa City Code, and amending Title 4 of the Mesa City Code by adding a new Chapter 3 Mesa Residential Code.
- *k. Repealing Chapter 4 and Chapter 6 of Title 4 of the Mesa City Code, and amending Title 4 of the Mesa City Code by adding a new Chapter 4 Mesa Electrical Code.

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- *l. Repealing Chapter 5 and Chapter 12 of Title 4 of the Mesa City Code, and amending Title 4 of the Mesa City Code by adding a new Chapter 5 Mesa Plumbing Code.
- *m. Amending Title 4 of the Mesa City Code by adding a new Chapter 6 Mesa Mechanical Code.
- *n. Amending Title 4 of the Mesa City Code by adding a new Chapter 7 Mesa Fuel Gas Code.
- *o. Repealing Chapter 13 of Title 4 of the Mesa City Code, and amending Title 4 of the Mesa City Code by adding a new Chapter 8 Mesa Existing Building Code.
- *p. Amending Sections 3-4-3 of the Mesa City Code to modify the names of the Divisions under the responsibility of the Manager of Development Services.
- *q. Amending Sections 5-12-04, 5-12-5 and 5-12-9 of the Mesa City Code to modify references from the Superintendent of Building Inspections to Building Safety Director.
- *r. Amending Sections 6-11-2, 6-11-6, 6-11-10 and 6-11-12 of the Mesa City Code to modify references from the Superintendent of Building Inspections to Building Safety Director.
- *s. Amending Section 6-12-5(C) of the Mesa City Code to modify references from the Superintendent of Building Inspections to Building Safety Director.
- *t. Amending Section 8-2-3 of the Mesa City Code to modify references from the Superintendent of Building Inspections to Building Safety Director.
- *u. Amending Section 8-6-4 of the Mesa City Code to modify references from the Building Inspections Division to Building Safety Division.
- *v. Amending Section 8-6-5 of the Mesa City Code to modify references from the Building Inspections Division to Building Safety Division, and from the Superintendent of Building Inspections to Building Safety Director.

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- *w. Amending Section 8-6-8 of the Mesa City Code to modify references from the Superintendent of Building Inspections to Building Safety Director.
 - *x. Amending Section 8-6-14 of the Mesa City Code to modify references from the Superintendent of Building Inspections to Building Safety Director.
6. Consider the following resolutions:
- *a. Granting the sale of City-owned property located in the 4200 block of East Quenton.
 - *b. Authorizing the sale of a 1.49 acre parcel of land in Pinal County to Brooks and Kimberly Bartlett.

This is excess property that is no longer needed.
 - *c. Authorizing the sale of a 13' strip of land in Pinal County to Level 3 Communications.

This is excess property that is no longer needed.
 - *d. Authorizing the sale of a perpetual easement on a 5.43 acre parcel of land in Pinal County to the U.S. Department of Energy Western Area Power Administration ("WAPA").

This easement is necessary for the construction of the power line.
 - *e. Amending an error in the legal description of the Lease Agreement between the Mesa Development Corporation and the City of Mesa.
 - *f. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the Town of Gilbert and the City of Mesa for utility service.

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- *g. Approving and authorizing the City Manager to execute an Intergovernmental Agreement among the Arizona municipal corporations of Gilbert, Queen Creek and Mesa concerning the construction and operation of a Greenfield Water Reclamation Plant.
- *h. Approving and authorizing the City Manager to execute an agreement between the Engineering Research and Development Center – Construction Engineering Research Laboratory, a division of the U. S. Army Corp of Engineers and the City of Mesa.
- *i. Approving and authorizing the City Manager to enter into an agreement to continue to retain William Anger to represent jointly Mesa, Chandler, Glendale and Scottsdale in the Gila River General Stream Adjudication.
- *j. Authorizing the sale of City property located at the southwest corner of Greenfield Road and Virginia Street (City of Mesa Transit Operations and Maintenance Facility) to the Regional Public Transportation Authority.

This is excess City property and is no longer needed.

- *k. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the Regional Public Transportation Authority and the City of Mesa for the management of the Transit Operations and Maintenance Facility.
- *6.1. Discuss and consider authorizing an amendment to the Lease Agreement between the Mesa Development Corporation and the City of Mesa.
- 6.2. Discuss and consider authorizing the City Manager to issue a letter conditionally approving Outsource International's written evidence that it has obtained a binding commitment for financing the development of Site 21.
- 6.3. Authorizing an agreement with the Regional Public Transit Authority for the lease of the Mesa Transit Operations and Maintenance Facility with an option to purchase

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7. Consider the following ordinances:
- *a. Pertaining to the Subdivision Regulation of the Mesa City Code; Amending Title 9, Chapter 6, Section 1 and Section 5 regarding various amendments to the Desert Uplands Development Standards and providing penalties for the violation thereof.
 - *b. Amending Title 4, Chapter 9, Section 1 of the Mesa City Code, to provide the City Manager or his designee the authority to provide a percentage fee refund or credit against total permit charges if the City's Plan Review Performance Goals are not achieved.
 - *c. Amending Title 4, Chapter 9, Section 2 of the Mesa City Code to provide the City Manager or his designee the authority to waive or reduce fees in certain circumstances that are set forth in the schedule of fees and charges.
 - d. Amending Title 5, Chapter 17, of the Mesa City Code, relating to development impact fees.
 - e. Amending Title 5, Chapter 17, Table 1, of the Mesa City Code, relating to water development impact fees.
 - f. Amending Title 5, Chapter 17, Table 2, of the Mesa City Code, relating to wastewater development impact fees.
 - g. Amending Title 5, Chapter 17, Table 3, of the Mesa City Code, relating to park development impact fees.
 - h. Amending Title 5, Chapter 17, Table 5, of the Mesa City Code, relating to library development impact fees.
 - i. Amending Title 5, Chapter 17, of the Mesa City Code, relating to general government facilities development impact fees.
 - j. Amending Title 5, Chapter 17, of the Mesa City Code, relating to stormwater drainage systems development impact fees.

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8. Consider the following subdivision plats:
 - *a. “SAN ANGELIN APARTMENTS”, – (Council District 6) – 1900 block of South Sunnyvale (east side) located north and east of Baseline Road and Higley Road. 1 R-4 lot (17.57 ac) San Angelin Apartments, L.P., an Arizona Limited Partnership, owner; Landmark Engineering, Inc., engineer.
 - *b. “MAP OF DEDICATION OF SAN FERNANDO APARTMENTS”, – (Council District 2) – 4100 block of East Main Street (north side) located north and west of Main Street and Greenfield Road. San Fernando Apartments, L.P., an Arizona Limited Partnership, owner; Landmark Engineering, Inc., engineer.
9. Items from citizens present. (Maximum of three speakers for three minutes per speaker).