

**CITY COUNCIL AGENDA**  
**COUNCIL CHAMBERS – 57 EAST FIRST STREET**

Monday, November 3, 2003

5:50 P.M.

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 for the following General Plan Amendment:
  - a. Deleted.
4. Conduct a public hearing for the following annexations:
  - a. **A03-5 (District 6)** Annexing the northwest corner Pecos Road and Signal Butte Road. (36.37± acres). Initiated by the property owner.

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- b. **A03-12 (District 5)** Annexing the south side of East University Drive between 101st Circle and 102nd Street. (2.4± acres). Generally located south and east of University Drive and Crismon Road. Initiated by the property owner.
  - c. **A03-13 (District 5)** Annexing areas on the east and west sides of Ellsworth Road north of Main Street. (38± acres). Annexation initiated by the property owners.
- 4.1. Consider the City Manager's recommendation to appoint Bryan Raines as Financial Services Manager.
  - 4.2. Consider the City Manager's recommendation to appoint Joe Holmwood as Community Services Manager.
  - 4.3. Consider the City Manager's recommendation to appoint Paul Wenbert as Interim Neighborhood Services Manager.
- 5. Consider the following liquor license applications:
    - \*a. RODNEY S. HERBERT, AGENT  
  
New Beer and Wine Store License for Texaco Star Mart #777, 2015 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.
    - \*b. RODNEY S. HERBERT, AGENT  
  
New Beer and Wine Store License for Texaco Star Mart #780, 7546 E. Baseline 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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6. Consider the following contracts:

- \*a. WebInspect Software as requested by the Information Services Division (ISD).

The Purchasing Division recommends authorizing purchase of the software and first year maintenance and support from the State of Arizona contract with Calence, Inc. for a total of \$32,340.00.

- b. Dobson Police Substation Parking & Security Fence Improvements, City of Mesa Project No. 02-10.

This project corrects deficiencies with the facility and site by adding a fence and gates to secure the parking area, closing off an existing door and window exposed to the non secured west side of the facility, and adding 26 new parking spaces.

Recommend award to low bidder, Vizor, LLC, in the amount of \$273,346.59, plus an additional \$27,334.66 (10% allowance for change orders) for a total award of \$300,681.25.

7. Consider the following resolutions:

- \*a. Ordering Work for Special Improvement District No. 241. This District will install improvements along portions of South Crismon, East Hampton Ave and South Cheshire Street within the Crismon Business Park.
- \*b. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the Flood Control District of Maricopa County, Salt River Project and the City of Mesa for the operation and maintenance of the Alma School Drain.
- \*c. Approving and authorizing the City Manager to execute an amendment to an existing Intergovernmental Agreement between the Arizona Department of Transportation and the City of Mesa, for improvements to the Broadway Road Railroad Crossing, just west of Center Street.

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- \*d. Deleted.
  - \*e. Moved to Item No. 8.2.
  - \*f. Ordering and calling a Special Bond Election to be held in conjunction with the City of Mesa Primary Election on March 9, 2004.
8. Consider the following ordinances:
- a. Amending Section 201 of the Mesa City Charter modifying residency requirements for candidates for Mayor and City Council.
  - \*b. Proposing amending Section 211 of the Mesa City Charter to designate by resolution two days of the week to publish legal notices.
  - \*c. Proposing amending Section 609 of the Mesa City Charter relating to the purchasing policies of the City.
  - \*d. Proposing amending Section 903 of the Mesa City Charter establishing when City Charter Amendments shall be submitted.
- 8.1. Consider a recommendation from the Mesa Convention and Visitors Bureau to increase the City bed tax, subject to voter approval at the March 9, 2004 City of Mesa Primary Election.
- 8.2. Consider a resolution designating 2004 Primary and General election dates and purposes of each election; designating the place and the last date for candidates to file nomination papers; designating the deadline for filing arguments for and against ballot measures; designating the deadline for voter registration; and establishing the times that polls will be open.
9. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding Ordinances:
- \*a. Deleted.

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- \*b. **Z03-45 (District 5)** - 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.

P&Z Recommendation: Approval with conditions. (Vote passed 6-0, Esparza absent.)

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and preliminary plat submitted, (without guarantee of lot yield, building count, lot coverage) except as noted below.
2. Compliance with the Residential Development Guidelines.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
5. Dedicate the right-of-way required under the Mesa City Code at the time of application for a 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.
6. All street improvements and perimeter landscaping to be installed in the first phase of construction.
7. Compliance with all requirements of the Subdivision Technical Review Committee.
8. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report.
9. Owner granting an Avigation Easement and Release to the City, pertaining to Falcon Field 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).

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10. Written notice be provided to future residents, and acknowledgment received that the project is within two miles of Falcon Field Airport.
11. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.
12. Provide or retain two rows of citrus trees along the arterial street frontage, between the subdivision wall and the street.
13. Redesign the subdivision in accordance with the suggestions forwarded by the Citrus Area Homeowners:
  - a. This project lies within the Citrus Sub-Area Plan of Mesa. Adopted by the Mesa City Council on April 21, 2003 as a resolution, this plan was created by the Citrus Area Homeowners (CAH) as a vision for future development policies within the area. Chapter 4 Plan Recommendations are in addition to the standard development requirements by the City of Mesa.
  - b. The lot lines should be moved to fall in between rows of existing citrus trees rather than fall on a row of citrus trees as presently shown.
  - c. Irrigation should be provided to all lots in the subdivision. The two rows of citrus trees being retained along the arterial streets should be flood irrigated.

- \*c. **Z03-46 (District 1)** - West of the southwest corner of McKellips and Arboleda (2.5 ac. ±). Generally located west and south of Val Vista Drive and McKellips Road. 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 (Rich Crandall), owner; Dorothy Shupe, Dreamcatchers Planning & Design, applicant.

P&Z Recommendation: Approval with conditions. (Vote passed 6-0, Esparza absent.)

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1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count, lot coverage) except as noted below.
2. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
5. Dedicate the right-of-way required under the Mesa City Code at the time of application for a 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.
6. All street improvements and perimeter landscaping to be installed in the first phase of construction.
7. Compliance with all requirements of the Design Review Board.
8. Owner granting an Avigation Easement and Release to the City, pertaining to Falcon Field 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).
9. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.
10. Completion of the Citizen Participation efforts and submittal of the report prior to City Council.

\*d. **Z03-47 (District 6)** - Southwest corner of Greenfield and US-60 (23.26 ±) 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 (Brent Berge), owner; Sean Lake, Pew & Lake, applicant.

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P&Z Recommendation: Approval with conditions. (Vote passed 6-0, Esparza absent.)

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count, lot coverage) except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Dedicate right-of-way required under the Mesa City Code at the time of application for a 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.
5. Compliance with all requirements of the Subdivision Technical Review Committee.
6. Compliance with all requirements of the Design Review Board.
7. Any non-conforming and/or prohibited signs existing on any of the subject property shall be removed or brought into conformance prior to the issuance of a building permit.
8. Review and approval of a Special Use Permit by the Board of Adjustment for comprehensive sign plan.
9. Provide a comprehensive pedestrian circulation layout to ensure directness, safety, and continuity of routes throughout the site and from the street to all building entrances. Provide attractive shade-producing landscaping for major pedestrian routes through the site.
10. Review and approval of a Special Use Permit by the Board of Adjustment for the fuel sales use is required prior to Design Review application for that facility.
11. There shall be no outdoor storage or seasonal product display except for those areas as indicated within the building enclosure and in walled areas as shown on the site plan with the exception of those sales allowed under a Special Event License.

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12. Outdoor Garden Center storage and display to be restricted to the area within the enclosed Garden Center area only with material storage and display not exceeding the height of the fence or wall.
13. Application material submitted for Design Review Board approval shall include the following revisions:
  - a. Show typical dimensions on the site plan in conformance with Chapter 15, Site Development Standards to include building foundation base areas, landscape and hardscape areas, pedestrian facilities, parking areas and other areas as necessary to evaluate the proposal.
  - b. As per the foundation base requirements, provide at least one (1) tree per fifty (50) linear feet of wall for the Wal-Mart Supercenter to be located within thirty (30) feet of the building. A total of forty (40) trees needs to be shown on the landscape plan where only twenty-seven (27) are indicated for the subject applications. Provide at least thirteen (13) additional trees in the Wal-Mart foundation base area.
  - c. Show limits of areas proposed for phased development. Phased plans should show the temporary edge treatment for the limits of development and all required fire access, on-site circulation, drainage retention and other necessary items to ensure compliance with requirements.
  - d. Revise site plan to show outlot pad developments in compliance with Chapter 15 requirements for foundation base, landscaping, screening, loading areas, trash enclosures and all site development standards. As shown, the conceptual layout of the outlot pad sites does not guarantee approval of the size, orientation or general configuration of buildings.

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- e. Show trash enclosures in conformance with both Solid Waste Division standards and Planning Division concerns regarding location, size and orientation. Show double enclosures located away from streets, driveways and building entrances with adequate screening, landscaping and separation from vehicular areas.
  - e. Deleted.
10. Items from citizens present. (Maximum of three speakers for three minutes per speaker).