

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Tuesday, October 3, 2006
5:45 P.M.

Invocation by Pastor Glen Stadler, Spirit of Hope Lutheran Church.

Pledge of Allegiance.

Mayor's Welcome.

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items. If you are interested in speaking on an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

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 or citizen requests, in which event the item will be removed from the Consent Agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

1. Take action on all consent agenda items.
- *2. Approval of minutes of previous meetings as written.

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3. Conduct a public hearing prior to release of the petition for signatures for the following proposed annexations:
 - 3a. **A06-01 (District 5)** Annexing land on Sossaman Road north of McKellips Road. (4.7 ± ac.) Initiated by Jerry Gomez representing the property owners.
 - 3b. **A06-18 (District 6)** Annexing land located on the northeast corner of Hawes Road and Broadway Road (8.69 ± ac.). Initiated by David Henry representing the property owners.
4. Take action on the following liquor license applications:
 - *4a. East Valley Harley Owners Group

This is a one-day charitable event to be held on Saturday, October 14, 2006 from 10:00 A.M. to 10:00 P.M. at 922 S. Country Club Drive. District #3.
 - *4b. St. Timothy's

This is a one-day religious event to be held on Saturday, October 21, 2006 from 5:00 P.M. to 11:00 P.M. at 2520 S. alma School Road. District #3.
 - *4c. United Food Bank

This is a one-day charitable event to be held on Saturday, November 4, 2006 from 6:00 P.M. to 10:00 P.M. at 358 E. Javelina Avenue. District #4.
 - *4d. Jerk Shack Grill

New Beer & Wine Bar License for Jerk Shack Grill, 745 W. Baseline Road, Andres Gonzalez Medina – Applicant. The Beer & Wine Bar license previously held at this location by V-K Capital Corporation, issued 11/12/1999, will transfer to the applicant. District #3.

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*4e. Sourdough Pizza Restaurant

New Restaurant License for Sourdough Pizza Restaurant, 7440 E. Main Street, Suite #1, The Five K's Inc. – Applicant, David James Kormanik – Agent. The Restaurant license previously held at this location by Sourdough Pizza Restaurant LTD, issued 11/13/1989, will revert back to the State. District #5.

5. Take action on the following contracts:

*5a. Supply and Install Emergency Equipment in Forty-one (41) New Police Vehicles as requested by the Police Department.

The Purchasing Division recommends authorizing purchase off the City of Tempe Contract with Arizona Emergency Products, Inc. at \$266,127.46, including applicable sales tax.

5b. Hawes Road Wastewater Extension, City of Mesa Project No. 05-029-001.

This project will extend an 8-inch sewer line along Hawes Road from Culver Road to just south of Range Rider Trail. This new sewer line extension will provide sewer service to the future Granite Mountain Estates development in the northeast area of Mesa. Under a developer agreement between the City of Mesa and City View Properties, LLC, the developer will fund \$250,000.00 of the cost to extend this sewer line.

Recommend award to the low bidder, Blucor, Inc., in the amount of \$322,692.00 plus an additional \$32,269.20 (10% allowance for change orders) for a total award of \$354,961.20. Funding is available from the developer contribution of \$250,000.00 and \$104,961.20 from existing wastewater bond authorization in the approved FY 06/07 Utilities capital program.

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- 5c. Falcon Field Airport Runway Incursion Prevention Perimeter Access Control (Phase I), City of Mesa Project No. 02-397-001.

This project is part of on-going improvements to control and prevent unauthorized vehicular access onto the runways at Falcon Field Airport. This project will install fencing along Falcon Drive and Mallory Circle to prevent access onto the airfield.

Recommend award to the low bidder, American Fence Company, Inc., in the amount of \$367,883.15 plus an additional \$36,788.32 (10% allowance for change orders) for a total award of \$404,671.47. A Federal Aviation Administration (FAA) grant will fund 95% of the construction cost. An Arizona Department of Transportation (ADOT) grant will fund 2.5%. The remaining 2.5% local match is budgeted in the FY 06/07 Falcon Field Airport capital budget.

- *5d. Employment contract for the City Attorney.

6. Introduction of the following ordinances and setting October 16, 2006, as the date of the public hearing on these ordinances:

- *6a. Amending Sections 11-1-6 and 11-6-2 of the Mesa City Code regarding Non-chartered Financial Institutions (Payday Lenders).

- *6b. **A06-16 (District 5)** Annexing land located on the southwest corner of Thomas Road and Val Vista Drive (202.18 ± ac.). Initiated by Susan Demmitt representing the property owners. **CONTINUED TO OCTOBER 16TH COUNCIL MEETING.**

- *6c. **Z06-64 (District 6)** The 7000-7200 block of East Baseline Road (south side). Located south and east of Baseline Road and Power Road. (10± ac.). Rezone from AG, C-2 and C-2 PAD to C-2 PAD, Site Plan Review and Site Plan Modification. This request will allow for the development of two new retail/office buildings and will also allow for the integration of three commercial projects into a group commercial development. Ryan McMahan, 7115 E. Baseline LLC; Grant A. Jayrien, GSS Partners, owners,

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Randolph L. Carter, Dream Catchers Planning and Design LLC, applicant. **(Notified property owners, registered neighborhoods and homeowners associations.)**

PHO Recommendation: Approval with conditions.

- *6d. **Z06-65 (District 6)** The 6900 to 7100 blocks of South 89th Place (west side). Located south of Pecos Road and west of Ellsworth Road (6.03± ac.). Site Plan Review. This request will allow for the development of office/warehouse buildings. Brent Payne, owner; Andrew Schuh, Cawley Architects, applicant. **(Notified property owners, registered neighborhoods and homeowners associations,)**

P&Z Recommendation: Approval with conditions. (Vote: 6-0 with Boardmember Adams absent.)

- *6e. **Z06-66 (District 6)** The 7000 to 7600 blocks of East Guadalupe Road (south side) and the 2800 to 3100 blocks of South Sossaman Road (west side). Located south of Guadalupe Road and west of Sossaman Road (213± ac.). Rezone from AG to R1-6 PAD DMP, R1-7 PAD DMP, R1-9 PAD DMP and C-1 DMP and the establishment of the Desert Place at Morrison Ranch (Residential) Development Master Plan. This case will allow the development of a residential master planned community with a neighborhood commercial element. Scott C. Morrison, Morrison Ranch, Inc., owner/applicant.

P&Z Recommendation: Approval with conditions. (Vote: 6-0 with Boardmember Adams absent.)

- *6f. **Z06-67 (District 3)** 231 North Alma School Road. Located south of University Drive and east of Alma School Road (1.8± ac.). Rezone from R-4 to O-S. This request will allow for the development of office uses. John N. Wright, owner; Robert D. Fronske, applicant. **(Notified property owners and registered neighborhood associations.)**

P&Z Recommendation: Approval with conditions. (Vote: 6-0 with Boardmember Adams absent.)

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- *6g. **Z06-69 (District 6)** The 8200 block to 9200 block of East Pecos Road (north side) and the 9200 block to 10000 block of East Pecos Road (south side). Located north of Pecos Road, east and west of Ellsworth Road (604.8± ac.). Rezone from AG to M-1 and C-2. This request will change the zoning to allow light industrial and commercial uses. Michael Blenis, Paragon Properties, owner; Paul Gilbert, Beus Gilbert, PLLC, applicant. ***(Held a neighborhood meeting, notified property owners, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval with conditions and recommendation that a Development Agreement be considered. (Vote: 6-0 with Boardmember Adams absent.)

7. Take action on the following resolutions:
- 7a. Approving and authorizing the City Manager or his designated representative to execute an Intergovernmental Agreement (IGA) between the State of Arizona Department of Transportation (ADOT) and the City of Mesa for construction of Phase I of a Multi-Use Path along the South Canal from McKellips Road to McDowell Road. The total estimated construction cost is \$1,652,200. Mesa's estimated cost share for this project is \$94,200 (Quality of Life funds, Streets).
- *7b. Intergovernmental Agreement (IGA) between the State of Arizona Department of Transportation (ADOT) and the City of Mesa for construction of Phase II of a Multi-Use Path along the South Canal from McDowell Road to Val Vista Drive. - **Deleted.**
- *7c. Approving and authorizing the City Manager or his designated representative to execute an Intergovernmental Agreement (IGA) between the Mesa Unified School District and the City of Mesa for cooperative planning services. This agreement allows the School District and Mesa to share the cost of a planning staff position. Mesa Unified School District's cost share is \$65,392 and Mesa's cost share is \$24,297 (General Fund).

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- *7d. Extinguishing a portion of Public Utilities and Facilities Easement at 5249 East Broadway Road.

This portion of the easement is being extinguished to allow for the development of a new building.

- *7e. Granting an easement for electrical transmission and aerial electric lines to Salt River Project in the 10000 East block of Southern Avenue.

These easements are necessary for the relocation of several 69kV power poles as part of the new Crismon Business Park development.

- *7f. Granting an easement for electrical power distribution to Salt River Project at 6959 East Monterey Avenue.

This easement is for electrical service to the City's well site, Falcon Well #15.

- *7g. Dedicating a portion of city-owned property as public right-of-way located north of MacDonald Street and Main Street.

This dedication is necessary to complete the new realigned alleyway that was part of the development of One MacDonald Center.

- *7h. Extinguishing a portion of a Public Utilities Easement at 9432 East Fairway Circle.

This portion of the easement is being extinguished to allow development of a new swimming pool.

- *7i. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the Gilbert Unified School District and the City of Mesa to secure funds in the amount of \$107,684.46 for School Resource Officers assigned to Desert Ridge High School and Desert Ridge Junior High.

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- *7j. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between Mesa Unified School District and the City of Mesa to secure funds in the amount of \$431,647 for 6 School Resource Officers assigned to high schools in the City.
 - *7k. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between Apache Junction and the City of Mesa to provide maintenance services and repairs for 800 MHz radios.
 - *7l. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the Fort McDowell Yavapai Nation and the City of Mesa for the administration of a grant in the amount of \$80,000 to Mesa Public Schools to provide tutoring and student enrichment programs.
8. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen that wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the Clerk before Council votes on the consent agenda.
- *8a. **A06-10 (District 6)** Annexing land located on Broadway Road east of Crismon Road. (2.3 ± ac.) Initiated by John Brauchler, the property owner. **CONTINUED TO OCTOBER 16TH COUNCIL MEETING.**
9. Take action on the following subdivision plats:
- *9a. “VAL VISTA GATEWAY OFFICE PARK, BUILDING C, CONDOMINIUMS” **(District 6)** 1959 South Val Vista Drive (east side) located north and east of Baseline Road and Val Vista Drive. 11 C-2 PAD condominium units (2.65 ac) Val Vista – Gateway, LLC, Christopher W. Warren, representative, owner.
 - *9b. “ODYSSEY PROFESSIONAL PARK” **(District 3)** 500 block of West Baseline Road (south side) located south and west of Baseline Road and Country Club Drive. 149 M-1 PAD office condominium units (6.82 ac) Odyssey Homes, Bob Hunt, partner, owner.

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- *9c. "MOUNTAIN HORIZONS UNIT 1" (**District 6**) 4200-4400 blocks of South Signal Butte Road (east side) located north and east of Warner Road and Signal Butte Road. 113 R1-7 PAD DMP single residence lots (36.80 ac) Pulte Homes, Tim Loughrin, representative, owner.
 - *9d. "MOUNTAIN HORIZONS UNIT 13" (**District 6**) 5200-5400 blocks of South Mountain Road (west side) located south and east of Ray Road and Signal Butte Road. 187 R-2 PAD DMP single residence lots (38.74 ac) Pulte Homes, Tim Loughrin, representative, owner.
 - *9e. "PERNICE ESTATES" (**District 2**) 4400-4500 blocks of East Brown Road (south side) located south and east of Brown Road and Greenfield Road. 28 R1-15 PAD single residence lots (17.20 ac) Partridge Development, Inc., Erik Partridge, CEO, owner.
10. Items from citizens present. (Maximum of three speakers for three minutes per speaker).