

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, June 20, 2005

5:45 P.M.

Invocation by Dr. Blaine C. Mays, Community Church of New Thought.

Pledge of Allegiance.

Mayor's Welcome.

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 on the proposed Fiscal Year 2005-06 Budget Plan (See Item #8j for budget information).
4. Conduct a public hearing concerning the Five-year Capital Improvement Program for Fiscal Years ending 2005-2010 (See Item #8k program information).

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5. Consider the following liquor license applications:

*5a. CLAIRE HOLLIE ABEL, AGENT

Person & Location Transfer Liquor Store License for Wal-Mart Supercenter #5428, 1710 S. Greenfield Road. This is new construction. This is a Person and Location Transfer from Richard J. Waters, Agent, Arrow Pharmacy, Inc., 11 W. Boston, Chandler. This license will transfer to the applicant. District #6.

5b. SHAHID ALI JAVED, AGENT

New Beer & Wine Store License for Mercado Mi Mexico Lindo, 103 W. 8th Avenue. This is an existing building. No previous liquor licenses at this location. District #4.

*5c. ELIAS IBRAHIM CHAWKI, AGENT

New Restaurant License for Desert Peaks Pizza & Grille, 5943 E. McKellips Road, Ste #102. This is an existing business. The license previously held at this location by Jeffrey Allen Gopon, Agent, GoFam Investments LLC, will revert back to the State. District #5.

6. Consider the following contracts:

*6a. Additional Software Licenses for Microsoft Products as requested by the Information Services Division (ISD). (State Contract #AD990116-001)

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with ASAP Software for a cost of \$54,496.06, including applicable sales tax.

6b. East Mesa Sewer Interceptor – Phase II and Greenfield Water Reclamation Plant Reclaimed Water Pipelines, GWRP to Menlo Park Drive, City of Mesa Project #01-671-001.

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This project will construct a section of the wastewater line known as the East Mesa Interceptor (EMI), from Menlo Park Drive west along Germann Road to Greenfield Road, then from Germann Road south along Greenfield Road to the Greenfield Water Reclamation Plant. Improvements include the installation of 5,950 lineal feet of 66-inch and 3,565 lineal feet of 78-inch gravity sewer line.

Recommend award to low bidder SJL Construction, Inc., in the amount of \$5,289,740.00 plus an additional \$528,974.00 (10% allowance for change orders) for a total award of \$5,818,714.00.

- 6c. Concrete Replacement – Fire Station Nos. 204 & 211, City of Mesa Project #04-916-001.

This project will replace and rehabilitate the concrete driveways around Fire Station No. 204, at 1426 S. Extension Road, and Fire Station No. 211, at 2130 N Horne Road.

Recommend award to low bidder Krisdan Company, Inc., in the amount of \$160,138.25 plus an additional \$16,013.83 (10% allowance for change orders) for a total award of \$176,152.08.

- *6d. Airport liability insurance for Falcon Field and aircraft hull and liability coverage for Police Department aircraft as requested by the City Attorney's Office.

Recommend accepting the proposal by Arthur J. Gallagher & Co. for airport liability at Falcon Field for \$28,003.00.

It is also recommended that Council accept the proposal by Arthur J. Gallagher & Co. for aircraft hull and liability coverage at a premium of \$189,545.00.

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7. Introduction of the following ordinances and setting July 5, 2005, as the date of public hearing on these ordinances:

- *7a. Consider an amendment to the City of Mesa Zoning Ordinance, by adding a new Subsection 11-6-3 (D) permitting "Commercial Recreation/Entertainment Uses", such as pool and dance halls, night clubs, cocktail lounges, bars, and similar uses in the C-2 District, subject to a Council Use Permit.

P&Z Recommendation: Split vote. (Vote: 3-3 Finter, Mizner, and Cowan voting nay, Carpenter absent)

- *7b. **Z05-47 (District 6)** The 8800 – 9100 block of East Baseline Road (south side) and the 2100 – 2400 block of South Ellsworth Road (west side). Located south and west of Baseline Road and Ellsworth Road (145± ac). Modification of the Monte Vista Village Resort Development Master Plan, modification of an approved PAD, and site plan modification. This request is to allow for Monte Vistas' second phase of development of a manufactured home and RV resort. Monte Vista Two (Scott Brown), owner; David Evans and Associates (Eric Toll), applicant.

P&Z Recommendation: Approval. (Vote: 6-0 Carpenter absent)

- *7c. **Z05-53 (District 6)** The 10800 – 11200 block of East Ray Road (north and south side). Located between the Signal Butte Road alignment and Mountain Road north and south of the Ray Road alignment (138± ac). Rezone from R1-43 and R1-6 (conceptual R-2) to R1-6 PAD and R-2 PAD and modification of the Mountain Horizons Development Master Plan. This request is to allow for the further development of a residential master planned community. Pulte Homes, Tim Loughrin, owner; Sean Lake, Pew & Lake, PLC, applicant.

P&Z Recommendation: Approval. (Vote: 6-0 Carpenter absent)

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- *7d. **Z05-54 (District 5)** The 9800 – 10000 block of East Brown Road (north side). Located at the northwest corner of Brown Road and Crismon Road (23± ac). Rezone from R1-43 to R1-15 PAD and site plan review. This request is to allow for the development of a single residence subdivision. Warren Peterson, VIP Construction, Inc., owner; Kimberly Acton, Hoskin-Ryan Consultants, Inc.

P&Z Recommendation: Approval. (Vote: 6-0 Carpenter absent)

- *7e. **Z05-55 (District 4)** 805 North Country Club (east side). Located at the northeast corner of Country Club Drive and 8th Street (4± ac). Rezone from R1-6 and C-2 to O-S, and site plan review. This request is to allow for the development of the Family Enrichment Center, which will be an extension of the Child Crisis Center's shelter program. First Christian Church of Mesa, owner; Ralph Pew – Pew & Lake PLC, applicant.

P&Z Recommendation: Approval. (Vote: 5-0-1 Saemisch abstaining, Carpenter absent)

- *7f. **Z05-57 (District 5)** The 1650 to 1750 block of North Power Road (east side) through to the 1650 to 1750 block of North 72nd Street (west side). Located south and east of McKellips Road and Power Road (38± ac). Rezone from R1-35 to R1-15 PAD and site plan review. This request is to allow for the development of a residential subdivision. Cornerstone Homes (Scott Hironaka), owner/applicant.

P&Z Recommendation: Approval. (Vote: 6-0 Carpenter absent)

- *7g. Adding a new Chapter 19 to Title 6, of the Mesa City Code pertaining to recovery of costs for Police services; second or subsequent response to disruptive parties, gatherings or events as recommended by the Police Committee.

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8. Consider the following resolutions:
- *8a. Approving and authorizing the City Manager to execute the Grant Agreement Amendment between the Arizona Department of Transportation and the City of Mesa to extend the expiration date of existing Grant number E0116 for Construction of a New General Aviation Terminal at Falcon Field Airport to June 30, 2006.
 - *8b. Approving and authorizing the City Manager to execute the Grant Agreement Amendment between the Arizona Department of Transportation and the City of Mesa to extend the expiration date of existing Grant number E3S02 for Security Fencing (Phase #2) at Falcon Field Airport to June 30, 2006.
 - *8c. Approving and authorizing the City Manager to execute the Grant Agreement Amendment between the Arizona Department of Transportation and the City of Mesa to extend the expiration date of existing Grant number E3S03 for Pavement Preservation & Airport Roads at Falcon Field Airport to June 30, 2006.
 - *8d. Approving and authorizing the City Manager to execute the Grant Agreement Amendment between the Arizona Department of Transportation and the City of Mesa to extend the expiration date of existing Grant number E3F48 for Airfield Pavement Preservation/Marking/Roads/DBE at Falcon Field Airport to June 30, 2006.
 - *8e. Approving and authorizing the City Manager to execute the Grant Agreement Amendment between the Arizona Department of Transportation and the City of Mesa to extend the expiration date of existing Grant number E3F49 to Pave Safety Areas/Runway (Incursion Prevention Program) at Falcon Field Airport to June 30, 2006.
 - *8f. Amending the authority granted to the Commercial Facilities Division Director to approve fee adjustments.

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*8g. Authorizing the City Manager to execute a burial agreement to facilitate compliance with A.R.S. 41-844 and A.R.S. 41-865 with the Arizona State Museum, the Gila River Indian Community, the Salt River Pima-Maricopa Indian Community, the Hopi tribe, and the Fort McDowell Mohave-Apache Indian Community.

*8h. Vacating Rights-of-Way and extinguishing Public Utilities and Facilities Easements in Longbow Business Park and Golf Club.

As per the Development Agreement with Dover Associated, LLC, certain rights-of-way and easements are no longer necessary and are being requested to be abandoned. (Longbow Parkway and Recker Road, south of Loop 202 Freeway)

*8i. Vacating a portion of Windsor Street right-of-way, north of Garnet Street.

This street right-of-way is no longer needed.

8j. Approving a budget for Fiscal Year ending June 30, 2006.

8k. Approving a Five-Year Capital Improvement Program for Fiscal Years 2005-2010.

*8l. Authorizing the City Manager to execute an agreement between the City of Mesa and the law firm of Carr, Tabb and Pope for the purchase of ballistic vests no longer in service.

*8m. Urging the Base Realignment and Closure Commission rescind the Department of Defense recommendation to close the Air Force Research Laboratory located at Williams Gateway Airport in the City of Mesa.

*8n. Approving and authorizing the City Manager to execute Addendum #1 to an Intergovernmental Agreement between the City of Mesa and Mesa Unified School District No. 4 for the cooperative use of City facilities and District facilities.

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*8o. Approving and authorizing the City Manager to execute Addendum #2 to an Intergovernmental Agreement between the City of Mesa and Mesa Unified School District No. 4 for the cooperative use of City facilities and District facilities.

*8p. Approving the final assessments for the Power Road Scalloped Street Assessment Project #00-043.1.

This project installed street improvements along North Power Road from East Adobe Road to East McKellips Road.

*8q. Authorizing the City Manager to execute an agreement between the City of Mesa and the East Valley Institute of Technology to pay for the salary and benefits of Mesa Police Officers assigned to be a School Resource Officer at the East Valley Institute of Technology within the City of Mesa.

*8r. Authorizing the City Manager to execute an agreement between the City of Mesa and the Mesa Unified School District #4 to pay twenty-five percent (25%) of the salary and benefits of Mesa Police Officers assigned to be School Resource Officers in the Junior High Schools, Mesa Vista, McKellips Middle School and Power Middle School, within the City of Mesa.

*8s. Authorizing the transfer of a well site property at 2356 West Broadway to Freescale Semiconductor, Inc.

The well has been abandoned and the land is no longer needed by the City of Mesa.

*8t. Extinguishing an easement for highway purposes for East Paloma Avenue, east of South Sossman Road.

*8u. Authorizing the conveyance of City-owned property located at 155 North Center Street to Mesa Public Schools.

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9. Consider the following ordinances:
 - *9a. Amending Title II, Chapter 2 of the Mesa City Code by revising Housing and Human Services Advisory Board to Human Services Advisory Board, adding meetings section and amending all references to Housing Services.
 - *9b. Creating a Housing Advisory Board, providing for the appointment of members thereon and defining the powers and duties of the Board; amending the Mesa City Code by adding to Title II a new Chapter 24; establishing an effective date.
 - *9c. Amending Title II, Chapter 23 of the Mesa City Code; Mesa Housing Services Governing Board by revising Housing and Human Services Advisory Board to the Housing Advisory Board.
 - 9d. Amending Title 6, Chapter 15, Sections 3 (E), 6 (A), and 20 (B) of the Mesa City Code; pertaining to alarm business duties, alarm user permit requirements, and false alarms; penalty assessments and permit revocation.
 - *9e. Amending Title 1 Chapter 12 Section 1-12-5 of the Mesa City Code relating to waiver of fees, and adding a new Section 1-12-9 relating to a Court Capital Construction Fee.
10. Consider a resolution and ordinance modifying water rate schedules and charges.
11. Consider a resolution and ordinance modifying wastewater rate schedules and charges.
12. Consider a resolution and ordinance modifying gas rate schedules and charges.
13. Consider a resolution and ordinance modifying solid waste rate schedules and charges.
- *14. Consider authorizing the City Manager to enter into an agreement with the Mesa Convention & Visitors Bureau to continue promoting tourism and convention business in Mesa.

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- *15. Consider write-off of utility and miscellaneous accounts in the amount of \$443,674.00.
16. Consider the following case from the Planning and Zoning Board and possible adoption of the corresponding ordinance:
- *16a. **Z05-59 (District 5)** 5646 East Main Street Suite 5. Located north and west of Main Street and Recker Road (12,900 s.f.). Council Use Permit. This request is to allow development of a school within a commercial zoning district. Saia Family Limited Partnership (Christine Pimentel), owner; Jerry Stansbury, applicant.
- P&Z Recommendation: Approval. (Vote: 4-0-3 Saemisch, Esparza, and Carpenter absent)
1. Compliance with the basic development of the Charter School as described in the project narrative.
 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.).
17. Consider the following subdivision plat:
- *17a. "GREENFIELD BUSINESS CENTER" (District 5) – 2900 block of North Greenfield Road (west side) located north of McDowell Road and west of Greenfield Road. 28 M-1 PAD office/industrial condominium units (6.23 ac) Greenfield Air Park, LLC, Brad H. Davis, representative; Western Geomatics Services, engineer.
18. Items from citizens present. (Maximum of three speakers for three minutes per speaker).