

## **CITY COUNCIL AGENDA**

### **COUNCIL CHAMBERS – 57 EAST FIRST STREET**

Monday, December 3, 2007  
5:45 P.M.

Invocation by Reverend Blaine Mays, Doctor of Divinity, Community Church of New Thought.

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.

***(Members of the Mesa City Council will attend either in person or by telephone conference call).***

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1. Take action on all consent agenda items.
- \*2. [Approval of minutes](#) of previous meetings as written.
3. Conduct a public hearing on the anticipated November 2008 bond election for Public Safety and Street Projects.
  - 3.1. Discuss, take public comment and take action on a resolution adopting the West Main Street Area Plan:
    - 3.1a. Conduct a public hearing on the West Main Street Area Plan.
    - 3.1b. Take action on the following resolution:

[Adopting the West Main Street Area Plan.](#) The Plan boundaries include University Drive to the north, Broadway Road to the south, Country Club Drive to the east, and the Mesa/Tempe city limits to the west.

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

DCC Recommendation: Approval. (Vote: 6-0)
4. Take action on the following liquor license application:
  - \*4a. [Dobson Ranch Golf Course](#)

New Government License (Restaurant & Beer and Wine Store License) for Dobson Ranch Golf Course, 2155 S. Dobson Road, City of Mesa Municipal Corp – Applicant, Scot Smith – Agent. The previous Beer & Wine Bar license held at this location by JP Zachs Inc., will be retained by them. The previous Restaurant license held at this location by JP Zachs Inc. will revert back to the State. **(District 3)**
  - \*4b. [7-Eleven #16179A](#)

New Beer & Wine Store License for 7-Eleven #16179A, 839 S. Stapley Drive, Efrain Antonio Castillo – Individual. The previous Beer & Wine Store held at this location by 7-Eleven, Inc., will revert back to the State. **(District 4)**

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\*4c. [Arco AM/PM](#)

New Beer & Wine Store License for Arco AM PM, 363 S. Gilbert Road, Gilbert Broadway Operating LLC – Applicant, Sukhdev Singh Gill – Agent. The previous Beer & Wine Store license held at this location by BPG Station LLP will revert back to the State. **(District 2)**

\*4d. [Holiday Inn Hotel & Suites](#)

New Hotel-Motel License for Holiday Inn Hotel & Suites, 1600 S. Country Club Drive, Mesa Estates Hotel LLC – Applicant, Thomas Kreitler – Agent. The previous Hotel-Motel License held at this location by Bandra LLC will revert back to the State. **(District 3)**

\*4e. [#1 Eastern Super Buffet](#)

New Restaurant License for #1 Eastern Super Buffet, 1901 S. Signal Butte Road, Suite #101, No 1 Eastern Super Buffet, Inc. – Applicant, Mei Juan Qiu – Agent. This is new construction with no previous liquor license at this location. **(District 6)**

\*4f. [Zushi Sushi Sake Bistro](#)

New Restaurant License for Zushi Sushi Sake Bistro, 6727 E. McDowell Road, Suite 110, Zushi LLC – Applicant, Christine Ann Gray – Agent. This is new construction with no previous liquor license at this location. **(District 5)**

5. Take action on the following contracts:

\*5a. [Fifteen \(15\) Replacement Vehicles](#) for Various City Departments (Funded through Fleet Services' Vehicle Replacement Program)

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with Midway Chevrolet at \$286,083.71, including applicable sales tax.

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- \*5b. [Three-year Supply Contract for Jet A Aviation Fuel](#) for the Police Department

The Procurement Services Department recommends awarding the contract to Ascent Aviation Group, Inc. at \$255,635.33 annually, including applicable taxes.

- \*5c. [Three-year Supply Contract for Natural Gas Service](#) Excess Flow Valves for Materials & Supply Warehouse Inventory for the Utilities Department, Gas Division

The Procurement Services Department recommends awarding contracts to the lowest responsive bidders as follows: R.W. Lyall & Co., Inc. at \$74,879.90 and Elster Perfection at \$40,327.32, for a total award of \$115,207.22, annually including applicable taxes.

- \*5d. [Dollar Limit Increase to the Supply Contract](#) for Wastewater Disinfection Lamps, Ballasts and Wipers for the Utilities Department, Water Division

The Procurement Services Department recommends increasing the dollar limit of the Mesa contract to Trojan Technologies by \$75,000.00 to \$228,130.08 annually including applicable use tax, based on estimated requirements.

- 5e. [Recker Transfer Station](#), 6450 East Brown Road, City of Mesa Project No. 01-596-001.

This project will remove the existing 24-inch pipe and valves that are badly deteriorated from the buried vault and will replace them with above ground valves that will be located within a block wall enclosure that surrounds the pumps. In addition the project will include pump maintenance (preventative and repairs), pipe coating repairs, electrical system upgrades and replacement of the flow meter.

Recommend award to Standard Construction Company, in the amount of \$838,145.00 plus an additional \$83,814.50 (10% allowance for change orders) for a total award of \$921,959.50. Funding is available in the adopted FY 07/08 Water Capital Bond program.

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- 5f. [South C.A.P. Reservoir and Booster Pump Station](#), City of Mesa Project No. 01-600-001

This project includes a buried 8-million gallon concrete reservoir and several pumps to distribute water to various pressure zones within the City. The project will be completed using the Construction Manager at Risk (CMAR) delivery method.

Recommend award of the construction phase services contract to McCarthy Building Companies as the Construction Manager at Risk (CMAR) for this project with a Guaranteed Maximum Price (GMP) of \$25,033,340.00, plus a 5% change order allowance of \$1,251,667.00, for a total award of \$26,285,007.00. Funding is available through the approved FY 07/08 Capital Water Bond Program.

6. Introduction of the following ordinances and setting December 17, 2007, as the date of the public hearing on these ordinances:
- \*6a. [Z07-91 \(District 4\)](#) 905 West Broadway Road. Located east of Alma School on the south side of Broadway Road (1.12± acres). Site Plan Modification. This request will bring the site into compliance with current standards. Larry Stickler, D & L Concrete, owner; David Lind, Architechnology, applicant. ***(Notified property owners, homeowners associations and registered neighborhoods.)***

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

- \*6b. [Z07-102 \(District 1\)](#) 1234 West University Drive. Located west of Alma School Road on the north side of University Drive (.17± ac.). Council Use Permit. This request will allow the development of a pawnshop. Michael Mugel, owner; Brad Shain, Pawn X-Change, applicant. ***(Notified property owners, homeowners associations and registered neighborhoods.)***

P&Z Recommendation: Denial. (Vote: 5-1 with Boardmembers Langkilde nay and Salas absent)

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- \*6c. [Z07- 111 \(District 5\)](#) 6147 East Main Street. Located east of Recker Road and South of Main Street (10± acres). Site Plan Modification. This request will allow the expansion of an existing office development. Michael Hamberlin, Baywood Professional Plaza, LLC, owner; Lesley L Partch, Partch and Associates Architecture, applicant; John Gray, Evans, Kuhn, & Associates, Inc, engineer. **(Notified property owners, homeowners associations and registered neighborhoods.)**

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

- \*6d. [Amending Title 4, Chapter 1 of the Mesa City Code](#) relating to the Administrative Code as recommended by the General and Economic Development Committee. (Approval. Vote: 2-1, Rawles nay)

7. Take action on the following resolutions:

- \*7a. Approving and authorizing the City Manager to execute a [project agreement between the Maricopa Association of Governments and the City of Mesa](#), which enables the City to become eligible to receive \$217,000 in FY08 for reimbursements from the RTP for pre-design of Mesa Drive: US 60 to Southern Avenue project. **(District 2)**
- 7b. Approving and authorizing the City Manager to execute a [Project Agreement between the Maricopa Association of Governments and the City of Mesa](#) which enables the City to become eligible in FY08 to receive \$403,000 for reimbursements from the RTP for a portion of project design costs for the McKellips/Lindsay intersection improvement project. **(District 1 and 5)**
- \*7c. **Deleted. (See Item 3.1b.)**
- \*7d. Approving and authorizing the City Manager to execute an [Intergovernmental Agreement among the City of Mesa, Gila River Indian Community, City of Glendale, City of Tempe, City of Phoenix and Maricopa County Sheriff's Office](#) to engage in joint law enforcement activities and render mutual aid should assistance be needed during an event related to Super Bowl XLII.

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- \*7e. Approving and authorizing the City Manager to execute an [Amendment to an Intergovernmental Agreement between the Town of Gilbert, Town of Queen Creek and City of Mesa](#) for an effluent pipeline from the Greenfield Water Reclamation Plant to the East Maricopa County Floodway.
  - \*7f. Approving and authorizing the City Manager to execute the [Second Amendment to the Southwest Public Power Resources Group Planning Agreement](#).
  - \*7g. [Authorizing the sale of City-owned property in Pinal County](#) located east of the Union Pacific Railroad, between Hanna Road and Houser Road. The sales price is approximately \$48,540,000.
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. [A07-28 \(District 6\)](#) Annexing the north half of the existing and future Germann Road right-of-way between Signal Butte Road and Meridian Drive (6.28 ± ac). Initiated by the City of Mesa.
  - \*8b. [Z07-98 \(District 6\)](#) The 4200 and 4300 blocks of South Power Road (east to the Roosevelt WCD canal) (52± ac.). The northeast corner of Warner and Power Roads. Modification of Council Ordinance 3787 to remove stipulation requiring Council approval of site plans. This request is to amend the ordinance allowing flexibility of future processing development requests. Custom Homes by Via, LLC, Michael Licano and others, owner; Michael Licano, applicant. ***(Notified property owners, homeowners associations and registered neighborhoods.)***

PHO Recommendation: Approval with conditions.

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- \*8c. [Amending Title 7, Chapter 2 of the Mesa City Code](#) relating to the Mesa Fire Code as recommended by the General and Economic Development Committee. (Approval. Vote: 2-1, Rawles nay) **Continued to the December 17, 2007 Council Meeting.**
- \*8d. [Amending Title 4, Chapters 2, 3, 4 and 5](#) of the Mesa City Code relating to the Mesa Building Codes as recommended by the General and Economic Development Committee. (Approval. Vote: 2-1, Rawles nay) **Continued to the December 17, 2007 Council Meeting.**
- \*9. [Assign delinquent accounts to collections services](#) for the three-month period ending September 30, 2007, totaling \$474,088.
- 10. Items from citizens present. (Maximum of three speakers for three minutes per speaker).