

## **CITY COUNCIL AGENDA**

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

Tuesday, February 19, 2008  
5:45 P.M.

Invocation by Pastor Paul Covert, Central Christian 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.

***(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 prior to the release of the petition for signatures for the following proposed annexations:
  - 3a. [A07-08 \(District 5\)](#) Annexing land located north and west of Hawes Road and Main Street (0.16 +/- ac). Initiated by a property owner, Francisco Villegas.
  - 3b. [A07-12 \(District 5\)](#) Annexing land located south and east of Recker Road and Brown Road (0.18 +/- ac). Initiated by the property owners, Richard and Rosemary Leckey.
  - 3c. [A07-14 \(District 5\)](#) Annexing land located south and east of Sossaman Road and McDowell Road (2.09 +/- ac). Initiated by two property owners, Willie Black and Richard Atwood.
  - 3d. [A07-19 \(District 5\)](#) Annexing land located south and west of Hawes Road and Thomas Road (1.22 +/- ac). Initiated by a property owner, Ed Dukat.
4. Take action on the following liquor license applications:
  - \*4a. [AM PM](#)

New Beer & Wine Store License for AM PM, 406 N. Country Club Drive, Shree Rang LLC – Applicant, Rajeshkumar Ramanbhai Patel – Agent. The previous Beer & Wine Store license held at this location by BP West Coast Products Inc., will revert back to the State. **(District 1)**
  - \*4b. [Cheap Seats](#)

New Restaurant License for Cheap Seats Sports Grill, 1316 S. Longmore, Suite #101, AV-JV Inc. – Applicant, Ryan Frederick Visina – Agent. This is an existing building with no previous liquor license at this location. **(District 3)**

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4c. [Sam Bella's](#)

New Restaurant License for Sam Bella's, 3440 E. Baseline Road, Suite #102, Topp Hat Inc. – Applicant, Carmen Joseph Sabia III – Agent. The previous Restaurant License held at this location by Gregory Wesley Selman, issued 06/29/2007 will revert back to the State. **(District 2)**  
**(Continued from the January 22, 2008 Council Meeting)**

5. Take action on the following contracts:

- \*5a. [Purchase of 165 TASER Model X26E Devices](#) and Accessories as requested by the Mesa Police Department (Asset Forfeiture Funded)

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with ProForce Law Enforcement at \$162,857.36, including applicable sales tax.

- \*5b. [Three-Year Supply Contract for Residential Refuse & Recycling Containers](#) for the Solid Waste Department

The Procurement Services Department recommends awarding the contract to the lowest, responsive and responsible bidder, Rehrig Pacific at \$564,519.77 annually, including applicable use tax.

6. Take action on the following resolutions:

- \*6a. Approving and authorizing the City Manager to execute a Development Agreement for [City Share Reimbursement between DD/Mountain Vista, LLC](#), and the City of Mesa for the reimbursement of \$1,247,978.30 for regional street, traffic signal and street lighting improvements along East Southern Avenue, South Signal Butte Road, East Hampton Avenue and South Cheshire. Mesa proposes to financially participate in the regional improvements that are being required by Mesa in conjunction with a proposed commercial development known as Mountain Vista Marketplace located at 10555 East Southern Avenue. Mesa's estimated share will be funded from the approved FY 07-08 Streets Capital Program. **(District 6)**

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6b. Approving and authorizing the City Manager to execute a [lease with PREHAB dba A New Leaf](#) for the property at 217 West University Drive, known as the Mayfield Youth Center. **(District 4)**

\*6c. Approving and authorizing the City Manager to execute necessary documents to [transfer property](#) located at 756 South Mesa Drive to the Marc Center of Mesa, Inc. **(District 4)**

\*6d. Approving and authorizing the City Manager to execute necessary documents to [transfer property](#) located at 422 West Ivyglen to the Marc Center of Mesa, Inc. **(District 1)**

6e. Approving and authorizing the City Manager to execute necessary documents to [transfer property](#) located at 3505 East University to Prehab of Arizona dba A New Leaf. **(District 2)**

\*6f. [Vacating an alley](#) between residences at 714 and 728 North Miller Street. **(District 1)**

This alley is being vacated at the request of the adjacent property owners to better secure the area. A Public Utility and Facilities Easement will be retained for access by the utility companies.

\*6g. [Vacating an alley](#) on West Drummer Avenue between South Alma School Road and South Westwood Street. **(District 4)**

This alley is being vacated at the request of the adjacent property owners to better secure the area. A Public Utility and Facilities Easement will be retained for access by the utility companies.

\*6h. Approving and authorizing the City Manager to execute an [Intergovernmental Agreement with the City of Phoenix](#) to administer the activities of the Water – Use It Wisely™ regional campaign.

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7. 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.

\*7a. [Amending Title 10 Chapter 3 of Mesa City Code](#) to delegate authority establishing and implementing parking prohibitions to the City Traffic Engineer, and establishing guidelines to be used in authorizing parking prohibitions.

\*7b. [Z07-120 \(District 6\)](#) 423 South Signal Butte Road. Located on the south side of Broadway Road and the east side of Signal Butte Road (13.5± acres). Rezone from R1-6-PAD to R1-6 and C-2 and Site Plan Review for the development of a neighborhood commercial center for the western most 4.64 acres of the property. Tom Alford, DeRito Partners Development, Inc., owner; Michelle Santoro, Whitley Morris, P.L.C., applicant; Tom Meeks, Erickson & Meeks Engineering, L.L.C., engineer. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***  
**(Continued from the January 22, 2008 Council Meeting). THE APPLICANT HAS REQUESTED THIS CASE BE CONTINUED TO THE MARCH 17, 2008 COUNCIL MEETING).**

P&Z Recommendation: Approval with Conditions. (Vote: 7-0).

\*7c. [Z08-03 \(District 5\)](#) The 5500 block of East Thomas Road (south side). Located east of Higley Road and South of Thomas Road (4.95± ac.). District 5. Rezone from R1-90 to PEP-BIZ, and Site Plan Review. This request will allow the development of general office buildings. Alex Goldstein, Rosebud Holdings, LLC; owner, Carl Bommarito, Vision 5 Development, LLC, applicant; Phillip C. Williams, R.B. Williams and Associates, Inc., engineer. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

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

- \*8. Take action on an ordinance and resolution repealing the existing [Personnel Rules](#) applicable to City of Mesa employees and adopting new Personnel Rules.
9. Take action on the following subdivision plats:
  - \*9a. [“SIGNAL BUTTE CENTER” \(District 6\)](#) The 2800 block of South Signal Butte Road (east side) located north and east of Guadalupe Road and Signal Butte Road. 8 C-2 commercial lots (19.94 ac) Sunbelt Properties Management, LLC, Andy Pham, managing member, owner; Jay Vaughn, Vaughn Land Surveying Inc., engineer.
  - \*9b. [“SANCTUARY ON ALTA MESA” \(District 5\)](#) 1938 North Alta Mesa Drive (west side) located south and east of McKellips Road and Higley Road. 38 R-2 BIZ DMP townhome lots (4.24 ac) R.S.B. Partners, LLC, Ross Farnsworth, Jr., manager, owner; Shane Kobialka, SVK Engineering, Inc., engineer.
10. Items from citizens present. (Maximum of three speakers for three minutes per speaker).