

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, May 19, 2008
5:45 P.M.

Invocation by Father Charlie Goraieb, Queen of Peace Catholic 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. Take action on the following recommendations from the Judicial Advisory Board:
 - *3a. Reappointment of Presiding Magistrate Matt Tafoya for a four year term beginning July 1, 2008 and ending June 30, 2012.
 - *3b. Reappointment of Magistrate Robin Allen for a four year term beginning July 1, 2008 and ending June 30, 2012.
 - *3c. Reappointment of Magistrate Elizabeth Arriola for a two year term beginning July 1, 2008 and ending June 30, 2010.
4. Conduct a public hearing and take action on the annual assessments for the Mesa Town Center Improvement District No. 228:
 - 4a. Public hearing on the proposed annual assessments for the Mesa Town Center Improvement District No. 228.
 - 4b. Take action on the following resolution:

[Approving the annual assessments](#) for the Mesa Town Center Improvement District No. 228. The proposed annual assessments include a three percent (3%) rate increase approved by Council on March 3, 2008.
5. Discuss, take public comment and take action on the following Minor General Plan Amendment and zoning case:
 - 5a. Public Hearing on Minor General Plan Amendment **GPMInor08-07 (District 5)**

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- 5b. Take action on the following resolution:

GPMInor08-07 (District 5) The 4200 to 4300 blocks of East McKellips Road (north side) and the 2000 to 3900 blocks of North Greenfield Road (west side). Located north of McKellips Road and west of Greenfield Road (151.93± ac). General Plan Minor Amendment to change the General Plan Land Use Map from MUE to BP (63.59± ac) and NAOS (88.34± ac). This request will allow Falcon Field Airport to protect the land southwest of the runways, and to lease the land north of that area to commercial developers. City of Mesa, owner; Corinne Nystrom, Falcon Field Airport Director, City of Mesa, applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***
COMPANION CASE Z08-22.

P&Z Recommendation: Adoption. (Vote: 7-0).

- 5c. Take action on the following ordinance introduced at a prior Council meeting:

Z08-22 (District 5) The 4200 to 4300 blocks of East McKellips Road (north side) and the 2000 to 3900 blocks of North Greenfield Road (west side). Located north of McKellips Road and west of Greenfield Road (151.93± ac). Rezone from M-1 to PEP (63.59± ac) and PF (88.34± ac), and approval of a Development Master Plan. This request will allow Falcon Field Airport to protect the land southwest of the runways and to lease the land north of that area to commercial developers. City of Mesa, owner; Corinne Nystrom, Falcon Field Airport Director, City of Mesa, applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)*** **COMPANION CASE GPMInor08-07.**

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

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6. Discuss, take public comment and take action on the following Minor General Plan Amendment and zoning case:

6a. Public Hearing on Minor General Plan Amendment
GPMInor08-08 (District 1)

6b. Take action on the following resolution:

GPMInor08-08 (District 1) 1310 East McKellips Road. Located north of McKellips Road and east of Stapley Drive (2.1± ac). General Plan Minor Amendment to change the General Plan Land Use Map from O to NC (1.1± ac). This request will allow the development of a neighborhood fitness center. Jeff Kost, NWC McKellips & Doran, L.L.C., owner; Reese Anderson, Pew & Lake, PLC, applicant; Jeffrey L. Williams, R.B. Williams & Associates, Inc., engineer. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)*** **COMPANION CASE Z08-24.**

P&Z Recommendation: Adoption. (Vote: 7-0).

6c. Take action on the following ordinance introduced at a prior Council meeting:

Z08-24 (District 1) 1310 East McKellips Road. Located north of McKellips Road and east of Stapley Drive (2.1± ac). Rezone from O-S to C-1 (1.1± ac) and Site Plan Review. This request will allow the development of a neighborhood fitness center and office development. Jeff Kost, NWC McKellips & Doran, L.L.C., owner; Reese Anderson, Pew & Lake, PLC, applicant; Jeffrey L. Williams, R.B. Williams & Associates, Inc., engineer. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)*** **COMPANION CASE GPMInor08-08.**

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

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7. Discuss, take public comment and take action on the following Minor General Plan Amendment:

7a. Public Hearing on Minor General Plan Amendment
GPMInor08-02 (District 1 and 4)

7b. Take action on the following resolution:

[GPMInor08-02 \(District 1 and 4\)](#) Text Amendment to the Mesa 2025 General Plan. Minor General Plan Amendment to describe how the City of Mesa defines the Land Use categories for the Town Center Concept Plan and describes the Land Use Plan/Zoning Conformity Table for these Land Use categories.

The Downtown Development Committee (DDC) conducted two public meetings on the proposed Minor General Plan Amendment.

DDC Recommendation: Adoption. (Vote: 8-0).

8. Take action on the following liquor license applications:

*8a. [Restaurant Depot](#)

New Wholesaler License for Restaurant Depot, 724 W. Baseline Road, RD America Inc. – Applicant, Carl Frederick Hansen – Agent. This is an existing building with no previous liquor license at this location. **(District 3)**

*8b. [Hurricane Bay](#)

Person & Location Transfer Bar License for Hurricane Bay, 7336 E. Main Street, Suite 106, Bay Entertainment LLC – Applicant, H.J. Lewkowitz – Agent. The previous Liquor Store license at this location, held by Abco Store #428, closed on 11/27/2001. **(District 5)**

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*8c. [Club Seis Frias](#)

Person & Location Transfer Beer & Wine Bar License for Club Seis Frias, 111 S. Dobson Road, Suite #108, Kathleen Concepcion Frias – Individual. The Series 6 Bar License application recommended for denial by the Council at the February 4, 2008 City Council Meeting was subsequently withdrawn by the applicant before the scheduled State Liquor Board hearing. This is an existing building with no previous liquor license at this location. **(District 3)**

8d. [Nguyen Wholesale Retail](#)

New Beer & Wine Store License for Nguyen Wholesale Retail, 169 E. Broadway Road, Nguyen Wholesale retail Inc – Applicant, Hoa Thai Nguyen – Agent. This is an existing building with no previous liquor license at this location. A petition of objection to the issuance of a liquor license has been filed with the Licensing Office for this location. **(District 4)**

9. Take action on the following contracts:

*9a. [Three-Year Supply Contract](#) for Drafting Print Paper for the Engineering Department

The Procurement Services Department recommends accepting the lowest, responsive and responsible bid for Sections A & C from ScottBlue Reprographics at \$40,121.35 annually, based on estimated quantities, including contingencies and applicable taxes.

*9b. [Purchase of Hardware and Software](#) for a New Storage Area Network (SAN) for the Police Department (Quality of Life Funds)

The Procurement Services Department recommends authorizing purchase from the City of Tempe contract with IT Partners in the amount of \$495,170.58, including applicable sales tax.

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- *9c. [Purchase of Fourteen \(14\) "Ruggedized" Laptop Computers](#) for the Police Department (Quality of Life Funds)

The Procurement Services Department recommends authorizing purchase from the National Intergovernmental Purchasing Alliance (IPA) contract with CLH International, Inc. at \$60,172.78, including applicable sales tax.

- *9d. [Purchase and Installation of Furniture](#) for the Police Technical Services Building

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with Goodman's Interior Structures at \$188,125.26 including installation, delivery and applicable sales tax.

- *9e. [Purchase of Two \(2\) Motorized Mobile Canopy Systems](#) for the Police Department (Grant Funded through AZ POST Contracts) (**Sole Source**)

The Procurement Services Department recommends awarding the contract to the sole source bid from Covershots Mobile Canopies LLC at \$94,723.20 including applicable use tax.

- *9f. [Purchase of Eight \(8\) Forensic Light Source Kits](#) for the Police Department (Full Service Forensic Crime Laboratory Grant Funded)

The Procurement Services Department recommends accepting the lowest, responsive and responsible bid from Arrowhead Forensics at \$33,631.49, including applicable use tax.

- *9g. [Purchase of Hardware and Software to Upgrade Forensic Services' Digital Image Management System \(DIMS\)](#) for the Police Department (Full Service Forensic Crime Laboratory Grant Funded) (**Sole Source**)

The Procurement Services Department recommends accepting the sole source bid from Linear Systems at \$97,979.90, including applicable use tax.

- *9h. [Two-Year Renewal of the Emergency Towing Services](#)
Contract for the Police Department

The Procurement Services Department recommends authorizing two-year renewal contracts as follows: Zone 1 – Thompson Diversified (dba Valley Express Towing); Zone 2 – ACT Towing, LLC; Zone 3 – ACT Towing, LLC and Zone 4 – Apache Sands Towing.

- *9i. [Two-Year Renewal Supply Contract for Intelligent Transportation System \(ITS\)](#) Field Network Equipment for the Transportation Department, Traffic Engineering.

The Procurement Services Department recommends authorizing a two-year renewal of the Mesa contract with RuggedCom, Inc. at \$179,927.19, and purchase off the State of Arizona Contracts with Transource Computers at \$65,242.05, and Copperstate Technologies at \$65,362.54. The combined award is then \$310,531.78, including applicable taxes.

- *9j. [Purchase of Hardware and Software](#) to Upgrade the Traffic Signal Management System for the Transportation Department, Traffic Engineering (**Sole Source**)

The Procurement Services Department recommends awarding the contract to the sole source bid from Econolite Control Products, Inc. at \$498,115.20, including applicable use tax.

- *9k. [Purchase of Two \(2\) Replacement Trucks](#) with Service Bodies for the Utilities and Facilities Maintenance Departments

The Procurement Services Department recommends awarding contracts to the lowest, responsive and responsible bids from Bill Heard Chevrolet, Inc. at \$33,648.70 and \$36,675.47 respectively, including applicable sales tax, for a total award of \$70,324.17.

- *9l. [Three-Year Enterprise License Agreement](#) (ELA) for GIS software licenses for the Information Technology Department (**Sole Source**)

The Procurement Services Department recommends awarding the Enterprise License Agreement to the sole source bidder, Environmental Systems Research Institute (ESRI), Inc. at \$150,290.00 annually, including applicable taxes. This then makes the contract total \$450,870.00 for the three-year agreement.

- *9m. [Purchase of a Wireless Fault Indication System](#) for the Utilities Department, Electric Division

The Procurement Services Department recommends accepting the lowest, responsive and responsible bid from Border States Electric at \$363,250.11, including sales tax.

- *9n. [Dollar Limit Increase to the Supply Contract](#) for Uniform Garment Purchases for Various City Departments

The Procurement Services Department recommends increasing the dollar limit of the contract to International Corporate Apparel, Inc. (ICA) by \$30,000.00 to \$140,000.00, for the remainder of this contract period (through 7/31/08).

- *9o. [Purchase of Three \(3\) Replacement Mowers](#) for the Parks, Recreation and Commercial Facilities Department

The Procurement Services Department recommends authorizing purchase from the State of Arizona contracts with Simpson Norton Corporation at \$49,490.24, and Golf Ventures West at \$48,714.50, for a combined total award of \$98,204.74.

- *9p. [Purchase of an Automated Data Backup](#) and Restoration System for the Transportation Department, Traffic Engineering

The Procurement Services Department recommends authorizing purchase from the State of Arizona Contract with Darcomm Network Solutions at \$34,359.70, including applicable taxes.

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- *9q. [Purchase of Thirty-Nine \(39\) "Ruggedized" Laptop Computers and Mobile Docking Stations for the Utilities Department](#)

The Procurement Services Department recommends authorizing purchase from the National Intergovernmental Purchasing Alliance (IPA) contract with CLH International, Inc. at \$192,034.25, including applicable sales tax.

- *9r. [Cemetery Columbarium Addition](#), City of Mesa Project No. 01-330-001. **(District 1)**

This project will construct an additional columbarium (an aboveground repository for the placement of cremation urns) with 240 spaces at the cemetery.

Recommend award to the low bidder, R.K. Sanders, Inc., in the amount of \$100,188.00 plus an additional \$10,018.80 (10% allowance for change orders) for a total award of \$110,206.80. Funding is available from the approved FY 07/08 Cemetery Capital Program.

- 9s. [Chilled Waterline to Municipal Court Building](#), City of Mesa Project No. 01-850-002. **(District 4)**

This project will install a chilled waterline beginning at the intersection of Center Street and First Avenue and will extend east along First Avenue to the proposed location for the new Municipal Court Building.

Recommend award to the low bidder, M.M.I. Tank, Inc., in the amount of \$783,047.03 plus an additional \$78,304.70 (10% allowance for change orders) for a total award of \$861,351.73. Funding is available from Public Safety Bonds and the Utility Fund.

- 9t. [Main Street SMART Instrumentation](#), City of Mesa Project No. 02-327-001. **(District 3 and 4)**

This project includes the installation of fiber optic communication lines in both the existing conduit and new conduit along Main Street from Sycamore (east of Dobson Road) to Mesa Drive in Mesa and on a portion of Apache Boulevard in Tempe. Improvements also include upgrading pedestrian features of the traffic signals and installing two cameras for improved traffic monitoring.

Recommend award to the low bidder Kleven Construction, in the amount of \$604,052.40 plus an additional \$60,405.24 (10% allowance for change orders) for a total award of \$664,457.64. Of the total amount of \$664,457.64, \$626,583.55 (94.3%) will be from the Federal grant and \$37,874.09 (5.7%) will be from the City of Mesa for the portion of the work within the City of Mesa. The City of Tempe will contribute equipment to the project. Funding is available from the approved FY07/08 Transportation Operating Budget.

- *9u. [Desert Well No. 18 Drilling Phase](#), City of Mesa Project No. 03-080-001. **(District 6)**

This project will drill a new well to expand the City's water supply capabilities and system reliability in southeast Mesa.

Recommend award to the low bidder, Arizona Beeman Drilling, in the amount of \$932,490.00 plus an additional \$93,249.00 (10% allowance for change orders) for a total award of \$1,025,739.00. Funding is available from the approved FY 2007/08 Water Bond Program.

- *9v. [Baseline Wastewater Interceptor Siphon Inlet](#) and Outlet Structure Rehabilitation (Baseline Road and 101 Freeway), City of Mesa Project 03-083-001. **(District 3)**

The City Council is asked to ratify an increase to the existing contract amount to pay for unforeseen conditions that were discovered during construction of this project.

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In accordance with City Policy on construction contract change orders, the Council is asked to ratify the increase of \$300,559.00 to the construction contract. The original contract amount was \$2,941,450.00, plus an allowance of \$294,145.00 for change orders, for a total contract amount of \$3,235,595.00. With the increase of \$300,559.00, the new contract amount is now \$3,536,154.00. Funding for the increase is from Wastewater Bonds.

- *9w. [Fire Station 204 and 205 Sleep Room Remodel](#), City of Mesa Project No. 07-914-001. **(District 3 and 6)**

This project will provide walls to separate the sleep areas of the engine company and the ladder company from each other at Fire Station 204 and 205.

Recommend award to the low bidder, Shannon Construction, LLC, in the amount of \$68,332.91 plus an additional \$6,833.29 (10% allowance for change orders) for a total award of \$75,166.20. Funding is available from the approved FY 07/08 Fire Capital Program.

- *9x. [Fitch Park Training Facility Flooring](#), City of Mesa Project No. 07-915-001. **(District 4)**

This project will replace approximately 700 square feet of tiled floor in the showers and hydrotherapy room, and approximately 2,000 square feet of epoxy floor in the lavatory areas that is now beyond its expected service life and has deteriorated such that the underlying concrete floor has become exposed in some areas.

Recommend award to the low bidder, Continental Flooring Company, in the amount of \$38,964.00 plus an additional \$3,896.40 (10% allowance for change orders) for a total award of \$42,860.40. Funding is available from the approved FY 07/08 Facilities Maintenance.

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10. Introduction of the following ordinances and setting June 2, 2008, as the date of the public hearing on these ordinances:

- *10a. [A07-12 \(District 5\)](#) Annexing land located south and east of Recker Road and Brown Road (1.18 ± ac). Initiated by the property owner, Richard M. Leckey.
- *10b. [Z08-29 \(District 6\)](#) 6859 East Rembrandt Avenue. Located north of Warner Road and east of Power Road (14,100± sf). Council Use Permit. This request will allow a charter school within an industrial zoned area. Lance Richards; Pierpont Santan Two, LLC, owner; Larry Pieratt, applicant. **(Notified property owners, homeowners associations and registered neighborhoods.)**

PHO Recommendation: Approved with Conditions.

11. Take action on the following resolutions:

- *11a. Approving and authorizing the City Manager to execute a [Development Agreement for City Share Reimbursement](#) between Mesa Centerpointe Plaza, LLC, and the City of Mesa for the reimbursement of \$72,859.24 for regional Street Lighting and Traffic Signal improvements that are being required by Mesa in conjunction with a proposed commercial development known as Signal Butte Self-Storage located at 10954 East Guadalupe Road Mesa's estimated share of funding will come from FY07-08 Budget. **(District 6)**
- *11b. [Authorizing the execution of a Deed of Partial Release](#) and Partial Reconveyance to Mesa Public Schools at Webster Elementary School located at 202 North Sycamore Street. **(District 3)**

This is to release the obligations of Mesa's Deed of Trust on a small irrigation area owned by USA Bureau of Reclamation.

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- *11c. [Vacating an alley right-of-way](#) between North Stapley Drive and North Lazona Drive and between East 1st Place and East 2nd Street. **(District 2)**

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.

- *11d. [Granting two High Voltage Easements](#) to Salt River Project over City-owned property in Pinal County.

These easements are needed for the Pinal West to Southeast Valley/Browning 500kV Project as approved by the Arizona Corporation Commission.

- *11e. Approving and authorizing the City Manager to execute an [Airport Development Grant Agreement # E8F99](#) between the Arizona Department of Transportation (ADOT) Aeronautics Division and the City of Mesa for \$10,218.00 to construct the perimeter Access Control (Phase 2) project. **(District 5)**

- *11f. Approving and authorizing the City Manager to execute a [Grant Agreement Amendment #1](#) to extend the expiration date of existing grant # E6S22 (Design & Construct Echo Ramp Expansion) between the Arizona Department of Transportation (ADOT) and the City of Mesa from June 30, 2008 to June 30, 2009. **(District 5)**

- *11g. [Approving and supporting the submittal of a grant application](#) to the Ak Chin Indian Community.

This application is submitted by the Police Department in the amount of \$57,312.80 for equipment upgrades for the Traffic Vehicular Crimes Unit.

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- 11h. [Approving and supporting the submittal of four grant applications](#) for non-profit organizations to the Ak Chin Indian Community.

These applications are submitted for the Child Crisis Center (\$50,000 to provide family support for children of incarcerated parents and children residing with kinship caretakers), Bridging AZ Furniture Bank, Inc. (\$42,000 for a new delivery truck and operational support), Creative Innovations (\$50,000 for family preservation services), and American Fatherhood & Family Association (\$65,000 to help establish a Fathers' Resource Center in Mesa).

- *11i. Approving and authorizing the City Manager to submit a [Grant Application for State Heritage Funds](#) in the amount of \$100,000 for Mesa Grande Cultural Park – Phase 1.
(District 1)
- *11j. Approving and authorizing the City Manager to execute an [Intergovernmental Agreement with the State of Arizona to design and construct fiber optic cables](#) and related pull boxes and enclosures along a portion of L202 (Red Mountain Freeway) between L101 and Gilbert Road. The City's estimated cost is \$123,120 (HURF Funds) **(District 1)**
- *11k. Approving and authorizing the City Manager to execute an [EEI Master Power Purchase and Sales Agreement](#) and a Letter of Confirmation for Supplies of Electric Power and Energy to Replace the Expiring Firm Power Sale Agreement between Arizona Electric Power Cooperative and the City of Mesa.
- *11l. [Approving the City of Mesa's Financial Policies](#) as recommended by the Audit and Finance Committee.
(Approval. Vote: 3-0)
- *11m. Approving and authorizing the City Manager to execute [amendments to lease agreements with MD Helicopters, Inc.](#) for parcels D1/D2, D-3 and NW 3/4 at Falcon Field Airport.
(District 5)

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12. 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.
- *12a. [Amending the Mesa Tax Code \(MTC\)](#) as a result of the adoption of changes to the Model City Tax Code (MCTC) as follows:
- Exemption of Solar Energy Devices (Sections 5-10-100, 415,416,417,465)
- Exemption of Architectural and Engineering Fees (Sections 5-10-415,416,417)
- Revision of the definition of Out-of-State Sales (Section 5-10-100, Regulation 5-10-350.3)
- 12b. [Amending Section 5-10-445](#) of the Mesa City Code regarding lowering the threshold of residential properties owned for taxation from three properties to two properties.
- 12c. [Amending Section 11-1-6 of the Mesa Zoning Ordinance](#) by adding definitions for “Auto Title Lenders,” “Deferred Presentment Lenders,” and “Non-chartered Financial Institutions.” (aka “Payday Loan Stores”.) Also amending Chapter 11-6 of the Mesa Zoning Ordinance pertaining to permitted uses within commercial zoning districts, including “Auto Title Lenders”, ”Deferred Presentment Lenders” and “Non-chartered Financial Institutions”; requirements for separations between these uses and residential uses; requirements for separations between these uses and like uses; and requirements related to the review, evaluation and processing of requests for proposed locations of these uses.
- P&Z Recommendation: Approval of Option C, which includes Option B plus a Council Use Permit. (Vote: 5-0 with Boardmember Langkilde and Salas absent)
- DDC Recommendation: Approval of Option B. (Vote: 6-0 with Boardmembers Decker, Gallagher and Holtz absent)

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- *12d. [Amending Sections 11-1-6, 11-5-3, 11-6-3 and 11-6-4](#) of the Zoning Ordinance regarding Group Homes for the Handicapped and Supervised Living Facilities. The amendment revises and deletes existing definitions related to “Group Homes for the Handicapped (GHHS)” and “Supervised Living Facilities (SLFs).” It adds a definition for “Correctional Transitional Housing Facilities (CTHFs).” The amendment revises Sections 11-5-3, 11-6-3 and 11-6-4 regarding permitted uses in the R-4 and all Commercial Zoning Districts, permitted locations of SLF/CTHFs, required spacing between similar SLF/CTHF land uses and criteria for evaluating land uses requiring Council Use Permits.

- *12e. [Repealing Title 5, Chapter 2 of the Mesa City Code](#) regarding licensing of group homes for the handicapped and supervised living facilities.

- *12f. [Amending Section 6-4-20 through 6-4-31](#) of the Mesa City Code relating to livestock restrictions in the City. This amendment will transfer the livestock restrictions from Title 6 of the Code (Police Regulations) to Title 8 of the Code (Health, Sanitation and Environment). The effect of the proposed amendments and changes would be to allow for the Code Compliance Division to enforce the livestock restrictions; to impose a civil penalty, rather than a criminal penalty for the violation of the livestock restrictions; and allow for the pre-existing exercise of livestock privileges to remain in compliance when improvements to adjacent properties are made as recommended by the Public Safety Committee. (Approval. Vote: 3-0)

- 12g. [Amending Title 9, Chapters 6 and 8 of the Mesa City Code](#) and the Engineering and Design Standards of the City to modify the requirements for public street improvements adjacent to developing properties as recommended by the Transportation and Infrastructure Committee. (Approval. Vote: 3-0)

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- *12h. [Z08-14 \(District 6\)](#) The 8800 to 9200 block of East Elliot Road (north side) and 3200 to 3600 block of South Ellsworth Road (west side). Located west and north of Ellsworth and Elliot Roads (127± ac). Site Plan Review (86± ac) and rezone from R1-43 to C-2 DMP (73± ac) and PEP DMP (13± ac); and Rezone from R1-43 to C-2 DMP (25± ac) and PEP DMP (16± ac). All part of the Elliot Fiesta Development Master Plan. This request will allow for the development of a portion of the Elliot Fiesta DMP with a power and employment center and future planned employment uses. Douglas Himmelberger, DeRito Partners Development, Inc., owner; Michelle Santoro, Withey Morris, PLC, applicant; Jeffery S. Erickson, Erickson & Meeks, Engineering, LLC, and Tove Christina White, Kimberly-Horn and Associates, Inc., engineers. **(Notified property owners, homeowners associations and registered neighborhoods.)**

P&Z Recommendation: Approval with conditions. (Vote: 5-0 with Boardmember Langkilde and Salas absent)

- *12i. [Z08-21 \(District 6\)](#) 5524 East Baseline Road. Located on the north side between Higley Road and Recker Road (2.34± ac). Site Plan Modification. This request will allow for construction of a new warehouse addition to an existing office building. Lynn Urry, owner; Gregory Hitchens, applicant/engineer. **(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)**

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

- *12j. [Z08-23 \(District 5\)](#) 3845 North Higley Road. Located on the east side of Higley Road and north of Thomas Road (1.60± ac). Rezone from R1-90 to M-1 and Site Plan Review. This request will allow the expansion of a metal fabrication shop. Steve Wright, Sheet Metal Works of Arizona, owner; William Petrie, Petrie Planning & Development Services, L.L.C., applicant; Gregory L. Allen, Allen Consulting Engineers, 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: 7-0)

- 12k. [Z08-25 \(District 1\)](#) 1150 North Alma School Road. Located south of Brown Road on the west side of Alma School Road (34.54± ac). Rezone from PEP DMP to PEP PAD DMP. This request will allow modifications to a previously approved site plan and the creation of an office subdivision. Joshua Mulhall, Lauth Property Group, owner/applicant; Mark Beck, Kimley-Horn Associates, Inc. engineer. (***Notified property owners, homeowners associations and registered neighborhoods.***)

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

- 12l. [Z08-28 \(District 2\)](#) 2860 East Main Street. Located north of Main Street and east of Lindsay Road (.20± ac). Council Use Permit. This request will allow the use of a pawn shop in an existing shopping center. Eric A. Nelson, owner; Brad Shain, Max-It Pawn & Retail, applicant. (***Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.***)

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

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- *12m. [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, March 17, 2008 and April 21, 2008 Council Meetings). THE APPLICANT HAS REQUESTED TO CONTINUE THIS CASE TO THE JUNE 23, 2008 COUNCIL MEETING.***

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

- *13. [Adopt a Notice of Intention](#) to increase rates or rate components, fees and/or service charges for district cooling, irrigation water, natural gas, reclaimed water, solid waste, wastewater and water and establishing June 23, 2008 as the date for the public hearing.
- *14. Authorizing the City Manager to enter into an agreement with the Mesa Convention & Visitors Bureau to continue promoting tourism and convention business in Mesa. **Deleted.**
- *15. [Assign delinquent accounts](#) to collection services for the three-month period ending March 31, 2008 totaling \$670,725.
16. Hear, discuss and take action on the appeal of the following Planning & Zoning Board case:
- 16a. [Z08-10 \(District 6\)](#) 307 South Hawes Road. Located north of East Broadway Road and east of South Hawes Road (10.2± acres). Site Plan Review. This request will allow the development of an apartment complex. Chris Anderson, Riesgo Mesa 8, LLC, owner; Ralph Pew, Pew & Lake PLC, applicant; Ogbonna I. Abarikwu, The CK Group Inc., engineer.

P&Z Decision: Approval with Conditions. (Vote: 4-3 with Boardmembers Carter, Roberts and Langkilde, nay.)

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17. Discuss, take public comment and take action on the following Development Agreement, Minor General Plan Amendment and zoning case:

- 17a. Take action on the following resolution:

Approving and authorizing the City Manager to execute a [Development Agreement](#) between the City of Mesa and JCA Holdings LLC (Parcel 51 at Las Sendas) for the development of a mixture of residential, retail, resort and office uses.

- 17b. Public Hearing on Minor General Plan Amendment
GPMInor07-11 (District 5)

- 17c. Take action on the following resolution:

[GPMInor07-11 \(District 5\)](#) Parcel 51 at Las Sendas. The 7100 and 7200 blocks of East McDowell Road (north side). Located east of Power Road on the north side of McDowell Road. General Plan Minor Amendment to change the General Plan Land Use Map from Business Park to Medium Density Residential 6-10 du/acre (20± ac) and Neighborhood Commercial (9± ac). This request will allow the development of a mixture of multi-family, retail, resort, and office uses within the Las Sendas Development Master Plan. JCA Holdings, LLC, Chris Arnold, owner; Reese Anderson, Pew and Lake, PLC, applicant; Julie S. Rayburn, RCC Design Group, LLC; engineer. ***(Held neighborhood meetings, notified property owners, homeowners associations and registered neighborhoods.) COMPANION CASE Z07-74. Legal protest filed, ¾ Vote required.***

P&Z Recommendation: Adoption. (Vote: 7-0).

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- 17d. Take action on the following ordinance introduced at a prior Council meeting:

Z07-74 (District 5) Parcel 51 at Las Sendas. The 7100 and 7200 blocks of East McDowell Road (north side). Located east of Power Road on the north side of McDowell Road (51± ac). Rezone from R1-90 DMP to R-2 (20± ac), C-2 (9± ac) and PEP (21± ac), and PEP with a Council Use Permit (2± ac), all part of a P.A.D. overlay and a modification to the Las Sendas Development Master Plan. This request will allow the development of a mixture of multi-family, retail, resort, and office uses. JCA Holdings, LLC, Chris Arnold, owner; Reese Anderson, Pew and Lake, PLC, applicant; Julie S. Rayburn, RCC Design Group, LLC; engineer. (***Held neighborhood meetings, notified property owners, homeowners associations and registered neighborhoods.***) **COMPANION CASE GPMInor07-11. Legal protest filed, ¾ Vote required.**

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

18. Take action on the following subdivision plat:
- *18a. **“SUNLAND SPRINGS VILLAGE UNIT SEVEN PHASE THREE” (District 6)** The 2700 block of South Cooperwood (east and west sides) located north and west of Guadalupe Road and Meridian Drive. 10 R1-6 DMP single residential lots (3.21 ac.) Transnation Title Insurance Company, Henry D. Iedema, assistant secretary, trustee; Robert J. Blake, Clouse Engineering, Inc., engineer.
19. Items from citizens present. (Maximum of three speakers for three minutes per speaker).