

## COUNCIL MINUTES

July 14, 2003

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on July 14, 2003 at 5:45 p.m.

### COUNCIL PRESENT

Rex Griswold  
Kyle Jones  
Dennis Kavanaugh  
Janie Thom  
Claudia Walters

### COUNCIL ABSENT

Keno Hawker  
Mike Whalen

### STAFF PRESENT

Paul Wenbert  
Debbi Dollar  
Debbie Spinner  
Barbara Jones

(Councilmember Jones participated in the meeting through the use of teleconferencing equipment.)

(Vice Mayor Kavanaugh excused Mayor Hawker and Councilmember Whalen from the meeting.)

Invocation by Councilmember Griswold.

The Pledge of Allegiance was led by Councilmember Walters.

Mayor's Welcome.

Vice Mayor Kavanaugh welcomed everyone to the meeting. A videotaped presentation was aired that outlined meeting procedures and provided attendees with instructions relative to addressing the Council.

### 1. Consider all consent agenda items.

At this time, all matters on the consent agenda were considered or were removed at the request of a member of the Council. All items identified with an asterisk (\*) were approved with one Council action.

It was moved by Councilmember Walters, seconded by Councilmember Griswold, that the consent agenda items be approved.

Vice Mayor Kavanaugh declared the motion carried unanimously by those present.

\*2. Approval of minutes of previous meetings as written.

Minutes from the July 7, 2003 City Council Meeting.

3. Consider the following liquor license applications:

\*a. AGUSTIN FELIPE MARTIN, CHAIRMAN

Special Event License application of Agustin Felipe Martin, Chairman, Comite De Comunidad Hiss, a one-day religious event to be held Saturday, July 26, 2003, from 6:00 p.m. to 12:00 midnight, at 141 North Macdonald, Queen of Peace Church.

\*b. JOAN J. STIH, CEO

Special Event License application of Joan J. Stih, CEO, Southeast Valley Regional Association of Realtors, a one-day fraternal event to be held Friday, September 26, 2003, from 5:00 p.m. to 10:00 p.m., at 1363 South Vineyard, Conference Center.

\*c. SARAH HYUN-JA CHUNG, MEMBER

New Restaurant License for Hodori Soon Tofu Restaurant, 1116 South Dobson Road, Suite 111. This is an existing building. No previous liquor licenses at this location.

4. Consider the following contracts.

\*a. One replacement digger derrick, crane and bucket truck as requested by the Utilities Department.

The Purchasing Division recommends accepting the low bid meeting specification by Altech Industries, Inc. at \$137,789.72 including extended warranties and applicable use tax.

\*b. Baseline Road 16-inch Water Line, Sossaman to Farnsworth, Project No. 01-557-001.

This project will create a more reliable water distribution system by looping the Desert Wells Water Zone in this area. The gap in the loop will be eliminated by installing nearly 2,100 feet of 16-inch waterline. Fire hydrants, air relief valves and appurtenances will also be installed in this project.

Recommend award to low bidder, Pierson Construction, in the amount of \$279,296.40, plus an additional \$27,929.64 (10% allowance for change orders) for a total award of \$307,226.04.

\*c. Sossaman Road Improvements at Williams Gateway Airport, Phase 3, Project No. 01-113.

This project will construct approximately 3,650 feet of four-lane roadway, extending from near Velocity Way to a connection with the forthcoming Pecos Road project south of the

Airport. Features of the project include a raised landscape median; water, sewer and storm drain lines; landscaping along both sides of the road, and e-streets infrastructure.

Recommend award to low bidder, Archon Inc., in the amount of \$2,333,355.00, plus an additional \$233,335.50 (10% allowance for change orders) for a total award of \$2,566,690.50.

- \*d. Mesa Grande Wall, Project No. 02-35.

This project will construct over 600 feet of new 7-foot high block and wrought iron fence, and nearly 5,000 square feet of new landscaping adjacent to the residents along 10<sup>th</sup> Street.

Recommend award to low bidder, W.L. Emshoff, in the amount of \$118,863.00, plus an additional \$11,886.30 (10% allowance for change orders) for a total award of \$130,749.30.

- \*e. Windsor Water Line Replacement, Broadway to Main, Project No. 01-638-001.

This project will replace nearly 5,000 feet of 8-inch waterline and 47 water service connections to improve water system reliability in this neighborhood.

Recommend award to low bidder, Pueblo West Construction, in the amount of \$306,818.00, plus an additional \$30,681.80 (10% allowance for change orders) for a total award of \$337,499.80.

- \*f. Wastewater Manhole Rehabilitation, Project No. 01-476-001.

This project will rehabilitate 68 wastewater manholes that have deteriorated to below acceptable conditions by repairing damaged concrete walls and removing and replacing corrosion resistant linings that have worn out.

Recommend award to low bidder, Joseph Painting Company, in the amount of \$311,114.50, plus an additional \$31,111.45 (10% allowance for change orders) for a total award of \$342,225.95.

5. Introduction of the following ordinance and setting August 11, 2003 as the date of public hearing on these ordinances:

- \*a. **Z03-17** – (District 6) The southwest corner of Pueblo Avenue and Crismon Road (33 acres±). Rezone from R1-43 to R1-6-PAD. This case involves the development of a 184-lot single residential subdivision. D.R. Horton, owner; Sean Lake, applicant.
- \*b. **Z03-25** – (District 4) 300 West Southern Avenue (4.46 acres±). Rezone from C-2 and C-3 to M-1. This case involves the development of a distribution warehouse facility for an existing Maytag appliance store.
- \*c. **Z03-26** – (District 6) North and east of the northeast corner of Crismon Road and Southern Avenue (18.9 acres±). Site Plan Modification. This case involves the

development of an apartment complex. Glenn Walling, Coyote Landing Limited Partnership, owner; Denise Burton, Broadbent and Associates, Inc., applicant.

- \*d. **Z03-28** – (District 3) 310 North Dobson Road, Suites 1 and 2 (0.79 acres±). Council Use Permit. This case involves the development of a body-piercing salon. Kenneth Louie, owner; Kelsey Yamashita, applicant.

6. Consider the following resolutions:

- \*a. Extinguishing Two Temporary Drainage Easements South of the Southeast Corner of Guadalupe Road and Ellsworth Road – Resolution No. 8069.

These easements are no longer required.

- \*b. Vacating an alley north of 7<sup>th</sup> Avenue between Stapley Drive and Lazona Drive – Resolution No. 8070.

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

- \*c. Extinguishing a Temporary Easement for Drainage north of the northwest corner of McKellips Road and Horne Road – Resolution No. 8071.

A permanent drainage solution has been approved making this easement no longer necessary.

- \*d. Extinguishing a Temporary Easement for Drainage north of the northwest corner of Lindsay Road and Baseline Road – Resolution No. 8072.

A permanent drainage solution has been approved making this easement no longer necessary.

- \*e. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the City of Phoenix for the operation of the 800 MHz system – Resolution No. 8073.

- \*f. Authorizing the City Manager to execute an agreement between the City of Mesa Police Department and the Arizona Automobile Theft Authority for a 2003/2004 Public Awareness Grant which will reimburse the City for expenditures related to public awareness activities and vehicle theft prevention events – Resolution No. 8074.

7. Consider the following ordinance:

- \*a. Modifying an existing Council Use Permit (CUP93-4TC) to allow an additional service bay at 145 East Main Street, Brown and Brown Chevrolet – Ordinance No. 7090.

DDC Recommendation: Approval subject to stipulations. (Vote: Passed 6-0).

\*8. Consider a resolution and ordinance repealing the existing Personnel Rules applicable to City of Mesa Employees and adopting by reference new Personnel Rules; preserving rights and duties that have already matured and proceedings that have already begun under the existing Personnel Rules – Resolution No. 8075 and Ordinance No. 4091.

8.1 Consider the following recommendations from the General Development Committee:

- \*a. Directing staff to issue Requests for Qualifications for Site 17 and Site 7.
- \*b. Deleted.

9. Consider the following subdivision plat:

- \*a. “BAYWOOD PROFESSIONAL CENTER, A CONDOMINIUM,” - (Council District 5) – 100 block of South 63<sup>rd</sup> Street (west side) 3 C-2 PAD office condominium buildings (3.55 acres) Baywood Professional Center, L.L.C., owner; Focus Engineering, Inc., engineer.

10. Items from citizens present.

Ray Black, 440 South Pioneer, discussed the positive impacts of medically prescribed marijuana for use by chronically/terminally ill individuals. He asked the Council to adopt a resolution that would urge the Federal government and police agencies not to harass medical marijuana patients.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:00 p.m.

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KENO HAWKER, MAYOR

ATTEST:

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BARBARA JONES, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the City Council of Mesa, Arizona, held on the 14<sup>th</sup> day of July 2003. I further certify that the meeting was duly called and held and that a quorum was present.

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BARBARA JONES, CITY CLERK