

COUNCIL MINUTES

April 15, 2002

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on April 15, 2002 at 5:45 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Jim Davidson
Bill Jaffa
Dennis Kavanaugh
Pat Pomeroy
Claudia Walters
Mike Whalen

COUNCIL ABSENT

None

OFFICERS PRESENT

Mike Hutchinson
Debbie Spinner
Barbara Jones

Mayor Hawker welcomed everyone to the meeting and excused Councilmember Jaffa from the beginning of the meeting.

Invocation by Diana Williams, St. Matthew United Methodist Church.

Pledge of Allegiance was led by Mayor Hawker.

(Councilmember Jaffa joined the meeting at 5:55 p.m.)

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 Vice Mayor Davidson, seconded by Councilmember Kavanaugh, that the consent agenda items be approved.

Carried unanimously.

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

Minutes from the March 18, 2002 and April 1, 2002 Council meetings.
Minutes from the April 4, 2002 Joint Meeting with Mesa Unified School District No. 4 Governing Board.

3. Consider the following liquor license applications:

*a. CARRIE D. WALKER-OSTROSKI, DIRECTOR OF DEVELOPMENT

Special Event License application of Carrie D. Walker-Ostroski, Director of Development, Florence Crittenton Services of AZ, Inc., a one-day charitable event to be held Friday, April 19, 2002 from 6:30 p.m. to 11:00 p.m., at 2260 E. Brown Road, The Fountains.

*b. PATRICIA A. WENTWORTH, PARISH MANAGER

Special Event License application of Patricia A. Wentworth, Parish Manager, St. Bridget Catholic Church, a one-day religious event to be held Friday, May 3, 2002 from 5:00 p.m. to 10:00 p.m., at 2213 N. Lindsay Road, St. Bridget Catholic Church.

*c. PATRICIA ANN NORRIS, AGENT

New Beer and Wine Store License for 7-Eleven #21022J, 1210 W. Guadalupe Road. This is an existing business. The Beer and Wine Store License previously held at this location by Clifford E. Chappell, Etal, 7-Eleven #21022B, will revert back to the State.

*d. VENKATA R. NARLA, AGENT

New Beer and Wine Store License for Starmart, 1821 S. Country Club Drive. This is an existing business. The Beer and Wine Store License previously held at this location by Riad F. Khaled, Agent, Khaled and Mahayni Inc., will revert back to the State.

*e. GREGORY M. SARGOVETZ, AGENT

New Beer and Wine Store License for Texaco Star Mart, 1166 N. Higley Road. This is an existing business. The Beer and Wine Store License previously held at this location by Bruce W. Holbrook, Agent, Equilon Enterprises LLC, will revert back to the State.

*f. ROBIN M. BEARD, INDIVIDUAL

New Restaurant License for Robin's Nest Food & Fun, 706 W. Southern Avenue. This was an existing business. The Restaurant License previously held at this location by David A. Knappenberger, Agent, DFR, Inc., went out of business in 1999.

4. Consider the following contracts:

*a. Building and Compliance System to Support Building Safety and Code Compliance Divisions.

The Purchasing Division endorses the Evaluation Team's recommendation to accept the proposal from Tidemark Solutions for an amount not to exceed \$641,212.18. The Tidemark proposal received an evaluated score of 831 points (83.1% of the maximum – please see Attachment A, Evaluation Summary).

The Purchasing Division further recommends approving:

\$14,816.19 for SUN Server hardware from the State of Arizona contracts with CompuCom Systems, including tax; and, \$70,584.48 for project contingencies (10% of total project, including all hardware and software).

The combined total award for these expenses is not to exceed the amount of \$726,612.85. This amount, plus the future purchases described below will all be financed through a tax-exempt five-year lease. The staff will obtain bids and request future City Council action for:

Storage hardware from the State of Arizona contracts with EMC Corporation estimated at \$41,000.00.

The five-year cost analysis for the Building and Compliance System includes the system referenced above, additional system components purchased through normal purchasing processes estimated at \$54,730.53, and system maintenance for years two through five at \$480,101.01. Thus, the evaluated five-year total for the system is estimated at \$1,302,535.80.

- *b. Two-year renewal of the supply contract for PE2406 pipe and fittings for warehouse inventory to be used by the Utility Construction Division.

The Purchasing Division recommends exercising the two-year renewal option with the original lowest overall bid by Performance Plus (formerly Plexco) at \$194,778.13 based on estimated annual requirements.

- *c. Upgrade to the Employee Benefits claims processing system, as requested by the Information Services Division (ISD).

The Purchasing Division recommends accepting the only bid from FACTS Services, Inc. for software and services totaling \$48,300.00. **(Sole Source)**

- *d. Printing & distribution of 239,000 Water Quality Brochures as requested by the Utilities Department. These brochures are distributed annually to City water customers as required by federal law. The brochures provide comprehensive information about the City's drinking water.

The Purchasing Division recommends accepting the bid by Smart DM Holdings, Inc. at \$64,270.72 including applicable tax and postage. **(Sole Source)**

- *e. Re-Coat Foam Roofs on Fleet Support Building. City of Mesa Project No. 02-75.

This project will re-coat the foam roof (approximately 24,000 s.f.) on the fleet support building, located at 310 East 6th Street in the Sixth Street Service Center.

Recommend award to low bidder, Specialty Roofing Inc. in the amount of \$15,300.00 plus an additional \$1,530.00 (10% allowance for change orders) for a total award of \$16,830.00.

f. Fire Station No. 206 Expansion. City of Mesa Project No. 00-69.

This project will upgrade Fire Station No. 206 by expanding the living quarters to improve sleeping and restroom space to accommodate increased staffing, expanding dayroom and exercise facilities, remodeling the Volunteer Center to provide enhanced Community Room and restroom facilities and addition of three apparatus bays to the Volunteer Center for secured parking of vintage fire trucks. Additions total approximately 7,100 s.f. to Station 206 and 2,300 s.f. to the Volunteer Center. Additionally, a 30 space parking lot will be constructed east of the Volunteer Center, which will accommodate Station visitors as well as visitors to Mountain View Park to the east.

Recommend award to low bidder, MTV General Contractors in the amount of \$1,954,593.62, plus an additional \$195,459.36 (10% allowance for change orders) for a total award of \$2,150,052.98.

Mayor Hawker declared a potential conflict of interest and refrained from discussion/participation in this agenda item.

Mayor Hawker yielded the gavel to Vice Mayor Davidson for action on this item.

Councilmember Pomeroy commented on the proposed improvements to the Volunteer Center and on the fact that the Department currently has 115 volunteers whose service to the Department in 2001 exceeded \$300,000 in value. Councilmember Pomeroy noted that Fire Station No. 206 is located at 815 N. Lindsay Road.

It was moved by Councilmember Pomeroy, seconded by Councilmember Kavanaugh, that the recommendations of staff be approved.

In response to questions from Councilmember Kavanaugh, Chief Wilson advised that the remodeled Volunteer Center will serve as the Department's central facility for volunteer operations, including the Connector Program and the Community Response Team, the Department's primary volunteer programs. He explained that the Connector Program puts social service agencies in contact with those in need and the Community Response Team provides victims' assistance during times of tragedy. He also reported that the expanded Community Room will be located adjacent to Mountain View Park and will be available for public use on a reservation basis.

Upon tabulation of votes, it showed:

AYES - Davidson-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen
NAYS - None
ABSTAIN - Hawker

Vice Mayor Davidson declared the motion carried unanimously by those voting.

With action on this agenda item being completed, Vice Mayor Davidson yielded the gavel back to Mayor Hawker.

5. Introduction of the following ordinances and setting May 6, 2002 as the date of public hearing on these ordinances:

- *a. Prohibiting parking on Las Sendas Mountain Drive from Eagle Crest Drive to Hawes Road, on the north side of Eighth Street from Stapley Drive to a point 320 feet east of Stapley Drive, on the south side of Eighth Street from Stapley Drive to a point 260 feet east of Stapley Drive, and on Valley Auto Drive from Greenfield Road to Baseline Road; as recommended by the Transportation Advisory Board.
- *b. **Z02-06** The southeast corner of Brown Road and Recker Road. Site plan modification (1.5 ac.). This case involves the development of a pharmacy.
- *c. **Z02-07** 7909 E. Broadway Road. Rezone from O-S PAD to R-2 PAD (3.1 ac.). This case involves the development of a residential subdivision.
- *d. **Z02-08** 2554 E. McKellips Road. Rezone from R-4 to O-S (0.19 acres). This case involves the development of a small medical office.
- *e. **Z02-09** Generally the land south of McKellips Road to McLellan Road and east of Ellsworth Road to Crismon Road (202± acres). Establish City zoning districts of R1-43, R1-35-PAD, AND R1-15-PAD.
- *f. **Z02-10** The southeast corner of Hawes Road and East Pueblo Avenue (10.02 acres). Rezone from R-4 to R1-6 P.A.D. This case involves the development of single-family homes.

6. Consider the following resolutions:

- *a. Vacating an alley between the 600 block of North Westwood Street and West 6th Place – Resolution No. 7808.
- *b. Authorizing the City Manager to execute an Intergovernmental Agreement between the Maricopa County Department of Transportation and the City of Mesa for the design and installation of the AZTech Smart Corridor – Resolution No. 7809.
- c. Authorizing the City Manager to execute an Intergovernmental Agreement (IGA) between Pueblo Mesa Mobile Home Park Phase II Street Lighting Improvement District (located at 8832 East Pueblo Avenue) and the City of Mesa – Resolution No. 7819.

This IGA allows Mesa to operate and maintain the streetlights for this subdivision which is currently located outside of the Mesa City limits.

Vice Mayor Davidson declared a potential conflict of interest and refrained from discussion/participation in this agenda item.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Walters, that Resolution No. 7819 be adopted.

Upon tabulation of votes, it showed:

AYES - Hawker-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen
NAYS - None
ABSTAIN - Davidson

Mayor Hawker declared the motion carried unanimously by those voting and Resolution No. 7819 adopted.

- d. Setting May 20, 2002 as the hearing date for the annual assessments for the Mesa Town Center Improvement District No. 228 – Resolution No. 7820.

This district provides enhanced municipal services for the Mesa Town Center.

Mayor Hawker, Councilmember Jaffa and Councilmember Pomeroy declared potential conflicts of interest and refrained from discussion/participation in this agenda item.

Mayor Hawker yielded the gavel to Vice Mayor Davidson for action on this item.

It was moved by Councilmember Walters, seconded by Councilmember Whalen, that Resolution No. 7820 be adopted.

Vice Mayor Davidson provided a brief overview regarding this agenda item and stated that assessments in conjunction with the 536 parcels in the Town Center will raise approximately \$239,000 to pay for services provided to the Town Center.

Upon tabulation of votes, it showed:

AYES - Davidson-Kavanaugh-Walters-Whalen
NAYS - None
ABSTAIN - Hawker-Jaffa-Pomeroy

Vice Mayor Davidson declared the motion carried unanimously by those voting and Resolution No. 7820 adopted.

With action on the item being completed, Vice Mayor Davidson yielded the gavel back to Mayor Hawker.

- *e. Authorizing the City Manager to execute two Intergovernmental Agreements between the City of Phoenix and the City of Mesa for the receipt of FTA grant funds for the following: (1) associated vehicle maintenance; (2) purchase of fareboxes; (3) purchase and installation of a CNG fuel station; (4) Congestion Mitigation and Air Quality (CMAQ) funds for preliminary engineering for a park-and-ride site; (5) CMAQ funds to purchase two transit vehicles; (6) FTA discretionary funds for construction of the transit operations and maintenance facility – Resolution No. 7810.
- *f. Authorizing the City Manager to execute an agreement between the City of Mesa Police Department and the Pima County Sheriff's Department for the funding of overtime for

officers assigned to the HIDTA (High Intensity Drug Traffic Area) XII Task Force – Resolution No. 7811.

- *g. Authorizing the City Manager to enter into an Intergovernmental Agreement with the Arizona Department of Water Resources (ADWR) who will provide funding in the amount of \$300,000 to promote water conservation through network media outlets – Resolution No. 7812.
- *h. Authorizing and directing the City Manager to execute necessary documents to acquire certain real property on behalf of A.R.M. of Save the Family Foundation – Resolution No. 7813.
- *i. Authorizing the City Manager to execute an Intergovernmental Agreement with Maricopa County and other participating jurisdictions for the continuation of the Maricopa Home Consortium – Resolution No. 7814.
- *j. Pertaining to the submission of a project to expand the PACE CAR Program for consideration in Arizona’s 2003 Highway Safety Plan – Resolution No. 7815.
- *k. Pertaining to the submission of a project to expand THE TRAFFIC JAM Program for consideration in Arizona’s 2003 Highway Safety Plan – Resolution No. 7816.
- *l. Pertaining to the submission of a project to expand the School Partnership Program for consideration in Arizona’s 2003 Highway Safety Plan – Resolution No. 7817.
- *m. Approving and authorizing the City Manager to acquire surplus Federal property at 26 North Macdonald Street under the Federal Property and Administrative Services Act of 1949, as amended – Resolution No. 7818.

7. Deleted.

8. Consider the following recommendation from the Fire Committee:

- a. Approving the proposed location of a future Fire Station (No. 218) at 5950 East Adobe.

Councilmember Pomeroy, as Chairman of the Fire Committee, stated that the Fire Committee recommends approving the proposed location of future Fire Station No. 218 at 5950 East Adobe. He advised that the customer service area of this proposed station would be from McKellips Road south to Broadway Road and Greenfield Road east to Sossaman Road. He added that design of the fire station and acquisition of the fire equipment is forecast in fiscal year 2002/03, and the construction of the facility is forecast in fiscal year 2003/04.

Councilmember Kavanaugh commented on the fact that the City purchased this 2.5-acre parcel in 1984 for a future fire station and commended the Fire Department and Planning staff for their foresight in this regard.

It was moved by Councilmember Pomeroy, seconded by Councilmember Kavanaugh, that the recommendation from the Fire Committee be approved.

Carried unanimously.

9. Consider the following ordinances:

- *a. **Z01-55** 1010 S. Stapley Drive. Rezone from OS to OS-PAD and Site Plan Modification (1.8 acres). This case involves development of an office complex. Richard Phillips & David & Dennis Belnap, owner; Gregory Hitchens, applicant – Ordinance No. 3979. **CONTINUED FROM THE MARCH 4, 2002 CITY COUNCIL MEETING.**

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

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted (without guarantee of lot coverage), except as noted below.
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.) with special attention paid to fire access, fire lanes, turning radius, hydrant placement and location of the dumpster enclosure in the northwest corner of the site. All these items to be approved by the applicable department prior to formal submittal to the Design Review Board.
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit or at the time of the City's request for dedication, whichever comes first.
5. All street improvements and perimeter landscaping to be installed in the first phase of construction.
6. Compliance with all requirements of the Design Review Board with special attention paid to the landscape plan within the parking lot and along the north property line.
7. Compliance with Subdivision Technical Review Committee.
8. Review and approval of a Special Use Permit by the Board of Adjustment for a comprehensive sign plan.
9. Medical office use only permitted after review and approval of the parking calculations by Planning staff.
10. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way, pedestrian areas and/or walkways.
11. Parking lot lights for the offices shall be shielded and designed to direct light down to the ground to prevent light dispersion off the property.
12. Recordation of vehicular cross-access and reciprocal parking easements between the five lots to be created in conjunction with creation of a final plat.
13. Completion of the abandonment of any and all PUE's previously recorded for parcels 139-15-001G, 139-15-001H, 139-15-032, and 139-15-053 prior to issuance of any building permits.
14. Compliance with the letter dated November 1, 2001, from Richard Phillips to Leena Hernigle related to charter schools, which is in the zoning case file.

15. Dedication of the utility easement and completion of alley improvements along north property line in initial phase of development.

10. Consider the following subdivision plats:

- *a. "AMENDED LOMA VERDE", – (Council District 1) – 300 block of East Ivy Street (south side) 52 R1-9 PAD single residence lots (18.58 ac) U.S. Development Land, L.L.C., developer; D & M Engineering, engineer.
- *b. "THE OFFICES AT DANA LANDING, A CONDOMINIUM", – (Council District 2) – 3048 East Baseline Road (north side) 28 C-2 office condominium units (8.53 ac) Dana Landing Development, L.C., an Arizona Limited Liability Company, developer; HEC Engineering, L.L.C., engineer.
- *c. "THE SHOPS AT DANA LANDING", – (Council District 2) – 3100 block of East Baseline Road (north side) 3 C-2 commercial lots (3.06 ac) DL Retail, L.C., an Arizona Limited Liability Company, developer; HEC Engineering, L.L.C., engineer.

11. Election issues.

Mayor Hawker referred to a map on display in the Council Chambers depicting District 5 and announced that a runoff (General) election will be held on May 21, 2002 to elect a Councilmember in District 5. He said that the two candidates seeking election in that district are Rex Griswold and Bill Jaffa. Mayor Hawker encouraged the citizens in District 5 to cast an educated vote on Election Day.

12. Items from citizens present.

Vanessa (Dorothy Crawford) (address unknown) spoke in opposition to recent bus transit service cuts in southwest Mesa, particularly Route 61. She said that she and other Route 61 riders did not receive advance notification of the service cuts and commented on the inconvenience this caused. She also discussed her reliance on bus transit and said that she must now walk a mile to access bus service.

Kevin Biesty, 1010 W. Peralta, addressed the Council concerning the Multipurpose Facility. He stated opposition to the project and Mesa's continued participation in the selection process. He voiced concerns regarding Mesa's ability to host the Multipurpose Facility without cost to the City and commented on a recent news article concerning the City of Tempe's expenses associated with the Fiesta Bowl. Mr. Biesty also voiced concerns regarding the negative impacts on nearby residences and referred to a recent news article concerning negative impacts on neighborhoods located adjacent to Bank One Ballpark in Phoenix. He indicated opposition to the loss of Riverview Park, Riverview Golf Course and the softball fields at the proposed location.

Mayor Hawker thanked Mr. Biesty for his comments and advised that pursuant to the City's proposal to the Tourism and Sports Authority, Riverview Park would remain in place and the softball facility would be moved approximately one-half mile west of its current location.

LaRue Gates, 1948 W. Devonshire, addressed the Council and advised that she was recently elected President of a new citizens' group, SASS (Stand Against Stadium Site). Ms. Gates voiced concerns regarding the City's plan to develop a joint parking/youth soccer field facility in conjunction with the Multipurpose Facility and commented on information she recently obtained concerning the incompatibility of these joint uses.

Mayor Hawker thanked Ms. Gates for her comments and stated that the City has successfully operated a joint parking/soccer field facility at HoHoKam Park for several years in conjunction with spring training baseball games.

13. Adjournment.

It was moved by Vice Mayor Davidson, seconded by Councilmember Kavanaugh, that the Regular Council Meeting adjourn at 6:19 p.m.

Carried unanimously.

KENO HAWKER, MAYOR

ATTEST:

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 15th day of April 2002. I further certify that the meeting was duly called and held and that a quorum was present.

BARBARA JONES, CITY CLERK

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