

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, April 16, 2007
5:45 P.M.

Invocation by Dr. Blaine Mays, Community Church of New Thought.

Pledge of Allegiance.

Mayor's Welcome.

Presentation of the 2006 Spirit of Mesa Neighborhood Awards.

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).

MESA CITY COUNCIL
April 16, 2007
Page 2

1. Take action on all consent agenda items.
- *2. Approval of minutes of previous meetings as written.
3. Conduct a public hearing and take action on an amendment to the land use map for the following Minor General Plan Amendment.
 - 3a. Public Hearing on Minor General Plan Amendment
GPMInor07-02 (District 6) (See Item 3b)
 - 3b. Take action on the following resolution:

GPMInor07-02 (District 6) The 10400 block to 10700 block of East Southern Avenue (south side). Located at the southwest corner of Southern Avenue and Signal Butte Road (110± acres). Minor General Plan Amendment from Mixed Use Employment to Regional Commercial (RC) and High-Density Residential 15+ dwelling units/acre (HDR 15+). This request will allow the development of a regional commercial shopping center with associated residential, office, and hotel uses. Erin Nellis; Signal Butte 114, LLC by DeBartelo Development, owner; Paul Gilbert, Beus Gilbert, applicant. **COMPANION CASE Z07-22 (See Item 8e) (Held two neighborhood meetings, notified property owners, and registered neighborhoods.)**

P&Z Recommendation: Approval with Conditions.
(Vote: 6-0)
4. Take action on the following liquor license applications:
 - *4a. Las Sendas Elementary School PTO

This is a one-day charitable event to be held on Friday, April 20, 2007 from 6:00 P.M. to 10:00 P.M. at 7900 E. Eagle Crest. (**District 5**).
 - *4b. Anthology, Inc.

This is a one-day charitable event to be held on Friday, May 4, 2007 from 12:00 Noon to 11:59 P.M. at 243 S. Mesa Drive. (**District 4**).

MESA CITY COUNCIL
April 16, 2007
Page 3

*4c. Native New Yorker

New Restaurant License for Native New Yorker, 1947 S. Signal Butte Road, Suite 101, J Bar G Restaurants Inc – Applicant, Amy S. Nations – Agent. New Construction with no previous liquor license held at this location. **(District 6)**.

*4d. Taqueria Cajeme

New Restaurant License for Taqueria Cajeme, 356 E. University Drive, Taqueria Cajeme Etal – Applicant, Francisco J. Meza Jimenez – Partner. Existing business with no previous liquor license held at this location. **(District 4)**.

*4e. Apache Wells Shriners Club

This is a one-day charitable event to be held on Wednesday, April 18, 2007 from 10:00 A.M. to 6:00 P.M. at 5601 E. Hermosa Vista Drive. **(District 5)**.

*4f. Apache Wells Shriners Club

This is a one-day charitable event to be held on Thursday, April 19, 2007 from 10:00 A.M. to 6:00 P.M. at 5601 E. Hermosa Vista Drive. **(District 5)**.

*4g. Apache Wells Shriners Club

This is a one-day charitable event to be held on Wednesday, April 25, 2007 from 10:00 A.M. to 6:00 P.M. at 5601 E. Hermosa Vista Drive. **(District 5)**.

*4h. Apache Wells Shriners Club

This is a one-day charitable event to be held on Thursday, April 26, 2007 from 10:00 A.M. to 6:00 P.M. at 5601 E. Hermosa Vista Drive. **(District 5)**.

MESA CITY COUNCIL
April 16, 2007
Page 4

*4i. Apache Wells Shriners Club

This is a one-day charitable event to be held on Saturday, April 28, 2007 from 10:00 A.M. to 6:00 P.M. at 5601 E. Hermosa Vista Drive. **(District 5)**.

*4j. Apache Wells Shriners Club

This is a one-day charitable event to be held on Thursday, May 3, 2007 from 10:00 A.M. to 6:00 P.M. at 5601 E. Hermosa Vista Drive. **(District 5)**.

*4k. Apache Wells Shriners Club

This is a one-day charitable event to be held on Friday, May 4, 2007 from 10:00 A.M. to 6:00 P.M. at 5601 E. Hermosa Vista Drive. **(District 5)**.

*4l. Apache Wells Shriners Club

This is a one-day charitable event to be held on Thursday, May 10, 2007 from 10:00 A.M. to 6:00 P.M. at 5601 E. Hermosa Vista Drive. **(District 5)**.

*4m. Apache Wells Shriners Club

This is a one-day charitable event to be held on Thursday, May 17, 2007 from 10:00 A.M. to 6:00 P.M. at 5601 E. Hermosa Vista Drive. **(District 5)**.

5. Take action on the following contracts:

*5a. Three (3) Replacement Vehicles for Communications and Parks, Recreation & Commercial Facilities.

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with Midway Chevrolet at \$63,405.63, including sales tax.

*5b. Three-Year Supply Contract for Replacement Traffic Signal Controllers and Video Camera Equipment for Warehouse Inventory. **(Single Bid, by Manufacturer)**

MESA CITY COUNCIL
April 16, 2007
Page 5

The Procurement Services Department recommends awarding the Mesa contract to Econolite at \$236,429.95 annually, based on estimated requirements.

- *5c. Renewal Supply Contract for Magnesium Anodes for Warehouse Inventory.

The Procurement Services Department recommends authorizing a two-year renewal of Mesa contract to Mountain States Pipe & Supply Company at \$30,000.00, based on estimated annual requirements.

- *5d. IT Infrastructure Improvement FY06/07 Project (Budgeted Contingency Funds Specifically Reserved for Technology Purchases)

The Procurement Services Department recommends awarding the **sole source** contract to Incipient at \$54,225.60; purchasing hardware from US Communities Contract with GTSI Corp. at \$264,742.40; and purchasing hardware and software from City of Tempe contract with IT Partners at \$1,031,582.19 for a total award of \$1,350,550.19.

- *5e. Replacement Microwave Equipment for the Communications Department.

The Procurement Services Department recommends authorizing purchase from the WSCA contract with Harris Corporation at \$31,546.94, including use tax.

- *5f. Criminal Database System (COPLINK) for the Police Department (**Sole Source**) (Asset Forfeiture Funds)

The Procurement Services Department recommends awarding the sole source contract to Knowledge Computing Corporation at \$401,907.52, including sales tax.

MESA CITY COUNCIL
April 16, 2007
Page 6

- 5g. Desert Wells No. 21 – Drilling Phase, City of Mesa Project No. 05-065-001 **(One Responsive Bidder) (District 6)**

This project will drill a new well to expand the City's water supply capabilities and system reliability in the southeast portion of the Desert Wells Zone.

Recommend award to Zim Industries, Inc., in the amount of \$976,055.00, plus an additional \$97,605.50 (10% allowance for change orders) for a total award of \$1,073,660.50. Funding is available from existing water bond authorization.

- 5h. Neighborhood Street Lighting Area 1 (CDBG #8739), Main Street to Broadway Road, Williams Street to Gilbert Road, City of Mesa Project #01-335-005 **(District 2)**

This project replaces existing street lighting in need of upgrading, and installs new street lighting where needed to enhance the illumination and safety of these neighborhoods.

Recommend award to Brook Bros Utility Contractors, Inc., in the amount of \$448,773.00 plus an additional \$44,877.30 (10% allowance for change orders) for a total award of \$493,650.30. This project is funded with Community Development Block Grant (CDBG #8739) funds in the approved FY 06/07 budget.

- 5i. 2006/2007 Street Reconstructions, City of Mesa Project No. 04-841-008 **(Districts 2, 3, 5 & 6)**

This project includes more than 90,000 square yards of asphalt pavement reconstruction and pavement overlay. Street segments included in this project are Longmore from Southern Avenue to Broadway Road; 32nd Street from McKellips Road to McDowell Road; and Broadway Road from Val Vista Drive to Greenfield Road.

Recommend award to Achen-Gardner Engineering, LLC, in the amount of \$2,442,916.00, plus an additional \$244,291.60 (10% allowance for change orders) for a total award of \$2,687,207.60. Funding is available from the approved FY 06/07 Transportation Operating Budget.

MESA CITY COUNCIL
April 16, 2007
Page 7

- *5j. Replacement Carpeting for the Police Department Main Building utilizing State of Arizona Contract, City of Mesa Project No. 06-907-003.

This project will replace the carpeting at the Main Police Station located at 130 North Robson Street that has become worn and damaged, creating a safety/trip hazard for users and negatively impacting the appearance of the facilities

Recommend award to Continental Flooring Company, in the amount of \$198,772.21 plus an additional \$19,877.22 (10% allowance for change orders) for a total award of \$218,649.43. Funding for this project will come from the approved Facilities Maintenance Department operating budget.

- *5k. Replacement Carpeting for the East Mesa Service Center utilizing State of Arizona Contract, City of Mesa Project No. 06-907-004.

This project will replace the carpeting at the East Mesa Service Center located at 6935 East Decatur Street that has become worn and damaged, creating a safety/trip hazard for users and negatively impacting the appearance of the facilities.

Recommend award to Wholesale Floors, Inc., in the amount of \$35,732.41 plus an additional \$3,573.24 (10% allowance for change orders) for a total award of \$39,305.65. Funding for this project will come from the approved Facilities Maintenance Department operating budget.

- *5l. CAP Water Treatment Plant – Access Control System, City of Mesa Project No. 03-002-001 (**District 5**)

This project will install new security cameras, access card readers on all doors to buildings, and other security equipment to increase the security at the CAP Water Treatment Plant that is located at 7750 East Brown Road.

MESA CITY COUNCIL
April 16, 2007
Page 8

Recommend award to Federal Communications Group, in the amount of \$309,182.00 plus an additional \$30,918.20 (10% allowance for change orders) for a total award of \$340,100.20. Funding for this project will come from the approved Water Bond Program.

- *5m. Fourteen (14) Light and Heavy Duty Vehicles for Various City Departments (4 Additions to the Fleet and 10 Replacements) (Budgeted Contingency Funds Specifically Reserved for Vehicle Acquisition and Utility Bond Refunding) **(Three of Eight Contracts with Single Bids)**

The total recommended award is \$598,847.97. Funding for this purchase is available through budgeted contingency funds specifically reserved for vehicle acquisitions, Utility Bond refunding, and Utilities Department budgeted funds.

6. Introduction of the following ordinances and setting May 7, 2007, as the date of the public hearing on these ordinances:

- *6a. Amending various sections of the Mesa City Code regarding the following traffic modifications (**District 3**):

No Parking: 10-3-24 (D) (Full Time No Parking)

On the east side of San Jose from Southern Avenue to a point 245 feet north of Southern Avenue and on the west side of San Jose from Southern Avenue to a point 195 feet north of Southern Avenue. (north of Southern Avenue and west of Dobson Road)

- *6b. **Z07-14 (District 6)** The 5200 to 6700 blocks of South Sossaman Road (both sides, east to Ellsworth Road). Modification to the existing Williams Gateway Airport Development Master Plan (±3,020 ac.). This case involves the development of Williams Gateway Airport. Lynn F. Kusy, Executive Director, Williams Gateway Airport Authority, owner; Casey Denny, Deputy Director, Williams Gateway Airport Authority. applicant. **(Notified property owners, registered neighborhoods and homeowners associations.)**

PHO Recommendation: Approval with Conditions.

MESA CITY COUNCIL
April 16, 2007
Page 9

- *6c. **Z07-24 (District 5)** The 8000 to 8200 block of the East Thomas Road alignment (south side) and the 3400 to 3500 block of north 80th Street (east side). Located west of Hawes Road and south of Thomas Road (31± acres). Rezone from R1-35 to R1-35 PAD. This request will allow for the development of a single residence subdivision. Robert Watson, Sim Nathan, James and Janae Jarnagin, Deland Bentz, Jason and Kala Laos, Ronald Trout, Christopher Haws, Brent Stolworthy, Heather Duncan, Timothy and Carmen Murphy, Austin and Lynn Goodale, Jake and Rebecca Hansen, Calvin and Marilyn Uhl, Ron and Cheryl Barron, Jerry and Mary Barron, Jason and Natalie Lawlor, Frank and Sheri Allen, Joe and Dorothy Coia, Nichole Schaffer, Darin Palmer, Clare Graves, Rick Palmer, Earl and Nancy Labovitz, owners; Nathan Palmer, applicant. ***(Held five neighborhood meetings, notified property owners, registered neighborhoods and homeowners associations.)***

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

7. Take action on the following resolutions:
- 7a. Setting May 21, 2007, as the public hearing date on the proposed final assessments for the Mesa Town Center Improvement District No. 228. The proposed final assessments for the FY 2007/2008 do not include any rate increases. This District was established to provide enhanced municipal services for the Mesa Town Center.
- *7b. Providing for the issuance of improvement bonds for the Crismon Business Park Special Improvement District No. 241. This project installed street improvements along portions of South Crismon Road, East Hampton Avenue and South Cheshire Street. Improvement Bonds are being issued to finance the remaining unpaid assessments for this District and are issued by the City of Mesa to the contractor as his payment for his work. Mesa's share of the District costs is \$26,982.52.

MESA CITY COUNCIL
April 16, 2007
Page 10

- *7c. Extinguishing a Public Utilities and Facilities Easement and a Drainage Easement at 2737 S. Ellsworth Road (**District 6**)

These easements are being extinguished to allow the construction of a gas service station and mini-mart.

- 7d. Approving and authorizing the City Manager to execute an agreement with Pulice Construction, Inc. for the closure of McDowell Road for four months during the construction of the Red Mountain Freeway. Mesa will receive approximately \$263,330. (**District 5**)

- *7e. Approving and authorizing the City Manager to execute Amendment #7 to the Water Service Subcontract among the United States, the Central Arizona Water Conservation District and the City of Mesa.

- *7f. Grant the sale of Park Place Center located at 51 thru 55 East Main Street. (**District 4**)

This land is considered excess City property and is no longer needed. The sales price is \$1,800,000.

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. Amending Section 1-21-1 of the Mesa City Code entitled City Purchase of Tangible Personal Property to allow the Utilities Department to enter into a Base Contract for Sale and Purchase of Natural Gas and related Transaction Confirmation for supplies of natural gas.

MESA CITY COUNCIL
April 16, 2007
Page 11

- 8b. **Z07-17 (District 2)** 1744 South Val Vista Drive. Located south of the US 60 Freeway on the west side of Val Vista Drive (66± ac.). Council Use Permit. This request will allow the development of a Freeway Landmark Monument sign for Dana Park Village Square. Village Square Dana Park, LLC/Mike Clements, owner; Mike Clements/Vince Di Bella, applicant. **(Notified property owners, registered neighborhoods and homeowners associations.)**

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

DRB Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Berzins absent)

- *8c. **Z07-20 (District 6)** The 3300 block of South Power Road (east side). Located east of Power Road and north of Elliot Road (8.43± ac). Rezone from R1-43 to M-1 PAD and Site Plan Review. This request will allow for the development of a self-storage facility. Mike McDaniel, owner; Jeff Welker, Welker Development Resources, L.L.C., applicant. **(Held two neighborhood meeting, notified property owners, registered neighborhoods and homeowners associations.)**

P&Z Recommendation: Approval with Conditions. (Vote: 5-1 with Boardmember Finter nay)

- *8d. **Z07-21 (District 6)** 457 South Higley Road. Located south of Broadway Road and north of Southern Ave (2.57 ac.). Rezone from C-2 PAD to C-2 and Site Plan Modification. This request will allow for the development of a medical office complex. Michael Hamberlin, owner; Lesley L. Partch applicant. **(Notified property owners, registered neighborhoods, homeowners associations and the Mesa Public School District.)**

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

MESA CITY COUNCIL
April 16, 2007
Page 12

- 8e. **Z07-22 (District 6)** The 10400 block to 10700 block of East Southern Avenue (south to the freeway). Located at the southwest corner of Southern Avenue and Signal Butte Road (110± acres). Rezone from R1-43 DMP (conceptual O-S, C-2, and M-1) to R-4, C-2 PAD and C-2 PAD BIZ and Site Plan Review. This request will allow the development of a regional commercial shopping center with associated residential, office, and hotel uses. Erin Nellis; Signal Butte 114, LLC by DeBartelo Development, owner; Paul Gilbert, Beus Gilbert, applicant. **COMPANION CASE GPMInor07-02. (Held two neighborhood meetings, notified property owners, and registered neighborhoods.) (Related to Item 3a and 3b).**

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

- *8f. **Z07-23 (District 5)** 8000 to 8225 Blocks of East Thomas Road alignment and areas south to East Redberry Road. Located west of Hawes Road and south of Thomas Road (39± acres). Rezone from Maricopa County R1-35 to City of Mesa R1-35. For the establishment of City of Mesa zoning on recently annexed property. Frank/Sheri Allen, Jerry/Mary Barron, Deland Bentz, Joseph/Dorothy Coia, Desert Castle Inc, Dennis/Heather Duncan, G Brent Stolworthy LLC, Austin/Lynn Goodale, Jacob/Rebecca Hansen, Eunice Holaren, Michelle Holaren, James/Janae Jarnagin, JP Custom Home, Earl/Nancy Labovitz, Jason/Kaya Laos, Lawlor Construction, Timothy/Carmen Murphy, Nichole Shaffer, Schell Alla Tr, Southwest Commercial Real Estate, Ronald/Joni Trout, Calvin/Marilyn Uhl, City of Mesa, owners; City of Mesa, applicant.

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

MESA CITY COUNCIL
April 16, 2007
Page 13

- *8g. **Z07-25 (District 5)** 2725, 2701 and 2661 North Ogden Road. Located south of McDowell Road and west of Greenfield Road (1.26± acres). Site Plan Review. This request will allow for the development of three office warehouse buildings. Charles Klees, Jr., owner, Michael P. Monroe, applicant. ***(Held one neighborhood meeting and notified property owners.)***

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

9. Take action on the following recommendations from the Transportation and Infrastructure Committee:

- 9a. Request by Terra Verde Land Management, LLC for water and wastewater service outside the city limits at southwest corner of East Main Street and South 97th Street.

Committee Recommendation: Approval of Option 3. (Vote: 2-0 with Jones abstaining due to a potential conflict of interest)

- 9b. Request by Rick Johnson for water service outside the city limits at the northeast corner of Oasis Street and 79th Street.

Committee Recommendation: Approval of Option 2. (Vote 3-0)

10. Take action on the following subdivision plats:

- *10a. "MOUNTAIN HORIZONS UNIT 10" (**District 6**) 11000-11200 blocks of East Ray Road (north side) located north and west of Ray Road and Mountain Road. 119 R1-6 PAD DMP single residence lots (28.50 ac) Pulte Home Corporation, Tim Loughrin, representative, owner.

- *10b. "MOUNTAIN HORIZONS UNIT 12" (**District 6**) 5300 block of South Signal Butte Road (east side) located south and east of Ray Road and Signal Butte Road. 58 R1-6 PAD DMP single residence lots (19.64 ac) Pulte Home Corporation, Tim Loughrin, representative, owner.

MESA CITY COUNCIL

April 16, 2007

Page 14

- 10c. "SANCTUARY ON HIGLEY" (**District 6**) 5225 East Enid Avenue (south side) located north and east of Southern Avenue and Higley Road. 26 R-2 BIZ townhome lots (2.47 ac) R.S.B. Partners, LLC, Ross Farnsworth, Jr., manager, owner.
- *10d. "HARRIS CROSSING" (**District 1**) 1600 block of East Hermosa Vista Drive (south side) located north and west of McKellips Road and Gilbert Road. 6 R1-43 PAD single residence lots (6.09 ac) NGB Development, LLC, Gary Stapley, manager, owner.
- 11. Items from citizens present. (Maximum of three speakers for three minutes per speaker).