

# UTILITY COMMITTEE MINUTES

September 11, 2000

The Utility Committee of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on September 11, 2000 at 3:00 p.m.

**COMMITTEE PRESENT**

Mike Whalen, Chairman  
Bill Jaffa  
Claudia Walters

**COUNCIL PRESENT**

Mayor Keno Hawker

**OFFICERS PRESENT**

Mike Hutchinson  
Barbara Jones

**COMMITTEE ABSENT**

None

1. Discuss and consider issues associated with compressed natural gas (CNG) fueling.

City Manager Mike Hutchinson and Fleet Support Services Director Mike Brennan addressed the Utility Committee with regard to this agenda item. Mr. Hutchinson explained that staff is seeking direction from the Utility Committee relative to:

- a) opening City fueling sites for public use
- b) regulations pertaining to the location of vehicle refueling appliances (VRA) on single-family properties
- c) rate structure.

Mr. Brennan advised that with the recent passage of Senate Bill 1504 on April 28, 2000, incentives have been created which would allow the general public to purchase alternative fueled vehicles. Mr. Brennan stated that one of the most popular forms of alternative fuel is compressed natural gas (CNG). Mr. Brennan commented that as a result of such incentives, the City's Energy Marketing staff has received numerous inquiries relative to potential public access to Mesa's CNG fueling sites.

Mr. Brennan noted that staff has conducted a feasibility study with regard to opening the City's two CNG sites (East Mesa Service Center and the Pasadena Street location) to the public and has identified areas of concern including security, liability and billing issues. Mr. Brennan said that due to the significance of such matters, it is staff's recommendation that the City's CNG fueling sites not be open to the public. Mr. Brennan added that the current legislation offers tax credits and other enticements to the private sector to encourage their response to the impending

public need for convenient CNG fueling stations. Mr. Brennan expressed the opinion that private industry will initiate effort to fill the void that currently exists.

Discussion ensued relative to the fact that to enable the public to utilize a credit card at the City's CNG fueling sites, it would require the installation of a new billing system; the fact that the current configuration of the City's CNG fueling sites would not accommodate public access outside the facility; the fact that if the Utility Committee expressed interest in pursuing this agenda item, it would necessitate staff's development of an action plan, and the fact that the City has not conducted a formal analysis relative to endeavors by other municipalities to implement public access of city-owned CNG fueling sites.

Committeemember Jaffa said that although the City's current CNG fueling sites may not be appropriate for public access, he would like staff to provide additional input relative to alternative locations within Mesa. Committeemember Jaffa also requested that prior to staff's development of an action plan, further data be presented to the Utility Committee relative to municipalities in other regions of the country which have been involved in the implementation of CNG fueling sites.

Mayor Hawker commented that he is not in support of City participation and would encourage the private sector to respond to the needs of the public regarding CNG fueling sites. Mayor Hawker also expressed concerns relative to the City's liability and its ability to set appropriate market rates for the CNG. Mayor Hawker cautioned the Utility Committee that if a recommendation is made to pursue this matter further, special consideration should be given to the pricing of the CNG and expressed concerns regarding competition between public and private industry.

Chairman Whalen spoke in opposition to this agenda item citing security and liability issues and the necessity of implementing a revised billing system. Chairman Whalen also stated that he would like to see the private sector focus their efforts on this matter.

In response to a question from Committeemember Walters, Mr. Brennan explained that purchasers of the vehicle refueling appliance (VRA) are eligible for a rebate and tax credit.

It was moved by Committeemember Walters, seconded by Committeemember Jaffa, that the Utility Committee refer this agenda item to the City Council for further discussion.

Carried unanimously.

Mr. Brennan introduced Building Inspection Superintendent Tom Mattingly and Technical Development Engineer James Frater to address agenda item b, regulation pertaining to the location of vehicle refueling appliance (VRA) on single-family properties.

In response to a question from Committeemember Walters, Mr. Frater assured the members of the Utility Committee that the VRA is a safe product if installed per the manufacturer's recommendations.

Discussion ensued relative to the fact that the VRA must be installed outdoors, the fact it must be screened, the fact it must be within a 10-foot setback, the fact that the cost of the building permit for such a unit is estimated at \$117.95, the fact that the compressor noise of the VRA is rated at 49 decibels at five meters for the unit installed at the residence (within the City's required 50 decibels noise ordinance), the fact that the noise level is comparable to an air conditioning compressor, the fact that the unit will operate on a slow-fill basis up to a four-hour period, and the fact that the unit must be installed at least three feet away from the property line.

In response to a question from Mayor Hawker, Mr. Frater clarified that although the City's Fire Code does provide for the interior dispensing of the VRA, the manufacturer does not permit its installation in residential locations.

It was moved by Committeemember Jaffa, seconded by Committeemember Walters, to recommend to the City Council that staff's recommendation relative to regulations pertaining to the location of vehicle refueling appliances on single-family properties be approved.

Carried unanimously.

Councilmember Jaffa recommended that staff provide a demonstration of the noise level of the VRA when this item is presented to the City Council.

Mr. Hutchinson stated that due to time constraints, staff will address item c, rate structure, at a future meeting when staff returns with a recommendation on item a to the full City Council.

Chairman Whalen thanked staff for their input.

2. Discuss and consider enforcement of the terms and conditions for the sale of utilities outside Mesa's corporate limits.

Mr. Hutchinson and Development Services Analyst Beth Hughes-Ornelas provided a brief overview of this agenda item. Mr. Hutchinson explained that the purpose of this agenda item is to seek direction from the Utility Committee relative to the enforcement of the terms and conditions for the sale of City utility services outside of Mesa's corporate limits (See Attachment 1).

Ms. Hughes-Ornelas explained that the primary focus of this agenda item involves two issues: A) Single-parcel/unsubdivided N.S.F.R. (new single family residence) requesting City utility services, but whose location is outside of the City's corporate limits, and B) Individuals who are dividing land in Maricopa County and requesting City of Mesa utilities, but by County definition, do not meet the criteria of a designated subdivision.

Ms. Hughes-Ornelas stated that staff is requesting the Utility Committee to consider three alternatives regarding Issue A. Ms. Hughes-Ornelas commented that Alternative 1 is: The City of Mesa maintains the current process whereby a single/parcel N.S.F.R. applicant extends the needed utilities for their site and also agrees to sign a Development Agreement in which they would be obligated for the unknown costs incurred for road improvements at the time of annexation into the City of Mesa. Ms. Hughes-Ornelas added that this proposal is at no cost to the City, but it is a mechanism which is attached as a lien against the property and continues to appear on subsequent titles. Ms. Hughes-Ornelas said that this alternative demonstrates a hardship to the current and subsequent owners.

Ms. Hughes-Ornelas outlined Alternative 2, to Amend Ordinance No. 3426 to eliminate the financial responsibility of the single-parcel/ unsubdivided N.S.F.R. and place the financial burden on the City of Mesa. Ms. Hughes-Ornelas noted that once annexation has occurred, the costs of all future improvements become the responsibility of the City of Mesa.

Ms. Hughes-Ornelas outlined Alternative 3, which is the recommendation of staff, that the Utility Committee direct staff to establish an "In Lieu of Development Impact Fee" for all new single-parcel/unsubdivided N.S.F.R. developments in Maricopa County receiving Mesa utility services. Ms. Hughes-Ornelas emphasized that this alternative would enable the City to develop a schedule of fees and establish a fund for the installation of improvements at the time the City annexes such properties. Ms. Hughes-Ornelas added that this alternative would enable the property owners to be apprised of the current cost and also recommended that such fees be collected at the time a meter is requested.

Committeemember Jaffa expressed concerns relative to developing a proposal which would encourage residents not to pay for services that are being requested. Committeemember Jaffa added that it is the duty of the property owner to research the availability of services and the associated costs thereto.

In response to a question from Committeemember Jaffa, Ms. Hughes-Ornelas clarified that residents are receiving utilities and have paid for their mainline extensions. Ms. Hughes-Ornelas added that the City did not require a single parcel to install their roadway improvements.

Ms. Hughes-Ornelas said that it is the recommendation of staff that an "In Lieu" payment be required at the time of the utility connection and not be deferred to a future date.

Committeemember Walters spoke in support of staff's recommendation and expressed the opinion that staff's proposal represents a fair and responsible alternative to address the needs of both the residents and the City.

It was moved by Committeemember Walters, seconded by Committeemember Jaffa, to recommend to the Council that staff's recommendation relative to Issue A (Alternative 3), establishment of an In Lieu Development Impact Fee, be approved.

Discussion ensued relative to the fact that staff will provide additional input to the Utility Committee once appropriate In Lieu Fees are established; the fact that the City Attorney's Office will address the issue of potential liability issues that could impact the City; the fact that the "Fees" will be collected at the time the utilities are requested, and the fact that staff would use an individual's acreage, frontage and other elements to develop a fee that isn't tied to a specific completion date with regard to improvements.

Carried unanimously.

Ms. Hughes-Ornelas discussed Issue B, which would provide equity between land that is divided within the City of Mesa's corporate limits and land that is divided within Maricopa County. Ms. Hughes-Ornelas advised that both entities are equally requesting the City's utilities, and staff is proposing that the City maintains the process that is in place at this time, which requires the developer to construct all improvements. Ms. Hughes-Ornelas noted that in October of 1999, the City initiated enforcement of its ordinance to establish parity between developers in the County and those within the City limits in an effort to maintain equitable development availability to both. Ms. Hughes-Ornelas added that although Maricopa County does not specify a subdivision until the development of six or more lots or tracts, the City of Mesa criteria is more stringent.

Ms. Hughes-Ornelas explained that it is staff's recommendation that the City maintain the current process whereby Maricopa County residents who request City of Mesa utilities are required to provide all the amenities that developers are required to provide within the City limits. Ms. Hughes-Ornelas added that those individuals who are responsible for the creation of four or more lots, should also be required to establish road dedication and improvements which are required within the City limits.

It was moved by Committeemember Walters, seconded by Committeemember Jaffa, to recommend to the Council that staff's recommendation with regard to Issue B (Alternative 1), to maintain the current process whereby all developers who divide land in Maricopa County be required to install all public works improvements to City standards, be approved.

Carried unanimously.

3. Discuss and consider a request for water service at the following locations:

- a. 8223 East Thomas Road (Nawfel property)
- b. 3547 North 82<sup>nd</sup> Street (Watson property)

Ms. Hughes-Ornelas provided brief background information on these agenda items. Ms. Hughes-Ornelas explained that it is the recommendation of staff that water service be provided to the above-listed properties in accordance with Ordinance No. 3264 which includes stipulations 1 through 7 (See Attachments 2a and 2b). Ms. Hughes-Ornelas stated that the properties are within the City of Mesa designated Apache Junction Water Pressure Zone and will require a mainline extension to maintain service within the aforementioned water pressure zone. Ms. Hughes-Ornelas commented that directly east of the property is the Range Rider Water Pressure Zone and that the pressures within that zone are extremely high. Ms. Hughes-Ornelas added that the Utilities Department does not recommend the connection or extension of such lines. Ms. Hughes-Ornelas noted that the Special Improvement District was established in an effort to construct water lines in this area of the Valley and would include the water line that the City would require the owner to extend from which is located on Redberry Lane. Ms. Hughes-Ornelas commented that although it is true this assessment area was used for water line extension, it was not intended to release property owners from the obligations to extend the line up to his or her property.

Robert Watson, 1527 North Crismon Road, addressed the Utility Committee and said that when the assessment was initially implemented with the City of Mesa to extend the water mains, there was no discussion or stipulation relative to the extension of additional lines or the completion of any street improvements in the future. Mr. Watson expressed the opinion that the zones have been changed and the parcel of land for which the owners paid the fees is no longer part of the Range Rider Water Improvement District, but is part of the Apache Junction Water Pressure Zone.

Discussion ensued relative to the fact that the Range Rider Improvement District was established for line extensions and reservoir construction in conjunction with Maricopa County; the fact that although lines were installed within that region, lines to each property or extension adjacent to these properties were not provided, and it is staff's opinion that the agreement/documentation does not indicate that the lines would continue to be extended and brought to each property.

Mr. Watson said that the costs involved in extending the lines from Redberry Lane to service two houses would be prohibitive.

In response to a question from Committeemember Walters relative to the viability of the applicant obtaining a utility easement, Ms. Hughes-Ornelas stated that if an individual desires to extend sewer lines or water lines through adjacent properties, it becomes their responsibility to negotiate with surrounding property owners. Ms. Hughes-Ornelas said this is an option that Mr. Watson may pursue.

Utility Operations Engineer Bill McCarthy noted that if the line was extended, pressure-reducing valves would have to be utilized. Mr. McCarthy said that staff does not recommend this option and added that the City's pressure zones are based on 100-foot increments.

Committeemember Jaffa expressed concerns relative to this agenda item and requested more information from staff, including the City Attorney, prior to further consideration.

Committeemember Walters commented that she would be hesitant to offer to someone a City service that could potentially cause harm and added that she is inclined in this matter to support the recommendation of staff.

It was moved by Committeemember Walters, seconded by Committeemember Jaffa, that this item be continued to a future Utility Committee Meeting to provide staff an opportunity to gather additional information for Committee/Council consideration.

Chairman Whalen apologized to the audience for the Utility Committee's inability to resolve the matter, but explained that it is imperative that the Committee be allowed additional time to thoroughly review this issue. Chairman Whalen added that a future hearing will be scheduled to provide the property owners with sufficient time in which to present their cases.

In response to a question from Committeemember Walters, Ms. Hughes-Ornelas clarified that each property listed in Agenda Item 3 will be impacted by Issue A and Issue B in Agenda Item 2.

Committeemember Jaffa requested that staff provide additional input to the Utility Committee relative to this agenda item as quickly as possible.

Carried unanimously.

- c. 8840 East McDowell Road;
- d. 8841 East Palm Lane;
- e. 2516 North 84<sup>th</sup> Way;
- f. 2517 North 84<sup>th</sup> Way;
- g. 2522 North 84<sup>th</sup> Way;
- h. 2523 North 84<sup>th</sup> Way

(The above-agenda items were continued until a future Utility Committee Meeting.)

4. Adjournment:

It was moved by Committeemember Jaffa, seconded by Committeemember Walters, that the Utility Committee Meeting adjourn at 4:30 p.m.

Carried unanimously.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Utility Committee Meeting of the City of Mesa, Arizona, held on the 11th day of September, 2000. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_ day of \_\_\_\_\_ 2000

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BARBARA JONES, CITY CLERK

## UTILITY COMMITTEE REPORT

**DATE:** September 6, 2000  
**TO:** Utility Committee  
**THROUGH:** Mike Hutchinson  
**FROM:** Jack Friedline  
**SUBJECT:** **Terms & Conditions for the Sale of Utilities outside Mesa's Corporate Limits**  
**• CITYWIDE ISSUE •**

### **PURPOSE**

This report intends to provide the Utility Committee with information on two very important citywide issues regarding the sale of Mesa utility services. Staff seeks the Utility Committee's direction regarding enforcement of the terms and conditions for the sale of said utilities outside Mesa's corporate limits. Upon receipt of Utility Committee direction, staff intends to prepare a detailed report with specific recommendations for Utility Committee and City Council approval.

### **BACKGROUND**

Approximately 50-square miles of land currently exist within Mesa's strip-annexation boundaries outside the corporate limits. With the exception of a small area served by the Arizona Water Company, this land is also within the City's utility service area. Via Ordinance No. 3426, previous Councils established terms and conditions for the sale of Mesa's utilities (see Exhibit "A"). Said terms and conditions help ensure that land, which develops under Maricopa County's jurisdiction, shall not have benefit of Mesa utility services without complying with City development regulations.

In 1999, staff processed eighty (80) formal water and/or sewer service applications for developments outside Mesa's corporate limits. In addition, staff responded to approximately 150 additional speculative requests. These applications and inquiries involve developments ranging from individual custom residences to commercial projects and large subdivisions.

### **DISCUSSION**

#### ISSUE A

Currently, Ordinance No. 3426 permits "single-parcel/unsubdivided N.S.F.R. (new single family residence)" to defer the construction of public street improvements adjacent to their property. The current method of deferring these street improvements results in substantial economic obligations for the individual applicant(s). Ordinance No. 3426 requires the execution of a development

agreement (see Exhibit "B"), which identifies all provisions imposed upon the "applicant(s)" as conditions for receiving Mesa utility services. Typically, these development agreements specify provisions as follows:

- A. Is required to pay all applicable utility fees and charges.
- B. Is required to consent to future annexation by Mesa.
- C. Is required to dedicate all required public rights-of-ways and easements.
- D. Is required to cause the extension of any public utility mainlines need to serve its property.
- E. Is required to accept financial responsibility for the construction of any public street(s) adjoining its property.

As stated above, provision "E" is the least acceptable from the point of view of the single-parcel/unsubdivided N.S.F.R applicant. Due to the unpredictability of future annexations and subsequent capital improvement projects, staff is typically unable to provide an applicant with an accurate estimate of its financial obligations. Therefore, the single-parcel/unsubdivided N.S.F.R. applicant is financially obligated for an unknown sum in perpetuity. These obligations, and all others contained in the development agreement, are covenants running with the property.

#### ISSUE B

The City's subdivision regulations require a developer to formally "subdivide" property and record a "plat" when a land division results in the creation of four (4) or more new lots/tracts. As a condition of subdivision plat approval and recordation, Mesa's regulations require a developer to cause the installation and/or construction of all required public improvements (i.e. utilities, streets, retention, etc.) in conjunction with its new subdivision. County regulations do not require developers to subdivide land until property division results in the creation of six (6) or more new lots/tracts. State statutes permit local municipalities to adopt more restrictive subdivision regulations than Maricopa County.

As a condition of receiving Mesa utility services, in October 1999 staff began requiring all developers that divide land in Maricopa County (such that three or more lots are created) to provide all required public works improvements to City standards. Staff feels that it is very important to maintain consistency in the enforcement of our subdivision regulations between developments that seek Mesa utility services regardless of the jurisdiction. This rationale intends to make sure that developers in Maricopa County (receiving Mesa utility services) do not have an economic advantage over developers within Mesa's corporate limits. It also aims to reduce the number of unimproved streets and roads the City will inherit via future annexations. However, some developers do not agree with staff's enforcement methodology. They contend that staff should only invoke the City's subdivision regulations (as a condition of receiving Mesa utility services) when a proposed development is formally declared a "subdivision" by Maricopa County.

#### **ALTERNATIVES**

##### ISSUE A

Maintain the current process whereby a single-parcel/unsubdivided N.S.F.R. applicant is financially obligated in perpetuity for the unknown costs of improving the public street improvements adjacent to its property. This alternative ensures that Mesa has a mechanism to recover all future costs incurred for the improvement of former county roads and streets from the individual property owners adjoining and benefiting from said improvements.

2. Amend Ordinance No. 3426 to eliminate financial responsibility for the future improvement of county roads and streets as said condition applies to single-parcel/unsubdivided N.S.F.R. applicants. This alternative removes the financial burden for said improvements from the single-parcel/unsubdivided N.S.F.R. applicants and places it directly on the shoulders of the City of Mesa budgetary resources.
3. Direct staff to establish an "In Lieu Development Impact Fee" for all new single-parcel/unsubdivided N.S.F.R. developments in Maricopa County receiving Mesa utility services. This alternative would enable Mesa to collect funds specifically earmarked to help offset future costs incurred by the City when providing public improvements in former county areas. Said fees would be collected in conjunction with the connection of a new single-parcel/unsubdivided N.S.F.R. to Mesa's utility services. This avoids the time-consuming and costly task of recovering these costs later as permitted in the current ordinance. By design, said fee does not intend to provide 100% cost recovery. Nevertheless, such an "In Lieu Development Impact Fee" schedule would be designed to ensure that all new single-parcel/unsubdivided N.S.F.R. developments in Maricopa County pay a reasonable and proportionate share. Said fees would be structured to offset a variety of municipal enhancements, thus giving the City flexibility to provide public improvements that are attuned with the particular regional surroundings (i.e. Desert Uplands). Staff anticipates that an "In Lieu Development Impact Fee", while substantial, would not present the same economic accountability currently faced and resisted by new single-parcel/unsubdivided N.S.F.R.'s. This alternative requires the amendment of Ordinance No. 3426 and establishing a new ordinance in Title 5 of the City Code.

#### ISSUE B

1. Maintain the current process whereby staff requires all developers that divide land in Maricopa County (such that four (4) or more lots are created) to provide all required public works improvements to City standards. This alternative ensures that Mesa will reduce the number of unimproved streets and roads it will inherit via future annexations. Enforcement of this alternative could be enhanced via amendment of Ordinance No. 3426 to explicitly state this requirement and eliminate any misinterpretation by developers resulting in the differences between the City and County subdivision regulations.
2. Return to the pre-October 1999 methodology whereby developers creating land divisions/splits that are not declared formal subdivisions by Maricopa County can defer installation and/or construction of all required public improvements via a development agreement. Because these development agreements are covenants running with the land, this alternative gives developers the ability to pass on financial responsibility for future public improvements to the individual lot/tract owners who are not party to said agreements.

#### **FISCAL IMPACT**

ISSUE A/ALTERNATIVE No. 1 represents no increase in financial responsibility to the City. It maintains the single-parcel/unsubdivided N.S.F.R. applicant as the sole responsible party for all costs associated with the required public improvements.

ISSUE A/ALTERNATIVE No. 2 represents an incalculable and yet substantial increase in financial responsibility to the City, which would be extremely difficult to budget and fund.

ISSUE A/ALTERNATIVE No. 3 represents proportionately shared financial burden for both the City and applicant. It intends to reasonably reduce the financial obligation of the single-parcel/unsubdivided N.S.F.R applicant and increase the City's fiscal participation from a regional perspective. If this alternative is selected, staff will present an estimate of the fiscal impact to the City with a future report containing the recommended "In Lieu Development Impact Fee" schedule.

ISSUE B/ALTERNATIVE No. 1 represents no increase in financial responsibility to the City. It maintains the subdivision developer as the sole responsible party for all costs associated with the required public improvements.

ISSUE B/ALTERNATIVE No. 2 represents no increase in financial responsibility to the City. However, financial responsibility for all costs associated with the required public improvements would typically be passed off to the individual lot/tract owners.

### **CONCURRENCE**

Upon receipt of Utility Committee direction regarding the two issues contained in this report, staff will identify all stakeholders and obtain concurrence from the affected departments, agencies, City boards or committees.

Staff Originator - Jeff D. Welker  
DEVELOPMENT SERVICES ADMINISTRATOR

Tom Mattingly  
BUILDING INSPECTIONS SUPERINTENDENT

Jack Friedline  
DEVELOPMENT SERVICES MANAGER

Mike Hutchinson  
CITY MANAGER

## UTILITY COMMITTEE REPORT

**Date:** September 7, 2000  
**To:** City Council  
**Through:** Mike Hutchinson  
**From:** Jack Friedline  
**Subject:** 8223 East Thomas Road  
Parcel # 219-21-4G  
Mr. Robert M. Nawfel - Applicant

### - CITYWIDE ISSUE -

#### **Purpose and Recommendation**

This report presents a property owner's request for water service at the above referenced location.

Staff recommends providing water service in accordance with Ordinance No. 3264 as specified in the following stipulations:

1. Dedication of 40-feet of right-of-way along the properties E. Thomas Rd. frontage.
2. Design and construct an 12-inch water line in dedicated Right-of-Way or Public Utility Easements from existing lines within City of Mesa designated Apache Junction Zone. The line shall be extended across the total property frontage and a fire hydrant placed at the west property line.
3. Owner to pay standard water impact fees and water meter fees at time of development.
4. Full compliance with City of Mesa Native Plant Preservation in Desert Uplands Area
5. Owner to agree to future annexation of property by City at such time as deemed necessary and desirable by the City.
6. Owner to agree to prorata share of the design, installation and/or construction costs for new public curb, gutter, sidewalk, ramps, driveways, pavement, street lights and/or public utility mainlines ("Required Improvements") within all Public Rights-of-way adjoining and/or adjacent to property.
7. Owner to execute a standard Development Agreement that formalizes the commitments for the above items.

#### **Background**

The Nawfel property is identified on Exhibits "A", "B", and "C" attached to this report. The property is in Maricopa County and is within Mesa's Utility Service and Planning Areas. The owner has

informed staff that he is currently constructing a single-family residence at this site.

The Nawfel property is located within the City of Mesa designated "Apache Junction Water Pressure Zone". A 6-inch water line is existing in E. Redberry and is approximately 1300 feet south of the E. Thomas Rd. alignment. This line is within the Apache Junction Zone as shown on Exhibit "C" The existing water lines east of this property are within a different zone, the "Range Rider Water Pressure Zone", and standard City of Mesa policy prohibits connection.

Although the 16" transmission water line under construction north of this property will be part of the Apache Junction Zone, this line is a reservoir fill line and will not be available for service connection.

**Discussion**

Mr. Nawfel is objecting to the specific Development Agreement condition that requires him to extend water lines from within the Apache Junction Zone. See attached letter, Exhibit "D". The City of Mesa has established water pressure zones to maintain an operable gravity fed water system. The elevation of water reservoirs and properties have been evaluated to determine which areas are to be safely serviced by each of the City water reservoirs and distribution mains.

**Alternatives**

1. **Support staffs recommendation as contained in this report.**
2. Allow applicant to connect to the existing Range Rider Water Pressure Zone water line east of the property and extend the 12 inch line to his west property line. This construction would require the installation of a P.R.V. (pressure reduction valve and vault) on the 12 inch main at the zone boundary. Staff does not support this alternative due to increased maintenance cost of the P.R.V. and detrimental effect on zone pressures.
3. Applicant to haul water to residence or proceed with individual private well development.
4. Approve a variance, as presented by the Mr. Nawfel to the existing Terms and Conditions for Utility Service as contained in Ordinance No. 3264.

**Concurrence**

FCC T. K

Beth Hughes-Ornelas,  
Development Services Analyst

Tom Mattingly,  
Building Inspections Superintendent

Jack Friedline,  
Development Services Manager

Mike Hutchinson,  
City Manager



## UTILITY COMMITTEE REPORT

**Date:** September 7, 2000  
**To:** City Council  
**Through:** Mike Hutchinson  
**From:** Jack Friedline  
**Subject:** 3547 N. 82nd St.  
Parcel # 219-21-4J  
Mr. Robert L. Watson - Developer

### - CITYWIDE ISSUE -

#### **Purpose and Recommendation**

This report presents a property owner's request for water service at the above referenced location.

Staff recommends providing water service in accordance with Ordinance No. 3264 as specified in the following stipulations:

1. Dedication of 40-feet of right-of-way along the properties E. Thomas Rd. frontage. Dedication of 25-feet of right-of-way along the properties N. 82nd St. frontage. Dedication of a 20 feet wide Public Utility Easement along the south property line for future extension of sewer main line (existing dry sewer installed by subdivision east of property).
2. Design and construct water lines in dedicated Right-of-Way or Public Utility Easements from existing lines within City of Mesa designated Apache Junction Water Pressure Zone. An 8-inch water line is required along N. 82<sup>nd</sup> St. frontage and a 12-inch water line is required along E. Thomas Rd. frontage. A fire hydrant placed at the north west corner of the property.
3. Owner to pay standard water impact fees and water meter fees at time of development.
4. Full compliance with City of Mesa Native Plant Preservation in Desert Uplands Area
5. Owner to agree to future annexation of property by City at such time as deemed necessary and desirable by the City.
6. Owner to agree to prorata share of the design, installation and/or construction costs for new public curb, gutter, sidewalk, ramps, driveways, pavement, street lights and/or public utility mainlines ("Required Improvements") within all Public Rights-of-Way adjoining and/or adjacent to property.

7. Owner to execute a standard Development Agreement that formalizes the commitments for the above items

### **Background**

The Watson property is identified on Exhibits "A", "B", and "C" attached to this report. The property is in Maricopa County and within Mesa's Utility Service and Planning Areas. The owner has informed staff that he is currently constructing a single-family residence at this site.

The Watson property is located within the City of Mesa designated "Apache Junction Water Pressure Zone". A 6-inch water line is existing in E. Redberry and is approximately 1300 feet south of the E. Thomas Rd. alignment. This line is within the Apache Junction Water Pressure Zone as shown on Exhibit "C" The existing water lines east of this property are within a different zone, the Range Rider Water Pressure Zone, and standard City of Mesa policy prohibits connection. Although the 16" transmission water line under construction north of this property will be part of the Apache Junction Zone, this line is a reservoir fill line and will not be available for service connection.

### **Discussion**

Mr. Watson is objecting to the specific Development Agreement condition that requires him to extend water lines from within the Apache Junction Zone. See attached letter, Exhibit "D". The City of Mesa has established water pressure zones to maintain an operable gravity fed water system. The elevation of water reservoirs and properties have been evaluated to determine which areas are to be safely serviced by each of the City water reservoirs and water distribution mains.

### **Alternatives**

1. **Support staffs recommendation as contained in this report.**
2. Allow applicant to connect to the existing Range Rider Water Pressure Zone water line east of the property and extend the 12 inch line to his west property line. This construction would require the installation of a P.R.V. ( pressure reduction valve and vault) on the 12 inch main at the zone boundary. Staff does not support this alternative due to increased maintenance cost of the P.R.V. and detrimental effect on zone pressures.
3. Applicant to haul water to residence or proceed with individual private well development.
4. Approve a variance, as presented by the Mr. Watson to the existing terms and conditions for utility service as contained in Ordinance No. 3264.

**Concurrence**

Beth Hughes-Ornelas,  
Development Services Analyst

Tom Mattingly,  
Building Inspections Superintendent

Jack Friedline,  
Development Services Manager

Mike Hutchinson,  
City Manager