

CITY COUNCIL AGENDA
COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, July 7, 2003

5:45 P.M.

Invocation.

Pledge of Allegiance.

Mayor's Welcome.

1. Consider all consent agenda items.

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 so requests, in which event the item will be removed from the Consent Agenda and considered as a separate item.

- *2. Approval of minutes of previous meetings as written.
3. Conduct a public hearing for proposed annexation:
 - a. **A02-8** Annexing north of Main Street and west of Power Road. (2.58± acres). Initiated by the property owners.

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4. Consider the following liquor license applications:

*a. VICTOR JOSE RODRIGUEZ, AGENT

New Restaurant License for Latin Star the Finest in Dominican Cuisine, 330 S. Gilbert Road, #20. This is an existing building. No previous liquor licenses at this location.

*b. KENNETH MICHAEL HOLMES, AGENT

New Restaurant License for Peter Piper Pizza, 9047 E. Baseline Road. This is a vacant lot. No previous liquor licenses at this location.

c. DINA BEJARANO, AGENT

New Restaurant License for Tico's Taco's, 1850 W. Southern Avenue. This is an existing business. The Restaurant License previously held at this location by Liang Kuan, Individual, New Peking, sold the business in May 2001.

5. Consider the following contracts:

*a. One Bio Threat Alert device as requested by the Fire Department.

The Purchasing Division recommends accepting the bid by Alexeter Technologies, LLC at \$34,214.40 including applicable use tax. (This purchase is 100% grant funded by a grant from the Department of Justice).

*b. 1,000 gas mask carriers as requested by the Fire Department.

The Purchasing Division recommends accepting the low bid by Universal Police Supply Company at \$15,079.95 including applicable sales tax. (This purchase is 100% grant funded by a grant from the Department of Justice).

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- *c. Three-year supply contract for water treatment chemicals used by the CAP Water Treatment Plant, the three Water Reclamation Plants and the three Booster Stations, as requested by the Utilities Department.

The Purchasing Division recommends accepting the low bids as follows:

Item 1 to Thatcher Company of Arizona at \$71,796.00; Items 3 and 5 to UniVar USA, Inc. at \$82,844.00; Item 4 to DPC Enterprises, LP at \$98,700.00; Item 6 to Ondeo Nalco Company at \$31,960.00; and Item 7 to Sabre Oxidation at \$99,825.00. The combined award is then \$385,125.00 based on estimated annual requirements. Chemicals that are used to treat potable water are exempt from sales or use tax. The sales tax on the chemical purchases for the Water Reclamation Plants and the Booster Stations will be added at the time each order is placed.

- *d. Three-year supply contract for gasoline and diesel fuel for City vehicles as requested by Fleet Support Services. This contract is a cooperative bid with Mesa Unified School District No. 4.

The Purchasing Division recommends accepting the lowest overall bid by Phoenix Fuel Company. The City's portion of the total annual purchases is estimated at \$1,919,122.75 (including applicable tax).

- 6. Introduction of the following ordinance and setting July 14, 2003 as the date of public hearing on these ordinances:

Note: City Council introduction of ordinances does not necessarily reflect City Council approval of these ordinances. Introduction of ordinances sets in motion the public posting and advertising process for ordinances so that the City Council can hear from concerned citizens at the public hearing.

- *a. Modifying an existing Council Use Permit (CUP93-4TC) to allow an additional service bay at 145 East Main Street, Brown and Brown Chevrolet.

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- *b. 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.

7. Consider the following resolutions:

- *a. Authorizing the City Manager to execute an Intergovernmental Agreement between the Town of Gilbert and the City of Mesa for improvements to Baseline Road from the Consolidated Canal to Power Road.

This agreement identifies and defines the responsibilities of the Town of Gilbert and the City of Mesa related to the design and construction of Baseline Road from the Consolidated Canal to Power Road.

- *b. Authorizing the City Manager to execute an Intergovernmental Agreement between the Town of Gilbert and the City of Mesa that identifies the responsibilities for future plan review, construction inspections, jurisdictional issues, operation and maintenance for Power Road from Ocotillo Road to Baseline Road.

This section of roadway adjoins both communities.

- *c. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and Mesa Unified School District #4 to support operational costs of Mesa Youth Placement Services.

- *d. Modifying fees and charges for the Development Services Department and the Building Safety Division.

8. Consider the following ordinances:

- a. **A02-8** Annexing North of Main Street and west of Power Road. (2.58± acres). Initiated by the property owners.

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- *b. Amending various sections of the Mesa City Code regarding the following traffic modifications:

Prohibiting Parking Full Time: 10-3-24

On the west side of Sirrine from First Avenue to a point 135 feet north of First Avenue.

Prohibiting Parking on School Days, 8:00 a.m. to 4:00 p.m.

On the south side of Fountain Street from 26th Street to a point 97 feet west of 26th Street.

On the west side of 26th Street from Fountain Street to a point 123 feet south of Fountain Street.

- 9. Consider a resolution and ordinance modifying the Terms and conditions for the sale of utilities regarding the point-in-time that a utility bill is considered past due and when a late fee is assessed to an unpaid balance.
 - 9.1. Consider the following recommendation from the Fire Committee:
 - a. Adopting an Intergovernmental Agreement with the City of Phoenix for the operation of the 800 MHz system.
 - 9.2. Consider the following recommendation from the General Development Committee:
 - a. Proceeding with a Retail Revitalization Strategy for the Fiesta Mall "Super-Regional Retail District."
- 10. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding Ordinances:
 - *a. **Z03-21** The 6500-6600 blocks of East Superstition Springs Boulevard north side (6.92 ac. ±) Site Plan Modification. This case involves the development of two restaurant pad buildings and an office. Superstition Springs Investors Limited Partnership, owner; Robert Bacon, the RLB Group, applicant.

P&Z Recommendation: Approval with conditions (Vote: Passed 5-0).

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1. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans.
2. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, (without guarantee of lot coverage) except as noted below.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
5. Compliance with all requirements of the Design Review Board.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. Compliance with the approved Special Use Permit by the Board of Adjustment for the comprehensive sign plan – BA97-18.

- *b. **Z03-22** 11202 E. Germann Road (227 ac. ±). Council Use Permit. This case involves the modification of an existing Council Use Permit for a land division and reduction of the CUP area. Will Rogers, owner; John Larowe, applicant.

P&Z Recommendation: Approval with conditions (Vote: Passed 5-0).

1. Compliance with the basic development as described in the project narrative and as shown on the site plan.
2. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
5. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).

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6. Perform below specified required tasks when TRW identifies a committed buyer of the subject property:
 - a. Prepare a code study (and construction documents if necessary) for submittal to City of Mesa Plan Review in compliance with applicable development/engineering standards, and building and fire codes for the remaining site as it relates to the proposed property line, and
 - b. Complete work on site in accordance with the approved and permitted documents.

*c. **Z03-23** The 11200 blocks of East Kilarea (11.87 ac. ±) Rezone from R1-6 PAD DMP to R-2 PAD DMP. This case involves the second phase development of the Sunland Springs Village golf condominiums. Farnsworth Development, owner and applicant.

P&Z Recommendation: Approval with conditions (Vote: Passed 5-0).

1. Compliance with the basic development as described in the project narrative and as shown on the site plan 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.).
 4. Provide 1 tree and 4 shrubs per 25' linear feet of street frontage (required for private local streets less than 60') along the private drive.
 5. Compliance with all requirements of the Subdivision Technical Review Committee.
11. Items from citizens present. (Maximum of three speakers for three minutes per speaker).