



# COUNCIL MINUTES

April 20, 2009

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on April 20, 2009 at 5:50 p.m.

## COUNCIL PRESENT

Mayor Scott Smith  
Alex Finter  
Kyle Jones  
Dennis Kavanaugh  
Scott Somers

## COUNCIL ABSENT

Dina Higgins  
Dave Richins

## OFFICERS PRESENT

Christopher Brady  
Debbie Spinner  
Linda Crocker

Invocation by Reverend Stewart Lewis, Velda Rose United Methodist Church.

Pledge of Allegiance was led by Scout Mitchell Jacobsen, Troop No. 564.

Mayor Smith excused Councilmembers Higgins and Richins from the entire meeting.

Mayor's Welcome.

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

Mayor's Proclamation of National Volunteer Week.

Mayor Smith noted that many City of Mesa volunteers were present in the audience to celebrate National Volunteer Week.

City Manager Christopher Brady acknowledged the significant contribution of volunteers who donate their time to provide assistance to the City of Mesa.

Vice Mayor Jones noted that his Council district encompasses the majority of the City's cultural facilities in the downtown area, and he stated that the facilities could not operate without the volunteers. He reported that the volunteer hours totaled 2,793 for the Arizona Museum for Youth, 20,853 for the Museum of Natural History, and 48,534 hours for the Mesa Arts Center.

Councilmember Kavanaugh said that as Chair of both the Council Public Safety Committee and the Citizen Corps Council, he is aware of the contributions made by Fire and Police Department volunteers.

He reported that the Police volunteer hours totaled 20,479 and the Fire Department volunteers provided more than 28,500 hours of service to the community.

Councilmember Somers thanked the Library volunteers, and he noted that some of the services they provided during 21,501 volunteer hours included mobile book delivery to homebound individuals and talking books for those with visual impairment. He added that the activities of Parks and Recreation volunteers during 89,546 hours of service included mentoring and team leadership training.

Councilmember Finter reported that the Neighborhood Services Division utilizes volunteers for assistance in projects such as neighborhood surveys, clean-up projects, and tax preparers for a total of 27,649 hours of service. He expressed his appreciation for their positive impact on the City.

Mayor Smith read the proclamation (a copy is available for review in the City Clerk's Office), which proclaimed April 19 – 25, 2009, as Volunteer Week. He invited Sheila Byrne, Chairperson of the Citywide Volunteer Management Program, and the volunteers present in the audience to come forward.

Ms. Byrne reported that the total of 262,183 volunteer hours, calculated at an independent sector hourly rate for volunteers of \$19.51, provided the City of Mesa with services valued at \$5,115,190, which was represented on a symbolic check presented to Mayor Smith.

Mayor Smith thanked Ms. Byrne and the volunteers for their effort, which represents the heart and soul of the City of Mesa. He stated that he personally has seen the activities of many volunteers who are working to "Build a Better Mesa."

1. Take action on all consent agenda items.

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.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Somers, that the consent agenda items be approved.

Mayor Smith declared the motion carried unanimously by those present.

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

Minutes of the April 6, 2009 Council meeting.

3. Conduct a public hearing prior to releasing the petition for signatures for the following proposed annexations:

- \*3a. **A08-18 (District 6)** Annexing land located south of Broadway Road and west of Signal Butte Road (4.89± ac.). Initiated by Pat Gilbert property owner, for the proposed Freestone Rehabilitation Center.

Mayor Smith announced that this was the time and place for a public hearing regarding the proposed annexation of land located south of Broadway Road and west of Signal Butte Road.

There being no citizens present who wished to speak, Mayor Smith declared the public hearing closed.

4. Take action on the following liquor license applications:

\*4a. Billy Wayne's All American Grille

New Restaurant License for Billy Wayne's All American Grille, 2662 E. University Drive Suite 102, Crowl Enterprises LLC, Kevin Matthew Crowl, Agent. The previous Restaurant License held at this location by Arizona Mongolian Grill was surrendered to the State Liquor Board on March 31, 2008 (**District 2**).

5. Take action on the following contracts:

\*5a Purchase of Tire Rubber Modified Surface Sealant (TRMSS) as requested by the Transportation Department, Field Operations Division.

The Business Services Department recommends authorizing purchase from the City of Glendale contract with Musgrove Enterprises LLC, dba SealMaster AZ at \$311,362.50 annually, based on estimated requirements, including applicable sales tax (**Citywide**).

\*5b. Purchase of video conferencing equipment for the Fire Department and future Citywide use.

The Business Services Department recommends authorizing purchase from the State of Arizona contracts with BT Conferencing Video, Inc. at \$483,962.31, including applicable sales tax (**Citywide**).

\*5c. Miscellaneous Drainage Improvements – Stapley Drive and Brown Road and Power Road and Delmon Drive, City of Mesa Project No. 01-477-007.

This project will extend a 24-inch storm drain pipe east through the intersection of Stapley Drive and Brown Road. This project will also raise the banks of an open channel along Power Road from Hermosa Vista Drive to Delmon Drive and will install a weir system that allows over topping flows to continue south. These improvements will substantially reduce potential flooding at both locations.

Recommend award to the low bidder, J. Banincki Construction Inc., in the amount of \$100,347.50 plus an additional \$10,034.75 (10% allowance for change orders) for a total award of \$110,382.25. Funding for this project is available from the approved FY 08/09 Street Maintenance Program (**Council Districts 1 & 5**).

\*5d. Apache Country Club Estates water line replacement, City of Mesa Project No. 01-641-002 (Council District 6).

This project will install approximately 18,000 linear feet of new 8-inch diameter water lines within the right-of-way to replace existing water lines that have reached the end of

their useful life. Thirty-three (33) new fire hydrants will be installed to serve the neighborhood. This project will also replace all existing 282 water meters and service lines.

Recommend award to the low bidder, Spire Engineering LLC, in the amount of \$1,091,650.00 plus an additional \$109,165.00 (10% allowance for change orders) for a total award of \$1,200,815.00. Funding is available from the Preliminary FY 09/10 Water Bond Capital Program **(Council District 6)**.

- \*5e. 1<sup>st</sup> Street Improvements - Country Club Drive to Date Street, City of Mesa Project No. 01-656-006 (Council District 4).

This project will install 1,060 linear feet of new 8-inch wastewater line and 1,350 linear feet of new 8-inch ductile iron pipe (DIP) waterline to replace existing lines that have reached the end of their useful life. The existing wastewater service laterals and water service lines will be replaced from the new pipelines to the property line to reconnect to the existing private services. Water meters and fire hydrants will also be replaced.

Recommend award to the low bidder, Sahuaro Pipeline Corporation Inc., in the amount of \$304,638.90 plus an additional \$30,463.89 (10% allowance for change orders) for a total award of \$335,102.79. Funding for this project is available from the Preliminary FY 09/10 Water and Wastewater Bond Capital Programs and the Preliminary FY 09/10 Street Maintenance Operating Budget **(Council District 4)**.

- \*5f. Fire Station No. 218, located at 845 N. Alma School Road, City of Mesa Project No. 01-743-001.

This project will construct a new 12,000 square-foot single story fire station that includes 3 apparatus bays, 6 regular dorm rooms, 2 captains' dorm rooms, living quarters for the fire fighters and a community/training room.

Recommend award to the low bidder, D.L. Withers Construction LC, in the amount of \$2,464,500.00 plus an additional \$246,450.00 (10% allowance for change orders) for a total award of \$2,710,950.00. Funding is available in the Preliminary FY 09/10 Fire Bond Capital Program **(Council District 1)**.

- \*5g. Robson Electrical Substation Security Wall, City of Mesa Project No. 06-024-001.

This project will replace the chain link fences along the entire northern and eastern property lines with approximately 590 feet of new precast concrete wall. The wall will be installed at a 10-foot minimum height. The new wall will include a low-profile security barrier along the top of the wall to further protect the site facilities and prevent trespassing. The wall will be a desert tan color to match the surrounding area with a brick-like pattern on all exposed surfaces.

Recommend award to the low bidder, Sallaway Development, LLC, in the amount of \$99,859.00 plus an additional \$9,985.90 (10% allowance for change orders) for a total award of \$109,844.90. Funding is available from the approved FY 08/09 Electric Bond Capital Program **(Council District 4)**.

- \*5h. Purchase equipment and installation of services for the reconfiguration of the TOPAZ regional radio system.

This is an upgrade for the operating software and portions of the hardware for the TOPAZ Regional Wireless Cooperative (TRWC) radio system at a cost not to exceed \$700,000, to be funded by Public Safety Bond proceeds.

The City is responsible for 74% of the TRWC costs, estimated at \$497,160. The balance is to be paid by the TRWC partners **(Citywide)**.

- \*5i. Dollar limit increase to the Term Contract for replacement wood poles as requested by the Parks, Recreation and Commercial Facilities Department.

The Business Services Department recommends increasing the dollar limit of the contract with Pacific Wood Preserving, dba Nevada Wood Preserving, by \$38,000.00 to \$132,957.44 for the remainder of the current contact period, based on estimated requirements **(Citywide)**.

6. Take action on the following resolutions:

- \*6a. **Deleted.** Authorizing the exchange of 2.789 acres of City-owned land for 1.625 acres of land owned by Mesa Public Schools **(Council District 5)**.

- \*6b. Vacating an alley located west of North Horne Street, between East 6th Street and East 6th Place – Resolution No. 9474.

This alley is being vacated at the request of the adjacent property owners to better secure the area. A Public Utility and Facilities Easement will be retained for access by the utility companies **(Council District 1)**.

- \*6c. Granting of a Power Distribution Easement to Salt River Project on City-owned property at 6308 East Baseline Road – Resolution No. 9475 **(Council District 6)**.

The easement is needed for Salt River Project to install the needed facilities to upgrade the electrical system at the Southeast Water Reclamation Plant.

- \*6d. Setting May 18, 2009, as the public hearing date for the review and approval of the FY 2009/2010 Mesa Town Center annual assessments. The proposed final assessments include a three percent (3%) rate increase that was approved by Council on March 3, 2008. The Mesa Town Center Improvement District No. 228 was established to provide enhanced services for the Mesa Town Center – Resolution No. 9476 **(Council District 4)**.

- \*6e. Approving and authorizing the City Manager or his designated representative to execute an Intergovernmental Agreement (IGA) between the Arizona Department of Transportation (ADOT) and the City of Mesa for Bridge Inspections. ADOT will inspect eighty-seven (87) bridges that are owned by the City of Mesa for deficiencies according to the National Bridge Inspection Standards and will make repair recommendations. There is no cost to Mesa for the bridge inspections – Resolution No. 9477 **(Citywide)**.

- \*6f. Approving and supporting the submittal of a grant application by Junior Achievement of Arizona, Inc. to the Fort McDowell Yavapai Nation in the amount of \$25,000 for Learn to Earn and JA Biz Town programs at seventeen schools within the City of Mesa – Resolution No. 9478.
- \*6g. Authorizing the purchase of land at the southwest corner of 58<sup>th</sup> Street and Main Street – Resolution No. 9479 (**Council District 5**).

This land will be used for the construction of a future fire station.

7. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen who 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:

- \*7a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

Speed Limits (35 mph): 10-4-5

Establishing a speed limit of 35 mph on Mesquite Street from Mountain Road to Meridian Road. (South of Elliot Road and west of Meridian Road, Council District 6).

Establishing a speed limit of 35 mph on Thomas Road from Val Vista Drive to a point approximately 3,700 feet west of Val Vista Drive – Ordinance No. 4922. (Thomas Road west of Val Vista Drive, **Council District 5**).

8. Items from citizens present

Richard T. Tracy, Sr., 2238 South Cottonwood Street, addressed the Council in support of Light Rail Transit and offered suggestions regarding future routes (a copy of Mr. Tracy's handout material for the Council is available for review in the City Clerk's Office). He expressed support for a route that connects to the Phoenix-Mesa Gateway Airport.

9. Adjournment.

Without objection, the meeting adjourned at 6:18 p.m.

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SCOTT SMITH, MAYOR

ATTEST:

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LINDA CROCKER, 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 20<sup>th</sup> day of April 2009. I further certify that the meeting was duly called and held and that a quorum was present.

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LINDA CROCKER, CITY CLERK

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