



COUNCIL MINUTES

October 6, 2008

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on October 6, 2008 at 5:45 p.m.

COUNCIL PRESENT

Mayor Scott Smith
Alex Finter
Dina Higgins
Kyle Jones
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

Invocation by Pastor Tony Frazee, Gateway Bible Church.

Pledge of Allegiance was led by Councilmember Richins.

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.

(Items on the agenda were discussed out of order, but for purposes of clarity will remain as listed on the agenda.)

1. Take action on the appointment of Valerye Boyer-Wells as a City Magistrate.

Mayor Smith stated that the Council received the names of three individuals who were recommended as candidates to fill the position of City Magistrate following an extensive and thorough process was conducted by the City's Judicial Advisory Board, which is comprised of individuals with judicial and legal experience as well as citizens of Mesa. He reported that the Council interviewed the three highly qualified individuals recommended by the Board and selected Valerye Boyer-Wells to fill the position.

Councilmember Kavanaugh noted that during a prior term on the Council, he participated in establishing the process for the selection of City Magistrates by the Judicial Advisory Board. He said that the City of Mesa is fortunate to have very talented individuals serving in these positions. Councilmember Kavanaugh advised that all applicants for this position were highly qualified, and he stated that Valerye Boyer-Wells is a superb individual with excellent skills.

It was moved by Councilmember Kavanaugh, seconded by Vice Mayor Jones, that Valerye Boyer-Wells be appointed to the position of City Magistrate.

Vice Mayor Jones commented that the City of Mesa is privileged to have high-caliber individuals serving as City Magistrates.

Mayor Smith called for the vote.

Carried unanimously,

2. Swearing in of new City Magistrate by Mayor Scott Smith.

Mayor Smith conducted the swearing in ceremony for City Magistrate Valerye Boyer-Wells.

Judge Boyer-Wells expressed her appreciation for the opportunity to serve as a Magistrate for the City of Mesa. She introduced family members and friends who were present in the audience and thanked them for their support.

3. 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 Somers, seconded by Councilmember Kavanaugh, that items on the consent agenda be approved.

Carried unanimously.

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

Minutes of the April 3, August 14, and September 22, 2008 Council meetings.

5. Take action on the following liquor license applications:

*5a. Christ the King Catholic Church

This is a one day charitable event to be held on October 18, 2008 from 4:00 p.m. to 11:00 p.m. at 1551 E. Dana Avenue **(District 4)**.

*5b. United Food Bank

This is a one day charitable event to be held on November 1, 2008 from 6:00 p.m. to 11:00 p.m. at 245 S. Nina Street **(District 4)**.

*5c. M & R Market

New Beer & Wine Store License for M & R Market, 1231 S. Mesa Drive, A and C Convenience Mart LLC – Christina Sayegh, Agent. The previous Beer & Wine Store License held at this location by M&R Market will revert back to the State **(District 4)**.

*5d. Speedy Food N Gas

New Beer & Wine Store License for Speedy Food N Gas, 804 N. Country Club Drive, Speedy Food N Gas LLC – Johnny Edward Pole, Agent. The previous Beer & Wine Store License held at this location by Fast Tracks Gas N Go will revert back to the State **(District 1)**.

*5e. East Mesa Aerie #4508 Fraternal Order of Eagles

New Club License for Fraternal Order of Eagles #4508, 6209 E. Main Street, Suite 1 & 2, Robert Charles Blackburn, Agent. The previous Restaurant License held at this location by Peppers will revert back to the State **(District 5)**.

*5f. St. Bridget Catholic Church

This is a one day charitable event to be held on October 18, 2008 from 12:00 p.m. to 8:00 p.m. at 2213 N. Lindsay Road **(District 5)**.

6. Take action on the following bingo application:

*6a. Bingo – Class A

St Bridget Catholic Parish **(District 5)**
Carolyn Pietraszewski, Activities Director
2213 N. Lindsay Road
Mesa, AZ 85213

7. Take action on the following contracts:

*7a. Purchase of eight (6 replacement and 2 additional) hand-held thermal imaging cameras and accessories for the Mesa Fire Department.

The Procurement Services Department recommends authorizing additional purchase from LN Curtis & Sons at \$99,636.00, including applicable sales tax.

*7b. Two-year renewal supply contract for natural gas regulators for Warehouse Inventory for the Utilities Department, Gas Division.

The Procurement Services Department recommends authorizing a two-year renewal contract to Actaris U.S. Gas, Inc. at \$110,771.23 annually, including applicable sales tax, based on estimated requirements.

*7c. Purchase of steel casing and natural gas pipe for the Utilities Department, Gas Division.

The Procurement Services Department recommends awarding the contract to the lowest, responsive and responsible bid from JD Fields & Company, Inc. at \$65,033.40, based on estimated requirements. This purchase is exempt from sales/use tax.

- *7d. Purchase of a replacement fairway mower for the Parks, Recreation and Commercial Facilities Department, HoHoKam Stadium.

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with Arizona Machinery, LLC at \$45,075.22, including applicable sales tax.

- *7e. Purchase of a ground aerifier unit for the Parks, Recreation and Commercial Facilities Department, HoHoKam Stadium.

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with Golf Ventures West, LLC at \$34,650.59, including applicable sales tax.

- *7f. Purchase of Preventative, All-Purpose, Scientific, Solutions (PASS) Liquid Emulsion for the Transportation Department, Field Operations (**HURF Funded**).

The Procurement Services Department recommends authorizing purchase from the City of Tucson contract with Western Emulsions, Inc. at \$132,800.85, including applicable sales tax, based on estimated requirements.

- *7g. Purchase of an oil distributor truck (replacement in lieu of slurry truck) for the Transportation Department, Field Operations.

The Procurement Services Department recommends authorizing purchase from the Maricopa County contract with Freightliner, Sterling, Western Star of Arizona at \$162,646.21 including applicable sales tax.

- *7h. Waterless fire suppression system for the Communications Building, 161 East 6th Place, City of Mesa Project No. 04-853-001 (**District 4**).

This project will install a waterless fire suppression system in the server, electrical, and telephone rooms of the Communications Building. This contract was previously awarded on August 18, 2008. The low bidder has notified the City they are unable to enter into the contract.

Recommendation is to reject previous award and award to second low bidder, Aidant Fire Protection Company, in the amount of \$187,990.00 plus an additional \$18,799.00 (10% allowance for change orders) for a total award of \$206,789.00. Funding is available from the approved FY 08/09 Law Enforcement Bond Program.

- *7i. Mesa Riverview - two bus shelters, City of Mesa Project No. 07-048-001 (**District 1**).

This project will provide a traditional bus shelter complete with two benches and shade screens for the bus stop on Mesa Riverview Drive. It will also provide a mini bus shelter complete with one bench and shade screens for the bus stop on Bass Pro Drive.

Recommend award to the low bidder, Woods Construction Company, in the amount of \$24,011.25 plus an additional \$2,401.13 (10% allowance for change orders) for a total award of \$26,412.38. Funding is available from the approved FY 08/09 Mass Transit Capital budget – Quality of Life funds.

- 7j. Rhodes Junior High School Pool Rehabilitation, 1860 South Longmore, City of Mesa Project No. 01-861-001 **(District 3)**.

This project will demolish the existing pool, pool deck, and associated buildings. A new swimming pool with eight (25-yard long) racing lanes, a dive tank with one and three-meter diving boards, a zero-depth entry, and a destination attraction known as FlowRider® will be constructed. A splash pad with several aquatics spray features will be installed along the north of the new pool. In addition, a new bathhouse with lockers, offices, and a classroom will be constructed and a new concession building will be built at the northwest corner of the site.

Recommend award of the construction phase services contract to Sun Eagle Corporation as the Construction Manager at Risk (CMAR) for this project with a Guaranteed Maximum Price (GMP) of \$6,152,307.00, plus an additional \$307,615.35 (5% allowance for change orders) for a total award of \$6,459,922.35. Funding is available from the approved FY 08/09 Aquatics Capital Program, Quality of Life Funds.

Mayor Smith noted that this project was approved by the previous City Council and when the contract was presented to the current Council in early July, a number of questions were raised. He said that the contract was removed from the agenda, which resulted in many citizens expressing concerns that the project would not move forward. Mayor Smith apologized to the Rhodes community on behalf of the Council for failing to adequately communicate with them regarding the project, and he noted that the Council's concerns had nothing to do with the location of the project. He emphasized that every part of the City is important, and he added that the Council will make an effort to improve future communications.

Councilmember Richins said that as a resident of West Mesa, he worked for the past five years to revitalize the area. He stated that the Council must balance the needs of the entire City against the needs of one location. Councilmember Richins expressed his appreciation to City staff and the citizens for allowing the Council to work through this process. He explained that his primary concern related to the FlowRider®, and he noted that City staff has not had any experience with this type of amenity.

It was moved by Councilmember Richins, seconded by Councilmember Higgins, that the construction phase services contract be awarded to Sun Eagle Corporation as the Construction Manager at Risk (CMAR) for the Rhodes Junior High School Pool Rehabilitation project with the current Guaranteed Maximum Price (GMP) of \$6,459,922.35 as the upper limit on the project. He said that as part of this motion, City staff is directed to work with the contractor to begin construction on the pool immediately. He added that staff and the contractor shall renegotiate the scope of the contract to reduce the cost and replace the FlowRider® with a dual slide that is consistent with other pools in the City of Mesa.

Mayor Smith restated his understanding of the motion, which was that the pool would be approved as currently designed with construction to begin immediately without the FlowRider®, but with an amenity package consistent with other pools.

Councilmember Richins said he concurred with Mayor Smith's restatement of the motion.

In response to questions from Mayor Smith, City Manager Christopher Brady requested that City Engineer Beth Huning display a diagram of the Rhodes Pool project (a copy is available for review in the City Clerk's Office) and explain which elements of the construction project would move forward based on the motion offered by Councilmember Richins.

Ms. Huning advised that approving the motion offered by Councilmember Richins would enable construction of the competition pool, dive pool, zero depth entry pool, splash pad, bathhouse, bathrooms, and the mechanical building.

Responding to questions from Mr. Brady, Ms. Huning said the project team is scheduled to meet with the architect and the contractor tomorrow morning. She advised that the contractor has indicated that demolition of the old pool could commence during the third or fourth week of October, and she added that staff would address the redesign of the site during the demolition phase.

Mayor Smith clarified that the site to be redesigned refers only to the area where the FlowRider® was scheduled to be constructed.

Ms. Huning responded to a question from Mayor Smith by advising that staff would attempt to maintain the same ten-month construction schedule for the project.

Mayor Smith noted that several citizens have requested the opportunity to address the Council.

Linda Murphy, 3048 South Spruce Street, addressed the Council in support of the FlowRider® and explained that the amenity was selected for the Rhodes Pool because the demographics of the community include a large number of teenagers. She noted that many Parks programs have been eliminated and that including the FlowRider® would enable the Rhodes Pool to provide amenities for all age groups, which would attract families to the facility. Ms. Murphy added that the proximity of the Rhodes Pool to the Fiesta District is likely to draw additional people into the Fiesta Mall corridor. She stated the opinion that in fairness to the community and to Mesa Public Schools, a project at this stage of development should remain unchanged regardless of the seating of a new Council or economic conditions.

Mark Yarbrough, 2427 South Spruce, a member of the Parks and Recreation Board, spoke in support of the FlowRider®, and he expressed confidence that the Mayor and Council continue to be concerned about the entire community. He noted that each pool in the City is equipped with different types of amenities, and he stated the opinion that the FlowRider® is an appropriate amenity to address the changing demographics of the area.

Jeff Anderson, 1860 South Longmore, a teacher at Rhodes Junior High School for 29 years and coach of the Dobson swim team, addressed the Council in support of the FlowRider®. He reported that approximately one percent of the Rhodes' students utilized the pool in the previous summer, but that approximately 99 percent of the students indicated that they would utilize the

pool if a FlowRider® was present. Mr. Anderson also noted that this amenity would increase business activity in the Fiesta Mall redevelopment area.

Mayor Smith reported that the following individuals completed speaker/comment cards in support of the FlowRider®, but indicated that they did not wish to address the Council:

Sandy Minnick, 916 West Kiowa Avenue
Greg Schultz, 117 South New Haven
Barbara Shoemaker, 644 West Mendoza Avenue
Anne Reichman, 1104 West Madero Avenue
Valene Fischer, 950 West Madero Avenue
Steven Yanagihara, 702 West Laguna Azul Avenue
Carolyn Yanagihara, 702 West Laguna Azul Avenue

Mayor Smith noted that a petition in support of the FlowRider® was submitted containing the signatures of 421 Rhodes students and 21 staff members. He advised that the Council would hear from those individuals who have indicated opposition to the FlowRider®.

Jerry D. Walker, 113 South Ogden Circle, addressed the Council and stated the opinion that although he supports the improvements at the Rhodes Pool, he believes that the FlowRider® would be a frivolous and irresponsible expenditure of City funds.

Linda Morrissey, 945 North Pasadena, spoke in support of the improvements to be made at the Rhodes Pool, but she expressed opposition to the FlowRider® amenity. She stated the opinion that the FlowRider® is a luxury that the City cannot afford.

John Perkinson, 4222 East McLellan, said he was opposed to the installation of the FlowRider®, and he stated the opinion that the amenity is more suitable for an amusement park. He further stated the opinion that allocating Quality of Life resources to this amenity would be inappropriate, and he added that future maintenance costs for the FlowRider® could be very expensive.

Mayor Smith advised the following individuals submitted speaker/comment cards in opposition to the FlowRider®, but indicated that they did not wish to address the Council:

Terry Benelli, 4939 East Adobe Road
Matt Tolman, 735 7th Place

Vice Mayor Jones recalled that the voter-approved Quality of Life tax designated a certain amount of funding for an aquatics center, a project that was later determined to be cost-prohibitive. He stated that because the funds are designated for aquatics, a decision was made to fund the rehabilitation of several pools, which was required because of deteriorating conditions and changes in the depth requirement for pools that host competitive events. Vice Mayor Jones reported that the Parks and Recreation Board and staff, noting that insufficient funds were available to upgrade every pool in the City, recommended a regional approach to upgrade and rehabilitate pools that would ensure reasonable access to the high school swim teams. He noted that initially he was reluctant to approve the FlowRider® because a different amenity would cost fifty percent less, but when a determination was made that the remaining dollars would be insufficient to address any significant rehabilitation at another pool, the FlowRider® was approved. Vice Mayor Jones noted that the contract presented to this Council

was for an approved project, and he expressed regret that the project has been delayed. He stated that he would not support the motion because he held the opinion that the project should move forward with the FlowRider® as previously approved.

Councilmember Kavanaugh stated that he would also oppose the motion. He said that the previous Council, which included two very fiscally conservative members who reviewed the project in detail, unanimously approved the design of the project. Councilmember Kavanaugh advised that the project is not only designed to meet the needs of the demographics of the area, but also to be sustainable over a long period of time. He noted that this project supports the City's continuing emphasis on economic development, and he added that this investment is the result of a remarkable collaboration between staff, the Parks and Recreation Board, Mesa Public Schools and the community. He expressed the hope that the project would move forward as previously approved.

Councilmember Higgins said she would support the motion, which would fund the pool construction at Rhodes Junior High School without the FlowRider®. She stated the opinion that the funds saved by installing an amenity other than the FlowRider® could be utilized for a small project at another pool.

Councilmember Richins noted that the demographics of an area typically change over a period of time, and he stated the opinion that the Council should take a long-term approach. He expressed support for the partnership between the City and Mesa Public Schools, particularly in the area of aquatics. Councilmember Richins stated the opinion that providing entertainment for teenagers was a role for the private sector. He added that he supports regional equity throughout the City, but he does not believe that a FlowRider® would provide a positive economic benefit to Southwest Mesa.

Councilmember Finter stated that initiating this type of project during current economic times would be difficult, but after visiting the Rhodes pool site, he recognized that the area and the school have been negatively impacted by the fact that demolition was in process when work on the project was halted. He said he would support the motion to move forward without the FlowRider® amenity.

Mayor Smith said that his concerns related to the fact that the project may not be appropriate during these economic times. He stated that he respected the process, and he acknowledged that these funds were set aside for aquatics-related projects. Mayor Smith reported that his research indicated that the majority of FlowRiders® were installed in resort hotels and water parks. He added that City parks and swimming pools are an investment in the community's quality of life, and he expressed support for the aquatics program in conjunction with the schools. He noted that a FlowRider® is not a part of the mission, and he expressed additional concerns that users of a popular FlowRider® feature could monopolize the pool area. He also questioned the practice of providing a public amenity that could require an admission charge, which would be prohibitive to a large segment of the population. Mayor Smith further stated that the world has changed since the decision was made to move forward with the project, but he was concerned that a last-minute attempt to substitute a less expensive amenity at this point in time would not be successful. He advised that he would oppose the motion.

Mayor Smith called for the vote.

Upon tabulation of votes, it showed:

AYES – Finter-Higgins-Richins
NAYS – Jones-Kavanaugh-Smith-Somers

Mayor Smith declared the motion failed for lack of a majority vote.

It was moved by Councilmember Kavanaugh, seconded by Vice Mayor Jones, that staff's recommendation to award the contract for the Rhodes Junior High School Pool Rehabilitation to Sun Eagle Corporation as the Construction Manager at Risk be approved.

Upon tabulation of votes, it showed:

AYES – Jones-Kavanaugh-Smith-Somers
NAYS – Finter-Higgins-Richins

Mayor Smith declared the motion carried by a majority vote.

8. Introduction of the following ordinances and setting October 20, 2008, as the date of the public hearing on these ordinances:

*8a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

Prohibiting Left Turns From Driveways: 10-3-15 (B)

On the west side of Red Mountain with centerline approximately 65 feet north of Portia Street (east of Power Road and north of McDowell Road). **(District 5)**.

Prohibiting Left Turns During Posted Hours From Driveways: 10-3-15 (C)

On the south side of Southern Avenue between 7:30 a.m. and 3:30 p.m., Monday through Friday from the driveways with centerlines approximately 210 feet east of Pima and 355 feet east of Pima (Southern Avenue west of Mesa Drive). **(District 4)**.

Speed Limits (45 mph): 10-4-3 and Speed Limits (35 mph): 10-4-5

Increase the speed limit from 35 mph to 45 mph on Signal Butte Road from a point 450 feet south of Elliot Road to the south City limits (Signal Butte Road south of Elliot Road). **(District 6)**.

*8b. **Z08-59 (District 5)** The 7300 to 7400 blocks of East Hermosa Vista Drive (south side). Located north of McKellips Road and west of Sossaman Road (12.74± acres). Rezone from R1-15 to R1-15 PAD and Site Plan Review. This request will allow for the development of a single residential subdivision. Don Sutherland, owner; Danny Perkinson, applicant; Clint Garner, Allen Consulting Engineers, Inc., engineer. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

P&Z Recommendation: Approval with conditions. Vote: (6-0-1 with Boardmember Perkinson absent.)

*8c. **Z08-60 (District 6) – Deleted.**

*8d. **Z08-61 (District 6)** 4908 South Ellsworth Road. Located south of Warner Road on the west side of Ellsworth Road (10± acres). Rezone from AG to M-1 and Site Plan Review. This request will allow the construction of a plumbing supply company and other related industrial and commercial uses. Ross N. Farnsworth, owner; Reese L. Anderson, Pew and Lake, PLC, applicant. ***(Held a neighborhood meeting, notified property owners.)***

P&Z Recommendation: Approval with conditions. (Vote: 5-0-2 with Boardmember Perkinson absent and Coons abstaining.)

*8e. **A08-08 (District 6)** Annexing land located south of Elliot Road between Ellsworth and Signal Butte Roads (3,137.43± acres). Initiated by Grady Gammage, Jr. Esq., Gammage & Burnham, PLC, representing the property owner.

*8f. **Z08-55 (District 6)** The 3600 to 5200 blocks of South Ellsworth Road (east side), the 9200 to 10800 blocks of East Elliot Road (south side), and the 3600 to 6000 blocks of the South Signal Butte Road alignment (west side). Located south of Elliot Road between Ellsworth Road and Signal Butte Road (3200± acres). Rezone from Maricopa County Rural 43 with a Special Use Permit for a Proving Grounds to City of Mesa R1-43. This request will establish City of Mesa zoning on recently annexed property. Karrin Taylor, DMB Mesa Proving Grounds, LLC, owner; City of Mesa, applicant.

P&Z Recommendation: Approval with Conditions. (Vote: 4-0-3 with Boardmembers Roberts and Salas absent and Coons abstaining).

*8g. **Z08-56 (District 6)** The 3600 to 5200 blocks of South Ellsworth Road (east side), the 9200 to 10800 blocks of East Elliot Road (south side), and the 3600 to 6000 blocks of the South Signal Butte Road alignment (west side). Located south of Elliot Road between Ellsworth Road and Signal Butte Road (3200± acres). Rezone from R1-43 to Planned Community District (PCD). This request will establish a Community Plan for a Mixed Use Community. Karrin Taylor, DMB Mesa Proving Grounds, LLC, owner/applicant. ***(Held neighborhood meetings, notified property owners, homeowners associations and registered neighborhoods.)***

P&Z Recommendation: Approval with Conditions. (Vote: 5-0-2 with Boardmembers Coons and Salas absent).

*8h. Amending Section 9-6-4 of the Mesa City Code to allow alternative street lighting standards in portions of the proposed Mesa Proving Grounds project **(District 6)**.

9. Take action on the following resolutions:

- *9a. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the Arizona Board of Regents acting for and on behalf of Arizona State University for the cost sharing of the design, construction and project management fees for the Phase II water and wastewater improvements to the ASU Polytechnic Campus located at Phoenix-Mesa Gateway Airport. Mesa's share of the improvement cost is \$3,200,000 – Resolution No. 9355. (Water and Wastewater Bonds) **(District 6)**.
- *9b. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the Flood Control District of Maricopa County for the cost sharing of the rights-of-way, utility relocation, construction, construction management, operation and maintenance of the McDowell Road Basin and Storm Drain Project. Mesa's share of the improvement cost is \$2,345,000 – Resolution No. 9356. (Storm Sewer Bonds) **(District 5)**.
- *9c. Extinguishing a Public Utilities Easement, a Public Utilities and Facilities Easement and an Easement for Ingress and Egress at 2815 North Norwalk Street – Resolution No. 9357. **(District 5)**.

These easements are being extinguished at the request of the property owner as they are no longer needed as the design of the property has changed.
- *9d. Extinguishing a portion of a Public Utilities and Facilities Easement at 1065 North Dobson Road – Resolution No. 9358. **(District 1)**.

This portion of the easement is being extinguished at the request of the property owner as it is no longer needed as the design of the property has changed.
- *9e. Approving and authorizing the City Manager to accept grant funds in the amount of \$46,536.60 from the 2008 Byrne Justice Assistance Grant Program for equipment and software for the East Valley Gang Fusion Center – Resolution No. 9359.
- *9f. Approving and authorizing the City Manager to execute a Grant Agreement with the U.S. Department of Justice to secure grant funds in the amount of \$303,973 for equipment and software for the Police Department Training Facility – Resolution No. 9360.
- *9g. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the Legacy Education Group to secure funds in the amount of \$89,762 to provide a school resource officer as provided by the Safe Schools Program – Resolution No. 9361.
- *9h. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between Gilbert Unified School District #41 and the City of Mesa to secure funds in the amount of \$174,846 for two school resource officers assigned to junior high schools – Resolution No. 9362.
- *9i. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between Mesa Unified School District #4 and the City of Mesa to secure funds in the amount of \$606,072 for seven school resource officers assigned to junior high schools in the City – Resolution No. 9363.

- *9j. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between Mesa Unified School District #4 and the City of Mesa to secure funds in the amount of \$513,606 for six school resource officers assigned to high schools in the City – Resolution No. 9364.
- *9k. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the Town of Queen Creek to provide fire dispatch services – Resolution No. 9365.
- *9l. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Salt River Pima-Maricopa Indian Community for the receipt and administration of grants in the amount of \$523,000. City of Mesa: \$48,000 for Mesa Library Youth Program. East Valley Child Crisis Center: \$50,000 for remodeling of Mahnah Wing/Emergency Shelter. Mesa Public Schools: \$125,000 for Native American Education Program. United Food Bank: \$300,000 for Warehouse Capital Campaign – Resolution No. 9366.

10. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting.

- *10a. **Z08-57 (District 6)** 6447 South Mountain Road. Northeast of the Pecos and Mountain Road Intersection. (13.48 ac.) Rezone from M-2 and AG to M-2 and Site Plan Review. This request is to allow development of a truck maintenance and operations facility. Jerome Stehly, owner; Doss, Allied Waste Transportation, Inc., applicant – Ordinance No. 4885. (**Notified property owners.**)

PHO Recommendation: Approval with Conditions.

11. Take action on the following subdivision plats:

- *11a. “WEST MAIN STATION VILLAGE CONDOMINIUM” (**District 3**) 1350 West Main Street (north side) located north and west of Main Street and Alma School Road. 26 C-1 BIZ CUP live/work units (0.71 acres) Mulberry Business Park, LP, Dan Randall, owner; Robert Unger, surveyor.
- *11b. “WEST MAIN STATION VILLAGE TOWNHOMES” (**District 3**) 1406 West Main Street (north side) located north and west of Main Street and Alma School Road. 42 R-4 BIZ townhome units (2.43 acres) Mulberry Business Park, LP, Dan Randall, owner; Robert Unger, surveyor.

12. Items from citizens present.

There were no items from citizens present.

13. Adjournment.

Without objection, the meeting adjourned at 7:09 p.m.

SCOTT SMITH, MAYOR

ATTEST:

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 6th day of October 2008. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

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