

## **CITY COUNCIL AGENDA**

### **COUNCIL CHAMBERS – 57 EAST FIRST STREET**

Monday, August 31, 2009  
5:45 P.M.

Invocation by Pastor Scott Kooiman, Desert Haven Church.

Pledge of Allegiance.

Mayor's Welcome.

Awards, Recognitions and Announcements.

### **CITIZEN PARTICIPATION**

All citizens are permitted and encouraged to speak on agenda items. If you are interested in speaking on an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

### **CONSENT AGENDA**

All items listed with an asterisk (\*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the Consent Agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

***(Members of the Mesa City Council will attend either in person or by telephone conference call).***

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1. Take action on all consent agenda items.
- \*2. Approval of minutes of previous meetings as written.
3. Conduct a public hearing prior to the release of the petition for signatures for the following proposed annexations:
  - 3a. **A08-37 (District 5)** Annexing land located north of Brown Road and west of Ellsworth Road in the Sunrise Heights Subdivision (0.15 +/- ac). Initiated by the property owner, Harlan Finzer.
  - 3b. **A09-03 (District 5)** Annexing land located on the northeast corner of Brown Road and Crismon Road (5.78 +/- ac). Initiated by Curtis Leetham, authorized representative for the LDS Church.
4. Discuss, take public comment and take action on the following Minor General Plan Amendment and zoning case:
  - 4a. Public Hearing on Minor General Plan Amendment **GPMInor09-02 (District 6) (Continued to the September 14, 2009 Council meeting)**
  - 4b. Take action on the following resolution:

**GPMInor09-02 (District 6)** 10617 East Oasis Street. Located west of Signal Butte Road and south of Broadway (4.9± acres). Minor General Plan Amendment to change the land use designation from Parks (P) to High Density Residential 10-15 du per acre (HDR 10-15). This case will allow the development of a Supportive Housing Project. MARC Center owner; Saemisch DeBella Architects, applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)*** **COMPANION CASE Z09-08. (Continued to the September 14, 2009 Council meeting)**

P&Z Recommendation: Adoption. (Vote: 4-0-1)  
Boardmember DiBella abstained. Boardmember Perkinson absent.

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- 4c. Take action on the following ordinance introduced at a prior Council meeting:

**Z09-08 (District 6)** 10617 East Oasis Street. Located west of Signal Butte Road and south of Broadway (4.9± acres). Rezone from R1-9 to R-3 with a Site Plan Review; also consider the preliminary plat. This case will allow the development of a Supportive Housing Project. MARC Center owner; Saemisch DiBella Architects applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)*** **COMPANION CASE GPMInor09-02. (Continued to the September 14, 2009 Council meeting)**

P&Z Recommendation: Approval with Conditions.  
(Vote: 4-0-1) Boardmember DiBella abstained.  
Boardmember Perkinson absent.

5. Take action on the following liquor license applications:

- \*5a. Feathers Foundation Inc.

This is a one-day charitable event to be held on October 17, 2009 from 7:30 p.m. to 12:00 a.m. at 12 W. Main St.  
**(District 4)**

- \*5b. AZ Museum for Youth

New Government License for AZ Museum for Youth, 35 N. Robson St., City of Mesa Municipal Corp AC - Randy H. Vogel, Agent. No previous liquor license at this location.  
**(District 4)**

- \*5c. AZ Museum of Natural History

New Government License for AZ Museum of Natural History, 53 N. MacDonald St., City of Mesa Municipal Corp AC - Randy H. Vogel, Agent. No previous liquor license at this location. **(District 4)**

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\*5d. Valero

New Beer & Wine Store License for Valero, 1821 S. Country Club Dr., Tri Business Investment, LLC – Debbie Lan Nguyen, Agent. The previous Beer & Wine Store License held at this location by St. Food Mart Inc. will revert back to the State. **(District 4)**

6. Take action on the following contracts:

\*6a. Term Supply Contract for Disposable Medical Examination Gloves for the Fire Department **(Citywide)**

The Purchasing Division recommends awarding the contract to the highest scored vendor, Bound Tree Medical, LLC at \$45,000.00 annually, based on estimated purchases.

\*6b. Renewal of the Term Supply Contract for Spoken Word Materials for the Library **(Citywide)**

The Purchasing Division recommends authorizing renewal of the contract with BBC Audiobooks America at \$15,000.00 and Books on Tape, Inc. at \$30,000.00 for the total renewal contract of \$45,000.00, based on estimated annual purchases.

\*6c. Renewal of the Term Contract for Recapping of Tires for the Materials and Supply Warehouse **(Citywide)**

The Purchasing Division recommends authorizing renewal of the contract with Michelin North America, Inc. at \$423,616.88 and Roberts Tire Sales, Inc., a Mesa business, at \$141,205.63 for a combined total award of \$564,822.51 annually, based on estimated requirements.

\*6d. Term Supply Contract for Water Meter Boxes and Lids for the Materials and Supply Warehouse **(Citywide)**

The Purchasing Division recommends awarding the contract to Farnsworth Wholesale Company, a Mesa business, at \$69,009.97, based on estimated annual purchases.

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\*6e. Desert Sands Water Line Replacement **(District 6)**

City Project No. 01-559-002. This project will replace existing water lines that were installed in 1969 with approximately 24,000 linear feet of new 8-inch diameter water lines within the right-of-way of the Desert Sands neighborhood located north of Baseline Road and south of US 60, from 72<sup>nd</sup> Street to 77<sup>th</sup> Street. The existing waterlines will be abandoned. Forty-three (43) fire hydrants will be installed to serve the neighborhood. This project will also replace approximately 500 existing water meters.

Recommend award to the low bidder, Lee's Pipelines Inc., in the amount of \$2,014,045.00 plus an additional \$201,404.50 (10% allowance for change orders) for a total award of \$2,215,449.50. Funding is available from the approved FY 08/09 Water Bond Capital Program.

\*6f. Greenfield Road Reconstruction, Widening; Baseline Road to Southern Avenue **(District 6)**

City Project No. 04-844-001. This project consists of widening the roadway for approximately one mile to provide three (3) through lanes in each direction with dual left turns at the major intersections. It will include new pavement, curb and gutter, sidewalk, a raised landscaped median on Greenfield Road, traffic signals, roadway lighting and landscaping. As part of the widening of the bridge over the Salt River Project (SRP) Eastern Canal the roadway will be widened to accommodate the additional traffic lanes. This contract is for the construction phase work to be performed by the Construction Manager at Risk (CMAR), Haydon Building Corporation.

Recommend award of the Construction Phase Services contract to Haydon Building Corporation, with a Guaranteed Maximum Price (GMP) of \$6,263,538.00 plus an additional \$626,353.80 (10% allowance for change orders) for a total award of \$6,889,891.80. Funding is available from the adopted FY 09/10 Streets Bond Capital Program. In addition, the MAG RTP (Proposition 400) program will reimburse Mesa a total of \$4,837,000 once construction is complete.

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\*6g. 2009/2010 Crack Seal Project (**Citywide**)

City Project No. 09-906-001. This project will crack seal various streets throughout the City to prevent water from penetrating below the pavement, which leads to deterioration of the pavement. This project will seal approximately 3,653,237 square yards of pavement throughout the City.

Recommend award to the low bidder, Cholla Pavement Maintenance, in the amount of \$811,838.57 plus an additional \$81,183.86 (10% allowance for change orders) for a total award of \$893,022.43. This project is funded from the approved FY 09/10 Transportation Operations Budget.

7. Take action on the following resolutions:

\*7a. Approving and authorizing the City Manager to execute an Airport Development Reimbursable Grant Agreement – Amendment Number 1 between the State of Arizona, Arizona Department of Transportation (Aeronautics Division) and the City of Mesa to extend Grant Number E7S26 (Eastside Aeronautical Use Development and Taxiway Design) expiration date to June 30, 2011. (**District 5**)

\*7b. Approving and authorizing the City Manager to execute an Airport Development Reimbursable Grant Agreement – Amendment Number 1 between the State of Arizona, Arizona Department of Transportation (Aeronautics Division) and the City of Mesa to extend Grant Number E7S59 (Master Plan Update – Phase 2) expiration date to June 30, 2011. (**District 5**)

\*7c. Approve and authorize the City Manager to execute a Grant Agreement between the City of Mesa and the Governor's Office of Highway Safety to accept grant funds in the amount of \$50,000 for participation in the Occupant Protection Enforcement Program (Click It or Ticket).

\*7d. Supporting the United States Census Bureau's desire to conduct a complete and accurate count of all Mesa residents as of April 1, 2010.

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8. Introduction of the following ordinances and setting September 14, 2009, as the date of the public hearing on these ordinances:

\*8a. Amending Section 1-12-8 of the Mesa City Code to authorize the Presiding City Magistrate to appoint Court Commissioners.

\*8b. **Z09-07 (District 6)** 10617 East Oasis Street. Located south of Broadway Road and west of Signal Butte Road. (4.9± acres). Rezone from Maricopa County R1-8 to City of Mesa R1-9. For the establishment of City of Mesa zoning on recently annexed property. City of Mesa, applicant.

PHO Recommendation: Approval with conditions.

9. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen that wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (\*), a blue card must be given to the Clerk before Council votes on the consent agenda.

\*9a. **A08-18 (District 6)** Annexing land located just south of Broadway Road and west of Signal Butte Road (4.9± acres). Initiated by the applicant Pat Gilbert for the Marc Center.

\*9b. **Z09-15 (District 6)** 8257 East Guadalupe Road, Suites 9 – 13. Located west of Hawes Road on the south side of Guadalupe Road. Council Use Permit. This request will allow a charter school in a C-2 district. Pamela Johns, Guadalupe Hawes Dev. Investors, LLC, owner; Jill Gaitens, Vistas Leadership Academy, applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

P&Z Recommendation: Approval with conditions.  
(Vote: 5-0) Boardmember Roberts absent.

\*9c. Amending Title 8, Chapter 6 of the Mesa City Code to establish and implement an individual residential rental inspection program.

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- \*10. Assign delinquent accounts to collection services for the three-month period ending June 30, 2009, totaling \$493,321.
11. Items from citizens present. (Maximum of three speakers for three minutes per speaker).