



COUNCIL MINUTES

April 18, 2011

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on April 18, 2011 at 5:50 p.m.

COUNCIL PRESENT

Scott Smith
Alex Finter
Christopher Glover
Dina Higgins
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

Invocation by Dr. Blaine Mays, Senior Minister, Community Church of New Thought.

Pledge of Allegiance was led by Logan Fowler, Troop #301.

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.

Awards, Recognitions and Announcements.

Mayor Smith invited Sheridan Meyers, a senior at Mountain View High School, and Utility Conservation Specialist Donna DiFrancesco to come forward.

Ms. Meyers read a proclamation designating Friday, April 29, 2011 as Arbor Day in the City of Mesa to celebrate the City's commitment to tree care and planting programs.

Ms. DiFrancesco stated that the City of Mesa was named a Tree City USA community by the Arbor Day Foundation for the second consecutive year. She noted that this year, the City would host a series of Arbor Day activities and invited everyone to attend. Ms. DiFrancesco also thanked the Mayor and Council for their efforts and support in this regard.

Mayor Smith also recognized the Mountain View High School basketball team for winning the Class 5A-1 State Championship for the seventh time. He invited Shawn Rustad, Mountain View's Athletic Director, Gary Ernst, the team's coach, and the members of the Toros basketball team to come forward.

Mayor Smith read a proclamation designating Monday, April 18, 2011 as Mountain View Toros Day.

Coach Ernst introduced the members of the team who were present in the audience.

Mayor Smith congratulated the team on their hard work and achievements.

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 Vice Mayor Somers, that the consent agenda items be approved.

Carried unanimously.

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

Minutes from the March 24 and April 4, 2011 Council meetings.

3. Take action on the following liquor license applications:

*3-a. Luke Greenway Post 1 American Legion

This is a one-day charitable event to be held on Saturday, April 23, 2011 from 12:00 p.m. to 10:30 p.m. at 4155 East Virginia. **(District 5)**

*3-b. Ultimate Imaginations Inc.

This is a one-day charitable event to be held on Friday, May, 6 2011 from 6:00 p.m. to 10:00 p.m. at 1 to 270 West Main Street. **(District 4)**

*3-c. Ultimate Imaginations Inc.

This is a one-day charitable event to be held on Friday, June 3, 2011 from 6:00 p.m. to 10:00 p.m. at 1 to 270 West Main Street. **(District 4)**

*3-d. Z Convenient Store

New Beer & Wine Store License for Z Convenient Store, 2114 West Main Street, Mazin LLC – Melissa Rose Hilleman, Agent. The previous Beer & Wine Store License held at this location by La Crescenta LLC terminated with the State on December 31, 2010. **(District 3)**

*3-e. Hooters

New Restaurant License for Hooters, 1665 South Alma School Road, Fiesta Mall Hooters Inc. – H.J. Lewkowitz, Agent. The previous Restaurant license held at this location by Islands California/Arizona LP was surrendered to the State on November 16, 2010. **(District 3)**

*3-f. Inka Fest

New Restaurant License for Inka Fest, 2909 South Dobson Road, Suite 21, Inka Fest LLC – Jorge Paul Benavente, Agent. The previous Restaurant license held at this location by Dooby's Grill Café LLC terminated with the State on March 31, 2010. **(District 3)**

4. Take action on the following contracts:

*4-a. Purchase of a Replacement High Resolution Infrared Camera for the Energy Resources Department. **(Single Bid) (Citywide)**

The Purchasing Division recommends awarding the contract to FLIR Systems, Inc. at \$26,618.02, including applicable use tax.

*4-b. Purchase of Pedestrian Push Button Poles, Buttons and Placards for the Transportation Department. **(Citywide)**

The Purchasing Division recommends awarding the term contract to the lowest, responsive and responsible bidders, Cem-Tec Corporation at \$33,964.98 and JTB Supply Co. at \$80,299.65, for the combined total contract award of \$114,264.63, including applicable sales and use taxes.

*4-c. Term contract for Four (4) Additional Twelve-Lead Heart Monitors/Defibrillators for the Fire Department. **(Funded by Fire Safety Bonds) (Citywide)**

The Purchasing Division recommends awarding the term contract to the highest scored proposer, Zoll Medical Corporation, at \$104,231.35, including applicable use tax.

*4-d. Renewal of the Term Contract for Gasoline and Diesel Fuel for City Vehicles as Requested by Fleet Services. **(Citywide)**

The Purchasing Division recommends authorizing renewal with Supreme Oil Company at \$6,187,667 annually, including applicable sales tax, and based on estimated requirements.

*4-f. Three-month Term Contract for Ultra Thin Bonded Wearing Course Services for the Transportation Department. **(Citywide)**

The Purchasing Division recommends utilizing the S.A.V.E. contract through the Town of Gilbert with Sunland Asphalt at \$200,000, including applicable sales tax, and based on estimated requirements.

- *4-g. Purchase of Replacement 48-Volt DC Power Systems for the Communications Department. **(Citywide) (Public Safety Bonds)**

The Purchasing Division recommends awarding the contract to NGH Power Systems Inc. at \$233,672.28, including applicable sales tax.

- *4-h. Residential Streets Overlays, Phase 1B, Asphalt Improvement Project. **(Districts 1, 2, 4 and 5)**

City Project 08-903-002. This project is the second phase of the asphalt mill and overlay project, which includes approximately 211,570 square yards of milling and 476,650 square yards of rubberized asphalt. The work preceding this phase includes the installation of accessible sidewalk ramps and other miscellaneous concrete improvements that are being completed in preparation for this asphalt mill and overlay project.

Recommend award to the low bidder, Nesbitt Contracting Company, Inc., in the amount of \$3,969,017.00 plus an additional \$396,901.70 (10% allowance for change orders) for a total award of \$4,365,918.70. Funding is available from the approved FY 10/11 Transportation Operating Budget.

- *4-i. 8" High Pressure Gas Pipeline. **(District 6)**

City Project 01-553-002. This project will install new gas main, which will consist of approximately 20,000 linear feet of 8-inch steel high pressure steel gas pipe. The 8-inch high pressure gas main will provide part of a critical feed from the new City of Mesa gate station (which will be supplied from an El Paso Natural Gas transmission main) to an existing 8-inch high pressure line in Baseline Road serving a majority of customers in the Mesa gas system. The new gas line will not only help the City maintain gas service to its customers during peak demand, but since it is fed by a different El Paso transmission main than the other City gate stations, it will enable the City to have more operational security and flexibility if and when El Paso decides to take one of their other supplies out of service for either routine maintenance or emergency.

Recommend award to the low bidder, Arizona Pipeline Company, in the amount of \$2,131,050.26 plus an additional \$213,105.03 (10% allowance for change orders) for a total award of \$2,344,155.29. This project is funded from the Adopted FY 10/11 Gas Bond Capital Program.

- *4-j. Brown Road Wastewater Line – Val Vista to Greenfield. **(Districts 1, 2 and 5)**

City Project 03-085-002. This project will include the installation of approximately 5,400 linear feet of 18-inch sewer line from Greenfield Road to Val Vista Drive. This line will parallel an existing 12-inch and 15-inch sewer and will allow the diversion of approximately 2 million gallons per day of wastewater to the NWWRP that is currently being sent to the SROG 91st Avenue Water Reclamation Plant for treatment. This project will include the installation of fiber optic conduit that will be used by the Transportation Department for a future Intelligent Traffic Signal (ITS) system and a complete pavement overlay for the entire length. By combining these projects, the total project cost will be less than if they were constructed separately and will result in less public disruption.

Recommend award to the low bidder, B & F Contracting, Inc., in the amount of \$1,289,289.00 plus an additional \$128,928.90 (10% allowance for change orders) for a total award of \$1,418,217.90. This project is funded from the approved FY 10/11 Wastewater Capital Bond Program and the approved FY 10/11 Street Maintenance Operating Budget.

- *4-k. Main Street Utility Improvements-Phase II, Mesa Drive to Gilbert Road and Quarter Section Gas and Water Line Replacement – Quarter Sections 37B, 37D and 45B. **(Districts 2 and 4)**

City Projects 06-044-008, 01-555-002, 01-555-003, 01-555-004. This project includes approximately 71,000 linear feet of new water line, 2,300 linear feet of wastewater mainline, 67,000 linear feet of new gas line, and 9,000 linear feet of new storm drain pipe. The work includes all necessary surface restoration. Full asphalt roadway reconstruction for Main Street has been deferred until a decision is made regarding extension of light rail to avoid re-construction of the asphalt twice. If light rail is extended, the asphalt will be replaced then. If not, a later project will address the asphalt.

Recommend award to the low bidder, Sellers and Sons, Inc., in the amount of \$11,470,227.58 plus an additional \$1,147,022.76 (10% allowance for change orders) for a total award of \$12,617,250.34. This project is funded for the utilities work from the Preliminary FY 11/12 Water and Gas Bond Programs, and the storm drain work from the existing Storm Sewer Bond proceeds.

- *4-l. Adobe Street 36-inch Water Transmission Line and 4-inch Gas Line. **(District 2)**

City Project 10-399-001. This project will install an additional water transmission main from the Lindsay Pump Station to the Lindsay Transfer Station for increased redundancy and reliability. A new access manhole will also be installed on the existing water transmission line to facilitate inspections. These improvements will allow for future repair and maintenance of the water transmission lines without disrupting water service to residents in both service zones. Also included is a new 4-inch gas line in a joint trench with the water line to supply natural gas for a backup electric generator. The generator will be installed by separate project at the Lindsay Pump Station.

Recommend award to the low bidder, Citywide Contracting, LLC, in the amount of \$1,157,539.00 plus an additional \$115,753.90 (10% allowance for change orders) for a total award of \$1,273,292.90. This project is funded from the FY 10/11 Water Bond Capital Program.

5. Take action on the following resolutions:

- *5-a. Extinguish a portion of an existing Drainage Easement across Lot 4 and a portion of Lot 1 of Crismon Business Park – Resolution No. 9823. **(District 6)**

The extinguishment of a portion of this easement is necessary for the development of the site.

- *5-b. Extinguish a Public Utilities and Facilities Easement at 112 West Iron Avenue – Resolution No. 9824. **(District 4)**

This easement is no longer needed. A new easement will be granted with new development.

- *5-c. Setting May 16, 2011 as the public hearing date for the review and approval of the FY 2011/2012 Mesa Town Center annual assessments. The Mesa Town Center Improvement District No. 228 was established to provide enhanced services for the Mesa Town Center. The recommendation is to decrease the assessments by 3% for FY 2011/2012 – Resolution No. 9825. **(District 4)**
- *5-d. Approving and supporting the submittal of a grant application by the Mesa Police Department to the Fort McDowell Yavapai Nation in the amount of \$33,000 for a mobile camera surveillance system – Resolution No. 9826.
- *5-e. Approving and supporting the submittal of a grant application by the Development and Sustainability Department to the Fort McDowell Yavapai Nation in the amount of \$19,600 for environmental education programs within Mesa Public Schools – Resolution No. 9827.
- *5-f. Approving and supporting the submittal of a grant application by the Mesa Parks, Recreation and Commercial Facilities Department to the Fort McDowell Yavapai Nation in the amount of \$90,000 for a portion of the redevelopment of a playground within Los Alamos Park – Resolution No. 9828.
- *5-g. Approving and supporting the submittal of a grant application by Save the Family to the Fort McDowell Yavapai Nation in the amount of \$15,000 to provide workforce development services, financial literacy education and high school dropout prevention courses for homeless families – Resolution No. 9829.
- *5-h. Approving and supporting the submittal of a grant application by Mission of Mercy to the Fort McDowell Yavapai Nation in the amount of \$50,000 to support Living with Diabetes Program – Resolution No 9830.
- *5-i. Approving and supporting the submittal of a grant application by Mesa Public Schools to the Fort McDowell Yavapai Nation in the amount of \$60,000 for the First Tee Physical Education Program – Resolution No. 9831.
- *5-j. Approving and supporting the submittal of a grant application by the Child Crisis Center to the Fort McDowell Yavapai Nation in the amount of \$15,000 to provide trauma services for children – Resolution No. 9832.
- *5-k. Ordering the sale of \$29,320,000 principal amount of City of Mesa General Obligation Bonds, Series 2011; and authorizing the reimbursement from bond proceeds of certain advances on construction projects – Resolution No. 9833.
- *5-l. Ordering the sale of \$53,950,000 principal amount of City of Mesa Utility Systems Revenue Bonds, Series 2011; and authorizing the reimbursement from bond proceeds of certain advances on construction projects – Resolution No. 9834.

6. Introduction of the following ordinances and setting May 2, 2011, as the date of the public hearing on these ordinances:

- *6-a. **Z11-06 (District 6)** The 2400 block of South Signal Butte Road. Located north of Guadalupe Road on the east side of Signal Butte Road (7.34 ± acres). Rezone from R1-6 PAD DMP to R-4 PAD DMP and Site Plan Modification. This request will allow the development of a memory care facility. (PLN2011-00005) SSV Twin Homes 2, Inc., owner; Craig Ahlstrom, applicant.
- *6-b. **Z11-07 (District 6)** 239 and 257 South Power Road. Located north of Broadway Road and east of Power Road (2.86± acres). Site Plan Review. This request will allow the development of a medical office building. (PLN2010-00394) Power Road Land Investors, LLC, owner; Alan Laulainen, Coaction Development Group, applicant.

Items not on the Consent Agenda

- *4-e. Renewal of the Term Contract for Printing of Election Publicity Pamphlets for the City Clerk's Office (**Citywide**)

The Purchasing Division recommends authorizing renewal with Century Graphics at \$34,325 annually, including applicable sales taxes, and based on estimated requirements.

It was moved by Councilmember Richins, seconded by Vice Mayor Somers, that staff's recommendation be approved.

Councilmember Finter stated that he asked that this item be removed from the consent agenda. He noted that staff was recommending a two-year renewal of the initial three-year contract that was approved by the Council in 2008.

Councilmember Finter stated that when contracts are "tied up" for five years in a row, it can be discouraging to local businesses that would like the opportunity to bid on a particular contract. He commented that with respect to this item, staff has been satisfied with the vendor's products and customer service, but said he would prefer that the contract be re-bid, as opposed to the Council approving the two-year renewal option. Councilmember Finter acknowledged that if the contract was re-bid, there may or may not be a savings to the City. He added that for those reasons, he would oppose the motion.

Mayor Smith called for the vote.

Upon tabulation of votes, it showed:

AYES - Smith-Glover-Kavanaugh-Richins-Somers
NAYS - Finter-Higgins

Mayor Smith declared the motion carried by majority vote.

7. Take action on the following recommendation from the Sustainability and Transportation Committee:

7-a. **Deleted.**

8. Items from citizens present.

There were no items from citizens present.

9. Adjournment.

Without objection, the meeting adjourned at 6:13 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 18th day of April 2011. 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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