



## COUNCIL MINUTES

August 27, 2012

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on August 27, 2012 at 5:45 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

(\*Vice Mayor Somers participated in the meeting via telephonic equipment.)

Invocation by Pastor David Land, New Life Assembly of God.

Pledge of Allegiance was led by Councilmember Glover.

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 introduced Arts and Culture Director Cindy Ornstein, who announced that the Mesa Arts Center (MAC) was the recipient of the International Venue Excellence Award. She stated that this award recognizes the MAC's operational excellence and service to the community. In addition, she also noted that the number of visitors to the MAC has increased and that last year over 378,000 people visited the MAC.

Ms. Ornstein recognized Assistant Directors Randy Vogel and Robert Shultz, who were present in the audience, and said that the honor for this award belonged to the citizens, patrons, donors and volunteers who have supported the Mesa Arts Center and its programs.

Mayor Smith thanked Ms. Ornstein and staff for their efforts and commented that the MAC first came into the international spotlight when it hosted the CNN Republican Presidential Debate in February.

Councilmember Kavanaugh stated that the idea for the MAC began in the 1980's and has taken nearly 30 years to become what it is today. He remarked that the MAC was the heart of the City and thanked all those involved for their efforts.

Mayor Smith said that the goal was for the level of attendance at the MAC to be the same as the population of the City. He thanked staff for their efforts and noted that each year the MAC was getting closer to reaching that goal.

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 Councilwoman Higgins, that the consent agenda items be approved.

Carried unanimously.

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

Minutes from the August 20, 2012 Council meetings.

3. Take action on the following liquor license applications:

\*3-a. Downtown Mesa Association

This is a one-day charitable event to be held on Friday, September 7, 2012, from 5:00 p.m. to 10:00 p.m., at Macdonald Street from Main to Pepper; West Half Macdonald Lot; Main Street from Center to Robson. **(District 4)**

\*3-b. Gilbert Promotional Corporation

This is a four-day charitable event to be held on Thursday, November 15, 2012 from 2:00 p.m. to 10:00 p.m., Friday, November 16, 2012, from 4:00 p.m. to 11:00 p.m., Saturday, November 17, 2012, from 12:00 p.m. to 1:00 a.m. and Sunday, November 18, 2012, from 12:00 p.m. to 6:00 p.m., at 4045 South Power Road. **(District 6)**

4. Take action on the following contracts:

\*4-a. **Renewal of the Term Contract for Office Supplies for Citywide Use (Citywide)**

Mesa was the lead agency on this cooperative contract approved by Council in September 2009. The contract provides next-day, desktop-delivery office and classroom supplies on an as-needed basis to various City of Mesa departments, as well as 62 other Arizona agencies.

Purchasing recommends authorizing a two-year renewal of the Term Contract for Office Supplies with WIST Office Products, and the annual not to exceed the amount of \$800,000 for City of Mesa purchases.

\*4-b. Term Contract for Softballs for Warehouse Inventory **(Citywide)**

This contract will provide 11" and 12" softballs for Parks, Recreation & Commercial Facilities' Sponsored Adult Softball League.

Purchasing recommends awarding the contract to the lowest, responsive and responsible bidder, Arizona East Valley Sports, dba East Valley Sports (a Mesa business), at \$34,128.29 annually, including applicable sales tax, based on estimated requirements.

\*4-c. Term Contract for Original Equipment Manufacturer Auto and Light Truck Parts for the Fleet Services Department **(Citywide)**

This contract will provide genuine Original Equipment Manufacturer General Motors, Chrysler/Jeep and Ford parts to maintain and repair the City's fleet of sedans, light trucks and vans.

Purchasing recommends awarding the contract to multiple vendors: Brown and Brown Chevrolet (a Mesa business) at \$150,000; Chapman Chrysler Jeep Dodge at \$25,000; and Camelback Ford Lincoln Mercury at \$275,000; for the combined total award of \$450,000 annually.

\*4-d. Term Contract for Traffic Signal Pole Painting Services for the Transportation Department **(Citywide)**

Refinishing traffic signal poles, mast arms and signals is necessary to protect the metal from corrosion and provides contrast for the traffic signal heads as they become less visible when the black fades or bare metal is exposed.

Purchasing recommends awarding the contract to the lowest, responsive and responsible bidder, OLS Restoration, Inc., at \$149,552.19 annually, based on estimated requirements.

\*4-e. Southeast Water Reclamation Plant Disinfection Improvements, 6308 East Baseline Road **(District 6)**

This project will replace the existing UV Disinfection System at the Southeast Water Reclamation Plant with a new liquid chlorine disinfection system to enhance the effluent quality for regulatory compliance, as well as significantly reduce operation and maintenance costs.

Recommend award to the lowest bidder, Felix Construction (a Mesa business), in the amount of \$2,562,193.00, plus an additional \$256,219.30 (10% allowance for change orders) for a total award of \$2,818,412.30. Funding is available in the FY 12/13 Wastewater Bond Capital Program.

\*4-f. Design of Remodel of 225 East Main Street for Benedictine University (**District 4**)

Benedictine University will be opening a facility in Mesa and will occupy the former Tri-City Community Center, 225 East Main Street, with a goal of starting classes in the Fall of 2013. Design for the remodel of the building is underway.

The Design Phase contract will allow the Construction Manager at Risk (CMAR) to be involved as part of the project team during the development of the project plans and specifications for the remodel of the building.

Recommend award of the design phase contract to D.L. Withers in the amount of \$109,926.00. Funding is available in the FY 12/13 Enterprise Fund.

5. Take action on the following resolutions:

\*5-a. Approving and authorizing the City Manager to accept funds made available through an Award Agreement with the Attorney General for the FY 2013 Victims' Rights Program (VRP). This Agreement provides \$66,000 for the salaries of two existing Victim Notification Clerks (**Citywide**) – Resolution No. 10114.

\*5-b. Extinguish a Temporary Drainage Easement at 1841 South Greenfield Road – Culvers Restaurant (**District 2**) – Resolution No. 10115.

This Temporary Drainage Easement is being extinguished because it will conflict with new development and a proposed parking area.

\*5-c. Repealing Resolution No. 7038 and approving an amendment to the existing Address and Street Name Assignment policy that establishes and standardizes new methods for address and street name assignment (**Citywide**) – Resolution No. 10116.

6. Introduction of the following ordinances and setting September 10, 2012 as the date of the public hearing on these ordinances:

\*6-a. Amending Mesa City Code Title II, Chapters 2 and 24: Repealing Title II, Chapter 2 (Human Services Advisory Board); Revising Title II Chapter 24 (Housing Advisory Board) to incorporate changes that merge both Boards into a board known as the Housing and Community Development Advisory Board. (**Citywide**)

**(This item will be reintroduced at the September 10, 2012 Council meeting.)**

\*6-b. **Z12-27 (District 6)** The 5200 to 5300 blocks of South Ellsworth Road (east side). Located on the north side of the future State Route 24 freeway alignment between Ellsworth Road to approximately one-quarter mile east of the Crismon Road alignment; southern portion of the former General Motors Proving Grounds (485± acres). District 6. Rezone from Maricopa County Rural 43 SUP to City of Mesa LI. This request will establish City zoning on recently annexed property. Pacific Proving LLC, owner; Beus Gilbert PLC, applicant.

P&Z Recommendation: Approval with conditions. (Vote: 6-0)

- \*6-c. **Z12-28 (District 6)** The 5200 to 5300 blocks of South Ellsworth Road (east side). Located on the north side of the future State Route 24 freeway alignment between Ellsworth Road to approximately one-quarter mile east of the Crismon Road alignment; southern portion of the former General Motors Proving Grounds (485± acres). District 6. Rezone from LI to PC. This request will establish the Pacific Proving Grounds North Community Plan. Pacific Proving LLC, owner; Beus Gilbert, applicant. (PLN2011-00321)

P&Z Recommendation: Approval with conditions. (Vote: 6-0)

- \*6-d. **A12-01 (District 6)** Annexing land located south of the Ray Road alignment and east of Ellsworth Road. 484.37± ac. Initiated by the property owners, Pacific Proving LLC.

- \*6-e. **Z12-29 (District 6)** The 10800 to 11100 blocks of East Williams Field Road (north side) and the 5600 to 6000 blocks of South Signal Butte Road (east side). Located at the northeast corner of Signal Butte Road and Williams Field Road (105± acres). District 6. Rezone from Rural 43 SUP to City of Mesa LI. This request will establish City zoning on recently annexed property. Pacific Proving LLC, owner; Beus Gilbert, applicant.

P&Z Recommendation: Approval with conditions. (Vote: 6-0)

- \*6-f. **Z12-30 (District 6)** The 10800 to 11100 blocks of East Williams Field Road (north side) and the 5600 to 6000 blocks of South Signal Butte Road (east side). Located at the northeast corner of Signal Butte Road and Williams Field Road. District 6. Rezone from LI to RS-6 (70 acres) and RSL-4.5 (35 acres). This request will facilitate the future development of a single-residence subdivision. Pacific Proving LLC, owner; Beus Gilbert PLC, applicant. (PLN2011-00358)

P&Z Recommendation: Approval with conditions (Vote: 6-0)

- \*6-g. **A12-02 (District 6)** Annexing land located north of Williams Field Road and east of the Signal Butte Road alignment. 105.69± ac. Initiated by the property owners, Pacific Proving LLC.

7. 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 City 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 City Clerk before Council votes on the Consent Agenda.

- \*7-a. **Z12-32 (District 4)** 68 East Main Street. Located east of Center Street on the north side of Main Street (1± acre). Council Use Permit. This request will allow a restaurant with a drive-thru in the Downtown Core zoning district. Louis T. Hines Trust #1, owner; Chris Cooper, Arizado Architecture and Design, applicant – Ordinance No. 5111.

P&Z Recommendation: Approval with conditions. (Vote: 6-0)

**Items not on the Consent Agenda**

**8. Conduct a public hearing and take action on the following Minor General Plan Amendment, GP Minor12-03, Resolution and Zoning Ordinance introduced at a prior Council meeting:**

8-a. Conduct a public hearing on Minor General Plan Amendment GPMInor12-03.

Mayor Smith announced that this was the time and place for a public hearing regarding Minor General Plan Amendment GP Minor12-03.

There being no citizens wishing to speak on this issue, the Mayor declared the public hearing closed.

8-b. **GPMinor12-03 (District 2)** 1141 North Greenfield Road. Located at the southeast corner of Greenfield Road and Brown Road (18± acres) Minor General Plan Amendment to adjust the boundaries of the existing Mesa 2025 General Plan Land Use designation from Low-Density Residential 1-2 du/acre (LDR 1-2) to Medium Density Residential 2-4 du/acre (MDR 2-4). This request will allow the development of a single residential subdivision. Land Holdings Investment Co., LLC, owner; Paul Dugas, applicant. (PLN2012-00110) – Resolution No.10117.

P&Z Recommendation: Adoption. (Vote: 6-0)

It was moved by Councilmember Richins, seconded by Councilmember Finter, that Resolution No.10117 be adopted.

Carried unanimously.

8-c. **Z12-33 (District 2)** 1141 North Greenfield Road. Located at the southeast corner of Greenfield Road and Brown Road (18± acres). Rezone from RS-15-PAD to RS-15-PAD and Site Plan Review. This request will allow the development of a single- residence subdivision. Land Holdings Investment Co., LLC, owner; Paul Dugas, applicant. (PLN2012-00110) – Ordinance No. 5112.

P&Z Recommendation: Approval with conditions. (Vote: 6-0)

It was moved by Councilmember Finter, seconded by Councilmember Glover, that Ordinance No. 5112 be approved.

Carried unanimously.

**9. Items from citizens present.**

There were no items from citizens present.

10. Adjournment.

Without objection, the meeting adjourned at 6:07 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 27<sup>th</sup> day of August, 2012. 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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