



COUNCIL MINUTES

July 9, 2012

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on July 9, 2012 at 5:56 p.m.

COUNCIL PRESENT

Scott Smith
Dina Higgins
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

Alex Finter
Christopher Glover

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

Mayor Smith excused Councilmember Finter and Councilmember Glover from the entire meeting.

Invocation by Pastor Shannon Carlton, Gateway Bible Church.

Pledge of Allegiance was led by Vice Mayor Somers.

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 recognized Breeja Larson, a Mesa native, who would be participating in the breaststroke competition in the upcoming 2012 Summer Olympics in London, England. He introduced Ms. Larson's grandparents, Robert and Carol Larson, who accepted a gift from the Mayor and the City of Mesa on her behalf.

Mr. and Mrs. Larson spoke in admiration of their granddaughter and her kind-hearted nature. Mr. Larson advised that information on how to provide financial support for the family's travel expenses would be available after the meeting.

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 Richins, that the consent agenda items be approved.

Mayor Smith called for the vote and the motion carried unanimously by those present.

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

Minutes from the May 21, June 14 and July 2, 2012 Council meetings.

3. Take action on the following liquor license applications:

*3-a. Smashburger #10

New Restaurant License for Smashburger #10, 2837 North Power Road, Suite 102, Sunwest Burgers, LLC – Andrea D. Lewkowitz, Agent. This is an existing building without an active liquor license at this location. **(District 5)**

*3-b. Mesa Market

New Beer and Wine Store License for Mesa Market, 1706 North Country Club Drive, Mesa Market, LLC – Yussef Jamal Jaber, Agent. This location has a Beer and Wine Store License held by Vuong Tat Nguyen that will revert back to the State. **(District 1)**

4. Take action on the following contracts:

*4-a. Purchase of Additional Equipment and Services for the City's Replacement Telephone and Voicemail System for the information Technology Department **(Single Bid) (Citywide)**

The Purchasing Division recommends authorizing purchase from the single bidder, Siemens Enterprise Communications, Inc. at \$60,068.77, including applicable taxes.

*4-b. Purchase of Policy and Business Process Document Management System for the Police Department **(Citywide)**

This contract will provide a combination of software and services to integrate Policy Management and Business Controls for the Police Department.

Purchasing recommends authorizing the purchase from the highest scored proposal, Innovative Data Solutions for a total contract award of \$91,462.80, including applicable taxes. This purchase is fully funded by Asset Forfeiture (RICO) Funds.

*4-c. **Renewal of the Term Contract for Traffic Paint for the Transportation Department (Citywide)**

Purchasing recommends authorizing renewal utilizing the Arizona Department of Transportation (ADOT) cooperative contract with Ennis Paint, Inc. at \$175,000, including applicable sales tax, based on estimated requirements.

*4-d. **Dollar-Limit Increase for Landscape Sprinkler and Irrigation Supplies for Warehouse Inventory (Citywide)**

Transportation, Field Operations' needs for median landscape parts was missed in the original contract amount. Additionally, Parks, Recreation and Commercial Facilities has been purchasing a large quantity of stainless steel sprinkler heads and other items for the renovation of older water retention basin areas throughout the City (funded by Development and Sustainability through water utility assessments).

Purchasing recommends authorizing a dollar-limit increase of \$120,000 with Horizon (a Mesa business), from \$70,000 to \$190,000, including applicable sales taxes, based on estimated requirements.

*4-e. **Mesa-Falcon Field Airport (FFZ) Falcon Ramp Rehabilitation and Replacement Project (District 5)**

This proposed project will rehabilitate and upgrade approximately 64,650 square yards of asphaltic concrete pavement, using milling and overlay methods, for existing aircraft parking and ramp areas in the southwest quadrant of Falcon Field Airport. The work also includes removal of obsolete tie-down anchors, pavement crack sealing, new tie-down anchors, concrete curbs, pavement markings, and appurtenant work.

Recommend award to the lowest bidder, Nesbitt Contracting Company, Inc., in the amount of \$1,531,184.50 plus an additional \$153,118.45 (10% allowance for change orders) for a total award of \$1,684,302.95. Funding is available from the FY 12/13 Falcon Field Capital Program.

*4-f. **Mesa Grande Ruins – Phase II, 1000 North Date Street (District 1)**

Mesa Grande represents the remains of one of the largest and most complex ancient Hohokam platform mound communities in the United States. Mesa Grande is a unique and rare cultural resource of unusual interest to the general public and has substantial scientific significance to the archaeological profession. This project will construct a visitor's center, outdoor covered staging area and parking.

Recommend award to the lowest bidder, Concord General Contracting, Inc., in the amount of \$598,372.00, plus an additional \$59,837.20 (10% allowance for change orders) for a total award of \$658,209.20. This project is funded by a grant from the Salt River Pima-Maricopa Indian Community (\$54,893.00), Cultural Impact Fees (\$518,251.00), and from the Arizona Museum of Natural History Foundation and the Arizona Museum of Natural History Guild (\$85,065.20).

- *4-g. Chicago Cubs Spring Training Facility and Riverview Site Development Demolition, Mass Grading, and Infrastructure Utilities **(District 1)**

The Chicago Cubs Spring Training Facility and Riverview Site Development project is anticipated to be delivered by the Construction Manager at Risk (CMAR) using multiple contract awards. This is the second contract award to be bid by the CMAR is the Demolition, Mass Grading, and Infrastructure Utilities. This work includes demolition of existing improvements on the golf course and park sites, the mass grading of the entire site, and the installation of infrastructure utilities (water, sanitary sewer, natural gas and storm drain) on the Riverview site. Other contracts that are anticipated to be bid by the CMAR over the next several months include the foundations and structural steel package, the baseball complex package, and the park improvement package.

The recommended total award amount for this project is \$7,923,610, based on a GMP of \$7,203,282 plus an additional \$720,328 (10% allowance for change orders). Funding is available in the FY 12/13 Cub's Stadium Bond Program.

5. Take action on the following resolutions:

- *5-a. Approving and authorizing the City Manager to accept funds made available through a SubGrant Award Agreement with the Arizona Department of Public Safety, Victims of Crime Act (VOCA). The SubGrant Award Agreement provides \$166,604 for salary and benefits for three existing Victim Services Specialists **(Citywide)** – Resolution No. 10093.
- *5-b. Approving and authorizing the City Manager to accept funds made available through the high Intensity Trafficking Area (HIDITA) Grant Agreement with the City of Tucson for \$40,000 **(Citywide)** – Resolution No. 10094.
- *5-c. Approving and authorizing the City Manager to accept funds made available through a SubGrantee Agreement with the Arizona Department of Homeland Security. This Agreement provides \$51,000 to the Mesa Police Department for equipment for the Rapid Response Teams **(Citywide)** – Resolution No. 10095.
- *5-d. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Town of Gilbert. Under this Agreement, the Mesa Police Department will provide selected forensic services to the Town of Gilbert. In return, the Town of Gilbert will provide financial compensation **(Citywide)** – Resolution No. 10096.
- *5-e. Approving and authorizing the City Manager to execute a long term lease agreement with Escobedo at Verde Vista, Phase I, LLC, for a project on City-owned property located east of Center Street and on the north and south sides of University Drive **(District 4)** – Resolution No. 10097.
- *5-f. Approving and authorizing the City Manager to execute a long term lease agreement with Escobedo at Verde Vista, Phase II, LLC, for a project on City-owned property east of Center Street and on the north and south sides of University Drive **(District 4)** – Resolution No. 10098.

- *5-g. Approving and authorizing the City Manager to execute a development agreement with Escobedo at Verde Vista, Phase I, LLC, for a project on City-owned property located east of Center Street and on the north and south sides of University Drive (**District 4**) – Resolution No. 10099.
- *5-h. Approving and authorizing the City Manager to execute a development agreement with Escobedo at Verde Vista, Phase II, LLC, for a project on City-owned property located east of Center Street and on the north and south sides of University Drive (**District 4**) – Resolution No. 10100.
- *5-i. Approving and authorizing the City Manager to execute and record a Declaration of Restrictions on City land located east of Center Street on the north and south sides of University Drive intended for development as income restricted residences and community services facilities (Phase I) (**District 4**) – Resolution No. 10101.
- *5-j. Approving and authorizing the City Manager to execute and record a Declaration of Restrictions on City land located east of Center Street on the north and south sides of University Drive intended for development as income restricted residences and community services facilities (Phase II) (**District 4**) – Resolution No. 10102.
- *5-k. Approving and authorizing the City Manager to execute a Memorandum of Understanding with Wilkes University for the lease of the Mesa Center for Higher Education, a City-owned building, located at 245 West 2nd Street (**District 4**) – Resolution No. 10103.
- *5-l. Designating the General Election date as November 6, 2012, and the purpose of the General Election; designating the deadline for filing arguments for and against ballot measures; designating the deadline for voter registration; and establishing the times that polls will be open – Resolution No. 10104.
- *5-m. Levying the amount to be raised by a Secondary Property Tax and the rate upon each one hundred dollars (\$100) of the assessed valuation of property subject to taxation within the City of Mesa for Fiscal Year ending June 30, 2013 – Resolution No. 10105.

6. Introduction of the following ordinances and setting August 20, 2012, as the date of the public hearing on these ordinances:

- *6-a. **Z12-24 (District 2)** 4104 East Broadway Road. Located east of Val Vista on the north side of Broadway Road (20± acres). Rezone from RM-3 to RM-4 and Site Plan Review. This request will allow the expansion of an existing apartment complex. Acacia Capital Corp Phoenix Broadway 12-b LLC, owner; John Spelts, applicant. (PLN2012-00036)

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

Staff Recommendation: Approval with conditions.

- *6-b. Creating a new Title 2, Chapter 25 of the Mesa City Code, establishing an Independent Commission on Compensation for elected officials and describing its members and duties.

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. Amending Title 9 (Public Ways and Property) of Mesa City Code by adding subsection 9-6-4(H) establishing public street lighting requirements for Desert Place at Morrison Ranch, located south of Guadalupe Road, north of the power line easement approximately one-half-mile south of Guadalupe Road, west of Sossaman Road and east of the East Maricopa Floodway – Ordinance No. 5105.

Items not on the Consent Agenda

There were no items off the Consent Agenda.

7. Items from citizens present.

There were no items from citizens present

8. Adjournment.

Without objection, the meeting adjourned at 6:11 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 9th day of July, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

bdw