



COUNCIL MINUTES

March 19, 2012

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on March 19, 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

Invocation by Board Chairman David Madden, First Church of Christ Scientist.

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 remarked that Mesa is fortunate to have many citizens who take pride in their property. He stated that the improvements residents make to their property benefits the neighborhood and the community. He introduced Director of Development and Sustainability Christine Zielonka, who provided a brief history of the Extraordinary Properties campaign.

Ms. Zielonka advised that the Exceptional Properties campaign recognizes residents who take exceptional care of their property. She explained that nominations for Extraordinary Properties are received from the City Council, employees and residents and noted that the winners are selected by a citizen panel. She stated that winners are announced on a quarterly basis and receive a yard sign and plaque.

Ms. Zielonka, Mayor Smith and Councilmember Glover presented awards to the Extraordinary Properties winners as follows:

- Commercial Property – Andy Wylde, Owner of Chiller City
- Residential Property – Alfredo Barriga and Marlen Castellon
- Residential Property – Horace Macias
- Residential Property – Rosita Ortega

Ms. Zielonka congratulated the recipients and acknowledged the following members of the Extraordinary Properties Citizen Panel: Linda Flick, Cynthia Dunham, Pat Gilbert, Kirsten Howe and Stephanie Wright. She added that nominations are being accepted for the next group of Extraordinary Properties winners.

Mayor Smith thanked staff and the Extraordinary Properties winners for their efforts.

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 Vice Mayor Somers, seconded by Councilmember Kavanaugh, that the consent agenda items be approved.

Carried unanimously.

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

Minutes from the February 2, February 6, and March 5, 2012 Council meetings.

3. Take action on the following liquor license applications:

*3-a. Liberty Wildlife Rehabilitation Foundation Inc.

This is a four-day charitable event to be held on Monday, March 26, 2012 through Thursday, March 29, 2012, from 9:00 a.m. to 6:00 p.m. at 922 S. Country Club Drive. **(District 4)**

*3-b. Packages from Home

This is a three-day charitable event to be held on Friday, March 23, 2012, from 5:00 p.m. to 11:00 p.m., Saturday, March 24, 2012, from 11:00 a.m. to 11:00 p.m., and Sunday, March 25, 2012, from 11:00 a.m. to 5:00 p.m., at 922 S. Country Club Drive. **(District 4)**

*3-c. Special Olympics Arizona, Inc.

This is a two-day charitable event to be held on Saturday, March 31, 2012, from 11:00 a.m. to 11:00 p.m., and Sunday, April 1, 2012, from 11:00 a.m. to 5:00 p.m., at 922 S. Country Club Road. **(District 4)**

*3-d. St. Bridget Catholic Church

This is a one day religious event to be held on Friday, March 23, 2012, from 5:00 p.m. to 10:00 p.m., at 2213 N. Lindsay Road. **(District 1)**

*3-e. Fritz's Footlong

New Restaurant License for Fritz's Footlong, 1734 E. Main Street Suites 4-6, Fritz's Footlong LLC – Wayne Jay Wynn, Agent. This location has a Restaurant License held by Smokey's Bar and Grill that will revert back to the State. **(District 4)**

4. Take action on the following bingo application:

*4-a. BINGO LICENSE APPLICATION – CLASS A

Mesa Regal RV Resort II **(District 2)**
Rosemary Ross, Manager & Proceeds Coordinator
4700 E. Main Street
Mesa, AZ 85205

5. Take action on the following contracts:

*5-a. Purchase of Two (2) Replacement Servers and Support for the Customer Information System as requested by the Information Technology Department **(Citywide)**

The Purchasing Division recommends authorizing purchase from the lowest, responsive and responsible bidder, Insight Public Sector, Inc., at \$67,917.27, including applicable taxes.

*5-b. Purchase of Two (2) New Servers and Software to improve availability of the enterprise server platform for critical City applications as requested by the Information Technology Department **(Citywide)**

The Purchasing Division recommends authorizing purchase from the lowest, responsive and responsible bidder, Insight Public Sector, Inc., at \$42,776.72, including applicable taxes.

*5-c. Purchase of Thirteen (13) New Dual K-Band Directional Radars Devices for Police Motorcycles **(Single Bid) (Fully Funded by Governor's Office of Highway Safety) (Citywide)**

The Purchasing Division recommends awarding the contract to single bidder/manufacturer, Kustom Signals, Inc., at \$25,789.74, including applicable use tax.

- *5-d. Term Contract for Helicopter Airframe Parts and Repairs for the Police Department **(Citywide) DELETED – Continued to April 2nd Council Meeting.**

The Purchasing Division recommends awarding the contract to the lowest, responsive and responsible bidder, Seaside Helicopters, at \$188,000, based on estimated quantities.

- *5-e. Term Contract for Automotive Batteries for the Fleet Services Department **(Citywide)**

The Purchasing Division recommends authorizing purchase from lowest, responsive and responsible bidder, Kann Enterprises, Inc., dba Interstate Batteries (a Mesa business) at \$120,000, based on estimated requirements.

- *5-f. Term Contract for Replacement Carbon for Odor Control Tanks at the Greenfield and Northwest Water Reclamation Plants **(Citywide)**

The Purchasing Division recommends awarding the contract to the lowest, responsive and responsible bidder, Carbon Activated Corp. at \$163,863.39 for the three-year initial term, including applicable use tax, based on estimated requirements.

- *5-g. Pressure Reducing Valve Station 36 at Val Vista Treatment Plant **(Districts 1 and 5)**

City Project 10-473-001. This project will construct a new Pressure Reducing Valve Station (PRV) located on the Val Vista Water Treatment Plant property that is jointly owned by the cities of Mesa and Phoenix.

Recommend award to the lowest bidder, Swabs-AZ, Inc., in the amount of \$210,524.73, plus an additional \$21,052.47 (10% allowance for change orders) for a total award of \$231,577.20. Funding for this project is available in the FY 11/12 Water Bond Capital Program.

6. Take action on the following resolutions:

- *6-a. Approving and authorizing the City Manager to execute the amended and restated TOPAZ Regional Wireless Cooperative (TRWC) Intergovernmental Agreement with the City of Apache Junction, the Towns of Gilbert and Queen Creek, and the Apache Junction Fire District. This Agreement allows for an improved cost recovery model, the addition of the Rio Verde Fire District as a member agency, and clarifies the risk and liability among the TRWC partners. **(Citywide)** – Resolution No. 9994.
- *6-b. Approving and authorizing the City Manager to execute the Regional Communications Systems Connection Intergovernmental Agreement to establish radio network connectivity with the Arizona Department of Public Safety, Maricopa County, the City of Phoenix, and the Yuma Regional Communications Systems Council. This will facilitate improved communications during a major emergency response to the service areas of the participating agencies. **(Citywide)** – Resolution No. 9995.
- *6-c. Approving and authorizing the City Manager to execute a Transit Service Agreement with the Regional Public Transportation Authority (RPTA) for the East Valley Dial-a-Ride service in Mesa. Mesa will fund \$1,760,055 of the total costs. **(Citywide)** – Resolution No. 9996.

- *6-d. Approving and authorizing the City Manager to execute a Transit Service Agreement with the Regional Public Transportation Authority (RPTA) for the RideChoice program. Mesa will fund \$631,500 of the total costs. **(Citywide)** – Resolution No. 9997.
- *6-e. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Arizona Department of Transportation (ADOT) for the cost sharing and landscape maintenance of certain improvements constructed within the State Right of Way along Mesa Drive. ADOT will reimburse the City \$144,007.78 for their share of Project costs. **(District 4)** – Resolution No. 9998.
- *6-f. Approving and authorizing the City Manager to execute a Development Agreement for City Share Reimbursement with Springs Seven Development, Inc., an Arizona corporation. This will allow the reimbursement of \$231,761.50 to the developer for regional street and street lighting improvements that are being required by Mesa in conjunction with a proposed residential subdivision known as Sunland Springs Village Unit 7, located at 11365 East Guadalupe Road. Mesa's Share of funding for the improvements is budgeted in the FY 11/12 Streets Bond Program. **(District 6)** – Resolution No. 9999.

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. **Z12-20 (District 3)** The 1000 to 1100 block of West Grove Avenue (north side). Located south of Southern Avenue and east of Alma School Road (5± acres). Rezone from LC PAD-BIZ-CUP to PS BIZ and Site Plan Review. This request will allow the development of a Police Station. City of Mesa, owner; Chris Scott, applicant. (PLN2011-00373) – Ordinance No. 5080.

P&Z Recommendation: Approval with conditions. (Vote: 4-0-1, Boardmember DiBella abstained, Boardmembers Carter and Roberts absent.)

- *7-b. **Z12-04 (District 5)** Parcel 5 at Mountain Bridge. Located north of McKellips Road and west of Ellsworth Road (17.5± acres). Rezone from RS-35-PAD to RS-43-PAD-PAD and Site Plan Review. This request will allow the development of a single-residential subdivision. Pinnacle Ridge Holdings, LLC, owner; Paul Dugas, applicant. (PLN2012-00002) – Ordinance No. 5081.

P&Z Recommendation: Approval with conditions. (Vote: 5-0, Boardmembers Carter and Roberts absent.)

- *7-c. **Z12-05 (District 5)** Parcel 6 at Mountain Bridge. Located north of McKellips Road and west of Ellsworth Road (21.2± acres). Rezone from RS-35-PAD to RS-15-PAD-PAD and Site Plan Review. This request will allow the development of a single-residential subdivision. Pinnacle Ridge Holdings, LLC, owner; Paul Dugas, applicant. (PLN2012-00003) – Ordinance No. 5082.

P&Z Recommendation: Approval with conditions. (Vote: 5-0, Boardmembers Carter and Roberts absent.)

- *7-d. **Z12-06 (District 5)** Parcel 8 at Mountain Bridge. Located north of McKellips Road and west of Ellsworth Road (41.3± acres). Rezone from RS-35-PAD to RS-15-PAD-PAD and Site Plan Review. This request will allow the development of a single-residential subdivision. Pinnacle Ridge Holdings, LLC, owner; Paul Dugas, applicant. (PLN2012-00004) – Ordinance No. 5083.

P&Z Recommendation: Approval with conditions. (Vote: 5-0, Boardmembers Carter and Roberts absent.)

- *7-e. **Z12-07 (District 5)** Parcel 1/3 at Mountain Bridge. Located south of McKellips Road and west of Ellsworth Road (34.9± acres). Rezone from RS-35-PAD to RS-9-PAD-PAD and Site Plan Review. This request will allow the development of a single-residential subdivision. Pinnacle Ridge Holdings, LLC, owner; Paul Dugas, applicant. (PLN2012-00005) – Ordinance No. 5084.

P&Z Recommendation: Approval with conditions. (Vote: 5-0, Boardmembers Carter and Roberts absent.)

- *7-f. **Z12-08 (District 5)** Parcel 10/11 at Mountain Bridge. Located south of McKellips Road and west of Ellsworth Road (39.1± acres). Rezone from RS-35-PAD to RS-9-PAD-PAD and Site Plan Review. This request will allow the development of a single-residential subdivision. Pinnacle Ridge Holdings, LLC, owner; Paul Dugas, applicant. (PLN2012-00006) – Ordinance No. 5085.

P&Z Recommendation: Approval with conditions. (Vote: 5-0, Boardmembers Carter and Roberts absent.)

8. Take action on the following subdivision plat:

- *8-a. “Mesa Trade Center Condominiums” – (District 4) Located South of Main Street and West of Country Club Drive, 555 West 2nd Avenue. Two Office Condominium Units. (3.43± ac.) Zimmerman 1, LLC, owner; Robert E. Consoni, Gervasio and Associates, Inc., Surveyor.

Items not on the Consent Agenda

9. Items from citizens present.

Glenn Ray, owner of Mesa Signal 88 Security, addressed the Council and expressed his concerns with regards to the lack of a police presence in the southeast portion of the City. He stated that the Mountain Ranch Community has reported problems such as kids participating in “fight clubs” in the community parks, graffiti and vandalism. He stated that unless a situation is life threatening police response times are prolonged which makes it difficult to assist the HOA in maintaining a safe community. He suggested that his security company, which spends an estimated 5 hours in the community each night, partner with the Mesa Police Department in an effort to help make the community safer and provide a police presence.

Mayor Smith suggested that Mr. Ray meet with Assistant City Manager John Pombier after the meeting to discuss the problems that the Mountain Ranch Community is experiencing. He advised that the "MyMesa app" provides a means for citizens to report graffiti using their Smartphone.

Joyce Adams, a Mesa resident and HOA Board Member for the Mountain Ranch Community, expressed her concerns with regards to the criminal activity in her community. She said the problems that the Mountain Ranch Community is experiencing include vandalism, graffiti, damage to electrical boxes, monument signs, parks from All Terrain Vehicles (ATVs) and thefts. She stated that the "fight clubs" have rendered the parks unsafe and requested that the police department form a partnership with them to help create a safer community.

Mayor Smith suggested that Ms. Adams also meet with Mr. Pombier after the meeting.

Rebecca Swain, a Mesa resident in the Mountain Ranch Community, addressed the Council and said that the "fight clubs" and the drug culture have made the parks in her community unsafe. She advised that when her family wants to use a park they leave their community to do so. She stated that Signal 88 Security knows which houses in the community are "drug houses" and when the police have been called the response times for issues that are not an imminent threat can be up to three hours. Ms. Swain requested that some type of assistance be provided to help make their community safe.

Mayor Smith thanked Ms. Swain for her comments and said that Mr. Pombier would be available after the meeting to address their concerns.

10. Adjournment.

Without objection, the meeting adjourned at 6:15 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 19th day of March 2012. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

bdw