



COUNCIL MINUTES

March 4, 2013

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on March 4, 2013 at 5:46 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
Dee Ann Mickelsen

(*Councilmember Somers participated in the meeting through the use of telephonic equipment.)

Invocation by Pastor Glen Stadler with Spirit of Hope Lutheran Church.

Pledge of Allegiance was led by Boy Scout Payton Romney.

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 stated that the City of Mesa was fortunate to have many residents who take great pride in their properties not only through financial investments, but also by the "sweat of their brow." He noted that in the past few years, as part of the City of Mesa's Extraordinary Properties campaign, the City has recognized those individuals for their efforts and hard work. Mayor Smith commented that tonight, the City will recognize its sixth group of recipients and invited Development and Sustainability Department Director Christine Zielonka to come forward and introduce those citizens.

Ms. Zielonka reported that each quarter, the City receives nominations for the Extraordinary Properties campaign from the community and City staff. She explained that the recipients will receive a certificate and an Extraordinary Properties sign that will be displayed in their front yards for three months.

Ms. Zielonka recognized the property owners as follows:

- Joseph Ripsam II and Joseph Ripsam III for the Cabbage Rose Quilt Shop on North Dobson Road.

Mayor Smith and Councilmember Kavanaugh presented the certificate to the recipients.

Ms. Zielonka continued with her presentation and recognized the property owners as follows:

- Silvestre and Josie Ochoa for their home on East Forge Avenue in the Holmes neighborhood.
- Manfredo and Antonia Canton for their home on South Miller Street in the Tucker Place neighborhood.
- Francisco and Maria Otero for their home on East Millett Avenue in the Park Village neighborhood.
- Alejandro and Guillermina Castro for their home on East Vine Avenue.

Mayor Smith and Councilmember Glover presented the certificates to the recipients.

Ms. Zielonka acknowledged the panel of community leaders who, on a quarterly basis, review the nominations and select the winners.

Mayor Smith congratulated the property owners and thanked them for their efforts to enhance their respective neighborhoods and make the community “a better place.”

Mayor Smith stated that the City of Mesa was pleased to welcome a crew from C-SPAN (Cable-Satellite Public Affairs Network), who is visiting a number of sites throughout the community. He briefly recalled an occasion when he participated in a live call-in show on C-SPAN and noted that he was impressed that the network had such a dedicated following of viewers across the country. Mayor Smith invited Michael Stull, Manager of Government Relations for Cox Communications, to address the Council.

Mr. Stull reported that C-SPAN was established by the cable industry as a public service and stated that Cox Communications continues to participate in such an endeavor. He advised that not only does the network provide coverage of the U.S. Senate and House of Representatives, but also showcases many aspects of American life. He acknowledged that C-SPAN is in high demand with respect to producing such unique programming and expressed appreciation that the network has once again returned to the Valley.

Deborah Lamb, representing C-SPAN, thanked the Council, City management and staff for their assistance in directing her towards some of Mesa’s unique history and literary life. She commented that since it was impossible to cover everything in Mesa, her team will select and produce six to seven segments showcasing Mesa that will air the weekend of April 6th and 7th.

Ms. Lamb reiterated that in 1979, C-SPAN was created by the cable industry to show events and public policy, public affairs programming, government in action, from beginning to end, in an unedited format. She remarked that such programming, which is accomplished without commercials or advertising, is designed to illustrate various points of view. She pointed out that the network receives no taxpayer dollars or government funding in order to operate.

Ms. Lamb commented that during the weekend, C-SPAN has its niche programming, with non-fiction, book-related programming on C-SPAN2 and history-related programming on C-SPAN3. She said that

her crew visits communities throughout the country, produces interesting and noteworthy stories and the network presents those cities and towns to a national audience. She introduced her colleagues in the audience who accompanied her to Mesa.

Ms. Lamb briefly highlighted some of the topics that the crew will cover during their visit as follows: Hohokam Stadium and its impact on Cactus League baseball; the Alston House, the home of Dr. Lucius Alston, the first Black doctor in Mesa; Mesa Grande Ruins; Mormon history/settlement in Mesa; Falcon Field and Phoenix-Mesa Gateway Airports; an interview with the son of former U.S. Representative John Rhodes; and interviews of local Mesa authors.

Mayor Smith thanked Ms. Lamb and her crew for their efforts and hard work and said that he looked forward to viewing the stories about Mesa on April 6th and 7th.

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 Glover, seconded by Councilmember Kavanaugh, that the consent agenda items be approved.

Mayor Smith commented that although he did not want to remove item 5-e (Approving and authorizing the City Manager to execute a Facilities Use Agreement with the Athletics Investment Group LLC, for use of Hohokam Stadium and Fitch Park as their Spring Training facilities), from the agenda, he did want to acknowledge that "this is a big day." He stated that he was grateful for the manner in which the Oakland Athletics have worked with the City of Mesa regarding this matter and added that the ball club is "coming back home."

Mayor Smith called for the vote.

Carried unanimously.

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

Minutes from the February 25, 2013 Council meeting.

3. Take action on the following liquor license applications:

*3-a. Ultimate Imaginations Inc.

This is a one-day charitable event to be held on Friday, April 5, 2013, from 5:00 p.m. to 10:00 p.m., on Main Street from Robson to Center and Center from Main Street to 1st Street. **(District 4)**

*3-b. Spice Asian Bistro

New Restaurant License for Spice Asian Bistro, 6638 East Superstition Springs Blvd., Suite 101, Spice Asian Bistro LLC – Don H. Lam, Agent. This location has a Restaurant License held by Bin 7000 LLC that will revert back to the State. **(District 6)**

*3-c. T.C. Eggington's

New Restaurant License for T.C. Eggington's, 1660 South Alma School Road, Suite 129, Kyn-Ash Inc. – Thomas Benton Coker, agent. This is an existing building with no previous liquor license at this location. **(District 3)**

4. Take action on the following contracts:

*4-a. Purchase of a Replacement Chyron On-Air Graphics System for the Public Information Office/Channel 11. **(Citywide)**

The On-Air Graphics System is the tool used to generate and insert banners and other graphics on Mesa Channel 11 programming. The City's current system crashed and is not repairable. Channel 11 has used the Chyron system for more than seven years and the station's entire graphics portfolio has been built around this system. Transitioning to another system would be costly and would require a great deal of time and training, as well as data conversion. Staff is requesting to replace the system with a like Chyron system. The opportunity to trade in our existing unit is only available from Chyron Corporation directly and is not available through their reseller network.

The Public Information and Communications Office and Purchasing recommend awarding the purchase to the sole source vendor, Chyron Corporation, at \$35,817.60, including use tax.

*4-b. Three-Year Term Contract for Fire Equipment and Supplies for the Fire and Medical Department. **(Citywide)**

This contract will provide firefighting equipment carried on fire apparatus used in daily operations by Fire and Medical Department personnel to include various types of firefighting hand tools, nozzles, and other related equipment. The equipment is needed to replace old, outdated, broken and/or damaged equipment, as well as for outfitting newly purchased fire apparatus.

Fire and Medical recommends awarding the contract to the lowest, responsive and responsible bidders: LN Curtis & Sons; Municipal Emergency Services, Inc., dba MES - Arizona; and Matlick Enterprises, dba United Fire Equipment Company. The combined contract award is \$200,000 annually, including applicable sales taxes.

*4-c. Five-Year Term Contract for Managed Print Services for Citywide Departments. **(Citywide)**

Managed Print Services is an outsourced vendor service to provide the City's printing, copying, scanning, and faxing using existing and new hardware. This service includes hardware maintenance and provides all supplies, including toner, except paper. The cost

for these services is based on a “cost per image” chargeback fee by metering usage per device. The plan calls for optimization of the City’s entire fleet of devices through strategic replacements of older devices, introduction of new multi-function printers and improved management information about our printing.

A committee representing the Information Technology, Water Resources, Human Resources, Fire and Medical and Police Departments and Purchasing evaluated responses based on the required elements. The evaluation committee recommends awarding the contract to the highest scored proposal from Arizona Office Technologies-Xerox (AOT) at \$600,000 annually, based on estimated requirements.

- *4-d. Two-Year Renewal of the Term Contract for Recreational Lighting Maintenance for the Parks, Recreation and Commercial Facilities Department. **(Citywide)**

This contract provides recreational lighting maintenance services at City schools, parks and golf courses. The contractor provides routine, preventative and emergency maintenance of all components of the lighting systems for the Parks and Recreation Division. Management approved the initial two-year contract with one two-year renewal option. This is the two-year renewal contract.

Parks, Recreation and Commercial Facilities and Purchasing recommend authorizing a two-year renewal with Fluoresco Lighting & Signs at \$10,000 annually, and Deca Southwest at \$40,000 annually, based on estimated requirements, for the combined contract award of \$50,000 annually.

- *4-e. Two-Year Contract for Traffic Signal Controller Cabinets and Replacement Components for the Materials and Supply Warehouse (for the Transportation Department). **(Citywide)**

This contract will provide traffic signal controller cabinets and replacement components stocked in the Materials and Supply Warehouse for the operation of signalized intersections. These traffic signal cabinets are used by Transportation to replace cabinets damaged in vehicle accidents or for new signalized locations constructed by the department.

Materials and Supply, Transportation, and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Richsiobhan Industries, dba RSI, at \$262,274.38 annually, based on estimated requirements.

- *4-f. Dollar-Limit Increase to the Term Contract for Rock and Concrete Materials for Various City Departments. **(Citywide)**

A dollar-limit increase is needed at this time due to unanticipated and additional needs by the respective departments, which will increase the total contract amount from \$798,000 to \$920,000 annually. Additionally, based on the current and projected usage, Purchasing requests Council authorization for the revised contract amount of \$920,000 for the subsequent years of the contract through April 2015.

Energy Resources, Water Resources, Parks, Recreation and Commercial Facilities, Transportation and Purchasing recommend authorizing a dollar-limit increase of \$122,000, increasing the total contract amount from \$798,000 to \$920,000 annually.

*4-g. Southern Avenue Improvements, Alma School Road to Dobson Road. **(District 3)**

This is the first project from the City's Fiesta District Implementation Plan along Southern Avenue, which "seeks to create a uniquely identifiable area for Mesa that is economically vibrant, pedestrian friendly and an active urban destination." The project will include a variety of improvements on Southern Avenue from Alma School Road to Dobson Road to support this concept.

Recommend award of the Construction Phase Services contract to Haydon Building Corporation, in the amount of \$9,843,743.39, which includes \$286,710.97 (3%) as a change order allowance. Funding will be from the 2008 Streets Bond Authorization.

5. Take action on the following resolutions:

- *5-a. Approving the modified Fees and Charges for the Parks, Recreation and Commercial Facilities Department – Resolution No. 10189.
- *5-b. Approving and authorizing the City Manager to execute a Transit Services Agreement with the Regional Public Transportation Authority for fixed bus route service – Resolution No. 10190. **(Citywide)**
- *5-c. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Regional Public Transportation Authority for the East Valley Dial-a-Ride Program – Resolution No. 10191. **(Citywide)**
- *5-d. Approving and authorizing the City Manager to execute an Intergovernmental Agreement for the Ride Choice Program with the Regional Public Transportation Authority – Resolution No. 10192. **(Citywide)**
- *5-e. Approving and authorizing the City Manager to execute a Facilities Use Agreement with the Athletics Investment Group LLC, for use of Hohokam Stadium and Fitch Park as their Spring Training facilities – Resolution No. 10193

6. Discuss, receive public comment, and take action on the ordinance 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:

- *6-a. **Z13-06 (District 2)** 5701 East Main Street. Located south of Main Street and west of Recker Road (8.2± acres). Modification of an existing Planned Area Development (PAD), Site Plan Modification, and preliminary plat approval. This request will allow modification to the design of an existing subdivision in the RM-2 PAD zoning district. Dan Muickalacki, owner/applicant. (PLN2012-00446) – Ordinance No. 5136.

P&Z Recommendation: Approval with conditions. (Vote: 7-0)

7. Take action on the following subdivision plats:

- *7-a. "Townhomes at Sunland Springs Phase Two" **(District 6)** 10960 East Monte Avenue. Located north and east of East Guadalupe and South Signal Butte Roads. 94 RM4 PAD

PAD lots. Transnation Title Insurance company, Trustee; Jeff Giles, Clouse Engineering, engineer.

- *7-b. "Map of Dedication Mountain Bridge – East Upper Canyon Drive Phase 2" (**District 5**) the 8800 block of East Upper Canyon Drive. Located north and east of East McKellips and North Hawes Roads. Pinnacle Ridge Holdings, LLC, owner; Darrel Smith, Wood/Patel, engineer.

Items not on the Consent Agenda

8. Conduct a public hearing and take action on the following Minor General Plan Amendment, GPMInor12-04, Annexation and Zoning Ordinances introduced at a prior Council meeting:

- 8-a. Conduct a public hearing on Minor General Plan Amendment GPMInor12-04.

Mayor Smith stated that this was the time and place to conduct a public hearing on Minor General Plan Amendment GPMInor12-04.

There being no citizens wishing to address the Council, the Mayor declared the public hearing closed.

- 8-b. **GPMInor12-04 (District 5)** The 2000 block of North Sossaman Road (east side) and the 7600 block of East McKellips Road (north side). Located at the northeast corner of Sossaman Road and McKellips Road (10± 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 future residential development of a higher density on the site. Foresight Group LLC, owner; Joe Goforth, applicant. (PLN2012-00295) – Resolution No. 10194.

P&Z Recommendation: Adoption (Vote: 7-0)

It was moved by Councilwoman Higgins, seconded by Councilmember Glover, that Resolution No. 10194 be adopted.

Carried unanimously.

- 8-c. **A12-07 (District 5)** Annexing land located at the northeast corner of McKellips Road and Sossaman Road. 9± ac. Initiated by the property owners, Foresight Group LLC – Ordinance No. 5137.

It was moved by Councilwoman Higgins, seconded by Councilmember Glover, that Ordinance No. 5137 be adopted.

Carried unanimously.

- 8-d. **Z12-47 (District 5)** The 2000 block of North Sossaman Road (east side) and the 7600 block of East McKellips Road (north side). Located at the northeast corner of Sossaman Road and McKellips Road (10± acres). Rezone from Maricopa County R1-35 to City of Mesa RS-35. This request will establish City of Mesa zoning on recently annexed property. Foresight Group LLC, owner; Joe Goforth, applicant. (PLN2012-00295) – Ordinance No. 5138.

Staff Recommendation: Approval with conditions.

P&Z Recommendation: Approval with conditions. (Vote: 7-0)

It was moved by Councilmember Kavanaugh, seconded by Councilmember Glover, that Ordinance No. 5138 be adopted.

Carried unanimously.

- 8-e. **Z12-48 (District 5)** The 2000 block of North Sossaman Road (east side) and the 7600 block of East McKellips Road (north side). Located at the northeast corner of Sossaman Road and McKellips Road (10± acres). Rezone from RS-35 to RS-15 PAD. This request will allow future residential development on recently annexed property. Foresight Group LLC, owner; Joe Goforth, applicant. (PLN2012-00295) – Ordinance No. 5139.

Staff Recommendation: Approval with conditions.

P&Z Recommendation: Approval with conditions. (Vote: 7-0)

It was moved by Councilmember Glover, seconded by Councilwoman Higgins, that Ordinance No. 5139 be adopted.

Carried unanimously.

9. Items from citizens present.

There were no items from citizens present.

10. Adjournment.

Without objection, the meeting adjourned at 6:17 p.m.

SCOTT SMITH, MAYOR

ATTEST:

DEE ANN MICKELSEN, INTERIM 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 4th day of March, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, INTERIM CITY CLERK