



COUNCIL MINUTES

November 1, 2010

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on November 1, 2010 at 5:45 p.m.

COUNCIL PRESENT

Scott Smith
Alex Finter
Kyle Jones
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

Dina Higgins

OFFICERS PRESENT

Christopher Brady
Linda Crocker

Mayor Smith excused Councilwoman Higgins from the entire meeting.

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

Pledge of Allegiance was led by Scout Noah Vavrinec, Troop #544.

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: None

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 Somers, that the consent agenda items be approved.

Mayor Smith declared the motion carried unanimously by those present.

Items on the Consent Agenda

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

Minutes of the September 23 and October 18, 2010 Council meetings.

3. Take action on the following liquor license applications:

***3a. Mi Amigos Foodmart**

Person to Person Location to Location Transfer of a Liquor Store License for Mi Amigos Foodmart, 1930 E. Broadway Road, Suite 2, Green Egg LLC – Thomas Edward Grubbs II, Agent. This location has a Beer & Wine Store License held under Green Egg LLC that will revert back to the State. **(District 2)**

***3b. Hyatt Place Phoenix-Mesa**

New Hotel-Motel Liquor License for Hyatt Place Phoenix-Mesa, 1422 W. Bass Pro Drive, Mesa Food and Beverage LLC – Emily Burow, Agent. This location has a Beer & Wine Bar License held under Mesa Food and Beverage LLC. **(District 1)**

***3c. Fuddruckers**

New Restaurant License for Fuddruckers, 6455 E. Southern Avenue, Lubys Fuddruckers Restaurants LLC – Andrea Dahlman Lewkowitz, Agent. This location has a Restaurant License held under Fuddruckers Inc that will revert back to the State. **(District 6)**

***3d. Oreganos Pizza Bistro**

New Restaurant License for Oreganos Pizza Bistro, 1130 S. Dobson Road, Oreganos Restaurants Inc – Mark Steven Russell, Agent. This location has a Restaurant License held under Gallaghers Inc that will revert back to the State. **(District 3)**

***3e. Rockin R Ranch**

New Restaurant License for Rockin R Ranch, 6136 E. Baseline Road, Rockin R Ranch LLC – Mary Ellen Robson, Agent. This location has a Restaurant License held under Miziker Entertainment Group Ltd that will revert back to the State. **(District 6)**

***3f. Valle Del Oro**

New Restaurant License for Valle Del Oro, 1452 S. Ellsworth Road, Cal-Am Properties Inc – Joseph Anthony Turley, Agent. This is an existing building with no previous liquor license at this location. **(District 6)**

4. Take action on the following contracts:

4a. Purchase of 3M Library Systems Equipment for the Mesa Express Library (Fully Funded by Library Bond Funds). **(Citywide)*

The Purchasing Division recommends authorizing purchase from the Maricopa County Cooperative Sole Source Contract with 3M Track and Trace Solutions at \$134,193.41, including applicable use taxes.

- *4b. Term Contract for Gas Service Regulators for the Energy Resources Department. **(Citywide)**

The Purchasing Division recommends awarding the contract to the lowest, responsive and responsible bidder, Itron, Inc. at \$42,530.20, including applicable use tax, based on estimated requirements.

- *4c. Renewal of the Term Contract for Excess Flow Valves for the Materials & Supply Warehouse. **(Citywide)**

The Purchasing Division recommends authorizing renewal with RW Lyall at \$10,000 annually, and Elster Perfection at \$25,000 annually, including applicable uses taxes, and based on estimated requirements. The combined total contract award is \$35,000 annually.

- *4d. Purchase of a New Police Training Simulator System for the Police Department (Single Proposal) (Fully Funded by COPS Grant). **(Citywide)**

The Purchasing Division recommends awarding the contract to Raytheon BBN Technologies Corp. at \$259,358.87, including applicable taxes.

- *4e. Term Contract for Tires for Warehouse Inventory. **(Citywide)**

The Purchasing Division recommends authorizing purchases through the State of Arizona Department of Transportation contracts with Purcell's Western States Tire, a Mesa business, at \$637,000 annually, and Jack's Tire and Oil of AZ, Inc. at \$100,000 annually, including applicable sales tax, based on estimated requirements. The combined contract award is \$737,000 annually.

- *4f. Sossaman Road 24-inch Waterline & Elliot Road 20-inch Waterline. **(District 6)**

City Projects 01-572-001 and 04-055-001. This project will install approximately 10,000 feet of new 24-inch waterline along Sossaman Road (Peralta Avenue to the Loop 202 Freeway) and 5,300 feet of new 20-inch waterline along Elliot Road (Power Road to Sossaman Road). When completed, these waterlines will increase capacity, improve systems pressure and provide reliable water service to the southern Falcon Field service area including the Phoenix-Mesa Gateway Airport and surrounding properties.

Recommend award to the low bidder, Seller and Sons, Inc., in the amount of \$1,564,927.00, plus an additional \$156,492.70 (10% allowance for change orders) for a total award of \$1,721,419.70. Funding is available in the FY 10/11 Water Bond Capital Program.

- *4g. Desert Well No. 22 Equipping and Collection Pipeline to Signal Butte Water Treatment Plant, 11144 E. Elliot Road. **(District 6)**

City Project 05-066-002. The new well at this site was drilled under a separate contract completed in February 2008. This project will install the necessary pump, piping, electrical, chlorination equipment and other site improvements in order to complete a pipeline that connects Desert Wells 21 and Desert Wells 22 to the Signal Butte Reservoir and Pump Station. This connection allows the City to fill the reservoir using ground water.

Recommend award to the low bidder, CityWide Contracting LLC, in the amount of \$1,096,140.00 plus an additional \$109,614.00 (10% allowance for change orders) for a total award of \$1,205,754.00. Funding is available in the FY 10/11 Water Bond Capital Program.

*4h. Pasadena Reservoir Structural Rehabilitation and Roof Replacement, 601 N. Pasadena. **(District 4)**

City Project 09-932-001. This project will replace the existing roof in its entirety and metal support structure with new steel support framing and a new standing-seam aluminum roof. Also included are repairs to the existing concrete columns and concrete perimeter wall that supports the roof beams. These improvements are expected to extend the reservoir's service life for an additional 25 years.

Recommend award to the low bidder, Hunter Contracting Company, in the amount of \$2,099,434.14, plus an additional \$209,943.41 (10% allowance for change orders) for a total award of \$2,309,377.55. Funding is available in the FY 2010/11 Water Bond Capital Program.

*4i. ASU Polytechnic Campus Roadway and Utility Improvements. **(District 6)**

City Projects 06-011-002 and 06-079-001. This project includes widening the ASU Polytechnic Campus Roadway to one lane in each direction with a continuous left turn lane. Additional improvements include new asphalt pavement, sidewalk improvements, street lighting, bus pullouts, water and wastewater lines, retention basins, above ground water master meters, and conversion of overhead electric and communications improvements to underground facilities.

Recommend to approve the selection of Hunter Contracting Company as the Construction Manager at Risk (CMAR), and the associated Design Phase Services contract in the amount of \$111,957.70. Funding is available in the FY 10/11 Water, Wastewater and Street Bond Capital Programs.

*4j. Excess Liability Insurance.

Recommend purchase of Excess Liability Insurance from Everest National Insurance Company for \$10 million in excess of the City's \$3 million Self-Insured Retention (SIR). The cost of this policy is \$332,700.

Recommend purchase of 2nd layer excess liability insurance from Great American Assurance Company for an additional \$25 million in liability coverage. The cost of this policy is \$211,000.

*4k. Property Insurance.

Recommend purchase of Property Insurance from Travelers Insurance with coverage of \$300 million per occurrence with a \$50,000 deductible. The cost of this policy is \$277,384.

*4l. Aviation Insurance.

Recommend purchase of Airport Liability Insurance from Chartis Aerospace Insurance with \$0 deductible and \$50 million per occurrence coverage. The cost of this policy is \$14,740.

Recommend purchase of Aircraft Hull and Liability Insurance from Chartis Aerospace Insurance with \$0 deductible and \$50 million per occurrence. The cost of this policy is \$116,645.

5. Take action on the following resolutions:

- *5a. Approving and authorizing the City Manager to execute a Grant Agreement with the Office of Economic Adjustment to accept grant funds in the amount of \$128,875 for consulting services to assist with the Base Relocation and Closure process for the Mesa Air Force Research Lab – Resolution No. 9772. **(District 6)**
- *5b. Approving and authorizing the City Manager to execute a Grant Agreement with the Arizona Department of Homeland Security to accept grant funds in the amount of \$320,000 for equipment and training for the Police Department's Rapid Response Team – Resolution No. 9773.
- *5c. Approving and authorizing the City Manager to execute a Grant Agreement with the Arizona Department of Homeland Security to accept grant funds in the amount of \$71,902 for equipment, a replacement vehicle and training for the Police Department's Terrorism Liaison Officer Program – Resolution No. 9774.
- *5d. Approving and authorizing the City Manager to execute a Grant Agreement with the Arizona Department of Homeland Security to accept grant funds in the amount of \$60,000 to secure and enhance the Police Department's Range – Resolution No. 9775.
- *5e. Approving and authorizing the City Manager to execute a Grant Agreement with the Arizona Department of Homeland Security to accept grant funds in the amount of \$20,000 to secure and enhance the Police Department's Headquarters Complex – Resolution No. 9776.
- *5f. Approving and authorizing the City Manager to execute a Grant Agreement with the Arizona Department of Homeland Security to accept grant funds in the amount of \$45,000 for a replacement transportation trailer for the Police Department's Explosive Ordnance Device Team – Resolution No. 9777.
- *5g. Approving and authorizing the City Manager to execute a Grant Agreement with the Governor's Office of Highway Safety to accept grant funds in the amount of \$100,000 for

police motorcycles for the Police Department to enhance traffic enforcement – Resolution No. 9778.

6. Introduction of the following ordinances and setting November 15, 2010 as the date of the public hearing on these ordinances:

- *6a. **Z10-26 (District 2)** 2860 East Main Street. Located east of Lindsay Road on the north side of Main Street (8,612 +/- sf). Council Use Permit. This request will allow the change of ownership of an existing pawn shop. Red Mountain Asset Fund, owner; Susan Demmitt, Beus Gilbert, applicant. (PLN2010-00285).

P&Z Recommendation: Approval with conditions. (Vote: 6-0, Boardmember Hudson absent)

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.

- *7a. Amending various sections of the Mesa City Code regarding the following traffic modifications – Ordinance No. 5009:

Speed Limits (40 mph): 10-4-4 and Speed Limits (30 mph): 10-4-6

Increase the speed limit from 30 mph to 40 mph on Hawes Road from Broadway Road to a point 1,275 feet south of Southern Avenue. Note: Hawes Road from 1,275 feet south of Southern Avenue to Baseline Road no longer exists; therefore, City Code will also be amended to reflect this condition (Hawes Road south of Broadway Road). **(District 6)**

Speed Limits (45 mph): 10-4-3

Establish a speed limit of 45 mph on Hawes Road from Loop 202/Santan Freeway to Ray Road (Hawes Road north of Ray Road). **(District 6)**

Speed Limits (45 mph): 10-4-3 and Speed Limits (35 mph): 10-4-5

Increase the speed limit from 35 mph to 45 mph on Ray Road from Power Road to Sossaman Road and establish a speed limit of 45 mph on Ray Road from Sossaman Road to Ellsworth Road (Ray Road east of Power Road). **(District 6)**

8. Take action on the following subdivision plats:

- *8a. “VALENCIA AT MOUNTAIN BRIDGE” **(District 5)** 8760 East Mountain Bridge Drive (south side) located south and east of McKellips Road and Hawes Road. 77 R1-15 PAD DMP lots. (14.29 +/- acres) Jeff Blandford, manager, Phoenix Land Division, L.L.C. and Pinnacle Ridge Holdings, L.L.C., owner; Darrell Smith, Wood, Patel & Associates, Inc., engineer.

9. Towing Contract – Deleted.

10. Items from citizens present.

There were no items from citizens present.

11. Adjournment.

Without objection, the meeting adjourned at 5:54 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 1st day of November 2010. 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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