



COUNCIL MINUTES

May 4, 2009

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on May 4, 2009 at 5:45 p.m.

COUNCIL PRESENT

Mayor Scott Smith
Alex Finter
Dina Higgins
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

Kyle Jones

OFFICERS PRESENT

Christopher Brady
Linda Crocker

Mayor Smith excused Vice Mayor Jones from the entire meeting.

Invocation by Pastor Rich Wisely, Mountain Vista Bible Church.

Pledge of Allegiance was led by Austin Shumway, Scout Troop No. 430.

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.

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

Mayor Smith stated that prior to the Council taking action on the consent agenda, he wanted to recognize Magistrate Victor Ortiz and his family who were present in the audience. He

expressed appreciation to Magistrate Ortiz for his service to the City of Mesa and the community. Mayor Smith added that Magistrate Karl Eppich had a prior engagement and was unable to attend tonight's meeting. **(See agenda Items 4a and 4b)**

Mayor Smith called for the vote.

Mayor Smith declared the motion carried unanimously by those present.

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

Minutes of the November 6 and December 1, 2008 and April 20, 2009 Council meetings.

3. Conduct a public hearing on the proposed CDBG/HOME/ESG FY 2009/2010 Annual Action Plan and the One-Year Consolidated Plan.

Mayor Smith announced that this was the time and place for a public hearing on the proposed CDBG/HOME/ESG FY 2009/2010 Annual Action Plan and the One-Year Consolidated Plan.

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

4. Take action on the following recommendation from the Judicial Advisory Board:

*4a. Reappointment of Magistrate Victor Ortiz for a four-year term beginning July 1, 2009 and ending June 30, 2013.

*4b. Reappointment of Magistrate Karl Eppich for a four-year term beginning July 1, 2009 and ending June 30, 2013.

5. Take action on the following liquor license applications:

*5a DJ's Beer and Wine

New Beer and Wine Store License for DJ's Beer and Wine, 1840 West Southern Avenue, Suites 7-9, DJ's Beer and Wine LLC – Donald Wayne Jakubowski, Agent. The previous Restaurant License held at this location by Boles, Inc. was surrendered to the State Liquor Board on March 31, 1997. **(District 3)**

*5b. Shakespeares A Traditional Pub and Restaurant

New Restaurant License for Shakespeares A Traditional Pub and Restaurant, 1744 South Val Vista Drive, Suite 101, British American Restaurant LLC – Lawrence Edward Elliget, Agent. The previous Restaurant License held at this location by Dana Park Irish Pubs LLC will revert back to the State. **(District 2)**

*5c. The Valley Eatery Diner Restaurant

Person and Location Transfer Beer and Wine Bar for The Valley Eatery Diner Restaurant, 270 West Main Street, IL Vinaio, LLC – Cameron Patrick Selogie, Agent. No previous liquor license at this location. **(District 4)**

6. Take action on the following contracts:

- *6a. Purchase of a Replacement Substation Power Transformer for the Energy Resources Department (Electric).

The Business Services Department recommends authorizing purchase from the lowest, responsive and responsible bidder, Virginia Transformer Corp., at \$516,384.00, including applicable use tax. **(Citywide)**

- *6b. Purchase of Replacement 15kV Metalclad Switchgear for the Energy Resources Department (Electric).

The Business Services Department recommends authorizing purchase from the lowest, responsive and responsible bidder, Powercon Corporation, at \$255,913.15, including applicable use tax. **(Citywide)**

- *6c. Purchase of Replacement Camera Equipment for the Police Department, Forensics Services Section (Fully Grant Funded through Arizona Criminal Justice Commission's Full Service Crime Laboratory Grant).

The Business Services Department recommends authorizing purchase from the single bid submitted by B&H Photo Video Pro-Audio at \$108,664.56, including applicable use tax. **(Citywide)**

- *6d. **Deleted.** Term Contract for Replacement Fitness Equipment and Supplies for the Fire and Parks, Recreation and Commercial Facilities Departments.

- *6e. Water Line and Gas Line Replacement, 9th Place, Country Club Drive to Center Street, City of Mesa Project No. 01-557-005.

This project will replace 3,900 linear feet of existing 4-inch and 6-inch diameter water lines with new 8-inch diameter ductile iron pipe (DIP). The new water line will provide reliable water service to City customers on 9th Place. The project will also replace all existing 85 water meters, water services and fire hydrants to comply with City standards. In addition, this project will replace the existing gas lines in this area. These lines have exceeded their design life and are recommended for replacement in a joint trench with the water main to take advantage of reduced trench and pavement replacement costs.

Recommend award to the low bidder, RBG/ERU Joint Venture, in the amount of \$511,200.00 plus an additional \$51,120.00 (10% allowance for change orders) for a total award of \$562,320.00. This project is funded from the FY 08/09 Water and Gas Bond Capital Programs. **(Districts 1 and 4)**

- *6f. Falcon Field Airport, Building Demolition at 5035 East Roadrunner Drive, City of Mesa Project No. 06-020-001.

The scope of work proposed under this contract is to demolish and remove the two vacant buildings located at 5035 East Roadrunner Drive. The buildings consist of an aircraft hangar with attached storage building (Building 1) and an obsolete aircraft painting hangar (Building 2). The buildings are both currently vacant and are owned by

the City of Mesa. Demolition of these buildings will allow for construction of a future east taxi lane to provide access to the East Area.

Recommend award to the low bidder, R.K. Sanders, Inc., in the amount of \$52,790.00 plus an additional \$5,279.00 (10% allowance for change orders) for a total award of \$58,069.00. ADOT Grant No. E7S26 will cover 90% of the demolition cost, with the City of Mesa responsible for the remaining 10%. Funding for the City's local share of the cost is available from the adopted FY 2008/09 Falcon Field Airport Capital Program. **(District 5)**

- *6g. Mesa Convention Center (Building A) HVAC Replacement, 263 North Center Street, City of Mesa Project No. 07-009-001.

This project will remove the existing heating ventilation and air conditioning (HVAC) system and replace it with a new, more reliable system including air handlers, gas-fired make-up units, evaporative coolers, air-cooled chillers and all HVAC mechanical work associated with the installation of a new HVAC system. This work includes all associated electrical work and the installation of a new walled equipment yard. The new cooling units are more energy efficient and will provide additional flexibility to meet the HVAC needs of the Convention Center.

Recommend award to the low bidder, Liberty Builders and Development, Inc., in the amount of \$633,330.03 plus an additional \$63,333.00 (10% allowance for change orders) for a total award of \$696,663.03. Funding is available in the approved FY 08/09 Convention Center Capital Program, Facilities Maintenance Budget, and the Capital Improvement and Operational Program. **(District 4)**

7. Take action on the following resolutions:

- *7a. Approving and authorizing the City Manager to execute a Memorandum of Understanding to accept grant funds made available through the 2009 Byrne Justice Assistance Grant Program – Resolution No. 9480.

Funds in the amount of \$1,095,332 will be used to purchase equipment and resources for the Mesa Police Department's Information Technology Unit. (100% Stimulus/Grant Funded)

- *7b. Granting a Power Distribution Easement to Salt River Project on City-owned property at 2155 South Dobson Road – Resolution No. 9481.

The easement is needed for Salt River Project to install the needed facilities to upgrade the electrical system at the Dobson Ranch Golf Course and Club House. **(District 3)**

- *7c. Establishing an Identity Theft Prevention Program to Comply with the Fair and Accurate Credit Transaction Act of 2003 for the Business Services Customer Call Center and Business Office – Resolution No. 9482. **(Citywide)**

- *7d. **Deleted.** Authorizing the City Manager to adopt regulations for the Safe and Efficient Operation of Falcon Field Airport. **(District 5)**

8. Introduction of the following ordinances and setting May 18, 2009, as the date of the public hearing on these ordinances:

- *8a. **Z09-04 (District 6)** 1017 South 88th Street. Located north of Southern Avenue and west of Ellsworth Road. (1.11± ac) Rezone from Maricopa County RU-43 to City of Mesa R1-43. For the establishment of City of Mesa zoning on recently annexed property. City of Mesa, applicant.

PHO Recommendation: Approval with conditions.

- *8b. **Z09-05 (District 6)** 7938 East 2nd Avenue. Located east of Sossaman Road and south of Main Street. (0.21± ac) Rezone from Maricopa County R1-6 to City of Mesa R1-6. For the establishment of City of Mesa zoning on recently annexed property. City of Mesa, applicant.

PHO Recommendation: Approval with conditions.

- *8c. **Z09-06 (District 5)** 839 North 98th Street. Located south of Brown Road and west of Crismon Road. (1.07±) Rezone from Maricopa County RU-43 to City of Mesa R1-43. For establishment of City of Mesa zoning on recently annexed property. City of Mesa, applicant.

PHO Recommendation: Approval with conditions.

- *8d. **Deleted. Z09-07 (District 6)** 10617 East Oasis Street.

*9. Assign delinquent accounts to collection services for the three-month period ending March 31, 2009, totaling \$796,744. (Citywide)

10. Items from citizens present.

There were no items from citizens present.

11. Adjournment.

Without objection, the meeting adjourned at 5:55 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 4th day of May 2009. 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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