

COUNCIL MINUTES

August 26, 2002

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on August 26, 2002 at 5:45 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Dennis Kavanaugh
Rex Griswold
Kyle Jones
Janie Thom
Claudia Walters
Mike Whalen

COUNCIL ABSENT

None

OFFICERS PRESENT

Mike Hutchinson
Debbie Spinner
Barbara Jones

Invocation by Pastor David L. Wade, Mount Calvary Baptist Church.

Pledge of Allegiance was led by Brad Smith, Boy Scout Troop # 154.

Mayor Hawker 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. Consider all consent agenda items.

At this time, all matters on the consent agenda were considered or were removed at the request of a member of the Council. All items identified with an asterisk (*) were approved with one Council action.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Walters, that the consent agenda items be approved.

Carried unanimously.

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

Minutes of the June 18 and 26, 2002, July 16 and 25, 2002 and August 1, 5 and 12, 2002 Council Meetings were approved.

3. Consider the following liquor license applications:

*a. NATARAJA K. RATTEHALLI, AGENT

New Beer & Wine Store License for 7-Eleven #21022D, 1210 W. Guadalupe Road. The Beer & Wine License previously held at this location by Patricia A. Norris, Agent, 7-Eleven, Inc. will revert back to the State.

b. RICHARD J. PAWLAK, AGENT

New Restaurant License for Tom's BBQ & Deli, 5005 E. McKellips Road. No previous liquor license at this location.

Councilmember Griswold declared a potential conflict of interest and refrained from discussion/participation in this agenda item.

It was moved by Councilmember Jones, seconded by Councilmember Whalen, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES - Hawker-Jones-Kavanaugh-Thom-Walters-Whalen

NAYS - None

ABSTAIN - Griswold

Mayor Hawker declared the motion carried unanimously by those voting.

4. Consider the following contracts:

*a. Two automated side loading (ASL) refuse trucks for the Solid Waste Division. Both trucks are additions to the fleet.

The Purchasing Division recommends authorizing an additional purchase option from RFP #2001196, by Arizona Truck Center at \$360,180.92.

*b. Ballistic/riot helmets as requested by the Police Department.

The Purchasing Division recommends exercising an additional purchase option from RFB #2001210 with the original overall low bid meeting specification by Universal Police Supply Company at \$45,819.27 including applicable sales tax.

*c. One-year Supply Contract for Computing Equipment as requested by the Information Services Division.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with CompuCom Systems, Inc. as primary supplier, and the secondary supply contract with IKON Office Solutions. Staff projects that 90% of the computing equipment (\$1,885,352.85) will be purchased from CompuCom Systems, Inc. and 10%

(\$212,310.96) will be purchased from IKON Office Solutions. The combined total award is \$2,097,663.81 based on estimated annual requirements.

- *d. Data Storage Unit for the Computer Room as requested by Information Services.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with EMC Corporation for a total of \$662,356.08, including applicable sales tax.

- *e. Two-year supply contracts for large type books, as requested by the Mesa Public Library.

The Purchasing Division concurs with the Evaluation Team's recommendation to award a primary contract to Gale Groups for annual purchases estimated at \$40,700. A secondary contract to Baker and Taylor for annual purchases estimated at \$6,600 is also recommended. The combined award is then \$47,300 based on estimated annual purchases.

- *f. Network Hardware Supply Contract, as requested by the Information Services Division (ISD).

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Ames Business and Learning Environments, Inc. for purchases estimated at \$375,000.00, including applicable sales tax.

- *g. Two-year supply contract for Spirit brand telephone equipment, as requested by the Communications Division.

Request for Bid #2002162 – New Bid

The Purchasing Division recommends accepting the low bid by Call One, Inc., as the primary contract for desktop phone sets at \$25,903.16 based on estimated annual purchases. In order to assure continuity of supply, Albatech, Inc. is recommended as secondary supplier.

Request for Bid #2000164 – Renewal

The Purchasing Division recommends exercising the two-year renewal option with Scottsdale Communications at \$16,755.50 for the remaining Spirit telephone equipment, based on estimated annual requirements. In order to assure continuity of supply, a secondary contract to Expanets is recommended.

The combined award is then \$42,658.66 based on estimated annual purchases.

- *h. One-year Stoploss Reinsurance Policy for the Employee Benefit Trust Fund as requested by Employee Benefits.

The Purchasing Division recommends that Council ratify the recommendation of the Employee Benefits Advisory Committee to accept the lowest priced proposal from Companion Life for an estimated annual premium of \$501,072. In order to prevent a gap in coverage, this policy became effective August 1, 2002, prior to Council action.

- *i. Two-year renewal of the supply contract for streetlight and traffic signal poles, mast arms and anchor bolts for warehouse inventory to be used by the Transportation Division.

The Purchasing Division recommends exercising the two-year renewal option as follows:

Items 1-7, 9, 10, 12-14, 33, 34, 38-41, 43, 45, 63, and 81-82 to CEM-TEC Corp. at \$65,627.14; items 16, 17, 20, 22, 27, 30, 49, 50-56, 64-75, 83, 84 and 89 to Ameron Pole Products at \$152,972.91; and items 59 and 94 to Valmount Industries at \$6,314.88. The combined award is then \$224,914.93 based on estimated requirements.

- *j. Two-year supply contract for street sweeping services as requested by the Transportation Division.

The Purchasing Division recommends accepting the proposal with the lowest price by Allied Waste, dba Mountain Valley Disposal, for estimated annual expenditures of \$618,128.45.

- *k. Two-year supply contract for transit bus tires, as requested by Fleet Support Services.

The Purchasing Division recommends accepting the low bid by Tire Centers L.L.C. at \$90,998.58 based on estimated annual requirements.

- *l. Four replacement pickups for the Fire Department.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Five Star Ford at \$102,612.24.

- m. Fire Station No. 201. City of Mesa Project No. 01-24.

This project replaces the existing Fire Station No. 201 to accommodate new and additional equipment, as well as to provide additional space for Battalion Headquarters related equipment and staff. This new station will provide space for approximately 20 firefighters, six fire/rescue apparatus, and a battalion Suburban.

Recommend award to low bidder, Norquay Construction, Inc., in the amount of \$5,007,979.78 plus an additional \$500,707.98 (10% allowance for change orders) for a total award of \$5,507,787.76.

Mayor Hawker declared a potential conflict of interest and refrained from discussion/participation in this agenda item.

Mayor Hawker yielded the gavel to Vice Mayor Kavanaugh for action on this agenda item.

Councilmember Walters, Chairman of the Fire Committee, commended Assistant Fire Chief Paul Wilson and the residents of the Wilbur Historic District for their collaborative efforts and hard work to ensure that the design of the fire station would meet the needs not only of the Fire Department, but the community as well.

Assistant Fire Chief Paul Wilson provided the Council with a brief overview of this agenda item.

Councilmember Walters also acknowledged former Councilmember Pat Pomeroy for his input and suggestions relative to ensuring that the fire station retain an historical appearance to complement the surrounding Wilbur Historic District.

It was moved by Councilmember Walters, seconded by Councilmember Whalen, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES - Griswold-Jones-Kavanaugh-Thom-Walters-Whalen
NAYS - None
ABSTAIN - Hawker

Vice Mayor Kavanaugh declared the motion carried unanimously by those voting.

With action on this agenda item being completed, Vice Mayor Kavanaugh yielded the gavel back to Mayor Hawker.

- *n. Electric poles & related supplies as requested by the Utilities Department.

The Purchasing Division recommends accepting the low bid by Border States for item #1 (pole hardware) at \$12,618.00, plus 8.1% sales tax of \$1,022.06, for a total of \$13,640.06.

5. Introduction of the following ordinances and setting September 9, 2002 as the date of public hearing on these ordinances:

- *a. **A02-4** Annexing the northwest corner of 93rd Street and McLellan Road (2± acres). Initiated by the property owner.
- *b. **Z02-23** The southwest corner of Baseline Road and Ellsworth Road (16 acres). Rezone from R-4 PAD to C-2. This case involves the development of a neighborhood retail center. Craig Bollman, owner; Joe Murray, applicant.
- *c. **Z02-24** The 3700-3800 block of McKellips Road (38 acres). Rezone from R1-35 to R1-35 PAD. This case involves the development of a single-residence subdivision. David Day, owner; Gregory L. Allen, represented by Sean Lake, applicant.
- *d. **Z02-25** 6544 E. Baseline Road (5.7 acres). Rezone from C-2 BIZ to O-S PAD and C-2. This case involves the development of an office condominium project. U.P. Mesa, Inc., represented by William Oliver, owner/applicant.
- *e. **Deleted.**
- *f. **Z02-28** The southwest corner of Broadway Road and Stapley Drive (1.74 acres). Rezone from R-2 and R1-6 to C-2. This case involves the development of a convenience and gas store. Dave Cisiewski, owner; Daniel Bonow, applicant.

6. Consider the following resolutions:

- *a. Authorizing the City Manager to execute a Development Agreement for City Share Reimbursement between the Roman Catholic Church, Diocese of Phoenix and the City for the design and construction of regional offsite street improvements for 1500 East Baseline Road, Queen of Heaven Cemetery – Resolution No. 7891.
- *b. Authorizing the City Manager to execute a Development Agreement for City Share Reimbursement between Greenfield Office Court, LP and NWC Southern Greenfield L.L.C., and the City for the design and construction of regional offsite street improvements for 1122 South Greenfield Road, Greenfield Court – Resolution No. 7892.
- *c. Authorizing the City Manager to execute a Development Agreement for City Share Reimbursement between Pulte Home Corporation and the City for the design and construction of the regional offsite street improvements for 7735 East University Drive, Cecina (a residential subdivision) – Resolution No. 7893.
- *d. Authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Governor’s Office of Highway Safety providing for funds to pay overtime to officers for education and enforcement of safety belt use – Resolution No. 7894.
- *e. Extinguishing a portion of an easement for an outfall sewer line and dedicate a public utility easement for the sewer line. The outfall sewer line easement was never used, making it no longer necessary. The public utility easement is necessary for the existing sewer line – Resolution No. 7895.

7. Consider the following ordinances:

- a. **Zoning Case HL-TC** Historic Landmark Overlay for the Mount Calvary Baptist Church, 430 North Lewis Street – Ordinance No. 4009.

This case involves an Historic Landmark Overlay for the first African-American church in Mesa.

Lil Johnson, 2021 East Marilyn Avenue, addressed the Council and voiced appreciation to the City and in particular Redevelopment Planner Tony Felice for efforts relative to this case. She voiced the opinion that implementing an Historic Landmark Overlay for Mount Calvary Baptist Church is important not only for the City as a whole, but for Mesa’s black community as well.

It was moved by Councilmember Jones, seconded by Vice Mayor Kavanaugh, that Ordinance No. 4009 be adopted.

Mayor Hawker thanked the members of the Mount Calvary Baptist Church for their attendance at tonight’s meeting.

Carried unanimously.

- *b. **A01-4** Annexing the southeast corner of Broadway Road and the RWCD Canal (11.7± acres). Initiated by the property owner – Ordinance No. 4008.

8. Consider the following subdivision plats.

- *a. “STAPLEY OFFICE COMPLEX”, - (Council District 4) – 1012 South Stapley Drive (west side) 5 O-S PAD office lots (1.8 acres) Richard C. Phillips and Jacquelyn R. Phillips, David L. Belnap and Dennis S. Lawrence, owners; Ace Engineering, Inc., engineer.
- *b. “VILLAGES OF EASTRIDGE UNIT 8”, - (Council District 6) – 10400 to 10600 block of South Vegas (west side) 89 R1-7 PAD DMP single residence lots (20.59 acres) Crismon & Baseline, L.L.C., owner; CMX Group Inc., engineer.

9. Election items.

City Clerk Barbara Jones addressed the Council and provided an update concerning the referendum issue relative to the Multipurpose Facility project and the fact that this issue (Proposition 404) will be on the September 10, 2002 Maricopa County Primary Election ballot. She referred to a sample ballot on display in the Council Chambers and noted that Proposition 404 is on the back page of the ballot. Ms. Jones outlined timeframes relative to early voting in the Primary Election, and stated that voters may request early ballots from Maricopa County by telephone or via the County’s web site. Ms. Jones also provided the location for early voting in person.

Discussion ensued regarding a map displayed in the Council Chambers depicting Mesa’s Legislative Districts 17, 18, 19, 21 and 22.

The following citizens, in order of appearance, spoke in opposition to the Multipurpose Facility:

Linda Neil	1667 West 7 th Place
Gary Fuchs	354 East Capri Avenue
Thomas Kozak	415 North Pecan

Citizens who spoke in opposition to the Multipurpose Facility expressed the following opinions:

- Mesa voters must be given the opportunity to cast their ballots on Proposition 404 and not have that right taken away by the actions of the City Council.
- The City Councilmembers are elected to represent the residents in their districts and not to satisfy their personal agendas.
- The City of Tempe is the most appropriate site for the facility.

Mayor Hawker advised that the following citizens submitted cards and expressed opposition to the Multipurpose Facility but did not wish to speak:

Darrell Knight	862 West 11 th Street
Mischel Whipple	1637 West Alcott Street
Barbara Bushman	1606 West 7 th Place
Steve Bushman	1606 West 7 th Place

Daniel/Darlene Pagan	No address provided
Gloria Gibson	601 North May Street
Kate Benson	10150 East Calypso
Rick/Nancy Bodrero	1707 West Mountain View Drive
Rob/Fran Burns	1859 West Devonshire
LaRue Gates	1948 West Devonshire
Tom/Arlene Jacobson	2863 East Dolphin Avenue
Rouell Moreno	610 South Dobson Road
Charmaine McCleve	445 North Ash
D. Lynch	615 North Nevada Way
W.D. Brown	131 West 7 th Place
Dea Leon	131 West 7 th Place
D.L. Brown	No address provided
Robert Meyers	1441 West 4 th Place

Mayor Hawker thanked the citizens for their courteous behavior.

10. Items from citizens present.

Gregory Woods, 1426 West Pepper Place, expressed concerns regarding the City's recent negotiations with the TSA relative to the Multipurpose Facility whereby Mesa would not issue City bonds to fund the infrastructure and parking costs and thereby eliminate the necessity for the September 10, 2002 Special Election. He stated the opinion that it is imperative that Mesa's citizens are given the opportunity to cast their ballots on Proposition 404 in the upcoming election.

Marion Whipple, 1637 West Alcott, concurred with the comments of the previous speaker.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:43 p.m.

KENO HAWKER, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

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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 26th day of August 2002. I further certify that the meeting was duly called and held and that a quorum was present.

BARBARA JONES, CITY CLERK

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