



COUNCIL MINUTES

September 21, 2009

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on September 21, 2009 at 5:45 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

Invocation by Vice Mayor Kyle Jones.

Pledge of Allegiance was led by Scout Jacob Morris, Troop #863.

Awards, Recognitions and Announcements.

Parks, Recreation and Commercial Facilities Planning and Development Supervisor Andrea Moore said that the Mayor has proclaimed Friday, September 25, 2009 as a "Day of Play" in Mesa. Ms. Moore reported that the City partnered with a non-profit organization, KaBOOM, to create playgrounds at two City parks, Beverly Park and Park of the Canals. She stated that as a result of the City's continued partnership with KaBOOM, the City of Mesa is one of 93 cities across the country to be named as a "Playful City USA." Ms. Moore advised that the "Day of Play" would be celebrated by offering expanded after-school programming on Friday, which includes events at the Jefferson and Webster Gymnasiums, free youth admission to the Red Mountain Multi-Generational Center climbing wall and open gym, and a free family movie night at the Mesa Amphitheatre.

Mayor Smith thanked Ms. Moore for her presentation and ongoing efforts.

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

Carried unanimously.

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

Minutes of the May 14, August 31 and September 14, 2009 Council meetings.

3. Take action on the following contracts:

- *3a. Term Contract for Aftermarket Parts for Automobiles and Light Duty Trucks for the Fleet Services Department. **(Citywide)**

The Purchasing Division recommends awarding the contract to the highest scored proposals, Tri-City Automotive Warehouse, a Mesa business, at \$160,000.00, and Mels NAPA Auto Parts, a Mesa business, at \$20,000.00, for the combined total award of \$180,000.00.

- *3b. Purchase of Two (2) Replacement Utility Vehicles and One (1) Replacement Greens Mower for the Parks, Recreation and Commercial Facilities Department. **(Citywide)**

The Purchasing Division recommends authorizing purchase with Simpson Norton Corporation at \$65,769.47, including applicable sales tax.

- *3c. Arizona Museum for Youth Expansion, 35 N. Robson. **(District 4)**

City Project No. 06-053-001. This project will improve the Museum's ability to meet the public demand by remodeling existing space to expand the very popular children's gallery, Artville, increase annual attendance and program revenue, modify the lobby to improve circulation, provide space for larger groups to assemble, increase visibility of the admissions desk and new gift shop, increase retail sales at the new gift shop, and improve handicap access and safety for the public.

Recommend award to the low bidder, JE Bowen Construction Company, in the amount of \$112,290.00 plus an additional \$11,229.00 (10% allowance for change orders) for a total award of \$123,519.00. Funding is available in the adopted FY09/10 Arts and Cultural Capital Program using Cultural Impact Fees restricted for the expansion of facilities.

- *3d. Term Contract for Stockless Office and Classroom Supplies for use by all City Departments. **(Citywide)**

The Purchasing Division recommends awarding the contract to the highest scored proposal from WIST Office Products at \$975,000.00 annually (Mesa's portion), based on estimated purchases.

4. Take action on the following resolution:

- *4a. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the Flood Control District of Maricopa County and the City of Mesa for the Siphon Draw Drainage Improvements Project (Phase 2). The purpose of this Agreement is to identify and define the responsibilities of the Flood Control District and City for the cost sharing of the construction, construction management and operation and maintenance of the project. Mesa's estimated share of the project cost is \$1,080,000. Funding is available in the approved FY09/10 Storm Sewer Capital Bond Program – Resolution No. 9562. **(District 6)**
- *4b. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between Mesa Unified School District #4 and the City of Mesa to secure funds in the amount of \$587,029 for seven school resource officers assigned to junior high schools in the City – Resolution No. 9563.
- *4c. Amending the City of Mesa Drought Plan to reflect organizational restructuring – Resolution No. 9564.
- *4d. Approving and authorizing the City Manager to enter into negotiations and execute an agreement with Southwest Ambulance to provide regional emergency transportation services – Resolution No. 9565.

5. Introduction of the following ordinances and setting October 5, 2009, as the date of the public hearing on these ordinances:

- *5a. **A08-37 (District 5)** Annexing one parcel of land located in the Sunrise Heights Subdivision, north of Brown Road and west of Ellsworth Road. (0.15+/- ac.). Initiated by Harlan Finzer, one of the property owners.
- *5b. **A09-02 (District 1)** Annexing land located north of McDowell Road and east of Lehi Road, 2701 East Lehi Road (7.65+/- ac.). Initiated by William H Standage, representative for the Church of Jesus Christ of Latter-day Saints.
- *5c. **A09-03 (District 5)** Annexing land located on the northeast corner of Brown Road and Crismon Road (5.78+/- ac.). Initiated by Curtis Leetham, representative for the Church of Jesus Christ of Latter-day Saints.
- *5d. Delaying implementation of adopting the most recent International Code Council (ICC) Construction Valuation Table (1 to 3 percent increase) for calculating building permit fees.

6. 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 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 Clerk before Council votes on the consent agenda.

- *6a. **A08-40 (District 5)** Annexing land located on the northeast corner of Hermosa Vista Drive and North Hawes Road. (2.02+/- ac.). Initiated by Stephen Loper one of the property owners – Ordinance No. 4949.

7. Take action on the following subdivision plat:

- *7a. FIRST MESA COMMERCE PARK, PHASE 2” - (**District 6**) 9602 East Elliot Road (north side) located north and east of Ellsworth Road and Elliot Road. 5 PEP DMP industrial lots and 3 M-1 DMP industrial lots (gross area 75.76 acres). First Industrial Realty Trust Inc., Paul Mathews, owner, David Evans and Associates, Ernest Amponsah, Engineer – Z07-114 (PLN2008-00003)

8. Items from citizens present.

Ruth Margalit presented a letter addressed to the Mayor and Council dated September 21st (**see Attachment 1**) regarding her concerns with the City’s electric utility service. She stated that she owns three apartment complexes in the City of Mesa, two of which receive electricity from SRP and the other from the City of Mesa. Ms. Margalit advised that SRP enables a renter to purchase an M-Power box for \$99, which is considerably less expensive than the City’s requirement for a \$300 deposit in order to receive electric service. She said that the disparity in costs makes it difficult to rent apartments served by the City of Mesa electric utility.

Mayor Smith requested that Deputy City Manager Jack Friedline discuss the issue with Ms. Margalit.

9. Adjournment.

Without objection, the meeting adjourned at 5:56 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 21st day of September 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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Attachment (1)