



COUNCIL MINUTES

May 17, 2010

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on May 17, 2010 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 Jones.

Pledge of Allegiance was led by Councilmember Richins.

Mayor's Welcome.

Awards, Recognitions and Announcements.

Mayor Smith stated that for more than 25 years, the Mesa Leadership Training and Development (LTD) Program has provided residents the opportunity to learn about the community, City government and gain lifelong leadership skills. He invited Kay Henry, Chair of the Mesa LTD Board, and Sophia Tesch, Community Liaison Chair, to come forward.

Ms. Henry explained that on April 8th, the Mesa LTD held a fundraiser to benefit Mesa's ABC (A Better Community) Program. She noted that Ms. Tesch, who also serves as Chair of the Human Services Advisory Board, was aware of the fact that fewer contributions have been made to the ABC Program due to the economic downturn and suggested that the Mesa LTD hold a fundraiser to assist in that regard. Ms. Henry said that the event proved to be a great success and she and Ms. Tesch presented Mayor Smith a check for \$3,300.

Mayor Smith thanked the Mesa LTD for their efforts and hard work.

Mayor Smith offered a series of comments regarding Falcon Field Airport, which originally served as a pilot training base during World War II, and is now a general aviation facility owned and operated by the City of Mesa. He expressed appreciation to airport management and City staff for their recent efforts to “balance the needs” of the City, the aviation community, local businesses and the surrounding neighborhoods. Mayor Smith cited, in particular, staff’s efforts to conduct community outreach to resolve a series of complaints regarding aircraft noise and possible safety risks.

Mayor Smith stated that in recognition of such efforts, Falcon Field Airport has been named “Arizona Airport of the Year.” He indicated that the Arizona Department of Transportation (ADOT) Multimodal Planning Division – Aeronautics Group, which sponsors the award, based its selection of Falcon Field on achievements such as aviation advocacy and community outreach; airport management; special events and recognition; the annual Falcon Field open house; and the creation of Freddy the Falcon mascot to promote children’s interest in the airport and aviation. Mayor Smith also noted that Falcon Field Airport is a self-sustaining enterprise and added that the facility and the surrounding businesses generate significant revenues for the City.

Airport Director Corinne Nystrom stated that it was a privilege for Falcon Field and the City of Mesa to receive this prestigious award. She expressed appreciation to the Council and City Manager Christopher Brady for their support of Falcon Field and also thanked Assistant to the City Manager Natalie Lewis and Deputy City Manager Jack Friedline.

Ms. Nystrom further acknowledged her entire staff for their efforts and hard work, and in particular, recognized Airport Projects Supervisor Jeff Tripp, Financial Coordinator Rick Welker, Airport Administration Supervisor Jim Law and Freddy the Falcon mascot.

Mayor Smith, on behalf of his fellow Councilmembers, congratulated Ms. Nystrom and her staff on their achievement.

1. Take action on all consent agenda items.

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 February 10, April 29 and May 3, 2010 Council meetings.

3. Conduct a public hearing and take action on the proposed annual assessments for the Mesa Town Center Improvement District No. 228:

3a. Public hearing on the proposed annual assessments for the Mesa Town Center Improvement District No. 228. **(District 4)**

Mayor Smith announced that this was the time and place to conduct a public hearing on the proposed annual assessments for the Mesa Town Center Improvement District No. 228.

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

3b. Take action on the following resolution:

Approving the proposed annual assessments for the Mesa Town Center Improvement District No. 228. The recommendation is to not increase the assessments for FY10/11 – Resolution No. 9691. **(District 4)**

It was moved by Vice Mayor Jones, seconded by Councilmember Kavanaugh, that Resolution No. 9691 be adopted.

Carried unanimously.

4. Take action on the following liquor license applications:

*4a Neighborhood Economic Development Corporation

This is a one-day civic event to be held on Friday, June 4, 2010, from 6:00 p.m. to 10:00 p.m. at 1 to 270 West Main Street. **(District 4)**

*4b. 7 Eleven 26620C

New Beer & Wine Store License for 7 Eleven #26620C, 411 South Gilbert Road, Bhela Inc. – Arshdeep Bhela, Agent. The previous Beer & Wine License held at this location by Randhir Singh will revert back to the State. **(District 2)**

*4c. Walgreens 11182

New Beer & Wine Store License for Walgreens 11182, 1130 West Southern Avenue, Walgreen Arizona Drug Co. – Randy Allen Guse, Agent. This is an existing building with no previous liquor license at this location. **(District 3)**

*4d. Contigo Peru Fine Peruvian Cuisine

New Restaurant License for Contigo Peru Fine Peruvian Cuisine, 1245 West Guadalupe Road, Suite B7-8, Contigo Peru Fine Peruvian Cuisine – Edwin Burns, Agent. The previous Restaurant License held at this location by Juarez Family was terminated with the State on 04/04/2008. **(District 3)**

*4e. Fat Willy's Family Sports Grill

New Restaurant License for Fat Willy's Family Sports Grill, 2662 East University Drive, Suite 102, Fat Willy's University LLC – Christopher Robert Gelenites, Agent. The previous Restaurant License held at this location by Crawl Enterprises LLC will revert back to the State. **(District 2)**

*4f. The Grill on Main

New Restaurant License for The Grill On Main, 124 West Main Street, The Grill On Main LLC – Arthur Otto Froehlich, Agent. This is an existing building with no previous liquor license at this location. **(District 4)**

*4g. India Oven

New Restaurant License for India Oven, 1315 South Gilbert Road, Suite 102-104, Singh Family LLC – Sarabjit Singh, Agent. The previous Restaurant License held at this location by Tulios Restaurant Concepts Inc. was terminated with the State on 05/31/2007. **(District 2)**

*4h. La Cascada Seafood & Mexican Food

New Restaurant License for La Cascada Seafood & Mexican Food, 540 West Broadway Road, Suite 101-102, Leslie Erin Nowlin, Individual. The previous Restaurant License held at this location by Belinda L. Dominquez will revert back to the State. **(District 4)**

*4i. Salsitas Mexican Food

New Restaurant License for Salsitas Mexican Food, 35 North Country Club Drive, Yesenia Santoyo, Agent. The previous Restaurant License held at this location by El Bucanero LLC will revert back to the State. **(District 4)**

5. Take action on the following contracts:

*5a. Purchase of Siemens and Polycom Telephone Equipment for Citywide Use for the Information Technology Department **(Citywide)**.

The Purchasing Division recommends authorizing purchase from the lowest, responsive and responsible bidders, Siemens Enterprise Communications, Inc. at \$1,175,399.69 and Vocal Cloud at \$27,497.45, including applicable taxes. The combined total award is \$1,202,897.14; \$610,259.99 funded in FY 09/10 and \$592,637.15 to be funded in FY 10/11.

*5b. Term Contract for Automotive Hydraulic Hose and Fittings for Fleet Services **(Citywide)**.

The Purchasing Division recommends awarding the contract to the lowest, responsible and responsive bidder, Westpac Heavy Duty, Inc., dba C.W. Carter Co., at \$90,000 annually, based on estimated requirements.

*5c. Term Contract for Cationic Emulsion Polymer for the Water Resources Department – Phase II **(Citywide)**.

The Purchasing Division recommends awarding the contract to the lowest, responsive and responsible bidder, Polydyne Inc., at \$450,000 annually, based on estimated requirements.

*5d. Upgrade Brown Road Water Treatment Plant – Desert Wells and Desert Sage Pump Station Upgrades **(District 5)**.

City Project 04-071-001. This project will expand the existing pump stations by installing larger capacity pumps, additional pumps to serve the Desert Wells water zone, and the Desert Sage water zone, an additional 36-inch water line to feed the Desert Sage water zone and upgrade a portion of the electrical system.

Recommend award to the low bidder, Garney Companies, Inc., in the amount of \$2,477,480.00, plus an additional \$247,748.00 (10% allowance for change orders) for a total award of \$2,725,228.00. Funding is available in the tentative FY 10/11 Water Bond Capital Program.

*5e. Rehabilitation of Wastewater Crossings under the U.S. 60 Freeway (**Citywide**).

City Project 07-029-001. This project will install a new corrosion-protection liner on the interior of five existing wastewater pipes that cross under the U.S. 60 Freeway at Horne, Val Vista Drive, Power Road, 80th Place and Crismon Road.

Recommend award to the low bidder, Insituform Technologies, in the amount of \$695,710.60, plus an additional \$69,571.06 (10% allowance for change orders) for a total award of \$765,281.66. Funding is available in the tentative FY 10/11 Wastewater Bond Capital Program.

*5f. Chilled Water Pumps, Chiller, and Boiler Replacement at Various Locations (**Districts 3 & 4**).

City Project 09-923-001. This project will replace chilled water pumps, a chiller and a boiler that are beyond their useful life, thereby preventing a system failure that could disrupt City operations. With more energy-efficient units in place, the City will reduce overall operating and maintenance costs.

Recommend award to the low bidder, Premier Mechanical, in the amount of \$368,836.00, plus an additional \$36,883.60 (10% allowance for change orders) for a total award of \$405,719.60. Funding is available in the Facilities Maintenance Operating Budget.

6. Introduction of the following ordinances and setting June 7, 2010, as the date of the public hearing on these ordinances:

*6a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

Speed Limits (40 mph) 10-4-4 and Speed Limits (35 mph): 10-4-5

Increasing the speed limit from 35 mph to 40 mph on Signal Butte Road from Baseline Road to a point 450 feet south of Elliot Road. (Signal Butte Road south of Baseline Road). (**District 6**)

*6b. **Z10-06 (District 1)** 945 North Center Street. Located south of Brown Road on the east side of Center Street (1.35± acres). Rezone from R1-6 to R1-6 HL. This request will establish a Local Historic Landmark Overlay for the Fitch Farmhouse. Ruth Nesbitt, Owner; City of Mesa, applicant.

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

7. Take action on the following resolutions:

- *7a. Approving and supporting the submittal of a grant application by Mesa Parks, Recreation and Commercial Facilities to the Ak-Chin Indian Community for funding in the amount of \$300,000 to expand off-leash dog facilities at four parks in Mesa – Resolution No. 9680.
- *7b. Approving and supporting the submittal of a grant application by A.T. Still University (ATSU) to the Ak-Chin Indian Community for funding in the amount of \$8,350 to initiate a pilot project, Community Health Watch Education – Resolution No. 9681.
- *7c. Approving and supporting the submittal of a grant application by A.T. Still University (ATSU) to the Gila River Indian Community for funding in the amount of \$318,000 over a three-year period to support the Bridging the Gap Program – Resolution No. 9682.
- *7d. Approving and supporting the submittal of a grant application by East Valley Adult Resources (EVAR) to the Ak-Chin Indian Community for funding in the amount of \$75,000 to support the community with various outreach services – Resolution No. 9683.
- *7e. Approving and supporting the submittal of a grant application by the Gene Lewis Boxing Club to the Ak-Chin Indian Community for funding in the amount of \$25,000 for health and wellness programs for youth – Resolution No. 9684.
- *7f. Approving and supporting the submittal of a grant application by Southwest Shakespeare Company to the Ak-Chin Indian Community for funding in the amount of \$50,000 to develop a “Shakespeare on the Road” tour – Resolution No. 9685.
- *7g. Approving and supporting the submittal of a grant application by the Mesa Convention and Visitors Bureau (MCVB) to the Fort McDowell Yavapai Nation for funding in the amount of \$146,250 for marketing and sales activities to promote tourism for Mesa and the Fort McDowell Yavapai Nation – Resolution No. 9686.
- *7h. **Deleted.**
- *7i. Extinguishing a portion of a 1-foot Vehicular Non-Access Easement at 3548 East Grandview Street, Lot 14, Chatham Groves – Resolution No. 9687. **(District 1)**

This easement is being extinguished to allow the construction of an RV garage on a residential lot as approved by the Development and Sustainability Department.
- *7j. Granting a Power Distribution Easement to Salt River Project at 2100 West 8th Street (Riverview Park) – Resolution No. 9688. **(District 1)**

This easement is necessary to provide electrical service and install new electrical transformers at Riverview Park to accommodate the park’s soccer fields.
- *7k. Approving the municipal incorporation of an area known as San Tan Valley, Arizona – Resolution No. 9689.
- *7l. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa, as administrative manager of the Topaz Regional Wireless

Cooperative (TRWC), and the City of Phoenix, as administrative manager of the Regional Wireless Cooperative (RWC), to facilitate radio interoperability and ongoing coordination between the TRWC and RWC – Resolution No. 9690.

8. 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.

*8a. Amending the Mesa Tax Code (MTC) as a result of the adoption of changes to the Model City Tax Code (MCTC) – Ordinance No. 4979.

*9. Assign delinquent accounts to collection services for the three-month period ending March 31, 2010, totaling \$726,631.

*10. Adopt a Notice of Intention to adjust rates or rate components, fees and/or service charges for irrigation water, natural gas, reclaimed water, solid waste, wastewater and water and establishing June 21, 2010, as the date of the public hearing.

11. Items from citizens present.

There were no items from citizens present.

12. Adjournment.

Without objection, the meeting adjourned at 6:10 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 17th day of May 2010. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK