

COUNCIL MINUTES

February 4, 2002

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on February 4, 2002 at 5:50 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Jim Davidson
Bill Jaffa
Dennis Kavanaugh
Pat Pomeroy
Claudia Walters
Mike Whalen

COUNCIL ABSENT

None

OFFICERS PRESENT

Mike Hutchinson
Debbie Spinner
Barbara Jones

Invocation by Councilmember Whalen.

Pledge of Allegiance was led by Benjamin Nelson and Bennett Whitwood, Boy Scout Troop # 358.

Mayor Hawker welcomed everyone to the meeting. He explained that the City of Mesa has adopted an Ethics Code and Handbook which states that Council candidates shall not engage in political campaigning at City meetings or in City buildings. As a result of the policy, Mayor Hawker requested that Council candidates refrain from wearing political items such as buttons, hats, t-shirts or pins during Council meetings. He also encouraged candidates to address the Council if they so desire, but not to identify themselves as Council candidates while at the podium. Mayor Hawker suggested that citizens who wish to distribute informational materials do so before or after the Council meeting so as not to disrupt the proceedings. He added that the Ethics Code and Handbook does not apply to individuals who are present at a Council meeting in support of or in opposition to a proposition.

1. Consider all consent agenda items.

Mayor Hawker stated agenda item 4a (Two-year contract for landscape maintenance services for City parks and retention basins, in areas known as Zones 2, 3 and 4, as requested by the Parks and Recreation Division) has been removed from the consent agenda.

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

Carried unanimously.

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

Minutes from the January 7, 10, 24 and 28, 2002 Council meetings.

3. Consider the following liquor license applications:

*a. WILLIAM L. KELLY, AGENT

New Beer and Wine Store License for 7-Eleven Store #19613E, 2010 W. Guadalupe Road. This is an existing business. The Beer and Wine Store License previously held at this location by William K. Alber, Agent, Alber Enterprises, Inc., will revert back to the State.

*b. CARLOS RUIZ GOMEZ, MEMBER

New Beer and Wine Store License for Carnicerias Rancho Grande, 827 E. Main Street. This building is currently being remodeled, no previous liquor licenses at this location.

4. Consider the following contracts:

- a. Two-year contract for landscape maintenance services for City parks and retention basins, in areas known as Zones 2, 3, and 4, as requested by the Parks & Recreation Division.

The Purchasing Division recommends accepting the low bids as follows:

Zones 2 and 4 to Art Landscaping at \$254,824.00; and

Zone 3 to Petrini's Landscaping at \$226,074.00. The combined award is then \$480,898.00 based on estimated annual requirements.

In response to a question from Councilmember Jaffa, Materials Management Director Sharon Seekins clarified that staff has the flexibility in all City landscape maintenance contracts to adjust the frequency of all maintenance tasks. She added that the proposed award is based on the frequency of currently performed maintenance and does not take into account any significant maintenance reductions.

Councilmember Jaffa thanked Ms. Seekins for her input.

It was moved by Councilmember Walters, seconded by Vice Mayor Davidson, that the recommendations of staff be approved.

Carried unanimously.

- *b. Two-year renewal of the contract for non-emergency towing services as requested by the Police Department and Fleet Support Services.

The Purchasing Division recommends exercising the two-year renewal option with the original low bidder by Diversified Towing, Inc., dba Cactus Towing, for estimated annual expenditures of \$79,800.00.

- *c. 15 pickups for various City departments. Five are replacement vehicles, ten are additions to the fleet.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Five Star Ford for a total of \$334,436.11.

- d. Stapley Drive Median Modification. Baseline Road to Inverness Avenue. City of Mesa Project No. 02-027.

This project will create an additional left-turn lane through the raised median in this area, providing an additional access into the business center east of Stapley Drive.

Recommend award to low bidder, Benchmark Construction, in the amount of \$80,221.14 plus an additional \$8,022.11 (10% allowance for change orders) for a total award of \$88,243.25.

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

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

It was moved by Councilmember Whalen, seconded by Councilmember Kavanaugh, that the recommendations of staff be approved.

Upon tabulation of votes, it showed:

AYES - Davidson-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen
NAYS - None
ABSTAIN - Hawker

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

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

- e. Utility Location and Potholing by Vacuum Extraction. City of Mesa Project No. 02-085.

This project is an annual contract for the upcoming year for consultants to perform non-destructive location and potholing of underground utilities in order to identify and avoid conflicts during design and construction.

Recommend award to low bidder, Thunderbird Exploration, and a secondary contract to the low bidder, TBE Group, Inc. The total recommended award of \$233,750.00 is based on an average of the two low bids plus 10% for change orders and is based on estimated annual requirements.

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

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

It was moved by Councilmember Pomeroy, seconded by Councilmember Whalen, that the recommendations of staff be approved.

Upon tabulation of votes, it showed:

AYES - Davidson-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen
NAYS - None
ABSTAIN - Hawker

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

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

5. Introduction of the following ordinances and setting February 19, 2002 as the date of public hearing on these ordinances:

- *a. Prohibiting parking on Mountain Road from Adobe Road to a point 440 feet south of Adobe Road, and on Pueblo Avenue from Lindsay Road to a point 275 feet east of Lindsay Road; and including Ivy Street from Greenfield Road to 48th Street in section 10-3-17 of the Mesa City Code, "Special Stops Required," as recommended by the Transportation Advisory Board.
- *b. **Z01-72** The 500 block of South Higley (east side). Rezone from C-2 to C-2-PAD (2.8 acres). This case involves development of medical office buildings.

6. Consider the following resolutions:

- *a. Transferring ownership of right-of-way for a portion of Evergreen Road, between Dartmouth and Eighth Street, to the City of Tempe – Resolution No. 7787.

This section of public right-of-way is inside the Tempe city limits and is maintained by the City of Tempe.
- b. Granting a Power Distribution Easement to Salt River Project across City property at the Northwest Water Reclamation Plant – Resolution No. 7789.

This easement will provide power to automatic irrigation facilities for landscape along the Red Mountain Freeway.

Vice Mayor Davidson declared a potential conflict of interest and refrained from discussion/participation on this agenda item.

It was moved by Councilmember Walters, seconded by Councilmember Whalen, that Resolution No. 7789 be adopted.

Upon tabulation of votes, it showed:

AYES - Hawker-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen
NAYS - None
ABSTAIN - Davidson

Mayor Hawker declared the motion carried unanimously by those voting and Resolution No. 7789 adopted.

*c. Authorizing and directing the City Manager to execute necessary documents to acquire certain real property located at 2617 East Billings – Resolution No. 7788.

7. Deleted.

8. Deleted.

9. Consider the following subdivision plats:

- *a. “ARIZONA SPINE AND JOINT HOSPITAL,” – (Council District 6) – 4620 East Baseline Road (north side) 1 M-1 PAD lot (7.16 acres) National Specialty Hospital, Inc., an Illinois corporation, developer; Brady Aulerich & Associates, Inc., engineer.
- *b. “VERDE GROVES UNIT III,” – (Council District 2) – 4200 block of East Broadway Road (north side) 51 R1-6 PAD townhome lots (6.10 acres) Hughes Development, developer; AMEC Infrastructure, Inc., engineer.

10. Election issues.

Mayor Hawker provided a brief overview of the March 12, 2002 Mesa Primary Election. He referred to maps on display in the Council Chambers and said that voters in Districts 4, 5 and 6 will cast ballots for Councilmembers in those districts. He stated that the candidates in District 4 are Jack Hannon and Kyle Jones, and that Ilias Kostopoulos has filed as a write-in candidate in that district. Mayor Hawker said that the candidates in District 5 are Barbara Carpenter, Rex Griswold and Bill Jaffa, and added that Janie Thom is running unopposed in District 6.

Mayor Hawker outlined the qualifications for candidacy and explained that any qualified individual wishing to run as a write-in candidate must file a nomination paper in the City Clerk's Office no later than 5:00 p.m. on February 26, 2002.

Mayor Hawker encouraged the citizens in Districts 4, 5 and 6 to contact the candidates, become informed regarding the issues and cast educated votes on March 12, 2002. He said that on February 6, 2002 at 7:00 p.m., the East Valley Tribune will sponsor a Council candidate debate which will air on Mesa Channel 11, and added that on February 11, 2002 at 7:00 p.m., the Arizona Republic will host a second debate. Mayor Hawker advised that both debates will be conducted in the upper level of the Mesa City Council Chambers, 57 East 1st Street.

11. Items from citizens present.

There were no items from citizens present.

12. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:08 p.m.

KENO HAWKER, MAYOR

ATTEST:

BARBARA JONES, 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 February 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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