

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, June 22, 2009
5:45 P.M.

Invocation by Pastor Mike Cash, East Valley Free Will Baptist Church.

Pledge of Allegiance.

Mayor's Welcome.

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items. If you are interested in speaking on an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

CONSENT AGENDA

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.

(Members of the Mesa City Council will attend either in person or by telephone conference call).

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1. Take action on all consent agenda items.
 - 1.1. Affirm Council support of the Mayor's proclamation that provides an opportunity for Mesa to join hundreds of cities across the country in collectively showing our support for bringing the 2016 Olympics to Chicago, Illinois, USA.
2. Conduct a public hearing concerning the Five Year Capital Improvement Program for Fiscal Years ending 2010-2014.
3. Conduct a public hearing on the proposed Fiscal Year 2009-10 Budget Plan and levying of a secondary property tax.
4. Conduct a public hearing concerning electric, irrigation water, natural gas, reclaimed water, wastewater and water rate components fees and/or service charges adjustments.
5. Take action on ordinances and resolutions relating to utility rates:
 - 5a. Take action on an ordinance and resolution to decrease specific rates for electric utility services.
 - 5b. Take action on an ordinance and resolution modifying rates for natural gas utility services.
 - 5c. Take action on an ordinance and resolution modifying rates for wastewater utility services.
 - 5d. Take action on an ordinance and resolution modifying rates for water utility services.
 - 5e. Take action on an ordinance and resolution modifying the Terms and Conditions for the Sale of Utilities.
 - 5f. Take action on an ordinance and resolution modifying the fees and charges for Utility Customers.

At this time the Mayor and Council will recess the Regular Council meeting and convene a Special Council meeting for the purpose of approving the Budget and Five-Year Capital Improvement Program.

RECONVENE THE REGULAR COUNCIL MEETING

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6. Take action on the following resolutions:
 - *6a. Modifying fees and charges for the Arizona Museum for Youth and Mesa Arts Center.
 - *6b. Eliminating the fees previously associated with revisions to the City Code Book.
 - *6c. Modifying fees and charges for the Parks, Recreation and Commercial Facilities Department.
 - *6d. Establishing fees and charges for a City Service Application Fee and a Utility Service Fee.
 - *6e. Modifying fees and charges for Falcon Field Airport.
 - *6f. Modifying fees and charges for traffic counts related to the speed hump program.
 - *6g. Establishing fees and charges for earbuds for the Library Department.
 - *6h. Modifying fees and charges for the Federal Environmental Compliance Fee.
- *7. Approval of minutes of previous meetings as written.
8. Take action on the following liquor license applications:
 - *8a. Apache Wells Country Club Restaurant & Lounge

New Restaurant License for Apache Wells Country Club Restaurant & Lounge, 5601 E. Hermosa Vista Drive, Apache Wells Country Club Inc. – Applicant, Randy D. Nations – Agent. The previous Restaurant License held at this location by The Jeebp LLC., issued September 6, 2007 and was closed on February 5, 2009. **(District 5)**

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9. Take action on the following bingo application:

*9a. BINGO – CLASS A

Fraternal Order of Eagles #4508 (**District 5**)
Allen R. Beiling, Secretary
6209 E. Main Street
Mesa, AZ 85275

10. Take action on the following contracts:

*10a. Term Contract for PE Natural Gas Pipe & Fittings for Energy Resources, Gas Division (**Citywide**)

The Business Services Department recommends awarding the contract to the lowest, responsive and responsible bidder, ISCO Industries, LLC at \$205,854.29, including applicable use tax.

*10b. Purchase of Two (2) Replacement Programmable Logic Controllers for the Water Resources Department (Water Bond Funded) (**Citywide**)

The Business Services Department recommends authorizing purchase from the lowest, responsive and responsible bidder, Intecon, Inc. dba National Automation Services at \$89,904.61, including applicable sales tax.

*10c. Purchase of Ten (10) Digital Portable Radios for the Police Department (Fully Funded HIDTA Federal Grant Program) (**Citywide**)

The Business Services Department recommends authorizing purchase from the cooperative contract with Motorola at \$53,447.47, including applicable Mesa sales tax.

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*10d. Purchase and Installation of Telephone and Data Network Equipment for the Municipal Court (Law Enforcement Construction Bond Funded) **(Citywide)**

The Business Services Department recommends authorizing purchase from the cooperative contracts with Enterasys Secure Networks at \$ 233,288.54 and Black Box Network Services at \$ 41,878.33, for a total of \$275,166.87, including applicable taxes.

*10e. Purchase of a Replacement Aircraft Rescue and Fire Fighting Vehicle for the Fire Department (Fire Bond Funded) **(Citywide)**

The Business Services Department recommends authorizing purchase from Pierce Manufacturing, Inc. at \$773,595.65, including applicable use tax.

*10f. Ratification of Emergency Purchase of Respirator Masks and Accessories for the Fire Department (Fully Funded Metropolitan Medical Response System [MMRS] Grant) **(Citywide)**

The Business Services Department recommends ratification of the purchase from Grainger at \$39,973.80, including applicable sales tax.

*10g. Purchase of Fifty (50) Cyanokits (Pharmaceutical Antidote for Cyanide Poisoning) for the Fire Department (Fully Funded Metropolitan Medical Response System [MMRS] Grant Program) **(Citywide)**

The Business Services Department recommends awarding the contract to the single bidder, Henry Schein Inc. dba Matrix Medical at \$37,722.43, including applicable use tax.

*10h. Purchase of One (1) Replacement Uninterruptible Power Supply (UPS) for the Police Department **(District 4)**

The Business Services Department recommends authorizing purchase from the cooperative contract with Gruber Technical, Inc. dba Gruber Power Services at \$55,716.73, including applicable sales tax.

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*10j. Gas Main Extension, Gantzel Road - Roberts Road to
Empire Road **(Pinal County)**

City Project No. 02-356-001. This project will install approximately 10,300 linear feet of 8-inch high pressure gas pipe and approximately 10,300 linear feet of 4-inch gas pipe to provide for a more reliable gas service to the new Florence High School and other customers within the Magma Gas System.

Recommend award to the low bidder, NPL Construction Company, in the amount of \$355,650.00 plus an additional \$35,565.00 (10% allowance for change orders) for a total award of \$391,215.00. This project is funded from the adopted FY 09/10 Gas Bond Program.

*10j. 2008/2009 Arterial Street Overlays, Gilbert Road – Decatur Street to McKellips Road, Lindsay Road – Lockwood Street to McDowell Road **(Districts 1, 2 and 5)**

City Project No. 06-044-007. This project includes approximately 85,000 square yards of rubber asphalt overlay. Street segments included are Gilbert Road from Decatur Street to McKellips Road and Lindsay Road from Lockwood Street to McDowell. The work will include some new sidewalk and sidewalk ramps where needed; the installation of a new storm drain system on Gilbert Road from Brown Road to McKellips Road; and traffic signal conduit on Gilbert Road from Decatur Street to McKellips Road.

Recommend award to the low bidder, Nesbitt Contracting Company, in the amount of \$1,830,066.10 plus an additional \$183,006.61 (10% allowance for change orders) for a total award of \$2,013,072.71. Funding is available from the approved FY 09/10 Transportation Operating Budget.

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11. Take action on the following resolutions:

*11a. Approving and supporting the submittal of a grant application by Serrine Adult Day Care to the Gila River Indian Community in the amount of \$90,000 for community outreach activities.

*11b. Approving and supporting the submittal of a grant application by Creative Innovations, Inc. to the Gila River Indian Community in the amount of \$50,000 for family preservation and social services.

*11c. Approving and supporting the submittal of a grant application by the House of El-Elyon to the Gila River Indian Community in the amount of \$90,000 for teen and adolescent mothers' services.

*11d. Approving and supporting the submittal of a grant application by Foundation for Burns and Trauma Inc. to the Gila River Indian Community in the amount of \$150,000 for the operation of the Forever Courage House, a teen-family temporary lodging facility near the Arizona Burn Center at Maricopa Medical Center.

*11e. Approving and supporting the submittal of a grant application by the Foundation for Mesa Parks & Recreation, Save Our Train Committee to the Gila River Indian Community in the amount of \$50,000 for relocating and restoring Engine #2355 within Pioneer Park.

*11f. Approving and supporting the submittal of a grant application by the Gene Lewis Boxing Club, Inc. to the Gila River Indian Community in the amount of \$225,000 over three years for facility and equipment expansion in order to serve an increased enrollment of youth.

*11g. Approving and supporting the submittal of a grant application by Junior Achievement of Arizona, Inc. to the Gila River Indian Community in the amount of \$50,000 for Junior Achievement programs in Mesa Schools.

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*11h. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the Salt River Project Agricultural Improvement and Power District to share radio communications sites.

*11i. Approving and authorizing the City Manager to execute an Airport Development Grant Agreement between the State of Arizona, Arizona Department of Transportation (Aeronautics Division) and the City of Mesa for \$28,598.00 for expansion of aircraft run-up area and the design of airfield storm drainage system improvements. **(District 5) (Related to Item 11j)**

*11j. Authorizing investments in the Local Government Investment Pool (LGIP) and authorizing the City Manager or his designated representative to deposit, transfer and withdraw monies in the LGIP for an Aviation Fund Grant. **(Related to Item 11i)**

*11k. Vacating an alley located south of East Holmes Avenue, between South Mesa Drive and South Hobson Street, in the 500 block of East Hilton Avenue. **(District 4)**

This alley is being vacated at the request of the adjacent property owners to better secure the area. A Public Utility and Facilities Easement will be retained for access by the utility companies.

*11l. Granting a Power Distribution Easement to Salt River Project on City-owned property located at 3260 North 40th Street. **(District 5)**

The easement is needed for Salt River Project to install the needed facilities to upgrade the electrical system at the City's Public Safety Training Facility.

*11m. Authorize the purchase of vacant land located north of the Mesa Cemetery Property and west of North Center Street. **(District 1)**

This land will be for future Mesa Cemetery use. The purchase price is \$670,000. (Cemetery Perpetual Care Fund)

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12. Introduction of the following ordinances and setting July 1, 2009, as the date of the public hearing on these ordinances:

*12a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

Prohibiting Turns from Driveways: 10-3-15 (B)

On the west side of 48th Street from the driveway with centerline approximately 55 feet south of Main Street.
(District 5)

*12b. **Z09-10 (District 4)** 254 South Pomeroy. Located north of Broadway Road and west of Mesa Drive (12.87± acres). Rezone from TCR-3 to TCB-2 and Site Plan Review. This case will allow the development of an office/industrial project.

DDC Recommendation: Approval with conditions (Vote: 6 – 0) (Boardmembers Flick, Gallagher, Chucuri, and Holtz absent)

*12c. **Z09- 11 (District 3)** 610 West Jerome Avenue. Located west of Country Club Drive and north of Baseline Road (1.8± acres). Rezone from M-1 to M-1-BIZ and Site Plan Review. This case will allow the development of a children's hospital. Hacienda Healthcare, owner; John Szafran, DPA Architects, applicant.

P&Z Recommendation: Approval with conditions. (Vote: 5 – 0) (Boardmembers Salas and Roberts absent)

12d. **Z08-47 (District 6)** The 8200 to 8500 blocks of East Baseline Road (north side) Located west of the Loop 202 on the north side of Baseline Road (54± acres). Rezone from AG (conceptual M-1, C-2, O-S, R-3, and R-2) to C-2 (34± acres) and R-4 (20± acres) and the establishment of the “Baseline Center” Development Master Plan (DMP). This request will establish a Development Master Plan to allow the creation of a development with a mixture of residential, office and retail uses. David Glimcher, GVSW 202/60 LLC, owner; Susan Demmitt, Beus Gilbert PLLC, applicant.

P&Z Recommendation: Approval with conditions. (Vote: 4 – 0 – 1 Boardmember Carter abstained, Boardmembers Salas and Roberts absent)

13. 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.

*13a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

City Code Title 10, Chapter 3

Modify City Code Title 10, Chapter 3, Section 15 to allow all turns to be prohibited at certain times at specified driveways. This section currently only provides for left turn prohibitions.

Prohibiting Turns From Driveways: 10-3-15 (C)

On the east side of Power Road between 8:30 am and 9:00 am and between 3:30 pm and 4:00 pm, school days from the driveway with centerline approximately 360 feet north of Adobe Street (Power Road south of Brown Road) **(District 5)**

Prohibiting Turns From Driveways: 10-3-15 (D)

On the west side of Alma School Road from the driveway with centerline approximately 330 feet north of 8th Street and on the east side of Alma School Road from the driveway with centerline approximately 213 feet north of 8th Street during times when emergency traffic signal preemption at Fire Station #218 is activated (Alma School Road north of University Drive) **(District 1)**

*13b. Amending section 5-10-310 of the Mesa City Code regarding Privilege Tax Licenses, making the license renewal date January 1 annually for all licenses, to be compliant with the Arizona Model City Tax Code.

*13c. **Z09-09 (District 6)** 3361 South Signal Butte Road. Located north of Elliot Road on the east side of Signal Butte Road (2.23± ac). Site Plan Review. This request will allow the development of a City of Mesa Fire Station. City of Mesa owner/applicant.

PHO Recommendation: Approval with conditions.

*14. Authorizing the City Manager to enter into an agreement with the Mesa Convention & Visitors Bureau to continue promoting tourism and convention business in Mesa.

*15. Approving proposed Ray Road Alignment from Power Road to Ellsworth Road. **(District 6)**

City Project No. 01-205-001. Detailed design for the proposed improvements (including pavement, water, and wastewater) is currently underway for Ray Road and Hawes Road.

16. Items from citizens present. (Maximum of three speakers for three minutes per speaker).