



COUNCIL MINUTES

December 1, 2008

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on December 1, 2008 at 5:45 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

Invocation by Pastor Tony Frazee, Gateway Bible Church.

Pledge of Allegiance was led by Eli Williams, Scout Troop #583.

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 Somers, seconded by Vice Mayor Jones, that the consent agenda items be approved.

Carried unanimously.

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

Minutes of the September 11, October 16 and November 17, 2008 Council meetings.

3. Take action on the following liquor license application:

*3a. Oasis Food Mart

New Beer & Wine Store License for Oasis Food Mart, 1224 N. Gilbert Road, WJ Foods LLC – William Leroy Robinson, Agent. The previous Beer & Wine store license held at this location by Oasis Food Mart will revert back to the State (**District 1**).

*3b. Toby Keith's I Love This Bar & Grill

New Restaurant License for Toby Keith's I Love This Bar & Grill, 1065 N. Dobson Road, Capri Concepts LLC – Randy D. Nations, Agent. The previous Beer & Wine Bar license held at Suite A5 of this location will be retained by Blame It On the Wine (**District 1**).

4. Take action on the following contracts:

*4a. Purchase of one (1) SUV (replacement) for the Police Department (Fully funded through Federal Homeland Security UASI and LETPP Program Grants).

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with Midway Chevrolet at \$49,082.63, including upfitting costs and applicable sales tax.

*4b. Purchase of eight (8) Library System Radio Frequency Identification (RFID) upgrades for the Red Mountain Branch Library (**Sole Source**).

The Procurement Services Department recommends awarding the contract to the sole source bidder, 3M™ Library Systems at \$52,183.30, including applicable use tax.

*4c. One-year renewal of the contract for dust and erosion control services as requested by the Development Services Department, Environmental Programs Division (Fully funded through Mesa's Federal Environmental Compliance Fee).

The Procurement Services Department recommends approving purchase off the Maricopa County contract with EarthCare Consultants, LLC (primary) at \$87,236.70; Highland Environmental (shared secondary) at \$43,699.05; and International Soil Technologies, LLC (shared secondary) at \$43,497.30, for a total award of \$174,433.05, including applicable sales tax, based on estimated requirements.

*4d. Two-year renewal of the supply contract for Lycofast® Mechanical Couplings for warehouse inventory as requested by the Utilities Department, Gas Division.

The Procurement Services Department recommends authorizing a two-year renewal of the contract with R.W. Lyall & Co., Inc. at \$121,440.00, based on estimated requirements, including contingencies and applicable sales tax.

*4e. Dollar limit increase to the supply contract for asphalt and crack sealant for the Transportation Department, Field Operations Division (partially HURF and Transportation Sales Tax funded).

The Procurement Services Department recommends increasing the dollar limit of the contract with Quality Emulsions, LLC (primary) by \$375,000.00 to \$3,426,916.42 annually.

- *4f. Dollar limit Increase to the supply contract for asphalt materials for the Transportation Department, Field Operations Division (partially HURF and Transportation Sales Tax funded).

The Procurement Services Department recommends increasing the dollar limit of the contracts with Vulcan Materials Company by \$100,000 to \$671,740.90, and Mesa Materials, Inc. by \$50,000.00 to \$122,758.10, for a total increase of \$150,000.00, making the total value of this contract \$794,499.00 annually.

- *4g. CMC Steel Gas Service and Meter Set, City of Mesa Project No. 01-529-005 **(Single Bid) (District 6)**.

This project will install 2,500 linear feet of 4-inch steel gas pipe and a new meter set assembly to service CMC Steel's new facility located at the northwest corner of Germann Road and Meridian Drive.

Recommend award to the low bidder, Arizona Pipeline Company in the amount of \$92,315.20 plus an additional \$9,231.52 (10% allowance for change orders) for a total award of \$101,546.72. Funding is available from the adopted FY 08/09 Gas Bond Capital Program.

- *4h. Brooks Waterline Dewatering Manholes, City of Mesa Project No. 01-556-002. **(Districts 1 and 3)**

This project will install two manholes (Longmore and University Drive/Longmore and Main Street) that will be used to dewater the low points on the existing 42-inch pre-stressed concrete cylinder pipe that was installed in 1975. The dewatering will allow for the inspection of the waterline to insure that the pipe is structurally sound and that the lining is in an acceptable condition.

Recommend award to the low bidder, Standard Construction Company, Inc., in the amount of \$167,100.00 plus an additional \$16,710.00 (10% allowance for change orders) for a total award of \$183,810.00. Funding is available from the adopted FY 08/09 Water Bond Capital program.

- *4i. Skyway Village Waterline Replacement (northwest corner of McKellips and Power Road), City of Mesa Project No. 03-078-001 **(District 5)**.

This project will install approximately 15,000 linear feet of new 8-inch diameter waterlines, 1,000 linear feet of new 12-inch diameter waterlines, twenty nine (29) fire hydrants and 157 new water meters with automated meter reading compatible water meters.

Recommend award to the low bidder, Brizco Construction LLC, in the amount of \$1,297,095.00 plus an additional \$129,709.50 (10% allowance for change orders) for a

total award of \$1,426,804.50. Funding is available from the approved FY 08/09 Water Bond Capital Program.

- *4j. Kino Junior High School water and gas line replacement, City of Mesa Project No. 01-603-007 **(District 1)**.

This project will install approximately 365-feet of 8-inch water line, 300-feet of 2-inch gas line and pavement replacement for the replacement of a water and gas line at Kino Junior High School. The new lines are needed to provide adequate service to the new pool.

Recommend award to the low bidder, Tri-Com Corporation, in the amount of \$51,817.00 plus an additional \$5,181.70 (10% allowance for change orders) for a total award of \$56,998.70. Funding is available from the adopted FY 08/09 Water Bond Capital Program.

5. Take action on the following resolutions:

- *5a. Approving and authorizing the City Manager to execute an Intergovernmental Agreement (IGA) between the Flood Control District of Maricopa County and the City of Mesa for the construction, construction management and the operation and maintenance of the Siphon Draw Drainage Improvements Project (vicinity of Meridian and Elliot Road). Mesa's estimated share of the project cost is \$3,500,000. Funding is available from the adopted FY 08/09 Storm Sewer Bond Capital Program – Resolution No. 9414 **(District 6)**.

- *5b. Extinguishing Public Utilities and Facilities Easements and a Drainage Easement at 1703 North 46th Street – Resolution No. 9415 **(District 5)**.

These easements are no longer needed as the design of the property has changed and the new project will dedicate new easements.

- *5c. Extinguishing Public Utilities and Facilities Easements, Drainage Easements and an Access Easement at 3639 South Power Road – Resolution No. 9416 **(District 6)**.

These easements are no longer needed as the design of the property has changed and the new project will dedicate new easements.

- *5d. Granting a Public Utilities Easement on City-owned property at 2745 North Greenfield Road (Falcon Field Airport) – Resolution No. 9417 **(District 5)**.

This easement is necessary to provide a water line to the development at the northwest corner of the airport.

- *5e. Approving and authorizing the City Manager to execute a Grant Agreement with the Arizona Criminal Justice Commission to secure grant funds in the amount of \$41,725 for training in the Police Department's Forensic Services Unit – Resolution No. 9418.

- *5f. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Maricopa County Sheriff's Office for funding in the amount \$30,000

provided by Community Oriented Policing Services for ongoing investigations – Resolution No. 9419.

- *5g. Approving and authorizing the City Manager to execute an Agreement with the Governor's Office of Highway Safety to secure grant funds in the amount of \$75,000 for the East Valley DUI Task Force Enforcement Program – Resolution No. 9420.
- *5h. Approving and authorizing the City Manager to execute a Grant Agreement with the Arizona Criminal Justice Commission – Project Safe Neighborhood Anti-Gang Initiative to secure grant funds in the amount of \$100,000 for salary and employee related expenses for the City Prosecutor's Office – Resolution No. 9421.

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. **Z08-65 (District 5)** 6248 East Ensenada Street. Located south and east of Recker Road and Brown Road (0.18± acres). Rezone from Maricopa County R1-6 to City of Mesa R1-6. For the establishment of City of Mesa zoning on recently annexed property. Richard and Rosemary Leckey, owner; City of Mesa, applicant – Ordinance No. 4900.

PHO Recommendation: Approval with conditions.

- *6b. **Z08-66 (District 5)** 2649 North 78th Street and 7825 East Willetta Street. Located south and east of Sossaman Road and McDowell Road (2.09± acres). Rezone from Maricopa County R1-35 to City of Mesa R1-35. For the establishment of City of Mesa zoning on recently annexed property. Richard and Kathleen Atwood and William and Jacqueline Black, owner; City of Mesa, applicant – Ordinance No. 4901.

PHO Recommendation: Approval with conditions.

7. Take action on the following subdivision plats:

- *7a. "MAP OF DEDICATION FOR MOUNTAIN BRIDGE – NORTH HAWES ROAD" (**District 5**) 2200-2300 blocks of Hawes Road (east side) located north and east of McKellips Road and Hawes Road. (1.00 acre) Jeff Blandford, manager; Pinnacle Ridge Holdings, L.L.C., owner; Darrell Smith, Wood, Patel & Associates, Inc., engineer.
- *7b. "THE COMMONS" (**District 6**) 3639 South Power Road (east side) located south and east of Power Road and Elliot Road. 4 C-2 BIZ DMP commercial lots (14.46 acres) George E. Gilbert, managing member; The Commons, LLC, owner; Thomas L. Rope, Land Survey Services, PLC, surveyor.

8. Items from citizens present.

Bob Burns, representing the Mesa Veterans Parade Association, thanked all of the volunteers and the citizens of Mesa who contributed to the success of the 2008 Parade. He extended special thanks to Mayor Smith and Councilmember Somers, both of whom regularly attended

their meetings. He also recognized Traffic Barricades Coordinator Dennis Jeter for being an invaluable resource, and he thanked the Fire Department for their assistance.

Mayor Smith noted that the annual Parade is a volunteer effort, and he thanked Mr. Burns and the Parade Association for their efforts.

9. Adjournment.

Without objection, the meeting adjourned at 5:55 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 1st day of December 2008. 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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