

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, October 5, 2009
5:45 P.M.

Invocation by Pastor John Enabnit, Broadway Christian Church.

Pledge of Allegiance.

Mayor's Welcome.

Awards, Recognitions and Announcements.

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).

MESA CITY COUNCIL
October 5, 2009
Page 2

1. Take action on all consent agenda items.
- *2. Approval of minutes of previous meetings as written.
3. Discuss, take public comment and take action on the following resolution:
 - 3a. Conduct a public hearing on the renewal of Mesa's Enterprise Zone.
 - 3b. Take action on the following resolution:

Continuing Mesa's Enterprise Zone Commission, designating the boundaries of the proposed zone to remain as established in 2005 and authorizing the Office of Economic Development to submit an application for the renewal of Mesa's Enterprise Zone. **(Districts 1, 3 and 4)**
4. Take action on the following liquor license applications:
 - *4a. Boxer Luv Rescue

This is a one day charitable event to be held on Saturday October 17, 2009 from 3:00 p.m. to 9:45 p.m. at 922 S. Country Club Drive. This will be part of the Save the Children Reggae Benefit Concert Special Event. **(District 3)**
 - *4b. Queen of Peace Catholic Church

This is a two day charitable event to be held on Saturday, November 7, 12:00 p.m. to 10:00 p.m. and Sunday November 8, 2009 from 12:00 p.m. to 7:30 p.m. at 141 N. Macdonald Street. This is part of the Queen of Peace Catholic Church Special Event. **(District 4)**
 - *4c. Circle K Store #6641

Location to Location Transfer Liquor Store License for Circle K Store #6641, 4353 S. Power Road, Circle K Stores Inc. – Kim Kenneth Kwiatkowski, Agent. This location presently has a Beer and Wine Store License under Circle K Stores Inc. that will revert back to the State. **(District 6)**

MESA CITY COUNCIL
October 5, 2009
Page 3

*4d. Rotary District 5510

This is a one day charitable event to be held on Saturday October 31, 2009 from 7:30 p.m. to 11:00 p.m. at 2345 N. Horne Street. **(District 1)**

5. Take action on the following bingo application:

*5a. BINGO - CLASS B

Monte Vista Community Association **(District 6)**
Jeena Dressen, Chairperson
8865 E. Baseline Road
Mesa, AZ 85209

6. Take action on the following contracts:

*6a. Purchase of Two (2) Replacement Fire Pumper Trucks for the Fire Department (Fire Bond Funded) **(Citywide)**

The Purchasing Division recommends authorizing purchase from Pierce Manufacturing, Inc. at \$1,064,289.65, including applicable use tax.

*6b. Purchase of One (1) Replacement Used Helicopter for the Police Department (Public Safety Bond Funded) **(Citywide)**

The Purchasing Department recommends awarding the contract to the lowest, responsible and responsive bidder, Len Jablon Helicopters, Inc. at \$844,800.00, including applicable use tax.

*6c. Water Meter Assembly Rehabilitation **(Citywide)**

City Project No. 01-603-006. This project will replace twenty-four four-inch and six-inch diameter commercial water meters throughout the City. The meters serve large users such as apartment complexes, condominiums and mobile home parks. The meters are beyond their service life. This project will install new meters above ground with a backflow prevention device at each location. The new above-ground meter assemblies will be installed in City right-of-way or in

MESA CITY COUNCIL
October 5, 2009
Page 4

newly acquired Public Utilities and Facilities Easements (PUFE's).

Recommend award to the low bidder, Shiya-Strephans Contracting Company, in the amount of \$273,250.00 plus an additional \$27,325.00 (10% allowance for change orders) for a total award of \$300,575.00. Funding is available in the approved FY 09/10 Water Bond Capital Program.

*6d. Shepherd Jr. High School Main Pool Re-Plaster, 1407 North Alta Mesa Drive **(District 5)**

City Project No. 08-922-001. The existing plaster lining at Shepherd Junior High School that was installed in 1993 has reached the end of its useful life and is due for replacement. This project will remove and replace the lining and will ensure the pool meets the current code requirements of the Maricopa County Environmental Services Department.

Recommend award to the low bidder, Shasta Industries, in the amount of \$66,425.00 plus an additional \$6,642.50 (10% allowance for change orders) for a total award of \$73,067.50. Funding is available in the approved FY 09/10 Parks, Recreation and Commercial Facilities Operating Budget.

*6e. Miscellaneous Drainage Improvements – Stapley Drive/Brown Road and Power Road/Delmon Drive. **(Districts 1 and 5)**

City Project No. 01-477-007. Council awarded this contract on April 20, 2009 to the low bidder, J. Banicki Construction Inc., in the amount of \$100,347.50, plus \$10,034.75 for change orders for a total contract amount of \$110,382.25. The final cost of construction including the cost to cover unforeseen conditions that were encountered during construction is \$122,042.79.

Recommend to increase contract amount by \$11,660.54 to cover the increased construction costs.

MESA CITY COUNCIL
October 5, 2009
Page 5

7. Take action on the following resolutions:

- *7a. Vacating a portion of public right-of-way at 2433 West Main Street (Pala Mesa Apartments). (**District 3**)

This action is necessary to allow the property owner to re-install the monument sign on the property. The sign was removed during the construction of the Light Rail Project.

- *7b. Approving and authorizing the City Manager to execute a Task Force Agreement with the United States Department of Justice, Drug Enforcement Administration (DEA) to accept funds up to \$50,709.75. Funds will be used to reimburse the Police Department for overtime for three officers assigned to the DEA Task Force.

- *7c. Approving and authorizing the City Manager to execute an agreement with the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) to accept grant funds in the amount of \$5,880,725 to hire 25 police officers. (American Recovery and Reinvestment Act)

- *7d. Ordering the sale of not to exceed \$20,000,000 principal amount of City of Mesa Highway Project Advancement Notes, Series 2009 to fund the design and right of way acquisitions for the Gateway Freeway, State Route 802, Phase 1. (**District 6**)

- *7e. Modifying fees and charges for the Amphitheatre Box Office.

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. **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± acres). Initiated by Harlan Finzer one of the property owners.

MESA CITY COUNCIL
October 5, 2009
Page 6

*8b. **A09-02 (District 1)** Annexing land located north of McDowell Road and east of Lehi Road, 2701 East Lehi Road (7.65± acres). Initiated by William H Standage, representative for the Church of Jesus Christ of Latter-day Saints.

*8c. **A09-03 (District 5)** Annexing land located on the northeast corner of Brown Road and Crismon Road (5.78± acres). Initiated by Curtis Leetham, representative for the Church of Jesus Christ of Latter-day Saints.

*8d. Delaying implementation of adopting the most recent International Code Council (ICC) Construction Valuation Table (1 to 3 percent increase) for calculating building permit fees.

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