

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, April 19, 2010
5:45 P.M.

Invocation by Pastor Paul Covert, Central 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).

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1. Take action on all consent agenda items.
- *2. Approval of minutes of previous meetings as written.
3. Take action on the following liquor license applications:
 - *3a. Las Sendas PTO

This is a one day charitable event to be held on Friday, April 23, 2010 from 6:00 p.m. to 10:00 p.m. at 7900 E. Eagle Crest Drive. **(District 5)**
 - *3b. Neighborhood Economic Development Corporation

This is a one day civic event to be held on Friday, May 7, 2010 from 6:00 p.m. to 10:00 p.m. at 1 to 270 W. Main Street. **(District 4)**
 - *3c. Wal-Mart Neighborhood Market #3846

Person to Person Location to Location Transfer of a Liquor Store License for Wal-Mart Neighborhood Market #3846, 2725 E. McKellips Road, Wal-Mart Stores Inc – Clare Hollie Abel, Agent. This location presently has a Beer & Wine Store License under Wal-Mart Stores Inc. that will revert back to the State. **(District 1)**
 - *3d. Mi Amigos Food Mart

New Beer & Wine Store License for Mi Amigos Food Mart, 1930 E. Broadway Road, Suite 2, Green Egg LLC – Thomas Edward Grubbs II, Agent. The previous Beer & Wine Store License held at this location by Mi Amigos Food Mart Inc. will revert back to the State. **(District 2)**
 - *3e. Walgreens 12335

New Beer & Wine Store License for Walgreens 12335, 10825 E. Baseline Road, Walgreen Arizona Drug Co. – Randy Allen Guse, Agent. This is an existing building with no previous liquor license at this location. **(District 6)**

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*3f. Thai Spices

New Restaurant License for Thai Spices, 66 S. Dobson Road, Suite 133-135, Bua Thai LLC – Kevin O. Rawlinson, Agent. The previous Restaurant License held at this location by Boca7 LLC will revert back to the State. **(District 3)**

4. Take action on the following contracts:

*4a. Purchase of New and Replacement Furnishings and Chairs for the New Mesa Municipal Court (Fully Funded by Series 2009 Bonds) **(Citywide)**

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Target Commercial Interiors at \$128,084.25, Goodmans Interior Structures at \$125,793.40, and from the Arizona State University contract with Target Commercial Interiors at \$53,911.78, including applicable taxes, for the combined total of \$307,789.43.

*4b. Purchase of a New Gas Chromatograph Mass Spectrometer for the Water Resources Department **(Citywide)**

The Purchasing Division recommends authorizing purchase to the highest scored proposer, Agilent Technologies, Inc. at \$159,336.07.

*4c. Purchase of a Replacement Interview Room Recording and Management System for the Police Department (Fully Funded by Asset Forfeiture [RICO] Funds) **(Citywide)**

The Purchasing Division recommends awarding the contract to the highest scored proposal, MicroCeption, Inc. at \$108,795.46, including applicable sales tax. Additionally, the Purchasing Division recommends purchase from the State of Arizona/WSCA contracts with Hewlett Packard Direct at \$8,695.35 and Dell Marketing LP at \$21,255.30, including applicable sales tax, for the combined total of \$138,746.11.

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*4d. Term Contract for Pipe Repair Clamps for Warehouse Inventory **(Citywide)**

The Purchasing Division recommends awarding the contract to the lowest, responsible and responsive bidder, Arizona Water Works at \$65,304.21 annually, based on estimated requirements.

*4e. Purchase and Installation of Three (3) Switchgear Retrofit Kits for the Water Resources Department **(Citywide)**

The Purchasing Division recommends awarding the contract to the lowest, responsible and responsive bidder, Electric Supply Inc. at \$111,359.48.

*4f. Purchase of a New Trailer Mounted Towable Articulating Boom Lift for the Parks, Recreation & Commercial Facilities Department **(Citywide)**

The Purchasing Division recommends awarding the contract to the lowest, responsible and responsive bidder, H & E Equipment Services, Inc. at \$37,903.92.

*4g. Purchase of 21 Replacement Motorcycles for the Police Department (Fully Funded by Asset Forfeiture [RICO] Funds) **(Citywide)**

The Purchasing Division recommends authorizing purchase from the lowest, responsible and responsive bidder, Kelly's Kawasaki, a Mesa business, at \$512,000.47, including up-fitting costs and applicable sales tax.

*4h. Intelligent Transportation System (ITS) Traffic Signal Conversions – Phase 3, Mesa Drive and Main Street Corridor **(Districts 1, 2 and 4)**

City Project 06-057-001. This project includes approximately 3 miles of new underground conduit and fiber-optic cable along Mesa Drive from Broadway Road to University Drive, and along Main Street from Mesa Drive to Gilbert Road. Also included are new traffic signal cabinets, controllers, video detection cameras, and closed circuit television cameras.

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Recommend award to the low bidder, CS Technologies, LLC, in the amount of \$1,095,375.00 plus an additional \$109,537.50 (10% allowance for change orders) for a total award of \$1,204,912.50. This project will be completely funded by a Federal Congestion Mitigation and Air Quality (CMAQ) grant.

*4i. Upgrade Pressure Reducing Valve No. 28 & Connect Desert Well No. 12 to the Falcon Field Zone, Ellsworth & Pecos, **(District 6)**

City Project 09-915-001. This project will install the necessary piping to allow the well to pump to the Falcon Field zone by connecting to an existing water line in Ellsworth Road. This will provide the flexibility to use the well to help meet water demands in either pressure zone.

Recommend award to the low bidder, WGC Inc., in the amount of \$87,438.00 plus an additional \$8,743.80 (10% allowance for change orders) for a total award of \$96,181.80. Funding is available in the approved FY 09/10 Capital Water Bond Program.

*4j. Rehabilitation of the Southern Avenue Wastewater Line, Southern Avenue from Horne to west side of Tempe Canal **(Districts 3 and 4)**

City Project 07-060-001. This project will rehabilitate the Southern Avenue wastewater main by installing a new interior lining system that will strengthen the existing pipe and improve the flow capacity.

Recommend to approve the selection of B & F Contracting, Inc. as the Construction Manager at Risk, and the associated Design Phase Services contract in the amount of \$129,949.60. Funding is available in the approved FY 09/10 Wastewater Capital Budget.

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5. Introduction of the following ordinances and setting May 3, 2010 as the date of the public hearing on these ordinances:

*5a. **Z10-08 (District 3)** 502 South Dobson Road Suite #3. Located south of Broadway Road on the west side of Dobson Road (1,900± sf). Council Use Permit. This request will allow the operation of a pool hall. Cary Newton, owner; Duc Nguyen, applicant. (PLN2009-00060)

P&Z Recommendation: Approval With Conditions.
(Vote 4 – 0, Boardmembers Mizner and Coons absent)

*5b. **Z10-09 (District 6)** 7825 East Paloma Avenue. Located north of Elliot Road and east of Sossaman Road (3.77± acres). Site Plan Review. This request will allow the development of a construction yard. Shalena Weidenbener, owner; Steve Nevala, applicant. (PLN2010-00032)

P&Z Recommendation: Approval With Conditions.
(Vote 4 – 0, Boardmembers Mizner and Coons absent)

*5c. **Z10-12 (District 5)** 7464 East Main Street. Located north of Main Street and west of Sossaman Road (18,742± sf). Council Use Permit. This request will allow the operation of a school within a commercial zoning district. Mansoor Alyeshmerni Revocable Trust, owner; Dick Buckingham, applicant (PLN2010-00031)

P&Z Recommendation: Approval With Conditions.
(Vote 4 – 0, Boardmembers Mizner and Coons absent)

*5d. **Z09-20 (District 6)** 6919 East Monterey Avenue. Located north of Guadalupe Road and east of Power Road (19.39± acres). Rezone from C-2 and R1-6 PAD to R-4 PAD and Site Plan Review. This request will allow the development of a multi-residential apartment complex. Prehab Foundation, owner; Mark Reeb, applicant. **(LEGAL PROTEST ¾ VOTE REQUIRED)**

P&Z Recommendation: Approval with conditions.
(Vote: 3-2-1, Boardmembers DiBella and Mizner voting nay and Boardmember Hudson abstained) **(Continued from the March 22, 2010 Council Meeting)**

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*5e. Amending Mesa City Code section 11-18-8(H) of the zoning ordinance to allow notice of a proposed rezoning amendment to occur through either posting of a site, or through a newspaper advertisement. Currently, both means of notification are required. This revision will be used to facilitate public notice of the upcoming comprehensive revision of the zoning ordinance.

*5f. Amending Title 1, Chapter 20 of the Mesa City Code to delegate authority to the City Manager to grant and assign certain easements and dedicate rights-of-way and easements to the public from City-owned land.

6. Take action on the following resolutions:

*6a. Extinguishing Drainage Easements and Public Utilities and Facilities Easements at 9602 East Elliot Road. **(District 6)**

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

*6b. Vacating an alley located south of East University Drive between North Harris Drive and North Hunt Drive East. **(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.

*6c. Extinguishing easements on City-owned property located at the southeast corner of Vineyard Avenue and Juanita Avenue – West Mesa Park and Ride site. **(District 3)**

These easements were dedicated under a previous development. The Park and Ride project will not be utilizing these easements.

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- *6d. Setting May 17, 2010, as the public hearing date for the review and approval of the FY 2010/2011 Mesa Town Center annual assessments. The Mesa Town Center Improvement District No. 228 was established to provide enhanced services for the Mesa Town Center. The recommendation is to not increase the assessments for FY10/11. **(District 4)**
- *6e. Calling the Primary Election for August 24, 2010.
- *6f. Approving and authorizing the City Manager to execute a Deed of Release and Reconveyance on the Marc Center of Mesa's property located at 924 North Country Club Drive and release the lien the City has on the property.
- *6g. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with Maricopa County to secure grant funds for the Police Department in the amount of \$59,408 for Coplink node network connectivity.
- *6h. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with Maricopa County to secure grant funds for the Police Department in the amount of \$83,598 for Coplink uplift license fees.
- *6i. Approving and authorizing the City Manager to execute a Municipal Effluent Purchase and Sale Agreement between Mesa, Phoenix, Tempe, Scottsdale, Glendale, Arizona Public Service Company and Salt River Project, on behalf of themselves and other owners of the Palo Verde Nuclear Generating Station.
- *6j. Approving and supporting the submittal of a grant application by the Child Crisis Center to the Fort McDowell Yavapai Nation in the amount of \$20,549 for roof replacement on their Emergency Shelter located at 604 W. 9th Street.
- *6k. Approving and supporting the submittal of a grant application by Save the Family Foundation to the Gila River Indian Community in the amount of \$55,000 to support their transitional living program.

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- *6l. Approving and supporting the submittal of a grant application by the Mission of Mercy to the Gila River Indian Community in the amount of \$50,000 each year for three years to support their Living with Diabetes program.
- *6m. Designating the City Council as a Local Redevelopment Authority to facilitate the disposition of the Former Air Force Research Lab located at 6030 South Kent Street.
(District 6)
7. 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.
- *7a. **Z10-11 (District 2)** 915 North Val Vista Drive. Located north side of Adobe Road on the east side of Val Vista Drive (79.6± acres). Rezone from AG to R1-15 PAD. This request will allow the development of a single-residential subdivision. Thomas A. Coury Trustee, Owner; Greg Davis, IPlan Consulting, applicant. (PLN2010-00010)
- P&Z Recommendation: Approval With Conditions .
(Vote 4 – 0, Boardmembers Mizner and Coons absent)
8. Take action on the following subdivision plats:
- *8a. “Village at Oasis Park” **(District 6)** 10617 East Oasis Street. Located south of Broadway Road and west of Signal Butte Road. Five (5) R-3 lots (5± acres). Pat Gilbert, Marc Center, owner; David Bohn, Kinetix Engineering, engineer.
- 8b. ”First Mesa Commerce Park – Phase 1” **(District 6)** 9602 East Elliot. Located east of Ellsworth Road and north of Elliot Road. One (1) C-2 DMP and Seven (7) M-1 DMP lots (92.99± acres). First Industrial Realty Trust, Inc., owner; M-Tech Land Surveying, LLC, surveyor.

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- 8c. “First Mesa Commerce Park – Phase 2” **(District 6)** 9602 East Elliot. Located east of Ellsworth Road and north of Elliot Road. Two (2) PEP DMP and Six (6) M-1 DMP lots (70.78± acres). First Industrial Realty Trust, Inc., owner; M-Tech Land Surveying, LLC, surveyor.
9. Items from citizens present. (Maximum of three speakers for three minutes per speaker).