



## COUNCIL MINUTES

September 12, 2011

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on September 12, 2011 at 5:50 p.m.

### COUNCIL PRESENT

Scott Smith  
Alex Finter  
Christopher Glover  
Dina Higgins  
Dennis Kavanaugh  
Dave Richins  
Scott Somers

### COUNCIL ABSENT

None

### OFFICERS PRESENT

Christopher Brady  
Debbie Spinner  
Linda Crocker

Invocation by Dr. James B. Adams, Cornerstone Church.

Pledge of Allegiance was led by Scout Weston Bittstori, Troop # 380.

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.

Awards, Recognitions and Announcements.

Councilmember Richins stated that he wanted to take this opportunity to acknowledge a number of volunteers who devoted their time and hard work this weekend to commemorate the 10<sup>th</sup> anniversary of the September 11, 2001 attacks on our nation.

Councilmember Richins commented that on Saturday, September 10<sup>th</sup>, 140 Boy Scouts convened at Stapley Pool to earn their swimming and/or life saving merit badges. He expressed appreciation to City lifeguards Lauren Collom, Kim Richter, Regan Waite and Matt Pennell, Recreation Coordinator Mark Foote, Council Assistant Ian Linssen and Public Information Office Student Worker Haley Buntrock for their assistance in this regard. Councilmember Richins also recognized Scout Leaders Darnell Williams, Michael Lambert, Phil Waite, Andrew Kristich, David Arnett, Jack Stapley, Joseph Campbell and the entire Benson family.

Councilmember Richins further noted that on Sunday, September 11<sup>th</sup>, 250 citizens met at Fire Station 218 to build a new playground situated next door to the facility. He said that in addition to building the

new playground, the volunteers painted curb numbers and distributed fire safety information. Councilmember Richins voiced appreciation to the Fire Department for providing a pancake breakfast for the participants. He also thanked various City staff including, but not limited to, Volunteer Coordinator Michelle Alvis, Management Assistant II Leslie Clark, Parks, Recreation and Community Facilities (PRCF) Plan and Development Supervisor Andrea Moore, PRCF Director Marc Heirshberg, Council Assistant Katie Brown and Parks and Maintenance staff for their service to the community. Councilmember Richins, in addition, acknowledged Home Depot, Pavestone Pavers, Arizona Recreation Design, and Accent Play for their generous donations.

Mayor Smith welcomed the Boy Scouts who were in attendance at the meeting.

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 Kavanaugh, seconded by Councilmember Finter, that the consent agenda items be approved.

Carried unanimously.

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

Minutes from the August 29, 2011 Council meeting.

3. Take action on the following liquor license applications:

\*3-a. #1 Eastern Super Buffet

New Restaurant License for #1 Eastern Super Buffet, 1901 South Signal Butte Road, Suite 101, E & M Mesa LLC – Eric Mingzhi Lu, Agent. This location has a Restaurant License held under #1 Eastern Super Buffet, Inc. that will revert back to the State.  
**(District 6)**

\*3-b. 5 R Cha Thai Bistro

New Restaurant License for 5 R Cha Thai Bistro, 2011 North Recker Road, 2011 Thai LLC – Kevin O Rawlinson, Agent. The previous restaurant license at this location was terminated by the State on December 16, 2010 and was held by Café Roma Ristorante.  
**(District 5)**

4. Take action on the following contracts:

\*4-a. Southeast Water Reclamation Plant Aeration Improvements Project, 6308 East Baseline Road. **(District 6)**

City Project 10-479-001. This project will replace aeration equipment with higher efficiency equipment which will result in significant energy savings to the City. The City expects to recoup its capital investment in seven years through the energy savings.

Recommend award to the low bidder, Hunter Contracting Company, in the amount of \$1,215,900.00, plus an additional \$121,590.00 (10% allowance for change orders) for a total award of \$1,337,490.00. Funding is available in the FY 11/12 Wastewater Bond Capital Program (\$582,490) and from the Department of Energy Efficiency and Conservation Block Grant (\$755,000).

- \*4-b. Dollar-Limit Increase for the Term Contract for Water Treatment Chemicals for the Materials & Supply Warehouse. **(Citywide)**

The Purchasing Division recommends increasing the dollar limit for the contract with Thatcher Company of Arizona, by \$61,987.50, from \$98,012.50 to \$160,000; and Brenntag Pacific, Inc., by \$6,295, from \$12,705 to \$19,000. The combined total increase is \$68,282.50.

- \*4-c. Renewal of the Term Contract for Conventional Pole-Mounted and Pad-Mounted Transformers for the Energy Resources Department. **(Citywide)**

The Purchasing Division recommends authorizing a two-year renewal with Border States Electric at \$687,574.57, including applicable sales tax.

- \*4-d. Purchase of a GPS-Based Automatic Vehicle Locator System and Annual Service Fees for the Solid Waste Management, Water Resources and Transportation Departments. **(Citywide)**

The Purchasing Division recommends awarding the contract to the lowest, responsive and responsible bidder, Zonar Systems, Inc., at \$181,752.50, including applicable sales tax, based on estimated requirements.

5. Take action on the following resolutions:

- \*5-a. Approving and authorizing the City Manager to execute a grant agreement with the Arizona Department of Homeland Security to accept \$18,000 in grant funds to purchase notification system software for the Fire Department – Resolution No. 9922.

- \*5-b. Approving and authorizing the City Manager to execute a Public Way Use Agreement with Valley Metro Rail, Inc. (METRO) for the Metro Light Rail Transit System. This Agreement amends and restates an existing Public Way Use Agreement (2004 Agreement) with METRO to operate and maintain the light rail system within City right-of-way – Resolution No. 9923. **(Districts 1, 3, and 4)**

- \*5-c. Approving and authorizing the City Manager to execute a Grant Agreement with the Arizona Criminal Justice Commission to accept grant funds in the amount of \$110,500 for equipment and training for the Police Department's Forensic Services Section – Resolution No. 9924.

- \*5-d. Dissolving the Enterprise Zone Commission of the City of Mesa – Resolution No. 9925.

- \*5-e. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Arizona Board of Regents for and on behalf of Arizona State University Polytechnic Campus to receive chilled water for Buildings 505 and 571 from the former Air Force Research Lab chilled water system – Resolution No. 9926. **(District 6)**
- \*5-f. Ordering the sale of not to exceed \$77,835,000 principal amount of City of Mesa Highway Project Advancement Notes, Series 2011 to fund the construction of the Gateway Freeway, State Route 24, Phase 1 – Resolution No. 9927.

6. Introduction of the following ordinances and setting September 26, 2011, as the date of the public hearing on these ordinances:

- \*6-a. **Z11-22 (District 1)** East and West of Dobson Road, along the 202 Freeway (south side). Modification of a Council Use Permit. This request will allow for the redesign of the Freeway Landmark Signs for the Mesa Riverview retail center. Kimco Riverview, owner; Kimco Realty, applicant.

P&Z Recommendation: Approval with conditions. (Vote: 5-1-1, Boardmember DiBella abstained, Boardmember Roberts absent.)

- \*6-b. **Z11-19 (District 3)** 550 West Juanita Avenue. Located west of Country Club Drive and north of Baseline Road (7.8± acres). Rezone from LI to GI with a Council Use Permit and Site Plan Review. This request will allow the expansion of an existing manufacturing facility.

P&Z Recommendation: Approval with conditions. (Vote: 6-0-1, Boardmember Roberts absent.)

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 City 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 City Clerk before Council votes on the Consent Agenda.

- \*7-a. Amending Title 8, Chapter 2 of the Mesa City Code related to Particulate Pollution Sources – Ordinance No. 5061.
- \*7-b. Amending Title 8, Chapter 5 of the Mesa City Code related to Storm Water Pollution Control – Ordinance No. 5062.

8. Take action on the following subdivision plats:

- \*8-a. “Trovia Estates Phase II” – **(District 2)** – 915 North Val Vista Drive. Located north and east of Adobe Street and Val Vista Drive. 92 RS-15 PAD lots. (40.5± acres). Taylor Morrison/Arizona, Inc., owner Joe Kraft; EPS Group, Inc., surveyor.
- \*8-b. “Farnsworth Executive Offices” – **(District 6)** – 460 South Greenfield Road. Located south of Broadway Road on the west side of Greenfield Road. 6 LC condominium units. (40.4± acres). Farnsworth Office Ltd Partnership LLP, owner; Robert Blake, Clouds Engineering, Inc., surveyor.

**Items not on the Consent Agenda**

There were no items off the Consent Agenda.

**9. Items from citizens present.**

Richard Tracy, Sr., a Mesa resident, expressed concern that over the past few years, many retail and commercial businesses in the Dobson Ranch area have closed, which has forced Mesa residents to shop and dine in other communities. He stated that since the future Chicago Cubs' Stadium and training facilities would be located a few miles away from Dobson Ranch, he urged that City dollars be allocated for economic development in and around Dobson Ranch to complement the funding being expended for industrial/commercial development near the Phoenix-Mesa Gateway Airport.

**10. Adjournment.**

Without objection, the meeting adjourned at 6:07 p.m.

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SCOTT SMITH, MAYOR

ATTEST:

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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 12<sup>th</sup> day of September 2011. I further certify that the meeting was duly called and held and that a quorum was present.

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LINDA CROCKER, CITY CLERK

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