



## COUNCIL MINUTES

August 22, 2011

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on August 22, 2011 at 5:46 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 Senior Pastor Roger Williams, Jr., Calvary Baptist Church.

Pledge of Allegiance was led by Scout Tommy Miller, Troop # 557.

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.

Mayor Smith stated that the City of Mesa was fortunate to have so many citizens who invest their time, expertise and talent in the community by volunteering to serve on various boards and committees. He announced the names of the individuals completing terms of service, after which they were presented plaques in recognition of their dedication and hard work to the City.

Mayor Smith also commented that over the years, the City of Mesa has partnered with Southwest Ambulance, which is located in Mesa, on many projects and programs. He stated that Southwest Ambulance has served the community for many years and noted that the company recently entered into a contract with Mesa, Gilbert, Queen Creek and the Apache Junction Fire District to create a regional emergency ambulance transportation system. Mayor Smith further advised that Southwest Ambulance has participated in various City of Mesa safety initiatives and invited Holly Walter, Communications and Media Manager at Southwest Ambulance, to discuss Southwest Ambulance's Pool Pack donation to the City of Mesa.

Ms. Walter addressed the Council and introduced various Southwest Ambulance staff members who were present in the audience. She reported that Southwest Ambulance, through its "Pool Pack" donations, works in partnership with the City of Mesa to provide families with free or reduced-cost swimming lessons as part of the City's "Making Waves" Program. Ms. Walter explained that the program offers basic to advanced skills to help children become strong swimmers and how to react to water. She also remarked that this summer, 859 children participated in the "Making Waves" Program, of which 476 youngsters were directly sponsored by Southwest Ambulance's Pool Pack Program.

Ms. Walter presented a check to the City of Mesa from Southwest Ambulance's "Pool Pack" Program in the amount of \$10,000. She invited Parks and Recreation and Aquatics staff members to come forward for the presentation.

Mayor Smith thanked Southwest Ambulance for its generous donation to the City.

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

Carried unanimously.

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

Minutes from the September 2 and 16, October 28 and December 9, 2010, January 13, May 26, June 6 and 23, July 7 and 14, 2011 Council meetings.

3. Take action on the following liquor license application:

\*3-a. Anthology Inc.

This is a one-day charitable event to be held on Saturday, September 10, 2011 from 5:00 p.m. to 11:59 p.m. at 125 West Main Street. **(District 4)**

\*3-b. Anthology Inc.

This is a one-day charitable event to be held on Saturday, October 8, 2011 from 5:00 p.m. to 11:59 p.m. at 125 West Main Street. **(District 4)**

\*3-c. Anthology Inc.

This is a one-day charitable event to be held on Saturday, November 12, 2011 from 5:00 p.m. to 11:59 p.m. at 125 West Main Street. **(District 4)**

\*3-d. Anthology Inc.

This is a one-day charitable event to be held on Saturday, December 10, 2011 from 5:00 p.m. to 11:59 p.m. at 125 West Main Street. **(District 4)**

\*3-e. Ultimate Imaginations, Inc.

This is a one-day charitable event to be held on Friday, September 2, 2011 from 6:00 p.m. to 10:00 p.m. at 1 to 270 West Main Street. **(District 4)**

\*3-f. Crazy Buffet Mesa

New Restaurant License for Crazy Buffet Mesa, 1859 South Stapley Drive, Suite 101, Tiger Brothers Mesa LLC – Chun Chi Li, Agent. This is an existing building without a previous liquor license at this location. **(District 4)**

\*3-g. Fat Willy's Clubhouse Pub & Grill

New Restaurant License for Fat Willy's Clubhouse Pub & Grill, 650 North Hawes Road, Fat Willy's Clubhouse LLC – Christopher Robert Gelenites, Agent. This location has a Restaurant License held under Sherwood Forest Licensing Corp. that will revert back to the State. **(District 5)**

\*3-h. Pho Hien Restaurant

New Restaurant License for Pho Hien Restaurant, 502 South Dobson Road, Suite 3 – Kathy Ngoc Nguyen, Individual. This is an existing building without a previous liquor license at this location. **(District 4)**

4. Take action on the following contracts:

\*4-a. Term Contract for Library Media Materials for the Library Services Department. **(Citywide)**

The Purchasing Division recommends awarding the contract to Midwest Tape, LLC (Primary) at \$60,000 annually and Recorded Books, LLC (Secondary) at \$30,000 annually. The combined total annual contract award is \$90,000, including applicable use taxes, based on estimated requirements.

\*4-b. Term Contract for Large Print Library Books for the Library Services Department. **(Citywide)**

The Purchasing Division recommends awarding the contract to the highest scored proposal, Brodart Co., at \$30,000 annually, including applicable use taxes, based on estimated requirements.

\*4-c. Term Contract for Library Books, Spoken Word, DVDs and Digital Media for the Library Services Department. **(Citywide)**

The Purchasing Division recommends awarding the contract to Baker & Taylor, Inc. (Primary) at \$390,000 annually and Book Wholesalers, Inc. (Secondary) at \$30,000 annually. The combined total annual contract award is \$420,000, including applicable use taxes, based on estimated requirements.

- \*4-d. Term Contract for Anodeless Service Risers for the Materials & Supply Warehouse. **(Citywide)**

The Purchasing Division recommends awarding the contract to the lowest, responsive and responsible bidder, Elster Perfection, at \$109,033.15 annually, including applicable use tax, based on estimated requirements.

- \*4-e. Term Contract for Pump Repair Parts for the Greenfield Water Reclamation Plant. **(Sole Source) (Citywide)**

The Purchasing Division recommends awarding the contract to the sole source vendor, Hayward Gordon, Ltd., at \$107,306.76 annually, including applicable use tax, based on estimated requirements.

- \*4-f. Evidence Refrigerator/Freezer – **Deleted.**

- \*4-g. Term Contract for Reinforced Pull Box Lids for the Transportation Department. **(Citywide)**

The Purchasing Division recommends awarding the contract to the lowest, responsive and responsible bidder, Martin Enterprises, at \$64,919.40 annually, including applicable use tax, based on estimated requirements.

- \*4-h. Two-Month Extension and Dollar-Limit Increase for the Term Contract for Landscape Sprinkler Parts & Supplies for the Materials and Supply Warehouse. **(Citywide)**

The Purchasing Division recommends authorizing a two-month extension and increasing the dollar-limit of the contract with Sprinkler World of Arizona, Inc. by \$70,000, to pay for anticipated expenditures for the period.

- \*4-i. Fire Station No. 220, 5763 East Main Street. **(District 5)**

City Project 01-757-001. This project will construct a 13,900 square foot single-story fire station on a 2.3 acre parcel at the southwest corner of Main and 58<sup>th</sup> Streets. The station will have four apparatus bays, living quarters for the firefighters, two dorm rooms for the captains, and a community/training room available for public use. This project, along with Fire Station 219, will be the first LEED Gold buildings constructed by the City.

Recommend award to the low bidder, FCI Constructors, Inc., in the amount of \$3,930,784.00, plus an additional \$393,078.40 (10% allowance for change orders) for a total award of \$4,323,862.40. Funding is available in the FY 11/12 Fire Bond Capital Program (\$2,303,862.40) and from the American Recovery and Reinvestment Act Assistance to Firefighters Station Construction Grants (ARRA-SCG) Program.

\*4-j. Apache Paradise Water Line Replacement. **(District 6)**

City Project 09-059-001. This water main replacement will replace aging, undersized water mains installed in 1965. Also being installed are 17 new fire hydrants being spaced at a maximum of 500 feet in an area currently served by five fire hydrants.

Recommend award to the low bidder, Lee's Pipeline, Inc., in the amount of \$1,297,380, plus an additional \$129,738 (10% allowance for change orders) for a total award of \$1,427,118. Funding is available from the FY 11/12 Water Bond Capital Program.

\*4-k. Utility Improvements at Elliot Road, Ellsworth Road to Signal Butte. **(District 6)**

City Project 10-396-001 and 10-601-001. The City agreed to construct utility and street improvements in the First Solar Development Agreement approved by Council on June 6, 2011. This project is for the construction of the water and wastewater lines in Elliot Road only.

Recommend to approve the selection of Achen-Gardner as the Construction Manager at Risk (CMAR) for this project with a Guaranteed Maximum Price (GMP) of \$5,062,765.05, plus an additional \$506,276.51 (10% allowance for change orders) for a total award of \$5,569,041.56. Funding is available in the FY 11/12 Water and Wastewater Bond Capital Programs.

5. Take action on the following resolutions:

- \*5-a. Approving and authorizing the City Manager to execute a Victims of Crime Act (VOCA) SubGrant Award Agreement with the Arizona Department of Public Safety. This Agreement provides \$166,604 for salary and benefits for three existing Victim Services Specialists – Resolution No. 9904.
- \*5-b. Approving and authorizing the City Manager to execute a Grant Agreement with the Department of Defense for consulting services with RKG Associates, Inc. to assist with the base relocation and closure process for the Mesa Air Force Research Lab – Resolution No. 9905.
- \*5-c. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with Maricopa County that permits the sharing of radio communications sites and facilities when it is beneficial, cost effective, and technically feasible – Resolution No. 9906.
- \*5-d. Approving and authorizing the City Manager to execute an Intergovernmental Agreement and Site Supplemental Agreement with Pinal County that permits the sharing of radio communications sites and facilities when it is beneficial, cost effective, and technically feasible – Resolution No. 9907.
- \*5-e. Approving and authorizing the City Manager to execute a State Aviation Grant for the design, reconstruction and structural upgrade of the existing Falcon and Terminal aircraft parking aprons at Falcon Field Airport in an amount not to exceed \$1,800,000. Total estimated cost of the project is \$2,000,000. City portion is \$200,000 – Resolution No. 9908. **(District 5)**

- \*5-f. Approving and authorizing the City Manager to authorize investment in the Local Government Investment Pool (LGIP) for a State Aviation Grant and authorizing the City Manager, or his designated representative, and an ADOT representative to deposit, transfer, and withdraw monies in the LGIP for a State Aviation Fund Grant – Resolution No. 9909. **(District 5)**
- \*5-g. Approving and authorizing the City Manager to execute the proposed First Substantial Amendment to the City's FY 2011/2012 HUD Consolidated Annual Action Plan – Resolution No. 9910.
- \*5-h. Extinguishing portion of Drainage Easement at 6003 East Arbor Avenue – Resolution No. 9911. **(District 6)**

Drainage easement is being extinguished at the request of the property owner for the purpose of developing this site as Arbor Rose Assisted Living.

6. Introduction of the following ordinance and setting August 29, 2011, as the date of the public hearing on this ordinance:

- \*6-a. **A11-01 (District 5)** Annexing land located on the south side of the 9600 block of East Brown Road. 1.25± acres. Initiated by the property owners, Christopher and Kelly Carmichael.

7. Discuss, receive public comment, and take action on the ordinance 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 sections of the Mesa Privilege and Excise Tax Code Title 5 Chapter 10 – Ordinance No. 5059.

**Items not on the Consent Agenda**

There were no items off the Consent Agenda.

8. Items from citizens present.

There were no items from citizens present.

9. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:04 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 22<sup>nd</sup> day of August 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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