



COUNCIL MINUTES

January 24, 2011

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on January 24, 2011 at 5:48 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

COUNCIL-ELECT PRESENT

Christopher Glover

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

Invocation by Stake President Michael D. Cooley, Mesa Arizona Stake.

Pledge of Allegiance was led by Garrett Glover.

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.

Mayor Smith recognized State Senator Rich Crandall, Apache Junction Mayor John Insalaco and Former Mesa City Councilmember Ross Farnsworth who were present in the audience.

1. Remarks by Vice Mayor Kyle Jones.

Mayor Smith stated that for the past two and a half years, he has had the distinct privilege of working with Vice Mayor Jones, who not only has been a friend and confidant, but a pleasure to work with.

Vice Mayor Jones commented that during his eight and a half years on the Mesa City Council, it has been a privilege and honor to serve the citizens of Mesa and particularly those who reside in District 4. He stated that although significant changes have taken place in the City and throughout the country during that period of time, he was pleased to say that the City of Mesa "is in very capable hands." Vice Mayor Jones also remarked that his tenure on the Council afforded him the opportunity to serve on various national, regional and local boards, including the National League of Cities, the Maricopa Association of Governments (MAG) and the Mesa Sister Cities

organization. He also spoke regarding his role as Chairman of the Mesa 2025: Financing the Future Committee which, for 19 months, reviewed City operations and developed a series of recommendations designed to ensure that the City of Mesa would become a financially sustainable community through 2025.

Vice Mayor Jones expressed appreciation to his fellow Councilmembers for their efforts and hard work and said that in those instances when individuals had differing opinions on a particular issue, they were always able to resolve their disagreements and “walk away as friends.” He also thanked his wife and family for their support over the years, which allowed him to “give back” to the community in which he was born and raised.

2. Swearing in and seating Councilmembers:

District 4 Councilmember Christopher Glover sworn in by Ann and Mark Glover.
District 5 Councilwoman Dina Higgins sworn in by Kyle, Sean and Jack Higgins.
District 6 Councilmember Scott Somers sworn in by Janell Somers.

3. Remarks and introductions by the Mayor and Councilmembers.

Mayor Smith commented that today's swearing in ceremony was a celebration of the orderly transfer of power and responsibility that takes places not only locally, but also on a State and national level. He reiterated Vice Mayor Jones' comments that although his fellow Councilmembers might disagree on certain issues, they have mutual respect for each other and are able to resolve their differences with courtesy and civility. Mayor Smith added that it was a privilege to serve on a Council such as this.

Councilmember Glover remarked that the purpose of life was to be useful, responsible, honorable, compassionate and to make a difference. He stated that he would seek out opportunities to make a difference in the community, represent and serve the residents of District 4 to the best of his ability, work for the greater good of Mesa, and continue the long tradition of building on strong conservative principles, promoting limited government and “standing fast” by the Constitution. Councilmember Glover expressed appreciation to Vice Mayor Jones for his service to the City of Mesa and also thanked his family, friends and the voters of District 4 for their support.

Councilwoman Higgins expressed appreciation to her family and friends for their support over the years and the voters of District 5 for allowing her to serve another term. She noted that during her first two and a half years on the Council, she realized that the implementation of certain projects occur more quickly than others. Councilwoman Higgins cited, for example, an emergency lodging program for single homeless women, which is operated by Lutheran Social Services, was fully implemented in just over a year, as compared to the Council's efforts to bring bus service to the Mesa Community College (MCC) Red Mountain campus, which took two and a half years to accomplish. She also remarked that although the challenges in the U.S. and Mesa may be many, the residents of Mesa are “amazing,” City staff is the most talented in the Valley, and the elected leadership is in place “to lead Mesa to the greatness it is destined for.”

Councilmember Somers stated that it has been a privilege to serve with Vice Mayor Jones. He thanked his wife and family for their support and the voters of District 6 for allowing him to serve this great community. Councilmember Somers noted that sitting on the Council is about “building a better Mesa” and accomplishing tangible goals and objectives. He said that such goals include

building roads, fire stations, libraries and bringing bus service to northeast Mesa and the Phoenix-Mesa Gateway Airport, all of which impact the residents of the community in a positive manner.

4. Election of Vice Mayor.

Mayor Smith remarked that it was his privilege to introduce a motion and recommendation for the position of Vice Mayor. He commented that the position of Vice Mayor is not taken lightly and said that the person who is elected to this important position carries the responsibility of speaking on behalf of the City.

It was moved by Mayor Smith, seconded by Councilmember Kavanaugh, that Councilmember Scott Somers be elected to serve as Vice Mayor.

Mayor Smith stated that during Councilmember Somers' tenure on the Council, he has demonstrated that he deeply cares about Mesa, studied the issues and brought a unique perspective to the Council not only with his public safety background, but also serving in the military.

Councilmember Kavanaugh commented that on behalf of all the former Vice Mayors of the City of Mesa, he would offer strong support for the motion. He stated the opinion that with Councilmember Somers' experience serving on the Council, he will do an excellent job in a position that is a very interesting, awarding and challenging one to hold.

Mayor Smith called for the vote.

Carried unanimously.

Awards, Recognitions and Announcements.

There were no awards, recognitions or announcements.

5. 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 Vice Mayor Somers, that the consent agenda items be approved.

Carried unanimously.

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

Minutes from the December 16, 2010, January 6 and 10, 2011 Council meetings.

7. Take action on the following liquor license applications:

*7-a. Mesa Chamber of Commerce Business in Education Foundation

This is a one-day civic event to be held on Friday, March 4, 2011 from 6:00 p.m. to 9:00 p.m. at 53 North Macdonald **(District 4) – DELETED.**

*7-b. Carrabba's Italian Grill 5301

New Restaurant License for Carrabba's Italian Grill 5301, 1740 South Clearview Drive, Carrabba's Italian Grill, LLC – Amy Nations, Agent. This location has a Restaurant License held under Carrabba's/Arizona 1 Limited Partnership #2 that will revert back to the State. **(District 6)**

*7-c. Outback Steakhouse 0326

New Restaurant License for Outback Steakhouse 0326, 1860 East McKellips Road, Outback Steakhouse of Florida, LLC – Randy D. Nations, Agent. This location has a Restaurant License held under Outback Phoenix II Limited Partnership that will revert back to the State. **(District 1)**

*7-d. Ultimate Imaginations, Inc.

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

8. Take action on the following contracts:

*8-a. Term Contract for Class 250 Gas Meters for the Energy Resources Department. **(Citywide)**

The Purchasing Division recommends awarding the contract to the lowest responsive and responsible bidder, Energy Economics Inc., at \$191,538.88 annually, including applicable use taxes, and based on estimated requirements.

*8-b. Term Contract for Diesel Engine Parts and Services for Fleet Services. **(Citywide)**

The Purchasing Division recommends authorizing purchase from the Arizona Department of Transportation contract with Cummins Rocky Mountain LLC., the local authorized Cummins engine dealer and a Mesa business, at \$100,000 annually, based on estimated annual purchases.

*8-c. Renewal of the Term Contract for Traffic Sign Posts for Warehouse Inventory. **(Citywide)**

The Purchasing Division recommends authorizing the final two-year renewal option with Pacific Products & Services at \$101,123.19 annually, including applicable sales tax, and based on estimated requirements.

*8-d. Dollar-Limit Increase for Library Audio Books, Spoken Word Materials as requested by the Library. **(Citywide)**

The Purchasing Division recommends increasing the dollar-limit of the contract with Random House, Inc. by \$25,000, from \$30,000 to \$55,000 annually; and increasing the dollar-limit with AudioGo by \$15,000, from \$15,000 to \$30,000 annually; for the combined total dollar-limit increase of \$40,000. The combined total contract amount is \$85,000 annually, including applicable use taxes.

- *8-e. Term Contract for Mobile Steel Library Shelves for the New Mesa Express Library (Fully Funded by Library Bond Funds). **(Citywide)**

The Purchasing Division recommends awarding the contract to DEMCO Library Interiors at \$47,555.33; and Library Furniture International Inc. at \$4,310.56; for the combined total award of \$51,865.89, including applicable use taxes.

- *8-f. Term Contract for Industrial Supplies for Citywide Use. **(Citywide)**

The Purchasing Division recommends authorizing a supply contract through the cooperative National IPA contract with Grainger in the amount of \$330,000 annually, including applicable sales tax, based on estimated requirements.

- *8-g. Renewal of the Term Contract for Leather Work Gloves for Warehouse Inventory. **(Citywide)**

The Purchasing Division recommends authorizing the final two-year renewal option with Complete Safety at \$40,000 annually, including applicable sales tax, and based on estimated requirements.

- *8-h. Purchase of Seven (7) Portable Flow Meters for the Water Resources Department. **(Citywide)**

The Purchasing Division recommends awarding the contract to the lowest responsive and responsible bidder, Hach Co., at \$106,571.12, including applicable use taxes.

- *8-i. Renewal of the Term Contract for Ultraviolet Disinfection System Parts and Supplies for the Water Resources Department. **(Sole Source) (Citywide)**

The Purchasing Division recommends authorizing the final two-year renewal option with ITT Water & Wastewater USA at \$136,000 annually, including applicable sales tax, and based on estimated requirements.

- *8-j. Purchase of an Enterprise Storage Hardware Solution to replace the City's existing storage system and provide the platform needed for the City's new financial system (CityEdge). **(Citywide)**

The Purchasing Division recommends awarding the contract to GTSI Corporation at \$851,778.08, and purchases of various hardware and associated software from State contract vendors totaling \$202,961.17, including all taxes, for a total award of \$1,054,739.25.

*8-k. Purchase Server Software for the CityEdge Financial System. **(Citywide)**

The Purchasing Division recommends purchasing from the State of Arizona contract with IBM for \$31,441.02, including applicable taxes. (Funded by the CityEdge Project)

*8-l. Broadway Road and 72nd Street Drainage Improvements. **(District 6)**

City Project 10-372-001. This project will install approximately 3,060 feet of new 42-inch storm drain and 1,320 feet of new 16-inch water line along Broadway Road, re-grade, and line the existing 72nd Street drainage channel from Main Street to Broadway Road with concrete to improve its flow capacity.

Recommend award to the low bidder, WGC, Inc., in the amount of \$1,095,685.50 plus an additional \$109,568.55 (10% allowance for change orders) for a total award of \$1,205,254.05. This project will be funded with a \$250,000 grant from the Flood Control District of Maricopa County through their Small Project Assistance Program for FY 10/11 and with the City's FY 10/11 Street Bond Capital and Water Bond Capital Program.

9. Take action on the following resolutions:

- *9-a. Approving the revised Criteria for the Transfer of Federally Funded CDBG Properties to eliminate the 15-year minimum lease requirement for non-profit agencies and allowing the transfer or properties purchased with mixed-funding sources on a case-by-case basis – Resolution No. 9800.
- *9-b. Approving and authorizing the City Manager to execute any and all documents necessary to transfer the property located at 466 South Bellview to the Community Asset and Resource Enterprise (CARE) Partnership, for the continuation of their agency programs and services. **(District 4)** – Resolution No. 9801.

10. Introduction of the following ordinances and setting February 7, 2011, as the date of the public hearing on these ordinances:

- *10-a. Amending Title 10, Traffic, of the Mesa City Code to streamline the implementation of traffic regulations. This ordinance will place authority for implementing traffic control regulations except speed limits with the City Traffic Engineer. This ordinance will also make the following housekeeping updates: change references to the "Building Inspector" to "City Manager or Designee;" revise requirements for house movers to make the permit holder responsible for the cost of relocating and damage to any City facilities related to the house move; and update the Schedule of Sanctions for parking violations to match the current Code section numbers and eliminate duplicate entries.
- *10-b. Amending Title 11 of the Mesa City Code regarding the locations of medical marijuana dispensaries and related facilities.

11. 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 marked with an asterisk (*), a blue card must be given to the City Clerk before Council votes on the Consent Agenda.

- *11-a. Amending Title 1, Chapter 6 of the Mesa City Code pertaining to Council committees – Ordinance No. 5022.
- *11-b. **Z10-32 (District 1)** 740 East Main Street. Located east of Mesa Drive on the north side of Main Street (6,200± sq. ft.) Council Use Permit. This request will allow the expansion of an existing pawn shop. Red Mountain Asset Fund I, LLC., owner; Susan Demmitt, Beus Gilbert, PLLC, applicant. (PLN2010-00331) – Ordinance No. 5023.

P&Z Recommendation: Approval with Conditions. (Vote: 7-0)

Items not on the Consent Agenda

12. Items from citizens present.

There were no items from citizens present.

13. Adjournment.

Without objection, the meeting adjourned at 6:35 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 24th day of January 2011. 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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