



COUNCIL MINUTES

July 2, 2012

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on July 2, 2012 at 5:53 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

(*Councilwoman Higgins participated in the meeting through the use of telephonic equipment.)

Invocation by Pastor Dr. James E. Adams, Cornerstone Church.

Pledge of Allegiance was led by Vice Mayor Somers.

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 last week, the Maricopa Association of Governments (MAG) hosted its biannual "Desert Peaks Awards" ceremony. He explained that the awards are presented to agencies and individuals who have made significant contributions to the region.

Mayor Smith commented that this year, the City of Mesa received three awards for programs that staff either initiated or for which they played significant roles. He first recognized the Mesa Fire Department (MFD), which received the Public Partnership Award for Regional Emergency Transportation Service.

Fire Chief Harry Beck addressed the Council and provided a brief historical overview of the efforts undertaken by Mesa, Queen Creek, Gilbert and Apache Junction Fire Departments to create an ambulance system that was as quick, integrated and seamless as their Automated Aid Fire Service. He noted that the concept, which had never been considered before, was challenging, but ultimately

resulted in the four communities partnering with Southwest Ambulance to provide emergency transportation service.

Chief Beck pointed out that not only has the program eliminated boundary disputes between the various communities, which previously impacted ambulance response times from one municipality to another, but also saved lives in the process. He said that other Valley cities are looking to the East Valley as a model for regional emergency transportation service. Chief Beck also thanked the Council and City management for their support in this regard.

Mayor Smith noted that the City of Mesa received two Regional Partnership Awards, with the first being presented to the City Prosecutor's Office/Victim Services Unit for the Domestic Violence Protocol Evaluation Project.

City Prosecutor Jon Eliason reported that as part of MAG's Domestic Violence Protocol Evaluation Project, more than 320 Valley partners came together to assess current protocols and practices by law enforcement and prosecutors when responding to misdemeanor domestic violence offenders. He stated that the resulting protocol, which also includes a webinar audio recording, will enhance the efforts of prosecutors and law enforcement with regard to such cases. Mr. Eliason expressed appreciation to his fellow City Prosecutors, several of whom were present in the audience, for their contributions and hard work during the protocol evaluation process.

Mayor Smith advised that the City was the recipient of a second Regional Partnership Award for staff's participation in the Regional Wireless Cooperative/Topaz Regional Wireless Cooperative Joint Resolution.

Manager of Technology & Innovation Alex Deshuk advised that the thrust of the award is a one-page document outlining the region's cooperation with respect to radio networks/communications for public safety first responders. He explained that the document not only ensures the safety of the first responders, but also provides for their business needs in a nonpartisan manner. Mr. Deshuk thanked everyone who participated in this comprehensive process and added that it was truly a joint effort of many individuals and communities.

Mayor Smith, on behalf of the entire Council, expressed appreciation to staff for their achievements and innovations.

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.

Mayor Smith stated that a citizen requested that item 4g be removed from the consent agenda.

It was moved by Councilmember Kavanaugh, seconded by Vice Mayor Somers, that the consent agenda items, as amended, be approved.

Carried unanimously.

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

Minutes from the April 12, May 7 and 17 and June 25, 2012 Council meetings.

3. Take action on the following contracts:

*3-a. Purchase of Replacement Digital Microwave Radios and Interfaces for the Communications Department. **(Citywide)**

This purchase will provide point-to-point microwave radios to replace the obsolete and unserviceable microwave radios that provide data, voice, and Fire Station Alerting Services to Mesa Fire Stations 202, 216, and 217. The new microwave radios will provide greater bandwidth than the current radios for data and the upcoming implementation of the VOIP telephone system. This purchase is for three (3) links of 18 GHz Proxim Digital Microwave Radios and Interfaces.

Purchasing recommends awarding the contract to the lowest, responsive and responsible bidder, Access Technologies, Inc., at \$33,335.95, including applicable sales taxes. The total amount of this purchase is available in the Communications budget through 2008 Public Safety Bonds.

*3-b. Purchase of Mainframe Hardware, Software and Services to Upgrade Data Storage Platform for the Information Technology Department. **(Citywide)**

Purchasing recommends authorizing purchase from the lowest, responsive and responsible bidder, EMC Corporation, at \$274,828.55, including applicable taxes. The funding for this purchase is available in the Information Technology Department FY 12/13 budget.

*3-c. Purchase of Supervisory Control and Data Acquisition (SCADA) Server Infrastructure Upgrade for the Energy and Water Resources Departments as requested by the Information Technology Department. **(Citywide)**

The City of Mesa's Utility Control Center (UCC) is responsible for monitoring and managing the control systems that oversee the City's water, gas and energy utilities. The systems they use are called SCADA and in order to ensure these systems are operational at all times, a redundant SCADA platform is needed.

The Purchasing Division recommends authorizing purchase from the lowest, responsive and responsible bidders: Insight Public Sector, Inc. at \$105,603.65; Sentinel Technologies, Inc., at \$8,637.69; Team Moose, LLC, dba Moose Logic at \$20,799.81; other products through normal Purchasing processes at \$13,687.69; plus a 10% contingency of \$15,000. The combined total award is \$163,728.84, including applicable taxes, is available in the Information Technology, Energy Resources and Water Resources Departments FY 12/13 budgets.

*3-d. Purchase of Software Licenses for the Police Training Simulator System. **(Citywide)**

The Police Training Simulator System is a computer simulation-type system that uses interactive observe-assess-respond scenarios for personnel to receive as near real life

scenarios (shooting) based training program that utilizes a virtual tactical environment setting to train police officers with the ultimate goal of increasing the safety of Mesa Police Officers.

Purchasing recommends awarding the contract to the sole source vendor, Bohemia Interactive Simulations, Inc., at \$31,820.14, based on the sole source pricing offered. This purchase is funded by the U.S. Department of Justice, Community Oriented Policing Services Grant.

*3-e. Term Contract for Tires for Warehouse Inventory and Fire & Medical Services. **(Citywide)**

Purchasing recommends authorizing purchase from the State of Arizona/WSCA contract with Firestone Complete Auto Care (three Mesa locations) and Redburn Tire Company (one Mesa location) at \$260,000 annually, including applicable sales tax, based on estimated requirements, with the City retaining the sales tax dollars. The funding for this purchase will be \$140,000 from the Materials & Supply FY 12/13 budget and \$120,000 from Fire & Medical Services FY 12/13 budget.

*3-f. Dollar-Limit Increase for the Term Contract for Bulk Methanol as Requested by Water Resources. **(Citywide)**

The Purchasing Division recommends authorizing a dollar-limit increase of \$60,000 with TARR LLC, from \$94,000 to \$154,000 annually.

*3-g. Northwest Water Reclamation Plant Monitor Well No. 1. **(District 1)**

The existing Monitor Well No. 1 is located west of the Northwest Water Reclamation Plant (NWWRP) within the interchange of the 101 and 202 Freeways. Groundwater samples are taken from this well on a monthly basis in accordance with the Aquifer Protection Permit for the NWWRP. The site is not easily accessible by trailer. There is no electrical power to the site; therefore a generator on a trailer has to be brought in each time testing is done. The site is not secured and is often vandalized. In addition, the area drains toward the well causing it to be flooded on occasion. This project includes the installation of new electrical service to the site. A chain link fence will also be installed to increase security, as well as grading of the site to minimize the chance of flooding.

Recommend award to the lowest bidder, Paul R. Peterson Construction, in the amount of \$28,138.00, plus an additional \$2,813.80 (10% allowance for change orders) for a total award of \$30,951.80. Funding is available in the FY 12/13 Wastewater Bond Capital Program.

*3-h. Transportation Management Center (TMC) Video Wall Replacement, 300 East 6th Street. **(District 4)**

This project will replace the existing video information display wall at the Transportation Management Center (TMC). The TMC is the hub of the City's Intelligent Transportation System (ITS) network and enhances the City's ability to optimize surface transportation operations. This project will install a new system that offers improved video image quality, lower maintenance requirements, and advanced technology.

Recommend award to the lowest bidder, Logicalis, Inc., in the amount of \$228,744.97, plus an additional \$22,874.50 (10% allowance for change orders) for a total award of \$251,619.47. Funding is available in the FY 12/13 Transportation Bond Capital Program.

*3-i. Bridge Safety Rehabilitation – Phase II. **(Citywide)**

Bridges in Mesa are inspected on a biannual basis with safety improvements and maintenance items noted in the inspection reports. This project is the second of three projects that will address these items, along with implementing other pedestrian safety railing improvements at the bridges. This project will include approximately 360 feet of new pedestrian safety railing, 80 feet of new guardrails, 5,000 square yards of bridge deck protective sealant and miscellaneous other maintenance and safety improvements for 26 bridges over SRP canals throughout the City.

Recommend award to the lowest bidder, Goldie Construction, Inc., in the amount of \$188,100, plus an additional \$18,810 (10% allowance for change orders) for a total award of \$206,910. Funding is available in the FY 12/13 Transportation Operating Budget.

*3-j. Assign delinquent accounts to collection services for the three-month period ending March 31, 2012, totaling \$713,956. **(Citywide)**

4. Take action on the following resolutions:

*4-a. Approving and authorizing the City Manager to execute a Use Agreement with Mesa Urban Garden, an Arizona non-profit corporation, for the use of City-owned property located at 212 East 1st Avenue – Resolution No. 10086.

*4-b. Approving and authorizing the City Manager to execute an Airport Improvement Program (AIP) Grant Agreement (when such grant becomes available) with the Federal Aviation Administration (FAA) in an amount not to exceed \$76,234.00, for the design of a runway guard light system for Runways 4R-22L and 4L-22R at Falcon Field Airport – Resolution No. 10087. **(District 5)**

*4-c. Approving and authorizing the City Manager to execute a Joint Project Agreement (JPA) with the State of Arizona, acting by and through the Arizona Department of Transportation (ADOT) for a pavement preservation project at Falcon Field Airport. ADOT estimates that the total cost of the project will be \$697,838.00. The State will fund 90% of the project cost (\$628,054) with the City funding the remaining 10% of the project (\$69,784). Funds (\$70,000) have been included in the proposed FY 2012/13 Airport Capital Improvement Program budget to pay for the City's estimated matching portion of this project – Resolution No. 10088. **(District 5)**

*4-d. Approving and authorizing the City Manager to execute an agreement with Valley Metro Rail, Inc. (METRO) to fund an Environmental Assessment for transit options along Main Street between Mesa Drive and Gilbert Road. The assessment/study will span approximately 12 months and the cost, including agency costs, are not to exceed \$750,000. Funding is made available through Maricopa Association of Governments (MAG) Regional Allocation of Preventative Maintenance funds – Resolution No. 10089. **(District 4)**

- *4-e. Extinguish a Twenty (20) foot wide Public Utilities and Facilities Easement in the 5000 block of East Falcon Drive – Resolution No. 10090. **(District 5)**

This twenty (20) foot wide Public Utilities and Facilities Easement (PUFE) is being extinguished because it lies under a building and is no longer needed. Permanent structures are not allowed to occupy or encroach into PUFES.

- *4-f. Approving the assessment of property located at the northwest corner of the intersection of Signal Butte and Elliot Roads for costs and expenses of street improvements to include certain storm drainage, traffic signal and street light improvements – Resolution No. 10091. **(District 6)**

5. Introduction of the following ordinance and setting July 9, 2012, as the date of the public hearing on this ordinance:

- *5-a. Amending Title 9 (Public Ways and Property) of Mesa City Code by adding Subsection 9-6-4(H) establishing public street lighting requirements for Desert Place at Morrison Ranch, located south of Guadalupe Road, north of the power line easement approximately one-half mile south of Guadalupe Road, west of Sossaman Road and east of the East Maricopa Floodway.

6. 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.

- *6-a. Amending Sections 201(C) and 201(D) of the Mesa City Charter to allow Council to set dates for the commencement of terms for the Mayor and Council – Ordinance No. 5103.
- *6-b. Amending Section 203 of the Mesa City Charter to set the procedures for filling a vacancy in the Office of the Mayor and Council District Office – Ordinance No. 5104.
- *6-c. Amending Section 605(A) of the Mesa City Charter to require the City Manager to provide the Five-Year Capital Program to the Council prior to the beginning of each fiscal year – Ordinance No. 5105.
- *6-d. Amending Section 701(A) of the Mesa City Charter to allow Council to set dates for City of Mesa elections – Ordinance No. 5106.
- *6-e. Amending Section 201(F) of the Mesa City Charter to state that if less than three (3) candidates file nominating petitions, qualifying as candidates for the Office of Mayor or District Councilmember, the Primary Election will be dispensed with for that office and the candidates will appear on the ballot of the General Election – Ordinance No. 5107.

Items not on the Consent Agenda

- 4-g. Ordering and calling a Special Bond Election to be held in and for the City of Mesa, Maricopa County, Arizona, to be held in conjunction with the Statewide General Election on November 6, 2012, to submit to the qualified electors the question of authorizing the issuance and sale of General Obligation Bonds of the City – Resolution No. 10092.

Tom Schuelke, a Mesa resident, addressed the Council and offered a series of suggestions with respect to this agenda item. His comments included, but were not limited to, the following: Mesa voters not only deserve to see a plan for the Buckhorn Baths before the Special Bond Election, but also merit assurances that savings from refinancing the above-listed bonds would not be diverted for other uses; that it was his understanding that \$7.25 million of bond monies would be used to fund a Federal requirement related to the land for the Chicago Cubs Stadium and there would be a property tax associated with the facility if the measure passed; and that the ballot should be modified to allow citizens to vote on groups of projects rather than one list.

Mr. Schuelke also pointed out that per State law, the property tax burden on businesses is being reduced via a gradual drop in assessment ratios and said it would result in increased taxes for residential property. He further suggested that Section 4 of the Resolution be modified to require that the election pamphlet include information that would clearly state to residential property owners that the property tax levy for the bonds will likely rise over time.

City Manager Christopher Brady and various Councilmembers responded to Mr. Schuelke's comments concerning the basis of the City's property tax levy; the fact that a portion of Riverview Park has a Federal encumbrance on it since it was built with Federal Land and Water Conservation Fund monies; that staff has worked with the Federal government and identified various City-owned properties to replace the existing park land at Riverview; that staff solicited significant citizen input with respect to the proposed Parks projects; that no tax increase is required to satisfy the Federal designation; and that bond dollars can only be spent within specific categories (i.e., Parks, Public Safety, Utilities) and the City abides by such restrictions.

Mayor Smith stated that he received a speaker card from Kay Henry, a Mesa resident, who expressed support for the Special Bond Election, but did not wish to address the Council.

Mark Schofield, Chairman of the i-Mesa Steering Committee, commented that the Committee conducted extensive public outreach in an effort to solicit input from the community regarding the proposed Parks projects. He expressed concern with respect to separating out projects to be voted on individually and said that it was more appropriate to present the voters a package of programs.

It was moved by Vice Mayor Somers, seconded by Councilmember Kavanaugh, that Resolution No. 10092 be adopted.

Carried unanimously.

Mayor Smith thanked the iMesa Steering Committee and City staff for their efforts and hard work with respect to this matter. He stated that the ultimate investment citizens can make is the decision to tax themselves for the betterment of the community. Mayor Smith added that he was confident the voters would be provided the necessary information prior to the November 6, 2012 Special Bond Election so that they could make informed decisions.

7. Items from citizens present.

There were no items from citizens present.

8. Adjournment.

Without objection, the meeting adjourned at 6:30 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 2nd day of July, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

pag