



COUNCIL MINUTES

November 21, 2011

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on November 21, 2011 at 5:45 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

Scott Smith

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker
Kari Kent

Vice Mayor Somers excused Mayor Smith from the entire meeting.

*Councilwoman Higgins participated in the entire meeting through the use of teleconferencing equipment.

Invocation by Councilmember Dave Richins.

Pledge of Allegiance was led by Will Mabry.

Mayor's Welcome.

Vice-Mayor Somers 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.

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.

Vice Mayor Somers declared the motion carried unanimously by those present.

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

Minutes from the October 20, November 3 and November 7, 2011 Council meetings.

3. Take action on the following liquor license application:

*3-a Hibachi Grill Super Buffet

New Restaurant License for Hibachi Grill Super Buffet, 1164 W. Southern Avenue, No. 1 Hibachi Grill Super Buffet Inc. – Yong Ji Zhu, Agent. This location had a Restaurant License held by ARG Enterprises Inc. that was terminated by the State on 4/03/08. (District 3)

*3-b Kwans Sampan

New Restaurant License for Kwans Sampan, 1927 N. Gilbert Road Suite 14, Kam Lung LLC – Xiao Hong Zhu, Agent. This location has a Restaurant License held by C1 Interprise Inc. that will revert back to the State. (District 1)

4. Take action on the following contracts:

*4-a Ratification of Emergency Purchase of a Hewlett Packard server as Requested by the Information Technology Department (Citywide)

The Purchasing Division recommends ratification of the purchases of a Hewlett-Packard Server from the US Communities Contract with Insight Public Sector at \$25,490.68, including applicable sales tax.

*4-b Two-Month Extension and Dollar-Limit Increase for the Term Supply Contract for Automotive Lubricant and Oil Products for the Fleet Services and Fire Departments (Citywide)

The Purchasing Division recommends continuing purchases from the State of Arizona contract with Brown Evans Distributing Company (a Mesa business) at \$60,000, based on estimated annual purchases, through 12/31/11.

*4-c Term Contract for 3M Radio Frequency Identification (RFID) Tags for the Library Department (Sole Source) (Citywide)

The Purchasing Division recommends authorizing use of Maricopa County Sole Source Contract with 3M Library Systems at \$40,000 annually, including applicable use taxes.

*4-d Term contract for Landscape Sprinkler and Irrigation Supplies for the Materials & Supply Warehouse and Various City Departments (Citywide)

The Purchasing Division recommends awarding the contract to lowest, responsive and responsible bidders, Sprinkler World of Arizona, Inc. (a Mesa business) at \$173,177.39 annually and Horizon (a Mesa business) at \$45,000, including applicable sales taxes, based on estimated requirements. The combined total contract award is \$218,177.39.

*4-e Term Contract for Tire Recapping Services for the Fleet Services Department (Citywide)

The Purchasing Division recommends awarding the contract to the highest scored proposal, Jack's Tire & Oil Management Co., Inc. dba Jack's Tire & Oil at \$425,000 annually, based on estimated requirements.

*4-f Renewal of the Term Contract for Tires for Warehouse Inventory (Citywide)

The Purchasing Division recommends authorizing purchases through the State of Arizona Department of Transportation contracts with Purcell's Western States Tire (a Mesa business) at \$792,000 and Redburn Tire Company (a Mesa business) at \$17,000, through the renewal period, including applicable sales tax, based on estimated requirements. The combined total award is \$809,000.

*4-g Renewal of the Term Contract for Magnesium Anodes for Warehouse Inventory (Citywide)

The Purchasing Division recommends authorizing renewal with Corpro Companies Inc. at \$78,812.63, including applicable sales tax, based on estimated requirements.

*4-h Renewal of the Term Contract for Water Service Valves and Fittings, Gate Valves and Ductile Pipe, Fire Hydrants and Repair Parts for the Materials & Supply Warehouse (Citywide)

The Purchasing Division recommends authorizing a one-year renewal (final) with Arizona Water Works Supply (AWWS) at \$91,000, including applicable sales tax.

*4-i Renewal of the Term Contract for Utility Bill Envelopes for the Business Services Department (Citywide)

The Purchasing Division recommends authorizing renewal with Tension Envelope at \$32,423.52 annually and Cenvo at \$23, 340.60 annually, including applicable use taxes, based on estimated requirements. The combined total award is \$55,764.12.

*4-j Purchase of a Replacement Interchangeable Thermal Imaging Camera and Ancillary Equipment for the Police Department, Aviation Unit (Citywide)

The Purchasing Division recommends authorizing purchase from lowest responsive and responsible bidders, Aero Services at \$242,115.25 for the thermal imaging camera, and Logistics Concepts, Inc. at \$51,769.38 for the ancillary equipment, including applicable sales tax. The combined total amount is \$293,884.63.

- *4-k Purchase of Modular Furniture and Installation Services for CIP Project 01-918-001, Public Safety Training Facility Improvements (Funded by FY 11/12 Capital Fire Bonds) (District 5)

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Goodmans, Inc. at \$41,722.31 and Arizona Furnishings at \$7,869.62. The combined total is \$49,591.93, including sales applicable taxes.

- *4-l Traffic Management Center Equipment Room Air Conditioning Upgrade, 300 E. 6th Street (District 4)

City Project 10-913-001. This project will replace the three roof-mounted split system units with two ground-mounted 10 ton split system units. These new units will provide the capacity for future growth and needed system redundancy.

Recommend award to the lowest bidder, J. E. Bowen Construction LLC, in the amount of \$92,800 plus and additional \$9,280 (10% allowance for change orders) for a total award of \$102,080. Funding is available in the FY 11/12 Transportation Operating Budget.

- *4-m Disinfection Byproducts Mitigation, Northeast Mesa (District 5)

City Project 02-389-001. This project will install three (3) new surface aerators at three (3) reservoirs in northeast Mesa in order to remove total Trihalomethane (TTHM, a disinfection byproduct). Disinfection byproducts are formed by the reaction of chlorine and natural organic matter. Installation of these aerators will bring the average yearly TTHM levels to the regulated level set by the US Environmental Protection Agency.

Recommend award to the lowest bidder, Felix Construction Company, in the amount of \$550,300 plus an additional \$55,030 (10% allowance for change order) for a total award of \$605,330. Funding is available in FY 11/12 Water Bond Capital Program.

- *4-n Replacement of Pressure Reducing Valve No. 1 (2210 N. Higley Road) and Pressure Reducing Valve No. 2 (2058 N. Recker Road) at Apache Wells (District 5)

City Project 10-391-001. This project will replace two (2) pressure reducing valves (PRVs) to lower the local pressure and avoid potential damage to water fixtures in homes and businesses. The existing PRVs were installed in 1989, are in poor condition and have reached the end of their service life. The new PRVs will also provide a radio connection which will allow the City to monitor both PRVs remotely.

Recommend award to the lowest bidder, Citywide Contracting, LLC, in the amount of \$222,132.00 plus an additional \$22,213.20 (10% allowance for change orders) for a total award of \$244,345.20. Funding is available in FY 11/12 Water Bond Capital Program.

*4-o City Well 11 Equipping and Collection Pipeline to Pasadena Reservoir (District 4)

City Project 09-058-001. City Well No. 11 was originally drilled in 1957. In 2005, a video examination was completed and it was determined that the well casing had deteriorated. The new City Well No. 11 was drilled in the fall of 2009 under a separate contract. This project will install the necessary pump, piping, electrical, chlorination equipment and other site improvements to make this well operational. This project will also complete a pipeline that connects City Well No. 11 to the Pasadena Reservoir.

Recommend award to the lowest bidder, Citywide Contracting LLC, in the amount of \$2,075,004 plus an additional \$207,500.40 (10% allowance for change orders) for a total award of \$2,282,504.40. Funding is available in the FY 11/12 Water Bond Capital Program.

*4-p Power Road Improvements, Pecos Road to Santan Freeway (District 6)

City project 07-066-001. Proposed improvements include widening the road to three lanes in each direction with a raised median and full intersection improvements, which consist of dual left turn lanes and a dedicated right turn lane.

Recommend award of the construction phase service contract to Haydon Building Corporation, with a Guaranteed Maximum Price (GMP) of \$2,369,139.79 plus an additional \$236,913.98 (10% allowance for change orders) for a total award of \$2,606,053.77. Funding of approximately 70% of the total project cost will come from the Maricopa Association of Governments Regional Transportation Plan, and the remainder of funding is available in FY 11/12 Streets Bond Program.

5. Take action on the following resolutions:

*5-a Approving and authorizing the City Manager to execute a funding agreement with Valley Metro Rail, Inc. for light rail operations in the City of Mesa. The City of Mesa will pay \$1,981,863 for operations and maintenance of the existing Light Rail line for Fiscal Year 11/12 – Resolution No. 9947.

*5-b Extinguish portion of an Eight-foot Public Utility Easement at 3229 East Emelita Avenue (District 2)

Three (3) feet of an eight (8) foot public utility easement is being extinguished at the request of the Development and Sustainability Department. This will allow the owner to install a swimming pool and not encroach on a public utilities easement – Resolution No. 9948.

6. Introduction of the following ordinance and setting December 5, 2011 as the date of the public hearing on this ordinance:

*6-a. Amending Title 5 (Business Regulations), Chapter 17 (Development Impact Fees) of Mesa City Code to eliminate the General Government and Cultural Facilities Impact Fees to comply with Senate Bill 1525.

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. Z11-20 (District 2) The 1400 block of South Val Vista Drive (east side). Located on the east side of Val Vista Drive north of the US 60 Superstition Freeway (7.5± acres). Rezone from NC and RM-4 to RM-4 BIZ and Site Plan Review. This request will allow the development of an apartment complex. Paul Jennings, PCS Development, owner; Drew Olson, MoDev, applicant – Ordinance No. 5069.

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

- *7-b Z11-25 (District 1) 26 North Matlock Street. Located west of Stapley Drive and north of Main Street (0.35± acre). Rezone from RM-2 to LC and site plan review. This request will allow the development of a commercial kitchen. Clay Moser, owner; Greg Hitchens, applicant – Ordinance No. 5070.

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

Items not on the Consent Agenda

8. Items from citizens present.

Linda Vinci, a Mesa resident, expressed concerns regarding her water bill which, as a result of the new 3,000 gallon minimum usage fee, is significantly higher than previous bills. She advised that she has always conserved water and uses less than 1,000 gallons of water per year however, she is required to pay for a minimum of 3,000 gallons per month. Ms. Vinci requested that the City offer senior citizens and single home owners some type of assistance with their water bill. She added that the anticipated Social Security cost-of-living increase that she will receive will now be used to cover the additional charges on her water bill.

Vice Mayor Somers commented that as the budget year approaches there will be discussions regarding the issues raised by Ms. Vinci.

9. Adjournment.

Without objection, the meeting adjourned at 5:56 p.m.

SCOTT SOMERS, VICE 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 21st day of November, 2011. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

bdw