



## COUNCIL MINUTES

November 4, 2013

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on November 4, 2013 at 5:51 p.m.

### COUNCIL PRESENT

Scott Smith  
Alex Finter  
Dennis Kavanaugh  
David Luna  
Scott Somers

### COUNCIL ABSENT

Christopher Glover  
Dave Richins

### OFFICERS PRESENT

Christopher Brady  
Debbie Spinner  
Dee Ann Mickelsen

Mayor Smith excused Councilmembers Glover and Richins from the entire meeting.

Invocation by Doctor of Divinity Blaine Mays, Community Church of New Thought.

Pledge of Allegiance was led by John David Langston, Scout Troop # 409.

Mayor's Welcome.

Awards, Recognitions and Announcements.

Mayor Smith stated that he was pleased to announce that Apple will be establishing a manufacturing facility in Mesa. He acknowledged the Governor's Office, the Arizona Commerce Authority, the Greater Phoenix Economic Council, Maricopa County, Salt River Project and City staff for their efforts and hard work in bringing the factory to the community. He noted that the facility will employ 700 people and create 1,300 construction-related jobs to prepare the facility for production.

Councilmember Somers thanked the citizens of Mesa for supporting the City's bond efforts in the last two years. He indicated that such support has resulted in major infrastructure improvements (i.e., new roads, water, sewer, new fire station) in the area of Signal Butte and Elliot, which is the site of the manufacturing factory. He said that those kinds of investments in the community are necessary in order to attract corporations, such as Apple, and create high-paying jobs in the area.

Mayor Smith also remarked that Apple was working with SRP to honor its commitment that the facility would operate 100% through the use of renewable energy.

Mayor Smith further commented that during the downturn in the economy several years ago, the City was no longer able to provide direct financial support to many community events. He explained that it

was the opinion of this Council that if such events were to continue, that they be funded through a public/private partnership.

Mayor Smith acknowledged the Military Veterans Parade Association (MVPA) for their dedication and hard work over the past few years in making the East Valley Veterans Parade one of the best in Arizona. He stated that this year, the group is starting a new tradition by holding the parade on Saturday, November 9, at 9:00 a.m. as opposed to on Monday the 11<sup>th</sup>, which is Veterans Day. He added that the parade route has expanded and will begin on Center Street at 8<sup>th</sup> Street and continue south to Center Street and 1<sup>st</sup> Avenue.

Jim Monroe, President of MVPA, addressed the Council and reported that the purpose of the group is to produce an annual parade that recognizes the country's military veterans, active military personnel and their families. He stated that the parade will feature 115 entries, including a replica of the USS Arizona and the Arizona Fallen Soldiers Memorial Banners.

Mr. Monroe, in addition, remarked that this year's theme is "Honoring Our Veterans and Military, One Parade at a Time." He also recognized in the audience the veterans who will participate in the parade as follows: U.S Army Colonel Joey Strickland, who will serve as the Grand Marshal; Milton Schiff, U.S. Navy; David Althoff, U.S. Marine Corps; Gene Rafanelli, U.S. Army; Carl Schneider, U.S. Air Force; and Kevin Cantrell, U.S. Coast Guard.

Fire Chief Harry Beck addressed the Council and reported that he was proud to announce that the Mesa Fire and Medical Department (MFMD) recently received an Emmy Award for a Public Safety Announcement (PSA) titled "I Remember." He explained that the video, which was produced in conjunction with the Department's Drowning Awareness and Prevention Program, focuses on two Mesa mothers, Allison James and Stephanie Burkett, who lost their sons due to drowning. He pointed out that the MFMD is the first Fire Department in the nation to be awarded an Emmy. He also thanked Video Producer Laura McElhatten and Fire Engineer Mark Jones for their efforts and hard work in producing the PSA.

Mayor Smith congratulated the MFMD for their achievement and professionalism. He also acknowledged Ms. James and Ms. Burkett for their courage and bravery to "tell their story."

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 Ron Lorenzo submitted a speaker card indicating his support for agenda items 3c and 3d.

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

Mayor Smith declared the motion carried unanimously by those present.

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

Minutes from the September 12, 23 and 26 and October 28, 2013 Council meetings.

3. Take action on the following liquor license applications:

\*3-a. Humanitarian Activist Alliance

This is a one-day charitable event to be held on Saturday, November 23, 2013, from 12:00 p.m. to 10:00 p.m., at 263 North Center Street. **(District 4)**

\*3-b. Queen of Peace Catholic Church

This is a one-day religious event to be held on Sunday, November 17, 2013, from 9:00 a.m. to 8:00 p.m., at 141 North Macdonald. **(District 4)**

\*3-c. Albertson's 980

A grocery store is requesting to add sampling privileges to their existing Liquor Store License for Albertson's 980, 1951 West Baseline Road, Albertson's, LLC – Nicholas Guttilla, agent. The existing Liquor Store License held by Albertson's, LLC, will revert back to the State for modification. **(District 3)**

\*3-d. Albertson's 989

A grocery store is requesting to add sampling privileges to their existing Liquor Store License for Albertson's 989, 2727 North Power Road, Albertson's, LLC – Nicholas Guttilla, agent. The existing Liquor Store License held by Albertson's, LLC, will revert back to the State for modification. **(District 5)**

4. Take action on the following contracts:

\*4-a. Three-Year Term Contract for Landscape Maintenance Services for Parks and Retention Basins – Zone 3 for the Parks, Recreation and Commercial Facilities Department. **(Districts 1, 2, 3 and 4)**

This contract will provide landscape maintenance services for City parks and retention basins from the City's northern and southern boundaries, between Stapley Drive and Val Vista Drive; an area referred to by the City as Zone 3.

Parks, Recreation and Commercial Facilities and Purchasing recommend awarding the contract to the lowest, responsible and responsive bidder, Artistic Land Management, Inc., at \$498,000 annually, based on estimated requirements.

\*4-b. Utilities Building Fire Alarm Upgrade, 640 North Mesa Drive. **(District 4)**

The City hired a consultant to review the existing fire alarm system at the building. The study identified the need for additional audible and visual notification devices. The recommendation is to replace the entire system with a new fire alarm system that is able to monitor the status of individual devices (Bid Alternative 1).

Recommend award to the lowest responsible bidder, Aidant Fire Protection Company, in the amount of \$78,430.00, plus an additional \$7,843.00 (10% allowance for change orders), for a total award of \$86,273.00. Funding is available in the 2006 Wastewater bond funds and the 2010 Electric, Gas and Water bond funds.

- \*4-c. Two-Year Term Contract for Bulk Methanol for Wastewater Treatment for the Water Resources Department. **(District 1)**

This contract provides bulk methanol, including delivery for the Northwest Water Reclamation Plant.

Water Resources and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Tarr, LLC, at \$160,000 annually, based on estimated requirements.

- \*4-d. Three-Year Term Contract for Aftermarket Parts for Automotive and Light-Duty Trucks for the Fleet Services Department. **(Citywide)**

This contract will provide after-market parts to repair and maintain the City's fleet of over 1,200 automobiles and light-duty trucks.

An evaluation committee representing Fleet Services and Purchasing evaluated responses and recommends awarding the contract to the highest scored proposals from multiple vendors: FleetPride (a Mesa business), at \$225,500; NAPA Auto Parts (a Mesa business), at \$13,750; Parts Authority Arizona, LLC, at \$63,250; RWC International, LTD, at \$27,500; and Star Distributing Co., at \$30,250; annually, based on estimated requirements. The total contract award is \$360,250 annually.

- \*4-e. Nine-Month Renewal of the Term Contract for Automatic Transmission Repairs and Services for the Fleet Services and Fire and Medical Services Departments. **(Citywide)**

This cooperative contract (Mesa Public Schools/City of Mesa) provides automatic transmission parts and repair services for the City's heavy-duty vehicles, light-duty vehicles and passenger cars.

Fleet Services, Fire and Medical Services and Purchasing recommend authorizing a nine-month renewal using the Mesa Public Schools (MPS) contract with W.W. Williams, at \$195,000; and Sun Devil Auto (a Mesa business), at \$45,000; based on estimated requirements. The total contract award is \$240,000.

- \*4-f. Purchase of Eleven (11) Vehicles; Four (4) Replacement Light-Duty Cab and Chassis Service Body Vehicles, Two (2) Replacement Light-Duty Pickup Trucks and One (1) Additional Light-Duty Cab and Chassis Service Body Vehicle for the Water Resources Department and Four (4) Replacement Light-Duty Pickup Trucks for the Development and Sustainability Department. **(Citywide)**

This purchase will provide eleven vehicles to support Water Resources and Development and Sustainability Operations. Ten of the vehicle purchases are part of the vehicle replacement program and have met established criteria and will be retired and sold at auction. One vehicle will be an addition to the fleet for the Water Resources Department.

These vehicles are additional purchases against contracts originally awarded by the Council on April 1, 2013.

Fleet Services, Water Resources, Development and Sustainability and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders, PFVT Motors, Inc., at \$185,955.39, and Berge Ford (a Mesa business), at \$121,621.91. The total contract award is \$307,577.30. Eight vehicles (Water Resources) are funded by the Utility Replacement Extension Renewal Fund and three vehicles (Development and Sustainability) are funded by the Vehicle Replacement Fund.

- \*4-g. Dollar-Limit Increase to the Term Contract for Helicopter Airframe Parts and Repairs as requested by the Police Department. **(Citywide)**

This contract provides parts, tooling, technical assistance and labor to overhaul and/or exchange airframe components, avionics and accessories, plus related services for the Police Department's three MD Helicopters (MDHI model 500E helicopters). Police staff prepared an analysis of projected helicopter maintenance costs for FY 2013/14, including the estimated flight hours and service life for the airframe components for each of the three helicopters. The remaining contract balance of \$7,000 through March 2014 is not sufficient for the projected needs. The increase is required for the Aviation Unit to obtain parts for components as replacements are needed.

Police and Purchasing recommend authorizing a dollar-limit increase of \$125,000 annually, from \$188,000 to \$313,000 with Seaside Helicopters, based on estimated future requirements.

- \*4-h. Dollar-Limit Increase and Extension to the Lease Agreement for Gas Chromatograph Mass Spectrometers for the Police Department (Sole Source). **(Citywide)**

On September 8, 2008, management approved the five-year lease for four Agilent Gas Chromatograph Mass Spectrometers for Police, Forensic Services.

Forensics has purchased three new replacement instruments, and three of the four leased instruments will be returned at the end of the year. It is necessary to continue leasing the equipment through the end of the year until the new equipment has been tested and verified. A new lease is being negotiated for the fourth leased unit.

The Police Department has requested the dollar-limit increase of \$50,000, and extending the lease through December 31, 2013, in order to continue leasing the instruments through the extension. The increase amount is based on four months at \$12,400 per month.

Police and Purchasing recommend authorizing a dollar-limit increase of \$50,000, from \$173,598.07 to \$223,598.07, and extending the lease through December 31, 2013, with Quantum Analytics, based on estimated requirements.

- \*4-i. Purchase of Seven (7) Replacement Sedans for the Police Department. **(Citywide)**

This contract will provide seven replacement vehicles (Ford Taurus) for the Police Department. The vehicles have met established criteria and will be retired and sold at auction.

Police and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Berge Ford (a Mesa business), at \$171,885.28. This purchase is funded by the Vehicle Replacement Fund.

- \*4-j. Purchase of Computer Aided Dispatch (CAD) Based Data Resource Allocation and Deployment Software for the Police Department (Single Proposal). **(Citywide)**

The Police Department currently utilizes a manual yearly process that involves assessment of calls for service, response time, historical data, size of area and number of available personnel to determine resource allocation. Each division makes necessary adjustments to ensure an effective distribution of workload. This purchase will provide law enforcement resource allocation software for the Police Department (PD), used to analyze CAD data for patrol allocation and scheduling, and also assist with structuring beats and districts. This automated system will allow PD to have a set standard across divisions and reduce the potential for errors in the manual process.

PD Information Technology staff researched other products and found no other product with the ability to automatically analyze. Gilbert, Tempe, Glendale and Scottsdale Police Departments and national agencies similar in size to Mesa, such as New Orleans, San Jose, and Montgomery, Alabama are currently using the Deploy product.

An evaluation committee representing the Police Department and Purchasing evaluated responses, and recommends awarding the contract to the qualified, single proposal from Corona Software, Inc., at \$28,500. This purchase is funded by Asset Forfeiture RICO funds.

- \*4-k. One-Year Renewal of the Term Contract for Crack Seal Material and Application Services for the Transportation Department. **(Citywide)**

This is the second, one-year renewal (for a total of three years) with no renewal options remaining.

Transportation and Purchasing recommend authorizing a one-year renewal with CPC Construction, Inc., at \$735,000, based on estimated requirements.

- \*4-l. Dollar-Limit Increase to the Term Contract for Solid Waste Disposal and/or Transfer for the Solid Waste Management Department. **(Citywide)**

The City is currently contracted with Salt River Landfill for the disposal of 75% of all solid waste collected by the City.

This contract provides disposal services for the remaining 25% at two Republic Services facilities (Apache Junction Landfill and Mesa Transfer Station), as well as two Waste Management facilities (San Tan and Sky Harbor Transfer Stations).

Management authorized the second renewal (10/1/11 through 9/30/2013, final option) on October 17, 2011. Solid Waste Management is currently negotiating their disposal contracts and to facilitate the negotiation process, Solid Waste decided to extend the contracts through December 31, 2013. Solid Waste Management has requested the increase of \$410,000 be added to the contract to cover estimated spending through the extension.

Solid Waste Management and Purchasing recommend authorizing a dollar-limit increase on the contract with Waste Management of Arizona Inc., Republic Services, Inc., dba Allied Waste Transportation Inc., and Allied Waste Transfer Services of Arizona, dba Mesa Transfer Station of \$410,000, from \$1,395,120, to \$1,805,120 through December 31, 2013.

\*4-m. Rehabilitation of Residential Property Acquired under Federal Entitlement Grants. **(District 1)**

Construction rehabilitation of the single-residence home located at 713 North Date. The scope of work, as required by the grant, includes modifications for the entire structure to comply with current building, electrical, plumbing, mechanical and structural codes.

Housing and Community Development recommends awarding the contract to the lowest, responsive and responsible bidder, JW Builders, in the amount of \$125,635.98. This project is fully funded by the federal Neighborhood Stabilization Program grant provided by the U.S. Department of Housing and Urban Development.

\*4-n. Rehabilitation of Residential Property Acquired under Federal Entitlement Grants. **(District 1)**

Construction rehabilitation of the single-residence home located at 1649 North Dresden. The scope of work, as required by the grant, includes modifications for the entire structure to comply with current building, electrical, plumbing, mechanical and structural codes.

Housing and Community Development recommends awarding the contract to the lowest, responsive and responsible bidder, Marin Development, in the amount of \$166,683. This project is fully funded by the federal Neighborhood Stabilization Program grant provided by the U.S. Department of Housing and Urban Development.

\*4-o. Purchase of Property, Liability, Cyber Risk, Workers' Compensation Insurance and Workers' Compensation Surety Bond. **(Citywide)**

Recommend purchase of Excess Liability Insurance from Princeton Excess and Surplus for \$5 million in excess of the City's \$3 million Self-Insured Retention (SIR). The cost of this policy is \$356,438.

Recommend purchase of 2<sup>nd</sup> layer Excess Liability Insurance from Scottsdale Insurance Company for an additional \$10 million in liability coverage. The cost of this policy is \$150,149.

Recommend purchase of 3<sup>rd</sup> layer Excess Liability Insurance from Navigators Insurance Company for an additional \$25 million in liability coverage. The cost of this policy is \$154,450.

Recommend purchase of Property Insurance from Travelers Insurance with coverage of \$300 million per occurrence and a \$50,000 deductible. The cost of this policy is \$440,289.

Recommend purchase of Cyber Risk Insurance from Illinois Union Insurance Company with a coverage of \$5 million per occurrence and a \$75,000 deductible. The cost of this policy is \$37,919.

Recommend the purchase of Excess Workers' Compensation Insurance from Safety National Casualty Corporation with a self-insured retention (SIR) for \$1 million per accident/injury/illness policy limit. The cost of this policy is \$300,290.

Recommend the purchase of the Workers' Compensation Self-Insurance Surety Bond through Travelers Casualty and Surety Company of America for the rate of \$6.00/\$1,000.

5. Take action on the following resolution:

- \*5-a. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Maricopa County Human Services Department establishing a Maricopa Workforce Connections Youth Center at the Main Library. **(Citywide)** – Resolution No. 10354.

6. Introduction of the following ordinances and setting November 18, 2013 as the date of the public hearing on these ordinances:

- \*6-a. **Z13-050 (District 2)** 3831 and 3841 East Main Street. Located east of Val Vista Drive on the south side of Main Street (1.63± acres). Rezone approximately 0.64 acres from LC to GC and Site Plan Review. This request will allow the expansion of an existing general commercial use.

Staff Recommendation: Approval with Conditions

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

- \*6-b. **Z13-051 (District 5)** The 8900 block of East Upper Canyon Drive (north side). Located north of McKellips Road on the west side of Ellsworth Road (37.1± acres). Rezone from RS-35 PAD to RS-15-PAD-PAD and Site Plan Review. This request will allow a single-residence subdivision in Parcel 2 of the Mountain Bridge master plan.

Staff Recommendation: Approval with Conditions

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

- \*6-c. **Z13-052 (District 6)** 6560 South Mountain Road. Located north of Pecos on the west side of Mountain Road (4.8± acres). Rezone from AG to HI-AF-PAD and Site Plan Review. This request will allow the expansion of an existing industrial facility.



Staff Recommendation: Approval with Conditions

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

**Items not on the Consent Agenda**

7. Items from citizens present.

There were no items from citizens present.

8. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:27 p.m.

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SCOTT SMITH, MAYOR

ATTEST:

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DEE ANN MICKELSEN, 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 4<sup>th</sup> day of November, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

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DEE ANN MICKELSEN, CITY CLERK

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