



COUNCIL MINUTES

October 1, 2012

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on October 1, 2012 at 5:45 p.m.

COUNCIL PRESENT

Scott Smith
Alex Finter
Christopher Glover
Dina Higgins
Dennis Kavanaugh
Scott Somers

COUNCIL ABSENT

Dave Richins

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

Mayor Smith excused Councilmember Richins from the entire meeting.

Invocation by Pastor Tony Frazee, Gateway Bible Church.

Pledge of Allegiance was led by Former Arizona Congressman Matt Salmon.

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 one of the initiatives the Council continues to foster is the recognition and celebration of accomplishments achieved by City staff, citizens and the community as a whole. He noted that tonight, the Council would like to recognize a number of achievements and invited Planning Director John Wesley to highlight one such award.

Mr. Wesley reported that last month, at the annual meeting of the Arizona Chapter of the American Planning Association, Mayor Smith was recognized as the "Distinguished Elected Official" for his work and support of planning efforts in the City of Mesa.

Mr. Wesley also noted that in January of this year, the Council approved the Central Main Street Plan, which was developed not only through the efforts of City staff and various citizens, but also with Council guidance and input. He explained that the Plan will direct future growth and development along the Main Street corridor and also provide tools to facilitate redevelopment in the area.

Mr. Wesley further remarked that staff submitted the Central Main Street Plan to the Arizona Chapter of the American Planning Association and indicated that the document was in competition with a variety of plans and programs developed by other Arizona communities. Mr. Wesley stated that he was happy to announce that the City of Mesa received the "Best Master Plan" award for the Central Main Street Plan and asked Planner Jeff McVay to come forward to display the award.

Mr. Wesley thanked the Council for supporting the City's planning efforts in order to achieve such recognition.

Councilmember Glover reported that he had the opportunity to attend the 32nd Annual Environmental Awards gala hosted by Valley Forward and Salt River Project (SRP). He explained that the City of Mesa was recognized for the Central Main Street Plan and received the Valley Forward Environmental Excellence Award.

Councilmember Glover, in addition, expressed appreciation to Christine Zielonka, Jeff McVay, John Wesley, Jodi Sorrell, Shea Joachim and Scott Bouchie who, along with a number of Mesa citizens, have created a plan that will transform the downtown area to ensure that the community moves forward environmentally, socially and economically.

Mayor Smith thanked everyone involved in the development of the Central Main Street Plan for their dedication and service to the community. He also commented that for two separate entities to recognize the Plan is a significant accomplishment.

Councilmember Finter invited Caitlin McGrath, Chris and Heidi Powell and their one-year-old son Cash to come forward. He recounted a recent incident in which Ms. McGrath, who works as a nanny for the Powell family, was in the backseat of the Powell car when a carjacker entered the vehicle. He explained that Ms. McGrath quickly grabbed Cash, escaped from the vehicle, called 911 and prevented what the Police described as "a potential kidnapping situation."

Councilmember Finter stated that Ms. McGrath's actions were a true reflection of her character and integrity and noted that the City Council would like to recognize her efforts by presenting her the Citizen Bravery Award.

Mayor Smith and Councilmember Finter presented Ms. McGrath the award.

Chris and Heidi Powell both expressed their gratitude and appreciation to Ms. McGrath for her bravery. They also acknowledged the Mesa Police Department for its quick apprehension of the suspect.

Ms. McGrath voiced appreciation to the Council for the award and thanked the Mesa Police Department for its quick response to the scene.

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 Glover, 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 13, 20 and 24, 2012 Council meetings.

3. Take action on the following liquor license applications:

*3-a. Downtown Mesa Association

This is a one-day charitable event to be held on Friday, October 5, 2012, from 5:00 p.m. to 10:00 p.m. at Main Street from Center to Robson. **(District 4)**

*3-b. Southeast Valley Regional Association of Realtors

This is a one-day charitable event to be held on Friday, October 26, 2012, from 5:00 p.m. to 9:00 p.m. at 1363 South Vineyard. **(District 3)**

*3-c. Big Brothers Big Sisters of Central Arizona

This is a one-day charitable event to be held on Saturday, October 13, 2012, from 5:30 p.m. to 9:30 p.m. at 1924 West 8th Street. **(District 1)**

*3-d. Dobson Ranch Inn & Resort

New Hotel/Motel License for Dobson Ranch Inn & Resort, 1666 South Dobson Road, Pi Properties No. 11, LLC – Danny Lee Baker, Agent. This location has a Hotel/Motel License held by Geysler Dobson Ranch Mt., LLC that will revert back to the State. **(District 3)**

*3-e. Babbo Italian Eatery

New Restaurant License for Babbo Italian Eatery, 10726 East Southern Avenue, BIEM, Inc. – Kenneth Bruce Pollack, Agent. This is a new construction. **(District 6)**

4. Take action on the following contracts:

*4-a. Purchase of an In-House Collector Queues Module for the Integrated Case Management System (AZiCMS) for the Mesa Municipal Court. **(Citywide)**

When Council approved the purchase of an Integrated Case Management System (AZiCMS) on August 20, 2012, the module item was initially in the Administrative Office of the Courts (AOC) Statewide project budget. It has since been designated as a Mesa-specific item, as the AOC determined that other Arizona courts would not require this functionality.

Purchasing recommends authorizing the purchase from American Cadastre, LLC, dba AMCAD (Sole Source) at \$34,645.00 and project contingencies at \$21,091.00, for a combined total of \$55,736.00, including applicable use tax.

- *4-b. Dollar-Limit Increase to Term Contract for Natural Gas Pipe and Fittings for the Materials & Supply Warehouse. **(Citywide)**

The increase is needed due to a price increase at the beginning of 2012 and an increase of materials requested by Gas Utility.

Purchasing recommends authorizing a dollar-limit increase of \$73,000 with Ferguson Enterprises, Inc., dba Ferguson Waterworks, from \$212,854.46 to \$285,854.46 annually, including applicable sales taxes, based on estimated requirements.

- *4-c. Contract Assignment, Dollar-Limit Increase and Three-Month Contract Extension for the Term Contract for Aftermarket Parts for Automobiles and Light Duty Trucks for the Fleet Services Department. **(Citywide)**

Purchasing recommends a contract assignment to Genuine Parts Company from Mel's Auto LLC, dba NAPA Auto Parts, and a dollar-limit increase of \$8,000 to Factory Motor Parts Co. (FMP) (Primary) and \$17,000 to Genuine Parts Company (Secondary) as requested by the Fleet Services Department. The revised combined total contract amount will be \$205,000. A 90-day extension is requested to accommodate a contract re-bid in lieu of the two-year renewal.

- *4-d. Renewal of the Term Contract for Replacement Badger Fire System Water Meters for the Water Resources Department. **(Citywide)**

This contract provides replacement fire system water meter assemblies for the rehabilitation of existing water meter vaults. These fire series meter assemblies are used to accurately measure continuous low and intermediate domestic flows and high fire flows as needed on a mixed use commercial water service.

Purchasing recommends authorizing a two-year renewal from BadgerMeter, Inc., (Sole Source) at \$140,241.04, including applicable use tax, based on estimated requirements.

- *4-e. Change Order for the Term Contract for Asphalt Materials as requested by the Transportation Department. **(Citywide)**

On February 6, 2012, Council approved the initial three-year contract to the highest scored proposals for Hot Mix Asphalt Materials: Vulcan Materials (Primary), Edward L. Levy, dba Mesa Materials (Secondary) and Cemex (Tertiary). Although Transportation has been pleased with Vulcan Materials, the vendor has been unable to supply the hot mix asphalt on a consistent basis. Cemex has been able to provide the department with material when Transportation is unable to procure from Vulcan Materials (Primary). Vulcan's material scheduling has led us to use Cemex more than anticipated.

Purchasing recommends reallocating \$50,000 from Vulcan Materials' (Primary) contract amount of \$688,880.50 to Cemex's (Tertiary) contract amount of \$50,000. The revised

Group 1 amounts will be: Vulcan Materials at \$638,880.50 annually; and Cemex at \$100,000 annually. The total annual contract amount for all groups remains unchanged.

- *4-f. Chicago Cubs Spring Training Facility and Riverview Site Development Structural Package. **(District 1)**

The Structural package is the third contract award to be bid by the Construction Manager at Risk (CMAR) for the Chicago Cubs' Spring Training Facility and Riverview Site Development project. This work includes all the cast in place concrete, masonry, and structural steel for the baseball complex (stadium, clubhouse, batting tunnels, maintenance facility, and observation tower), etc. Over 40% of the contract is being awarded to local Mesa-affiliated firms including Able Steel and Rhino Masonry. Other contracts that are anticipated to be bid by the CMAR over the next several months include the baseball complex package and the new Riverview Park Construction Package.

The recommended total award amount for this project is \$22,865,340.30 based upon a GMP of \$20,786,673.00 plus an additional \$2,078,667.30 (10% allowance for change orders). Funding is available in the FY 12/13 Cubs' Stadium Bond program.

5. Take action on the following resolutions:

- *5-a. Approving and authorizing the City Manager to accept funds made available through a Grant Agreement with the Arizona Criminal Justice Commission. Funding in the amount of \$100,000 will be used for overtime, training and equipment for the Forensic Services Section – Resolution No. 10137. **(Citywide)**
- *5-b. 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 \$1,773,979 for operations and maintenance of the existing Light Rail line for Fiscal Year 2012/13 – Resolution No. 10138. **(District 3)**

6. Discuss, receive public comment, and take action on the following resolutions and ordinance that was 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. Approving and authorizing the City Manager to execute the Restatement of Trusts for the Property and Public Liability and Employee Benefits Self-Insurance Trust Funds – Resolution No. 10139.
- *6-b. Approving and authorizing the City Manager to execute the Restatement of Trusts for the Workers' Compensation Trust – Resolution No. 10140.
- *6-c. Amending the Mesa City Code, Title II, Chapter 17, "Self-Insurance Program Board of Trustees" to define the powers and duties of the Self-Insurance Program Board of Trustees – Ordinance No. 5125

Items not on the Consent Agenda

7. Term Contract for Service Recognition Awards for City Employees requested by the Human Resources Department. (Citywide)

This contract provides recognition awards for the City's Service Award Program administered by Human Resources. Service award recognition/mementos are given to benefitted full-time or part-time employees based on the anniversary of the employee hire date in five-year increments.

Purchasing recommends utilizing the State ADOT cooperative contract with OC Tanner (a Mesa business) at \$65,000 annually, including applicable sales tax, and based on estimated requirements.

Mayor Smith noted that Vice Mayor Somers asked that this item be removed from the consent agenda.

Vice Mayor Somers stated the opinion that the proposed annual expenditure could be utilized elsewhere, such as for tuition reimbursement.

It was moved by Councilmember Kavanaugh, seconded by Councilwoman Higgins, that the above-referenced contract be approved.

Upon tabulation of votes, it showed:

AYES – Smith-Finter-Glover-Higgins-Kavanaugh
NAYS – Somers
ABSENT – Richins

Mayor Smith declared the motion carried by majority vote of those present.

8. Items from citizens present.

There were no items from citizens present.

9. Adjournment.

Without objection, the meeting adjourned at 6:05 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 1st day of October, 2012. 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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