

## COUNCIL MINUTES

June 19, 2003

The City Council of the City of Mesa met in a Special Council Meeting in the lower level meeting room of the Council Chambers, 57 East 1st Street, on June 19, 2003 at 8:43 a.m.

### COUNCIL PRESENT

Mayor Keno Hawker  
Rex Griswold  
Kyle Jones  
Dennis Kavanaugh  
Janie Thom  
Claudia Walters  
Mike Whalen

### COUNCIL ABSENT

None

### STAFF PRESENT

Mike Hutchinson  
Debbie Spinner  
Barbara Jones

1. Consider the following resolutions:

- a. Approving and authorizing the City Manager to execute an Intergovernmental Agreement among public agencies as defined in A.R.S. 11-951, which deposited funds with and for the purpose of investment by the Treasurer of the State of Arizona in the Local Government Investment Pool – Resolution No. 8038.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Walters, that Resolution No. 8038 be adopted.

Carried unanimously.

- b. Authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Department of Public Safety to receive grant funds for personal services, employee-related expenses and operating expenses for the City of Mesa City Prosecutor's Office – Resolution No. 8039.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Walters, that Resolution No. 8039 be adopted.

Carried unanimously.

- c. Authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Criminal Justice Commission to receive grant funds for personal services and employee-related expenses for the City of Mesa City Prosecutor's Office – Resolution No. 8040.

It was moved by Councilmember Griswold, seconded by Councilmember Walters, that Resolution No. 8040 be adopted.

Carried unanimously.

- d. Authorizing the City Manager to execute Amendment No. 5 of the agreement between the City and ATC for bus service operation and maintenance – Resolution No. 8041.

Assistant Development Services Manager Jeff Martin, Transit Administrator Jim Wright, Deputy City Attorney Joe Padilla and Transit Maintenance Administrator Pete Scarafiotti addressed the Council relative to this agenda item.

Mr. Martin provided a brief chronological overview of the issue and explained that staff is seeking Council approval of a one-year extension of the current contract with ATC, the City's bus service contractor, and adoption of the Resolution which would authorize the City Manager to execute Amendment No. 5 of the Agreement between the City and ATC. He explained that Amendment No. 5 provides that ATC would receive a 2% rate increase for vehicle operations and management activities and also expand its role in providing vehicle maintenance of the City's bus fleet.

Discussion ensued relative to the legal ramifications of the City's recent cancellation of the RFP (Request for Proposals) process for fixed route bus service and vehicle maintenance; the fiscal impact to the City with regard to the extension of the contract with ATC; a timeline for the development of a new RFP process; the fact that under the extension of the current contract, the City's new Transit Operations and Maintenance Facility will be utilized by ATC for vehicle operations and maintenance; that the City will provide all facility utilities; that ATC has agreed to purchase the City's existing bus replacement parts inventory, and that per the extension of the current contract, there will be no reductions in fixed route bus service.

Wayne Fritz, 6334 Viewmont Drive, Vice President of Operations for MV Transportation, addressed the Council relative to this agenda item. He stated that although he is disappointed his company was not selected during the recent RFP process to provide the City with fixed route bus service and vehicle maintenance, he thanked staff for their hard work and professionalism during the process.

John Giles, 44 West University, urged Council approval of a one-year extension of the current contract between the City and ATC for fixed route bus service.

David A. Boggs, 3210 Citizen Avenue, North Las Vegas, Nevada, Southwest Regional Vice President of ATC, concurred with the previous speaker's comments. He also expressed appreciation to staff for their efforts and hard work relative to this matter.

It was moved by Councilmember Whalen, seconded by Councilmember Jones, that Resolution No. 8041 be adopted.

Vice Mayor Kavanaugh expressed opposition to the motion due to the fact that when the Council reviewed this issue several weeks ago, staff was given clear direction not to extend the contract with ATC for more than six months. He noted, however, that he appreciates the efforts of staff and added that there are a number of benefits contained in the revised amendment.

Upon tabulation of votes, it showed:

AYES - Hawker-Griswold-Jones-Thom-Walters-Whalen  
NAYS - Kavanaugh

Mayor Hawker declared the motion carried by majority vote and Resolution No. 8041 adopted.

2. Convene an executive session.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Griswold, that the Council enter into an Executive Session.

Carried unanimously.

3. Adjournment.

Without objection, the Special Council Meeting adjourned at 9:08 a.m.

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KENO HAWKER, MAYOR

ATTEST:

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BARBARA JONES, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Council Meeting of the City Council of Mesa, Arizona, held on the 19<sup>th</sup> day of June 2003. I further certify that the meeting was duly called and held and that a quorum was present.

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BARBARA JONES, CITY CLERK

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