



COUNCIL MINUTES

December 10, 2018

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on December 10, 2018 at 5:50 p.m.

COUNCIL PRESENT

John Giles
David Luna
Mark Freeman
Christopher Glover
Francisco Heredia
Kevin Thompson

COUNCIL ABSENT

Jeremy Whittaker

OFFICERS PRESENT

Christopher Brady
Dee Ann Mickelsen
Jim Smith

Mayor Giles excused Councilmember Whittaker from the entire meeting.

Mayor's Welcome.

Invocation by Pastor Mel Munchinsky with First United Methodist Church.

Pledge of Allegiance was led by Mayor Giles.

Awards, Recognitions and Announcements.

Mayor Giles presented a proclamation for Speak Up, Save a Life Month, January 2019.

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.

City Attorney Jim Smith recommended that item #6b stay on the consent agenda. He explained that once residents are living within Eastmark Community Facilities District (CFD) No. 2, Council may request the two citizen Boardmembers to resign and appoint two citizens from Eastmark CFD No. 2.

It was moved by Councilmember Glover, seconded by Councilmember Thompson, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

AYES – Giles-Luna-Freeman-Glover-Heredia-Thompson
NAYS – None
ABSENT - Whittaker

Mayor Giles declared the motion carried unanimously by those present.

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

Minutes from the December 3, 2018 Council meeting.

3. Take action on the following liquor license application:

*3-a. All the Above LLC

This is a one-day event to be held on Monday, December 31, 2018 from 9:00 P.M. to 2:00 A.M on Tuesday, January 1, 2019 at D'venue Reception Hall, 815 East Main Street. **(District 4)**

4. Take action on the following contracts:

*4-a. Dollar-Limit Increase to the Term Contract for Industrial Supplies for the Materials and Supply Warehouse (for Citywide Departments). **(Citywide)**

Multiple departments use this contract to perform their work. Water Resources' expenses were unusual this term, in order to complete the initial set-up and stock for the Signal Butte Water Treatment Plant shops. Purchasing has estimated an additional increase of \$60,000 is needed to pay for various City Departments' purchases for this fourth year of the term contract ending 12/31/2018.

The Business Services Department and Purchasing recommend increasing the dollar-limit using the City of Tucson / National IPA cooperative contract with Grainger, by \$60,000, from \$525,000 to \$585,000, for Year 4 of the term contract.

*4-b. Three-Year Term Contract with Two Years of Renewal Options for Uniforms for the Fire and Medical Department. **(Citywide)**

This contract provides Fire and Medical station/work uniforms (various shirts, hats, outerwear, pants, shorts, dress uniform items, etc.) worn by Fire personnel during their normal daily job duties. All services and supplies necessary to provide new garments including measuring, tailoring/alterations, screen printing, embroidering and returns/exchanges are included.

An evaluation committee recommends awarding the contract to the highest-scored proposal from United Fire Equipment Company, at \$425,000 annually, with an annual increase allowance of up to 5%, or the adjusted Producer Price Index.

*4-c. 10-Month Term Contract with Four Years of Renewal Options for Fire Extinguishers and Related Services for the Fire and Medical Department. **(Citywide)**

This contract will provide for the purchase, inspection, testing, service and maintenance of portable fire extinguishers citywide.

The Fire and Medical Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Cintas Corporation, at \$60,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-d. Purchase of Automatic Dependent Surveillance Broadcast Equipment for Avionics Upgrade for the Police Department. **(Citywide)**

The Federal Aviation Administration is requiring aircraft that operate in a certain class to be equipped with the Automatic Dependent Surveillance Broadcast (ADS-B). The ADS-B data contains information about the identity, position, altitude, and velocity of the aircraft. The goal of this required upgrade is to improve safety in the air. All five of the City's aircraft would be upgraded, including three helicopters and two fixed wings. The Air Support Unit currently operates in areas where this equipment would be required and specifically, without this equipment, the City would not be able to operate in Phoenix Class B Mode C veil (within 30 NM of the geographical center of Sky Harbor).

The Police Department and Purchasing recommend authorizing the purchase using the Pinal County cooperative contract with Precision Heli-Support (a Mesa business), at \$37,887.33.

- *4-e. One-Year Renewal to the Term Contract for Meals for the Police Department Holding Facility. **(Citywide)**

The Police Department continues to partner with MARC, a private non-profit corporation, for their services providing the Police Department's holding facility with sandwiches to be distributed to detainees. MARC's Employment Related Services Division is committed to helping people who have disabilities expand their independence by obtaining and maintaining employment.

The Police Department and Purchasing recommend authorizing the contract with MARC Community Resources Inc. (a private non-profit corporation in Mesa), at \$40,000, based estimated requirements.

- *4-f. Purchase of a Customer Queue Management System (Addition) as requested by the Business Services Department (Sole Source). **(Citywide)**

The proposed solution is an expansion of the existing Q-MATIC system used by the Mesa Municipal Court and will allow the main Business Office to provide an electronic means of queuing and prioritizing the customers who visit the Business Office. This system provides the methodology to record service information, evaluate service time, record services provided, and improve the Business Office's overall service.

The Business Services and Information Technology Departments, and Purchasing recommend awarding the contract to the sole source vendor, CXM Solutions, at \$44,551.56.

- *4-g. One-Year Renewal to the Term Contract for Recreational Lighting Maintenance Services for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract provides primary and secondary contractors to perform routine, preventative, and emergency maintenance of all components of the lighting systems including general park area lighting, parking lot lighting, outside security lighting on buildings, outside and inside lighting for restrooms, lighting for volleyball courts, tennis courts, racquetball courts, basketball courts, soccer fields, ball fields, recreational school lighting, and retention basin lighting for the Parks and Recreation Division.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal with Henry Bros., Inc., dba Deca Southwest (Primary); and Red Mountain Lighting & Energy, Inc., dba Red Mountain Lighting (Secondary); at \$60,000, based on estimated usage.

- *4-h. Dollar-Limit Increase to the Term Contract for Plumbing Services for the Parks, Recreation and Community Facilities Department. **(Citywide)**

The increase is due to recent, unanticipated plumbing issues at Hohokam Stadium and Fire Station 201 in the current year, as well as utilizing plumbing contractors for smaller jobs. An overall increase in plumbing repairs for Years 2 and 3 is anticipated.

The Parks, Recreation and Community Facilities Department and Purchasing recommend increasing the dollar-limit with Mesa Energy Systems Inc., RKS Plumbing and Mechanical Inc., Sun Mechanical Inc., and W.D. Manor Mechanical Contractors, Inc., by \$75,000 for Year 1 from \$125,000 to \$200,000 annually; and by \$100,000 for Years 2 and 3 from \$100,000 to \$200,000 annually.

- *4-i. Purchase of a One-Year Research and Advisory Subscription Service from Info-Tech Research Group Inc. for the Information Technology Department. **(Citywide)**

This subscription service will include actionable tools, vendor agnostic information, and unlimited direct consultation with subject matter experts that ultimately will enable the City to see what is possible and practical given the state of current and emerging technology. The service will improve the efficiency of IT support through identification and implementation of industry best practices, including data analytics, cybersecurity, and other critical topics.

The Information Technology Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Info-Tech Research Group Inc., at \$55,000, based on estimated usage.

- *4-j. Three-Year Term Contract with Two Years of Renewal Options for Refuse Container Repair and Cleaning Services for the Environmental Management and Sustainability Department. **(Citywide)**

This contract will provide on-site or off-site refuse container washing and repair service. During the life cycle, these items become dirty and/or damaged due to normal usage, wear and tear. The cost to wash and repair these items is significantly less than the cost of purchasing new items.

An evaluation committee recommends awarding the contract to the two highest-scored proposals from Dirty Trash Bins, LLC (Primary); and America Recycleclean (Secondary); at \$56,000 annually, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index.

- *4-k. Dollar-Limit Increase and Amendment, and One-Year Renewal with Three Years of Renewal Options to the Term Contract with United Fibers, LLC, for Recyclable Material Processing, as requested by the Environmental Management and Sustainability Department. **(Citywide)**

The requested increase is due to refuse, green, and recycle fee increases from multiple vendors, based on the agreement, as well as City tonnage growth. This is one of six vendors awarded this contract to provide solid waste disposal, recyclable materials processing, and vegetative waste processing services. The contracts with the other vendors have different contract periods.

The Environmental Management and Sustainability Department and Purchasing recommend authorizing the amendment and renewal with United Fibers, LLC, and, to reflect the revised contract, increasing the dollar-limit of the multi-vendor Master Agreement by \$170,000, which covers all Solid Waste Disposal, Recyclable Material Processing, and Vegetative Waste Processing Services, to \$8,020,000, based on estimated usage.

- *4-l. Purchase to Upgrade the Splunk Security Information and Security Event Management Solution for the Information Technology and Police Departments. **(Citywide)**

The purchase will provide an additional 100GB license to upgrade the City's current Splunk Security Information and Security Event Management solution. This solution takes data from various sources and aggregates them to allow Information Technology to identify normal security behavior and, subsequently, identify irregular activities that require further investigation, and to visualize this data in a variety of different ways and automate alerts for further action.

The Information Technology and Police Departments, and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, August Schell, at \$170,422.06.

- *4-m. Dollar-Limit Increase to the Term Contract for Police Vehicle Maintenance and Repair Services for the Fleet Services Department. **(Citywide)**

This contract provides preventative maintenance and repair services for a portion of the City's Police vehicle fleet by outside vendors. Fleet Services had unusual expenditures this term due to increased preventative maintenance and repair services and has estimated an additional increase of \$40,000 is needed to pay for purchases for this fourth year of the term contract ending 1/31/2019.

The Fleet Services Department and Purchasing recommend increasing the dollar-limit with B & T Vivian Investment Co. LLC, dba Thompson's Auto Repair & Towing (a Mesa business) (Primary); JTDCE Auto Repair Clinic LLC, dba Dave's Auto Repair Clinic (a Mesa business) (Secondary); AutoNation, dba AutoNation Chevrolet of Gilbert; and Berge Ford, Inc., dba Berge Ford (a Mesa business); by \$40,000, from \$175,000 to \$215,000, for Year 4 of the term contract.

- *4-n. Greenfield Water Reclamation Plant Phase III Expansion, Guaranteed Maximum Price (GMP) No. 4 Electrical Reliability Improvements. **(Citywide)**

The Greenfield Water Reclamation Plant (GWRP) is currently undergoing an expansion from 16 million gallons per day (MGD) to 30 MGD, with the project slated to be completed in fall 2020. During the design phase, staff identified additional points of the existing plant's electrical system that could potentially fail under certain conditions, warranting the addition of certain electrically redundant features, and was agreed to by the GWRP members: City of Mesa, Town of Gilbert, and Town of Queen Creek.

Staff recommends awarding the contract for this project to McCarthy Building Companies in the amount of \$641,696, and authorizing a change order allowance of \$32,085 (5%), for a total of \$673,781. This project is funded by the Greenfield Water Reclamation Plant Joint Venture Fund, with contributions coming from its members based on usage. Mesa's portion of this GMP is \$386,943 and is funded by 2014 authorized Wastewater bonds.

- *4-o. One-Year Renewal with a One-Year Renewal Option to the Term Contract for Real Property Appraisals and Review Appraisals for the Engineering Department. **(District 4)**

This contract provides qualified firms to perform appraisal and review appraisal services related to land acquisition for the Gilbert Road Light Rail Extension Project for Engineering, Real Estate Services. The City still has outstanding eminent domain cases that may require appraiser assistance.

The Engineering Department and Purchasing recommend authorizing the renewal with Loper and Associates, LLC for appraisals; and Landpro Valuation, LLC (a Mesa business), for review appraisals, at \$168,900, with an annual increase allowance of up to 5%, or the adjusted Consumer Price Index. This contract is funded by Light Rail Project Funds.

5. Take action on the following resolutions:

- *5-a. Approving and authorizing the City Manager to enter into Task Force Agreements with the Organized Crime Drug Enforcement Task Forces to accept up to \$70,000 from the United States Department of Justice, Drug Enforcement Administration during the Federal Fiscal year October 1, 2018 to September 30, 2019 for overtime for Mesa Police Department personnel. **(Citywide)** – Resolution No. 11250.
- *5-b. Extinguishing a portion of a public utility easement located at 860 North Winterhaven Circle to accommodate the construction of a detached garage; requested by the property owner. **(District 1)** – Resolution No. 11251.
- *5-c. Extinguishing a Bus Shelter Easement and Agreement located at 353 East Brown Road to accommodate the development of a fast food restaurant; requested by the property owner. **(District 1)** – Resolution No. 11252.

6. Consider a petition and take action on the following resolutions relating to community facilities districts:

- *6-a. A resolution updating the current policy guidelines and application procedures for the establishment of community facilities districts. **(Citywide)** – Resolution No. 11253.
- *6-b. Consider a Petition received for the formation of the Eastmark Community Facilities District No. 2 and approving a resolution forming such District and entering into a

Development, Financing Participation, Waiver and Intergovernmental Agreement.
(District 6) – Resolution No. 11254.

7. Introduction of the following ordinances and setting January 7, 2019 as the date of the public hearing on these ordinances:

- *7-a. Amending Title 8, Chapter 6, Sections 5 through 18 of the Mesa City Code, relating to Public Nuisances, Property Maintenance and Neighborhood Preservation. The changes impact the service of citations, and will take effect 30 days after adoption. **(Citywide)**
- *7-b. **ZON18-00592 (District 6)** Within the 10200 and 10300 blocks of East Hampton Avenue (south side). Located north of U.S. 60, east of Crismon Road (17.7± acres). Rezoning from LI and LI-BIZ to LC-PAD; Site Plan Review and Council Use Permit for multi-residence use in the LC zoning district. This request will allow for the development of a medical, commercial and residential mixed-use campus. Kevin Howard, Kevin B. Howard Architects, Inc., applicant; Ski Properties, LLC, VJ Crismon, LLC, Sterling Hospitality, LLC and Legacy Hospital, LLC, owner.

At the Planning and Zoning Board meeting, this request also included the consideration of Special Use Permits for a reduction in parking and assisted living. The Special Use Permits were approved by the Planning and Zoning Board subject to Council approval of the Rezoning, Site Plan and Council Use Permit.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-0)

8. Take action on the following resolutions and introduction of the following ordinances and setting January 7, 2019 as the date of the public hearing on these ordinances relating to the Building and Fire Codes:

- *8-a. An ordinance amending the Mesa City Code, Title 4 (Building Regulations), Chapter 1 (Mesa Administrative Code), Sections 1 and 2, by adopting the 2018 Mesa Building Code, Residential Code, Mechanical Code, Plumbing Code, Fuel Gas Code, Energy Conservation Code, Existing Building Code, Swimming Pool and Spa Code, and the 2017 Mesa Electric Code with amendments, effective February 10, 2019. **(Citywide)**
- *8-b. A resolution declaring the document filed with the City Clerk entitled “2018 International Building Code” and identified for codification as Chapter 2, Sections 1 and 2, of Title 4, of the Mesa City Code to be a public record and providing for the availability of the document for public use and inspection. **(Citywide)** – Resolution No. 11255.
- *8-c. An ordinance repealing the existing Title 4 (Building Regulations), Chapter 2 (Mesa Building Code), Sections 1 (International Building Code Adopted) and 2 (Penalty Clause), of the Mesa City Code; adopting the 2018 International Building Code by reference; adopting amendments to certain provisions in the 2018 International Building Code; and adding a new Title 4, Chapter 2, Sections 1 and 2, effective February 10, 2019. **(Citywide)**
- *8-d. A resolution declaring the document filed with the City Clerk entitled “2018 Residential Code” and identified for codification as Chapter 3, Sections 1 and 2, of Title 4, of the

Mesa City Code to be a public record and providing for the availability of the document for public use and inspection. **(Citywide)** – Resolution No. 11256.

- *8-e. An ordinance repealing the existing Title 4 (Building Regulations), Chapter 3 (Mesa Residential Code), Sections 1 (International Residential Code Adopted) and 2 (Penalty Clause), of the Mesa City Code; adopting the 2018 International Residential Code by reference; adopting amendments to certain provisions in the 2018 International Residential Code; and adding a new Title 4, Chapter 3, Sections 1 and 2, effective February 10, 2019. **(Citywide)**
- *8-f. A resolution declaring the document filed with the City Clerk entitled “2017 National Electrical Code” and identified for codification as Chapter 4, Sections 2 and 3, of Title 4, of the Mesa City Code to be a public record and providing for the availability of the document for public use and inspection. **(Citywide)** – Resolution No. 11257.
- *8-g. An ordinance repealing the existing Title 4 (Building Regulations), Chapter 4 (Mesa Electrical Code), Sections 2 (National Electric Code Adopted) and 3 (Penalty Clause), of the Mesa City Code; adopting the 2017 National Electrical Code by reference; adopting amendments to certain provisions in the 2017 National Electric Code; and adding a new Title 4, Chapter 3, Sections 2 and 3, effective February 10, 2019. **(Citywide)**
- *8-h. A resolution declaring the document filed with the City Clerk entitled “2018 International Plumbing Code” and identified for codification as Chapter 5, Sections 1 and 2, of Title 4, of the Mesa City Code to be a public record and providing for the availability of the document for public use and inspection. **(Citywide)** – Resolution No. 11258.
- *8-i. An ordinance repealing the existing Title 4 (Building Regulations), Chapter 5 (Mesa Plumbing Code), Sections 1 (International Plumbing Code Adopted) and 2 (Penalty Clause), of the Mesa City Code; adopting the 2018 International Plumbing Code by reference; adopting amendments to certain provisions in the 2018 International Plumbing Code; and adding a new Title 4, Chapter 5, Sections 1 and 2, effective February 10, 2019. **(Citywide)**
- *8-j. A resolution declaring the document filed with the City Clerk entitled “2018 International Mechanical Code” and identified for codification as Chapter 6, Sections 1 and 2, of Title 4, of the Mesa City Code to be a public record and providing for the availability of the document for public use and inspection. **(Citywide)** – Resolution No. 11259.
- *8-k. An ordinance repealing the existing Title 4 (Building Regulations), Chapter 6 (Mesa Mechanical Code), Sections 1 (International Mechanical Code Adopted) and 2 (Penalty Clause), of the Mesa City Code; adopting the 2018 Mechanical Code by reference; adopting amendments to certain provisions in the 2018 International Mechanical Code; and adding a new Title 4, Chapter 6, Sections 1 and 2, effective February 10, 2019. **(Citywide)**
- *8-l. A resolution declaring the document filed with the City Clerk entitled “2018 Fuel Gas Code” and identified for codification as Chapter 7, Sections 1 and 2, of Title 4, of the Mesa City Code to be a public record and providing for the availability of the document for public use and inspection. **(Citywide)** – Resolution No. 11260.
- *8-m. An ordinance repealing the existing Title 4 (Building Regulations), Chapter 7 (Mesa Fuel and Gas Code), Sections 1 (International Fuel and Gas Code Adopted) and 2 (Penalty

Clause), of the Mesa City Code; adopting the 2018 International Fuel and Gas Code by reference; adopting amendments to certain provisions in the 2018 International Fuel and Gas Code; and adding a new Title 4, Chapter 7, Sections 1 and 2, effective February 10, 2019. **(Citywide)**

- *8-n. A resolution declaring the document filed with the City Clerk entitled “2018 Existing Building Code” and identified for codification as Chapter 8, Sections 1 and 2, of Title 4, of the Mesa City Code to be a public record and providing for the availability of the document for public use and inspection. **(Citywide)** – Resolution No. 11261.
- *8-o. An ordinance repealing the existing Title 4 (Building Regulations), Chapter 8 (Mesa Existing Building Code), Sections 1 (International Existing Building Code Adopted) and 2 (Penalty Clause), of the Mesa City Code; adopting the 2018 International Existing Building Code by reference; adopting amendments to certain provisions in the 2018 International Existing Building Code; and adding a new Title 4, Chapter 8, Sections 1 and 2, effective February 10, 2019. **(Citywide)**
- *8-p. A resolution declaring the document filed with the City Clerk entitled “2018 International Energy Conservation Code” and identified for codification as Chapter 9, Sections 1 and 2, of Title 4, of the Mesa City Code to be a public record and providing for the availability of the document for public use and inspection. **(Citywide)** – Resolution No. 11262.
- *8-q. An ordinance repealing the existing Title 4 (Building Regulations), Chapter 9 (Mesa Energy Conservation Code), Sections 1 (International Energy Conservation Code Adopted) and 2 (Penalty Clause), of the Mesa City Code; adopting the 2018 International Energy Conservation Code by reference; adopting amendments to certain provisions in the 2018 International Energy Conservation Code; and adding a new Title 4, Chapter 9, Sections 1 and 2, effective February 10, 2019. **(Citywide)**
- *8-r. A resolution declaring the document filed with the City Clerk entitled “2018 International Swimming Pool and Spa Code” and identified for codification as Chapter 10, Sections 1 and 2, of Title 4, of the Mesa City Code to be a public record and providing for the availability of the document for public use and inspection. **(Citywide)** – Resolution No. 11263.
- *8-s. An ordinance adopting the 2018 International Swimming Pool and Spa Code by reference; adopting amendments to certain provisions in the 2018 International Swimming Pool and Spa Code; adding a new Title 4 (Building Regulations), Chapter 10 (Mesa Swimming Pool and Spa Code), Sections 1 (Swimming Pool and Spa Code Adopted) and 2 (Penalty Clause), effective February 10, 2019. **(Citywide)**
- *8-t. A resolution declaring the document filed with the City Clerk entitled “2018 International Fire Code” and identified for codification as Chapter 2, Sections 1 and 2, of Title 7, of the Mesa City Code to be a public record and providing for the availability of the document for public use and inspection. **(Citywide)** – Resolution No. 11264.
- *8-u. An ordinance repealing the existing Title 7 (Fire Regulations), Chapter 2, Sections 1 and 2 (Fire Code), of the Mesa City Code; adopting the 2018 International Fire Code by reference; adopting amendments to certain provisions in the 2018 International Fire Code; and adding a new Title 7, Chapter 2, Sections 1 and 2, effective February 10, 2019. **(Citywide)**

9. Take action on the following subdivision plat:

- *9-a. "Mesa Fiesta" (**District 3**) 1337 through 1361 South Alma School Road (east side). Located south of Southern Avenue on the east side of Alma School Road (16.51± acres). HV & Canal, LLC, developer; Joseph R. Davis, Sunrise Engineering, surveyor.

Items not on the Consent Agenda

10. Items from citizens present.

Jerry Earles, a Mesa resident, thanked Council and City staff for their assistance with Evergreen District.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:11 p.m.

JOHN GILES, MAYOR

ATTEST:

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 10th day of December, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

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