



COUNCIL MINUTES

December 11, 2017

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on December 11, 2017 at 5:50 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Dee Ann Mickelsen
Jim Smith

Mayor's Welcome.

Mayor Giles asked everyone to stand and observe a moment of silence.

Pledge of Allegiance was led by Councilmember Glover.

Awards, Recognitions and Announcements.

There were no awards, recognitions or 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 Freeman, seconded by Vice Mayor Luna, that the consent agenda items be approved.

Carried unanimously.

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

Minutes from the December 4, 2017 Council meeting.

3. Take action on the following liquor license applications:

*3-a. The Elizabeth Mae Eddy Organization

This is a one-day event to be held on Sunday, December 31, 2017 from 7:00 P.M. to 1:00 A.M. on Monday, January 1, 2018, at Sahara Banquet Hall, 918 West Southern Avenue. **(District 3)**

*3-b. All Saints Roman Catholic Parish Mesa - Knights of Columbus

This is a one-day event to be held on Saturday, January 6, 2018 from 4:00 P.M. to 7:00 P.M., at All Saints Roman Catholic Parish Mesa, 1534 North Recker Road. **(District 5)**

*3-c. Gabby's

A bar is requesting a new Series 6 Bar License for Gabby's LLC, 635 North Country Club Drive, Suite 15 - Stone Jacob George, agent. The existing license held by Sandy Sundstrom, sole proprietor, will transfer to the new owner. **(District 1)**

*3-d. Restaurant Fiesta Bar and Grill at Dobson Ranch Inn

A hotel with a restaurant that serves breakfast, lunch, and dinner is requesting a new Series 11 Hotel/Motel License for Restaurant Fiesta Bar and Grill LLC, 1666 South Dobson Road - Jose De Jesus Ruiz, agent. The existing license held by Kadash LLC will revert to the State. **(District 3)**

*3-e. Thai Time Kitchen

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for My Thai Food LLC, 1649 South Stapley Drive, Suite 103 - Pakkawalam Pookim, agent. There is no existing license at this location. **(District 3)**

4. Take action on the following contracts:

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

The City continues to partner with MARC, a private non-profit corporation located in Mesa, for their services of providing the Police Department's downtown holding facility with sandwiches 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 City estimates MARC will deliver approximately 31,000 sandwiches per year, approximately 85 sandwiches per day, to the holding facility.

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-b. **Forty-One Month Term Contract for Parts and Services to Support the Closed-Circuit TV System for the Police Department. (Citywide)**

The Police Department, Information Technology Division is requesting a contract for parts and services to support the closed-circuit TV systems throughout City facilities. This will allow the Police Department to maintain all closed-circuit TV systems in good working order.

The Police Department and Purchasing recommend authorizing the contract using the State of Arizona cooperative contract with Corporate Technology Solutions LLC, at \$150,000 annually, based on estimated requirements.

- *4-c. Three-Year Term Contract for Elevator/Vertical Transportation Unit Maintenance for the Parks, Recreation and Community Facilities Department (PRCF). **(Citywide)**

PRCF maintains sixty elevators/vertical lift units at various City buildings. This contract is for preventative maintenance and repair services to be performed on those elevators/vertical lift units.

The evaluation committee recommends awarding the contract to the respondent with the highest-scored proposal, Arizona Elevator Solutions Inc., at \$159,970 annually, based on estimated requirements.

- *4-d. Three-Year Term Contract for Transportation Landscape Maintenance and Refurbishment Services as requested by the Transportation Department. **(Citywide)**

Maintaining the health and appearance of the City's landscape is a high priority for the Transportation Department. The contractor will maintain landscapes, multi-use paths, transit centers and selected bus stops. The contractor will also renovate landscape areas designated for refurbishment projects. The contractor will furnish all labor, equipment and materials costs for these services.

The evaluation committee recommends awarding the contract to the highest scored proposal from Environmental Earthscapes Inc., dba The Groundskeeper, at \$2,882,136 annually, based on estimated requirements.

- *4-e. Purchase of a Replacement Street Striping Trailer for the Transportation Department as requested by the Fleet Services Department. **(Citywide)**

The short line striping crew will use the trailer to transport and load thermoplastic material into the applicator at the work site. The vehicle that is being replaced has met established replacement criteria and will be either traded, auctioned, sold, or deployed for special uses as part of the ongoing vehicle replacement program.

The Fleet Services and Transportation Departments, and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Centerline Supply West, Inc. at \$88,928.05. This purchase is funded by the Local Streets Sales Tax Fund.

- *4-f. Purchase of Two Lift Trucks, One Replacement for the Parks, Recreation and Community Facilities Department and One Addition for the Water Resources Department, as requested by the Fleet Services Department. **(Citywide)**

The Parks, Recreation and Community Facilities Department will use the lift truck for miscellaneous tasks associated with moving equipment and supplies at Parks

Administration/Maintenance East. The Water Resources Department will use the lift truck for offloading of materials and supplies from delivery trucks at the new Signal Butte Water Treatment Plant. The vehicle that is being replaced has met established replacement criteria and will be either traded, auctioned, sold, or deployed for special uses as part of the ongoing Fleet Services vehicle replacement program.

The Fleet Services, Parks, Recreation and Community Facilities and Water Resources Departments, and Purchasing recommend authorizing the purchase from the contract with Arnold Machinery, at \$58,849.57. This purchase is funded by the Vehicle Replacement and Capital-Enterprise Funds.

- *4-g. One-Month Contract Extension to the Term Contract Bio-Solids Removal and Reuse/Disposal Services for the Water Resources Department. **(Citywide)**

This contract provides for all materials, equipment and labor to load, transport, and reuse/dispose of dewatered bio-solids from Mesa's Northwest and Greenfield Water Reclamation Plants. The City solicited proposals for Bio-Solids Removal and Reuse/Disposal Services and recommended for Council award on 12/11/2017. Purchasing received a Protest on 12/6/2017 and this contract extension is needed to allow time for the Protest and Appeal Response.

The Water Resources Department and Purchasing recommend authorizing the contract extension with Denali Water Solutions, LLC, at \$40,000, based on estimated requirements.

- *4-h. One-Year Renewal Contract for Insecticidal Coatings for Manhole and Sewer Cleanouts for the Water Resources Department (Single Bid). **(Citywide)**

This contract provides sewer roach control insecticidal coating spot treatment and scheduled maintenance. Usage is driven by weather, seasons and citizen complaints.

The Water Resources Department and Purchasing recommend authorizing the renewal contract with Lawrence Business, Inc., dba JABCO, at \$32,800, based on estimated requirements.

- *4-i. One-Year Renewal Contract for Water and Wastewater Vertical Turbine Pump Repair/Replacement for the Water Resources Department. **(Citywide)**

There are approximately 120 vertical turbine pumps in use at the City's four plants and twelve pump stations. This contract will provide two qualified vendors to perform maintenance, repairs and replacements on vertical turbine pumps, and other water and sewer type pumps, located at City-owned water treatment plants, wastewater reclamation plants, and water supply pump stations throughout the City.

The Water Resources Department and Purchasing recommend authorizing the renewal contract with Phoenix Pumps Inc. (Primary); and Weber Water Resources, LLC (Secondary); cumulatively not to exceed \$300,000 annually, based on estimated requirements.

- *4-j. One-Year Renewal Contract for Trench Shoring Safety Equipment Rental Services for the Water Resources and Energy Resources Departments. **(Citywide)**

This contract provides for the rental of trench shoring safety equipment and related services to support City utilities (Water and Energy Resources) and their maintenance crews, as needed.

The Water Resources and Energy Resources Departments, and Purchasing recommend authorizing the renewal with United Rentals Northwest, Inc. (Primary); and Woudenberg Enterprises, Inc., dba Trench Shore Rentals (Secondary); cumulatively not to exceed \$150,000 annually, based on estimated requirements.

- *4-k. Upgrade Purchase of Microsoft Windows 10 User-Based Licenses for City Departments (excluding the Police Department) as requested by the Information Technology Department. **(Citywide)**

This purchase will allow the upgrade of 2,935 City computers from Windows 7 to Windows 10. Upgrading to Windows 10 ensures City PCs remain current in receiving the latest operating system patches and updates from Microsoft, which will provide improved operating system security and system performance. Licenses for the Police Department will be requested in the future as application compatibility is addressed.

The Information Technology Department and Purchasing recommend authorizing the purchase using the State cooperative contract with CDW Government LLC, at \$102,582.48.

- *4-l. Purchase of Information Technology and Communications Equipment for the Signal Butte Water Treatment Plant as requested by the Information Technology Department. **(Citywide)**

This purchase is for goods and services to meet the information technology and communications needs of the Signal Butte Water Treatment Plant project. The equipment is part of the overall technology solution for computing and communications at the plant. This equipment provides access to both the City's network and resources, as well as the Supervisory Control and Data Acquisition (SCADA) network.

The Information Technology and Water Resources Departments, and Purchasing recommend authorizing the purchases using State and Maricopa County cooperative contracts, City of Mesa contracts, and informal quotes, at \$168,842.67; plus 20% contingency funding, at \$33,768.53; for the total amount of \$202,611.20. This purchase is funded by the SBWTP Capital Improvement Project Budget.

- *4-m. Eagles Park (Broadway Road and Horne) Phase 2. **(District 4)**

The Eagles Park development was split into 2 phases: Phase 1, the community center renovation (nearing completion), and Phase 2, which includes the remaining park improvements. The Phase 2 contract includes adding the landscape treatments throughout the park area along with 4 lighted multi-purpose fields, playground, ADA compliant walkways with exercise stations and additional parking. The multipurpose fields will be within the regional retention basins.

Staff recommends awarding the contract for this project to the lowest bidder, DNG Construction LLC, in the amount of \$5,740,966.61, and authorize a change order allowance in the amount of \$574,096.66 (10%). The change order allowance will only be utilized for approved change orders. This project is funded by 2012 authorized Parks

bonds, Neighborhood Stabilization Program (NSP) federal Housing Grants, Community Development Block Grant (CDBG) federal Housing Grants, Local Street Sales Tax, and a grant from the Arizona Sports and Tourism Authority.

*4-n. Gilbert Road Light Rail Extension, City-Funded Wastewater Improvements. **(District 4)**

City Council approved entering into a Design and Construction Agreement for the development of the Gilbert Road Light Rail Extension (GRE) project. The approved Design and Construction Agreement includes a process for the City to add City-funded improvements to the project. These improvements are referred to as Concurrent Non-Project Activities (CNPA), which must be funded by the City. This CNPA request is for wastewater manhole rehabilitations. The City has identified 12 sanitary sewer manholes within the light rail project limits that need to be rehabilitated.

Staff recommends authorizing the funding of wastewater improvements located throughout the GRE project. The total amount of the proposed improvements is \$58,512.

*4-o. Central Arizona Project (CAP) Raw Water Pipeline, Guaranteed Maximum Price (GMP) No. 2. **(District 6)**

GMP No. 2 includes the purchase of materials and construction of the control structure at the CAP canal, the communication fiber-optic line from the Signal Butte Water Treatment Plant to the control structure, and construction of the north half of Elliot Road from Signal Butte Road to Mountain Road.

Staff recommends awarding the contract for the final phase of the project to Garney Construction, in the amount of \$3,270,476.08, and authorize a change order allowance in the amount of \$163,523.80 (5%). This allowance will only be utilized for approved change orders. Funding is available from 2014 authorized Water Bonds, Highway User Revenue Fund, and 2013 Street Bonds.

5. Take action on the following resolutions:

- *5-a. **ZON17-00170 (District 6)** The 1300 block of South Power Road (east side). Located south of Southern Avenue on the east side of Power Road (1.33 +/- acres). Site Plan Review for the development of a pad site in a previously approved commercial center. This request will allow the development of a retail pad building with a drive-thru in the LC-PAD District. Andrew Merchant, Merchant Design Group, applicant; Curt Taylor, Winco Foods, LLC, owner. – Resolution No. 11073.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 6-0)

- *5-b. Approving and authorizing the City Manager to enter into a Reimbursable Grant Agreement with the Arizona Department of Transportation (ADOT) Multimodal Planning Division Aeronautics Group for an Airport Master Plan Update for Falcon Field Airport. The total cost for this project is \$571,620. The Federal Aviation Administration will fund 91.06% (\$520,518) of the total cost. The remaining 8.94% (\$51,102) will be the shared responsibility between the City (\$25,550) and ADOT (\$25,552). The City's portion will be funded from the Falcon Field Airport Enterprise Fund. **(District 5)** – Resolution No. 11074.

- *5-c. Approving and authorizing the City Manager to enter into a Development Agreement for Reimbursement with Crismon Development, LLC, for the reimbursement of \$93,683 for regional offsite street, street lighting and storm drain improvements that are being required by Mesa in conjunction with a proposed multi-family development known as Crismon Estates, located at 9740 East Hampton Avenue. **(District 6)** – Resolution No. 11075.
- *5-d. Approving and authorizing the City Manager to enter into a Development Agreement for Reimbursement with PCS-ADG, LLC and PCS Holdings, LLC, for the reimbursement of \$45,538 for regional street, street lighting and landscaping improvements that are being required by Mesa in conjunction with a proposed multi-family development known as The Premiere at Dana Park located at 1439 South Val Vista Drive. **(District 2)** – Resolution No. 11076.
- *5-e. Modifying fees and charges for the Mesa Fire and Medical Department. **(Citywide)** – Resolution No. 11077.

The proposed new fees and charges relate to the Fire and Medical Department's responses to false alarms and to damaged gas lines. The fees and charges will be effective 12/18/2017.

- *5-f. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with Mesa Unified School District No. 4 for the shared use of City and School District facilities for City and District activities. **(Citywide)** – Resolution No. 11078.
- *5-g. Approving and authorizing the City Manager to enter into a Lease Agreement with CycleHop, LLC for the use of City-owned property located at 1340 West University Drive. **(District 3)** – Resolution No. 11079.

CycleHop is the bike share provider for the City of Mesa, City of Tempe, and City of Phoenix. CycleHop will use the facility as an operations center to maintain bicycles and to provide bicycle education and safety classes for the community through partnership with the City's Bike and Pedestrian Program.

- *5-h. See: **Items not on the Consent Agenda.**

6. Introduction of the following ordinances and setting January 8, 2018 as the date of the public hearing on these ordinances:

- *6-a. **ANX17-00442 (District 2)** De-annexing property in the 5200 block of East Inverness Avenue (south side). Located north of Baseline Road and east of Higley Road (0.35 ± ac). Initiated by the City of Mesa.

This 0.35 ± acre parcel is part of a larger 5.65 ± acre parcel that is owned by a single developer. Approximately 5.3 acres of the parcel is in the Town of Gilbert with the remaining 0.35 acres in the City of Mesa. The property owner has submitted a request to the Town of Gilbert to develop the 5.6 acre parcel, but to allow the property owner full use of his property, this strip of land will need to be de-annexed from the City of Mesa and annexed into the Town of Gilbert.

- *6-b. **Z17-044 (District 3)** The 1300 through 1400 blocks of West Main Street (north side). Located west of Alma School Road on the north side of Main Street (3.3± acres).

Modification of the Bonus Intensity Zone Overlay, Council Use Permit; and Site Plan. This request will allow the development of a multi-residence development in the NC zoning district with potential commercial services. Fred Woods, Woods Associates Architects, LLC, applicant; Mesa Main Street, LLC, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 6-0)

- *6-c. **ZON17-00260 (District 5)** The 6500 block of East McKellips Road (south side) and the 1900 block of North 66th Street (west side). Located west of Power Road on the south side of McKellips Road (2.4+/- acres). Rezoning from RS-9 to NC-BIZ; and Site Plan Review. This request will allow for the development of a retail/office building. Sean Lake, Pew & Lake, PLC, applicant; MS McKellips, LLC, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 6-0)

7. Discuss, receive public comment, and take action on the following ordinances relating to the City of Mesa's Temporary Traffic Control Manual:

- *7-a. Replacing the current Traffic Barricade Manual, which is a combination of the City of Phoenix's 2007 Traffic Barricade Manual and a 2011 Mesa Supplement, with a Mesa-specific manual entitled "City of Mesa Temporary Traffic Control Manual, First Edition". The manual contains comprehensive regulations for temporary traffic control within the City. **(Citywide)** – Ordinance No. 5414.
- *7-b. Amending Title 10, Section 10 "Temporary Traffic Control" of the Mesa City Code to rename the Traffic Barricade Manual to Temporary Traffic Control Manual. **(Citywide)** – Ordinance No. 5415.

8. Take action on the following subdivision plats:

- *8-a. "Mesa Senior Living" **(District 5)** The 6500 block of East Brown Road (north side). Located west of Power Road on the north side of Brown Road. 1 RM-2 PAD lot (9.5 ± acres). Ryan Companies, Inc., developer; Dan Auxier, EPS Group, engineer.
- *8-b. "Clearview Business Park" **(District 6)** 1529 S Clearview Avenue. Located east of the northeast corner of Power Road and US60 on the east side of Clearview Avenue. 10 LI-PAD condominium units (1.9± acres). FAE Holdings 416754R, LLC, Anthony N. Zaugg, Allen Consulting Engineers, Inc., surveyor.

Items not on the Consent Agenda

- *5-h. Approving and authorizing the City Manager to enter into a Power Purchase Agreement with Ameresco, Inc. for the purchase and sale of electrical power through the finance, design, installation, operation and maintenance of a solar equipment structure located at the Mesa Arts Center, providing power for Mesa's Electric Utility. **(District 4)** – Resolution No. 11080.

The agreement authorizes the purchase of solar energy for twenty-five years at \$0.145 per kilowatt hour from Ameresco and an upfront payment of \$50,000. As well as granting an associated license and interconnection agreement to Ameresco for the construction, operation and maintenance of a solar facility of approximately 500 - 538 kW-DC on the project site.

Councilmember Whittaker emphasized that the project will cost the City \$126,000 per year, given the City's current utility rates paid at the Mesa Arts Center (MAC) at .03 cents per kilowatt-hour (kWh) and the City's new rate will be at .145 cents per kWh for energy generated per the agreement.

Mayor Giles stated the opinion that comparing the rates is not fair, due to the fact that the comparison is whether the City owns the electric generating facility or the City shifts the costs and risks associated with the project to an outside vendor. He commented that the project is a parking structure with solar panels on top and believes it makes a statement on a high-profile building in the City's downtown area, demonstrating the City's commitment to solar energy. He pointed out that Councilmember Whittaker raises excellent points and that in the future the Utility Department will need to become more robust in the way they generate and sell solar energy.

It was moved by Vice Mayor Luna, seconded by Councilmember Glover, that Resolution No. 11080 be adopted.

Upon tabulation of votes, it showed:

AYES – Giles-Luna- Freeman-Glover-Heredia-Thompson
NAYS – Whittaker

Mayor Giles declared the motion carried by majority vote and Resolution No. 11080 adopted.

9. Items from citizens present.

There were no items from citizens present.

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:05 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 11th day of December, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK