



## COUNCIL MINUTES

July 5, 2016

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on July 5, 2016 at 5:57 p.m.

### COUNCIL PRESENT

John Giles  
Christopher Glover  
Dennis Kavanaugh  
David Luna  
Dave Richins  
Kevin Thompson

### COUNCIL ABSENT

Alex Finter

### OFFICERS PRESENT

Christopher Brady  
Jim Smith  
Dee Ann Mickelsen

Mayor Giles excused Councilmember Finter from the entire meeting.

Invocation by Pastor Tony Frazee with Gateway Bible Church.

Pledge of Allegiance was led by Councilmember Glover.

Mayor's Welcome.

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 Vice Mayor Kavanaugh, seconded by Councilmember Glover, that the consent agenda items be approved.

Mayor Giles declared the motion carried unanimously by those present.

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

Minutes from the April 21, May 2, 5, 12, and 19, and June 6 and June 20, 2016 Council meetings.

3. Take action on the following contracts:

- \*3-a. One-Year Renewal of the Term Contract for Large Print Library Books for the Library Services Department. **(Citywide)**

This contract provides large print library books to build and maintain Mesa Public Library's resource collection for Library patrons.

The Library Services Department and Purchasing recommend authorizing a one-year renewal with Cengage Learning, Inc.; and Center Point, Inc., dba Center Point Large Print; cumulatively not to exceed \$50,000 annually.

- \*3-b. One-Year Renewal of the Term Contract for Library Books, Spoken Word, DVDs and Digital Media for the Library Services Department. **(Citywide)**

This contract provides for a high percentage of the Library's purchases. Materials include books, standing orders, digital media (including electronic books and digital audiobooks), spoken word (including compact disc and playaway), DVD/Blu-ray, large print, and materials in Spanish language.

The Library Services Department and Purchasing recommend authorizing a one-year renewal with Baker & Taylor, Inc., at \$265,000 annually, based on estimated requirements.

- \*3-c. One-Year Renewal of the Term Contract for Library Media Materials for the Library Services Department. **(Citywide)**

This contract provides library materials to build and maintain Mesa Public Library's resource collection including, audio-visual materials, and related services. Materials include spoken word (compact disc/MP3), playaway (preloaded dedicated media player), spoken word (digital format), DVD/Blu-ray, downloadable digital media (including streaming audio/video/music, electronic books or magazines), and materials in Spanish language.

The Library Services Department and Purchasing recommend authorizing a one-year renewal with Midwest Tape (Primary); and Recorded Books, LLC (Secondary); cumulatively not to exceed \$250,000 annually, based on estimated requirements.

- \*3-d. One-Year Renewal of the Term Contract for Concession Services for the Mesa Arts Center. **(District 4)**

This contract provides concession services including food and alcoholic and non-alcoholic beverages with dedicated on-site staff to manage the operations.

The Arts & Culture Department and Purchasing recommend authorizing the final, one-year renewal with Atlasta Catering Service, Inc., for the management of concessions at Mesa Arts Center. The vendor pays the City a commission percentage of the gross receipts for food, beverage and liquor sales for concession services; and for catering services.

- \*3-e. Three-Year Term Contract for Polyurethane Roof Foam and Coating for Citywide Facilities/Projects as requested by the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract will establish a pre-qualified contractors list of four contractors that will be eligible to competitively quote for City polyurethane roof foam and coating projects.

The evaluation committee recommends awarding the contract to the four highest scored proposals from Sprayfoam Southwest, Inc., dba Roofing Southwest; Foam Experts Roofing, Inc. (a Mesa business); Progressive Services, Inc., dba Progressive Roofing; and Tecta America Arizona; projects quoted under this agreement will not exceed \$500,000 annually.

- \*3-f. One-Year Renewal of the Term Contract for Tree Pruning, Removal and Other Services for the Parks, Recreation and Community Facilities (PRCF) and Transportation Departments. **(Citywide)**

This contract provides consistent quality urban tree care service preserving tree structure and health, including tree pruning, removal and other related services at the City's aquatics, parks and sport field facilities (approximately 13,000 trees) PRCF, and annual street tree maintenance for Transportation, on an as-needed basis.

The Parks, Recreation and Community Facilities Department, Transportation Department and Purchasing recommend authorizing the renewal with West Coast Arborists, Inc., at \$410,000 annually, based on estimated requirements.

- \*3-g. Three-Year Term Contract for Perennial Ryegrass Seed for the Parks, Recreation and Community Facilities Department. **(Citywide)**

This contract is for the annual purchase of perennial ryegrass seed for application and growth of grass during the winter months at site sections of Dobson Ranch Golf Course, Fitch Park, Gene Autry Park, Eastmark Great Park, Red Mountain Park, Hohokam Park, Cemetery and Riverview Park. These sites are highly visible and heavily used for recreational activities in the winter months and not over-seeding may degrade the dormant Bermuda grass due to high usage rates.

The Parks, Recreation and Community Facilities Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Wilbur Ellis Company, at \$100,000 annually, based on estimated requirements.

- \*3-h. One-Year Renewal of the Term Contract for Global Positioning System (GPS) Equipment and Offender Monitoring Services for the Municipal Court. **(Citywide)**

This contract provides a contractor for GPS tracking equipment and monitoring services, including all material, labor and services for the Municipal Court. GPS enabled ankle bracelets and monitoring services are used for pre-trial release in the In-Custody Courtroom at the Court.

The Municipal Court and Purchasing recommend authorizing a one-year renewal using the Arizona Supreme Court, Administrative Office of the Courts cooperative contract with B.I. Incorporated, at \$55,000, based on estimated requirements.

- \*3-i. One-Year Renewal of the Term Contract for Ballistic Body Armor for the Police Department. **(Citywide)**

The Police Department's SWAT Team requires specialty body armor, separate from the style most commonly worn by daily patrol operations. GMS Tactical has been very responsive to the SWAT Team's needs, and continues to be the most advantageous vendor based on providing a complete package, including quick turnaround on necessary repairs.

The Police Department and Purchasing recommend authorizing a one-year renewal with GMS Tactical, LLC (a Mesa business), at \$50,000 annually, based on estimated requirements.

- \*3-j. Three-Year Term Contract for Controlled Substance Screening for the Police Department. **(Citywide)**

This contract will ensure that testing procedures of Police personnel are in place that coincide with the Department's policies. It is estimated that approximately 30 tests per month will be conducted.

The Police Department and Purchasing recommend awarding the contract to the highest-scored proposal from Norton Medical Industries, at \$30,000 annually, based on estimated requirements.

- \*3-k. Dollar-Limit Increase to the One-Year Term Contract for Repair and Maintenance Parts for the Severn Trent Chlorine System for the Water Resources and Parks, Recreation and Community Facilities Departments (Sole Source). **(Citywide)**

The Parks, Recreation and Community Facilities Department (PRCF) has requested to be added to the contract, increasing the annual contract amount by \$40,000. PRCF uses Severn Trent equipment for water sanitation at their aquatic facilities, which is required to be compliant with Maricopa County regulations for public pool use.

Water Resources requires an increase of \$80,000 for the one-time replacement of obsolete injectors, including 70 injectors, nozzles and 25 preventative maintenance kits to be replaced within the next six months.

The Water Resources Department, Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing a dollar-limit increase of \$120,000 with the sole source vendor, McCarthy Integrated Systems LLC, increasing the annual contract amount from \$120,000 to \$240,000 for the one-year contract term.

- \*3-l. Purchase of 21 Replacement Precast Electric Vault Tops and Associated Services for the Energy Resources Department. **(Citywide)**

This purchase is required to replace damaged and deteriorated vault lids that are a safety hazard or threat to electric service reliability. These vault tops are needed immediately while awaiting the completion of specifications that will allow the bidding of a contract for all vault components required for the construction and installation of new vaults, for components used in the repair and maintenance of existing vaults, and the supply of distribution transformers and switch pads.

The Energy Resources Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Oldcastle Precast Inc., at \$172,006.76. This purchase is funded by 2014 authorized Electric bonds.

- \*3-m. Purchase of One PM-10 Certified Street Sweeper for the Transportation Department. **(Citywide)**

This purchase will provide a small, high performance rider sweeper. With the addition of many bicycle, pedestrian and shared-use pathways to the transportation system, it has become necessary to obtain a narrower sweeper suitable to clean these trails and pathways, as the City's existing sweepers are too large for this purpose. It will be a resource to clean City facilities that are too narrow for larger sweepers and will also improve the efficiency of such operations by minimizing manual work.

The Transportation Department, Fleet Services Department and Purchasing recommend authorizing the purchase from the City of Phoenix cooperative contract with Tennant Sales and Service Company, at \$211,595.21. This purchase is grant funded by Arizona Department of Transportation, FY 2016 Congestion Mitigation and Air Quality (CMAQ) Improvement Program (\$166,756.00) and the Environmental Compliance Fee (\$44,839.21).

- \*3-n. Approving and authorizing the City Manager to enter into the FY 2016/17 Annual Agreement with Visit Mesa for the transfer of agreed upon Transient Lodging Tax funds used to promote tourism and convention activities as well as specific community/civic events and sports that bring visitors to Mesa. **(Citywide)**

4. Take action on the following resolutions:

- \*4-a. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the City of Phoenix and Maricopa County to accept \$135,000 in grant funds from the Edward Byrne Memorial Justice Assistance Grant (JAG) program, which will be used to replace the Mesa Police Department's Digital Evidence Management System. **(Citywide)** – Resolution No. 10820
- \*4-b. Approving and authorizing the City Manager to enter into a Conduit Use Agreement with Zayo Fiber Solutions for a term of 20 years. **(Districts 2, 5 and 6)** – Resolution No. 10821
- \*4-c. Authorizing the City Manager to provide written approval to the City of Phoenix, as management agent of the 91<sup>st</sup> Avenue Wastewater Treatment Plant, which is jointly owned by Glendale, Phoenix, Scottsdale, Tempe and Mesa, to contractually dispose, through sale the biogas products contributed to the Treatment Plant for processing into a renewable energy source, subject to provision of a proportional share of proceeds to Mesa. **(Citywide)** – Resolution No. 10822
- \*4-d. Levying the amount to be collected by a secondary property tax and the rate upon each one hundred dollars (\$100) of assessed valuation of property subject to taxation within the City of Mesa for the fiscal year ending June 30, 2017. **(Citywide)** – Resolution No. 10823

The FY 2016-17 secondary property tax rate of \$1.1578 represents a 4.5% reduction from the prior year's tax rate while maintaining a tax levy of \$33.4 million.

5. Introduction of the following ordinances and setting July 11, 2016 as the date of the public hearing on these ordinances:

\*5-a. Amending Table 1 in Title 5, Chapter 17 of the Mesa City Code, entitled Mesa Development Impact Fees, by removing the Parks Impact Fee from the table, which was discontinued on June 3, 2016, and reducing the total impact fee amount in the table. **(Citywide)**

\*5-b. **Z16-024 (District 6)** 5253 South Saranac. Located south of Ray Road and east of Power Road (3.26± acres). Rezoning from LI and LC to LI-AF-BIZ overlay; and Site Plan Review. This request will allow for development of an office building. John C. Manross, Design Professionals, LLC, applicant; Granite Field Investments, LLC, owner.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 4-0)

\*5-c. **Z16-026 (District 6)** 6400 to 6500 blocks of South Mountain Road. Located north of Pecos Road and west of Mountain Road (5.82± acres). Rezoning from GI-AF-CUP to HI-AF. This request will allow hazardous material usage on the portion of the property associated with the existing Fujifilm Electronic Materials facility located at 6550 South Mountain Road. Brian Johns, Associated Architects, applicant; Fujifilm Electronic Materials, owner.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 4-0)

\*5-d. **Z16-027 (District 5)** 9000 block of East Brown Road (north side). Located west of Ellsworth Road on the north side of Brown Road (9.5± acres). Rezoning from LC (6± acres) and RS-43 (3.5± acres) to RM-2-PAD; and Site Plan Review and a Special Use Permit. This request will allow development of a transitional senior living facility. Wendy Riddell, Esq., Berry Riddell LLC, applicant; Ben Fatto, LLC, owner.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 4-0)

\*5-e. Adding Chapter 14, "Employment Opportunity District", to Title 11 of the Mesa Zoning Ordinance and amending sections of the Mesa Zoning Ordinance to enable the use and administration of the Employment Opportunity District. **(Citywide)**

Staff Recommendation: Approval

P&Z Board Recommendation: Approval (Vote: 4-0)

6. Discuss, receive public comment, and take action on the following ordinance:

\*6-a. Amending Section 10-4-6 of the Mesa City Code to decrease speed limits from 30 MPH to 25 MPH on a portion of McLellan Road from Stapley Drive to Gilbert Road, as recommended by the Transportation Advisory Board. **(District 1)** – Ordinance No. 5339

7. Take action on the following subdivision plats:

- \*7-a. "Medina Court" (**District 3**) 1126 West Medina Avenue. Located south of Baseline Road, on the east side of Alma School Rd. 14 RSL-4.0 PAD single residence lots (2.18± AC.). Mike Hare, SRM Medina, LLC, developer. John McGhee, P.E. EPS Group, Inc., engineer.
- \*7-b. "Eastmark – DU6S Infrastructure" (**District 6**) The 10000-10800 blocks of East Point Twenty-Two Boulevard (both sides), the 4300-4400 blocks of South Everton Terrace (both sides), the 4300-4400 blocks of South Parc Joule (both sides) and the 3900-4400 of South Signal Butte Road (west side). 7 PCD Landscape tracts (9.24 acres). DMB Mesa Proving Grounds, LLC, developer. Daniel Hemken, P.E., Hoskin Ryan Consultants, Inc., engineer.

**Items not on the Consent Agenda**

8. Conduct a public hearing on the following annexation case:

- 8-a. Public Hearing prior to the release of the petition for signatures for annexation case A13-05, located south of Brown Road and west of 98th Street (2.03 ± ac). This request has been initiated by the applicant, Jared Cox of Garner Cox Engineering, for single residence development. (District 5)

Mayor Giles announced that this was the time and place to conduct a public hearing prior to the release of the petition for signatures for the annexation case A13-05.

There being no citizens wishing to address the Council, the Mayor declared the public hearing closed.

9. Items from citizens present.

Rosa Ramirez, a Mesa resident, shared her concerns related to Mesa Royale. She expressed the opinion that the City is not being honest with residents and is denying them financial assistance. She reported that residents were informed that they could stay if they continued paying their rent and taxes, which they have done.

Simona Cruz, a Mesa resident, pointed out that she has attended many meetings and requested clarification regarding Mesa Royale. She indicated that residents were willing to leave if they received assistance from the City of Mesa.

Irlanda Nez, a Mesa resident, stated that she is aware that Mesa has the funds necessary to buy the land and believes that doing so will improve the City by reducing crime. She explained that the residents of Mesa Royale look out for each other and their neighborhood. She added that it would be a crime to remove them from their homes and indicated that the motels near Mesa Royale were responsible for crime and should be removed instead of Mesa Royale.

Mayor Giles invited the concerned residents of Mesa Royale to meet with City staff after the meeting in order to gain clarity and understanding.

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:26 p.m.

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JOHN GILES, 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 5<sup>th</sup> day of July, 2016. 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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