



COUNCIL MINUTES

March 14, 2016

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on March 14, 2016 at 5:58 p.m.

COUNCIL PRESENT

John Giles
Alex Finter
Christopher Glover
Dennis Kavanaugh
David Luna
Kevin Thompson

COUNCIL ABSENT

Dave Richins

OFFICERS PRESENT

Christopher Brady
Jim Smith
Dee Ann Mickelsen

Mayor Giles excused Councilmember Richins from the entire meeting.

Mayor's Welcome.

Invocation by Dr. Jaswant S. Sachdev of the Sikh Faith.

Pledge of Allegiance was led by Turley Shirts, Scout Troop # 858.

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 Finter, 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 February 8, 10, 11 and 22, 2016 Council meetings.

3. Take action on the following liquor license applications:

*3-a. Arizona Humane Society

This is a one-day charitable event to be held on Friday, April 1, 2016 from 6:00 p.m. to 9:00 p.m., at 10100 East Ray Road. **(District 6)**

*3-b. Arizona Humane Society

This is a one-day charitable event to be held on Friday, May 6, 2016 from 6:00 p.m. to 9:00 p.m., at 10100 East Ray Road. **(District 6)**

*3-c. Arizona Humane Society

This is a one-day charitable event to be held on Monday, July 4, 2016 from 6:00 p.m. to 9:00 p.m., at 10100 East Ray Road. **(District 6)**

*3-d. Your Pie

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Vo Industries LLC, 2015 South Alma School Road, Suite 102 – Thang Thanh Vo, agent. There is currently no existing license at this location. **(District 3)**

4. Take action on the following contracts:

*4-a. Purchase of Upgrade and Replacement Network Equipment for the Distribution Router Project for the Information Technology Department. **(Citywide)**

This contract will provide necessary network equipment to upgrade nine City distribution routers and provide additional redundancy with a high availability design. The equipment is needed to refresh the existing hardware and increase the availability of the solution. The currently deployed distribution routers will reach end of service life in June 2016, after which support and hardware replacements will no longer be available.

The Information Technology Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, Insight Public Sector, Inc., at \$333,605.25, based on estimated requirements. This purchase is funded by the Information Technology Life Cycle FY 2015/16 budget.

*4-b. Renewal of the Term Contract for Furniture Products and Services for the Business Services Department Supporting Citywide Use. **(Citywide)**

Herman Miller systems furniture (cubicles) is the City standard and is used throughout the City. This contract is used to purchase components and services required for reconfigurations and smaller projects throughout City departments. Any projects that exceed \$25,000 are brought to the Council for a separate approval.

The Business Services Department and Purchasing recommend authorizing a one-year renewal using the State of Arizona cooperative contract with Goodmans Inc., at \$120,000 annually, based on historical requirements.

- *4-c. Renewal of the Term Contract for Automotive Deep Cycle Sealed Case Batteries for the Fleet Services Department. **(Citywide)**

This contract provides automotive gel-type, deep cycle, sealed case, lead acid batteries for various pieces of rolling stock equipment owned by the City.

The Fleet Services Department and Purchasing recommend authorizing a one-year renewal with Kann Enterprises, Inc., dba Interstate Batteries (a Mesa business), at \$125,000, based on estimated requirements.

- *4-d. Renewal of the Term Contract for Emergency Vehicle Equipment and Installation Services for the Fleet Services Department. **(Citywide)**

This contract provides specialized turnkey emergency vehicle equipment and installation services for the City's Police and general vehicle fleet on an as-needed basis. The emergency equipment includes: emergency lights, sirens, push-bars, prisoner cages, consoles, wiring, et cetera. There is an established hourly shop labor rate and a pricing discount structure for emergency equipment purchases.

The Fleet Services Department and Purchasing recommend authorizing a one-year renewal with Kenco OR LLC, dba LSH Lights (Primary); and Arizona Emergency Products (AEP) (Conditional Secondary); cumulatively not to exceed \$1,000,000, based on estimated requirements.

- *4-e. Three-Year Term Contract for Ford Auto and Light-Duty Truck Parts for the Fleet Services Department. **(Citywide)**

This contract will provide original equipment manufacturer replacement/repair parts for the City's Ford auto and light-duty truck fleet.

The Fleet Services Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidder, Berge Ford (a Mesa business), at \$150,000 annually, based on estimated requirements.

- *4-f. Three-Year Term Contract for Medical Insurance Billing Services for the Mesa Fire and Medical Department (MFMD). **(Citywide)**

This contract will provide medical insurance billing services for the Community Care Initiative Demonstration Model and EMS Transports. MFMD received a three-year grant for this model requiring that sustainability must be accurately measured. MFMD anticipates 4,000 medical claims per calendar year under this Community Care Initiative Demonstration Model.

The evaluation committee recommends awarding the contract to the highest scored proposal from Advanced Data Processing, Inc., dba Intermedix, at \$100,000 annually, based on estimated requirements. This purchase is funded by the Center for Medicare and Medicaid Services – CMS Grant and Fire and Medical Operating Budget.

- *4-g. Purchase of Two Replacement Light-Duty Crew Cab Pickup Trucks for the Fire and Medical Department. **(Citywide)**

The vehicles being replaced have met established criteria and will be retired and sold at auction.

The Fire and Medical Department and Purchasing recommend authorizing the purchase from the State of Arizona cooperative contract with Courtesy Chevrolet, at \$60,725.40. This purchase is funded by the Fire and Medical Capital Budget.

*4-h. Purchase of One Replacement Chevrolet Tahoe for the Police Department. **(Citywide)**

This purchase will provide one 2016 Police Patrol Chevrolet Tahoe, 2-wheel drive, 4-door vehicle. This vehicle will replace a non-operational vehicle.

The Fleet Services and Police Departments and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Midway Chevrolet, at \$44,181.76. This purchase is funded by the Vehicle Replacement Fund.

*4-i. Dollar-Limit Increase and Renewal of the Term Contract for Electrical Products for various City Departments as requested by the Business Services Department. **(Citywide)**

This contract is used for tools, test equipment, safety, maintenance, repair and operations products in support of electrical, lighting, data/communications, networking and security. Higher than estimated usage on the current six-month contract is prompting a dollar-limit increase request to reach the contract expiration of 3/31/2016. Also included in this request is the one-year renewal contract.

The Business Services Department and Purchasing recommend authorizing a dollar-limit increase of \$10,000, increasing the six-month contract amount from \$100,000 to \$110,000, through the contract term of 3/31/2016; and authorizing a one-year renewal contract at \$200,000; using the County of Los Angeles cooperative contract with Graybar, based on estimated requirements.

*4-j. Dollar-Limit Increase to the Term Contract for Landscape Maintenance Services for City Facilities for the Parks, Recreation and Community Facilities Department. **(Citywide)**

The increase is needed for landscaping maintenance services at the newly acquired Mesa Fire and Medical Regional Dispatch Center and Emergency Operations Center site at 708 West Baseline Road. The estimated area that requires landscape maintenance services is 5.59 acres.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing a dollar-limit increase with Environmental Earthscapes, dba The Groundskeeper, at \$27,000.00, increasing the contract amount from \$623,900 to \$650,900 annually, based on estimated requirements.

*4-k. One-Year Renewal of the Term Contract for Vector Control Services for the Parks, Recreation and Community Facilities (PRCF) Department. **(Citywide)**

This contract provides vector (mosquito) control services at all City park inlets, drains and retention basins on a monthly or semi-monthly basis as designated. The contract also provides as-needed services for the control of rodents, bees, pests and weeds at all City sites maintained by the PRCF Department.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing a one-year renewal with Checker Exterminating (a Mesa business), at \$96,300.00 annually, based on estimated requirements.

- *4-l. Three-Year Term Contract for Submersible Pump-Motor Units Repairs and Replacements for the Water Resources and Parks, Recreation and Community Facilities (PRCF) Departments. **(Citywide)**

Water Resources has submersible pumps at three water reclamation plants, one water treatment plant, and 16 lift stations. PRCF has numerous pumps located at several aquatic centers. This contract will provide qualified vendors to perform repairs to submersible pumps and pump/motor units, and to furnish new submersible pumps and pump/motor units as needed.

The evaluation committee recommends awarding the contract to the highest scored proposals from Phoenix Pumps Inc., Laron Incorporated, Keller Electrical Industries, Inc., and James, Cooke & Hobson, Inc., cumulatively not to exceed \$483,000 annually.

- *4-m. Purchase of One Replacement Light-Duty Extended Cab and Chassis Service Body Vehicle for the Energy Resources Department. **(Citywide)**

The vehicle being replaced has met established criteria and will be retired and sold at auction.

The Fleet Services, Energy Resources and Purchasing Departments recommend awarding the contract to the lowest, responsive, and responsible bidder, Berge Ford (a Mesa business), at \$41,358.17. This purchase is funded by the Utility Replacement Extension and Renewal Fund.

- *4-n. Three-Year Term Contract for Slurry Seal Application Services for the Transportation Department. **(Citywide)**

This contract will provide the Transportation Department with application services for slurry seal on an as-needed, where-needed basis. The scope includes residential, collector and arterial streets, and intersections within the City and includes all labor, materials, equipment, permits, signage, notifications and cleanup.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive, and responsible bidders, ViaSun Corporation (Primary) and Southwest Slurry Seal, Inc. (Secondary); cumulatively not to exceed \$3,738,948.61 annually, based on estimated requirements.

- *4-o. Purchase of Two Replacement Variable Frequency Drives for Dewatering Centrifuge #3 at the Greenfield Water Reclamation Plant (Sole Source). **(Citywide)**

The variable frequency drives for this dewatering centrifuge at the Greenfield Water Reclamation Plant (WRP) have failed and the parts needed to repair them would cost more than purchasing new drives. This purchase is required to return the centrifuge back to service. With the centrifuge out of service, the plant does not have the required operational redundancy for the dewatering process.

The Water Resources Department and Purchasing recommend authorizing the purchase with the sole source vendor, Border States Electric Supply, at \$40,089.50. This purchase is 58% funded by the Towns of Gilbert and Queen Creek and 42% funded by the Enterprise Fund – Greenfield WRP Joint Venture.

*4-p. Police Department Holding Facility Improvements. **(District 4)**

These improvements and expansion of the holding facility at the Police headquarters building were included in the 2013 Public Safety Bond program approved by Mesa voters. The facility is outdated and no longer meets the space requirements of the Police Department. Proposed improvements include updates to the existing booking and intake area, conversion of existing space into new holding cells, and improvements to the electrical and heating, ventilation and air conditioning (HVAC) systems.

Staff recommends the contract award to CORE Construction in the amount of \$1,520,627.88, based upon a guaranteed maximum price of \$1,448,217.03, plus an additional \$72,410.85 (5%) change order allowance, only utilized upon approvals. Funding is available from the 2013 authorized Public Safety Bond.

5. Take action on the following resolutions:

*5-a. Extinguishing a Public Utility Easement at 1643 North Quail. **(District 5)** – Resolution No. 10754.

The property owner has requested the City extinguish the unused three-foot Public Utility Easement that will conflict with the development of a commercial business office.

*5-b. Approving and authorizing the City Manager to enter into a Development Agreement with Marwest Enterprises, LLC; Santan 74, LLLP; Ray 39A, LLLP; and Ray 39C, LLLP relating to the construction of the Ray Road improvements between South Power Road and South Ellsworth Road. **(District 6)** – Resolution No. 10755.

*5-c. Modifying Commercial and Residential Fees and Charges for the Parks, Recreation and Community Facilities Department. **(Citywide)** – Resolution No. 10756.

The majority of the proposed changes focus on fee structure simplification, terminology changes, and minor range adjustments to allow for market flexibility. The proposed changes are anticipated to have an overall minimal fiscal impact in FY 16/17.

6. Introduction of the following ordinances and setting March 21, 2016 as the date of the public hearing on these ordinances:

*6-a. **Z16-010 (District 6)** 10100 through 10300 blocks of East Guadalupe Road (north side). Located east of the northeast corner of Guadalupe and Crismon Roads (27± acres). Rezoning from RM-2-PAD to RSL-2.5-PAD; and Site Plan Review. This request will allow a single-residence development. Paul Dugas, Desert Vista 100, LLC, applicant; Desert Vista Land Group, LLC, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 7-0)

- *6-b. **Z16-013 (District 6)** 8400 through 8600 blocks of East Guadalupe Road (south side). Located at the southeast corner of Guadalupe and Hawes Roads (18.5± acres). Rezoning from RS-43 and RS-6-PAD to RS-6-PAD; and Site Plan Review. This request will allow a single-residence development. Sean Lake, Pew and Lake, PLC, applicant; Hawes Section Corner Limited Partnership, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 7-0)

7. Discuss, receive public comment, and take action on the following ordinances:

- *7-a. **Z15-033 (District 3)** 2210 West Southern Avenue. Located west of Dobson Road on the north side of Southern Avenue (0.65± acres). Rezone from OC to LC-BIZ; and Site Plan Review. This request will allow the development of commercial space with a drive-thru. Neil Feaser, RKA Architects, Inc., applicant; Jeffrey D. Garrett, President, GDC San Jose and Southern, LLC, owner – Ordinance No. 5317.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 7-0)

- *7-b. **Z16-005 (District 6)** 1200 block of South Crismon Road. Located south of Southern Avenue on the east side of Crismon Road (1± acres). Rezoning a portion of the development area from PEP to LC; and site plan modification. This request will allow for development of a restaurant with drive-thru. Lance Meinhold, Larson Associates, applicant; V J Crismon, LLC, owner – Ordinance No. 5318.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 7-0)

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

- *8-a. **Z16-002 (District 2)** 1728 South Greenfield Road. Located South of U.S. Highway 60 on the west side of Greenfield Road. Request for Council Use Permit. This request will allow installation of a multi-tenant Freeway Landmark Monument sign within the Greenfield Gateway commercial center. Charlie Gibson, applicant; Greenfield Gateway Retail Investments, LLC, owner. **(CONTINUED TO THE APRIL 4, 2016 REGULAR COUNCIL MEETING.)**

Staff recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 7-0)

Items not on the Consent Agenda

9. Items from citizens present.

Lupe Mercado, General Manager for Graffiti Protective Coatings, a Mesa business, stated that he wanted to bring to the Council's attention the fact that the City has been "gifting" taxpayer dollars to its new graffiti contractor, Woods Maintenance Services. He explained that the

company has been paid “beyond the amount of work” that it has actually completed. He commented that at the beginning of the contract period, Woods billed the City a fee rate that would cap the City’s monthly costs at \$12,500. He explained that the company offered this “value proposal” to the City as a means by which to lower the stated bid unit cost at \$0.16 per square foot. He pointed out, however, that the City was billed the maximum cap fee each month even though the contractor was completing a small fraction of the work that was being billed. He added that this enabled Woods to increase the stated unit bid cost by more than 500%.

Mr. Mercado, in addition, cited examples of the City’s overpayments to Woods during the past several months, which total more than \$54,000. He remarked that when Transportation Director Lenny Hulme was notified of the excess charges, he responded that the overpayments would stop on February 1, 2016. He stated, in addition, that he was subsequently advised by a staff member in the Transportation Department that the overpayments would continue for the remainder of the fiscal year due to the fact that Woods could not complete its work at the stated bid price of \$0.16 per square foot.

Mr. Mercado concluded his remarks by commenting that today he was informed by the City Auditor that the City’s contract with Woods would be terminated effective April 1, 2016. He acknowledged the City’s efforts to correct the mistake, but questioned why the City would continue to make additional payments to the company for the next two weeks.

Yolanda Triana, a resident of the Mesa Royale Trailer Park, discussed the City’s traffic evaluation of a cross street near the park. She explained that cars continue to speed down the road and create safety issues for the children and residents in the area. She urged that the City install speed bumps on the street. She added that although Mesa Royale has a new owner, the rent payment process remains inconsistent.

Mayor Giles stated that it was unfortunate that the City was unaware that a Spanish interpreter was needed for tonight’s meeting. He noted that in the future, he would ask that the speakers contact the City ahead of time to request the services of an interpreter. He added that the City would be happy to accommodate them in that regard.

City Manager Christopher Brady further clarified that the agenda contains language indicating that it was necessary for a citizen who is requesting the services of an interpreter at a Council meeting to contact the City 48 hours in advance of such meeting.

Councilmember Luna translated from English to Spanish Mayor Giles and Mr. Brady’s comments for the Spanish-speaking citizens who were present in the audience.

Irlanda Nez, a resident of the Mesa Royale Trailer Park, stated that she and the remaining families who reside at the park would like the City to compensate them for their homes so that they can afford to move elsewhere. She asked that the City provide the families a prompt answer in this regard.

Rosa Ramirez, a resident of the Mesa Royale Trailer Park, concurred with comments of the previous speakers. She noted that although the residents have been granted a 30-month extension to remain at the park, she assured the Council that once that deadline has passed, the families do not intend to vacate the property.

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:20 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 14th day of March, 2016. 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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