



COUNCIL MINUTES

March 19, 2018

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on March 19, 2018 at 5:45 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Dee Ann Mickelsen
Jim Smith

Mayor's Welcome.

Invocation by Pastor Stephen Talmage with Love of Christ Lutheran Church.

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.

Mayor Giles stated items 3-d and 8-a will be removed from the consent agenda.

It was moved by Vice Mayor Luna, seconded by Councilmember Freeman, that the consent agenda items be approved.

Carried unanimously.

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

Minutes from the February 15, 22, 26, March 1 and 5, 2018 Council meetings.

3. Take action on the following liquor license applications:

*3-a. Campbell's Crew Cares

This is a one-day event to be held on Thursday, April 19, 2018 from 6:00 P.M. to 9:30 P.M., at Falcon Field Airport, 4863 East Falcon Drive. **(District 5)**

*3-b. Arizona Hemophilia Association

This is a one-day event to be held on Saturday, March 31, 2018 from 6:00 P.M. to 10:30 P.M., at Korea Mart, 1350 South Longmore. **(District 3)**

*3-c. Arizona Hemophilia Association

This is a two-day event to be held on Saturday, April 14, 2018 from 10:00 A.M. to 5:30 P.M. and on Sunday, April 15, 2018 from 8:00 A.M. to 3:30 P.M., at Sloan Park Cubs Stadium, 2330 West Rio Salado Parkway. **(District 1)**

*3-d. See: **Items not on the Consent Agenda.**

*3-e. Ultimate Imaginations

This is a one-day event to be held on Friday, April 6, 2018 from 6:00 P.M. to 10:00 P.M. for Ultimate Imaginations on Main Street from Center to Robson and Macdonald from 1st Avenue to 1st Street. **(District 4)**

*3-f. Ultimate Imaginations

This is a one-day event to be held on Friday, May 4, 2018 from 6:00 P.M. to 10:00 P.M. for Ultimate Imaginations on Main Street from Center to Robson and Macdonald from 1st Street to 1st Avenue. **(District 4)**

*3-g. Ultimate Imaginations

This is a one-day event to be held on Friday, June 1, 2018 from 6:00 P.M. to 10:00 P.M. for Ultimate Imaginations on Main Street from Center to Robson and Macdonald from 1st Street to 1st Avenue. **(District 4)**

*3-h. Mod Pizza

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Mod Super Fast Pizza LLC, 3130 North Recker Road, Suite 101 - Andrea Dahlman Lewkowitz, agent. There is no existing license at this location. **(District 5)**

4. Take action on the following contracts:

*4-a. Three-Year Term Contract for Heating, Ventilation and Air Conditioning (HVAC) Preventative Maintenance and Repair Services as requested by the Parks, Recreation and Community Facilities Department **(Citywide)**

This contract will provide preventative maintenance and repair services for HVAC equipment at eight City locations to include Dobson Library, Main Library, Red Mountain

Library, Mesa Municipal Court, Mesa City Plaza, Museum of Natural History, i.d.e.a. Museum and Utilities operations.

A committee representing the Parks, Recreation and Community Facilities Department and Purchasing recommends awarding the contract to the highest-scored proposal from Midstate Energy LLC, at \$92,643.11 annually, based on estimated usage.

- *4-b. One-Year Renewal to the Term Contract for the Performance Cooling Water Treatment Program for the Parks, Recreation and Community Facilities Department **(Citywide)**

This contract provides water treatment on the district cooling loop, multiple building chiller closed loops and cooling tower loops, and multiple boiler loops. This water treatment prevents microbial growth in the chilled water systems used to provide air conditioning. Microbial growth in these systems would cause them to deteriorate exponentially faster and would cause a public safety hazard.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing the renewal with Water & Energy Systems Technology Inc. (W.E.S.T. Inc.) (a Mesa business), at \$73,816, based on estimated usage.

- *4-c. One-Year Renewal to the Term Contract for OEM and Aftermarket Parts for Refuse and Sweeper Bodies for the Fleet Services Department **(Citywide)**

This contract provides original equipment manufacturer and aftermarket refuse body and sweeper body parts.

The Fleet Services Department and Purchasing recommend authorizing the renewal contract with Arizona Refuse Servicing; Balar Holding, dba Balar Equipment; Lcal Equipment Inc.; McNeilus Truck & Mfg.; Wastebuilt Southwest LLC, dba Stepp Equipment; Short Equipment, Inc.; and Western Refuse & Recycling Equipment Inc.; at \$850,000.

- *4-d. Six-Month Term Contract for Electric Line Clearance and Tree Trimming Services for the Northwest Quadrant of Mesa's Electric Service Area for the Energy Resources Department **(Citywide)**

This contract will provide a qualified contractor to perform cycle line clearance/tree trimming to keep trees and vegetation clear of high voltage electric transmission, primary and secondary distribution lines and secondary service drops, to maintain safety and minimize and prevent electric service outages in the northwest quadrant of Mesa's electric service area, an area bounded on the east by Mesa Drive, on the west by Extension, on the south by Main Street, and on the north by Rio Salado Parkway/Brown Road.

The Energy Resources Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, West Coast Arborists, Inc., at \$59,850, based on estimated usage.

- *4-e. Five-Year Term Contract for Electrical, Lighting, Data Communications, and Security Products and Related Products, Services and Solutions for Citywide Departments **(Citywide)**

This Citywide contract is a key source for tools, test equipment, safety, maintenance, repair and operations products in support of electrical, lighting, data/communications, networking and security. Primary users include Parks, Recreation and Community Facilities, the Materials and Supply Warehouse, Transportation, Communications, Information Technology, and Fire and Medical.

Purchasing recommends authorizing the purchase using the U.S. Communities, City of Kansas City cooperative contract with Graybar, at \$400,000 annually, based on estimated usage.

- *4-f. One-Year Term Contract for Self-Contained Breathing Apparatus (SCBA) Rigs with Tanks for the Police Department (Single Response) **(Citywide)**

Specialty masks and SCBA's are required to protect the Police Department's SWAT Team from multiple threats to include: chemical, biological, nuclear and radiological agents and toxic industrial chemicals. Presently, this is the only system approved by National Institute for Occupational Safety and Health.

The Police Department and Purchasing recommend awarding the contract to the single, responsive and responsible bidder: FDC Rescue Products, LLC, at \$175,000, based on estimated usage. This purchase is partially funded by a Homeland Security Grant (\$140,000) and the remainder (\$35,000) by the Police Department operating budget.

- *4-g. Three-Year Term Contract for Uniforms and Equipment for the Police Department **(Citywide)**

This contract will provide uniforms, alterations, and equipment for sworn and civilian Police personnel, as well as access to an agency-specific website that will allow for tracking and management of spending.

An evaluation committee representing the Police Department and Purchasing recommends awarding the contract to the highest-scored proposal from Galls, LLC, at \$450,000 annually, based on estimated usage.

- *4-h. Three-Year Term Contract for Traffic Sign Posts for Materials and Supply Warehouse (for the Transportation Department) **(Citywide)**

This contract will provide galvanized metal sign post materials that are used for the installation, replacement and/or relocation of traffic control and street name signs throughout the City.

The Business Services and Transportation Departments, and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Xcessories Squared Southwest Inc., at \$29,100 annually, based on estimated usage.

- *4-i. Purchase of Four Light-Duty Pickup Trucks as requested by the Fleet Services Department (Two Additions for the Water Resources Department, and Two Replacements for the Development Services Department) **(Citywide)**

One of Water Resources' vehicle additions will be assigned to a new full-time employee for the maintenance of the SCADA network at various facilities. The other vehicle

addition will be split between the Signal Butte and Brown Road Water Treatment Plants to support operations at those two plants.

Development Services' two vehicles are part of the ongoing City of Mesa vehicle replacement program. Both vehicles have met established criteria and will be either traded, auctioned, sold, or deployed to other uses.

The Fleet Services, Water Resources and Development Services Departments, and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Berge Ford (a Mesa business), at \$134,546.70. The Water Resources Department's vehicles are funded by the Capital Enterprise Fund, and the Development Services Department's vehicles are funded by the Vehicle Replacement Fund.

*4-j. Three-Year Term Contract for Uniforms and Equipment for the Police Department **(Citywide)**

This contract will provide uniforms, alterations, and equipment for sworn and civilian Police personnel, as well as access to an agency-specific website that will allow for tracking and management of spending.

An evaluation committee representing the Police Department and Purchasing recommends awarding the contract to the highest-scored proposal from Galls, LLC, at \$450,000 annually, based on estimated usage

*4-k. Purchase and Installation of 20 Workstations for the Signal Butte Water Treatment Plant as requested by the Water Resources Department **(Citywide)**

Cubicles/workstations for employees are needed for the new Signal Butte Water Treatment Plant that will open later this year. The City uses standardized modular furniture for its workstations that are manufactured by Herman Miller.

The Water Resources and Business Services Departments, and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Goodmans Interior Structures, at \$74,542.90.

*4-l. Purchase of Two Operator Control Room Consoles for the New Signal Butte Water Treatment Plant (SBWTP) as requested by the Water Resources Department **(Citywide)**

This purchase will provide specialized control console furniture for the SBWTP Control Room. Each console will be required to handle multiple monitors, CPU's, keyboards, mice, microphones, speakers and a phone handset, along with cable management, which will allow the console height to be changed several times per day from sit height to stand height.

The Water Resources Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Interior Solutions of Arizona, LLC, at \$33,835.38.

*4-m. Three-Year Term Contract for Liquid Oxygen and Various Gases for the New Signal Butte Water Treatment Plant as requested by the Water Resources Department **(Citywide)**

This contract will provide bulk liquid oxygen and carbon dioxide for the new Signal Butte Water Treatment Plant currently under construction. These gases are used in the operation of a water treatment process and must meet current American Water Works Association standards.

The Water Resources Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders, Matheson Tri-Gas, Inc.; and Reliant Gases, LTD; at \$102,503 annually, based on estimated usage.

- *4-n. Purchase of Equipment and Services for the Data Center Relocation Project - Phase 2 for the Information Technology Department (ITD) **(Citywide)**

In July 2016, Council approved Phase 1 of this project to relocate the City's primary data center to AT&T's data center. Phase 2 will re-locate the remaining equipment, network core, and fiber optic routes to other City facilities. Working with the Fire and Medical, and Police Departments, ITD has determined the existing equipment room in the Mesa Regional Dispatch Center (MRDC) is the best long-term option for this equipment. Engineering is contracting with design and construction firms to perform upgrades to the fiber optic cable physical plant in downtown Mesa and to create new fiber pathways routed to the MRDC. ITD will also partner with Transportation to re-route existing fiber to increase the capacity at the MRDC.

The Information Technology Department and Purchasing recommend authorizing the purchase using cooperative agreements and quotes, and awarding to Anixter, Inc., Trace3, CDW Government, Arizona Electric Supply, iT1 Source and Corporate Technology Solutions, at \$775,000, including Engineering's JOC contract and contingency.

- *4-o. Purchase of Replacement/Upgrade Network Hardware and Services for the Information Technology Department **(Citywide)**

Network switches on the City and Police Department data networks are used to connect devices and control access on both networks. This equipment requires a lifecycle upgrade due to its age, lack of parts and software support, and to remain current with changing technologies and data rate requirements. This upgrade will allow the City to take advantage of increased network speeds, improved reliability, improved security through advanced access controls and increased capacity for future growth.

The Information Technology Department and Purchasing recommend authorizing the purchase using the Maricopa County and State of Arizona cooperative contracts with the lowest-quoted vendors: Sentinel Technologies; and Trace3; plus contingency funding, at \$1,740,000. This purchase is funded by the Lifecycle Management Program Budget.

- *4-p. Purchase for a Governance, Risk and Compliance Software Solution for the Information Technology Department **(Citywide)**

This purchase will provide an annual subscription for a Governance, Risk and Compliance software solution, specifically the Compliance Assessment module. This subscription will provide unlimited user access to the Compliance module that can be used by all City departments to track and measure compliance with any regulation or standard.

The Information Technology Department and Purchasing recommend authorizing the purchase from the State of Arizona cooperative contract and lowest-quoted vendor, Custom Storage, dba cStor, at \$46,656.34.

5. Introduction of the following ordinances and setting April 2, 2018 as the date of the public hearing on these ordinances:

- *5-a. Amending Section 10-4-3 of the Mesa City Code to establish a speed limit of 45 mph on an existing section of Ray Road from Power Road to the east City limits, as recommended by the Transportation Advisory Board. **(District 6)**
- *5-b. Amending Sections 10-4-5 and 10-4-6, respectively, of the Mesa City Code to establish a speed limit of 35 mph on a proposed section of Cadence Parkway from Ellsworth Road to a point 1,200 feet east of Ellsworth Road and a speed limit of 30 mph from a point 1,200 feet east of Ellsworth Road to Williams Field Road, as recommended by the Transportation Advisory Board. **(District 6)**
- *5-c. Amending Section 10-4-5 of the Mesa City Code to establish a speed limit of 35 mph on an existing and proposed section of Crismon Road from Ray Road to Williams Field Road, as recommended by the Transportation Advisory Board. **(District 6)**
- *5-d. Amending Section 10-4-5 of the Mesa City Code to establish a speed limit of 35 mph on an existing and proposed section of Inspirian Parkway from Elliot Road to Ray Road as recommended by the Transportation Advisory Board. **(District 6)**
- *5-e. Amending Title 8, Chapter 4, Section 15 “Prohibited Substances and Discharge Limitations” of the Mesa City Code, a part of the Sanitary Sewer Regulations, to include a provision regarding establishment of wastewater discharge pollutant mass limitations for industrial users. **(Citywide)**
- *5-f. **ZON17-00478 (District 5)** The 9100 block of East University Drive (south side) and the 100 to 300 blocks of North Ellsworth Road (west side). Located on the west side of Ellsworth Road, south of University Drive (16.7± acres). Rezoning 13± acres from RM-4 to RM-4-PAD; and Site Plan Review. This request will allow for a multi-residence development. Andy Jochums, Beus Gilbert, applicant; Valencia Heights, LLC, owner.

Staff Recommendation: Approval with conditions

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

- *5-g. **ZON17-00519 (District 5)** The 7100 block of East Main Street (north side) and the 0 to 100 block of North Sunvalley Boulevard (west side). Located east of Power Road, on the north side of Main Street (7.6± acres). Rezoning from LC and LC-BIZ to RM-4-PAD; and Site Plan Review. This request will allow for the development of an attached single residence subdivision. Greg Loper, applicant; Bottomline Investments, LTD, owner.

Staff Recommendation: Approval with conditions

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

- *5-h. **ZON17-00581 (District 2)** The 4700 through 4800 blocks of East Baseline Road (north side). Located east of Greenfield Road on the north side of Baseline Road (21.8± acres). PAD Modification. This request will allow for modifications to an approved PAD for a multi-residence development in the RM-3-PAD zoning district. Stephen C. Earl, Curley & Legarde, applicant; Baseline Gateway Apartments, LLC, owner.

Staff Recommendation: Approval with conditions

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

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

- *6-a. Amending Mesa Zoning Ordinance; title 11 of the Mesa City Code. Amendments include various technical updates and minor revisions to Chapters 1 through 5 and other Chapters that relate to the changes made in Chapters 1 through 5. **(Citywide)** – Ordinance No. 5423

The changes include minor revisions to word choice, spelling and grammar; revising certain definitions; minor revisions to the AG and residential zoning districts, including changes to land use and development standards for specific uses and activities; revisions to the requirements for accessory dwelling units, and certain building setbacks and building forms; and modifying design elements and other requirements in the RSL zoning district.

7. Take action on the following subdivision plats:

- *7-a. “Mission Park II” **(District 2)** The 2300 block of East University Drive (south side). Located east of Gilbert Road on the south side of University Drive. 20 RSL-2.5-BIZ attached single residence lots (2.24 ± acres). Brighton Companies Mission Park II, LLC, developer; Duran T. Thompson, D&M Engineering, surveyor.

8. Adoption of the following Notice of Intention and setting May 21, 2018 as the date of the public hearing:

- *8-a. See: **Items not on the Consent Agenda.**

Items not on the Consent Agenda

3. Take action on the following liquor license application:

- *3-d. Forty Eight Foundation

This is a two-day event to be held on Friday, March 30, 2018 from 12:00 P.M. to 1:00 A.M., and on Saturday, March 31, 2018 from 8:30 P.M. to 1:00 A.M., at Desert Wind Harley-Davidson, 922 South Country Club Drive. **(District 4) - Recommendation for Denial.**

Ernest Hickman, speaking on behalf of Forty Eight Foundation, advised he was recently made aware of the denial and wasn't sure why the liquor license was being denied.

City Manager Christopher Brady advised staff had contacted someone representing the applicant on Thursday and was advised the liquor license was being recommended for denial based on the concerns from the Mesa Police Department.

In response to a question posed by Councilmember Whittaker, Mr. Brady stated the report outlining the cause for denial is a public record.

Mr. Hickman advised the Forty Eight Foundation is a non-profit organization that was founded eight months ago. He explained the foundation helps inner-city youth within the Phoenix area by providing backpacks at the beginning of the school year. He stated the opinion that the information in the report provided by the Mesa Police Department is not correct.

In response to a question posed by Mr. Hickman, Licensing Administrator Tim Meyer advised the organization has applied for a special event liquor license and a special event license. He stated the Mesa Police Department has recommended denial on both applications and if this recommendation is approved by Council the event will not take place.

Raymond Canty, a Mesa resident, stated the organization wished to still host the event if the liquor license is denied.

Craig Miller, an Arizona Liquor Industry Consultant, advised his consulting company worked with the Forty Eight Foundation in obtaining the special event liquor license. He advised their role is to assist the non-profit organization to ensure those working the event have been trained properly and comply with the state liquor laws. He pointed out that security is handled through the organization and off-duty police officers have been hired for the event. He stated a compliance team will be on-site during the event.

Mr. Brady proposed the liquor license application for Forty Eight Foundation be continued to the March 22, 2018 Special Council Meeting in order for the applicant to meet with the Mesa Police Department and address the concerns presented.

It was moved by Vice Mayor Luna, seconded by Councilmember Freeman, that the liquor license application for the Forty Eight Foundation be continued to the March 22, 2018 Special Council Meeting.

Carried unanimously.

8. Adoption of the following Notice of Intention and setting May 21, 2018 as the date of the public hearing:

*8-a. Notice of Intention to adjust utility rates.

Steve Hetsler, a Mesa resident, advised A.R.S. §9-511.01 states that if wastewater utility rates are not fair and reasonable the bonds behind them could be challenged and the City wouldn't receive proceeds from the bond until the issue was resolved. He pointed out that over the next several months Council will be approving utility rates, an operating budget, a possible sales tax increase and bond authorization. He stated the risk of bonds has been noted in City documents and he hopes Council will be able to explain the reasons for these risks as no return has been identified with the proposed ASU project.

It was moved by Councilmember Glover, seconded by Councilmember Heredia, to approve setting May 21, 2018 as the date of the public hearing for the Notice of Intention to adjust utility rates.

Carried unanimously.

9. Items from citizens present.

There were no items from citizens present.

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:10 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 19th day of March, 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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