



COUNCIL MINUTES

March 21, 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 21, 2016 at 5:45 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

OFFICERS PRESENT

Kari Kent
Jim Smith
Dee Ann Mickelsen

Mayor's Welcome.

Invocation by Senior Pastor Ramon Valencia with Iglesia Pentecostal Unida Hispana.

Pledge of Allegiance was led by David Cummard, Captain of the Mesa High School Basketball Team.

Awards, Recognitions and Announcements.

Councilmember Glover recognized the Mesa High School "Jackrabbits" Basketball Team for winning the Division One Arizona State Championship by defeating Sunnyslope High School 51-48. He announced that this was the 14th time in history that Mesa High School has won the state title and the first time in over a decade. He congratulated the team on their hard work and invited the team captain, David Cummard, to say a few words before presenting the team with a plaque and shirts.

David Cummard thanked the Council, the coaches and the community for all of the support and for inviting the team to be recognized for their accomplishments. He stated that it was the team's priority to win the State Championship and each player put in the time and effort to make that happen and really bonded during the process. He added that he was proud to be a part of the team.

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.

Carried unanimously.

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

Minutes from the January 11 and March 14, 2016 Council meetings.

3. Take action on the following liquor license applications:

*3-a. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, April 1, 2016 from 6:00 p.m. to 10:00 p.m. on Main Street, between Center Street and Robson, and on Macdonald, between 1st Avenue and Pepper Place. **(District 4)**

*3-b. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, May 6, 2016 from 6:00 p.m. to 10:00 p.m. on Main Street, between Center Street and Robson, and on Macdonald, between 1st Avenue and Pepper Place. **(District 4)**

*3-c. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, June 3, 2016 from 6:00 p.m. to 10:00 p.m. on Main Street, between Center Street and Robson, and on Macdonald, between 1st Avenue and Pepper Place. **(District 4)**

*3-d. Queen of Peace Roman Catholic Church Mesa

This is a one-day religious event to be held on Saturday, April 2, 2016 from 6:30 p.m. to 12:00 a.m., at 141 North Macdonald. **(District 4)**

*3-e. Maag Toy Foundation

This is a one-day charitable event to be held on Sunday, April 3, 2016 from 7:00 a.m. to 7:00 p.m., at 2330 West Rio Salado Parkway. **(District 1)**

*3-f. Salsa Cabana Mexican Grill

A restaurant that serves breakfast, lunch and dinner is requesting a new Series 12 Restaurant License for Leones Mexican Restaurant LLC, 1309 North Greenfield Road, Suite 106 – Gabriela Maria Leon Garcia, agent. The existing license held by Salsa Cabana Mexican Grill LLC will revert back to the State. **(District 5)**

4. Take action on the following contracts:

- *4-a. Contract Amendment and Dollar-Limit Increase to the Term Contract for Landscape Maintenance Services for Zones 1, 2 and 4 – Parks, Retention Basins and Sports Fields for the Parks, Recreation and Community Facilities (PRCF) Department. **(District 4 and 6)**

The increase is necessary to add landscaping maintenance services for Fountain Plaza Park and Eagles Park to include weekly and monthly cleaning, irrigation checks, plus a 20% contingency for extra work through the end of the contract term.

The Parks, Recreation and Community Facilities Department and Purchasing recommend authorizing a contract amendment and dollar-limit increase of \$39,570.40 with Mariposa Landscape Arizona, Inc., increasing the contract amount from \$2,712,714.50 to \$2,752,284.90 annually, based on estimated requirements.

- *4-b. Three-Year Term Contract for Anodeless Service Risers for the Materials and Supply Warehouse (for the Energy Resources Department). **(Citywide)**

Anodeless service risers are the portion of the natural gas service line that transition from the underground service piping to the customer's above ground meter set. The risers are specially designed to electrically isolate the customer's meter from the rest of the natural gas system for purposes of corrosion protection and to provide a protective casing for the internal polyethylene piping.

The Business Services Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, R.W. Lyall & Company, Inc., at \$90,000 annually, based on estimated requirements.

- *4-c. Purchase of One Replacement Medium-Duty Crew Cab Pickup Truck for the Fire and Medical Department. **(Citywide)**

The vehicle being replaced has 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 Peoria Ford, dba PFVT Motors, Inc., at \$51,727.82. This purchase is funded by the Fire and Medical Capital Budget.

- *4-d. Purchase of a Replacement Oil Tanker Pup Trailer for the Transportation Department (Single Bid). **(Citywide)**

The pup trailer is used by Transportation to store and transport the asphalt emulsion materials needed for their day-to-day seal coat operations. The vehicle being replaced has met established criteria and will be retired and sold at auction.

The Fleet Services and Transportation Departments, and Purchasing recommend awarding the contract to the single, responsive and responsible bidder, Edeco Southwest Service Company LLC, dba Bear Cat Manufacturing, at \$103,573.02.

- *4-e. Horne Drainage and Utility Improvements. **(District 4)**

This project will make various improvements to the drainage infrastructure on South Horne. A new detention basin is proposed on the southeast corner of Horne and 9th Avenue with a storm drain bleed-off connection to the existing storm drain in Southern Avenue. The proposed storm drain and detention basin infrastructure will provide significant improvement to neighborhood drainage and conveyance.

Staff recommends that Council award to CSW Contractors, Inc. as the Construction Manager at Risk for this project with Pre-Construction Services contract in the amount of \$192,942. This project is funded by the 2014 Water Bond, 2014 Gas Bond, Local Street Sales Tax, and Flood Control District of Maricopa County grant funds.

*4-f. Two Master Job Order Contracts for General Construction Services. **(Citywide)**

Job Order Master Contracts for general construction services include: renovations and repairs, additions, demolition, re-construction and alteration services to City facilities.

Staff recommends the selections of CORE Construction, and SDB Contracting Services for Job Order Master Contracts for general construction services for a period of one year, with the option to extend the contract for two additional one-year periods, based on successful contractor performance and City concurrence. These two master contracts allow for the issuance of multiple individual job orders with a limit of \$1,000,000 per job order and a total contract value not to exceed \$5,000,000 for each contract year.

*4-g. Two Master Job Order Contracts for Landscape Construction Services. **(Citywide)**

Job Order Master Contracts for landscape construction services include, renovations and repairs, additions, demolition, and facility upgrades for a broad range of City landscaping improvement projects.

Staff recommends the selections of Valley Rain Construction Corporation, and Earthscapes, Inc., for Job Order Master Contracts for landscape construction services for a period of one year, with the option to extend the contract for two additional one-year periods, based on successful contractor performance and City concurrence. These two master contracts allow for the issuance of multiple individual job orders with a limit of \$1,000,000 per job order and a total contract value not to exceed \$5,000,000 for each contract year.

*4-h. Two Master Job Order Contracts for Utility Construction Services. **(Citywide)**

Job Order Master Contracts for utility construction services include construction improvements of City infrastructure related to gas, electric, storm sewers, water and wastewater.

Staff recommends the selections of Talis Construction Corporation, and B&F Contracting, Inc., for Job Order Master Contracts for utility construction services for a period of one year, with the option to extend the contract for two additional one-year periods, based on successful contractor performance and City concurrence. These two master contracts allow for the issuance of multiple individual job orders with a limit of \$1,000,000 per job order and a total contract value not to exceed \$10,000,000 for each contract year.

*4-i. Two Master Job Order Contracts for Transportation Construction Services. **(Citywide)**

Job Order Master Contracts for transportation construction services include construction improvements of City infrastructure related to streets, roadways, storm sewers and traffic signals.

Staff recommends the selections of Talis Construction Corporation, and J Banicki Construction, Inc., for Job Order Master Contracts for transportation construction services for a period of one year, with the option to extend the contract for two additional one-year periods, based on successful contractor performance and City concurrence. These two master contracts allow for the issuance of multiple individual job orders with a limit of \$1,000,000 per job order and a total contract value not to exceed \$10,000,000 for each contract year.

5. Take action on the following resolutions:

- *5-a. Approving and authorizing the City Manager to enter into an Agreement with the Hickey Family Foundation to accept \$130,000 for overtime, equipment and training for the Police Department to combat domestic minor sex trafficking, and to comply with the requirements set forth in the award notice. **(Citywide)** – Resolution No. 10757
- 5-b. See: **(Items not on the Consent Agenda)**

6. Introduction of the following ordinance and setting April 4, 2016 as the date of the public hearing on this ordinance:

- *6-a. **Z15-044 (District 5)** The 7100 and 7200 blocks of East McDowell Road (north side) Located east of Power Road on the north side of McDowell Road (14.3 acres). Rezone from PEP-PAD-PAD (7.53± acres) and LC-PAD-PAD (6.77± acres) to LC-BIZ-PAD and a Council Use Permit. This request will allow for the development of a transitional senior living facility (independent living, assisted living, memory care). Ralph Pew, Pew and Lake, applicant; JCA Holdings, LLC, owner.

Staff Recommendation: Denial

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

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

- *7-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. – Ordinance No. 5319

Staff Recommendation: Approval with conditions

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

- *7-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.

Continued to the April 18, 2016 City Council meeting.

Staff Recommendation: Approval with conditions

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

8. Take action on the following subdivision plat:

- *8-a. "Sunland Springs Village Unit Nine" (**District 6**) The 11400 through 11500 blocks of East Guadalupe (south side). Located at the southwest corner of Meridian Road and Guadalupe Road. Preliminary Plat. This request will allow for the subdivision of approximately 23 acres. Jeff Giles, Clouse Engineering, Inc., applicant; Craig Ahlstrom, Springs Nine Development, Inc., owner.

Items not on the Consent Agenda

- 5-b. Endorsing the creation of the Duke Manor Irrigation Water Delivery District that is generally bounded by 9th Street on the south, Grand on the east, 9th Place on the north, and Country Club Drive on the west. (**District 1**) – Resolution No. 10758

The formation of an Irrigation Water Delivery District (IWDD) allows residents within the district to make improvements and perform maintenance and operations of their irrigation system. Final designation of the IWDD is determined by the Maricopa County Board of Supervisors.

Utilities Business Development Coordinator Kathy Macdonald reported that last December, the Duke Manor Irrigation Committee sent a letter to Mesa requesting a resolution to create an IWDD. She clarified that this would create a special taxing district where the funds collected are used for the maintenance and operation of the irrigation system in the neighborhood, which is currently handled privately by the residents. She explained that if the Council approves the resolution, then the County would take over the process by requesting petitions and an impact statement from the residents before considering the request.

Dawn Upton, a Mesa resident, stated that she is part of the Steering Committee with the Duke Manor Water Association that is in charge of managing irrigation repairs and collecting volunteer contributions, as well as sending newsletters to communicate with the residents. She reported that 92 properties are currently capable of receiving water but only 32 have made voluntary contributions toward the repair fund. She explained that SRP is responsible for supplying water to the terminal and the homeowners are responsible for the pipelines that deliver the water to their homes. She stated that the current repair fund balance is \$1,700, which is not enough to cover the needed repairs and the association is not eligible for loans. She added that the Committee is trying to plan ahead in order to keep up with the irrigation needed to maintain the mature landscape in the community. She stated that the Committee would like to work with the neighbors in any way they can to get more involvement.

Brian Starr, a Mesa resident, thanked the Council for allowing him to speak. He voiced his concern for creating a taxing district and felt that communicating face to face with the residents would be more effective than sending vague newsletters. He suggested that the Steering Committee could instead begin by educating the residents on water conservation in an effort to ease the burden on the system and prevent the need for expensive repairs.

Councilmember Richins commented that he appreciates the Duke Manor neighborhood for coming together to address the issues of the irrigation model they have and to be forward thinking. He mentioned that many other communities have the same irrigation model and he

foresees that they will also outgrow volunteer contributions and require a special taxing district in the future. He requested that staff arrange a meeting with the community to engage with the residents and assist them in moving forward with their efforts.

It was moved by Councilmember Richins, seconded by Councilmember Thompson, that Resolution No. 10758 be adopted.

Carried unanimously.

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

- 9-a. Public Hearing prior to the release of the petition for signatures for annexation case A16-01, located north of the Loop 202 Red Mountain Freeway between Gilbert Road and Val Vista Drive (82.9± acres). This request has been initiated by the City in order to bring a City-owned parcel into the municipal boundaries of Mesa. **(District 1)**

Mayor Giles announced that this is the time and place for a public hearing regarding the proposed release of the petition for signatures for annexation case A16-01.

There being no citizens present wishing to speak on this issue, the Mayor declared the public hearing closed.

10. Items from citizens present.

There were no items from citizens present.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:09 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 21st 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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