



## COUNCIL MINUTES

May 16, 2016

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on May 16, 2016 at 5:47 p.m.

### COUNCIL PRESENT

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

### COUNCIL ABSENT

None

### OFFICERS PRESENT

Christopher Brady  
Jim Smith  
Dee Ann Mickelsen

(\*Councilmember Finter participated in the entire meeting through the use of telephonic equipment.)

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

Pledge of Allegiance was led by Scott Konecny, Scout Troop #380.

Awards, Recognitions and Announcements.

Councilmember Luna reported that this year, Mesa Public Schools held its fifth annual Science and Engineering Fair at Skyline High School. He stated that nearly 2,000 visitors attended the event, including 68 exhibitors from various schools and community partners. He explained that 366 students, with more than 200 projects, participated in the fair and noted that the students were interviewed by judges from industry, community organizations and educational institutions.

Councilmember Luna remarked that he was pleased to announce that Rex Dyer, an 8<sup>th</sup> grade student at Franklin Junior High School, received the "Best of Fair Student Award." He said that Mr. Dyer's project, which was titled "Photosynthetic Apparati for Carbonous Emissions," focused on the impact of automobile emissions in the environment. He commented that the project received the highest score in the secondary division, which qualified Mr. Dyer to compete at the Arizona Science and Engineering Fair. He added that at that event, Mr. Dyer earned second place in the Environmental Sciences category.

Councilmember Luna, in addition, recognized Jessica Brierton, a teacher at Red Mountain High School, who received the "Best of Fair Teacher Award." He stated that the overall average of her students who participated at the Science and Engineering Fair was higher than any other teacher in Mesa Public Schools. He added that 75% of Ms. Brierton's students who competed at the fair qualified to move on to the state competition.

Mayor Giles and Councilmember Luna presented plaques to Mr. Dyer and Ms. Brierton and congratulated them for their achievements and hard work.

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 March 31, April 4 and 7 and May 2, 2016 Council meetings.

3. Take action on the following liquor license applications:

\*3-a. Oregano's Pizza Bistro

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for OPB Restaurants Inc., 6821 East Superstition Springs Boulevard – Mark Steven Russell, agent. There is no existing license at this location. **(District 6)**

\*3-b. Starbucks Coffee #14378

A restaurant that serves breakfast, lunch and dinner is requesting a new Series 12 Restaurant License for Coffee House Holdings Inc., 344 South Power Road, Suite 101 – Andrea Dahlman Lewkowitz, agent. There is currently no existing license at this location. **(District 2)**

4. Take action on the following contracts:

\*4-a. Purchase of Electronic Document Review Equipment for the Development Information Management Enterprise Solution (DIMES) Project for the Information Technology Department. **(Citywide)**

The Development Services Department is launching a new cloud-based DIMES to replace the existing system, Tidemark. As part of the upgrade, the City will begin providing electronic document review (EDR) for the development community for planning cases and construction plans. EDR will eliminate the vast majority of required physical storage space, document retrieval costs and plan printing costs for the department, as well as costs for developers for printing and delivering plans. Viewing large, detailed plans electronically requires high definition monitors with greater screen space than is currently available.

The Information Technology and Development Services Departments and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract

with Dell Marketing, LP, at \$146,637.62. This purchase is funded by the Development Services Technology Fund.

- \*4-b. Three-Year Term Contract for Large Format Commercial Printing for the Business Services Department. **(Citywide)**

This contract is used to print large format printing projects that Print Services is unable to complete because of a lack of proper equipment or because it is not economically possible to do so. Printed materials include: flatbed printed items, clings, posters/banners and oversized banners.

The evaluation committee recommends awarding the contract to the highest scored proposals from ARC Document Solutions and Perkinson Reprographics Inc., dba PRI Graphics (a Mesa business), cumulatively not to exceed \$96,200 annually, based on estimated requirements.

- \*4-c. One-Year Renewal of the Term Contract for AC Delco and Motorcraft Vehicle Parts for the Fleet Services Department. **(Citywide)**

This contract provides genuine AC Delco (General Motors) and Motorcraft (Ford) parts for the City's fleet. The fleet consists of approximately 320 Ford automobiles, 285 Ford vans and light trucks, 115 General Motors automobiles and 225 General Motors vans and light trucks.

The Fleet Services Department and Purchasing recommend authorizing a one-year renewal with USD, Inc., at \$150,000 annually, based on estimated requirements.

- \*4-d. Purchase of One Replacement Heavy Duty Truck with a Telescopic 55' Pole Setting Derrick and Flatbed Body for the Transportation Department (Single Bid). **(Citywide)**

The new truck will replace two vehicles that have met established replacement criteria and both 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, Altec Industries, Inc., at \$227,339.90. This purchase is funded by Local Street Sales Tax.

- \*4-e. Three-Year Term Contract for Storm Pump Maintenance and Repair for the Transportation Department. **(Citywide)**

This contract will provide the City with the ability to maintain and repair stormwater pumps at various locations throughout the City.

The Transportation Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders, Precision Electric Company (Primary); and Phoenix Pumps, Inc. (Secondary); at \$196,000 annually, based on estimated requirements. This purchase is funded by the Environmental Compliance Fee.

- \*4-f. Purchase of Infrastructure Equipment to Support Closed-Circuit Television (CCTV) Cameras for the Police Department. **(Citywide)**

The Police Department, Information Technology Division, is requesting the purchase of infrastructure items in support of the CCTV upgrade project. Items needed include switching equipment to connect the cameras to the network, dedicated servers to process the video streams, and storage to retain video recordings. The current video recording solution is analog and fragmented between multiple manufacturers. A conversion to an enterprise video management system will resolve the current inconsistencies and offer centralized management of video recordings.

The Police and Information Technology Departments and Purchasing recommend authorizing the purchase using the City of Tucson cooperative contract with CDW-G, at \$53,863.88. This purchase is funded by the 2015 Edward Byrne Memorial Justice Assistance Grant.

\*4-g. Replacement Purchase of Cisco Network Equipment for the Police Department. **(Citywide)**

Replacement of the Mesa Police Department's existing firewalls is necessary to better guard against modern-day threats and take advantage of next-generation security services for malware and intrusion detection. The proposed replacement equipment will allow the Police Department to secure its network and ensure the integrity of law enforcement data.

The Police and Information Technology Departments and Purchasing recommend authorizing the purchase using the State of Arizona contract with Insight Public Sector, at \$129,114.66.

\*4-h. Northwest Water Reclamation Plant – Variable Frequency Drives Replacements and Fiber Loop Project. **(District 1)**

The Northwest Water Reclamation Plant (NWWRP) currently treats an average of nine million gallons of wastewater per day. The plant is equipped with 30 existing Variable Frequency Drives (VFD). The VFDs are beyond their useful life and replacing them with newer technology will increase reliability and reduce operating costs. A fiber optic communications loop will also be installed, thereby enhancing security and increasing reliability.

Staff recommends awarding the project contract to Hunter Contracting, at \$2,169,260.35, based on a Guaranteed Maximum Price of \$1,972,054.86, plus an additional \$197,205.49 (10%) as a change order allowance. This allowance will only be utilized for City-approved change orders. Funding is available from the 2010 authorized Wastewater Bond.

\*4-i. Rio Salado Pathway – SR101L to Dobson Road. **(District 1)**

The City received a federal Congestion Mitigation and Air Quality (CMAQ) grant and a Transportation Alternative (TA) grant to construct a shared-use pathway along the Salt River Bank southern levee that will provide a regional connection to networks in the City of Mesa, City of Tempe and City of Phoenix.

Staff recommends awarding the project contract to the lowest, responsible bidder, J. Banicki Construction, Inc., in the amount of \$3,116,308.50, and authorize a change order allowance in the amount of \$311,630 (10%). The project funding is comprised of a

\$1,599,999 grant from the Federal Highway Administration CMAQ, a \$1,585,674 grant from the Federal Highway Administration TA, and \$242,265.50 from the 2012 authorized Parks and Recreation Bond and the City of Mesa Transportation Local Street Sales Tax, for a total amount of \$3,427,938.50.

5. Take action on the following resolutions:

- \*5-a. Approving and adopting the updated City of Mesa Emergency Operations Plan (EOP) and, consistent with the Federal Emergency Management Agency recommendations, authorizing City departments to make non-material modifications to the Plan. **(Citywide)** – Resolution No. 10788.

The EOP establishes policies and procedures that enable the City of Mesa to mitigate loss of life, minimize injuries, protect property, preserve a functioning administration, and maintain activities essential to the survival and recovery from natural and man-made hazards. In addition, it establishes the guidelines for conducting efficient, effective, and coordinated emergency management operations involving all resources available to the City of Mesa.

- \*5-b. Approving and authorizing the City Manager to enter into a Public Highway At-Grade Crossing Improvement Agreement with the Union Pacific Railroad (UPRR) for railroad safety improvements at Alma School Road. **(Districts 3 and 4)** – Resolution No. 10789.

This Agreement authorizes Mesa to use and maintain UPRR property to install sidewalk and modify the existing medians at the Alma School Road Crossing. These improvements and associated costs were approved by the Council in November 2015 through an Intergovernmental Agreement with the Arizona Department of Transportation.

- \*5-c. Modifying fees and charges for the Arts and Culture Department. **(Citywide)** – Resolution No. 10790.

- \*5-d. Modifying fees and charges for the Business Services Department. **(Citywide)** – Resolution No. 10791.

- \*5-e. Modifying fees and charges for the Development Services Department. **(Citywide)** – Resolution No. 10792.

- \*5-f. Modifying fees and charges for the Transportation Department. **(Citywide)** – Resolution No. 10793.

- \*5-g. Modifying fees and charges for the Municipal Court, Transcript Fee. **(Citywide)** – Resolution No. 10794.

- \*5-h. Approving the FY 2016/2017 Annual Action Plan for submittal to the U.S. Department of Housing and Urban Development (HUD) and authorizing the City Manager to amend, sign and submit the Annual Action Plan for FY 2016/2017. **(Citywide)** – Resolution No. 10795.

- \*5-i. Approving and authorizing the City Manager to prepare, sign and submit applications to the U.S. Department of Housing and Urban Development to receive FY 2016/2017 entitlement funds under the Housing and Community Development Act of 1974 (CDBG),

as amended, for City department activities approved by the City Council. **(Citywide)** – Resolution No. 10796.

- \*5-j. Approving and authorizing the City Manager to prepare, sign and submit applications to the U.S. Department of Housing and Urban Development to receive FY 2016/2017 entitlement funds under the Housing and Community Development Act of 1974 (CDBG), as amended, for non-profit organization activities approved by the City Council. **(Citywide)** – Resolution No. 10797.
- \*5-k. Approving and authorizing the City Manager to prepare, sign and submit applications to the U.S. Department of Housing and Urban Development to receive FY 2016/2017 entitlement funds under the Housing and Community Development Act of 1974 (CDBG), as amended, to fund for-profit organization activities approved by the City Council. **(Citywide)** – Resolution No. 10798.
- \*5-l. Approving and authorizing the City Manager to prepare, sign and submit applications to the U.S. Department of Housing and Urban Development to receive FY 2016/2017 entitlement funds under the Steward B. McKinney Homeless Assistance Act of 1987 (ESG), as amended, for activities approved by the City Council. **(Citywide)** – Resolution No. 10799.
- \*5-m. Approving and authorizing the City Manager to prepare, sign and submit applications to the U.S. Department of Housing and Urban Development to receive FY 2016/2017 entitlement funds under the HOME Investment Partnerships program (HOME), as amended, for City department activities approved by the City Council. **(Citywide)** – Resolution No. 10800.
- \*5-n. Approving and authorizing the City Manager to prepare, sign and submit applications to the U.S. Department of Housing and Urban Development to receive FY 2016/2017 entitlement funds under the HOME Investment Partnerships program (HOME), as amended, for non-profit organization activities approved by the City Council. **(Citywide)** – Resolution No. 10801.
- \*5-o. Approving and authorizing the City Manager to prepare, sign and submit applications to the U.S. Department of Housing and Urban Development to receive FY 2016/2017 entitlement funds under the HOME Investment Partnerships program (HOME), as amended, to fund for-profit organization activities approved by the City Council. **(Citywide)** – Resolution No. 10802.
- \*5-p. Approving and authorizing the City Manager to disburse FY 2016/2017 Human Services funds for activities by non-profits approved by the City Council and to enter into agreements for the disbursement of Human Services funds. **(Citywide)** – Resolution No. 10803.

6. Take action on the following resolution declaring proposed amendments to Title 8, Chapter 1 of the Mesa City Code to be a public record, and introduction of the following ordinance adopting such amendments and setting June 6, 2016 as the date of the public hearing on this ordinance:

- \*6-a. A resolution declaring proposed amendments to Title 8, Chapter 1 pertaining to Back Flow Protection to be a public record. **(Citywide)** – Resolution No. 10804.

- \*6-b. An ordinance amending the provisions of Title 8, Chapter 1 of the Mesa City Code pertaining to Back Flow Protection, for the purpose of enhancing compliance and the protection of the public water supply. **(Citywide)**

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

- \*7-a. **Z16-020 (District 2)** 1700 block of South Recker Road. Located north of Baseline Road on the east side of Recker Road (3.1± acres). Rezone from AG to RS-43-BIZ; and Site Plan Review. This request will allow development of a single-residential lot. Allen Willis, applicant; Marcus Ridgway, owner.

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 ordinances:

- \*8-a. Amending Section 9-6-5 of the Mesa City Code increasing sidewalk width requirements to five-feet wide in the Desert Upland Development Standards to be consistent with the required sidewalk widths on local residential streets in the City. **(Citywide)** – Ordinance No. 5326.
- \*8-b. Amending Section 1-12-3 of the Mesa City Code pertaining to the application of the existing Court Sustainability Fee. **(Citywide)** – Ordinance No. 5327.
- \*8-c. **A16-01 (District 1)** Annexation of property 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. – Ordinance No. 5328.

9. Take action on the following subdivision plat:

- \*9-a. “Eastmark Development Unit 3/4 Parcels 3/4-1 Through 3/4-3” **(District 6)** The 9700 through 10000 blocks of East Ray Road (north side), located east of Ellsworth Road and north of Ray Road. 251 PC District – residential lots (51.4± acres). DMB Mesa Proving Grounds, LLC, owner; Daniel Hemken, P.E. Hoskin Ryan Consultants, INC., engineer.

**Items not on the Consent Agenda**

10. Conduct a public hearing and take action on the following resolution relating to the annual assessments for the Mesa Town Center Improvement District No. 228:

- 10-a. Conduct a public hearing.

Mayor Giles announced that this was the time and place to conduct a public hearing relating to the annual assessments for the Mesa Town Center Improvement District No. 228.

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

- 10-b. A resolution approving the 2016 District Assessments for the Mesa Town Center Improvement District No. 228. For fiscal year 2016/17, the Town Center Improvement District will be assessing 546 parcels at a 3% increase, for a total of \$287,262.47. **(District 4)** – Resolution No. 10805.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Glover, that Resolution No. 10805 be adopted.

Carried unanimously.

11. Conduct a public hearing and take action on the following ordinances adopting modified City-owned utility terms/rates/fees/charges.

- 11-a. Conduct a public hearing on modifications to terms/rates/fees/charges of City-owned utilities: items 11-b through 11-h.

Mayor Giles announced that this was the time and place to conduct a public hearing on modifications to terms/rates/fees/charges of City-owned utilities: items 11-b through 11-h.

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

- 11-b. An ordinance modifying terms/rates/fees/charges for electric utility services. **(Districts 1 and 4)** – Ordinance No. 5329.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Thompson, that Ordinance Nos. 5329, 5330, 5331, 5332, 5333, 5334 and 5335 be adopted.

Carried unanimously.

- 11-c. An ordinance modifying terms/rates/fees/charges for natural gas utility services. **(Citywide)** – Ordinance No. 5330.

(See Council action under item 11-b)

- 11-d. An ordinance modifying terms/rates/fees/charges for water utility services. **(Citywide)** – Ordinance No. 5331.

(See Council action under item 11-b)

- 11-e. An ordinance modifying terms/rates/fees/charges for wastewater utility services. **(Citywide)** – Ordinance No. 5332.

(See Council action under item 11-b)

- 11-f. An ordinance modifying terms/rates/fees/charges for solid waste utility services. **(Citywide)** – Ordinance No. 5333.

(See Council action under item 11-b)

- 11-g. An ordinance modifying terms for district cooling utility service. Format and text amendment only. **(District 4)** – Ordinance No. 5334.

(See Council action under item 11-b)

- 11-h. An ordinance modifying terms/rates/fees/charges for utility service fees. **(Citywide)** – Ordinance No. 5335.

(See Council action under item 11-b)

12. Conduct a public hearing and take action on the proposed Five-Year Capital Improvement Program for fiscal years ending 2017-2021.

- 12-a. Conduct a public hearing.

Mayor Giles announced that this was the time and place to conduct a public hearing on the proposed Five-Year Capital Improvement Program for fiscal years ending 2017-2021.

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

- 12-b. A resolution approving a Five-Year Capital Improvement Program for fiscal years ending 2017-2021. **(Citywide)** – Resolution No. 10806.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Glover, that Resolution No. 10806 be adopted.

Carried unanimously.

13. Items from citizens present.

There were no items from citizens present.

14. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:06 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 16<sup>th</sup> day of May, 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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