OFFICE OF THE CITY CLERK

COUNCIL MINUTES

September 14, 2015

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on September 14, 2015 at 5:45 p.m.

COUNCIL PRESENT	COUNCIL ABSENT	OFFICERS PRESENT
John Giles	Christopher Glover	Christopher Brady
Alex Finter		Jim Smith
Dennis Kavanaugh		Dee Ann Mickelsen
David Luna		
Dave Richins		
Kevin Thompson		

Mayor Giles excused Councilmember Glover from the entire meeting.

Mayor's Welcome.

Invocation by Scout Troop Leader Scott Jackson.

Pledge of Allegiance was led by Cooper Arnett, Scout Troop No. 954.

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 that at the prior Study Session, the Council continued item 4-c to the September 28, 2015 Council meeting.

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

Mayor Giles declared the motion carried unanimously by those present.

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

Minutes from the August 24 and 31, 2015 Council meetings.

3. Take action on the following liquor license applications:

*3-a. Chances for Children of Arizona

This is a one-day charitable event to be held on Thursday, October 1, 2015 from 7:00 p.m. to 11:00 p.m., at 901-979 North Riverview Drive. **(District 1)**

*3-b. Downtown Mesa Association

This is a two-day charitable event to be held on Saturday, November 14, 2015 from 12:00 p.m. to 12:00 a.m.; and Sunday, November 15, 2015 from 12:00 p.m. to 7:00 p.m. on Pepper Street, between Center and Robson and Macdonald, between 1st Street and 1st Avenue. **(District 4)**

*3-c. Ultimate Imaginations

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

*3-d. Ultimate Imaginations

This is a one-day charitable event to be held on Friday, February 5, 2016 from 6:00 p.m. to 10:00 p.m. on Main Street, between Center Street and Robson and Macdonald, between Main Street and Pepper Place. **(District 4)**

*3-e. Ultimate Imaginations

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

*3-f. The Grid: Games & Growlers

A bar with an arcade is requesting a new Series 7 Beer and Wine Bar License, 525 South Gilbert Road, Suite A 7-9 – Matthew Marshall Robbins, agent. There is no existing license at this location. **(District 4)**

*3-g. El Super #53

A grocery store is requesting a new Series 9 Liquor License, 1245 East Southern Avenue – Randy D. Nations, agent. There is no existing license at this location. **(District 4)**

*3-h. Bita Market

A convenience store is requesting a new Series 10 Beer and Wine Store License for Bita LLC, 1706 North Country Club Drive – Araceli Segura Gonzalez, agent. The existing license held by Mesa Market LLC will revert back to the state. **(District 1)**

*3-i. Flips Burgers and Brews

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Flips Burgers and Brews LLC, 805 North Dobson Road, Suite 101 – Elva P. Graham, agent. There is currently no existing license at this location. **(District 1)**

*3-j. Pita Island

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Sorani Enterprise LLC, 1042 North Higley Road Suite 103 – Jan Sorani, agent. There is no existing license at this location. **(District 2)**

*3-k. Rudy's Mexican Grill

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Rudy's Burritos Inc., 8257 East Guadalupe Road, Suite 114 – Ruri Delgado Morin, agent. There is no existing license at this location. **(District 6)**

4. Take action on the following contracts:

*4-a. Three-Year Term Contract for Rigging and Over-Hire Stage Hand Services for the Mesa Arts Center. **(Citywide)**

This contract will provide rigging services for the Mesa Arts Center. The vendor will be responsible for fly-rail operations, weight loading operations, high rigging and low rigging. These services are required to perform certain aspects of theater operations.

The evaluation committee recommends awarding the contract to the qualified proposal from Rhino Arizona, LLC, at $500,000 annually, based on estimated requirements.

*4-b. Term Contract for Electrical Products for various City Departments as requested by the Business Services Department. **(Citywide)**

This contract will provide tools, test equipment, safety and maintenance, repair and operations products in support of electrical, lighting, data/communications, networking and security for multiple City Departments, including Transportation, Communications, Facilities Maintenance, Information Technology, Fire and Medical, Parks, Recreation and Commercial Facilities, and the Materials and Supply Warehouse.

The Business Services Department and Purchasing recommend authorizing a contract using the County of Los Angeles cooperative contract with Graybar, at $75,000 for the 6-month term, based on estimated requirements.

*4-c. Three-Year Term Contract for the Fabrication and Installation of Park Signs for the Parks, Recreation and Commercial Facilities Department (PRCF). **(Citywide)**

PRCF uses park identification signs, basin identification signs, rules signs, and other signs throughout the City's Parks system for park identification and to inform and assist patrons in the proper use of park facilities.

The Parks, Recreation and Commercial Facilities Department and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidder, Sierra Signs & Service, Inc. (a Mesa business), at $467,000 annually, based on estimated requirements. **– Continued to the September 28, 2015 Council meeting.**

*4-d. Three-Year Term Contract for Audio-Visual Services for the Mesa Convention Center as requested by the Parks, Recreation and Commercial Facilities Department. **(Citywide)**

This contract will provide audio-visual services and internet services to Mesa Convention Center clients. The agreement is non-exclusive, in that clients are permitted to bring their own equipment, but it is intended to assist all clients who require audio-visual services or rental equipment and provides consultation service and rental equipment through pre-agreed fees.

The evaluation committee recommends awarding the contract to the highest scored proposal from JLG Enterprises, Inc., dba Premier Audio Visual (a Mesa business), at $160,000 annually, based on estimated requirements.

*4-e. Three-Year Term Contract for Landscape Maintenance Services for Parkway Medians and Right-of-Way – Section II for the Transportation Department. **(Districts 2, 3 and 4)**

This contract will provide landscape maintenance services for the geographic area referred to by the City's Transportation Department as Section II. Work tasks include, but are not limited to: cleaning, irrigation, sprinkler system maintenance, trimming, mowing, weed control, fertilization. The awarded Contractor will furnish all supervision, labor, and equipment to perform the required landscape maintenance services.

The evaluation committee recommends awarding the contract to the highest scored proposal from Artistic Land Management, Inc., at $407,753 annually, based on estimated requirements.

*4-f. Term Contract for Heavy Duty Truck Parts and Repair Services for Fleet Services Department. **(Citywide)**

This contract will provide a full line of replacement parts, accessories and service for the City's heavy duty trucks, construction and industrial fleet and equipment parts.

The Fleet Services Department and Purchasing recommend authorizing a contract using the Maricopa County cooperative agreement with Empire Southwest, LLC (a Mesa business); Drake Equipment; Kenz & Leslie of Arizona; Lubrication Equipment and Supply Company; Norwood Equipment, Inc.; PTO Sales; and RDO Equipment, not to cumulatively exceed $150,000, based on estimated requirements.

*4-g. Three-Year Term Contract for Original Equipment Manufacturer (OEM) Heavy Duty Truck Repair Services for Peterbilt Trucks (Sole Source). **(Citywide)**

This contract will provide maintenance and repairs on the City's fleet of approximately 63 Peterbilt trucks. There are repairs that require specialized service, tools and training

from an OEM authorized Peterbilt dealer and provides original manufacturer repair parts, a national warranty honored by all Peterbilt dealers and factory assistance reimbursement. Rush Truck is the only Peterbilt dealer in Arizona.

The Fleet Services Department and Purchasing recommend authorizing a three-year contract using the sole source vendor, Rush Truck Centers of Arizona, at $60,000 annually, based on estimated requirements.

*4-h. Three-Year Term Contract for Waste Pumping and Hydro-Jetting Services for the Facilities Maintenance Department. **(Citywide)**

This contract will provide waste pumping and hydro-jetting services on a scheduled or as-needed basis for City facilities. Services include removal, cleaning, and disposal of liquid and solid waste from traps, sand and oil interceptors, flow-through tanks, cesspools, septic tanks, and lift stations, as specified.

The evaluation committee recommends awarding the contract to the highest scored and lowest priced proposal from G bar M Corporation, dba Overley's at $35,000 annually, based on estimated requirements.

*4-i. Purchase of One Replacement All-Wheel Drive Backhoe for the Energy Resources Department. **(Citywide)**

This purchase will provide one replacement rubber-tired all-wheel drive backhoe to support Energy Resources – Electric Utility operations. The vehicle being replaced has met established criteria and will be retired and sold at auction.

The Fleet Services and Energy Resources Departments, and Purchasing recommend authorizing the purchase from the contract with Empire Southwest, LLC (a Mesa business), at $154,288.92. This purchase is funded by the Utility Replacement Extension and Renewal Fund.

*4-j. Two-Year Term Contract for Water/Wastewater Laboratory Services for the Water Resources Department. **(Citywide)**

The Water Resources Department utilizes various outside laboratories to test water and wastewater samples for compliance with federal, state and local regulations. Mesa and six other agencies participated with Tempe as the lead in the RFP solicitation process.

The Water Resources Department and Purchasing recommend authorizing a two-year contract using the City of Tempe cooperative contract with Accutest Laboratories, Northern California, Inc.; Aquatic Consulting and Testing, Inc.; Eurofins Eaton Analytical, Inc.; Legend Technical Services of Arizona, Inc.; TestAmerica Laboratories, Inc.; and Trans West Analytical Services; cumulatively not to exceed $150,000 annually, based on estimated requirements.

*4-k. Three-Year Term Contract for Hersey-Brand Water Meters Maintenance for the Water Resources Department (Sole Source). **(Citywide)**

This City has over 200 Hersey-brand water meters throughout Mesa that have been in service between 30 and 40 years. Water Resources has targeted these meters for replacement during the vault rehabilitation projects, requiring several years to complete.

This contract will provide regular maintenance and parts to keep the existing meters operational until they are replaced.

The Water Resources Department and Purchasing recommend awarding the contract to the sole source vendor, Mueller Systems at $30,000 annually, based on estimated requirements.

*4-l. Guerrero Rotary Park Playground Rehabilitation Project. **(District 4)**

This rehabilitation will include new fabric shade structures installed over two areas of existing playground components, accessible ramps leading into the play areas and LED light fixtures added under the shade structures. Adding shade over the playground will increase opportunities for children to play while promoting opportunities for outdoor exercise and social interaction, the LED lights will facilitate use of the playground areas after sunset.

Staff recommends that Council award a contract to ELS Construction Inc., in the amount of $224,631.90, and authorize a contingency for change orders in the amount of $22,463.19 (change order allowance).

5. Take action on the following resolutions:

*5-a. Approving and authorizing the City Manager to enter into an Award Agreement with the State of Arizona, Office of the Attorney General, for the Fiscal Year 2016 Victim's Rights Program to accept $66,195 for salaries of two Victim Notification Clerks at the Police Department's Mesa Family Advocacy Center. **(Citywide)** – Resolution No. 10673.

*5-b. Approving and authorizing the City Manager to enter into an Agreement with the U.S. Department of Justice, Drug Enforcement Administration (DEA), to assign Mesa Police Officers to the Phoenix DEA Task Force in exchange for $35,096 in overtime funding. **(Citywide)** – Resolution No. 10674.

*5-c. Approving and authorizing the City Manager to enter into Task Force Agreements with the Organized Crime Drug Enforcement Task Force with a cumulative amount up to and including $70,000 during Federal Fiscal Year October 1, 2015 to September 30, 2016 for overtime for Mesa Police Department personnel. **(Citywide)** – Resolution No. 10675.

*5-d. Approving and authorizing the submittal of a Transportation Enhancement Grant application with the Arizona Department of Transportation for the construction of the South Canal McDowell to L202/Val Vista Drive Shared Use Pathway, and authorizing the City Manager to execute such documents as may be necessary to accept the grant, if awarded. The City's share will be 5.7% of the awarded funds. **(District 1)** – Resolution No. 10676.

*5-e. Approving and authorizing the submittal of a Transportation Enhancement Grant application with the Arizona Department of Transportation for the construction of the Mesa Gateway Phase 3 Shared Use Pathway along the L202 Santan Freeway corridor from Power to Hawes Roads, and authorizing the City Manager to execute such documents as may be necessary to accept the grant, if awarded. The City's share will be 5.7% of the awarded funds. **(District 6)** – Resolution No. 10677.

*5-f. Approving and authorizing the submittal of a Transportation Enhancement Grant application with the Arizona Department of Transportation for the construction of the Mesa Gateway Phase 2 Shared Use Pathway along the L202 Santan Freeway corridor from Elliott to Hawes Roads, and authorizing the City Manager to execute such documents as may be necessary to accept the grant, if awarded. The City's share will be 5.7% of the awarded funds. **(District 6)** – Resolution No. 10678.

*5-g. Approving and authorizing the submittal of a grant application with the Arizona Department of Transportation for the purchase of a PM-10 certified street sweeper for FY 2016, and authorizing the City Manager to execute such documents as may be necessary to accept the grant if awarded. The grant would allow the Transportation Department to purchase a new PM-10 certified sweeper specifically suited for sweeping pedestrian and bicycle paths and other areas with limited width. The City's share will be 5.7% of the awarded funds. **(Citywide)** – Resolution No. 10679.

*5-h. Approving and authorizing the submittal of a grant application with the Arizona Department of Transportation for the upgrade of traffic signal cabinets and controllers, and authorizing the City Manager to execute such documents as may be necessary to accept the grant, if awarded. The grant would allow the Transportation Department to upgrade old ITS equipment. The City's share will be 5.7% of the awarded funds. **(Citywide)** – Resolution No. 10680.

6. Introduction of the following ordinances and setting September 28, 2015 as the date of the public hearing on these ordinances:

*6-a. **Z15-025 (District 2)** The 1600 through 1900 blocks of South Val Vista Drive (west side) located north of Baseline Road on the west side of Val Vista Drive (66± acres). Site Plan Modification and Rezoning from LC-BIZ-PAD to LC-BIZ-PAD and Council Use Permit. This request will allow the addition of residential, retail, office, hotel and theater buildings to the existing commercial center as part of a mixed-use development. George Melara, Nelsen Partners, applicant; Whitestone Reit, owner.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 5-0, Boardmembers Hudson and Dahlke, absent)

*6-b. Amending the Mesa Zoning Ordinance; Title 11, Chapter 7, Section 2 regarding permitted land uses to allow banquet and conference centers in industrial and employment districts. **(Citywide)**

Staff Recommendation: Approval as written

P&Z Board Recommendation: Approval as written (Vote: 5-0, Boardmembers Hudson and Dahlke, absent)

7. Take action on the following subdivision plats:

*7-a. "Eastmark Parkway" **(District 6)** The 5600-5700 block of South Eastmark Parkway (both sides) located north and west of the northwest corner of South Signal Butte and East Williams Field Roads. 3 PCD landscape tracts (7.20± ac.). AVH EM, LLC, owner; Joe Kraft, EPS Group, Inc., surveyor.

Items not on the Consent Agenda

8. Items from citizens present.

There were no items from citizens present.

9. Adjournment.

Without objection, the Regular Council Meeting adjourned at 5:55 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 September, 2015. 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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