



## COUNCIL MINUTES

April 16, 2018

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on April 16, 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 Randy Wolf, with Hillsong Phoenix.

Pledge of Allegiance was led by Aaron Obert, Scout Troop #301

Awards, Recognitions and Announcements.

Mayor Giles presented a proclamation for the Fair Housing Month to Community Revitalization Coordinator Dennis Newburn and Neighborhood Outreach Coordinator Andrea Alicoate.

Mayor Giles presented a proclamation for Arbor Day to Energy/Water Conservation Coordinator Donna DiFrancesco and the sixth-grade students from Superstition Springs Elementary read the proclamation.

### 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 Luna, seconded by Councilmember Freeman, that the consent agenda items be approved.

Carried unanimously.

\*2. Approval of minutes from previous meeting as written.

Minutes from the April 2, 2018 Council meeting.

3. Take action on the following liquor license applications:

\*3-a. Luke-Greenway Post No. 1 – The American Legion

This is a one-day event to be held on Friday, April 20, 2018 from 3:00 P.M. to 10:30 P.M., at Riverview Park, 2100 West Rio Salado Parkway. **(District 1)**

\*3-b. JDRF International

This is a one-day event to be held on Saturday, April 28, 2018 from 6:00 P.M. to 12:00 A.M., at Sloan Park, 2330 West Rio Salado Parkway. **(District 1)**

\*3-c. Mavyn

This is a one-day event to be held on Saturday, May 5, 2018 from 3:00 P.M. to 2:00 A.M. on Sunday, May 6, 2018, at Mind's Eye Studio, 43 West 6th Avenue. **(District 4)**

\*3-d. Sunnyside Breakfast Lounge

A restaurant that serves breakfast and lunch is requesting a new Series 12 Restaurant License for K Bar M Restaurants LLC, 2823 North Power Road, Suite 101 - Richard Kyle Weltsch, agent. The existing license held by Garfio Enterprises LLC will revert to the State. **(District 5)**

4. Take action on the following contracts:

\*4-a. One-Year Renewal to the Term Contract for Tire Maintenance and Repair Services for the Fleet Services Department **(Citywide)**

This contract provides tire maintenance and repair services for the City's fleet of wheeled equipment. Work includes providing all labor, equipment, tools, service trucks and services required for inspection, scheduled maintenance and repairs of all wheeled equipment including monitoring and maintaining tire pressure; checking tire tread depth; rotating, inspecting and repairing tires; installing new tires; submitting reports; and providing emergency road calls.

The Fleet Services Department and Purchasing recommend authorizing the renewal contract with Jack's Tire & Oil Management Company, Inc., at \$400,000, based on estimated usage.

\*4-b. One-Year Renewal to the Term Contract for Commercial Printing for the Business Services Department **(Citywide)**

Business Services - Print Services provides essential and cost-effective printing services to all City Departments to support their programs. Print Services will use this contract for the print projects that they do not have the proper equipment for, or it is not economically possible.

The Business Services Department and Purchasing recommend authorizing the renewal contract with Di-Mor Business Forms, Inc., at \$40,300, based on estimated usage.

- \*4-c. One-Year Renewal to the Term Contract for Original Equipment Manufacturer Heavy-Duty Equipment Repair Services for the Fleet Services Department **(Citywide)**

This contract provides pre-qualified repair firms to provide non-exclusive equipment repair service for the City's fleet of approximately 200 heavy-duty trucks on an as-needed-basis. The vendors furnish all labor, tools, materials, garage facility and insurance to perform body and related mechanical repair work for the City's fleet of heavy-duty vehicles as directed by the City.

The Fleet Services Department and Purchasing recommend authorizing the renewal contract with Empire Southwest LLC (a Mesa business); Balar Holding Corp., dba Balar Equipment Corp.; and Short Equipment (formerly Wayne Industrial Holdings LLC, dba OEM Parts and Service); for \$160,000, based on estimated usage.

- \*4-d. Dollar-Limit Increase to the Term Contract for Fire Protection Equipment Maintenance and Repair Services for Citywide Locations as requested by the Parks, Recreation and Community Facilities Department **(Citywide)**

This increase is needed to provide additional repairs to fire suppression equipment to minimize fire code violations and for the installation of radio dialers at various City facilities to improve quarterly monitoring.

The Parks, Recreation and Community Facilities Department and Purchasing recommend increasing the dollar-limit with Metro Fire Equipment, Inc., by \$75,000, from \$151,680 to \$226,680 annually, based on estimated usage.

- \*4-e. One-Year Renewal to the Term Contract for Storm Drain Grates and Manhole Covers for the Transportation Department **(Citywide)**

This contract provides storm drain grates and manhole covers to be used by the Transportation Department. These grates and covers are used to replace damaged or missing pieces throughout the City.

The Transportation Department and Purchasing recommend authorizing the renewal contract with Gate Solutions Company, Inc.; and Neenah Foundry Company; cumulatively not to exceed \$116,700, based on estimated usage.

- \*4-f. Northwest Water Reclamation Plant Miscellaneous Improvements, Construction Manager at Risk-Guaranteed Maximum Price (GMP) **(District 1)**

The Northwest Water Reclamation Plant was constructed in 1990 and was expanded in 2000. As a result, some of the process equipment and associated piping, valves, and controls need to be replaced or upgraded, as they have reached the end of their useful life. In addition, one of the existing buildings is being re-purposed as a maintenance building, and new storage space is being provided.

Staff recommends awarding this GMP project to Hunter Contracting in the amount of \$2,888,594.67 and authorize a change order allowance in the amount of \$288,859.47, for a total amount of \$3,177,454.14. This project is funded by 2010 authorized Wastewater bonds.

\*4-g. Fleet West Roof Repair (310 East 6th Street) **(District 4)**

The project scope is to remove the mechanical units from the northeast portion of the roof and remove the current waterproofing and insulation, exposing the metal deck. Once the deck is exposed, City staff will inspect and determine the limits of the metal deck that will need to be replaced. The identified areas will be removed and replaced and the entire roof will be insulated and waterproofed. New mechanical units with drain lines will then be installed.

Staff recommends awarding the contract for this project to the lowest, responsible bidder, Paul R. Peterson Construction, in the amount of \$144,595.90, and authorize a change order allowance in the amount of \$14,460, for a total amount of \$159,055.90.

\*4-h. Elliot Road Tech Corridor Project - Ellsworth Road to Signal Butte Road **(District 6)**

The objective of the project is to transform Elliot Road into a "Technology Corridor" to serve as an economic development catalyst for the area. The project includes street widening, storm water harvesting areas, new street lights, landscaping, new traffic signal, underground traffic signal infrastructure for a future signal at 96th Street and other esthetic additions.

Staff recommends awarding the contract for this project to the lowest, responsible bidder, Nesbitt Contracting Company, Inc., in the amount of \$9,578,841.55, and authorize a change order allowance in the amount of \$957,884.16, for a total amount \$10,536,725.71. This project is funded by 2013 authorized Street Bonds and Transportation Funds.

5. Take action on the following resolutions:

\*5-a. Setting May 21, 2018 as the public hearing date to review the proposed FY 2018/19 annual assessments for the Mesa Town Center Improvement District No. 228. The proposed final assessments do not include any rate increases. **(District 4)** - Resolution No. 11108

\*5-b. Authorizing and supporting the submittal of a grant application by Boy Scouts of America, Grand Canyon Council, to the Fort McDowell Yavapai Nation in the amount of \$20,000, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)** - Resolution No. 11109

\*5-c. Authorizing and supporting the submittal of a grant application by Child Crisis Arizona to the Fort McDowell Yavapai Nation in the amount of \$10,000, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)** - Resolution No. 11110

- \*5-d. Authorizing and supporting the submittal of a grant application by East Valley Adult Resources to the Fort McDowell Yavapai Nation in the amount of \$15,000, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)** - Resolution No. 11111
- \*5-e. Authorizing and supporting the submittal of a grant application by Furnishing Dignity to the Fort McDowell Yavapai Nation in the amount of \$14,826.24, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)** - Resolution No. 11112
- \*5-f. Authorizing and supporting the submittal of a grant application by Gene Lewis Boxing Club to the Fort McDowell Yavapai Nation in the amount of \$7,500, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)** - Resolution No. 11113
- \*5-g. Authorizing and supporting the submittal of a grant application by Mesa Arts Center to the Fort McDowell Yavapai Nation in the amount of \$15,000 for Summer Arts & Culture for Kids and Youth Classes, and authorizing the City Manager to accept and administer subsequent awarded funds. **(Citywide)** - Resolution No. 11114
- \*5-h. Authorizing and supporting the submittal of a grant application by Project 25 World to the Fort McDowell Yavapai Nation in the amount of \$15,000, and authorizing the City Manager to accept and administer subsequent awarded funds as a pass-through grant. **(Citywide)** - Resolution No. 11115
- \*5-i. Approving and authorizing the City Manager to enter into a National Criminal History Improvement Program Grant Agreement with the Arizona Criminal Justice Commission to accept \$281,516 in grant funds, with a required City match of \$31,280. The funds will be used by the Police Department's Records Division for the conversion of microfilm and reels into digital format. **(Citywide)** - Resolution No. 11116
- \*5-j. Approving and authorizing the City Manager to enter into a Development Agreement for City Share Reimbursement with DMB Mesa Proving Grounds, LLC, for the reimbursement of \$181,983.40 for regional traffic signal improvements that are being required by the City in conjunction with a proposed residential development known as Eastmark - Ray Road and Signal Butte Road, located at 10813 East Ray Road. **(District 6)** - Resolution No. 11117
- \*5-k. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Town of Queen Creek concerning the relocation, construction, and placement of a City gas line in Combs, Rittenhouse, and Gary Roads. **(Town of Queen Creek)** - Resolution No. 11118

The new gas line will allow Mesa to serve new developments that are planned on the northwest, southwest and southeast corners of the newly-aligned intersections of Rittenhouse and Combs Roads by being located within the new roadway alignment. It will also add capacity and reliability to the existing infrastructure. The Agreement provides that the City will pay Queen Creek for the construction and administrative costs of the gas line replacement, estimated at \$461,700. Funding is available from the 2014 Gas Bond Program.

- \*5-l. Authorizing the issuance and sale of General Obligation bonds of the City of Mesa. **(Citywide)** - Resolution No. 11119
- \*5-m. Authorizing the issuance and sale of utility systems revenue bonds of the City of Mesa. **(Citywide)** - Resolution No. 11120
- \*5-n. Authorizing the defeasance and redemption of a portion of the City's outstanding Utility Systems Revenue Bonds, Series 2006 and 2008; and Utility Systems Revenue Refunding Bonds, Series 2014. **(Citywide)** - Resolution No. 11121

6. Introduction of the following ordinances and setting May 7, 2018 as the date of the public hearing on these ordinances:

- \*6-a. Amending Sections 10-4-5 and 10-4-6 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)**
- \*6-b. Amending Sections 10-4-3 and 10-4-5 of the Mesa City Code to modify the boundaries of the current 45 mph speed limit on Crismon Road from the north City limits to Elliot Road, and to establish a speed limit of 35 mph on a new section of Crismon Road from Ray Road to Williams Field Road, as recommended by the Transportation Advisory Board. **(District 6)**
- \*6-c. **ZON17-00324 (District 2)** The 1800 block of South Recker Road (east side). Located north of Baseline Road on the east side of Recker Road (3.80± acres). Rezoning; and Site Plan Review. This request will allow the land to be divided for the development of detached single residence housing. Shane Urry, applicant; Lynn M. Urry, Scott W. Urry and Peggy A. Urry, owners.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-0)

- \*6-d. **ZON17-00580 (District 5)** The 8700 through 8800 blocks of East Broadway Road (south side). Located on the south side of Broadway Road, west of the 202 Red Mountain Freeway (3.2± acres). Rezoning from RM-3-PAD to LC-BIZ; and Site Plan Review. This request will allow for the development of a self-storage facility. George Pasquel, Withey Morris PLC, applicant; Broadway and 202, LLC, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-0)

- \*6-e. **ZON17-00585 (District 3)** The 700 block of West Baseline Road (south side). Located on the south side of Baseline Road west of Country Club Drive (1.9± acres). Site Plan Modification. This request will allow for the development of a medical office in the NC zoning district. Andrew Greybar, LGE Design Group, applicant; Mesa GI Holdings, LLC, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-0)

- \*6-f. **ZON17-00591 (District 1)** The 800 block of North Gilbert Road (east side). Located on the east side of Gilbert Road south of Brown Road (1.7± acres). Rezoning from OC to LC; and Special Use Permit and Site Plan Review. This request will allow for the development of a building materials and services facility with accessory outdoor display. Boyd Thacker, Brock Craig & Thacker Architects, applicant; Highplains Land, LLC, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-0)

- \*6-g. **ZON17-00593 (District 6)** The 7500 block of East Hampton Avenue (north side). Located south of Southern Avenue and west of Sossaman Road (2.4± acres). Rezoning from LI-PAD to LC-PAD and Council Use Permit; and Site Plan Review. This request will allow for the development of a plasma center. Paul Gilbert, Beus Gilbert, PLLC, applicant; Hampton Property, LLC, owner.

Staff Recommendation: Approval with conditions

P&Z Board Recommendation: Approval with conditions (Vote: 5-0)

- \*6-h. Amending Section 11-31-34 of the Mesa Zoning Ordinance pertaining to the establishment and operation of Medical Marijuana Facilities. **(Citywide)**

The amendments reflect minor updates including adding an exception to the separation requirements, allowing deliveries, and modifying security plan requirements.

Staff Recommendation: Approval with conditions

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

7. Take action on the following subdivision plats:

- \*7-a. “Guadsworth Unit 1” **(District 6)** The 9000-9100 block of East Guadalupe Road (south side) and the 9000-9100 block of East Onza Avenue (north side). Located west of Ellsworth Road on the south side of Guadalupe Road. 3 LC-PAD commercial lots (6.89 ± acres). Western Devco, LLC, developer; Raymond S. Munoz III, EPS Group Inc., surveyor.

- \*7-a. “Guadsworth Unit 2” **(District 6)** The 2800 block of South Ellsworth Road (west side) and the 9100 block of East Onza Avenue (north side). Located south of Guadalupe Road on the west side of Ellsworth Road. 3 LC-PAD commercial lots (3.01 ± acres). Western Devco, LLC, developer; Raymond S. Munoz III, 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 6:09 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 April, 2018. 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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