



# COUNCIL MINUTES

August 24, 2015

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on August 24, 2015 at 5:45 p.m.

## COUNCIL PRESENT

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

## COUNCIL ABSENT

None

## OFFICERS PRESENT

Christopher Brady  
Jim Smith  
Dee Ann Mickelsen

Mayor's Welcome.

Invocation by Pastor David Jones with Newlife Foursquare Church.

Pledge of Allegiance was led by Justin Demko, Scout Troop No. 39.

Awards, Recognitions and Announcements.

Mario De La Cruz, a representative of the Guaymas Fire Department, expressed appreciation to the City of Mesa and presented the Council with a plaque of appreciation for the fire truck donated to his community. He thanked the Council for their ongoing support.

Mayor Giles accepted the plaque and commented that it was a great tradition that the City of Mesa is able to donate fire trucks to its Sister City, Guaymas, Mexico.

## 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 of previous meetings as written.

Minutes from the April 23, June 25, July 1 and 8, 2015 Council meetings.

3. Take action on the following liquor license applications:

\*3-a. Downtown Mesa Association

This is a one-day charitable event to be held on Friday, September 11, 2015 from 6:00 p.m. to 10:00 p.m. on Macdonald, between Main Street and Pepper Street. **(District 4)**

\*3-b. Looking Glass Youth and Family Services, Inc.

This is a one-day charitable event to be held on Sunday, September 6, 2015 from 1:00 p.m. to 6:00 p.m. at 525 South Gilbert Road, Suite A1-2. **(District 4)**

\*3-c. Looking Glass Youth and Family Services, Inc.

This is a one-day charitable event to be held on Saturday, September 12, 2015 from 7:00 p.m. to 2:00 a.m. at 43 West 6<sup>th</sup> Avenue. **(District 4)**

\*3-d. At Your Convenience on Broadway

A convenience store is requesting a new Series 10 Beer and Wine Store License for G&G Petroleum LLC, 8461 East Broadway Road – Paramjit Singh, agent. The existing license held by At Your Convenience on Broadway LLC, will revert back to the State. **(District 5)**

\*3-e. Broadway Valero 1600

A convenience store with gas station is requesting a new Series 10 Beer and Wine Store License, 4360 East Broadway Road – Baker Alloush, sole proprietor. The existing license held by CST Arizona Stations Inc. will revert back to the State. **(District 2)**

\*3-f. Mercado Mi Pueblo

A convenience store is requesting a new Series 10 Beer and Wine Store License for Badshah LLC, 103 West 8<sup>th</sup> Avenue – Ahsan Abbas Bukhari, agent. The existing license held by Malika LLC will revert back to the State. **(District 4)**

\*3-g. University Valero 1620

A convenience store with gas station is requesting a new Series 10 Beer and Wine Store License, 6758 East University Drive – Baker Alloush, sole proprietor. The existing license held by CST Arizona Stations Inc. will revert back to the State. **(District 2)**

\*3-h. 1001 Nights Restaurant

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for 1001 Nights LLC, 706 West Southern Avenue, Suite 106 – Masoud Assadi, agent. There is currently no existing license at this location. **(District 4)**

\*3-i. Café Agit

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License, 1954 South Dobson Road, Suite 5 – Seok Chae Bae, sole proprietor. The existing license held by EPMM LLC will revert back to the State. **(District 3)**

\*3-j. Eklectic Pie

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for FX4Success LLC, 1859 South Stapley Drive, Suite 105-3 – Jay Lawrence Johnson, agent. There is currently no existing license at this location. **(District 3)**

\*3-k. Sushi & Crab

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Longmore & Lee Inc., 1310 South Longmore Road – Sung Kyu Lee, agent. There is currently no existing license at this location. **(District 3)**

4. Take action on the following contracts:

\*4-a. Two-Year Term Contract for Janitorial and Sanitation Supplies for the Materials & Supply Warehouse (for City Departments). **(Citywide)**

This contract will provide City departments a broad supply of janitorial and sanitation products to support daily maintenance operations for needs and locations that are not covered under the City's Custodial Services contract, including the Mesa Convention Center and the Mesa Arts Center.

The Business Services Department and Purchasing recommend authorizing a two-year contract using the City of Tucson cooperative contract with Waxie Sanitary Supply (a Mesa business), at \$165,000 annually, based on estimated requirements.

\*4-b. One-Year Renewal of the Term Contract for Tire Recapping Services for the Fleet Services Department. **(Citywide)**

This contract provides for tire recapping services including labor and materials for the City's fleet of heavy duty vehicles.

The Fleet Services Department and Purchasing recommend authorizing a one-year renewal with Jack's Tire & Oil Management Co., Inc., dba Jack's Tire & Oil, at \$400,000, based on estimated requirements.

\*4-c. Three-Year Term Contract for Parks, Retention Basins and Sports Fields Landscape Maintenance Services – Zone 3 for the Parks, Recreation and Commercial Facilities Department. **(Council Districts 1, 2, 3, and 4)**

This contract provides landscape maintenance services for City parks and retention basins encompassing approximately 173 acres of park land and 81 acres of retention basins.

The evaluation committee recommends awarding the contract to the highest scored proposal from Mariposa Landscape Arizona, Inc. at \$860,457.17 annually, based on estimated requirements.

\*4-d. Purchase of One Sports Utility Vehicle for the Police Department. **(Citywide)**

This purchase will provide one 2015 Chevrolet Tahoe police patrol SUV to replace a police vehicle that was damaged beyond repair. A replacement is needed as soon as possible to maintain the Police Department's fleet of patrol vehicles.

The Fleet Services and Police Department and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Midway Chevrolet Nissan Isuzu at \$38,924.93. This purchase is funded by the Vehicle Replacement Fund.

\*4-e. Three-Year Term Contract for the C-Cure Security Access System Upgrade as requested by the Police Department. **(Citywide)**

This contract will upgrade the City's existing Software House C-Cure security access system, which is outdated and the manufacturer no longer provides patches, fixes or updates. The software will be upgraded to the newest platform and the hardware will be upgraded with a server configuration that will reduce downtime and allow system redundancy. The contract also provides for ongoing maintenance support and as-needed component purchases.

The evaluation committee recommends awarding the contract to the highest scored proposal, Tyco Integrated Security, at \$574,500 for Year 1; \$85,000 for Year 2, and \$85,000 for Year 3, based on estimated requirements.

\*4-f. Southeast Water Reclamation Plant Grit Removal Facilities Improvement Project. **(District 6)**

This project will upgrade the Southeast Water Reclamation Plant (SEWRP) to address operational issues with grit removal, and improve the functionality and efficiency of plant operations. Currently, the plant receives four to five million gallons of wastewater per day with an average operational capacity of eight million gallons per day. Five to seven tons of grit are removed from the wastewater on a weekly basis. The existing grit removal operation is very labor-intensive and, due to its inefficiency in removing grit, it causes excessive wear on the Primary Effluent Pumps. This results in additional maintenance, time, and cost.

Staff recommends that Council award a contract for this project to the lowest responsible bidder, Archer Western Construction LLC, in the amount of \$3,140,500, and authorize a change order allowance in the amount of \$314,050.

\*4-g. Falcon Field Airport Realign and Construct Taxiway 'A'. **(District 5)**

The proposed project consists of priority runway safety improvements included in the Falcon Field Airport Master Plan and Runway Safety Action Plan, and the Federal Aviation Administration (FAA) Runway Incursion Mitigation Program. On July 8, 2015, Council accepted an Airport Improvement Program (AIP) Grant Agreement from the FAA that provides 91.06% of the necessary construction funding.

The total authorized amount recommended for this project is \$1,418,173.23 based on the lowest responsible bid of \$1,289,248.39, plus an additional \$128,924.84 (10%) as a change order allowance. The recently approved FAA grant will fund 91.06% of the total estimated cost with local matching funds required for the remaining 8.94%. Falcon Field has applied to the Arizona Department of Transportation (ADOT) for a matching grant to fund 4.47% and the Airport Enterprise Fund will fund the remaining 4.47%. If an ADOT grant is not received, Falcon Field will fund the entire local match of 8.94%, with funding available from the adopted FY2015-16 Falcon Field Capital Program.

5. Take action on the following resolutions:

- \*5-a. Approving and authorizing the City Manager to enter into a Development Agreement for City Share Reimbursement with Gorman & Company, Inc. for the reimbursement of \$5,749 for street improvements, which are being required by Mesa in conjunction with a proposed residential development known as Escobedo at Verde Vista. The project location is at the 400-500 block of North Pasadena. **(District 4)** – Resolution No. 10661.
- \*5-b. Approving and authorizing the City Manager to enter into Customer-Owned Substation Facilities Services Agreement with Salt River Project Agricultural Improvement and Power District. The Agreement provides for maintenance repair and emergency services of the City-owned substation located at the Greenfield Water Reclamation Plant. **(Citywide)** – Resolution No. 10662.
- \*5-c. Approving and authorizing the City Manager to accept Proposition 202 funds from the Gila River Indian Community and administer awarded funds as pass-through grants to designated awardees. **(Citywide)** – Resolution No. 10663.
- \*5-d. Approving and authorizing the City Manager to enter into a Memorandum of Understanding with the City of Phoenix and Maricopa County to accept funding in the amount of \$120,000 to upgrade the building security camera system in multiple City facilities. These funds are made available from a 2015 Byrne Memorial Justice Assistance Grant. **(Citywide)** – Resolution No. 10664.
- \*5-e. Approving a site plan for property located at 2060 West Broadway Road, located west of Dobson Road on the north side of Broadway Road (1.52± acres). This will allow for the development of a carwash. David Miller, Arizona Oil Partners, LLC, applicant; Tod Thorpe, PRA/LB, LLC, owner. Z15-022 **(District 3)** – Resolution No. 10665.

Staff Recommendation: Approval with Conditions

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

- \*5-f. Extinguish a portion of a Public Utility Easement on Lot 5 of the Final Plat of Costco Wholesale & Superstition Commerce Park a replat of Superstition Springs Auto Loop, located south of Hampton Avenue and west of Sossaman Road. **(District 6)** – Resolution No. 10666.

The property owner has requested the City extinguish a portion of a Public Utility Easement in order to accommodate improvements to their commercial property.

- \*5-g. Extinguish Temporary Drainage Easements at Lots 3 and 4 of “Mesa Automotive Center Amended Plat” and a Public Utility Easement at Lot 3 of “Mesa Automotive Center Amended Plat”. **(District 3)** – Resolution No. 10667.

The property owner is requesting that the City extinguish the easements to accommodate future development.

- \*5-h. Extinguishing a Public Utility Easement on Lot 303 of “The Ranch – Unit Two”. **(District 3)** – Resolution No. 10668.

The property owner has requested the City extinguish an 8-foot public utility easement along the north and east property line of Lot 303 of “The Ranch – Unit Two” to accommodate development.

- \*5-i. Approving a site plan of the property at 10950 East Elliot Road. Located at the northeast corner of Signal Butte Road and Elliot Road (108.45± acres). Site Plan Review. This request will allow the expansion of an existing City of Mesa Water Treatment Plant. Christopher Scott, P.E., City of Mesa, applicant; City of Mesa, owner. Z15-014 **(District 6)** – Resolution No. 10669.

6. Introduction of the following ordinances and setting August 31, 2015 as the date of the public hearing on these ordinances:

- \*6-a. **Z15-024 (District 6)** The 6700 block of South Mountain Road. Located at the northwest corner of Pecos Road and Mountain Road (10± acres). Rezone from AG to HI-AF and Site Plan Review. This request will allow for the expansion of an existing industrial development located at 6560 South Mountain Road. Michael Hall, Michael A. Hall, Architect, LLC, applicant; Scott Hancock, MGC Pure Chemical America, owner.

Staff Recommendation: Approval with Conditions

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

- \*6-b. **Z15-019 (District 5)** 4702 and 4706 East Virginia Street. Located north of McDowell Road and east of Greenfield Road (2.2± acres). Rezone from GI to HI and Site Plan Review. This request will allow for the expansion of an existing industrial development. Joann M. DeSa, JPCI Services, applicant; Joseph Nuciforo Sr., Trustee Nuciforo Family Trust, owner.

Staff Recommendation: Approval with Conditions

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

- \*6-c. Amending Mesa City Code Title 9 (Public Ways and Property), Chapter 11 (Floodplain Regulations), Sections 1-7, and adopting by reference the current Flood Insurance Study, Flood Insurance Rate Maps and Floodplain Management Regulations of the District, for the purpose of conforming to current state and federal floodplain regulations under the National Flood Insurance Program. **(Citywide)**

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

- \*7-a. Modifying the Terms and Conditions for the Sale of Utilities: For property located outside the City limits, new water and wastewater services will not be provided except under certain specified circumstances; also amending the modification section and making additional clerical changes. **(Citywide) Continued to the August 31, 2015 City Council meeting.**

8. Take action on the following subdivision plats:

- \*8-a. "Albany Village" **(District 2)** The 5600-5700 blocks of East Albany Street (north side). Located north of Main Street and east of 56<sup>th</sup> Street. 228 RSL2.5 PAD lots (29.54± ac.). William Lyon Homes, owner; Ted Northrup, Atwell, engineer.
- \*8-b. "Bella Via – Parcel 12" **(District 6)** The 5300-5500 block of South Signal Butte Road (east side). Located between Signal Butte Road and Mountain Road just south of Ray Road. 77 RS-6 PAD lots (21.19± ac.). Pulte Home Corporation, owner; Shane D. McClara, P.E., Wood, Patel & Assoc., engineer.
- \*8-c. "Gateway Plaza" **(District 6)** The 5300 block of South Power Road (east side). Located south of the southeast corner of Power and Ray Roads. 3 LC PAD lots (4.74± ac.). Property Investment, LLC, owner; Jerry D. Heath Jr., R.L.S., Hunter Engineering, surveyor.
- \*8-d. "Metro East Valley Commerce Park" **(District 3)** The 500-700 blocks of East Auto Center Drive (north side). Located east of the southeast corner of US60 and South Mesa Drive. 1 LI PAD lot (21.43± ac.). Metro East Valley Holdings, LLC, owner; Geoffrey K. Brimhall, R.L.S., CEG, surveyor.
- \*8-e. "Seville at Mountain Bridge" **(District 5)** The 8600-9100 block of East McKellips Road (south side). Located west of North Ellsworth Road on the south side of East McKellips Road. 23 RS-15 PAD PAD lots (20.54± ac.). Pinnacle Ridge Holdings, LLC, owner; Daniel W. Matthews, P.E., Wood, Patel & Assoc., engineer.
- \*8-f. "Special Devices Inc." **(District 5)** The 4500-4700 blocks of East Virginia Street (north side). Located east of the southeast corner of the Loop 202 Red Mountain Freeway and North Greenfield Road. 1 HI CUP lot (19.59± ac.). Special Devices, Inc., owner; Jerry D. Heath Jr., R.L.S., Hunter Engineering, surveyor.
- \*8-g. "Heritage Village Assisted Living" **(District 5)** The 8000-8100 block of East Brown Road (south side). Located west of the southwest corner of the Loop 202 Red Mountain Freeway and East Brown Road. 9 OC lots (4.52± ac.). Assisted Living of Arizona, owner; Greg Allen, P.E., Allen Consulting Engineers, Inc., engineer.

**Items not on the Consent Agenda**

9. Items from citizens present.

Anne Berryman, a Mesa resident, addressed the Council and expressed concerns relative to the fact that the City Council conducts their meetings on Monday nights. She added that Monday evenings should be reserved for families.

Ivy Coppo, a Mesa resident, addressed the Council and explained that the Ghost rider development has encountered several road blocks. She added that access to City water would ensure community support for a formal de-annexation petition. She stated that since Ghost rider was unable to develop under current City standards, she hoped that the development would be held to 2005 standards, when it was originally annexed. She requested that the Council add an item to the August 31, 2015 agenda for consideration of a water utility agreement, based on special circumstances.

Tim Murphy, a Mesa resident, addressed the Council and voiced concerns regarding the Ghost rider development and its inability to move forward. He requested that the Council work with Ghost rider residents on a solution.

10. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:08 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 24<sup>th</sup> day of August, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

---

DEE ANN MICKELSEN, CITY CLERK

hm