



COUNCIL MINUTES

August 25, 2014

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on August 25, 2014 at 5:45 p.m.

COUNCIL PRESENT

Christopher Glover
Terry Benelli
Dennis Kavanaugh
David Luna
Scott Somers

COUNCIL ABSENT

Alex Finter
Dave Richins

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Dee Ann Mickelsen

(Vice Mayor Glover excused Mayor Finter and Councilmember Richins from the entire meeting.)

Invocation by Pastor Jonathan Montes with Iglesia Pentecostal Unida Hispana, Inc.

Pledge of Allegiance was led by Councilmember David Luna.

Mayor's Welcome.

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.

Vice Mayor Glover stated that he received speaker cards from Ryan Winkle and David Crummey who were in support of item *7-d but did not wish to speak unless it was necessary.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Somers, that the consent agenda items be approved.

Vice Mayor Glover declared the motion carried unanimously by those present.

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

Minutes from the June 16 and August 18, 2014 Council meetings.

3. Take action on the following liquor license applications:

*3-a. Septembers Bar

A person-to-person transfer of a Bar License for Septembers Bar, 500 West Southern Avenue, Suite 12, Bob Hicks Septembers, Inc. – Robert Allen Hicks, agent. This location has a Bar License held by Septembers, Inc., that will be transferred to the new applicant.
(District 4)

*3-b. Fairway Market

A person-to-person transfer of a Liquor Store License for Fairway Market, 340 West Brown Road, Mesa Fairway LLC – Randy Nations, agent. This location has a Liquor Store License held by Shamoon Yousif that will be transferred to the new applicant.
(District 1)

4. Take action on the following contracts:

*4-a. Dollar-Limit Increase to the Term Contract for Office Supplies as requested by the Purchasing Division. **(Citywide)**

Mesa was the lead agency on this cooperative contract first approved by Council in September 2009. The contract provides next-day, desktop-delivery of office and classroom supplies on an as-needed basis to various City of Mesa departments, valley school districts and other members of Strategic Alliance for Volume Expenditures (SAVE) purchasing cooperative. Approximately 103 agencies are currently utilizing Mesa's contract with WIST with a combined spend of over \$7 million.

Purchasing and WIST agreed on a six-month contract extension through March 31, 2015 to allow the City and the cooperative agencies to work on a new solicitation. The dollar increase is needed for the City's purchases through that period.

Purchasing recommends authorizing a dollar-limit increase of \$275,000 with WIST Office Products, increasing the contract from \$800,000 to \$1,075,000, for City of Mesa purchases, based on estimated requirements.

*4-b. Purchase of Thirty-Nine Replacement Police Patrol Chevrolet Tahoes for the Police Department. **(Citywide)**

Thirty-six of the vehicles being replaced have met established replacement criteria and will be retired and sold at auction. Three vehicles were damaged in vehicle accidents and will also be replaced.

As of July 15, when the bid responses were due, Midway had inventory of (31) new 2014 Tahoes available subject to prior sale. It is Staff's intent and recommendation to purchase as many 2014 Tahoes that are available at the time of order. The potential cost savings is

\$64,772.72, including sales taxes. The award recommendation is based on the purchase of (39) 2015 models at \$1,389,746.26. The total amount for the purchase will be less than the Council award if the 2014 vehicles are still available.

Fleet Services, Police and Purchasing recommend authorizing purchase from the lowest, responsive and responsible bidder, Midway Chevrolet Nissan Isuzu, at \$1,389,746.26. This purchase is funded by the Vehicle Replacement Fund.

- *4-c. Purchase of One Additional 911 Call-Taking Phone for the Regional Public Safety Dispatch Center for the Fire and Medical Department. **(Citywide)**

The purchase is necessary to meet the increased service demands being placed on the Mesa Fire and Medical Regional Dispatch Center (MRDC) as the MRDC becomes a fully functional Secondary Public Safety Answering Point (PSAP). The Intrado phone is the only product that is compatible with the other 911 phones in operation at the MRDC.

Fire and Medical and Purchasing recommend authorizing the purchase using the State of Arizona cooperative contract with Intrado Corp., at \$23,135.11.

- *4-d. Two-Year Term Contract for Specialty Papers for the Print Shop as requested by the Business Services Department. **(Citywide)**

This contract will provide different types of papers to produce a variety of printed products for City Departments. Spicers Paper carries many of the brands of specialty papers that are compatible with the Print Shop's equipment and the needs of the requesting departments.

Business Services and Purchasing recommend authorizing using the Maricopa County cooperative contract with Spicers Paper, at \$40,000.00 annually, based on estimated requirements.

- *4-e. Purchase of Replacement Front Load Refuse and Roll-Off Containers for the Solid Waste Management Department. **(Citywide)**

This purchase will provide (8) eight-yard front load refuse containers, (6) thirty-yard tub style roll-off front containers and (6) forty-yard tub style roll-off front containers for the City's commercial and residential customers. Solid Waste Management's existing inventory is nearing end-of-life and this purchase will establish a contract to replenish the department's inventory.

Solid Waste Management and Purchasing recommend authorizing purchase from the lowest, responsive and responsible bidder, Wastebuilt, at \$62,185.86.

- *4-f. Three-Year Term Contract for Emergency Electric Line Services for the Energy Resources Department. **(Citywide)**

This contract will provide standby/on-call emergency response electric line service crews to perform emergency repair work on the City's electric transmission and distribution facilities as directed by the Electric Utility Division. Repair work includes pole setting, hot line transfers, installing wire and cable and general line work.

Energy Resources and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders, NPL Construction Co. (Primary Award) and Wilson Construction Co., dba Wilson Utility Construction Co. (Secondary Award,) at \$270,771.00 annually, based on estimated requirements.

- *4-g. Dollar-Limit Increase for the Purchase of Two Replacement Trailer Mounted Water Pumps for the Transportation Department. **(Citywide)**

The City ordered two trailer mounted water pumps with sound reduction packages for Transportation, Field Operations. Prior to Fleet Services installing the sound reduction and vandal packages rated at 72 decibels, Transportation and Fleet researched to see if additional sound reduction could be installed. Fleet determined that the manufacturer could provide an enhanced 69 decibel package for an additional cost.

Transportation is requesting the increase to purchase the additional sound protection feature. Fleet is requesting that the existing pumps be exchanged for the enhanced sound reduction equipped units. The enhanced feature will ensure that when the units are operated overnight in neighborhoods they do not disturb the homeowners. Exchanging the pumps is less costly than re-awarding the agreement to the next lowest-priced bidder.

Fleet Services, Transportation and Purchasing recommend authorizing a dollar-limit increase of \$31,471.86 with Water Movers, Inc., increasing the contract amount from \$71,850.27 to \$103,322.13. The additional amount is funded by the Transportation department operating budget.

- *4-h. Three-Year Term Contract for Manhole Covers, Frames and Adjusting Rings for the Materials and Supply Warehouse (for the Water Resources Department). **(Citywide)**

Water Resources uses these items for new construction projects, and maintenance and repair of existing facilities. Materials and Supply orders and maintains inventory as needed for use by the department.

Business Services, Water Resources and Purchasing recommend awarding the contract to the lowest, responsive and responsible bidders: Peoria Winnelson; and HD Supply Waterworks; at \$31,400.00 annually, based on estimated requirements.

- *4-i. Oakwood Creative Care Renovation. **(District 4)**

The City leases a suite to Oakwood Creative Care, which is a not-for-profit business that provides daily care and activities for those who are afflicted with dementia, stroke, and other conditions of impairment. This project will renovate the suite to address aesthetic, functional, mechanical, and electrical issues related to the age of the facility. Renovations will include new flooring; new paint; upgrades to the existing heating, ventilation, and air-conditioning systems; replacement of the main entry-way doors and windows; remodel of the kitchen and bathrooms; replacement of light fixtures, exit systems, and emergency lighting; adjustments to the fire alarm system to meet code requirements; addition of an exit notification system; and addition of exterior signage.

Recommend that Council award this project to DNG Construction LLC, for a total award amount of \$556,517.50, comprised of the low bid of \$505,925.00, plus \$50,592.50 (10%

change order allowance). Funding for this project is provided by Community Development Block Grant funds.

5. Take action on the following resolutions:

- *5-a. Approving and authorizing the City Manager to execute an Airport Improvement Program (AIP) Grant Agreement with the Federal Aviation Administration (FAA) for the design of the re-alignment and construction of Taxiways A & C at Falcon Field Airport. The total estimated cost of the design project is \$383,655, with the FAA paying 91.06% (\$349,356). Funding for the remaining 8.94% (\$34,299) is the responsibility of the City. The City will seek to obtain a matching grant from the Arizona Department of Transportation in the amount of \$17,149, and if obtained, the City will pay the remaining \$17,150 with funds from the Falcon Field Airport Enterprise Fund **(District 5)** – Resolution No. 10517.
- *5-b. Approving and authorizing the City Manager to enter into a Transit Services Amendment to the Intergovernmental Agreement with the Regional Public Transportation Authority for fixed bus, Dial-a-Ride and RideChoice and ADA Platinum Pass transit services. The estimated cost of transit services for FY 14/15 is \$15,436,565. Regional funds provide \$10,800,304 for the services and the City's General Fund covers the remaining \$4,636,261 **(Citywide)** – Resolution No. 10518.
- *5-c. Approving and authorizing the City Manager to enter into a funding agreement with Valley Metro Rail, Inc., for the current light rail operations in the City of Mesa. The City of Mesa will pay \$1,666,243 for operations and maintenance of the existing Light Rail line for Fiscal Year 2014/15 **(District 3)** – Resolution No. 10519.
- *5-d. Approving and authorizing the City Manager to enter into an Intergovernmental Agreement with the Arizona Department of Transportation for the construction and maintenance of solar lighting and associated equipment for the Rio Salado Multiuse Path at the L202 Red Mountain Freeway and L101 Price Freeway traffic interchange **(District 1)** – Resolution No. 10520.

6. Introduction of the following ordinance and setting September 8, 2014 as the date of the public hearing on this ordinance:

- *6-a. Amending the Mesa Zoning Ordinance; Title 11 of the Mesa City Code; Chapters 4, 5, 6, and 7; Sections 2, and Chapter 30, Section 16 relating to permitted uses of portable storage containers in specified zoning districts; and creating Chapter 30, Section 16, regarding requirements relating to the placement and use of portable storage containers.

Staff recommendation: Approval

P&Z Board Recommendation: Approval (Vote: 6-0, Chair DiBella, absent)

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

- *7-a. Amending the Mesa City Code, Title 7 (Fire Regulations) to adopt a new Chapter 5 (Community Care Response Unit Cost Recovery), which allows for the City, through the Fire and Medical Department, to recover costs related to community paramedical

services provided by community care response units and costs related to other paramedic services resulting in transport to an emergency department **(Citywide)** – Ordinance No. 5239.

*7-b. Amending Table 1 in Title 5, Chapter 17 of the Mesa City Code, entitled Mesa Development Impact Fees, by removing the Library Impact Fee from the table so as to confirm the discontinuation of this fee **(Citywide)** – Ordinance No. 5240.

*7-c. **Z14-039 (District 6)** 6907 East Ray Road. Located east of Power Road on the south side of Ray Road. (2.9± acres) Site Plan Review and Rezone from LC to LC-BIZ. This request will allow for the development of a four-story hotel. Paul Welker/Sunridge Properties, Gateway Hospitality Group, LLC, applicant; Warren and Lindsay Holdings, LLC, owner – Ordinance No. 5241.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 6-0, Chair DiBella, absent)

*7-d. **Z14-032 (District 4)** 15 East 1st Avenue. Located south of Main Street on the east side of Center Street (4± acres). Rezone from DR-2 DE to DR-2 DE HL. This request will establish a Historic Landmark Overlay for the First United Methodist Church of Mesa. James Ripley, applicant; United First Methodist Church of Mesa, owner – Ordinance No. 5242.

Staff Recommendation: Approval with Conditions

HP Board Recommendation: Approval with Conditions (Vote: 5-0, Dane Astle, absent)

P&Z Board Recommendation: Approval with Conditions (Vote: 5-0, Vice Chair Coons and Boardmember Arnett, absent)

*7-e. **Z14-040 (District 6)** The 7100-7300 blocks of East Guadalupe Road (south side). Located south of Guadalupe Road and west of Sossaman Road (22.46± acres). Modification of the PAD for Desert Place at Morrison Ranch Phase 2, specifically lots 87 to 133 and Desert Place at Morrison Ranch Phase 3, specifically lots 93-142 in the RS-7-PAD-PAD zoning district. This request will allow residential lot coverage to increase from 45% to 50%. Jackie Guthrie, EPS Group, applicant; Daniel Bonow, Pulte Home Corporation, owner – Ordinance No. 5243.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 6-0, Chair DiBella, absent)

8. Take action on the following subdivision plats:

*8-a. “Desert Place at Morrison Ranch Phase 2” **(District 6)** The 7100-7300 blocks of East Guadalupe Road (south side). Located west of the southwest corner of Guadalupe and Sossaman Roads. 86 RS-6 PAD PAD lots, 47 RS-7 PAD PAD lots and 48 RS-9 PAD PAD lots (61± acres). Morrison Ranch, Inc., owner; Joe Kraft, EPS Group, Inc., surveyor.

- *8-b. "Parcel D of Desert Creek at Las Sendas – Parcel 51" (**District 5**) The 7100-7200 blocks of East McDowell Road (north side). Located north and east of East McDowell and North Power Roads. 51 RM-2 PAD lots (14.3± acres). Ryland Homes of Arizona, Inc., owner; Gail A. Morgan, EPS Group, Inc., surveyor.

Items not on the Consent Agenda

9. Conduct a public hearing and take action on the following annexation ordinance, resolution and rezoning ordinances regarding Minor General Plan amendment GPMInor14-011:

- 9-a. Conduct a public hearing on GPMInor14-011.

Vice Mayor Glover announced that this was the time and place for a public hearing on the annexation ordinance, resolution and rezoning ordinances regarding Minor General Plan amendment GPMInor14-011.

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

- 9-b. **A14-05 (District 5)** Ordinance. 10160 East Brown Road. The annexation of land located east of Crismon Road on the north side of Brown Road (19+ acres). Initiated by the property owner, Laurin Hendrix. Ordinance No. 5244.

Vice Mayor Glover stated that pending no objection of the Council, items 9-b through 9-e will be voted on in one motion.

It was moved by Councilmember Luna, seconded by Councilmember Somers that Ordinance Nos. 5244, 5245, and 5246 and Resolution No. 10521 be adopted.

Vice Mayor Glover declared the motion carried unanimously by those present and Ordinance Nos. 5244, 5245, and 5246 and Resolution No. 10521 adopted.

- 9-c. **GPMInor14-011 (District 5)** Resolution. 10160 East Brown Road. Located east of Crismon Road on the north side of Brown Road (20± acres). Minor General Plan Amendment to adjust the boundaries of the existing Mesa 2025 General Plan Land Use Designation from Low Density Residential 0-1 (LDR 0-1) to Low Density Residential 1-2 (LDR 1-2). This request will allow the development of a single residential subdivision. Lindsay Schube, Withey Morris, applicant; M. Laurin Hendrix, owner. Resolution No. 10521.

Staff Recommendation: Adoption

Board Recommendation: Adoption (Vote: 5-0, Vice Chair Coons and Boardmember Arnett, absent)

(See Council action under item 9-b.)

- 9-d. **Z14-034 (District 5)** Ordinance. 10160 East Brown Road. Located east of Crismon Road on the north side of Brown Road (20± acres). Rezone from Maricopa County R1-35 to City of Mesa RS-35. This request will establish City of Mesa zoning on recently annexed

property. Lindsay Schube, Withey Morris, applicant; M. Laurin Hendrix, owner. Ordinance No. 5245.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 5-0, Vice Chair Coons and Boardmember Arnett, absent)

(See Council action under item 9-b.)

- 9-e. **Z14-036 (District 5)** Ordinance. 10160 East Brown Road. Located east of Crismon Road on the north side of Brown road (20± acres). Rezone from RS-35 to RS-15 PAD. This request will allow the development of a single residential subdivision. Lindsay Schube, Withey Morris, applicant; M. Laurin Hendrix, owner. Ordinance No. 5246.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 5-0, Vice Chair Coons and Boardmember Arnett, absent)

(See Council action under item 9-b.)

10. Conduct a public hearing and take action on the following resolution and rezoning ordinance regarding Minor General Plan amendment GPMInor14-010:

- 10-a. Conduct a public hearing on GPMInor14-010.

Vice Mayor Glover announced that his was the time and place for a public hearing on the resolution and rezoning ordinance regarding Minor General Plan amendment GPMInor14-010.

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

- 10-b. **GPMInor14-010 (District 6)** Resolution. The 10000 to the 10800 blocks of East Guadalupe Road (north side). Located north of Guadalupe Road between Signal Butte and Crismon Roads (172.5± acres). Minor General Plan Amendment to adjust the boundaries of the existing Mesa 2025 General Plan Land Use Designation from Medium Density Residential 6-10 (MDR 6-10), Neighborhood Commercial (NC) and High Density Residential 15+ (HDR 15+) to Medium Density Residential 4-6 (MDR 4-6) and High Density Residential 10-15 (HDR 10-15). This request will allow the development of a residential master plan subdivision. Josh Hannon, EPS Group, Inc., applicant; Paul Dugas, Desert Land Group, LLC, owner. Resolution No. 10522.

Staff Recommendation: Continuance until the August 20, 2014 Planning and Zoning Board meeting

P&Z Board Recommendation: Adoption (Vote: 5-1, Boardmember Allen, nay; Chair DiBella, absent)

Vice Mayor Glover stated that pending no objection of the Council, items 10-b and 10-c will be voted on in one motion.

It was moved by Councilmember Luna, seconded by Councilmember Kavanaugh that Resolution No. 10522 and Ordinance No. 5247 be adopted.

Vice Mayor Glover declared the motion carried unanimously by those present and Resolution No. 10522 and Ordinance No. 5247 adopted.

- 10-c. **Z14-037 (District 6)** Ordinance. The 10000 to the 10800 blocks of East Guadalupe Road (north side). Located north of Guadalupe Road between Signal Butte and Crismon Roads (172.5± acres). Rezone from AG, RS-9 PAD, RS-6 PAD, and RM-2 PAD to RS-6 PAD, RSL4.5 PAD, RSL 2.5 PAD and RM-2 PAD. This request will allow for the development of a residential master planned community. Josh Hannon, EPS Group, Inc., applicant; Paul Dugas, Desert Land Group, LLC, owner. Ordinance No. 5247.

Staff Recommendation: Continuance until the August 20, 2014 Planning and Zoning Board meeting

P&Z Board Recommendation: Approval with Conditions (Vote: 5-1, Boardmember Allen, nay; Chair DiBella, absent)

(See Council action under item 10-b.)

11. Conduct a public hearing and take action on the following resolution and rezoning ordinance regarding Minor General Plan amendment GPMInor14-012:

- 11-a. Conduct a public hearing on GPMInor14-012.

Vice Mayor Glover announced that this was the time and place for a public hearing on the resolution and rezoning ordinance regarding Minor General Plan amendment GPMInor14-012.

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

- 11-b. **GPMInor14-012 (District 6)** Resolution. The 10600 to the 10800 blocks of East Guadalupe Road (north side). Located at the northwest corner of Guadalupe and Signal Butte Roads (17.6± acres). Minor General Plan Amendment to adjust the boundaries of the existing Mesa 2025 General Plan Land Use Designation from Medium Density Residential 6-10 (MDR 6-10), to Community Commercial (CC). This request will allow the development of a local commercial center. Josh Hannon, EPS Group, Inc., applicant; Paul Dugas, Desert Land Group, LLC, owner. Resolution No. 10523.

Staff Recommendation: Continuance to the July 16, 2014 Planning and Zoning Board meeting

P&Z Board Recommendation: Adoption (Vote: 5-0, Vice Chair Coons and Boardmember Arnett, absent)

Vice Mayor Glover stated that pending no objection of the Council, items 11-b and 11-c will be voted on in one motion.

It was moved by Councilmember Somers, seconded by Councilmember Kavanaugh that Resolution No. 10523 and Ordinance No. 5248 be adopted.

Vice Mayor Glover declared the motion carried unanimously by those present and Resolution No. 10523 and Ordinance No. 5248 adopted.

- 11-c. **Z14-038 (District 6)** Ordinance. The 10600 to the 10800 blocks of East Guadalupe Road (north side). Located at the northwest corner of Guadalupe and Signal Butte Roads (17.6± acres). Rezone from RM-2 PAD to LC with a PAD overlay, a Special Use Permit to allow for a service station, and Site Plan Review. This request will allow for the development of a commercial center. Ali Fakh, SEG, applicant; Paul Dugas, Desert Land Group, LLC, owner. Ordinance No. 5248.

Staff Recommendation: Approval with Conditions

P&Z Board Recommendation: Approval with Conditions (Vote: 6-0, Chair DiBella, absent)
(See Council action under item 11-b.)

12. Items from citizens present.

There were no items from citizens present.

13. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:00 p.m.

CHRISTOPHER GLOVER, VICE 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 25th day of August 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

